

**City of South Bend Council Meeting @ 5:30pm
Monday September 28, 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 September 14, 2026*
5. Correspondence:
6. PROCLAMATION: Hispanic Heritage Month – Mayor Bethany Barnard
7. APPROVAL: Recall of Employee to Work Subject to Adequate Budget Appropriations **[ACTION]**
8. ORDINANCE 1619: An Ordinance of the City of South Bend, Washington, Authorizing and Imposing an Additional Sales and Use Tax of One-Tenth of One Percent (0.1%) for Criminal Justice Purposes Pursuant to RCW 82.14.345; Providing for Administration and Collection of the Tax; Establishing a Special Revenue Fund; and Providing for Severability and Corrections; and Establishing an Effective Date. (First Reading) **[ACTION]**
9. DISCUSSION: Establishing a New Municipal Code No. 3.30.130 – User’s Fee for the Water / Sewer Departments’ Use of City Streets (Ref. Westport Municipal Code No. 3.80.010)
10. DISCUSSION: Establishing a Transportation Benefit District for the City Limits of South Bend. (Ref. MRSC Overview and Documentation)
11. Department Head Reports:
 - i) Police Chief Stigall
 - ii) City Supervisor Houk
 - iii) Fire Chief Madrid
 - iv) Clerk/Treasurer Johnson
12. Mayor’s Report
13. Public Comments – Current Agenda Items
14. Council Comments
15. Future Agenda Topics
16. Adjournment

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

<https://us02web.zoom.us/j/86732759660?pwd=4juF470W7Xt3SHCE3JxjTmDykHTzpC.1>

Meeting ID: 867 3275 9660 Passcode: 065765 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 September 14, 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 accommodation is needed.

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

Next Regular Meeting Monday October 12, 2026 @ 5:30 PM in the South Bend Council Chambers unless otherwise notified.

South Bend Council Meeting

Wednesday, September 28, 2026

CONSENT AGENDA

1. Approval of Vendor Checks

Vendors – Check #50685 thru Check #50711 - \$136,981.97 Including EFT

Payments

9/28/2026

VENDOR		AMOUNT	
50685	Vision Municipal Solution LLC - Hand Pay	\$ 325.00	Training - Travel / Water
50686	Barnhart Home Cleaning	\$ 150.00	Janitorial / City Hall \$60.00 , Fire \$30.00, Police \$60.00
50687	Cascadia Computers	\$ 1,177.21	Miscellaneous, Professional Service, Communications / Financial, Water, Sewer, Police
50688	City of Raymond	\$ 1,277.06	Library August - \$1277.06
50689	Department of Enterprise	\$ 885.10	Miscellaneous Dues- Subscriptions / Police
50690	Department of Health	\$ 116,871.23	Repay - DWSRF Loan - Reservoir Tanks / Water
50691	Department of Transportation	\$ 1,386.69	Fuel- Police \$444.49 and PW \$942.20
50692	Doris Byrd	\$ 145.00	Mary Rodgers Pioneer Park
50693	Englund Marine & Industrial Supply	\$ 348.92	Operating Supplies / Fire
50694	Five Star	\$ 618.03	Repair & Maintenance / Police
50695	General Code	\$ 784.00	Codification of Ordinances / Financial
50696	Gerald Ashley	\$ 664.64	LEOFF Benefits
50697	Grays Harbor County Department of Public Services	\$ 163.00	Sample Testing - Monitoring / Water
50698	Jacqueline Stone	\$ 1,400.00	Municipal Court Prosecutor- September 2026
50699	Jonathan Quittner	\$ 1,000.00	Municipal Court Public Defender - September 2026
50700	Kenyon Disend	\$ 159.00	Professional Services / Financial
50701	Kim Porter	\$ 678.44	Training - Travel / Water
50702	Long Beach Towing and Recovery	\$ 298.72	Repair and Maintenance / Police
50703	Mandy Hardy	\$ 795.16	Training - Travel / Police
50704	North Central Laboratories	\$ 61.11	Chemicals / Water
50705	Northstar Chemical Inc	\$ 1,322.53	Chemicals / Water
50706	Pacific County Department of Public Works	\$ 1,909.62	Eklund Park Sewer Charges / September
50707	Pacific County Jail Services	\$ 191.67	Jail Services
50708	Pioneer Grocery	\$ 13.47	Operating Supplies / City Hall
EFT Pay	Smarsh - EFT Pay	\$ 1,763.92	Archive Capture / All Departments (Annual Contract)
50709	Townzen & Associates Inc.	\$ 553.00	Building Pubs - Permits - Professional Services / Financial
EFT Pay	Verizon - EFT Pay	\$ 671.40	All Depts Communication
EFT Pay	VISA - EFT Pay	\$ 966.34	City Hall \$173.36, Police \$23.11, Fire \$204.53, Court \$135.64, Streets \$46.84, Water \$191.43, Sewer \$191.43
50710	Vision Municipal Solutions LLC	\$ 76.05	Miscellaneous Professional Services
50711	Walter Nelson	\$ 325.66	Operating Supplies / Parks \$270.52, City Hall \$55.14
TOTAL		\$ 136,981.97	

CITY OF SOUTH BEND 9/14/2026
Meeting # 842 2885 8867

1-2. CALL TO ORDER

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

3. ITEMS FROM THE PUBLIC

Girl Scout Troop 46011 attended the meeting to express support for the return of a public library. Several other members of the public also spoke in support of restoring library services to the community.

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

A motion was made by Councilor Kuiken to amend the Meeting Agenda, moving the Executive session to Item #12. Motion Carried. Councilor Olsen then made a motion to approve the Consent Agenda and the minutes of August 24, 2026, regular meeting. Motion carried. Vote: Ayes-5, Noes-0.

Vendors – Check #50647 thru Check #50684 - \$151,957.37 Including EFT Payments
Payroll – Check #25329 thru Check #25336 - \$173,029.37 Including Direct Deposit, Benefits and Payroll Taxes

5. CORRESPONDENCE -

Notice of Final Workshop concerning Flood Resilience & Habitat Projects – Pacific Conservation District

6. DISCUSSION: Scheduling of Budget Workshop

The Council agreed to schedule the Budget Workshop immediately following the Council Meeting scheduled for October 12.

7. DEPARTMENT HEAD REPORTS

Chief Stigall reported that the Labor Day weekend celebration was successful. Supervisor Houk reported that the Martin Creek Impoundment Project commenced this week. He further reported that the Public Works Department had completed its water distribution leak detection protocol and was in the process of repairing nine identified leaks. Clerk/Treasurer Johnson reported on the upcoming maturity of an investment bond held by the City.

8. MAYOR'S REPORT

The Mayor reported on two appointments to the Planning Commission: Bruce Weillep and Tara Lewis. She also recognized the Labor Day Committee for its efforts in organizing a successful Labor Day celebration weekend. The Mayor further reported on her meeting with state representatives to obtain information and explore potential grant opportunities to support the restoration of the City Library.

9. PUBLIC COMMENT – CURRENT AGENDA ITEMS -

Comments and questions regarding the status of the library were presented. Members of the public also expressed encouragement and support for the Girl Scout Troop's efforts to advocate for the restoration of the library.

10. COUNCIL COMMENTS -

All members of the Council expressed their appreciation to the public for their participation in the meeting. Councilor Olsen additionally expressed interest in having a feasibility study conducted regarding the installation of a traffic stop sign near the restroom parking lot in the Ecklund Park area.

11. FUTURE AGENDA TOPICS - None

Proclamation for Hispanic Month.

12. EXECUTIVE SESSION: Personnel Discussion in Compliance with RCW 42:30.110

No action was taken.

The meeting was adjourned at 6:28 PM to meet again on Monday September 28, 2026, for a regular council meeting at South Bend City Hall.

Bethany Barnard
Mayor

ATTEST: _____
David Johnson

THE CITY OF SOUTH BEND PROCLAMATION

Recognizing Hispanic Heritage Month - Mes de la Herencia Hispana

WHEREAS, each year the United States observes Hispanic Heritage Month to celebrate the Hispanic heritage, cultures and contributions of those whose ancestors were indigenous to North America as well as Spain, Mexico, the Caribbean and Central and South America; and

WHEREAS, this year's theme, "*Together, We Are More*", captures the spirit of innovation, resilience, and unity that define the Hispanic experience; and

WHEREAS, Hispanics make significant and diverse contributions to the cultural, educational, economic and political vitality of the City of South Bend,

NOW, THEREFORE: I, Bethany Barnard, Mayor of the City of South Bend, hereby proclaim that September 15 – October 15, 2026, is Hispanic Heritage Month in the City of South Bend and encourage residents to participate in events that honor our unique and vibrant history as we recommit ourselves to a shared future of healthy, peaceful, safe and sustainable communities for all.

Signed this 28th Day of September 2026

Bethany Barnard, Mayor

CITY OF SOUTH BEND, WASHINGTON

ORDINANCE NO. 1619

AN ORDINANCE OF THE CITY OF SOUTH BEND, WASHINGTON, AUTHORIZING AND IMPOSING AN ADDITIONAL SALES AND USE TAX OF ONE-TENTH OF ONE PERCENT (0.1%) FOR CRIMINAL JUSTICE PURPOSES PURSUANT TO RCW 82.14.345; PROVIDING FOR ADMINISTRATION AND COLLECTION OF THE TAX; ESTABLISHING A SPECIAL REVENUE FUND; AND PROVIDING FOR SEVERABILITY AND CORRECTIONS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of South Bend is a municipal corporation organized and existing under the laws of the State of Washington; and

WHEREAS, the Washington State Legislature enacted Engrossed Substitute House Bill 2015 during the 2025 legislative session, Chapter 350, Laws of 2025, creating RCW 82.14.345 and authorizing qualified cities and counties to impose an additional sales and use tax of one-tenth of one percent (0.1%) for criminal justice purposes; and

WHEREAS, RCW 82.14.345 authorizes the legislative authority of a qualified city or county to impose the tax by resolution or ordinance without voter approval, provided the jurisdiction meets the statutory requirements established by the Legislature; and

WHEREAS, the City Council of the City of South Bend finds that the City meets, or will meet prior to the imposition and collection of the tax, the requirements established under RCW 82.14.345 and RCW 43.101.540; and

WHEREAS, the City of South Bend is committed to maintaining adequate public safety and criminal justice services for the residents and visitors of the City; and

WHEREAS, the City Council finds that additional locally generated revenue is necessary to support criminal justice purposes and related programs authorized by RCW 82.14.345; and

WHEREAS, the City Council intends that all revenues generated by the tax authorized by this Ordinance shall be used solely for criminal justice purposes as defined by RCW 82.14.345; and

WHEREAS, the City Council finds that imposing the additional sales and use tax authorized by RCW 82.14.345 is in the best interests of the City of South Bend and its residents;

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

Section 1. Authority.

This Ordinance is adopted pursuant to RCW 82.14.345, Chapter 350, Laws of 2025, and all other applicable provisions of Washington State law.

Section 2. Legislative Findings and Qualification.

The City Council finds that the City of South Bend is a qualified city as defined by RCW 82.14.345 and meets the requirements necessary to impose the sales and use tax authorized by that statute.

The City Council further finds that the City's law enforcement agency meets the applicable requirements of RCW 43.101.540 and that the City has submitted, or shall submit, documentation to the Washington State Criminal Justice Training Commission demonstrating compliance with the statutory requirements.

The City Council authorizes the Mayor, City Clerk-Treasurer, Police Chief, and other appropriate City officials to execute and submit all certifications, attestations, applications, and other documentation required by the Criminal Justice Training Commission and the Washington State Department of Revenue.

Section 3. Imposition of Sales and Use Tax.

There is hereby imposed within the City of South Bend an additional sales and use tax at the rate of **one-tenth of one percent (0.1%)** of the selling price in the case of a sales tax, or the value of the article used in the case of a use tax, as authorized by RCW 82.14.345.

The tax imposed under this Ordinance shall be in addition to all other sales and use taxes authorized by state law and shall apply to taxable events occurring within the City of South Bend as provided by Chapters 82.08, 82.12, and 82.14 RCW.

Section 4. Administration and Collection.

The tax imposed under this Ordinance shall be administered, collected, and enforced by the Washington State Department of Revenue in accordance with applicable provisions of Chapters 82.08, 82.12, and 82.14 RCW.

The City Clerk-Treasurer is authorized and directed to take all actions reasonably necessary to notify the Washington State Department of Revenue of the City's adoption of this Ordinance and to take all other reasonable steps necessary to implement the tax in accordance with state law.

Section 5. Use of Revenues.

All revenues received by the City from the sales and use tax imposed pursuant to this Ordinance shall be deposited into a separately identified fund or account of the City and shall be expended solely for **criminal justice purposes** as authorized by RCW 82.14.345.

Eligible expenditures may include, but are not limited to:

1. Police services and activities that substantially assist the criminal justice system;
2. Adequate public defense services;
3. Diversion programs;
4. Reentry programs;
5. Programs that have a reasonable relationship to reducing the number of individuals interacting with the criminal justice system;
6. Behavioral health and mental health crisis response programs;

7. Domestic violence services, community advocacy, and legal advocacy;
8. Community placements for juvenile offenders;
9. Community outreach and assistance programs;
10. Alternative response programs; and
11. Other expenditures expressly authorized as criminal justice purposes under RCW 82.14.345.

Nothing in this section authorizes expenditures that are inconsistent with RCW 82.14.345 or other applicable state law.

Section 6. Creation of Criminal Justice Sales Tax Fund.

The City Clerk-Treasurer is authorized to establish a separate fund or restricted account to receive and account for revenues collected pursuant to this Ordinance.

The fund shall be used to separately account for revenues and expenditures associated with the tax imposed under RCW 82.14.345.

The City Clerk-Treasurer shall ensure that expenditures from the fund are consistent with RCW 82.14.345 and this Ordinance.

Section 7. Annual Reporting.

The City shall comply with all reporting requirements established by RCW 82.14.345.

Within one calendar year following imposition of the tax, and annually thereafter, the City shall report to the Association of Washington Cities information concerning how revenues received from the tax were expended.

The City Clerk-Treasurer shall be responsible for coordinating the preparation and submission of the required annual report.

Section 8. Effective Date and Implementation.

This Ordinance shall be effective five (5) days after adoption and publication as provided by law. The tax authorized herein shall be implemented on the earliest date permitted under applicable Washington State law following:

1. Adoption of this Ordinance;
2. Completion of all required documentation and certification requirements;
3. Confirmation of the City's eligibility by the Washington State Criminal Justice Training Commission, as required by applicable law; and
4. Completion of all required notification and registration procedures with the Washington State Department of Revenue.

The City Clerk-Treasurer is authorized to coordinate with the Washington State Department of Revenue regarding the effective date and implementation of the tax.

The Mayor is hereby authorized to implement this Ordinance, including adopting such administrative procedures as may be necessary to carry out the directions of this legislation and is authorized to prepare documents for the administration and approval of grant funds.

Section 9. No Voter Approval Required.

The City Council expressly finds that RCW 82.14.345 authorizes a qualified city to impose the sales and use tax established by this Ordinance through legislative action without submitting the tax to a vote of the electorate, provided the statutory requirements are satisfied.

Section 10. Severability.

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is determined to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 11. Corrections by City Clerk-Treasurer.

Upon approval of the City Attorney, the City Clerk-Treasurer is authorized to make necessary clerical corrections to this Ordinance, including corrections to statutory references, numbering, formatting, or other non-substantive matters necessary to comply with state law or publication requirements.

Section 12. Publication.

This Ordinance shall be published or posted as required by law and shall be maintained in the official records of the City of South Bend.

INTRODUCED this 28th day of September 2026 and **PASSED** this 12st day of October 2026 by the following vote:

Ayes –

Nays –

Absent –

ATTEST:

Bethany Barnard, Mayor

David Johnson, Clerk/Treasurer

*City of Westport, WA
Friday, September 25, 2026*

Title 3. Revenue and Finance

Chapter 3.80. STREET FUND

§ 3.80.010. User's fee for the water/sewer departments' use of city streets.

The city water fund shall pay to the city street fund on a quarterly basis the sum of three percent of the water revenue charges for service and the city sewer fund shall pay to the city street fund the sum of three percent of the sewer revenue charges for service for the use of the city street rights-of-way for the city water and sewer infrastructure. All moneys paid from the city water and sewer fund into the city street fund as described above shall be used for street improvements and/or specific street funds.

(Ord. 1149, 1998; Ord. 1601, 2017)

Overview

[Chapter 36.73 RCW](#) authorizes cities (see also [RCW 35.21.225](#)) and counties to form transportation benefit districts (TBDs), quasi-municipal corporations and independent taxing districts that can raise revenue for specific transportation projects, usually through vehicle license fees or sales taxes.

Transportation benefit district revenue may be used for transportation improvements included in a local, regional, or state transportation plan ([RCW 36.73.015\(6\)](#)).

Improvements can range from roads and transit service to sidewalks and transportation demand management. Construction, maintenance, and operation costs are eligible.

List of TBDs

MRSC is currently aware of more than 120 cities and towns in Washington that have established TBDs, many of which are funded by sales taxes or vehicle license fees as described below.

MRSC is only aware of six counties that have established a TBD. In 2025, the Jefferson County TBD, which encompasses the entire unincorporated county but not the City of Port Townsend, became the first countywide TBD to establish a funding source by implementing both a councilmanic 0.1% sales tax and a councilmanic \$20 vehicle license fee. A partial-county TBD serving the Point Roberts peninsula relies on the border area fuel tax, while the other county TBDs are unfunded.

For the complete list of TBDs that MRSC is aware of, download the following file:

- [List of transportation benefit districts \(Excel\)](#) – Includes funding information for each TBD, as well as when it was formed and whether its powers have been assumed. Information can be sorted and filtered.
-

Formation

Any city or county may form a TBD by ordinance, following a public hearing, if it finds that the action is in the public interest ([RCW 36.73.050](#)). The establishing ordinance must specify the boundaries of the district - which may include all or part of the city or county establishing the TBD - and the transportation improvements that will be funded. The boundaries and functions of the TBD may not be changed without further public hearings.

A transportation benefit district may include all or part of the territory in another jurisdiction (city, county, port district, county transportation authority, or public transportation benefit area) through interlocal agreement ([RCW 36.73.020\(2\)](#)).

Governance

Almost all TBDs share the same boundaries as their establishing jurisdiction, in which case they must be governed by the members of that jurisdiction's legislative body, acting as a separate legal entity. Even though they comprise the same members, the legislative body and the governing board are separate and distinct bodies and must hold separate and distinct meetings.

However, if the jurisdiction that established the TBD votes to "assume" its powers as described below – which most jurisdictions have – the TBD ceases to be a separate legal entity and no longer requires separate meetings.

If a TBD includes territory in multiple jurisdictions, it must be governed under an interlocal agreement pursuant to [chapter 39.34 RCW](#), with the governing board conforming to the requirements of [RCW 36.73.020\(3\)](#).

Assumption of Powers

Any city or county that forms a TBD with boundaries that are coterminous with the boundaries of the city or county may "assume" all of the TBD's rights, powers, functions, and obligations, with the result that the TBD ceases to exist as a separate legal entity ([chapter 36.74 RCW](#)).

The city or county legislative authority must first hold a public hearing according to the requirements of [RCW 36.74.020-.030](#). If, after the hearing, the legislative authority determines that “public interest or welfare would be satisfied” by the assumption of the TBD, it passes an ordinance or resolution that abolishes the TBD governing body and vests the city or county legislative authority with all the rights, powers, functions, and obligations that the TBD governing body possessed.

As of July 2022, about 85% of the cities and towns that have established TBDs have also assumed their powers. (See the "List of TBDs" section above for details.)

Note: A section has been added to the BARS Manual discussing the requirements for jurisdictions that assume the powers of their TBDs. In particular, a jurisdiction assuming a TBD must (1) still file an annual financial report for the year in which the TBD was assumed

and (2) submit a New Entity Creation or Dissolution Notification form. For more details, see the [BARS Manual](#), Section 3.11.1.120.

For more details on accounting and reporting requirements related to TBD assumption, see our blog post [Assuming the Powers of Your Transportation Benefit District?](#)

Funding Sources

Transportation benefit districts are primarily funded through sales taxes and/or vehicle license fees. There are several other funding options available such as border area fuel taxes, bonds, and impact fees, but these are seldom or never used.

Sales and Use Taxes

The most common TBD funding source is a sales and use tax of up to 0.3% ([RCW 82.14.0455](#) and [RCW 36.73.040\(3\)\(a\)](#)).

Effective July 1, 2022, up to 0.1% of this sales tax may (optionally) be imposed by a majority vote of the governing board as long as the TBD includes all of the territory within the boundaries of the jurisdiction(s) forming the TBD. Otherwise, the sales tax must be approved by a simple majority of voters.

These sales tax may generally not exceed 10 years, but they may be renewed for additional 10-year periods with voter approval or a vote of the governing board, as appropriate. The TBD sales tax may only exceed 10 years for the repayment of debt, in which case the ballot measure should state the intended use and duration of the debt service.

In recent years, voters have approved the vast majority of all proposed TBD sales and use taxes. For individual results, see MRSC's [Local Ballot Measure Database](#) (select "Filter by Ballot Categories," select the "Funding Type/Statutory Authority" drop-down menu, and look for the TBD sales tax and TBD vehicle license fee options).