



McCleary Regular City Council Meeting

Wednesday, September 24, 2025 – 6:30 PM

McCleary Community Building & Zoom Virtual Meeting

Agenda

Join Zoom Meeting

<https://us06web.zoom.us/j/7878553789?omn=85881521008>

Meeting ID: 787 855 3789

(253) 215-8782

Call to Order/Flag Salute/Roll Call

Councilmember Jacob Simmons

Councilmember Brycen Huff, Mayor Pro Tem

Councilmember Brent Schiller

Councilmember Andrea Dahl

Councilmember Keith Klimek

Agenda Modifications/Acceptance

Public Comment - Agenda Items Only

1. Public comment is limited to a maximum of three minutes per person.

Please refrain from interrupting the speaker. Your comments should be respectful and courteous.

NOTICE: Per RCW 42.17A.555 the use of public facilities to support or oppose candidates or ballot issues is prohibited. Members of the public and the legislative body are not allowed to speak in support of, or in opposition to, a ballot measure or individual candidacy during an open public meeting. Please refrain from raising campaign issues when addressing the Council.

Please note that this is for comment only, and the council or staff cannot engage in conversations with the public.

Consent Agenda

2. Claims Agenda

The following items are distributed to Councilmembers in advance for study and review, and the recommended action will be accepted in a single motion.

Any item may be removed for further discussion if requested by a Councilmember.

- i. Approval of checks/vouchers/disbursements numbers 54984 to 55034 including EFT's dated 09/06/25-09/18/25 in the amount of \$502,985.06

Updates

3. Budget
4. SAO CETA Audit

New Business

Please turn off Cell Phones- Thank you

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

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

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

- [5.](#) Public Records Request Policies and Procedures, a discussion item; presented by City Clerk Treasurer Jamie Vinyard.

Ordinances and Resolutions

- [6.](#) Change of Government Resolution; presented by City Attorney Madison Pleasant

Public Comment - City Business Only

7. Public comment is limited to a maximum of three minutes per person.

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Council Comments

City Administrator Comments

Adjourn

Please turn off Cell Phones- Thank you

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WARRANT/CHECK REGISTER

City Of McCleary

Time: 09:03:30 Date: 09/19/2025

Item 2.

09/06/2025 To: 09/18/2025

Page: 1

Trans	Date	Type	Acct #	War #	Claimant	Amount	Memo
4236	09/08/2025	Claims	1	54984	Rognlin's Inc	174,906.70	Maple St. sidewalks
4311	09/11/2025	Claims	1	54988	Amazon Capital Svcs.	440.31	Office cleaning supplies; Toilet bowl cleaner, miracle grow, hand soap; Vehicle disconnect switch; Office supplies; Door film; Door film; Stihl oil; Flash drive; 9v batteries; Toner, ink, light bulbs
4312	09/11/2025	Claims	1	54989	Axon Enterprise Inc.	4,958.66	Tasers
4313	09/11/2025	Claims	1	54990	Bayview Building Material	30.54	Park power upgrade LB memorial; Building maint supplies
4314	09/11/2025	Claims	1	54991	Bonneville Power Administration		To be paid via ACH
4315	09/11/2025	Claims	1	54992	Coast Controls & Automation Inc	7,078.50	Little wild cat pump station controls
4316	09/11/2025	Claims	1	54993	Comcast	10.47	ACCT: 8498 37 009 0008664
4317	09/11/2025	Claims	1	54994	Comcast	363.37	ACCT: 8498 37 009 0143370
4318	09/11/2025	Claims	1	54995	Comcast	44.49	ACCT: 8498 37 009 0145854
4319	09/11/2025	Claims	1	54996	Comcast	115.39	ACCT: 8498 37 009 0136911
4320	09/11/2025	Claims	1	54997	Cut Rate Auto	52.27	DEF primeguard
4321	09/11/2025	Claims	1	54998	Darren Parse	65.00	Interpreter services for court
4322	09/11/2025	Claims	1	54999	Department of Ecology	2,888.00	WWTP Permit FY 2026 Fee Invoice
4323	09/11/2025	Claims	1	55000	East Grays Harbor Fire & Rescue	10,681.53	SEP 2025 Ambulance Fee
4324	09/11/2025	Claims	1	55001	Emergency Vehicle Solutions, LLC	1,905.58	Installation of radar in 2017 Chevy Tahoe
4325	09/11/2025	Claims	1	55002	Ferguson Waterworks	738.53	Sprinkler parts for park; Hydrant repair parts; Sewer storm pipe for inventory
4326	09/11/2025	Claims	1	55003	Gordon's Select Market	100.37	Water; Water; Water; Water bottles for cooling center; Water; Water
4327	09/11/2025	Claims	1	55004	Grainger	405.71	Car wash soap, toilet paper, paper towels, gloves; Belts for blower vac
4328	09/11/2025	Claims	1	55005	H.D. Fowler Company	1,534.74	Catch basin frame and grates; Storm water outlet
4329	09/11/2025	Claims	1	55006	Harbor Disposal Co.	824.98	City of McCleary
4330	09/11/2025	Claims	1	55007	Harbor Disposal Co.	152.34	City of McCleary
4331	09/11/2025	Claims	1	55008	Harbor Disposal Co.	146.11	Treatment plant
4332	09/11/2025	Claims	1	55009	Harbor Disposal Co.	223.12	Community Center
4333	09/11/2025	Claims	1	55010	Harbor Disposal Co.	29.70	Treatment plant
4334	09/11/2025	Claims	1	55011	House Brother's	479.16	Pump out lift station 8/25
4335	09/11/2025	Claims	1	55012	Ingram, Zelasko & Goodwin LLP	700.00	Public Defender contract
4336	09/11/2025	Claims	1	55013	Inland Environmental Res.	2,491.09	ALKA-Mag
4337	09/11/2025	Claims	1	55014	Inland Potable Services, Inc.	4,870.01	Bi-yearly cleaning of reservoirs
4338	09/11/2025	Claims	1	55015	LeMay Mobile Shredding	54.95	City Hall shredding
4339	09/11/2025	Claims	1	55016	Loomis	40.00	Armored services
4340	09/11/2025	Claims	1	55017	Minuteman Press	81.27	Business cards, n.pryor
4341	09/11/2025	Claims	1	55018	Northstar Chemical, Inc	677.90	Sodium hypochlorite
4342	09/11/2025	Claims	1	55019	One Call Concepts, Inc.	22.24	Excavation notifications
4343	09/11/2025	Claims	1	55020	Outifi	800.00	
4344	09/11/2025	Claims	1	55021	Pape' Machinery	58.28	V belt for ztrack. connects blower and mower deck TCU21814
4345	09/11/2025	Claims	1	55022	Petro Card	848.78	Fuel for L&P
4346	09/11/2025	Claims	1	55023	Quick Lube	172.15	Oil change 2018 Dodge Charger; Oil change 2022 Dodge Charger Pursuit
4347	09/11/2025	Claims	1	55024	Right! Systems, Inc.	5,811.45	IT services
4348	09/11/2025	Claims	1	55025	Sound Defenders, PLLC	500.00	
4349	09/11/2025	Claims	1	55026	Tara Dunford, CPA	390.00	AUG 2025 cpa services
4350	09/11/2025	Claims	1	55027	Tenelco	3,245.98	Biosolids
4351	09/11/2025	Claims	1	55028	Vestis	58.92	Rugs svcs; Rugs svcs
4352	09/11/2025	Claims	1	55029	Wagner-Smith Equipment Co.	157.59	Fish tape

WARRANT/CHECK REGISTER

City Of McCleary

Time: 09:03:30 Date: 09/19/2024
Page: 2

09/06/2025 To: 09/18/2025

Trans	Date	Type	Acct #	War #	Claimant	Amount	Memo
4353	09/11/2025	Claims	1	55030	Water Management Labs Inc	68.00	Water testing
4354	09/11/2025	Claims	1	55031	Whisler Communications	274.66	Programming cable and software
4355	09/11/2025	Claims	1	55032	Willapa Firearms Training	330.00	Firearms training
4356	09/11/2025	Claims	1	55033	Younglove & Coker	5,852.50	AUG 2025 prosecution; AUG 2025 services; FOP grievance
4473	09/18/2025	Claims	1	55034	Doolittle Construction LLC	267,303.72	Progress estimate from G&O. 2025 Roadway Treatment #24227.00
						14,783.86	001 Current Expense
						442,531.40	102 Street Fund
						6,823.46	401 Light And Power Fund
						8,124.43	405 Water Fund
						18,238.48	407 Sewer Fund
						1,801.90	409 Storm Water Fund
						10,681.53	413 Ambulance Fund
						502,985.06	Claims:
						502,985.06	

WE, the members of the City Council of the City of McCleary Washington, DO HEREBY certify that the merchandise or services listed above have been received and that the above listed vouchers and the related checks have been reviewed and approved for the payment by the City of McCleary City Council.

DATED this _____ day of _____ 2024.

ATTEST:

X _____
Councilmember Simmons

X _____
Councilmember Huff

X _____
Councilmember Schiller

X _____
Councilmember Dahl

X _____
Councilmember Klimek

2026 Preliminary Revenue Estimates – Current Expense Fund

Per RCW, preliminary revenue estimates for the Current Expense Fund must be provided to Council on or before the first Monday in October. These preliminary estimates may be updated throughout the budget process.

Total Current Expense revenues are projected to increase 4.3% from the 2025 budget to the 2026 budget. Revenues are projected to decrease from 2025 to 2026 actuals, primarily due to an expected decrease in interest revenue. Additional detail by category is provided below.

City of McCleary - 2026 Preliminary Revenue Estimates - Current Expense Fund							Change 2025 budget to 2026 budget	
	2022 Actual	2023 Actual	2024 Actual	2025 Budget	2025 Projected	2026 Budget	Dollars	Percent
Property tax	360,218	354,514	328,421	353,000	338,576	342,000	(11,000)	-3.1%
Sales tax	338,643	343,615	355,039	302,700	362,081	362,100	59,400	19.6%
Utility tax	435,664	463,386	474,436	541,900	521,876	545,200	3,300	0.6%
Licenses and permits	31,283	20,484	12,606	15,200	13,046	13,000	(2,200)	-14.5%
Intergovernmental	364,454	116,161	117,792	78,200	117,536	122,300	44,100	56.4%
Charges for services	6,818	7,249	8,361	9,300	8,283	8,300	(1,000)	-10.8%
Fines and penalties	41,074	38,336	33,658	39,700	24,106	24,200	(15,500)	-39.0%
Interest income	7,730	18,229	12,045	71,560	131,184	64,100	(7,460)	-10.4%
Miscellaneous revenues	54,286	39,268	63,615	73,900	67,913	68,000	(5,900)	-8.0%
Total	1,640,170	1,401,242	1,405,973	1,485,460	1,584,601	1,549,200	63,740	4.3%
Total w/out ARPA	1,393,721	1,401,242	1,405,973	1,485,460	1,584,601	1,549,200		
Year over year change w/out ARPA		0.5%	0.3%	5.7%	12.7%	-2.2%		

Property tax

2026 property tax is projected to be 1% higher than the 2025 actual, but 3.1% lower than the 2025 budget. This is due to repayment of previously over-levied fire property tax which was not identified in the 2025 budget. The City's actual property tax levy was reduced by approximately \$16,000 in 2024 and 2025 to refund taxpayers for the previously over-levied amounts. The 2026 levy will also be reduced by \$16,000. This will fully repay the amount owed.

Sales tax

2026 sales tax revenue is projected to remain consistent with 2025 actuals. The increase from 2025 budget to 2026 budget is reflective of overly conservative estimates used in the 2025 budget rather than any projected actual increase from 2025 to 2026.

Utility tax

Utility tax is expected to remain consistent with 2025. The increase from 2024 to 2025 actuals reflects the 1% increase in utility tax rates, as approved by Council during the 2025 budget process.

Licenses and permits

Revenue is projected to decrease slightly, based on 2025 year to date actuals.

Intergovernmental

Intergovernmental revenue is projected to increase due to an increase in expected city assistance distributions received from the State. Estimates are as per MRSC and the Department of Revenue.

Charges for Services

Revenue is projected to decrease slightly, based on 2025 year to date actuals.

Fines and penalties

This represents revenue related to court fines and fees. The decrease is based on 2025 year to date actuals.

Interest income

Projected interest revenue is based on a rate of return of 2%. Interest rates are currently above 4%, however, it is likely that rates will decline. Even if rates were to remain at or above 4%, revenue should be budgeted conservatively so that the Current Expense budget does not become overly reliant on this revenue source.

Miscellaneous revenues

This includes community center and cell tower rental income, sales of surplus, and contributions. The 2026 budget is slightly lower than the 2025 budget based on 2025 year to date actuals.

City of McCleary
CETA Compliance Examination
January 1, 2019 – December 31, 2021

Greenhouse Gas Content Calculation

No issues noted.

Energy assistance for low-income households – Program offering

1. The City did not comply with CETA’s requirement to make programs and funding for energy assistance to low-income households by July 31, 2021.

The City was unable to demonstrate it undertook more than one low-income energy assistance program by July 31, 2021 that made some form of energy assistance available to households meeting CETA’s definition of “low-income”.

City officials did not demonstrate it had offered any low-income-specific energy assistance programs. The programs it cited were:

- BPA Conservation program – While the City offered conservation measure rebates to all customers, it was unable to demonstrate it advertised low-income-specific conservation measures as part of its program – **Not responsive to the program offering requirement.**
- ARPA bill assistance program - The City obtained federal Coronavirus Local Recovery Funding through the American Rescue Plan Act (ARPA) – The City offered funding assistance through this program until 10/7/2021 with no income eligibility requirement – **Not responsive to the program offering requirement:**

OMB Approved No. 1505-0271
Expiration Date: November 30, 2021

U.S. DEPARTMENT OF THE TREASURY
CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS

Recipient name and address: City of McCleary 100 S 3 rd Street McCleary WA 98557	DUNS Number: 178607820000 Taxpayer Identification Number: 91-6001456 Assistance Listing Number: 21.019
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Sections 602(b) and 603(b) of the Social Security Act (the Act) as added by section 9901 of the American Rescue Plan Act, Pub. L. No. 117-2 (March 11, 2021) authorize the Department of the Treasury (Treasury) to make payments to certain recipients from the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund.

Recipient hereby agrees, as a condition to receiving such payment from Treasury, to the terms attached hereto.

Recipient: City of McCleary



Authorized Representative:

Title: Mayor

Date signed: 6-10-2021

U.S. Department of the Treasury:

Authorized Representative:

Title:

Date:

PAPERWORK REDUCTION ACT NOTICE

The information collected will be used for the U.S. Government to process requests for support. The estimated burden associated with this collection of information is 15 minutes per response. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Office of Privacy, Transparency and Records, Department of the Treasury, 1500 Pennsylvania Ave., N.W., Washington, D.C. 20220. DO NOT send the form to this address. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by OMB.

U.S. DEPARTMENT OF THE TREASURY
CORONAVIRUS LOCAL FISCAL RECOVERY FUND
AWARD TERMS AND CONDITIONS

- Use of Funds.**
 - Recipient understands and agrees that the funds disbursed under this award may only be used in compliance with section 603(c) of the Social Security Act (the Act), Treasury's regulations implementing that section, and guidance issued by Treasury regarding the foregoing.
 - Recipient will determine prior to engaging in any project using this assistance that it has the institutional, managerial, and financial capability to ensure proper planning, management, and completion of each project.
- Period of Performance.** The period of performance for this award begins on the date hereof and ends on December 31, 2026. As set forth in Treasury's implementing regulations, Recipient may use award funds to cover eligible costs incurred during the period that begins on March 3, 2021, and ends on December 31, 2024.
- Reporting.** Recipient agrees to comply with any reporting obligations established by Treasury as they relate to this award.
- Maintenance of and Access to Records**
 - Recipient shall maintain records and financial documents sufficient to evidence compliance with section 603(c) of the Act, Treasury's regulations implementing that section, and guidance issued by Treasury regarding the foregoing.
 - The Treasury Office of Inspector General and the Government Accountability Office, or their authorized representatives, shall have the right of access to records (electronic and otherwise) of Recipient in order to conduct audits or other investigations.
 - Records shall be maintained by Recipient for a period of five (5) years after all funds have been expended or returned to Treasury, whichever is later.
- Pre-award Costs.** Pre-award costs, as defined in 2 C.F.R. § 200.458, may not be paid with funding from this award.
- Administrative Costs.** Recipient may use funds provided under this award to cover both direct and indirect costs.
- Cost Sharing.** Cost sharing or matching funds are not required to be provided by Recipient.
- Conflicts of Interest.** Recipient understands and agrees it must maintain a conflict of interest policy consistent with 2 C.F.R. § 200.318(c) and that such conflict of interest policy is applicable to each activity funded under this award. Recipient and subrecipients must disclose in writing to Treasury or the pass-through entity, as appropriate, any potential conflict of interest affecting the awarded funds in accordance with 2 C.F.R. § 200.112.

2



Application for Assistance

Last Name: _____ First Name: _____

Service Address: _____

Mailing Address (if different): _____

Email Address: _____

Primary Phone (____) _____ Secondary Phone (____) _____

Customer Account Number: _____ **Application Deadline October 7th, 2021**

ELIGIBILITY REQUIREMENTS:

To be eligible for assistance, you must:

- Be a City of McCleary utility customer, with an active account in your name.
- Have received a past due notice for your utility service.
- Attestation that you have been financially impacted by COVID-19.
- Have been unemployed, experienced a reduction in household income due to job loss/change, been medically unable to work due to COVID-19 infection and/or complications, or have had another COVID-19 related impact.

I would like to be considered for the Assistance Program as I have experienced the following hardships due to COVID-19 Pandemic: _____

I hereby attest this statement is true and complete.

Signature: _____ Date: _____

NOTE:

Assistance is limited to available funds. Deferred Payment Plans may also be offered.

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La ciudad de McCleary es un proveedor de igualdad de oportunidades y el empleador.
100 South 3rd Street, McCleary, WA 98557 • 360.495.3687 (phone) 360.495.3097 (fax) • City@McCleary.com

- Programs undertaken by organizations other than the City that contracted with the City as a vendor to apply LIHEAP funding the organization received from Commerce to City utility customer accounts. The City correctly cited this program as a third-party program in its assessment:

Program name	LIHEAP
How long has the program been running? (50 words max)*	Unknown
Targeted customer segments and program eligibility requirements (100 words max)*	Low Income Customers with an income at 150% of poverty level, using the Federal Poverty Guidelines for the LIHEAP Program.
Is this a utility, third-party or hybrid program? (Please provide further details for hybrid programs, which are run both by the utility and third party)*	This is a third-party program available through Coastal Community Action Program (CCAP) of Grays Harbor County.
What are the administration and/or implementation roles of the utility (e.g. application processing, income verification, marketing, audits, energy efficiency measure installation)*	The utility directs customers to the agency for application, provides information on the requirements of the program. The utility also provides documentation on usage and bill history for the customers as requested by the agency. We also market the program through social media, the City's website, and bill messaging.
Updates since last energy assistance compliance report (not applicable for first report)	N/A

LIHEAP –

<https://fortress.wa.gov/com/liheappublic/AgencyInformation.aspx?countyID=14>

[Go back to county map](#)

County Name	Grays Harbor
Agency	Coastal Community Action Program
Street	101 E. Market St
City	Aberdeen
State	WA
ZIP	98520
Mailing Address Street	NA
Mailing Address City	Aberdeen
Mailing Address State	WA
Mailing Address ZIP	98520
Appointment Number	360-533-5100
Toll Free Number	1-800-828-4883
FAX	360-532-4623
Other Services	Weatherization, Water Assistance
Service Area	Grays Harbor and Pacific Counties
Comments	At this time we are open to serve our clients. If you live in Grays Harbor county please call (360)533-5100 or if you live in Pacific County please call (360)642-6100. You can also go online to our website @ www.coastalcap.org to schedule an appointment.
Website	www.coastalcap.org/
County	Grays Harbor



August 26, 2020

LIHEAP Vendor;

Enclosed please find the Vendor Agreement for the Low-Income Home Heating Assistance Program (LIHEAP).

Please sign the agreement and return it through mail, e-mail or fax.

Please retain a copy to for your records.

If you have any questions, please call me at 360-500-4509.

Thank you for assisting us in providing services to households in Grays Harbor and Pacific Counties.

Sincerely,

Debbie Gregg

Debbie Gregg
LIHEAP Coordinator
Coastal Community Action Program

Email: debbieg@coastalcap.org
Fax: 360-532-4623

Serving Grays Harbor and Pacific Counties since 1965 / Part of the Community Action Network: "Fighting to Eliminate Poverty"

LOW-INCOME HOME HEATING ENERGY VENDOR AGREEMENT

OCTOBER 1, 2020 – SEPTEMBER 30, 2021 PROGRAM YEAR

This agreement, dated as of October 1, 2020, is entered into by and between Coastal Community Action Program, and City of McCleary, supplier of home heating energy.

PURPOSE

Funding for Low-Income Home Energy Assistance Program (LIHEAP) payments is governed by Federal Law 42 U.S.C. 8624: Low-Income Home Energy Assistance Act of 1981, and subsequent amendments. This act requires that certain assurances be satisfied before energy assistance payments are made, on behalf of eligible individuals, to suppliers of home heating energy. This agreement defines the conditions that the Energy Vendor must agree to so that the Agency can make energy assistance payments to the Energy Vendor on behalf of eligible households.

Agency Responsibilities

The Agency shall:

1. Accept and review client applications and determine eligibility of households for LIHEAP payments.
2. Follow procedures that minimize the time elapsing between the receipt of LIHEAP funds and their disbursement to vendor.
3. Make payments in a timely manner to the vendor on behalf of eligible households between October 1 and September 30, of the program year for the term of this agreement.
4. Follow sound fiscal management policies, including, but not limited to segregation of LIHEAP funds from other operating funds of the agency.
5. Notify customer and/or vendor of the customer's eligibility and total benefit amount.
6. Incorporate policies that assure the confidentiality of eligible household's energy usage, balance, and payments.
7. Upon request from vendor, provide a statement verifying income of an eligible household for the sole purpose of determining moratorium eligibility, within the statutory guidelines of confidentiality.

Energy Vendor Responsibilities

The Energy Vendor shall:

1. Immediately apply the benefit payment to customer's current/ past due bill, deposit/ reconnect requirements, or delivery of fuel to eliminate the amount owed by the customer for a period determined by the amount of the benefit, or;
2. Apportion the LIHEAP over several billing periods to reduce the amount owed by the customer until the benefit is exhausted; or;
3. Establish a line of credit for the customer to be used at the discretion of the customer until the benefit is exhausted.
4. Notify the customer of the amount of benefit payment applied to the customer's billing.
5. Keep customer records confidential.
6. Maintain records for four (4) years from the date of this agreement, or longer if the energy vendor is notified that a fiscal audit for a specific program year is unresolved.
7. Not treat adversely, or discriminate against any household that receives LIHEAP payments, either in the cost of the goods supplied or the services provided.
8. Upon request of the agency, provide eligible customer's energy consumption history for the sole purpose of determining customer benefit.
9. Comply with the provisions of the State law regarding winter disconnects and pertinent provisions of the Washington Administrative Code related to the winter moratorium, if governed by that ruling.
10. Make records available for review by authorized staff of the agency and Washington State Department of Commerce and the U.S. Department of Health and Human Services.

Required records for audit purposes.

The vendor will keep records showing the following:

1. Name and address of households who received LIHEAP payments.
2. Amount of assistance accrued to each household.
3. Source of payment, (Energy Assistance, Project Help, etc).
4. Amount of the household's credit balance when the benefit payment establishes a line of credit. This credit balance also needs to show on all customer billing documents.

Credit Balances

In the event that a customer has a credit balance and no longer needs service from the energy vendor, the vendor shall:

1. Forward a check in the amount of any remaining credit balance directly to the customer, or, if directed by the customer, forward a two-party check for this balance to the customer in the customer's name and the name of the new home heating energy vendor.
2. If the customer passes away leaving a credit balance resulting from a LIHEAP payment, the remaining credit becomes part of the customer's estate.

3. The energy vendor shall dispose of all unclaimed credit balances according to customary procedures or applicable Washington State law.

Other Provisions:

Term of Agreement

This agreement is effective from the date of execution.

Termination

This agreement may be terminated by either party with a thirty (30) day written notice to the other party. Termination shall not extinguish authorized obligations incurred during the term of the agreement. If LIHEAP funding is withdrawn, reduced, or eliminated by Commerce, the agency has the right to terminate this agreement immediately.

Assignment of Agreement

Neither party may assign the agreement or any of the rights, benefits and remedies conferred upon it by this agreement to a third party without the prior written consent of the other party, which consent shall not be unreasonably withheld.

The vendor and the agency do hereby agree to the conditions set forth in this agreement.

Agency	Vendor
<i>Greg Claycamp</i>	<i>Brenda Orffer</i>
Signature	Signature
Greg Claycamp	Brenda Orffer
Printed Name	Printed Name
HCS Director	Mayor
Title	Title

Coastal Community Action Program
Name of Company

Date 8-26-2020

City of McCleary
Name of Company

Date 09-09-2020

Recommendation:

We recommend the City review its programs to ensure the programs it offers, collectively, make some form of energy assistance available to households considered “low-income” under CETA.

To do this, we recommend the City review and update annually a comparison table to identify income levels representing the greater of 80% AMI or 200% FPL, adjusted for household size.

We identified a best practice the following analysis comparing income levels by household size to identify the appropriate eligibility thresholds applicable to the City of McCleary. We shared this workbook with the City during the examination:

Purpose: Determine the greater of income levels at 80% AMI or income levels at 200% FPL, by household size.
Source: HUD (AMI), HHS (FPL) - links below
Conclusion: Income levels at 80% AMI are higher than income levels at 200% FPL for household sizes 1-4. Income levels at 200% FPL are higher than income levels at 80% AMI for household sizes 5+.

Household size	2021 AMI (80%)	2021 FPL (200%)	2021 FPL (100%)
1	39,550	23,760	12,880
2	45,200	34,840	17,420
3	50,850	43,920	21,960
4	56,500	53,000	26,500
5	61,050	62,080	31,040
6	65,550	71,160	35,580
7	70,100	80,240	40,120
8	74,600	89,320	44,660

Green highlight = higher of the two

AMI: Income Limits | HUD USER

FY 2021 Income Limit Area	Very Low (50%) Income Limit	Low (60%) Income Limit	Extremely Low (30%) Income Limit	Very Low (50%) Income Limit	Low (60%) Income Limit	Extremely Low (30%) Income Limit
King County, WA	891,500	1,069,800	1,492,700	24,750	29,700	39,600

FPL: Prior HHS Poverty Guidelines and Federal Register References | ASPE

Year	First Person	Each Additional Person	(Four-Person Family)	Page with Complete Details
2021	\$12,880	\$4,540	(\$26,500)	Federal Register 2021

Sources: AMI = Income Limits | HUD USER

FLP = Prior HHS Poverty Guidelines and Federal Register References | ASPE

Our independent analysis of 80% AMI compared to 200% FPL, adjusted for household size, using 2021 HUD and federal information shows for 2021:

Income levels at 80% AMI were greater than income levels at 200% FPL for household sizes 1-4.

Income levels at 200% FPL were greater than income levels at 80% AMI for household sizes greater than 5.

Criteria **(Emphasis added by auditor)**

RCW 19.405.120 – Energy assistance for low-income households.

(2) **An electric utility must make programs and funding available for energy assistance to low-income households by July 31, 2021.** Each utility must demonstrate progress in providing energy assistance pursuant to the assessment and plans in subsection (4) of this section. To the extent practicable, priority must be given to low-income households with a higher energy burden.

RCW 19.405.020 - Definitions

(25) "Low-income" means **household incomes as defined by the department** or commission, **provided that the definition may not exceed** the higher of eighty percent of area median household income or two hundred percent of the federal poverty level, adjusted for household size.

WAC 194-40-030 - Definitions

"Low-income" means household incomes that do not exceed the higher of eighty percent of area median income or two hundred percent of federal poverty level, adjusted for household size.

Auditor note: We considered a household with an income level that does not exceed the higher of 80% AMI or 200% FPL, adjusted for household size, a low-income household, consistent with the department's definition.

Energy assistance for low-income households – Biennial reporting

2. a. The City did not retain support for the statistics and program information reported.

The City did not retain support the “Low-Income (200% FPL and 80% AMI)” and “Limited-English Speakers” statistics the City reported in the “Outreach targeting and effectiveness” section of the assessment report:

Outreach and targeting effectiveness.

This section is meant to provide a gap analysis of service from current programs. If quantitative or qualitative data is not available, please provide as much anecdotal information as possible in the space provided, including insights from Community Action Councils/Partnerships and other community partners.

Using the DOE LEAD tool, Census, American Community Survey or utility data:
Report the percent of **customers in your service territory** who belong to the following segments:

- Low-income (200% FPL or 80% AMI)
- High energy burden (over 6%)
- Renters
- Limited English speakers
- Seniors (65+)

Enter response here.

- Low-income (200% FPL or 80% AMI)- 12.6%
- High energy burden (over 6%)- 0
- Renters- 33.8%
- Limited English speakers- 2.1%
- Seniors (65+)- 17.1%

Using the DOE LEAD tool, Census, American Community Survey or utility data:
Report or estimate the percent of **program participants** that belong to the 5 segments in the previous section. Please comment on the makeup of program participants vs. all customers and identify clearly underserved customer segments.

Participants in the LIHEAP and ARPA program are within the low income and senior segment. We have renters apply for assistance through different programs but are unable to determine how many.

Geographical equity: To understand the accessibility of programs please provide information on the geographic component of service provided.

Compare the number of low-income program participants in different geographical areas to the geographical distribution of your customers (e.g. by zip code, city or census tract). Please identify any regions, cities or communities that appear underserved by the program and comment on potential causes. You may include a narrative response for this answer.

We do not have the ability or resources to track.

PH Peterson, Heather (SAO) ...

Per Utility (B.4.13) they could not provide support for the statistic

Reply

Bernard, Thomas (SAO) ...

This would be determined from the LEAD Tool dataset Commerce provided utilities to estimate their current energy assistance need (excess energy burden).

September 10, 2023, 9:42 AM

Reply

PH Peterson, Heather (SAO) ...

Agreed to support (B.3.14)

Reply

PH Peterson, Heather (SAO) ...

Per Utility (B.4.13) they could not provide support for the statistic

Reply

PH Peterson, Heather (SAO) ...

Agreed to support (B.3.14)

Reply

8. Could you provide source support for the highlighted statistics below from the “Outreach and targeting effectiveness” section on page 23 of the low-income assessment below?

Outreach and targeting effectiveness.

This section is meant to provide a gap analysis of service from current programs. If quantitative or qualitative data is not available, please provide as much anecdotal information as possible in the space provided, including insights from Community Action Councils/Partnerships and other community partners.

Using the DOE LEAD tool, Census, American Community Survey or utility data:
Report the percent of **customers in your service territory** who belong to the following segments:

- Low-income (200% FPL or 80% AMI)
- High energy burden (over 6%)
- Renters
- Limited English speakers
- Seniors (65+)

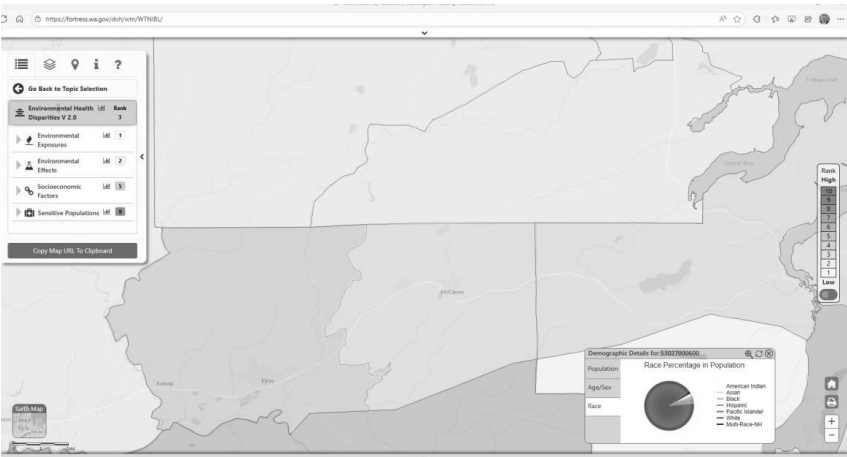
Enter response here.

- Low-income (200% FPL or 80% AMI)- 12.6%
- High energy burden (over 6%)- 0
- Renters- 33.8%
- Limited English speakers- 2.1%
- Seniors (65+)- 17.1%

Response: The basis used to determine statistics listed above is indeterminate due to staff turnover. Likely source of information the Federal Bureau of Labor Statistics, and/or information supplied by the State Department of Commerce.

Above, the City reported a “0%” rate of households experiencing “**High energy burden (over 6%)**”, inconsistent with LEAD Tool data Commerce provided utilities to estimate the amount and number of units:

The City reported in its CEIP that it serves customers in Census tract 53027000600:



Using Commerce-provided 2018 LEAD Tool dataset, we identified:

	FIP	53027000600	<-- All low-income brackets have
	AMI68	(Multiple Items)	
	HFL	(All)	
County			
	Row Labels	Sum of BurdenedUnits	Sum of Excess
Grays	027	331	99,046
	Grand Total	331	99,046

Source: 2018 WA DOE LEAD Tool | WA AMI Census Tracts 2018 2021-04-29.xlsx

Using Commerce-provided 2020 LEAD Tool dataset, we identified:

COUNTY (AMI)	53027	
Row Labels	Sum of TOTAL EXCESS BURDEN (AMI)	Sum of BURDENED UNITS (AMI)
Grays Harbor County	\$300,645.01	375
53027000600	\$300,645.01	375
Grand Total	\$300,645.01	375

Source: AMI-FPL.xlsx (2020 LEAD Tool Data)

Energy Assistance / Powered by Box

Washington State
Department of
Commerce

Energy Assistance > Sec. 120 > DOE LEAD Tool

NAME	UPDATED ↓	SIZE
2018 WA DOE LEAD Tool	Feb 1, 2023 by Austin Scharff	2 Files
DOE LEAD Tool Data (AMI) 2022.xlsx	Jan 27, 2025 by Austin Scharff	26.1 MB

The City was unable to provide support for the number of program participants in the LIHEAP program and did not respond with total bill reduction achieved through the program (the amounts distributed from the program to program participants the City's utility serves).

Program name	LIHEAP	
	2019	2020
Total Number of program participants*	6	12
Total number of low-income program participants*	6	12
Total bill reductions for all participants in dollars*		
What are the annual goals or targets for this program* (e.g. # customers served, energy savings aMW, assistance amount provided). If no goal exists enter "none." You may provide a quantitative value or narrative explanation.*	None	None
For each annual goal or target, what were the program outcomes? Please provide outcomes by occupancy status (e.g., renter vs. owner), if available.		
Subject to availability, please disaggregate the participant bill reductions provided above by: 1. income bracket 2. occupancy status (e.g., renter vs. owner)		
Describe successes and challenges of the program to reduce energy burden. (500 words max)*	The success / challenges of the program is always getting customers to follow through and provide with applying for the assistance, as well as providing all required documentation. We as a utility can market and push customers to the program on a monthly basis, but ultimately, it's up to them to complete the application process. The impending disconnection of services will often entice customers to apply, but now always. Many are also prideful and believe they do not need assistance and can make it on their own, even as they struggle each month to pay their bill.	
A utility may report additional metrics for a program to demonstrate how the mechanism reduces energy burden. For example, reporting average % reduction of energy burden or energy bill for households in program.		

PH Peterson, Heather (SAO) ...

Could not materially agree to support (B.3.9); 133% variance

Bernard, Thomas (SAO)

Support @ B.3.9 shows 14 participants in CY 2019

Reply

PH Peterson, Heather (SAO) ...

Could not materially agree to support (B.3.10); 173% variance

Bernard, Thomas (SAO)

Support @ B.3.10 shows 33 participants in CY 2020

Reply

The City did not retain the support it used to compete its report – Information it provided in response to auditor inquiries did not match the values the City reported.

Program name	Energy Conservation Rebates	
	2019	2020
Total Number of program participants*	7	12
Total number of low-income program participants*	Unknown	unknown
Total bill reductions for all participants in dollars*	Unknown	Unknown
What are the annual goals or targets for this program* (e.g. # customers served, energy savings aMW, assistance amount provided). If no goal exists enter "none." You may provide a quantitative value or narrative explanation.*	The goal is to spend down the EEI budget to ensure that we've assisted all customers that the budget allows for.	The goal is to spend down the EEI budget to ensure that we've assisted all customers that the budget allows for.
For each annual goal or target, what were the program outcomes? Please provide outcomes by occupancy status (e.g., renter vs. owner), if available.	The City successfully spends down a majority the EEI budget	
Subject to availability, please disaggregate the participant bill reductions provided above by: 1. income bracket 2. occupancy status (e.g., renter vs. owner)	We did not track this information in 2019 and 2020.	
Describe successes and challenges of the program to reduce energy burden. (500 words max)*	We have good success with our EEI budget, marketing and getting participation from customers. We promote to get low-income participation to be able to assist reducing energy burden for those customers.	
A utility may report additional metrics for a program to demonstrate how the mechanism reduces energy burden. For example, reporting average % reduction of energy burden or energy bill for households in program.		

PH Peterson, Heather (SAO) ...

Could not materially agree to support (B.3.11); 86% variance

Bernard, Thomas (SAO)

Support at B.3.11 was inconclusive as to total number of participants in CY 2019 and if any customers were low-income qualified.

Reply

PH Peterson, Heather (SAO) ...

Materially agreed to support (B.3.12)

Bernard, Thomas (SAO)

Support at B.3.12 lists 16 customers but is inconclusive as to whether any of those customers are low-income qualified.

Reply

The City did not track low-income participants. However; because the City did not report any low-income specific measures (such as LHVENxxxxx) in the energy conservation program reporting in the assessment, there likely were no low-income specific participants to report:


Conservation Programs

Please use the "Conservation Program Calculator.xlsx" available in the CETA EAP website to fill in the following table.

Provide a list or reference of energy efficiency measures offered by the utility.*

Please provide your retail rate, measures, and number of units installed or households served for each measure. Please refer to the Northwest Power and Conservation Council Regional Technical Forum (RTF) to look up the annual savings and estimated useful life for each measure.*

Program year	Measure/BPA reference Number	# of low- income units/households	Per unit annual kWh savings (from RTF**)	Estimated Useful Life (EUL) (from RTF)	Rate (\$/kWh)	Annual bill savings (= kWh savings* rate*# of units)	Lifetime bill savings [= net present value (discount rate***; annual value)]
2020	Windows Air-source Heat Pump	CHVEN20034	unk	337.975	20	0.0848	#VALUE!
2020	Clothes Dryers Any Residential ENERGY STAR Retail (Utility Run)	RELPL13124	unk	72.64	12	0.0848	
2020	Windows Single Family - Existing Prime Windows and Patio Doors Single Pane Base to 0.30 Window Any Electric Heat	RHVEN12410	unk	1342.9068	45	0.0848	
2020	Windows Single Family - Existing Prime Windows and Patio Doors Double Pane Base to 0.30 Window Any Electric Heat	RHVEN12411	unk	362.16	45	0.0848	
2020	Air-Source Heat Pumps with PTCS Single Family - Existing PTCS Conversion of Electric FAF to Heat Pump	RHVHS10370	unk	7235.59	15	0.0848	

pg. 13

The City did not correctly report its energy efficiency program effectiveness. The City did not correctly calculate Annual Bill Savings and Lifetime Bill Savings from each measure.

The City did not report the incentive amounts it, or its consultant paid to incentivize customers to participate in its energy efficiency program. It only reported administrative costs paid to its consultant:

2019			
Program Name	Incentive or direct customer assistance expenditure (\$).	Program administration and operation, including marketing and outreach (\$). Reported amount should include expenses for both direct utility funded programs as well as administrative costs or overhead for third party funded programs such as administrative costs from a CAP/utility contract.	If not included in program administration costs, please report utility staffing costs (\$). You may approximate utility staffing FTEs for this program using approximate staff time multiplied by annual salary.
Evergreen Consulting		\$3,022	

2020			
Program Name	Incentive or direct customer assistance expenditure (\$).	Program administration and operation, including marketing and outreach (\$). Reported amount should include expenses for both direct utility funded programs as well as administrative costs or overhead for third party funded programs such as administrative costs from a CAP/utility contract.	If not included in program administration costs, please report utility staffing costs (\$). You may approximate utility staffing FTEs for this program using approximate staff time multiplied by annual salary.
Evergreen Consulting		\$4,052	

Response: Q7C: See "2019 and 2020 Evergreen Consulting payments to" attached.

Recommendation:

We recommend the City contact Commerce for clarifications as to how to complete the report to ensure the information reported is responsive and clearly demonstrates the effectiveness of the program in lowering energy burden on low-income households (bill reductions achieved through the program).

3. The City did not include the required elements in its assessment report:

- a. A cumulative assessment of previous energy assistance funding compared to the levels needed to meet its 2030 and 2050 funding goals
- b. Its “Plan to increase effectiveness” of its energy assistance programs – no plan
- c. A description of its outreach and targeting efforts

a. Cumulative assessment:

The City did not identify it was required to provide this assessment per state law. Commerce omitted this analysis from its 2019 2020 assessment reporting template.

6. Can you provide support showing the City reported to Commerce its cumulative assessment of previous energy assistance funding levels (amounts spent in 2019 and 2020) compared to the 60% and 90% of City's current energy assistance need as required by RCW 19.405.120(4)(a)(iii), including:

- a. Support for the City's current energy assistance need,
- b. Support for the City's 2018 current energy assistance need,
- c. Support for the City's 2030 Goal: the Town's determination as to which amount was higher; 60% of current energy assistance need, or 15% over the amount of energy assistance funding the Town provided in 2018.
- d. The City's 2050 Goal: 90% of current energy assistance need.

Response: No support could be provided to address question 6. It is unclear given staff turnover what support or assistance was offered and if/how goals were set. To our knowledge and based on research, no additional programs were added post 2018 to 2020 to establish goals and targets.

This analysis requires the City estimate its current energy assistance need, or “current EAN” (excess energy burden over 6% of annual household income).

To do this, Commerce provided WA DOE LEAD Tool data for utilities to use to quantify excess energy burden of households in the Census Tracts the utility serves (See summary pivot tables, above).

Per Commerce's suggestion,

- utilities can estimate their 2030 funding goal as the greater of a 15% increase in the amount the City spent in 2018 on energy assistance or 60% of the current EAN; and
- utilities can estimate their 2050 funding goal as 90% of the current EAN

Utilities then compare their actual energy assistance expenditures to the 2030 and 2050 funding goals in the assessment to meet the law's requirement.

We recommend the City refer to Commerce's instructions in its reporting template to ensure it correctly performs the required comparison.

b. “Plan to increase effectiveness”

Part C. Plan to Increase Effectiveness

In the space provided below and based on the data provided, provide a plan to improve the effectiveness of energy assistance programs and strategies toward meeting energy assistance need, including concrete actions and discussion of the following*:

Describe how your utility plans to demonstrate progress towards providing energy assistance pursuant to the goals in RCW 19.405.120(4)(a)(iii):

- Sixty percent of the current energy assistance need, or increasing energy assistance by fifteen percent over the amount provided in 2018, whichever is greater, by 2030; and
- Ninety percent of the current energy assistance need by 2050. (500 words max)*

The assessment must touch on the following areas and include the following information in your plan to demonstrate progress:

a. Short-term and sustained energy burden reduction

- Changes to short-term programs
- Changes to long-term programs
- Please describe how the mix of energy assistance programs prioritize short-term versus sustained energy burden reduction.

b. Outreach

- Program targeting and outreach effectiveness to underserved or vulnerable customers
- Program targeting and outreach effectiveness to high burden customers
- Customer satisfaction (ease of enrollment, access issues etc...)

c. Funding

- Program funding from the utility
- Program funding from federal or state programs
- Program funding from other sources.
- Please provide information as to the consistency of these funding sources (i.e. if donation based, average year over year variations in total funding available)
- Program operational efficiency at reducing energy assistance need using available funding

The City of McCleary recognizes the need for low-income housing assistance programs and has developed an outline of the various funding sources available to its customers. Current funding available to customers is derived from federal funds passed down through third party program providers such as LIHEAP, administered by Coastal Community Action Program in Grays Harbor County. Tribes also have aided its members to help pay electric bills, in addition to other nonprofit programs. It's important to note that without these funded assistance programs, the City's budget does not have capacity to fund a low-income energy assistance program on its own without having to significantly raise rates.

While the City responded affirming a need for assistance programs, it did not provide its plan for increasing the effectiveness or participation in its programs.

The City stated it did not have the funding capacity to increase effectiveness or participation "without having to significantly raise rates."

Without the required plan, the City is unable to demonstrate the progress required by CETA in reducing energy assistance need of the low-income customers it serves.

c. Outreach and targeting efforts

The City did not respond or present documentation supporting its compliance in performing outreach and targeting during the period to increase low-income customer and vulnerable population participation in its energy assistance programs.

Part D. Outreach and Targeting

Data reported in this section can be cross-cutting for all energy assistance programs. Information on individual programs can be included if the utility wants to provide it. Utilities may also use an individual program to highlight specific efforts on outreach and targeting.

1. Describe outreach to low-income households including partnerships with community based organization and Tribes to deliver programs. If applicable, describe how outreach prioritizes households with high energy burden. Narrative should include the following elements:*

a. Process. Describe how program design and/or messaging reflects input from eligible communities. Describe any way that outreach is tracked, evaluated, and reported on.

b. Design. Describe any way the program is linguistically and culturally appropriate for vulnerable populations, including utility strategies to handle language barriers.

c. Targeting. Describe how this program is directed to prioritized communities.

Enter response here.

Criteria:**RCW 19.405.120 - Energy assistance for low-income households.**

(3) Beginning July 31, 2020, the department must collect and aggregate data estimating the energy burden and energy assistance need and reported energy assistance for each electric utility, in order to improve agency and utility efforts to serve low-income households with energy assistance.

(b) Each utility must disclose information to the department for use under this subsection, including:

- (i) The amount and type of energy assistance and the number and type of households, if applicable, served for programs administered by the utility;
- (ii) The amount of money passed through to third parties that administer energy assistance programs; and
- (iii) Subject to availability, any other information related to the utility's low-income assistance programs that is requested by the department.

(c) The information required by (b) of this subsection must be from the electric utility's most recent completed budget period and in a form, timeline, and manner as prescribed by the department.

(4)(a) In addition to the requirements under subsection (3) of this section, each electric utility must submit biennially to the department an assessment of:

- (i) The programs and mechanisms used by the utility to reduce energy burden and the effectiveness of those programs and mechanisms in both short-term and sustained energy burden reductions;
- (ii) The outreach strategies used to encourage participation of eligible households, including consultation with community-based organizations and Indian tribes as appropriate, and comprehensive enrollment campaigns that are linguistically and culturally appropriate to the customers they serve in vulnerable populations; and
- (iii) A cumulative assessment of previous funding levels for energy assistance compared to the funding levels needed to meet:
 - (A) Sixty percent of the current energy assistance need, or increasing energy assistance by fifteen percent over the amount provided in 2018, whichever is greater, by 2030; and
 - (B) ninety percent of the current energy assistance need by 2050.

(b) The assessment required in (a) of this subsection must include a plan to improve the effectiveness of the assessed mechanisms and strategies toward meeting the energy assistance need.

RCW 19.405.020 - Definitions.

(10) "Consumer-owned utility" means a municipal electric utility formed under Title 35 RCW, a public utility district formed under Title 54 RCW, an irrigation district formed under chapter 87.03 RCW, a cooperative formed under chapter 23.86 RCW, or a mutual corporation or association formed under chapter 24.06 RCW, that is engaged in the business of distributing electricity to more than one retail electric customer in the state.

(14) "Electric utility" or "utility" means a consumer-owned utility or an investor-owned utility.

(15) "Energy assistance" means a program undertaken by a utility to reduce the household energy burden of its customers.

(a) Energy assistance includes, but is not limited to, weatherization, conservation and efficiency services, and monetary assistance, such as a grant program or discounts for lower income households, intended to lower a household's energy burden.

(b) Energy assistance may include direct customer ownership in distributed energy resources or other strategies if such strategies achieve a reduction in energy burden for the customer above other available conservation and demand-side measures.

(16) "Energy assistance need" means the amount of assistance necessary to achieve a level of household energy burden established by the department or commission.

(17) "Energy burden" means the share of annual household income used to pay annual home energy bills.

WAC 194-40-030 - Definitions.

"Energy assistance need" means the amount of assistance necessary to achieve an energy burden equal to six percent for utility customers.

Clean Energy Implementation Plan

4. The City did not develop its clean energy implementation plan in accordance with CETA.

The City adopted its CEIP via Council Resolution 745 on 2/23/2022:



McCleary Regular City Council Meeting

Wednesday, February 23, 2022 – 6:30 PM

Zoom Virtual Meeting

Minutes

4. CEIP Resolution Report

Baun stated this is brand new, for all the electrical utility customers to submit their CEIP Reports. We have this already submitted but would like to have a resolution for this to be accepted. This is a Clean Energy Report through BPA we submit annually. Councilmember Amsbury asked if we have anything we have to worry about coming up at the 3 and 7 year marks, and Baun stated not that he can see, unless BPA changes their method of getting power.

Ordinances and Resolutions

6. Clean Energy Implementation Plan Resolution 745

Mayor Miller stated this is just what we talked about a little bit ago, are there any other questions?

Motion made by Councilmember Huff, Seconded by Councilmember Amsbury.

Voting Yea: Councilmember Amsbury, Councilmember Huff, Councilmember Ross, Councilmember Dahl, Councilmember Iversen

The following is a summary of the CEIP reporting requirements with references:

- **“Reasonable opportunity” for the public to participate:** CETA requires utilities provide its customers and interested stakeholders reasonable opportunities to provide input in the development of the report it submitted. To be considered a “reasonable opportunity”, WAC rules require utilities consider barriers (language, cultural, etc). [WAC 194-40-050] [WAC 194-40-220(1) and (2)].

City of McCleary									
Public participation (WAC 194-40-200(4), -220(1))									
Provide a summary of the public input process conducted in compliance with WAC 194-40-220. Describe how public comments were reflected in the specific actions under WAC 194-40-200(4), including the development of one or more indicators and other elements of the CEIP and the utility's supporting integrated resource plan or resource plans, as applicable.									
The City of McCleary welcomes input from our customers at any time. The City has various contact methods listed on our website at www.cityofmcclary.com . The City maintains a social media presence through Facebook, which is monitored for member reactions and concerns.									

The City did not demonstrate how it solicited public input during development and prior to adoption of the CEIP

- Each utility must **propose specific targets** for renewable energy, energy efficiency and demand response.

The specific target amounts the City reported in its CEIP were provided by BPA and were not developed based on an assessment of potential the City expects to acquire in the future:

<

Notes and assumptions made on the data used in this workbook.

1. BPA cannot provide information to fill the narrative sections for the CEIP report.
 2. BPA's fuel mix is based on selections made on Fuel Mix Inputs tab of this workbook. Customer resource fuel mix is based on resource type.
 3. Above RHHM load service is based on current 3rd Purchase Period Elections for FY 22-24, and current 4th Purchase Period election for FY 24.
 4. Load forecasts and dedicated resources amounts were calculated during the BP 22 Rate Case process.
 5. Energy Efficiency amounts are based on an average of the last 4 years (CY 2017-2020) of reported to BPA conservation achievements.
 6. Critical generation is assumed for customers' generating resources.
- To use something other than critical generation for the Total Dedicated Resource amounts, select a percentage from the drop-down list below.

For Reference

Calendar Year	Total Retail Load	Total BPA Power Purchase	Total Dedicated Resources	BPA % of TRL	Emitting MWhs
2022	32,093,039	32,093,039	0.000	100%	2,654,513
2023	32,516,731	32,516,731	0.000	100%	2,684,171
2024	32,967,717	32,967,717	0.000	100%	2,717,740
2025	33,263,549	33,263,549	0.000	100%	2,736,448

The City reported the following targets. We highlighted those values the City reported that are inconsistent with the amounts BPA reported:

1

City of McCleary

2

Interim target: Percentage of retail load to be served using renewable and nonemitting resources (WAC 194-40-200(2))

3

Resource	2022	2023	2024	2025	4-year Period
Renewable	82%	82%	82%	82%	82%
Nonemitting	10%	10%	10%	10%	10%
Total	92%	92%	92%	92%	92%

7

[Small utilities may enter a single value in cell G6 and leave the remaining cells blank.]

9

Describe how the target demonstrates progress toward meeting the 2030 and 2045 CETA standards (WAC 194-40-200(2)). This section is not required if the value in cell G6 is 80% or greater:

11

Does not apply

25

Specific targets (WAC 194-40-200(3)):

26

Resource	Amount
Energy Efficiency	281447
Renewable energy	106964
Demand response	0

28

MWh to be acquired over the interim performance period (measured in first-year savings)

29

MWh to be used during the interim performance period

30

MW to be acquired over the interim performance period

32

Identify and describe the specific actions the utility will take over the next interim performance period to demonstrate progress toward meeting the utility's interim targets and the 2030 GHG neutral and 2045 clean electricity standard (WAC 194-40-200(1)):

33

Specific action proposed

34

Description of how the action demonstrates progress toward meeting interim targets and the standards

35

Continue utilizing BPA load following contract.

As a BPA load following customer, the City receives the benefit of BPA's hydroelectric system. Fuel mix runs between 91%-98% carbon free which is a key component of meeting 2030 and 2045 GHG neutral/free targets.

Energy Efficiency Program

Decreasing total energy usage will help reduce the need for power generation

Energy Efficiency target – To demonstrate utilities have pursued all cost-effective, reliable, and feasible energy efficiency, CETA requires utilities perform an assessment of potential using the methods available under CETA’s WAC administrative rules to support the EE target reported in the CEIP.

Criteria:

RCW 19.405.040 (1) – “... an electric Utility must: (i) **Pursue all cost-effective, reliable and feasible conservation and efficiency resources to reduce or manage retail electric load**, using the methodology established in RCW 19.285.040, if applicable...”

Utilities that are not qualifying utilities under the EIA:

(1) **Energy efficiency resources.**

(a) **Assessment of potential:**

(ii) Any utility that is not a qualifying Utility under chapter 19.285 RCW **must establish the amount of energy efficiency and conservation that is available using either of the following methods:**

(A) Use the conservation methodology established in RCW 19.285.040(1) and the rules implementing that subsection; or

(B) Establish the reasonable Utility-level proportion of a conservation potential assessment prepared at a regional or multi-utility level using a methodology that:

(I) Evaluates resource alternatives on a total resource cost basis, in which all costs and all benefits of conservation measures are included regardless of who pays the costs or receives the benefits; and

(II) Includes the social cost of greenhouse gas emissions as specified in WAC 194-40-110.

(b) **Target.** The energy efficiency target for any interim performance period or GHG neutral compliance period must equal or exceed the target that would be calculated using the pro rata share approach specified in RCW 19.285.040 (1)(b) and must be sufficient to ensure that the Utility meets its obligation under RCW 19.405.040(6) to pursue all cost-effective, reliable, and feasible conservation and energy efficiency resources.

Qualifying utilities under the EIA:

WAC 194-40-200 (3) (a) (i) – “The CEIP must establish a target for the amount, expressed in megawatt-hours of **first-year savings**, of energy efficiency resources **expected to be acquired during the period**. The energy efficiency target must comply with WAC (1).”

WAC 194-40-330 (1) (a) (i) – “Any Utility that is a qualifying Utility under chapter 19.285 RCW must assess the amount of energy efficiency and conservation that is available **using the conservation methodology established in RCW 19.285.040(1) and the rules implementing that subsection**. The analysis must include the **social cost of greenhouse gas emissions** as specified in WAC 194-40-110.”

RCW 19.285.040 (1) (a) – “By January 1, 2010, **using methodologies consistent with those used by the Pacific Northwest electric power and conservation planning council in the most recently published regional power plan** as it existed on June 12, 2014, or a subsequent date as may be provided by the department or the commission by rule, each qualifying Utility shall identify its **achievable cost-effective conservation potential** through 2019. Nothing in the rule adopted under this subsection precludes a qualifying Utility from **using its Utility specific conservation measures, values, and assumptions in identifying its achievable cost-effective conservation potential**. At least every two years thereafter, the qualifying Utility shall review and update this assessment for the subsequent ten-year period.”

RCW 19.285.040 (1) (b) – “Beginning January 2010, each qualifying Utility shall establish and make publicly available a biennial acquisition target for cost-effective conservation consistent with its identification of achievable opportunities in (a) of this subsection and meet that target during the subsequent two-year period. At a minimum, **each biennial target must be no lower than the qualifying Utility’s pro rata share for that two-year period of its cost-effective conservation potential for the subsequent ten-year period**.”

WAC 194-40-110 (1) (a) – “Each Utility **must incorporate the social cost of greenhouse gas emissions** as a cost adder for all relevant inputs when evaluating and selecting conservation policies, programs, and targets; developing integrated resource plans and clean energy action plans; and evaluating and selecting intermediate term and long-term resource options.”

Demand Response target – To demonstrate a utility pursued all cost-effective, reliable, and feasible demand response, CETA requires utilities conduct some form of assessment and ensure the target is consistent with its resource plan reporting.

Criteria:

RCW 19.405.040 (1) – “... an electric Utility must: (i) **Pursue all cost-effective, reliable and feasible conservation and efficiency resources to reduce or manage retail electric load**, using the methodology established in RCW 19.285.040, if applicable...”

WAC 194-40-200 (3):

(b) **Demand response resources.** The CEIP must specify a target for the amount, expressed in megawatts, of demand response resources to be acquired during the period. The demand response target must comply with WAC 194-40-330(2).

WAC 194-40-330:

(2) **Demand response resources:**

(a) **Assessment of potential.** Each utility must assess the amount of demand response resource that is cost-effective, reliable, and feasible.

(b) **Target.** The demand response target for any compliance period must be sufficient to meet the utility's obligation under RCW 19.405.040(6) and must be consistent with the utility's integrated resource plan or resource plan and any distributed energy resource plan adopted under RCW 19.280.100.

RCW 19.405.040 (6):

(6)(a) In meeting the standard under subsection (1) of this section, an electric utility must, consistent with the requirements of RCW 19.285.040, if applicable, pursue all cost-effective, reliable, and feasible conservation and efficiency resources, and demand response. In making new investments, an electric utility must, to the maximum extent feasible:

(i) Achieve targets at the lowest reasonable cost, considering risk;

(ii) Consider acquisition of existing renewable resources; and

(iii) In the acquisition of new resources constructed after May 7, 2019, rely on renewable resources and energy storage, insofar as doing so is consistent with (a)(i) of this subsection.

(b) Electric utilities subject to RCW 19.285.040 must demonstrate pursuit of all conservation and efficiency resources through compliance with the requirements in RCW 19.285.040.

- **Identification of vulnerable populations, [WAC 194-40-200(4)(b)] [RCW 19.405.020(39)]:**

- CETA requires utilities identify vulnerable populations based on the adverse socioeconomic factors and sensitivity factors developed through a public process established by the utility.

	A	B	C	D	E
1	City of McCleary				
2	Vulnerable populations (WAC 194-40-200(4))				
3	Please list all socioeconomic factors and sensitivity factors developed through a public process and used to identify Vulnerable Populations based on the definition in RCW 19.405.020(40):				
4					
5					
6	(40) "Vulnerable populations" means communities that experience a disproportionate cumulative risk from environmental burdens due to:				
7	(a) Adverse socioeconomic factors, including unemployment, high housing and transportation costs relative to income, access to food and health care, and linguistic isolation; and				
8					
9	(b) Sensitivity factors, such as low birth weight and higher rates of hospitalization				
10					
11	Factors	Details	Source	Date Last Updated	Approximate number of households in service territory (if applicable)
12	Ex. COVID cases	Cases by race and ethnicity	Department of Health COVID-19 data dashboard	2021	1,000
13	Low income/senior	Single Family Residents and Multifamily Residents	City of McCleary customer data; Coastal Community Action Program	updated monthly	150
14	Renter	Single Family Residents and Multifamily Residents	City of McCleary customer data	updated monthly	170
15	Customers with a history of late payments, in arrears, or have received a shut-off notice	Customers with a history of late payments, in arrears, or	City of McCleary Customer Data	updated monthly	20
16					
17					
18	Describe and explain any changes to the factors from the utility's previous CEIP, if any:				
19	No Change				
20					
21					
22					
23					

The City was unable to show it identified other socioeconomic factors and sensitivity factors developed through a public process it established to identify vulnerable populations as required by CETA.

- Identification of highly impacted communities,

The City cited the census tract it serves as a “highly impacted community” however the area the City serves did not rank high enough to be considered “highly impacted”, - *This was evident from the information the City reported – not considered a significant issue.*

City of McCleary

Highly impacted communities (WAC 194-40-200(4))

Report each Highly Impacted Community in the table below.

Highly Impacted Community is defined in RCW 19.405.020(3) as:

(23) “highly impacted community” means a community designated by the department of health based on cumulative impact analyses in RCW 19.405.140 or a community located in census tracts that are fully or partially on “Indian country” as defined in 18 U.S.C. Sec. 1151.

Department of Health has designated Highly Impacted Communities as those ranking 9 or 10 on the Environmental Health Disparities Topic Rank.

map. Visit the Department of Health website for instructions on how to identify Highly Impacted Communities:

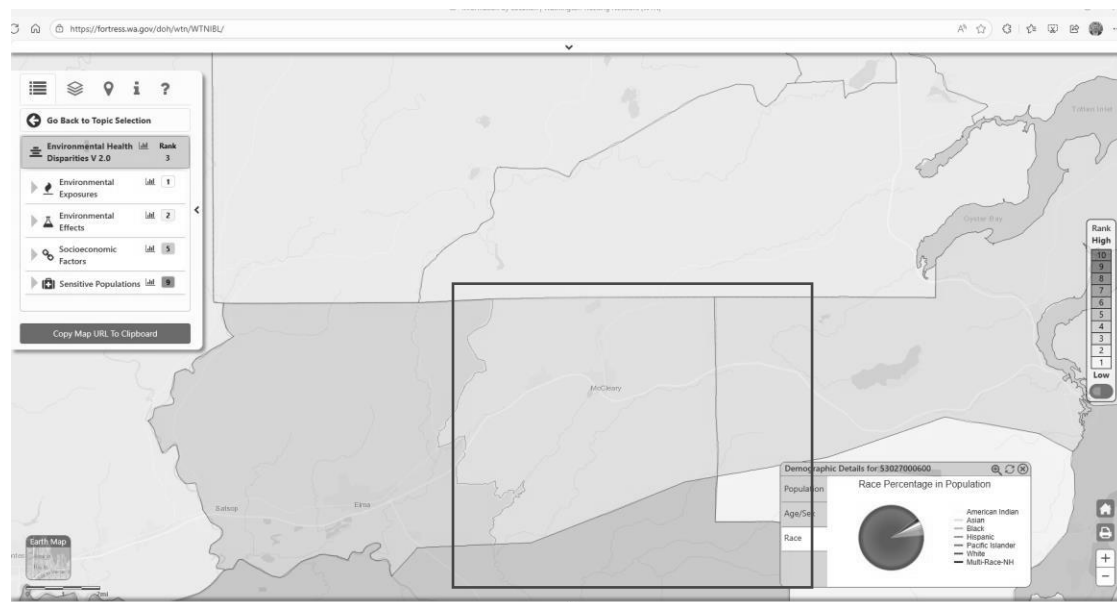
<https://www.doh.wa.gov/DataandStatisticalReports/WashingtonTrackingNetworkWTN/ClimateProjections/CleanEnergyTransformationAct/CETAUtilityInstructions>

Census Tract (enter 11 digit FIPS code)	County Name	Tribal Lands (Yes/No)	Environmental Health Disparities Topic Rank
53027000600	Grays Harbor	No	4

There will be a website with instructions on how to do this we should link to:

<https://deohs.washington.edu/news/new-interactive-mapping-tool-ranks-washington-communities-most-impacted-environmental-health>

We should also link to the map itself: <https://fortress.wa.gov/doh/wtn/WTNIBL/>



Overall criteria, grouped by compliance area:



CETA-CEIP_requirements.xlsx



CETA-LowIncomeEnergyAssistance_requirements.xlsx



CETA-GHG_Contentments.xlsx

Commerce’s Washington state Energy Office web site resources:

[Energy Division – Washington State Department of Commerce](#)

[Clean Energy Transformation Act \(CETA\) – Washington State Department of Commerce \(CEIP\)](#)

[Energy assistance for low-income households – Washington State Department of Commerce](#)

Public Records Act – City of McCleary Procedures & Policy

The purpose of these rules is to establish the procedures the City of McCleary will follow to provide full access to public records. These procedures provide information to persons wishing to access public records of the City of McCleary and to City employees to assist members of the public in obtaining such access.

1. Public Records Officer:

General City Information: The City Clerk-Treasurer has been designated as the City's public records officer for general information requests and may be contacted at:

City of McCleary
100 South 3rd Street
McCleary, WA 98557
Phone: (360) 495-3667
Fax: (360) 495-3097
publicrecords@cityofmccleary.com

Police Records: Due to the special requirements related to the release of criminal history record information (CHRI), requests for law enforcement records and police-worn body camera records should be directed to:

McCleary Police Department
100 South 3rd Street
McCleary, WA 98557
Phone: (360) 495-3107
Fax: (360) 495-4483
pdclerk@cityofmccleary.com

Fire and Emergency Medical Services Incident records: Requests to inspect or copy records for fire and emergency medical services incidents, maintained by the City's Fire Department should be made to the City Clerk-Treasurer at:

City of McCleary
100 South 3rd Street
McCleary, WA 98557
Phone: (360) 495-3667
Fax: (360) 495-3097
publicrecords@cityofmccleary.com

Municipal Court Records: Requests to inspect or copy records maintained by the McCleary Municipal Court, should be made through the Grays Harbor District Court #1 by filling out a records request form and emailing it to dcrecords@graysharbor.us or printing and sending the completed form to:

Grays Harbor County District Court #1
Attention: Records Custodian
 102 W. Broadway Ave., Room 202
 Montesano, WA 98563:

The public records officer will oversee compliance with the Public Records Act, but another staff member may process the request. Therefore, these procedures may refer to the public records officer or designee. The public records officer will provide the fullest assistance to requestors; ensure that public records are protected from damage or disorganization; and prevent the fulfillment of public records requests from causing excessive interference with essential functions of the City of McCleary.

2. Requests for public records:

- Requestors must give reasonable notice that a request is for public records. A request using the terms “public records,” “public disclosure,” “FOIA,” or “Freedom of Information Act” (terms commonly used for federal records) is reasonable notice to the City. The requested record must also be clearly identified so the City can locate it.
- A public records request form is available but is not mandatory. The form is available online at <https://www.cityofmccleary.com/administration/page/city-public-records-request-form> under the “I Want To...” tab or the “Local Government” tab. The written request should plainly state that it is a request for public records and include the following information:
 - 1) Name and address of requestor.
 - 2) Other contact information, including telephone number and an email address (if available).
 - 3) Identification of the public records sufficient for the public records officer or designee to reasonably identify and adequately locate the records.
 - 4) The date of the request.
 - 5) Whether the request is to inspect the records or have copies provided (either paper or electronic). (See Section 7 for applicable fees).
- City staff receiving any request for public records should immediately forward the request to the public records officer of each department. The request does not need to be made on the City’s form. No email requests shall be made

except to the designated email address for the public records officer. Email requests will be deemed received on the date the email is opened and read and not the date the email is received on the City's email system.

- The public records officer, and/or designees, will maintain a log of requests as required by RCW 42.56.
- Within five (5) days of receiving the public records request, the public records officer will provide an initial response. This initial response will do one of four things:
 - 1) Provide the record;
 - 2) Acknowledge that the City received the request and provide a reasonable estimate of the time necessary to fully respond;
 - 3) Seek clarification of the request; or
 - 4) Deny the request.
- Notice to Third Parties. If a public record contains personal information that identifies an individual or organization other than the subject of the requested public record, the City may notify that individual or organization to allow the third party to seek relief pursuant to RCW 42.56.540. The City may take this into account when providing an estimate for when the records will be available. The City should also review any contracts with third parties that may contain special notice provisions. Nothing in this policy is intended to create any right to such notice.
- The City will process non-routine record requests in the order allowing the most requests to be processed in the most efficient manner.

3. Inspection of records:

After notification of availability, public records will be accessible for inspection and/or copying during the normal business hours of the City as designated in the McCleary Municipal Code Section 1.04.100. (Currently, 8:00 a.m. through 4:00 p.m. Monday through Friday, of each week, but shall not include holidays occurring during the normal business week of the City as may be established by state law or actions of City Council.)

The City shall provide space to inspect public records. The public shall not be allowed to inspect the City's records in cabinets or vaults.

The public may not remove any documents from the viewing area or disassemble or alter any document. To select a paper record for copying during an inspection, a requestor must flag the page or document by use of a non-permanent method such

as a removable adhesive note. A requestor is not to take pictures of any documents via phone.

A requestor shall indicate which documents he or she wishes the City to copy. Since copying facilities are located in "employee only" areas of City facilities, for security purposes and to avoid unreasonable disruption of operations, the City cannot offer these facilities for public use. City staff will make the requested copies or arrange for copying and the requestor will be charged in accordance with the City's fees.

4. Failure to respond to a public records request:

If the City of McCleary does not respond in writing within five (5) business days of the receipt of the request for records, the requestor should contact the public records officer to determine the reason for the failure to respond.

If within a thirty-day (30) period after notification of availability by the City, the requestor or a representative of the requestor fails to claim or review the records; fails to pay any required deposit; or fails to make other arrangements, the public records officer may close the request; have the assembled records re-filed; and indicate to the requestor that the request has been closed and abandoned.

5. Providing records in installments:

A public records request may cover a large number of records. The public records officer may determine that it would be practical to provide access for inspection and copying in installments. If, within thirty (30) days of being notified of availability, the requestor fails to inspect the entire set of records or one or more of the installments, the public records officer or designee may stop searching for the remaining records and close the request.

6. Procedure for review of denials of requests:

Any person objecting to an initial denial or partial denial of a records request may petition in writing (including e-mail) to the public records officer for a review of that decision. The petition shall include a copy of or identify the written statement by the public records officer or designee denying the request.

The public records officer shall give the petition for review of denial and any other relevant information to the City Attorney. The City Attorney will consider the petition and either affirm or reverse the denial within five (5) business days following receipt of the petition, or within such other time as the City Attorney determines to be necessary to review the petition.

Any person may obtain a court review of denials of public records requests pursuant to RCW 42.56.550 prior to the conclusion of two (2) business days after the initial denial regardless of any internal administrative appeal.

7. Fees:

The fees set forth in this section are default fees set pursuant to RCW 42.56.120. The City finds that calculating the actual cost of providing public records would be unduly burdensome given the limited staff resources and funding to dedicate to a comprehensive study to determine actual copying costs and that conducting such a study would interfere with the City's other essential agency functions.

No fee shall be charged for the inspection of Public Records.

The City may charge one or more of the following fees for copies of public records:

- Fifteen cents (0.15) per page for photocopies of public records or printed copies of electronic public records when requested by the person requesting records; payable at the time of pick-up;
- Electronic copies of records: Free, unless more than 80 files and/or 1 GB;
- The actual cost of any digital storage media or device provided by the City;
- Cost, including taxes, actually charged by any third-party vendor used to make copies;
- Postage and shipping costs, including the cost of any containers used in shipping;
- The actual cost of Body-Worn and/or Car Camera Video Redaction is at a rate of \$6.10 per minute of video and/or audio recorded. A deposit of an estimated 10% of the total amount will be required prior to completing and providing the request.

The McCleary Police Department bases the costs of redaction on studies performed by the Spokane and Seattle Police Departments. These studies were based on staff time spent reviewing and redacting video, audio, or video and audio footage for the purposes of public records requests. Due to the Washington State Public Records Act certain images, information, and audio statements are protected from release through a public record request and therefore must be redacted prior to the release of the record.

Time Studies:

Stopwatch-style time studies were conducted to determine the amount of time it takes to redact body camera recordings including how long it takes to remove audio from an entire video, eliminate one minute of video, redact one minute of audio, and redact one minute of video.

TIME STUDY RESULTS:

Redaction Type	Video Time	Average Redaction Time
Targeted Video Redaction without Targeted Audio Redaction	1 minute per individual or object redacted	10 minutes per individual or object redacted

Estimating Redaction Costs:

Based on the results of the cost study, McCleary Police Records Personnel will calculate estimated redaction costs at the following rates:

Redaction Method	Estimated Cost Per Minute To Redact	Minutes to Redact Per Minute of Raw Footage	Estimated Cost of Redaction Per Minute of Raw Footage
Targeted Video Redaction with Targeted Audio Redaction	\$0.61 per individual or object redacted	10 minutes per individual or object redacted	\$6.10 per individual or object redacted

Reference RCW 42.56.240 (14) (f)(I) A law enforcement or corrections agency responding to a request to disclose body worn camera recordings may require any requester not listed in (e) of this subsection to pay the reasonable costs of redacting, altering, distorting, pixelating, suppressing, or otherwise obscuring any portion of the body worn camera recording prior to disclosure only to the extent necessary to comply with the exemptions in this chapter or any applicable law.

(ii) An agency that charges redaction costs under this subsection (14)(f) must use redaction technology that provides the least costly commercially available method of redacting body worn camera recordings, to the extent possible and reasonable.

(iii) In any case where an agency charges a requestor for the costs of redacting a body worn camera recording under this subsection (14)(f), the time spent on redaction of the recording shall not count towards the agency's allocation of, or limitation on, time or costs spent responding to public records requests under this chapter, as established pursuant to local ordinance, policy, procedure, or state law

8. Disclaimer of Liability:

Neither the City nor any officer, employee, official, or custodian shall be liable, nor shall a cause of action exist, for any loss or damage based upon a release of Public Records if the person releasing the records acted in good faith in attempting to comply with this policy.

This policy is not intended to expand or restrict the rights of disclosure or privacy as they exist under state and federal law. Despite the use of any mandatory terms such as “shall,” nothing in this policy is intended to impose mandatory duties on the City beyond those imposed by state and federal law.

9. Exemptions:

The Public Records Act provides that a number of types of documents are exempt from public inspection and copying. These exemptions are listed in Chapter 42.56 RCW, including the prohibition of disclosing lists of individuals for commercial purposes. In addition, documents are exempt from disclosure if any “other statute” exempts or prohibits disclosure. The following are exemptions, outside the Public Records Act, that restrict the availability of some documents held by the City of McCleary:

Washington State Statutes

RCW 2.64.111	Judicial conduct commission investigations of judges and initial proceedings
RCW 4.24.550	Information on sex offenders
RCW 4.24.601 and .611	Trade secrets and confidential research, development or commercial information re products or business methods
RCW 5.60.060	Privileged communications
RCW 5.60.070; RCW 7.07.070	Mediation records
RCW 7.68.140	Victims’ compensation claims
RCW 7.69A.030(4)	Name, address and photograph of child victim or child witness
RCW 7.69A.050	Child victims and witnesses of certain crimes – protection of address
RCW 7.75.050	Records of Dispute Resolution Centers
RCW 9.02.100	Reproductive privacy
RCW 9.41.097(2)	Mental health information re persons buying pistols or applying for CPLs
RCW 9.41.129	Concealed pistol license applications
RCW 9.73.230	Name of confidential informants in written report on wire tapping
RCW 9.51.050	Disclosing transaction of grand jury

RCW 9.51.060	Disclosure of grand jury deposition
RCW 9.73.090(1)(c)	Prohibition on disclosure of law enforcement dash cam videos until final disposition of litigation
RCW 9A.44.138	Offender registration information given to high school or institution of higher education re an employee or student
RCW 7.75.050	Records of Dispute Resolution Centers
RCW 9.02.100	Reproductive privacy
RCW 9.41.097(2)	Mental health information re persons buying pistols or applying for CPLs
RCW 9.41.129	Concealed pistol license applications
RCW 9.73.230	Name of confidential informants in written report on wire tapping
RCW 9.51.050	Disclosing transaction of grand jury
RCW 9.51.060	Disclosure of grand jury deposition
RCW 9.73.090(1)(c)	Prohibition on disclosure of law enforcement dash cam videos until final disposition of litigation
RCW 9A.44.138	Offender registration information given to high school or institution of higher education re an employee or student
RCW 9A.82.170	Financial institution records re criminal profiteering act
RCW 10.27.090	Grand jury testimony/evidence
RCW 10.27.160	Grand jury reports – release to public only by judicial order
RCW 10.52.100	Records identifying child victims of sexual assault
RCW 10.77.205	Information re victims, next of kin, or witnesses requesting notice of release of person found not guilty of a sex, violent, or felony harassment offense by reason of criminal insanity and the notice itself
RCW 10.52.100	Records identifying child victim of sexual assault
RCW 10.77.210	Records of persons committed for criminal insanity
RCW 10.97.040	Criminal history information released must include disposition, with some exceptions
RCW 10.97.050	Conviction and criminal history information
RCW 10.97.060	Deletion of certain criminal history record information, conditions
RCW 10.97.070	Disclosure of identity of suspect to victim
RCW 10.97.080	Inspection of criminal record by subject
RCW 10.97.130	Information about victims of sexual assault under age eighteen
RCW 10.101.020(3)	Information given by an accused regarding determination for indigent defense
RCW 13.34.115	Court dependency proceedings
RCW 13.40.217	Juveniles adjudicated of sex offenses – release of information
RCW 13.50.010	Maintenance of and access to juvenile records

RCW 13.50.050	Juvenile offender records
RCW 13.50.100	Juvenile/children records not relating to offenses
RCW 13.60.020	Missing children or endangered person information
RCW 18.04.405	Confidentiality of information gained by CPA
RCW 18.19.060	Notification to clients by counselors
RCW 18.19.180	Confidential communications with counselors
RCW 19.215.020	Destruction of personal health and financial information
RCW 19.34.240(3)	Private digital signature keys
RCW 19.215.030	Compliance with federal rules
RCW 26.04.175	Name and address of domestic violence victim in marriage records
RCW 26.12.170	Reports of child abuse/neglect with courts
RCW 26.23.050	Child support orders
RCW 26.23.120	Child support records
RCW 26.26.041	Uniform Parentage Act – protection of participants
RCW 26.26.450	Confidentiality of genetic testing
RCW 26.33.330	Sealed court adoption records
RCW 26.33.340	Agency adoption records
RCW 26.33.343	Access to adoption records by confidential intermediary
RCW 26.33.380	Adoption – identity of birth parents confidential
RCW 26.44.010	Privacy of reports on child abuse and neglect
RCW 26.44.031	Information related to reports of child abuse or neglect
RCW 26.44.125	Reports, reviews and hearings related to a review of abuse finding
RCW 27.53.070	Records identifying the location of archaeological sites
RCW 29A.08.720	Voter registration records – place of registration and any decision not to register to vote confidential
RCW 29A.08.710	Voter registration records – certain information exempt
RCW 35.102.145	Municipal business and occupation tax – local ordinance can protect return or tax information
RCW 36.28A.060(8)	Tactical and intelligence information provided to WASPC
RCW 39.10.470(2)	Alternative public works - trade secrets or other proprietary information submitted by bidder in connection with an alternative public works transaction if data identified and reasons stated in writing
RCW 39.10.470(3)	Alternative public works – proposals submitted by design-build finalists until notification of highest scoring finalist is made

RCW 42.23.070(4)	Municipal officer disclosure of confidential information prohibited
RCW 42.41.030(7)	Identity of local government whistleblower
RCW 42.41.045	Non-disclosure of protected information (whistleblower)
RCW 43.43.762	Contents of statewide criminal street gang database
RCW 46.52.065	State toxicologist records relating to analyses of blood samples
RCW 46.52.080	Traffic accident reports – confidentiality
RCW 46.52.083	Traffic accident reports – available to interested parties
RCW 46.52.120	Traffic crimes and infractions – confidential use by police and courts
RCW 46.52.130(2)	Abstract of driving record – limited disclosure
RCW 48.62.101	Local government insurance/risk management liability reserve funds established to settle claims
RCW 50.13.060	Access to employment security records by local government agencies
RCW 50.13.100	Disclosure of confidential employment security records allowed if identifying information deleted or with consent
RCW 51.28.070	Worker's compensation records confidential–limited disclosure
RCW 51.36.060	Physician information on injured workers
RCW 60.70.040	No duty to disclose record of common law lien
RCW 68.50.105	Autopsy reports – confidential – limited disclosure
RCW 68.50.320	Dental identification records – available to law enforcement agencies
Ch. 70.02 RCW	Medical records – access and disclosure – entire chapter (information from HC providers)
RCW 70.05.170	Child mortality reviews by local health departments
RCW 70.24.022	Public health agency information regarding sexually transmitted disease investigations – confidential
RCW 70.24.024	Transcripts and records of hearings regarding sexually transmitted diseases
RCW 70.28.020	Local health department TB records–confidential
RCW 70.41.200	Hospital quality improvement committee records and accreditation reports
RCW 70.48.100	Jail records and booking photos
RCW 70.58.055	Birth certificates – certain information confidential
RCW 70.58.104	Vital records, research confidentiality safeguards
RCW 70.94.205	Washington Clean Air Act – confidentiality of data.
RCW 70.96A.150	Registration and other records of alcohol and drug abuse treatment programs

RCW 70.123.075	Client records of domestic violence programs
RCW 70.125.065	Records of community sexual assault program and underserved populations provider in discovery
RCW 71.05.425	Notice of release or transfer of committed person after offense dismissal
RCW 71.05.445	Release of mental health information to Dept. of Corrections
RCW 71.05.620	Access to court records related to mental health cases under chapter 71.05 RCW
RCW 71.24.035(5)(g)	Mental health information system – state, county and regional support networks – confidentiality of client records
RCW 71.34.335	Mental health treatment of minors – records confidential
RCW 71A.14.070	Records regarding developmental disability– confidentiality
RCW 72.09.345	Notice to public about sex offenders – department of corrections access to information
RCW 72.09.585	Disclosure of inmate records to local agencies – confidentiality
RCW 73.04.030	Veterans discharge papers exemption (see related RCW 42.56.440)
RCW 74.04.060	Applicants and recipients of public assistance
RCW 74.04.520	Food stamp program confidentiality
RCW 74.13.075(5)	Juvenile's status as a sexually aggressive youth and related info
RCW 74.13.280	Children in out-of-home placements – confidentiality
RCW 74.20.280	Child support enforcement – local agency cooperation, information
RCW 74.34.095	Abuse of vulnerable adults - confidentiality of investigations and reports
RCW 82.32.330 information	Disclosure of tax
RCW 84.36.389	Confidential income data in property tax records held by assessor
RCW 84.40.020	Confidential income data supplied to assessor regarding real property

Selected Federal Confidentiality Statutes and Rules

18 USC § 2721 - 2725	Driver and License Plate Information
20 USC § 1232g	Family Education Rights and Privacy Act
23 USC § 409	Evidence of certain accident reports
42 USC 290dd-2	Confidentiality of Substance Abuse Records

42 USC § 405(c)(2)(C)(viii) (I)	Limits on Use and Disclosure of Social Security Numbers
42 USC 654(26)	State Plans for Child Support
42 USC 671(a)(8)	State Plans for Foster Care and Adoption Assistance
42 USC 1396a(7)	State Plans for Medical Assistance
7 CFR 272.1(c)	Food Stamp Applicants and Recipients
34 CFR 361.38	State Vocational Rehabilitation Services Programs
42 CFR Part 2 (2.1 - 2.67)	Confidentiality of Alcohol and Drug Abuse Patient Records
42 CFR 431.300 - 307	Safeguarding Information on Applicants and Recipients of Medical Assistance
42 CFR 483.420	Client Protections for Intermediate Care Facilities for the Mentally Retarded
42 CFR 5106a	Grants to States for Child Abuse and Neglect Prevention and Treatment Programs
45CFR 160-164	HIPAA Privacy Rule
46CFR 40.321	USCG regulations regarding confidentiality

Public Records Act - City of McCleary Procedures & Policy

The purpose of these rules is to establish the procedures the City of McCleary will follow to provide full access to public records. These procedures provide information to persons wishing to access public records of the City of McCleary and to City employees to assist members of the public in obtaining such access. All procedures are subject to the Revised Code of Washington (RCW).

The procedures and policy shall be available at City Hall and posted on the City of McCleary's website.

1. Public Records Officer:

General City Information: The City Clerk-Treasurer has been designated as the City's public records officer for general information requests and may be contacted at:

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Fax: (360) 495-3097
publicrecords@cityofmcclary.com

Police Records: Due to the special requirements related to the release of criminal history record information (CHRI), requests for law enforcement records and police-worn body camera records should be directed to:

McCleary Police Department
100 South 3rd Street
McCleary, WA 98557
Phone: (360) 495-3107
Fax: (360) 495-4483
pdclerk@cityofmcclary.com

Fire and Emergency Medical Services Incident records: Requests to inspect or copy records for fire and emergency medical services incidents, maintained by the City's Fire Department should be made to the City Clerk-Treasurer at:

City of McCleary
100 South 3rd Street
McCleary, WA 98557
Phone: (360) 495-3667
Fax: (360) 495-3097
publicrecords@cityofmcclary.com

Municipal Court Records: Requests to inspect or copy records maintained by the McCleary Municipal Court, should be made through the Grays Harbor District Court #1 by filling out a records request form and emailing it to dcrecords@graysharbor.us or printing and sending the completed form to:

Grays Harbor County District Court #1
 Attention: Records Custodian
 102 W. Broadway Ave., Room 202
 Montesano, WA 98563:

The Public Records Officer will oversee compliance with the Public Records Act, but another staff member may process the request. Therefore, these procedures may refer to the public records officer or designee. The public records officer will provide the fullest assistance to requestors; ensure that public records are protected from damage or disorganization; and prevent the fulfillment of public records requests from causing excessive interference with essential functions of the City of McCleary.

2. Requests for Public Records:

Requestors must give reasonable notice that a request is for public records. A request using the terms "public records," "public disclosure," "FOIA," or "Freedom of Information Act" (terms commonly used for federal records) is reasonable notice to the City.

The City encourages that all requests be made using the request form located on the City website. The form is available online at:

<https://www.cityofmccleary.com/administration/page/city-public-records-request-form>

or under the "I Want To..." tab or the "Local Government" tab. Additionally, requests may be mailed, emailed, faxed, or delivered in person to City Hall. In person requests must be made during regular business hours. Verbal requests must be given directly to the Public Request Officer.

The written request should plainly state that it is a request for public records and should include the following information:

- a. Name and address of requestor.
- b. Other contact information, including telephone number and an email address.
- c. Identification of the public records sufficient for the public records officer or designee to reasonably identify and adequately locate the records.

- d. The date of the request.
- e. Whether the request is to inspect the records or have copies provided (either paper or electronic). (See Section 7 for applicable fees).

3. Procedure for Response to Public Requests

- a. City staff receiving any request for public records should immediately forward the request to the Public Records Officer of each department. No email requests shall be made except to the designated email address for the Public Records Officer.
- b. Email requests will be deemed received on the date the email is opened and read and not the date the email is received on the City's email system.
- c. The public records officer, and/or designees, will maintain a log of requests as required by RCW 42.56.
- d. The City will process non-routine record requests in the order allowing the most requests to be processed in the most efficient manner.
- e. **Providing records in installments.** A public records request may cover a large number of records. The Public Records Officer may determine that it would be practical to provide access for inspection and copying in installments **as needed to maintain sufficient support of normal operations at City Hall**. If, within thirty (30) days of being notified of availability, the requester fails to inspect the entire set of records or one or more of the installments, the public records officer or designee may stop searching for the remaining records and close the request.
- f. **Requests for “any and all” records** will be sent back to the requestor to clarify or narrow down the request as such a request is not considered a valid request for identifiable records.
- g. **Multiple requests by the same party.** Due to staff limitations, when the same requestor simultaneously submits separate requests or makes more than one request when previous requests are still open, staff may queue the request until the initial requests are completed and closed. Requestors are responsible for informing the Public Records Officer if they want to reprioritize the fulfillment of their requests.

h. Third party notification. If a public record contains personal information that identifies an individual or organization other than the subject of the requested public record, the City may notify that individual or organization to allow the third party to seek relief pursuant to RCW 42.56.540. The City may take this into account when providing an estimate for when the records will be available.

If a request seeks information located exclusively in an employee's personnel, payroll, supervisor, or training file, the city must provide notice to the employee and to any union representing the employee. The notice should state:

1. The date of the request.
2. The nature of the requested record relating to the employee.
3. That the City will release any information in the record not exempt from disclosure at least ten (10) days from the date the notice is made; and
4. That the employee may seek to enjoin release of the records under RCW 42.56.540.

4. Initial Five-Day Response

- a. Within five (5) business days of receiving the public records request, the public records officer will provide an initial response.
- b. In calculating the five (5) business days, the following are not counted: The day the agency receives the request, Saturday-Sunday, and observed holidays.
- c. This initial response will do one of four things:

1. Provide the records. If the record request is available on the City's website, the response may include directions on how to locate the document on the website.

OR

2. Acknowledge that the City has received the request and provide a reasonable estimate of when the request can be fulfilled. OR

3. Seek clarification of the request if needed to identify the record. OR

4. Deny the request and provide a reason that is authorized under the Public Records Act, which may include, but is not limited to:

a. the City does not have any responsive records

b. the responsive records are exempt from disclosure (the appropriate RCW code will be provided for the exemption).

5. Inspection

After notification of availability, public records will be accessible for inspection and/or copying during the normal business hours of the City as designated in the McCleary Municipal Code Section 1.04.100. (Currently, 8:00 a.m. through 4:00 p.m. Monday through Friday, of each week, but shall not include holidays occurring during the normal business week of the City as may be established by state law or actions of City Council.)

a. The City shall provide space to inspect public records. The public shall not be allowed to inspect the City's records in cabinets or vaults.

b. The public may not remove any documents from the viewing area or disassemble or alter any document. To select a paper record for copying during an inspection, a requester must flag the page or document by use of a non-permanent method such as a removable adhesive note. A requester is not to take pictures of any documents via phone.

c. A requester shall indicate which documents he or she wishes the City to copy. Since copying facilities are located in "employee only" areas of City facilities, for security purposes and to avoid unreasonable disruption of operations, the City cannot offer these facilities for public use. City staff will make the requested copies or arrange for copying and the requester will be charged in accordance with the City's fees.

6. Index of Public Records

The City of McCleary finds that it would be unduly burdensome and would interfere with City operation to maintain an index of records as Administrative staff levels are low and necessary software is currently cost prohibitive. The City will make available for public disclosure all indexes which may at a future time be developed for City use.

7. Failure to respond to a public records request:

If the City of McCleary does not respond in writing within five (5) business days of the receipt of the request for records, the requester should contact the public records officer to determine the reason for the failure to respond.

If within a thirty-day (30) period after notification of availability by the City, the requester or a representative of the requester fails to claim or review the records; fails to pay any required deposit; or fails to make other arrangements, the public records officer may close the request; have the assembled records re-filed; and indicate to the requester that the request has been closed and abandoned.

8. Procedure for review of denials of requests:

Any person objecting to an initial denial or partial denial of a records request may petition in writing (including e-mail) to the public records officer for a review of that decision. The petition shall include a copy of or identify the written statement by the public records officer or designee denying the request.

The public records officer shall give the petition for review of denial and any other relevant information to the City Attorney. The City Attorney will consider the petition and either affirm or reverse the denial within five (5) business days following receipt of the petition, or within such other time as the City Attorney determines to be necessary to review the petition.

Any person may obtain a court review of denials of public records requests pursuant to RCW 42.56.550 prior to the conclusion of two (2) business days after the initial denial regardless of any internal administrative appeal.

9. Fees

The fees set forth in this section are default fees set pursuant to RCW 42.56.120. The City finds that calculating the actual cost of providing public records would be unduly burdensome given the limited staff resources and funding to dedicate to a comprehensive study to determine actual copying costs and that conducting such a study would interfere with the City's other essential agency functions.

No fee shall be charged for the inspection of Public Records.

The City may charge one or more of the following fees for copies of public records:

Fifteen cents (0.15) per page for photocopies of public records or printed copies of electronic public records when requested by the person requesting records; payable at the time of pick-up;

Electronic copies of records: Free, unless more than 80 files and/or 1 GB;

The actual cost of any digital storage media or device provided by the City;

Cost, including taxes, actually charged by any third-party vendor used to make copies;

Postage and shipping costs, including the cost of any containers used in shipping;

The actual cost of Body-Worn and/or Car Camera Video Redaction is at a rate of \$6.10 per minute of video and/or audio recorded. A deposit of an estimated 10% of the total amount will be required prior to completing and providing the request.

The McCleary Police Department bases the costs of redaction on studies performed by the Spokane and Seattle Police Departments. These studies were based on staff time spent reviewing and redacting video, audio, or video and audio footage for the purposes of public records requests. Due to the Washington State Public Records Act certain images, information, and audio statements are protected from release through a public record request and therefore must be redacted prior to the release of the record.

Time Studies:

Stopwatch-style time studies were conducted to determine the amount of time it takes to redact body camera recordings including how long it takes to remove audio from an entire video, eliminate one minute of video, redact one minute of audio, and redact one minute of video.

TIME STUDY RESULTS:

Redaction Type	Video Time	Average Redaction Time
Targeted Video Redaction without Targeted Audio Redaction	1 minute per individual or object redacted	10 minutes per individual or object redacted

Estimating Redaction Costs:

Based on the results of the cost study, McCleary Police Records Personnel will calculate estimated redaction costs at the following rates:

Redaction Method	Estimated Cost Per Minute To Redact	Minutes to Redact Per Minute of Raw Footage	Estimated Cost of Redaction Per Minute of Raw Footage
Targeted Video Redaction with Targeted Audio Redaction	\$0.61 per individual or object redacted	10 minutes per individual or object redacted	\$6.10 per individual or object redacted

Reference RCW 42.56.240 (14) (f)(I) A law enforcement or corrections agency responding to a request to disclose body worn camera recordings may require any requester not listed in (e) of this subsection to pay the reasonable costs of redacting, altering, distorting, pixelating, suppressing, or otherwise obscuring any portion of the body worn camera recording prior to disclosure only to the extent necessary to comply with the exemptions in this chapter or any applicable law.

An agency that charges redaction costs under this subsection (14)(f) must use redaction technology that provides the least costly commercially available method of redacting body worn camera recordings, to the extent possible and reasonable.

In any case where an agency charges a requestor for the costs of redacting a body worn camera recording under this subsection (14)(f), the time spent on redaction of the recording shall not count towards the agency's allocation of, or limitation on, time or costs spent responding to public records requests under this chapter, as established pursuant to local ordinance, policy, procedure, or state law

Disclaimer of Liability:

Neither the City nor any officer, employee, official, or custodian shall be liable, nor shall a cause of action exist, for any loss or damage based upon a release of Public Records if the person releasing the records acted in good faith in attempting to comply with this policy.

This policy is not intended to expand or restrict the rights of disclosure or privacy as they exist under state and federal law. Despite the use of any mandatory terms such as "shall," nothing in this policy is intended to impose mandatory duties on the City beyond those imposed by state and federal law.

9. Exemptions

The Public Records Act provides that a number of types of documents are exempt from public inspection and copying. These exemptions are listed in Chapter 42.56 RCW, including the prohibition of disclosing lists of individuals for commercial purposes. In addition, documents are exempt from disclosure if any "other statute" exempts or prohibits disclosure. The following are exemptions, outside the Public Records Act, that restrict the availability of some documents held by the City of McCleary:

Washington State Statutes

RCW 2.64.111	Judicial conduct commission investigations of judges and initial proceedings
RCW 4.24.550	Information on sex offenders
RCW 4.24.601 and .611	Trade secrets and confidential research, development or commercial information re products or business methods
RCW 5.60.060	Privileged communications
RCW 5.60.070; RCW 7.07.070	Mediation records
RCW 7.68.140	Victims' compensation claims

RCW 7.69A.030(4)	Name, address and photograph of child victim or child witness
RCW 7.69A.050	Child victims and witnesses of certain crimes - protection of address
RCW 7.75.050	Records of Dispute Resolution Centers
RCW 9.02.100	Reproductive privacy
RCW 9.41.097(2)	Mental health information re persons buying pistols or applying for CPLs
RCW 9.41.129	Concealed pistol license applications
RCW 9.73.230	Name of confidential informants in written report on wire tapping
RCW 9.51.050	Disclosing transaction of grand jury
RCW 9.51.060	Disclosure of grand jury deposition
RCW 9.73.090(1)(c)	Prohibition on disclosure of law enforcement dash cam videos until final disposition of litigation
RCW 9A.44.138	Offender registration information given to high school or institution of higher education re an employee or student
RCW 7.75.050	Records of Dispute Resolution Centers
RCW 9.02.100	Reproductive privacy
RCW 9.41.097(2)	Mental health information re persons buying pistols or applying for CPLs
RCW 9.41.129	Concealed pistol license applications
RCW 9.73.230	Name of confidential informants in written report on wire tapping
RCW 9.51.050	Disclosing transaction of grand jury
RCW 9.51.060	Disclosure of grand jury deposition
RCW 9.73.090(1)(c)	Prohibition on disclosure of law enforcement dash cam videos until final disposition of litigation
RCW 9A.44.138	Offender registration information given to high school or institution of higher education re an employee or student
RCW 9A.82.170	Financial institution records re criminal profiteering act
RCW 10.27.090	Grand jury testimony/evidence
RCW 10.27.160	Grand jury reports - release to public only by judicial order
RCW 10.52.100	Records identifying child victims of sexual assault
RCW 10.77.205	Information re victims, next of kin, or witnesses requesting notice of release of person found not guilty of a sex, violent, or felony harassment offense by reason of criminal insanity and the notice itself
RCW 10.52.100	Records identifying child victim of sexual assault
RCW 10.77.210	Records of persons committed for criminal insanity
RCW 10.97.040	Criminal history information released must include disposition, with some exceptions
RCW 10.97.050	Conviction and criminal history information

RCW 10.97.060	Deletion of certain criminal history record information, conditions
RCW 10.97.070	Disclosure of identity of suspect to victim
RCW 10.97.080	Inspection of criminal record by subject
RCW 10.97.130	Information about victims of sexual assault under age eighteen
RCW 10.101.020(3)	Information given by an accused regarding determination for indigent defense
RCW 13.34.115	Court dependency proceedings
RCW 13.40.217	Juveniles adjudicated of sex offenses - release of information
RCW 13.50.010	Maintenance of and access to juvenile records
RCW 13.50.050	Juvenile offender records
RCW 13.50.100	Juvenile/children records not relating to offenses
RCW 13.60.020	Missing children or endangered person information
RCW 18.04.405	Confidentiality of information gained by CPA
RCW 18.19.060	Notification to clients by counselors
RCW 18.19.180	Confidential communications with counselors
RCW 19.215.020	Destruction of personal health and financial information
RCW 19.34.240(3)	Private digital signature keys
RCW 19.215.030	Compliance with federal rules
RCW 26.04.175	Name and address of domestic violence victim in marriage records
RCW 26.12.170	Reports of child abuse/neglect with courts
RCW 26.23.050	Child support orders
RCW 26.23.120	Child support records
RCW 26.26.041	Uniform Parentage Act - protection of participants
RCW 26.26.450	Confidentiality of genetic testing
RCW 26.33.330	Sealed court adoption records
RCW 26.33.340	Agency adoption records
RCW 26.33.343	Access to adoption records by confidential intermediary
RCW 26.33.380	Adoption - identity of birth parents confidential
RCW 26.44.010	Privacy of reports on child abuse and neglect
RCW 26.44.031	Information related to reports of child abuse or neglect
RCW 26.44.125	Reports, reviews and hearings related to a review of abuse finding
RCW 27.53.070	Records identifying the location of archaeological sites
RCW 29A.08.720	Voter registration records - place of registration and any decision not to register to vote confidential
RCW 29A.08.710	Voter registration records - certain information exempt

RCW 35.102.145	Municipal business and occupation tax - local ordinance can protect return or tax information
RCW 36.28A.060(8)	Tactical and intelligence information provided to WASPC
RCW 39.10.470(2)	Alternative public works - trade secrets or other proprietary information submitted by bidder in connection with an alternative public works transaction if data identified and reasons stated in writing
RCW 39.10.470(3)	Alternative public works - proposals submitted by design-build finalists until notification of highest scoring finalist is made
RCW 42.23.070(4)	Municipal officer disclosure of confidential information prohibited
RCW 42.41.030(7)	Identity of local government whistleblower
RCW 42.41.045	Non-disclosure of protected information (whistleblower)
RCW 43.43.762	Contents of statewide criminal street gang database
RCW 46.52.065	State toxicologist records relating to analyses of blood samples
RCW 46.52.080	Traffic accident reports - confidentiality
RCW 46.52.083	Traffic accident reports - available to interested parties
RCW 46.52.120	Traffic crimes and infractions - confidential use by police and courts
RCW 46.52.130(2)	Abstract of driving record - limited disclosure
RCW 48.62.101	Local government insurance/risk management liability reserve funds established to settle claims
RCW 50.13.060	Access to employment security records by local government agencies
RCW 50.13.100	Disclosure of confidential employment security records allowed if identifying information deleted or with consent
RCW 51.28.070	Worker's compensation records confidential-limited disclosure
RCW 51.36.060	Physician information on injured workers
RCW 60.70.040	No duty to disclose record of common law lien
RCW 68.50.105	Autopsy reports - confidential - limited disclosure
RCW 68.50.320	Dental identification records - available to law enforcement agencies
Ch. 70.02 RCW	Medical records - access and disclosure - entire chapter (information from HC providers)
RCW 70.05.170	Child mortality reviews by local health departments
RCW 70.24.022	Public health agency information regarding sexually transmitted disease investigations - confidential

RCW 70.24.024	Transcripts and records of hearings regarding sexually transmitted diseases
RCW 70.28.020	Local health department TB records-confidential
RCW 70.41.200	Hospital quality improvement committee records and accreditation reports
RCW 70.48.100	Jail records and booking photos
RCW 70.58.055	Birth certificates - certain information confidential
RCW 70.58.104	Vital records, research confidentiality safeguards
RCW 70.94.205	Washington Clean Air Act - confidentiality of data.
RCW 70.96A.150	Registration and other records of alcohol and drug abuse treatment programs
RCW 70.123.075	Client records of domestic violence programs
RCW 70.125.065	Records of community sexual assault program and underserved populations provider in discovery
RCW 71.05.425	Notice of release or transfer of committed person after offense dismissal
RCW 71.05.445	Release of mental health information to Dept. of Corrections
RCW 71.05.620	Access to court records related to mental health cases under chapter 71.05 RCW
RCW 71.24.035(5)(9)	Mental health information system - state, county and regional support networks - confidentiality of client records
RCW 71.34.335	Mental health treatment of minors - records confidential
RCW 71A.14.070	Records regarding developmental disability- confidentiality
RCW 72.09.345	Notice to public about sex offenders - department of corrections access to information
RCW 72.09.585	Disclosure of inmate records to local agencies - confidentiality
RCW 73.04.030	Veterans discharge papers exemption (see related RCW 42.56.440)
RCW 74.04.060	Applicants and recipients of public assistance
RCW 74.04.520	Food stamp program confidentiality
RCW 74.13.075(5)	Juvenile's status as a sexually aggressive youth and related info
RCW 74.13.280	Children in out-of-home placements - confidentiality
RCW 74.20.280	Child support enforcement - local agency cooperation, information
RCW 74.34.095	Abuse of vulnerable adults - confidentiality of investigations and reports
RCW 82.32.330 information	Disclosure of tax

RCW 84.36.389	Confidential income data in property tax records held by assessor
RCW 84.40.020	Confidential income data supplied to assessor regarding real property

RESOLUTION NO. _____

A RESOLUTION A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCCLEARY, GRAYS HARBOR COUNTY, WASHINGTON; CALLING FOR A SPECIAL ELECTION TO VOTE ON THE PROPOSITION OF WHETHER OR NOT THE CITY SHOULD ABANDON THE MAYOR-COUNCIL FORM OF GOVERNMENT AND REORGANIZE UNDER THE COUNCIL-MANAGER PLAN OF GOVERNMENT PURSUANT TO CHAPTER 35A.13 RCW; AND REQUESTING THE GRAYS HARBOR COUNTY AUDITOR TO CONDUCT SAID SPECIAL ELECTION.

R E C I T A L S:

WHEREAS, numerous citizens and members of the McCleary City Council have expressed dissatisfaction with the Mayor-Council form of government and a desire for a professional manager to oversee the City's daily operations under the policy direction of the City Council as provided in RCW Chapter 35A.13; and

WHEREAS, the Council-Manager form of government, as provided in Chapter 35A.13 RCW, offers a model of professional administration and enhanced accountability by appointing a trained City Manager to implement the policies established by the elected Council; and

WHEREAS, 35A.06.040 authorizes the legislative body of a code city to submit to the voters a proposition to change its plan of government, including a change from the Mayor-Council to the Council-Manager form; and

WHEREAS, the City Council believes that submitting this question to the qualified voters of McCleary is in the best interest of the City and its residents; and

WHEREAS, the City Council desires to hold a special election on the 10th day of February, 2026, to submit to the voters the proposition of whether the City of McCleary shall adopt the Council-Manager form of government and abandon the current Mayor-Council form;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF MCCLEARY, THE MAYOR CONCURRING:

SECTION 1: A special election is hereby called to be held on the 10th day of February, 2026, in accordance with state law, for the purpose of submitting to the qualified voters of the City of McCleary the following proposition:

CITY OF MCCLEARY
PROPOSITION NO. 1
CHANGE OF FORM OF GOVERNMENT

Shall the City of McCleary abandon its present Mayor-Council form of government and reorganize under the Council-Manager form of government, as provided in RCW Chapter 35A.13?

☐ YES

☐ NO

SECTION 2: The City Council requests that the Grays Harbor County Auditor, as ex officio supervisor of elections, call and conduct said special election in the manner provided by law and place the above proposition on the ballot for consideration by the voters within the City.

SECTION 3: The City Clerk is directed to transmit a certified copy of this resolution to the Grays Harbor County Auditor no later than the deadline established for submission of ballot measures for the specified election date.

SECTION 4: If a majority of the votes cast at such election favor the Council-Manager plan of government, the City shall reorganize under the Council-Manager form as provided by RCW 35A.13.020, with the change taking effect in accordance with RCW 35A.06.050.

SECTION 5: If any section, sentence, clause or phrase of this resolution should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of his resolution.

PASSED this 24th day of September 2025, by the City Council of the City of McCleary, and signed in authentication thereof this 24th day of September 2025.

CITY OF McCLEARY:

Brycen Huff, Mayor Pro-Tem

ATTEST:

Jamie Vinyard, City Clerk-Treasurer

APPROVED AS TO FORM:

Madison A. Pleasant, City Attorney