

**WEST RICHLAND CITY COUNCIL MEETING
TUESDAY, OCTOBER 6, 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** - Present Certificate of Appreciation to Craig Slougher for Service on the West Richland Park Board
- 6. CONSENT AGENDA**
 - a. Approve Minutes of City Council Meeting of September 15, 2015
 - b. Confirm Mayor's Appointments to West Richland Parks and Recreation Board
 - c. Accept 2015 Pavement Preservation Project as Complete
 - d. Award Well #9 H2S Oxidation Improvement Project
 - e. Execute Agreement for Electric Service with Benton REA for Industrial Waste Treatment Facility
- 7. ORDINANCES, RESOLUTIONS, MOTIONS AND PUBLIC HEARINGS**
 - a. Closed Record Hearing – Plat Amendment of Kingview Addition #7
 - b. Motion to Approve Plat Amendment of Kingview Addition #7
 - c. ORD – Amending 2015-2016 Biennial Budget
 - d. RES - Approving Interfund Loan from Water/Sewer Fund 401 to Capital Improvement – Transportation Improvement Program Fund 355
- 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** – Litigation per RCW 42.30.110(i)
- 13. ADJOURNMENT**

**CITY OF WEST RICHLAND
CITY COUNCIL MEETING
TUESDAY, SEPTEMBER 15, 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 (arrived 7:03 p.m.) were also present. Staff members present were Community Development Director Aaron Lambert, Police Chief Brian McElroy, Public Works Director Roscoe Slade, City Attorney Bronson Brown, and City Clerk Julie Richardson.
3. **Pledge of Allegiance** – Councilmember Hayden led the Council, staff, and audience in the recitation of the Pledge of Allegiance.
4. **Approval of Agenda** – Mayor Gerry advised that Mayor Pro Tem Buel asked that consent agenda item 6d be moved to item 7a under Ordinances, Resolutions, Motions and Public Hearings. He also announced a short executive session on litigation with no action to follow.

Upon motion by Councilmember Martin, seconded by Councilmember Hayden, Council unanimously approved the agenda as revised.

5. **Presentations** – There were no presentations.
6. **Consent Agenda** – *Upon motion by Councilmember Benegas, seconded by Councilmember Brown, Council unanimously approved the consent agenda.*

a. Approve Payment of Bills

Accounts payable checks	56358-56498	\$1,116,581.88
Accounts payable voided checks	56344, 56441, 56493	(\$550.39)
Direct Deposits		\$199,738.42
Electronic wire payments	01.08.2015 through 15.08.2015 and 3110.08.2015	\$266,092.35
		\$1,581.862.26

- b. **Approve Minutes of City Council Meeting of September 1, 2015**
- c. **Approve Site Lease Agreement for Telecommunication Facility with Parallel Infrastructure**
- d. This item was moved to item 7a.

7. **Ordinances, Resolutions, Motions, and Public Hearings** – a. **Accept South 38th Avenue Waterline Replacement Project as Complete** – Mayor Pro Tem Buel said he asked for this item's removal from the consent agenda because some citizen contacted him saying they heard rumors about the money that was going to the projects and had questions about the project itself. He would like Public Works Director Slade to go through the funding and the projects.

Public Works Director Slade explained that the South 38th Avenue Waterline Replacement Project consisted of two separate projects, waterline replacement and Butte Court Alleyway. They were combined into one single project because the associated work needed to be constructed at the same time and both are within the same work zone area. The project's scope of work is separated into three bid schedules so that the water main replacement portion is paid for with the 401 Water Fund, fire hydrant work split between 401 Water Fund and the 001 General Fund and the alleyway portion is paid for with the 374 Yakima River Gateway Project. Public Works staff assumed the waterline work would occur first and that the majority of the contractor's mobilization, surveying, clearing and grubbing costs would be with the waterline work. The lower bidder, however, planned on the alleyway work occurring first and hence placed the majority of the mobilization, surveying and clearing and grubbing costs in the alleyway work. The concern at project award was the 401 Water Fund portion of the project is less than estimated while the alleyway work is more than estimated which may require a future budget amendment for the Yakima River Gateway Project's non-RCO eligible work. Staff was able to negotiate a change order with the contractor resequencing the water main replacement portion of the work prior to the alleyway work. The result of the change order is that both the water main replacement work and alleyway work were completed under budget and the Yakima River Gateway Project's non-RCO eligible work will not require a future budget amendment as contemplated in the May 19, 2015 staff report.

Mayor Pro Tem Buel moved to accept the South 38th Waterline Replacement Project as complete, seconded by Councilmember Martin. The motion carried unanimously.

*Yes: Mayor Pro Tem Buel, Council Members Benegas, Bloom, Brown, Hayden, Martin, Perkes
No: None*

8. **Unfinished Business** – There was no unfinished business.
9. **New Business** – There was no new business.
10. **Citizens Public Comment**

Haschmo Asner asked questions about the planned new animal shelter.

Mayor Gerry responded that land has been designated, staff is looking at design standards, but there is no funding for the shelter at this time. He suggested that she contact Chief McElroy if she has additional questions.

Tammy Faulkner asked if funding has been put to the voters to see if residents would be willing to pay for a new shelter. She works at Pet Smart, and a considerable amount of money was raised in a short time for the victims of the recent fires.

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

Captain Majetich provided an update on school zone enforcement. He also advised that general traffic enforcement efforts have been increased due to an increase in collisions. The enforcement is focused on areas where collisions have occurred.

Councilmember Hayden asked if West Richland Police Officers have access to less lethal methods.

Captain Majetch responded that officers have access to, and receive training on, hands on tactics, baton, pepper spray, taser and less lethal shot (bean bags).

Community Development Director Lambert clarified some language in the park use policy adopted in March 2015. He should have mentioned them in the last meeting when the park use fees resolution was adopted. He said there is language in the park use policy regarding priority users. It states that priority will be given to groups in the following order:

First Priority Group: City of West Richland sponsored and co-sponsored programs and events, and Richland School District sponsored and co-sponsored programs and events.

Second Priority Group: Leagues, organizations, clubs and groups based in West Richland or with 51% or more of the participants residing within the city limits of West Richland. Priority will be given to groups in the following order:

1. Youth
 1. Recreation Teams
 2. Select or "Competitive" Teams
2. Adult
 1. Recreation Teams
 2. Select or "Competitive" Teams

Third Priority Group: Use will be granted to leagues, organizations, clubs and groups with participants being composed of less than 51% City of West Richland residents. Priority will be given to youth groups, then to adult groups.

Mr. Lambert advised that the City's political sign code will be placed on the website. He also thanked all the volunteers and organizers of the LDS Church Day of Service. They worked on placing landscaping fabric and rock at Park at the Lakes and also made improvements at the community garden. There were also three Eagle Scout Projects: 1) Bark and sidewalks at the community garden; 2) Began building a pergola at the community garden; and 3) Planted 10 trees at Park and the Lakes.

b. Council Reports

Councilmember Benegas reported on the Benton Franklin Council of Governments (BFCOG) Policy Advisory Committee (PAC) meeting. An amendment to the Statewide Transportation Improvement Program (STIP) was approved. The first item adds \$24 million for the Red Mountain Interchange.

Councilmember Hayden suggested installing dog waste stations on trails in West Richland. He also commented on a Soccer Complex Task Force the City was involved with in the past, but the City could not find land for the complex. He said a similar group is going to build a \$10 million complex in Yakima.

- 12. Executive Session** – Mayor Gerry announced a 10 minute executive session on litigation per RCW 42.30.110(i) with no action to follow.

The meeting adjourned to executive session at 7:35 p.m.

The meeting reconvened at 7:45 p.m.

- 13. Adjournment** – The meeting was adjourned at 7:45 p.m.

Brent Gerry, Mayor

Julie Richardson, City Clerk

DRAFT

WEST RICHLAND AGENDA ACTION ITEMS

AGENDA ITEM:	6b	TYPE OF ACTION NEEDED			
MEETING DATE:	October 6, 2015	<i>Execute</i>		<i>Consent Agenda</i>	X
SUBJECT:	Confirm Mayor's Appointment to West Richland Parks & Recreation Board	<i>Pass Resolution</i>		<i>Public Hearing</i>	
		<i>Pass Ordinance</i>		<i>1st Discussion</i>	
Prepared by:	J. Richardson for Brent Gerry	<i>Pass Motion</i>	X	<i>2nd Discussion</i>	
Reviewed by:	Brent Gerry	<i>Other</i>		<i>Other</i>	

BACKGROUND INFORMATION:

There are currently vacancies on the West Richland Parks and Recreation Board. West Richland residents Jay Johnson and Sandra Fiskum submitted applications and were interviewed by Community Development Director Aaron Lambert and Staff Liaison Alison Greene. They both recommend their appointments to the Board. Mayor Gerry agrees with their recommendation.

SUMMARY:

Mayor Gerry appoints Jay Johnson to position #4 and Sandra Fiskum to position #6 on the West Richland Parks and Recreation Board and requests City Council's confirmation of the appointments.

ALTERNATIVES:

Deny the appointment.

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

None

MOTION:

I move to confirm the Mayor's appointment of Jay Johnson and Sandra Fiskum to the West Richland Parks and Recreation Board.

Received By

AUG -5 2015

City of West Richland

West Richland, WA 99353
August 05, 2015

Boards and Commissions of the
city of West Richland, WA

Hello,

Enclosed is my application to become a member of the Park Board of the city of West Richland.

I no longer have an active resume, but I will give you a brief summary of my background.

I was born and grew up in northern Minnesota. After graduating from high school, I attended and graduated from St. Paul Bible College (now Crown College) in pursuit of a career in pastoral ministries. From there my wife and I were involved in Native American ministries based in MN for several years under the Northwestern District of the Christian & Missionary Alliance church denomination.

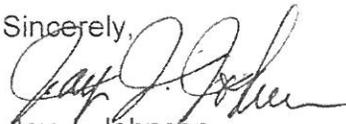
We left there so I could attend Wheaton College in Illinois. After graduation, I accepted a call to pastor the congregation of the Vermillion Alliance Church in Vermillion, SD. After 13 years there, we move to Eugene, OR, to pastor an Alliance there and, after 14 years, retired and moved to Eastern WA. A short interim pastorate in Orofino, ID, followed from which we moved to West Richland to be closer to family in 2006.

Pertinent, perhaps, to this application is my being instrumental in having church gardens in all of our longer places of ministry. This also included landscaping of church properties as well as our own residences.

I have no formal education in horticulture, but a lifetime of experience in different climate zones along with a great deal of pleasure in growing things and enjoying the additions to the menus of our family, neighbors and friends.

As previous noted, we have been primarily involved in care giving within our family and participating with our church family here. However, if you are interested, almost all of my contact with West Richland City personnel has been with Randy Paulson and you are welcome to inquire of him regarding his interactions with me.

Sincerely,



Jay J. Johnson

Received By

AUG - 5 2015



City of West Richland

BOARDS AND COMMISSIONS APPLICATION

CITY OF WEST RICHLAND

3801 W. Van Giesen, West Richland, WA 99353

Phone: (509) 967-5902 Fax: (509) 967-2419

Application for Council and all Boards and Commissions must reside in the City of West Richland. Applications for City Council and Commissions must be registered voters and must have lived in the City of West Richland for at least one (1) year. Civil Service applicants must be a resident for three (3) years.

Please complete all information requested and submit application with a cover letter and resume'. Attach additional pages if necessary.

Position applying for:

PARK BOARD

Name of Applicant <i>JAY J. JOHNSON</i>	Home Phone	Business Phone	Email
Address	City <i>WEST RICHLAND</i>	State <i>WA</i>	Zip <i>99353</i>

Occupational Status and Background

PRESENTLY RETIRED FROM PASTORAL MINISTRY UNDER THE CHRISTIAN & MISSIONARY ALLIANCE

Organizational Affiliations

MEMBER OF THE RICHLAND ALLIANCE CHURCH 1400 STAFFORD AVE, RICHLAND

Related Experience

I HAVE GARDENED ALL MY LIFE SINCE CHILDHOOD IN MN. IT IS NOW MY OUTDOOR HOBBY RAISING VEGETABLES, BERRIES AND FRUIT TREES

Reason for Seeking Appointment

WE HAVE BEEN PRESIDENTS HERE FOR THE PAST 9 YEARS INVOLVED WITH CARE GIVING WITH EXTENDED FAMILY. I NOW THINK IT IS TIME TO BECOME INVOLVED MORE IN THE LARGER COMMUNITY.

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 attached thereto. The City, its officials, or employees are authorized to make my application and supporting documents available for public inspection, including inspection by members of the press and media.

Signature <i>Jay J. Johnson</i>	Date <i>AUG 05, 2015</i>
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BOARDS AND COMMISSIONS APPLICATION

CITY OF WEST RICHLAND

3801 W. Van Giesen, West Richland, WA 99353

Phone: (509) 967-5902 Fax: (509) 967-2419

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Please complete all information requested and submit application with a cover letter and resume'. Attach additional pages if necessary.

Position applying for:

Park Board

Name of Applicant	Home Phone	Business Phone	Email
Sandra Fiskum			
Address	City	State	Zip
	West Richland	WA	99353

Occupational Status and Background

Full time employee at PNNL, 25 years
Senior Research Scientist with Bachelor of Science in chemistry

Organizational Affiliations

Boy Scouts of America
American Nuclear Society

Related Experience

None.

Reason for Seeking Appointment

I want to help improve the City of West Richland by being an advocate for the public parks. I love the parks and believe they are an integral feature of the city and the good quality of life for its citizens, especially the children.

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 attached thereto. The City, its officials, or employees are authorized to make my application and supporting documents available for public inspection, including inspection by members of the press and media.

Signature <i>Sandra K. Fiskum</i>	Date 8/30/2015
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WEST RICHLAND AGENDA ACTION ITEMS

<i>AGENDA ITEM:</i>	6c	<i>TYPE OF ACTION NEEDED</i>			
<i>MEETING DATE:</i>	October 6, 2015	<i>Execute Contract</i>	<input type="checkbox"/>	<i>Consent Agenda</i>	X
<i>SUBJECT:</i>	Motion to Accept 2015 Pavement Preservation Project as Complete	<i>Pass Resolution</i>	<input type="checkbox"/>	<i>Public Hearing</i>	<input type="checkbox"/>
		<i>Pass Ordinance</i>	<input type="checkbox"/>	<i>1st Discussion</i>	<input type="checkbox"/>
<i>Prepared by:</i>	Roscoe C. Slade III, PW Director <i>RS</i>	<i>Pass Motion</i>	X	<i>2nd Discussion</i>	<input type="checkbox"/>
<i>Reviewed by:</i>	Brent Gerry, Mayor <i>BG</i>	<i>Other</i>	<input type="checkbox"/>	<i>Other</i>	<input type="checkbox"/>

COUNCIL STRATEGIC FOCUS AREA:

SFA #2 – Quality and Adequate Infrastructure and Facilities

GOAL #3 – Maintain citizen’s investment in existing infrastructure to extend useful life.

BACKGROUND INFORMATION:

On April 5, 2015, Andrew Woodruff, City Engineer, provided a refresher presentation on the City’s 2012 Pavement Preservation Plan. The Plan establishes the tools and philosophies in managing the City’s most valuable asset, the transportation system. The Plan dramatically changes the conventional wisdom of “don’t fix it if it isn’t broke” to a more cost effective “best fit” approach in utilizing lower cost preventative maintenance treatments, such as crack sealing, slurry seals, and chip seals (rather than asphalt overlays), to extend pavement life. Mr. Woodruff specifically discussed the planned 2015 application of a rubberized chip seal on portions of Bombing Range Road, Keene Road and Kennedy Road. The conclusion was this application was the most cost effective way to fix deficiencies, reduced traffic impacts, increased skid resistance, seals roadway and cracks less than ¼”, resists reflective cracking and prolongs the useful life of the roadway.

The bid opening for the project was April 28, 2015. The City received a single bid of \$491,194 (base bid) and \$79,376 (additive bid) for a total of \$570,570. The low bidder was Intermountain Slurry Seal. The engineer's estimate for the project with the additive bid items was \$675,625. On May 19, 2015, City Council awarded the project to Intermountain Slurry Seal.

Scope of work included applying a rubberized chip seal on Bombing Range Road (SR224 to Keene Road), Keene Road (Bombing Range Road to Richland) and Kennedy Road (Fire Mountain to Bombing Range Road). Kennedy Road portion was the additive bid.

SUMMARY:

The 2015 Pavement Preservation Project is complete and ready for Council acceptance. There were no change orders issued on the project. The total contract amount was \$568,767.16. The \$1,802.84 difference between the contract amount at award and the final contract was due to minor underruns in estimated quantities.

RECOMMENDATION:

Staff recommends Council accept the 2015 Pavement Preservation Project as complete.

ALTERNATIVES:

As amended by Council

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

\$568,767.16 – 302 Fund Pavement Preservation Program

MOTION:

I move Council to accept the 2015 Pavement Preservation Project as complete.

WEST RICHLAND AGENDA ACTION ITEMS

<i>AGENDA ITEM:</i>	6d	<i>TYPE OF ACTION NEEDED</i>			
<i>MEETING DATE:</i>	October 6, 2015	<i>Execute Contract</i>	X	<i>Consent Agenda</i>	X
<i>SUBJECT:</i>	Motion to award the Well#9 H2S Oxidation Improvements Project	<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>	

COUNCIL STRATEGIC FOCUS AREA:

SFA#2 Quality and Adequate Infrastructure and Facilities

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

ATTACHMENTS:

- Project Bid Tabs

BACKGROUND INFORMATION:

The City's Well #9 was originally constructed in 1994 and was converted into a municipal water source in 2002. Well #9 produces approximately 1,560 gpm (more than 2.2 million gallons per day) and is the City's largest groundwater production well. In late 2013, the water from Well #9 began exhibiting taste and odor aesthetic issues typically associated with hydrogen sulfide and was placed in emergency status.

August 19, 2014, City Council authorized the Mayor to execute an engineering services contract with JUB Engineers. The initial scope of services included additional water quality analysis, treatability testing and completing an Engineering Report to be submitted and approved by Department of Health. The preferred treatment alternative recommended by the consultant and selected by staff for design was a chemical oxidation process using caustic soda for pH adjustment (without the need for costly mechanical aeration and or carbon filtering). In March 2015, the Engineering Report was approved by Department of Health and JUB's engineering services contract was amended to complete the design and assist with construction administration.

The scope of the project includes modification to the existing well chlorination room to house the chemical storage tank and feed pumps, an emergency eyewash station, instrumentation to monitor pH and residual chlorine, and on-site piping improvements.

In June 2015, City Council rejected all bids received for the project. The City received only one bid, \$113,548.90, for the project that was nearly three times the engineer's estimate. City staff recommended re-soliciting for bids for this project in the future to obtain competitive bids closer to the engineers estimate.

SUMMARY:

The City staff re-solicited bids for this project utilizing the Small Works Roster. City Staff on Tuesday, September 29, 2015 opened bids for the Well #9 H2S Oxidation Improvements Project. The City only received one bid from POW Contracting in the amount of \$44,010.15. The Engineer's estimate for the project was \$49,022.04. Please see enclosed Bid Tabs. The rebidding of the project resulted in the City saving \$69,538.75 (441 Fund).

RECOMMENDATION:

Staff recommends Council award the Well#9 H2S Oxidation Improvement Project to the lower bidder, POW Contracting, in the amount of \$44,010.15.

ALTERNATIVES:

As amended by Council.

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

\$44,010.15 from the 441 Water Fund

MOTION:

I move to award the Well #9 H2S Oxidation Improvements Project to the low bidder, POW Contracting, in the amount of \$44,010.15 and authorize the Mayor to execute the contract.

BID ABSTRACT
City of West Richland
Well #9 H2S Oxidation Improvements
West Richland, WA
9/29/15

ITEM NO.	APPROX. QUANTITY	BASE BID SCHEDULE	ENGINEERS ESTIMATE		LOW BIDDER POW Contracting	
			UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1.	1	LS Mobilization	\$4,000	\$4,000.00	\$5,275.00	\$5,275.00
2.	1	LS Shoring-Trench Safety Systems	\$200	\$200.00	\$250.00	\$250.00
3.	1	LS Project Completion	\$40,940	\$40,940.00	\$35,000.00	\$35,000.00
		BASE BID SCH A SUBTOTAL		\$45,140.00		\$40,525.00
		WASHINGTON STATE SALES TAX AT 8.6%		\$3,882.04		\$3,485.15
		BASE BID TOTAL		\$49,022.04		\$44,010.15

WEST RICHLAND AGENDA ACTION ITEMS

<i>AGENDA ITEM:</i>	6e	<i>TYPE OF ACTION NEEDED</i>			
<i>MEETING DATE:</i>	October 6, 2015	<i>Execute Contract</i>	X	<i>Consent Agenda</i>	X
<i>SUBJECT:</i>	Motion to Execute Agreement for Electric Service with Benton REA for Industrial Waste 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>RS</i>	<i>Pass Motion</i>	X	<i>2nd Discussion</i>	
<i>Reviewed by:</i>	Brent Gerry, Mayor <i>BG</i>	<i>Other</i>		<i>Other</i>	

STRATEGIC FOCUS AREA:

SFA #3 – Financial & Operational Effectiveness, Stability & Accountability.

Goal #4 – Improve quality and efficiency of services and cost savings through collaborate with other public and private entities.

ATTACHMENTS:

- Agreement for Electrical Service – Industrial Waste Treatment Facility

BACKGROUND INFORMATION:

Benton Rural Electric Association (Benton REA) can issue a commercial construction credit against the upfront capital cost of extending electrical service to a consumer, if said consumer executes an Agreement for Electrical Service with Benton REA. In exchange for reducing the upfront capital cost of extending electrical service, the consumer agrees to purchase a monthly minimum amount of electrical power over a set term.

SUMMARY:

The City needs to extend electrical service approximately 1,000 linear feet to the Industrial Waste Treatment Facility site on Van Giesen. The estimated cost of extending electrical service is \$26,559. The attached Agreement for Electrical Service with Benton REA would provide the City with a commercial construction credit of \$26,640 reducing the upfront capital cost of extending the electrical service to the facility to \$0. Per the agreement, the City would be required to purchase a minimum of \$492.33 per month of electrical power over the next 10 years. The City's consultant has conservatively estimated the monthly electrical use for the City's Industrial Waste Treatment Facility to be greater than the required minimum purchase amount.

The City Attorney has reviewed the Agreement for Electrical Service with Benton REA.

RECOMMENDATION:

Staff recommends Council authorize the Mayor to execute the Agreement for Electrical Service with Benton REA for the Industrial Waste Treatment Facility.

ALTERNATIVES:

As amended by Council

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

Reduction of \$26,559 in upfront capital costs for the Industrial Waste Treatment Facility. Minimum electrical power consumption bill of \$492.33 per month for 10 years for facility.

MOTION:

I move to authorize the Mayor to execute the Agreement for Electrical Service with Benton REA for the Industrial Waste Treatment Facility.

BENTON RURAL ELECTRIC ASSOCIATION
PO BOX 1150
PROSSER, WA 99350

AGREEMENT FOR ELECTRIC SERVICE
(Commercial) #49-01-XXX

THIS AGREEMENT made _____, 2015, between BENTON RURAL ELECTRIC ASSOCIATION, (hereinafter called the "Seller"), and CITY OF WEST RICHLAND, (hereinafter called the "Consumer").

WITNESSETH;

The Seller agrees to sell and deliver to the Consumer, and the Consumer agrees to purchase and receive from the Seller all of the electric power and energy which the Consumer may need at his **INDUSTRIAL WASTE TREATMENT FACILITY located at Section 01, Township 09 North, Range 27 East, W.M. WEST RICHLAND, WA**, up to 500 KVA upon the following terms:

1. **SERVICE CHARACTERISTICS:**

- A. Service hereunder shall be alternating current, three phase, four wire, sixty cycles, approximately 120/240 volts.
- B. The Consumer shall not use the electric power and energy furnished hereunder as an auxiliary or supplement for any other electrical source of power and shall not sell electric power and energy purchased hereunder.
- C. The Consumer shall cause all premises covered by this agreement to become and remain wired in accordance with all applicable electrical codes.
- D. The Consumer shall be responsible for and shall indemnify the Seller against any injury, loss or damage resulting from defects in, or improper use or maintenance of the Consumer's premises, wiring or any other apparatus connected thereto. In no event shall the responsibility of the Seller extend beyond the point at which the Consumer's service is attached to the Seller's point of metering.

2. **TERM:**

This agreement shall become effective on the date above written and shall remain in effect for a period of (10) years following the start of the initial billing period. The Seller reserves the option to remove its electrical facilities from the Consumer's premises after the termination of the Agreement, if the electric service is no longer being used.

3. **PAYMENT:**

- A. The Consumer shall pay the Seller for service hereunder at the rates and upon the terms and conditions set forth in **Rate Schedule 10** which may be revised from time to time as

determined by the Board of Trustees of the Seller and attached to and made a part of this agreement. Notwithstanding any provision of the Schedule, however, and irrespective of the Consumer's requirements, the Consumer shall pay to the Seller the larger of the minimum in the rate schedule or \$492.33 per month for service. When a Construction Credit is applied to reduce the Consumers initial cost of construction, Seller shall recalculate this construction credit at the end of the first full year of use by the Consumer. If at the end of the first full year of use the actual peak demand, as recorded for the previous 12 months by the Consumer demand meter is less than the demand that was initially used to calculate the Construction Credit, the Seller shall recalculate the Construction Credit applying the actual peak demand in the calculation to determine the credit and the Consumer shall pay, if required, the difference as an Contribution-to-Aid in Construction to the Seller.

- B. The initial billing period shall begin, no later than 30 days after service has been made available by the Seller.
- C. Bills for service hereunder shall be paid at the office of the Seller in Prosser, Toppenish or West Richland, Washington, pursuant to the policies of the Association which may be amended from time to time, as determined by the Board of Trustees.
- D. In addition to any other remedies Seller has to collect for services rendered hereunder, and in connections therewith, or independently thereof, if Consumer shall fail to make any such payment after such payment is due, the Seller may discontinue service to the Consumer according to the appropriate policy or as per notice given on the monthly billing, and Consumer specifically understands and agrees that such discontinuance of service pursuant to the provisions of this agreement may occur at a time when agricultural crops are still growing and are not mature and that persons and other real and personal property using said electric energy may be adversely affected by such discontinuance of service.

4. **STRANDED COSTS:**

The Seller intends to recover its costs of providing power to the Consumer including cost of wholesale power and distribution facilities through a combination of rates, charges, and termination reimbursements. The Parties agree that this contract is designed and intended to permit recovery of all costs, including the cost of wholesale power, associated with power sales to Consumer, or the termination of such sales, the cost of which cannot be avoided or mitigated by application of reasonable efforts on the part of the Seller, without shifting such costs to Seller's other consumers.

5. **CONTINUITY OF SERVICE:**

The Seller shall use reasonable diligence to provide a constant and uninterrupted supply of electric power and energy hereunder. If the supply of electric power and energy fail or be interrupted, or become defective through act of God, governmental authority, action of the elements, public enemy, terrorist attack, accident, strikes, labor trouble, required maintenance work, inability to secure right-of-way, or any other cause beyond the reasonable control of the Seller, the Seller shall not be liable therefore for damages caused thereby.

6. **MEMBERSHIP:**

The Consumer shall become a member of the Seller, shall pay the required fees and charges, be bound by the provisions of the Articles of Incorporation and Bylaws of the Seller and by such rules and regulations as may from time to time be adopted by the Board of Trustees of the Seller.

7. **SUCCESSION:**

This Agreement shall be binding upon and inure to the benefit of the successors, legal representatives and assigns of the respective parties hereto.

8. **RIGHT OF ACCESS:**

Duly authorized representatives of the Seller shall be permitted to enter the Consumer's premises at all times in order to carry out the provisions hereof.

9. **CONTRIBUTION TO AID-IN-CONSTRUCTION:**

The Consumer shall pay to the Seller the sum of \$0 as a Contribution to Aid-in-Construction of the necessary electrical facilities, to serve the applicable load as specified in the Line Extension Policy of the Seller, prior to commencement of construction of such facilities. No refund shall be made to the Consumer of any portion of this contribution upon termination of this Agreement. An additional Contribution to Aid-In-Construction may be required pursuant to Item ((3) Payment) of this agreement.

10. **ATTORNEY'S FEES:**

In the event that this Agreement, or any provision thereof, is referred to an Attorney for enforcement, the prevailing party shall be entitled to reasonable attorney's fees and costs incurred.

WEST RICHLAND AGENDA ACTION ITEMS

AGENDA ITEM:	7a & 7b	TYPE OF ACTION NEEDED			
MEETING DATE:	October 6, 2015	<i>Execute Contract</i>		<i>Consent Agenda</i>	
SUBJECT:	Plat Amendment of Kingview Addition No. 7 - File No. PA 2015-35	<i>Pass Resolution</i>		<i>Closed Record Hearing</i>	X
		<i>Pass Ordinance</i>		<i>1st Discussion</i>	
Prepared by:	Mike Stevens, Senior Planner	<i>Pass Motion</i>	X	<i>2nd Discussion</i>	
Reviewed by:	Aaron Lambert, Brent Gerry 	<i>Other</i>		<i>Other</i>	

SUPPORTING POLICIES AND STATE LAW:

- SFA 6 – Healthy and Safe City
- SFA 6, GOAL 1: Integrate health and safety considerations into new development.
- SFA 6, GOAL 2: Compliance with local, state, and federal regulations and permits.

The Mission of the Community Development Department is to proactively manage and facilitate enhanced vitality of the city’s neighborhoods, business districts, and parks. We are committed to attracting and incentivizing high-quality development, creation of new jobs, diversity of housing opportunities, city financial growth to support quality services, and to the prevention of decay & degradation of neighborhoods, business districts, and parks.

Attachments:

- 1) **PA 2015-35 Planning Commission Packet;**
- 2) **Planning Commission Meeting Minutes (Draft September 10, 2015).**

DESCRIPTION OF PROPOSAL:

HDJ Design Group, applicant, on behalf of Allied Activities, Inc., property owner, has submitted an application to amend the Preliminary Plat of Kingview Addition No. 7 by eliminating Phase 8 of the plat as well as eliminating the requirement to provide a dry irrigation system within Phases 1 - 7.

BACKGROUND INFORMATION:

The West Richland Planning Commission held an open-record public hearing for the proposed plat amendment request on September 10, 2015. Based upon Staff’s analysis and public testimony that was received, the Planning Commission recommended approval (the vote was unanimous) of the proposed Plat Amendment to the Preliminary Plat of Kingview Addition No. 7 (as modified by revised Conditions of Approval indicated in the Planning Commission Staff Report).

RECOMMENDATION:

The West Richland Staff and Planning Commission recommend approval of the proposed amendment to the Preliminary Plat of Kingview Addition No. 7 (as modified by the revised Conditions of Approval indicated in the Planning Commission Staff Report).

ALTERNATIVES:

1. Modify the Planning Commission recommendation.
2. Deny the request.

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

There are no costs directly related to the City's budget as a result of the proposed Plat Amendment.

SUMMARY OF CHANGES:

The following includes the recommended changes to the plat conditions:

Revise conditions #9 & #11, remove condition #23 and re-number the conditions of approval #1- #34. Specifically, conditions of approval #9 and #11 will be revised as follows:

9. This property is not currently within an irrigation district. Minimum 10' wide irrigation easement(s) shall be provided to allow for the provision of irrigation water by an irrigation purveyor in the future. The easements are to be located entirely on one side of the property lines.
11. The following note shall be included on the final plat:
Any and all owners or future owners shall expressly waive any objection to and hereby agrees to fully participate in any future local improvement district (L.I.D.) for the purpose of irrigation formed pursuant to legal authority and shall pay the lawful assessments for improvements to such L.I.D.

RECOMMENDED MOTION:

I move to approve the plat amendment for the Preliminary Plat of Kingview Addition No. 7 subject to the findings and conclusions of the Planning Commission, and the Plat Conditions as approved by the Planning Commission.

ATTACHMENT 1

Planning Commission Packet

10/6/2015 City Council Packet

PA 2015-21

Closed Record Hearing



WEST RICHLAND PLANNING COMMISSION AGENDA ACTION ITEMS					
AGENDA	5a	TYPE OF ACTION NEEDED			
MEETING DATE:	September 10, 2015	Open Record Hearing	X		
SUBJECT:	Public Hearing to consider File No. PA 2015-35 Kingview Addition No. 7 Plat Amendment	Recommend to Council	X	Final Decision	
Prepared by:	Mike Stevens, Senior Planner			Other	
Reviewed by:	Aaron Lambert, Brent Gerry	2nd Discussion			

SUPPORTING POLICIES AND STATE LAW:

- Comprehensive Plan – Land Use Element, GOAL 1, Policy 1: Maintain and follow procedures to review development applications in a consistent manner.
- SFA 6 – Healthy and Safe City
- SFA 6, Goal 1 – Integrate health and safety consideration into new development.
- SFA 6, Goal 2 – Compliance with local, state, and federal regulations and permits.

The Mission of the Community Development Department is to proactively manage and facilitate enhanced vitality of the city’s neighborhoods, business districts, and parks. We are committed to attracting and incentivizing high-quality development, creation of new jobs, diversity of housing opportunities, city financial growth to support quality services, and to the prevention of decay & degradation of neighborhoods, business districts, and parks.

PLAT ALTERATIONS ARE SUBJECT TO THE CITY’S TYPE IV REVIEW PROCESS. PURSUANT TO WRMC TITLE 14, THE PLANNING COMMISSION IS TO HOLD AN OPEN RECORD PUBLIC HEARING TO CONSIDER THE PLAT ALTERATION REQUEST, AND THEN FORMULATE A RECOMMENDATION TO BE CONSIDERED BY THE CITY COUNCIL AT A CLOSED RECORD PUBLIC HEARING. THE PLANNING COMMISSION RECOMMENDATION IS TO INCLUDE THE FACTORS CONSIDERED AT THE HEARING AND AN ANALYSIS OF FINDINGS THE PLANNING COMMISSION CONSIDERS TO BE CONTROLLING. THE PLANNING COMMISSION’S RECOMMENDATION WILL BE FORWARDED TO THE CITY COUNCIL FOR A CLOSED RECORD HEARING TO BE HELD ON TUESDAY, OCTOBER 6, 2015. THE CITY COUNCIL’S FINAL DECISION IS APPEALABLE TO BENTON COUNTY SUPERIOR COURT.

Staff Analysis
City of West Richland
Preliminary Plat Application No. PP 2015-35

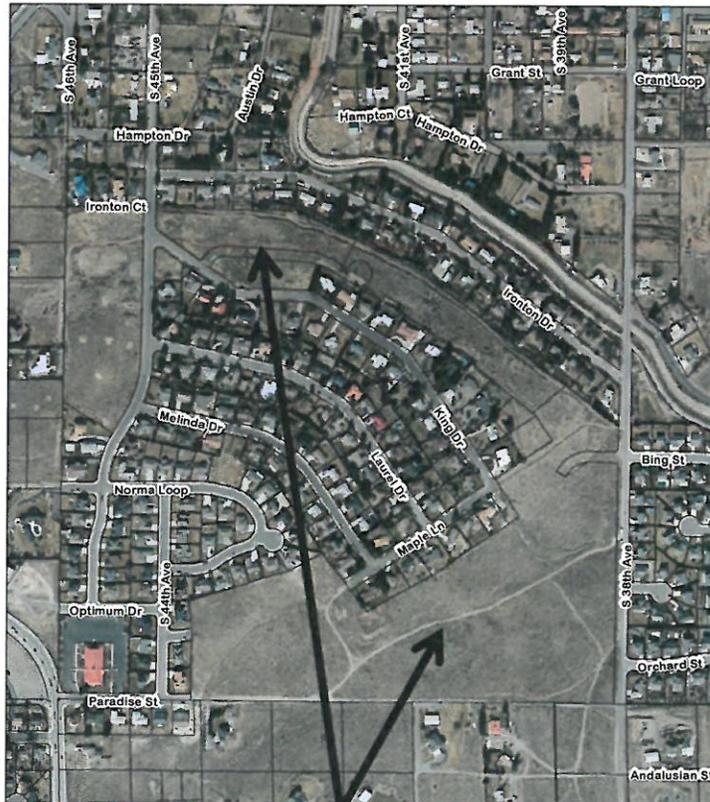
Applicant: HDJ Design Group, applicant, on behalf of Allied Activities, Inc., property owner.

Date and Location: The meeting will be held at 6:00pm, September 10, 2015, Council Chambers, City of West Richland Council Chamber, 3803 W. Van Giesen, West Richland, WA 99353.

Project Description: HDJ Design Group, applicant, on behalf of Allied Activities, Inc., property owner, has submitted an application to amend the Preliminary Plat of Kingview Addition No. 7 by eliminating Phase 8 of the plat as well as eliminating the requirement to provide a dry irrigation distribution system.

Legal Description: Lot 3 of Short Plat 3212, Section 5, Township 9 N, Range 28 E, W.M. in the City of West Richland, County of Benton, State of Washington (Benton County Parcel No. 105983013212003).

Vicinity Map:



Kingview Addition No. 7

Zoning: The zoning for this parcel is RM-10 (Medium density residential, with minimum lot size 10,000 SF), RM-15 (Medium density residential, with minimum lot size of 15,000 SF), and RM-12.5 (Medium density residential, with minimum lot size of 12,500 SF).

Comprehensive

Plan: The site has a land use map designation of Medium Density Residential (MD-RES).

Public

Notice: As per Section 14.03 WRMC, notice of the public hearing was mailed to affected agencies and to property owners within 600 feet of the subject property on August 14, 2015. Public Notice was displayed at the project site and notice was posted on the City website and posted at the three official places on August 17 17, 2015.

SEPA: The original preliminary plat application for Kingview Addition No. 7 was reviewed through the State Environmental Policy Act (SEPA) process. SEPA review is not required for the proposed plat amendment due to the nature of the request.

Comments

Received: As of the date the staff report was prepared staff had received no written comments regarding the proposal. Several telephone calls were received with questions regarding the application, but no official comments were received. Any comments received after the date that the staff report was prepared will be provided to the Planning Commission at the public hearing.

Proposal: Kingview Addition No. 7 received preliminary plat approval on March 2, 2009 and received a plat alteration to amend the phasing plan on January 15, 2013. The following conditions of approval currently apply to the plat:

Current

Conditions:

1. Storm water facilities for the subdivision must be designed by a licensed professional engineer registered in the State of Washington, using accepted best management practices and design standards such as those found in the Eastern Washington Stormwater Manual. The design shall be based on the 25-year, 24-hour storm event, and must comply with the NPDES Phase 2 stormwater requirements. Storm water facilities shall be designed using the recommendations of the Geotechnical Report for the project, prepared by Shannon & Wilson dated July 1, 2008 as amended July 25, 2008, which includes, but is not limited to, not discharging or infiltrating stormwater on areas with slopes of 15% or more.
2. The developer shall submit an erosion control plan for approval by the City Engineer.
3. Vegetation that is scrubbed from the land must be removed from the site and disposed of at an authorized facility. It shall not be buried on site.
4. Prior to excavation and infrastructure development, a dust control plan shall be submitted to the

City for approval by the Community Development Director. Dust control during construction shall be closely monitored and utilized as necessary to minimize fugitive dust. At the completion of grading and road/utility construction, all disturbed soil areas are to be treated with tackifier and dryland mix.

5. The grading of the subdivision shall be overseen by a licensed professional engineer to ensure that: (1) All fill areas are compacted to standards for residential construction; (2) A minimum slope stability factor of 1.5 is provided for all developed areas; and, (3) The toe of all fill areas on hillsides (15%+ slope) are "keyed in" to further ensure slope stability.

All areas to be developed must provide a minimum slope stability factor of 1.5. Areas not currently providing such slope stability may be corrected to provide a slope stability factor of 1.5 through grading or engineered retaining walls. If an area of oversteepened slopes within or adjacent to the development cannot or will not be corrected, such as with the oversteepened slopes on some of the adjacent lots to the north, then a setback for all improvements (sewer line, sewer access road, stormwater piping, etc.) shall be maintained from such oversteepened slope equal to the point where the slope would provide a stability factor of 1.5.

At the completion of the subdivision improvements, all slopes must have a stability factor of at least 1.5; provided, if such slope stability does not current exist and cannot be achieved for any area of the plat, that area and the adjacent setback needed to otherwise provide a slope stability factor of at least 1.5 shall remain undeveloped and be so noted/delineated on the plat. Please realize that this restriction also precludes temporary oversteepened slopes between the time of subdivision development and house construction.

Compaction tests and certification by the engineer shall be provided to document acceptability of the grading, compaction of fill areas, and slope stability.

6. Lot improvements (houses, etc.) shall maintain the minimum slope stability factor of 1.5. To ensure such slope stability and lot-specific suitability of development, construction on each lot with a slope exceeding 15% shall be subject to a further geotechnical review to consider foundations, slopes, stormwater/drainage/roof drains, irrigation, and any other factors identified by the engineer or City. A note to this effect shall be included on the final plat.
7. Notice of the slope limitations and the practices recommended by the Geotechnical report shall be noted on the plat as minimum requirements for development of the lots.
8. If any archaeological remains are encountered during construction, any work in said area must stop immediately and the contractor shall contact the City and Department of Archeology & Historic Preservation.
9. The storm system for Jordan Court must be hard piped to an approved infiltration site. The location and design of the system shall be approved by Public Works. The system is to be designed per Condition 1.
10. All interior streets shall be constructed to city standards for residential access streets (curb, gutter, sidewalk, streetlights, etc.). The subdivision developer is responsible for the sidewalk and handicap ramps at the intersections, with the homebuilder responsible

for sidewalk along the lot frontages.

11. As part of the interior street improvements, the developer shall be responsible to improve King Drive along Phase 8 to current standards (36' wide as measured from curb to curb, curb and gutter on both sides, streetlights and storm water control per city standards). The developer shall also be responsible for installing sidewalks in front of the developed lots on the south side of these street improvements.
12. The developer shall be responsible for constructing the west half of South 38th Avenue along the frontage of the development to City standards. Transportation Impact Fee Mitigation Agreement shall apply per Resolution 01-2013.
13. The developer shall provide vacant conduit banks at every street intersection or approximately 300 ft. intervals, per WRMC 16.16.030.
14. Streetlights are to be located along all streets per WRMC 16.04.070.
15. The Developer shall reimburse the City for the costs of furnishing and installing street signs necessary for the development. For consistency, this decision uses the street names shown on the preliminary plat. However, the names of Jordan Court and Queen Lane are not authorized. Queen Lane can be Queen Street. Jordan Court will need to be renamed in accordance with requirements stipulated by the U.S. Postal Service, Benton County Emergency Services, and West Richland Municipal Code, Title 12. All street names are to be determined no later than approval of the construction plans. Addresses will be assigned after the road names are determined.
16. Per WRMC 16.04.080, 10 ft. utility easements shall be provided adjacent to all street right-of-way. Where utility and irrigation utilities are proposed, a combined 15 ft. easement shall be required.
17. All lots must be served with City water service and accompanying easements, per City standards. The lots are located within pressure zones 2, 3, and 4. The developer is responsible for installing Pressure Reducing Vaults (several may be required).
18. Fire hydrants are required at the intersections and at 400-foot intervals. All hydrants must have storz fittings and be capable of producing the required fire flow.
19. The developer's portion of the water system development fee (\$750 per lot) is to be paid before construction of the subdivision improvements will be authorized.
20. All lots must be provided with City sewer service and accompanying easements, per City standards. When approved to be outside of the street right-of-way, the City shall be provided with a 20' sanitary sewer easement. Said sewer lines shall be constructed a minimum 10' away from a parallel domestic waterline.
21. Power, telephone, and cable service shall be made available to each lot within the subdivision. All utilities must be located underground, with the exception of the standard transmission pads and pedestals.

22. The utility companies with which the City has franchise agreements must sign the final plat indicating their acceptance of the developer installed conduit, or verification that the Developer has completed the utility requirements (as applicable for the utility). Obtain the signatures of Benton R.E.A., Verizon, Suddenlink, and Cascade Natural Gas.
23. Provide a dry irrigation distribution system, separate from the domestic water distribution system, to serve each lot within the subdivision. Minimum 10' wide irrigation easements must be provided for the distribution systems. The easements are to be located entirely on one side of the property lines.

The following irrigation note shall be included on the final plat:

"This property is not currently within an irrigation district. Irrigation easements and a dry irrigation distribution system have been provided to allow for the provision of irrigation water by an irrigation purveyor in the future."

24. The existing irrigation/stormwater pond in the area of proposed Lots 42 and 43 shall be filled and graded so that the lots are development ready at the time of final plat approval for Phase 2. Replacement stormwater facilities are to be included in Phase 2.
25. Mailboxes/Lockboxes for the subdivision shall be furnished and installed by the developer as per U.S. Postal Standards. Submit approval from the Richland Post Office for the mailbox design and location with the construction plans. All mailbox cluster units shall be installed with 10 l.f. of sidewalk, at the approved location(s). Contact Larry Stone, of the Richland Post Office, at (509) 943-2044.
26. The construction plans and installations for all public improvements must be reviewed, inspected, and approved by the Public Works Department, pursuant to WRMC 16.16.360. The plan review fee is \$2,500. An inspection fee equal to 5% of the total estimated construction costs is required at the time the plans are submitted for review. Work with the Public Works Department to coordinate the review and inspection process for the public improvements required for this plat. Inspection fees will apply and must be paid prior to construction.
27. Prior to final plat approval, the Developer must provide a Maintenance Bond to the City to be held for one year from acceptance as a guarantee on materials and workmanship (5% of the value of improvements). The amount of the maintenance bond will be calculated by Public Works and is to be held for one year from the date of Council acceptance of the public improvements.
28. The final plat shall substantially reflect the phasing and layout of the preliminary plat. The final plat surveys shall conform to WRMC 16.04.130, the Survey Recording Act, and State Auditor recording requirements. We recommend that a paper copy of the plat be submitted for review with the final plat application, before the mylar is printed for signatures.
29. Include the following note on the final plat:
For lots that have a 15% or greater slope, the following street setbacks are authorized: All garages that face the street must be set back 20 feet from the edge of the right-of-way. All other portions of the house, and garages that are entered from the side, need only maintain a 15-foot setback from the edge of the right-of-way.

30. In order to receive the County Treasurer's signature on the plat, all property taxes and special assessments must be paid on the property through the full year in which the plat is recorded, plus a prepayment amount toward next year's taxes if recorded after May 15th.
31. The survey shall be tied to at least two of the benchmarks established for the City of West Richland in Record Survey #3910.
32. A Transportation Impact Fee shall apply to each lot, per Resolution 04-02, as amended by 29-05, or as amended in the future. The fee may be reduced pursuant to a transportation agreement for the 38th Avenue improvements. A note indicating such shall be placed on the plat.
33. The plat shall otherwise conform to all applicable Federal, State and Local regulations.
34. The final plat must be submitted for City Council approval within five (5) years, unless extended by the process outlined in WRMC 16.04.130(A).
35. Construct a paved fire access road from Bing St. in Phase 2 to the City's Open Space Tract. Said roadway to meet City and International Fire Code requirements. A 20' access easement shall be placed on top of said roadway.

Analysis:

As can be depicted from the attached plat map, proposed Phase 8 is separated from the other 7 phases of the subdivision by a parcel of land that has been dedicated to the City as park land. The land was short-platted so that the park land could be given to the City prior to the completion of the Kingview Addition No. 7 plat because it was unknown when the Kingview Addition No. 7 plat would be completed. The short plat resulted in the creation of three (3) lots consisting of Lot 1 (Phase 8), Lot 2 (City Park) and Lot 3 (Phases 1-7). Since the property has been short-platted into separate parcels, each of the parcels is considered a legal lot of record and can be sold individually. The property owner would like to sell Lots 1 and 3 separate from each other, which is why he has applied for the amendment to remove references of Phase 8 from the plat.

Furthermore, the plat is not currently located within an irrigation district and the costs associated with installing a dry irrigation system are quite high, especially considering it is unlikely the system will be used in the future. As a result, the applicant contends that installing a dry irrigation system is not necessary and that the requirement to install a dry irrigation system should be removed from the preliminary plat conditions.

The City of West Richland has been told by the Columbia Irrigation District (CID) that they do not have extra water and do not intend to include this neighborhood within their district boundaries and provide irrigation water should additional water rights become available in the future. While staff agrees that the infrastructure should not be installed at this time, staff does recommend that the requirement for 10' irrigation easements remain because if this area becomes part of an irrigation district at some point in the future, adequate easements would exist so that an irrigation system could be installed at that time. Staff also recommends that in lieu of the irrigation system being installed that a note be placed on the final plat requiring any and all future owners to waive their right to protest and agree to participate in any future L.I.D. that is created for the purpose of providing irrigation water to the plat.

The proposed plat amendment would result in the removal of conditions #9, #11 and #26 from the original preliminary plat (#9, #11 and #23 from the current plat conditions). However, rather than removing all three (3) conditions, staff suggests only removing condition #26 (#23 current) and replacing conditions #9 and #11 with new conditions #9 and #11 and re-numbering the conditions #1 - #34. New conditions #9 and #11 will read as follows:

9. *This property is not currently within an irrigation district. Minimum 10' wide irrigation easement(s) shall be provided to allow for the provision of irrigation water by an irrigation purveyor in the future. The easements are to be located entirely on one side of the property lines.*

11. *The following note shall be included on the final plat:
Any and all owners or future owners shall expressly waive any objection to and hereby agrees to fully participate in any future local improvement district (L.I.D.) for the purpose of irrigation formed pursuant to legal authority and shall pay the lawful assessments for improvements to such L.I.D.*

Findings

Of Fact:

1. HDJ Design Group, applicant, on behalf of Allied Activities, Inc., property owner, has submitted an application to amend the Preliminary Plat of Kingview Addition No. 7 by eliminating Phase 8 of the plat as well as eliminating the requirement to provide a dry irrigation distribution system.
2. The property in question is described as Lot 3 of Short Plat 3212, Section 5, Township 9 N, Range 28 E, W.M. in the City of West Richland, County of Benton, State of Washington (Benton County Parcel No. 105983013212003).
3. The zoning for this parcel is RM-10 (Medium density residential, with minimum lot size 10,000 SF), RM-15 (Medium density residential, with minimum lot size of 15,000 SF), and RM-12.5 (Medium density residential, with minimum lot size of 12,500 SF).
4. The site has a land use map designation of medium density residential (MD-RES).
5. The preliminary plat, as conditioned, is consistent with the City's Comprehensive Plan and current zoning requirements.
6. As per Section 14.03 WRMC, notice of the public hearing was mailed to affected agencies and to property owners within 600 feet of the subject property on August 14, 2015. Public Notice was displayed at the project site and notice was posted on the City website and posted at the three official places on August 17, 2015.
7. The original preliminary plat application for Kingview Addition No. 7 was reviewed through the State Environmental Policy Act (SEPA) process. SEPA review is not required for the proposed plat amendment due to the nature of the request.
8. WRMC 16.04.060 requires that the landowner/developer install an irrigation system whether or not

the parcel is in an irrigation district. The applicant has requested this requirement be removed from the plat conditions (WRMC 16.04.080).

9. The property is not currently within an irrigation district.

Conclusions

Of Law:

1. The Planning Commission has jurisdiction to hold an open record public hearing and recommend that the City Council approve, approve with conditions, or deny the proposed plat amendment.
2. The proposed plat amendment is compatible with the physical characteristics of the subject property.
3. The proposed plat amendment is such that pedestrian and vehicular traffic associated with the development will not be hazardous or conflict with existing and anticipated traffic in the adjacent area or conditions can be established to mitigate adverse impacts on such facilities.
4. The proposed plat alteration will not impact the development, as it will still be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area.
5. The proposed plat amendment is not in conflict with the health and safety of the community, nor detrimental to the public interest.

Recommendation:

Based on the staff analysis and written findings of fact, staff recommends amending the Kingview Addition No. 7 plat conditions (File No. PA 2015-35) by revising conditions #9 & #11, removing condition #23 and re-numbering the conditions of approval #1-#34. Specifically, conditions of approval #9 and #11 will be revised as follows:

9. This property is not currently within an irrigation district. Minimum 10' wide irrigation easement(s) shall be provided to allow for the provision of irrigation water by an irrigation purveyor in the future. The easements are to be located entirely on one side of the property lines.
11. The following note shall be included on the final plat:
Any and all owners or future owners shall expressly waive any objection to and hereby agrees to fully participate in any future local improvement district (L.I.D.) for the purpose of irrigation formed pursuant to legal authority and shall pay the lawful assessments for improvements to such L.I.D.

New Conditions

Of Approval:

1. Storm water facilities for the subdivision must be designed by a licensed professional engineer registered in the State of Washington, using accepted best management practices and design

standards such as those found in the Eastern Washington Stormwater Manual. The design shall be based on the 25-year, 24-hour storm event, and must comply with the NPDES Phase 2 stormwater requirements. Storm water facilities shall be designed using the recommendations of the Geotechnical Report for the project, prepared by Shannon & Wilson dated July 1, 2008 as amended July 25, 2008, which includes, but is not limited to, not discharging or infiltrating stormwater on areas with slopes of 15% or more.

2. The developer shall submit an erosion control plan for approval by the City Engineer.
3. Vegetation that is scrubbed from the land must be removed from the site and disposed of at an authorized facility. It shall not be buried on site.
4. Prior to excavation and infrastructure development, a dust control plan shall be submitted to the City for approval by the Community Development Director. Dust control during construction shall be closely monitored and utilized as necessary to minimize fugitive dust. At the completion of grading and road/utility construction, all disturbed soil areas are to be treated with tackifier and dryland mix.
5. The grading of the subdivision shall be overseen by a licensed professional engineer to ensure that: (1) All fill areas are compacted to standards for residential construction; (2) A minimum slope stability factor of 1.5 is provided for all developed areas; and, (3) The toe of all fill areas on hillsides (15%+ slope) are "keyed in" to further ensure slope stability.

All areas to be developed must provide a minimum slope stability factor of 1.5. Areas not currently providing such slope stability may be corrected to provide a slope stability factor of 1.5 through grading or engineered retaining walls. If an area of oversteepened slopes within or adjacent to the development cannot or will not be corrected, such as with the oversteepened slopes on some of the adjacent lots to the north, then a setback for all improvements (sewer line, sewer access road, stormwater piping, etc.) shall be maintained from such oversteepened slope equal to the point where the slope would provide a stability factor of 1.5.

At the completion of the subdivision improvements, all slopes must have a stability factor of at least 1.5; provided, if such slope stability does not current exist and cannot be achieved for any area of the plat, that area and the adjacent setback needed to otherwise provide a slope stability factor of at least 1.5 shall remain undeveloped and be so noted/delineated on the plat. Please realize that this restriction also precludes temporary oversteepened slopes between the time of subdivision development and house construction.

Compaction tests and certification by the engineer shall be provided to document acceptability of the grading, compaction of fill areas, and slope stability.

6. Lot improvements (houses, etc.) shall maintain the minimum slope stability factor of 1.5. To ensure such slope stability and lot-specific suitability of development, construction on each lot with a slope exceeding 15% shall be subject to a further geotechnical review to consider foundations, slopes, stormwater/drainage/roof drains, irrigation, and any other factors identified by the engineer or City. A note to this effect shall be included on the final plat.
7. Notice of the slope limitations and the practices recommended by the Geotechnical report shall

be noted on the plat as minimum requirements for development of the lots.

8. If any archaeological remains are encountered during construction, any work in said area must stop immediately and the contractor shall contact the City and Department of Archeology & Historic Preservation.
9. This property is not currently within an irrigation district. Minimum 10' wide irrigation easement(s) shall be provided to allow for the provision of irrigation water by an irrigation purveyor in the future. The easements are to be located entirely on one side of the property lines.
10. All interior streets shall be constructed to city standards for residential access streets (curb, gutter, sidewalk, streetlights, etc.). The subdivision developer is responsible for the sidewalk and handicap ramps at the intersections, with the homebuilder responsible for sidewalk along the lot frontages.
11. The following note shall be included on the final plat:
Any and all owners or future owners shall expressly waive any objection to and hereby agrees to fully participate in any future local improvement district (L.I.D.) for the purpose of irrigation formed pursuant to legal authority and shall pay the lawful assessments for improvements to such L.I.D.
12. The developer shall be responsible for constructing the west half of South 38th Avenue along the frontage of the development to City standards. Transportation Impact Fee Mitigation Agreement shall apply per Resolution 01-2013.
13. The developer shall provide vacant conduit banks at every street intersection or approximately 300 ft. intervals, per WRMC 16.16.030.
14. Streetlights are to be located along all streets per WRMC 16.04.070.
15. The Developer shall reimburse the City for the costs of furnishing and installing street signs necessary for the development. For consistency, this decision uses the street names shown on the preliminary plat. However, the names of Jordan Court and Queen Lane are not authorized. Queen Lane can be Queen Street. Jordan Court will need to be renamed in accordance with requirements stipulated by the U.S. Postal Service, Benton County Emergency Services, and West Richland Municipal Code, Title 12. All street names are to be determined no later than approval of the construction plans. Addresses will be assigned after the road names are determined.
16. Per WRMC 16.04.080, 10 ft. utility easements shall be provided adjacent to all street right-of-way. Where utility and irrigation utilities are proposed, a combined 15 ft. easement shall be required.
17. All lots must be served with City water service and accompanying easements, per City standards. The lots are located within pressure zones 2, 3, and 4. The developer is responsible for installing Pressure Reducing Vaults (several may be required).
18. Fire hydrants are required at the intersections and at 400-foot intervals. All hydrants must have

storz fittings and be capable of producing the required fire flow.

19. The developer's portion of the water system development fee (\$750 per lot) is to be paid before construction of the subdivision improvements will be authorized.
20. All lots must be provided with City sewer service and accompanying easements, per City standards. When approved to be outside of the street right-of-way, the City shall be provided with a 20' sanitary sewer easement. Said sewer lines shall be constructed a minimum 10' away from a parallel domestic waterline.
21. Power, telephone, and cable service shall be made available to each lot within the subdivision. All utilities must be located underground, with the exception of the standard transmission pads and pedestals.
22. The utility companies with which the City has franchise agreements must sign the final plat indicating their acceptance of the developer installed conduit, or verification that the Developer has completed the utility requirements (as applicable for the utility). Obtain the signatures of Benton R.E.A., Verizon, Suddenlink, and Cascade Natural Gas.
23. The existing irrigation/stormwater pond in the area of proposed Lots 42 and 43 shall be filled and graded so that the lots are development ready at the time of final plat approval for Phase 2. Replacement stormwater facilities are to be included in Phase 2.
24. Mailboxes/Lockboxes for the subdivision shall be furnished and installed by the developer as per U.S. Postal Standards. Submit approval from the Richland Post Office for the mailbox design and location with the construction plans. All mailbox cluster units shall be installed with 10 l.f. of sidewalk, at the approved location(s). Contact Larry Stone, of the Richland Post Office, at (509) 943-2044.
25. The construction plans and installations for all public improvements must be reviewed, inspected, and approved by the Public Works Department, pursuant to WRMC 16.16.360. The plan review fee is \$2,500. An inspection fee equal to 5% of the total estimated construction costs is required at the time the plans are submitted for review. Work with the Public Works Department to coordinate the review and inspection process for the public improvements required for this plat. Inspection fees will apply and must be paid prior to construction.
26. Prior to final plat approval, the Developer must provide a Maintenance Bond to the City to be held for one year from acceptance as a guarantee on materials and workmanship (5% of the value of improvements). The amount of the maintenance bond will be calculated by Public Works and is to be held for one year from the date of Council acceptance of the public improvements.
27. The final plat shall substantially reflect the phasing and layout of the preliminary plat. The final plat surveys shall conform to WRMC 16.04.130, the Survey Recording Act, and State Auditor recording requirements. We recommend that a paper copy of the plat be submitted for review with the final plat application, before the mylar is printed for signatures.
28. Include the following note on the final plat:
For lots that have a 15% or greater slope, the following street setbacks are authorized: All

garages that face the street must be set back 20 feet from the edge of the right-of-way. All other portions of the house, and garages that are entered from the side, need only maintain a 15-foot setback from the edge of the right-of-way.

29. In order to receive the County Treasurer's signature on the plat, all property taxes and special assessments must be paid on the property through the full year in which the plat is recorded, plus a prepayment amount toward next year's taxes if recorded after May 15th.
30. The survey shall be tied to at least two of the benchmarks established for the City of West Richland in Record Survey #3910.
31. A Transportation Impact Fee shall apply to each lot, per Resolution 04-02, as amended by 29-05, or as amended in the future. The fee may be reduced pursuant to a transportation agreement for the 38th Avenue improvements. A note indicating such shall be placed on the plat.
32. The plat shall otherwise conform to all applicable Federal, State and Local regulations.
33. The final plat must be submitted for City Council approval within five (5) years, unless extended by the process outlined in WRMC 16.04.130(A).
34. Construct a paved fire access road from Bing St. in Phase 2 to the City's Open Space Tract. Said roadway to meet City and International Fire Code requirements. A 20' access easement shall be placed on top of said roadway.

Motion:

I hereby move that the Planning Commission recommend approval of Plat Amendment No. 2015-35 to the City Council based upon the above listed Findings of Fact, Conclusions of Law and revised Conditions of Approval.

Attachments:

- A. Application materials
- B. Vicinity Map
- C. Applicant Site Plan
- D. Public Notice & Comments

EXHIBIT 1

Application Materials

9/10/2015 Planning Commission Packet

PA 2015-35

Public Hearing





Received By

JUN 23 2015

City of West Richland

Plat Alteration Application

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

Note: Application shall not be accepted unless the applicant has attended a Pre-Application conference or has submitted a Pre-Application conference waiver.

PROPERTY OWNER INFORMATION		<input type="checkbox"/> Contact Person
Owner: Allied Activities, Inc.		
Address: 4360 Ironton Drive, West Richland, WA 99353		
Phone: 509-521-7763	Email: bromleyt@earthlink.net	

APPLICANT/CONTRACTOR INFORMATION (if different)		<input type="checkbox"/> Contact Person
Company: HDJ Design Group, PLLC.	UBI# 601999897	
Contact: Kevin Barney		
Address: 6115 Burden Blvd, Suite E, Pasco, WA 99301		
Phone: 509-521-1325	Email: Barneyk@hdjdg.com	

SURVEYOR INFORMATION	
Contact: John Baalman	
Address: 1455 Columbia Park Trail	
Phone: 509-783-4141	Email: johnbaalman@rogerssurveying.com

ENGINEER INFORMATION	
Contact: Kevin Barney	
Address: 6115 Burden Blvd, Suite E, Pasco, WA 99301	
Phone: 509-521-1325	Email: Barneyk@hdjdg.com

PROPERTY INFORMATION		
Parcel #: 105983013212003	Zoning: RM-10, RM-12.5, RM-15	
Legal Description: Lot 3 of Short Plat 3212, as recorded under AF 2009-028913		
Preliminary Plat Name: Kingview Addition No. 7 <input type="checkbox"/> Changing		
Gross Plat Acreage: 34.43 Ac	Number of Lots: 65	Smallest Lot Size: 15,004 SF
Net Lot Area Acreage: 28.83	Avg Lot Size: 19,319 SF	Largest Lot Size: 39,936 SF
Domestic Water Supply: <input checked="" type="checkbox"/> City <input type="checkbox"/> Private Well	Sewage Disposal: <input checked="" type="checkbox"/> City <input type="checkbox"/> Septic	
Irrigation Source: <input type="checkbox"/> City <input type="checkbox"/> Private Well <input type="checkbox"/> Columbia Irrig District <input type="checkbox"/> Kennewick Irrig District N/A		
SEPA Checklist Submitted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Title Report (Subdivision Guarantee) Submitted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

DESCRIPTION OF ALTERATION
1. Please omit Phase 8 and associated conditions (#9 & #11) since this property has been recorded as Lot 1 of Short Plat 3212 under AF #2009-028913 and should be omitted from the Kingview 7 Plat.
2. Please omit Plat Condition #26 relating to a dry irrigation system, since the property is not currently within an irrigation District.

APPLICATION MUST INLCUDE
Refer to WRMC 16.05.020

I authorize employees and officials of the City of West Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.

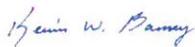
I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of the Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of West Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

Applicant Printed Name: Kevin Barney

Applicant Signature:  Date 6/18/15



Pre-Application Conference Waiver

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

PROPERTY OWNER INFORMATION		<input type="checkbox"/> Contact Person
Owner: Allied Activities, Inc.		
Address: 4360 Ironton Drive, West Richland, WA 99353		
Phone: 509-521-7763	Email: bromleyt@earthlink.net	

APPLICANT/CONTRACTOR INFORMATION (if different)		<input type="checkbox"/> Contact Person
Company: HDJ Design Group, PLLC.	UBI# 601999897	
Contact: Kevin Barney		
Address: 6115 Burden Blvd, Suite E, Pasco, WA 99301		
Phone: 509-521-1325	Email: Barneyk@hdjdg.com	

PROPERTY INFORMATION
Parcel #: 105983013212003
Legal Description: Lot 3 of Short Plat 3212, as recorded under AF 2009-028913

TYPE II APPLICATIONS	
<input type="checkbox"/>	Flood Plain Variance
<input type="checkbox"/>	Critical Areas & Resource Lands Variance/Viable Use
<input type="checkbox"/>	Binding Site Plan
<input type="checkbox"/>	Administrative Variance
<input type="checkbox"/>	Other:

TYPE III APPLICATION	
<input type="checkbox"/>	Non-residential Shoreline Substantial Development
<input type="checkbox"/>	Residential Shoreline Substantial Development
<input type="checkbox"/>	Shoreline Variance/Conditional Use
<input type="checkbox"/>	Conditional Use
<input type="checkbox"/>	Subdivision
<input type="checkbox"/>	Rezone (site specific)
<input checked="" type="checkbox"/>	Vacation/Alteration of a Subdivision
<input type="checkbox"/>	Variance

I understand the waiver of a pre-application conference increases the maximum time for review for technically complete status and increases the risk the application will be rejected or processing will be delayed.

Applicant Printed Name: Kevin Barney

Applicant Signature: *Kevin W. Barney* Date 6/19/15

EXHIBIT 2

Vicinity Map

9/10/2015 Planning Commission Packet

PA 2015-35

Public Hearing



EXHIBIT 3

Applicant Site Plan

9/10/2015 Planning Commission Packet
PA 2015-35
Public Hearing



EXHIBIT 4

Public Notice and Comments

9/10/2015 Planning Commission Packet

PA 2015-35

Public Hearing





3801 W. Van Giesen * West Richland, WA 99353 * www.westrichland.org
Community Development Department * (509) 967-5902

August 14, 2015

TO: Allied Activities, Inc., HDH Design Group, PLLC, Adjoining Property Owners, and Affected Agencies

FROM: West Richland Community Development Department

SUBJ: Plat Amendment File No.: PA 2015-35
Notice of Completeness, Notice of Application, Request for Comment and Notice of Public Hearing

Note: West Richland Municipal Code requires the City to send notice of Plat Amendment requests to properties that are within 600 feet of the subject site. If you are receiving this notice, it is because you fall within this area.

DESCRIPTION OF PROPOSAL

HDJ Design Group, applicant, on behalf of Allied Activities, Inc., property owner, has submitted an application to amend the Preliminary Plat of Kingview Addition No. 7 by eliminating Phase 8 of the plat as well as eliminating the requirement to provide a dry irrigation distribution system since the property is not currently within an irrigation district.

The application was received June 23, 2015 and determined complete for processing on August 11, 2015.

NOTICE OF PUBLIC HEARING

In accordance with West Richland Municipal Code, Sections 14.02, 14.03 and 14.05, an open record public hearing to consider the proposed Plat Amendment will be held before the West Richland Planning Commission on Thursday, September 10, 2015, at 6:00 p.m. in the City Council Chambers (Library Building) located at 3803 W. Van Giesen, West Richland, WA. All interested parties are invited to attend and participate in the hearing. At the hearing, comments may be made verbally or in writing. The recommendation of the Planning Commission is forwarded to the City Council who will then hold a closed-record hearing on the matter on October 6, 2015, or as soon thereafter as possible.

REQUEST FOR WRITTEN COMMENT

You may provide written comments on the proposed Plat Amendment. Send written comments to the Community Development Department at 3801 W. Van Giesen, West Richland, WA 99353. All written comments received by 5:00 p.m., September 2, 2015 will be included in the staff report to the Planning Commission. Comments received after 5:00 p.m., September 2, 2015 will be provided to the Planning Commission during the public hearing.

NOTICE OF DECISION

The application and other information on file may be examined at the Community Development Department. If you wish to obtain notice of the final decision on the proposed Plat Amendment, you will need to contact the Community Development Department with your name and address. The staff contact for this project is Mike Stevens, Senior Planner, at (509) 967-5902 or mstevens@westrichland.org.

ATTACHMENT 2

Planning Commission Minutes

(Draft)

10/6/2015 City Council Packet
PA 2015-21
Closed Record Hearing



1. Call to order / attendance:

Call to order: Chair Aldrich called the meeting to order at 6:03pm.

Members Present:

Nancy Aldrich, Chair
Eileen Webb, Commissioner
Fred Wattenburger, Commissioner
Eric Smith, Commissioner
Frederick Brink, Commissioner

Members Excused Absent:

Enif Michael, Vice-Chair

Chair Aldrich shared that Vice-Chair Michael sent her a text message in the afternoon to say he wouldn't be at the meeting and was also resigning from the board due to conflicts with other projects. There will be an election for the Vice-Chair position at the next regular Planning Commission Meeting.

Staff Present:

Mike Stevens, Senior Planner
Sharon Baker, Staff Recorder

2. Approval of the agenda:

*Motion by Commissioner Webb; Seconded by Commissioner Fred Wattenburger.
Motion: To approve the agenda as submitted.
Motion passed unanimously.*

3. Approval of the minutes:

Approval of minutes is tabled until next meeting. Staff Recorder Sharon Baker will check the recording from July 9, 2015 Planning Commission meeting to verify Commissioner Smiths attendance.

4. Announcements, Reports, and Comments:

Senior Planner Mike Stevens reported on the following items;

- He provided statistics from the 2015 Geo Coin event.
- The Interviews for Comprehensive Plan Consultant will be Thursday, September 17th.
- Nicole Stickney is no longer an employee with the City.
- Due to staffing limitations, suggested that in the future the Planning Commissioners could pick up their meeting binders at City Hall rather than being delivered as they are now.
- The Day of Service is Saturday, September 12th.
- There will be two Planning Commission meetings in October; Thursday, October 8, will be a workshop and Thursday, October 22 will be a regular monthly meeting. It was also noted that there will likely be two meetings per month in 2016 while working on the Comprehensive Plan.

5. New Business:

- a. Public Hearing: PA 2015-35 (Kingview Addition No. 7 Plat Amendment)

Chair Aldrich opened the public hearing at 6:14pm.

Senior Planner Mike Stevens presented;

Following are comments and questions by the Planning Commission;

- Commissioner Smith inquired about Phase 8 in the future; how is it ensured that the property would be consistent with current lots. What conditions would city place on the property for future development?
 - Senior Planner Stevens explained that the 12 lots in Phase 8 wouldn't exist anymore, it would become a parent parcel. A new owner could develop parcel under current zoning regulations.
- Commissioner Smith also wanted to know how the steep slope of the property impacts development in regards to compaction and future development.
- Chair Aldrich asked if there was an ordinance regarding slopes and soil compaction.
 - Senior Planner Stevens responded that this is covered under Title 18 Environmental (Critical Areas) of the West Richland Municipal Code.
- Chair Aldrich wanted to know if Public Works approved the usage of the Geotechnical report from 2008 as noted in original condition #1.
 - Senior Planner Stevens said yes and with regards to Kingview Addition No 7, the existing lots have been reviewed and are buildable now.
- Chair Aldrich noted concern that an access easement for the park would also be on future plat of Phase 8 once it is removed from Kingview Addition No. 7.
 - Senior Planner Stevens stated that because of a Right of Way vacation in April 2015, the park now has frontage on King Dr.
 - Tom Bromley said there were two accesses to the park in Phase 2.

Chair Aldrich closed the public hearing at 6:31pm.

Motion by Commissioner Webb; Seconded by Commissioner Brink.

I hereby move that the Planning Commission recommend approval of Plat Amendment No. 2015-35 to the City Council based upon the above listed Findings of Fact, Conclusions of Law and revised Conditions of Approval.

Motion passed unanimously.

6. Citizen Public Comments:

- There were none.

7. Adjournment:

Chair Aldrich adjourned the meeting at 6:32pm.

Nancy Aldrich, Chair

Sharon K Baker, Staff Recorder

WEST RICHLAND AGENDA ACTION ITEMS

AGENDA ITEM:	7ced	TYPE OF ACTION NEEDED			
MEETING DATE:	October 6, 2015	Execute Contract		Consent Agenda	
SUBJECT:	Amending the 2015-2016 Budget	Pass Resolution	X	Public Hearing	
		Pass Ordinance	X	1st Discussion	
Prepared by:	Jessica Platt, Finance Director	Pass Motion		2nd Discussion	
Reviewed by:	Brent Gerry, Mayor 	Other		Other	

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 budget amendment ordinance provides an opportunity to formally appropriate items previously approved by Council and to bring matters of special interest to Council's attention.

The budget adjustments include the following:

001 General Fund

- Recognize grant award from Washington Cities Insurance Authority (WCIA) in the amount of \$10,000 for security upgrades at the Police Department
- Recognize claim reimbursement from WCIA and expense for broken slide at Flat Top Park and water damage at the Senior Center in the amount of \$38,549.
- Remove \$45,000 transfer to Street Fund and transfer funds to Fund 309 Yakima River Gateway Project for removal of the roadway only use deed restriction.

101 Street Fund

- Recognize revenue in the amount of \$65,600 for the sale of land and removal of roadway only use deed restriction.

309 Cap Imp – Yakima River Trail

- Recognize transfer from General Fund 001 and corresponding expense for removal of the roadway only use deed restriction.

355 Cap Imp – Transportation Improvement Program

- Adjust budgeted revenues for Federal Grants based on 2014 actual reimbursements and the completion of several projects.
- Increase revenue projection for TIP fees based on increased building activity
- Recognize interfund loan from 401 Fund Water/Sewer for cash flow purposes. Grants and loans issued from funding agencies are on a reimbursement basis. Interfund loan will be immediately repaid once reimbursement is received from funding agency.
- Paradise Belmont Widening – Awarded with light beacon, increase appropriation in the amount of \$33,646.
- Keene Road Pathway Ph 3 – Increase appropriation in the amount of \$59,695 due to pending litigation associated with contractor default.
- Land – Bombing Range Ph 8 – Reduce appropriation by \$5,770, actual right of way costs less than budgeted.
- Other Improvements – Belmont Blvd Ph 3 & 4 – Increase appropriation in the amount of \$58,779 for change order to storm drainage system, minor overruns in estimated quantities, and speed analysis study for Keene Road at Belmont Blvd intersection.

360 Cap Imp - Streets

- Capital Improvement – Streets Fund 360 is no longer needed. Staff recommends closing this fund and transferring the remaining balance into 355 Cap Imp – Transportation Improvement Program. The fund balance in Fund 360 is currently \$4,134.69.

401 Fund Water/Sewer Utility Fund

- Issue interfund loan to Fund 355 as necessary for cash flow purposes. Funds will immediately be reimbursed once funding is received from funding agencies.
- Include transfer-in from 442 Fund for debt service as amended by Council in the July 2015 budget amendment.

404 Stormwater Utility Fund

- Reduce expenditure for storm water system replacement program in the amount of \$25,000 and transfer funds to Fund 482 Decant Facility for change order associated with elevated level of groundwater.

442 Sewer System Development Fund

- Revise budgeted PWTF loan proceeds anticipated in 2015 based on 2014 reimbursements actually received for I-Plant.
- Increase revenue projection for system development fees due to increased building activity.
- I-Plant – Project carryover from 2014 and additional \$360,000 for MBR treatment system.
- Biosolids Processing Facility – Increase appropriation in the amount of \$817,315 to account for SRF loan proceeds with \$51,350 from 442 fund balance.
- Reduce appropriations for completed projects including Belmont Sewer Ext. SR 224-Sec 1 in the amount of \$82,138 and Paradise Way Ph 4 in the amount of \$10,287.
- Reduce appropriation for Other Improvements Belmont Ph 3 & 4 by \$36,000, bids received better than anticipated.

482 Street Sweeping Decant Facility Construction

- Recognize transfer in from Fund 404 Stormwater and corresponding expense in the amount of \$25,000 due to change order associated with elevated level of groundwater.

SUMMARY: The attached ordinance modifies the budget (as detailed in the supporting worksheets) to reflect changes in the spending plans of the City. The attached resolution authorizes an interfund loan from the Water/Sewer Fund 401 to the Capital Improvement – Transportation Improvement Program Fund 355 for cash flow purposes. Funds will immediately be reimbursed once grant revenue is received from the granting agencies. The interest rate for the interfund loan is based on the Washington State Treasurer Local Government Investment Pool (LGIP) rate.

RECOMMENDATION: Passage of ordinance and resolution.

ALTERNATIVES: Without an amendment, the City has no authority to exceed the budgeted expenditures set in the current budget. Expenditures made in excess of the budget are in violation of RCW 35A.33.120 and could subject the city to an audit finding.

FISCAL IMPACT (Indicate amount, fund and impact on budget): This amendment authorizes an increase in the 2015-2016 appropriation in the amount of \$2,113,858 and recognizes an increase in resources in the amount of \$1,829,831, bringing the revised budget to a total of \$72,515,466.

MOTIONS:

I move to pass Ordinance ____ amending the City of West Richland 2015-2016 biennial budget.

I move to adopt Resolution _____ approving an interfund loan from the Water/Sewer Fund 401 to the Capital Improvement – Transportation Improvement Program Fund 355.

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

AN ORDINANCE OF THE CITY OF WEST RICHLAND, WASHINGTON AMENDING THE
BUDGET FOR THE CITY FOR THE BIENNIUM ENDING DECEMBER 31, 2016.

WHEREAS, on October 6, 2015, the City Council of the City of West Richland considered the budget for the City for the biennium ending December 31, 2016; and

WHEREAS, the City Council having made such adjustments and changes as it deemed necessary and proper, and it appearing in the best interests of the City;

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON, do ordain as follows:

Section 1. The 2015-2016 biennial budget for the City of West Richland is hereby amended.

Section 2. The following accounts contained in the 2015-2016 Budget are hereby amended as set forth in Exhibit "A".

Section 4. The explanations of the amendments are listed in Exhibit "B".

Section 5. Fund 360 Capital Improvement – Streets is hereby closed and any remaining funds shall be transferred to Fund 355 Capital Improvement – Transportation Improvement Program Fund 355.

Section 6. This ordinance shall be in full force and effective five days following the date of its publication in the official newspaper of the City.

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON,
this 6th day of October, 2015.

Brent Gerry, Mayor

ATTEST:

Julie Richardson, City Clerk

APPROVED AS TO FORM:

Bronson Brown, City Attorney

CITY OF WEST RICHLAND ~ 2015/2016 BUDGET AMENDMENT ~ October 6, 2015

Exhibit A:

FUND	REVENUES/RESOURCES						EXPENDITURES/USES							
	Beginning Fund Balance			Revenues			Expenditures			Ending Fund Balance				
	Previous Budget	Proposed Budget	Adjustment	Previous Budget	Proposed Budget	Adjustment	Previous Budget	Proposed Budget	Adjustment	Previous Budget	Proposed Budget	Adjustment	Total Expenditures/Uses	
General Fund:														
001 General	2,591,729	2,591,729	-	12,708,479	12,757,028	48,549	13,558,955	13,607,504	48,549	1,741,253	1,741,253	-	15,348,757	
002 Cumulative Reserve	331,322	331,322	-	250,476	250,476	-	166,557	166,557	-	415,241	415,241	-	581,798	
003 Real Estate Conservation/Management	28,911	28,911	-	5,100	5,100	-	29,000	29,000	-	5,011	5,011	-	34,011	
Total General Fund(s)	2,951,962	2,951,962	-	12,964,055	13,012,604	48,549	13,754,512	13,803,061	48,549	2,161,505	2,161,505	-	15,964,566	
Other Funds:														
101 Street	118,508	118,508	-	2,188,692	2,209,292	20,600	2,297,106	2,297,106	20,600	10,094	30,694	20,600	2,327,800	
104 Park Impact	440,967	440,967	-	164,000	164,000	-	365,647	365,647	-	239,320	239,320	-	604,967	
105 Criminal Justice	308,671	308,671	-	1,350,979	1,350,979	-	1,376,923	1,376,923	-	282,726	282,726	-	1,659,650	
121 Library Services	152,261	152,261	-	819,565	819,565	-	879,740	879,740	-	92,086	92,086	-	971,826	
301 Capital Imp - Real Estate Excise Tax I	300,443	300,443	-	325,810	325,810	-	203,096	203,096	-	423,157	423,157	-	626,253	
302 Capital Imp - Real Estate Excise Tax II	565,310	565,310	-	327,000	327,000	-	666,117	666,117	-	226,193	226,193	-	892,310	
309 Capital Imp - Yakima River Trail	427,864	427,864	-	1,564,519	1,609,519	45,000	1,992,383	2,037,383	45,000	1,212,310	1,212,310	-	2,037,383	
320 Capital Imp - Belmont	-	-	-	1,212,310	1,212,310	-	1,986,787	2,373,666	386,879	114,438	166,965	52,527	2,540,631	
355 Capital Imp - Transp Improvement Program	254,150	254,150	-	1,847,075	2,286,481	439,406	2,767,775	2,767,775	439,406	276,775	276,775	-	276,775	
360 Capital Imp - Streets	-	-	-	350	350	-	-	-	-	-	-	-	-	
374 Capital Imp - Van Giesen Redevel Ph 1	276,425	276,425	-	350	350	-	276,775	276,775	-	-	-	-	-	
Water/Sewer Utility:														
401 Water/Sewer Operating	5,390,791	5,390,791	-	13,062,583	13,492,583	430,000	14,931,658	15,231,658	300,000	3,521,716	3,651,716	130,000	18,883,374	
441 Water System Development	1,229,876	1,229,876	-	7,028,498	7,028,498	-	7,487,529	7,487,529	-	770,845	770,845	-	8,258,374	
442 Sewer System Development	1,098,293	1,098,293	-	3,740,781	4,562,057	821,276	4,068,952	5,377,382	1,308,430	770,122	(487,154)	(487,154)	5,660,350	
451 Water Line Development	33,161	33,161	-	16,200	16,200	-	47,742	47,742	-	1,619	1,619	-	49,361	
452 Sewer Line Development	71,523	71,523	-	10,400	10,400	-	81,923	81,923	-	-	-	-	81,923	
Total Water/Sewer Utility	7,823,644	7,823,644	-	23,858,462	25,109,738	1,251,276	26,617,804	28,226,234	1,608,430	5,064,302	(357,154)	(357,154)	32,933,382	
Other Proprietary Funds:														
402 Irrigation Utility	63,503	63,503	-	165,335	165,335	-	167,406	167,406	-	61,432	61,432	-	228,838	
404 Stormwater Utility	404,688	404,688	-	1,459,900	1,459,900	-	1,571,602	1,571,602	-	292,986	292,986	-	1,864,588	
405 Solid Waste Utility	179,804	179,804	-	2,468,558	2,468,558	-	2,475,448	2,475,448	-	172,914	172,914	-	2,648,362	
461 Public Works Operations Facility	2,289,325	2,289,325	-	1,755,000	1,755,000	-	4,044,325	4,044,325	-	4,044,325	4,044,325	-	4,044,325	
482 Street Sweeping Decant Facility	-	-	-	1,681,500	1,681,500	25,000	1,681,500	1,681,500	25,000	1,681,500	1,681,500	-	1,681,500	
Total Budgeted Funds	16,557,525	16,557,525	-	54,128,110	55,957,941	1,829,831	61,544,481	63,658,339	2,113,858	9,141,153	(284,027)	(284,027)	72,515,466	

Exhibit B:

FUND	G/L ACCOUNT	ACCOUNT TITLE	2015/2016 PREVIOUSLY APPROVED BUDGET	2015/2016 PROPOSED AMENDMENT	2015/2016 NEW AMENDED BUDGET	DESCRIPTION
<i>001 - General</i>						
<u>Revenues/Resources:</u>						
	001-000-367-13-00-000	WCIA Risk Reduction Grant	-	10,000	10,000	City awarded a risk reduction grant from WCIA for security upgrades at the Police Department
	001-000-395-20-00-000	Insurance Recoveries- Cap Asset	-	38,549	38,549	Claim reimbursement from WCIA for slide at Flat Top Park and water damage at Senior Center
Increase/(Decrease) in Revenues/Resources				48,549		
<u>Expenditures/Uses:</u>						
	001-710-569-50-48-000	Repairs & Maintenance	4,000	33,366	37,366	Expense to repair water damage at the Senior Center
	001-710-576-80-48-000	Repairs & Maintenance	23,000	5,183	28,183	Expense to replace a vandalized slide at Flat Top Park
	001-900-597-00-00-101	Transfers Out-to 101	45,000	(45,000)	-	Remove transfer to Street Fund
	001-900-597-00-00-309	Transfer Out - Construction Fund	235,216	45,000	280,216	Transfer to Yakima Gateway Project for removal of the roadway only use deed restriction
	001-902-594-21-62-000	Buildings & Structures	40,000	10,000	50,000	Recognize corresponding expense for WCIA grant award for Police Department
Increase/(Decrease) in Appropriations				48,549		
	001-000-508-80-00-000	Ending Fund Balance		-		

Exhibit B:

FUND	G/L ACCOUNT	ACCOUNT TITLE	2015/2016 PREVIOUSLY APPROVED BUDGET	2015/2016 PROPOSED AMENDMENT	2015/2016 NEW AMENDED BUDGET	DESCRIPTION
101 - Street Fund						
<i>Revenues/Resources:</i>						
	101-000-395-10-00-000	Sale of Capital Assets	-	65,600	65,600	Sale of land, removal of roadway only use deed restriction
	101-000-397-00-00-001	Transfer In - General Fund	45,000	(45,000)	-	Remove Transfer from General Fund
Increase/(Decrease) in Revenues/Resources				20,600		
<i>Expenditures/Uses:</i>						
Increase/(Decrease) in Appropriations				-		
	101-710-508-80-00-000	Ending Fund Balance		20,600		
309 - Cap Imp - Yakima River Trail						
<i>Revenues/Resources:</i>						
	309-000-397-00-00-001	Transfer In - General	235,216	45,000	280,216	Transfer from General Fund for removal of the roadway only use deed restriction
Increase/(Decrease) in Revenues/Resources				45,000		
<i>Expenditures/Uses:</i>						
	309-900-594-76-61-000	Land	-	65,600	65,600	Recognize expense for removal of the roadway only use deed restriction
	309-900-594-76-63-000	Other Improvements	1,964,979	(20,600)	1,944,379	Adjust line item to account for expense under Land for removal of deed restriction
Increase/(Decrease) in Appropriations				45,000		
	309-710-508-80-00-000	Ending Fund Balance		-		

Exhibit B:

FUND	G/L ACCOUNT	ACCOUNT TITLE	2015/2016 PREVIOUSLY APPROVED BUDGET	2015/2016 PROPOSED AMENDMENT	2015/2016 NEW AMENDED BUDGET	DESCRIPTION
355 -Cap Imp - Transportation Improvement Program						
<i>Revenues/Resources:</i>						
	355-000-333-20-20-105	FEDERAL STP-U Grant	481,214	(2,514)	478,700	True up revenue based on 2014 project actuals
	355-000-333-20-20-106	Federal TAP Grant	147,506	(2,387)	145,119	True up revenue based on 2014 project actuals
	355-000-333-20-20-110	FEDERAL STP-U Grant	864	(864)	-	Bombing Range Road Ph 8 project complete
	355-000-333-20-20-115	Federal STP-U Grant	432	(432)	-	Paradise Way Ph 4 project completed in 2014
	355-000-345-85-01-000	TIP Fees	420,000	145,603	565,603	Increase revenue projection due to increased building activity
	355-000-381-10-00-401	Interfund Loans - Water/Sewer	-	300,000	300,000	Interfund loan from Water/Sewer Fund 401 for cash flow purposes. Grants and loans issued from funding agencies are on a reimbursement basis. Interfund loan will be immediately repaid once reimbursement is received from funding agency.
Increase/(Decrease) in Revenues/Resources				439,406		

Exhibit B:

FUND	G/L ACCOUNT	ACCOUNT TITLE	2015/2016 PREVIOUSLY APPROVED BUDGET	2015/2016 PROPOSED AMENDMENT	2015/2016 NEW AMENDED BUDGET	DESCRIPTION
355 -Cap Imp - Transportation Improvement Program						
<i>Expenditures/Uses:</i>						
	355-710-595-30-63-105	ParadiseBelmont Widening	587,354	33,646	621,000	Awarded with light beacon
	355-710-595-30-63-106	Keene Road Pathway Ph 3	146,757	59,695	206,452	Pending litigation associated with contractor default
	355-710-595-30-63-107	S 38th Mt Adams View Proj	158,579	(25,447)	133,132	True up based on 2014 actuals
	355-710-595-30-63-110	Bombing Range Ph 8	6,929	(6,929)	-	Project completed in 2014
	355-710-595-20-61-110	Land - Bombing Rng Ph 8	30,000	(5,770)	24,230	Project completed/ Actual right of way costs less than budgeted
	355-710-595-30-63-115	Paradise Way Ph 4	27,095	(27,095)	-	Paradise Way Ph 4 project completed in 2014
	355-710-595-30-63-217	Other Impr-Belmont Blvd Ph 3 & 4	980,000	58,779	1,038,779	Change order to storm drainage system, speed analysis study for Keene Road at Belmont Blvd intersection, and minor overruns in estimated quantities
	355-710-581-20-00-401	Interfund Loans- Water/Sewer	-	300,000	300,000	Interfund loan repayment to Water/Sewer Fund 401
Increase/(Decrease) in Appropriations				386,879		
355-710-508-80-00-000	Ending Fund Balance			52,527		

Exhibit B:

FUND	G/L ACCOUNT	ACCOUNT TITLE	2015/2016 PREVIOUSLY APPROVED BUDGET	2015/2016 PROPOSED AMENDMENT	2015/2016 NEW AMENDED BUDGET	DESCRIPTION
401 - Water/Sewer Utility Fund						
	<u>Revenues/Resources:</u>					
	401-000-381-20-00-355	Interfund Loan Repayment	-	300,000	300,000	Interfund loan repayment from Fund 355 Transportation Improvement Program
	401-000-397-00-00-442		-	130,000	130,000	Include transfer-in from 442 for debt service as amended by Council in the July 2015 budget amendment
	Increase/(Decrease) in Revenues/Resources			430,000		
	<u>Expenditures/Uses:</u>					
	401-710-581-10-00-355	Interfund Loans-TIP	-	300,000	300,000	Interfund loan issued to Fund 355 Transportation Improvement Program
	Increase/(Decrease) in Appropriations			300,000		
	401-710-508-80-00-000	Ending Fund Balance		130,000		
404 - Stormwater Utility Fund						
	<u>Revenues/Resources:</u>					
	Increase/(Decrease) in Revenues/Resources			-		
	<u>Expenditures/Uses:</u>					
	404-710-594-38-65-000	Stm Wtr System RprRplc Prog	25,000	(25,000)	-	Reduce expenditure and transfer funds to Fund 482 Decant Facility for change order associated with elevated level of groundwater
	404-710-597-00-00-482	Transfer Out - Street Sweeping Decant Facility	-	25,000	25,000	See note above
	Increase/(Decrease) in Appropriations			-		
	404-710-508-80-00-000	Ending Fund Balance		-		

Exhibit B:

FUND	G/L ACCOUNT	ACCOUNT TITLE	2015/2016 PREVIOUSLY APPROVED BUDGET	2015/2016 PROPOSED AMENDMENT	2015/2016 NEW AMENDED BUDGET	DESCRIPTION
442 - Sewer System Development Fund						
<u>Revenues/Resources:</u>						
	442-000-379-02-00-000	System Development Fee	630,000	45,940	675,940	Increase revenue projection due to increased building activity
	442-000-391-80-00-000	PWTF Loan Proceeds	1,939,781	(55,764)	1,884,017	True up loan proceeds based on 2014 reimbursements received from the PWTF program
	442-000-391-80-00-001	Loan Proceeds - DOE SRLF	915,000	831,100	1,746,100	SRF Loan for Biosolids Facility
Increase/(Decrease) in Revenues/Resources				821,276		
<u>Expenditures/Uses:</u>						
	442-710-594-35-60-001	I-Pond	1,957,326	619,540	2,576,866	Project carryover from 2014, additional \$360,000 needed for MBR treatment system
	442-710-594-35-62-000	Biosolids Processing Facility	980,135	817,315	1,797,450	Amend budget to account for SRF Loan Proceeds, \$51,350 from 442 ending fund balance
	442-710-594-35-63-003	Belmont Sewer Ext. SR 224- Sec 1	82,138	(82,138)	-	Project completed in 2014
	442-710-594-35-63-115	Paradise Way Ph 4	10,287	(10,287)	-	Project completed in 2014
	442-710-594-35-63-217	Other Impr- Belmont Ph 3 & 4	143,000	(36,000)	107,000	Reduce appropriation, bids received better than anticipated
Increase/(Decrease) in Appropriations				1,308,430		
	442-710-508-80-00-000	Ending Fund Balance		(487,154)		
482 - Street Sweeping Decant Facility Construction						
<u>Revenues/Resources:</u>						
	482-000-397-00-00-404	Transfers In - Stormwater Utility Fund	-	25,000	25,000	Transfer from 404 Stormwater Utility Fund due to change order associated with elevated level of groundwater
Increase/(Decrease) in Revenues/Resources				25,000		
<u>Expenditures/Uses:</u>						
	482-710-594-38-62-000	Other Impr- Decant Facility	1,156,500	25,000	1,181,500	See note above
Increase/(Decrease) in Appropriations				25,000		
	482-710-508-80-00-000	Ending Fund Balance		-		

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

A RESOLUTION OF THE CITY OF WEST RICHLAND, WASHINGTON RELATING TO AN INTERFUND LOAN FROM THE WATER/SEWER OPERATING FUND TO THE CAPITAL IMPROVEMENT – TRANSPORTATION IMPROVEMENT PROGRAM FUND 355.

THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON, do ordain as follows:

Section 1. The interfund loan from the Water/Sewer Operating Fund 401 to the Capital Improvement – Transportation Improvement Program Fund 355 in an amount not to exceed \$300,000.00 is hereby confirmed. The loan shall bear an interest rate of 0.16% and shall be repaid upon receipt of anticipated funding; provided, however, that in all events, said loan shall be repaid in its entirety on or before October 31, 2017.

Section 2. This ordinance shall be in full force and effective five days following the date of its publication in the official newspaper of the City.

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON, this 6th day of October, 2015.

Brent Gerry, Mayor

ATTEST:

Julie Richardson, City Clerk

APPROVED AS TO FORM:

Bronson Brown, City Attorney