

**RESOLUTION NO. 2024-12-607  
CITY OF WHITE SALMON**

**A RESOLUTION OF THE CITY OF WHITE SALMON AMENDING THE UTILITY  
GRIEVANCE PROCEDURE**

**WHEREAS**, the City Council adopted Resolution 2015-04-408 Adopting a Grievance Procedure on April 29, 2015; and

**WHEREAS**, Federal funding including grants require a grievance procedure; and


**WHEREAS**, the current grievance procedure does not provide clear direction on the City Council’s preferred utility billing dispute grievance procedure steps;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF WHITE SALMON, WASHINGTON** as follows:


**Section 1.**

The White Salmon Utility Billing Dispute Grievance Procedure, attached hereto as Exhibit A and incorporated herein by reference, which sets for the utility billing dispute grievance procedure process and implementation, is hereby adopted and approved.

**ADOPTED** by the City Council of the City of White Salmon, Washington, at a regularly scheduled open public meeting thereof this 4<sup>th</sup> day of December, 2024.

DocuSigned by:  
  
361D0EFEBE64421...  
Marla Keethler, Mayor

Attest:

DocuSigned by:  
  
F6160DB6A85C4B3...  
Stephanie Porter, Clerk-Treasurer

Approved as to Form:

Signed by:  
  
8D43A75E83504E8...  
Shawn MacPherson, City Attorney

## Exhibit A

**Title:** Utility Billing Dispute Grievance Procedure  
**Department:** Finance  
**Effective Date:** December 4, 2024  
**Revised Date:** N/A  
**Approved By:** City Council

### PURPOSE

This procedure applies any time a person has an unresolved utility billing dispute against the city. This is not for employee or union grievances.

### PROCEDURE

#### 1. Initial Complaint

Utility Billing Disputes are to be submitted in writing to the Clerk/Treasurer for resolution. A record of the complaints and action taken will be maintained. A decision by the designated official, based on City Council approved code, policy and/or procedure, will be rendered in writing and delivered to the complainant within 30 working days of submission of an official complaint.

An official dispute may be filed in person, in writing, electronically, or by telephone with follow-up confirmation of receipt of any oral request to confirm contact information.

#### 2. Unresolved Utility Billing Disputes (Grievance)

If the complainant does not agree with the determination of the designated official, the complainant may request in writing, within 10 days of such decision, for the matter to be forwarded to the Grievance Committee.

The Grievance Committee will be made up of 3 members. The members of which the Grievance Committee are will be appointed by the mayor and approved by the city council for 2 years terms. The ground rules and/or procedures for hearing a utility grievance, and how the committee can be contacted will be available to the public on the city's website ([www.whitesalmonwa.gov](http://www.whitesalmonwa.gov)).

The committee will be directed by city administration to hear unresolved complaints (grievances) in the following manner:

- a. The Grievance Committee will meet on an as needed basis.
- b. All utility grievances will be heard by the Grievance Committee in a Public Meeting with Public Notice of the hearing in accordance with Washington State Law.
- c. Proceedings of the Grievance Committee will be recorded and maintained in accordance with Washington State Public Record Retention Law.
- d. The Grievance Committee Meetings will proceed under the following agenda for each individual unresolved complaint:

1. Committee Chair announces utility based appeal matter to be heard.
2. Committee Members are polled for conflict issue per standard practice:
  - i. Before this grievance is started, any committee member should immediately disclose any interests that may appear to constitute a conflict of interest. Councilmembers should recognize that the Appearance of Fairness Doctrine does not require establishment of a conflict of interest, but whether there is an appearance of conflict of interest to the average person. This may involve a committee member's business associate, or a member of the committee member's immediate family. It could involve ex parte communications (that is, communications with one party to the matter without notice to or argument from the other party). Or it could involve ownership of property in the vicinity, business dealings with the proponents or opponents before or after the hearing, business dealings of the committee member's employer with the proponents or opponents, announced predisposition, and the like. If any committee member believes they have a conflict of interest based on the Appearance of Fairness Doctrine, please notate with a raise of your hand.
  - ii. Note each committee member will be provided this information prior to each meeting and any conflict will be noted to City Attorney or Clerk Treasurer before the meeting.
3. Staff provides a brief report of the utility grievance facts.
4. Complainant offers testimony and evidence.
5. Staff may provide fact based response.
6. Complainant has last opportunity to present rebuttal to provide adequate burden of proof.
7. The committee will consider the matter, including the ability to ask clarifying questions to staff or complainant, and make a decision.

A written decision will be made within 30 working days of the hearing date. The decision of the Grievance Committee **of any amount** shall be the final decision of the City, **superseding all other provisions which may otherwise require the matter to be referred to City Council for decisions in amount in excess of Five hundred dollars (\$500).**

### 3. Records

A record of action taken on each complaint will be maintained as a part of the records or minutes at each level of the grievance process.