

**WEST RICHLAND CITY COUNCIL MEETING
TUESDAY, AUGUST 18, 2015
7:00 p.m.
PRELIMINARY AGENDA**

1. MEETING CALLED TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF AGENDA

5. PRESENTATIONS -

- a. Yakima Basin Fish and Wildlife Recovery Board
- b. Presentation of Distinguished Budget Award to Finance Director and Finance Staff
- c. City Website Redesign

6. CONSENT AGENDA

- a. Approve Payment of Bills
- b. Approve Minutes of Special and Regular Council Meetings of July 21, 2015 and Special Meeting of August 5, 2015
- c. RES – Amending the 2015-2016 Salary Schedule
- d. RES – Updating the Master Fee Schedule
- e. RES – Amending the West Richland Personnel Policies
- f. Accept Paradise Way/Belmont Blvd. Widening Project as Complete
- g. Award 2015 Street Sweeping Project
- h. Authorize Purchase of Packaged Membrane Bioreactor Treatment System for Industrial Process Water Treatment Facility
- i. Confirm Mayor's Appointment to the Economic Development Board

7. ORDINANCES, RESOLUTIONS, MOTIONS AND PUBLIC HEARINGS

- a. Public Hearing – RES - Regarding Request for Annexation of Approximately 94 Acres and Referral to Benton County for Notice of Intention to be Filed
- b. RES - Regarding Request for Annexation of Approximately 94 Acres and Referral to Benton County for Notice of Intention to be Filed
- c. RES – Amending Park Fees

8. UNFINISHED BUSINESS

9. NEW BUSINESS

10. CITIZENS PUBLIC COMMENT

11. STAFF AND COUNCIL ANNOUNCEMENTS, REPORTS AND COMMENTS

- a. Staff Reports
- b. Council Reports

12. EXECUTIVE SESSION

13. ADJOURNMENT



3801 W. Van Giesen Street * West Richland, WA 99353 * www.westrichland.org
 Administration & Finance Department * (509) 967-3431 * FAX (509) 967-5706

We, the undersigned City Council of West Richland, Benton County, Washington, do hereby certify that the merchandise or services hereinafter specified have been received and that the following are approved for payment this 18th day of August 2015:

Accounts payable checks	56162-56185 & 56202-56244 & 56253-56321	\$661,871.90
Accounts payable voided checks	56164	(\$24,300.00)
Payroll checks	16357	\$382.95
Direct Deposits		\$233,263.90
Electronic wire payments	03.07.2015 & 05.07.2015	\$614.98
		\$871,833.73

COUNCILMEMBER

1	General	\$296,897.27
101	Streets	\$19,851.01
105	Criminal Justice	\$7,284.91
121	Library Services	\$57,272.45
309	Yakima River Gateway Improvements	\$19,496.74
355	Transportation Improvement Program	\$8,393.91
374	Yakima River Trail Project	\$44,170.88
401	Water/Sewer	\$263,097.89
402	Irrigation	\$4,792.28
404	Stormwater	\$7,674.09
405	Solid Waste	\$81,301.60
441	Water System Development	\$9,750.53
442	Sewer System Development	\$22,780.99
451	Water Line Development	\$17,817.88
461	Public Works Operations Facility Construction	\$985.90
482	Capital Improvements-Street Decant Facility	\$414.06
621	Treasurer's Trust	\$9,851.34
	TOTAL	\$871,833.73

**CITY OF WEST RICHLAND
CITY COUNCIL MEETING
TUESDAY, JULY 21, 2015**

1. **Call to Order** – Mayor Gerry called the meeting to order at 7:00 p.m.
2. **Roll Call** – Mayor Brent Gerry and Mayor Pro Tem Rich Buel were present. Council Members Tony Benegas, Richard Bloom, Gail Brown, Ron Hayden, Byron Martin and Robert Perkes were also present. Staff members present were Community Development Director Aaron Lambert, Police Chief Brian McElroy, Finance Director Jessica Platt, Public Works Director Roscoe Slade, City Attorney Bronson Brown, and City Clerk Julie Richardson.
3. **Pledge of Allegiance** – Mayor Pro Tem Buel led the Council, staff, and audience in the recitation of the Pledge of Allegiance.
4. **Approval of Agenda** – Mayor Gerry advised there will be an executive session on litigation.
Upon motion by Councilmember Perkes, seconded by Councilmember Brown, Council unanimously approved the agenda as presented.
5. **Presentations** – Finance Director Platt presented the second quarter 2015 financial report.
6. **Consent Agenda** – *Upon motion by Councilmember Martin, seconded by Councilmember Hayden, Council unanimously approved the consent agenda as presented.*
 - a. **Approve Payment of Bills**
 - b. **Approve Minutes of Council Meeting of July 7, 2015**
 - c. **Authorize Mayor to Execute \$313,297 Stormwater Grant with Department of Ecology for 62nd Avenue Stormwater Retro-fit**
 - d. **Authorize Mayor to Execute \$75,000 Stormwater Grant with Department of Ecology for Ironton Drive Stormwater Retro-fit**
 - e. **Award Engineering Services Contract for Water System Comprehensive Plan Update**
 - f. **Execute Amendment #1 to Engineering Services Contract for Well #11 Project**
 - g. **Award Well #11 Drilling Project**
 - h. **Award Belmont Blvd. – CERB Project**
 - i. **Accept 2015 Crack Sealing Project as Complete**
 - j. **Authorize Reimbursement to Developer for Up-sizing of Water Main – Westwood Estates Phase 3**

k. RES - Transportation Impact Fee Mitigation Agreement – Plat of Westwood Estates Phase 3

RESOLUTION 26-15 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON AUTHORIZING THE MAYOR TO SIGN AND EXECUTE A TRANSPORTATION IMPACT FEE MITIGATION AGREEMENT WITH THE OWNER / DEVELOPER OF THE PLAT OF WESTWOOD ESTATES PHASE 3 SUBDIVISION

l. Amend on-Call Engineering Services Agreement – JUB Engineers

m. Award Keene Road Pathway Phase 3 Project

n. Amend Architect Services Contract for Public Works Operations Facility

o. RES – Amending Personnel Policies

RESOLUTION 27-15 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON AMENDING THE CITY PERSONNEL POLICIES

p. Award Professional Services Contract for Water System Financial Plan Update

7. Ordinances, Resolutions, Motions, and Public Hearings – There were no ordinances, resolutions, motions, or public hearings.

8. Unfinished Business – There was no unfinished business.

9. New Business – There was no new business

10. Citizens Public Comment

Peggy Panisko asked if there would be action following the executive session.

Mayor Gerry responded there will be no action to follow.

11. Announcements, Reports & Comments - a. Staff Reports

Chief McElroy announced National Night Out on August 4th. He also reported that the animal control survey is completed.

Finance Director Platt announced that customers who sign up for Smart Pay in July will be entered into a drawing for a \$100 Yokes gift card. She also reported that Finance is working on a “Welcome to West Richland” brochure that will answer questions, most related to utility billing, new account setup, etc. A frequently asked questions page has also been added to the Utilities webpage.

Public Works Director Slade said staff will meet with Darrick Dietrich to look at the recycling options and the Solid Waste Franchise Agreement. There will be future workshops and council discussions on the Solid Waste Franchise agreement. He also provided an update on Public Works projects.

Community Development Director Lambert provided an update on the new website his staff is developing.

b. Council Reports

Councilmember Martin reported on a meeting he had with Greater Richland Little League board members regarding their concerns about field reservation fees.

Councilmember Bloom announced a Solid Waste Advisory Committee meeting on Wednesday, July 22nd. They are still working on development of a moderate risk waste facility, although state funding was cut in half.

Councilmember Benegas reported on a Policy Advisory Committee and Executive Board meeting with Benton Franklin Council of Governments. Everyone is excited about the Red Mountain Interchange funding in the transportation package.

Councilmember Perkes announced sign-ups for youth football are happening now.

Councilmember Hayden attended a Benton County Fire District #4 meeting, and said there was nothing significant reported on the July 4th holiday. He said they use their tax funding wisely, and plan to levy for a permanent ambulance service tax in 2016.

- 12. Executive Session** – Mayor Gerry announced a 15 minute executive session per RCW 42.30.110(i) on litigation, with no action to follow.

Council adjourned to executive session at 7:59 p.m.

The executive session was extended 5 minutes at 8:15 p.m.

The meeting reconvened at 8:19 p.m.

- 13. Adjournment** – The meeting was adjourned at 8:19 p.m.

Brent Gerry, Mayor

Julie Richardson, City Clerk

**CITY OF WEST RICHLAND
SPECIAL CITY COUNCIL MEETING
TUESDAY, JULY 21, 2015
6:00 P.M.**

- 1. Call to Order** – Mayor Gerry called the meeting to order at 6:00 p.m.
- 2. Roll Call** – Mayor Brent Gerry and Mayor Pro Tem Rich Buel were present. Council Members Tony Benegas, Richard Bloom, Gail Brown, Byron Martin, Ron Hayden, Robert Perkes. Staff members present were Community Development Director Aaron Lambert, Police Chief Brian McElroy, Finance Director Jessica Platt, Public Works Director Roscoe Slade, and City Clerk Julie Richardson.
- 3. Presentation - Cost to Provide Curb-Side Recycling and Curb-Side Yard Waste Services** – Darrick Dietrich, from Ed’s Disposal gave a presentation, and answered questions, on curb-side recycling and yard waste services options and costs.

Mitch May, West Richland, said grass clippings are mostly water and he doesn’t see the need for green waste recycling.

Don Englemann, West Richland, asked if there would be start-up costs for the City. He also said green waste is being collected already commensurate to the second garbage bin. Also, the graph that Mr. Dietrich displayed shows values for those recyclable materials are staying low, so the City would be at risk for future price increases for recycling services.

Darrick Dietrich responded that there will be no startup costs for the City.

Merle Johnson commented that the recycling bins are always full so those who want to recycle are already doing so. He doesn’t see a need for curb-side recycling.

Peggy Panisko said she recycles and there are plenty of options to recycle. She doesn’t feel there is a need for curb-side recycling. Clayton Ward, Goodwill, and recycling bins are already available. She did say there is a need for extra recycling bins.

Mary Jean Knight recycles and is for recycling. She did some research and Richland lets anyone who wants to opt out to do so without a penalty. She does not want extra costs to West Richland residents for recycling.

Jon Swanson said more recycling bins are needed. He commented that there is not enough profit in recyclables for companies to provide that service without charging residents. He doesn’t feel that residents should be forced to pay for curb-side recycling when there are other options available.

- 5. Adjournment** – The meeting was adjourned at 6:59 p.m.

Brent Gerry, Mayor

Julie Richardson, City Clerk

**CITY OF WEST RICHLAND
SPECIAL CITY COUNCIL MEETING
TUESDAY, August 5, 2015
5:30 P.M.**

Call to Order – Mayor Gerry called the meeting to order at 5:30 p.m.

Roll Call – Mayor Brent Gerry and Mayor Pro Tem Rich Buel were present. Council Members Richard Bloom, Gail Brown, Byron Martin, Ron Hayden and Robert Perkes were also present. Staff members present were City Attorney Bronson Brown and City Clerk Julie Richardson. Attorney Ken Harper participated via speaker phone.

Upon motion by Councilmember Martin seconded by Councilmember Perkes, Council unanimously excused Councilmember Tony Benegas from the meeting.

Executive Session – Mayor Gerry announced an executive session to discuss litigation (RCW 42.30.110(i) with no action to follow.

Council adjourned to executive session at 5:35 p.m.

The meeting reconvened at 6:12 p.m.

Adjournment – The meeting was adjourned at 6:12 p.m.

Brent Gerry, Mayor

Julie Richardson, City Clerk

WEST RICHLAND AGENDA ACTION ITEMS

<i>AGENDA ITEMS:</i>	6c	<i>TYPE OF ACTION NEEDED</i>			
<i>MEETING DATE:</i>	August 18, 2015	<i>Execute Contract</i>		<i>Consent Agenda</i>	X
<i>SUBJECT:</i>	Amending 2015-2016 Salary Schedule	<i>Pass Resolution</i>	X	<i>Public Hearing</i>	
		<i>Pass Ordinance</i>		<i>1st Discussion</i>	
<i>Prepared by:</i>	Jessica Platt, Finance Director Aaron Lambert, Community Development Director Brian McElroy, Chief of Police	<i>Pass Motion</i>		<i>2nd Discussion</i>	
<i>Reviewed by:</i>	Brent Gerry, Mayor 	<i>Other</i>		<i>Other</i>	

COUNCIL STRATEGIC FOCUS AREA:

SFA 3 – Financial & Operational Effectiveness, Stability, and Accountability

BACKGROUND INFORMATION: The original 2015-2016 salary schedule resolution was passed by Council in December 2014 and was amended in June 2015. There are several adjustments that have been identified due to turnover in the Finance Department and other necessary reorganizational changes. The adjustments to the current salary schedule are made within the existing funding limits of the 2015-2016 biennial budget.

Finance Department

Due to the recent vacancy of the Utilities-Accountant position in the Finance Department, staff has evaluated the functions of this position, as well as other positions in the department. Over the last 10 years, the Finance Department has only added one position, yet the workload has increased substantially as the City has grown. The City’s population has increased 35% over the last 10 years and this number continues to grow as West Richland is a desirable place to live.

There are two accountant positions in the Finance Department (Accountant and Accountant-Utilities). Staff recommends eliminating the Accountant-Utilities position. With the growth in workload and expanded role of the Accountant, staff recommends adding a Senior Accountant position and eliminating the Accountant position. The Finance Department has experienced an increase in regulatory requirements including the addition of new financial reports required by the State Auditor’s Office and increased internal control standards. This has directly impacted the responsibilities of the Accountant position. The City’s Accountant has had to take on specialized and complex accounting and auditing functions which are beyond the scope of the Accountant job description. Responsibilities of the Senior Account would include preparing financial statements, preparing budgetary reports, grant management, accurate recording, balancing, and classification of all income and expenditures to proper accounts in accordance with the state Budgeting, Accounting, Reporting System and City procedures, management of the City’s accounts receivable system, and filling in for the Accounting Manager as needed.

With the elimination of the Accountant-Utilities position, the role of the Utility Clerk is proposed to expand to include coordinating the billing and collection of utility revenues generated by the City, ensuring effective operation of the City’s utility billing function, customer relations, and administrative aspects within the department, developing and maintaining an efficient utility billing system, and creating, maintaining and updating utility account information and records and general consumption and financial data for statistical

analysis. Staff recommends changing the title of Utility Clerk to Utility Billing Specialist and moving the position on the salary schedule to a category which more closely matches the functions of the position under Para-Professional, Specialist, Confidential, Support as proposed in Exhibit A attached.

Accounts payable activities have significantly increased and to keep up with the workload, staff has brought in administrative assistance from Express Employment Professionals as a temporary solution. Staff recommends filling the Accounting Technician position, which is already included in the salary schedule, to prepare and process accounts payable, prepare and report excise tax to the Department of Revenue, manage the City's fixed asset system, provide backup to the Utility Billing Specialist and assist with the front desk.

Police Department

The current Police Department non-exempt administrative positions are the Police Analyst and Administrative Assistant II. These two positions are essential within the department and provide support for uniquely law enforcement related operations and administration. The titles for these positions do not truly reflect the role performed. A more true title is Police Records Specialist due to the specialized requirements of these positions. Duties include; records management, records dissemination, public disclosure compliance, evidence accountability, property accountability, technology support (multiple law enforcement specific data base systems), analytics for required for local state and federal entities, court/prosecutor coordination, contract monitoring, financial activities and human resources. The current positions are and will continue to be cross trained for operational effectiveness and need. The similarity and cross training of the two current position titles warrants a change in the title to Police Records Specialist to more accurately reflect the position.

The duties of the administrative staff have increased over the years. The duties require training, certifications and security authorizations to perform. The workload and complexity of the work have increased and the salary has not maintained pace with changes in duties and responsibilities. A comparative look at other positions within the City indicates the current Police Analyst and Administrative Assistant II positions are aligned in an incorrect category of the Salary Schedule. The recommendation is to place the new "Police Records Specialist" position in the higher classified salary range as identified on this proposed amendment to the 2015-2016 Salary Schedule.

Community Development Department

The Community Development Department is undergoing a reorganization with the elimination of the Planning & Economic Development Manager position which will be supplanted by the establishment of an Economic Development Planner position. The Community Development Department consists of six individuals which the Community Development Director can efficiently manage without an intermediary Manager. The new position will continue to focus on economic development as well as contribute to current and long range planning tasks.

SUMMARY: The resolution amends the 2015-2016 salary schedule. The adjustments to the salary schedule are made within the existing funding limits of the 2015-2016 budget.

RECOMMENDATION: Passage of the resolution.

ALTERNATIVES: Modify or fail to pass resolution.

FISCAL IMPACT (Indicate amount, fund and impact on budget): There is no additional impact to the 2015-2016 budget.

MOTION: I move to pass Resolution ____-15 , amending the salary schedule for the 2015-2016 biennium.

**CITY OF WEST RICHLAND
RESOLUTION NO. _ - 15**

A RESOLUTION OF THE CITY OF WEST RICHLAND, WASHINGTON, AMENDING
THE SALARY SCHEDULE FOR THE 2015-2016 BIENNIUM

WHEREAS, the City Council of the City of West Richland is responsible by RCW to establish a budget which includes a salary schedule for all City personnel; and

WHEREAS, the Council has determined that the best interest of the City is served by amending the 2015-2016 salary schedule resolution approved in Resolution 33-14;

NOW THEREFORE, the West Richland City Council does resolve as follows:

1. Resolution 33-14 is hereby amended as attached in Exhibit A.

PASSED by the City Council of the City of West Richland, Washington, this 18th day of August, 2015.

Brent Gerry, Mayor

ATTEST:

Julie Richardson, City Clerk

APPROVED AS TO FORM:

Bronson Brown, City Attorney

City of West Richland
2015-2016 Monthly Salary Schedule

Classification	Status	Position Title	Range		
			Min	Mid	Max
Executive	Exempt	City Administrator	8,334	10,000	11,667
Executive	Exempt	Public Works Director, Police Chief, Community Development Director, Finance Director	6,667	8,334	10,000
Senior Professional Professional/Supervisor	Exempt	City Clerk/IT Services, Planning & Economic Development Manager, Police Captain, City Engineer, Accounting Manager	6,000	7,500	9,000
	Exempt	Civil Engineer II, Public Works Supervisor, Senior Planner, Senior Accountant, Economic Development Planner	4,300	5,400	6,500
	Exempt	Building Official	4,000	5,000	6,000
	Exempt	Associate Planner, Accountant	3,850	4,300	5,500
Para-Professional, Specialist, Confidential, Support	Non-Exempt	Waste Water Treatment Plant Operator, Cross Connection Specialist, HR Specialist	3,700	4,600	5,500
	Non-Exempt	Building Inspector	3,350	4,275	5,200
	Non-Exempt	Accounting Technician, Engineering Technician, Engineering Technician-Admin, Waste Water Laboratory Technician II	3,200	4,100	5,000
	Non-Exempt	Maintenance Worker II, Utility Billing Specialist, Police Records Specialist			
	Non-Exempt	Police Analyst-Administrative Assistant II	3,000	3,500	4,000
	Non-Exempt	Utility Clerk	2,750	3,250	3,750
	Non-Exempt	Maintenance Worker I	2,700	3,200	3,700
	Non-Exempt	Administrative Assistant I	2,500	3,000	3,500
	Non-Exempt	Meter Reader, Collection Technician, Maintenance Technician, Custodian	2,120	2,620	3,120
Seasonal/Temporary	Non-Exempt	Public Works Seasonal Worker	10.55/hr		11.55/hr
	Non-Exempt	Seasonal Code Enforcement Officer	14.00/hr		19.00/hr

WEST RICHLAND AGENDA ACTION ITEMS

AGENDA ITEM:	6d	TYPE OF ACTION NEEDED			
MEETING	August 18, 2015	<i>Execute Contract</i>		<i>Consent Agenda</i>	X
SUBJECT:	Update to Master Fee Schedule	<i>Pass Resolution</i>	X	<i>Public Hearing</i>	
		<i>Pass Ordinance</i>		<i>1st Discussion</i>	
Prepared by:	Jessica Platt, Finance Director	<i>Pass Motion</i>		<i>2nd Discussion</i>	
Reviewed by:	Brent Gerry, Mayor 	<i>Other</i>		<i>Other</i>	

SFA 3 – Financial & Operational Effectiveness, Stability, and Accountability
Goal 2 – Adopt and maintain a long-term financial plan and supporting policies to ensure financial effectiveness, stability, and accountability

BACKGROUND INFORMATION: The City of West Richland Police Department sponsors “Parenting with Dignity” classes in the spring and fall of each year. The “Parenting with Dignity” classes provide guidance to parents on building relationships with their children and effectively disciplining children. This has been an ongoing WRPD sponsorship for many years and is taught by a police department volunteer. The City provides materials and refreshments for attendees. Currently, the City does not charge attendees a fee. City staff proposes charging a fee to class attendees to offset the material costs of the class. The proposed fees are as follows – single individuals \$25.00, couples \$40.00, each additional family member \$10.00.

SUMMARY: The attached resolution updates Schedule C of the Master Fee Schedule to include “Parenting with Dignity” class fees.

RECOMMENDATION: Passage of resolution.

ALTERNATIVES: Do not charge fee to attend “Parenting with Dignity” classes.

FISCAL IMPACT (Indicate amount, fund and impact on budget): None.

I move to pass Resolution ___-15 amending Schedules C of the Master Fee Schedule.

**CITY OF WEST RICHLAND
RESOLUTION NO. __-15**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON UPDATING THE MASTER FEE SCHEDULE FOR THE COMMUNITY DEVELOPMENT DEPARTMENT

WHEREAS, it is the general policy to update fees that are reflective of the cost of services provided by the City; and

WHEREAS, the City Council finds that the following fee schedule sets forth fees that are reasonable and necessary;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. The Master Fee Schedule – Schedule C is updated to include the following fees attached to this resolution.

PASSED by the City Council for the City of West Richland, Washington, this 18th day of August, 2015.

Brent Gerry, Mayor

ATTEST:

Julie Richardson, City Clerk

APPROVED AS TO FORM:

Bronson Brown, City Attorney

MASTER FEE SCHEDULE

Schedule C – Police Department

<u>Description</u>	<u>Fee Amount</u>
1. Animals - Adoption	
a. Altered Cat	\$50.00 includes vaccinations
b. Unaltered Cat/Kitten	\$70.00 includes vaccines and spay/neuter
c. Altered Dog	\$50.00 includes vaccines
d. Unaltered Dog/Puppy	\$90.00 includes vaccines and spay/neuter
2. Animals - Miscellaneous	
a. Impound	\$30.00
b. Kenneling	\$10.00 per day
c. Euthanasia	\$75.00 city or actual veterinary costs plus mileage
3. Concealed Pistol License	
a. Original	\$50.75
b. Renewal	\$32.00
c. Late renewal	\$42.00
d. Replacements	\$10.00
e. Laminate	\$1.00
4. Fingerprinting	
a. First and second card	\$15.00 both
b. Each additional card	\$3.00
5. Impoundment of Vehicles	
a. Redemption of impounded vehicle administrative fee (WRMC 10.20.030 (A))	\$75.00
b. Early or hardship release of vehicle administrative fee (WRMC 10.20.040)	\$75.00
6. Parenting with Dignity Class Attendance	
a. Single Individual	\$25.00
b. Couple	\$40.00
c. Additional Family Member	\$10.00

WEST RICHLAND AGENDA ACTION ITEMS

AGENDA ITEM:	6e	TYPE OF ACTION NEEDED			
MEETING	August 18, 2015	<i>Execute Contract</i>		<i>Consent Agenda</i>	X
SUBJECT:	Amending the WR Personnel Policies	<i>Pass Resolution</i>	X	<i>Public Hearing</i>	
		<i>Pass Ordinance</i>		<i>1st Discussion</i>	
Prepared by:	Jessica Platt, Finance Director	<i>Pass Motion</i>		<i>2nd Discussion</i>	
Reviewed by:	Brent Gerry, Mayor 	<i>Other</i>		<i>Other</i>	

SFA 3 – Financial & Operational Effectiveness, Stability, and Accountability

Goal 2 – Adopt and maintain a long-term financial plan and supporting policies to ensure financial effectiveness, stability, and accountability

BACKGROUND INFORMATION: In support of the Total Compensation Principle as adopted by Council which states “The City of West Richland strives to provide a fiscally responsible total compensation program to retain and recruit highly qualified employees”, the City’s HR consultant recommends several minor revisions to the City’s Personnel Manual as attached and summarized below.

Revision #1: In Section 4.10 Stand-by Pay, amend language so that designated exempt positions that are assigned standby duty are eligible for standby pay.

Revision # 2: In Section 8.1 Vacation Leave, amend language so that all exempt positions receive Administrative and Professional leave.

SUMMARY: The following attachment updates the West Richland Personnel Policies amending Section 4.10 Stand-by Pay and Section 8.1 Vacation Leave.

RECOMMENDATION: Amend the West Richland Personnel Policies as attached.

ALTERNATIVES: Modify or fail to pass amendments to the West Richland Personnel Policies.

FISCAL IMPACT (Indicate amount, fund and impact on budget):
 Approximately \$8,440 per year with the majority split between the 401 water and sewer utility funds. Proposed amendments are within the existing funding limits of the current 2015-2016 budget

MOTION: I move to amend the West Richland Personnel Policies as attached.

**CITY OF WEST RICHLAND
RESOLUTION NO. __-15**

**A RESOLUTION OF THE CITY OF WEST RICHLAND, WASHINGTON,
AMENDING THE CITY PERSONNEL POLICIES.**

WHEREAS, changes in compensation or benefit levels in the City's Personnel Policies may only be modified by a City Council passed resolution; and

WHEREAS, City Council wishes to amend the City's Personnel Policies;

NOW, THEREFORE, The City Council of the City of West Richland, Washington, does hereby resolve as follows:

Section 1. The West Richland Personnel Policies are hereby amended as attached.

**PASSED BY THE CITY COUNCIL OF THE CITY OF WEST RICHLAND,
WASHINGTON**, this 18th day of August, 2015.

Brent Gerry, Mayor

ATTEST:

Julie Richardson, City Clerk

APPROVED AS TO FORM:

Bronson Brown, City Attorney

4.9 DEDUCTIONS

Deductions and withholdings from employees' pay are made when required by law, authorized by employees, or required or permitted by an applicable collective bargaining agreement. Examples of such deductions include federal withholding tax, Social Security tax, State retirement contributions, recognized employee organization dues, and health care insurance co-payments.

4.10 STAND-BY PAY

City employees in designated exempt and non-exempt positions as determined by the department director may be required to "standby" for duty. ~~City employees in designated exempt positions may be assigned standby duty, but do not receive extra compensation for the assignment.~~ Employees placed on standby status will be provided with a City cellular phone. While on standby status, non-exempt employees must be available and able to respond by telephone within ten (10) minutes, and available and able to respond to the worksite in 'fit' condition within thirty (30) minutes, provided it can be accomplished in a safe manner.

Employees may also be provided a City vehicle while on standby status. If a vehicle is provided, it shall be used only for City business and must be properly secured at all times. Standby duty may include week nights, weekends, City recognized holidays, regular work hours and any other non-regular work hours. Standby duty begins daily at 7:00 a.m. and does not end until 7:00 a.m. the following day. Duration of standby duty is typically a week for non-exempt employees and a month for exempt employees. Hours on standby status will not be counted for the purposes of computing overtime pay or eligibility to receive benefits.

Employee(s) placed on standby duty shall be paid \$20 per day for standby pay on Monday through Friday. Employee(s) placed on standby duty shall be paid \$30 per day for standby pay on Saturday, Sunday, or City recognized holidays. In addition to standby pay, when an employee is assigned to standby duty responds to an emergency or other problem for which he or she has been called will also be paid the applicable overtime rate commencing when the callback was received in accordance to the callback policy. If an employee on standby status fails to respond to a call to return to work, he or she may be subject to disciplinary action.

4.11 MODIFIED RETURN-TO-WORK JOB DUTIES

It is the policy of the City to offer to an employee injured on the job temporary light duty or other modified return-to-work job tasks for a period of 180 days. Such temporary or modified job tasks will depend on the availability of work that the employee could perform subject to his/her physical restrictions as certified by a qualified health care provider. Department directors may require an employee to provide a written release to return to work from a qualified health care provider. Department directors may revise the hours or conditions of such work to meet City's needs. The Mayor or his/her designee may extend this period of time of modified duty at intervals of 30 days.

8. LEAVES

8.1 VACATION LEAVE

Regular full-time employees are entitled to accrue vacation leave at the following rates:

<u>Years of Employment</u>	<u>Vacation Hours Earned</u>
1 - 60 months (Years 1-5)	6.60 hours/month
61 - 120 months (Years 6-10)	10.00 hours/month
121 - 240 months (Years 11-20.)	13.35 hours/month
241 months and more (Years 21 and beyond)	16.67 hours/month

Regular part-time employees will receive vacation on a pro-rata basis. Temporary employees are not eligible for vacation benefits. Employees do not accrue vacation benefits during a leave without pay.

Each department is responsible for scheduling employee vacations without undue disruption to department operations. Leave requests should be submitted two (2) weeks prior to taking vacation leave and approved by the Department Director or his or her designee.

The maximum number of vacation hours which may be carried over from one calendar year to the next is 300 hours. In circumstances where City operations have made it impractical for an employee to use vacation time, the Department Director, with approval of the Mayor or City Administrator, may authorize, in writing, additional carryover of vacation time. Upon termination of employment, Employees will be paid for unused vacation time subject to the limitations and restrictions stated in these policies.

Department directors and the City Administrator will accrue vacation at the rate of 13.35 hours per month for the first ten (10) years (1-120 months) and then 16.67 hours per month thereafter (121 plus months).

Exempt employees ~~below the Department Director~~ shall receive forty (40) hours of Administrative and Professional (A&P) leave each year beginning in January. Leave may be taken in increments of four hours. Any unused hours do not carry over to the following year and there is no cash out provision. Department Directors shall coordinate the use of A&P leave. Trial employees are eligible for a pro-rated portion (on a ratio of the number of months remaining in the calendar year divided by 12) upon completion of their trial period, based on the current January to December calendar year at the time they become regular full-time employees.

The City Administrator or the Mayor may authorize exempt employee's requests for vacation leave cash-out up to a maximum of 40 hours during a calendar year (January through December). The employee must have used a minimum of 40 hours of vacation during the last calendar year and have a balance of 40 hours of vacation after the cash out.

8.2 SICK LEAVE

8.2.1 Accrual. Regular full-time employees accrue eight (8) hours of sick leave for each month of employment. Maximum accumulation of unused sick time will be nine hundred

WEST RICHLAND AGENDA ACTION ITEMS

AGENDA ITEM:	6f	TYPE OF ACTION NEEDED			
MEETING DATE:	August 18, 2015	<i>Execute Contract</i>		<i>Consent Agenda</i>	X
SUBJECT:	Motion to Accept Paradise Way / Belmont Blvd Widening Project as Complete	<i>Pass Resolution</i>		<i>Public Hearing</i>	
		<i>Pass Ordinance</i>		<i>1st Discussion</i>	
Prepared by:	Roscoe C. Slade III, PW Director 	<i>Pass Motion</i>	X	<i>2nd Discussion</i>	
Reviewed by:	Brent Gerry, Mayor 	<i>Other</i>		<i>Other</i>	

COUNCIL STRATEGIC FOCUS AREA:

SFA #2 – Quality and Adequate Infrastructure and Facilities

GOAL # 2 – Construct planned infrastructure essential for a growing community

BACKGROUND INFORMATION:

In March 2013, Public Works staff was successful in obtaining a \$523,000 Federal STP-UL Grant for the \$605,000 Paradise Way / Belmont Blvd Widening Project to complete design, permitting, row acquisition and construction.

The Paradise Way / Belmont Blvd Widening Project consists of widening approximately 0.5 miles of Paradise Way (S. 54th Ave to Belmont Blvd) from 23'-39' to 46' wide, widening approximately 0.1 miles of Belmont Blvd (Paradise Way to Blackwood Street) from 39' to 46' wide, constructing pedestrian and bicycle facilities, installing storm drainage facilities and installing street lighting to improve mobility and safety by eliminating a choke point in both roadways and eliminating a gap in the City's east/west and north/south pedestrian and bicycle routes.

The City's Public Works Department's professionally licensed engineering staff was responsible for the preparation and completion of plans, specifications and engineering estimates (PS&E) photo-ready bid documents in accordance FHWA and WSDOT Local Agency Guidelines.

October 7, 2014, City Council awarded the Paradise Way / Belmont Blvd Widening Project to Granite in the amount of \$585,271.77. The start of construction activities for this project was delayed until March 2015. By delaying the project until March 2015, the overall impact to the travelling public and adjacent property owners was reduced by not having a partially completed roadway sitting idle over the winter months.

SUMMARY:

The Paradise Way / Belmont Blvd Widening Project is complete and ready for Council acceptance. There were nine change orders issued on the project dealing with conduit adjustments, irrigation timer upgrade and replacement of ADA ramps totaling \$10,193.60. The total contract amount was \$603,165.76 including sales tax. The \$17,893.99 difference between the contract amount at award and the final contract was due to misc. change orders and minor overruns in estimated bid item quantities.

RECOMMENDATION:

Staff recommends Council Accept the Paradise Way / Belmont Blvd Widening Project as complete.

ALTERNATIVES:

As amended by Council.

FISCAL IMPACT (Indicate amount, fund and impact on budget):

None.

MOTION:

I move Council to Accept the Paradise Way / Belmont Blvd Widening Project as complete.

WEST RICHLAND AGENDA ACTION ITEMS

AGENDA ITEM:	6g	TYPE OF ACTION NEEDED			
MEETING DATE:	August 18, 2015	<i>Execute</i>	X	<i>Consent</i>	X
SUBJECT:	Motion to Award 2015 Street Striping Project	<i>Pass Resolution</i>		<i>Public Hearing</i>	
		<i>Pass Ordinance</i>		<i>1st Discussion</i>	
Prepared by:	Roscoe C. Slade III, PW Director 	<i>Pass Motion</i>	X	<i>2nd Discussion</i>	
Reviewed by:	Brent Gerry, Mayor 	<i>Other</i>		<i>Other</i>	

SFA#2 Quality and Adequate Infrastructure and Facilities

Goal#3 Maintain citizen's investments in existing infrastructure to extend useful life.

ATTACHMENTS:

- 2015 Street Striping Project Bid Tabs

BACKGROUND INFORMATION:

Annually the City contracts out the re-striping of arterial roadways. The City's maintenance crew re-stripes the crosswalks and turning arrows.

SUMMARY:

The City on an annual basis budgets funds to re-stripe City's arterial roadways. The bid opening for the project was on August 11, 2015. The City received 3 bids ranging from \$21,582.59 to \$43,139.99. The low bidder was Stripe Rite, Inc. Please see attached bid tabs.

RECOMMENDATION:

Staff recommends Council award the 2015 Street Striping Project to Stripe Rite, Inc in the amount of \$21,582.59.

ALTERNATIVES:

None.

FISCAL IMPACT (Indicate amount, fund and impact on budget):

\$21,582.59 from the 101 Street Fund – Services Line Item

MOTION:

I move to award the 2015 Street Striping Project to Stripe Rite, Inc in the amount of \$21,582.59 and authorize the Mayor to execute the contract.

2015 CITY STREET STRIPING

AUGUST 11, 2015 AT 11:00AM

ITEM NO.	ITEM DESCRIPTION	EST. QTY.	UNIT	ENGINEER'S ESTIMATE		LOW BIDDER		SECOND LOW BID		THIRD LOW BID	
				UNIT PRICE	TOTAL PRICE	Stripe Rite, Inc.		Apply-a-Line		PSC	
						UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Mobilization	1	LS	\$3,000.00	\$3,000.00	\$400.00	\$400.00	5,850.00	\$5,850.00	3,500.00	\$3,500.00
2	Traffic Control	1	LS	\$1,900.00	\$1,900.00	\$2,500.00	\$2,500.00	7,500.00	\$7,500.00	2,500.00	\$2,500.00
3	Removing Plastic 16-Inch Skip Line	24	LF	\$6.00	\$144.00	\$3.00	\$72.00	12.50	\$300.00	6.30	\$151.20
4	Removing Plastic Crosswalk Line	120	SF	\$6.50	\$780.00	\$3.00	\$360.00	5.00	\$600.00	2.50	\$300.00
5	Paint Line	185251	LF	\$0.09	\$16,672.59	\$0.09	\$16,672.59	0.07	\$12,967.57	0.19	\$35,197.69
6	Painted Wide Line	2440	LF	\$0.20	\$488.00	\$0.15	\$366.00	0.20	\$488.00	0.25	\$610.00
7	Painted 16-Inch Wide Line	130	LF	\$1.85	\$240.50	\$1.50	\$195.00	3.50	\$455.00	1.50	\$195.00
8	Painted 24-Inch Gore Stripe	90	LF	\$1.15	\$103.50	\$2.50	\$225.00	4.50	\$405.00	1.65	\$148.50
9	Plastic 16-Inch Skip Line	24	LF	\$8.00	\$192.00	\$8.00	\$192.00	16.50	\$396.00	6.65	\$159.60
10	Plastic Crosswalk Line	120	SF	\$6.00	\$720.00	\$5.00	\$600.00	8.50	\$1,020.00	3.15	\$378.00
				TOTAL BASE BID SCHEDULE 1		\$24,240.59		\$29,981.57		\$43,139.99	
				TOTAL		\$21,582.59					

WEST RICHLAND AGENDA ACTION ITEMS

<i>AGENDA ITEM:</i>	6h	<i>TYPE OF ACTION NEEDED</i>			
<i>MEETING DATE:</i>	August 18, 2015	<i>Execute Contract</i>	X	<i>Consent Agenda</i>	X
<i>SUBJECT:</i>	Motion to authorize purchase of a packaged membrane bioreactor treatment system for the Industrial Process Water Treatment Facility	<i>Pass Resolution</i>		<i>Public Hearing</i>	
		<i>Pass Ordinance</i>		<i>1st Discussion</i>	
<i>Prepared by:</i>	Roscoe C. Slade III, PW Director 	<i>Pass Motion</i>	X	<i>2nd Discussion</i>	
<i>Reviewed by:</i>	Brent Gerry, Mayor 	<i>Other</i>		<i>Other</i>	

h:/Roscoe/staff report 2015

SFA #2 – Quality and Adequate Infrastructure and Facilities

Goal #2 – Construct planned infrastructure essential for a growing community and economic vitality.

BACKGROUND INFORMATION:

In May 2010, City Council authorized staff to submit a Public Works Trust Fund (PWTF) loan application for the design, permitting and construction a \$2,400,000 Industrial Wastewater Treatment Facility (I-Plant). The I-Plant would treat/pretreat industrial process water from the existing and future wineries (and other similar industrial waste) in the Red Mountain Center Area. The City of West Richland's I-Plant loan application was selected for funding by the Public Works Board and in September 2011, Council authorized the execution of the loan agreement. The loan agreement provides for a \$2,000,000 low interest loan from the PWTF Loan Program. The loan requires a local match; local match of \$400,000 from the 442 Sewer Fund (A minimum 15% local match the interest rate on the PWTF loan would be 0.5% over 20 years). Per the term of the agreement, the project will need to be completed within 5 years (September 27, 2016).

The project was originally going to be constructed as an aerated lagoon with an evaporation pond on 20 acres of property donated by the Lewis and Clark ranch to the City, but the ownership of the property changed between when the loan was applied for and executed. The City then partnered with the Port of Kennewick to explore the idea of locating the proposed facility on the Port's raceway property. Eventually a privately owned piece of property was identified and secured for the facility that increased the facilities service area from approximately 400 acres to more than 500 acres. Overall the acquisition of property has delayed the project for the last 2 ½ years. The type of treatment has changed from an aerated lagoon with an evaporation pond to packaged treatment system.

In January 2015, City Council authorized the Mayor to execute an engineering services agreement with Wallace Group to complete the engineering design, treatment system equipment solicitation and procurement, and construction administration.

SUMMARY:

On May 24, 2015, the City solicited bids for the procurement of a packaged Sequencing Batch Reactor (SBR) treatment system and a packaged Membrane Bioreactor (MBR) treatment system. The different between an SBR and an MBR treatment system is that effluent water from an MBR treatment system is able to be re-used (i.e. irrigation water).

The bid opening for the MBR and SBR treatment systems was on June 16, 2015. The City received one bid for the MBR and one bid for the SBR treatment system. The bid for the MBR treatment system was \$1,529,212.91 and the bid for the SBR treatment system was \$1,383,546.61. The City's consultant, Wallace Group, was expecting bids from Cloacina, Lyve and Goble-Sampson, but only Cloacina submitted a sealed bid. Follow-up discussions Wallace Group had with the other manufactures, it was evident to the other manufactures that Cloacina treatment system was the best fit for West Richland facility and from previous experience on similar projects the other manufactures knew they could not compete with Cloacina in price.

RECOMMENDATION:

Staff and the Utility Committee recommend that Council authorize the purchase of the Cloacina MBR treatment system in an amount not to exceed \$1,529,212.91.

And

Staff and the Utility Committee recommend that Council reject all bids for the SBR treatment system.

ALTERNATIVES:

As amended by Council.

FISCAL IMPACT (Indicate amount, fund and impact on budget):

Up to \$1,529,212.91 from the 442 Sewer Fund – capital line item I-Plant. A future budget amendment in the amount of \$360,000 from the 442 Sewer Fund will be needed (increase total project cost from \$2,400,000 to \$2,760,000). The projects intent to collect, treat, and dispose of industrial process water from wineries has not changed, but the project's scope has dramatically changed as follows: 1) Purchase of 1 acre of land vs. donation of 20 acres, 2) MBR treatment system vs. lined aerated lagoon and evaporation pond, 3) building to house MBR treatment system vs. no building for lagoon or evaporation pond and 4) inflation costs over the last 4-5 years.

MOTION:

I move to authorize the purchase of a Cloacina Membrane Bioreactor (MBR) treatment system in the not to exceed amount of \$1,529,212.91 for the Industrial Wastewater Treatment Facility Project.

And

I move to reject all bids for Sequence Batch Reactor (SBR) treatment system.

WEST RICHLAND AGENDA ACTION ITEMS

AGENDA ITEM:	6i	TYPE OF ACTION NEEDED			
MEETING DATE:	August 18, 2015	Execute		Consent Agenda	X
SUBJECT:	Confirm Mayor's Appointment to the Economic Development Board	Pass Resolution		Public Hearing	
		Pass Ordinance		1st Discussion	
Prepared by:	J. Richardson for Brent Gerry	Pass Motion	X	2nd Discussion	
Reviewed by:	Brent Gerry	Other		Other	

BACKGROUND INFORMATION:

There are two vacancies on the City's Economic Development Board. Steven Sealock submitted his application for a position on the Board. Community Development Director Aaron Lambert and Planning and Economic Development Manager Nicole Stickney interviewed Mr. Sealock. It is their feeling that he has the qualifications and genuine interest in serving on the Economic Development Board. They recommend his appointment, and Mayor Gerry agrees with their recommendation.

SUMMARY:

Mayor Gerry appoints Steven Sealock to the West Richland Economic Development Board, and requests City Council's confirmation of the appointment.

ALTERNATIVES:

Deny the appointments.

FISCAL IMPACT (Indicate amount, fund, and impact on budget):

None

MOTION:

I move to confirm the Mayor's appointment to the West Richland Economic Development Board.



Boards and Commissions Application

Community Development Department
3801 W Van Giesen St, West Richland, WA 99353
509-967-5902 Fax 509-967-2419 Inspection Line 967-3518

Please complete all information, include a cover letter and resume with completed application.
Attach additional pages if necessary.

Position/Appointment: (refer to WRMC for requirements)			
<input type="checkbox"/>	Board of Adjustments – WRMC 17.63	<input type="checkbox"/>	Park Board – WRMC 2.12
<input checked="" type="checkbox"/>	Economic Development Board – WRMC 2.14	<input type="checkbox"/>	Planning Commission – WRMC 2.20

Personal Information

Name: Steven Sealock Years lived in West Richland: 0

Address: _____

Home Phone: _____ Business Phone: _____ Cell Phone: _____

Email: _____

Occupational Status and Background

Wine maker & winery manager at Pacific Rim Winemakers / Vinmotion for the past eight years.

Organizational Affiliations

Related Experience

Seventeen years in WA wine industry.

Reason for Seeking Appointment

I want to see and support business development in West Richland.

As an applicant for the above position for the City of West Richland, I hereby waive my right to privacy with respect to the information contained in my application and any supporting documents available for public inspection, including inspection by members of the press and media.

Signature: *Steven Sealock* Date: 6/18/15

WEST RICHLAND AGENDA ACTION ITEMS				
AGENDA ITEM:	Tacib	TYPE OF ACTION NEEDED		
MEETING DATE:	August 18, 2015	Execute Contract		Consent Agenda
SUBJECT:	Resolution regarding annexation of the former Raceway property and Benton REA substation, referring the file to Benton County for a Notice of Intention filing	Pass Resolution	X	Public Hearing
		Pass Ordinance		1st Discussion
Prepared by:	Nicole Stickney	Pass Motion	X	2nd Discussion
Reviewed by:	Aaron Lambert and Brent Gerry	Other		Other

ATTACHMENTS AND EXHIBITS:

Exhibits: (1) Vicinity Map; (2) Aerial Photo; (3) Land Use Map; (4) Petition (5) Benton County Assessor Determination of Sufficiency; (6) Resolution

ANNEXATION REQUESTS AND AREA-WIDE ZONING MAP AMENDMENTS ARE LEGISLATIVE (POLICY) DECISIONS (TYPE VII PER WRMC TITLE 14).

SUPPORTING POLICIES AND STATE LAW:

- *Comprehensive Plan- Land Use Element*
 - *GOAL 3, Policy 1: Focus growth into areas that have or will have adequate capital facilities within a reasonable time period to absorb the development.*
 - *GOAL 3, Policy 4: Encourage the use of previously passed-over parcels within areas characterized by urban growth.*
- *Comprehensive Plan – Economic Development Element*
 - *GOAL 1: Promote commercial and industrial development that creates economic diversification in a sustainable economy.*
 - *GOAL 1, Policy 1: Support the efforts of local, regional, and state economic development organizations in their promotional activities to attract new businesses and industries to the community.*
 - *GOAL 1, Policy 2: Encourage commercial and industrial development that diversifies and strengthens the local and regional economy, and is compatible with surrounding land uses.*
- *Strategic Focus Areas*
 - *SFA 1 – Community Economic Vitality, Competitiveness & Diversity*
 - *SFA 1, Goal 1 – Leverage resources through partnerships with public and private entities*
 - *SFA 1, G1, O2 – Continue to identify grant opportunities and partnerships to*

- enhance community development*
 - *SFA 1, G1, O3 – Support Port of Kennewick and City interlocal agreements and work towards achieving project goals*
- *State Law*
 - *Petition Method for Annexation: RCW 35A.14.120*
 - *Boundary Review Board: RCW 36.93*
 - *Notification Requirements: 35A.14.130*
- *West Richland Municipal Code*
 - *Annexation Requests – Review Criteria: WRMC 17.60.30*
 - *Rezoning – Review Criteria: WRMC 17.60.20*

GEOGRAPHICAL BOUNDARIES:

The pending annexation request includes two parcels, for a total of approximately 94 acres:

- The Port of Kennewick-owned property, known as the former Tri-City Raceway, at 47615 E SR 224, Benton City, WA 99320 (Tax Parcel # 1-1197-101-2751-002) which has an assessed value of \$1,816,000.
- The Benton REA substation property, which is addressed 7905 W Van Giesen, West Richland, WA (Tax Parcel # 1-1197-101-2751-001) which has an assessed value of \$57,940.



Oblique view from Google Earth

BACKGROUND INFORMATION:

The Community Development Department received a written request for annexation and zoning from the Port of Kennewick for their property. The annexation is being considered

under the petition method of RCW 35A.14.120 (and is not subject to referendum).

At their regular meeting of March 17, 2015, the City Council took action authorizing the Port of Kennewick to circulate a petition. At that meeting, the City Council also determined to accept the boundaries of the proposed annexation (they did not make any geographical modifications) and verified that the annexation will require simultaneous adoption of zoning and an assumption of City indebtedness.

Next, the Port of Kennewick proceeded to circulate a petition to the affected property owners (*in this case, there are only two affected property owners – the Port of Kennewick and Benton REA*). The Benton County Assessor certified the petition on May 15, 2015, and determined that the signatures on the petition were sufficient, as 100% of the valuation was (per assessed value) was included in the petition.

Now that the city is in receipt of a certified petition, the city can initiate formal action to prepare to annex the land and establish zoning for the property, via resolution by City Council. Public hearings are a part of this process.

Planning Commission Public Hearing, Review and Recommendation

On June 25, 2015, the Planning Commission held a duly-noticed public hearing to consider the annexation request. One person provided testimony at the hearing, Mr. Larry Peterson from the Port of Kennewick. The Port is in favor of the annexation. The Planning Commission unanimously voted to pass the following motion: *“I move that the Planning Commission recommend approval of file No. AD 2015-10, to annex two parcels within the City’s urban growth area into the city, and to establish a CLI zoning classification. This recommendation is based upon the findings and conclusion contained within the staff report.”*

The Planning Commission members present included Enif Michael, Eileen Webb, Fred Wattenburger, Eric Smith, and Frederick Brink. Chair Nancy Aldrich was not present.

Future Steps- Potential Review by the Benton County Boundary Review Board:

The annexation and zoning classification of the property will not take final effect until the City Council passes an ordinance. However, the city can’t pass an ordinance until the resolution is sent to Benton County and an official Notice of Intention is filed. After the Notice of Intention is filed, the action is subject to an agency review period of 45 days. If a party requests review, the proposed annexation will be referred to the County’s Boundary Review Board for a public hearing and decision (per RCW 36.93). If no one requests review, then the city may proceed with the ordinance.

SITE AND LEGAL INFORMATION:

Inclusion in Urban Growth Area:

The two subject properties were recently added into the City of West Richland’s urban growth area, per action taken by the Benton County Commission in September 2014.

Geographical extent of annexation:

The existing city limits run along the northwest and east lines of the subject properties. To the south is the boundary of the urban growth area.

Zoning:

The property is within the City of West Richland's Urban Growth Area and has a comprehensive plan designation of Commercial per *Benton County Ordinance 2014-732*. The property owner has requested Commercial-Light Industrial (CLI) zoning, which was indicated as the pre-zoning designation in the Benton County Ordinance.

Assumption of City Indebtedness:

The City Council determined that, upon annexation, a proportional amount of city indebtedness will be assigned to the annexed property, as the land will be part of the City and receive the benefits thereof.

PUBLIC NOTICE AND SEPA:

The following actions were taken on June 2, 2015:

- In accordance with WRMC 14.03.030(B)(4) Notice of the June 25, 2015 hearing before the Planning Commission and notice of the August 18, 2015 hearing before the City Council was posted on the City website and at the three (3) official posting locations, and sent to the news media.
- In accordance with RCW 35A.14.130, Notice of the August 18, 2015 hearing before City Council was published in the "Legals" section of the Tri-City Herald on July 30, 2015.

The City of West Richland issued a SEPA Threshold Determination of Non-Significance on June 2, 2015. The SEPA Ecology register number was 201502731; the end of the 15-day comment period was June 17, 2015. No comments regarding the SEPA Threshold Determination of Non-Significance were received.

STAFF ANALYSIS:

This procedure is subject to the **legislative decision making process**. The review criteria for annexation requests are included in WRMC 17.60.030 and the review criteria for rezoning (or in this case, establishing zoning within the City of West Richland) are covered in WRMC 17.60.020.

The criteria are listed below, with a staff comment for each individual criterion.

Annexation requests – Review criteria

A. The land use recommendations of the comprehensive plan.

The annexation request meets the following goals in the City's comprehensive plan – land use element: (1) Goal 3, Policy 1: Focus growth into areas that have or will have adequate capital facilities within a reasonable time period to absorb the development and (2) Goal 3, Policy 4: Encourage the use of previously passed-over parcels within areas characterized by urban growth.

B. The unique characteristics of the land or special circumstances of the owner(s).

The former raceway property has several significant unique circumstances.

First, the site was previously developed under Benton County Industrial Zoning as a recreation facility. When racing was performed, the surrounding areas had noise and other negative impacts.

Today, the site has tremendous potential for redevelopment. The site is relatively flat, has access to irrigation water, is adjacent to a state highway, and has utilities nearby. All these factors help keep development costs reasonable and reduce the negative effects of sprawl.

In addition, the Port will not be able to redevelop this former industrial site with the same level of benefits and positive outcomes if the property is not included in the city. High levels of nitrates in the well water on-site renders the water non-potable and the city cannot provide sewer and water services to the site unless it is annexed.

The Port of Kennewick aims to take a non-productive, former industrial site and transform the site into a wine village. The physical positioning of this proposed redevelopment is ideal, as first and foremost this project will provide direct benefits to wine production on the nearby Red Mountain AVA. Benton County led a regional planning effort to protect and preserve that land, recognizing the vital importance of locating urban-scale activity and services outside the AVA.

Finally, the fact that all the land is currently publicly owned is a special circumstance. There is a unique opportunity for the city to partner with the Port of Kennewick in efforts to foster economic development.

C. The suitability of the owner's wishes insofar as they are compatible with the orderly development and welfare of the city.

The annexation request is compatible with orderly development and welfare of the city, as the city would like to have more Commercial-Light Industrial development within the city, and there is a potential to increase the number of local jobs, add to the local tax base, and produce sales tax revenues.

Furthermore, this property is very close to the Red Mountain AVA, a premier wine-growing region with exceptional characteristics, global acclaim & industry recognition. An analysis by the Port of Kennewick demonstrated the job creation opportunities of site redevelopment.

D. The establishment of transportation and utility access into, as well as through,

the annexed parcel to provide for orderly traffic flow and access to adjacent parcels.
An efficient transportation system serves the site with efficient Level of Service (LOS) ratings; a state highway runs by it and Interstate I-82 connections are nearby. Furthermore, the city's Capital Facilities Plan (CFP) for the UGA expansion demonstrates how to accommodate site development with improvements to maintain LOS, and shows how to finance those improvements.

Next, extension of water and sewer lines will be minimal; existing city systems are in very close proximity.

E. The practicality of the proposed zones with respect to present zones and to present and future utilities and service requirements.

The proposed feasibility for redevelopment has been studied, and a full capital facilities plan (CFP) was written to provide a sound plan, with financing strategy in place, for the extension of utilities.

It is important to note that annexation into the city itself does not trigger the need to connect to city services. However, any future development is expected to produce the need.

F. The social and direct costs of the proposed zones affecting owners, developers, buyers, and citizens of West Richland.

Increased traffic, noise, and carbon emissions could result during construction and as a result of the new development.

G. The impact of the annexed parcel and recommended zones on the environment and public safety.

The environmental impacts may include carbon emissions, noise and land disturbance, once development occurs. The annexation and zoning, in itself, would not impact public safety, except to broaden the area that the West Richland police force is responsible for.

H. Provisions for a balance in the variety of land use patterns and population densities to ensure that growth is in the direction of balancing the residential economic levels and living styles of the present and future city.

The annexation will help satisfy a long-term goal of the city of West Richland to foster economic development opportunities within the city and bolster future opportunities for economic vitality and diversification.

I. The suitability of the present zoning, if zoned in Benton County, with respect to the comprehensive plan intent.

This criterion does not apply, as the zoning is proposed to be changed from an industrial designation in Benton County, to the City of West Richland's CLI zoning. The current zoning is technically incompatible with the city's Land Use map.

Rezoning request – Criteria

A. The unique characteristics, if any, of the property or circumstances of the owner.

This does not apply, since this process is to establish zoning within the city limits, and not changing from one zone to another.

B. Any hardship that may result in the event the rezone is not granted.

This does not apply, since this process is to establish zoning within the city limits, and not changing from one zone to another.

C. The manner in which the proposed rezone conforms to patterns in adjacent zones.

The proposed zoning of CLI conforms to patterns in adjacent zones, as the surrounding properties to the north and east are zoned CLI.

D. Any beneficial or adverse effects the granting or denial of the rezone would have on adjacent or surrounding zones.

The beneficial effects that the zoning could provide include opportunity for redevelopment and establishment of more businesses in the city, the creation of a commercial zone for a myriad of opportunities.

E. Any beneficial or adverse effects the granting or denial of the rezone would have in relation to the overall purpose and intent of the comprehensive plan and this title.

The establishment of CLI zoning would be consistent with the comprehensive plan designation (land use map) of the property, which is “Commercial.” The CLI zone is allowed where the land use map indicates a “commercial” classification.

F. The benefits or detriments accruing to the city which would result from the granting or denial of this special permit.

This does not apply, since this process is to establish zoning within the city limits, and not changing from one zone to another.

G. Whether the proposed rezone represents a better use of the land from the standpoint of the comprehensive plan than the original zone.

The establishment of CLI zoning would be consistent with the comprehensive plan designation (land use map) of the property, which is “Commercial.” The CLI zone is allowed where the land use map indicates a “commercial” classification.

H. Whether the proposed rezone represents spot zoning and whether a larger area should be considered.

The proposed zoning of CLI conforms to patterns in adjacent zones, as the surrounding properties to the north and east are zoned CLI. This is not spot zoning.

I. Impacts on the environment and public safety.

The environmental impacts may include carbon emissions, noise and land disturbance, once

development occurs. The annexation and zoning, in itself, would not impact public safety, except to broaden the area that the West Richland police force is responsible for.

Additional Discussion

In addition to the criteria and discussion above, the following analysis is provided, to address the criteria that may be considered by the Benton County boundary review board, if the annexation is referred to the board for review (per RCW 36.93):

Preservation of natural neighborhoods and communities.

The proposed annexation does not “interrupt” or threaten the composition of current neighborhoods.

Use of physical boundaries, including but not limited to bodies of water, highways, and land contours.

Highway 224 will border the city’s incorporation limits on the northwest side of the property.

Creation and preservation of logical service areas.

The annexation will not impact school district or school assignment boundaries, or school bus transportation routes. Furthermore, there is no impact to the Fire District Boundaries, Irrigation District, Electrical Service Provider (Benton REA), Soil Conservation District, Weed Control, etc. The police protection for the property would transfer to the auspices of the West Richland Police, from the Benton County Sheriff’s office.

Prevention of abnormally irregular boundaries.

This proposal prevents abnormally irregular boundaries.

Discouragement of multiple incorporations of small cities and encouragement of incorporation of cities in excess of ten thousand population in heavily populated urban areas.

Not applicable.

Dissolution of inactive special purpose districts.

Not applicable.

Adjustment of impractical boundaries.

Not applicable.

Incorporation as cities or towns or annexation to cities or towns of unincorporated areas which are urban in character.

Not applicable.

Protection of agricultural and rural lands which are designated for long term productive agricultural and resource use by a comprehensive plan adopted by the

county legislative authority.

There is no impact to lands designated as "GMA-AG" in Benton County.

FINDINGS:

1. The Port of Kennewick and Benton REA have petitioned to annex properties within the City's UGA into the City of West Richland and have requested CLI zoning.
2. The petition was certified by the Benton County Assessor's Office on May 15, 2015.
3. The Port of Kennewick-owned property, known as the former Tri-City Raceway, at 47615 E SR 224, Benton City, WA 99320 (Tax Parcel # 1-1197-101-2751-002) has an assessed value of \$1,816,000.
4. The Benton REA substation property, which is addressed 7905 W Van Giesen, West Richland, WA (Tax Parcel # 1-1197-101-2751-001) has an assessed value of \$57,940.
5. Annexations and area-wide zoning map amendments are subject to the legislative review process.
6. The annexation complies with the review criteria as identified in WRMC 17.60.030, as described in the staff report analysis.
7. The CLI zoning complies with the review criteria as identified in WRMC 17.60.020, as described in the staff report analysis.
8. The subject properties are designated as "Commercial" on the city's Land Use Map, per the comprehensive plan, and the CLI zoning is one of the zoning classifications that are consistent with "Commercial" on the Land Use Map.
9. The City of West Richland issued a SEPA Threshold Determination of Non-Significance on June 2, 2015. The end of the 15-day comment period was June 17, 2015. No comments regarding the SEPA DNS were received.
10. All public notification requirements were met as per WRMC requirements. Notices of Application and scheduled public hearings were posted at the three (3) official posting places and on the City's website on June 2, 2015, and the news media was notified.
11. Pursuant to WRMC Title 14 and Chapter 17.60, the Planning Commission held an open record public hearing to consider the annexation and proposed zoning on June 25, 2015. One person provided testimony at the hearing, Mr. Larry Peterson from the Port of Kennewick. The Port is in favor of the annexation.
12. At their meeting on June 25, 2015, the City of West Richland Planning Commission voted unanimously in favor of recommending the annexation and zoning classification CLI for

adoption by City Council.

13. Pursuant to RCW 35A.14.130, legal notice of the August 18, 2015 City Council public hearing was published in the Tri-City Herald.

SUMMARY AND CONCLUSION(S):

The City Council is to hold a closed-record public hearing to consider the record on the annexation request, and to also consider a Commercial-Light Industrial (CLI) zoning designation. Action taken by council may include adoption of a resolution. This action is subject to the legislative decision-making process and notice requirements.

RECOMMENDATION(S):

Staff recommends that the City Council approve annexation and establish CLI zoning via a resolution.

ALTERNATIVES:

- Do not approve the annexation.
- Approve the annexation with a different zoning designation.

FISCAL IMPACT (Indicate amount, fund and impact on budget):

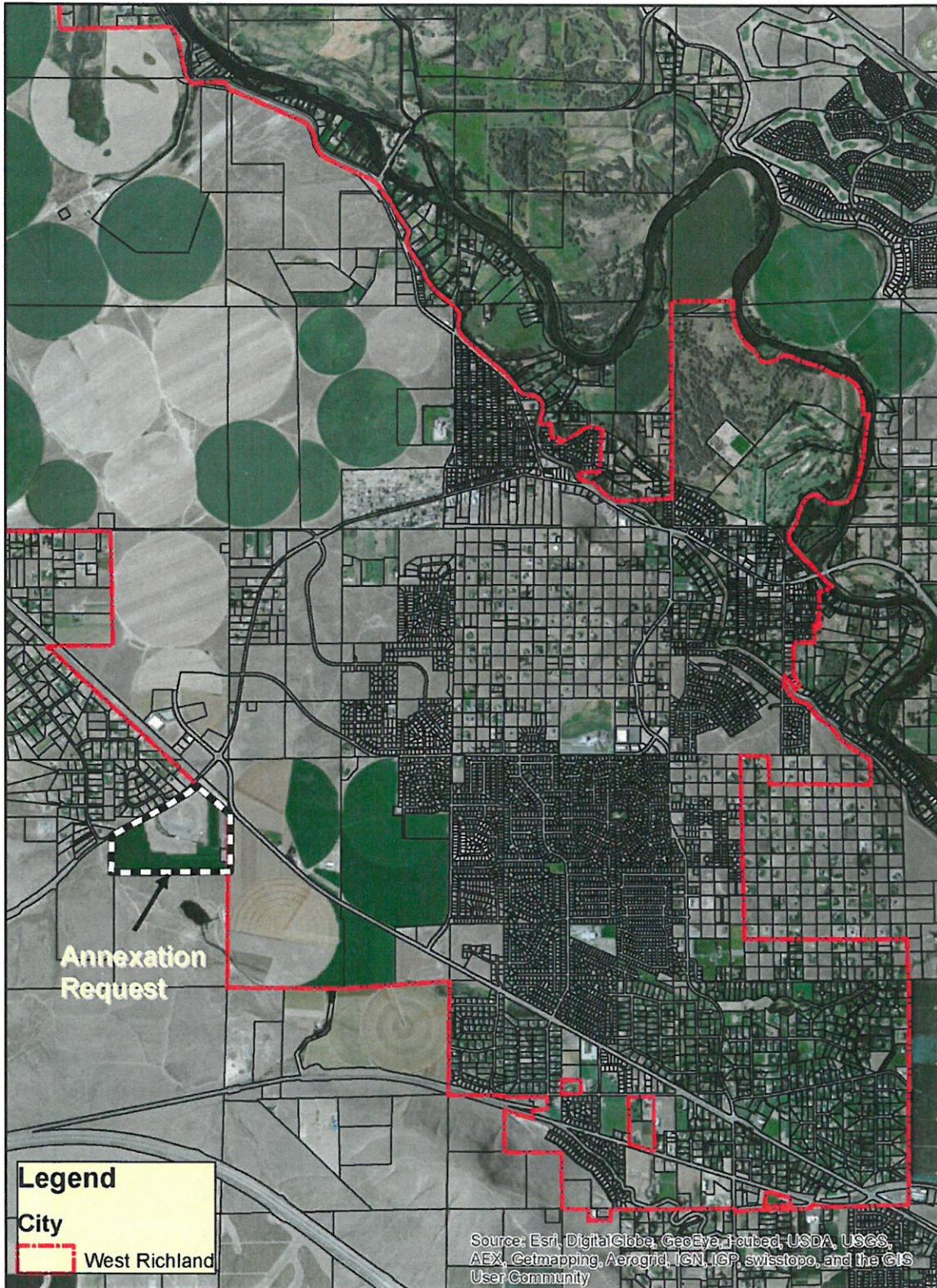
The fiscal impacts to the city to process this file are the costs associated with public notices, hearings, etc. as necessary to process annexation and rezone. These costs will be borne by the city's General Fund for the Community Development Department.

Later, there may be positive fiscal impacts to the City of West Richland as a result of development which may occur on the site, following annexation, to include property tax revenue (i.e. if land is sold to private parties) and sales tax revenue.

PROPOSED MOTION:

I move adoption of Resolution _____-15 , to annex two parcels within the City's urban growth area into the city, and to establish a CLI zoning classification.

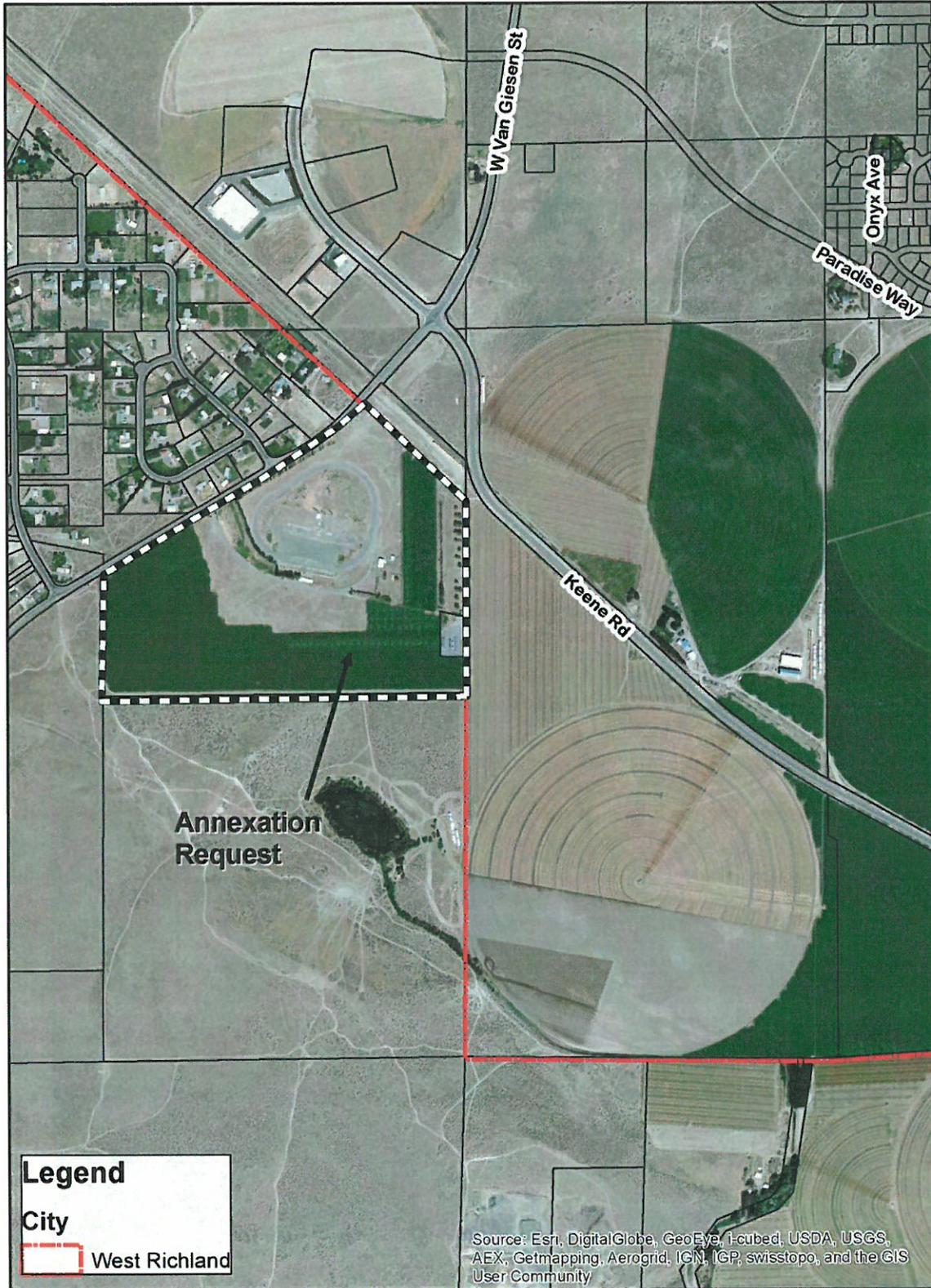
AN2015-10 Exhibit 1: Vicinity Map



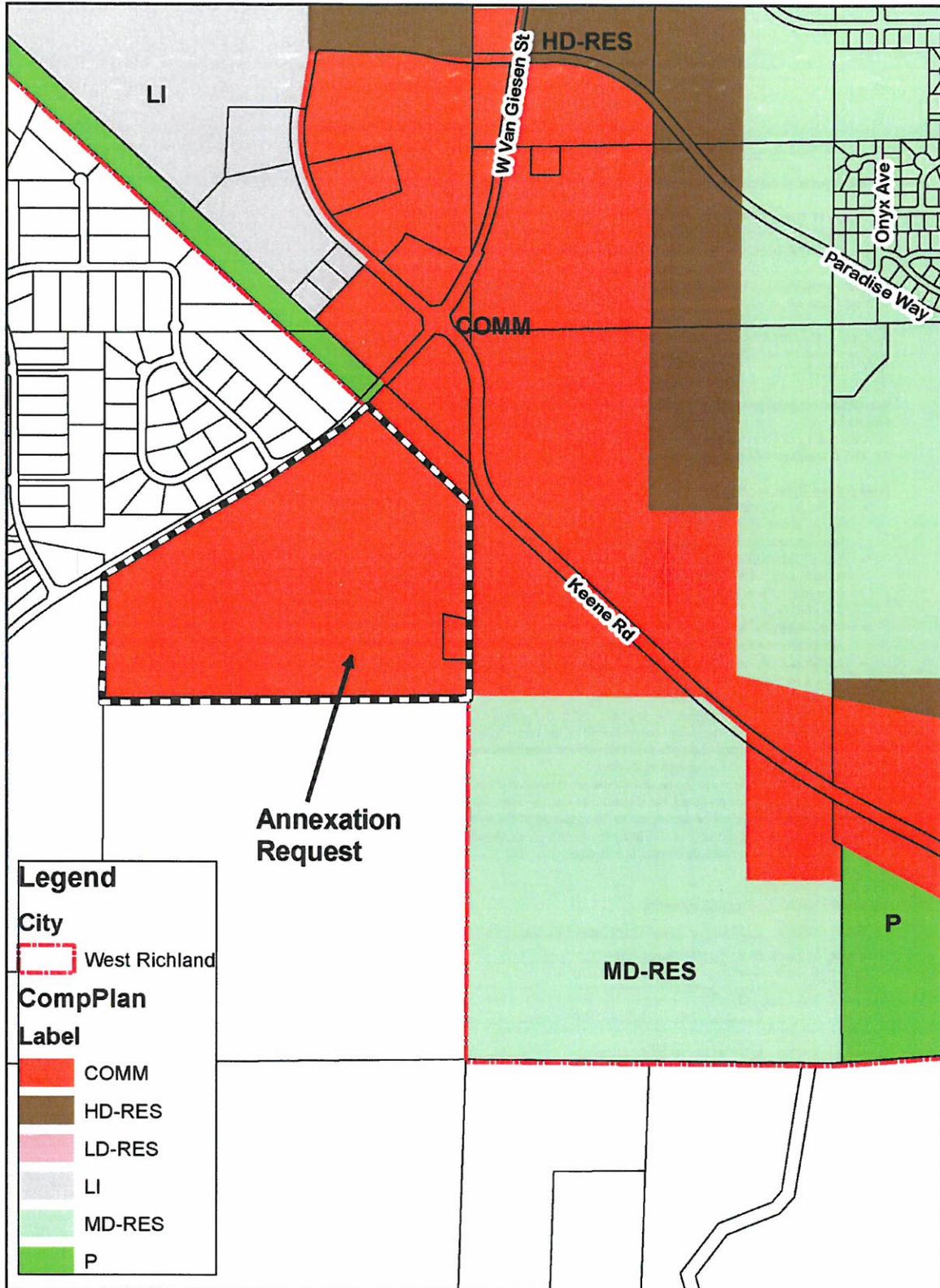
0 0.25 0.5 1 Miles



AN2015-10 Exhibit 2: Aerial Photo



AN2015-10 Exhibit 3: Land Use Map



AN 2015-10 Exhibit 4:

PETITION FOR ANNEXATION
TO THE
CITY OF WEST RICHLAND

We, the owners of the property within the area legally described as follows:

Section 11 Township 9 Range 27 Quarter NE; SHORT PLAT #2751 LOT 2,
9/23/2003, AF#03-046136. RECORDED IN VOLUME 1 OF SHORT PLATS AT PAGE 2751,
RECORDS OF BENTON COUNTY, WASHINGTON.

do hereby petition the City Council of West Richland for annexation of said property to the City
of West Richland, in accordance with RCW 35A.14.120- Direct Petition Method.

Pursuant to the City Council's motion of **March 17, 2015**, this petition is to be circulated to all
property owners within the area legally described above and depicted on the attached map (AN
2015-10 Exhibit 1).

We, the undersigned property owners further provide that upon annexation the property may be
subject to:

- 1) City zoning of CLI (Commercial – Light Industrial); and,
- 2) The assumption of a proportional amount of City indebtedness.

Instructions/Rules for Signing:

- If you are agreeable to annex your property into the City of West Richland, as described above, please Print and Sign your name in the space provided below, as you would on legal documents. When signing, use an ink pen (blue or black ink preferred).
- The signature of a record owner, as determined by the records of the county auditor shall be sufficient, without the signature of his or her spouse. (Note: This language is from state law. If you do have a spouse, we encourage you to let them know you are signing this petition.)
- In the case of mortgaged property, the signature of the mortgager shall be sufficient, without the signature of his or her spouse.
- In the case of property purchased on contract, the signature of the contract purchaser, as shown by the records of the county auditor, shall be deemed sufficient, without the signature of his or her spouse.
- Any officer of a corporation owning land within the area involved who is duly authorized to execute deeds or encumbrances on behalf of the corporation, may sign on behalf of such corporation, and shall attach to this petition a certified excerpt from the bylaws of such corporation showing such authority.
- When property stands in the name of a deceased person or any person for whom a guardian has been appointed, the signature of the executor, administrator, or guardian, as the case may be, shall be equivalent to the signature of the owner of the property.
- When a parcel of property is owned by multiple owners, the signature of an owner designated by the multiple owners is sufficient.

1) Printed Name: Port of Kennewick

Street Address: 350 Clover Island Drive Suite 200, Kennewick, WA 99336

Owner of Parcel #(s): 1-1197-101-2751-002

Signature: [Handwritten Signature]

Title: Executive Director

Date Signed: 03-26-2015

FOR OFFICE USE	
Date Received: _____	Date Submitted to Assessor: _____
Reviewed By: _____	Date Certificate of Sufficiency Received: _____

**PETITION FOR ANNEXATION
TO THE
CITY OF WEST RICHLAND**

We, the owners of the property within the area legally described as follows:

Section 11 Township 9 Range 27 Quarter NE; SHORT PLAT #2751 LOT 1,
9/23/2003, AF#03-046136. RECORDED IN VOLUME 1 OF SHORT PLATS AT PAGE 2751,
RECORDS OF BENTON COUNTY, WASHINGTON.

do hereby petition the City Council of West Richland for annexation of said property to the City of West Richland, in accordance with RCW 35A.14.120- Direct Petition Method.

Pursuant to the City Council's motion of **March 17, 2015**, this petition is to be circulated to all property owners within the area legally described above and depicted on the attached map (AN 2015-10 Exhibit 1).

We, the undersigned property owners further provide that upon annexation the property may be subject to:

- 1) City zoning of CLI (Commercial - Light Industrial); and,
- 2) The assumption of a proportional amount of City indebtedness.

Instructions/Rules for Signing:

- If you are agreeable to annex your property into the City of West Richland, as described above, please Print and Sign your name in the space provided below, as you would on legal documents. When signing, use an ink pen (blue or black ink preferred).
- The signature of a record owner, as determined by the records of the county auditor shall be sufficient, without the signature of his or her spouse. (Note: This language is from state law. If you do have a spouse, we encourage you to let them know you are signing this petition.)
- In the case of mortgaged property, the signature of the mortgager shall be sufficient, without the signature of his or her spouse.
- In the case of property purchased on contract, the signature of the contract purchaser, as shown by the records of the county auditor, shall be deemed sufficient, without the signature of his or her spouse.
- Any officer of a corporation owning land within the area involved who is duly authorized to execute deeds or encumbrances on behalf of the corporation, may sign on behalf of such corporation, and shall attach to this petition a certified excerpt from the bylaws of such corporation showing such authority.
- When property stands in the name of a deceased person or any person for whom a guardian has been appointed, the signature of the executor, administrator, or guardian, as the case may be, shall be equivalent to the signature of the owner of the property.
- When a parcel of property is owned by multiple owners, the signature of an owner designated by the multiple owners is sufficient.

1) Printed Name: Benton Rural Electric Association
Street Address: P. O. Box 1150, Prosser, WA 99350
Owner of Parcel #(s): 1-1197-101-2751-001
Signature: X Michael Ferguson X
Title: President
Date Signed: 4/29/15

FOR OFFICE USE	
Date Received: _____	Date Submitted to Assessor: _____
Reviewed By: _____	Date Certificate of Sufficiency Received: _____

Office of the Assessor

Benton County, Washington

Bill Spencer, Assessor
Patty Yahne, Chief Deputy
Adam Morasch, Chief Appraiser

Prosser Office (509) 786-2046
Prosser from Tri Cities (509) 736-3088
Kennewick Office (509) 735-2394
Prosser Fax (509) 786-5657

May 18, 2015

Determination of Sufficiency

City of West Richland Annexation -- AN 2015-10

I, Bill Spencer, Benton County Assessor, do hereby certify that the petition for annexation provided by the City of West Richland for the unincorporated lands located and described in attached Exhibit A is sufficient as far as the percentage of valuation required for the annexation as required by RCW 35A.14.120.

This petition was received in my office May 11, 2015 and this determination was commenced on May 15, 2015.

The specific determination is as follows:

Value	Signatures	Percentage
\$ 1,873,940	\$ 1,873,940	100%

Attest:



Bill Spencer
Benton County Assessor

cc: Benton County Commissioners

Exhibit A

**Legal Description for Annexation
City of West Richland – An 2015-10**

Section 11 Township 9 Range 27 Quarter NE; SHORT PLAT #2751 LOT 1, 9/23/2003, AF#03-046136.
RECORDED IN VOLUME 1 OF SHORT PLATS AT PAGE 2751, RECORDS OF BENTON COUNTY,
WASHINGTON.

and

Section 11 Township 9 Range 27 Quarter NE; SHORT PLAT #2751 LOT 2, 9/23/2003, AF#03-046136.
RECORDED IN VOLUME 1 OF SHORT PLATS AT PAGE 2751, RECORDS OF BENTON COUNTY,
WASHINGTON.

This description includes the following County Parcel Identification Numbers:

Parcel Number	Ownership	Assessed Value
1-1197-101-2751-001	Benton Rural Electric Association	57,940
1-1197-101-2751-002	Port of Kennewick	1,816,000

Note: Assessor counts shaded parcels toward sufficiency.

**CITY OF WEST RICHLAND
RESOLUTION NO ____-15**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON, REGARDING A REQUEST FOR ANNEXATION OF APPROXIMATELY 94 ACRES AND REFERRAL TO BENTON COUNTY FOR NOTICE OF INTENTION TO BE FILED.

WHEREAS, the Port of Kennewick and Benton REA have petitioned to annex properties within the City's UGA into the City of West Richland and have requested CLI zoning; and

WHEREAS, the petition was certified by the Benton County Assessor's Office on May 15, 2015; and

WHEREAS, the Port of Kennewick-owned property, known as the former Tri-City Raceway, at 47615 E SR 224, Benton City, WA 99320 (Tax Parcel # 1-1197-101-2751-002) has an assessed value of \$1,816,000; and

WHEREAS, the Benton REA substation property, which is addressed 7905 W Van Giesen, West Richland, WA (Tax Parcel # 1-1197-101-2751-001) has an assessed value of \$57,940; and

WHEREAS, annexations and area-wide zoning map amendments are subject to the legislative review process; and

WHEREAS, the annexation complies with the review criteria as identified in WRMC 17.60.030, as described in the staff report analysis; and

WHEREAS, the CLI zoning complies with the review criteria as identified in WRMC 17.60.020, as described in the staff report analysis; and

WHEREAS, the subject properties are designated as "Commercial" on the city's Land Use Map, per the comprehensive plan, and the CLI zoning is one of the zoning classifications that are consistent with "Commercial" on the Land Use Map; and

WHEREAS, the City of West Richland issued a SEPA Threshold Determination of Non-Significance on June 2, 2015 and the end of the 15-day comment period was June 17, 2015 and no comments regarding the SEPA DNS were received; and

WHEREAS, all public notification requirements were met as per WRMC requirements. Notices of Application and scheduled public hearings were posted at the three (3) official posting places and on the City's website on June 2, 2015, and the news media was notified; and

WHEREAS, pursuant to WRMC Title 14 and Chapter 17.60, the Planning Commission held an open record public hearing to consider the annexation and proposed zoning on June 25, 2015 and one person provided comment at the hearing, Mr. Larry Peterson from the Port of Kennewick who confirmed that the Port is in favor of the annexation; and

WHEREAS, at their meeting on June 25, 2015, the City of West Richland Planning Commission voted unanimously in favor of recommending the annexation and zoning classification CLI for adoption by City Council; and

WHEREAS, pursuant to RCW 35A.14.130, legal notice of the August 18, 2015 City Council public hearing was published in the Tri-City Herald; and

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON, does hereby resolve as follows:

SECTION 1: The Council directs the Community Development Department to forward the annexation documents to the Benton County Planning Department requesting an official Notice of Intention be filed, and determine if referral to the County's Boundary Review Board for a public hearing and decision will be necessary (per RCW 36.93).

PASSED by the City Council of the City of West Richland, Washington, this 18th day of August, 2015.

Brent Gerry, Mayor

ATTEST:

Julie Richardson, City Clerk

APPROVED AS TO FORM:

Bronson Brown, City Attorney

<u>WEST RICHLAND AGENDA ACTION ITEMS</u>					
AGENDA ITEM:	7c	TYPE OF ACTION NEEDED			
MEETING DATE:	August 18, 2015	<i>Execute Contract</i>		<i>Consent Agenda</i>	
SUBJECT:	RES Amending Park Fees (File AD 2015-13)	<i>Pass Resolution</i>	X	<i>Public Hearing</i>	
		<i>Pass Ordinance</i>		<i>1st Discussion</i>	
Prepared by:	Nicole Stickney & Alison Greene	<i>Pass Motion</i>		<i>2nd Discussion</i>	
Reviewed by:	Mayor Gerry & Aaron Lambert	<i>Other</i>		<i>Other</i>	

ATTACHMENTS AND EXHIBITS:

Attachment 1: Existing Fee Structure (2007)

Resolution: A Resolution of the City of West Richland, Washington, Adopting a Revised Fee Schedule

Exhibit A: Proposed new Fee Schedule

Exhibit B: City of West Richland Policy for Athletic Fields Usage Fees Administration

Exhibit C: Request for Park Contributions in Lieu of Fees Form

SUPPORTING POLICIES AND STATE LAW:

- *SFA 4, Goal 3 – Identify sustainable funding sources to continue park operations and to provide new parks and recreational opportunities*
- *SFA 3, Goal 1 – Conduct city operations using best management practices*
- *City of West Richland Parks and Recreation Master Plan (2012) including the mission statement: “Parks and recreation in West Richland will reflect the diverse interests and needs of residents. The City will creatively foster local and regional partnerships, encourage community engagement, and remain financially responsible.”*

BACKGROUND INFORMATION:

The parks in the City of West Richland are in high demand for public and private use:

1. **Sports and Recreation:** While the City does not current have a formal Parks and Recreation program offering classes or team sports opportunities, there are many organizations that utilize parks in the City to provide recreational benefits and programs. The City is fortunate to have a number of quality organizations and user groups that provide recreational services and programs within the community. Youth and adults alike have a variety of options available to them to play football, softball, baseball and soccer in organized leagues and groups which span many seasons throughout the year, with peak usage throughout spring, summer, and fall.
2. **Community Events:** The parks are also used for several annual events, which are sponsored or co-sponsored by the City. These events include Hogs and Dogs, the summer concert series, an Easter egg hunt, the Harvest Festival, National Night Out, Time of Remembrance, and Carols and Cocoa.
3. **Private events and parties:** In addition, there are many gatherings such as company picnics, birthdays, graduation parties which accommodate small and large groups. Residents of the city

benefit from these opportunities. The support and work of our community is helpful to the overall community development and enjoyment of West Richland.

The West Richland *Parks and Recreation Master Plan* (2012) includes a number of recommendations, including the recommendation to “maintain what we have – including high-quality sport and athletic facilities.”

The Park Board has had numerous discussions about park fees and the desire to keep the parks accessible and available as a community amenity, while also attaining a balance for the reasons cited above.

TIMELINE:

- April 7, 2014: Staff presented a proposed revised fee structure to the Park Board who voiced unanimous support for the changes.
- August 12, 2014: Staff met with Southridge Sports Complex staff to discuss their fee structure
- November 4, 2014: A report was scheduled to go before council, but due to concerns about some key issues, the agenda item was not discussed. Since then, the staff report has been updated to address these concerns.
- January 6, 2015: Staff met with Richland Parks staff to discuss their fee structure
- January 20, 2015: Staff discussed the fee changes at meeting with the City Council’s Parks Subcommittee
- March 3, 2015: City Council adopted policies for park reservations and use (Res. 9-15)
- March 10, 2015: Staff met with Richland Youth Football League representatives to discuss proposed fees
- March 20, 2015: Staff met with Columbia Basin Soccer Association (adult league) to discuss proposed fees
- March 24 and May 20, 2015: Staff held additional meetings with Greater Richland Little League representatives to discuss proposed fees
- June 16, 2015: Staff presented the topic to the City Council Finance Subcommittee
- June 29, 2015: Staff provided an update to the Parks and Recreation Board, who still indicated full support of the proposed fees.

It is important to note that this report addresses individual and group user fees and related policies. This report *does not* address park impact fees or usage of the BRSC Clubhouse.

PARK FEES OVERVIEW:

The last time the park use fees were adjusted was in 2007, with the passage of resolution 14-07. Based on growing demand of our parks, it is time to re-evaluate the fee structure. Some issues that have been identified:

- The amount of staff time spent in coordinating for park reservations, cleaning up after events, and monitoring park usage has substantially increased.
- The City’s current rates for use are far lower than neighboring cities (sports field rates are currently free, or “per contract”).

The outcomes are:

- West Richland Parks are becoming crowded and potentially over used.
- We have also seen people reserve the parks for more days / longer periods of time than they actually use, because they are not paying for it. That prevents other people and groups from using the sports complex and parks.

Furthermore, staff contends:

- User fees will nominally offset general costs and better maintain facilities in the long term. In addition, charging fees will foster more responsible reservations and use, as well as increase park use efficiency.
- A parks point of contact has been established within the Community Development Department, making responsiveness to user groups much quicker and more efficient.
- There should be a balance between the resources expended by the city and the fees paid by users. The fee schedule proposed would cover the costs associated with managing and scheduling park use, and would only recover a small percentage of the operations and maintenance costs, but strives to find a balance between the actual costs and a reasonable user fee. Currently, users experience a deep subsidy, which could be considered an excessive burden on tax-payers.
- Park over-use is an issue. There is a certain “capacity” that the parks can accommodate. When that is exceeded, the result is grassy areas and fields in poor condition, crowded parking lots (which can lead to parking on neighborhoods streets), trash cans overflow, etc.

CONTRACTED PARK USE OF SPORTS FIELDS:

Historically, the City has agreed to extended use agreements via contracts with many of the leagues to include Tri-Cities Youth Soccer Association (TCYSA), Greater Richland Little League (GRL), Richland Youth Football (RYF), and Columbia Basin Soccer Association (CBSA).

The sports contracts were typically three years in term, and granted priority use to the teams. The contracts did not require payment, but made general reference to in-kind donations and physical improvements made to the fields. All the sports contracts have expired.

Sports teams and associations currently pay no fees for athletic fields.

The proposed park fees attached eliminate these contracts, and are based on usage only. At this time, staff proposes to forgo sports contracts but implement a fee-for-use system instead. However, we want to promote a policy where fees may be reduced or discounted in exchange for the donation of tangible assets (i.e. goal post, scoreboard) or for maintenance services rendered by user group volunteers including maintenance and field prep, which benefit multiple user groups and/or casual park visitors. This discount or reduction must be requested ahead of time in writing to the City’s Community Development director. The credit or discount will typically only be given for a period of one year. Capital improvement credits may be considered for multiple year credits. This provision allows for teams that make contributions to park facilities to be given monetary credit for the services and contributions that they make.

PROPOSED POLICY:

Proposed fee schedule: The current fee schedule is shown in **Attachment 1**; The proposed new fees are shown in **Exhibit A** with additional policies related to athletic fields administration described in **Exhibit B**.

Charges have been updated in all categories. For groups utilizing facilities for events, fees have been consolidated for clarification purposes. Previously, there were separate reservation fees, utility fees, and use fees. These are now all incorporated into the facility rental fee. There was also a slight increase in all categories. Fees for events at Bombing Range Sports Complex have also been added, and field use fees for sports groups were increased and clarified. The proposed fees will help assist in managing park use. The new fee structure for the Sports Complex is lower than the fees charged at other similar sites in the Tri-Cities area.

Throughout the Tri-City region, field rental rates vary from \$4.25 to \$18.00 an hour with rates adjusting for use of fields with more or less amenities (i.e. lighted field use is the most expensive) and a sliding scale for resident versus non-resident use. The fee list currently used for sports associations states fees are “waived in lieu of maintenance.” In 2013, the Park Board directed staff to study the field use fee issue. Since that time, Staff has reviewed the schedule at other Sports Complexes and met with Sports Complex managers.

It is important to note that the proposed field usage fees are intentionally *set low* to recognize that the city does not have a formal recreation program and the teams that come to practice, play and compete here are important to the city. The individual organizations that we partner with are providing an important service to the community in providing sports and recreation programs. The rates proposed are designed to provide an equitable balance between supporting local and regional recreational teams and programs, and the operations and maintenance costs to the City.

On a final note, upon adoption of the resolution describing new park user fees, the list will be forwarded to the finance department for inclusion in the official City of West Richland Fee Schedule, for adoption via resolution.

IMMUNITY STATUTE DISCUSSION AND RISK ASSESSMENT

It is important to note that by charging fees, the City may no longer be able to claim immunity under the recreational immunity statute. This statute states that if the city has property that is made available for recreation and we don't charge a fee, we may have immunity from claims for injury that occurs. The city's insurance carrier, WCIA, states:

[For the recreational immunity statute to apply] there are some things that you are required to sign for as well. If you allow groups or leagues to use your fields without charging a fee, we can still argue recreational immunity applies and we might be able to avoid having to pay for the injuries being claimed. However, if you charge a fee, we lose the recreational immunity defense. This defense, even if you don't charge a fee, isn't a guaranteed thing as we have seen judges many times in the past not grant a dismissal based on the recreational immunity statute. I can tell you that most of our members with ball fields do charge a fee for leagues to use them for practice or for tournaments.

They also assert:

As for agreements, we absolutely recommend that the city have an agreement with any group or league that wants to reserve/use your fields. The agreement should include indemnification and hold harmless language, require liability insurance which includes naming the city as an additional insured, require the group to comply with the Zackery Lystedt Law (see attached guideline) and the city should have a Gender Equality policy (see attached guideline). The agreement should also spell out each parties' responsibilities with regards to inspection of the field, chalking the base lines, determining if the field is in good enough condition for the game to be played, etc. Finally, the agreement should either include the city's rules for use of the fields, dugouts, concession, etc. or reference a separate document that spells out the rules.

Staff concludes that with the proper agreements in place relating to indemnification, hold harmless liability insurance, etc., the city's potential liability will be consistent with other cities with WCIA coverage. These issues and policies were passed via resolution by Council on March 3, 2015.

SUMMARY: In order to maintain quality facilities at West Richland parks, address issues related to usage, and improve services, the fee schedule should be updated. The proposed rates and related

administration policies will help cover costs associated with scheduling user groups and administering a park usage program within the city.

RECOMMENDATION: Staff recommends that council hold a public hearing to receive public comment regarding the proposed fee amendments. Based on the analysis and discussion in this report, staff recommends passage of the draft resolution.

ALTERNATIVES:

1. Adjust fees and pass resolution.
2. Do not pass resolution.

FISCAL IMPACT (Indicate amount, fund and impact on budget):

In May 2014 alone, assuming all participants were youth residing within the city of West Richland, approximately \$5,690 would have been collected based on the proposed fee schedule.

Example group: Richland Youth Football League, West Richland Team

Field use for Spring 2014: (140 hours) x (\$5.00/hour/field) = \$700

These fees collected would go into the general fund. It does not appear to be an undue burden on these groups, as all facilities in the area charge user fees.

Note: All fees will be later included in a resolution to amend the master fee schedule.

MOTION: I move to pass Resolution ___-15, Adopting a Revised Park Fee Schedule.

**CITY OF WEST RICHLAND
RESOLUTION NO. ____-15**

**A RESOLUTION OF THE CITY OF WEST RICHLAND, WASHINGTON, ADOPTING A REVISED FEE
SCHEDULE FOR PARK USE**

WHEREAS, the City of West Richland has a parks and trails system with many amenities including facilities and athletic fields; and

WHEREAS, the City provides the opportunity for individuals, groups, sports teams and leagues to reserve use of certain facilities and fields; and

WHEREAS, the City wants to ensure equitable and reasonable use of the facilities and fields;
NOW THEREFORE,

BE IT HEREBY RESOLVED THAT THE CITY COUNCIL OF THE CITY OF WEST RICHLAND adopts a new fee schedule (Exhibit A) for park usage; and,

BE IT HEREBY FURTHER RESOLVED THAT THE CITY COUNCIL OF THE CITY OF WEST RICHLAND adopts a policy for Athletic Fields Usage Fees Administration (Exhibit B);

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON, this ____ Day of _____ 2015.

Brent Gerry, Mayor

ATTEST:

Julie Richardson, City Clerk

APPROVED AS TO FORM:

Bronson Brown, City Attorney

EXHIBIT A: Proposed new fee schedule

Park Use Fees/Deposits – Circle all that apply		Resident	Non-Resident	Large Event (100-500) Res/Non-Res same	Large Event (500+) Res/Non-Res same
Deposits (Refundable)	Flat Top Kitchen – Key Deposit	\$75.00	\$75.00	\$75.00	\$75.00
	Large Event - Damage Deposit	N/A	N/A	\$130	\$130

Use Fees Choose 1	Period of use: (Less than 5 hours = 1/2 day; 5+ Hours = 1 Day)	1/2 day		1 day		1/2 day		1 day	
		Upper / Lower Lawn only	\$20	\$25	\$40	\$45	\$75	\$85	\$140
Flat Top Pavilion (incls upper field)		\$35	\$50	\$55	\$70	\$105	\$135	\$160	\$208
Flat Top Kitchen (incls Pavilion & Lawn)		\$50	\$76	\$70	\$96	\$125	\$173	\$200	\$272
Bombing Range Sports Complex Event		N/A		N/A		\$200	\$300	\$300	\$500

Staff Fees – for cleaning, repairs etc.	\$65.00 per hour	\$65.00 per hour	\$65.00 per hour	\$65.00 per hour
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Sports Field Use Fees	Youth – Resident	Youth – Non-Resident	Adult – Resident	Adult – Non-Resident
Bombing Range Sports Complex and Flat Top Fields (per field, per hour)	\$5.00	\$6.00	\$6.00	\$7.00

Total Fees Due	
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EXHIBIT B:

**CITY OF WEST RICHLAND POLICY
FOR
ATHLETIC FIELDS USAGE FEES ADMINISTRATION**

PURPOSE

1. Establish fees for use of the athletic fields.

The City of West Richland has athletic fields that are available for reservation to a wide range of users. In order to be consistent in granting use of these fields, and specifying deposit and fee schedules while establishing administrative rules, the following policy applies.

1. FEES:

1.1 Prior to receiving final approval for a reservation, full payment must be made for approved field use for all users, unless other payment arrangements are approved by the Community Development Director. Fees are to be paid to the City of West Richland.

1.2 A \$50.00 administrative fee will be applied to approved Block Time User applications for any extensive block time application revision requests. Extensive revisions are those that take more than 15 minutes to adjust.

1.3 If it is necessary for the City to repair damages or clean the premises (i.e. field, dugouts, bleachers, or concessions stand during the users rental), the customer will incur the maintenance/repair costs at \$65.00 an hour with a one-hour minimum.

1.4 For large events/tournaments the City may be able to provide staffing and/or equipment. Any additional equipment, materials or staffing requested by applicant, and provided by the City, shall be at the expense of the applicant.

2. FEE SCHEDULE:

Sports Field Use Fees		Youth – Resident	Youth – Non-Resident	Adult – Resident	Adult – Non-Resident
User Fees	Bombing Range Sports Complex and Flat Top Fields (per field, per hour)	\$5.00	\$6.00	\$6.00	\$7.00

**These rates are per field, per hour (not per person).*

**These fees are current as of 2015. See Master Fee Schedule for current fees.*

3. OPPORTUNITY TO REDUCE OR DISCOUNT FEES

3.1 In recognition of donations and valuable athletic programming provided to residents of the City by sports teams and associations, the City establishes a policy to provide an opportunity to offset fees that would be assessed to sports teams and associations.

3.2 The opportunity to propose contributions and/ or donations in lieu of fees are only available to formally established sports teams and associations, which operate in a non-profit role with an established board of directors, or other similar such leadership structure.

3.3 Fees may be reduced or discounted in exchange for the donation of tangible assets and capital improvements (i.e. goal post, scoreboard) or for maintenance services rendered by user group volunteers, which benefit multiple user groups and/or casual park visitors.

3.4 This discount or reduction must be requested ahead of time (at least 30 days before the start of the sport season) via a written proposal to the City's Community Development Director. Maintenance and volunteer credit will only be given for the current calendar year. Capital improvements may be considered for multiple year credits. Proposals should include detailed schedules, improvement plans, drawings and other information requested by the Community Development Department. The credit granted annually cannot exceed the reservation fees. If approved maintenance, volunteer work, or capital improvements are not completed as approved, the fee waiver will be revoked.

3.5 Credit proposals of less than \$5,000 may be approved by the Community Development Director; proposals between \$5,000 - \$10,000 may be approved by the Mayor, and credits over \$10,000 may be approved by City Council. Decisions which are made by the Director or Mayor may be appealed to the City Council.

3.6 Volunteer hours are generally valued at the Washington State current minimum wage. A sport association or team may submit a proposal for professional services at the price paid by the association or donated by the professional, or propose a higher rate for skilled volunteers with a justification for the rate.

3.7 The Community Development Director has authority to ensure quality control. He/she may inspect projects to ensure that acceptable improvements are made and contributions are completed according to city standards. There may be other conditions or qualifications placed by the City Staff upon approval of an applicant's proposal, upon acceptance by the City.

3.8 Any equipment such as soccer goals left on City park property shall be considered a donation to the City of West Richland.



Request for Park Contributions in Lieu of Fees

City of West Richland

3801 W Van Giesen, West Richland, WA 99353
Phone: (509) 967-5902 Fax: 967-2419

- Please provide as much detail as possible, including any cost estimates, receipts, etc. All reduced or discounted fees shall follow the "Policy for Athletic Field Usage Fees Administration," attached.
- If additional room is needed, please attach additional sheets.
- The current WA minimum wage rate shall be used for unskilled volunteer labor.

APPLICANT/TEAM INFORMATION	
Applicant:	Today's Date:
Address:	
Applicant Phone:	Applicant Email:
Association:	Association Phone:
Coach:	Team Name:
Coach Phone:	Coach Email:

FEE WAIVER REQUEST (M=Maintenance, C=Capital)					
Item	Value	Estimated Completion Date	M	C	Total
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
TOTAL					

Signature of Responsible Party

Date

OFFICE USE ONLY

Date Received:	Notes:
Received By:	
Total amount:	Conditions of Approval:
Request Granted or Denied:	
Authorized Signature:	

