

**CITY OF CLARKSTON  
CITY COUNCIL AGENDA  
829 5<sup>th</sup> Street  
MONDAY, DECEMBER 9, 2013**

1. **CALL TO ORDER: 7:00 P.M.**
2. **PLEDGE OF ALLEGIANCE:**
3. **AGENDA CHANGES:**
4. **APPROVAL OF MINUTES:**  
November 25, 2013 Regular Meeting, November 21 Joint Meeting, November 26 Budget Workshop
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 3**
  - C. **Public Works – December 4**
  - D. **Administrative/Intergovernmental – December 9**
  - E. **Community Development – no meeting**
7. **UNFINISHED BUSINESS:**
8. **NEW BUSINESS:**
  - A. **Michelle Peters, Lodging Tax Committee Funding Recommendation**
  - B. **Ordinance No. 1516, 2013 Budget Amendment – 1<sup>st</sup> Reading**
  - C. **Ordinance No. 1517, Sewer Rates – 1<sup>st</sup> Reading**
  - D. **Ordinance No. 1518, Sanitation Rates – 1<sup>st</sup> Reading**
  - E. **Ordinance No. 1519, 2014 Budget – 1<sup>st</sup> Reading**
  - F. **Resolution No. 2013-09, Revised ILA, Stormwater (PW)**
  - G. **Appoint Dispatch Negotiating Committee (PS)**
9. **COUNCIL COMMENTS**
10. **MEDIA QUESTIONS**
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.

**CLARKSTON CITY COUNCIL MINUTES**  
**November 25, 2013**

**CALL TO ORDER: Mayor Warren, 7:00 P.M.**

**COUNCIL:**

<input checked="" type="checkbox"/> Beadles	<input checked="" type="checkbox"/> Nash
<input checked="" type="checkbox"/> Provost	<input checked="" type="checkbox"/> Baumberger
<input checked="" type="checkbox"/> Smith	<input checked="" type="checkbox"/> Blackmon
<input checked="" type="checkbox"/> Manchester	

**STAFF:**

<input checked="" type="checkbox"/> Chief Hastings	<input checked="" type="checkbox"/> Chief Cooper	<input checked="" type="checkbox"/> PWD Martin
<input checked="" type="checkbox"/> Clerk Storey	<input checked="" type="checkbox"/> City Attorney Grow	

**AGENDA CHANGES:** Councilmember Manchester added potential property acquisition to the Executive Session.

**APPROVAL OF MINUTES:** MOTION BY BEADLES/BLACKMON to approve the minutes of the November 12, 2013, Regular Meeting. Motion carried.

**COMMUNICATIONS:**

A. **From the Public:** Brian Shinn, 945 4<sup>th</sup> Street, said the commissioners are able to meet with the City on Monday, December 2 at 6:00 p.m.

Bill Thomas, 909 6<sup>th</sup> Street, asked the council not to pass a moratorium on recreational marijuana. He feels there has been plenty of time to review the laws and prepare regulations. Thomas said marijuana sales should begin around April of next year and that will bring additional revenue to the city. He said he wants to work with the city to make the new industry safe and keep illegal sales out. He distributed some information he has prepared to the council members.

Kristy Sharp, 2420 Linda Lane, spoke on behalf of Clarkston EPIC. She said EPIC is a coalition whose goal is to reduce underage drinking and substance abuse. She read a letter of support for the City to adopt a moratorium. The letter said the city should wait and watch what happens in other cities before deciding how to adopt regulations. A survey indicates that Clarkston youth already have a high incidence of marijuana use.

Keith Mellinger, 1635 Stafford Court, Clarkston, asked the council not to pass the moratorium. He said it will create tax revenue for the state. He said there is only a 30 day window to apply for a license to have a retail establishment. He commented that the federal government has stated they will not interfere with the state's new laws legalizing marijuana. He said he has applied for a state license, but delaying it in Clarkston will just cost him thousands of dollars.

Councilmember Blackmon asked how legalizing marijuana will reduce use by the youth when alcohol is regulated but there is a serious underage drinking problem. Mellinger said that he thinks a lot of the illegal marijuana comes from people who medical grow permits and this should help eliminate that accessibility.

Bill Thomas said the expansion of liquor sales into supermarkets has made it much more accessible to kids. Thomas said no one under 21 will be allowed in a store that sells marijuana.

William Finch, 2041 Marilyn Way, said he feels this is a fundamental issue of freedom. He said there is a lot of ignorance about marijuana. Finch said hemp is an industrial plant that has been kept out of the market place because of the laws. He said he would like to see cannabis sold here.

Councilmember Baumberger said the moratorium is not a yes or no on marijuana. It gives the City time to be sure that our zoning and business regulations are compatible with state law and also fit with the community needs.

Robert Dunn, 1401 Highland, said the state has set regulations and allows a month to apply for a state license. He said a six-month moratorium will force potential businesses to locate elsewhere

because they can't make a plan. Baumberger said the moratorium may not last six months and interested persons should plan on attending meetings of the Planning Commission.

B. **From the Mayor:**

C. **From Staff:** PWD Martin reported that he received a letter from a member of the public thanking the street and sanitation crew for doing such a good job.

### **COMMITTEE REPORTS:**

**Finance:** Councilmember Provost reported the bills were reviewed and approved for payment. Total expenditures for November 25, 2013, of \$900,936.36. MOTION BY PROVOST/BEADLES to approve the bills. Motion carried.

**Public Safety:** No meeting.

**Public Works:** No meeting.

**Admin Committee:** Councilmember Manchester said committee met on November 25. Chief Cooper discussed Assistance for Firefighter grants. The applications would be due by December 6. They are working on two grant applications. One would purchase a system to remove exhaust fumes from the vehicle bays and purchase thermal imaging cameras and a rotary cutoff saw. It requires a 5% match. The other grant would be to replace the utility truck. It also requires a 5% match. Councilmember Provost asked the cost of the new truck. Cooper said the City's share would be about \$7,500, but it would not be purchased until 2015. MOTION BY PROVOST/BEADLES to authorize the grant applications. Manchester said Clerk Storey discussed potential foreclosures for nonpayment of utility bills. Storey said we have several accounts that have been non-responsive to any collections efforts. Storey said she is looking for some direction from council. City Attorney Grow said there is cost involved, but those costs are added to the amount due and would be collected eventually. Councilmember Beadles said the City needs to back up what they say. Provost said it is a disservice to the majority of residents who do pay their bills. MOTION BY PROVOST/SMITH to move toward with foreclosure on properties as needed. Motion carried.

**Community Development:** No meeting.

### **PUBLIC HEARING:**

#### **2014 Budget**

Mayor Warren opened the hearing at 7:33 p.m. Clerk Storey gave a brief presentation of the status of the budget. She said the Preliminary Budget was made available on the 19<sup>th</sup>. She said while all funds are in the black in this budget, there are some areas of concern. The General Fund ending balance is getting dangerously low, with an anticipated ending balance of just over \$200,000. The Street Fund is also struggling to have enough to do the work needed. This budget will transfer almost all the funds out of the Street Reserve Fund to bring it into balance. The reserve was built to have matching funds for projects or for Southway Bridge repairs that loom on the horizon. The Sanitation Fund is planned to move to an automated system for regular garbage in 2014. The purchase of new totes will come from the Sanitation Reserve and the new truck will be financed. The rate increase for 2014 is planned at 1.5%. If the City moves forward with an automated system the whole residential rate structure will have to be reviewed. Decisions will need to be made as to whether we have two sizes of containers and whether we rent the containers or provide them as part of the base rate.

Storey said council should probably plan dates for workshops.

Beadles said he believes that we may a rate increase of more than the planned 1.5%. He said he believes the City should move forward with the automated system. Mayor Warren commented that council should look at moving forward with the license tab fee of \$20. It would provide a guaranteed flow of funds for

street maintenance and projects. Councilmember Nash said Public Works Committee should take the lead on the license tab fee.

Mayor Warren closed the hearing at 7:39 p.m.

Council set a budget workshop for November 26 at 6:00.

**UNFINISHED BUSINESS:**

**Ordinance No. 1515, Moratorium on Recreational Marijuana Businesses, 2<sup>nd</sup> Reading for Action**

Ordinance No. 1515 was read by title. MOTION BY PROVOST/BAUMBERGER to adopt Ordinance No. 1515. Councilmember Nash said he sees pros and cons of the moratorium. He feels that the citizens voted for this and he needs to support that vote. Councilmember Provost said it is not proper to discuss your vote prior to the vote. Baumberger said if the moratorium is adopted that staff move forward to develop the needed ordinances without delay. Motion carried; 6-1, Nash opposed.

**NEW BUSINESS**

**A. Contract for Public Defender with Neil Cox**

MOTION BY MANCHESTER/BEADLES to approve the contract with Neil Cox for public defender. Motion carried.

**B. Final Acceptance of 12<sup>th</sup> Street Improvement Project**

PWD Martin commented that the project was successful and came in under budget. MOTION BY BEADLES/NASH to accept the 12<sup>th</sup> Street Project as final. Motion carried.

**C. Work for Others Agreement with Asotin County**

Councilmember Manchester said the contract has changed in that it does not have an expiration date, but will roll forward every year. MOTION BY MANCHESTER/BEADLES to approve the agreement subject to addition of indemnification language. Provost asked if there will come a time when the contract would need to be renewed. Martin said it will stay in force until either party wants to change or terminate the agreement. Motion carried; 5-2, Provost and Smith opposed.

**D. Resolution No. 2013-08, 2014 Property Tax Levy**

Resolution No. 2013-08 was read by title. MOTION BY NASH/BEADLES to approve Resolution No. 2013-08. Beadles commented that the 1% increase does not generate a lot of money. Motion carried; 6-1, Smith opposed.

**COUNCIL COMMENTS:**

Councilmember Nash wished everyone a Happy Thanksgiving.

Councilmember Beadles said in the process of an open house regarding a new high school it was mentioned that they might acquire Beachview Park. PWD Martin said they have previously talked about using a portion of the park, but not purchasing it.

**MEDIA QUESTIONS:**

**EXECUTIVE SESSION:**

Council went into executive session at 7:57 p.m. to discuss possible property acquisition. Anticipated length of session is 15 minutes with no action as a result of the session. Council returned to open session at 8:09.

**ADJOURNMENT:**

Meeting adjourned at 8:09 p.m.

---

Vickie Storey, City Clerk

---

Kathleen A. Warren, Mayor

Total Fund Expenditures, 11/25/13	CK #55124-26, 55148-55212, Oct2013	\$754,710.55
Total Payroll, 11/15/13	CK #55127-55147	\$146,225.81

DRAFT

# CLARKSTON CITY COUNCIL MINUTES

Joint meeting  
November 21, 2013

CALL TO ORDER: Mayor Warren, 6:00 P.M.

## COUNCIL:

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Beadles  | <input checked="" type="checkbox"/> Manchester |
| <input checked="" type="checkbox"/> Provost  | <input checked="" type="checkbox"/> Blackmon   |
| <input checked="" type="checkbox"/> Nash     | <input type="checkbox"/> Smith, absent         |
| <input type="checkbox"/> Baumberger, excused |  |

## STAFF:

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Chief Cooper | <input checked="" type="checkbox"/> Chief Hastings         |
| <input checked="" type="checkbox"/> Clerk Storey | <input checked="" type="checkbox"/> City Attorney Richards |

## OTHERS PRESENT:

City of Asotin – Vicki Bonfield, Jennifer Bly, Joe Appleton, Grey Fry, Jane Richards, Bill Derbonne

Asotin County Fire District – Noel Hardin, Ken Klug

## Dispatch Contract Discussion:

Mayor Warren called the meeting to order at 6:00 p.m. Attendees introduced themselves.

Mayor Warren opened a discussion on possible dates to meet again with the County commissioners. Tentative dates of December 2<sup>nd</sup>, 3<sup>rd</sup> or 4<sup>th</sup> were suggested, depending on availability of the commissioners who were not represented at this meeting.

Bonfield said she wasn't sure the commissioners need to be involved in the discussion at this point. She pointed out that Asotin does not believe they owe the amount the County is asking for. There is an option to contract directly with Whitcom.

Warren commented that the County's price includes additional expenses beyond what is paid to Whitcom.

Hardin commented that all taxpayers of the county pay into the fund that provides the call takers wages. It is state shared money. Jane Richards said there is additional money collected by the state that is shared for dispatch costs. Richards said Chief Derbonne has had some discussion with City of Lewiston about dispatch services. Greg Fry said Asotin has asked the County for explanations of the expenses and don't feel they have gotten adequate answers. Joe Appleton said Asotin understands that there are costs above Whitcom that relate to dispatch and E-911 and they are willing to pay their share, but are still waiting for details. Richards said Asotin has not paid anything to Asotin County.

Todd Richardson said whether Clarkston has overpaid in the past is a separate topic. This discussion should be looking at where the entities are going to go in the future. He said he hopes that the county participates in future discussion. Clarkston should be paying its pro-rata share of the total cost, but all should be treated the same.

Richards said the spreadsheet the County has presented should be reviewed by each entity and they should determine if they are willing to pay their share of those costs. Asotin has said they are not willing to pay a share of those particular costs. Richards said her research indicates that Whitcom's cost is not based on those figures. Asotin wants the cost based on call volume. Warren said a new contract should be based on justifiable numbers.

Chief Derbonne said Asotin County has presented different sets of numbers at different times. He does not feel there is a way to contract with the County based on the information they are willing to provide. Richards asked if it is Richardson's understanding that the County wants to base a contract on the spreadsheet that has been provided. Richardson said there have not been discussions with the County on future contracts.

Chief Hardin said the Whitcom cost is a clearly available number and is included in the contract

with Asotin County. Other costs that are related to infrastructure should be looked at separately and negotiated. Richards commented that Whitcom will provide service regardless because their contract with Asotin County is an umbrella contract.

Chief Cooper said the City and Fire District have requested an amendment to the existing contract. The contract is clear in what is to be paid. The other costs are in question. Beadles asked if there should be two separate contracts, one for Whitcom costs and one for other costs. Richards said there are many items included in the spreadsheet that should not be. For example, the E-911 coordinator is already paid for by the state funds as is mapping. They should not be included again.

Hardin suggested there should be some specific goals if the meetings are to be productive. Richardson said we would prefer to work together for the good of all the citizens. A start is to determine what points we want to make to the commissioners.

Bonfield said we should ask if the County is willing to have two separate contracts; one for dispatch and one for other costs and infrastructure. Provost asked if an agreement can be reached is Asotin willing to pay their share. Bonfield said they are.

Derbonne said we should be able to get clear justification for the "other costs" that are included in the spreadsheet. Derbonne said Asotin has made some preparations in case they have to go their separate ways, but would prefer that everyone work together.

Fry said the past needs to be addressed as well as negotiating a future contract.

Cooper said again that the letter sent to the County asked for an amendment to the existing contract and that has not been addressed yet. Richardson said the county should have responded within 30 days, but the only response has been an invitation to an executive session meeting, which the City did not feel was appropriate. He said that the County's response has suggested that they are not taking the City's request seriously.

Bonfield said she feels it is important to have a back-up plan. She suggested that if there is no response by a certain date, this group should meet again. Richards said we have set tentative meeting dates and if the commissioners are not responsive, then we should be prepared to move on.

Provost said the Whitcom contract cost is clear and shouldn't really be an issue. The negotiations should be about what else should be included in the costs the entities pay to Asotin County. The revenue that comes in to offset some of those expenses should be clear.

Warren said the county should be contacted regarding the letter sent in August asking for an amendment and to see if they are willing to meet to discuss other issues. We will ask for a response as to a meeting date by November 26 so adequate notice can be given if there is a meeting the following week.

**ADJOURNMENT:**

Meeting adjourned at 6:50 p.m.

---

Vickie Storey, City Clerk

---

Kathleen A. Warren, Mayor

**CLARKSTONCITY COUNCIL MINUTES**  
**Budget Workshop**  
**November 26, 2013**

CALL TO ORDER: Mayor Warren, 6:00 P.M.

COUNCIL:

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Beadles    | <input checked="" type="checkbox"/> Manchester |
| <input checked="" type="checkbox"/> Provost    | <input type="checkbox"/> Blackmon, excused     |
| <input checked="" type="checkbox"/> Nash       | <input checked="" type="checkbox"/> Smith      |
| <input checked="" type="checkbox"/> Manchester |  |

STAFF:

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Chief Cooper | <input checked="" type="checkbox"/> Chief Hastings |
| <input checked="" type="checkbox"/> PWD Martin   | <input checked="" type="checkbox"/> Clerk Storey   |

**BUDGET WORKSHOP:**

Mayor Warren called the meeting to order at 6:00 p.m.

Clerk Storey has prepared a list of items that might be discussed. One optional expense is the sealcoat for city hall parking lot. Direction to eliminate that for this year. Storey said \$70,000 is budgeted for legal expenses related to Skyline. It could be more or less. She said that there is \$70,000 budgeted to transfer to the ambulance fund from Current Expense. Ambulance is estimated to have an ending balance of \$102,000, so maybe a smaller transfer would be enough. Chief Cooper said the plan was to build a reserve in Ambulance so annual loans would not be needed. Councilmember Provost asked if that is the only way to build a reserve. Cooper said collections are good, but not enough to build reserves.

Councilmember Provost said he is not comfortable with the low projected ending balance. We should look at things that would be nice to have, but have a negative impact on the Current Expense balance. He questioned the contribution to the Health Department. He suggested that the subsidy to the ambulance fund be reduced to \$35,000. Chief Cooper said that is meant to build up a reserve so there won't have to be loans made every year. Council consensus to reduce the subsidy to ambulance to \$35,000.

Councilmember Baumberger asked if there was support for the Health Dept funding. Councilmember Nash said he would like to do it. Baumberger asked how it would be funded. Agreed to remove the \$15,000.

Provost said the Street budget has \$80,000 for sealcoating and \$60,000 for alleys. Martin said the alley budget should finish the alleys east from downtown to Riverview. Provost asked what impact removing the \$60,000 would have on Current Expense. Storey said the property tax could be redistributed or funds could be left in the Street Reserve, which will be almost depleted with this budget. Provost asked about the \$25,000 in sidewalk. Storey said it is a transfer from an old CDBG fund and is used just for handicap ramps. Provost questioned the \$25,000 in building repairs. Martin said the shop needs some electrical work and they want to expand the paved area. Storey said even with the transfer in from the reserve fund, the ending balance in streets is anticipated at \$2,800, which won't cover the first payroll in 2015. Baumberger said to leave it the way it is knowing that we will have to address it later. Martin said the maintenance budget includes a re-roof on the shop and increasing the concrete pad at the wash out station. Beadles pointed out that 70 – 75% of the budget is wages and benefits and the only way to significantly reduce expenses is to consider layoffs. No changes were agreed to on the street budget.

Councilmember Smith asked if the fund balance in the Community Projects Fund could be used for other purposes. Storey said it is basically general fund money and can be used for anything the council designates. There is approximately \$38,000 in the fund.

Provost moved to the Sewer fund. He commented on the increase in the sludge disposal line item. Martin explained that EKO is closing and we will be contracting with a new company. EKO will

continue for the first half of the year at a 15% rate increase. When we start delivering to the new company, LSI, the charges will change from wet ton measurements to dry tons, which should reduce our expense. At this point, we just aren't sure of the cost. Provost questioned the sewer line repair item. Martin said there is a line that should be repaired, although it is not critical at this time. There is a sewer line repair reserve that those repairs can come from. A transfer will be budgeted for the line repair. Provost asked what the plan is for sewer rates. Storey said it will be a 15% increase as agreed on when we did the recent bond issue.

Provost asked about the vehicle and totes expenditure plans. Baumberger said they were in this budget, but not expended so they are being rolled forward. Martin said scheduling just did not allow us to get the purchases made. The plan is to move to an automated system. Storey said the rates are planned at a 1.5% increase, which may not be enough. But if we change to an automated system the whole rate structure will have to be revised. Martin said the truck and the totes are available on the state bid. We may provide two different sizes, a large, 96 gallon tote similar to the yard waste totes and a smaller container that would be about the size of one or one and a half regular cans. We will do some research on how many residents use more than one can now to help determine the sizes we should offer. We can either rent the totes or include the cost in the rates.

Storey said the other thing to discuss is Lodging Tax. The City received the standard funding request from the Chamber and HCVB. We also received a new request from the Rotary Club to start a new bicycle event. Storey said the new rules for lodging tax require the Lodging Tax Advisory Committee to meet and recommend to the city on funding requests. They have not met yet. Storey suggested that the Rotary request be added to the budget and adjustments can be made once the city gets the recommendations. Beadles said he thinks the total expenditures should be limited to the revenue of the previous year so we are not cutting in to the principal from the sale of the convention center. Storey asked if council wants to include interest in the amount to fund. They agreed that it could be included. Storey was directed to calculate the total to be distributed and prorate the adjustment between the three requests.

Beadles said another potential saving possibility is the Well City program through our health insurance.

Baumberger asked if administrative salary increases are in the budget. Storey said there is a 5% increase in the budget. Provost said there should be some system in place to address annual adjustments. Storey added that the management employees are now the only group that doesn't have access to a VEBA account, which would become especially important when one retires. Council spoke in favor of a VEBA account. It will be assigned to committee after the beginning of the year.

There were no comments on the police budget. Chief Hastings said he is looking at the funds available in the Drug and Victim funds to see where those monies can be used to offset some costs in the police budget.

No additional workshops were scheduled. Storey will make the adjustments as directed and distribute new pages to council. The budget will be on the agenda for first reading at the December 9 meeting.

**ADJOURNMENT:**

Meeting adjourned at 8:05 p.m.

---

Vickie Storey, City Clerk

---

Donna M. Engle, Mayor

## Public Safety Committee

December 3, 2013

Attendance: Chief Hastings, Chief Cooper, Dick Jones, Larry Baumberger, Bill Provost, Terry Beadles, and Firefighter Melissa Welter

Firefighter Melissa Welter representing EPIC discussed the need to address the alcohol beverage placement in retail stores. The placement of alcohol should be in a limited access area to discourage underage procurement. Melissa noted that Clarkston Heights and Rick's Family Foods have limited access area for alcohol beverage products. The Asotin County Commission is reviewing the retail alcohol issue. Chief Hastings has been researching the reporting of alcohol thefts from retail stores. The city should also research the placement of alcohol in retail stores.

Firefighter Welter presented the Firefighter Stair Climb event that raises funds for the Leukemia & Lymphoma Society. She has participated in this event which involves climbing 72 flights of steps with field gear. The event is scheduled in Seattle. Four Clarkston Firefighters will participate this year. There is an entry fee of \$150.00 dollars and the firefighter must raise donations.

Chief Cooper noted that the new police and fire department radio repeater should be on line by the end of the month. The repeater will be installed on a new radio tower at the public safety building.

We discussed the dispatch meeting with the county commissioners, fire district, and City of Asotin. The committee recommends that Chief Cooper, Chief Hastings, City Attorney Richardson, and Councilmember Baumberger be appointed to the dispatch committee (agenda item for Council action).

Chief Hastings presented the SRO report that lists school activities of the School Resource Officer. The report lists contacts and arrest statistics for the 12 – 13 school year.

The report from WCIA audit was discussed by Chief Hastings. Our public safety departments have a very low insurance claims for the report period.

## Vickie Storey

---

**From:** Michelle Peters - Hells Canyon Visitor Bureau <director@hellscanyonvisitor.com>  
**Sent:** Wednesday, December 04, 2013 5:24 PM  
**To:** clarkstoncity@cableone.net  
**Subject:** RE: Monday meeting

Vickie – the Committee decided to divide the money as follows:

Hells Canyon Visitor Bureau – \$75,000

The Chamber – \$7,450

Clarkston Rotary – 3,275

Yes, I would like to come to the meeting and make a presentation. I like to come in and update the council on tourism.

Michelle

**From:** Vickie Storey [<mailto:clarkstoncity@cableone.net>]  
**Sent:** Wednesday, December 04, 2013 3:52 PM  
**To:** Michelle Peters  
**Subject:** Monday meeting

Michelle,

I have you on the agenda for Monday's council meeting. Do you still plan to make a presentation for the committee?

Vickie Storey  
Clerk/Treasurer  
City of Clarkston  
829 5<sup>th</sup> Street  
Clarkston, WA 99403  
(509) 769 0131  
Fax (509) 769 6018  
[www.clarkston-wa@cableone.net](http://www.clarkston-wa@cableone.net)

ORDINANCE NO. 1516

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLARKSTON, WASHINGTON, AMENDING ORDINANCE NO. 1510 WHICH ADOPTED THE 2013 BUDGET, AND AUTHORIZING THE NECESSARY ADJUSTMENTS.

WHEREAS, the City Council has determined that the 2013 budget should be amended to take into account variations in actual revenues and expenditures from those projected at the time of adoption of the 2013 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. 1510 passed by the City Council on December 26, 2012, shall be increased and amended as follows:

	EXPENDITURES	OTHER FINANCING USES
CURRENT EXPENSE (001)	59,550	
SEWER CONSTRUCTION (405)	2,208,670	313,470
SEWER REVENUE BOND (406)	17,250	
STORMWATER O&M (409)	3,040	
SANITATION (410)	(117,000)	
<b>TOTALS</b>	<b>2,171,510</b>	<b>313,470</b>

Section 2. Duties of City Treasurer. The City Treasurer of the City of Clarkston, Washington, is authorized to make the necessary changes to the 2013 budget on or before December 31, 2013, 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 23<sup>rd</sup> day of December, 2013.

Authenticated:

\_\_\_\_\_  
Kathleen A. Warren, Mayor

\_\_\_\_\_  
Vickie Storey, City Clerk

**BUDGET AMENDMENT No 2 - 2013  
ORDINANCE NO. 1516**

Account Description	Adopted Bdgt	Amendment	Amended Bdgt	Explanation
<b>STORMWATER O &amp; M</b>				
409 000 049 359 90 00 00	\$ 7,000	\$ 5,500	\$ 12,500	
Late Fees	\$ 7,000	\$ 5,500	\$ 12,500	
<b>TTL REVENUES</b>				
409 000 049 538 31 41 91	\$ -	\$ 740	\$ 740	Mapping
Other Professional Services	\$ -	\$ 740	\$ 740	Mapping
409 000 049 538 31 49 20	\$ 3,000	\$ 1,500	\$ 4,500	
Filing Fees	\$ 3,000	\$ 1,500	\$ 4,500	
409 000 049 538 38 31 10	\$ 500	\$ 800	\$ 1,300	
Office Supplies	\$ 500	\$ 800	\$ 1,300	
409 999 049 508 80 00 00	\$ 52,751	\$ 2,460	\$ 55,211	
Unreserved End Balance	\$ 52,751	\$ 2,460	\$ 55,211	
<b>TTL EXPENDITURES</b>				
	\$ 56,251	\$ 5,500	\$ 6,540	
	\$ 56,251	\$ 5,500	\$ 6,540	
<b>SANITATION O &amp; M</b>				
410 000 150 537 80 10 00 00	\$ 299,400	\$ 25,000	\$ 324,400	Adjust Wages
Wages	\$ 299,400	\$ 25,000	\$ 324,400	Adjust Wages
410 000 150 537 80 26 10	\$ 105,700	\$ 10,000	\$ 115,700	Coverage changes
Health Insurance	\$ 105,700	\$ 10,000	\$ 115,700	Coverage changes
410 000 150 537 80 35 10	\$ 160,000	\$ (154,000)	\$ 6,000	Did not purchase totes
Yardwaste Totes	\$ 160,000	\$ (154,000)	\$ 6,000	Did not purchase totes
410 000 150 537 80 47 31	\$ 60,000	\$ (15,000)	\$ 45,000	
Yardwaste Disposal	\$ 60,000	\$ (15,000)	\$ 45,000	
410 000 150 537 80 48 20	\$ 25,000	\$ 17,000	\$ 42,000	Unexpected repairs
Vehicle Repairs	\$ 25,000	\$ 17,000	\$ 42,000	Unexpected repairs
410 999 150 508 80 00 00	\$ 31,076	\$ 117,000	\$ 148,076	Adjust Ending Balance
Ending Balance	\$ 31,076	\$ 117,000	\$ 148,076	Adjust Ending Balance
<b>TTL EXPENDITURES</b>				
	\$ 681,176	\$ -	\$ 681,176	
	\$ 681,176	\$ -	\$ 681,176	

**BUDGET AMENDMENT No 2 - 2013  
ORDINANCE NO. 1516**

Account Description	Adopted Bdgt	Amendment	Amended Bdgt	Explanation
<b>GENERAL FUND</b>				
001 000 001 313 10 00 00	\$ 1,480,000	\$ 70,000	\$ 1,550,000	Increased revenue
001 000 001 316 41 00 00	\$ 523,000	\$ (14,000)	\$ 509,000	Increased revenue
<b>TTL REVENUES</b>	<b>\$ 2,003,000</b>	<b>\$ 56,000</b>	<b>\$ 2,059,000</b>	
001 000 050 515 10 41 53	\$ 60,000	\$ 45,000	\$ 105,000	Skyline defense
001 000 060 594 21 63 00	\$ -	\$ 10,900	\$ 10,900	Remodel Expenses
001 000 080 594 22 63 00	\$ -	\$ 3,650	\$ 3,650	Remodel Expenses
001 999 001 508 80 00 00	\$ 628,057	\$ (3,550)	\$ 624,507	Adjust Ending Balance
<b>TTL EXPENDITURES</b>	<b>\$ 688,057</b>	<b>\$ 56,000</b>	<b>\$ 744,057</b>	
<b>STREET FUND</b>				
103 000 130 542 67 48 20	\$ 5,000	\$ 5,000	\$ 10,000	Additional repairs
103 000 132 595 10 41 12	\$ 29,275	\$ 4,500	\$ 33,775	
103 000 132 595 30 63 00	\$ 480,000	\$ (29,500)	\$ 450,500	12th Street
103 000 132 595 63 63 00	\$ -	\$ 20,000	\$ 20,000	6th St Lighting Retainage
<b>TTL EXPENDITURES</b>	<b>\$ 514,275</b>	<b>\$ -</b>	<b>\$ 514,275</b>	
<b>SEWER CONSTRUCTION FUND</b>				
405 000 145 361 11 00 00	\$ 2,000	\$ 6,500	\$ 8,500	
405 000 145 361 30 00 00	\$ -	\$ (1,413)	\$ (1,413)	
405 000 145 382 20 00 00	\$ 2,800,000	\$ 671,423	\$ 3,471,423	2013 Bond
405 000 145 382 80 00 00	\$ 8,000,000	\$ 1,373,458	\$ 9,373,458	
<b>TTL REVENUES</b>	<b>\$ 10,802,000</b>	<b>\$ 2,049,968</b>	<b>\$ 12,851,968</b>	
405 000 145 592 35 84 00	\$ -	\$ 60,360	\$ 60,360	Bond costs
405 000 145 594 35 63 00	\$ 10,000,000	\$ 2,000,000	\$ 12,000,000	Construction
405 000 145 594 35 63 10	\$ 9,860	\$ 9,710	\$ 19,570	WWTP upgrade
405 000 145 594 35 63 20	\$ 361,400	\$ 138,600	\$ 500,000	WWTP upgrade
405 000 145 597 35 00 50	\$ -	\$ 313,470	\$ 313,470	Reserve & Cap Interest
405 999 145 508 10 00 00	\$ 1,775,065	\$ (472,172)	\$ 1,302,893	
<b>TTL EXPENDITURES</b>	<b>\$ 12,146,325</b>	<b>\$ 2,049,968</b>	<b>\$ 14,196,293</b>	
<b>SEWER REVENUE BOND FUND</b>				
406 000 146 397 35 00 40	\$ 136,800	\$ 15,250	\$ 152,050	Cover interest on 2013 bond
406 000 146 397 35 00 50	\$ -	\$ 313,470	\$ 313,470	Reserve for 2013 bond
<b>TTL REVENUES</b>	<b>\$ 136,800</b>	<b>\$ 328,720</b>	<b>\$ 465,520</b>	
406 000 146 592 35 83 30	\$ 84,800	\$ 17,250	\$ 102,050	Int on 2013 Bond
406 999 146 508 10 00 00	\$ 135,106	\$ 313,470	\$ 448,576	
406 999 146 508 80 00 00	\$ 6,252	\$ (2,000)	\$ 4,252	
<b>TTL EXPENDITURES</b>	<b>\$ 226,158</b>	<b>\$ 328,720</b>	<b>\$ 554,878</b>	

ORDINANCE NO. 1517

AN ORDINANCE AMENDING CLARKSTON MUNICIPAL CODE CHAPTER 14.06.060, WHICH ESTABLISHES RATES FOR SANITARY SEWER COLLECTION AND DISPOSAL

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, 2014:

<b>Classification</b>	<b>Monthly Base Charge</b>	<b>Monthly Sewer Charge per 100 Cubic Feet of Water Consumed</b>	<b>Average Monthly Rate by Classification</b>
Residential	\$11.20	\$2.36	\$27.55
Commercial	\$21.56	\$2.36	\$71.46

(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) Unmetered gas station/mini-mart/laundromat/car washes shall be charged seven (7) times the commercial average.

(f) 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.

**14.06.070 Rates –Storm and surface water.**

Storm and surface water utility rates shall be based on a commonly accepted rate unit for surface water utilities, the equivalent residential unit (ERU). The ERU is used to relate a base rate fee charged to a single-family residential parcel to that which is charged to a non-residential parcel. The ERU is determined by using the current best available method, for verification purposes of a representative sample of single-family residences within the city limits and/or utilizing civil design and construction plans or record drawings. Using this methodology, the Public Works director shall determine the amount of impervious surface area on each nonresidential parcel. The city's standard ERU amount is 3,700 square feet of impervious surface area. The specific ERU calculation for each non-residential parcel will be established for each such parcel as the impervious surface information becomes available for such parcel, and will be calculated in accordance with the following table:

<b>Classification</b>	<b>Monthly Rate</b>
Residential	\$4.00 per parcel
Duplex, Triplex, Four-plex	\$1.75 x number of residential units
Non-residential	\$4.00 per ERU

## SECTION 2.0

This ordinance shall be in full force and effect as of January 1, 2014 upon the signing hereof by the Mayor, authentication by the City Clerk and publication as required by law.

DATED this 23rd day of December, 2013.

\_\_\_\_\_  
Kathleen A. Warren, Mayor

Authenticated:

\_\_\_\_\_  
Vickie Storey, City Clerk

ORDINANCE NO. 1518

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 7.06 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, 2014:

(a) The following charges shall apply to properties using containers not larger than 34 gallons that are serviced once per week. 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 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	One Container	Each Additional 33-Gallon Container	Each Additional Yard Waste Container
Residential	\$14.11	\$4.48	\$6.16
Multi-Residential -Per unit	\$14.11	\$4.48	\$6.16
Commercial	\$15.59	\$6.16	N/A
Churches w/yardwaste	\$17.27	\$6.16	\$6.40

(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	\$34.40	\$68.80	\$103.20	\$137.60	\$172.00	\$206.40	\$7.95
1.5 CY	\$51.60	\$103.20	\$154.80	\$206.40	\$258.00	\$309.60	\$11.95
2 CY	\$68.80	\$137.60	\$206.40	\$275.20	\$344.00	\$412.80	\$15.90
3 CY	\$103.20	\$206.40	\$309.60	\$412.80	\$516.00	\$619.20	\$23.85
4 CY	\$137.60	\$275.20	\$412.80	\$550.40	\$688.00	\$825.60	\$31.80
5 CY	\$172.00	\$344.00	\$516.00	\$688.00	\$860.00	\$1,032.00	\$39.75
6 CY	\$206.40	\$412.80	\$619.20	\$825.60	\$1,032.00	\$1,238.40	\$47.70
10 CY	\$344.00	\$688.00	\$1,032.00	\$1,376.00	\$1,720.00	\$2,064.00	\$79.50

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

<b>Classification</b>	<b>Standby Charge</b>
Residential	\$5.00
Commercial	\$10.00

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:

<b>Classification</b>	<b>Charges</b>
Compaction Units	\$175.00 per trip
Demolition Units	\$175.00 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, 2014 upon the signing hereof by the Mayor, authentication by the City Clerk and publication as required by law.

DATED this 23<sup>rd</sup> day of December, 2013.

\_\_\_\_\_  
Kathleen A. Warren, Mayor

Authenticated:

\_\_\_\_\_  
Vickie Storey, City Clerk

ORDINANCE NO. 1519

AN ORDINANCE OF THE CITY OF CLARKSTON, WASHINGTON, ADOPTING THE FINAL BUDGET OF THE CITY FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2014 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, 2014, and a notice was published that the council of said city would meet on the 25th day of November, 2013, at the hour of 7:00 p.m., at Clarkston City Hall, 829 5<sup>th</sup> 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 2014 budget; and

WHEREAS, the 2014 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 2014 fiscal year and being sufficient to meet the various needs of the City of Clarkston during the 2014 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 2014 is hereby adopted at the fund level in its final form and content as set forth in the document entitled 2014 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 2014 are set forth in summary form on Exhibit A (attached) and are hereby appropriated for expenditure at the fund level during the year 2014 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 23<sup>RD</sup> day of December, 2013.

\_\_\_\_\_  
Kathleen A. Warren, Mayor

Authenticated:

\_\_\_\_\_  
Vickie Storey, City Clerk

SUMMARY OF ORDINANCE NO. 1510  
OF THE CITY OF CLARKSTON, WASHINGTON

On December 26, 2013, the City Council of the City of Clarkston, Washington, approved Ordinance No. 1510, 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, 2014 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 26, 2013.

\_\_\_\_\_  
Vickie Storey, City Clerk

Published: \_\_\_\_\_

2014 FINAL BUDGET

FUND	DESCRIPTION	BEG BAL	ACTUAL REVENUES	OTHER FINANCING SOURCES	ACTUAL EXPENDITURES	OTHER FINANCING USES	END BAL
001	CURRENT EXPENSE	\$ 714,178	\$ 3,611,850	\$ 497,085	\$ 4,298,530	\$ 195,000	\$ 329,583
004	CE RESERVE	\$ 524,594	\$ 1,000	\$ 60,000	-	-	\$ 585,594
006	EMP BENEFIT RESERVE	\$ 89,321	\$ 300	-	-	-	\$ 89,621
007	COMMUNITY PROJECTS	\$ 37,979	\$ 100	-	-	-	\$ 38,079
010	NATIONAL NIGHT OUT	\$ 3,420	\$ 500	-	\$ 900	-	\$ 3,020
011	VICTIM'S RIGHTS	\$ 48,696	\$ 5,100	-	\$ 5,000	-	\$ 48,796
016	VEHICLE REPLCMENT	\$ 319,907	\$ 128,800	-	-	\$ 268,500	\$ 180,207
017	D A R E	\$ 8,500	\$ 1,500	-	\$ 4,750	-	\$ 5,250
037	CDBG	\$ 44,571	-	-	\$ 100	\$ 25,000	\$ 19,471
102	RESCUE ONE	\$ 7,731	\$ 1,400	-	\$ 4,650	-	\$ 4,481
103	STREET FUND	\$ 98,210	\$ 616,500	\$ 105,000	\$ 816,850	-	\$ 2,860
105	STREET RESERVE	\$ 72,348	-	-	-	\$ 45,000	\$ 27,348

2014 FINAL BUDGET

FUND	DESCRIPTION	BEG BAL	ACTUAL REVENUES	OTHER FINANCING SOURCES	ACTUAL EXPENDITURES	OTHER FINANCING USES	END BAL
108	DRUG ENFORCEMENT	\$ 58,730	\$ 4,100	\$ -	\$ 16,000	\$ -	\$ 46,830
120	EMS / AMBULANCE	\$ 117,360	\$ 936,900	\$ 85,000	\$ 980,260	\$ 91,600	\$ 67,400
121	EMS CAP RESERVE	\$ 47,489	\$ 100	\$ 21,000	\$ -	\$ -	\$ 68,589
130	LODGING TAX FUND	\$ 538,442	\$ 81,200	\$ -	\$ 85,985	\$ -	\$ 533,657
202	MUNICIPAL CAP IMPRV	\$ 71,848	\$ 35,200	\$ -	\$ -	\$ -	\$ 107,048
400	SEWER O&M	\$ 649,118	\$ 1,597,500	\$ 60,000	\$ 1,044,755	\$ 677,700	\$ 584,163
401	SEWER EQUIP RSRV	\$ 55,317	\$ 150	\$ 20,000	\$ -	\$ -	\$ 75,467
402	SEWER LINE RESERVE	\$ 493,722	\$ 1,700	\$ 20,000	\$ -	\$ 60,000	\$ 455,422
403	SEWER CAPITAL REPLC	\$ 40,822	\$ 100	\$ 20,000	\$ -	\$ -	\$ 60,922
404	SEWER RESERVE	\$ 112,747	\$ 375	\$ -	\$ -	\$ -	\$ 113,122
405	WWTP CONSTRUCTION	\$1,048,201	\$ 1,000	\$ -	\$ 1,049,000	\$ -	\$ 201
406	SEWER REVENUE BOND	\$ 508,406	\$ 500	\$ 175,000	\$ 226,300	\$ -	\$ 457,606

2014 FINAL BUDGET

FUND	DESCRIPTION	BEG BAL	ACTUAL REVENUES	OTHER FINANCING SOURCES	ACTUAL EXPENDITURES	OTHER FINANCING USES	END BAL
407	PWTF LOAN	\$ 23,682	\$ -	\$ 360,000	\$ 30,000	\$ 352,950	\$ 732
408	SRF LOAN	\$ 115,469	\$ 200	\$ 82,700	\$ 23,350	\$ 32,205	\$ 142,814
409	STORMWATER O & M	23,854	323,100	0	338,130	0	8,824
410	SANITATION O&M	\$ 102,541	\$ 985,500	\$ 484,000	\$ 1,488,420	\$ 54,000	\$ 29,621
411	SAN. EQUIP RSRV	\$ 176,052	\$ 300	\$ 20,000	\$ -	\$ 150,000	\$ 46,352
<b>TOTALS</b>		<b>\$6,153,255</b>	<b>\$ 8,334,975</b>	<b>\$ 2,009,785</b>	<b>\$ 10,412,980</b>	<b>\$ 1,951,955</b>	<b>\$ 4,133,080</b>

RESOLUTION NO. 2013-09

A RESOLUTION OF THE CITY OF CLARKSTON, WASHINGTON, AMENDING THE INTERLOCAL COOPERATION AGREEMENT BETWEEN ASOTIN COUNTY, CITY OF ASOTIN AND CITY OF CLARKSTON FOR STORM SEWER AND SURFACE WATER MANAGEMENT PUBLIC UTILITY

WHEREAS: An interlocal agreement was entered into on September, 2010 between the cities of Clarkston and Asotin and the County of Asotin to provide for cooperative actions to comply with the National Pollutant Discharge Elimination System; and

WHEREAS: The parties have reviewed practices and procedures and determined that certain changes should be made for more efficient use of funds and resources;

WHEREAS: The Clarkston City Council desires to amend the Interlocal Agreement to reflect changes as a result of that review;

NOW, THEREFORE be it RESOLVED: the 2013 Amendment to Interlocal Agreement for the Management of Stormwater Utility (ILA) , as attached to this resolution, is hereby adopted and the mayor is authorized to execute the agreement.

The effective date of this resolution shall be January 1, 2014.

The provisions of this Resolution are severable, and if any portion is found to be unenforceable, the remainder of the Resolution shall not be affected.

Adopted by the Clarkston City Council on December 9, 2013

Attest:

\_\_\_\_\_  
Kathleen A. Warren  
Mayor

\_\_\_\_\_  
Vickie Storey, Clerk/Treasurer  
Date:

Approved as to Form:

\_\_\_\_\_  
James Grow,  
City Attorney

**AMENDMENT TO  
INTERLOCAL COOPERATION AGREEMENT  
BETWEEN ASOTIN COUNTY, CITY OF ASOTIN  
AND CITY OF CLARKSTON  
FOR STORM SEWER AND SURFACE WATER MANAGEMENT PUBLIC UTILITY**

This agreement is made by and between Asotin County, City of Asotin and City of Clarkston and amends certain provisions of the 2010 Interlocal Cooperation Agreement (2010 ILA) to Establish Joint Management of the Stormwater Utility. All other provisions of the 2010 ILA remain intact.

WHEREAS, the parties entered into this agreement in 2010, and after three years have reviewed practices and procedures and make the following changes for more efficient use of funds and resources;

**ARTICLE I  
DEFINITIONS**

**“Service area”** means the **“Permit Boundary”** which is the geographic areas of the entire incorporated area of the City of Clarkston and the City of Asotin and the urbanized areas and urban growth areas of the cities and the urbanized area under the jurisdictional control of Asotin County.

**ARTICLE VI  
FINANCING AND BUDGETS**

**6.04 Accounting.** The County shall be the fiscal agent for the Regional Stormwater Utility. All accounting procedures will be in accordance with state laws, especially as they pertain to grant funds and in accordance with the Washington State Budgeting, Accounting and Reporting System (BARS).

**6.05 Grant Administration.** The Regional Stormwater Program has a history of grants from the Washington State Department of Ecology for program management. The parties acknowledge that association with the City of Asotin increases grant funding available to the parties. The City of Asotin participation results in grant funding in higher pro rata return to its small population and stormwater system. The management team may make recommendations for the allocation of grants.

**6.06 Operations and Maintenance** Operations and maintenance will be performed by a stormwater crew that are public employees and will be paid from the stormwater fee revenue contributed to the County as fiscal agent for the stormwater utility. Equipment maybe rented

from either City or the County if the need arises, based on that entities current rental rate. Equipment may also be rented from private vendors for use in each jurisdiction for maintenance and operation of the stormwater system.

**6.07 Billing and Collection of Fees.** Each party will bill their jurisdictions for the stormwater fee. Each party will do their own collections on delinquent accounts. Fees assessed by each entity for collections on delinquent accounts will not be considered stormwater revenue for purposes of calculating projected revenues. The cities of Asotin and Clarkston have added additional lines to their existing utility bills and the County of Asotin has developed its own billing system. The billing expenses will be reviewed annually and included in the annual budget recommendations.

Clarkston and Asotin will both bill on a monthly basis and by the last day of the next succeeding month transfer the utility fee funds to the County to be held and maintained as this section provides and used accordingly.

**6.08 Funding Capital Reserves.** Current capital reserve accounts are funded at the following levels, subject to Section 6.09:

Asotin	\$16,880
Clarkston	\$101,840
Asotin County	\$111,300

These numbers are reviewed annually by the Stormwater Management Team and increased or decreased at the request of the Party for annual budget recommendations. The Party's requests for capital withdrawals will not exceed the balance of the Party's capital account.

**6.09 Delinquency Policy.** The stormwater program will be budgeted from revenue forecasts based on number of equivalent residential units (ERU) within its borders. This number will be updated annually. Shortfalls in revenue will be subtracted from capital reserves. The delinquency amount will be subtracted from the transfer of funds into the Capital Reserve fund during the first quarter of the following year. The SW Coordinator will provide such end of the year adjustments to the CFO after review with the Management Team. Excess funds will go to operating reserves.

Adopted: \_\_\_\_\_

COUNTY OF ASOTIN:

\_\_\_\_\_  
Brian Shinn, Chairman

ATTESTED TO:

APPROVED AS TO FORM:

\_\_\_\_\_  
Vivian Bly, Clerk of the Board

\_\_\_\_\_  
Jane Bremner Risley  
Chief Deputy Prosecuting Attorney  
WSBA #20791

Adopted: \_\_\_\_\_

CITY OF CLARKSTON

\_\_\_\_\_  
Kathleen Warren, Mayor

ATTEST/AUTHENTICATE:

APPROVED AS TO FORM:

\_\_\_\_\_  
Vickie Storey, City Clerk

\_\_\_\_\_  
James Grow, City Attorney

Adopted: \_\_\_\_\_

CITY OF ASOTIN

\_\_\_\_\_  
Vikki Bonnfield, Mayor

ATTEST/AUTHENTICATE:

APPROVED AS TO FORM:

\_\_\_\_\_  
Tiffany Rogers, City Clerk

\_\_\_\_\_  
Jane Richards, Attorney