

**CITY OF CLARKSTON
CITY COUNCIL AGENDA
829 5th Street
MONDAY, NOVEMBER 26, 2018**

- 1. CALL TO ORDER: 7:00 P.M.**
- 2. PLEDGE OF ALLEGIANCE:**
- 3. AGENDA CHANGES:**
- 4. APPROVAL OF MINUTES: November 13, 2018 Regular Meeting**
- 5. PUBLIC HEARING: 2019 Property Tax & Revenue**
- 6. COMMUNICATIONS:**
 - A. From the Public:** (Please limit comments to 3 minutes)
 - B. From the Mayor:**
 - C. From Staff or Employees:**
- 7. COMMITTEE REPORTS:**
 - A. Finance/Admin – Audit Report on Current Bills – November 26**
 - B. Public Safety – November 20**
 - C. Public Works – November 20**
 - D. Outside Organizations – Health District, EMS Council, Valley Vision, PTBA, SEWEDA, MPO, Regional Stormwater, Lodging Tax Advisory**
- 8. UNFINISHED BUSINESS:**
 - A. Ordinance 1607, Amending CMC 1.01 Penalties 2nd Reading (Finance/Admin)**
 - B. Ordinance 1608, Zone Change – 1255 Fair Street, 2nd Reading (Finance/Admin)**
- 9. CONSENT AGENDA:**
 - A. Resolution 2018-10, 2019 Property Tax**
 - B. Army Corps of Engineers Contract for Gateway Park (Public Works)**
 - C. Authorization for Mayor to sign GEMT Certification (Public Safety)**
 - D. Ordinance 1609, Amending CMC 5.02 Model Business License 1st Reading (Finance/Admin)**
 - E. Ordinance 1610, Amending CMC 14.06 Sewer Rates 1st Reading (Finance/Admin)**
 - F. Ordinance 1611, Amending CMC 14.18 Sanitation Rates 1st Reading (Finance/Admin)**
- 10. NEW BUSINESS: Listed in Consent Agenda**
- 11. COUNCIL COMMENTS:**
- 12. QUESTIONS FROM THE PRESS:**
- 13. EXECUTIVE SESSION: None**
- 14. ADJOURN:**

Time limits for addressing the council have been established by council direction. Presentations are limited to 15 minutes and public comments are limited to 3 minutes per person, per topic.

CLARKSTON CITY COUNCIL MINUTES
November 13, 2018

ROLL CALL: Russ Evans, Pat Holman, Belinda Larsen, Skate Pierce, Joel Profitt, John Murray and Melyssa Andrews.

STAFF: Chief Hastings, Chief Cooper, PWD Poole, Clerk Austin, Attorney Richardson.

AGENDA CHANGES: Mayor Lawrence advised that Chris Clemens was unable to attend tonight's meeting. We will remove Item E from Communications.

APPROVAL OF MINUTES: Minutes of the October 22, 2018 Regular Meeting were approved as corrected.

COMMUNICATIONS:

A. From the Public: Todd Snarr, 1867 Fredrickson Drive
Jeannie Joly, 719 7th Street
Ron Lamb, 422 Highland (owner)
Mike Dahl, 1337 5th Street

B. From Mayor: Mayor Lawrence advised CHS annual Craft Fair. Dec 1st Lighted Christmas parade.

C. From Staff or Employees: PWD Poole advised council on the new policy for yard waste collection. Unless otherwise exempted, all collection will be curbside at the street. There will be no alley pickup of yard waste beginning 1/1/2019. Clerk Austin spoke to the council regarding the budget process, and necessary public hearings. The Revenue and 2019 Property Tax Public Hearing will be held at the November 26, 2018 Council Meeting. There will be a budget workshop on December 6, 2018 at 6:00p.m. The final December Council Meeting originally set for Christmas Eve, was rescheduled for Thursday, December 20, 2018 at 6:00p.m. Clerk Austin also gave an update on City email project.

D. Regional Stormwater Update: Mayor Lawrence introduced the newly hired Director, Jeff Wiemer. Mr. Wiemer updated Council on current projects and upcoming goals for the Regional Stormwater program.

~~E. Lewiston-Nez Perce County Regional Airport Authority Airport Grant: Chris Clemens was not able to attend.~~

COMMITTEE REPORTS:

Finance/Admin: Councilmember Murray reported that the Committee discussed Resolution 2018-09, Ordinances 1608-1609, the Lighted Christmas Parade, and approved the bills for payment. Total expenditures for the November 13, 2018 period of \$468,924.37, and the March-September End of Month periods of \$1092.71. MOTION BY EVANS/ANDREWS to approve the bills as read. Motion Carried

Public Safety: Councilmember Larsen reported on the November 6th meeting. Chief Hastings asked for approval to apply for a grant for traffic equipment. This particular grant would be applied to the purchase of a radar unit. The grant is for \$1,000 with the City matching funds. (Agenda item.) The jail committee has been meeting regularly and are putting together a presentation for the public safety committee. The old City Hall basement flooded. Plumbing was done, asbestos abatement was called in. Chief Cooper discussed Systems Design, our current ambulance billing service. We reviewed that we currently pay them 5.5% of our ambulance revenue. Other companies that employ them pay a per call fee. Their proposal to us would be for \$23.50 per call. Using 2017 numbers, that would be a rough increase of about \$4.45 per call. Chief is still negotiating. This increase could be covered by the GEMT program. Chief recently filled a firefighter paramedic position with Max Bausch. Max comes to us with 13 years of firefighting experience and 2 years of paramedic service. There are still two more positions to fill. Councilmembers Russ Evans and Belinda Larsen attended the Asotin County Commissioners meeting the night of November 1st. The subject of a fireworks ban or at the least a ban on aerial displays was discussed. Many people in the audience had previously spoken at Clarkston City Council but there were others there as well. Councilmember Evans made the suggestion that we take the fireworks issue

to an advisory vote from the residences of the City of Clarkston and Asotin County. The City would like to do that this Spring. The Mayor is looking into the process and the cost.

Public Works: Councilmember Pierce reported on the November 6th meeting. He advised that the City has had some issues within the city with contractors illegally installing gas line, or homeowners doing it themselves. There is a legitimate risk to the individual, and their neighborhood if someone were to improperly install a gas appliance or mess with Avista's gas line. State law prohibits this type of work, by anyone but a licensed operator/installer. The City and Avista are planning a meeting with local contractors and municipalities to educate about the law, and dangers of improperly doing the work. The City has identified a couple of abandoned properties that have been neglected for years, and are an attractive nuisance. They are a potential hazard to neighbors, and attract people who are squatting, and are a source of property devaluation. The Public Works Department is trying to contact the owners and inform them of the issues to rectify the situation.

Outside Organizations: Councilmember Profitt reported that Dawn Smith doing a great job with SEWEDA. Bringing jobs to Clarkston and surrounding areas.

CONSENT AGENDA: None

UNFINISHED BUSINESS:

A. Renewal of Motion for Ordinance 1605. MOTION BY PIERCE at the October 22nd Meeting to have Renewal of Motion on Ordinance 1605. Second by PROFITT. Councilmember Larsen commended Lamb on increasing economic development in the City. She commented on the safety of the intersection if a coffee shop were allowed to be constructed at that location. Councilmember Evans agreed, and advised that originally he voted for the zoning change, but after visiting the site, will be voting no. Councilmember Andrews also agreed with Larsen. She encouraged Lamb to continue hiring of youth, and promoting business growth. However, she advised that it was possible spot zoning, and affected the cost and devaluation of homes. Councilmember Murray advised that this was spot zoning since it is a single commercial use in a residential zone. He advised that he would prefer that a plan for the area was drafted by the Planning Commission since there are a lot of non-conforming uses that need to be addressed in this same area. PWD Poole addressed Council regarding the area and advised the Planning Commission was updating the City Plans. He explained why the Neighborhood Commercial Zone was created and is used. Councilmember Pierce read the definition of Neighborhood Commercial and advised that the City may need to remove espresso stands from the definition because it doesn't fit with the description. Pierce advised he would still vote in favor, with hope that the State will limit what can go there. Councilmember Profitt agreed, and said the Council is getting ahead of itself regarding the espresso stand idea. He advised it will be the State's job on mitigating the traffic impact. He reminded Council that this was just a vote to change the zoning. Councilmember Holman agreed that what needs to be focused on was the zone change, and not the other issues. Motion defeated 4-3, Larsen, Murray, Evans and Andrews voting nay.

NEW BUSINESS:

A. Authorization for Traffic Safety Equipment Grant Application (Public Safety) Chief Hastings explained the grant details to Council. MOTION BY LARSEN/ANDREWS to authorize the grant application. Motion carried.

B. Resolution 2018-09 Asotin County Solid Waste Management Plan (Finance/Admin) MOTION BY ANDREWS/PROFITT to approve the resolution. Murray asked PWD Poole to explain the differences in the plan. PWD Poole advised that he and the Mayor reviewed the plan earlier in the year, and the only lacking area is with recycling, but he would recommend adoption. Motion Carried

C. Ordinance 1607, Amending CMC 1.01 Penalties 1st Reading (Finance/Admin) Vote will be at the next meeting.

D. Special Event Permit: Lighted Christmas Parade (Finance/Admin) MOTION BY LARSEN/HOLMAN to approve special event permit. Motion Carried

E. Findings of Fact & Conclusion of Law ZC-2018-03, 1255 Fair Street (Planning) PWD Poole

presented the Findings of Fact & Conclusion of Law to the Council. MOTION BY PROFITT/ANDREWS to accept the Findings. Motion Carried.

F. **Ordinance 1608, Zone Change – 1255 Fair Street, 1st Reading (Finance/Admin)** Vote will be at the next meeting.

COUNCIL COMMENTS: Councilmember Larsen expressed her reasoning for voting against the zone change. She advised that she was appreciative of Mr. Lamb for promoting business growth and development. However, the surrounding voices of the neighbors should be heard as well. Councilmember Andrews wanted to encourage Mr. Lamb to keep going with the process to find a place to build and espresso shop. Councilmember Pierce commented on missing the forest for the trees. He advised that this vote has created a lot that will sit unused. Councilmember Evans congratulated Kerri Sandaine for the Tribune’s coverage of the Asotin town hall.

PRESS QUESTIONS: Kerri Sandaine asked for the proper spelling of Mark Greene’s name.

EXECUTIVE SESSION: Executive session began at 8:05p.m. Mayor Lawrence advised that it was expected to last at least 30 minutes. She advised that no decisions would be made. At 8:35p.m., an extension of 15 minutes was requested. Council reconvened at 8:50p.m.

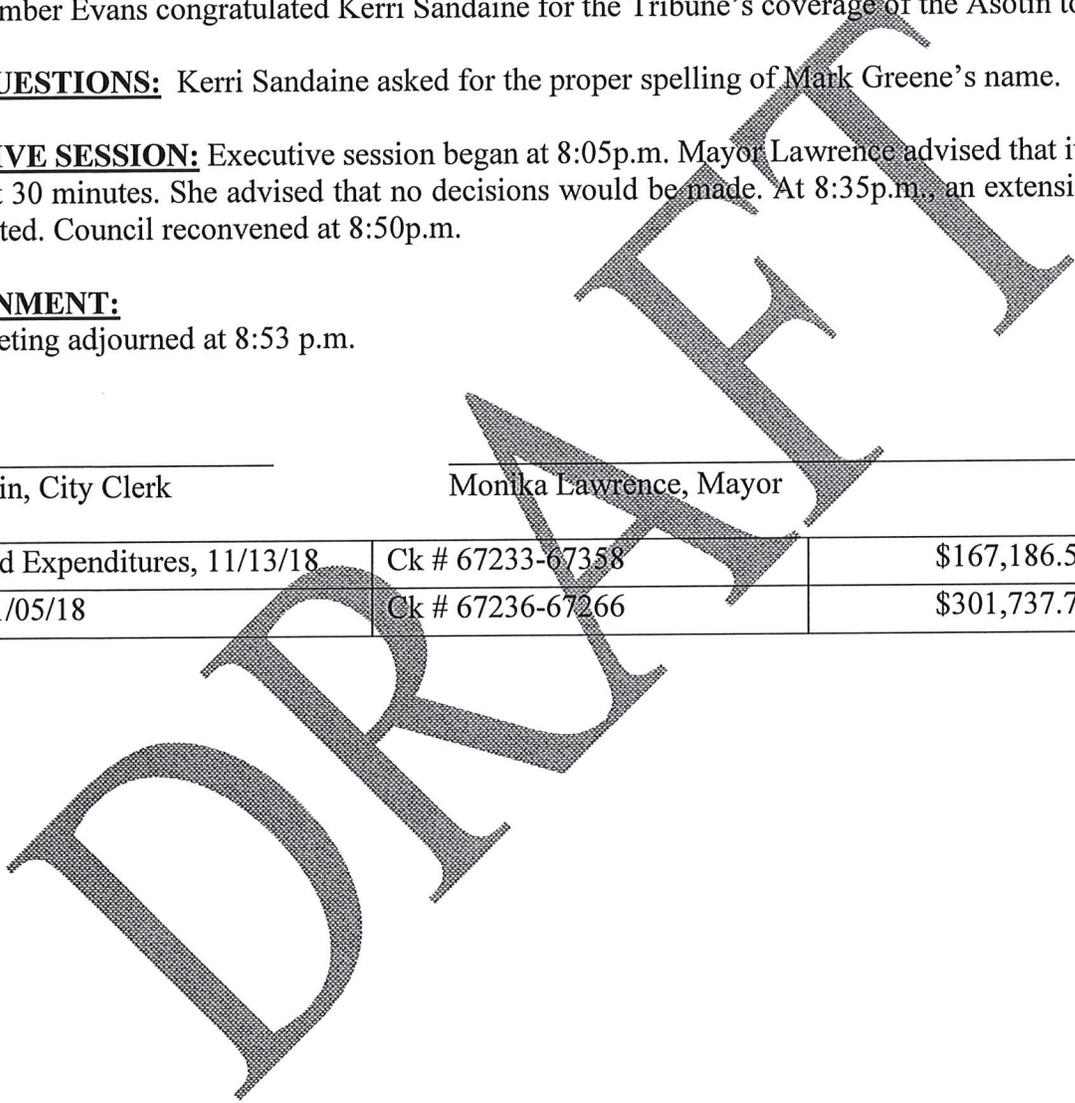
ADJOURNMENT:

Meeting adjourned at 8:53 p.m.

Steve Austin, City Clerk

Monika Lawrence, Mayor

Total Fund Expenditures, 11/13/18	Ck # 67233-67358	\$167,186.59
Payroll 11/05/18	Ck # 67236-67266	\$301,737.78



**PUBLIC HEARING
2019 BUDGET – REVENUE SOURCES
CURRENT EXPENSE FUND**

REVENUE SOURCE	2018 ESTIMATED REVENUE	2019 ESTIMATED REVENUE
Property Taxes	503,500	518,688
Sales Tax	1,800,000	1,750,000
Business Taxes	784,000	790,000
Excise, Gambling Taxes	67,000	55,000
Licenses & Permits	159,000	150,000
Grants	42,000	66,000
State Entitlements	266,400	280,400
Intergovernmental	86,000	100,000
Charges for Goods & Services	800	800
Fines	65,000	65,000
Miscellaneous (includes interest)	21,000	21,000
Total Actual Revenues	3,796,700	3,796,888

Revenue projections for the General Fund include:

- Property Tax – A 1% property tax increase is included. Property taxes have been split 50/50 with the Street Fund – amount shown is estimated Current Expense portion.
- Sales Tax is holding stable even with the loss of BiMart. I have projected a slight decrease for 2019 due to economic indicators of a more online shopping.
- Business taxes include utility or B & O taxes on gas, electricity and phones. Avista revenue is projected to be up about 2-3% from 2018 due to rate restructure. They are the largest generator of this revenue.
- Gambling Taxes are projected down slightly from 2018. The major source of gambling tax is from social card games with most of the revenue generated by Lancer Casino.
- Licenses & Permits, which includes business licenses and building permits, are planned to be higher. Business license rates were increased for 2018. It is difficult to predict construction for 2019, so I am being a little conservative with new business projections.
- Grant revenue is planned as in 2018 for the Narcotics Assistance program and the Domestic Violence program, and the Organizing the file room grant.
- State Entitlements are anticipated to increase some over this year. Criminal justice funds depend on the city's crime rate and are determined on the state's fiscal year. So we don't know until July if we will qualify for continued funding. The City will received more marijuana tax revenue from the State than anticipated. The formula changed for fiscal Year 2017-2018.
- Intergovernmental revenue is not anticipated to change significantly.
- Court revenues are expected to be similar to 2018. There was a decrease from 2017, largely due to the increase in filing fees that the city agreed to in 2016.
- Interest earnings continue to be minimal. The State Investment Pool has been earning about 2% for the last few months, an improvement over the .5% of last year. The majority of our funds are invested in other instruments earning 1% to 2.5%.

PWC Notes 11/20/18

Attending: Director Poole, Jason Ewing, Joel Profitt, Skate Pierce and Monika Lawrence

- 1) Renewal request for the lease for Gateway Park (Across from Taco Time). We're going to go ahead and recommend renewal to the council. Before the next renewal, we'd like to reach out and see if we could sublet the park to a local business for naming rights. As an example of what we could do with it.
- 2) We examined an analysis of our building permits. We have issued \$173,239 worth of building permits, with a valuation of \$10,280,550.50.
- 3) Code Officer Ewing created a policy and procedure form for Building Permit Inspections. Mechanical Permits are a main focus(Heating and AC, water heater, etc). Part of this is an effort to keep renters safe. Anyone within the city is allowed to do work on their own home. But, if those repairs can't pass an inspection before they're rented we may have to pull the Certificate of Occupancy in the name of safety.
- 4) We had a thorough discussion on RV living in the city. Our Public Works Department has fielded a number of complaints about the issue. We have several ideas about how to tackle the situation. These plans will be forwarded to our legal department to see if they're legal actions we can take.

ORDINANCE NO. 1607

An ordinance of the City of Clarkston, Washington amending Clarkston Municipal Code Chapter 1.01, amending the definition of penalties; and repealing Ordinance No. 626, section 2, of the City of Clarkston (codified at CMC 1.01.120).

The City Council of the City of Clarkston does ordain as follows:

Section 1.0 STATEMENT OF PURPOSE

It is the purpose of this ordinance to amend the Section 1.01.110 of the Clarkston Municipal Code to provide for the identification of civil infractions and criminal penalties imposed within the Code, and to allow for a consistent and uniform definition of penalties to be used throughout the code. This amendment will allow for other Titles, Chapters, and Sections within the CMC to refer to this penalty section for all penalty definitions.

Section 2.0 AMENDMENT OF CHAPTER 1.01.110

Clarkston Municipal Code Chapter 1.01.110 is hereby amended as follows:

1.01.110 Violations – Penalties.

~~Any person violating any of the provisions or failing to comply with any of the mandatory requirements of the ordinances of the city of Clarkston shall be guilty of a misdemeanor. Any person convicted of a misdemeanor under the ordinances of the city shall be punished by a fine of not more than \$500.00, or by imprisonment not to exceed six months, or by both such fine and imprisonment. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the ordinances of the city is committed, continued, or permitted by any such person, and he shall be punished accordingly.~~

1) TYPES OF PENALTIES. THERE SHALL BE THREE TYPES OF PENALTIES FOR VIOLATIONS OF THIS CODE: A) CIVIL INFRACTIONS; B) MISDEMEANORS; AND C) GROSS MISDEMEANORS.

A) INFRACTIONS. ANY PERSON FOUND TO HAVE COMMITTED A CIVIL INFRACTION UNDER THE ORDINANCES OF THE CITY SHALL BE ASSESSED A MONETARY PENALTY OF NOT MORE THAN \$500. IN LIEU OF A COURT APPEARANCE, ANY PERSON OR ENTITY CHARGED WITH HAVING COMMITTED A CIVIL INFRACTION PROHIBITED BY THIS CHAPTER MAY FORFEIT THE FINE AMOUNT TO THE MUNICIPAL COURT.

B) MISDEMEANORS. ANY PERSON CONVICTED OF A MISDEMEANOR UNDER THE ORDINANCES OF THE CITY SHALL BE PUNISHED BY A FINE OF NOT MORE THAN \$1000.00, OR BY IMPRISONMENT NOT TO EXCEED 90 DAYS, OR BY BOTH SUCH FINE AND IMPRISONMENT.

C) GROSS MISDEMEANORS. ANY PERSON CONVICTED OF A GROSS MISDEMEANOR UNDER THE ORDINANCES OF THE CITY SHALL BE PUNISHED BY A FINE OF NOT MORE THAN \$5000.00, OR BY IMPRISONMENT NOT TO EXCEED 364 DAYS, OR BY BOTH SUCH FINE AND IMPRISONMENT.

SECTION 3.0 EFFECTIVE DATE

This ordinance shall take effect thirty days after its passage, approval, and publication.

Dated this _____ day of _____, 2018.

Monika Lawrence, Mayor

Authenticated by:

Approved as to form:

Steve Austin, City Clerk

Todd Richardson, City Attorney

Publication Date:

ORDINANCE NO. 1608

AN ORDINANCE AMENDING CLARKSTON MUNICIPAL CODE CHAPTER 17.05.080, WHICH ESTABLISHES THE OFFICIAL ZONING MAP OF THE CITY OF CLARKSTON.

WHEREAS, the Planning Commission held a public hearing on October 15, 2018 to consider a request from Mark Greene on Zoning Map Change Application No. ZC-2018-03 and adopted Findings of Fact, Conclusions of Law and a Recommendation to approve the zone change;

NOW THEREFORE, be it ordained by the City Council of the City of Clarkston as follows:

SECTION 1.0

Clarkston Municipal Code Chapter 17.05.080 is hereby amended as follows:

The property described below is hereby changed from Medium Density Residential (R-2) to Service Commercial (SC) zoning designation:

A parcel of land, comprised of the Portion of Lot 12, Lot 13, and Portion of Lot 14, Block AA, Vineland, City of Clarkston, County of Asotin, State of Washington.
Property is commonly referred to as 1255 Fair Street.

SECTION 2.0

This ordinance shall be in full force and effect upon the signing hereof by the Mayor, attestation by the City Clerk and publication as required by law.

Dated this ____ day of _____, 2018.

Monika Lawrence, Mayor

ATTEST BY:

Steve Austin, City Clerk

APPROVED AS TO FORM:

Todd Richardson, City Attorney

RESOLUTION NO. 2018-10

A RESOLUTION OF THE CITY OF CLARKSTON, WASHINGTON, SETTING THE PROPERTY TAX LEVY FOR 2019.

WHEREAS, the City Council of the City of Clarkston has met and considered its budget for the calendar year 2019; and

WHEREAS, the City Council of the City of Clarkston after hearing and after duly considering all relevant evidence and testimony presented, determined that the City of Clarkston Taxing District requires an increase in property tax revenue from the previous year, in addition to that resulting from the addition of new construction and improvements to property and any increase in the value of state-assessed property, in order to discharge the expected expenses and obligations of the district and in its best interest; now, therefore,

BE IT HEREBY RESOLVED by the City Council of the City of Clarkston, Washington, that an increase in the regular property tax levy, in addition to the increase resulting from the addition of new construction and improvements to property and any increase in the value of state assessed property, is hereby authorized for the 2019 levy in the amount of \$10,271, which is a percentage increase of one (1) percent from the previous year.

Further, that the voters approved an excess levy for EMS of \$635,766 for the 2019 tax year.

Adopted this 26th day of November, 2018.

Monika Lawrence, Mayor

ATTEST:

Steve Austin, City Clerk



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
201 NORTH THIRD AVENUE
WALLA WALLA, WA 99362-1876

November 15, 2018

Real Estate Division

SUBJECT: Renewal- Lease No. DACW68-1-97-52, Lower Granite Lock and Dam

Honorable Monika Lawrence
Mayor
City of Clarkston
829 5th Street
Clarkston, WA 99403

Dear Mayor Lawrence:

Your lease for operation and maintenance of a park on Federal lands managed by the U.S. Army Corps of Engineers (USACE), Walla Walla District (NWW), expires on July 10, 2022. If you still need this lease, you must advise us in writing.

Enclosed is a renewal request (enclosure 1). This request indicates your desire to renew your lease. We cannot begin the renewal process until we receive your signed renewal request. Enclosure 2 is a table entitled "NWW Real Estate Outgrant Renewal - Review Process," which briefly explains our outgrant renewal process. Enclosure 3, "Survey and Legal Description Requirement for NWW Outgrants - Renewals," describes required elements for property descriptions for outgrants, not all of which may apply to any given applicant. Please return the completed and signed renewal request to the address in the letterhead, ATTN: Real Estate Division.

Your response is requested by **December 14, 2018**, in order to schedule processing to ensure your renewal may be complete prior to the expiration date above. If we do not hear from you by this date, we will assume your requirement for this lease no longer exists, and you will be responsible for any restoration deemed necessary in accordance with the terms and conditions of the lease. Should you have any questions, please contact Ms. Allison Needham at 509-527-7325, at the address above, or by e-mail at Allison.D.Needham @usace.army.mil.

Sincerely,

A handwritten signature in black ink that reads "Rodney C. Huffman".

Rodney C. Huffman
Chief, Real Estate Division
Real Estate Contracting Officer

Encl

Renewal Request

Please complete the contact information section below and check the appropriate box(es) for existing lease No. DACW68-1-97-52. Return this information to U.S. Army Corps of Engineers, Real Estate Division, 201 N. 3rd Ave, Walla Walla, WA 99362, ATTN: Allison Needham, Realty Specialist.

Current contact information is:

Name: _____

Mailing Address: _____

City, State, Zip Code: _____

Work Number: _____

Home: _____

Cell: _____

Email: _____

Renew existing outgrant without changes. Use for these U.S. Army Corps of Engineers lands has not changed since the last lease was granted. I am aware administrative and/or monetary consideration may be charged for the renewal of this outgrant.

Issue a new outgrant with changes. Use for these U.S. Army Corps of Engineers lands has changed or improvements have been added beyond what was in the original lease. I am aware administrative and/or monetary consideration may be charged for the renewal of this outgrant.

Please make the following changes:

Do not issue a new outgrant. The existing lease is no longer needed. I am aware that, prior to termination of this outgrant, I may be required to restore the area according to the terms and conditions of the lease.

Signature: _____ Date: _____

**HEALTH CARE AUTHORITY
INTEGRATED DISCLOSURE AND WA MEDICAID COST REPORT
GENERAL INFORMATION AND CERTIFICATION**

1. Name of Fire Department / Agency: Clarkston Fire Department		2. HCA GEMT Vendor #: 2006867	3. National Provider Identification (NPI): 1043442759	
4. Doing Business As (DBA): Clarkston Fire Department/City of Clarkston			5. Facility Business Phone: 509-758-8681	
6. Fire District/Agency Street Address: Clarkston Fire Department		7. City: Clarkston		8. Zip Code: 99403
9. Mailing Address - Street or P.O. Box (if different):		10. City:		11. Zip Code:
12. Name of Person Signing and Certifying Report: Monika Lawrence - Mayor				
13. Report Contact Person: Chief Steven Cooper		14. Phone Number: 509-758-8681		Phone Ext:
15. Mailing Address - Street or P. O. Box: 820 5th Street		16. City: Clarkston		17. State: WA
19. Previous Name of Fire District/Agency if Changed Since Previous Report:				18. Zip Code: 99403
20. Date of Change: 0				
21. Does your organization use another entity to provide GEMT services? No		22. Date Range of GEMT Service Agreement:		
23. Does your organization use another entity to provide billing for GEMT services? Yes, Systems Design		24. Date Range of GEMT Billing Agreement:		
25. Reporting Period Began: July 1, 2017		26. Reporting Period Ended: June 30, 2018		
27. Net Cost of Transports \$71,498				

Intentional misrepresentation or falsification of any information contained in this request resulting in reimbursement by the Washington State Health Care Authority (HCA) may be punishable by fine and/or imprisonment under federal and state laws (42 CFR, Section 1003.102 - "Basis for Civil Money Penalties and Assessments"; 18 U.S.C. 1347 - "Health Care Fraud"; Revised Code of Washington (RCW) 74.09.210- "Fraudulent Practices-Penalties"; and RCW 74.66.020 "Civil Penalty-False or fraudulent claims.")

For the purpose of this certification, "provider" is a Publicly Owned or Operated Ground Emergency Medical Transportation Services provider as defined in chapter 182-546 Washington Administrative Code (WAC).

Certification by Officer or Administrator of the Fire Department / Agency

I, _____ certify under penalty of perjury as follows:

Public funds for services provided have been expended as necessary for Federal Financial Participation (FFP), pursuant to the requirements of Section 1903(w) of the Social Security Act and 42 C.F.R. § 433.50 *et seq.* for allowable costs.

The expenditures claimed have not previously been, nor will be, claimed at any other time to receive Federal Funds under Medicaid or any other program and were certified in accordance with OMB Circular A-87 and Medicare Provider Reimbursement Manual Pub.15-1.

The provider acknowledges that the information is to be used for claiming Federal funds and understands that misrepresentation of information constitutes a violation of Federal and State law.

The provider acknowledges that all funds expended pursuant to chapter 182-546 WAC are subject to review and audit by the Washington State Health Care Authority (HCA).

The provider acknowledges understands that HCA must deny payments for any claim submitted under chapter 182-546 WAC, if it determines that the certification is not adequately supported for purposes of FFP.

That I am the responsible person of the subject Fire Department / Agency and am duly authorized to sign this certification and that, to the best of my knowledge and information, each statement and amount in the accompanying schedules are to be true, correct, and in compliance with chapter 182-546 WAC.

November 16, 2018

Date of Signature

Clarkston Fire Department

Name of Fire District/Agency

E-mail the signed PDF electronic version of the completed cost report to:
GEMT@hca.wa.gov

By:

Title:

Address:

(Signature)

820 5th Street

Clarkston

99403

NOTICE

Please be advised that submission of cost reports for items or services which were not provided; are not reimbursable under the WA Medicaid program or claimed in violation of an agreement with the State, may subject you (or your organization) to civil money penalty assessments in accordance with RCW 74.66.020.

CHECK FIGURE

Total Reported Expenses (Before Allocation of Expenses - From Sch 1)	\$1,970,862
Total Reported Expenses (After Allocation of Expenses - From Sch 2 thru 5)	<u>1,970,862</u>
Variance	<u>\$-</u>

Material variances may result in a rejection of this Cost Report submission.

ORDINANCE NO. 1609

AN ORDINANCE OF THE CITY OF CLARKSTON, WASHINGTON, AMENDING CLARKSTON MUNICIPAL CODE 5.02 TO ADOPT THE MODEL BUSINESS LICENSE THRESHOLD

The City Council of the City of Clarkston does ordain as follows:

SECTION 1.0 AMENDING SECTION 5.02.20 AS FOLLOWS:

5.02.020 Definitions.

In construing the provisions of this chapter, except when otherwise declared or clearly apparent from the context, the definitions in this section shall be applied.

“Business” includes all activities, occupations, pursuits, or professions located and/or engaged in within the city, with the object of gain, benefit or advantage to the person engaging in the same, or to any other person or class, directly or indirectly.

“City” means the city of Clarkston.

“Employee” means any person who performs work, labor, or services for a business and is on the business’ payroll. For the purpose of this chapter, the term “employee” also includes self-employed persons, sole proprietors, owners, managers, partners, and all full-time, part-time and temporary employees or workers on the business’ payroll.

“Engaging in business,” (1) means commencing, conducting or continuing in any business ~~within the city, whether or not an office or physical location for the business lies within the city.~~ “Engaging in business” includes the performance of services by contractors, consultants, representatives, agents, or other persons within the city, even though the office location of the contractor, consultant, representative, agent or other persons is not within the city limits; the exercise of corporate or franchise powers, as well as the liquidation of business when the liquidators hold themselves out to the public as conducting such business. ~~AND ALSO, THE EXERCISE OF CORPORATE OR FRANCHISE POWERS, AS WELL AS LIQUIDATING A BUSINESS WHEN THE LIQUIDATORS THEREOF HOLD THEMSELVES OUT TO THE PUBLIC AS CONDUCTING SUCH BUSINESS.~~

(2) THIS SECTION SETS FORTH EXAMPLES OF ACTIVITIES THAT CONSTITUTE ENGAGING IN BUSINESS IN THE CITY, AND ESTABLISHES SAFE HARBORS FOR CERTAIN OF THOSE ACTIVITIES SO THAT A PERSON WHO MEETS THE CRITERIA MAY ENGAGE IN DE MINIMUS BUSINESS ACTIVITIES IN THE CITY WITHOUT HAVING TO PAY A BUSINESS LICENSE FEE. THE ACTIVITIES LISTED IN THIS SECTION ARE ILLUSTRATIVE ONLY AND ARE NOT INTENDED TO NARROW THE DEFINITION OF "ENGAGING IN BUSINESS" IN SUBSECTION (1). IF AN ACTIVITY IS NOT LISTED, WHETHER IT CONSTITUTES ENGAGING IN BUSINESS IN THE CITY SHALL BE DETERMINED BY CONSIDERING ALL THE FACTS AND CIRCUMSTANCES AND APPLICABLE LAW.

(3) WITHOUT BEING ALL INCLUSIVE, ANY ONE OF THE FOLLOWING ACTIVITIES CONDUCTED WITHIN THE CITY BY A PERSON, OR ITS EMPLOYEE, AGENT, REPRESENTATIVE, INDEPENDENT CONTRACTOR, BROKER OR ANOTHER ACTING ON ITS BEHALF CONSTITUTES ENGAGING IN BUSINESS AND REQUIRES A PERSON TO REGISTER AND OBTAIN A BUSINESS LICENSE.

- (A) OWNING, RENTING, LEASING, MAINTAINING, OR HAVING THE RIGHT TO USE, OR USING, TANGIBLE PERSONAL PROPERTY, INTANGIBLE PERSONAL PROPERTY, OR REAL PROPERTY PERMANENTLY OR TEMPORARILY LOCATED IN THE CITY.
- (B) OWNING, RENTING, LEASING, USING, OR MAINTAINING, AN OFFICE, PLACE OF BUSINESS, OR OTHER ESTABLISHMENT IN THE CITY.
- (C) SOLICITING SALES.
- (D) MAKING REPAIRS OR PROVIDING MAINTENANCE OR SERVICE TO REAL OR TANGIBLE PERSONAL PROPERTY, INCLUDING WARRANTY WORK AND PROPERTY MAINTENANCE.
- (E) PROVIDING TECHNICAL ASSISTANCE OR SERVICE, INCLUDING QUALITY CONTROL, PRODUCT INSPECTIONS, WARRANTY WORK, OR SIMILAR SERVICES ON OR IN CONNECTION WITH TANGIBLE PERSONAL PROPERTY SOLD BY THE PERSON OR ON ITS BEHALF.
- (F) INSTALLING, CONSTRUCTING, OR SUPERVISING INSTALLATION OR CONSTRUCTION OF, REAL OR TANGIBLE PERSONAL PROPERTY.
- (G) SOLICITING, NEGOTIATING, OR APPROVING FRANCHISE, LICENSE, OR OTHER SIMILAR AGREEMENTS.
- (H) COLLECTING CURRENT OR DELINQUENT ACCOUNTS.
- (I) PICKING UP AND TRANSPORTING TANGIBLE PERSONAL PROPERTY, SOLID WASTE, CONSTRUCTION DEBRIS, OR EXCAVATED MATERIALS.
- (J) PROVIDING DISINFECTING AND PEST CONTROL SERVICES, EMPLOYMENT AND LABOR POOL SERVICES, HOME NURSING CARE, JANITORIAL SERVICES, APPRAISING, LANDSCAPE ARCHITECTURAL SERVICES, SECURITY SYSTEM SERVICES, SURVEYING, AND REAL ESTATE SERVICES INCLUDING THE LISTING OF HOMES AND MANAGING REAL PROPERTY.
- (K) RENDERING PROFESSIONAL SERVICES SUCH AS THOSE PROVIDED BY ACCOUNTANTS, ARCHITECTS, ATTORNEYS, AUCTIONEERS, CONSULTANTS, ENGINEERS, PROFESSIONAL ATHLETES, BARBERS, BASEBALL CLUBS AND OTHER SPORTS ORGANIZATIONS, CHEMISTS, CONSULTANTS, PSYCHOLOGISTS, COURT REPORTERS, DENTISTS, DOCTORS, DETECTIVES, LABORATORY OPERATORS, TEACHERS, VETERINARIANS.
- (L) MEETING WITH CUSTOMERS OR POTENTIAL CUSTOMERS, EVEN WHEN NO SALES OR ORDERS ARE SOLICITED AT THE MEETINGS.
- (M) TRAINING OR RECRUITING AGENTS, REPRESENTATIVES, INDEPENDENT CONTRACTORS, BROKERS OR OTHERS, DOMICILED OR OPERATING ON A JOB IN THE CITY, ACTING ON ITS BEHALF, OR FOR CUSTOMERS OR POTENTIAL CUSTOMERS.
- (N) INVESTIGATING, RESOLVING, OR OTHERWISE ASSISTING IN RESOLVING CUSTOMER COMPLAINTS.
- (O) IN-STORE STOCKING OR MANIPULATING PRODUCTS OR GOODS, SOLD TO AND OWNED BY A CUSTOMER, REGARDLESS OF WHERE SALE AND DELIVERY OF THE GOODS TOOK PLACE.
- (P) DELIVERING GOODS IN VEHICLES OWNED, RENTED, LEASED, USED, OR MAINTAINED BY THE PERSON OR ANOTHER ACTING ON ITS BEHALF.
- (4) IF A PERSON, OR ITS EMPLOYEE, AGENT, REPRESENTATIVE, INDEPENDENT CONTRACTOR, BROKER OR ANOTHER ACTING ON THE PERSON'S BEHALF, ENGAGES IN NO OTHER ACTIVITIES IN OR WITH THE CITY BUT THE FOLLOWING, IT NEED NOT REGISTER AND OBTAIN A BUSINESS LICENSE.
- (A) MEETING WITH SUPPLIERS OF GOODS AND SERVICES AS A CUSTOMER.
- (B) MEETING WITH GOVERNMENT REPRESENTATIVES IN THEIR OFFICIAL CAPACITY, OTHER THAN THOSE PERFORMING CONTRACTING OR PURCHASING FUNCTIONS.
- (C) ATTENDING MEETINGS, SUCH AS BOARD MEETINGS, RETREATS, SEMINARS, AND CONFERENCES, OR OTHER MEETINGS WHEREIN THE PERSON DOES NOT PROVIDE TRAINING

IN CONNECTION WITH TANGIBLE PERSONAL PROPERTY SOLD BY THE PERSON OR ON ITS BEHALF. THIS PROVISION DOES NOT APPLY TO ANY BOARD OF DIRECTOR MEMBER OR ATTENDEE ENGAGING IN BUSINESS SUCH AS A MEMBER OF A BOARD OF DIRECTORS WHO ATTENDS A BOARD MEETING.

(D) RENTING TANGIBLE OR INTANGIBLE PROPERTY AS A CUSTOMER WHEN THE PROPERTY IS NOT USED IN THE CITY.

(E) ATTENDING, BUT NOT PARTICIPATING IN A "TRADE SHOW" OR "MULTIPLE VENDOR EVENTS". PERSONS PARTICIPATING AT A TRADE SHOW SHALL REVIEW THE CITY'S TRADE SHOW OR MULTIPLE VENDOR EVENT ORDINANCES.

(F) CONDUCTING ADVERTISING THROUGH THE MAIL.

(G) SOLICITING SALES BY PHONE FROM A LOCATION OUTSIDE THE CITY.

(5) A SELLER LOCATED OUTSIDE THE CITY MERELY DELIVERING GOODS INTO THE CITY BY MEANS OF COMMON CARRIER IS NOT REQUIRED TO REGISTER AND OBTAIN A BUSINESS LICENSE, PROVIDED THAT IT ENGAGES IN NO OTHER BUSINESS ACTIVITIES IN THE CITY. SUCH ACTIVITIES DO NOT INCLUDE THOSE IN SUBSECTION (4).

THE CITY EXPRESSLY INTENDS THAT ENGAGING IN BUSINESS INCLUDE ANY ACTIVITY SUFFICIENT TO ESTABLISH NEXUS FOR PURPOSES OF APPLYING THE LICENSE FEE UNDER THE LAW AND THE CONSTITUTIONS OF THE UNITED STATES AND THE STATE OF WASHINGTON. NEXUS IS PRESUMED TO CONTINUE AS LONG AS THE TAXPAYER BENEFITS FROM THE ACTIVITY THAT CONSTITUTED THE ORIGINAL NEXUS GENERATING CONTACT OR SUBSEQUENT CONTRACTS.

“License officer” means the person or his or her designee appointed by the mayor to act in such capacity.

“Person” includes the singular and the plural and also means and includes any natural person, firm, corporation, association, club, partnership, society or any group of individuals acting as a unit.

“Taxpayer” includes any person who engages in business or who is required to have a business license hereunder, or who is liable for the collection of any license fee or tax hereunder, or who performs any act, for which a license fee or tax is imposed by this chapter.

“Year” means the calendar year.

SECTION 2.0 AMENDING 5.02.031 AS FOLLOWS:

5.02.031 Exemptions from license requirements.

The provisions of this chapter shall not apply to:

(1) Any instrumentality of the United States, the state of Washington, or political subdivisions thereof with respect to the exercise of governmental functions;

(2) Any farmer, gardener, or other person who sells, delivers, or peddles any fruits, vegetables, berries, eggs, or any farm produce or edibles raised, gathered, caught, produced, or manufactured by such person within the state;

(3) Any person who merely delivers within the city any property purchased or acquired in good faith from such person at his regular place of business outside the city where such person is not otherwise subject to the licensing provisions of this chapter;

(4) Any person, business, enterprise, firm or corporation which the city is forbidden to tax under state or federal law;

(5) Businesses operated not-for-profit shall be exempt from paying a business license fee upon application and satisfactory proof to the licensing officer of said not-for-profit status, however, all other licensing provisions apply;

(6) Business activities subject to the tax imposed by Chapter 5.03 CMC, relating to the licensing and taxation of public utilities;

(7) Private garage/yard sales of an infrequent nature upon residential property owned or tenanted by that person conducting such sale, limited to two such sales annually, each lasting not more than three consecutive days, for each particular parcel of property;

(8) No license shall be required of any person who operates a business in conjunction with nonprofit community festivals, as approved by the license officer, provided all the following criteria are met:

(a) The business does not operate within the city more than three consecutive days;

(b) The business does not operate within the city more than 12 days in a calendar year; and

(c) The business is authorized to participate in the community festival by the sponsor of the festival.

(9) ANY PERSON OR BUSINESS WHOSE ANNUAL VALUE OF PRODUCTS, GROSS PROCEEDS OF SALES, OR GROSS INCOME OF THE BUSINESS IN THE CITY IS EQUAL TO OR LESS THAN \$2,000, AND WHO DOES NOT MAINTAIN A PLACE OF BUSINESS WITHIN THE CITY SHALL BE EXEMPT FROM THE GENERAL BUSINESS LICENSE REQUIREMENTS IN THIS CHAPTER. THE EXEMPTION DOES NOT APPLY TO REGULATORY LICENSE REQUIREMENTS OR ACTIVITIES THAT REQUIRE A SPECIALIZED PERMIT.

SECTION 3. EFFECTIVE DATE

This ordinance shall take effect thirty days after its passage, approval, and publication.

Dated this _____ day of _____, 2018.

Monika Lawrence, Mayor

Authenticated by:

Approved as to form:

Steve Austin, City Clerk

Todd Richardson, City Attorney

Publication Date:

ORDINANCE NO. 1610

AN ORDINANCE AMENDING CLARKSTON MUNICIPAL CODE CHAPTER 14.06.060,
WHICH ESTABLISHES SEWER COLLECTION AND DISPOSAL CHARGES

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLARKSTON,
WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1.0

Clarkston Municipal Code Chapter 14.06 is hereby amended as follows:

14.06.060 Rates – Sanitary Sewer.

(a) The city council shall establish, by ordinance, rates for sewer service as provided in RCW 35.67.190.

(b) The following rates are hereby established, effective January 1, 2019:

Classification	Monthly Base Charge	Monthly Sewer Charge per 100 Cubic Feet of Water Consumed	Average Monthly Rate by Classification
Residential	\$13.79	\$2.90	\$32.65
Commercial	\$26.55	\$2.90	\$65.28

(c) The following accounts shall be billed at a rate equivalent to the monthly average for their classification:

1. Greenhouses
2. Accounts not connected to the public water system.

(d) Automatic car washes shall be charged three (3) times the commercial average.

(e) Properties outside the corporate limits that have not fully participated in a City ULID shall have a rate 50% greater than the rate charged for similar service inside the City’s corporate limits.

SECTION 2.0

This ordinance shall be in full force and effect as of January 1, 2019 upon the signing hereof by the Mayor, authentication by the City Clerk and publication as required by law.

DATED this 10th day of December, 2018.

Monika Lawrence, Mayor

Authenticated:

Steve Austin, City Clerk

ORDINANCE NO. 1611

AN ORDINANCE AMENDING CLARKSTON MUNICIPAL CODE CHAPTER 14.18, WHICH ESTABLISHES REGULATIONS FOR GARBAGE COLLECTION

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLARKSTON, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1.0

Clarkston Municipal Code Chapter 14.18 is hereby amended as follows:

14.18.060 Rates.

1. The city council shall establish, by ordinance, rates for sanitation service as provided in RCW 35.92.020.

2. The following rates are hereby established, effective January 1, 2019:

(a) The following charges shall apply to properties using City provided garbage carts and serviced one time per week. These carts are numbered and owned by the City. Carts will be assigned to the property address by that number. The following rates shall also permit the pickup of yard waste (grass clippings, vegetation, and leaves) that is placed in a City provided 96-gallon mobile cart. The 96-gallon yard waste container is numbered and owned by the City and will be assigned to the property address by that number. The property owner shall be responsible for damages to the cart (either yardwaste or solid waste) caused by misuse or neglect. Multi-unit residential properties larger than a four-plex, commercial properties with the exception of churches (and only upon written request to the City), and persons providing lawn care service for a fee, as evidenced by a city business license, are not subject to the City’s yardwaste program.

Classification	35 Gal Container	64 Gal Container	96 Gal Container	Each additional Yardwaste Container
Residential	\$18.18	\$23.38	\$28.38	\$6.81
Multi-Residential -Per unit	\$18.18	\$23.38	\$28.38	\$6.81
Commercial	\$19.94	\$26.86	\$33.93	N/A
Churches w/yardwaste	\$21.86	\$28.73	\$35.78	\$7.07
Extra Can / Garbage	\$ 7.22	\$12.77	\$20.04	

(b) Dumpster Charges – All accounts using bins of one cubic yard or greater shall be charged according to the following schedule:

SANITATION RATES-DUMPSTERS							
	CHARGE	2X/WK	3X/WK	4X/WK	5X/WK	6X/WK	XTRA P.U.
1 CY	\$39.03	\$78.07	\$117.10	\$156.14	\$195.18	\$234.21	\$8.98
1.5 CY	\$58.58	\$117.16	\$175.74	\$234.32	\$292.90	\$351.48	\$13.48
2 CY	\$78.07	\$156.14	\$234.21	\$312.29	\$390.36	\$468.43	\$18.02
3 CY	\$117.10	\$234.21	\$351.32	\$468.43	\$585.54	\$702.65	\$27.06
4 CY	\$156.14	\$312.29	\$468.43	\$624.58	\$780.73	\$936.87	\$36.05
5 CY	\$195.23	\$390.46	\$585.69	\$780.93	\$976.16	\$1,171.39	\$45.04
6 CY	\$234.21	\$468.43	\$702.65	\$936.87	\$1,171.09	\$1,405.31	\$54.08
10 CY	\$390.46	\$780.93	\$1,171.39	\$1,561.86	\$1,952.33	\$2,342.79	\$90.14

3. Standby Charges:

(a) Owners or managers of residential and commercial properties may apply to the city for suspension of service prior to the time the premises become unoccupied. Application shall be made on forms provided by the city. Upon approval, the sanitation service shall be suspended and the regular charge for the service shall be suspended and replaced with a service/standby charge until the premises are reoccupied.

(b) No credit for suspension of service shall be given unless the premises remain unoccupied for 30 consecutive days.

(c) Service/standby charges shall take effect the month in which the property owner/manager makes application to the city, provided the property has been vacant for 30 consecutive days. For those properties vacant 15 days or less at the time application is made but anticipated to be vacant 30 consecutive days or more, the effective date shall be the first of the month following application.

(d) Upon re-occupancy, the regular charge shall be re-established. The owner shall notify the city of the re-occupancy.

(e) Service/standby charges for qualifying properties under this section shall be \$5.00 per month for residential and commercial properties.

4. Non-resident Charges. All accounts located outside Clarkston’s city limits shall be charged at a rate of 50% greater than charges for identical service within the city limits.

5. Fees for Transporting Roll-off Containers. The charges for pickup and dumping of commercial roll-off units shall be:

Classification	Charges
Compaction Units	\$180.00 per trip
Demolition Units	\$180.00 per trip
Rent for 20 yd. Roll-off	\$35.00 per week
Rent for containers up to 5 c.yd.	\$25.00 per month
Tipping fees	Actual based on weight tickets

6. No later than November of each year the City Council shall review the rates for all classifications of service and adjust the rates as necessary to ensure that operating expenses of the utility are met. Rate changes shall be set by ordinance and become effective on January 1 of each year.

SECTION 2.0

This ordinance shall be in full force and effect as of January 1, 2019 upon the signing hereof by the Mayor, authentication by the City Clerk and publication as required by law.

DATED this 10th day of December, 2018.

Monika Lawrence, Mayor

Authenticated:

Steve Austin, City Clerk