

**City of South Bend Council Meeting @ 5:30pm
Monday February 23, 2026**

1. Call to Order
2. Pledge of Allegiance
3. **Items from the Public**
4. Approval of Agenda and Consent Agenda
Approval of Minutes: *Regular Meeting February 9, 2026*
5. Correspondence: Letters from Kathie Marquardt, Lisa Barile, Sandra and Curt Harris, and Christine Balcom.
6. PUBLIC HEARING: Water System Plan Update – Eric Noah, Project Manager.
7. Life Pack Demonstration – Bill Didion, Fire Chief of Raymond Fire Department.
8. Resolution / Proclamation Discussion: [ACTION]
9. ORDINANCE 1614: An Ordinance for the City of South Bend, Washington Amending Portions of South Bend Municipal Code 13.10 – Sewer. First Reading [ACTION]
10. ORDINANCE 1615: An Ordinance for the City of South Bend, Washington Amending Portions of South Bend Municipal Code 13.05 – Water. First Reading [ACTION]
11. APPROVAL: Agreement Between Willapa Harbor Hospital and South Bend Police Department. [ACTION]
12. Department Head Reports:
 - i) Police Chief Stigall
 - ii) City Supervisor Houk
 - iii) Fire Chief McGee
 - iv) Clerk/Treasurer Johnson
13. Mayor's Report
14. Public Comments – Current Agenda Items
15. Council Comments
16. Future Agenda Topics
17. Adjournment

Unable to attend? Would you like to attend via Zoom?

Zoom Link <https://us02web.zoom.us/j/82357514359?pwd=ZUFqzmJYdfdWRJ6ZJqRxaidsDj7UgE.1>

Meeting ID: 823 5751 4359 Passcode: 244531 Dial-In Phone Number: 1-253-215-8782

If you would like to be added to our "Speakers List" your request must be received by 4:00 pm on February 23, 2026. Your request must include the following: meeting date, your first and last name, city of residence, agenda item(s) that you would like to provide comment on, and the telephone number you will be calling from. Please email this information to david.johnson@southbend-wa.gov. *Please note that the information you provide may be subject to disclosure pursuant to Washington State's Public Record Act, chapter 42.56 RCW.

The City of South Bend strives to provide access and services to all members of the public. Please notify the city at least 48 hours prior to an event if reasonable accommodations are needed.

NOTICE – All proceedings of this meeting are sound recorded
Except Executive Sessions.

Next Regular Meeting Monday March 9, 2026 @ 5:30 PM in the South Bend Council Chambers unless otherwise notified.

South Bend Council Meeting

Monday, February 23rd, 2026

CONSENT AGENDA

1. Approval of Vendor Checks

Vendors – Check #50242 thru Check #50275 - \$151,680.52 Including EFT

Payments

2/23/2026

VENDOR		AMOUNT	
50242	ALS Group USA, Corp.	\$ 340.00	Sample Testing - Monitoring / Water
50243	Ark Plumbing Services Inc.	\$ 819.54	Misc Professional Services / Water \$590.71, Repair Maintenance / Police \$228.83
50244	Board for Volunteer Firefighters	\$ 3,410.00	Benefits / Fire
50245	City of Raymond	\$ 1,183.53	Library - January
50246	Coast Controls & Automation Inc	\$ 6,951.85	Repair - Maintenance Equipment / Water
50247	Correct Equipment	\$ 11,038.35	Sewer Pump - Replacement / Sewer \$8757.27, Capitol Outlay / Water \$2281.08
50248	Department of Transportation	\$ 1,410.69	Fuel- Police \$399.75 and PW \$1010.94
50249	Department of Transportation Southwest Region	\$ 811.82	2025 RRFBs Project / Streets
50250	Great American Business Products	\$ 214.67	Operating Supplies / Parks
50251	Hach Company	\$ 1,078.11	Repair - Maintenance Equipment / Sample Testing - Monitoring / Water
50252	Harbor Saw & Supply Inc	\$ 269.26	Repair - Maintenance Equipment / Parks
50253	Honey Bucket	\$ 250.00	Portable Toilet / Docks
50254	International Code Council	\$ 170.00	Professional Services / City Hall
EFT Pay	Invoice Cloud-E Pay	\$ 209.40	January 2026 Portal Access Fee
50255	Jacqueline Stone	\$ 1,400.00	Municipal Court Prosecutor- February 2026
50256	Jonathan Quittner	\$ 1,000.00	Municipal Court Public Defender - February 2026
50257	Kenyon Disend	\$ 769.50	Professional Services / City Hall
50258	Lemay Mobil Shredding	\$ 74.82	Miscellaneous Services / Municipal Court
50259	P&L Johnson Mechanical Inc	\$ 889.95	Repair - Maintenance / Library \$294.85, Water \$595.10
50260	Pacific County Department of Public Works	\$ 1,865.43	Eklund Park Sewer Charges / February
50261	Pacific County Emergency Management Agency	\$ 4,473.50	First Quarter 2026 Emergency Management
50262	Pacific County Jail Services	\$ 550.00	Boarding of Prisoners / Police
50263	Pete Hinton	\$ 130.00	Interpreter / Municiple Court
50264	Petty Cash Custodian - David Johnson	\$ 199.85	Supplies / City Hall \$63.87, Professional Services / Financial \$135.98
50265	Pioneer Select Grocery	\$ 51.01	Operating Supplies / City Hall \$51.01
50266	SEA Construction LLC	\$ 4,653.75	Gravel / Streets \$3530.67, Materials - Supplies / Sewer \$1123.08
50267	Sierra Santa Fe Corporation	\$ 80,256.93	Red Town Project Retainage Fee
50268	Sirennet.Com	\$ 581.69	Capitol Outlay / Police Equipment
EFT Pay	Smarsh - EFT Pay	\$ 80.75	Archive Capture / All Departments
50269	State Auditors Office	\$ 12,725.80	State Auditor Costs / Financial
50270	Steve's Front End & Brake Inc	\$ 1,579.71	Equipment Repair / Water \$1406.59, Sewer \$173.12
50271	Three Rivers Mosquito and Vector Control	\$ 10,279.00	Professional Services / Spraying
EFT Pay	VISA - EFT Pay	\$ 345.99	City Hall, \$Court \$69.55, Water \$190.43, Sewer \$61.77, Streets \$19.60, Parks \$, Police \$4.64, Fire \$

50272	Vision Municipal Solutions LLC	\$	877.18	Miscellaneous Professional Services
50273	Walter Nelson	\$	681.19	Operating Supplies / Parks \$243.28, City Hall \$102.27, Water \$204.61, Sewer \$65.51, Streets \$65.52
50274	Westlake Hardware	\$	41.09	Operating Supplies / Water
50275	Wilcox + Flegel	\$	16.16	Fuel / Sewer
	TOTAL	\$	151,680.52	

CITY OF SOUTH BEND 2/9/2026
Meeting # 867 9579 7027

1-2. CALL TO ORDER

The council meeting was called to order by Mayor Barnard at 5:30 pm. Members present, Councilor Davis, Councilor Ariss, Councilor Kuiken, Councilor Olsen, Councilor Manlow, City Supervisor Houk, Police Chief Stigall, Clerk/Treasurer Johnson and Fire Chief McGee.

3. ITEMS FROM THE PUBLIC - None

Katie Oneil, Diantha Weilepp, and Lunden Espinosa Kennedy spoke in favor of adopting a resolution regarding ICE activity in the City of South Bend. Additionally, Bob Hall suggested that the Library should be housed in a new building rather than repairing the issues with the existing structure.

4. APPROVAL – Agenda, Consent Agenda, and Prior Meeting Minutes

A motion was made by Councilor Manlow to approve the Consent Agenda and the minutes of the January 26, 2025, regular meeting. Motion carried. **Vote: Ayes-5, Noes-0.**

Vendors – Check #50212 thru Check #50241 - \$334,811.53 Including EFT Payments
Payroll – Check #25274 thru Check #25281 - \$174,104.20 Including Direct Deposit, Benefits and Payroll Taxes

5. CORRESPONDENCE -

The City received letters regarding the ICE resolution from Julie Struck, Diantha Weilepp, Sandra and Curt Harris, Christine Balcom, and Lisa Barile.

6. DISCUSSION: Resolution Regarding ICE Activities in the City of South Bend

The Council discussed drafting a resolution based on advice received from the City Attorney. At the Mayor's request, Councilor Manlow read the City Attorney's letter publicly. The Council concluded the discussion by requesting that the City Attorney assist in drafting a proclamation for their subsequent review.

7. DEPARTMENT HEAD REPORTS - None

8. MAYOR'S REPORT -

Mayor Barnard expressed her thanks to the public and the Council for the discussion during the meeting. As she will be out for a few days, she requested an alternate to attend the upcoming PCOG meeting on her behalf. Councilor Davis agreed to attend in her stead.

9. PUBLIC COMMENT – CURRENT AGENDA ITEMS -

Miles Davis, Lunden Espinosa Kennedy, Diantha Weilepp, and Katie Oneil provided further comments regarding a potential ICE resolution. Additionally, Katie Oneil expressed her gratitude to the Council for its support of local immigrants.

10. COUNCIL COMMENTS

Councilor Kuiken thanked the public for their participation, noting that there are clearly two sides to the current discussion. Councilor Ariss also shared her thanks, stating that she appreciated Councilor Manlow's discussions with Tate Adams, Director of PCIS, and expressed hope that a decision will be reached at the next meeting. Councilor Olsen thanked the public as well, agreeing that the City needs to take a stance on the issue and promising to perform due diligence.

11. FUTURE AGENDA TOPICS - None

12. EXECUTIVE SESSION: Ordinance & Real Estate Discussion per RCW42.30.110

Executive Session lasted from 6:23 to 6:49. No action was taken.

The meeting was adjourned at 6:50 PM to meet again on Monday February 23, 2026 for a regular council meeting at South Bend City Hall.

Bethany Barnard
Mayor

ATTEST: _____
David Johnson

DRAFT



David Johnson <david.johnson@southbend-wa.gov>

City of South Bend Council Meeting

2 messages

kathie marquardt <kmarquardt2000@gmail.com>

Mon, Feb 9, 2026 at 4:55 PM

To: david.johnson@southbend-wa.gov

Esteemed South Bend/Raymond Council Members

Thank you for your consideration of the Resolution regarding ICE facilities and/or activities within the city of South Bend's jurisdiction.

I attended the last South Bend council meeting via zoom when the resolution was initially presented. I believe the same resolution has been adopted by 6 other jurisdictions Waldport, Newport, Florence, Toledo, Astoria & Long Beach, (and 2 more scheduled). It was adopted by Long Beach City Council & Mayor unanimously following presentation & discussion, it sounded like not all of the South Bend members had the opportunity to fully review it before the meeting. I believe the reluctance to approve was Mr. Kukien's desire to confer with legal council for agreement with existing law. (REF: The Keep Washington Working Act)

An understandable question that I trust has now been addressed.

I would also like to add to the record that adoption of this resolution will help ensure the economic health and stability of North Pacific County, and the coastal regions of Washington and Oregon.

Our coastal communities rely on workers for seafood & shellfish industries.

They are essential to support our unique agricultural conditions that grow equally unique crops.

And of course, for the bars, restaurants, hotels and venues that are essential for tourism.

All these industries are heavily dependent on a vital and skilled immigrant work force.

These are not Red vs Blue arguments; they are vital to our shared economic well being.

A recent article* published February 4th, 2026 cited the Cato Institute -a source used frequently by Libertarian, right-leaning policy makers-quantifying the net positive economic contribution of our immigrant communities. The report highlighted that 'immigrants accounted for \$4.8 trillion of the US gross domestic product in 2023 alone, and they 'contributed trillions more in taxes than they received in benefits' Their removal would significantly shrink the economy and workforce.

Their contribution to our community is fractional-but significant. Their absence would quickly impact local stores, service providers, landlords, utilities and the city, county & state tax base.

I also agree the adoption of this resolution would ease the fear and apprehension in our immigrant community. It would inspire confidence in that they can safely go to health service providers when they are sick and inspire confidence in law enforcement to report crime.

In addition to being economically prudent, caring about our neighbors is just "the right thing to do".

*https://www.nbcsandiego.com/news/local/immigrants-pay-taxes-benefits-study/3973064/?fbclid=IwZnRzaAP3N6pleHRuA2FibQlxMQBzcnRjBmFwcF9pZAo2Njl4NTY4Mzc5AAEe4XhhsvQdil-ba8CHQ4JXrWLgvfVljaQ-VBdPsUJjwI7triw9OapDDQ_oNso_aem_gnX5q3sUkJ_GFeMo4WtmYw

By **Shelby Bremer** • Published February 4, 2026 • Updated on February 5, 2026 at 10:03 am

Kathie L. Marquardt
Pacific County Resident
Ocean Park, WA
kmarquardt2000@gmail.com

David Johnson <david.johnson@southbend-wa.gov>

Fri, Feb 20, 2026 at 11:29 AM

To: kathie marquardt <kmarquardt2000@gmail.com>

Hello Kathie,

Although your letter did not meet the deadline for the previous meeting's agenda packet, I have included it in this week's

2/20/26, 11:29 AM

City of South Bend Mail - City of South Bend Council Meeting

packet for the Council's review.

Best regards,
[Quoted text hidden]

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David Johnson
Clerk/Treasurer
City of South Bend
PO Box 9
South Bend, WA 98586
360-875-5571

NOTICE

The following Correspondence was submitted for Council review on February 9th, but to stay within meeting time constraints was not read to the public. These letters are being published in the current meeting packet to facilitate public access.

Lisa Barile

Sandra and Curt harris

Christine Balcom



David Johnson <david.johnson@southbend-wa.gov>

Support of Immigration Resolution

1 message

Anna Barile <barile@centurytel.net>
To: david.johnson@southbend-wa.gov

Mon, Feb 9, 2026 at 3:34 PM

Please read at the Meeting tonight . 2/9/2026

To the Mayor and the South Bend City Council,

I am writing to ask you to support the proposed Immigration Resolution . I would hope you look at it through your humanity opposed to your politics .

Immigrants are a big part of our community as our friends , neighbors and co workers . We need to show that we support, value and respect their contributions to this community of South Bend. As scary as things are right now for immigrants ,adopting this resolution is the least we can do to show our support and ease a bit of their fear .

Thank you ,
Lisa Barile
6666 US HWY 101
South Bend , WA



David Johnson <david.johnson@southbend-wa.gov>

South Bend City Council meeting Feb 9th

1 message

sandra ellwanger harris <sandyonbstreet@gmail.com>

Fri, Feb 6, 2026 at 11:55 AM

To: david.johnson@southbend-wa.gov

To the mayor Bethany Barnard and members of the South Bend City Council,

I'm writing to follow up on my previous correspondence regarding the safety and protection of our immigrant neighbors and vulnerable community members. While I am heartened by the community's shared desire to protect our residents, I remain concerned by the lack of clarity regarding the South Bend police department's (SBPD) intended cooperation with Federal immigration authorities.

In times of uncertainty "sitting on the fence" is not an acceptable policy. To ensure the trust and safety of all residents I am requesting that the council provides specific answers to the following:

- 1- strict adherence to (RCW 43.17.425) under the Keep Washington Working Act, local law enforcement is prohibited from using public resources to assist in federal civil immigration enforcement. Will the council confirm that SBPD policy strictly forbids officers from assisting ICE without a judicial warrant signed by a judge rather than an administrative warrant?
- 2- Definition of "cooperation": When SBPD states they will cooperate does this include honoring non-judicial detainer requests or providing non-public personal info to federal agents? State law (RCW 10.93.160) prohibits sharing such info including release dates without a court order.
- 3- Protection of constitution rights: Will the SBPD explicitly state they will not interfere with resident's exercising their first amendment rights to film or protest federal agent's enforcement operations in our town?

Our community includes essential workers on Visas, families pursuing citizenship and long-standing residents and business owners. When local police are viewed as an extension of the federal immigration system trust is eroded and our entire community becomes less safe as victims and witnesses fear coming forward.

I request that the council:

*Adopt a "Welcoming City" resolution to formally commit to these protections.

*Mandate a public report on any SBPD interactions with Federal Immigration authority to ensure transparency.

A community means everyone. I look forward to hearing your specific plans to protect all who call south bend home.

Thank you for your time

Sandra Harris
Curt Harris
Pacific Ave
South Bend, Wa
503.740.5366



David Johnson <david.johnson@southbend-wa.gov>

Support for Resolution Affirming Local Control and Economic Stability

1 message

Christine Balcom <willapaseahag@gmail.com>

Mon, Feb 9, 2026 at 2:56 PM

To: david.johnson@southbend-wa.gov, "bethany.barnard@southbend-wa.gov" <bethany.barnard@southbend-wa.gov>

Dear Mayor and City Council Members,

My name is Christine Balcom, and I am writing to express my support for the proposed resolution regarding the establishment or operation of ICE facilities or activities within the City of South Bend.

South Bend is a very small city in a sparsely populated county, and our local economy depends on labor-intensive industries such as commercial fishing, oysters, timber, and other maritime and resource-based work. These industries rely on a stable, dependable workforce to remain viable, competitive, and locally rooted.

In small rural communities, sudden or expanded federal immigration enforcement activities can have outsized and unintended consequences. Workforce disruption, business interruption, and strain on municipal services are impacts that cities of our size are not equipped to absorb. Decisions about land use, public safety priorities, and the allocation of city resources are properly matters of local control.

The proposed resolution is careful, lawful, and consistent with Washington State's Keep Washington Working Act. It does not interfere with federal law or authorize actions beyond what is permitted. Rather, it clearly affirms that South Bend's municipal resources, facilities, and staff should remain focused on serving local residents and supporting economic stability, not on hosting or facilitating federal enforcement operations.

Many small and coastal cities throughout Washington and Oregon have adopted similar resolutions to clarify local priorities, protect their economies, and maintain trust between residents and local government. These actions are about responsible governance, predictability for employers, and ensuring that people feel safe engaging with city services.

I respectfully urge the City Council to adopt this resolution as a prudent step to preserve local control, protect South Bend's economic base, and support the long-term stability of our community.

Thank you for your time and consideration.

Sincerely,
Christine Balcom
South Bend, Washington

RESOLUTION NO. 2026-01

A RESOLUTION OF THE CITY OF SOUTH BEND REGARDING POTENTIAL IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) FACILITIES OR ACTIVITIES WITHIN CITY JURISDICTION AND AFFIRMING SUPPORT FOR IMMIGRANTS AND THE RIGHTS OF ALL RESIDENTS

WHEREAS, the primary goal of the City of South Bend (“City”) is to sustain and improve the livability and quality of life for all its residents and employers; and

WHEREAS, the City is historically and presently supported by blue-collar, labor-intensive industries, including commercial fishing, timber, oysters, and related maritime and resource-based enterprises; and

WHEREAS, for generations, the Willapa Bay region has relied on a dependable workforce that includes immigrant labor essential to maintaining production capacity, business continuity, and regional competitiveness; and

WHEREAS, sudden or expanded federal immigration enforcement activities within a small rural community may disrupt local labor availability, impose unintended economic consequences, and strain municipal services not designed to support federal enforcement operations; and

WHEREAS, in 2019, the Washington Legislature adopted the Keep Washington Working Act (RCW 43.17.420 – 43.17.425) to limit the use of state and local resources for federal immigration enforcement and affirms that local jurisdictions are not required to participate in such activities; and

WHEREAS, in 2020, the Washington Legislature adopted the Courts Open To All Act (RCW 2.28.300 – 2.28.340) to ensure that Washington courts remain places where the rights and dignity of all residents are maintained with court access and justice for all; and

WHEREAS, the Fourth Amendment to the United States Constitution, and the Washington Constitution, Article 1, Section 7, protect all people from unreasonable searches and seizures and requires lawful process before government action, and respect for these constitutional protections—including due process and personal privacy—strengthens public trust and community safety; and

WHEREAS, the Anti-Commandeering Doctrine established by federal courts stands for the legal principle that officials of the United States government cannot require state or local officials to adopt or enforce federal laws; and

WHEREAS, the State of Washington has determined that maintaining clear boundaries between local governance and federal immigration enforcement supports public safety, economic vitality, and effective local administration; and

WHEREAS, the City Council has received input from residents and business stakeholders expressing concern that ICE facilities or operations within city limits could negatively impact workforce participation, economic stability, and confidence in local government; and

WHEREAS, preserving local control over land use, public safety priorities, and municipal resources is a core responsibility of the City;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH BEND RESOLVES AS FOLLOWS:

Section 1. The City Council officially acknowledges the concerns and apprehensions of its residents regarding any potential ICE facilities or operations within the City limits.

Section 2. The City hereby stands in firm support of immigrants and the rights of all residents within the City, and encourages educational initiatives, programs, and practices that promote the protection of everyone’s civil rights and safety.

Section 3. The City affirms that the United States Constitution and Washington Constitution protect all people from unreasonable searches and seizures and requires lawful process before government action, and respect for these constitutional protections—including due process and personal privacy—apply equally to all people who live, work, worship, go to school, and visit the City.

Section 4. City staff have no direct legal obligation to engage in immigration enforcement.

Section 5. The City Council affirms that this Resolution is consistent with Washington State law, including the Keep Washington Working Act, and does not authorize any action that would conflict with applicable state or federal law.

Passed by the City Council of the City of South Bend this _____ day of _____ 2026.

CITY OF SOUTH BEND

Bethany Barnard, Mayor

ATTEST:

David Johnson, City Clerk

APPROVED AS TO FORM:

Robert D. Zeinemann, City Attorney

Published: _____

PROCLAMATION

CITY OF SOUTH BEND, WASHINGTON

WHEREAS, the primary goal of the City of South Bend (“City”) is to sustain and improve the livability and quality of life for all its residents and employers; and

WHEREAS, the City is historically and presently supported by blue-collar, labor-intensive industries, including commercial fishing, timber, oysters, and related maritime and resource-based enterprises; and

WHEREAS, for generations, the Willapa Bay region has relied on a dependable workforce that includes immigrant labor essential to maintaining production capacity, business continuity, and regional competitiveness; and

WHEREAS, sudden or expanded federal immigration enforcement activities within a small rural community may disrupt local labor availability, impose unintended economic consequences, and strain municipal services not designed to support federal enforcement operations; and

WHEREAS, in 2019, the Washington Legislature adopted the Keep Washington Working Act (RCW 43.17.420 – 43.17.425) to limit the use of state and local resources for federal immigration enforcement and affirms that local jurisdictions are not required to participate in such activities; and

WHEREAS, in 2020, the Washington Legislature adopted the Courts Open To All Act (RCW 2.28.300 – 2.28.340) to ensure that Washington courts remain places where the rights and dignity of all residents are maintained with court access and justice for all; and

WHEREAS, the Fourth Amendment to the United States Constitution, and the Washington Constitution, Article 1, Section 7, protect all people from unreasonable searches and seizures and requires lawful process before government action, and respect for these constitutional protections—including due process and personal privacy—strengthens public trust and community safety; and

WHEREAS, the Anti-Commandeering Doctrine established by federal courts stands for the legal principle that officials of the United States government cannot require state or local officials to adopt or enforce federal laws; and

WHEREAS, the State of Washington has determined that maintaining clear boundaries between local governance and federal immigration enforcement supports public safety, economic vitality, and effective local administration; and

WHEREAS, the City Council has received input from residents and business stakeholders expressing concern that ICE facilities or operations within city limits could negatively impact workforce participation, economic stability, and confidence in local government; and

WHEREAS, preserving local control over land use, public safety priorities, and municipal resources is a core responsibility of the City; and

WHEREAS, City acknowledges the concerns and apprehensions of its residents regarding any potential ICE facilities or operations within the City limits.

NOW, THEREFORE, BE IT HEREBY PROCLAIMED by the Mayor of the City of South Bend, that:

The City stands in firm support of immigrants and the rights of all residents within the City, and encourages educational initiatives, programs, and practices that promote the protection of everyone’s civil rights and safety.

The City affirms that the United States Constitution and Washington Constitution protect all people from unreasonable searches and seizures and requires lawful process before government action, and respect for these constitutional protections—including due process and personal privacy—apply equally to all people who live, work, worship, attend school, and visit the City.

The City affirms that federal immigration enforcement is not the function of local law enforcement and City officers and staff will not act based on a person’s immigration status, consistent with the Keep Washington Working Act, Courts Open to All Act, and federal law. Regardless of immigration status, no one should fear contacting local law enforcement for help when they need it.

Dated this _____ day of _____ 2026.

CITY OF SOUTH BEND

Bethany Barnard, Mayor

ORDINANCE #1614

AN ORDINANCE FOR THE CITY OF SOUTH BEND, WASHINGTON AMENDING PORTIONS OF SOUTH BEND MUNICIPAL CODE 13.10 - SEWER

WHEREAS, the City Council is required to set rates for sewage collection and treatment at a level adequate to operate, maintain and replace these facilities in compliance with the "Federal Clean Water Act" requirements and,

WHEREAS, inflation and technological improvements to the treatment and distribution mandated by Federal and State regulations have increased operating costs, and

WHEREAS, the "Federal Clean Water Act" requires that a rate shall be set as prescribed and approved which proportionately charges all system users appropriate charges for the maintenance of health and sanitation and the operation, extension and improvements to existing sewer and sewage disposal facilities of the City, now therefore,

THE CITY COUNCIL OF THE CITY OF SOUTH BEND, WASHINGTON DO ORDAIN AS FOLLOWS:

SECTION I. SEWER BILLING AND COLLECTION

- (1) The charges for sewer service in the City of South Bend shall be as follows, and will be adjusted by an inflation factor equal to 100% (one hundred percent) of the U.S. Consumer Price Index for the Seattle/Tacoma area on the January 1 billing for each ensuing year unless the City Council deems otherwise:

Effective with the April 1, 2026 Billing

RESIDENTIAL SEWER ACCOUNTS (single family dwellings):

A flat rate charge of \$146.46 flat rate monthly regardless of water consumption

COMMERCIAL ACCOUNTS:

0 to 10,000 gallons of water usage	\$146.46 Flat Rate
10,001 to a maximum 60,000 gallons of water usage	\$6.17 / Thousand

INDUSTRIAL ACCOUNTS:

0 to 10,000 gallons of water usage	\$146.46 Flat Rate
10,001 to maximum 125,000 gallons of water usage	\$6.17 / Thousand

INSTITUTIONAL ACCOUNTS:

0 to 10,000 gallons of water usage	\$146.46 Flat Rate
10,001 or more gallons of water usage	\$6.17 / Thousand

- (2) Sewer service charges shall be billed monthly and be a part of the utility billing. All sewer charges shall be in addition to the regular water charges and shall be so designated on the monthly utility billings.
- (3) Eligible low-income customers living in single-family residences shall receive a discount based on their total household income. **The city shall establish the eligibility requirements that must be met in order to receive any discount.**

- (4) All established properties with sewer service within the city limits of South Bend will pay a \$56.08 monthly service charge *for disconnected but still active accounts*, hooked to the city's sewer service. Sewer service is considered a stub-out from the main sewer line to the property.
- (5) A \$5.15 monthly charge shall be made to all services within the corporate limits of South Bend, Washington that are not connected to the sewer system for the purpose of sewer construction and bond redemption and all residents outside the City limits utilizing the City's services shall also pay a \$5.15 fee.
- (6) All applicants for new connections of side sewers shall pay all costs associated with the actual connection to the nearest sewer main: pipes, fittings, labor, etc. In addition, the new connection will be charged a set Capital Investment Recovery Fee of \$4,939.20
- (7) All charges shall be due and payable on or before the 20th day of the month the billing date for which service is made. Those charges not so paid shall become delinquent and shall bear interest, from and after, the date of delinquency at the rate of \$5.15 monthly or 8% per annum, whichever is the greater. (NOTE: [Past due amount] times [8% divided by 365] times [days past due] = Late charge).
- (8) All charges provided for in this Ordinance, together with penalties and interest thereon, shall be a lien upon the property to which said charge is made pursuant to RCW 35.21.290 - 35.21.300, and such property shall be subject to foreclosure pursuant to the terms of said chapter; no change of ownership or occupation shall affect the application of the Section.
- (9) As an additional concurrent method of requiring that the rates and charges herein stated shall be promptly paid, the City Supervisor of the City of South Bend is hereby authorized and directed, upon being notified in writing by the City Clerk/Treasurer of said City, of any water user delinquent in the foregoing sewer charges, to disconnect water service to the premises of said water consumer until such time as the delinquent charges are paid. A service charge of \$25.73 for said disconnection shall be made.
- (10) For the industrial accounts having individual NPDES (National Pollution Discharge Elimination System) Permits for direct discharge of process waters to the Willapa River and by-passing the South Bend Wastewater Collection and Treatment system with all but domestic waste the following user-charge system shall be used:

Calculating the sewer charges monthly based on the full water consumption each holder of an NPDES Permit shall then pay 50% of the full sewer charge for that billing period.

(a.) Pacific Seafood, Bendiksen's Landing and South Bend Products are currently holders of NPDES Permits and fall within this category.

SECTION II That Ordinances #1608 and all other Ordinances or parts of Ordinances in conflict with this Ordinance are repealed.

SECTION III This Ordinance shall become effective five (5) days from date of publication with the prescribed rates first applied to the April 1, 2026 service billing.

This Ordinance was **INTRODUCED** on the 23rd day of February 2026 and **PASSED** on this 9th day of March 2026 by the City Council of the City of South Bend, Washington by the following vote:

Ayes - 0

Noes - 0

Absent - 0

Bethany Barnard, Mayor

AUTHENTICATED BY:

David Johnson, Clerk/Treasurer

Publish: March 18, 2026

ORDINANCE # 1615

AN ORDINANCE FOR THE CITY OF SOUTH BEND, WASHINGTON AMENDING PORTIONS OF SOUTH BEND MUNICIPAL CODE 13.05 – WATER.

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

SECTION I. The water utility fees contained in Ordinance #1601 adopted on November 13, 2024 are repealed and an adjustment to the current rate structure will be established. This ordinance will also include an adjustment by an inflation factor equal to 100% (one hundred percent) of the U.S. Consumer Price Index on the January 1 billing for each ensuing year unless the City Council deems otherwise:

SECTION II. The following water utility policies and fees are hereby adopted:

(1) The City of South Bend, a water purveyor establishes the following rules to:

- Meet regulatory requirements
- Establish water utility rates closely based on customer water usage
- Establish a water utility rate structure that supports the efficient use of water
- Provide support for low-income customers

(2) The Equivalent Residential Use (ERU) is the amount of water used by the average residential customers in an averaged billing period and is derived from total annual residential use. One ERU is established at 4,500 gallons per monthly billing period. For surcharge purposes ERU's will be rounded to the nearest one-tenth. Example: If a customer uses 15 ERU's (67,500 gallons per monthly billing period) the cost will be one service charge (\$66.89) plus 14 surcharges (\$12.35 x 14 = \$239.79). All charges will be reviewed annually.

(3) The charges for water service in the City of South Bend shall be as follows:

Effective on the January 1, 2026 Billing

Service Charge for all Customers:	\$66.89 monthly
Surcharge per excess ERU:	\$12.35 per additional ERU
Commodity Charge:	\$5.03 per 1,000 gallons of water

(4) Eligible low-income customers living in single-family residences shall receive a discount starting at 5% of the monthly service charge for water services, increasing up to 40% depending on total household income. **The city shall establish the eligibility requirements that must be met in order to receive any discount.**

(5) All established properties with water service within the city limits of South Bend will pay a \$30.87 monthly service charge *for disconnected but still active accounts*. Water service is considered to be a service lateral with a meter setter.

- (6) A \$5.15 monthly additional rural service charge shall be made to all services outside the corporate limits of South Bend, Washington.
- (7) A \$5.15 monthly pumping charge shall be made to rural water accounts served by high elevation booster pump systems.
- (8) To establish credit for a new utility account an independent third-party credit collection company will determine the level of deposit required for new service. A "green" return requires no deposit, a "yellow" return requires a \$200.00 deposit which can be made in two (2) monthly installments with the first installment of \$100.00 minimum to be made prior to establishment of utility service and the balance must be paid within the thirty day period thereafter and a "red" return requires a \$400.00 deposit which can be made in two (2) monthly installments with the first installment of \$200.00 minimum to be made prior to establishment of utility service and the balance must be paid within the thirty day period thereafter. If the customer fails to make a deposit payment in full within the specified time, service will be disconnected. Deposits shall be returned to the depositor at the end of a two-year period, whenever that account has been paid promptly and without fault during that two-year period or said deposit for service shall be returned minus funds due for any unpaid balance for City utility service whenever service is disconnected in less than a two-year period. A balance of less than \$1.00 shall not be returned. The city reserves their right to make the final determination.
- (9) All requests for water turn on and shut offs shall be billed at \$25.73 each and every time the water user requests such service. Waiver of these charges shall be at the discretion of the City Supervisor in cases where the water department needs to make such turn on or shut offs.
- (10) All said charges shall be due and payable on or before the 20th day of the month which service is made. Those charges not so paid shall become delinquent and shall bear interest, from and after, the date of delinquency at the rate of \$5.15 monthly or 8% per annum, whichever is the greater. (NOTE: [Past due amount] times [8% divided by 365] times [days past due] = Late charge).
- (11) All charges provided for in this Ordinance, together with penalties and interest thereon, shall be a lien upon the property to which said charge is made pursuant to RCW 35.21.290 - 35.21.300, and such property shall be subject to foreclosure pursuant to the terms of said chapter; no change of ownership or occupation shall affect the application of the Section.
- (12) As an additional concurrent method of requiring that the rates and charges herein stated shall be promptly paid, the City Supervisor of the City of South Bend is hereby authorized and directed, upon being notified in writing by the City Clerk/Treasurer of said City, of any water users delinquent in the foregoing water charges, to disconnect water service to the premises of said water consumer until such time as the delinquent charges are paid. A monthly service charge of \$30.87 following said disconnection shall be made.
- (13) In the event of a malfunctioning meter, the charge shall be based on the average consumption calculated from the three immediately past reading periods.
- (14) In the event of excess water usage due to leaks on any water lines and/or connections that are the responsibility of the water user, the City shall charge the water user for one-half of

the excess water. The amount of excess water consumed shall be calculated by subtracting the average consumption of the three immediately past reading periods from the consumption in the water reading (with excess usage).

If excess water usage continues during the next reading period, the water user will be required to pay the full charge for the excess water consumed and may be required to repair the leak or leaks responsible for the excess water consumption in order to continue consuming City of South Bend water.

SECTION III. New water service connections shall be charged a \$1646.40 (inside the city limits) or \$2469.60 (outside the city limits) right-of-entry fee plus direct costs for all labor, materials and equipment rental used in connecting said new service from the City main to the customer's property line and restoring City right-of-way to its original condition. Hook-up fees are due in full prior to installation. In the case of existing side services which have not been active for one (1) year preceding a request for re-connection the City Supervisor may, at their discretion, require replacement of said service, in which case the actual cost of replacement shall be borne by the customer.

SECTION IV. This Ordinance shall become effective five (5) days from the date of publication with the prescribed rates first applied to the April 1, 2026 service billing.

INTRODUCED on the 23rd day of February 2026 and **PASSED** on this 9th day of March 2026 by the following vote:

Ayes – 0

Noes – 0

Absent – 0

Bethany Barnard, Mayor

AUTHENTICATED BY: _____
David Johnson, Clerk/Treasurer

Publish: March 18, 2026

Agreement between
Willapa Harbor Hospital
and
South Bend Police Department

THIS AGREEMENT is entered into by Willapa Harbor Hospital, 800 Alder Street, South Bend, Washington, 98586, hereinafter referred to as the "Hospital", and South Bend Police Department hereinafter referred to as "SBPD".

WHEREAS, SBPD from time to time have individuals they are responsible for who require medical treatment beyond what can be provided onsite and those individuals do not have medical insurance or financial means to pay for such services, and

WHEREAS, the Hospital provides such medical treatment,

NOW THEREFORE; the two parties agree to the following:

SBPD will:

- Determine which individuals, that are the Party's responsibility, require medical attention beyond that available in their facility/agency.
- Determine whether the individual has active medical insurance and will provide that information to the Hospital within 14 days of the date of service.
- Shall SBPD express any dispute in the financial responsibility of any individual, the dispute will be made within 14 days of the receipt of the invoice/bill. For dispute resolution, please contact the Willapa Harbor Hospital Business Office and ask for the Client Billing Representative or Business Office Manager. (360)875-4503.
- In the case where an individual is released from the responsible party's custody during the medical care of the individual, the responsible party will be held financially responsible for charges acquired until documentation of release is presented to Willapa Harbor Hospital.

The Hospital will:

- Provide appropriate medical treatment to any individual brought in by SPBD.
- Coordinate monthly with the assigned Pacific County representative for identification of which Party is liable for Patient/Inmate healthcare service for accurate billing to SBPD.

For such services provided, SBPD will, within 30 days of receipt of an invoice/bill, reimburse the Hospital 52% of any usual and customary charges which remain as a balance after any active third-party insurance or private party has been billed and received. Upon payment SBPD shall include a copy of the invoice reflecting approved payment on patients/inmates. The Hospital agrees to "adjust" the remaining 48% of that bill.

This agreement is effective February 1, 2026, and remains in effect until all parties agree to any changes in writing.

WILLAPA HARBOR HOSPITAL

WILLAPA HARBOR HOSPITAL

Kimberly Polanco, CFO Date

Matthew Kempton, CEO Date

SOUTH BEND POLICE DEPARTMENT

Lucas Stigall, Chief Date