

**CITY OF CLARKSTON
CITY COUNCIL AGENDA
829 5th Street
MONDAY, December 14, 2015**

- 1. CALL TO ORDER: 7:00 P.M.**
- 2. PLEDGE OF ALLEGIANCE:**
- 3. AGENDA CHANGES:**
- 4. APPROVAL OF MINUTES:
November 23, 2015, Regular Meeting**

- 5. COMMUNICATIONS:**
 - A. From the Public (Please limit comments to 3 minutes)**
 - B. From the Mayor**
 - C. From Staff or Employees**

- 6. COMMITTEE REPORTS:**
 - A. Finance – Audit Report on Current Bills**
 - B. Public Safety – December 1**
 - C. Public Works – no meeting**
 - D. Administrative/Intergovernmental – December 14**
 - E. Community Development – December 1**

- 7. UNFINISHED BUSINESS:**
 - A. Ordinance No. 1549, 2/10th Percent Sales Tax for TBD, 2nd Reading for Action**
 - B. Ordinance No. 1550, 2016 Budget, 2nd Reading for Action**
 - C. Ordinance No. 1551, Amend CMC 2.44, 2nd Reading for Action**
 - D. Ordinance No. 1552, Sewer Rates, 2nd Reading for Action**
 - E. Ordinance No. 1553, Sanitation Rates 2nd Reading for Action**

- 8. NEW BUSINESS:**
 - A. Reappoint Dick Jones to Public Safety Committee**
 - B. Ordinance No. 1554, Repealing Ordinance No. TBD 002, \$20 Vehicle License Tab Fee, 1st Reading**
 - C. Ordinance No. 1555, Budget Amendment**
 - D. Contract for Professional Services, The Wesley Group**
 - E. Mayor’s Appointment & Contract for Professional Services, City Attorney**
 - F. Resolution No. 2015-14, Wages for Non-represented Employees**

- 9 COUNCIL COMMENTS**
- 10. EXECUTIVE SESSION: Litigation**
- 11. 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. Please address your comments to the council.

Individuals with disabilities may request reasonable accommodations by calling (509) 769-0131 at least three days prior to meeting.

CLARKSTON CITY COUNCIL MINUTES
November 23, 2015

COUNCIL:

Beadles
 Provost
 Blackmon

Nash
 Kolstad
 White

Campbell

STAFF:

Chief Hastings Chief Cooper Clerk Storey City Attorney Grow PWD Martin

AGENDA CHANGES: Councilmember Nash added a Citizen Appointment to New Business. Councilmember Kolstad referred to a tabled motion on lifting the marijuana ban from last meeting and said it should be on the agenda, but he wasn't sure where. Mayor Warren said it should probably be added after Executive Session.

APPROVAL OF MINUTES:

MOTION BY BEADLES/BLACKMON to approve the minutes of the November 9, 2015, Regular Meeting and the November 17, 2015 Budget Workshop. Motion carried.

COMMUNICATIONS:

A. From the Public: Tom Martin, 421 11th Street, thanked Beadles for his comments regarding care givers. He disputed Councilmember Beadles' comments on the marijuana tax revenue in Pullman. He stated that voter turnout was a record high. He challenged Councilmember White's comments that the marijuana revenue shared by the state can only be used for enforcement. He commented that Steve Skaggs who will speak later in the meeting, may do good for the community but his material is full of lies and inconsistencies. He asked who the code of ethics officer is. Sandy Fromdahl, 1759 6th Ave, said she has known Steve Skaggs for many years and respects what he done for the community. She said that everyone can benefit from daily consumption of cannabis. She asked the council to let Canna 4 Life and Greenfield open and stay open. Azura Grende, 522 5th Street, commented on signs suggesting that people should not give money to panhandlers, but to give money to charity instead. She said the signs are misleading and the panhandlers have the right to do what they do. She said the signs are a waste of money. She said Clarkston is wasting money on marijuana lawsuits. She commented on cuts to the Health District funding. David Dolomency, 1430 Chestnut, pointed out that Asotin County as a whole did not vote in favor of marijuana in Initiative 502. He said it is still illegal by federal law. Monika Beauchamp, 610 Sunrise Drive, said she attended the budget workshop last week and believes that Walmart should help fund a resolution to the traffic problems at their entrance. She said the council has mismanaged funds at a ridiculous level. She said there are other issues the city should be addressing, such as the Health District, and not wasting money on the marijuana lawsuits. Melyssa Andrews, 721 14th Street, thanked the council for adding funding for handicap playground equipment and for recognizing caregivers. Andrews said she works for Walmart and she thinks they have enough money to help with traffic revisions. She said it isn't all about marijuana but about people's rights. She said there are a lot of programs and regulations to keep marijuana away from children. James Evans, 1115 Highland, said there are 15 million people dependent on alcohol in this country. 32% of traffic fatalities are related to alcohol. He quoted several statistics on drug and alcohol use. He said the ban on marijuana is a waste of taxpayer money. It is creating a demand in the black market.

B. From the Mayor:

Mayor Warren reminded council to be practical when considering the budget because the state is looking at a \$500 million shortfall and may not be sharing as much revenue as expected. The latest

Eyman initiative may impact state revenues and the state is still dealing with education issues.

C. From Staff: PWD Martin said the Sycamore Street drainage project is complete. It should alleviate flooding in that vicinity.

COMMITTEE REPORTS:

Finance: Councilmember Provost reported that committee has reviewed the bills. MOTION BY PROVOST/BLACKMON to approve the November 23, 2015 invoices for \$218,434.42. Motion carried.

Public Safety: Councilmember Beadles reported on the November 17 meeting. Committee discussed the current climate of lawsuits and had suggested ordinances be revised to provide for attorney fees when sued over business license regulations. He has since learned that the law would not allow that. Chief Cooper discussed a future grant application for replacement of SCBA air packs. Chief Hastings presented a Traffic Safety grant opportunity. The police department will be testing for entry and lateral officers.

Public Works: Councilmember Nash reported on the November 18 meeting. Michelle Bly of TD&H discussed an opportunity to apply for a planning grant for sidewalk design in the Grantham School area. There was discussion on licensing rental properties. Beekeeping was discussed. Traffic calming was discussed. PWD Martin reported that the Sycamore Street drainage project has been completed. Discussed the impacts of the proposed changes to the Costco / Walmart intersection.

Admin Committee: Councilmember Nash said committee met on November 23. Nash said Ordinance No. 1551 which is on agenda was discussed.

Community Development: Councilmember Nash said committee met on November 17. Committee interviewed the applicants for the Planning Commission. Appointments to Planning Commission and to Community Development Committee are on the agenda

PUBLIC HEARING:

Public Hearing on or the 2016 Budget

Mayor Warren opened the Public Hearing at 7:27 p.m. Storey said she made changes to the budget as discussed at the workshop and provided an updated document along with the Mayor's budget message. Melyssa Andrews asked if the City has gotten any quotes on improving the website. Nash said there is no new information yet. Councilmember Campbell asked if the Health District funding is included. Storey said it is. The hearing was closed at 7:29 p.m.

UNFINISHED BUSINESS:

A. Ordinance No. 1548, Assuming the Rights, Powers, Functions and Obligations of the Clarkston TBD, 2nd Reading for Action

Ordinance No. 1548 was read by title. MOTION BY NASH/BEADLES to adopt Ordinance No. 1548. Motion carried.

NEW BUSINESS:

A. Steve Skaggs, Community on Call

Steve Skaggs, director of Community on Call, addressed the council as a service provider to members of the community. He said he is not here to argue with supporters of marijuana. This information is derived from his experience of 16 years of working in the community. He said there are 40 people he has worked with who are now deceased due to drug use. He said THC is a nerve irritant. He said he does understand medical use and believes it does have a use for pain relief. He said many people in the area do not have disposable income to purchase marijuana and purchase through cooperative efforts. He said it is cheaper to purchase on the street and there is more available on the street now that there are legal shops.

Skaggs said the majority of alcohol is purchased by people who have disposable income, but a lot of marijuana is purchased through criminal activity. He touched on the conversion of marijuana into oil. He said many of the people he works with are under the age of 20 and have serious marijuana problems. Expanded use of marijuana will impact the availability of workers for the job market because employers can still refuse to employ someone who uses marijuana. He said marijuana use, or lack of availability contributes to domestic violence. He asked the council to do some research on how legalizing marijuana will impact the community.

B. Appointment to Planning Commission

Councilmember Nash said Community Development Committee recommends appointing Terry Owen, Jr. to the Planning Commission. MOTION BY NASH/BLACKMON to appoint Terry Owen, Jr. to the Planning Commission. Motion carried.

C. Ordinance No. 1549, 2/10ths Percent Sales Tax for Trans Benefit District, 1st Reading
Ordinance No. 1549 was read by title.

D. Ordinance No. 1550, 2016 Budget, 1st Reading
Ordinance No. 1550 was read by title.

E. Ordinance No. 1551, Amend CMC 2.44, 1st Reading
Ordinance No. 1551 was read by title.

F. Resolution No. 2015-12, Health & Welfare Benefit Disclosure
Resolution No. 2015-12 was read by title. Storey explained that this policy is required by the Affordable Care Act because the City is designated as a large employer. It defines classifications of employees, sets work hour limitations, sets measurement and stability periods and other requirements of the Act. It was based on a sample document provided by the AWC Health Trust. MOTION BY PROVOST/CAMPBELL to approve Resolution No. 2015-12. Motion carried.

G. Resolution No. 2015-13, Property Tax Levy
Resolution No. 2015-13 was read by title. Storey said it included a 1% increase to property tax. MOTION BY BEADLES/NASH to approve Resolution No. 2015-13. Motion carried.

H. Ordinance No. 1552, Sewer Rates, 1st Reading
Ordinance No. 1552 was read by title. It includes a 3% rate increase.

I. Ordinance No. 1553, Sanitation Rates
Ordinance No. 1553 was read by title.

J. Authorization to Apply for Traffic Safety Grant
Chief Hastings said the City has received this grant for several years. This year it would be used to purchase a new radar unit. The grant will cover about \$1,000 of the cost. MOTION BY BEADLES/NASH to authorize the grant application.

K. PRTPO Planning Grant Application for Grantham sidewalks
PWD Martin said Michelle Bly of TD&H Engineering brought this grant opportunity to the City. The project is on our Six-Year Transportation Plan. It is a no-match grant. Michelle Bly said we applied twice previously for Safe Routes to School funding and were not awarded. Bly said this grant would be for design only to make the project shovel ready and the city would then apply for funding for the project. Provost asked when the next step would happen. Bly said it would probably be the next round of applications, in about 1 ½ years. MOTION BY BEADLES/NASH to authorize the grant application. Motion carried.

L. Citizen at Large to Community Development

Councilmember Nash said there is an application for a Citizen-at-Large to Community Development Committee. MOTION BY BEADLES/KOLSTAD to appoint Patricia York to Community Development Committee. Motion carried.

COUNCIL COMMENTS:

Councilmember White read a statement in which she thanked those who allowed her to be a part of the city council. She said serving on committees was the best part and feels the committee meetings are very important. She said the real work of the council is accomplished in committees. It gives people an opportunity to speak on topics that are important to them. She said that the committee meetings are open to the public and encouraged them to attend. She referred to the personnel policy and the ethics policy. She said council members who serve on committees should make every effort to attend those committee meetings. White said the personnel policy states that no employee may be under the influence of drugs or alcohol when they come to work. She said elected officials should fall under the same rules.

Councilmember Nash wished everyone a Happy Thanksgiving. He also congratulated the Clarkston football team on their season.

Councilmember Beadles commented on traffic issues. He said he doesn't believe there is a real problem at the Walmart/Costco entrance. He thinks maybe expectations are too high and people are impatient. He wants to be sure that we don't create a worse problem while we try to solve this one.

Councilmember Kolstad agreed with Beadles on traffic issues. He also took ownership for the panhandler signs. He said it was in response to an issue brought forth by a business owner and this was a solution used in another community. Mayor Warren said the intent was not to take away the rights of panhandlers, but to encourage people to give to charities that provide services to the homeless.

Councilmember Kolstad commented on Steve Skaggs information. He said he believes there are a lot of misconceptions in the information presented, but believes Skaggs is concerned about the citizens of Clarkston.

Councilmember Campbell thanked the firefighters for the opportunity to see what they do.

Councilmember Blackmon said he still feels that not enough people vote and they should exercise their right to vote.

EXECUTIVE SESSION:

Council went into executive session at 7:55 p.m. to discuss litigation with legal counsel present. There may be some action taken after the session. Anticipated length of session is 30 minutes. Session was extended for an additional 10 minutes. Council returned to open session at 8:56 p.m. No action was taken after the executive session.

ADJOURNMENT:

Meeting adjourned at 8:57 p.m.

Vickie Storey, City Clerk

Kathleen A. Warren, Mayor

Total Fund Expenditures, 11/23/15	60397-60459, Oct2015Excise	\$71,497.71
Payroll, 11/15/15	60374-60396	\$146,936.71

Public Safety Committee

December 1, 2015

Attendance: Chief Hastings, Chief Cooper, Dick Jones, Terry Beadles

Chief Hastings reported that an animal control officer has been hired. The new control officer is also a Clarkston Police reserve officer. He will provide additional police backup while on duty.

The Christmas parade will be December 5th; all officers will provide traffic safety duty.

Chief Cooper discussed the interdepartmental SCBA grant.

The Chief is working on a grant that would provide thermal cameras.

Structure fire displacement was discussed by the Chief. Our firefighters work with displaced residents of a structure fire. The Fire department has an information booklet "After the fire is out" to help residents cope with the many pending decisions. Firefighters contact relief agencies to help with lodging and other needs for displaced residents.

Dick Jones presented his application for Citizen At Large for Public Safety Committee (calendar year 2016). Dick has provided much input for the committee. His many years of experience are very valuable to committee decisions.

Community Development Committee

December 1, 2015

Attendance: George Nash, Tricia York, Vickie Storey

Vickie discussed the process to rescind the \$20 car tab fee. According to Department of Licensing, they need about 4 months lead time due to the advance printing of renewal notices. To stop the fee for April renewals, DOL needs notice from the City by January 1. Vickie will prepare an ordinance to rescind the fee for the next council meeting.

Tricia is a new citizen representative on the committee. They discussed what the committee's purpose is and ideas for future discussion.

ORDINANCE NO. 1549

AN ORDINANCE OF THE CITY OF CLARKSTON, WASHINGTON, FIXING AND IMPOSING A SALES AND USE TAX AS APPROVED BY VOTERS AND IN ACCORDANCE WITH RCW 82.14.0455, REQUESTING THAT THE WASHINGTON STATE DEPARTMENT OF REVENUE COMPUTE AND BEGIN COLLECTING AND REMITTING THE TAX PURSUANT TO STATE LAW, AND ADDING CLARKSTON MUNICIPAL CODE CHAPTER 3.59.

WHEREAS, in May 2014, the Clarkston City Council established the Clarkston Transportation Benefit District pursuant to RCW 35.21.225 and RCW 36.73; and

WHEREAS, voters within the City of Clarkston approved imposition of the sales and use tax at the November 2015 election; and

WHEREAS, on November 23, 2015, the City of Clarkston assumed the rights, powers, functions and obligations of the Clarkston Transportation District; and

WHEREAS, RCW Chapter 36.73.065 and RCW 82.14.0455 authorize the governing body of a transportation benefit district to fix and impose a voter approved sales and use tax at a rate of up to two tenth's of one percent for a period of ten (10) years for the purposes authorized in RCW 36.73; and

WHEREAS, RCW 82.14.0455 requires that the Washington State Department of Revenue collect the tax on behalf of the transportation benefit district with reimbursement for administrative costs as mutually agreed to by the City and the Department of Revenue

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

SECTION 1.0

Sections:

- 3.59.010 Imposed
- 3.59.020 Effective Date
- 3.59.030 Rate
- 3.59.040 Administration and Collection – Statutory Authority
- 3.59.050 Record Inspection
- 3.59.060 Administration and Collection – Contract
- 3.59.070 Allocation and Distribution
- 3.59.080 Violation – Penalty

Section 3.59.010 Imposed:

Pursuant to statutory authorization, the City of Clarkston hereby fixes and imposes the tax authorized under RCW 82.14.0455. This tax is in addition to other statutorily authorized taxes the City may decide to implement in the future. The tax shall be collected from those persons who are taxable by the state under RCW Chapters 82.08 and 82.12 upon occurrence of any within the City.

Section 3.59.020:

The effective date of the tax imposed by this chapter shall be April 1, 2016.

Section 3.59.030 Rate:

The rate of tax imposed by Section 3.59.010 shall be two-tenths of one percent of the selling price or value of the article used, as the case may be

Section 3.59.040 Administration and Collection – Statutory Authority:

The City hereby requests that the Washington State Department of Revenue compute the sales and use tax authorized by RCW Chapter 36.73 and RCW 82.14.0455 from the taxable transactions within the boundaries of the City of Clarkston, Washington. The administration and collection of the tax imposed by this chapter shall be in accordance with the provisions of RCW 82.14.050.

Section 3.59.050 Records Inspection:

The city consents to the inspection of such records as are necessary to qualify the city for inspection of records of the Department of Revenue, pursuant to RCW 82.32.330.

Section 3.59.060 Administration and Collection – Contract:

The mayor and city clerk-treasurer are authorized to enter into a contract with the Department of Revenue for the administration of this tax.

Section 3.59.070 Allocation and Distribution:

The receipts of sales or use tax imposed by this chapter shall be deposited into the Transportation Benefit District Fund and the use of such funds shall be spent in accordance with the requirements of chapter 36.73 RCW.

Section 3.59.080 Violation – Penalties:

Any seller who fails or refuses to collect the tax as required with the intent to violate the provisions of this chapter or to gain some advantage or benefit, either direct or indirect, and any buyer who refuses to pay any tax due under this chapter shall be guilty of a misdemeanor, and upon a conviction thereof shall be fined no more than five hundred dollars or imprisoned for not more than ninety days, or by both such fine and imprisonment.

SECTION 2.0

Severability:

If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

SECTION 4.0

Corrections by City Clerk or Code Reviser:

Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

SECTION 3.0

Effective Date:

This ordinance shall take effect five (5) days after its passage, approval and publication, as provided by law.

PASSED by the City Council of the City of Clarkston this _____ day of _____, 2015.

APPROVED:

Kathleen A. Warren, Mayor

ATTEST:

Vickie Storey, City Clerk

APPROVED AS TO FORM:

James Grow, City Attorney

Passed by the City Council:

Published:

Effective Date:

ORDINANCE NO. 1550

AN ORDINANCE OF THE CITY OF CLARKSTON, WASHINGTON, ADOPTING THE FINAL BUDGET OF THE CITY FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2016 AND APPROVING AN ORDINANCE SUMMARY FOR PUBLICATION.

WHEREAS, the Mayor of the City of Clarkston, Washington, completed and placed on file with the city clerk a proposed budget and estimate of the amount the moneys required to meet the public expenses, reserve funds and expenses of government of the City of Clarkston for the fiscal year ending December 31, 2016, and a notice was published that the council of said city would meet on the 23rd day of November, 2016, at the hour of 7:00 p.m., at Clarkston City Hall, 829 5th Street, Clarkston, Washington for the purpose of making and adopting a budget for said fiscal year and giving taxpayers within the limits of said city an opportunity to be heard upon said budget; and

WHEREAS, the City Council did meet at said time and place and did then consider the matter of the proposed 2016 budget; and

WHEREAS, the 2016 proposed budget does not exceed the lawful limit of taxation allowed by law to be levied on the property within the City of Clarkston for the purposes set forth in said budget, and the estimated expenditures set forth in said budget being all necessary to carry on the government of the City of Clarkston for the 2016 fiscal year and being sufficient to meet the various needs of the City of Clarkston during the 2016 fiscal year.

NOW, THEREFORE, the City Council of the City of Clarkston do ordain as follows:

Section 1. The budget for the City of Clarkston, Washington, for the year 2016 is hereby adopted at the fund level in its final form and content as set forth in the document entitled 2016 FINAL BUDGET, CITY OF CLARKSTON, three (3) copies of which are on file in the Office of the Clerk.

Section 2. Estimated resources, including fund balances or working capital for each separate fund of the City of Clarkston, and aggregate totals for all such funds combined, for the year 2016 are set forth in summary form on Exhibit A (attached) and are hereby appropriated for expenditure at the fund level during the year 2016 as set forth on Exhibit A.

Section 3. The City Clerk is directed to transmit a certified copy of the budget hereby adopted to the Division of Municipal Corporations in the State Auditor's Office and the Association of Washington Cities.

Section 4. This ordinance shall be in force and take effect five (5) days after publication of the attached summary, which is hereby approved.

Dated this 14th day of December, 2015

Kathleen A. Warren, Mayor

Authenticated:

Vickie Storey, City Clerk

SUMMARY OF ORDINANCE NO. 1550
OF THE CITY OF CLARKSTON, WASHINGTON

On December 14, 2015, the City Council of the City of Clarkston, Washington, approved Ordinance No. 1550, the main point of which may be summarized by its title as follows:

AN ORDINANCE OF THE CITY OF CLARKSTON, WASHINGTON, ADOPTING THE FINAL BUDGET OF THE CITY FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2016 AND APPROVING AN ORDINANCE SUMMARY FOR PUBLICATION.

The full text of this ordinance will be mailed upon request.

APPROVED by the City Council at their meeting of December 14, 2015.

Vickie Storey, City Clerk

Published: _____

2016 FINAL BUDGET
 JANUARY 1, 2016

FUND	DESCRIPTION	BEG BAL	ACTUAL REVENUES	OTHER FINANCING SOURCES	ACTUAL EXPENDITURES	OTHER FINANCING USES	END BAL
001	CURRENT EXPENSE	\$ 926,078	\$ 3,705,282	\$ 108,330	\$ 4,189,090	\$ 177,960	\$ 372,640
004	CE RESERVE	\$ 555,181	\$ 1,000	\$ 70,000	\$ -	\$ 20,000	\$ 606,181
006	EMP BENEFIT RESERVE	\$ 100,306	\$ 300	\$ 10,000	\$ -	\$ -	\$ 110,606
007	COMMUNITY PROJECTS	\$ 38,353	\$ 100	\$ -	\$ -	\$ -	\$ 38,453
010	NATIONAL NIGHT OUT	\$ 3,419	\$ 500	\$ -	\$ 900	\$ -	\$ 3,019
011	VICTIM'S RIGHTS	\$ 45,686	\$ 5,100	\$ -	\$ 10,000	\$ -	\$ 40,786
016	VEHICLE REPLCMENT	\$ 203,020	\$ 143,500	\$ -	\$ -	\$ 99,745	\$ 246,775
017	D A R E	\$ 4,726	\$ -	\$ -	\$ 2,750	\$ -	\$ 1,976
037	CDBG	\$ 7,354	\$ -	\$ -	\$ -	\$ -	\$ 7,354
102	RESCUE ONE	\$ 6,519	\$ 1,800	\$ -	\$ 3,000	\$ -	\$ 5,319
103	STREET FUND	\$ 150,527	\$ 641,200	\$ 40,000	\$ 778,280	\$ -	\$ 53,447
104	TRANS BENEFIT DIST	\$ 53,000	\$ 300,500	\$ -	\$ -	\$ 20,000	\$ 333,500
105	STREET RESERVE	\$ 46,214	\$ 200	\$ -	\$ -	\$ -	\$ 46,414

2016 FINAL BUDGET
 JANUARY 1, 2016

FUND	DESCRIPTION	BEG BAL	ACTUAL REVENUES	OTHER FINANCING SOURCES	ACTUAL EXPENDITURES	OTHER FINANCING USES	END BAL
108	DRUG ENFORCEMENT	\$ 40,181	\$ 2,150	\$ -	\$ 20,000	\$ -	\$ 22,331
120	EMS / AMBULANCE	\$ 216,154	\$ 1,043,200	\$ 105,000	\$ 1,128,220	\$ 50,800	\$ 185,334
121	EMS CAP RESERVE	\$ 102,147	\$ 400	\$ 42,000	\$ -	\$ 105,000	\$ 39,547
130	LODGING TAX FUND	\$ 553,694	\$ 92,500	\$ -	\$ 98,750	\$ -	\$ 547,444
202	MUNICIPAL CAP IMPRV	\$ 206,925	\$ 65,800	\$ -	\$ -	\$ -	\$ 272,725
400	SEWER O&M	\$ 722,458	\$ 1,963,000	\$ -	\$ 1,096,900	\$ 837,700	\$ 750,858
401	SEWER EQUIP RSRV	\$ 96,074	\$ 450	\$ 20,000	\$ -	\$ -	\$ 116,524
402	SEWER LINE RESERVE	\$ 499,131	\$ 2,500	\$ 20,000	\$ -	\$ -	\$ 521,631
403	SEWER CAPITAL REPLC	\$ 81,384	\$ 300	\$ 20,000	\$ -	\$ -	\$ 101,684
404	SEWER RESERVE	\$ 119,265	\$ 600	\$ -	\$ -	\$ -	\$ 119,865
405	WWTP CONSTRUCTION	\$ 400,177	\$ 1,000	\$ -	\$ 350,000	\$ -	\$ 51,177
406	SEWER REVENUE BONI	\$ 357,610	\$ 1,500	\$ 340,000	\$ 340,565	\$ -	\$ 358,545

2016 FINAL BUDGET
 JANUARY 1, 2016

FUND	DESCRIPTION	BEG BAL	ACTUAL REVENUES	OTHER FINANCING SOURCES	ACTUAL EXPENDITURES	OTHER FINANCING USES	END BAL
407	PWTF LOAN	\$ 27,875	\$ -	\$ 355,000	\$ 22,750	\$ 349,750	\$ 10,375
408	SRF LOAN	\$ 85,308	\$ 400	\$ 82,700	\$ 18,880	\$ 63,925	\$ 85,603
409	STORMWATER O & M	\$ 40,083	\$ 293,200	\$ 90,000	\$ 387,295	\$ -	\$ 35,988
410	SANITATION O&M	\$ 48,105	\$ 1,154,300	\$ 34,500	\$ 1,159,710	\$ 54,000	\$ 23,195
411	SAN. EQUIP RSRV	\$ 1,360	\$ 50	\$ 20,000	\$ -	\$ -	\$ 21,410
TOTALS		\$ 5,738,314	\$ 9,420,832	\$ 1,357,530	\$ 9,607,090	\$ 1,778,880	\$ 5,130,706

ORDINANCE NO. 1551

AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 2.44 OF THE CLARKSTON MUNICIPAL CODE CHAPTER, WHICH ESTABLISHES PERSONNEL RULES FOR THE CITY OF CLARKSTON

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

SECTION 1.0

Clarkston Municipal Code Chapter 2.44 is hereby amended as follows:

2.44.590 Sick Leave

2.44.590(7).

~~All employees employed before January 1, 1985 shall be compensated in cash at their regular rate of pay for any unused accumulation of sick leave, 90 days maximum, when they are permanently separated from employment by death, retirement, or reduction in force.~~

Regular, full-time employees, not covered by a collective bargaining agreement, shall be compensated in cash for unused accumulation of sick leave when they are permanently separated from employment by death, retirement or reduction in force according to the following formula: 50% after (10) years' service; 100% after 20 years' service.

2.44.590(8) –

~~Employees hired after January 1, 1985, shall not be compensated in cash for any unused sick leave at termination.~~

2.44.650 Medical, dental and vision coverage.

~~The city shall provide all regular full time non-union employees with a medical coverage plan and a dental coverage plan and vision plan, and pay the entire costs for such medical, dental and vision coverage for the employees and dependents; provided further, that the city shall also provide medical, dental and vision coverage as set forth in this section for permanent part-time hourly employees who work more than 50 hours a month and all permanent part-time salaried employees, at the discretion of the city council.~~

1. Regular, Full-time non-union employees. The City shall provide all regular, full-time non-union employees with a medical coverage plan, a dental coverage plan and a vision coverage for the employees and their dependents. The employee will pay 10% of the total premium for medical coverage.
2. Variable-hour, Part-time and Temporary employees. Variable-hour, Part-time and Temporary employees who may qualify for medical coverage under the provisions of the City's Health & Welfare Benefit Policy (Patient Protection & Affordable Care Act) will be offered a medical only coverage plan. Employees offered coverage will pay 15% of the employee only premium. Employees in this category have the option of enrolling qualifying dependents, however employees are responsible for all premium expenses.

SECTION 2.0

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

SECTION 3.0

Severability. If any one or more section, subsection, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, is held to be unconstitutional or invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances, and the same shall remain in full force and effect.

SECTION 4.0

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

PASSED by the City Council of the City of Clarkston, Washington this _____ day of December, 2015.

Kathleen A. Warren, Mayor

Authenticated:

Vickie Storey, City Clerk

Approved as to Form:

James Grow, City Attorney

ORDINANCE NO. 1552

AN ORDINANCE AMENDING CLARKSTON MUNICIPAL CODE CHAPTER 14.06.060 and 14.06.110, 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, 2016:

Classification	Monthly Base Charge	Monthly Sewer Charge per 100 Cubic Feet of Water Consumed	Average Monthly Rate by Classification
Residential	\$12.69	\$2.68	\$30.00
Commercial	\$24.43	\$2.68	\$60.00

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

1. Greenhouses
2. Concrete Processing Plants
3. Schools (in the months of July and August only)
4. 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.

14.06.110

(1) 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. Suspension of service shall not apply to multi-unit properties served by one water meter, where individual unit water consumption cannot be determined. Application shall be made on forms provided by the city and approved by the office of the city treasurer. Upon approval, the sewer 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.

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

(3) 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.

~~(4) Service/standby charges shall be dropped after 30 consecutive days of vacancy from the effective date of the application.~~

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

(5) Service/standby charges for qualifying properties under this section shall be \$5.00 per month for residential properties and ~~\$10.00 per month for~~ commercial properties.

(6) There shall be no suspension of service for the stormwater portion of the fees.

SECTION 2.0

This ordinance shall be in full force and effect as of January 1, 2016 upon the signing hereof by the Mayor, authentication by the City Clerk and publication as required by law.

DATED this 14th day of December, 2016.

Kathleen A. Warren, Mayor

Authenticated:

Vickie Storey, City Clerk

ORDINANCE NO. 1553

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, 2016:

(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	\$17.65	\$22.70	\$27.55	\$6.65
Multi-Residential -Per unit	\$17.65	\$22.70	\$27.55	\$6.65
Commercial	\$19.35	\$26.10	\$32.95	N/A
Churches w/yardwaste	\$21.20	\$27.90	\$34.75	\$6.90
Extra Can / Garbage	\$ 7.00	\$12.40	\$19.45	

(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	\$37.90	\$75.80	\$113.70	\$151.60	\$189.50	\$227.40	\$8.75
1.5 CY	\$56.85	\$113.70	\$170.60	\$227.40	\$284.30	\$341.20	\$13.10
2 CY	\$75.80	\$151.60	\$227.40	\$303.20	\$379.00	\$454.80	\$17.50
3 CY	\$113.70	\$227.40	\$341.10	\$454.80	\$568.50	\$682.20	\$26.25
4 CY	\$151.60	\$303.20	\$454.80	\$606.40	\$758.00	\$909.60	\$35.00
5 CY	\$189.50	\$379.00	\$568.50	\$758.00	\$947.50	\$1137.00	\$43.75
6 CY	\$227.40	\$454.80	\$682.20	\$909.60	\$1137.00	\$1364.40	\$52.50
10 CY	\$379.00	\$758.00	\$1,137.00	\$1516.00	\$1,895.00	\$2,274.00	\$87.50

3. Standby Charges. ~~service standby charge shall be assessed on the following schedule:~~

(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 Ordinance No. 1553, Sanitation Rates

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.

Classification	Standby Charge
Residential	\$5.00
Commercial	\$10.00 \$5.00

Service standby charges shall be suspended after sixty (60) days of vacancy.

4. Non-resident Charges. All accounts located outside Clarkston's city limits shall be charges 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, 2016 upon the signing hereof by the Mayor, authentication by the City Clerk and publication as required by law.

DATED this 14th day of December, 2015.

Kathleen A. Warren, Mayor

Authenticated:

Vickie Storey, City Clerk

COMMITTEE APPLICATION FOR
CITIZENS AT-LARGE

Name DICK JONES
Home Phone 509-758-5224 Message Phone _____
Address 1944 Crestview Ct
City CHARKSTON State WASH Zip 99403
Are you over 18 year of age? Yes _____ No

Committee Applying for: Public Safety committee

Why do you want to serve on this committee? I HAVE SERVE ON
this committee For the LAST three Year
and HAVE enjoyed in ADVISED by the
committee on emergency service activities

List special skills, interests or knowledge that you would bring to the committee: _____

I have 40 years of experience in
emergency activities

Most committee meetings take place during normal work hours. Are you available to
attend this committee's regular meetings? Yes _____ No

ORDINANCE NO. 1554

AN ORDINANCE REPEALING ORDINANCE NUMBER TBD 0002 WHICH ESTABLISHED AND IMPOSED A \$20.00 VEHICLE LICENSE FEE.

WHEREAS, the Clarkston Transportation Benefit District adopted Ordinance No. TBD 002 which established and imposed a \$20.00 vehicle license tab fee on September 8, 2014; and

WHEREAS, the City of Clarkston assumed the Rights, Powers, Functions and Obligations of the Clarkston Transportation Benefit District with the adoption of Ordinance No. 1548 on November 23, 2015;

WHEREAS, a sales and use tax was approved by the voters which will replace the \$20.00 vehicle license tab fee;

WHEREAS, the Washington State Department of Licensing requires approximately four months advance notice to stop collecting the license tab fee on renewals;

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

SECTION 1.0

Repealer. The following is hereby repealed.
Ordinance No. TBD 002, enacted September 8, 2014.

SECTION 2.0

The Washington State Department of Licensing is directed to discontinue collecting the \$20.00 vehicle license tab fee authorized under RCW 36.73.065 beginning with registrations that expire on or after April 1, 2016.

SECTION 3.0

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 28th day of December 2015.

Attest:

Kathleen A. Warren, Mayor

Vickie Storey, City Clerk

Approved as to Form:

James Grow, City Attorney

ORDINANCE NO. 1555

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLARKSTON, WASHINGTON, AMENDING ORDINANCE NO. 1536 WHICH ADOPTED THE 2015 BUDGET, AND AUTHORIZING THE NECESSARY ADJUSTMENTS.

WHEREAS, the City Council has determined that the 2015 budget should be amended to take into account variations in actual revenues and expenditures from those projected at the time of adoption of the 2015 budget, now therefore,

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

Section 1. Budget Amended. Section 2 of Ordinance No. 1536 passed by the City Council on December 22, 2014, shall be increased and amended as follows:

	EXPENDITURES	OTHER FINANCING USES
CURRENT EXPENSE (001)	36,200	
VICTIM RIGHTS FUND (011)	800	
EMS/AMBULANCE (120)	2700	
SEWER REVENUE BOND (406)	200	
SANITATION O&M	4,655	
TOTALS	44,555	

Section 2. Duties of City Treasurer. The City Treasurer of the City of Clarkston, Washington, is authorized to make the necessary changes to the 2015 budget on or before December 31, 2015, as set forth in attached Exhibit A.

Section 3. Severability Clause. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this ordinance.

Section 4. Effective Date. 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 the 28TH day of December, 2015.

Authenticated:

Kathleen A. Warren, Mayor

Vickie Storey, City Clerk

**BUDGET AMENDMENT No 4 - 2015
ORDINANCE NO. 1555**

Account Description	Adopted Bdgt	Amendment	Amended Bdgt	Explanation
GENERAL FUND				
001 000 001 313 11 00 00	\$ 1,595,000	\$ 36,200	\$ 1,631,200	Increase Revenue
TTL REVENUES	\$ 1,595,000	\$ 36,200	\$ 1,631,200	
001 000 010 511 30 31 30	\$ 1,500	\$ 1,500	\$ 3,000	Codification costs
001 000 040 514 40 51 00	\$ 1,500	\$ 4,000	\$ 5,500	Election expense
001 000 060 528 60 51 00	\$ 39,500	\$ 27,000	\$ 66,500	Dispatch cost
001 000 080 528 60 51 00	\$ 6,000	\$ 3,700	\$ 9,700	Dispatch cost
TTL EXPENDITURES	\$ 48,500	\$ 36,200	\$ 8,500	
VICTIME RIGHTS FUND				
011 000 515 21 20 41 50	\$ 2,500	\$ 800	\$ 3,300	Victim evaluation
004 999 041 508 80 00 00	\$ 45,911	\$ (800)	\$ 45,111	Adjust End Balance
AMBULANCE FUND				
120 000 084 528 60 51 00	\$ 3,000	\$ 2,700	\$ 5,700	Increase
120 999 084 508 80 00 00	\$ 133,346	\$ (2,700)	\$ 130,646	Adjust End Balance
SEWER REVENUE BOND				
406 000 146 592 35 89 00	\$ 650	\$ 200	\$ 850	Adjust for actual cost
406 999 146 508 80 00 00	\$ 21,720	\$ (200)	\$ 21,520	Adjust End Balance
SANITATION O&M				
410 000 150 592 37 83 10	\$ 5,305	\$ 4,655	\$ 9,960	Correct Budget
410 999 150 58 80 00 00	\$ 8,695	\$ (4,655)	\$ 4,040	Adjust End Balance
TOTAL EXPENDITURES	\$	\$ 44,555	\$	

THE WESLEY GROUP

LABOR RELATIONS

MANAGEMENT
CONSULTANTS

HUMAN RESOURCES

October 23, 2015

City Clerk/Treasurer: Vickie Storey
City of Clarkston
829 5th Street
Clarkston, WA. 99403

Re: Contract for Professional Service

Dear Vickie:

Enclosed please find two copies of our renewal contract for service. The contract reflects no changes except to the dates.

Our office, as well as myself, looks forward to working with you and the Mayor during the upcoming year to successfully resolve any and all labor relations and human resource issues.

Please contact my office should you have any questions.

Sincerely,



Kevin Wesley
Labor Relations Consultant

CONTRACT FOR PROFESSIONAL SERVICES

The City of Clarkston, Washington And The Wesley Group

This contract entered into between the City of Clarkston, Washington, hereinafter called "City" and The Wesley Group hereinafter called "Contractor" is effective as of January 1, 2016. That for and in consideration of the mutual promises and covenants exchanged herein, the parties agree as follows:

ARTICLE I - SERVICES

A. The Contractor shall perform as principal spokesperson for the City in any and all bargaining and related contract administration services with Fire; Police; Non-Commissioned; Streets Employees; and Supervisory and Administrative employees including the development of proposals, bargaining strategy and furnishing advice to the City staff and City Council. Research essential to the above tasks will also be provided, by the Contractor, as needed. Additionally, the Contractor agrees to provide labor contract administration services as and if required upon request, including those related to grievances and arbitration, unfair labor practice charges, unit clarification petitions or other hearings before the Public Employment Relations Commission and labor contract interpretation and advice. All negotiations will begin with a communication between the Contractor and City Council.

B. Interest arbitration hearings, complex arbitrations, mediations or unfair labor practice hearings may, by agreement in advance between the parties, be billed at an additional \$80.00 per hour.

ARTICLE II - AGENCY SUPPORT AND ASSISTANCE

The City shall support the bargaining effort by providing parameters; administrative support in preparing for interest arbitration; financial and clerical support as is mutually determined to be necessary (on-site typing, copying, etc.).

ARTICLE III - CONSIDERATION

In consideration of the Contractor's performance hereunder, the City shall pay the sum of Eight Thousand Four hundred Dollars (\$8400.00). Payments shall be in twelve (12) monthly installments beginning January 1, 2016. Each monthly payment to be Seven Hundred Dollars (\$700.00). Actual mileage expense between Kennewick and Clarkston

shall be reimbursed at \$.48.5 per mile. Other essential incidental expenses incurred by the Contractor including telephone toll charges, clerical/copying, facsimile costs and other reasonable expenses such as meals and lodging incurred in the event of extended bargaining or consultation with City officials requiring overnight lodging will be reimbursed at actual cost.

ARTICLE IV - HOLD HARMLESS

The Contractor shall hold and save the City, its officers, agents and employees harmless from liability of any kind, including costs and expenses for and/or on account of any or all suits, judgments, or damages of any character whatsoever, resulting from injuries or damages sustained by person or persons or property by virtue of performance of this contract.

ARTICLE V - INDEPENDENT CONTRACTOR

The Contractor hereunder shall act in an independent capacity and not as an officer or employee or agent of the City in the performance of this contract.

ARTICLE VI - TERM OF CONTRACT

This contract shall be effective for the period beginning with January 1, 2016 through December 31, 2016.

Contractor:

City of Clarkston:



Kevin Wesley

President

The Wesley Group

PO Box 7164

Kennewick, WA 99336-0616

Phone 509-735-6075

Mayor

City Clerk

10/23/15
Date

Date

CITY ATTORNEY RETAINER AGREEMENT

I - PARTIES/EMPLOYMENT

The CITY OF CLARKSTON, WASHINGTON (CITY) agrees to retain the Law Offices of Todd Richardson, PLLC, and said law firm ("CITY ATTORNEY") agrees to serve as CITY ATTORNEY on the terms and conditions stated below.

II – QUALITY OF SERVICES

The CITY ATTORNEY shall perform all legal services covered by this Agreement in a capable and efficient manner, and in accordance with the professional and ethical standards of the Washington State Bar Association.

The CITY ATTORNEY shall make every effort to perform the duties requested by the Mayor in the time frame requested by the Mayor or as expeditiously as possible. The CITY ATTORNEY agrees to keep the CITY informed of the status of any assignment and provide a date as to when the work anticipated will be completed.

III – COMPENSATION

- A. Basic Retainer: The CITY shall pay the CITY ATTORNEY a retainer in the amount of \$101,000.00 annually to be paid in equal monthly installments of \$8,416.66, which retainer shall be compensation for the following legal services.
1. To attend all of the regularly scheduled workshops and meetings of the City Council each month.
 2. To attend weekly or bi-weekly staff meetings as scheduled by the Mayor.
 3. To provide legal advice to the Mayor, City Council and administrative heads of the various departments of the CITY.
 4. To prepare such ordinances, resolutions and instruments as the Mayor and City Council may direct, to render legal advice on all civil matters, and to prepare or review such correspondence, contracts, easements, and instruments as may be necessary and appropriate.
 5. To act as prosecutor for the CITY in the Asotin County District Court, including preparation and/or negotiation of all municipal court cases and all appeals arising therefrom.
 6. Representation of the CITY in civil litigation, except as noted under Exceptions.
 7. Such other and further legal services as requested.
- B. Additional Services: The CITY shall pay the CITY ATTORNEY for the following additional or special legal services at the rate of \$107.50 per hour, or if said services are performed by a paralegal in the CITY ATTORNEY's office the same shall be compensated at the rate of \$42.50 per hour.
1. Time in excess of basic retainer. Any and all hours expended on legal services with the exception of prosecutorial services in excess of 40 hours per month.
- C. Time Records. In order to determine appropriate compensation, the CITY ATTORNEY shall maintain accurate time records, copies of which shall be made available to the CITY.

- D. Billing Statement: The CITY ATTORNEY shall submit a monthly billing statement to the CITY. The billing statement shall detail the hours worked, a description of the tasks performed and reimbursable expenses. Time shall be accounted for and billed to the tenth (1/10) of the hour. The CITY ATTORNEY shall not charge for time that is excessive relative to the task or service redundant, unnecessary, or fails to provide value to the CITY commensurate with the associated fees. No premium or time added shall be charged for incorporating into the services work product from a separate engagement or undertaking. In-office conferences between attorneys of the office of the CITY ATTORNEY shall be kept to a minimum. Generally only one attorney from the office of the CITY ATTORNEY shall appear at meetings, hearings or other proceedings unless special circumstances warrant the presence of more than one attorney.
- E. Time for Payment: The CITY shall pay all compensation provided herein to the CITY ATTORNEY on a monthly basis, and within two weeks of the date on which each billing statement is received.

IV – REIMBURSEMENT

In addition to compensation for the legal services specified above, the CITY shall reimburse the CITY ATTORNEY for direct expenses incurred, and costs advanced, including but not limited to court costs, filing fees, witness fees, recording fees, copying expenses at cost, and the cost of travel, lodging and a pro-rata amount for tuition relating to meetings of Washington Cities Insurance Authority and the Washington State Association of Municipal Attorneys, if required by the CITY to attend. However, ordinary law office operating expenses, such as rent and secretarial services, shall not be compensated or reimbursed.

V – EXCEPTIONS

This agreement shall not cover legal representation relating to insurance defense, the formation and financing of local improvement districts or debt issuance, or other specialized fields where it is agreed by the parties that outside legal counsel should be retained.

VI – INDEMNIFICATION AND HOLD HARMLESS

- A. CITY ATTORNEY will at all times indemnify, hold harmless and defend the CITY, its elected officials, officers, employees, agents and representative, from and against any and all lawsuits, damages, costs, charges, expenses, judgments and liabilities, including attorney's fees (including attorney's fees in establishing indemnification), collectively referred to herein as "losses" resulting from, arising out of, or related to one or more claims arising out of negligent acts, errors, or omissions of CITY ATTORNEY in performance under this Agreement.
- B. CITY will at all times indemnify and hold harmless and defend CITY ATTORNEY, its officers, employees, agents and representatives, from and against any all lawsuits, damages, costs, charges, expenses, judgments and liabilities, including attorney's fees (including attorney's fees in establishing indemnification), and claims brought by third parties against CITY ATTORNEY while acting in such capacity, collectively referred to herein as "losses" resulting from, arising

out of, or related to one or more claims arising out of negligent acts, errors, or omissions of the CITY in performance under this Agreement.

VII – INSURANCE COVERAGE

During the term of this Agreement and any extension thereof, the CITY shall provide insurance coverage for the negligent acts or omissions of the CITY through the Washington Cities Insurance Authority which shall include claims by third parties made against the CITY ATTORNEY while acting in his capacity as CITY ATTORNEY. During the term of this Agreement and any extension thereof, the CITY ATTORNEY shall provide errors and omissions and malpractice coverage with limits of not less than one million dollars.

VIII – TERM OF AGREEMENT AND TERMINATION

- A. Term of Agreement. This Agreement shall take effect on January 1, 2016 and upon full execution hereof and shall expire on December 31, 2016, with the option to renew.
- B. Termination. Either party may terminate this Agreement for good cause upon 60 days written notice to the other party.
- C. Payment Upon Termination. In the event of termination, the CITY shall only be responsible to pay for all services performed by the CITY ATTORNEY to the effective date of termination, as described in the final billing statement to the CITY.

IX – OTHER PROVISIONS

- A. Compliance with Law. The CITY ATTORNEY shall perform all services under and pursuant to this Agreement in full compliance with any and all applicable laws, rules, and regulations adopted or promulgated by any governmental agency or otherwise.
- B. Severability. If any portion of this Agreement is changed per mutual agreement or any portion is held invalid, the remainder of the Agreement shall remain in full force and effect.
- C. Non-Waiver. The delay or failure of the CITY to insist upon strict performance of any agreement, covenant, or condition of this Agreement, or to exercise any right herein given in any one or more instances, shall not be construed as a waiver or relinquishment of any such agreement, covenant, condition or right.
- D. Extent of Agreement/Modification. This Agreement, together with all attachments and addenda, represents the entire and integrated agreement between the parties hereto and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended, modified or added to only by written instrument properly signed by both parties hereto.
- E. Notice. Notice pursuant to this Agreement shall be given in writing to the CITY ATTORNEY to Todd Richardson, and to the CITY to Vickie Storey, City Clerk, 829 5th Street, Clarkston, WA 99403, or to such other persons and/or addresses as the CITY ATTORNEY and the CITY may designate.
- F. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington.
- G. Venue. The venue for any action to enforce or interpret this Agreement shall lie in the Superior Court of Washington for Asotin County, Washington.

H. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same Agreement.

IN WITNESS HEREOF, the parties have executed this Agreement this _____ day of December, 2015.

By _____
Todd Richardson, Attorney

CITY OF CLARKSTON

By _____
Kathleen A. Warren, Mayor

ATTEST:

By _____
Vickie Storey, City Clerk

RESOLUTION NO. 2015-14

A RESOLUTION OF THE CITY OF CLARKSTON, WASHINGTON, ESTABLISHING SALARIES FOR NON-REPRESENTED EMPLOYEES.

WHEREAS, the City Council of the City of Clarkston determines the annual salary for non-represented employees;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Clarkston, Washington, as follows:

Effective January 1, 2016 the following base salaries shall be in effect for the non-represented employees:

Fire Chief	\$76,550.00	Annually
Police Chief	\$76,550.00	Annually
Public Works Director	\$76,550.00	Annually
City Clerk/Treasurer	\$76,550.00	Annually
Commander, Police Dept.	\$ 6,148.00	Monthly

DATED this 14th day of December, 2015.

Kathleen A Warren, Mayor

ATTEST:

Vickie Storey, City Clerk