



## McCleary City Council Agenda

10/23/19- 6:30PM

### Flag Salute

Roll Call: \_\_\_ Pos. 1-Richey, \_\_\_ Pos. 2-Huff, \_\_\_ Pos. 3- Heller, \_\_\_ Pos. 4- Blankenship, \_\_\_ Pos. 5- Iversen

Public Hearing			Preliminary 2020 Budget and Revenue Sources for Levy Setting
			Critical Area Ordinance Update
Mayor Comments			
Public Comment			
Minutes	Tab	A	10/9/2019
Approval of Vouchers			
Staff Reports	Tab	B	Chris Coker
Old Business			
New Business	Tab	C	Itron Annual Maintenance Agreement
	Tab	D	BIAS Annual Support Agreement
	Tab	E	Tax Levy Refund
	Tab	F	E911 Budget
	Tab	G	3rd Street Final Bill
Ordinances	Tab	H	Ad Volarem Tax Levy Ordinance - Adoption
	Tab	I	Critical Areas Ordinance
Resolutions			
Contracts			
Mayor/Council Comments			
Public Comments			
Adjourn/Recess Meeting			

Please turn off Cell Phones- Thank you

Americans with Disabilities Act (ADA) Accommodation is Provided Upon Request

The City of McCleary is an equal opportunity provider and employer.

La ciudad de McCleary es un proveedor de igualdad de oportunidades y el empleador

**TAB - A**

**CITY OF MCCLEARY**  
**Regular City Council Meeting**  
**Wednesday, October 9, 2019**

ROLL CALL AND FLAG SALUTE	Councilmembers Huff, Heller, Blankenship and Iversen were in attendance.
ABSENT	Councilmember Richey was absent. <b>It was moved by Councilmember Huff, seconded by Councilmember Heller to excuse Councilmember Richey's absence. Motion Carried 4-0.</b>
PUBLIC HEARING - CRITICAL AREAS ORDINANCE	The critical areas ordinance public hearing opened at 6:32 pm. Helen Hamilton thanked the Council for working on her requests and stated it looks acceptable. The public hearing closed at 6:32 pm.
PUBLIC HEARING - COMBINED REVENUE SOURCES	The public hearing opened at 6:32 pm regarding combined revenue sources for the 2020 budget. No comments were made. The public hearing closed at 6:33 pm.
EXECUTIVE SESSION	At 6:35 pm, Mayor Orffer requested two five-minute executive sessions to potential litigation per RCW 42.30.110(1)(l) and public contracts per RCW 42.30.110(1)(d). The executive sessions ended at 6:45 pm. No decisions were made.
STAFF PRESENT	Present at the meeting were Director of Public Works Todd Baun, Clerk-Treasurer Wendy Collins, Chief Steve Blumer, Officer Paul Morrison and Attorney Chris Coker.
MAYOR COMMENTS	<p>Mayor Orffer requested she wants to see a budget for a redesign of the City website and for sidewalks and park benches to be upgraded. She spoke with staff to identify the worst areas for funding some street repairs. She also is budgeting for the old court room to be redesigned to possibly extend the council chambers.</p> <p>Mayor Orffer conveyed the need to be mindful of all the fall and harvest activities happening this month where children will be out and about. The renewal council is working on a lot of activities so be aware of the fun and exciting things coming up and be safe.</p>
CHEHALIS BASIN PARTNERSHIP UPDATE	Councilmember Heller reported at the last Chehalis Basin Partnership meeting, they went into a lot of detail about a Department of Ecology grant that is going to be out soon. The pre application period will be open November through March. They will offer assistance and workshops to members that want to put forth an application for the grants. There is 30 million dollars available in this round and the projects have to be centered around stream flow restoration, which is something the City doesn't have a need for. We do however, have an agreement with the County so if the County has anything they are looking to get done in our area, we could work with them. There's a lot more coming up in the coming months.
CITY ATTORNEY REPORT	Chris Coker provided a written report for the Council.
COUNCILMEMBER RICHEY ARRIVED	Councilmember Richey arrived at 6:58 pm.
DIRECTOR OF PUBLIC WORKS REPORT	Todd Baun has a large document regarding the Dollar General storm water plan, which was in question at the last meeting. It is available at city hall for anyone wishing to review it. He added that Dollar General will be breaking ground next week.
POLICE CHIEF REPORT	Chief Blumer provided a written report for the Council.
PUBLIC COMMENTS	Linda Thompson wanted to thank the City, the Fire Department and everyone involved with the move of the museum. They are very grateful for all of the help they received during their relocation.
MINUTES APPROVED	<b>It was moved by Councilmember Iversen, seconded by Councilmember Huff to adopt the minutes from the September 11, 2019 meeting. Motion Carried 4-0.</b>
VOUCHERS	<p>Accounts Payable checks approved were 46614 - 46678, including EFT's, in the amount of \$181,420.32 and 46701 - 46744, including EFT's in the amount of \$131,624.38.</p> <p>Payroll checks approved were 46609 - 46700, including EFT's, in the amount of \$199,858.78.</p>

Bank reconciliation for the month of September 2019.

**It was moved by Councilmember Heller, seconded by Councilmember Iversen to approve the vouchers. Motion Carried 4-0.**

ROOFING CHANGE ORDER REQUEST	Todd reported the roofers started work on the police roof and discovered the roof above city hall is in very bad condition. The roof is spongy when you walk on it. They offered to complete the roof for an additional \$60,000, which is less than half of what another company would charge. They said they already have their tools and equipment onsite so it will be easier for them to continue roofing the entire roof. <b>It was moved by Councilmember Iversen, seconded by Councilmember Huff to authorize the change order for \$60,000 to replace the roof for the city hall building. Motion Carried 5-0.</b>
ORDINANCE 851 - AMENDING ORDINANCE 848	Chris Coker was asked by Chief Blumer to change the language in the ordinance regarding the location of the permit sticker. The placement requirement for the sticker may not be in the best interest of the driver so the Council agreed to change the verbiage in Section 7 to state, "The stickers must be prominently displayed on the windshield of such truck". <b>It was moved by Councilmember Blankenship, seconded by Councilmember Richey to adopt Ordinance 851 AN ORDINANCE RELATING TO STREET WEIGHT LIMITS AND ROAD USE; AMENDING ORDINANCE NUMBER 848; ADDING A SECTION TO MMC TITLE 10; AND PROVIDING AN EFFECTIVE DATE. Roll call taken in the affirmative. Ordinance Adopted 5-0.</b>
MERCHANDISE CONSIGNMENT CONTRACT	Chief Blumer provided a copy of a consignment contract for merchandise surplus and seized vehicles to use for surplus vehicles when we have them. He will be submitting a completed form for this company when he has a seized vehicle to surplus.
HISTORICAL SOCIETY UTILITIES	The Historical Society has completely moved out of the Carnell House and the building is completely empty except for one brass bed, which was requested by the family. The museum items are now in a storage location. The Historical Society asked the Council if they would consider continuing to pay the museum utilities at the new storage location. Councilmember Iversen added the Historical Society did pay the City back for the roofing materials, as promised. <b>It was moved by Councilmember Richey, seconded by Councilmember Heller to authorize the city to continue to pay the utilities for the Historical Society. Motion Carried 5-0.</b>
GREATER GRAYS HARBOR, INC 2020 MUNICIPAL SERVICES AGREEMENT	<b>It was moved by Councilmember Iversen, seconded by Councilmember Blankenship to authorize the Mayor to sign the annual agreement with Greater Grays Harbor, Inc., in the amount of \$1,200. Motion Carried 5-0.</b>
CRITICAL AREAS ORDINANCE	Chris Coker said the draft ordinance is ready to go. Todd wasn't ready for this and did not know why it was on the agenda tonight. He doesn't know if we gave proper notification for a public hearing. He would like to delay it until the next meeting. Councilmember Blankenship asked Todd, at the last meeting when this was brought up, the Council had the understanding this would be brought up tonight for approval. Todd said basically, he didn't get the stuff in before he left on vacation. Since there were changes made to the draft, Todd needs to do a public hearing with proper notification. Mayor Orffer said we will plan to have the public hearing and be prepared to adopt the ordinance at the October 23rd meeting.
PROPERTY TAX LEVY ORDINANCE INTRODUCTION	The 2020 property tax ordinance was introduced for the Council to review. Wendy will include any updated numbers from the County for the next meeting. Adoption will be on the next agenda.
2020 LEMAY DISPOSAL RESOLUTION	Lemay provided the Council with their 2020 disposal rates. There will be a 1.99% rate increase in the existing rates and an increase in the County tip fee at the Central Transfer Station from \$104.85 to \$106.77 per ton, for an increase of \$1.92 per ton. <b>It was moved by Councilmember Iversen, seconded by Councilmember Blankenship to adopt Resolution 728, A RESOLUTION RELATING TO PUBLIC SERVICES; ESTABLISHING AND CONFIRMING FEES; AND PROVIDING FOR EFFECTIVE DATES. Resolution Adopted 5-0.</b>

PUBLIC COMMENT

Linda Thompson asked the City Council to write a letter of support for the museum stating they support having a museum in McCleary. They are scheduling a full inspection of the Methodist Church building because they are still interested in it as a museum location. They are searching grants and the letter from the Councilmembers will help with this process. She requested they write something regarding why we need a museum in McCleary, what it means to them to have our history here in town and how important it is to each individual elected official to maintain our history for future generations. She needs it as soon as possible, hopefully by the 15th of October.

MEETING ADJOURNED

**It was moved by Councilmember Huff, seconded by Councilmember Iversen to adjourn the meeting at 7:29 pm. The next meeting will be Wednesday, October 23, 2019 at 6:30 pm. Motion Carried 5-0.**

*Approved by Mayor Brenda Orffer and Clerk-Treasurer Wendy Collins.*

**TAB - B**

**TAB - C**



## US\_001\_OU

Date Printed : 04-OCT-2019

Maintenance Renewal Quote

Page: 1 of 1

Customer Name: City of McCleary, WA  
Customer Number: 17451  
Bill To Contact: Lindsay Blumberg  
Customer Address: 100 S. 3rd St.  
McCleary, WA 98557-9652

Contract Number: SC00004517  
Description: City of McCleary, WA - FCS & HW

Contract Duration: 01-FEB-2020 - 31-JAN-2021

Description	Serial Number	Start Date	End Date	Quantity	Total Amount
<b>HARDWARE</b>					
FC3006 VEHICLE MOUNT CRADLE	FC300616046304	01-FEB-2020	31-JAN-2021	1	85.18
			<b>Subtotal :</b>	<b>1</b>	<b>85.18</b>
MOBILE COLLECTOR LITE	72502830	01-FEB-2020	31-JAN-2021	1	827.70
			<b>Subtotal :</b>	<b>1</b>	<b>827.70</b>
FC300, DESK DOCK	FC300216022298	01-FEB-2020	31-JAN-2021	1	42.93
			<b>Subtotal :</b>	<b>1</b>	<b>42.93</b>
FC300, SREAD RADIO, WLAN, GPS	FC300160425015	01-FEB-2020	31-JAN-2021	1	524.68
			<b>Subtotal :</b>	<b>1</b>	<b>524.68</b>
	<b>HARDWARE</b>		<b>Subtotal :</b>	<b>4</b>	<b>1,480.49</b>
<b>SOFTWARE</b>					
FCS SFTW, UP TO 2500 METERS, ELECTRONIC DELIVER		01-FEB-2020	31-JAN-2021	1	1,207.07
			<b>Subtotal :</b>	<b>1</b>	<b>1,207.07</b>
	<b>SOFTWARE</b>		<b>Subtotal :</b>	<b>1</b>	<b>1,207.07</b>
<b>Contract Grand Total :</b>				<b>5</b>	<b>2,687.56</b>

NOTE: This is not an invoice



**TAB - D**

## **STAFF REPORT**

To: Mayor Orffer and Councilmember's  
From: Wendy Collins, Clerk-Treasurer  
Date: October 23, 2019  
Re: BIAS Annual Agreement

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Each year, the City receives an Annual Support Agreement from BIAS Software for approval by the Council. The agreement includes:

- \$12,731.49 for the 2020 Annual Support Agreement and Annual Report Assembly/Preparation

The annual report is the document which the State Auditor uses to audit the City's financials and accountability. We are a small City and do not have a finance department to support and assist in the preparation of the annual financial report. This allows the City to remain in compliance by having an outside entity cross-check and reference all financials, loans and transactions from the previous year. Accuracy is vital for the City to have a clean audit.

### **Action Requested:**

Please authorize the Mayor to sign the 2020 Annual BIAS Services and Support Agreement.

**TAB - E**



# GRAYS HARBOR COUNTY

STATE OF WASHINGTON

Ken E. Albert  
TREASURER

P.O. BOX 831  
MONTESANO, WA 98563

TELEPHONE (360) 249-3751  
FAX (360) 249-5705

October 8, 2019

Wendy Collins  
100 S. 3rd St.  
McCleary, WA 98557

Dear Wendy Collins,

Levy: 699006000 City of McCleary Basic

Each year adjustments are made to the tax rolls AFTER the taxes have been calculated and billed. These changes both increase and decrease the amount of tax your district can collect. When the sum of these changes results in a net decrease to the amount of tax you can collect, the law allows you to impose a refund levy to recover those lost tax dollars.

RCW 84.69.180 authorizes taxing districts to levy a refund levy to recover taxes that were refunded and/or canceled during the last twelve months. The refunds/net cancellations for the year October 1, 2018 thru September 30, 2019 are eligible for recovery through a refund levy in 2020 for the GH County General Fund is shown in option (a) below.

**Your legislative body is responsible for determining if they wish to levy all, part or none of these lost tax revenues. Please be aware that regular (non-voted) levies may be limited or eliminated by statutory levy rate limitations.**

**Please select from one of the following options to (a) re-levy ALL of your net lost revenue, (b) re-levy PART of your net lost revenue or (c) re-levy NONE of your net lost revenue.**

- (a) ☐ GH County hereby certifies a refund levy in its General Fund for collection in 2020 in the amount of \$1368.43 to recover net refunds/cancellations.
- (b) ☐ GH County hereby certifies a refund levy in its General Fund for collection in 2020 in the amount of \$\_\_\_\_\_ to recover a portion of the net refunds/cancellations reflected in (a) above.
- (c) ☐ GH County does NOT WISH TO RE-LEVY ANY of its General Fund net refunds/cancellations during the 2019 tax year.

\_\_\_\_\_  
District Representative Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
District Representative Name & Title (Please Print)

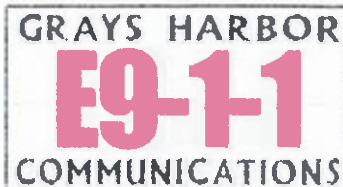
Sincerely,

K. Albert  
Grays Harbor County Treasurer

**Please choose (a); (b), including amount; or (c) – sign, date, and return on or before November 30, 2018 to:**

Grays Harbor County Assessor  
Attn: Paula Bednarik  
100 W. Broadway, Suite 21  
Montesano, WA 98563

**TAB - F**



P.O. BOX 1845 ABERDEEN, WA 98520

## INVOICE

October 7, 2019

Mayor Brenda Orffer  
City of McCleary  
100 S 3<sup>rd</sup> Street  
McCleary, WA 98557

### GRAYS HARBOR E9-1-1 BILLING

The Y2020 Budget of the Grays Harbor E9-1-1 Communications Center was adopted by the Administrative Board during their meeting on September 24, 2019. Please consider this your invoice for 2020; no individual bills will be sent. Payments are due by the 10th of every month. The following is a breakdown of your allocation by month:

2020 ALLOCATION....\$65,143.87

January	\$5,428.66	July	\$5,428.66
February	\$5,428.66	August	\$5,428.66
March	\$5,428.66	September	\$5,428.66
April	\$5,428.66	October	\$5,428.66
May	\$5,428.66	November	\$5,428.66
June	\$5,428.66	December	\$5,428.61

As a reminder, Grays Harbor E9-1-1 will be assessing penalty fees as provided for in the Interlocal Agreement: *The annual fee shall be paid to the Grays Harbor Communications Center in twelve installments as shown above and are due by the 10<sup>th</sup> of each month. The Center shall assess a penalty fee of 5% on monthly installment payments which are not paid in full by the 30<sup>th</sup> of each month.*

Make check payable to: Grays Harbor Communications  
Mail payment to: P.O. Box 1845  
Aberdeen, WA 98520

*Also, please provide our office with a letter stating that the 2020 allocation amount has been approved and is in your budget. If you have any questions, please call (360) 533-7885.*

Sincerely,

Brenda Cantu, Executive Director

# BUDGET CALL TOTALS

AGENCY	2016	2017 BUDGET (AVERAGE OF 14'15'16)	2017 ACTUAL	2018 TOTALS	2019 (AUG 1-31)	2019 TOTALS (1/1/19 - 8/31/19)
APD	28909	26953	28354	28451	2928	19596
CPD	3334	2622	2516	2154	224	1737
CTPD	2867	2678	3550	3210	2	10
EPD	4505	4322	4144	3751	427	3038
GHCSO (DPD)	23876	21712	19796	19161	2133	14372
HPD	14904	14143	13882	12995	1266	9522
MCPD	2034	1748	1819	3872	376	3165
MPD	3036	3146	2857	2701	384	2132
OSPD	8613	7864	8891	9880	936	6390
PO	7964		4506	3098	346	2189
QNPDP					128	887
WPD	4903	4296	4132	3904	464	2982
ghc agencies	322	192	134	62	1	16
LAW TOTALS	105267	89676	94581	93239	9615	66036
AFD	5451	5074	5264	4890	442	3209
CFD	178	159	188	227	22	144
EFD	87	73	164	128	10	75
HFD	3022	2857	3017	2708	239	1933
MCCLEARY	65	59	108	77	5	38
MFD	1207	1146	1347	1229	122	948
OSFD	2033	1817	1970	1932	228	1537
QNFDP					35	174
SB RFA (WFO, FD3, FD11, FD14, PCFDS)	1452	1608	1536	1527	137	1181
FD1 (OR)	364	315	376	449	34	317
FD2 (CE)	1131	881	1048	1008	83	686
FD4(LQ)	105	98	168	170	7	81
FD#5 EMS & Fire	1966	1866	1930	2016	183	1474
FD#5 EMS ONLY				1896	175	1404
FD#5 FIRE ONLY				120	8	70
FD6 (GH)	131	106	124	118	10	85
FD7 (CB)	336	318	407	445	39	291
FD8(PB)	252	195	203	203	24	172
FD10(WR)	152	122	154	119	17	107
FD15 (AR)	41	48	48	49	5	32
FD16 (CC)	65	132	113	111	11	66
FD17(HU)	84	67	70	91	16	62
FO	178	155	46	9	0	4
FIRE TOTALS	18299	17091	18281	17506	1669	12616
L & FTOTALS	123566	106767	112862	110745	11284	78652
MISCELLANEDUS				60	13	59
G911				163	20	88
TOTAL MISC. & G911				223	33	147
TOTAL INCIDENTS				110968	11317	78799



June 2018  
to June 2019

Government or Entity	Population	Pop%	18-19 Law	18-19 Fire	18-19 Total	Use	Pop+ Use%	Rate	DRAFT	DRAFT	DRAFT	DRAFT	2019 Rates
									2020 Fee Current Method	2020 CPC@ Current Method	2020 Fee CPC@\$10.88	2020 Fee Fixed/Variable	
Aberdeen	16880	22.41%	28960	4885	33845	30.39%	52.80%	0.26398	\$ 319,772.18	\$ 9.45	\$ 368,109.05	\$ 321,851.89	\$ 263,142.25
Cosmopolis	1680	2.23%	2510	237	2747	2.47%	4.70%	0.02348	\$ 28,446.07	\$ 10.36	\$ 29,877.25	\$ 44,265.54	\$ 22,708.59
Elma	3375	4.48%	4002	126	4128	3.71%	8.19%	0.04093	\$ 49,584.22	\$ 12.01	\$ 44,897.45	\$ 56,592.59	\$ 39,899.97
Hogulam	8540	11.34%	13584	2736	16320	14.65%	25.99%	0.12995	\$ 157,413.61	\$ 9.65	\$ 177,501.54	\$ 165,420.58	\$ 133,790.94
McCleary	1790	2.38%	5013	73	5086	4.57%	6.94%	0.03471	\$ 42,050.34	\$ 8.27	\$ 55,316.96	\$ 65,143.87	\$ 19,713.16
Montesano	4175	5.54%	2883	1338	4221	3.79%	9.33%	0.04666	\$ 56,522.08	\$ 13.39	\$ 45,908.95	\$ 57,422.73	\$ 45,513.29
Oakville	695	0.92%	400	100	500	0.45%	1.37%	0.00686	\$ 8,306.98	\$ 16.61	\$ 5,438.16	\$ 4,463.09	\$ 6,816.95
Ocean Shores	6490	8.62%	9631	2145	11776	10.57%	19.19%	0.09594	\$ 116,220.32	\$ 9.87	\$ 128,079.54	\$ 124,860.02	\$ 85,711.16
GHC Sheriff	28410	37.71%	19758		19758	17.74%	55.45%	0.27726	\$ 335,867.73	\$ 17.00	\$ 214,894.33	\$ 196,108.79	\$ 281,561.45
GHC Fire	22410			2866	2866	2.57%	2.57%	0.01287	\$ 15,585.76	\$ 5.44	\$ 31,171.53	\$ 25,582.43	\$ 12,576.35
Westport	2125	2.82%	3919		3919	3.52%	6.34%	0.03170	\$ 38,397.46	\$ 9.80	\$ 42,624.30	\$ 54,727.02	\$ 33,063.71
Quinault Nation	1172	1.56%	2256	396	2652	2.38%	3.94%	0.01968	\$ 23,845.05	\$ 8.99	\$ 28,844.00	\$ 43,417.55	\$ 28,799.22
South Beach RFA	6000			1662	1662	1.49%	1.49%	0.00746	\$ 9,038.22	\$ 5.44	\$ 18,076.44	\$ 34,580.63	\$ 8,034.11
GHFD5	12470			1896	1896	1.70%	1.70%	0.00851	\$ 10,310.75	\$ 5.44	\$ 20,621.50	\$ 16,924.04	\$ 12,095.44
Chehalis Tribal									\$ 16,000.00		\$ 16,000.00	\$ 16,000.00	\$ 16,106.20
		100.00%	92916	18460	111376	100.00%	200.00%	1.00000	\$ 1,227,361		\$ 1,227,361	\$ 1,227,361	\$ 1,009,533

Fixed Costs \$ 233,199 = Fixed Fee \$19,745.32 Year Per Government  
 Variable Costs \$ 994,162 = \$8.93 Cost Per Call  
 2020 Cost of Service \$ 1,227,361



## 2019 DRAFT BUDGET IMPACTS

2020 I.S.

No radio projects budgeted

HVAC (Front office/Penthouse)	\$19,213
Core Network Switch Replacement	\$26,155
Net Motion	\$81,000

*out of existing funds*

2020 I.S.

## 2019 DRAFT EXPENDITURES

Wages: 3% pay increase

Benefits: Left same as last year. Increase in PERS to 12.86% (from 12.83%)

Overtime: Left at same amount as last year. We will be over the budgeted amount this year.

Engineering – Cntrl SV/GIS: GIS hourly rate increased from \$47 to \$50 for mapping.

Tier 3 Support: Contract with Techtell to assist with IT related issues (mainly network issue)  
Techtell services to include; inter-connectivity with GHNET, Grays Harbor County, APD, HPD through the PUD; Tier2/3 support for the Open VPN encryption, Keyscan, firewalls, routers, switches, and servers; solutions for Spillman client agency connectivity as needed; emergency backup as needed;  
Includes Contract IT Assistant – now is a contract with City of Montesano \$40/hour

Postage: Increase \$100

Internet/Fiber: increase \$800 Ranier Connect Internet/ archiving/Google

Phone lines: increase \$1400

ACCESS: increase \$7200

User fees are based on the number of transactions sent by agency ACCESS terminal(s). Spillman's statelink processes inquiries separately for each database rather than viewing it as one inquiry. 911 pays 100% of the ACCESS rates for 911 and law enforcement partner agencies

Hospital Lease – 2% annual increase

Radio Site Lease – GH 3% increase in 2019. Jodesha 3708/year (3% increase)

Radio Maintenance – GH 3% increase in 2019

Capital – Equipment On Site –	\$151,135.	
Network Maintenance		2,153
Equipment Warranties / Anti-Virus		1,526
HVAC – Front Office/Penthouse		19,213 **
Core Network Switch Replacement		26,155 **
Spillman File Attachments		2,180
P10 Headset Jack box		1,229
Eventide Recording Licenses for BU		600
KVM Switch/Cables		526

09/24/2019

2020 DRAFT BUDGET

Hiplink (Licenses & Support)	3,200
Monitors	5,000
Net Motion	81,000 **

UPS Batteries	9,602
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Capital - Radio Equipment	59,000
Tecumseh Fiber/Microwave	25,000
Tecumseh NetGuardian	2,000
Minot Antenna Replacement	14,000
Minot MDN Antenna Removal	4,000
Bigalow MDN Antenna Removal	4,000
Misc Repairs	10,000

\*\*\*Does NOT include McCleary or Oakville Simulcast\*\*\*

CAD: Spillman payment of \$100,125

Total budget	3,357,961
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## 2020 REVENUE

Phone revenue decreased in 2019 (Phone taxes including VoIP, Cellular, prepaid cellular)  
Increased estimated revenue from sales/use tax from 80,000 to 90,000 per month (90%)

State E9-1-1 Contract	50,000	
Est. phone taxes	618,600	<i>decreased</i>
Est. sales/use tax	972,000	
Est. Carryover from <del>2018</del> 2019	350,000	
MDN Fund	90,000	
ER&R Fund	50,000	
Est Agency Fees	1,211,361	
Est. Copy Fees	25	
Total Revenue	3,341,986	

## 2021

Radio Projects	
Phone Maintenance begins	(est 35,000)
Spillman Maintenance begins	( 42,000)
Phone Upgrade	(135,000)

## FUND 64 Grays Harbor Communications E911

ACT	EL	OB	SU		2020	2019	2018
					DRAFT		
528	00	10	1	Wages	\$1,437,055.78	\$1,390,667.44	\$1,234,485.96
528	00	11	0	OT	\$90,000.00	\$90,000.00	\$90,000.00
528	00	12	1	Hol/Vac Payoff	\$50,000.00	\$50,000.00	\$50,000.00
528	00	12	2	Training Compensation (7%)	\$9,000.00	\$9,000.00	\$9,000.00
528	00	12	3	Longevity	\$16,000.00	\$16,000.00	\$16,000.00
528	00	20	0	Benefits	\$872,000.00	\$872,000.00	\$721,937.69
528	00	31	1	Miscellaneous	\$3,000.00	\$2,500.00	\$2,500.00
528	00	31	2	Office Supplies	\$3,000.00	\$500.00	\$500.00
528	00	31	3	Paper		\$1,000.00	\$1,000.00
528	00	31	4	Ribbons		\$0.00	\$0.00
528	00	31	5	Toner		\$900.00	\$900.00
528	00	31	6	Light Bulbs		\$300.00	\$300.00
528	00	31	7	Pens/Pads/Folders		\$200.00	\$200.00
528	00	31	8	Alcohol Wipes		\$50.00	\$50.00
528	00	31	9	CDs/Mailers/Labels		\$300.00	\$300.00
528	00	31	10	Public Education Material	\$5,000.00	\$5,000.00	\$2,500.00
528	00	35	0	Parts	\$5,000.00	\$5,000.00	\$5,000.00
528	00	41	1	Engineering-Cntrl Svc/GIS	\$15,000.00	\$14,500.00	\$14,500.00
528	00	41	2	Payroll Processing	\$4,600.00	\$4,500.00	\$5,000.00
528	00	41	3	On Site Maintenance	\$4,000.00	\$4,000.00	\$3,950.00
528	00	41	4	Legal / Audit	\$3,200.00	\$3,200.00	\$3,200.00
528	00	41	5	Newspaper Ads	\$800.00	\$800.00	\$800.00
528	00	41	6	Pre Employment	\$8,000.00	\$8,000.00	\$8,000.00
528	00	41	7	Mapping Maintenance	\$15,600.00	\$15,600.00	\$15,600.00
528	00	41	8	Tier 3 Support	\$58,208.00	\$41,800.00	\$16,122.00
528	00	41	9	Licensing (RCC)	\$2,500.00	\$2,500.00	\$2,450.00
528	00	41	10	Radio Engineering	\$0.00	\$0.00	\$0.00
528	00	42	1	Postage	\$350.00	\$250.00	\$250.00
528	00	42	2	Emergency Lines	\$2,800.00	\$2,400.00	\$2,300.00
528	00	42	3	Business Lines	\$15,000.00	\$15,000.00	\$15,000.00
528	00	42	4	PVT Law Line	\$1,000.00	\$950.00	\$950.00
528	00	42	5	PVT Fire Line	\$1,000.00	\$950.00	\$950.00
528	00	42	6	800#	\$500.00	\$500.00	\$500.00
528	00	42	7	PSAP Transfer	\$0.00	\$0.00	\$0.00
528	00	42	8	Internet/Fiber	\$10,500.00	\$9,800.00	\$7,670.00
528	00	42	9	Fax#	\$700.00	\$660.00	\$600.00
528	00	42	11	Dial out Lines	\$6,500.00	\$6,000.00	\$6,000.00
528	00	42	12	ACCESS	\$18,000.00	\$10,800.00	\$10,800.00
528	00	42	13	Radio Lines	\$4,800.00	\$4,800.00	\$4,800.00
528	00	42	14	Admin Phone Lines	\$3,600.00	\$3,240.00	\$4,700.00
528	00	42	15	Kitchen Phone Line	\$0.00	\$0.00	\$625.00
528	00	42	16	Modem Line	\$5,500.00	\$5,500.00	\$5,500.00
528	00	42	17	SMS Gateway (Fire/EMS Notification)	\$0.00	\$0.00	\$2,000.00
528	00	42	18	Language Line Interpretation	\$1,000.00	\$1,000.00	\$1,000.00
528	00	43	1	Mileage	\$7,500.00	\$6,000.00	\$6,000.00
528	00	43	2	Meals	\$2,000.00	\$1,400.00	\$1,400.00
528	00	43	3	Lodging	\$6,000.00	\$6,000.00	\$6,000.00
528	00	43	4	Training	\$20,000.00	\$20,000.00	\$20,000.00
528	00	45	1	Facility Lease	\$51,700.00	\$50,700.00	\$50,000.00
528	00	45	2	Back-Up PSAP Lease	\$850.00	\$850.00	\$840.00
528	00	45	3	PO Box Rental	\$225.00	\$200.00	\$200.00
528	00	45	4	Radio Site Lease	\$154,603.00	\$150,100.00	\$145,725.33
528	00	46	0	Insurance	\$41,000.00	\$41,000.00	\$44,100.00
528	00	47	1	Shredding	\$40.00	\$40.00	\$35.00
528	00	48	1	Radio Maintenance	\$56,000.00	\$54,055.00	\$52,509.00
528	00	48	2	Equipment - On Site	\$151,135.00	\$16,000.00	\$21,000.00
528	00	48	3	Air/Heat Maint	\$5,000.00	\$5,000.00	\$4,900.00
528	00	48	4	UPSMaint	\$14,500.00	\$4,500.00	\$4,500.00
528	00	48	5	Copier Maint	\$2,500.00	\$1,920.00	\$860.00
528	00	48	6	CAD Maintenance	\$1,971.00	\$0.00	\$0.00
528	00	48	7	FAX/Printer Maintenance	\$0.00	\$0.00	\$0.00
528	00	48	8	Security Maint	\$600.00	\$600.00	\$1,050.00
528	00	48	9	Headsets / Repair	\$2,000.00	\$2,000.00	\$2,000.00
528	00	48	10	Phone Maint	\$0.00	\$0.00	\$0.00
528	00	48	11	Chair Maint	\$250.00	\$250.00	\$250.00
528	00	48	12	Logging Recorder Maint	\$1,583.00	\$1,700.00	\$1,600.00
528	00	48	13	MDN Maintenance	\$0.00	\$0.00	\$0.00
528	00	48	14	Fenwal 732 Maintenance	\$1,200.00	\$1,200.00	\$1,200.00
528	00	48	15	Expectations Maintenance (DOR Software)	\$1,100.00	\$1,100.00	\$1,400.00
528	00	48	16	CritiCall Maintenance (Hiring Software)	\$740.00	\$750.00	\$750.00
528	00	49	2	Dues/Memberships	\$700.00	\$650.00	\$445.00
528	00	49	3	Registration Fees	\$5,050.00	\$4,300.00	\$3,400.00
594	28	64	1	Chairs	\$1,500.00	\$1,500.00	\$1,500.00
594	28	64	2	Radio Equipment	\$59,000.00	\$35,000.00	\$1,234,100.00
594	28	64	3	CAD CPUs/Monitors	\$1,000.00	\$1,000.00	\$1,000.00
594	28	64	30	SPILLMAN	\$100,000.00	\$100,125.00	\$100,125.00
594	28	64	31	King CountyEMD	\$1,000.00	\$1,000.00	\$1,000.00
Expenditure Budget					\$3,366,960.78	\$3,169,107.44	\$4,075,829.98



# Proposition 1

Proposition 1 seeks voter approval on the **November 5, 2019** ballot to increase sales and use tax by one-tenth of 1 percent (0.1%), or 1 cent on a \$10 taxable purchase, for emergency communications systems and facilities.

## What is GH 911 ?

Grays Harbor Communications (GHCC 911) is the countywide emergency communications and dispatch center for all law enforcement, fire and ems services. GHCC 911 serves all of the cities, towns, fire districts, and unincorporated areas within Grays Harbor County.

## What does GHCC 911 do?

GHCC 911's mission is three-fold:

- \* GHCC 911 Public Safety Telecommunicators answer all 911- and 10-digit emergency calls from the public;
- \* Dispatches the appropriate level of response based on established protocols;
- \* Owns and maintains the public safety radio system — a system used by all first responders while responding to emergencies.

## GHCC 911 Facts

- \* GHCC 911 received 140,786 emergency and non-emergency calls in 2018!
- \* In 2018 alone, GHCC 911 dispatched 110,683 calls.

## Why is Proposition 1 on the Ballot?

More revenue is needed to replace the 25-year-old analog public safety radio system.

Current revenues do not meet the expected \$10 million costs to replace the system.

## Why is the Radio System Important?

The emergency communications system allows firefighters and law enforcement to communicate with each other and the dispatch center. Every first responder relies on the system for their safety, the safety of the public we serve, and to relay vital on-scene communication each and every day.

**IF APPROVED,** GHCC 911 will Replace and upgrade the public safety emergency communications radio system which will:

- \* Adds features and functions specifically designed to increase first responder safety.
- \* Increase radio system coverage.
- \* Increase system capacity; allowing more and better communications between and among first responders and dispatchers.
- \* Meet operational needs of the system.

## IF REJECTED:

- \* GHCC 911 would continue to operate with the 25-year old radio system.
- \* Funding from existing fire and law enforcement agency budgets is inadequate to replace the GHCC 911 radio system.





# Proposition 1

Information Regarding the  
November 5, 2019 Ballot

*IF APPROVED*, Grays Harbor 9-1-1 will:

Replace and upgrade the public safety emergency communications radio system which will:

- Adds features and functions specifically designed to increase first responder safety.
- Increase radio system coverage.
- Increase system capacity; allowing more and better communications between and among first responders and dispatchers.
- Meet operational needs of the system.

*IF REJECTED:*

- Grays Harbor 9-1-1 would continue to operate with the radio system
- Funding from existing fire and law enforcement agency budgets is inadequate to replace the Grays Harbor 9-1-1 radio system.



# Proposition 1

Information regarding the  
November 5, 2019 Ballot

Proposition 1 seeks voter approval on the November 5, 2019 ballot to increase sales and use tax by one-tenth of 1 percent (0.1%), or 1 cent on a \$10 taxable purchase, for emergency communications systems and facilities.

**What is Grays Harbor 9-1-1**

Grays Harbor 9-1-1 (GH911) is the county-wide emergency communications and dispatch center for all law enforcement, fire and EMS services, GH911 serves all of the cities, towns, fire districts, and unincorporated areas within Grays Harbor.

**What does GH911 do?**

GH 911's mission is three-fold:

- GH 911 Public Safety Telecommunicators answer all 911 and 10 digit emergency calls from the public;
- Dispatches the appropriate level of response based on established protocols;
- Owns and maintains the public safety radio system — a system used by all first responders while responding to emergencies.



Grays Harbor 911 Communications  
GHCC 911  
P.O. Box 1845 | Aberdeen, WA 98541

Proposition 1  
Information Regarding the  
November 5, 2019 Ballot

**Why is Proposition 1 on the Ballot?**

More revenue is needed to replace the 25-year-old analog public safety radio system. Current revenues do not meet the expected \$10 million costs to replace the system.

Over  
1,200 radios  
on the system.

**Why is the Radio System Important?**

The emergency communications system allows firefighters and law enforcement to communicate with each other and the dispatch center. Every first responder relies on the system for their safety, the safety of the public we serve, and to relay vital on-scene communication each and every day.



## Why does the system need to be replaced?

Significant components of the current analog system are no longer supported by the manufacturer. The old system has limited capacity, does not meet the increased workload requirements for emergency communications, and does not provide coverage in some areas of Grays Harbor County.

**110,683**  
emergency and  
non-emergency  
calls in 2018

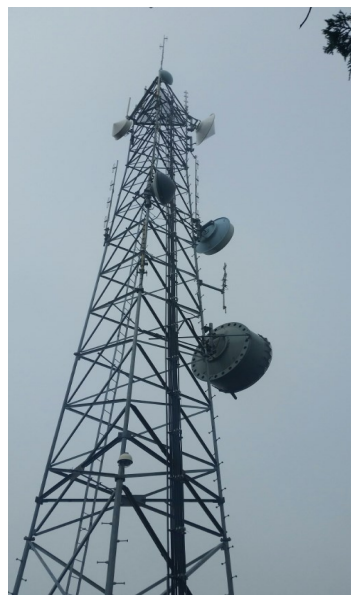
## *What will happen if Proposition 1 is approved?*

If approved, GH 911 will replace and upgrade the entire emergency radio system. GH 911 will use the revenue to pay debt service on the total system replacement as well as maintenance and operational costs on the new digital system.

## Why does a replacement cost so much?

Public safety communications systems have to be highly reliable and operational at all times. Therefore, these new systems are engineered to meet a higher standard than other communications technologies.

Replacement with the new radio system includes all the equipment in the dispatch center and on the many radio towers throughout the county.



## How much more revenue will Proposition 1 provide GH 911?

It is anticipated that Proposition 1 will contribute \$1 million per year in new revenue for GH 911 radio system. Given the dedicated use of the telephone excise tax and the large debt service required to replace the radio system, GH 911's current budget is unable to support the additional expense.

## How is GH 911 currently funded ?

GH 911's funding:

- 39% funding from 0.1% emergency communications sales/use tax.
- 29% funding from user fees
- 26% telephone excise tax, this funding can only be used for 911 telephone related expenses by state law.
- 6% funding from other sources, such as grants, contracts



## Who runs GH 911?

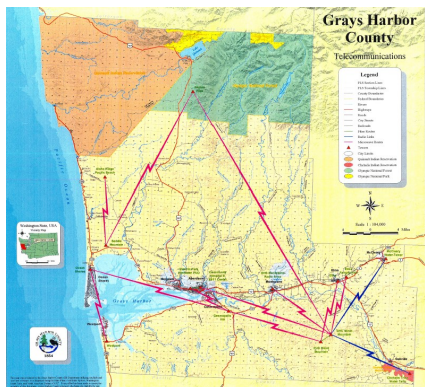
GH 911 is governed by an seven-member Administration Board of Directors which is comprised of elected officials representing the jurisdictions of Aberdeen, Hoquiam, Cosmopolis, Montesano, Elma, McCleary and a County Commissioner. In addition, there is a eight-member Operations Board comprised of Police and Fire Chiefs within the County. The Executive Director is responsible for administration of and fulfilling the mission of the agency.

For more information:

<http://gh911.org>

## *What will happen if Proposition 1 is rejected?*

GH 911 would continue to operate with the radio system. Funding from existing fire and law enforcement agency budgets is inadequate to replace the GH 911 radio system.



**TAB - G**



Barcott Construction LLC  
212-34 Middle Fork Rd  
Chehalis, WA 98532

APPLICATION AND  
CERTIFICATION FOR  
PAYMENT

Skillings Connolly, Inc.  
P.O. Box 5080  
Lacey, WA 98509

FOR

Third Street Improvements - Upper

ESTIMATE NUMBER: 5 Final Estimate  
APPLICATION DATE: 10/7/2019  
CONSTRUCTION THROUGH: 10/7/2019  
CLIENT NAME: City of McCleary  
CLIENT PROJECT NUMBER: 14044  
CONTRACTOR: Barcott Construction LLC

The present status of the account for this contract is as follows:

	PREVIOUS	CURRENT	TOTAL
1. ORIGINAL CONTRACT AMOUNT			\$1,720,973.05
2. NET CHANGE BY CHANGE ORDER(s)			\$11,640.44
3. CONTRACT AMOUNT TO DATE			\$1,732,613.49
4. TOTAL WORK COMPLETED	\$1,800,597.43	\$38,666.25	\$1,839,263.68
5. MATERIALS STORED TO DATE	\$0.00	\$0.00	\$0.00
6. SALES TAX	\$21,575.63	\$0.00	\$21,575.63
7. TOTAL OF 4, 5, AND 6	\$1,822,173.06	\$38,666.25	\$1,860,839.31
8. RETAINAGE ON 4 AND 5	\$0.00	\$0.00	\$0.00
9. TOTAL LESS RETAINAGE (7-8)	\$1,822,173.06	\$38,666.25	\$1,860,839.31
10. DEDUCTIONS:	\$0.00	\$0.00	\$0.00
11. TOTALS (9-10)	\$1,822,173.06	\$38,666.25	\$1,860,839.31
PAYMENT DUE (CONTRACTOR) THIS ESTIMATE:		\$38,666.25	

The undersigned Contractor certifies that the work covered by this application for payment has been completed in accordance with the Contract Documents, and that the current payment shown herein is now due.

In accordance with this contract and this application for payment the Contractor is entitled to payment in the amount shown above.

Prevailing wages for this project have been paid in accordance with the pre-filed Statement or Statements of Intent to Pay Prevailing Wages approved by the Industrial Statistician of the Department of Labor and Industries, which are on file with the public agency.

DATE: 10/10/19

CONTRACTOR: 

Engineer: G. Smith

DATE: 10/14/19

ENGINEER: 

(IF REQUIRED) The local agency has reviewed this application for payment and agrees that the Contractor is entitled to payment in the amount shown above.

Local Agency (City/County/Other)

DATE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_



**TAB - H**

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE RELATING TO THE  
ESTABLISHMENT OF THE REGULAR TAX LEVY  
FOR THE YEAR 2019 FOR COLLECTION IN THE  
YEAR 2020; MAKING FINDINGS; AND RESERVING  
RIGHTS.**

**RECITALS:**

1. The City Council of the City of McCleary has met and is considering its budget for the calendar year 2019.
2. At a public hearing held on October 9, 2019, the City Council provided the opportunity to receive comment from the Citizens of the City on the elements of revenue projections and the ad valorem tax levy. Following that hearing, the Mayor and Council are going forward with the consideration of the City 's budget.
3. Based upon the information provided by the Office of the County Assessor, the City's actual annual ad valorem levy amount for 2019 was \$355,545. Further, that a .44% increase would equal \$1,534.

4. As to new construction valuation, the information from the Office of the County Assessor has not been provided. No property was shown as annexed during the period.

5. The City has a population of less than 10,000 citizens.

6. The City Council of the City of McCleary, following the required public hearing and after duly considering all relevant evidence and testimony presented, has determined the City of McCleary will exercise its authority to increase the regular tax levy by the authorized one percent.

7. The action carried forth by the Ordinance is based upon a Council finding there is a significant necessity for the property tax revenue to be increased in the next calendar year in order to meet the expenses and obligations of the City.

8. In adopting this ordinance, the City is relying upon the accuracy and completeness of the information provided to it by the Office of the County Assessor.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY:

SECTION I: The regular property tax levy is hereby authorized for 2019 for collection in 2020 in an amount of \$390,000.00, a figure which the Office of the County Assessor has indicated represents the increase allowed by RCW 84.55.0101 from the amount levied and collected the previous year: PROVIDED THAT, it is to be recognized as follows: [a] the intent of this ordinance is to exercise the authority to increase the levy here in question by the 1 percent allowed under the provisions of RCW 84.55 and

to include additional revenue resulting from assessment of any new construction, improvements to property, any increase in the value of state assessed property or utilities, any annexations which have occurred, or any refunds made and [b] if the amount finally determined allowed under those provisions is greater than the specific figure set out, that newly determined figure shall be the amount utilized.

SECTION II: This ordinance is based upon the information from the Office of the County Assessor as to amounts and calculations, as well as advice from County officials that this ordinance can be amended to modify the tax rate established herein by adoption of an appropriate amendatory ordinance. The City specifically reserves the right to take such amendatory action up to and including the last day allowed. Upon execution by the Mayor, a certified copy of this Ordinance shall be provided to the appropriate officials of the County so as to provide for appropriate assessment.

SECTION IV: If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections; subsections, sentences, clauses, or phrase had been declared invalid or unconstitutional, and if for any reason this Ordinance should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

SECTION V: This ordinance shall take effect upon the fifth day following the date of publication.

PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019, by the City Council of the City of McCleary, and signed in approval therewith this \_\_\_\_, day of \_\_\_\_\_, 2019.

CITY OF McCLEARY:

\_\_\_\_\_  
BRENDA ORFFER, Mayor

ATTEST:

\_\_\_\_\_  
WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

\_\_\_\_\_  
CHRISTOPHER JOHN COKER, City Attorney

STATE OF WASHINGTON            )  
  : ss.  
GRAYS HARBOR COUNTY        )

I, WENDY COLLINS, being the duly appointed Clerk-Treasurer of the City of McCleary, do certify that I caused to have published in a newspaper of general circulation in the City of McCleary a true and correct summary of Ordinance number \_\_\_\_ and that said publication was done in the manner required by law. I further certify that a true and correct copy of the summary of Ordinance Number \_\_\_\_, as it was published, is on file in the appropriate records of the City of McCleary.

\_\_\_\_\_  
WENDY COLLINS

SIGNED AND SWORN TO BEFORE ME THIS \_\_\_\_ DAY  
OF \_\_\_\_\_, 2019, by WENDY COLLINS.

\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR THE STATE OF  
WASHINGTON, Residing at: \_\_\_\_\_  
My appointment expires: \_\_\_\_\_

**TAB - I**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE RELATING TO CRITICAL AREAS; ADOPTING DEFINITIONS, AMENDING CERTAIN SECTIONS OF CHAPTER 18.08 MMC, ADDING NEW SECTIONS TO CHAPTER 18.08 MMC, AND PROVIDING FOR INTERPRETATION, SEVERABILITY, AND AN EFFECTIVE DATE.**

**R E C I T A L S:**

1. The Council and Mayor have received the recommendations of the involved City staff as to the updating of the provisions of the Municipal Code relating to critical area delineation, processing, protection, and related matters.

2. All necessary environmental reviews have been completed.

3. It is the intention of the Council to adopt the recommendations as set forth in the following sections.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY:

SECTION I: Section 18.08.030 and Section 2, Ordinance 703 are each amended to read as follows:



### **Definitions.**

When used in this Chapter, the following definitions shall apply:

1. Administrator or Director: the (~~City Administrator~~) Director of Public Works or his/her designee.

2. Applicant: any person who files a permit application with the City of McCleary and who is either the owner, beneficial owner, contract purchaser, or authorized agent of such owner of the land on which the proposed activity would be located.

3. Aquifer recharge area: areas with a critical recharging effect on aquifers used for potable water, including areas where an aquifer that is a source of drinking water is vulnerable to contamination that would affect the potability of the water, or is susceptible to reduced recharge.

4. Critical areas: includes the following areas and ecosystems as defined in RCW 36.70A.030 and WAC 365-195-200, as now existing or hereafter amended or succeeded:

- a. Wetlands;
- b. Areas with a critical recharging effect on aquifers used for potable water (referred to herein as “aquifer recharge areas”);
- c. Fish and wildlife habitat conservation areas;
- d. Frequently flooded areas; and e.  
Geologically hazardous areas.

5. Fish and wildlife habitat area: land managed for maintaining species in suitable habitats within their natural geographic distribution so that isolated subpopulations are not created. This does not mean maintaining all individuals of all species at all times, but it does mean cooperative and coordinated land use planning is critically important among counties and cities in

a region. In some cases, intergovernmental cooperation and coordination may show that it is sufficient to assure that a species will usually be found in certain regions across the state. Fish and wildlife habitat conservation areas include areas with which endangered, threatened, and sensitive species have a primary association; waters of the state; state natural area preserves and natural conservation areas; and streams and rivers planted with game fish by a governmental agency.

6. Frequently flooded areas: lands in the flood plain subject to a one percent or greater chance of flooding in any given year. These areas include, but are not limited to, streams, rivers, lakes, coastal areas, wetlands, and the like. The 100-year flood plain designations of the National Flood Insurance Program delineate the presence of frequently flooded areas.

7. Geologically hazardous areas: areas that, because of the susceptibility to erosion, sliding, earthquake, or other geological events, are not generally suited to locating commercial, residential, or industrial development consistent with public health or safety concerns. Geologically hazardous areas have slopes greater than 15% with known erosion, landslides, settling, rockslide, debris flow and/or seismic hazards as defined by the US Department of Agriculture Soil Conservation Service.

8. Wetland or wetlands: areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from non- wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street,

or highway. Wetlands may include those artificial wetlands intentionally created from non-wetland areas created to mitigate conversion of wetlands.

9. Qualified expert: a person preparing a technical assessment who has expertise appropriate to the relevant critical area. Expertise shall consist of professional credentials and/or certification, any advanced degrees earned in the pertinent scientific discipline from a recognized university, the number of years of experience in the pertinent scientific discipline, recognized leadership in the discipline of interest, formal training in the specific area of expertise, and field and/or laboratory experience with evidence of the ability to produce peer-reviewed publications or other professional literature. Geologists preparing technical assessments shall meet the requirements of a licensed geologist under Chapter 18.220 RCW. A qualified expert for aquifer recharge areas must be a currently licensed Washington State geologist holding a current specialty license in hydrogeology.

SECTION II: Section 18.08.040 and Section 3, Ordinance 703 are each amended to read as follows:

**Compliance with critical areas protection.**

All public and private land uses in the city of McCleary subject to the provisions of this chapter shall comply with the requirements of this chapter as a condition to the issuance of any permit requested under Titles 15, 16 and 17 of the McCleary Municipal Code. The city shall deny any permit that fails to protect a critical area as required in this chapter, except as provided in Section (~~18.08.040 and~~) 18.08.050 or the issuance of which is otherwise required or authorized by a provision of this chapter.

SECTION III: Section 18.08.050 and Section 4, Ordinance 703 are each amended to read as follows:

### **Exempt Activities in Critical Areas.**

The following uses or activities within a critical area or critical area buffer are exempt from the requirements of this Article to the extent that they are not prohibited by other state or federal laws and do not degrade the critical area:

A. Conservation, enhancement, restoration, or preservation measures or projects;

B. Low intensity, passive recreational uses;

C. Short-term scientific studies and educational uses;

D. Repair and maintenance of existing public roads, bridges, and storm water facilities;

E. Walkways (~~without structures~~) and trails, provided that those pathways are limited to minor crossings having no adverse impact on water quality. They should be generally parallel to the perimeter of the wetland, located only in the outer twenty-five percent (25%) of the wetland buffer area, and located to avoid removal of significant trees. They should be limited to pervious surfaces no more than five (5) feet in width for pedestrian use only. Raised boardwalks utilizing non-treated pilings may be acceptable.;

F. Public parks;

~~GF.~~ Site investigation work necessary for land use applications; and

~~HG.~~ (~~Forest practices governed by RCW 76.09~~) The growing and harvesting of timber, forest products and associated management activities in accordance with the Washington Forest Practices Act of 1974, as amended, and regulations adopted pursuant thereto; including, but not limited to, road construction and maintenance; aerial operations; applications of fertilizers and pesticides; helispots; and other uses specific to growing and

harvesting timber forest products and management activities, except those Forest Practices designated as "Class IV -General Forest Practices" under the authority of the "Washington State Forest Practices Act Rules and Regulations," WAC Chapter 222, as now existing or hereafter amended or succeeded, PROVIDED FURTHER THAT compliance with this chapter is required for all new construction, grading, land clearing, and other uses subject to Section 18.08.080, and any Class IV Conversion Permit issued pursuant to the State Forest Practices Act, which involves conversion to a Permit Required Use.

SECTION IV: Section 18.08.070 and Section 6, Ordinance 703 are each amended to read as follows:

**Technical assessments required.**

A. Applications for any permit approval under Titles 15, 16 and 17 of the McCleary Municipal Code shall indicate whether any critical area is located on, under, or within ~~(two)~~ three hundred (300) feet of the site. The ~~(administrator)~~ director or designated representative shall visit the site, and in conjunction with a review of the comprehensive land use plan, information provided by the applicant, and any other suitable information, make a determination as to whether or not sufficient information is available to evaluate the proposal. If it is determined that the information presented is not sufficient, the administrator shall notify the applicant to provide additional information in the technical assessments before the issuance of any determination of completeness under Titles 16 and 17 or permit issued under Title 15.

B. It is the responsibility of the applicant to provide the city with appropriate technical assessments prepared by a qualified expert, whose selection is acceptable to the city, to fulfill the requirements of an application for a permit under Titles 16 and 17, or a building permit issued under Title 15. The applicant shall pay all expenses associated with the

preparation of any technical assessment required by the city. Technical assessments shall use the best science available in accordance with RCW 36.70A.172.

SECTION V: Section 18.08.080 and Section 7, Ordinance 703 are each amended to read as follows:

**Wetland delineation and protection.**

A. Fundamental Goals: The city shall regulate development activities to protect wetlands. Development activities shall not diminish the capacity of wetlands to:

1. Provide flood and storm water control;
2. Recharge the aquifer;
3. Improve surface and ground water quality by trapping sediments, removing nutrients, and providing chemical detoxification;
4. Stabilize the streambed along Wildcat Creek;
5. Preserve or enhance anadromous fisheries; and
6. Protect (~~Jeopardize~~) federally listed endangered and threatened species.

B. Identification and Delineation. Identification of wetlands and delineation of their boundaries pursuant to this Chapter shall be done in accordance with the approved federal wetland delineation manual and applicable regional supplement. All areas within the City meeting the wetland designation criteria in that procedure are hereby designated critical areas and are subject to the provisions of this Chapter. Wetland delineations are valid for five years; after such date the City shall determine whether a revision or additional assessment is necessary.

C. Rating. Wetlands shall be rated according to the Washington Department of Ecology wetland rating system, as set forth in the Washington State Wetland Rating System

for Western Washington: 2014 Update (Ecology Publication #14-06-029, or as revised and approved by the Department of Ecology).

D. The city adopts by reference the following maps and best available science resources for wetlands in the city of McCleary and the urban growth area:

1. National Wetlands Inventory Map, US Fish and Wildlife Service.

2. Soil Survey of Grays Harbor County Area, Pacific County, and Wahkiakum County Washington, Map Sheet 41, USDA, 1986.

~~(3. Washington State Wetlands Identification and Delineation Manual, Washington Department of Ecology, 1997, Publication #96-94;~~

~~4. Washington State Wetland Rating System for Western Washington, Washington Department of Ecology, 1993, Publication #93-74; and 5)~~

E. If the location, designation, or classification of a wetland shown on any map adopted through the ordinance codified in this chapter or the comprehensive land use plan is in conflict with the determination of any field investigation, the latter shall prevail.

F. The city prohibits development activities in wetlands unless:

1. No practical alternative exists for locating the project elsewhere on the property; or

2. The prohibition precludes any reasonable use of the property.

~~A wetland buffer that separates a wetland boundary from a regulated use is mandatory to mitigate adverse impacts of development activities. The following standards shall apply when determining buffer widths:~~

G. A wetland buffer that separates a wetland boundary from a regulated use is mandatory to mitigate adverse impacts of development activities. The following buffer widths have been established in accordance with the best available science. They are based on the category of wetland and the habitat score as determined by a qualified wetland professional using the Washington State Wetland Rating System for Western Washington: 2014 Update (Ecology Publication #14-06-029, or as revised and approved by Ecology). The adjacent land use intensity is assumed to be high.

1. Buffer widths are measured perpendicularly from the wetland boundary. ~~Buffer widths are determined according to a wetland's rating:~~

- ~~a. Category I wetlands require a buffer width of two hundred feet;~~
- ~~b. Category II wetlands require a buffer width of one hundred feet;~~
- ~~c. Category III wetlands require a buffer width of fifty feet; and~~
- ~~d. Category IV wetlands require a buffer width of twenty-five feet.~~

2. For wetlands that score 5 points or more for habitat function, the buffers in Table F.1 can be used if the following criteria are met:

a. A relatively undisturbed, vegetated corridor at least 100 feet wide is protected between the wetland and any other Priority Habitats as defined by the Washington State Department of Fish and Wildlife.

b. The corridor must be protected for the entire distance between the wetland and the Priority Habitat by some type of legal protection such as a conservation easement.

c. Presence or absence of a nearby habitat must be confirmed by a qualified biologist. If no option for providing a corridor is available, Table F.1 may be used with the required measures in Table F.2 alone.



e. The measures in Table F.2 are implemented, where applicable, to minimize the impacts of the adjacent land uses.

3. For wetlands that score 3-4 habitat points, only the measures in Table F.2 are required for the use of Table F.1.

4. If an applicant chooses not to apply the mitigation measures in Table F.2, or is unable to provide a protected corridor where available, then Table F.3 must be used.

5. The buffer widths in Table F.1 and F.3 assume that the buffer is vegetated with a native plant community appropriate for the ecoregion. If the existing buffer is unvegetated, sparsely vegetated, or vegetated with invasive species that do not perform needed functions, the buffer should either be planted to create the appropriate plant community or the buffer should be widened to ensure that adequate functions of the buffer are provided.

~~A technical assessment prepared by a qualified expert may reduce the required buffer width if it will not adversely affect the function of the wetland or that the use of other mitigation measures achieves the same result.~~

Table F.1 Wetland Buffer Requirements for Western Washington if  
Table F.2 is Implemented and Corridor Provided

Wetland Category	Buffer width (in feet) based on habitat score			
	3-4	5	6-7	8-9
Category I: Based on total score	75	105	120	150
Category I: Forested	75	105	120	150
Category I: Bogs and Wetlands of High Conservation Value	190			
Category I:	150			
Category II: Based on total score	75	90	120	150
Category II: Vernal pool	150			
Category II: Forested	75	105	120	150
Category III (all)	60	90	120	150
Category IV (all)	40			

Table F.2 Required measures to minimize impacts to wetlands  
(Measures are required if applicable to a specific proposal)

<b>Disturbance</b>	<b>Required Measures to Minimize Impacts</b>
Lights	<ul style="list-style-type: none"> <li>· Direct lights away from wetland</li> </ul>
Noise	<ul style="list-style-type: none"> <li>· Locate activity that generates noise away from wetland</li> <li>· For activities that generate relatively continuous potentially disruptive noise, such as certain heavy</li> <li>· For activities that generate relatively continuous</li> </ul>
Toxic runoff	<ul style="list-style-type: none"> <li>· Route all new, untreated runoff away from wetland while ensuring wetland is not dewatered</li> <li>· Establish covenants limiting use of pesticides within</li> </ul>
Stormwater runoff	<ul style="list-style-type: none"> <li>· Retrofit stormwater detention and treatment for roads and existing adjacent development</li> <li>· Prevent channelized flow from lawns that directly enters the buffer</li> </ul>
Change in water regime	<ul style="list-style-type: none"> <li>· Infiltrate or treat, detain, and disperse into buffer new runoff from impervious surfaces and new lawns</li> </ul>
Pets and human disturbance	<ul style="list-style-type: none"> <li>· Use privacy fencing or plant dense vegetation to delineate buffer edge and to discourage disturbance</li> </ul>
Dust	<ul style="list-style-type: none"> <li>· Use best management practices to control dust</li> </ul>

Table F.3 Wetland Buffer Requirements for Western Washington if Table F.2 is NOT Implemented or Corridor NOT provided

Wetland Category	Buffer width (in feet) based on habitat score			
	3-4	5	-7	8-9
Category I: Based on total score	100	140	220	300
Category I: Bogs and Wetlands of High Conservation Value	250			300
Category I: Coastal Lagoons	200		220	300
Category I: Interdunal				300
Category I: Forested	100	140	220	300
Category I: Estuarine	200 (buffer width not based on habitat scores)			
Category II: Based on score	100	140	220	300
Category II: Interdunal Wetlands	150		220	300
Category II: Estuarine	150 (buffer width not based on habitat scores)			
Category III (all)	80	140	220	300
Category IV (all)	50			

H. Buffer averaging to improve wetland protection may be permitted when all of the following conditions are met:

1. There are no feasible alternatives to the site design that could be accomplished without buffer averaging.

2. The averaged buffer will not result in degradation of the wetland's functions and values as demonstrated by a critical areas report from a qualified wetland professional.

3. The total buffer area after averaging is equal to the area required without averaging

4. The buffer at its narrowest point is never less than either  $\frac{3}{4}$  of the required width or 75 feet for Category I and II, 50 feet for Category III and 25 feet for Category IV, whichever is greater.

~~If an application for development activities makes it necessary to alter or eliminate a wetland, the applicant shall enhance or replace the wetland based upon a technical assessment and mitigation plan prepared by a qualified expert. Altered wetlands may require enhancement to ensure the same level of wetland function that existed at the time of the permit application. The replacement of eliminated wetlands shall be at a ratio of 1:1, have an equal or greater wetland rating, and be at a location approved by the city.~~

I. Compensatory mitigation for alterations to wetlands shall be used only for impacts that cannot be avoided or minimized and shall achieve equivalent or greater biologic functions. Compensatory mitigation plans shall be consistent with Wetland Mitigation in Washington State—Part 2: Developing Mitigation Plans—Version 1, (Ecology Publication #06-06-011b, Olympia,

WA, March 2006, or as revised), and Selecting Wetland Mitigation Sites Using a Watershed Approach (Western Washington) (Publication #09-06-32, Olympia, WA, December 2009).

J. Mitigation ratios shall be consistent with the following table. Mitigation requirements may also be determined using the credit/debit tool described in *Calculating Credits and Debits for Compensatory Mitigation in Wetlands of Western Washington: Final Report* (Ecology Publication #10-06-011, Olympia, Washington, March 2012, or as revised) consistent with subsection H of this Chapter.

K. Wetland Mitigation Ratios: Category and Type of Wetland	Creation or Re-establishment	Rehabilitation	Enhancement
Category I: Bog, Natural Heritage site	Not considered possible	Case by case	Case by case
Category I: Mature Forested	6:1	12:1	24:1
Category I: Based on functions	4:1	8:1	16:1
Category II	3:1	6:1	12:1
Category III	2:1	4:1	8:1
Category IV	1.5:1	3:1	6:1

L. A qualified expert shall prepare any wetland technical assessments required by the city. The report shall include:

1. The exact location of the wetland boundary;
2. An evaluation of wetland functions and values;
3. An analysis of how the proposed use would or would not diminish the wetland protection standards under subsection A of this section; and
4. Recommendations for mitigating adverse environmental impacts on wetland values and functions during construction and post-construction.

**18.08.100 Aquifer recharge areas delineation and protection.**

A. The city shall regulate development activities in aquifer recharge areas to protect groundwater quality and quantity for use as a potable water source.

B. The city adopts by reference the following best available science resources for delineating aquifer recharge areas in the city of McCleary and the urban growth area:

1. Geohydrology of the Chehalis River Valley, McCleary to Oakville, Grays Harbor County, Washington, Paul Eddy and Robert Carson, Washington Department of Ecology Geohydrologic Monograph No. 3, 1973;

2. Hydrogeologic Characterization for Protection of Wildcat Creek Aquifer, Grays Harbor County, Washington, HartCrowser, April 12, 1994;

3. If the location, designation, or classification of an aquifer recharge area shown on any map adopted by reference under the UDC is in conflict with the determination of any field investigation, the latter shall prevail.

4. Letter from HartCrowser dated January 15, 2003.

5. Water Quality Standards for Groundwater, Chapter 173-200 WAC.

C. A qualified expert who is a licensed geologist shall prepare any technical assessment required by the city for an aquifer recharge area. The report shall include:

1. A characterization of the site and its relationship to the aquifer;
2. A discussion of the effects of the proposed development activities and its ability to meet the establish standards of subsection A of this section; and
3. Recommended mitigation measures to ensure compliance with the standards set forth under subsection A of this section.

(Ord. 703 § 9, 2003)

SECTION VI: Section 18.08.110 and Section 10, Ordinance 703 are each amended to read as follows:

**Fish and wildlife habitat conservation areas: delineation and protection.**

A. The city shall regulate development activities in fish and wildlife habitat conservation areas to maintain species in suitable habitats within their natural geographic distribution and to prevent isolated subpopulations. In addition, the city shall consider conserving or protecting anadromous fisheries in Wildcat Creek.

B. The city adopts by reference the following maps and best available science resources for fish and wildlife habitat conservation areas in the McCleary urban growth area:

1. Priority Habitat Maps, Washington Department of Fish and Wildlife; and
2. Salmon and Steelhead Limiting Factors, Water Resource Inventory Areas 22 and 23, by Carol Smith and Mark Wenger, Washington Conservation Commission, June 2001.



C. A qualified expert shall prepare any technical assessment required by the city for development activities on parcels located within two hundred feet of a fish and wildlife habitat conservation area. The technical assessment shall include:

1. An analysis and discussion of species or habitats known or suspected to be located within two hundred feet of the site;

2. Evaluation of the effects of the proposed development activities and its ability to meet the established standards of Section 18.08.100(A) of this chapter; and

3. Recommended mitigation measures to ensure compliance with the standards set forth under Section 18.08.100(A). In cases where a fish and wildlife habitat conservation area is on or adjacent to a development site, the following provisions shall apply:  
~~a minimum separation of up to fifty feet may be required for regulated uses if the technical assessment indicates the need for such a buffer.~~

a. Types 1 and 2 streams, will be regulated by the City of McCleary Shoreline Master Program.

b. Type 3 streams or other perennial or fish bearing streams that are five to 20 feet wide, a minimum separation of up to 200 feet may be required for regulated uses if the technical assessment indicates the need for such a buffer.

c. Type 3 streams or other perennial or fish bearing streams that are less than five feet wide, a minimum separation of up to 150 (feet) may be required for regulated uses if the technical assessment indicates the need for such a buffer.

d. Type 4 and 5 streams or intermittent streams with low mass wasting potential, a minimum separation of up to 150 feet may be required for regulated uses if the technical assessment indicates the need for such a buffer.

e. Type 4 and 5 streams or intermittent streams with high mass wasting potential, a minimum separation of up to 225 feet may be required for regulated uses if the technical assessment indicates the need for such a buffer.

These widths are measured on each side of the stream, starting at the ordinary high-water line. However, if the stream reach is located in a broad, alluvial valley and able to migrate across the valley, these width measurements begin at the edge of the channel migration zone (the area within which a stream has or may migrate laterally under its current geomorphic regime-it is commonly defined by historic meander limits or meander belt width.

D. The Public Works Director may allow the recommended habitat area buffer width to be averaged in accordance with a critical area report, the most current, accurate, and complete scientific or technical information available, and the management recommendations issued by the Washington State Department of Fish and Wildlife, only if:

1. It will not reduce stream or habitat functions;
2. It will not adversely affect salmonid habitat;
3. It will provide additional natural resource protection, such as buffer enhancement;
4. The total area contained in the buffer area after averaging is no less than that which would be contained within the standard buffer; and
5. The buffer area width is not reduced by more than 25 percent in any location.

E. The following alterations may be made within the buffer upon approval of a plan by the Public Works Director, when consistent with all other provisions of this chapter:

1. Outdoor recreational activities, including fishing, bird watching, hiking, boating, horseback riding, swimming, canoeing, and bicycling;

2. Flood control activities;

3. Normal maintenance, repair, or operation of existing serviceable structures, facilities, or improved areas;

4. Minor modification of existing serviceable structures within a buffer zone;

5. Trails, footbridges, and water-related public park facilities;

6. Utility lines and related facilities.

SECTION VII: A new section shall be added to Chapter 18.08 MMC to read  
as follows:

**Existing Non-Conforming Uses**

The following provisions shall apply to existing uses and/or buildings and/or structures that do not meet the specific standards of this chapter:

A. The lawful use of any building, structure, land, or premises existing on the effective date of the adoption or amendment of this chapter or authorized under a permit or approval issued, or otherwise vested, prior to the effective date of the adoption or amendment of this chapter may be continued, subject to the provisions for a nonconforming use in MMC 17.36.00

B. Expansion, alteration, and/or intensification of a nonconforming use, building or structure, excluding normal maintenance, is prohibited if such use will produce impacts that degrade the critical area, including but not limited to vegetation clearing; additional impervious surfaces; generation of surface water runoff; discharge, or risk of discharge of pollutants; increased noise, light or glare.

C. Nonconforming structures that are destroyed by fire, explosion, flood, or other casualty may be restored or replaced in kind if there is no alternative that allows for compliance with the standards of this chapter; provided, that the following are met:

1. The reconstruction process is commenced within 36 months of the date of such damage; and

2. The reconstruction does not expand, enlarge, or otherwise increase the nonconformity, except as provided for in subsection B of this section.

SECTION VIII: A new section shall be added to Chapter 18.08 MMC to read as follows:

**Temporary Uses.**

The Public Works Director shall have the authority to authorize temporary uses pursuant to the terms and conditions of this section. This section provides a process for authorizing certain uses or activities of a nonpermanent nature for a limited duration.

A. The application shall contain those requirements the Public Works Director deems appropriate based on the duration of the use and its potential for environmental impact.

B. Temporary uses shall be consistent with all standards set forth in this Chapter. For any temporary use the city shall impose such other reasonable conditions as may be found necessary to ensure that the activity or use is not incompatible with surrounding conforming uses and will not result in a potential environmental impact.

C. Certificates of Temporary Use shall expire according to the terms set forth in the approval and / or may be revoked by the Public Works Director if terms of the Temporary Use are not followed.

SECTION IX: A new section shall be added to Chapter 18.08 MMC to read as follows:

**Reasonable use exceptions.**

A. If the application of this Chapter would deny all reasonable use of a site, development may be allowed pursuant to this section which is consistent with the general purposes of this Chapter and the public interest. Nothing in this Chapter is intended to preclude all reasonable use of property.

B. An applicant for a development proposal may file a request for a reasonable use exception which shall be considered by the Public Works Director. Such an application shall contain the following information:

1. A description of the areas of the site which are critical areas and/or resource lands or within setbacks required under this Chapter;
2. A description of the amount of the site which is within setbacks required by other jurisdiction standards;
3. A description of the proposed development, including a site plan;
4. An analysis of the impact that the amount of development would have on the resource lands or critical areas;
5. An analysis of whether any other reasonable use with less impact on the resource lands or critical areas is possible;
6. A design of the proposal so that the amount of development proposed as reasonable use will have the least impact practicable on the resource lands and/or critical areas;

7. Such other information as the Public Works Director determines is reasonably necessary to evaluate the issue of reasonable use as it relates to the proposed development.

C. After review of the application and the completion of any necessary reviews, the Public Works Director may approve the reasonable use exception if the Public Works Director determines all of the following criteria are reasonably met:

1. There is no other reasonable use or feasible alternative to the proposed development with less impact on the resource lands or critical areas;

2. The proposed development does not pose a threat to the public health, safety or welfare on or off the site;

3. Any alteration of the resource lands and/or critical areas shall be the minimum necessary to allow for reasonable use of the property;

4. The inability of the applicant to derive reasonable use of the property is not the result of actions by the applicant in subdividing the property or adjusting a boundary line thereby creating the undevelopable condition after the effective date of the Chapter; and

5. The proposal mitigates the impact on the resource lands and/or critical areas to the maximum extent possible, while still allowing reasonable use of the site.

SECTION X: A new section shall be added to Chapter 18.08 MMC to read as follows:

**Building Setback Lines.**

Minor structural intrusions into the area of the building setback identified pursuant to this Chapter may be allowed if the Public Works Director determines that such intrusions will not negatively impact the wetland.

SECTION XI: A new section shall be added to Chapter 18.08 MMC to read as follows:

**Signs and Fencing of Wetlands and Buffers.**

As a condition of any permit or authorization issued pursuant to this chapter, the Public Works Director may require the outer perimeter of the wetland buffer and/or the clearing limits identified and marked in the field with signs and/or fencing in such a way as to ensure that no unauthorized intrusion will occur. The marking is subject to inspection by the Public Works Director or his/her designee, prior to the commencement of permitted activities. This temporary marking shall be maintained throughout construction and shall not be removed until permanent signs, if required, are in place.

As a condition of any permit or authorization issued pursuant to this chapter, the Public Works Director may require the applicant to install permanent signs and/or fencing along the boundary of a wetland or buffer.

SECTION XII: A new section shall be added to Chapter 18.08 MMC to read as follows:

**Signs and Fencing of Fish and Wildlife Habitat Conservation Areas.**

A. The outer perimeter of the habitat conservation area or buffer and the limits of those areas to be disturbed pursuant to an approved permit or authorization shall be marked in the field in such a way as to ensure that no unauthorized intrusion will occur and verified by the Public Works Director or his/her designee prior to the commencement of permitted activities. This temporary marking shall be maintained throughout construction and shall not be removed until permanent signs, if required, are in place.

B. As a condition of any permit or authorization issued pursuant to this chapter, the Public Works Director may require the applicant to install permanent signs and/or fencing along the boundary of a habitat conservation area or buffer.

SECTION XIII: A new section shall be added to Chapter 18.08 MMC to read as follows:

**General provisions.**

A. All development proposals, whether public or private, shall comply with the requirements and purposes of this chapter and the adopted administrative rules. Lots approved for development prior to adoption of this chapter shall be vested. Responsibility for enforcement of this chapter shall rest with the director. For the purposes of this chapter, "development proposals" include proposals which require any of the following: building permit, shoreline substantial development permit, shoreline variance, shoreline conditional use permit, conditional use permit, unclassified use permit, variance, zone reclassification, shoreline environment redesignation planned unit development, subdivision, short subdivision, master plan development, binding site plan, or any subsequently adopted permits or required approvals not expressly exempted from this chapter

B. When sufficient information to evaluate a proposal is not available, the director shall notify the applicant that special studies are required. A special study shall include a site analysis, a discussion of potential impacts, and specific mitigation measures designed to mitigate the potential impacts. A monitoring program may be required to evaluate the effectiveness of the mitigation measures.

C. Prior to accepting a development application tendered pursuant to the zoning code or the subdivision code, the data maps shall be consulted for the purposes of determining



whether or not the property subject to the application is within any area shown as a critical area or resource land. When such areas are encountered, the applicant will promptly be notified and the type(s) of critical or resource areas disclosed. Instructions shall be provided to the applicant on the type of evaluation and site-specific analysis that will be required as a supplement to the application materials necessary to bring the application up to a standard that can be characterized as complete and eligible for processing. If the subject property does not lie within or partly within the critical areas or resource lands as depicted on the data maps, the application will be considered complete, provided the application requirements of the ordinance governing the process at issue are satisfied.

D. From the effective date of the ordinance codified in this chapter, no development application processed under the zoning or platting/subdivision titles shall be approved without a written finding that this chapter has been considered, additional information has been assembled under this chapter or was not required, and that the purpose and intent of this chapter has been accorded substantial consideration.

E. The requirements set forth in this chapter shall be considered as minimum requirements in the processing of development applications under subdivision and zoning titles and represent standards in addition to the requirements set forth in those titles.

F. No site analysis required by this chapter will be considered complete without a detailed resume of the principal author(s) which disclose(s) their technical training and experience and demonstrates their stature as qualified professionals.

Interpretation:

A. In the event that any standard, map, best available science resource adopted by reference in this Chapter is superseded by an updated successor, that successor shall be deemed to

have been adopted automatically by this reference and thereafter shall be utilized in processing, consideration, and approval or denial of any application submitted after such adoption.

B. In the event that an area which is within the Critical Areas classification is also within an area subject to the City's Shoreline Management Plan, the latter shall preempt the application of the Critical Areas provisions.

C. Unless specifically exempted, compliance with this chapter is required for all new construction, grading, land clearing, and other uses subject to Titles 15, 16 and 17 of MMC, and any Class IV Conversion Permit pursuant to the State Forest Practices Act, which involves conversion to a Permit Required Use.

SECTION XIV: Severability.

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases had been declared invalid or unconstitutional, and if for any reason this Ordinance should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

SECTION XV: This Ordinance shall take effect upon the fifth day following date of publication: PROVIDED THAT Any project which is subject to this Chapter for which a completed application has been submitted to and accepted by the City prior to the effective date of this ordinance shall be governed by the provisions of the Code in effect as of the date the application is deemed complete in keeping with MMC 17.40.040.

SECTION XVI: Corrections by the Clerk-treasurer or Code Reviser. Upon approval of the Mayor and City Attorney, the Clerk-treasurer and the Code Reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors, references to other local, state, or federal laws, codes, rules, or regulations, or ordinance number and section/subsection numbering.

PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019, by the City Council of the City of McCleary, and signed in approval therewith this \_\_\_\_ day of \_\_\_\_\_, 2019.

CITY OF MCCLEARY:

\_\_\_\_\_  
BRENDA ORFFER, Mayor

ATTEST:

\_\_\_\_\_  
WENDY COLLINS, Clerk-Treasurer  
APPROVED AS TO FORM:

\_\_\_\_\_  
CHRISTOPHER COKER, City Attorney

STATE OF WASHINGTON )  
 : ss.  
GRAYS HARBOR COUNTY )

I, WENDY COLLINS, being the duly appointed Clerk-Treasurer of the City of McCleary, do certify that I caused to have published in a newspaper of general circulation in the City of McCleary a true and correct summary of Ordinance Number \_\_\_\_\_ and that said publication was done in the manner required by law. I further certify that a true and correct copy of the summary of Ordinance Number \_\_\_\_\_, as it was published, is on file in the appropriate records of the City of McCleary.

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WENDY COLLINS

SIGNED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2019,  
by WENDY COLLINS.

Print Name \_\_\_\_\_  
 NOTARY PUBLIC in and for the State  
 of Washington, residing at \_\_\_\_\_  
 Commission expires: \_\_\_\_\_