



DAYTON CITY COUNCIL

111 S. 1st Street, Dayton, WA 99328

PRELIMINARY AGENDA

REGULAR MEETING

Monday, **June 12, 2017**

7:00 p.m.

Craig George, Mayor

1. CALL TO ORDER

A. Roll Call

2. CONSENT AGENDA – Action

A. Approve Council Minutes –

i. April 10, 2017

ii. May 8, 2017

iii. May 22, 2017

B. Approve Voucher Warrants as audited by the Finance Committee

C. Approve Payroll Warrants for May 31, 2017

3. SPECIAL GUESTS AND PUBLIC COMMENT

A. Presentation of Pietryzcki Park Sign and Monument Recommendation for Dayton City Park– Mike Smith, Dayton Historic Preservation Commission

B. Public Hearing to receive input on the City of Dayton 2018 – 2023 6-year TIP – Public Hearing

i. ACTION: Authorize Resolution No.1311 – adopting the City of Dayton 2018-2023 6-Year Transportation Improvement Plan

4. COMMITTEE/BOARD/COMMISSION REPORTS

5. REPORTS OF CITY OFFICERS

A. Wastewater Treatment Plant Improvement Update – Mayor George

B. S. 1st Street Project Update – Trina Cole

C. W. Main Street Project Update – Trina Cole

6. UNFINISHED BUSINESS

A. ACTION: Authorize Ordinance No. 1916 – AN ORDINANCE of the City of Dayton, Washington, relating to the water and sewer system of the City; providing for the issuance of a water and sewer revenue bond of the City in the principal amount of not to exceed \$1,100,000, for the purpose of providing funds to pay the cost of the acquisition, construction and installation of improvements to the City’s water and sewer system; fixing the date, form, maturity, interest rate, terms and covenants of the bond; providing for the registration and authentication of the bond; creating and adopting certain funds and accounts; providing for the issuance of Additional Junior Lien Bonds; appointing the City’s designated representative pursuant to RCW 39.46.040(2) to approve the final terms of the issuance, sale and delivery of the bond; and providing for other matters properly related thereto, all as more particularly set forth herein.

7. NEW BUSINESS

- A. ACTION: Authorize Ordinance No. 1914 – An Ordinance of the City Council of the City of Dayton, Washington, Amending ORDINANCE NOS. 1642, 1695, And 1704, REPEALING SECTION 4-1.09 of the Dayton Municipal Code, Prices for Burial Sections
- B. ACTION: Authorize Ordinance No. 1915, 2017 budget amendment to account for Transportation Improvement Board Emergency Repair Program Grant
- C. ACTION: Authorize Resolution No. 1312 – Amending Resolution No. 1254, Section 3, Backhoe Interfund Loan Repayments
- D. ACTION: Authorize Resolution No. 1313, Amending the City Of Dayton Personnel Policies and Procedures Manual, Section 5.2 Regarding the Forms and Procedures for Disciplinary Action
- E. ACTION: Authorize Resolution No. 1314 - Designating Dayton Chronicle as the City’s Official Newspaper of Legal Record for the Term June 14, 2017 through June 13, 2018 as Required by Law of Ordinances and Official Notices
- F. ACTION: Authorize Columbia County Sheriff’s Office request to use the Dayton City Park and Pool at no charge to hold the community-wide Annual National Night Out event on August 1, 2017

7. FINAL PUBLIC COMMENT

8. ADJOURN

DAYTON CITY COUNCIL MINUTES

Regular Meeting

Monday, April 10, 2017

111 S. 1st Street

Dayton, WA 99328

1. CALL TO ORDER: Mayor Craig George calls the meeting to order at approximately 7:00 p.m.

Roll Call: Present – Michael Paris, Zac Weatherford, Byron Kaczmarek, Delphine Bailey, Christine Broughton, Kathy Berg, Dain Nysoe
Staff: Jim Costello, Public Works Director; Clint Atteberry, Code Compliance Officer; Karen Scharer, Planning Director; Deb Hays, Deputy City Clerk

2. CONSENT AGENDA:

Paris makes a motion; Bailey seconds the motion, and the motion carries unanimously approving the Consent Agenda as presented:

Payroll Warrants: 43992-44012; 44016-44026 \$67,929.91

3. SPECIAL GUESTS/PUBLIC COMMENT

There is no Public Comment or Special Guests.

4. COMMITTEE/BOARD/ COMMISSIONER REPORTS

Public Safety – There is no report.

Public Works – Berg states that Washington Avenue repair is in the planning stages and reminds home owners or prospective home owners considering the purchase of a home near industrial areas that there is a higher level of traffic in these areas; Costello has been performing reconnaissance on the amount of travel in the E. Washington Avenue and E. Patit Avenue streets.

Finance – Weatherford reports that the Finance Committee met and discussed: The Water and Sewer Revenue Bonds for the S. 1st Street utility improvements, financing of the W. Main Street and S. 1st Street Projects, all items that are being presented in the agenda under “New Business” and items that will need to be included in the 2018 Budget.

Parks/Public Grounds – There is no report.

Planning/Economic Development – There is no report.

Personnel – There is no report.

Emergency Management – Bailey reports that Columbia County Emergency Management will be conducting April 20 wildland fire exercise.

Chamber of Commerce – Andrew Holt, Chamber Director will be leaving and the Chamber will be advertising for the position.

Commissioners – Mayor reports that the County and City will begin municipal court services contract negotiations the first part of May.

5. REPORTS OF CITY OFFICERS

Sheriff – Miller reports: The newest deputy is in Stage 4 of his training; and, is still gathering city statistics for Council’s review. Nysoe asks if the county’s road restrictions have been lifted.

Commissioner Jackson responds that weather continues to play a role in road restrictions being lifted or not. He further states that the northern-portion of the County's road restrictions has been lifted.

Planning Director – Scharer reports: There will be comprehensive plan “Envisioning Dayton” and street-related training/workshops throughout April and May.

Code Compliance – Atteberry reports on code compliance progress. Nysoe requests that progress reports be provided more frequently. The Mayor asks for an update on clean-up efforts of the house on Commercial Avenue that had burnt down a couple of years ago. Atteberry responds that clean-up efforts are progressing at a slower pace than expected.

Public Works – There is no report.

City Clerk-Treasurer – Hays thanks Mayor and Council for the hiring of Connie Westergreen. The Mayor reports City Hall will be open 5-days per week beginning the week of July 1.

Mayor Pro-Tempore – There is no report.

Mayor – Mayor George reminds Council of upcoming AWC Small Cities Connectors meeting and urges Councilmembers to attend.

6. UNFINISHED BUSINESS

There is no unfinished business.

7. NEW BUSINESS

ACTION: George summarizes the S. 1st Street Construction Project's bid results, the proposed contract and projected start date of June 1. Berg makes a motion; Nysoe seconds the motion to award S. 1st Street Reconstruction Contract to the lowest, responsive bidder, POW Contracting, for an amount not to exceed \$1,167,431.32. There is no discussion. The motion carries unanimously.

ACTION: Nysoe makes a motion; Kaczmariski seconds the motion to authorize the Transportation Improvement Board Supplement Consultant Agreement: Construction Phase of the S. 1st Street Reconstruction Project, with Anderson Perry & Associates, Inc., not to exceed \$85,000. There is no discussion. The motion carries unanimously.

ACTION: Mayor George summarizes the W. Main Street Project. Kaczmariski makes a motion; Bailey seconds the motion to authorize the Transportation Improvement Board Supplement Consultant Agreement: Construction Phase of the W. Main Street Sidewalk Project, with Anderson Perry & Associates, Inc. not to exceed \$24,000. There is no discussion. The motion carries unanimously.

ACTION: Scharer summarizes the Department of Ecology's approval of the Shoreline Master Program approval with the change to the Shoreline Conservancy Zones. She further summarizes the final steps of DOE's approval process. Kaczmariski's statements are inaudible. Nysoe asks when the next update will occur. Scharer states assumption that the SMP will be reviewed in 8 years. Berg asks hypothetical question regarding planting within 25 feet of the Shoreline, but in 8-years DOE decides they want the shoreline conservancy zones to increase by 25 feet, what will happen to the garden space? Scharer states that under current DOE regulations, the garden would fall under the grandfather clause and would be a continued use of the 25 feet. Paris makes a motion; Weatherford

seconds the motion to accept the Department of Ecology's Shoreline Master Program approval. There is no discussion. The motion carries unanimously.

ACTION: Bailey makes a motion; Broughton seconds the motion to Authorize City's support of the 14th Annual 3rd Street Sale. There is no discussion. The motion carries unanimously.

8. FINAL PUBLIC COMMENT

George reports: There will be several inconveniences associated with the upcoming street projects and urges Council to sympathize with constituents yet to be supportive of the end result of the projects.

Bailey asks if forklifts can legally travel on city streets. Miller states forklift travel on a public roadway is legal for a short length. She expresses concern about the potential damages that may be caused from forklift travel on the road way. George reports that the City has met with Seneca regarding repairs to Washington Avenue.

9. ADJOURN

With no further business to come before the Council, the regular meeting is adjourned at 7:46 p.m.

City of Dayton

By: Craig George, Mayor

Attested:

Approved:

June 12, 2017

Trina Cole, City Clerk-Treasurer

Date

DAYTON CITY COUNCIL MINUTES

**Regular Meeting
Monday, May 8, 2017
111 S. 1st Street
Dayton, WA 99328**

- 1. CALL TO ORDER:** Mayor Craig George calls the meeting to order at approximately 7:00 p.m.
- Roll Call: Present – Zac Weatherford, Byron Kaczmarek, Delphine Bailey, Christine Broughton, Kathy Berg
Absent – Dain Nysoe, Michael Paris
- Staff: Karen Scherer, Planning Director; Trina Cole, City Clerk-Treasurer

2. CONSENT AGENDA:

Berg makes a motion; Broughton seconds the motion, and the motion carries unanimously approving the Consent Agenda as presented:

- A. Approve April 24, 2017 City Council Minutes;
- B. Approve the following vouchers for payment:
 - i. Claims: 44122-44123 \$ 4,876.99
 - ii. Payroll: 44090-44121 \$ 56,264.13

3. SPECIAL GUESTS/PUBLIC COMMENT

Better Lou Crothers, All-Wheels Weekend Chairman, summarizes the upcoming All-Wheels Weekend event. Discussion ensues regarding the elimination of fireworks and potential locations for reinstating the All-Wheels Weekend firework festivities. There is no action.

4. COMMITTEE/BOARD/ COMMISSIONER REPORTS

- Public Safety** – Bailey reports that she will be scheduling a Public Safety Committee meeting in the near future.
- Public Works** – There is no report.
- Finance** – There is no report.
- Parks/Public Grounds** – There is no report.
- Planning/Economic Development** – There is no report.
- Personnel** – There is no report.
- Emergency Management** – There is no report.
- Chamber of Commerce** – Berg reports that the new Chamber Director is Justin Nix and he started May 8.
- Commissioners** – There is no report.

5. REPORTS OF CITY OFFICERS

- Sheriff** – There is no report.
- Planning Director** – Scherer reports the following: 1) There were 18 attendees at the “Envisioning Dayton” Comprehensive Plan Public Workshops and there were approximately 80 written comments submitted. There were 9 Survey Monkey respondents. She provides the results of the public responses in a word cloud format for Council’s review. She states that City Council Planning Committee would like staff to reach out to a younger demographic for recommendations on “Envisioning Dayton”. In effort to meet this request, she will be distributing a paper format of the Survey Monkey survey for anyone to respond easily. 2) Summarizes the second series of the Blue Mountain Regional Trails meeting specifically that it focused on prioritizing sidewalk projects in Dayton for connectivity

purposes and to meeting regional connections for non-motorized means of travel. 3) Scharer requests the Council authorize the Mayor to submit a letter to Blue Mountain Community Foundation stating that the City would accept a grant for the dog park on behalf of the Friends of the Dog Park. Discussion surrounds the requirements of the Warren Community Action Fund and the level of burden its terms would place on the City if accepted on behalf of the Friends of the Dog Park. Scharer reports that she contacted Blue Mountain Community Foundation to discuss hypothetical concerns specific to the City being responsible to repay the grant if the Park is not maintained as agreed on between the City and the Friends of the Dog Park and it were to result in closure of the facility. Scharer further reports that Blue Mountain Community Foundation stated that the City would not have to repay the grant if the dog park facility were closed. Cole summarizes the responsibilities for accepting the grant if awarded to the City on behalf of the Friends of the Dog Park.

ACTION: Bailey makes a motion; Broughton seconds the motion authorizing the Mayor to sign and submit a letter to the Blue Mountain Community Foundation stating the City will accept the Warren Community Action Fund grant on the behalf of the Friends of the Dog Park. There is no further discussion. Berg, Broughton, Bailey, Kaczmariski vote in favor. Weatherford votes against. The motion carries.

Code Compliance – There is no report.

Public Works – There is no report.

City Clerk-Treasurer – There is no report.

Mayor Pro-Tempore – There is no report.

Mayor – There is no report.

6. UNFINISHED BUSINESS

- A. **ACTION:** Berg makes a motion; Broughton seconds the motion; and, the motion carries unanimously to authorize Ordinance No. 1910, An Ordinance Of The City Of Dayton, Columbia County, Washington Adopting The Shoreline Master Program Comprehensive Update As An Element To The Dayton Comprehensive Plan Amending DMC 20-01.010, And As Part Of The DMC Establishing Title 15, The Shoreline Management Code; And, Repealing Resolution 724.
- B. **ACTION:** Broughton makes a motion; Bailey seconds the motion; and, the motion carries unanimously to Authorize Task Order for Anderson Perry & Associates to provide general engineering services associated with 2017 Street Improvements Plan.

7. NEW BUSINESS

- A. **ACTION:** Kaczmariski makes a motion; Weatherford seconds the motion; and, the motion carries unanimously to award the W. Main Street (SR 12) Sidewalk Project contract to the lowest, responsive bidder, Moreno & Nelson Construction Co., upon Transportation Improvement Board's approval.
- B. **ACTION:** Bailey makes a motion; Broughton seconds the motion; and, the motion carries unanimously to authorize Ordinance No. 1912, 2017 Budget Amendment for Association of Washington Cities Safety Grant Award and 2016 Ending Fund Balances.
- C. **ACTION:** Broughton makes a motion; Berg seconds the motion; and, the motion carries unanimously to Proclaim May 2017 Older Americans Month.

8. FINAL PUBLIC COMMENT

Mayor George reminds Council of the AWC Connectors meeting to be held May 10.

9. ADJOURN

With no further business to come before the Council, the regular meeting is adjourned at 7:58 p.m.

City of Dayton

By: Craig George, Mayor

Attested:

Approved:

June 12, 2017

Trina Cole, City Clerk-Treasurer

Date

DAYTON CITY COUNCIL MINUTES

Regular Meeting

Monday, May 22, 2017

111 S. 1st Street

Dayton, WA 99328

- 1. CALL TO ORDER:** Mayor Craig George calls the meeting to order at approximately 7:00 p.m.
- Roll Call: Present – Zac Weatherford, Byron Kaczmariski, Christine Broughton, Michael Paris
Absent – Dain Nysoe, Delphine Bailey, Kathy Berg
- Staff: Jim Costello, Public Works Director; Clint Atteberry, Code Compliance Officer

2. CONSENT AGENDA:

ACTION: Paris makes a motion; Broughton seconds the motion, and the motion carries unanimously approving the Consent Agenda as presented:

- A. Table the May 8, 2017 City Council Minutes;
- B. & C. Approve the following vouchers for payment:
- B. Claims: 44124-44191 \$166,455.71
C. Payroll: 44192-44204; 44206-44218 \$ 31,848.02
- D. Ratify Mayor’s approval of the contract with Kyle’s Demolition for abatement of nuisance at 119 E. Commercial Street not to exceed \$1,962.94;
- E. Authorize Resolution No. 1308 – Interfund Transfers To Eliminate Inactive Funds To Meet Washington State Auditor Recommendations As Prescribed By Section 3.1.7.60, Fund Types Of The Budgeting, Accounting, Reporting Systems Manual; and,
- F. Authorize Resolution No. 1310 – Interfund Transfers from Sewer Revenue Fund to the Sewer Cumulative Reserve Fund and W/S Debt Service Fund as presented in the 2017 Budget Amendment No. 2 authorized May 8, 2017.

3. SPECIAL GUESTS/PUBLIC COMMENT

There are no special guests or public comments.

4. COMMITTEE/BOARD/ COMMISSIONER REPORTS

Public Safety – There is no report.

Public Works – There is no report.

Finance – Weatherford reports on the street projects and the funding associated with the street projects.

Parks/Public Grounds – There is no report.

Planning/Economic Development – Kaczmariski reports on the progress related to the

Personnel – George reports Union negotiations will begin the end of June 2017.

Emergency Management – There is no report.

Chamber of Commerce – There is no report.

Commissioners – There is no report.

5. REPORTS OF CITY OFFICERS

Sheriff – There is no report.

Planning Director – There is no report.

Code Compliance – Atteberry reports the following: 1) Received court ordered abatement of 118 E. Commercial Avenue and the City will begin the abatement May 23, 2017; 2) Focusing on tall grass/weed nuisances; 3) City has opened 48 new cases since January 1 and has successfully closed 24

cases; 4) Began sidewalk inventory project; 5) Started the update of the City's building codes with assistance from Karen Scharer; and 7) Working on creating educational material.

Public Works – Costello reports: 1) Walked the Touchet River Levee with John Wells, Anderson Perry & Associates, Inc., to begin formulating a plan to address improvement needs of the levee system; 2) Crew is diligently working on the Cemetery in honor of Memorial Day; 3) Would like to distribute public education via the local newspaper regarding barking dogs.

City Clerk-Treasurer – There is no report.

Mayor Pro-Tempore – There is no report.

Mayor – Mayor George reports that the AWC Connector meeting was well attended and provided some good information.

6. UNFINISHED BUSINESS

There is no unfinished business.

7. NEW BUSINESS

- A. ACTION: Broughton makes a motion; Kaczmarski seconds the motion; and, the motion carries unanimously to authorize Agreement with Blue Mountain Counseling for Flat Admission to the Dayton City Pool for the 2017 Season.
- B. ACTION: Kaczmarski makes a motion; Weatherford seconds the motion; and, the motion carries unanimously to authorize Ordinance No. 1913, an Ordinance of the City of Dayton, Washington amending Ordinance No. 1908, the 2017 Salary Schedule for the City Of Dayton, to provide changes to the Wage Schedules of the Code Enforcement Officer and Administrative Assistant Positions.
- C. ACTION: Paris makes a motion; Broughton seconds the motion; and, the motion carries unanimously to authorize Resolution No. 1307, authorizing an interfund loan from the Cemetery Endowment Fund to the Capital Improvement Fund in an amount of \$107,479 (One Hundred Seven Thousand Four Hundred Seventy Nine Dollars)for street and road capital improvements scheduled for construction in 2017.
- D. ACTION: Kaczmarski makes a motion; Broughton seconds the motion; and, the motion carries unanimously to authorize the Transportation Improvement Board Fuel Tax Grant Agreement for the 2017 Emergency Pavement Repair Project, Various Locations.
- E. ACTION: Broughton makes a motion; Weatherford seconds the motion; and, the motion carries unanimously to authorize Resolution No. 1309, Authorizing Code Enforcement Officer and Administrative Assistant Positions as Employee Full-Time Non-Exempt Positions.

8. FINAL PUBLIC COMMENT

George reports that the S. 1st Street Project will begin June 5.

9. ADJOURN

With no further business to come before the Council, the regular meeting is adjourned at 7:17 p.m.

City of Dayton

By: Craig George, Mayor

Attested:

Approved:

June 12, 2017

Trina Cole, City Clerk-Treasurer

Date

DAYTON HISTORIC PRESERVATION COMMISSION
111 South 1st Street, Dayton WA 99328



May 24, 2017

RE: Recognizing Dr. Pietrzycki's Contributions to Dayton

Dear Mayor George and Board of Park Commissioners,

Dr. Marcel Pietrzycki was an important historic figure of Dayton. In 1910 Pietrzycki donated thirty acres of land to the City of Dayton for a city park. While the city park was officially named after Dr. Pietrzycki, presently there is nothing at the park which recognizes his name or his contributions to Dayton.

The Commissioners recommend the City replace the existing "Dayton City Park" sign with a sign that includes the Pietrzycki name and the phonetic spelling of his last name (Pit rus kee),

The Commissioners also recommend that the City and Historic Preservation Commission work towards adding a monument near the park entry with an account of the land donation, and the contributions of Dr. Pietrzycki:

- Bequest of 1/2 his estate to the City of Dayton upon the death of his wife Mary in 1920 to help build a trade school (Dayton High School), and support the school in the future,
- Role as a physician in the Dayton smallpox outbreak of 1881, and
- Service as an early Mayor of the City of Dayton.

The Commissioners all agree that recognizing the considerable contributions of Dr. Pietrzycki would be a worthy endeavor. To this end, the Commission requests the support of the City Council in the Commission's efforts to seek funding for a monument celebrating Dr. Marcel Pietrzycki.

Thank you for your time and consideration of this matter.

Sincerely,

Michael L. Smith - Dayton Historic Preservation Commission Chair

Pietrzycki "Pit rus kee" (Dayton) City Park

Pietrzycki (Dayton) City Park
Pronounced Pit rus kee

RESOLUTION NO. 1311

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DAYTON,
WASHINGTON, ADOPTING A SIX YEAR TRANSPORTATION IMPROVEMENT
PROGRAM FOR 2018-2023**

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act, Legacy for Users requires a Statewide Transportation Improvement Program in order to provide federal funding for transportation projects within the State of Washington; and,

WHEREAS, the Statewide Transportation Improvement Program is a compilation of Regional Transportation Improvement Programs based on regionally significant local and state projects; and,

WHEREAS, the 2018 - 2023 City of Dayton Six-Year Transportation Improvement Program is utilized as a planning tool for local, state and federal governments; and,

WHEREAS, the City Council of the City of Dayton held a public hearing on June 12, 2017 to review and receive public input on the proposed 2018 - 2023 City of Dayton Six-Year Transportation Improvement Program.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DAYTON, WASHINGTON, HEREBY RESOLVES as follows:

Section 1. The 2018 - 2023 Six-Year Transportation Improvement Program is adopted as the extended comprehensive Six-Year Transportation Improvement Program for the City of Dayton, Columbia County, Washington in the form attached hereto as Exhibit "A."

Section 2. That this resolution shall take effect and be in full force upon passage and signatures hereon.

ADOPTED by the City Council of the City of Dayton on this _____ day of _____, 2017.

Craig George, Mayor

Attest:

Trina Cole, City Clerk-Treasurer

Six Year Transportation Improvement Program From 2018 to 2023

Agency: Dayton

County: Columbia

MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Fun Code	Struc Num	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Tennl F. Project Description	B. STIP ID	He g	St g	Str cture ID	Co de	Im p ro v e m e n t	Co de	Fi n a n c i n g	En v i r o n m e n t	AW Re fu n
08		Cameron Street Reconstruction Project Cameron Street W. Main St (Hwy 12) to N Pine Street Restructure intersection exchange, reconstruct roadway, install curbs, gutters, storm drainage system and non-motorized friendly facilities. Replace and install sidewalks with ADA ramping system.	WA-04529	06/12/17	06/12/17		1311	06	CGOPT W	0.250	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2020	STP(S)	53,100	WSDOT	8,300	9,300	70,700
P	PE	2020	\$RT\$	2,100	Ped/Bike Program	13,400	0	15,500
P	PE	2020		0	TIB	6,200	700	6,900
P	CN	2021	STP(S)	536,600	WSDOT	83,800	94,000	714,400
P	CN	2021	SRTS	21,000	WSDOT	128,400	0	149,400
P	CN	2021		0	TIB	69,500	6,700	76,200
Totals				612,800		309,600	110,700	1,033,100

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	93,300	0	0
CN	0	0	0	939,800	0
Totals	0	0	93,300	939,800	0



Six Year Transportation Improvement Program From 2018 to 2023

Agency: Dayton

County: Columbia

MPO/RTPO: Palouse RTPO

N Inside

Y Outside

PIN	Project No.	Project Title	STIP ID	Begin	End	Structure ID	Funding Source	Amount	Type	
09	WA-08989	Annual Lignon Oil Application Program Various Various to Various Apply lignon oil to existing street bed surfaces	06/12/17	06/12/17		1311	05	CO PST W	1.500	No

Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal FundS	State Fund Code	State Funds	Local Funds	Total Funds
S	All	2018		0		0	7,500	7,500
Totals				0		0	7,500	7,500

Phase	1st	2nd	3rd	4th	5th & 6th
ALL	7,500	0	0	0	0
Totals	7,500	0	0	0	0



Six Year Transportation Improvement Program From 2018 to 2023

Agency: Dayton

County: Columbia

MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
08		Cameron Street Reconstruction Project - Phase II W. Cameron Street S. Pine Street to S. Cottonwood Street Resurface existing roadway curb to curb, install sidewalks with ADA Accessibility, replace storm drainage, and install non-motorized friendly facilities.	WA-04531	06/13/16	06/13/16		1281	05	C G O P T W	0.400	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2019		0	SRTS	71,300	3,800	75,100
P	CN	2020		0	SRTS	644,100	33,900	678,000
Totals				0		715,400	37,700	753,100

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	75,100	0	0	0
CN	0	0	678,000	0	0
Totals	0	75,100	678,000	0	0

Six Year Transportation Improvement Program From 2018 to 2023

Agency: Dayton

County: Columbia

MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Project ID	Project Name	A. PIN/Project No.	B. STIP ID	C. Project Title	D. Road Name or Number	E. Begin & End Tennini	F. Project Description	G. Structure ID	Start Date	End Date	Priority	Category	Amount	Notes
09		WA-08987	06/12/17	06/12/17		1311	06	COP ST W	25.000			No		
		City-Wide Pavement Preservation Program Various Various to Perform Chip Sealing or overlay treatments												

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2019		0	TIB	673,300	75,100	748,400
P	CN	2021		0	TIB	2,928,600	2,100,000	5,028,600
Totals				0		3,601,900	2,175,100	<i>5,777,000</i>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	636,140	112,260	0	0
CN	0	0	0	3,017,160	2,011,440
Totals	0	636,140	112,260	3,017,160	2,011,440

Six Year Transportation Improvement Program From 2018 to 2023

Agency: Dayton

County: Columbia

MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Project ID	Phase	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Tenna F. Project Description	B. STIP ID	Start Date	End Date	Amount	Source	Improvement	Totals	Environment	Priority
09		City-Wide Reconstruction Program Various Various to Reconstruct existing street system to include curbs, gutters, sidewalk, and storm drainage	WA-08988	06/12/17	06/12/17	1311		04	COPST W	6.000	Nb

Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
p	PE	2020		0	OTHER	589,700	65,500	655,200
p	CN	2021		0	TIB	1,384,800	3,000,000	4,384,800
Totals				0		1,974,500	3,065,500	5,040,000

Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	556,900	98,300	0
CN	0	0	0	2,400,000	1,984,000
Totals	0	0	556,900	2,498,300	1,984,000



Six Year Transportation Improvement Program From 2018 to 2023

Agency: Dayton

County: Columbia

MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
09		Commercial Street Reconstruction Project Commercial Street N 4th Street to West City Limits Reconstruct with new curbs and gutters, install ADA Accessible sidewalk/pedestrian/bicycle facilities.	WA-04528	06/12/17	06/12/17		1311	04	C G O P S T W	0.600	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2022		0	TIB	181,700	20,200	201,900
P	CN	2023		0	OTHER	2,019,000	0	2,019,000
Totals				0		2,200,700	20,200	2,220,900

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	0	0	201,900
CN	0	0	0	0	2,019,000
Totals	0	0	0	0	2,220,900



Six Year Transportation Improvement Program From 2018 to 2023

Agency: Dayton

County: Columbia

MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID	G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
09		E. Washington Avenue Street Overlay E. Washington Avenue N. Cottonwood Avenue to Guernsey Avenue Resurface curb to curb.	WA-04537		06/12/17	06/12/17		1311	05	C G O P S T W	1.250	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2018		0	OTHER	12,038	36,112	48,150
P	CN	2018		0	OTHER	79,750	274,445	354,195
Totals				0		91,788	310,557	402,345

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	48,150	0	0	0	0
CN	354,195	0	0	0	0
Totals	402,345	0	0	0	0



Six Year Transportation Improvement Program From 2018 to 2023

Agency: Dayton

County: Columbia

MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
02		Main Street Safety Enhancement Project - Phase 3 W. Main Street Pine Street to West City Limits Construct enhancements such as pedestrian and bicycle facilities, beautification improvements and traffic control provisions on the west end entry to Dayton along Highway 12.	WA-04541	06/12/17	06/12/17		1311	31	C G O P T W	0.150	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2019	STP(E)	45,200		0	0	45,200
P	CN	2020	STP(E)	271,780		0	0	271,780
Totals				316,980		0	0	316,980

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	45,200	0	0	0
CN	0	0	271,780	0	0
Totals	0	45,200	271,780	0	0



Six Year Transportation Improvement Program From 2018 to 2023

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County: Columbia

MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
07		Main Street/1st Street Traffic Signal Construction Main Street/Highway 12 N. 1st Street to S. 1st Street Installation of a traffic light system with ADA and non-motorized crossing lights	WA-08994	06/12/17	06/12/17		1311	21	C O P S T W			No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2022		0	WSDOT	350,000	0	350,000
Totals				0		350,000	0	350,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	0	0	0	0	350,000
Totals	0	0	0	0	350,000

Six Year Transportation Improvement Program From 2018 to 2023

Agency: Dayton

County: Columbia

MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
07		Main Street/Highway 12 LED Retrofitting Light Main Street Touchet River to Patit Road Retrofit existing street lamps with LED lights.	WA-08998	06/12/17	06/12/17		1311	43				No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2020		0	Ped/Bike Program	45,000	5,000	50,000
Totals				0		45,000	5,000	50,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	0	0	50,000	0	0
Totals	0	0	50,000	0	0



Six Year Transportation Improvement Program From 2018 to 2023

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N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
00		Maintenance and Operation of the City Street System Varies to Varies Operate and maintain the City street system including, but not limited to bridges, roadway, curbs, gutters, storm drainage and non-motorized pedestrian facilities such as sidewalks, trails, and bike paths.	WA-10025	06/12/17	06/12/17		1311	21		26.000		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
S	ALL	2018		0		0	337,500	337,500
Totals				0		0	337,500	337,500

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	337,500	0	0	0	0
Totals	337,500	0	0	0	0

Six Year Transportation Improvement Program From 2018 to 2023

Agency: Dayton

County: Columbia

MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
08		N Front Street Bridge Improvement/Replacement Project N. Front Street to Bridge Improvement/Replacement Project	WA-04526	06/12/17	06/12/17		1311	08	CG OPT W		EA	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2018		0		0	2,000	2,000
P	PE	2022	BR	167,700	WSDOT	27,300	0	195,000
P	CN	2018		0		0	15,000	15,000
P	CN	2022	BR	1,122,300	WSDOT	182,700	0	1,305,000
Totals				1,290,000		210,000	17,000	1,517,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	2,000	0	0	0	195,000
CN	15,000	0	0	0	1,305,000
Totals	17,000	0	0	0	1,500,000



Six Year Transportation Improvement Program From 2018 to 2023

Agency: Dayton

County: Columbia

MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
00		N. 4th Street Pedestrian Crossing E. Washington Avenue to E. Richmond Avenue Reconstruct a free-spand pedestrian footbridge across the Patit Creek.	WA-04540	06/12/17	06/12/17		1311	40	C G O P T W		EA	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2021		0	Ped/Bike Program	28,034	3,115	31,149
P	CN	2021		0	Ped/Bike Program	123,987	13,776	137,763
Totals				0		152,021	16,891	168,912

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	0	31,149	0
CN	0	0	0	137,763	0
Totals	0	0	0	168,912	0



Six Year Transportation Improvement Program From 2018 to 2023

Agency: Dayton

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MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
06		N. 5th Street Overlay Project N. 5th Street E. Main Street to E. Dayton Avenue Resurface street and install ADA Accessibility sidewalk system and non-motorized compatible facilities.	WA-04536	06/12/17	06/12/17		1311	05	C G O P T W	0.400	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2019		0	TIB	28,700	3,100	31,800
P	CN	2020		0	TIB	214,700	21,400	236,100
Totals				0		243,400	24,500	267,900

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	31,800	0	0	0
CN	0	236,100	0	0	0
Totals	0	267,900	0	0	0



Six Year Transportation Improvement Program From 2018 to 2023

Agency: Dayton
County: Columbia

MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	R/W Required
07		N. Front Street Pedestrian/Bicycle Crossing Light Main Street/Highway 12 N. Front Street to Flour Mill Park Install a pedestrian/bicycle crossing light	WA-08991	06/12/17	06/12/17		1311	21	COPST W	0.050		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2021		0	WSDOT	65,000	0	65,000
Totals				0		65,000	0	65,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	0	0	0	65,000	0
Totals	0	0	0	65,000	0



Six Year Transportation Improvement Program From 2018 to 2023

Agency: Dayton

County: Columbia

MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
09		N. Willow Street Reconstruction Project N. Willow Street W. Dayton Avenue to City Limits Reconstruct roadway.	WA-04533	06/12/17	06/12/17		1311	04	C G O P T W	0.400	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2021		0		0	49,900	49,900
P	CN	2022		0		0	249,600	249,600
Totals				0		0	299,500	299,500

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	0	49,900	0
CN	0	0	0	0	249,600
Totals	0	0	0	49,900	249,600

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Agency: Dayton

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MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
09		Residential Zone Alley Improvements Varies Varies to Varies Reconstruct alleyways.	WA-04535	06/08/15	06/08/15		1264	04	C G O P T W	9.000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2018		0		0	574,400	574,400
Totals				0		0	574,400	574,400

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
CN	487,000	0	0	0	0
Totals	487,000	0	0	0	0



Six Year Transportation Improvement Program From 2018 to 2023

Agency: Dayton
County: Columbia

MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
08		S. 3rd Street Overlay Project S. 3rd Street E. Main Street to Touchet Street Resurface street.	WA-04538	06/12/17	06/12/17		1311	05	C G O P T W	1.250	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2021		0	TIB	40,000	4,400	44,400
P	CN	2021		0	TIB	423,000	47,000	470,000
Totals				0		463,000	51,400	514,400

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	0	44,400	0
CN	0	0	0	470,000	0
Totals	0	0	0	514,400	0



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Agency: Dayton
County: Columbia

MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
06		S. 4th Street Bicycle Lane Improvements S 4th Street Main Street to City Limits Create a non-motorized lane of travel in conjunction with motorized travel lanes	WA-08990	06/12/17	06/12/17		1311	28		4.500		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2020		0	Ped/Bike Program	18,000	0	18,000
Totals				0		18,000	0	18,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	0	0	18,000	0	0
Totals	0	0	18,000	0	0

Six Year Transportation Improvement Program From 2018 to 2023

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MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
06		S. 4th Street Overlay Project S. 4th Street E. Main Street to South City Limits Resurface roadway from curb to curb.	WA-04532	06/13/16	06/13/16		1281	05	C G O P T W	1.500	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2018		0	TIB	6,750	750	7,500
P	CN	2018		0	TIB	168,750	18,750	187,500
Totals				0		175,500	19,500	195,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	7,500	0	0	0	0
CN	187,500	0	0	0	0
Totals	195,000	0	0	0	0

Six Year Transportation Improvement Program From 2018 to 2023

Agency: Dayton

County: Columbia

MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	R/W Required
00		Street/Safety Sign Replacement Program Various Various to Various Replace all street signs including street name and safety signs	WA-08995	06/12/17	06/12/17		1311	21	O			No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2018		0		0	25,000	25,000
Totals				0		0	25,000	25,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	25,000	0	0	0	0
Totals	25,000	0	0	0	0



Six Year Transportation Improvement Program From 2018 to 2023

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N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	R/W Required
09		Syndicate Hill Improvement Program E. Main Street/Hwy 12 to City Limits Reconstruct various streets, construct new curbs, gutters, storm drainage system, install sidewalks with ADA accessibility systems.	WA-04543	06/08/15	06/08/15		1264	03	CG O P S T W	2.000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2019		0	PWTF	273,400	0	273,400
P	CN	2020		0	PWTF	1,138,200	0	1,138,200
Totals				0		1,411,600	0	1,411,600

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	273,400	0	0	0
CN	0	0	1,138,200	0	0
Totals	0	273,400	1,138,200	0	0



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N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
00		Touchet River Dike Mustard Ditch Bridge to Reconstruct a pedestrian bridge with ADA and multi-use functions	WA-08993	06/12/17	06/12/17		1311	40		0.010		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2018		0	OTHER	20,000	0	20,000
P	CN	2019		0	OTHER	205,000	0	205,000
Totals				0		225,000	0	225,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	20,000	0	0	0	0
CN	0	205,000	0	0	0
Totals	20,000	205,000	0	0	0



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N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
00		Touchet River Levee Improvements Touchet River Dike Main Street to City Limits Implement levee improvements as required by Corps of Engineers	WA-08992	06/12/17	06/12/17		1311	21		2,250		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
S	PE	2018		0		0	38,000	38,000
P	CN	2019		0		0	462,000	462,000
Totals				0		0	500,000	500,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	38,000	0	0	0	0
CN	0	462,000	0	0	0
Totals	38,000	462,000	0	0	0



Six Year Transportation Improvement Program From 2018 to 2023

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N Inside

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Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
00		Transportation Equipment Replacement to Equipment replacement to effectively maintain and operate the City's transportation systems including, but not limited to roadway prism, storm drainage, curbs, gutters and non-motorized facilities such as sidewalks, trails, and bike paths.	WA-10023	06/12/17	06/12/17		1311	16			CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2018		0		0	2,500,000	2,500,000
Totals				0		0	2,500,000	2,500,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	2,500,000	0	0	0	0
Totals	2,500,000	0	0	0	0



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N Inside

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Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
07		W. Main Street (HWY 12) Curb Extension Project 1st Street to 3rd Street Construct curb extension at three separate intersections to meet ADA accessibility needs.	WA-10024	06/12/17	06/12/17		1311	01				No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2019		0	Ped/Bike Program	93,750	0	93,750
P	CN	2019		0	WSDOT	337,500	37,500	375,000
Totals				0		431,250	37,500	468,750

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	93,750	0	0	0
CN	0	375,000	0	0	0
Totals	0	468,750	0	0	0



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N Inside

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Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
09	9	Commercial Zone Alley Improvements Varies to Reconstruct alleyways.	WA-04534	06/13/16	06/13/16		1281	04	C G O P S T W	3.000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2018		0	PWTF	20,250	0	20,250
P	CN	2019		0	PWTF	204,750	0	204,750
Totals				0		225,000	0	225,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	20,250	0	0	0	0
CN	0	204,750	0	0	0
Totals	20,250	204,750	0	0	0



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N Inside

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Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
00	14	N. 3rd Street Overlay Project N. 3rd Street E. Main Street to E. Dayton Avenue Install sidewalks with ADA Accessibility and resurface street from curb to curb.	WA-04539	06/13/16	06/13/16		1281	05	C G O P T W	0.400	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2020		0	OTHER	13,000	0	13,000
P	CN	2021		0	OTHER	180,000	0	180,000
Totals				0		193,000	0	193,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	13,000	0	0
CN	0	0	0	180,000	0
Totals	0	0	13,000	180,000	0

	Federal Funds	State Funds	Local Funds	Total Funds
Grand Totals for Dayton	2,219,780	13,101,659	10,135,448	25,456,887

CITY OF DAYTON, WASHINGTON

ORDINANCE NO. 1916

AN ORDINANCE of the City of Dayton, Washington, relating to the water and sewer system of the City; providing for the issuance of a water and sewer revenue bond of the City in the principal amount of not to exceed \$1,100,000, for the purpose of providing funds to pay the cost of the acquisition, construction and installation of improvements to the City's water and sewer system; fixing the date, form, maturity, interest rate, terms and covenants of the bond; providing for the registration and authentication of the bond; creating and adopting certain funds and accounts; providing for the issuance of Additional Junior Lien Bonds; appointing the City's designated representative pursuant to RCW 39.46.040(2) to approve the final terms of the issuance, sale and delivery of the bond; and providing for other matters properly related thereto, all as more particularly set forth herein.

PASSED: June 12, 2017

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**The cover page, table of contents and section captions of this Ordinance are for convenience of reference only, and shall not be used to resolve any question of interpretation of this Ordinance.*

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AN ORDINANCE of the City of Dayton, Washington, relating to the water and sewer system of the City; providing for the issuance of a water and sewer revenue bond of the City in the principal amount of not to exceed \$1,100,000, for the purpose of providing funds to pay the cost of the acquisition, construction and installation of improvements to the City's water and sewer system; fixing the date, form, maturity, interest rate, terms and covenants of the bond; providing for the registration and authentication of the bond; creating and adopting certain funds and accounts; providing for the issuance of Additional Junior Lien Bonds; appointing the City's designated representative pursuant to RCW 39.46.040(2) to approve the final terms of the issuance, sale and delivery of the bond; and providing for other matters properly related thereto, all as more particularly set forth herein.

THE CITY COUNCIL OF THE CITY OF DAYTON, WASHINGTON, DO ORDAIN as follows:

ARTICLE I. GENERAL PROVISIONS

Section 1.01 Findings. The Council finds and determines that:

(a) The City is a municipal corporation duly organized and existing under the laws of the State. Pursuant to the provisions of chapters 35.67, 35.92 and 35A.80 RCW, the City is authorized to acquire, construct, install and operate water and sewer systems. Pursuant to Ordinance No. 1622 passed and approved by the Mayor and Council on July 14, 1998, the City combined its water and sewer systems as authorized by RCW 35.67.331. The City is authorized to conduct proceedings pursuant to chapters 35.41, 35.67, 35.92, 35A.40 and 39.46 RCW.

(b) The City currently has Outstanding its City's Water and Sewer Revenue Bond, Series 2004 (the "2004 Bond"), issued pursuant to Ordinance No. 1700, its Water and Sewer Revenue Bond, Series 2004A (the "2004A Bond"), issued pursuant to Ordinance No. 1714, its Water and Sewer Revenue Refunding Bonds, 2010 (the "2010 Bonds"), issued pursuant to Ordinance No. 1795, and the State Loans, all of which are payable from the Revenue of the System.

(c) The Revenue of the System and benefits to be derived from the operation and maintenance of the System, at the rates to be charged for service from the System, will be more than sufficient to meet all Costs of Maintenance and Operation and to permit the setting aside into the Junior Lien Debt Service Fund of the amounts of Junior Lien Net Revenue that, together with Assessments (if any), will be sufficient to pay the principal of and interest on the Bond when due. In creating the Junior Lien Debt Service Fund, and in fixing the amounts to be paid therein out of the Revenue of the System, the Council has had due regard to Costs of Maintenance and Operation and the payments required to be made for the Senior Lien Bonds, the Bond and other obligations payable from Revenue of the System. The Council has not obligated the City to set aside into the Junior Lien Debt Service Fund a greater amount of Revenue of the

System than, in the Council's judgment, will be available over and above Costs of Maintenance and Operation and the amount of Revenue of the System previously pledged for the payment of Outstanding obligations (including the Senior Lien Bonds).

(d) No utility local improvement district was formed in connection to the issuance of the Bond.

(e) RCW 39.46.040(2) provides that an ordinance authorizing the issuance of bonds may authorize an officer or employee of the City to serve as the City's Designated Representative and to accept, on behalf of the City, an offer to purchase those bonds so long as the acceptance of such offer is consistent with terms established by an ordinance that establishes the following Final Terms for the Bond (or parameters with respect thereto): the amount, date, denominations, interest rates, payment dates, final maturity, redemption rights, price, minimum savings for refunding bonds, and any other terms and conditions deemed appropriate by the Council.

(f) The Council, pursuant to RCW 39.46.040(2), desires to delegate authority to the Treasurer (or in the absence or disability of the Treasurer, the Mayor), for a limited time, to accept the Final Terms of, and execute, the Bond Purchase Agreement, subject to the parameters for such Final Terms set forth in this Ordinance.

Section 1.02 Definitions. The words and phrases set forth in this Ordinance with initial capitalization shall have the respective meanings ascribed to such words and phrases in this section unless the context clearly requires otherwise.

(a) **"2017 Project Fund"** shall mean the City's "2017 Project Fund" created by Section 3.05 of this Ordinance, or any successor fund.

(b) **"Acquisition** or **"Acquire"** shall include purchase, securing, lease, receipt by gift or grant, condemnation, transfer or other acquirement, or any combination thereof.

(c) **"Additional Junior Lien Bonds"** shall mean any bonds that the City may hereafter issue pursuant to Section 3.06(i) hereof that are secured by a lien upon the Revenue of the System for the payment of the principal thereof and interest thereon equal to the lien upon the Revenue of the System to pay the principal of and interest on the Bond.

(d) **"Adjusted Net Revenue"** shall mean the Junior Lien Net Revenue for the fiscal year preceding the year in which Additional Junior Lien Bonds are issued, as adjusted by an engineer or accountant to take into consideration changes in Junior Lien Net Revenue estimated to occur due to one or more of the following factors:

(1) any increase or decrease in Junior Lien Net Revenue that would result if any change in rates and charges adopted prior to the date of such certificate and subsequent to the beginning of such 12-month period had been in force during the full 12-month period;

(2) any increase or decrease in Junior Lien Net Revenue that is estimated to result from any additions, betterments and improvements to and extensions of any

facilities of the System which (a) became fully operational during such 12-month period, (b) were under construction at the time of such certificate, or (c) will be constructed from the proceeds of the Additional Junior Lien Bonds to be issued; and/or

(3) the additional Junior Lien Net Revenue that would have been received if any customers added to the System prior to the date of such certificate and subsequent to the beginning of such 12-month period were customers for the entire period.

(e) **“Annual Debt Service”** shall mean the amount required in a given calendar year for the payment of the principal of and interest on the Junior Lien Bonds, except interest to be paid from the proceeds of the Junior Lien Bonds. With respect to any Term Bonds, the words “principal of and interest on the Junior Lien Bonds” shall be deemed to exclude from “principal” an amount of Term Bonds equal to the mandatory deposits of money into any sinking fund account to provide for payment of the principal of such Term Bonds, and from “interest” the interest on such Term Bonds subsequent to the date of the respective deposits, and to include in lieu thereof all mandatory sinking fund deposits as of the date required and interest on the Term Bonds provided for by such deposits only to the dates of the respective deposits. In the event the City issues Additional Junior Lien Bonds which bear a variable rate of interest, the assumed interest rate for such variable rate Additional Junior Lien Bonds for purposes of forecasting Annual Debt Service shall be determined by reference to such indices as the City deems reasonable, taking into account the formula for calculating such variable interest rate.

(f) **“Assessment Bonds”** shall mean the principal amount of Junior Lien Bonds Outstanding at any time which is equal to the aggregate principal amount of nondelinquent Assessments remaining to be paid into the Junior Lien Debt Service Fund at such time plus the principal amount of Assessments previously paid and on deposit in the Junior Lien Debt Service Fund.

(g) **“Assessment Income”** shall mean the principal of and interest on Assessments levied in any utility local improvement district and pledged to be paid into the Junior Lien Debt Service Fund and the Junior Lien Reserve Fund. Assessment Income shall be allocated to the years in which it would be received if the installments remaining to be paid from time to time are not paid earlier than at the times and at the rate provided in the ordinance confirming such assessment roll.

(h) **“Assessments”** shall mean any special assessments which may be levied in any utility local improvement district of the City created for the Acquisition, construction or installation of additions and betterments to and extensions of the System, if such assessments are pledged to be paid into the Junior Lien Debt Service Fund or the Junior Lien Reserve Fund, and includes any installments of assessments and any interest or penalties which may be due thereon.

(i) **“Average Annual Debt Service”** shall mean the average amount of the Annual Debt Service which will become due on the Junior Lien Bonds for the period from the date of such calculation until the final maturity date of the Junior Lien Bonds then Outstanding.

(j) **“Bond”** shall mean the City’s Junior Lien Water and Sewer Revenue Bond, 2017, authorized to be issued pursuant to this Ordinance.

(k) **“Bond Counsel”** shall mean Foster Pepper PLLC or any firm of lawyers nationally recognized and accepted as bond counsel and so engaged by the City for that purpose.

(l) **“Bond Purchase Agreement”** shall mean an offer to purchase the Bond, presented by the Purchaser and accepted by the Designated Representative, setting forth certain terms and conditions of the issuance, sale and delivery of the Bond.

(m) **“Bond Register”** shall mean the registration records of the City, maintained by the Registrar, on which shall appear the name and address of the Registered Owner.

(n) **“City”** shall mean the City of Dayton, Washington.

(o) **“Clerk”** shall mean the *de facto* or *de jure* Clerk of the City, or other officer of the City who is the custodian of the seal of the City and of the records of the proceedings of the Council, and her successors in functions, if any.

(p) **“Code”** shall mean the Internal Revenue Code of 1986, as amended, and applicable rules and regulations promulgated thereunder.

(q) **“Costs of Maintenance and Operation”** shall mean all necessary operating expenses, current maintenance expenses, expenses of reasonable upkeep and repairs, and insurance and administrative expense, but excludes depreciation, payments for debt service or into reserve funds, costs of capital additions to or replacements of the System, municipal taxes, or payments to the City in lieu of taxes.

(r) **“Council”** shall mean the City Council of the City.

(s) **“Default Trustee”** shall mean the trustee appointed by the Registered Owner pursuant to Section 3.07(c) of this Ordinance if an Event of Default occurs.

(t) **“Designated Representative”** shall mean the officer or employee of the City appointed in Section 2.03 of this Ordinance to serve as the City’s Designated Representative in accordance with RCW 39.46.040(2) for purposes of accepting and executing, on behalf of the City, the Bond Purchase Agreement on terms consistent with this Ordinance and the parameters set forth herein.

(u) **“Event of Default”** shall have the meanings set forth in Section 3.07(a) of this Ordinance.

(v) **“Final Terms”** shall mean the terms and conditions for the sale of the Bond, including, but not limited to the amount, date or dates, denominations, interest rate or rates (or mechanism for determining interest rate or rates), payment dates, final maturity, redemption rights, and price.

(w) **“Government Obligations”** shall mean cash or those obligations described under the definition of government obligations in RCW 39.53.010(4), as it now reads or

hereafter may be amended, and which are otherwise lawful investments for the City at the time of such investment.

(x) **“Issue Date”** shall mean the date of initial issuance and delivery of the Bond to the Purchaser in exchange for the purchase price of the Bond.

(y) **“Junior Lien Debt Service Fund”** shall mean the City’s “Water and Sewer System Junior Lien Debt Service Fund” created by Section 3.03 of this Ordinance, or any successor fund.

(z) **“Junior Lien Net Revenue”** shall mean the Revenue of the System less the sum of: (i) Costs of Maintenance and Operation, *plus* (ii) all deposits to the Senior Lien Debt Service Fund required by the ordinances authorizing the issuance of the Senior Lien Bonds, *plus* (iii) all deposits to the Senior Lien Reserve Fund required by the ordinances authorizing the issuance of the Senior Lien Bonds.

(aa) **“Junior Lien Reserve Fund”** shall mean the City’s “Water and Sewer System Junior Lien Reserve Fund” created by Section 3.04 of this Ordinance, or any successor fund.

(bb) **“Junior Lien Reserve Fund Facility”** shall mean a surety bond, insurance policy or letter of credit that constitutes all or a part of the Junior Lien Reserve Fund Requirement, provided such surety bond, insurance policy or letter of credit satisfies the conditions set forth in Section 3.04(b) of this Ordinance.

(cc) **“Junior Lien Reserve Fund Requirement”** shall mean, for each issue of Junior Lien Bonds, an amount equal to the lesser of (1) the Maximum Annual Debt Service with respect to such issue of Junior Lien Bonds, (2) 125 percent of the Average Annual Debt Service with respect to such issue of Junior Lien Bonds, or (3) 10 percent of the proceeds (as defined under the Code) of such issue of Junior Lien Bonds.

(dd) **“Maturity Date”** shall mean December 1, 2032, or such earlier date specified in the Final Terms.

(ee) **“Maximum Annual Debt Service”** shall mean an amount equal to the greatest Annual Debt Service with respect to the Junior Lien Bonds for the then current or any future calendar year.

(ff) **“Mayor”** shall mean the *de facto* or *de jure* Mayor of the City (including the Mayor pro tempore in the Mayor’s absence), or any presiding officer or titular head of the City, and his successors in functions, if any.

(gg) **“Ordinance”** shall mean this Ordinance passed and approved by the Mayor and Council on June 12, 2017.

(hh) **“Ordinance No. 1795”** shall mean the City’s Ordinance No. 1795 dated February 17, 2010 that authorized the issuance of the 2010 Bonds.

(ii) **“Outstanding”** when used with reference to the Junior Lien Bonds, as of any particular date, shall mean all such Junior Lien Bonds that have been issued, executed, authenticated and delivered under the ordinances authorizing their issuance, except: (i) Junior Lien Bonds canceled because of payment or redemption prior to their stated dates of maturity; and (ii) any Junior Lien Bond (or portion thereof) deemed to have been paid or defeased pursuant to the ordinance under which it was issued.

(jj) **“Project”** shall mean the Acquisition, construction and installation of improvements to the System.

(kk) **“Purchaser”** shall mean the corporation, firm, association, partnership, bank, trust, or other legal entity or group of entities selected by the Designated Representative to purchase the Bond.

(ll) **“Registered Owner”** shall mean the person named as the registered owner of the Bond on the Bond Register.

(mm) **“Registrar”** shall mean the fiscal agent of the State (as designated by the State Finance Committee from time to time pursuant to chapter 43.80 RCW), currently, U.S. Bank, National Association, and any successors or assigns, who has been appointed by the Treasurer as registrar, authenticating agent, transfer agent, exchange agent and registrar with respect to the Bond in the manner provided in this Ordinance.

(nn) **“Revenue Fund”** shall mean, collectively, the City’s existing sewer utility fund (currently, Fund No. 401) and the City’s existing water utility fund (currently, Fund No. 403).

(oo) **“Revenue of the System”** shall mean all earnings, revenue and money, except Assessment Income, received by the City from or on account of the operation of the System, including the income from investments of money in the Revenue Fund, debt service funds and reserve funds, or from any other investment thereof, except the income from investments irrevocably pledged to the payment of any other water and sewer revenue bonds pursuant to a plan of retirement or refunding. The words “Revenue of the System” also shall include any federal or state reimbursements of operating expenses to the extent such expenses are included as Costs of Maintenance and Operation of the System. The City may consider revenue derived from rates charged by a storm water sewer utility or system as “Revenue of the System” only to the extent such revenues are deposited into the Revenue Fund; provided nothing herein shall be construed as requiring the City to deposit such revenues into the Revenue Fund.

(pp) **“Senior Lien Bonds”** shall mean the 2004 Bond, the 2004A Bond and the 2010 Bonds.

(qq) **“Senior Lien Debt Service Fund”** shall mean the City’s “Water and Sewer System Debt Service Fund” created by Section 5.03 of Ordinance No. 1623.

(rr) **“Senior Lien Reserve Fund”** shall mean the City’s “Water and Sewer System Reserve Fund” created by Section 5.04 of Ordinance No. 1623.

(ss) **“State”** shall mean the State of Washington.

(tt) **“State Loans”** shall mean the City’s revenue obligations for borrowed money from the State Public Works Trust Fund, outstanding on May 31, 2017, in the aggregate principal amount of \$293,725.91.

(uu) **“System”** shall mean the City’s combined water collection, treatment and distribution system and sewage collection and treatment system, as it now exists and as it may later be added to, extended and improved, and shall include buildings, structures, utilities or other income-producing facilities from the operation of or in connection with which revenues for the payment of the Junior Lien Bonds will be derived, and the lands appertaining thereto.

(vv) **“Term Bonds”** shall mean any Junior Lien Bonds that are identified as such in the ordinances authorizing the issuance thereof, the payment of which is provided for by a requirement for mandatory sinking fund deposits into the Junior Lien Debt Service Fund.

(ww) **“Treasurer”** means the appointive officer of the City who is responsible under the City Charter, if any, and/or City ordinance for fulfilling the various duties of a “city treasurer” specified in the Revised Code of Washington.

ARTICLE II. PROVISIONS PARTICULAR TO THE BOND

Section 2.01 Authorization of the Bond. The City is hereby authorized to issue, sell and deliver the Bond for the purpose of providing the money required to accomplish the Project, including the costs related to the issuance, sale and delivery of the Bond. The Bond shall be a special obligation of the City payable solely out of the Junior Lien Debt Service Fund and the Junior Lien Reserve Fund, and shall be a valid claim of the Registered Owner only as against the Junior Lien Debt Service Fund, the Junior Lien Reserve Fund and the amount of Revenue of the System and Assessment Income pledged to those funds. The Bond shall not be a general obligation of the City. The City’s full faith, credit and resources are not pledged for the payment of the Bond.

Section 2.02 Description of the Bond. The Bond shall be designated as the “City of Dayton, Washington, Junior Lien Water and Sewer Revenue Bond, 2017” (as further designated pursuant to the parameters for the Final Terms set forth in Attachment A, which is attached to this Ordinance and incorporated herein by this reference). The Bond shall be issued in the principal amount of not to exceed \$1,100,000; shall be numbered R-1; shall be issued only in fully registered form; and shall mature on the Maturity Date. The Bond shall be dated the Issue Date, shall bear interest from such Issue Date at the rate and shall mature in the year and principal amount, all as set forth in the Bond Purchase Agreement accepted by the Designated Representative pursuant to Section 2.03 of this Ordinance.

Section 2.03 Authority to Approve Bond Purchase Agreement. It is anticipated that the Bond will be sold to the Purchaser and that the Purchaser will present a Bond Purchase Agreement to the City offering to purchase the Bond. Pursuant to RCW 39.46.040(2), the Treasurer, or in the absence or disability of the Treasurer, the Mayor, is hereby appointed as the City’s Designated Representative and is authorized and directed on the City’s behalf to accept the Final Terms of, and execute, the Bond Purchase Agreement subject to the parameters for

such Final Terms set forth in Attachment A. Final Terms shall be confirmed in the Bond Purchase Agreement and/or separate certificate approved and executed by the Designated Representative in connection with the issuance of the Bond. The authority granted to the Designated Representative by this Section 2.03, and the authority to issue the Bond pursuant to this Ordinance, shall expire on December 31, 2017, if the Issue Date has not occurred by such date.

Section 2.04 Form and Execution of the Bond.

(a) The Bond shall be prepared in a form consistent with the provisions of this Ordinance and State law and shall be signed by the Mayor and Clerk, either or both of whose signatures may be manual or in facsimile, and the seal of the City or a facsimile reproduction thereof shall be impressed or printed thereon. The Bond shall be prepared at City expense and shall be delivered to the Purchaser in accordance with the terms of the Bond Purchase Agreement, together with the approving legal opinion of Bond Counsel regarding the Bond.

(b) No Bond shall be valid or obligatory for any purpose, or entitled to the benefits of this Ordinance, unless such Bond bears a certificate of authentication manually signed by the Registrar stating: "This Bond is the fully registered City of Dayton, Washington, Junior Lien Water and Sewer Revenue Bond, 2017, described in the Bond Ordinance." A minor deviation in the language of such certificate shall not void a certificate of authentication that otherwise is substantially in the form of the foregoing. The authorized signing of a certificate of authentication shall be conclusive evidence that the Bond so authenticated has been duly executed, authenticated and delivered and is entitled to the benefits of this Ordinance.

(c) If any officer whose facsimile signature appears on the Bond ceases to be an officer of the City authorized to sign bonds before the Bond bearing his or her facsimile signature is authenticated or delivered by the Registrar or issued by the City, this Bond nevertheless may be authenticated, delivered and issued and, when authenticated, issued and delivered, shall be as binding on the City as though that person had continued to be an officer of the City authorized to sign bonds. The Bond also may be signed on behalf of the City by any person who, on the actual date of signing of the Bond, is an officer of the City authorized to sign bonds, although he or she did not hold the required office on the date of issuance of the Bond.

Section 2.05 Registrar, Registration and Transfer of Bond.

Pursuant to RCW 39.46.030, the Treasurer has appointed the Registrar to act as the City's bond registrar, authenticating agent, transfer agent and exchange agent with respect to the Bond. The Registrar shall keep, or cause to be kept, sufficient books for the registration and transfer of the Bond, which books shall be open to inspection by the City at all times. The Registrar is authorized, on behalf of the City, to authenticate and deliver the Bond transferred in accordance with the provisions of the Bond and this Ordinance, to serve as the City's paying agent for the Bond and to carry out all of the Registrar's powers and duties under this Ordinance. The Registrar shall be responsible for its representations contained in the Registrar's Certificate of Authentication on the Bond.

The Bond may be assigned or transferred only: (a) in whole; (b) to a single investor that is a qualified institutional buyer; (c) if endorsed in the manner provided thereon and surrendered to the Registrar; and (d) if the transferee provides the Registrar with an executed transfer certificate in substantially the form to be attached to the Bond. Any such transfer shall be without cost to the Registered Owner or transferee (other than any cost incurred by the Registered Owner or transferee in preparing and delivering such transfer certificate) and shall be noted on the Bond Register. The Registrar shall not be obligated to assign or transfer the Bond during the 15 days preceding any installment payment or prepayment date.

Section 2.06 Payment of the Bond. Both principal of and interest on the Bond shall be payable in lawful money of the United States of America and shall be paid by check, draft or electronic transfer of the Registrar sent to the Registered Owner so that the Registered Owner receives said payments when due at the address appearing on the Bond Register. Upon receipt of the final installment payment of principal of and interest on the Bond, whether on the Maturity Date or upon prepayment, the Registered Owner shall present and surrender the Bond to the Registrar to be destroyed or cancelled in accordance with law. If any installment of principal is not paid when due, the City shall be obligated to pay interest on that principal at the same rate provided in the Bond until that principal, together with interest thereon, is paid in full.

Section 2.07 Prepayment and Redemption Provisions.

(a) The Bond shall be subject to prepayment and redemption at the option of the City on terms acceptable to the Designated Representative, as set forth in the Bond Purchase Agreement, consistent with the parameters set forth in Attachment A. If the Bond is subject to redemption, then the following Sections 2.07(b) and 2.07(c) shall apply.

(b) The City shall cause notice of any intended redemption of the Bond to be given not less than 15 nor more than 60 days prior to the date fixed for redemption by first-class mail, postage prepaid, to the Registered Owner of the Bond at the address appearing on the Bond Register at the time the Registrar prepares the notice, and the requirements of this sentence shall be deemed to have been fulfilled when notice has been mailed as so provided, whether or not it is actually received by the Registered Owner of the Bond. Interest on that portion of the principal of the Bond called for redemption shall cease to accrue on the date fixed for redemption unless such principal is not redeemed when presented pursuant to the call.

(c) In the case of an optional redemption, the notice may state that the City retains the right to rescind the redemption notice and the related optional redemption of the Bond by giving a notice of rescission to the affected Registered Owner at any time prior to the scheduled optional redemption date. Any notice of optional redemption that is so rescinded shall be of no effect, and the Bond shall remain Outstanding hereunder.

(d) The City reserves the right and option to purchase the Bond in the open market at any time at any price acceptable to the City plus accrued interest to the date of purchase.

Section 2.08 Refunding or Defeasance of the Bond. The City may issue a refunding bond pursuant to the laws of the State or use money available from any other lawful source to pay when due the principal of and interest on the Bond, or any portion thereof, included in a

refunding or defeasance plan (the “Defeased Bond”), and to redeem and retire, refund or defease such Defeased Bond and to pay the costs of such refunding or defeasance. If the City deposits irrevocably with an escrow agent money and/or Government Obligations sufficient in amount, together with the earnings thereon, are sufficient to pay the principal of and premium, if any, on the Defeased Bond becoming due, together with all interest accruing thereon to the due date or redemption date, and pays or makes provision for payment of all fees, costs and expenses of that escrow agent due or to become due with respect to the Defeased Bond, all liability of the System with respect to the Defeased Bond shall cease, the Defeased Bond shall be deemed not to be outstanding hereunder and the Registered Owner of the Defeased Bond shall be restricted exclusively to the money or Government Obligations so deposited, together with any earnings thereon, for any claim of whatsoever nature with respect to the Defeased Bond, and that escrow agent shall hold that money, Government Obligations and earnings in trust exclusively for the Registered Owner and that money, Government Obligations and earnings shall not secure any other Junior Lien Bonds under this Ordinance. After establishing such an escrow account, the City may apply any money in any other fund or account established for the payment or redemption of the Defeased Bond to any lawful purposes as it shall determine, subject only to the rights of the owners of any other Junior Lien Bonds then outstanding. The Defeased Bond shall be excluded from computation of the Coverage Requirements and other covenants under this Ordinance.

Section 2.09 Pledge of Revenue and Lien Position. There are hereby pledged, for the equal and ratable benefit of the Registered Owner from time to time of the Bond, as security for the payment of the principal of, premium, if any, and interest on the Bond: (1) all Junior Lien Net Revenue and all rights of the City to receive Junior Lien Net Revenue; (2) all Assessment Income; and (3) all money and securities held in the Junior Lien Debt Service Fund and the Junior Lien Reserve Fund, including the investments thereof, if any, and subject to the provisions of this Ordinance permitting the application of amounts hereunder to the purposes set forth herein. Such pledge is hereby declared to be a prior lien and charge on the foregoing superior to all other liens and charges of any kind whatsoever, except that, liens on the foregoing may be created in favor of Additional Junior Lien Bonds on a parity with the pledge under this Section 2.09 in favor of the Bond. The lien created by this Ordinance is hereby declared to be senior to the lien that secures the State Loans.

Section 2.10 Preservation of Tax Exemption for Interest on the Bond. The City covenants that it will take all actions necessary to prevent interest on the Bond from being included in gross income for federal income tax purposes, and it will neither take any action nor make or permit any use of proceeds of the Bond or other funds of the City treated as proceeds of the Bond at any time during the term of the Bond which will cause interest on the Bond to be included in gross income for federal income tax purposes.

Section 2.11 Designation of Bond as a “Qualified Tax-Exempt Obligation”. The City designates the Bond as a “qualified tax-exempt obligation” for the purposes of Section 265(b)(3) of the Code, and makes the following findings and determinations: (1) the Bond does not constitute a “private activity bond” within the meaning of Section 141 of the Code; (2) the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds and other obligations not required to be included in such calculation) that the City and any entity subordinate to the City (including any entity that the City controls, that derives its authority to

issue tax-exempt obligations from the City, or that issues tax-exempt obligations on behalf of the City) will issue during 2017 will not exceed \$10,000,000; and (3) the amount of tax-exempt obligations, including the Bond, designated by the City as a “qualified tax-exempt obligation” for the purposes of Section 265(b)(3) of the Code during 2017 will not exceed \$10,000,000.

Section 2.12 Compliance Policies. The Council hereby adopts the post-issuance compliance policies and procedures for tax-exempt obligations attached hereto as Attachment B in connection with the Bond and the City’s other tax-exempt obligations.

ARTICLE III. PROVISIONS GOVERNING ALL JUNIOR LIEN BONDS

Section 3.01 Application of Revenue of the System. All Revenue of the System (together with Assessment Income, if any, with respect to subparagraphs *Second* and *Third*) shall be deposited into the Revenue Fund as collected, and shall be used only for the following purposes and in the following order of priority:

First, to pay the Costs of Maintenance and Operation;

Second, to pay the interest on the Senior Lien Bonds;

Third, to pay the principal of the Senior Lien Bonds, and to make any mandatory sinking fund deposits required to be made for the payment of the principal of any Term Bonds;

Fourth, to make all payments required to be made into the Senior Lien Reserve Fund to secure the payment of the Senior Lien Bonds, and to make any payments required in connection with a “Reserve Fund Facility” (as defined in Ordinance No. 1795);

Fifth, to pay the interest on the Junior Lien Bonds;

Sixth, to pay the principal of the Junior Lien Bonds, and to make any mandatory sinking fund deposits required to be made for the payment of the principal of any Term Bonds;

Seventh, to make all payments required to be made into the Junior Lien Reserve Fund to secure the payment of the Junior Lien Bonds, and to make any payments required in connection with a Junior Lien Reserve Fund Facility; and

Eighth, for any other lawful City purposes, including but not limited to, payments due on the State Loans, payments of municipal taxes or payments to the City in lieu of taxes, the payment of the principal of and interest on any obligations that have a lien upon the Revenue of the System junior and inferior to the lien thereon for the payment of the principal of and interest on the Junior Lien Bonds, the redemption or by purchase in the open market, any obligations of the City payable out of the Revenue of the System, and the Acquisition and construction of additions, betterments, improvements and repairs to, or extensions and replacements of, the System.

Assessment Income also may be deposited in the Junior Lien Reserve Fund if such deposits are authorized in an ordinance authorizing the issuance of the Assessment Bonds, but

only to the extent such Assessment Income is not then needed to make the deposits required by subparagraphs *Second* and *Third* above.

Section 3.02 The Revenue Fund. There has heretofore been created and shall continue to be maintained in the office of the Treasurer, separate and distinct from all other funds and accounts of the City, the City's sewer utility fund (currently, Fund No. 401) and the City's water utility fund (currently, Fund No. 403). Such funds are collectively referred to herein as the "Revenue Fund." Money shall be withdrawn from the Revenue Fund solely for the purposes, and in the priority of order, set forth in Section 3.01 of this Ordinance.

Section 3.03 The Junior Lien Debt Service Fund.

(a) The Treasurer is directed to create and maintain the Junior Lien Debt Service Fund as a fund of the City that is separate and distinct from all other funds and accounts of the City. The Junior Lien Debt Service Fund shall be used solely for the purpose of paying the principal of, premium, if any, and interest on the Junior Lien Bonds. Accrued interest received from the sale of the Junior Lien Bonds, if any, shall be deposited in the Junior Lien Debt Service Fund. All Assessment Income shall be deposited in the Junior Lien Debt Service Fund and/or in the Junior Lien Reserve Fund in the manner prescribed by the ordinance(s) authorizing the issuance of the Assessment Bonds to which such Assessment Income is associated.

(b) As long as any Junior Lien Bond remains Outstanding, the City hereby irrevocably obligates, pledges and binds itself to set aside and pay from the Junior Lien Net Revenue into the Junior Lien Debt Service Fund, together with Assessment Income and such other funds as are on hand and available in the Junior Lien Debt Service Fund, those amounts necessary to pay installments of interest, or principal and interest, next coming due on the Junior Lien Bonds. With respect to the Junior Lien Bonds, deposits into the Junior Lien Debt Service Fund shall be made on or before the twentieth day of each month in an equal monthly amount that, together with other money available therefor in the Junior Lien Debt Service Fund, will be sufficient to pay the principal and interest becoming due and payable on the next payment date on the Junior Lien Bonds.

(c) Money in the Junior Lien Debt Service Fund may be invested as permitted by law, provided such investments shall mature prior to the date on which such money shall be needed for required scheduled payments (whether such scheduled payments be of interest or of interest and principal). All interest earned and income derived by virtue of such investments shall remain in the Junior Lien Debt Service Fund. Subject to the other provisions of this paragraph, money in the Junior Lien Debt Service Fund and the Junior Lien Reserve Fund may be combined for the purpose of purchasing investments, *provided*, the records of the City shall show to which account the respective portions of any such combined investments are credited.

Section 3.04 The Junior Lien Reserve Fund.

(a) The Treasurer is directed to create and maintain the Junior Lien Reserve Fund as a fund of the City that is separate and distinct from all other funds and accounts of the City. The Junior Lien Reserve Fund shall be used for the purpose of securing the payment of the principal of and interest on the Junior Lien Bonds. On the Issue Date, the City shall cause money

to be deposited into the Junior Lien Reserve Fund, in an amount equal to the Junior Lien Reserve Fund Requirement for the Bond, to be thereafter held as the Junior Lien Reserve Fund Requirement for the Bond.

The City hereby covenants and agrees that, when the required deposits have been made into the Junior Lien Reserve Fund, it will at all times maintain therein an amount at least equal to the Junior Lien Reserve Fund Requirement. The City hereby reserves the right to recalculate the Junior Lien Reserve Fund Requirement from time to time, and at any time. Whenever there is a sufficient amount in the Junior Lien Debt Service Fund and the Junior Lien Reserve Fund to pay the principal of, premium, if any, and interest on all Junior Lien Bonds then Outstanding, the money in the Junior Lien Reserve Fund may be used to pay such principal, premium and interest. Money in the Junior Lien Reserve Fund may also be withdrawn to redeem and retire, and to pay the premium, if any, and interest due to such date of redemption, on any Junior Lien Bonds, as long as the money left remaining on deposit in the Junior Lien Reserve Fund is equal to the Junior Lien Reserve Fund Requirement. If at any time the amount in the Junior Lien Reserve Fund exceeds the Junior Lien Reserve Fund Requirement, such surplus may be deposited into the Junior Lien Debt Service Fund.

In the event there shall be a deficiency in the Junior Lien Debt Service Fund such that maturing installments of principal of and interest on the Junior Lien Bonds cannot be met, such deficiency shall be made up from the Junior Lien Reserve Fund by the withdrawal of money therefrom. Any deficiency created in the Junior Lien Reserve Fund by reason of any such withdrawal shall then be made up out of Revenue of the System after making the necessary provision for the payments required to be made by subparagraphs *First* through *Sixth* of Section 3.01 of this Ordinance.

(b) In lieu of or in substitution for money or investments, the City may fund the Junior Lien Reserve Fund with a Junior Lien Reserve Fund Facility for the benefit of the Registered Owners of the Junior Lien Bonds for all or any part of the Junior Lien Reserve Fund Requirement, *provided* that:

(1) any such Junior Lien Reserve Fund Facility that is a surety bond or insurance policy shall be issued by an insurance company or association duly authorized to do business in the State, and either: (A) the claims paying ability of such insurance company or association is rated the highest rating accorded by a nationally recognized insurance rating agency; or (B) obligations insured by a surety bond or an insurance policy issued by such company or association are rated at the time such surety bond or insurance policy is delivered, without regard to qualification of such rating by symbols such as “+” or “-” or numerical notation, in the highest rating category by Moody’s Investors Service, Inc. or Standard & Poor’s Ratings Service;

(2) any such Junior Lien Reserve Fund Facility that is a letter of credit shall be issued by a bank, a trust company, a national banking association, a corporation subject to registration with the Board of Governors of the Federal Reserve System under the Bank Holding Company Act of 1956 or any successor provision of law, a federal branch pursuant to the International Banking Act of 1978 or any successor provision of law or a domestic branch or agency of a foreign bank which branch or agency is duly licensed or authorized to do business

under the laws of any state or territory of the United States, the unsecured or uncollateralized long-term debt obligations of which, or long-term obligations secured or supported by a letter of credit issued by such person, are rated at the time such letter of credit is delivered, without regard to qualification of such rating by symbols such as “+” or “-” or numerical notation, in at least the third highest rating category by Moody’s Investors Service, Inc. or Standard & Poor’s Ratings Service; and

(3) prior to funding the Junior Lien Reserve Fund with a Junior Lien Reserve Fund Facility, the Treasurer shall have received: (A) an opinion of counsel to the effect that such Junior Lien Reserve Fund Facility has been duly authorized, executed and delivered by the provider thereof and is enforceable in accordance with its terms; and (B) in the event such provider is not a domestic entity, an opinion of foreign counsel in form and substance satisfactory to the City.

Notwithstanding the foregoing, if at any time after a Junior Lien Reserve Fund Facility has been deposited in the Junior Lien Reserve Fund the unsecured or uncollateralized long-term debt of the provider thereof, or the long-term debt obligations secured or unsecured by a surety bond, insurance policy or letter of credit of the provider of the Junior Lien Reserve Fund Facility, is reduced below the ratings required by paragraphs (1) and (2) of this subsection (c), the City shall either: (i) replace or cause to be replaced said Junior Lien Reserve Fund Facility with another Junior Lien Reserve Fund Facility that satisfies the requirements set forth in paragraphs (1) and (2) of this subsection (c); or (ii) deposit or cause to be deposited in the Junior Lien Reserve Fund an amount of money or investments that is equal to the value of the Junior Lien Reserve Fund Facility of such provider, such deposits to be made from Junior Lien Net Revenue as money is made available, but in any case within 12 months of the first principal or interest payment date after the reduction in said ratings.

Each Junior Lien Reserve Fund Facility shall be payable (upon the giving of such notice as may be required thereby) on any date on which money is required to be withdrawn from the Junior Lien Reserve Fund and such withdrawal cannot be made without obtaining payment under such Junior Lien Reserve Fund Facility.

In computing the amount on deposit in the Junior Lien Reserve Fund, a Junior Lien Reserve Fund Facility shall be valued at the amount available to be paid thereunder on the date of computation; provided that, if the unsecured or uncollateralized long-term debt of the provider of such Junior Lien Reserve Fund Facility, or if the long-term debt obligations secured or supported by a surety bond, insurance policy or letter of credit of said provider, has been reduced below the ratings required by paragraphs (1) and (2) of this subsection (c), said Junior Lien Reserve Fund Facility shall be valued at the lesser of: (i) the amount available to be paid thereunder on the date of calculation; and (ii) the difference between the amount available to be paid thereunder on the date of issue thereof and an amount equal to a fraction of such available amount, the numerator of which is the aggregate number of principal and interest payment dates that has elapsed since such ratings were reduced and the denominator of which is two; provided, however, that in no event shall the Junior Lien Reserve Fund Facility be valued at less than \$0.00.

(c) Money in the Junior Lien Reserve Fund may be invested as permitted by law, provided such investments shall be available to pay any deficiencies that may occur in the Junior Lien Debt Service Fund. All interest earned and income derived by virtue of such investments shall be deposited into either the Junior Lien Debt Service Fund or the Junior Lien Reserve Fund, as the Treasurer deems necessary, and be used to meet the required deposits therein. Subject to the other provisions of this paragraph, money in the Junior Lien Debt Service Fund and the Junior Lien Reserve Fund may be combined for the purpose of purchasing investments, provided, the records of the City shall show to which account the respective portions of any such combined investments are credited.

Section 3.05 The 2017 Project Fund.

(a) The Treasurer is directed to create and maintain the 2017 Project Fund as a fund of the City that is separate and distinct from all other funds and accounts of the City. The costs of carrying out and accomplishing the Project, including costs of issuing the Bond, shall be paid from the 2017 Project Fund.

(b) Money in the 2017 Project Fund may be invested as permitted by law, provided such investments shall mature prior to the date on which such money must be expended. All interest earned and income derived by virtue of such investments may remain in the 2017 Project Fund or, at the City's discretion, may be deposited into the Junior Lien Debt Service Fund.

Section 3.06 Covenants.

(a) Maintenance of the System. The City shall at all times maintain, preserve and keep the properties of the System in good repair, working order and condition and will from time to time make all necessary and proper repairs, renewals, replacements, extensions and betterments thereto, so that at all times the business carried on in connection therewith will be properly and advantageously conducted, and the City will at all times operate or cause to be operated said properties of the System and the business in connection therewith in an efficient manner and at a reasonable cost.

(b) Rates and Charges. The City has established, may from time to time revise, and shall maintain and collect from the users of the System, rates and charges for furnishing the services and the facilities of the System to such users thereof. Said rates and charges are, and shall continue to be, uniform as to all persons or properties which are of the same class. The City shall also collect all Assessments, if any, payable into the Junior Lien Debt Service Fund when due. The City shall fix, maintain and collect rates and charges for the use of the services and facilities and all commodities sold, furnished or supplied by the System, which shall be fair and nondiscriminatory and shall adjust such rates and charges from time to time so that:

(i) the Revenue of the System, together with any Assessment Income collected, will at all times be sufficient: (a) to pay the Costs of Maintenance and Operation; (b) to make any payments required to be made on account of the Senior Lien Bonds, the Junior Lien Bonds and the State Loans, as and when the same shall become due and payable; (c) to make

when due all payments which the City is obligated to make into the Senior Lien Reserve Fund and the Junior Lien Reserve Fund. and all other payments which the City is obligated to make pursuant to this Ordinance and any ordinance authorizing the issuance of the Senior Lien Bonds; and (d) to pay all taxes, assessments or other governmental charges lawfully imposed on the System or the Revenue of the System, or payments in lieu thereof, and any and all other amounts which the City may now or hereafter become obligated to pay from the Revenue of the System by law or contract; and

(ii) the Junior Lien Net Revenue for each calendar year, together with Assessment Income, will equal at least: (a) 1.00 times the Annual Debt Service of that portion of all Junior Lien Bonds then Outstanding that are Assessment Bonds; plus (b) 1.25 times the Annual Debt Service of that portion of all Junior Lien Bonds that are not Assessment Bonds.

(c) Sale of the System. The City will not sell or otherwise dispose of the System in its entirety unless simultaneously with such sale or other disposition provision is made for payment into the Junior Lien Debt Service Fund (or another sinking fund pledged to the payment of the Junior Lien Bonds) of cash or Government Obligations sufficient (taking into account interest to be earned on any such Government Obligations) to pay the principal of and interest on all Junior Lien Bonds then Outstanding, nor will it sell or otherwise dispose of any part of the useful operating properties of the System unless such facilities are replaced or provision is made for payment into the Junior Lien Debt Service Fund (or another sinking fund pledged to the payment of the Junior Lien Bonds) of the greatest of the following:

(i) an amount which will be in the same proportion to the net amount of the Junior Lien Bonds then Outstanding (defined as the total principal amount of Junior Lien Bonds less the amount of cash and investments in the Junior Lien Debt Service Fund and the Junior Lien Reserve Fund) that the revenue from the portion of the System sold or disposed of for the preceding year bears to the total Revenue of the System for such period; or

(ii) an amount which will be in the same proportion to the net amount of Junior Lien Bonds then Outstanding (as defined above) that the Junior Lien Net Revenue from the portion of the System sold or disposed of for the preceding year bears to the total Junior Lien Net Revenue for such period.

The proceeds of any such sale or disposition of a portion of the properties and facilities of the System (to the extent required above) shall be paid into the Junior Lien Debt Service Fund (or such other sinking fund).

Notwithstanding any other provision of this paragraph, the City may sell or otherwise dispose of any of the works, plant, properties and facilities of the System or any real or personal property comprising a part of the same which shall have become unserviceable, inadequate, obsolete or unfit to be used in the operation of the System, or no longer necessary, material to or useful in such operation, without making any deposit into the Junior Lien Debt Service Fund (or other sinking fund).

(d) Liens and Encumbrances. Except for the lien in favor of the outstanding Senior Lien Bonds, the City will not at any time create or permit to accrue or to exist any lien or

other encumbrance or indebtedness upon the System or the Revenue of the System, or any part thereof, prior or superior to the lien thereon for the payment of the Junior Lien Bonds, and will pay and discharge, or cause to be paid and discharged, any and all lawful claims for labor, materials or supplies which, if unpaid, might become a lien or charge upon the Revenue of the System, or any part thereof, prior to or superior to the lien of the Junior Lien Bonds, or which might impair the security of the Junior Lien Bonds. Notwithstanding the foregoing, the City may contest in good faith claims for labor, materials and supplies.

(e) Insurance. The City will keep the works, plants and facilities comprising the System insured, and will carry such other insurance, with responsible insurers, with policies payable to the City, against risks, accidents or casualties, at least to the extent that insurance is usually carried by municipal corporations operating like properties, or will implement a self-insurance program with reserves adequate, in the judgment of the Council, to protect the City and the Registered Owners of the Senior Lien Bonds against loss. In the event of any loss or damage, the City will promptly repair or replace the damaged portion of the insured property and apply the proceeds of any insurance policy for that purpose; or in the event the City should determine not to repair or reconstruct such damaged portion of the properties of the System, the proceeds of such insurance in excess of the amount necessary to repay the Senior Lien Bonds shall be paid into the Junior Lien Debt Service Fund (or another sinking fund pledged to the payment of the Senior Lien Bonds) for the redemption of Junior Lien Bonds.

(f) Books of Account. The City shall keep proper books of account which shall be kept in accordance with any applicable rules, regulations and statutes prescribed by the State of Washington. The City shall prepare, and any Registered Owner of the Bond may obtain copies of, balance sheets and profit and loss statements showing in reasonable detail the financial condition of the System as of the close of each year, and the income and expenses of the System for such year, including the amounts paid into the Revenue Fund, the Senior Lien Debt Service Fund, the Senior Lien Reserve Fund the Junior Lien Debt Service Fund, the Junior Lien Reserve Fund and into any and all special funds or accounts created pursuant to the provisions of this Ordinance, and the amounts expended for maintenance, renewals, replacements and capital additions to the System.

(g) No Free Service. Except to aid the poor or infirm, to provide for resource conservation or to provide for the proper handling of hazardous materials, the City will not furnish or supply or permit the furnishing or supplying of any service or facility furnished by or in connection with the operation of the System, free of charge to any person, firm or corporation, public or private, so long as the Bond is Outstanding and unpaid.

(h) Improvements to the System. The City will not expend any of the Revenue of the System or the proceeds of any indebtedness payable therefrom for any extensions, betterments and improvements to the System that are not legally required or economically sound, and that will not properly and advantageously contribute to the conduct of the business of the System in an efficient manner.

(i) Issuance of Additional Junior Lien Bonds.

(i) *Restriction Against Prior Lien Bonds.* The City hereby covenants and agrees with the Registered Owner of the Bond, for as long as any of the same remain Outstanding, that the City will not issue any bonds having a greater priority of lien upon the Revenue of the System to pay and secure the payment of the principal of and interest on such bonds than the priority of lien created on such Revenue of the System to pay and secure the payment of the principal of and interest on the Junior Lien Bonds.

(ii) *Restriction Against Additional Junior Lien Bonds.* The City shall not issue any bonds having an equal priority of lien upon the Revenue of the System to pay and secure the payment of the principal of and interest on such bonds than the priority of lien created on such revenues to pay and secure the principal of and interest on the Junior Lien Bonds without the prior written consent of the Registered Owner of the Bond.

(iii) *Subordinate Lien Bonds.* Nothing herein contained shall prevent the City from issuing revenue bonds or other obligations that are a charge upon the Revenue of the System junior or inferior to the payments required by this Ordinance to be made out of such revenue into the Junior Lien Debt Service Fund and the Junior Lien Reserve Fund to pay and secure the payment of the Junior Lien Bonds.

Section 3.07 Events of Default.

(a) *Events of Default Defined.* Each of the following shall be an “Event of Default” hereunder:

(i) payment of the principal or redemption price of, or interest on, any Senior Lien Bond is not made when it becomes due and payable at maturity or upon call for redemption; or

(ii) payment of the principal or redemption price of, or interest on, any Junior Lien Bond is not made when it becomes due and payable at maturity or upon call for redemption; or

(iii) the City fails or refuses to comply with any of its covenants hereunder, other than the timely payment of the principal of, redemption price, or interest on the Bond (to which no cure period shall apply), and such failure or refusal shall continue for a period of 90 days after written notice thereof has been given to the City by the Registrar.

(b) *No Acceleration.* If an Event of Default shall happen and shall not have been remedied, the Junior Lien Bonds shall not be subject to acceleration of payment, and each installment of principal of and interest on the Junior Lien Bonds shall be payable when due.

(c) *Proceedings Brought by Registered Owners.* If an Event of Default happens and is not remedied, then the Registered Owners of not less than 25 percent in principal amount of Junior Lien Bonds then Outstanding may proceed, by their agents and attorneys, to protect and enforce their rights under this Ordinance forthwith by a suit in equity or at law, whether for the specific performance of any covenant herein contained, or in aid of the execution

of any power herein granted, or for an accounting against the City as if the City were the trustee of an express trust, or in the enforcement of any other legal or equitable right as the legal representative of the Registered Owners shall deem most effectual to enforce any of their rights, and such Registered Owners may appoint a default trustee (the "Default Trustee") to represent their interests.

All rights of action under this Ordinance may be enforced by any Default Trustee without either the possession of any of the Junior Lien Bonds or the production thereof at the trial or other proceedings, and any such suit or proceedings instituted by the Default Trustee shall be brought in its name.

The Registered Owners of not less than a majority in principal amount of the Junior Lien Bonds then Outstanding may direct the time, method and place of conducting any proceeding for any remedy available to them provided that the Default Trustee shall have the right to decline to follow any such direction if the Default Trustee shall be advised by counsel that the action or proceeding so directed may not lawfully be taken, or if the Default Trustee in good faith shall determine that the action or proceeding so directed would involve the Default Trustee in personal liability or be unjustly prejudicial to the Registered Owners who are not parties to such direction.

The Default Trustee shall have the power to institute and maintain such suits and proceedings as it may be advised shall be necessary or expedient to prevent any impairment of the security under this Ordinance by any acts that may be unlawful or in violation of this Ordinance, and such suits and proceedings as the Default Trustee may be advised shall be necessary or expedient to preserve or protect the interests of the Registered Owners.

(d) *Restriction on Action of Registered Owners.* Except as otherwise provided above, no Registered Owner shall have any right to institute any suit, action or proceeding at law or in equity for the enforcement of any provision of this Ordinance or for any remedy under this Ordinance, unless such Registered Owner shall have previously given to the City written notice of the happening of an Event of Default, and shall have offered it reasonable opportunity, either to: (1) exercise the powers granted in this Ordinance or by the laws of the State of Washington; or (2) institute such action, suit or proceeding in its own name, it being understood and intended that no one or more Registered Owners shall have any right in any manner whatever by his or their action to affect, disturb or prejudice the pledge created by this Ordinance, or to enforce any right under this Ordinance, except in the manner herein provided; and that all proceedings at law or in equity to enforce any provision of this Ordinance shall be instituted, had and maintained in the manner provided in this Ordinance and for the equal benefit of all Registered Owners.

Nothing in this Ordinance or the Bond shall affect or impair the obligation of the City, which is absolute and unconditional, to pay from the sources provided in this Ordinance at the respective dates of maturity and places therein expressed the principal of, premium, if any, and interest on the Bond to the respective Registered Owners thereof, or affect or impair the right of action, which is also absolute and unconditional, of any Registered Owner to enforce such payment of the Bond.

(e) *Remedies Not Exclusive.* No remedy herein conferred is intended to be exclusive of any other remedy or remedies, and each remedy is in addition to every other remedy given hereunder or now or hereafter existing at law or in equity or by statute.

(f) *Delays and Omissions Not to Impair Rights.* No delays or omissions in respect of exercising any right or power accruing upon any default shall impair such right or power or be a waiver of such default, and every remedy given by this Section 3.07 may be exercised from time to time and as often as may be deemed expedient.

ARTICLE IV. MISCELLANEOUS PROVISIONS

Section 4.01 Amendments to Ordinance.

(a) *Adoption of Supplemental Ordinance.* The Council may adopt an ordinance supplemental hereto, which ordinance thereafter shall become a part of this Ordinance, for any one or more of all of the following purposes: (1) to add to or delete from the covenants and agreements of the City in this Ordinance, provided such additions or deletions shall not adversely affect, in any material respect, the interests of the Registered Owner of the Bond; or (2) to cure, correct or supplement any ambiguous or defective provision contained in this Ordinance, provided such supplemental ordinance shall not adversely affect, in any material respect, the interests of the Registered Owner of the Bond. Any such supplemental ordinance may be adopted without the consent of the Registered Owner of the Bond, notwithstanding any of the provisions of Section 4.01(b).

(b) *Amendments with Consent of the Registered Owner.* With the consent of the Registered Owner of the Bond, the Council may adopt an ordinance supplemental hereto for the purpose of adding any provisions to, or changing in any manner, or eliminating any of the provisions of this Ordinance. It shall not be necessary for the consent of Registered Owner under this subsection to approve the particular form of any proposed supplemental ordinance, but it shall be sufficient if such consent shall approve the substance thereof.

(c) *Effect of Amendments.* Upon the adoption of any supplemental ordinance pursuant to the provisions of this Section 4.01, this Ordinance shall be deemed to be modified and amended in accordance therewith, and the respective rights, duties and obligations of the City under this Ordinance and the Registered Owner of the Bond shall thereafter be determined, exercised and enforced thereunder, subject in all respects to such modification and amendments, and all terms and conditions of any such supplemental ordinance shall be deemed to be part of the terms and conditions of this Ordinance for any and all purposes.

(d) *Notations; Replacement Bonds.* Bonds executed and delivered after the execution of any supplemental ordinance adopted pursuant to the provisions of this Section 4.01 may have a notation as to any matter provided for in such supplemental ordinance, and if such supplemental ordinance shall so provide, new Bonds so modified as to conform in the opinion of the Council to any modification of this Ordinance contained in any such supplemental ordinance, may be prepared and delivered without cost to the Registered Owner of the Bond, upon surrender for cancellation of such Bond.

Section 4.02 General Authorization; Ratification; and Limitation on Recourse. The Mayor, the Clerk and the Treasurer are each authorized to take any actions and to execute documents as in their judgment may be necessary or desirable to carry out the terms of, and complete the transactions contemplated by, this Ordinance and the Bond Purchase Agreement (including everything necessary for the prompt delivery of the Bond to the Purchaser and the proper application and use of the proceeds of the sale thereof). All actions heretofore taken in furtherance thereof and not inconsistent with the provisions of this Ordinance are hereby ratified and confirmed in all respects. No recourse shall be had for any claim based on this Ordinance or the Bond against any Council member, officer or employee, past, present or future, of the City or of any successor body as such, either directly or through the City or any such successor body, under any constitutional provision, statute or rule of law or by the enforcement of any assessment or penalty or otherwise.

Section 4.03 Severability. If any provision of this Ordinance shall be declared by any court of competent jurisdiction to be contrary to law, then such provision shall be null and void and shall be deemed separable from the remaining provisions of this Ordinance and shall in no way affect the validity of the other provisions of this Ordinance or of the Bond.

Section 4.04 Effective Date. This Ordinance shall take effect and be in force from and after its passage and five days following its publication as required by law. The Clerk is directed to cause this Ordinance, or a summary hereof, to be published in the official newspaper of the City.

PASSED by the City Council of the City of Dayton, Washington, at a regular open public meeting thereof held on June 12, 2017.

CITY OF DAYTON, WASHINGTON

Craig George, Mayor

ATTESTED:

Trina Cole, City Clerk

(S E A L)

CERTIFICATION

I, Trina Cole, the City Clerk of the City of Dayton, Washington (the “City”), hereby certify as follows:

1. The foregoing Ordinance No. 1916 (the “Ordinance”) is a full, true and correct copy of the Ordinance duly passed at a regular meeting of the City Council of the City held at the regular meeting place thereof on June 12, 2017, as that Ordinance appears on the minute book of the City; and the Ordinance is in full force and effect; and the Ordinance will be in full force and effect five days after the publication of its summary in the City’s official newspaper; and

2. A quorum was present throughout the meeting and a sufficient number of members of the City Council voted in the proper manner for the passage of the Ordinance.

IN WITNESS WHEREOF, I have hereunto set my hand on June 12, 2017.

CITY OF DAYTON, WASHINGTON

Trina Cole, City Clerk

(S E A L)

ATTACHMENT A

Parameters For Final Terms

- (a) Principal Amount. The Bond may be issued in the principal amount of not to exceed \$1,100,000.
- (b) Date. The Bond shall be dated its Issue Date, which date shall occur on or before December 31, 2017.
- (c) Interest Rate. The Bond shall bear interest at a fixed rate *per annum* from the Issue Date of the Bond or from the most recent interest payment date for which interest has been paid or duly provided for, whichever is later; provided that the rate of interest for the Bond shall not exceed 4.25%. The Bond Purchase Agreement shall specify whether interest shall be computed using the 30/360, actual/360 or actual/actual convention.
- (d) Debt Service Schedule. The Designated Representative is authorized to select the timing and manner of debt service payments on the Bond, which shall be set forth in the Bond Purchase Agreement; provided, regularly scheduled debt service payment dates shall only occur on June 1 and/or December 1.
- (e) Maturity Date. December 1, 2031, or such earlier date specified in the Bond Purchase Agreement.
- (f) Redemption Rights. The Designated Representative may approve in the Bond Purchase Agreement provisions for redemption of the Bond prior to the Maturity Date.
- (g) Price. The purchase price for the Bond shall be not less than 95% nor more than 105% of the stated principal amount.
- (h) Bond Sale Proceeds. The Designated Representative shall determine the amounts of Bond sale proceeds received from the Purchaser to be (1) deposited into the Junior Lien Debt Service Fund, (2) deposited into the Junior Lien Reserve Fund, (3) deposited into the 2017 Project Fund, (4) retained by the Purchaser as a fee and reimbursement of expenses, and/or (5) paid directly to third parties as Bond issuance costs.
- (i) Other Terms and Conditions. The Designated Representative is authorized to take such additional action as may be necessary or convenient for the issuance of the Bond pursuant to the terms of this Ordinance.

ATTACHMENT B

City of Dayton, Washington Post-Issuance Compliance Policies and Procedures for Tax-Exempt Obligations

1. **Purpose.** The purpose of these post-issuance compliance procedures (“Compliance Procedures”) is to ensure that the City of Dayton, Washington (the “City”) will be in compliance with: (i) requirements of the Internal Revenue Code of 1986, as amended (the “Code”), that must be satisfied to maintain the tax-exempt status of bonds or other obligations issued by the City that are exempt from federal income tax under the Code (sometimes collectively referred to herein as “bonds” or “tax-exempt bonds”) and (ii) each Continuing Disclosure Undertaking (described in Section 8 below).

2. **Responsibility for Monitoring Post-Issuance Tax Compliance.** The City Council of the City (the “Council”) has the overall, final responsibility for monitoring whether the City is in compliance with post-issuance federal tax requirements for the City’s tax-exempt bonds. However, the City Treasurer (the “Treasurer”) shall have the primary operating responsibility to monitor the City’s compliance with post-issuance federal tax requirements for the City’s bonds. In addition to any compliance checks that may be undertaken in connection with (and prior to) any prospective change in use of property or facilities financed with tax-exempt bonds as described in Section 4 below, the Treasurer will check on the City’s compliance with applicable requirements of the Code and the Continuing Disclosure Undertaking (defined below) at least annually.

3 **Arbitrage Yield Restriction and Rebate Requirements.** The Treasurer shall maintain or cause to be maintained records of:

(a) purchases and sales of investments made with bond proceeds (including amounts treated as “gross proceeds” of bonds under section 148 of the Code) and receipts of earnings on those investments;

(b) expenditures made with bond proceeds (including investment earnings on bond proceeds) in a timely and diligent manner for the governmental purposes of the bonds, such as for the costs of purchasing, constructing and/or renovating property and facilities;

(c) information showing, where applicable for a particular calendar year, that the City was eligible to be treated as a “small issuer” in respect of bonds issued in that calendar year because the City did not reasonably expect to issue more than \$5,000,000 of tax-exempt bonds in that calendar year;

(d) calculations that will be sufficient to demonstrate to the Internal Revenue Service (“IRS”) upon an audit of a bond issue that, where applicable, the City has complied with an available spending exception to the arbitrage rebate requirement in respect of that bond issue;

(e) calculations that will be sufficient to demonstrate to the IRS upon an audit of a bond issue for which no exception to the arbitrage rebate requirement was applicable, that the rebate amount, if any, that was payable to the United States of America in respect of investments

made with gross proceeds of that bond issue was calculated and timely paid with Form 8038-T timely filed with the IRS; and

(f) information and records showing that investments held in yield-restricted advance refunding or defeasance escrows for bonds, and investments made with unspent bond proceeds after the expiration of the applicable temporary period, were not invested in higher-yielding investments.

4. **Restrictions on Private Business Use and Private Loans.** The Treasurer shall adopt other procedures that are calculated to educate and inform the principal operating officials of those departments, including capital projects and facility departments, if any, of the City (the “users”) for which land, buildings, facilities and equipment (“property”) are financed with proceeds of tax-exempt bonds about the restrictions on private business use that apply to that property after the bonds have been issued, and of the restriction on the use of proceeds of tax-exempt bonds to make or finance any loan to any person other than a state or local government unit.

In particular, following the issuance of bonds for the financing of property, the Treasurer shall provide to the users of the property a copy of these Compliance Procedures and other appropriate written guidance advising that:

(a) “private business use” means use by any person other than a state or local government unit, including business corporations, partnerships, limited liability companies, associations, nonprofit corporations, natural persons engaged in trade or business activity, and the United States of America and any federal agency, as a result of ownership of the property or use of the property under a lease, management or service contract (except for certain “qualified” management or service contracts), output contract for the purchase of electricity or water, privately sponsored research contract (except for certain “qualified” research contracts), “naming rights” contract, “public-private partnership” arrangement, or any similar use arrangement that provides special legal entitlements for the use of the bond-financed property;

(b) under section 141 of the Code, no more than 10% of the proceeds of any tax-exempt bond issue (including the property financed with the bonds) may be used for private business use, of which no more than 5% of the proceeds of the tax-exempt bond issue (including the property financed with the bonds) may be used for any “unrelated” private business use—that is, generally, a private business use that is not functionally related to the governmental purposes of the bonds; and no more than the lesser of \$5,000,000 or 5% of the proceeds of a tax-exempt bond issue may be used to make or finance a loan to any person other than a state or local government unit;

(c) before entering into any special use arrangement with a nongovernmental person that involves the use of bond-financed property, the user must consult with the Treasurer, provide the Treasurer with a description of the proposed nongovernmental use arrangement, and determine whether that use arrangement, if put into effect, will be consistent with the restrictions on private business use of the bond-financed property;

(d) in connection with the evaluation of any proposed nongovernmental use arrangement, the Treasurer should consult with nationally recognized bond counsel to the City as may be necessary to obtain federal tax advice on whether that use arrangement, if put into effect, will be consistent with the restrictions on private business use of the bond-financed property, and, if not, whether any “remedial action” permitted under Section 141 of the Code may be taken by the City as a means of enabling that use arrangement to be put into effect without adversely affecting the tax-exempt status of the bonds that financed the property; and

(e) the Treasurer and the user of the property shall maintain records of such nongovernmental uses, if any, of bond-financed property, including copies of the pertinent leases, contracts or other documentation, and the related determination that those nongovernmental uses are not inconsistent with the tax-exempt status of the bonds that financed the property.

5. **Records to be Maintained for Tax-Exempt Bonds.** It is the procedure of the City that, unless otherwise permitted by future IRS regulations or other guidance, written records (which may be in electronic form) will be maintained with respect to each bond issue for as long as those bonds remain outstanding, plus three years. For this purpose, the bonds include refunding bonds that refund the original bonds and thereby refinance the property that was financed by the original bonds.

The records to be maintained are to include:

- (a) the official Transcript of Proceedings for the original issuance of the bonds;
- (b) records showing how the bond proceeds were invested, as described in 3(a) above;
- (c) records showing how the bond proceeds were spent, as described in 3(b) above, including purchase contracts, construction contracts, progress payment requests, invoices, cancelled checks, payment of bond issuance costs, and records of “allocations” of bond proceeds to make reimbursement for project expenditures made before the bonds were actually issued;
- (d) information, records and calculations showing that, with respect to each bond issue, the City was eligible for the “small issuer” exception or one of the spending exceptions to the arbitrage rebate requirement or, if not, that the rebate amount, if any, that was payable to the United States of America in respect of investments made with gross proceeds of that bond issue was calculated and timely paid with Form 8038-T timely filed with the IRS, as described in 3(c), (d) and (e) above; and
- (e) records showing that special use arrangements, if any, affecting bond-financed property made by the City with nongovernmental persons, if any, are consistent with applicable restrictions on private business use of property financed with proceeds of tax-exempt bonds and restrictions on the use of proceeds of tax-exempt bonds to make or finance loans to any person other than a state or local government unit, as described in 4 above.

The basic purpose of the foregoing record retention procedure for the City’s tax-exempt bonds is to enable the City to readily demonstrate to the IRS upon an audit of any tax-exempt

bond issue that the City has fully complied with all federal tax requirements that must be satisfied after the issue date of the bonds so that those bonds continue to be eligible for tax exemption under the Code.

6. Identification and Remediation of Potential Violations of Federal Tax Requirements for Tax-Exempt Bonds.

(a) So long as any of the City's tax-exempt bond issues remain outstanding, the Treasurer should periodically consult with the users of the City's bond-financed property to review and determine whether current use arrangements involving that property continue to comply with applicable federal tax requirements as described in these Compliance Procedures. This may be accomplished, for example, by periodically meeting with users, providing questionnaires to users about current use arrangements, or adopting other protocols reasonably calculated to ensure compliance with applicable federal tax requirements on a continuing basis. This periodic review may be scheduled, for example, at or before the times that the City is required to file with the Municipal Securities Rulemaking Board the annual financial information and operating data pursuant to the City's undertaking to provide continuing disclosure with respect to outstanding bonds.

(b) If at any time during the life of an issue of tax-exempt bonds, the City discovers that a violation of federal tax requirements applicable to that issue may have occurred, the Treasurer will consult with bond counsel to determine whether any such violation actually has occurred and, if so, take prompt action to accomplish an available remedial action under applicable IRS regulations or to enter into a closing agreement with the IRS under the Voluntary Closing Agreement Program described under Notice 2008-31 or other future published guidance.

7. Education Procedure With Respect to Federal Tax Requirements for Tax-Exempt Bonds. It is the procedure of the City that the Treasurer and his or her staff, as well as the principal operating officials of those departments of the City for which property is financed with proceeds of tax-exempt bonds should be provided with education and training on federal tax requirements applicable to tax-exempt bonds. The City recognizes that such education and training is vital as a means of helping to ensure that the City remains in compliance with those federal tax requirements in respect of its bonds. The City therefore will enable and encourage, to the extent the City can afford to do so, those personnel to attend and participate in educational and training programs with regard to the federal tax requirements applicable to tax-exempt bonds.

8. Responsibility for Continuing Disclosure Undertaking. Under the provisions of Securities and Exchange Commission Rule 15c2-12 ("Rule 15c2-12"), underwriters are required to obtain an agreement for ongoing continuing disclosure in connection with the public offering of municipal securities. The City's responsibility to provide ongoing continuing disclosure to the municipal securities markets is set forth in the bond ordinance or in a separate continuing disclosure agreement for each publicly sold issue of bonds (the "Continuing Disclosure Undertaking"). Each Continuing Disclosure Undertaking requires the City to provide to the municipal securities markets certain annual financial information and notices of certain listed events. For some types of listed events (e.g., bond calls), the Bond Registrar has undertaken the responsibility of filing notice of the applicable listed event. If audited financial

statements are not available by the time of each annual filing, the City shall file unaudited financial statements and file audited financial statements once they become available. For example, the annual filing of operating and financial information may be scheduled to occur at the same time financial information is provided to the State auditor's office, if such time is before the annual deadline described in the Continuing Disclosure Undertaking. The Treasurer shall monitor compliance by the City with each Continuing Disclosure Undertaking, shall maintain a file that includes a copy of each Continuing Disclosure Undertaking entered into by the City, shall ensure that the information required to be disclosed is disclosed in a timely fashion and shall cause any failure to make disclosure to be remedied in a timely fashion.

ORDINANCE NO. 1914

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DAYTON,
WASHINGTON, AMENDING ORDINANCE NOS. 1642, 1695, and 1704,
REPEALING SECTION 4-1.09 OF THE DAYTON MUNICIPAL CODE, PRICES
FOR BURIAL SECTIONS**

WHEREAS, on October 10, 2016, the City Council authorized Ordinance No. 1902, allowing for fees and rates to be set by resolution from time to time; and

WHEREAS, on October 10, 2016, the City Council authorized Resolution No. 1290, subsequently amended by Resolution No. 1298 on December 5, 2016, establishing fees and charges for various services

WHEREAS, Resolution No. 1290, established fees for the purchase of burial sections; and

WHEREAS, Section 4-1.09 of the Dayton Municipal Code is now in conflict with Resolution No. 1290; and

WHEREAS, it is necessary to repeal section 4-1.09 of the Dayton Municipal Code to allow for conformity with Resolution No. 1290.

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

**SECTION 1. AMENDING ORDINANCE NOS. 1642, 1695, and 1704,
REPEALING SECTION 4-1.09 OF THE DAYTON MUNICIPAL CODE, PRICES FOR
BURIAL SECTIONS.** Ordinance Nos. 1642, 1695, and 1704 are hereby amended repealing Section 4-1.09 of the Dayton Municipal Codes, Prices for Burial Sections.

SECTION 2. SEVERABILITY. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the other remaining parts which shall remain in full force and effect.

SECTION 3. EFFECTIVE DATE. A summary thereof of this Ordinance consisting of its title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY
OF DAYTON, WASHINGTON, AT A REGULAR MEETING THIS _____ DAY OF
_____, 2017.**

City of Dayton

By: Craig George, Mayor

Attested By:

By: Trina Cole, City Clerk-Treasurer

Approved as to form:
Menke Jackson Beyer, LLP

By: Quinn Plant, City Attorney

ORDINANCE SUMMARY BY TITLE ONLY FOR PUBLICATION PURPOSES
ORDINANCE NO. 1914

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DAYTON,
WASHINGTON, AMENDING ORDINANCE NOS. 1642, 1695, and 1704,
REPEALING SECTION 4-1.09 OF THE DAYTON MUNICIPAL CODE, PRICES
FOR BURIAL SECTIONS

The full text of Ordinance 1914 adopted the 12th day of June, 2017 is available for examination at the City Clerk's Office, 111 S. 1st St., Dayton, WA during normal business hours, Monday - Thursday, 8:00 a.m. to 4:00 p.m.

By: /s/ Craig George, Mayor
Attest: /s/ Trina Cole, City Clerk-Treasurer
Approved as to form: /s/ Quinn Plant, City Attorney

Published:
Dayton Chronicle 06/22/2017

ORDINANCE NO. 1915

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DAYTON,
WASHINGTON, AMENDING THE CITY OF DAYTON 2017 BUDGET, ADOPTED BY
ORDINANCE NO. 1907 ON DECEMBER 5, 2016, AND SUBSEQUENTLY AMENDED
BY ORDINANCE NO. 1909 ON MARCH 16, 2017.**

WHEREAS, the City of Dayton adopted the 2017 budget ("Budget") in final form by Ordinance No. 1907 on the 5th day of December, 2016; and

WHEREAS, the Budget was subsequently amended on March 16, 2017 by Ordinance No. 1909 and on May 8, 2017 by Ordinance No. 1912; and

WHEREAS, it has become necessary to amend the Budget's Capital Improvements Fund to account for Transportation Improvement Board Emergency Repair Program to repair city streets damaged by the January 30 - February 22, 2017 Winter Storm Event.

NOW THEREFORE, the City Council of the City of Dayton, Washington do hereby ordain as follows:

SECTION 1. AMEND. The City of Dayton 2017 Budget is hereby amended to change revenues and appropriations as set forth below:

FUND	2017 BUDGET RESOURCES/ APPROPRIATIONS ADOPTED 12/05/2016, AMENDED 03/16/2017 and 05/08/2017	INCREASE/ (DECREASE)	2017 BUDGET RESOURCES/ APPROPRIATIONS AS AMENDED 06/12/2017
CURRENT EXPENSE	\$ 1,121,400	\$ -	\$ 1,121,400
CEMETERY	\$ 17,879	\$ -	\$ 17,879
HISTORIC PATHWAY	\$ 210	\$ -	\$ 210
CITY STREET & ROAD	\$ 337,500	\$ -	\$ 337,500
LIBRARY	\$ 1,131	\$ -	\$ 1,131
CE CUMULATIVE RESERVE	\$ 556	\$ -	\$ 556
MOTEL/HOTEL EXCISE TAX	\$ 61,747	\$ -	\$ 61,747
CAPITAL IMPROVEMENTS	\$ 1,322,300	\$ 47,000	\$ 1,369,300
SEWER REVENUE	\$ 1,176,700	\$ -	\$ 1,176,700
SEWER CUMULATIVE RESERVE	\$ 550,400	\$ -	\$ 550,400
WATER REVENUE	\$ 993,994	\$ -	\$ 993,994
WATER CUMULATIVE RESERVE	\$ 695,800	\$ -	\$ 695,800
SOLID WASTE DISPOSAL	\$ 353	\$ -	\$ 353
W & S SYSTEM DEBT RESERVE	\$ 398,100	\$ -	\$ 398,100
W & S SYSTEM DEBT SERVICE	\$ 641,800	\$ -	\$ 641,800
W/S SYSTEMS LOAN REPAYMENT	\$ 354	\$ -	\$ 354
EQUIPMENT REPLACEMENT FUND	\$ 36,280	\$ -	\$ 36,280
CEMETERY ENDOWMENT	\$ 394,445	\$ -	\$ 394,445
LIBRARY ENDOWMENT	\$ 168,900	\$ -	\$ 168,900
PATHWAY ENDOWMENT	\$ 9,000	\$ -	\$ 9,000
TOTAL 2017 BUDGET	\$ 7,928,849	\$ 47,000	\$ 7,975,849

SECTION 2. ADOPT. The budget for fiscal year 2017 is amended to provide for the changes as outlined above, and is hereby adopted, ratified and confirmed.

SECTION 3. EFFECTIVE DATE. A summary thereof of this Ordinance consisting of its title shall be published in the official newspaper of the City of Dayton, and shall take effect and be in full force five (5) days after the date of publication.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF DAYTON, WASHINGTON, AT A SPECIAL MEETING THIS _____ DAY OF _____, 2017.

City of Dayton

By: Craig George, Mayor

Attested By:

By: Trina Cole, City Clerk-Treasurer

Approved as to form:
Menke Jackson Berry, LLP

By: Quinn Plant, City Attorney

ORDINANCE SUMMARY BY TITLE ONLY FOR PUBLICATION PURPOSES
ORDINANCE NO. 1915

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DAYTON,
WASHINGTON, AMENDING THE CITY OF DAYTON 2017 BUDGET, ADOPTED BY
ORDINANCE NO. 1907 ON DECEMBER 5, 2016, AND SUBSEQUENTLY AMENDED
BY ORDINANCE NO. 1909 ON MARCH 16, 2017.

SECTION 1. AMEND.
SECTION 2. ADOPT.
SECTION 3. EFFECTIVE DATE.

The full text of Ordinance 1915 adopted the 12th day of June, 2017, is available for examination at the City Clerk's Office, 111 S. 1st St., Dayton, WA during normal business hours, Monday - Thursday, 8:00 a.m. to 4:00 p.m.

By: /s/ Craig George, Mayor
Attest: /s/ Trina Cole, City Clerk-Treasurer
Approved as to form: /s/ Quinn Plant, City Attorney

Published: 06/22/2017
Dayton Chronicle

RESOLUTION NO. 1312

**A RESOLUTION OF THE CITY OF DAYTON, WASHINGTON, AMENDING
RESOLUTION 1254, SECTION 3**

WHEREAS, on December 1, 2014, City Council authorized an interfund loan for the purchase of the new backhoe;

WHEREAS, the City expected the interfund loan to be repaid by the Equipment Repair and Replacement Fund;

WHEREAS, as prescribed by Section 3.1.7.60, Fund Types and Accounting, Type of Funds, of the Washington State Auditor Budgeting, Accounting, Reporting System, Principles, Number of Funds, the City should establish and maintain those funds required by law and its sound financial administration; and

WHEREAS, using numerous funds results in inflexibility, undue complexity, and inefficient financial administration; and

WHEREAS, the City has undertaken a comprehensive evaluation of their fund structure to determine whether individual funds have become superfluous; and

WHEREAS, the City has determined that several funds are superfluous and need to be eliminated from accounting and reporting; and

WHEREAS, the Equipment Replacement and Repair Fund will be eliminated; and

WHEREAS, it is necessary to re-establish the repayment fund(s) for the Interfund Loan authorized by Resolution No. 1254 for fiscal years 2016 and 2017.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DAYTON, WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Section 3 of Resolution No. 1254 is amended to read as follows:

Section 3. The Equipment Repair and Replacement Fund shall make annual installments to the Cemetery Endowment Fund and the Cemetery Fund beginning October 2015. The principal shall be deposited into the Cemetery Endowment Fund and the

interest, at a rate of .707%, shall be deposited into the Cemetery Fund by October 31 of each year, except in years 2016 and 2017.

In 2016 and 2017, respectively, the annual principal installments shall be made to the Cemetery Endowment Fund and annual interest installments shall be made to the Current Expense Fund - Cemetery. The Capital Improvements Fund is responsible for 23.4% of the installments, Sewer Cumulative Reserve Fund is responsible for 33.5% of the installments and the Water Cumulative Reserve Fund is responsible for 43.1% of the installments.

Section 4. There shall be no penalty for early pay-off.

PASSED by the City Council of the City of Dayton, Washington, on this _____ day of _____, 2017.

Craig George, Mayor

.
Attest:

Trina Cole, City Clerk-Treasurer

RESOLUTION NO. 1313

A RESOLUTION OF THE **CITY OF DAYTON**, WASHINGTON AMENDING THE CITY OF DAYTON PERSONNEL POLICIES AND PROCEDURES MANUAL, SECTION 5.2 REGARDING THE FORMS AND PROCEDURES FOR DISCIPLINARY ACTION

WHEREAS, the Mayor has proposed amending Section 5.2 of the City of Dayton Personnel Policies and Procedures Manual regarding the forms and procedures for disciplinary action; and,

WHEREAS, the City Council has studied the amendment proposed by the Mayor and finds and determines that adopting same is in the best interest of the City and its residents and will promote the general health, safety and welfare;

NOW, THEREFORE, the City Council of the City of Dayton does hereby resolve as follows:

Section 1. Section 5.2 of the City of Dayton Personnel Policies and Procedures Manual, which currently reads as follows:

5.2 FORMS OF AND PROCEDURES FOR DISCIPLINARY ACTION

The degree of disciplinary action administered depends on the severity of the infraction and will be carried out in accordance with this policy or in accordance with applicable Civil Service Rules and Regulations or labor contracts. It is the responsibility of the supervisor or Department Manager to evaluate the circumstances and facts thoroughly and objectively. The Department Manager will then recommend the most suitable form of disciplinary action.

5.2.1 Verbal Warning. Verbal warning should be given to the employees in private, if possible. This type of discipline should be applied for infractions of a relatively minor degree. Supervisors should inform the employee that he or she is administering a verbal warning, that the employee is being given an opportunity to correct the condition, and that if the condition is not corrected, the employee may be subject to more severe disciplinary measures.

5.2.2 Written Warning.

- a) This notice may be issued by the supervisor or Department Manager in the event the employee continues to disregard a verbal warning, or if the infraction is severe enough to warrant a written record in the employee's personnel file.
- b) The supervisor or Department Manager will put in writing the nature of the infraction in detail and sign the notice. The Department Manager will discuss

the written warning with the employee and the immediate supervisor to be certain that the reasons for the warning are understood.

- c) A copy of the written warning will be given to the employee at the time of the discussion of the warning. The original copy will be placed in the employee's personnel file.
- d) A written warning may be removed at the request of the Department Manager from the employee's personnel file after a period of one year (12 calendar months) provided that no further disciplinary action is taken during the 12-month period. If subsequent disciplinary action is necessary, the written warning becomes a permanent record in the employee's file.

5.2.3 Written Reprimand

- a) A written reprimand may be issued by the supervisor or Department Manager in the event the employee continues to disregard previous disciplinary measures of verbal or written warnings, or the severity of the infraction as such to warrant a written reprimand be made a permanent record in the employee's file.
- b) The supervisor or Department Manager will put in writing the nature of the infraction in detail and sign the notice. The Department Manager will discuss the reprimand with the employee and the immediate supervisor to be certain that the reasons for the reprimand are understood. A copy of the written reprimand will be given to the employee at the time of the discussion of the infraction. The original copy will be placed in the employee's personnel file.
- c) A written reprimand becomes a permanent record of the employee's file and may not be removed at the discretion of the Department Manager.

5.2.4 Suspension

- a) This form of discipline must be recommended by a Department Manager or the Mayor and can only be used for a severe infraction of rules or standards.
- b) The Department Manager will put in writing all facts leading to the recommended suspension, and the duration recommended. A pre-disciplinary meeting will be held with the employee to make certain that the employee is fully aware of the reasons for the considered action and has an opportunity to respond and supply additional information.
- c) Exempt personnel are not subject to unpaid disciplinary suspensions except in increments of full work weeks unless the infraction leading to the suspension is for a violation of a safety rule of major significance.

5.2.5 Termination. Subject to any applicable state or federal laws, or specific provisions in employment contracts, the Mayor, or his/her designee, may discharge any employee at any time with or without cause.

- 5.2.5.1.1 Pre-termination Hearing: When a Department Manager or the Mayor determines, after appropriate investigation, that the nature of a violation warrants termination, or if the termination is a result of the disciplinary procedure where the desired corrective action was not achieved by one or all of the steps above (written warning, suspension, etc.), the Department Manager or in the case of a Department Manager, the individual designated by the Mayor will prepare a written report. The written report should include the reason(s) for the termination;

information on any previous warnings or disciplinary actions which may be relevant; a brief summary of the regular employee's part work record and length of employment with the City; and any other relevant information. The Department Manager will process the case and present his/her findings, including a statement of just cause, and recommendations to the Mayor. Before the final decision is made regarding a termination, a hearing shall be convened as follows:

- 5.2.5.1.1 **Pre-Termination Hearing.** No regular employee shall be terminated without a pre-termination hearing, nor can any regular employee be terminated without just cause. The employee shall be provided with a written notice of the charge or grounds for termination and a summary of the City's evidence. The employee shall be given an opportunity to respond to these charges, either orally or in writing, and to explain why the City should not go ahead with the termination. Although the Department Manager's explanation of the City's evidence should be sufficient to inform the employee of the basis for termination, this procedure shall not be construed to limit the City at any subsequent hearing or proceeding from presenting a more detailed and complete case, including the presentation of witnesses and/or documents not introduced at the discharge hearing. Should the Mayor determine to proceed with the discharge, or some alternative disciplinary action, the City will give the employee written notice of discipline without undue delay.
- 5.2.6 **Documentation.** Copies of all disciplinary actions and termination letters are to be placed in the appropriate personnel record. A final written performance appraisal will be completed on any terminated employee.

is hereby amended to read as follows:

5.2 FORMS OF AND PROCEDURES FOR DISCIPLINARY ACTION

The degree of disciplinary action administered depends on the severity of the infraction and will be carried out in accordance with this policy or in accordance with applicable Civil Service Rules and Regulations or labor contracts. It is the responsibility of the supervisor or Department Manager to evaluate the circumstances and facts thoroughly and objectively. The Department Manager will then recommend the most suitable form of disciplinary action.

- 5.2.1 **Verbal Warning.** Verbal warning should be given to the employees in private, if possible. This type of discipline should be applied for infractions of a relatively minor degree. Supervisors should inform the employee that he or she is administering a verbal warning, that the employee is being given an opportunity to correct the condition, and that if the condition is not corrected, the employee may be subject to more severe disciplinary measures.
- 5.2.2 **Written Warning.**

- a) This notice may be issued by the supervisor or Department Manager in the event the employee continues to disregard a verbal warning, or if the infraction is severe enough to warrant a written record in the employee's personnel file.
- b) The supervisor or Department Manager will put in writing the nature of the infraction in detail and sign the notice. The Department Manager will discuss the written warning with the employee and the immediate supervisor to be certain that the reasons for the warning are understood.
- c) A copy of the written warning will be given to the employee at the time of the discussion of the warning. The original copy will be placed in the employee's personnel file.
- d) A written warning may be removed at the request of the Department Manager from the employee's personnel file after a period of one year (12 calendar months) provided that no further disciplinary action is taken during the 12-month period. If subsequent disciplinary action is necessary, the written warning becomes a permanent record in the employee's file.

5.2.3 Written Reprimand

- a) A written reprimand may be issued by the supervisor or Department Manager in the event the employee continues to disregard previous disciplinary measures of verbal or written warnings, or the severity of the infraction as such to warrant a written reprimand be made a permanent record in the employee's file.
- b) The supervisor or Department Manager will put in writing the nature of the infraction in detail and sign the notice. The Department Manager will discuss the reprimand with the employee and the immediate supervisor to be certain that the reasons for the reprimand are understood. A copy of the written reprimand will be given to the employee at the time of the discussion of the infraction. The original copy will be placed in the employee's personnel file.
- c) A written reprimand becomes a permanent record of the employee's file and may not be removed at the discretion of the Department Manager.

5.2.4 Suspension

- a) This form of discipline must be recommended by a Department Manager or the Mayor and can only be used for a severe infraction of rules or standards.
- b) The Department Manager will put in writing all facts leading to the recommended suspension, and the duration recommended. A pre-disciplinary meeting will be held with the employee to make certain that the employee is fully aware of the reasons for the considered action and has an opportunity to respond and supply additional information.
- c) Exempt personnel are not subject to unpaid disciplinary suspensions except in increments of full work weeks unless the infraction leading to the suspension is for a violation of a safety rule of major significance.

5.2.5 Termination. Subject to any applicable state or federal laws, or specific provisions in employment contracts, the Mayor, or his/her designee, may discharge any employee at any time with or without cause.

- 5.2.5.1 Pre-termination Procedures: When a Department Manager or the Mayor determines, after appropriate investigation, that the nature of a violation

warrants termination, or if the termination is a result of the disciplinary procedure where the desired corrective action was not achieved by one or all of the steps above (written warning, suspension, etc.), the Department Manager or in the case of a Department Manager, the individual designated by the Mayor will prepare a written report. The written report should include the reason(s) for the recommended termination; information on any previous warnings or disciplinary actions which may be relevant; a brief summary of the regular employee's part work record and length of employment with the City; and any other relevant information. The Department Manager will present his/her recommendations to the Mayor. The mayor reserves the right to provide the employee with an opportunity to respond to the written report before the final decision is made regarding a termination. Should the Mayor determine to proceed with the discharge, or some alternative disciplinary action, the City will give the employee written notice of discipline or discharge without undue delay.

- 5.2.6. Documentation. Copies of all disciplinary actions and termination letters are to be placed in the appropriate personnel record. A final written performance appraisal will be completed on any terminated employee.

Section 2. Except as amended herein, all other provisions of the City of Dayton Policies and Procedures Manual shall remain unchanged.

Adopted by the City Council of the City of Dayton on this _____ day of June, 2017.

City of Dayton

By: Craig George, Mayor

Attest:

Trina Cole, City Clerk-Treasurer

RESOLUTION NO. 1314

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DAYTON, COLUMBIA COUNTY, WASHINGTON DESIGNATING DAYTON CHRONICLE AS THE CITY'S OFFICIAL NEWSPAPER OF LEGAL RECORD FOR THE TERM JUNE 14, 2017 THROUGH JUNE 13, 2018 AS REQUIRED BY LAW OF ORDINANCES AND OFFICIAL NOTICES.

WHEREAS, the City of Dayton ("City") is required by Chapter 65.16 RCW to designate its official newspaper for publication of ordinances and other legal notices as required by law to be published; and

WHEREAS, the City is required by RCW 35A.40.210 to advertise for bids for legal publication services on an annual basis; and

WHEREAS, the City issued an Advertisement for Bids for Official Newspaper Services for 2017 - 2018 on April 27, 2017, to be submitted no later than May 17, 2017, and

WHEREAS, the City received two bids, one from "*The Times*" and one from the "*Dayton Chronicle*"; and

WHEREAS, in awarding the official newspaper services, the City Council shall let the contract to the lowest, responsible bidder.

WHEREAS, upon review of the bids, Staff has determined that the "*Dayton Chronicle*" is the lowest, responsible bidder.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DAYTON, WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. That the Mayor is hereby authorized to execute on behalf of the City of Dayton an Agreement for Official Newspaper Services with 2Over Publishing, LLC, dba Dayton Chronicle, in the form attached hereto as Exhibit "A."

Section 2. That the Mayor or his designee, is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 3. That this resolution shall take effect and be in full force upon passage and signatures hereon.

Dated and Signed this _____ day of _____, 2017.

CITY OF DAYTON

CRAIG GEORGE, MAYOR
ATTEST:

Trina Cole, City Clerk

APPROVED AS TO FORM:

Quinn N. Plant, City Attorney

**AGREEMENT FOR CITY OF DAYTON OFFICIAL NEWSPAPER FOR THE AS
REQUIRED BY LAW OF ORDINANCES AND OFFICIAL NOTICES.**

This agreement made and entered into, by and between the CITY OF DAYTON, a Municipal Corporation of the State of Washington, doing business at 111 S. First Street, Dayton, Washington, hereinafter referred to as "City", and 2Over Publishing, LLC, dba as Dayton Chronicle, hereinafter referred to as "Provider", a state of Washington, _____, doing business at _____ Main Street, Dayton, WA 99328.

WITNESSETH:

WHEREAS, the purpose of this contract is to provide official newspaper for the City of Dayton as required by law of ordinances and official notices;

WHEREAS, this Provider was selected through an Advertisement for Bids process and approved on May 17, 2017;

WHEREAS, funds for the Official Newspaper services are authorized through the City's Current Expense Fund;

WHEREAS, City and Provider desire to enter into an agreement to perform the said specific services; and,

WHEREAS, the specific services are required by law and in furtherance of the City's and the public's interests.

NOW, THEREFORE, FOR AND IN CONSIDERATION OF THE MUTUAL COVENANTS HEREIN CONTAINED, THE PARTIES AGREE AS FOLLOWS:

- 1. Purpose:** To provide official newspaper of record services for the City of Dayton as required by law of ordinances and official notices.
- 2. Service Cost.** Provider's bid at a rate of \$11.95 per 100 words, for both first and subsequent insertions, including sales tax, was accepted by City on the 18th day of May, 2017.
- 3. Timeline.** The term of this agreement shall be June 14, 2017 – June 13, 2018.
- 4. Scope of Work.** Provider agrees: 1) To regularly profile city of Dayton activities, issues, events and other stories of interest; 2) Provide one original affidavit of publication for each legal publication submitted by the City; 3) Supply confirmation of receipt notices submitted for legal publications; and, 4) Publish all legal notices in 10-point, san serif typeface, with bold headings and the "Legal Notices" heading.
- 5. General Conditions.**
 - a. Compliance with Federal, State and Local Laws. Provider agrees to abide by all applicable federal and state statutes and regulations prohibiting

employment discrimination, unfair practices and any other statutes and regulations pertaining to the subject matter of this Agreement.

- b. Indemnification. Provider agrees to be responsible for and assumes liability for its own negligent acts or omissions, and those of its officers, agents, officials, employees or volunteers in the performance of work pursuant to this agreement to the fullest extent provided by law, and agrees to save, indemnify, defend and hold the City harmless from any such liability. This indemnification clause shall apply to any and all causes of action arising out of performance of work under this agreement. The provisions of this section shall survive the expiration or termination of this agreement with respect to any event occurring prior to expiration or termination.
- c. Severability. If any phrase, sentence or provision of this agreement is held invalid by a court of competent jurisdiction, such invalidity shall not affect the remainder of this agreement, and to this end the provisions of this agreement are declared to be severable.
- d. Attorneys' Fees. Should any party be the substantially prevailing party in a lawsuit to enforce any of the terms of this agreement then the substantially prevailing party shall be entitled to reimbursement from the other party its reasonable costs, expenses, attorneys' fees and expert witness fees, including such costs, expenses and fees incurred in any appeal.
- e. Assignment. No party to this Agreement may assign its rights or obligations arising from this Agreement, in whole or in part, without the prior written consent of the other party
- f. Entire Agreement. This document contains all covenants, agreements and stipulations of the parties on the subject matter expressed herein. No changes, amendments or modifications of the terms of this agreement shall be valid unless reduced to writing and signed by the duly authorized representatives of both parties as an amendment to this agreement.
- g. Disputes. The laws of Washington State shall govern this Agreement. Venue for any action under this Agreement shall be in Columbia County, Washington.
- h. Waiver. The failure of any party to insist upon strict performance of any of the covenants or conditions of this Agreement in any one or more instances shall not be construed as a waiver of relinquishment for the future of any such covenants or conditions, but the same shall be and remain in full force and effect.

IN WITNESS WHEREOF, City and Provider caused this agreement to be executed this _____ day of _____, 2017.

City of Dayton

Dayton Chronicle

By: Craig George, Mayor

By:

Attest:

Trina Cole, City Clerk-Treasurer

Approved as to form:
Menke Jackson Beyer, LLP

By: Quinn Plant, City Attorney

Copy of Bid

Dayton Chronicle

163 E. Main Street 509-382-2221 Dayton, Washington 99328

Loyal and Charlotte Baker, Publishers

May 16, 2017

The Honorable Craig George
Mayor
Dayton City Council
City of Dayton
111 South 1st Street
Dayton, WA 99328

Dear Mayor George and the Dayton City Council,

We submit this bid for the contract to serve as the City of Dayton's official newspaper of record for the 2017-2018 term (June 14, 2017-June 13, 2018).

The Dayton Chronicle is published once per week and is qualified as an adjudicated newspaper in Columbia County as defined by RCW 65.16.020, (see attached ORDER).

The Chronicle's paid circulation in the 99328 Zip Code is 445 households (See "2C Stats Report" highlighted). Vendors sell an average of 94 newspapers per week, bringing the total weekly distribution to 539 newspapers. The Chronicle reaches 33% of Dayton and Columbia County households (U.S. Census: 1,651 households).

The Dayton Chronicle regularly profiles City of Dayton activities, issues, events and other stories of interest. No other community competes with Dayton and Columbia County for coverage in the Chronicle.

The Dayton Chronicle intends to comply with all bid requirements.

We agree to provide one original affidavit of publication for each public notice submitted, at no additional cost, and will provide confirmation of receipt of faxes or emails for public notices.

The Dayton Chronicle bids \$11.95 for both first and subsequent insertions, per 100 words in our standard public notice format of 10-point Sans Serif font on 11-point leading, justified in a 1.66" column.

Sincerely,



Loyal and Charlotte Baker
Publishers

Enclosures

9537

FILED

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON AT
IN AND FOR THE COUNTY OF COLUMBIA

MAR 29 1957

OLIVE KITTERMAN
COLUMBIA COUNTY CLERK

No. 9537

ORDER

In the Matter of the Change of name of:)
THE CHRONICLE DISPATCH,)
A legal newspaper of Columbia)
County, Washington.)

This matter coming on regularly for hearing upon the petition of Pat O'Neill and Hugh O'Neill, editors and publishers of The Chronicle Dispatch, legal newspaper in and for the County of Columbia, State of Washington, said petition praying that the Court approve the change of name for said newspaper to Dayton Chronicle; that said newspaper under the changed name be approved as a legal newspaper in and for said County.

NOW THEREFORE, IT IS ORDERED that the name Dayton Chronicle be substituted for The Chronicle Dispatch; that this change be approved as of April 4, 1957, at which time the first issue of the newspaper under the name Dayton Chronicle shall first appear and be published.

IT IS FURTHER ORDERED AND DECREED that the change of name herein authorized shall not constitute the establishment of a new or other legal publication, but shall be deemed a continuation of the old authorized legal publication under a new name.

IT IS FURTHER ORDERED that any legal publications or notices being run in said newspaper before or after the time of the authorized change of name shall require no other or further posting or publication than if said change of name had not been authorized.

IT IS FURTHER ORDERED that the Clerk of the Court post a copy of this Order in a conspicuous place in her office as provided by R.C.W. 65.16.070.

DATED this 27th day of March, 1957.

[Signature]
J U D G E

Presented by:
DYAR & HUBBARD

By: *[Signature]*

RECORDED IN VOL 8 PAGE 87

Package Description	Labels	Papers	Package	Order	Tub	Sack	Auto
List Section 1							
Bi-Mart -6							
CAR-RT WSH**B 001	99328 B	11	11	1	1		
CAR-RT LOT**B 002	99328 B	12	12	2	1		
CAR-RT LOT**B 003	99328 B	8	8	3	1		
CAR-RT LOT**C 001	99328 B	101	101	4	1		
CAR-RT WSH**C 002	99328 B	149	149	5	1		
FIRM 99328	99328 B	1	2	6	1		
FIRM 99328	99328 B	1	2	7	1		
FIRM 99328	99328 B	4	4	8	1		
FIRM 99328	99328 B	2	2	9	1		
FIRM 99328	99328 B	2	2	10	1		
CAR-RT WSH**R 001	99328 B	13	13	11	1		
CAR-RT LOT**R 002	99328 B	56	56	12	1		
FIRM 99328	99328 B	2	2	13	1		
CAR-RT WSH**R 003	99328 B	79	79	14	1		
5-DIGIT 99328	B	2	2	15	1		
*** No Container 99328		443	445				

***** GROUP BREAK ***** Adr: 437 Copies: 445

CAR-RT LOT**R 001	99361 B	13	13	18	3		
5-DIGIT 99361	B	26	26	19	3		yes
*** No Container 99361		39	39				
ALL FOR ADC 970	B	14	14	37	253	6	mix
3-DIGIT 978	B	8	8	38	253	6	mix
3-DIGIT 986	B	12	12	39	253	6	yes
*** Sack ADC 970		34	34				
3-DIGIT 980	B	18	18	29	253	4	yes
3-DIGIT 981	B	7	7	30	253	4	yes
*** Sack SCF 980		25	25				
3-DIGIT 835	B	6	6	31	253	5	mix
3-DIGIT 838	B	3	3	32	253	5	yes
3-DIGIT 990	B	11	11	33	253	5	mix
3-DIGIT 991	B	11	11	34	253	5	yes
3-DIGIT 992	B	19	19	35	253	5	mix
3-DIGIT 994	B	5	5	36	253	5	yes
*** Sack SCF 990		55	55				
CAR-RT LOT**B 001	99359 B	6	6	16	253	1	
5-DIGIT 99359	B	10	10	17	253	1	yes
*** Sack M5D 99359		16	16				
CAR-RT LOT**C 002	99362 B	6	6	20	253	2	
5-DIGIT 99362	B	48	48	21	253	2	mix
*** Sack M5D 99362		54	54				
CAR-RT LOT**R 001	99347 B	12	12	22	253	3	
5-DIGIT 99301	B	6	6	23	253	3	yes
5-DIGIT 99324	B	7	7	24	253	3	yes
5-DIGIT 99347	B	9	9	25	253	3	yes
5-DIGIT 99348	B	9	9	26	253	3	yes
5-DIGIT 99352	B	6	6	27	253	3	yes
3-DIGIT 993	B	22	22	28	253	3	mix
*** Sack M3D 993		71	71				
ALL FOR ADC 980	B	11	11	40	253	7	yes
3-DIGIT 985	B	10	10	41	253	7	mix
3-DIGIT 988	B	8	8	42	253	7	mix
3-DIGIT 989	B	6	6	43	253	7	yes
ORIGIN MIXED ADC 990	B	29	29	44	253	7	yes
*** Sack OMX 990		64	64				
SCH 3-DIGIT 852	B	6	6	45	253	8	yes
MIXED ADC 980	B	31	31	46	253	8	yes
*** Sack MADC 980		37	37				

***** GROUP BREAK ***** Adr: 395 Copies: 395

List Totals	838	840	Sacks: 8	Tubs: 0	Pallets: 0
Grand Totals	838	840	Sacks: 8	Tubs: 0	Pallets: 0



P.O. Box 97, Waitsburg, WA 99361
242 E. Main St., Dayton, WA 99328
(509) 337-6631 • (509) 540-2752

MAY 16 2017
RECEIVED
BY

May 16, 2017

Ms Trina Cole
City Clerk-Treasurer
City of Dayton
111 S. 1st St.
Dayton, WA 99328

Dear Ms Cole:

This letter is in response to the City of Dayton's "Advertisement for Bids" to serve as the city's official newspaper for 2017-2018. The Times qualifies as a "Legal Newspaper" in Columbia County and meets the city's requirements to submit a bid for this contract.

The Times has been published every week since 1878 and has circulated in Columbia County for many years.

The Times proposes to publish legal notices for the City of Dayton at \$12.50 per 100 words, or a pro-rated portion thereof, for the first insertion and every subsequent insertion. There is no additional charge for providing notarized affidavits of publication.

This rate will apply to a one-year contract period starting on June 14, 2017 and ending on June 13, 2018.

Legal notice text will be printed in The Times' standard legal notice format: Arial font, 8-point size with leading (space between the lines) of 10 points.

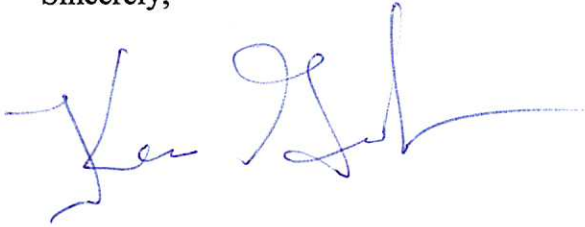
The following is an outline of our bid qualifications:

- 1) Qualifications defined by RCW 65.16.020 per court-ordered adjudication affirming state law requirements have been met by The Times for legal publications in Columbia County.
- 2) The Times' paid circulation in Columbia County last week was 256. In addition, The Times sells between 80 and 100 copies each week on newsstands and through retail outlets in Columbia County.
- 3) All legal notices published in The Times print edition are also published on our website. They are available to view online by anyone, without a subscription.
- 4) The Times has an office in Dayton, at 242 E. Main St.

- 5) The Times regularly profiles City of Dayton activities, issues, events and other stories, such as city council meetings and news, sports, business stories and other features.
- 6) The Times will provide an original affidavit of publication for each legal notice submitted by the City of Dayton.
- 7) The Times will provide confirmation of receipt of faxes, letters and emails with legal notices submitted for publication by the City of Dayton and its departments.
- 8) The Times will comply with each of the bid requirements as supported by the information above.

If you have any questions regarding this bid, please let me know.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ken Graham", with a long horizontal flourish extending to the right.

Ken Graham
Owner and Publisher

COLUMBIA COUNTY SHERIFF'S OFFICE

**341 EAST MAIN STREET STE 1
DAYTON, WASHINGTON 99328**

**ROCKY L. MILLER
SHERIFF**



**(509) 382-1100 Business
(509) 382-2518 Dispatch
(509) 382-4765 Fax**

May 25th, 2017

The Honorable Craig George; Mayor
City of Dayton
111 South 1st Street
Dayton, WA 99328

Dear Mayor George:

The purpose of this letter is to ask the City of Dayton for permission to use the Dayton City Park to hold National Night Out again this year. The event is scheduled for Tuesday evening, August 1st between 5 p.m. and 8 p.m. This will be the tenth year that Columbia County has participated in National Night Out, and it just keeps getting bigger and bigger.

As in years past, we will be applying for a street blocking permit, and will be coordinating with Jim Costello and the Dayton Public Works Department in relation to the use of the park. The Sheriff's Office will be responsible for clean up the day after the event.

Should you have any questions, please feel free to contact me.

Respectfully

Rocky L. Miller
Sheriff
Columbia County

By

A handwritten signature in blue ink that reads "Tim Quigg". The signature is written in a cursive style.

Tim Quigg
Civil Deputy