



## **McCleary City Council**

### **PROPOSED AGENDA**

**August 24, 2011**

#### **7:00 Council Meeting**

Flag Salute

Roll Call

Minutes (Tab A)

Public Comment

Mayor's Report/Comments:     Fire District #5  
                                             BPA Rate Increase Oct 1, 2011 avg. 7.8%  
                                             LEOFF I Status

Staff Reports:                     Dan Glenn, City Attorney (Tab B)  
                                             Nick Bird, Director of Public Works (Tab C)  
                                             Staff Reports (Tab D)

Old Business:                     PWTF Loan – Well 2 & 3 Improvements (Tab E)  
                                             G&O Amendment #19 Well Project (Tab F)  
                                             Eagle Scout Project (Tab G)

New Business:                     Concrete Bid (Tab H)  
                                             Issue RFP for professional cleaning services for City facilities (Tab I)  
                                             Discontinue tenant deposit collection (Tab J)  
                                             Change in shut off protocols-amend Resolution 581 (Tab K)

Ordinances:

Resolutions:                     Resolution to Discontinue Tenant Deposit Collection  
                                             Resolution to Change Shut off Protocols

Vouchers

Mayor/Council Comments

Public Comment

Executive Session

Adjournment

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

Please Turn Off Cell Phones – Thank You

**CITY OF MCCLEARY**  
**Regular City Council Meeting**  
**Wednesday, July 20, 2011**

FLAG SALUTE	Mayor Dent Called the meeting to order at 7:00 PM with the Flag Salute.
ROLL CALL	Councilmembers Boling, Geer, Lant, Ator and Schiller.
ABSENT	None.
STAFF PRESENT	Present at the meeting were Wendy Collins, Nick Bird, George Crumb, Jennie Reed and Jon Hinton. Dan Glenn arrived at 7:25 pm.
MINUTES APPROVED	<b>It was moved by Councilmember Geer, seconded by Councilmembers Schiller and Boling to approve the minutes as received. Motion Carried.</b>
PUBLIC COMMENT	Joy Iverson invited everyone to a Mark Reed Hospital Community Meeting on August 3, 2011 at noon at the Community Center.
CITY ATTORNEY REPORT	The theater property is scheduled for a sheriff's sale in terms of executing upon the judgment lien the City obtained against the property. Notices have been published as well as sent to the last known address we have for the corporate owner. The concern is whether there will be a competitive bidder present who is willing to bid more than the amount of the City's lien and would the City wish to outbid that entity/individual so as to own the property. Dan Glenn would like direction from the Council.
DIRECTOR OF PUBLIC WORKS REPORT	<p>Nick Bird received a letter from the Director of BPA stating the City is to cease and assist all conservation projects. The City does not know at this time if we will lose all the money originally allocated for the program.</p> <p>"Welcome to McCleary" signs have been installed at the two main entrances to the City. They are an improvement over the previous signs that are worn and unattractive.</p>
MAYOR'S REPORT	The Mayor brought to the attention of the Council the existing Resolution No. 541, which speaks to establishing procedures as to disposition of surplus real property. The float shed property may be a property to consider under this Resolution, along with the theater property, depending on the outcome of the hearing coming up.
PWTF LOAN - WELL 2 & 3 IMPROVEMENTS	<p>The Public Works Trust Fund loan for well and water quality improvements was presented to the Council. Nick Bird prepared a water fund projection for revenue and expenditures from 2009 through 2020 showing the difference in the fund, with the loan and without the loan, in an effort to show the Council that the City could sustain the new debt service. The Mayor is concerned whether revenues have been gained by the yearly increases of 22% in water, which was not put in a dedicated account, and how much of that money will be spent in maintenance and operations.</p> <p>The Mayor is also concerned about the federal government not raising the debt ceiling and how that will impact a loan from the PWTF. The Mayor would like the Council to consider this issue while determining whether they want to approve the loan tonight or not.</p> <p>The conditions of the loan would be 2% interest for the life of the loan and if we finish the project in three years, the percentage drops to 1.5%, which Nick believes we can meet the three year deadline. <b>It was moved by Councilmember Geer, seconded by Councilmember Lant to delay the signing of the PWTF contract loan until additional information is clarified by the federal government. Motion Carried.</b></p>
G & O AMENDMENT #19 - WELL 2 & 3 DESIGN	Tabled.
EAGLE SCOUT CEMETERY PROJECT	The City was approached by a local Boy Scout, Daylin Newell, with a project to put brick planters at the entrances of the cemetery to fulfill his Eagle Scout project. The City needs to obtain concurrence from the WSDOT, as it is an obstruction within the clear zone. The Council agreed to wait on making a decision until the City acquires approval from the WSDOT.

SUBSTATION REPAIR PE#3	It was moved by Councilmember Lant, seconded by Councilmember Geer to authorize the Mayor to pay progress estimate #3 in the amount of \$1,777.29 and the amount to be deposited in the retainage account of \$85.94 and to accept the project as complete. Motion Carried.
FIRE DISTRICT 5 CONTRACT	The Mayor will be meeting with Mayor Osgood, Fire Commissioner Banks, and Dan Glenn to discuss the fire contract. Mr. Glenn has asked for information from Mr. Banks to review prior to the meeting. The Mayor is not in favor of an increase for the fire district. At this time, it appears the fire district is in better financial condition than they previously were and he understands they are paying back debt without too much difficulty. Mayor Dent will report back to the Council after the up coming meeting. Councilmember Lant is concerned the Mayor will be approaching this individually instead of jointly. Mayor Dent understood his concerns and stated he has given an informal commitment to Commissioner Banks that he is just as concerned about Fire District 12's financial conditions as he is his own.
PARK REGULATIONS ORDINANCE	This will be tabled again until next meeting.
FIRE SAFETY EQUIPMENT PURCHASE	Councilmember Lant stated in order for the fire department to be compliant with safety regulations and current working conditions, they will need to purchase \$1,783.25 in replacement equipment. It was moved by Councilmember Boling, seconded by Councilmember Lant to authorize the Mayor to sign a purchase order for fire safety equipment in the amount of \$1,783.25 plus tax. Motion Carried.
PUBLIC COMMENT	<p>Councilmember Geer is concerned about selling the float shed property when the City is in dire need of storage space. He would like to see an estimate for what the cost would be to bring it up to code with a new roof and to stabilize the building. Helen Lake checked into pole barns and they cost between \$20,000 to \$25,000.</p> <p>Councilmember Schiller requested the Finance Committee start meeting again. Councilmembers Schiller and Ator are the current members and they would like new members to be appointed.</p>
APPROVAL OF VOUCHERS	It was moved by Councilmember Geer, seconded by Councilmember Lant to approve the vouchers as received. Vouchers/Checks approved were #33268 through #33312 in the amount of \$40,416.05 and vouchers/checks from #33313 through #33384 in the amount of \$103,287.10. Motion carried.
EXECUTIVE SESSION	None.
ADJOURNMENT	It was moved by Councilmember Boling, seconded by Councilmember Ator to adjourn the meeting at 7:53 PM. The next meeting will be held on August 24, 2011 at 7:00 PM. Motion Carried.
Mayor Gary Dent:	_____
Clerk-Treasurer Wendy Collins:	_____

**MEMORANDUM**

TO: MAYOR AND CITY COUNCIL, City of McCleary  
FROM: DANIEL O. GLENN, City Attorney  
DATE: August 19, 2011  
RE: LEGAL ACTIVITIES as of AUGUST 24, 2011

THIS DOCUMENT is prepared by the City Attorney for utilization by the City of McCleary and its elected officials and is subject to the attorney-client privileges to the extent not inconsistent with laws relating to public disclosure.

1. **COMPUTER SERVICES CONTRACT:** The City requested proposals for the provision of computer system maintenance services. A proposal was received and recommended to you. Due to a misunderstanding between Nick and I, it has sort of been "floating" in abeyance. We have cleared up that confusion and I have provided suggestions as to the contract terms. As I understand, Nick has been and is discussing with them clarification as to the services to be provided. When all of that comes together, it will be before you for final consideration.

2. **PARK PROJECT:** As you are aware, the sidewalk aspect of the park project has been before you previously. As I understand it, the decision had been by the Council to move forward with concrete based upon the cost estimates provided. In a discussion last week, Mr. Bird indicated that, based upon that decision, he had sought proposals to provide the material from the necessary number of sources, but proposals were received from less than three. My advice was the responsibility under the act was to seek the appropriate number of proposals and the failure of some to respond did not collapse the process. He indicated the project was moving ahead and would commence on Monday of this week due to timing constraints as to staff availability and grant timing.

Due to the ambiguity of what was authorized by the Council, I have recommended that the matter be before you for ratification of the award.

3. UTILITY SYSTEM MATTERS: As you may be aware, we had the exit audit was the staff of the Office of the State Auditor in terms of the 2009-2010 audit. One of the areas discussed was the difficult associated with the tracking of deposits taken under certain circumstances for utility accounts. Based upon those discussions and discussions among the Mayor and Staff, I have been requested to prepare and provide certain amendatory resolutions in relation to the areas discussed.

A. Deposit Resolution: McCleary has been one of the few allowing for a utility account to be placed in the name of the tenant, upon the payment of a deposit and the authorization of the owner. As noted, that has created tracking problems in the past. Further, in light of what the SAO folks indicated they felt needed to be implemented in the future to have such a program, the conclusion was reached it would be most cost-effective to eliminate the deposit program for future accounts. Thus, the draft which is currently being reviewed by Staff eliminates the protocols relating to deposits being taken, requires that all utility accounts be in the name of the property owner, and that the property owner is directly and solely responsible for payment of the utility account obligation. The owner can still allow the account to be billed to the tenant, but it would be the owner's task to hold the deposit, etc.

A transition procedure is provided so those tenants and owners who are currently operating under a deposit protocol may continue to do so until the account is closed.

B. Billing Protocol: The task here is to clarify by when must the moneys be received in order to avoid the 5% late fee which has been assessed and what must moneys must be paid to bring an account "current".

Timing: Currently, the resolution has provision for a payment which has been mailed to be treated as received within the required time period so long as it is postmarked on or before the due date, the 15<sup>th</sup> of the month or the first business day thereafter. That apparently has created problems since something can be mailed on the 15<sup>th</sup>, but not received for several days. Thus, it was the recommendation of staff to mandate that all payments, whether delivered personally or mailed, must be actually received by the due date.

Amount Required to be Paid: Currently, a customer who was determined to be delinquent had to pay not only the delinquent balance from the prior month, but also the current month's utility amount in order to avoid shut off. That can be a significant hardship for customers. Thus, Staff is recommending that a delinquent customer may bring their account

current and avoid shut off by paying the delinquent balance, including the accrued late penalty, and not also the balance for service which is subject to the current billing.

As noted, the drafts were requested following the exit audit meeting and thus as of the time of the preparation of this report, they are still under staff review. However, I would anticipate you will have a draft in your packet although there may be a successor draft provided at or before the meeting time.

4. **FIRE DISTRICT #5**: The Mayor will give a more extensive report on the current status of the negotiations with the District. As you will remember, at the time of the last discussions, the District was in the throes of a number of fiscal problems. Since then, at least partially due to the funding of their operations from moneys generated by payments received from the City, District #12, and Elma, as well the charges generated by providing services to the citizens of the three entities, their economic condition has improved significantly, according to the report of the State Auditor.

I was informed some time back that we would be receiving fiscal information from the District. As of this time, for whatever reason, none has been received. The bottom line is we have suggested a continuation of the status quo for another year in light of their indicated fiscal status. The proposal will be discussed at the Commissioner's next meeting. However, my initial perception is their Chief does not like the idea and we will receive a significantly different counter-proposal. Hopefully, I will be wrong in this perception.

As always, this is not meant to be all inclusive. If you have any questions or comments, please direct them to me.

DG/le

## **STAFF REPORT**

To: Mayor Dent  
From: Nick Bird, Director of Public Works  
Date: August 18, 2011  
Re: Current Non-Agenda Activity

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### **Energy Conservation Program**

As we are approaching the end of BPA's fiscal year, we have still have a large chunk of money that will be withdrawn shortly, we have come up with a creative way to give a little back to our customers. On September 10, 2011, from 9:00 AM to Noon at City Hall, we will be giving away four (4) FREE Compact Fluorescent Lights (the twisty light bulbs) to every customer, while supplies last. We have purchased enough for 500 customers to come and get free CFLs. As it will note on your August billing statement, you must bring the copy of the August statement to qualify!

### **WSDOT SR8 Closure / Detour**

On Sunday, August 28, WSDOT has scheduled a resurfacing project on SR 8, adjacent to US 101. To facilitate this project, WSDOT will close SR 8 and provide a detour for traffic via SR 108. The closure is planned for 9:00 PM through 4:30AM. If you are traveling around the City during this time, please be advised that there will be additional traffic.

### **Comprehensive Stormwater Management Plan**

The stormwater plan is still in draft form. Gray & Osborne is currently working on the financial chapter and anticipate having a complete draft plan soon.

### **Float Shed**

It is presumed that the rest of Council is just as curious as Councilmember Gear is regarding the float shed costs. As requested, we will solicit formal bids from contractors. In completing this task, we want to minimize the risk to the City; therefore we will be putting together a complete small works contract package. This package will include basic specifications, general conditions, proposal and bond forms, etc. as we would do with any "public works" package. We have also assumed that we would like to minimize the cost of this project, thus we will be compiling the package in-house. Unfortunately, this will take a bit of time and internal resources. We have already started creating the package, and will request authorization to advertise when the package is complete.

## STAFF REPORT

To: Mayor Dent

From: Colin Mercer Webmaster

Date: August 1, 2011

Re: July Website & Help Desk



### Re-Occurring Website Activities

- Council Agenda/Packet posted online.
- Council Minutes posted online.

### New Website Activity

- Posted hydrant flushing notice on the water page and the home page, also notified the newspaper.
- Post Burn Ban in effect.
- Post notice of Conservation Program ending September 30<sup>th</sup>.
- Post McCleary Fire Departments Fred Keel Golf Tournament flyer.
- Posted Lost Dog notice on Police Department page.

### Additional Tasks

- Scanning and uploading of old Ordinance originals for an electronic record.
- Calculated total lineal footage of sidewalks in the City.
- Updating of Cemetery Map.
- Set up new printer scanner for the Police Department.
- Research printer stock for utility bills and shut off notices for the new BIAS software billing program.
- Research utility customers with delinquent balances on inactive or closed accounts.
- Completed scans of all Ordinances and placed on the company intranet for access by staff.
- Review commercial utility accounts for accurate storm water rate.
- Create a Conservation Audit Response Form to notify the customer of the incentives they qualify for and possible reimbursement amount.

### Help Desk Activity

Month	Number of Incidents Reported	Staff Reported / Closed / Open	Citizen Reported / Closed / Open
April	12	3 / 8 / 2	9 / 9 / 13
May	3	4 / 4 / 2	2 / 4 / 11
June	18	5 / 4 / 3	13 / 15 / 9
July	6	0 / 0 / 3	6 / 8 / 7

### Conservation Program

Month	Applications Received	Conservation Permits Issued	Rebates Paid This Month	Total Rebates Paid To Date
April	2	1	\$70.00	\$70.00
May	2	2	\$70.00	\$140.00
June	6	5	\$517.00	\$657.00
July	3	2	\$225.00	\$882.00



### Website Comments:

- Your Site has received new information through an online form.  
Online Form: Tell Us What You Think!  
Site URL: [www.cityofmccleary.com](http://www.cityofmccleary.com)

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First Name: Brad

Last Name: Crane

Address: [REDACTED] . Kennewick, Wa.

Phone Number: [REDACTED]

Email: [REDACTED]

Comments: Having spent the most enjoyable years of my life in McCleary I`m grateful for your website.

My grandparents Bill and Erma Drath were long time residents of your town and are buried there, I also have Aunts and Uncles buried there and still living there by the last name of Stoney. Again, thank you for this wonderful site, I miss McCleary a great deal and never stop thinking about it.

It`s the greatist town in america, wish there were more like it.

- The following citizen request has been added.  
Incident Number: 481  
Link:

Request Type: General Comment or Issue not listed

Description: Could you please submit more photos of your lovely town, I miss it a lot

Additional Comments:

**Website Traffic**

July 1, 2011 through July 31, 2011

<b>Page Views by Section</b>		
<b>Section</b>	<b>Page Views</b>	<b>Percent of Total</b>
<a href="#">Default Home Page</a>	1900	31.77%
<a href="#">Events Calendar</a>	608	10.17%
<a href="#">Conservation Program</a>	311	5.2%
<a href="#">City Departments</a>	256	4.28%
<a href="#">Agendas and Minutes</a>	236	3.95%
<a href="#">Bear Festival</a>	232	3.88%
<a href="#">City Jobs</a>	227	3.8%
<a href="#">Police</a>	181	3.03%
<a href="#">Utilities</a>	150	2.51%
<a href="#">Code, Ordinances &amp; Standards</a>	149	2.49%
<a href="#">Mayor and Council</a>	126	2.11%
<a href="#">City Photos</a>	115	1.92%
<a href="#">Search Results</a>	109	1.82%
<a href="#">FAQ's Page</a>	102	1.71%
<a href="#">Chamber of Commerce</a>	101	1.69%
<a href="#">Fire</a>	98	1.64%
<a href="#">Public Facilities</a>	87	1.45%
<a href="#">Helpful Links</a>	81	1.35%
<a href="#">Water / Wastewater</a>	74	1.24%
<a href="#">Light &amp; Power</a>	73	1.22%
<a href="#">Administration</a>	73	1.22%
<a href="#">2008-11 Budget</a>	58	0.97%
<a href="#">Interlocal Agreements</a>	57	0.95%
<a href="#">Planning Department</a>	55	0.92%
<a href="#">Tell Us What You Think!</a>	52	0.87%
<a href="#">Municipal Court</a>	52	0.87%
<a href="#">Home Page</a>	50	0.84%
<a href="#">Previous Years Council Agendas</a>	50	0.84%
<a href="#">Bear Festival Photos</a>	46	0.77%
<a href="#">Development Services / Building</a>	45	0.75%
<a href="#">Previous Years Council Minutes</a>	43	0.72%
<a href="#">65th Anniversary Photos</a>	32	0.54%
<a href="#">Flood Photos 2009</a>	31	0.52%
<a href="#">Park Project Photos</a>	29	0.48%
<a href="#">Community Center</a>	25	0.42%
<a href="#">Christmas Photos 2007</a>	24	0.4%
<a href="#">City Staff</a>	18	0.3%
<a href="#">Conservation Data Page</a>	14	0.23%
<a href="#">Surveys &amp; Questionnaires</a>	8	0.13%
<a href="#">Public Facilities Survey ( Ends March 7th)</a>	1	0.02%
<a href="#">Stormwater Plan Questionnaire</a>	1	0.02%
TOTAL	5980	100%

To: Mayor Dent  
From: Vern Merryman, Water/Wastewater  
Date: August 2011  
Re: Council Report

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The filter press was out of commission during the first three weeks of July. The plc program was lost during the power problems that we experienced on July 7<sup>th</sup>. Once the program was reinstalled, it was noted that we had lost a variable frequency drive (VFD); we were able to quickly find a replacement. The internal plc batteries had expired so they also were replaced at that time, along with the remaining like plc batteries throughout the treatment plant. The press is running again but with a low water pressure alarm glitch. The water side of the switch has been trouble shot and there is not a problem with the water pressure. We will be looking at the switch itself next. If the switch proves good then we will be looking again at the plc programming.

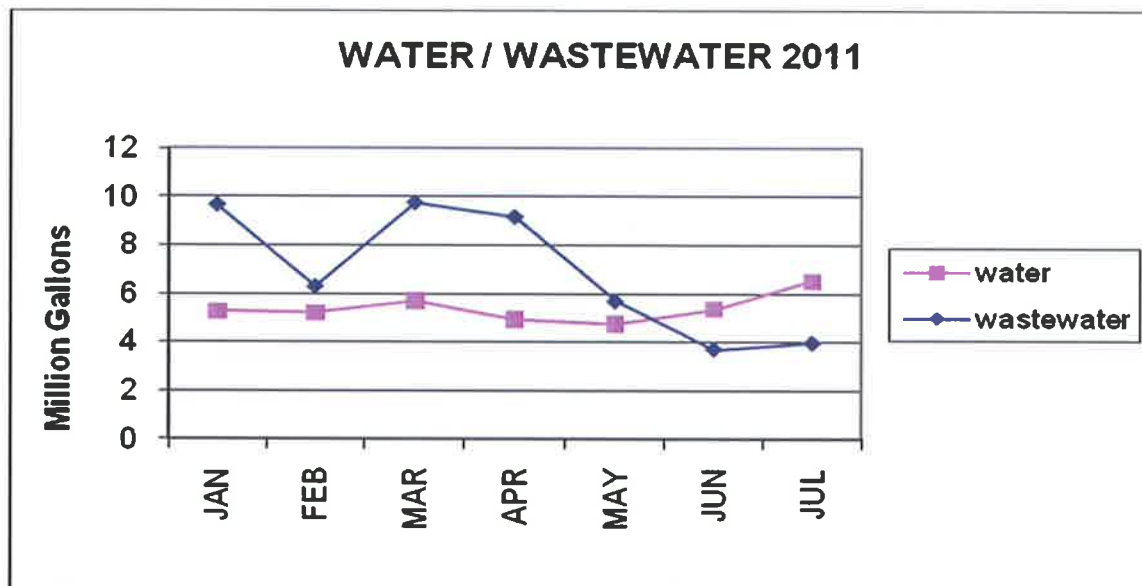
July numbers: Water production, 6.53 million gallons.

Wastewater flow, 3.96 million gallons.

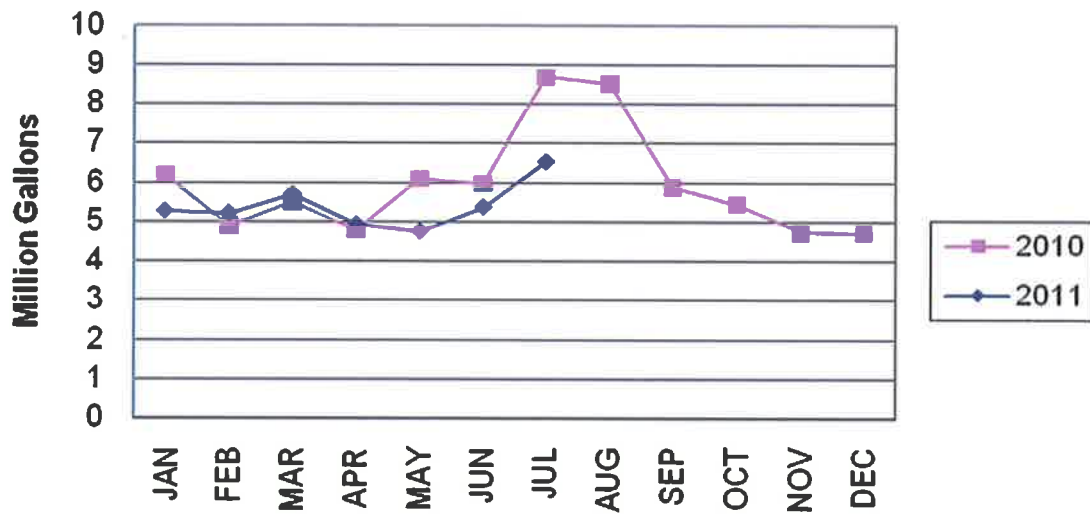
Precipitation, 2.4 inches.

Biosolid production, 1.62 dry tons, dewatered from 76,828 gallons of liquid sludge.

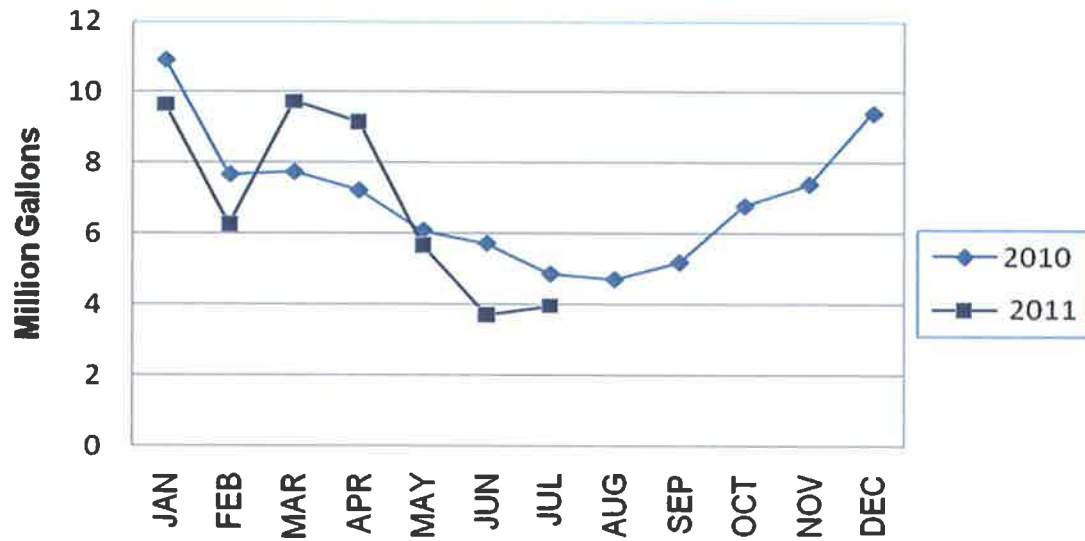
Charts for water production, waste flow and precipitation follow.

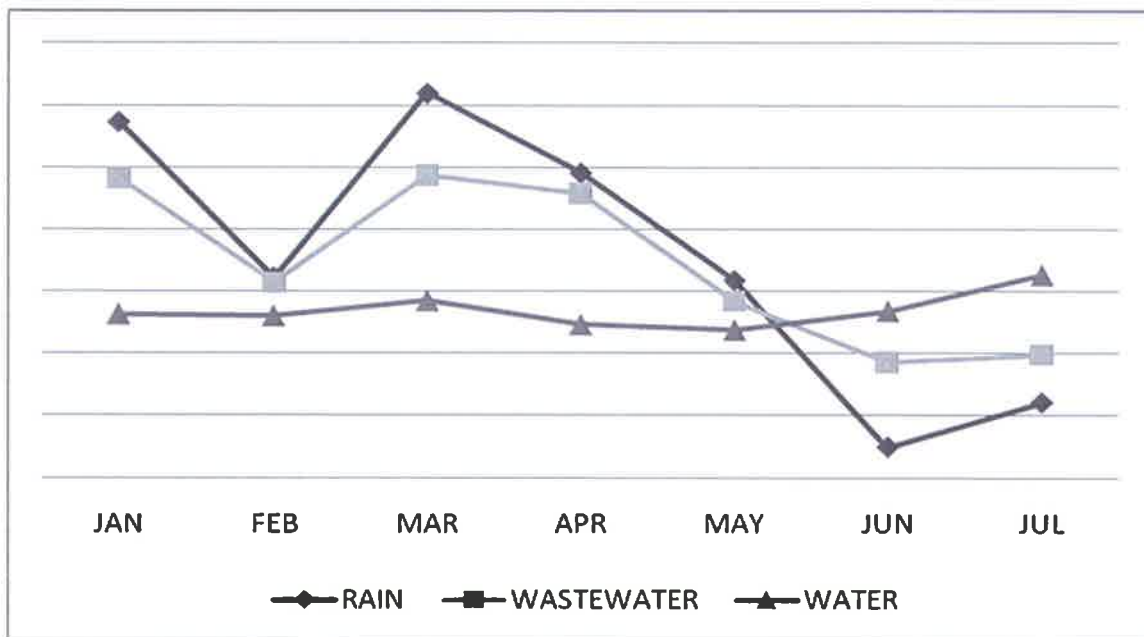
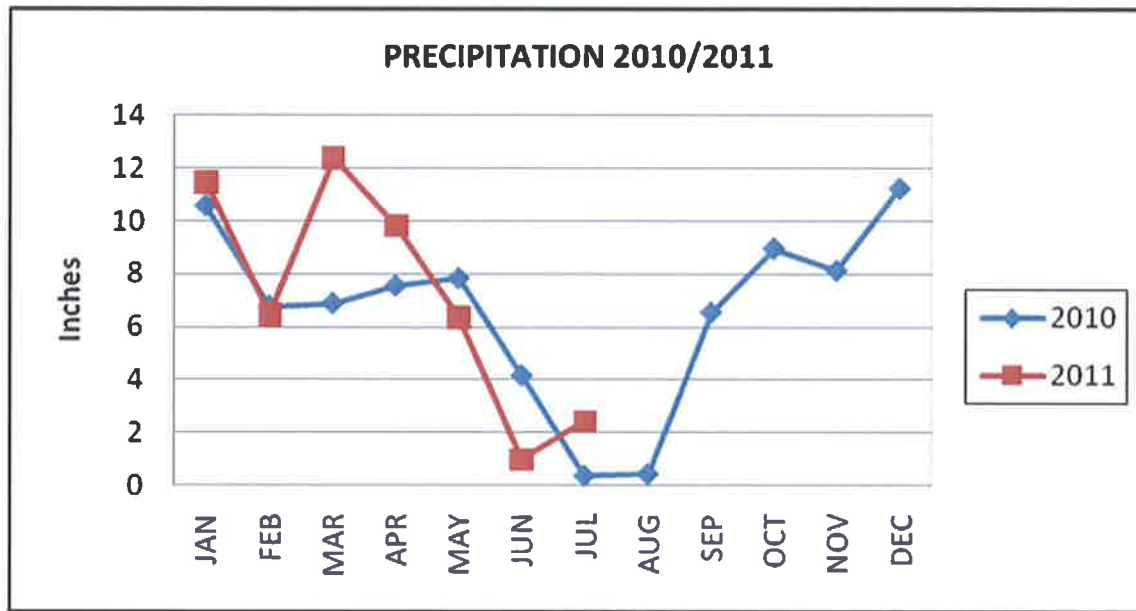


### WATER PRODUCTION 2010/2011



### WASTEWATER FLOW 2010/2011





## STAFF REPORT

To: Mayor Gary Dent  
 From: Mick Schlenker Building Official  
 Date: Aug 18, 2011  
 Ref: July Staff Report

<b>Building Permit Activity</b>					Project <u>Valuation</u>
	<b>Current</b>	<b>Fees</b>	<b>Total 2011 YTD Service</b>	<b>Fees</b>	
Customer Service	78	\$3,039.11	533	\$5,632.42	\$176,444.70
Building Permits Issued	3				
Nuisance Letters	4				
Inspections Performed	27				
Plan Reviews	2				
Stop Work Issued	1				
City Projects	0				
Complaints	6				
Demo Permits	0				
Court Issues	0				
Fire Projects	0				
Cars	0				
Abatements	0				
Elma Inspections	0				
Montesano	0				
<b>Total</b>	<b>121</b>	<b>\$3,039.11</b>	<b>654</b>	<b>\$5,632.42</b>	<b>\$235,016.70</b>

### Summit II

1 permit issued for new SFR

### McCleary School

Permit issued for Re-Roof

Permit issued for Bus Shed Office

### Cedar Heights

Nothing new at this time

### Conservation Program

### Float Shed

On Hold

### Office Projects

Filing

Public Relations

Lots of Email correspondence

Archives

Meetings

LeMay Garbage.....42 letters sent out to citizens about required fee's for garbage

## STAFF REPORT

**To: Mayor Dent**  
**From: George M. Crumb, Chief of Police**  
**Date: August 19, 2011**  
**RE: Report for August 24, 2011, Council Meeting**

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### SUMMARY OF POLICE INCIDENTS / ACTIVITIES:

The below listed information are calls or contacts received by McCleary Police Officers either generated by Grays Harbor County dispatch 911 service, citizen reports or call in, or other officer generated incidents:

\*1471 incident histories reported as of 1500 hrs. 081911.

- ☐ . Speeding.
- ☐ . Speeding in School Zone
- ☐ . DWLS (Driving While license Suspended/Revoked
- ☐ . Theft 3<sup>rd</sup>
- ☐ . Disorderly Conduct
- ☐ . Violation of Protection Order
- ☐ . No Valid Operator's License without ID
- ☐ . Failure to Renew Registration (-2MO)
- ☐ . Failure to wear safety belt.
- ☐ . Insurance violation
- ☐ . Vehicle Prowl
- ☐ . Resisting Arrest
- ☐ . Expired Tabs

**Discussion:** Open  
( )

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Council Members Present: ALL.... Mr. Ator, Mr. Boling, Mr. Geer, Mr. Lant,  
Mr.Shiller.

Mayor Dent: Present / Not Present \_\_\_\_\_

Officer Reporting: Chief Crumb \_\_\_\_\_

## **STAFF REPORT**

To: Mayor Dent  
From: Nick Bird, P.E., Director of Public Works  
Date: August 18, 2011  
Re: PWTF Loan – Well 2 & 3 Improvements

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Last meeting we tabled this subject until we knew what the Federal Government was going to do about the debt ceiling. On August 2, 2011, President Obama signed the Budget Control Act of 2011, which immediately raised the debt limit \$400 billion.

Prior to the August 2 deadline, I did speak with the Public Works Board. Their stance at that time was that the Federal Government does not impact the PWTF funding, however the State Legislature can impact the PWTF funding. In the event the Legislature “robs” the PWTF funding (this is not unheard of, as it occurred a few years back), or the State goes bankrupt, the executed contracts will become void and the unexecuted contracts will not be executed. They were adamant that the rate is not subject to change and the contract cannot be changed unilaterally. In the event we have drawn from the loan prior to the “loss of funds” (PWTF is now a reimbursement program, which means monthly reimbursements will be requested by the City to the state), the loan closing amount will be revised to the actual amount drawn.

After the August 2 deadline, I received another call from another member of the Public Works Board. During that discussion, it was the Public Works Boards stance that the PWTF funding for this period (2012) was in hand (i.e., not subject to loss) and the only period subject to loss was the 2013 funding pool.

Based on this information, in conjunction with the previously provided information, we suggest you again consider authorizing acceptance of the loan.

### **Action Requested:**

Please consider authorizing acceptance of this loan.



## **STAFF REPORT**

To: Mayor Dent  
From: Nick Bird, P.E., Director of Public Works  
Date: August 18, 2011  
Re: G&O Amendment #19

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Attached you will find a scope and budget proposal for the design work associated with the Well 2 & 3 Improvement Project for your consideration.

Please note that authorization of this contract without accepting/executing the PWTF loan will allow the design process to begin. All expenses incurred back to September 2010 are reimbursable through the PWTF loan; however, if we choose not to accept the loan the City will be responsible for payment of work completed by Gray & Osborne.

Upon additional review of the contract, the Schedule section shown on Page 5 was outdated (Note: the formatting of the attached contract is slightly different than the previously presented draft contract, however all items have remained per the draft contract). A revised schedule has been provided, compressing the design schedule with the intent to solicit bids during the optimum bidding climate (March/April).

### **Action Requested:**

Please consider authorizing Contract Amendment #19 with Gray & Osborne.

**AMENDMENT NO. 19  
TO  
CONTRACT FOR ENGINEERING SERVICES**

THIS AMENDMENT, made this day, by and between the City of McCleary, Grays Harbor County, Washington, hereinafter referred to as the Agency, and Gray & Osborne, Inc., hereinafter referred to as the Engineer, hereby modifies the contract for engineering services dated (by Agency) June 10, 2009, for additional services related to the Wellfield Improvement Project.

**SCOPE OF SERVICES**

The City of McCleary is currently supplied with drinking water by two wells, Wells No. 2 and No. 3. These wells are 50 to 60 years old and are in need of significant improvements as identified in the 2008 Water System Plan. These wells produce water that has elevated levels of iron and manganese. The City currently uses a sequestrant to manage the iron and manganese levels, but it is expensive and not very effective. In 2010, Gray & Osborne prepared a *Wellfield Improvements Predesign Report* to evaluate alternatives and develop design criteria for improvements to Wells No. 2 and 3. The City has obtained funding through the Public Works Trust Fund for construction of the following improvements described in the *Wellfield Improvements Predesign Report*.

- Demolish the existing Well No. 2 building, well pump, piping, and electrical equipment.
- Construct a new building to house Well No. 2 and a new iron and manganese treatment system.
- Construct a new iron and manganese treatment system initially sized for 500 gpm, but expandable to 900 gpm.
- Construct facilities to dispose of backwash water from the treatment facility.
- Construct a new sodium hypochlorite disinfection system in the new treatment facility.
- Install a new well pump in Well No. 2 with associated piping, electrical, and controls.
- Replace the existing Well No. 3 pump, piping, electrical and controls.
- Install new interconnecting piping between Well No. 3 and the new treatment facility.
- Install a new telemetry system to convey water level information from the reservoir site to the well site.
- Install a new SCADA system for the water system at the WTP site.
- Provide a manual transfer switch and standby generator receptacle.
- Provide a standby generator contingent upon funding availability. Reuse of an existing generator currently owned by the City will be considered.
- Remove the existing Well No. 1 pump, demolish the existing Well No. 1 building, and decommission Well No. 1.

## **SCOPE OF WORK**

Gray & Osborne will perform the following tasks to complete design of the Wellfield Improvement Project described above.

### **Task 1 - Conduct Geotechnical Site Investigation**

- A. Coordinate geotechnical evaluation to be completed by our subconsultant Pangeo, Inc. The geotechnical evaluation will assess the following issues:

1. Structural suitability of soils around the proposed treatment building.
2. Soil infiltration rate data sufficient to evaluate the feasibility of constructing a basin to infiltrate filter backwash water.

A report detailing geotechnical recommendations for the project will be prepared.

### **Task 2 – Complete 50 Percent Design Submittal**

- A. Prepare preliminary plan sheets including:

1. General sheets
2. Civil sheets
  - a. Site plans
  - b. Grading and erosion control plans
  - c. Site piping plans
  - d. Site details
3. Mechanical sheets
  - a. Well house plans, sections, and details
  - b. Treatment facility plans, sections, and details
4. Sheet lists and concepts for electrical, structural, and HVAC sheets.

- B. Prepare preliminary specifications in CSI format. Specifications will include general conditions, proposal form, agreement and bond forms, and any funding agency required documentation.

- C. Prepare preliminary cost estimate.

### **Task 3 – Complete 90 Percent Design Submittal**

- A. Prepare 90 percent plan sheets including:
  - 1. General sheets
  - 2. Civil sheets
  - 3. Mechanical sheets
  - 4. Structural sheets
  - 5. HVAC sheets
  - 6. Electrical sheets
- B. Prepare 90 percent specifications in CSI format.
- C. Prepare 90 percent cost estimate.

### **Task 4 – Complete 100 Percent Design Submittal**

- A. Prepare 100 percent plan sheets including:
  - 1. General sheets
  - 2. Civil sheets
  - 3. Mechanical sheets
  - 4. Structural sheets
  - 5. HVAC sheets
  - 6. Electrical sheets
- B. Prepare 100 percent specifications in CSI format.
- C. Prepare 100 percent cost estimate.

Plans and specifications will be suitable for Public Works Bidding.

### **Task 5 – Prepare Project Permit Applications**

Gray & Osborne will prepare the required permit applications for the project. Permit fees will be the responsibility of the City. Anticipated permit applications include:

- A. Executive Order 05-05 EZ-1/EZ-2 Forms
- B. Department of Health Project Approval
- C. City of McCleary SEPA
- D. City of McCleary Building Permit
- E. Railroad Utility Franchise

Gray & Osborne will respond to comments from the permitting agencies and make necessary revisions to the plans.

#### **TASK 6 – PROVIDE PROJECT MANAGEMENT**

Gray & Osborne will provide project management services for the project. Services will include:

- A. Coordination of the project with the City, funding agencies, permit agencies, subconsultants, and project team members. This includes providing monthly project progress updates to the City.
- B. Perform internal Quality Assurance/Quality Control reviews of the project at 5 percent, 50 percent, and 90 percent completion.
- C. Participate in review meetings and site visits with City staff. A total of five meetings and site visits have been assumed.

#### **Task 7 – Provide Bid and Award Services**

Gray & Osborne will provide bid and award services for the project. Services will include:

- A. Distribution of bid documents to contractors and plan centers. A list of planholders will be maintained.
- B. Response to contractor inquiries and preparation of addenda as necessary.
- C. Conducting a prebid walkthrough with prospective contractors.
- D. Attending and assisting with the bid opening.
- E. Review of bids, preparation of bid tabulation, and preparation of an award recommendation letter.

#### **DELIVERABLES**

The following deliverables will be prepared and submitted to the City as part of this project.

- 1. Geotechnical Report (2 hard copies, 1 electronic)
- 2. 50 percent Plans, Specifications, and Cost Estimate (three hard copies)
- 3. 90 percent Plans, Specifications, and Cost Estimate (three hard copies)
- 4. 100 percent Plans, Specifications, and Cost Estimate (three hard copies, one electronic native file format and pdf)
- 5. Permit Applications (two hard copies)
- 6. Bid Tabulation and Award Recommendation

## **SCHEDULE**

The anticipated schedule for this project is as follows:

Notice to Proceed	August 29, 2011
50% Design Submittal	November 14, 2011
90% Design Submittal	January 16, 2012
100% Design Submittal	February 18, 2012

## **ASSUMPTIONS**

The following assumptions have been made in preparing this scope of work:

- The City will provide all available construction records of the existing well and reservoir facilities.
- The City will field mark and locate, on request, existing buried water mains and other City owned utilities buried in the project area.
- The City will provide timely review of all draft plans and specifications as the project design progresses.
- No costs have been included for an archeological investigation. Should this be required by the funding agency, a separate scope of work and engineering services amendment can be prepared.
- No construction management or inspection services have been included in this proposal. If these services are desired by the City, a separate scope of work and engineering services amendment will be prepared.

## **ESTIMATED COST**

The estimated cost of completing this scope of services is shown in the attached Exhibit B. Total costs shall not exceed \$145,000 without written authorization from the Agency.

IN WITNESS WHEREOF, the parties hereto have executed, or cause to be executed by their duly authorized officials, this AMENDMENT to the Contract for Engineering Services in duplicate on the respective dates indicated below.

**GRAY & OSBORNE, INC.**

**CITY OF MCCLEARY**

By: Thomas M. Zerkel  
(Signature)

By: \_\_\_\_\_  
(Signature)

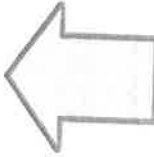
Name: Thomas M. Zerkel, P.E., President  
GRAY & OSBORNE, INC.

Name: \_\_\_\_\_  
(Print)

Date: June 9, 2011

Date: \_\_\_\_\_

"Equal Opportunity/Affirmative Action Employer"



# EXHIBIT "B"

## ENGINEERING SERVICES SCOPE AND ESTIMATED COST

### WELLFIELD IMPROVEMENT PROJECT

Tasks	Principal Hours	Project Mgr. Hours	Civil Eng. Hours	Structural Eng. Hours	Mechanical Eng. Hours	Electrical Eng. Hours	CADD Tech. Hours
<b>Task 1 - Complete Geotechnical Evaluation</b>							
A Coordinate Geotechnical Work	1	1	2				
<b>Task 2 - Complete 50% Design Submittal</b>							
A Prepare Plan Sheets	4	16	128	8	8	32	160
B Prepare Specifications	1	8	16	2	2	4	
C Prepare Cost Estimate	1	2	8	2	1	2	
<b>Task 3 - Complete 90% Design Submittal</b>							
A Prepare Plan Sheets	4	12	80	40	20	100	120
B Prepare Specifications	1	4	16	8	4	16	
C Prepare Cost Estimate	1	1	4	2	1	2	
<b>Task 4 - Complete 100% Design Submittal</b>							
A Prepare Plan Sheets	2	8	24	8	4	40	80
B Prepare Specifications	1	4	8	2	2	8	
C Prepare Cost Estimate	1	2	4	2	1	2	
<b>Task 5 - Prepare Project Permit Applications</b>							
A Department of Health		4	8				
B SEPA		1	2				
C Building Permit	1	2		8	4		
D Railroad Utility Franchise		1	4				4
<b>Task 6 - Provide Project Management</b>							
A Project Coordination		12					
B QA/QC Review	12	8	8	4	4	8	
C Meetings and Site Visits	4	12	12	4		8	
<b>Task 7 - Provide Bid and Award Services</b>							
A Distribute Bid Documents		2	4				
B Respond to Contractor Inquiries and Prepare Addenda	1	4	8	1	1	2	
C Conduct Pre-Bid Walkthrough		4	4				
D Assist with Bid Opening		2					
E Prepare Bid Tabulation and Award Recommendation	1	2	4				
Hour Estimate:	36	112	344	91	52	224	364
Estimated Hourly Rates:	\$56	\$46	\$36	\$46	\$36	\$40	\$28
Direct Labor Cost	\$2,016	\$5,152	\$12,384	\$4,186	\$1,872	\$8,960	\$10,192

Subtotal Direct Labor:	\$ 44,762
Indirect Costs (171%):	\$ 76,543
Total Labor Cost:	\$ 121,305
Fee (15%):	\$ 18,196
Subtotal Labor & Fees:	\$ 139,501
Direct Non-Salary Cost:	
Mileage & Expenses (Mileage @ \$0.51/mile)	\$ 350
Printing	\$ 538
Subconsultant:	
Geotechnical Investigation (PanGEO, Inc.)	\$ 4,192
Subconsultant Overhead (10%)	\$ 419
<b>TOTAL ESTIMATED COST:</b>	<b>\$ 145,000</b>



## **STAFF REPORT**

To: Mayor Dent  
From: Nick Bird, P.E., Director of Public Works  
Date: August 18, 2011  
Re: Eagle Scout Cemetery Project

---

After our last meeting, I continued consultation with WSDOT. After many verbal conversations, it was determined that a formal request letter should be provided to WSDOT. A copy of the letter provided to WSDOT is attached.

This morning, I received verbal confirmation from Steve Bennett, Olympic Region Traffic, that WSDOT does not see any reason not to concur with the request as long as the proposal remains outside the Clear Zone.

At this time, Dallin is attempting to secure monetary donations, material donations, and volunteers for construction. He hopes, once the donations are secured and the approvals granted, that he will be able to construct the improvement before the wet weather hits.

Again, we believe this project would enhance the aesthetics of the cemetery entrances as well as allow Dallin to achieve his Eagle Scout rank.

### **Action Requested:**

Please consider authorizing Dallin's request to provide planters, as originally proposed, at the cemetery entrance.



**City of McCleary**  
*Home of the McCleary Bear Festival*

July 28, 2011

Mr. Steve Bennett, P.E.  
Washington State Department of Transportation  
Traffic Operations  
5270 Capitol Blvd.  
Tumwater, WA 98504

**SUBJECT: EAGLE SCOUT PROJECT**

Mr. Bennett:

The City of McCleary has been approached by a local Boy Scout to conduct a beautification project as his Eagle Scout Project at the entrance to our local Cemetery, which is owned and maintained by the City.

As currently proposed, the project will consist of constructing brick planters on both sides of the two main access points from Simpson Avenue (SR 108) to the cemetery. The attached Drawing No. 1 displays a conceptual vision of the planters. The attached Drawings No. 2 and 3 provide a plan view of each access to the City's cemetery located at Mile Post 0.58 and 0.62, respectively.

As depicted in Drawings 2 and 3, the face of the proposed planters is 18 feet and 11.5 feet off the fog line, respectively. The posted speed limit through this section of roadway is 30 MPH. Exhibit 1600-1 of the June 2009 Design Manual provides a recommended design clear zone distance of 10 feet. Based on this information, in conjunction with language presented in RCW 47.24.020 (2), the City is considering granting approval to allow the applicant to construct the proposed improvements.

This matter has been presented to the City Council for consideration, but has been tabled until further correspondence with WSDOT has taken place. Prior to allowing this project to move forward, we believe it is in the best interest of all parties to obtain concurrence from WSDOT before authorizing the project.

Both the City of McCleary and the local Boy Scout, Daylin Newell, would like to thank you for your time and consideration of our request. Should you have any questions regarding this subject or need any clarification of the information presented herein, please feel free to call me at (360) 495-3667.

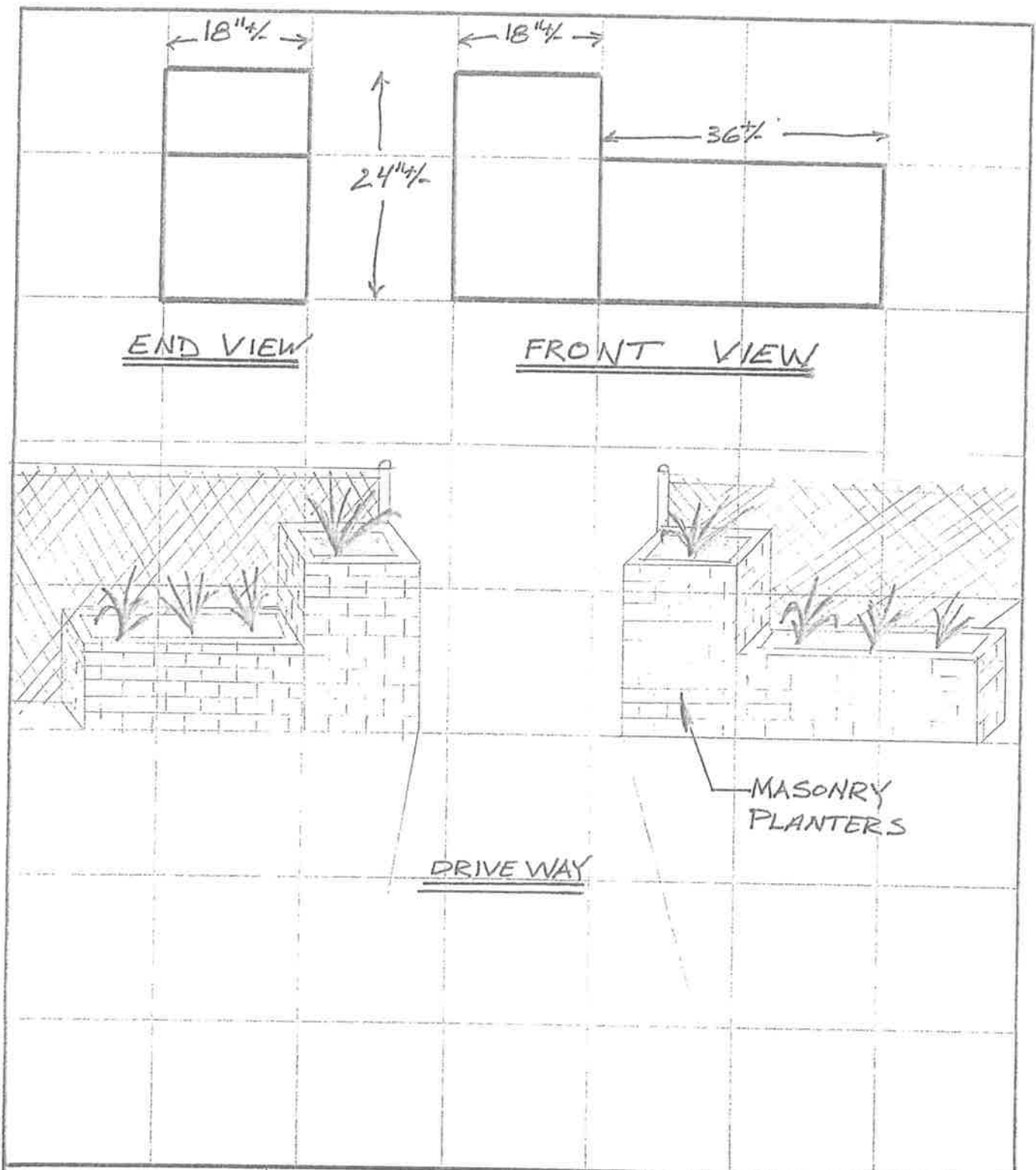
Sincerely,  
**City of McCleary**

A handwritten signature in dark ink, appearing to read 'N. Bird', written in a cursive style.

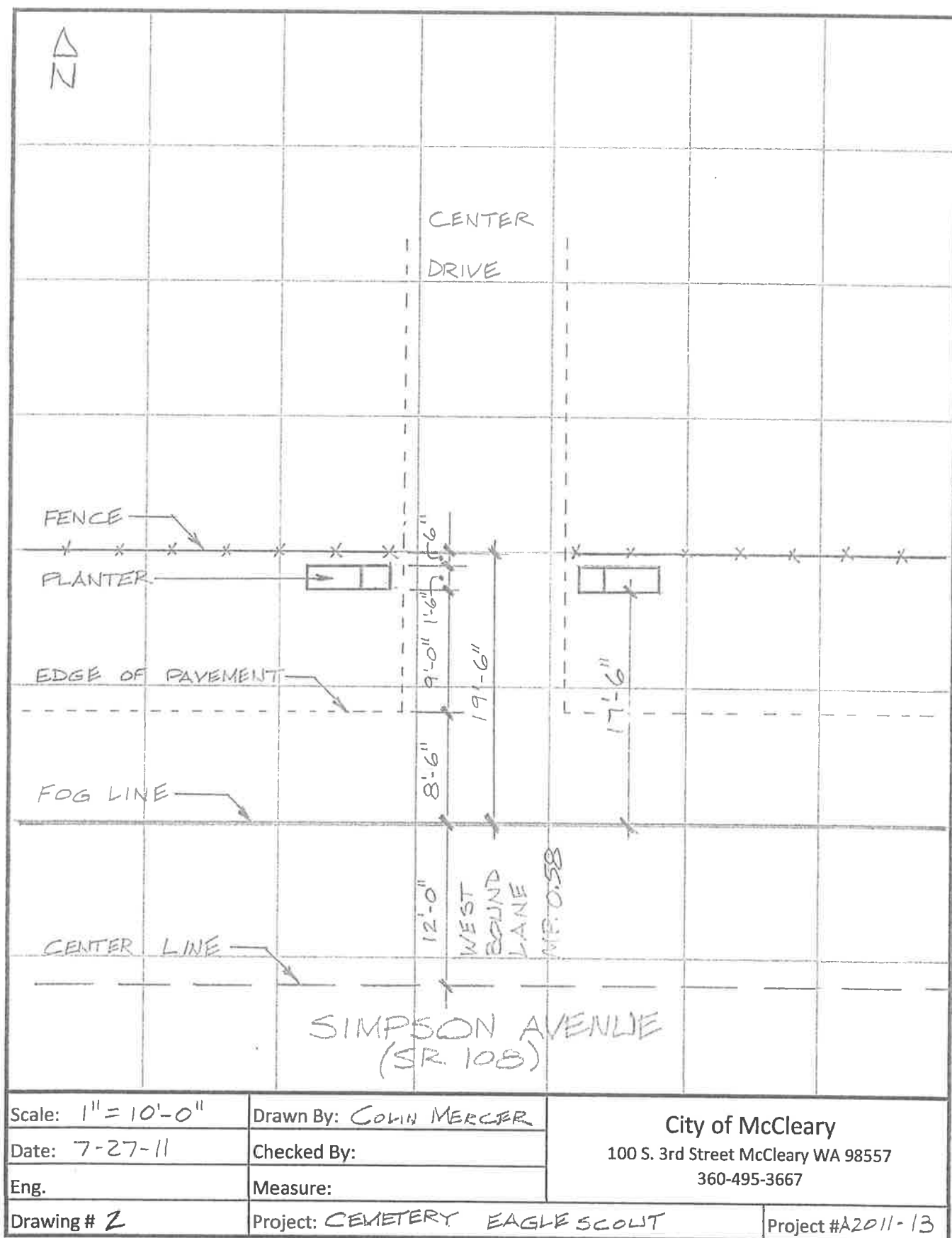
Nicholas D. Bird, P.E.  
Director of Public Works

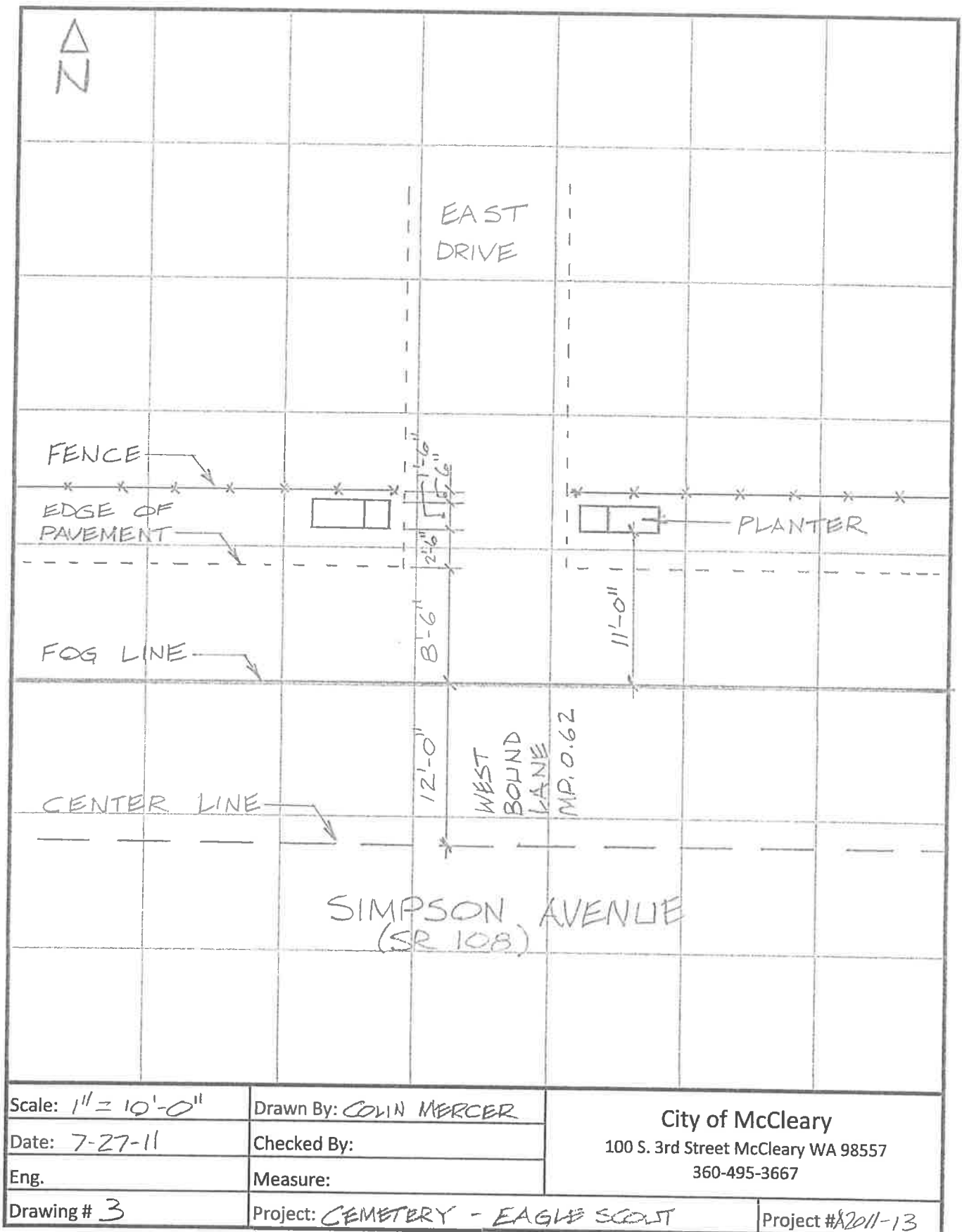
NB/db

Cc: Project File, A2011-13  
Correspondence File



Scale:	Drawn By: COLIN MERCER	City of McCleary 100 S. 3rd Street McCleary WA 98557 360-495-3667
Date: 7-14-11	Checked By:	
Eng.	Measure:	
Drawing # 1	Project: CEMETERY - EAGLE SCOUT	Project #A2011-13





Scale: 1" = 10'-0"

Date: 7-27-11

Eng.

Drawing # 3

Drawn By: COLIN MERCER

Checked By:

Measure:

Project: CEMETERY - EAGLE SCOUT

City of McCleary

100 S. 3rd Street McCleary WA 98557  
360-495-3667

Project # 2011-13

## STAFF REPORT

To: Mayor Dent  
From: Nick Bird, P.E., Director of Public Works  
Date: August 18, 2011  
Re: Concrete Bid

---

As I am sure you have noticed by now, the "Park Trail" is well under way. Unfortunately, prior to our last meeting, I did not have the opportunity to solicit bids from the concrete suppliers. As we made the distinction between asphalt and concrete, we assumed that it was in the best interest of the City to proceed as expeditiously as possible after the Basset Tournament.

We attempted to solicit bids from four concrete companies on August 12, 2011. Only two of the four companies said they would deliver out here. Bids were requested to be provided by 3:00 PM on August 17, 2011. The two bids received were as follows:

No.	Item	Quantity	Estimate	Bayview Redi Mix	Miles Sand and Gravel
1	Commercial Concrete Class 3000	66 CY	\$80/cy	\$76.50/cy	\$79.50/cy
Subtotal			\$5280.00	\$5049.00	\$5247.00
Sales Tax			\$443.52	\$424.12	\$440.75
Total Bid Amount			\$5723.52	\$5473.12	\$5687.75

Note: Shaded area denotes correction made.

Based on the recommendation provided in the June 22 meeting, we have continued moving forward with Concrete as the chosen surface type. In an effort to maximize our construction window and in accordance with Resolution 622, the material acquisition has been awarded to Bayview Redi Mix. To formalize the process, we respectfully ask that you concur with the recommendation and award.

### Action Requested:

Please authorize the material acquisition of Commercial Concrete through Bayview Redi Mix for a unit price of \$76.50 per cubic yard.

## **STAFF REPORT**

To: Mayor Dent  
From: Wendy Collins, Clerk-Treasurer  
Date: August 19, 2011  
Re: RFP for Professional Cleaning Services

---

The City received a resignation letter dated August 15, 2011, stating our current janitorial cleaning service, Kellsbells, will no longer provide cleaning service for the City as of September 21, 2011 because they are leaving the area. Staff would like to move forward on finding a replacement janitorial cleaning company as soon as possible.

### **Action Requested:**

Please authorize staff to issue the Request for Proposal for cleaning services for City facilities.



Aug. 15th 2011

Do to circumstances beyond our control; we regret that we must terminate our contract with the City of McCleary for our janitorial services "Kellsbells" as of September 21<sup>st</sup> 2011.

It has been our pleasure to work for such a great group of people in such a fine City, we will miss you all.

Very Sincerely

A handwritten signature in cursive script, appearing to read "Kelley & Richard Duval".

Kelley & Richard  
Duval

## RESOLUTION NO. \_\_\_\_\_

A RESOLUTION RELATING TO UTILITY SYSTEM OPERATION, INCLUDING DEPOSITS, ESTABLISHING AMOUNTS AND PROTOCOLS, AMENDING RESOLUTION 592, AND PROVIDING FOR TRANSITION.

## R E C I T A L S:

1. Pursuant to the provisions of Chapter 13.20 MMC, utility deposits have been required as a general principal. The amount, if any, of such deposit has been authorized to be established by resolution.

2. The protocols governing the amounts required and other operational factors were implemented through the adoption of Resolutions 240 and 592.

3. Since the adoption of Resolution 592, a variety of factors have made it necessary and appropriate to modify the terms of those resolutions, as well as to clarify certain procedures to be followed in the event of a request for a return of a deposit.

4. One of the factors is the receipt of a recommendation from City staff that the elimination of a utility deposit is appropriate after a review of the burdens upon the City resulting from requiring such deposits.

5. The Council finds the public interest will be served by amendment of the existing deposit policy, but specifically reserves the right to modify this policy if it is found to be counter-productive to the operation of the utilities.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY, THE MAYOR SIGNING IN AUTHENTICATION THEREOF:

SECTION I:

A. For premises/structures served by the City's water, electric, and/or sewer systems or any element thereof, the property owner shall receive and be responsible for the bill, subject to the ability to make the request for direct billing of and payment by a tenant of the premises authorized by subparagraph B and acceptance of the conditions of that subparagraph and Section II.

B. So long as the Owner has had no prior accounts in the Owner's name upon which the Owner has breached the responsibility to pay to such an extent the service was discontinued for non-payment, the Owner (~~shall not be required to provide or maintain a deposit. If there has been such a breach, then the City may require a deposit in such an amount as may be determined by the Clerk-treasurer as representing the equivalent of the average utility billing for a two month period may request that billing for utility services for an account be sent directly to the occupant of the site served by that service.~~

C. Upon written application, a property owner may request that the city establish a utility billing account for their tenant. Bills sent to the tenant are for the convenience of the owner and in no way either [1] eliminate nor reduce the property owners's personal liability for the resulting utility obligation nor [2] alter or affect the city's lien against the property as provided by applicable law or ordinance. This request may be granted by the ((City)) Clerk-treasurer, in ((its)) that official's sole discretion.

SECTION II: In the event the owner of a property to which the services are rendered chooses to authorize direct billing to and payment by the tenant thereof and the request has been granted by the City, the Owner shall execute a written document which acknowledges (1) the owner's continuing direct and personal responsibility for payment in the event the tenant fails to pay a bill for utility service to the subject property, and (2) that the property served shall be subject to such lien, whether in the form of denial of service or otherwise, as may be authorized by the laws of the State of Washington for such services.

SECTION III: Transition Protocols: In relation to the matter of the transfer or refund of deposits held by the City pursuant to the provisions of the Code and Resolution 592 as of the effective date of this resolution, the following provisions shall apply:

A. As to any customer who or which, at the time of the request for transfer and until the actual date of transfer of service meets the criteria which would (~~authorize that customer to execute a waiver of deposit for another customer or for which an owner has executed the authorization of a waiver under the provisions of Resolution 592, as to an existing service, or the Owner has executed the authorization for~~) allow Owner to authorize direct billing under the provisions of this resolution if a new service, there shall be no deposit required to implement a transfer of utility service or open a new service: PROVIDED THAT, as to the opening of a new service, as to any obligation existing at the prior service, that obligation shall be paid in full in a timely manner and, if not, shall be paid from any deposit on file with the City or by the owner, if incurred by the transferring tenant.

B. As to any customer who or which does satisfy the criteria set out in subparagraph A, no account may be established (~~(any deposit then held by the City upon the existing account may be transferred from the existing account upon its closing to the newly established account. PROVIDED THAT the transfer shall be implemented and the new account opened upon the basis of that transfer only after the existing account has been paid in full. In the event the deposit required to establish the new account, as determined pursuant to the provisions of Sections I and II, is~~

~~greater than the amount being transferred, the difference shall be paid prior to the opening of the new account)).~~

SECTION IV: In the event a deposit required pursuant to the provisions of Resolution 592 and held as the result of an owner not executing the agreement required by Section II of this resolution is to be returned to the customer, the following provisions shall apply.

A. A written request shall be submitted to the Office of the Clerk-treasurer upon such form as may be established by that Office. In the event the request is made by a tenant, the return of the deposit shall be agreed to in writing by the owner of the premises.

B. A written confirmation of the amount of deposit held, the eligibility of the account for such return or release, and the party by whom or which it was paid shall be issued by the Utility Clerk.

C. Prior to the issuance of any refund, the documentation shall be submitted to the Clerk-treasurer for approval.

D. Upon ~~((a quarterly basis or such more frequent basis as may be requested))~~ request by the Finance Committee, a written summary setting forth in reasonable detail the names, dates, basis for request, and amounts of deposits released or refunded shall be submitted to the Finance Committee by the Office of the Clerk-treasurer.

SECTION V: Effective Dates:

A. This resolution shall be effective as of 12:01 a.m. of the date following its adoption: PROVIDED THAT, any deposit made and held pursuant to the provisions of Resolution 592 as originally enacted shall continue to be held and shall hereafter be subject to the provisions of this Resolution.

PASSED THIS \_\_\_\_ day of AUGUST, 2011, by the City Council of the City of McCleary, and signed in authentication thereof this \_\_\_\_\_ day of August, 2011.

CITY OF MCCLEARY:

\_\_\_\_\_  
D. GARY DENT, Mayor

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
DANIEL O. GLENN, City Attorney

## RESOLUTION NO. \_\_\_\_\_

A RESOLUTION RELATING TO THE MUNICIPAL UTILITIES, SETTING FORTH & REAFFIRMING PRACTICES AND PROTOCOLS, REPEALING RESOLUTION 581, & SETTING AN EFFECTIVE DATE.

## R E C I T A L S:

1. The City operates several utilities providing services to its customers.

2. Pursuant to Ordinance #754, the Council is given the authority and responsibility to establish by resolution a number of matters in relation to the operational activities of the utilities.

3. The administrative protocols relating to delinquent accounts for which payments are not made prior to shutting off of service are currently established by Resolution 581. The Council and Mayor have been informed by the Clerk-treasurer that experience resulting from the implementation of certain elements of the existing protocols have shown the element of requiring payment of both the delinquent and non-delinquent balances for utility services appears to be very burdensome upon those finding themselves in that situation. She has recommended certain modifications which will allow resumption of service so long as the delinquent balance is paid within the current time periods.

RESOLUTION -B- 1  
8/18/2011  
DG/1e

CITY OF McCLEARY  
100 SOUTH 3RD STREET  
McCLEARY, WASHINGTON 98557



The Mayor and Council are willing to implement this recommendation so as to allow a review in practice of the effects, both positive and negative, of such a policy change.

4. By the adoption of this Resolution, it is the intention of the Council to utilize the authority granted by Ordinance #754 and to reaffirm the practices and protocols currently utilized to the extent not inconsistent with the terms of this resolution.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY, THE MAYOR SIGNING IN AUTHENTICATION THEREOF:

SECTION I: BILLING PROTOCOLS

A. Bills will be rendered monthly on or about the first of the month and shall be paid by the fifteenth of the same month. Should the fifteenth fall on a Saturday, Sunday, or a legal holiday, payment must be made on the next business day following the fifteenth. (~~Remittances received by mail after the time limit for payment of the billing in full will be accepted by the City if the incoming envelope bears United States Post Office stamp date of the final date for payment of the amount or any date prior thereto.~~)

B. If the current bill is not paid by the due date set by Paragraph A,

1. A late fee equal to five percent (5%) of the delinquent account shall be added to the account balance;

2. a shutoff notice shall be sent with the next month's statement notifying the customer that the service will be shut off and discontinued on the second Monday of that month unless there is compliance with the provisions of Paragraph C. If the second Monday is a national holiday, the shutoff will be made on the next business day.

C. To avoid discontinuation of power, payment of the previous month's bill must be made before 10:00 am on the second Monday of the month unless that day is a legal holiday or City offices are closed. In that event, the payment must be made by 10:00 am on the following business day.

D. If payment is not made and service is discontinued, the following requirements must be met before a service reconnection will be made:

1. All (~~outstanding~~) delinquent utility obligations (~~((accrued as of the date of current billing))~~) must be paid in full;

2. A service fee in the following amounts shall be paid:

a. Twenty dollars for a service reconnection completed during normal working hours as may be from time to time established for the utility staff;

b. Fifty dollars for a service reconnection undertaken after the end of the schedule referenced in the prior paragraph or on weekends or municipal holidays.

D. When the customer is a municipal corporation or political subdivision of the state, including but not limited to, school districts, hospital districts, etc., and the payment of obligations of said customers is required by state statute to be approved by a governing board or body, such payment shall not be deemed late until five days following the first regularly scheduled meeting of said board or governing body which follows the date of mailing of said bill, or the twenty-fifth of the month, whichever comes first. The provisions of this subsection shall apply to the provisions of subsections A, B, and C above.

SECTION II: Effective Dates:

A. This resolution shall be effective as of 12:01 a.m. of the date following its adoption.

2.2: Resolution 581 shall be repealed as of the date of adoption of this resolution.

PASSED THIS \_\_\_\_\_ DAY OF AUGUST, 2011, by the City Council of the City of McCleary, and signed in authentication thereof this \_\_\_\_\_ day of August, 2011.

CITY OF McCLEARY:

\_\_\_\_\_  
D. Gary dent, Mayor

ATTEST:

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

RESOLUTION -B- 4  
8/18/2011  
dg/le

CITY OF McCLEARY  
100 SOUTH 3RD STREET  
McCLEARY, WASHINGTON 98557

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney

**RESOLUTION -B- 5**

**8/18/2011**

DG/le

**CITY OF McCLEARY  
100 SOUTH 3RD STREET  
McCLEARY, WASHINGTON 98557**