



SELAH CITY COUNCIL

6:30pm January 27, 2015

6:00pm Study Session: Joe Henne
Community Planner position



Selah City Council
Regular Meeting
Tuesday, January 27, 2015
6:30pm
City Council Chambers

Mayor:
Mayor Pro Tem:
Council Members:

John Gawlik
Brooke Finch
Paul Overby
John Tierney
Dave Smeback
Allen Schmid
Roy Sample
Jane Williams

CITY OF SELAH
115 West Naches Avenue
Selah, Washington 98942

Interim City Administrator: Joe Henne
City Attorney: Bob Noe
Clerk/Treasurer: Dale Novobielski

AGENDA

- A. Call to Order –Mayor Pro Tem Finch
- B. Roll Call
- C. Pledge of Allegiance
- D. Agenda Changes **None**
- E. Public Appearances/Introductions/Presentations **None**
- F. Getting To Know Our Businesses **None**
- G. Communications
 - 1. Oral

This is a public meeting. If you wish to address the Council concerning any matter that is not on the agenda, you may do so now. Please come forward to the podium, stating your name for the record. The Mayor Pro Tem reserves the right to place a time limit on each person asking to be heard.

- 2. Written **None**
- H. Proclamations/Announcements **None**
- I. Consent Agenda

All items listed with an asterisk (*) are considered routine by the City Council and will be enacted by one motion, without discussion. Should any Council Member request that any item of the Consent Agenda be considered separately, that item will be removed from the Consent Agenda and become a part of the regular Agenda.

- Monica Lake * 1. Approval of Minutes: January 13, 2015 Study Session & Council Meeting
- Dale N. * 2. Approval of Claims & Payroll

- J. Public Hearings
 - Andrew Potter 1. Public Hearing to consider the Selah Transit Development Plan, including the annual report for 2013 and six-year Plan 2014-2019
- K. New Business **None**
- L. Old Business **None**
- M. Resolutions
 - Andrew Potter 1. Resolution adopting the Selah Transit Development Plan, including the annual report for 2013 and six-year Plan 2014-2019



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



COUNCIL MEETING ACTION ITEM
1/27/2015 I - 1

Title: Approval of Minutes: January 13, 2015 Study Session & Council Meeting

Thru: Joe Henne, Interim City Administrator

From: Monica Lake, Executive Assistant

Action Requested: Approval

Board/Commission Recommendation: Not applicable

Fiscal Impact: N/A

Funding Source: N/A

Staff Recommendation:

Approval of Minutes

Background / Findings & Facts:

See Minutes for details.

Recommended Motion:

Motion to approve the Consent Agenda as read. (This item is part of the Consent Agenda)

**Study Session Minutes
Selah City Council
January 13, 2015
3:00pm**

Mayor Gawlik opened the Study Session. He gave an update on various projects, expressing the need to put the pool forward as a priority, as the six year Maintenance & Operations levy is already starting its third year. Topics discussed include the Civic Center and whether the City should renovate or build a new facility; construction of a new combined City Hall and Police Station; where to proceed with regards to the new pool; and the City Administrator interview process.

Recreation Manager Brown and Assistant to the City Administrator Potter gave a PowerPoint presentation on the Volunteer Park project. Discussion followed on the desire for more parking stalls than the fifteen designated on the current design, whether to go with the original design, and what could be done to accommodate the needs of the property owners adjacent to the parking lot area.

The Study Session ended at 3:54pm.

City of Selah
Council Minutes
January 13, 2015

Regular Meeting
Selah Council Chambers
115 West Naches Avenue
Selah, WA 98942

A. Call to Order Mayor Gawlik called the meeting to order at 4:00pm.

B. Roll Call

Members Present: Paul Overby; John Tierney; Dave Smeback; Council Member Schmid;
Brooke Finch; Council Member Sample; Council Member Williams

Members Excused:

Staff Present: Joe Henne, Interim City Administrator; Bob Noe, City Attorney; Gary
Hanna, Fire Chief; Rick Hayes, Police Chief; Dale Novobielski,
Clerk/Treasurer; Dennis Davison, Community Planner; Charlie Brown,
Recreation Manager; Andrew Potter, Assistant to the City Administrator;
Monica Lake, Executive Assistant

C. Pledge of Allegiance

Council Member Tierney led the Pledge of Allegiance. Pastor Brad Hill led the opening prayer.

D. Agenda Changes **None**

E. Public Appearances/Introductions/ Presentations **None**

F. Getting To Know Our Businesses **None**

G. Communications

1. Oral

Mayor Gawlik opened the meeting.

Evelyn Paquin approached the podium and addressed the Council. She said that there is a problem with one of the lights by King's Row, and requested that something be done before someone gets killed.

Mayor Gawlik wondered if she meant a streetlight or a traffic light.

Ms. Paquin responded that she meant the traffic light, adding that a friend of hers got hit by a truck at that intersection last Tuesday.

Interim City Administrator Henne remarked that he heard about the accident and talked to the Washington State Department of Transportation (DOT) about the matter yesterday. He went on to say that there is a broken loop in the ground which prevents the light from detecting cars, and that DOT is waiting for better weather to saw cut and replace the loop. He noted that the person in the crosswalk was in the right, and that the driver of the vehicle failed to recognize the pedestrian in the crosswalk.

Ms. Paquin commented that most of the time a person will walk two steps and the light will change. She asked what a person is supposed to do.

Interim City Administrator Henne replied that the white light tells you to proceed, the flashing light tells you to proceed but quickly, and that one isn't supposed to step off the curb if it's solid red.

Council Member Tierney inquired if there was any chance to that the signal could be changed to the ones that tell a person how much time they have to cross the intersection.

Interim City Administrator Henne responded in the affirmative.

Council Member Tierney wondered if it would be the City's cost or paid by the DOT.

Interim City Administrator Henne replied that it would be the City's cost.

Council Member Tierney asked who pays to fix the broken loop.

Interim City Administrator Henne responded that the City pays the cost, but we contract with DOT to do light repairs and maintenance.

Ms. Paquin inquired how long it would take.

Interim City Administrator Henne replied that fixing the delay time and the change of light time can be done right away, but he won't have a time frame for repair of the loop until later in the spring, when hot asphalt and hot oil can be used.

Council Member Tierney suggested an emphasis patrol.

Interim City Administrator Henne responded that a lot of people only look at the light, and that they need to look before stepping off the curb.

Council Member Sample commented that he has walked across that intersection many times, and has learned to look for people making right hand turns.

Council Member Williams expressed concern about the safety of those using the crosswalk to get from transit parking to the bus stop.

Interim City Administrator Henne remarked that he has requested that DOT extend the crosswalk light time.

Council Member Williams wondered if the City could make their own decision regarding the length of the crosswalk light.

Interim City Administrator Henne replied in the affirmative, adding that it was done for the school crosswalk.

Ms. Paquin asked about water leaking on the road where the semi-truck hit the hydrant.

Interim City Administrator Henne remarked that he thought that was fixed.

Ms. Paquin responded that there was another leak behind the house next to Mrs. Darling's, and that she was told the City said they couldn't do anything about it until Thursday. She suggested that they fix all the pipes and get it over with, as the water shut-offs for repair work is hard on the residents in that area.

Interim City Administrator Henne commented that the City is currently working on a design to replace the waterlines from Valleyview to Southern, as well as the crossroad intersections, and that it will probably happen in a couple years.

Seeing no one else rise to speak, Mayor Gawlik closed the meeting.

2. Written

- a. December 2014 Monthly Report for Building Permits, Animal Control and Code Enforcement

H. Proclamations/Announcements **None**

I. Consent Agenda

Executive Assistant Lake read the Consent Agenda.

All items listed with an asterisk (*) were considered as part of the Consent Agenda.

- * 1. Approval of Minutes: December 9, 2014 Study Session and Council Meeting

- * 2. Approval of Claims & Payroll:

- Payroll Checks Nos. 78149 – 78174 for a total of \$171,671.85
- Payroll Checks Nos. 78175 – 78208 for a total of \$237,744.51
- Claim Checks Nos. 64997 – 65070 for a total of \$601,702.23
- Claim Checks Nos. 65071 – 65125 for a total of \$146,509.28
- Claim Checks Nos. 65126 – 65149 for a total of \$ 50,299.66

- * 3. Resolution M – 1: Resolution establishing January 27, 2015 as the public hearing date to consider the adoption of the “Selah Transit Development Plan”
- * 4. Resolution M – 2: Resolution Authorizing the Mayor to accept the 2013 DWSRF Water System Improvements as complete and approve final Progress Estimate No. 8 and Project Acceptance
- * 5. Resolution M – 3: Resolution Authorizing the Mayor to Sign a Legal Advertising Contract with the Yakima Herald-Republic for the 2015 Calendar Year
- * 6. Resolution M – 6: Resolution declaring approximately 4,500 feet of 2 ½” fire hose, 12 “D” size steel oxygen cylinders, and miscellaneous office equipment as surplus

Council Member Tierney moved, and Council Member Williams seconded, to approve the Consent Agenda as read. By voice vote, approval of the Consent Agenda was unanimous.

J. Public Hearings None

K. New Business

1. Selection of a Mayor Pro Tempore for Calendar Year 2015

Council Member Tierney nominated, and Council Member Sample seconded, Council Member Finch to be Mayor Pro Tempore for Calendar Year 2015. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Smeback – yes; Council Member Schmid – no; Council Member Finch – yes; Council Member Sample – yes; Council Member Williams – yes. Motion passed with six yes votes and one no vote.

2. Board & Committee Assignments for 2015

Mayor Gawlik read through the list of board and committee assignments. Council Members were assigned as follows: Finance Committee – Council Members Finch, Schmid and Tierney; Parks & Recreation Board – Council Member Overby; Lodging Tax Advisory Committee and Selah Tourism Promotion Board – Council Member Smeback; Yakima Valley Conference of Governments – Council Members Williams and Tierney; Yakima Valley Visitors & Convention Bureau – Council Member Tierney; Selah Parks & Recreation Service Area Board – Council Members Williams and Sample; Yakima Transit – Council Member Finch; Fire Commissioners Board and Volunteers Firefighters Board – Council Member Smeback; Selah Chamber of Commerce – Allen Schmid; Selah School District – Council Members Smeback and Finch; Gang Commission – Council Member Tierney; Naches-Selah Irrigation District Voting Member – Mayor Gawlik; Facilities Committee – Council Members Tierney, Smeback and Sample; Selah Parks Foundation – Council Member Overby; Selah Downtown Association – Council Member Sample; Yakima Regional Clean Air Agency – Mayor Gawlik

3. Proposed Selah Municipal Code Amendments: Chapter 10.28, Table A-5, Chapter 10.28.040 Regulatory Notes, and Chapter 10.12.040

Community Planner Davison addressed K – 3. He said that the proposed amendment to the municipal code will allow duplexes on lots in an R-1 zone, which could only be created when doing a new subdivision. He added that the lots would be specifically designated as such, recorded on final plat if the plat is approved, and only those lots that are designated as such, which is limited to ten percent of the total lots created in the plat, could have two-family units.

Council Member Tierney asked if it would be ten percent of each section on a subdivision done in phases.

Community Planner Davison responded that it would be ten percent of the total lots whether they were constructed all at once or in phases.

Mayor Gawlik questioned the reasoning behind allowing ten percent to be R-2 in an R-1 designated plat.

Community Planner Davison briefly explained how the statement came to be included in the 1997 Comprehensive Plan, noting that Mr. Torkelson was the first person to apply for the variance allowing three lots of his thirty lot subdivision to be designated for duplexes. He stated that the Hearing Examiner found issue with the that fact that the text of the Ordinance wasn't the same as the use table included in that same Ordinance, and recommended a change to the Planning Commission, which was included in the Council packet. He went on to say that the Planning Commission took his recommendation under advisement, held a public hearing on the matter, and are recommending that Council implement an amendment to the Municipal Code allowing duplexes on lots in new approved subdivisions. He referred Council to the items included in the packet highlighting the changes that the Planning Commission felt were necessary to resolve the matter.

Council Member Tierney wondered who the approving body would be under Chapter 10.12.040.

Community Planner Davison replied that it would be the Hearing Examiner, where previously it was the Planning Commission.

Council Member Tierney remarked that recommendations from the Planning Commission came to Council for approval, and that the Planning Commission could say yes or no to a builder.

Community Planner Davison responded that the Hearing Examiner hears all rezone matters now, and that he can say yes or no based on the record and the facts.

Council Member Sample inquired if he was also allowed to designate the location of duplex lots.

Community Planner Davison replied that the proponent can propose but the Hearing Examiner would be the ultimate one to agree or disagree with the proposal.

Council Member Sample stated that his problem with this matter is that this one case will dictate code for the future.

Community Planner Davison remarked that, even though it would be permitted, it's like a rezone or plat, and can be recommended for denial.

Council Member Sample wondered at the use of having it in the code.

Community Planner Davison responded that the housing group involved in creating Comprehensive Plans wanted to see diversity in housing types.

Council Member Sample felt that it seems self-serving, adding that, while he's fine with having rental units on a major road, he doesn't agree with placing them in the middle of a plat. He wondered why a proponent would come in with a proposal that has more duplexes than one per ten.

Community Planner Davison replied that, assuming one came in with proposed planned development, if it was done through a subdivision then ten percent of the lots could be designated as such, adding that, along arterials it's more desirous to have duplexes than single family homes. He noted that this proposal won't cure all potential questions like that.

Council Member Smeback felt that they were debating an issue that had been vetted out years ago, and that this solution was derived to give people the opportunity to live in a rental in a nice neighborhood. He added that, while there were some things they didn't like about the Growth Management Act, this one made some sense, as moving rental families into residential areas is a good thing, and that this has turned into a debacle only because the chart wasn't updated with the Ordinance.

City Attorney Noe wanted to make a distinction between the pending action and a change of the existing Ordinance, noting that the Ordinance was already in place when Mr. Torkelson submitted his application. He went on to say that the only issue identified by the Hearing Examiner was a clerical issue, and he would like Council to first address changing the table to reflect the Ordinance in place; they can discuss changing the Ordinance at a future date.

Council Member Williams remarked that the Hearing Examiner didn't say that they needed to change the Ordinance; he brought it up as a conflict. She noted that other communities our size don't allow for this, and that the language in Chapter 28 conflicting to her. She would like to see an expert in planning come before the Council to explain the pros and cons, and suggested that, if there is another problem with the administrative codes in the future, that they stop issuing permits until the issue has been resolved.

Council Member Smeback commented that this is a clerical correction, as the Ordinance is already in place.

Council Member Williams felt that the people who did this may not have seen the ramifications further on. She thought that they shouldn't vote on the matter at this time, as the City doesn't have a full-time Community Planner, City Administrator, or City Attorney to review it.

Council Member Smeback responded that the proponent has a legal right to use this, and also has a legal right to sue the City if they deny it. He noted that Council can change this in the future.

Mr. Torkelson approached the podium and addressed the Council. He requested that Council Member Williams to recuse herself. He stated that is isn't his fault the chart didn't match when he submitted his proposal. He said that this is designed for flexibility to blend and make us flow better as a city.

Council Member Finch thought that she'd read these units can only be sold as single family units.

Mr. Torkelson replied that they can be sold as condominiums; he would go through the Planned Development process and separate them.

City Attorney Noe agreed that, while it's a process, it can be accomplished.

Council Member Finch asked if it could be accomplished via current code or if it would require an exception done by the Council.

City Attorney Noe responded that, to make duplexes into owner-occupied condos, it would have to go thru the Planned Development process.

Council Member Finch requested that Mr. Torkelson speak as to his intentions on that.

Mr. Torkelson replied that it allows for older family member to live in their own home but still live right beside family to care for them, and that there are other needs like that, such as someone who is handicapped or elderly.

Council Member Williams remarked that the Hearing Examiner stated in his decision that the applicant indicated the designation of these lots wasn't essential for the project, and suggested that the designation be removed from the preliminary plat.

Mr. Torkelson stated that he had wanted those designated lots from the start.

Council Member Williams commented that she feels she can give an honest, fair review of anything he brings before the Council , noting that his letter indicated that the project had been conditionally approved without the duplexes, when in fact they hadn't broken ground yet.

Mr. Torkelson responded that they are at mid-process, and have been trying to get the matter approved for ten months. He added that he feels she cannot give him a fair review and that it should be about what the citizen feels regarding a Council Member's vote.

Council Member Williams stated that she has talked to Municipal Research about a Council Member attending a Hearing Examiner's open hearing, and that a Council Member can sit in on a public hearing.

Wayne Worby approached the podium and addressed the Council. He commented that this has been an interesting conversation. He felt that the State's comprehensive plan did not intend to put duplexes into an R-1 zone.

Council Member Smeback remarked that the State's direction to municipalities way to find ways of blending multi-family units into single family residential developments, as they wanted them dispersed into residential neighborhoods.

Council Member Schmid commented that the State directive requested that cities put that into their growth management plan; they wanted municipalities to look at open areas and see how to do a diversity of housing as they move through development.

Council Member Smeback noted that they didn't invent that; it was put on the City to change their Ordinances.

Council Member Williams felt that it was the overall goal but not mandatory.

Council Member Smeback said that common-wall homes and condos aren't designated as specific zones.

Mr. Worby wondered why Selah is unique is regards to this code.

City Attorney Noe stated that he hasn't seen anything similar in other cities.

Mr. Worby felt that the City is creating an animal by allowing R-2 in an R-1 area, as it increases density and the number of situs addresses.

Council Member Smeback asked if he was saying that, because a lot has 114a and 114b, those two addresses constitute two lots.

Mr. Worby replied in the affirmative.

Council Member Smeback remarked that the County map shows it as one lot.

Mr. Worby countered that the density was changed by adding another family.

Council Member Smeback felt that it should be the builder's choice whether or not to mix in duplexes.

Mr. Worby commented that he'd heard putting duplexes into an R-1 area devalues the property.

Council Member Smeback responded that it would only if the developer built low quality duplexes.

Community Planner Davison requested that the discussion be closed and that Council vote on the matter when they get to the Ordinance.

City Attorney Noe reiterated that he feels the correction needs to be done to resolve the pending application issue.

Council Member Williams stated that she is opposed to doing it to benefit one party, and that she feels the matter needs to be reviewed further.

Council Member Sample asked if the setbacks will be the same as an R-1 zone.

Community Planner Davison responded that the R-1 zoning designation remains, and that they will have all of the setbacks and other requirements of an R-1 zone.

Council Member Tierney moved, and Council Member Smeback seconded, to Approve the Ordinance Amending Sections of Title 10, Chapter 10.28, Table 5-A, Chapter 10.28.040, Regulatory Notes, and Chapter 10.12.040 of the Selah Municipal Code. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – yes; Council Member Sample – yes; Council Member Williams – no. Motion passed with six yes votes and one no vote.

L. Old Business None

M. Resolutions

- * 1. Resolution establishing January 27, 2015 as the public hearing date to consider the adoption of the “Selah Transit Development Plan”
- * 2. Resolution Authorizing the Mayor to accept the 2013 DWSRF Water System Improvements as complete and approve final Progress Estimate No. 8 and Project Acceptance
- * 3. Resolution Authorizing the Mayor to Sign a Legal Advertising Contract with the Yakima Herald-Republic for the 2015 Calendar Year
- 4. Resolution Authorizing the Mayor to Sign a Business Licensing Services Agreement between the City of Selah and the State of Washington Department of Revenue Business Licensing Services

Interim City Administrator Henne addressed M – 4. He said that this agreement extends the current business license agreement with the State.

Council Member Schmid moved, and Council Member Finch seconded, to Approve the Resolution Authorizing the Mayor to Sign a Business Licensing Services Agreement between the City of Selah and the State of Washington Department of Revenue Business Licensing Services. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – yes; Council Member Sample – yes; Council Member Williams – yes. By voice vote, approval was unanimous.

- 5. Resolution authorizing the Mayor to sign a Professional Services Agreement with Durant Development Services, Inc. for professional planning services

Interim City Administrator Henne addressed M – 5. He said that Community Planner Davison is retiring at the end of January and that the previous City Administrator had opted to contract with Durant

Development Services, Inc. for planner services. He read the monthly expenses from the contract itself, adding that the City will provide and acquire approximately twenty-five hundred dollars' worth of errors and omissions insurance, and that City Attorney Noe reviewed the contract.

Council Member Overby wondered if travel time counted against billable hours.

Interim City Administrator Henne responded that he won't charge for mileage, but he can't answer whether he'd bill for travel time. He added that Mr. Durant is currently out of the country.

Council Member Overby asked about the minimum of billable hours for a phone conversation.

Interim City Administrator Henne replied that Mr. Durant would have to answer that question. He noted that there is a thirty day termination clause included in the contract, and that Council has the option to discuss the matter with Mr. Durant or to terminate and go with another company.

Council Member Schmid expressed his concern that the City would only have a planner for approximately twenty-six percent of the month; they are seeing housing growth, commercial growth, and industrial growth in the City, and not having a full-time planner isn't going to work.

Interim City Administrator Henne commented that Yakima County has been looking for a planner for months, adding that the City will need to do something in the meantime.

Mayor Gawlik remarked that there were a number of reasons why the 2015 budget had a part-time City Attorney and a part-time Community Planner, reminding Council that they had decided last month to review the matter in three months. He stated that Council would be given information on how much of the inquiries, phone calls, and handling of information will now be shared by the staff at Public Works when the matter is brought before them for review. He said that they have to have something in place until they make a decision as to what they wish to do.

Council Member Overby felt that they needed some clarity regarding the minimum billing unit.

Council Member Finch commented that she was in favor of this plan when it was initially discussed, but upon further consideration is now against going this direction, primarily from feedback from staff and what she has witnessed tonight. She suggested that they start the process of hiring a full time planner tomorrow.

Council Member Smeback said that he is a proponent of part time, as he feels that they have a rare opportunity to take a look at functions and see how the process works. He noted that the County Planning Department has prevented a lot of interruptions to the Planner by utilizing the clerical staff, and that the Selah community has been spoiled by having immediate access to Community Planner Davison. He stated that is poor time and office management when people don't make appointments, and felt that putting some responsibilities on the clerical staff might make it possible to get by with a part-time planner. He added that, if ninety days from now it looks like it's not going to work, then they can look for a full-time planner.

Council Member Williams agreed that it is a good time to review the whole process. She wondered if the decision to hire a full-time planner would require a financial adjustment prior to starting a search.

Clerk/Treasurer Novobielski responded that the only restriction from a financial perspective is that the City can't expend money if Council hasn't authorized the expenditure, and if done prior to amending the budget it would be a violation. He added that Mr. Durant is currently paid through accounts payable and is not on the books as an employee.

Council Member Sample felt that the clerical staff could certainly be trained to answer many of these questions, but he didn't agree with the thought that the City doesn't need a full-time planner.

Interim City Administrator Henne said that he agrees with some of what Council Member Smeback is saying, adding that the front office staff have been answering questions on zoning and setback issues. He stated that the City needs to update their Growth Management Act (GMA), and that he is working with the Yakima Valley Conference of Governments to see what they can do to facilitate the update of the GMA. He reminded Council that they are going to have to try this regardless, as they wouldn't be able to hire a full-time planner immediately if Council opted to go that route.

Council Member Tierney moved, and Council Member Finch seconded, to send the contract back to Durant Development Services, Inc. with suggested changes as follows: 1) travel time will not be reimbursed, and 2) contract shall be on a month to month basis to avoid the need to give a thirty day notice. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – yes; Council Member Sample – yes; Council Member Williams – yes. By voice vote, approval was unanimous.

- * 6. Resolution declaring approximately 4,500 feet of 2 ½" fire hose, 12 "D" size steel oxygen cylinders, and miscellaneous office equipment as surplus

N. Ordinances

1. Ordinance Amending the 2015 Budget for Demolition of Structures on 110, 112 & 202 Park Avenue and 105 Selah Avenue

Clerk/Treasurer Novobielski addressed N – 1. He said that he was asked to draft a Budget Adjustment for demolition of the four structures on the back side of Civic Center, noting that the new reserve balance will be two hundred thirty-six thousand, nine hundred and eighty-three dollars. He added that Council is paying the final bills for 2014 tonight, and that the expenditures came in significantly less than budgeted for 2014.

Council Member Finch moved, and Council Member Overby seconded, to Approve the Ordinance Amending the 2015 Budget for Demolition of Structures on 110, 112 & 202 Park Avenue and 105 Selah Avenue. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – yes; Council Member Sample – yes; Council Member Williams – yes. By voice vote, approval was unanimous.

2. Ordinance Amending Sections of Title 10, Chapter 10.28, Table 5-A, Chapter 10.28.040, Regulatory Notes, and Chapter 10.12.040 of the Selah Municipal Code

City Attorney Noe stated that Council had taken action on the matter under item K – 3.

O. Communications

1. Oral

Mayor Gawlik opened the meeting.

Wayne Worby approached the podium and addressed the Council. He said that he had made a proposal counter to what was submitted and approved, and that he was led to believe that this would be addressed at the last meeting in December.

Interim City Administrator Henne responded that staff had talked about this Ordinance needing to be passed to fulfill a commitment, and bringing the matter back at a later date for Council to review. He suggested that Mr. Worby meet with Community Planner Davison to discuss his proposal, after which if it's a Planning Commissions matter would go to them to be heard, or if it's a regulatory matter it would be brought before Council for action.

Mr. Worby wondered what happened to the paperwork he previously submitted to Council.

City Attorney Noe remarked that he received a copy of Mr. Worby's proposal to eliminate 10.040 and remove the verbiage allowing duplexes in an R-1 residential area.

Council Member Williams wanted to see other options.

Council Member Smeback commented that the pathway goes back to the Community Planner, then the Planning Commission, and then is brought before the Council.

Mr. Worby stated that fifty-two percent of the homes in Selah are non-owner occupied, and wondered how Council addressed issues in the code that have put that into place, which may or may not reflect where the community is going.

City Attorney Noe felt that reconsideration of the Comprehensive Plan should happen before development regulations are developed, adding that it will take a while for the City to review the Comprehensive Plan.

Mr. Worby inquired if the 2015 Comprehensive Plan will change significantly from what's on the map.

City Attorney Noe replied that it may or may not; it depends on how the Council and the Planning Commission looks at it.

Council Member Smeback remarked that they will look at things such as expanding the boundaries in East Selah, and that there should be a lot of discussion on the Comprehensive Plan.

Mr. Worby asked how the discussion happens.

Interim City Administrator Henne replied that the City will hold a series of hearings, and may even have committees for each element as well as committees who work on pulling those together. He noted that the Growth Management Act (GMA) plan isn't due to be adopted until June 2017, but they also have the Shorelines Ordinance, the Critical Area Ordinance, the Steep Slope Ordinance, and the Park Plan to review. He added that they don't want to have a bunch of little things changed when they are going to do a comprehensive overhaul.

Mr. Worby wondered if City Attorney Noe shared their conversation with the Council.

City Attorney Noe responded that they talked about building standards in planned developments, and recommended that Mr. Worby talk to Community Planner Davison if he wants to make changes to the Planned Development chapter. He noted that it may change again once the Comprehensive Plan is settled.

Interim City Administrator Henne told Mr. Worby to call the office and schedule a meeting.

Mr. Worby inquired what Community Planner Davison would do with the matter.

Interim City Administrator Henne replied that it would go to the Planning Commission for review, and they will make a recommendation to the Council.

Mr. Worby asked if City Attorney Now would be available to attend the Planning Commission meeting for legal issues.

Interim City Administrator Henne responded in the affirmative.

City Attorney Noe added that the establishment of standards have to be legally reviewed.

Interim City Administrator Henne commented that they need to make sure the community is involved in the matter, not just one person.

Council Member Smeback suggested holding public hearings.

Council Member Tierney felt that both the Council and the Planning Commission need to address the issue of allowing duplexes in R-1 residential areas before they get inundated with a number of requests to do that.

Council Member Smeback remarked that, in the West Valley area, there are some nice duplexes built as common wall homes that are worth a lot of money.

Interim City Administrator Henne commented that they had committees at the Civic Center for months working on the original document.

Seeing no one rise to speak, Mayor Gawlik closed the meeting.

P. Reports/Announcements

1. Mayor

Mayor Gawlik reminded Council to fill out their F-1 forms.

2. Council Members

Council Member Finch had no report.

Council Member Overby had no report.

Council Member Sample had no report.

Council Member Tierney had no report.

Council Member Smeback had no report.

Council Member Williams spoke briefly about her ride along with two Police Officers, saying that she appreciates what they do for the citizens.

Council Member Schmid had no report.

3. Departmental

Community Planner Davison said that the Somerset II subdivision should be presented to Council at the next meeting, as the proponent wants to proceed with the project. He stated that Mr. Garner submitted and eighteen unit apartment house project last Friday, and Mr. Snodgrass submitted a thirteen lot Planned development subdivision on the West end of Speyers Road at the City limits, adding that the part-time planner will be very busy. He noted that a new entrance sign is still being actively pursued.

Council Member Schmid wondered if the Snodgrass project was beyond or before the curve of the road.

Community Planner Davison responded that it is before the curve.

Council Member Schmid inquired if that is within the City limits.

Community Planner Davison replied in the affirmative.

Council Member Schmid suggested that they look at access, as that is a problem area.

Interim City Administrator Henne responded that the proposed access is on the east property line, before the curve.

Council Member Schmid stated that he is just concerned about the county road and access.

Community Planner Davison replied that the proponent wanted to move the lot line as far east as he could.

Clerk/Treasurer Novobielski said that he is closing the books for 2014, and that prior to the next meeting he will have financials for the finance committee and an update on the City's website. He noted that the State Auditor is almost done with the audit for 2012 and 2013, and that he assumes he will hear from them sometime this week.

Recreation Manager Brown had no report.

Fire Chief Hanna gave a quick update on the deputy chief position, noting that the eighteen applications received have been cut down to six. He said that the interview process is scheduled for January 23rd, and from there it will be narrowed down to three who will have a chief's interview the following week. He noted that, once someone has been selected, they will have a background check done and have the other requirements completed.

Police Chief Hayes had no report, but noted that his department is in the process of doing distracted driver training, to be followed by emphasis patrols.

Council Member Tierney remarked that he'd had a couple citizens contact him regarding skateboarders coming down from SIS, and requested that the School Resource Officer educate them regarding City laws.

Police Chief Hayes responded that the skateboarders have to abide by City laws.

Interim City Administrator Henne said that the vector truck arrived recently adding that fifty thousand dollars of its cost was paid by the Department of Ecology. He commented that they also took possession of the new sweeper, of which two hundred twenty thousand dollars was paid for by a grant from the DOT as well as the trade in value of the old sweeper.

Council Member Schmid urged his fellow Council Members to go take a look at the new vector truck.

City Attorney Noe had no report.

Council took a five minute recess. Council Member Finch was excused from the meeting.

4. Boards **None**

Q. Executive Session

1. 15 Minute Session – Potential Litigation RCW 42.30.110 (1)(i)

Council went into Executive Session at 6:07pm. At 6:22pm, Council went back on the record. Mayor Gawlik stated that no action was taken during the Executive Session.

Council Member Williams moved, and Council Member Overby seconded, to Approve the Resolution authorizing the Mayor to sign a Settlement and Release Agreement with Sun-Rype Products (USA) to resolve a water billing discrepancy. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Sample – yes; Council Member Williams – yes. By voice vote, approval was unanimous.

R. Adjournment

Council Member Overby moved, and Council Member Sample seconded, that the meeting be adjourned. By voice vote, approval was unanimous.

The meeting adjourned at 6:44pm.

John Gawlik, Mayor

Paul Overby, Council Member

John Tierney, Council Member

Dave Smeback, Council Member

Allen Schmid, Council Member

Brooke Finch, Mayor Pro Tem

Roy Sample, Council Member

Jane Williams, Council Member

ATTEST:

Dale E. Novobielski, Clerk/Treasurer



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



COUNCIL MEETING ACTION ITEM
1/27/2015 I – 2

Title: Claims & Payroll

Thru: Joe Henne, Interim City Administrator

From: Dale Novobielski, Clerk/Treasurer

Action Requested: Approval

Board/Commission Recommendation: Not applicable

Fiscal Impact: See Check Registers.

Funding Source: Various. See Check Registers.

Staff Recommendation:

Approval of Claims & Payroll as listed on Check Registers.

Background / Findings & Facts:

See check Registers.

Recommended Motion:

Motion to Approve the Consent Agenda as read. (This item is part of the Consent Agenda)



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



COUNCIL MEETING ACTION ITEM
1/27/2015 K -1

Title: Public Hearing to consider the Selah Transit Development Plan, including the annual report for 2013 and six-year Plan 2014-2019.

Thru: Joe Henne, Interim City Administrator

From: Andrew Potter, Assistant to the City Administrator

Action Requested: Public Hearing / Public Meeting

Board/Commission Recommendation: Not applicable

Fiscal Impact: N/A

Funding Source: N/A

Staff Recommendation:

To hold a public hearing to consider the Selah Transit Development Plan

Background / Findings & Facts:

The WSDOT requires that we submit, annually, an official report for the previous year and an updated six-year plan. In the past this has been handled by Yakima Transit through the City of Yakima. This needs to be passed to continue to be eligible for grant funding.

Recommended Motion:

Conduct the public hearing



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Record of all prior actions taken by the City Council and/or a City Board, City Committee, Planning Commission, or the Hearing Examiner (where applicable)

Date:

Action Taken:

1/13/2015

Set a public hearing date for the Selah Transit Development Plan

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City of Selah
Selah Transit Development Plan



Annual Report for 2013
And
Six-year Plan 2014-2019
Reported Annually

Adopted by the Selah City Council: _____ Resolution _____

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Acknowledgements

CITY OF SELAH

Joe Henne, Interim City Administrator
Joe Henne, Public Works Director
Dale Novobielski, Treasurer

YAKIMA TRANSIT

Alvie Maxey, Acting Transit Manager
Kevin Futrell, Project Planner
Karen Allen, Program Coordinator



INTRODUCTION

The Transit Development Plan 2014-2019 and 2013 Annual Report provides updated information to the Washington State Department of Transportation (WSDOT) on development of the various public transportation components undertaken by the Selah Transit and Selah Transit's 2013 accomplishments and proposed action strategies for 2014 to 2019 are included.

This document is submitted per the requirements of RCW § 35.58.2795. Selah is required to prepare a six-year transit development plan and annual report every year. WSDOT uses this document to prepare an annual report for the Washington State Legislature summarizing the status of public transportation systems statewide. This document is also used to notify the public about projects that have been completed, are in process, or are planned for the future. Following a public hearing, the Selah City Council must approve this document prior to this document going into effect.

History

Selah was officially incorporated on April 3, 1919. Selah has a strong mayor form of government. Selah's base economic activity primarily consists of fruit warehousing/processing facilities, due to the proximity of fruit orchards in the nearby Wenas Valley and access to regional railroad and roadway systems for shipment to markets. Selah is one of the many communities that serve as a "bedroom community" to the city of Yakima to the south.

In 2009, the City of Selah began operating fixed-route bus & paratransit services under a contract with the City of Yakima (Yakima Transit) and continues to purchase those services. Selah's service are funded by a voter-approved 0.3% sales tax (2007). Service initially started out with a north-south route through Selah and a trip along the Speyers-Fremont Loop.

In 2010, bus service was expanded to include a second trip along the Speyers-Fremont Loop during the route and frequency increased to hourly service.

In 2014, service was expanded to the Selah Firing Center Park & Ride providing a long-desired connection for military personnel working at the Firing Center and a Yakima-Ellensburg Commuter connection. Frequency reverted back to hourly service with half-hour service during the AM/PM peak hours and only one trip along the Speyers-Fremont Loop during the route.

SECTION I: ORGANIZATION

Organizational Structure

The City of Selah does not have any transit-specific employees dedicated to Selah's Transit operations. Selah's transit-related staff consists of administrative personnel that support the City as a whole, including positions from City Hall and Public Works.

Physical Plant

Selah Transit does not have a facility dedicated to only Transit services. Selah Transit is operated incidental to other activities out of Selah City Hall and the Selah Public Works Facility.



SECTION II: TRANSPORTATION SERVICES

Fixed-Route Service

The City of Selah’s fixed-route bus service is operated Mon-Fri from 6am-7pm, Saturday from 7am-6pm, and Sundays 8am-4pm. Transit services are not available on nationally-recognized holidays (New Year’s Day, Martin Luther King Day, President’s Day, Easter, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, & Christmas Day).

Selah is served by Yakima Transit’s Route 10, which serves both Selah and Yakima. Ridership for Route 10 in 2013 was 108,088 passengers, a decrease of 10.87% (2012 - 121,275). The decrease was relatively low; Yakima Transit’s system-wide decrease was 16.80% during the same period. Ridership varies from year to year and is affected by service changes including modifying routes, expanding/contracting service, changes to transfer policies, & increases in fares. Ridership was down across all passengers types. The majority of the decrease is attributed to the reductions in service, as well as the March 2014 fare increase.

Several changes have been made to the route since the inception of the program, which have included a second trip per hour along the Fremont Speyer’s Loop, changes along N. Wenas Road and Jim Clements Way, modifications to frequency (from hourly service to half-hour service to hourly-plus-peak service (AM/PM)). The service currently extends a commuter service-type extension out to the Firing Center Park & Ride Lot serving Zirkle Fruit along the way. Modifications will continue to happen as streets change and passenger transportation needs continue to evolve with the city of Selah’s approval.

Yakima Transit retains all fares from the fixed-route service as part of the service agreement with Yakima Transit. As part of the consideration of keeping the fare revenue, Selah participates in Yakima Transit’s operating grants.

	One-way fare	Monthly Passes
Adults (age 18 and over).....	\$1.00	\$25.00
Youths (age 6 - 17).....	75¢	\$18.00
Reduced Fare (Persons 62/over, people with disabilities and Medicare Card holders. Reduced Fare ID card with photo required for reduced fare.).....	50¢	\$9.00
Yakima-Ellensburg Commuter	\$5.00	\$150.00
Pre-School (under 6, accompanied by adult)	FREE	
Transfers (See Transfer policy, page 4)	FREE	

Paratransit

Yakima Transit continued to provide paratransit (Dial-A-Ride) services for Selah in 2013 through an agreement with Medstar. Paratransit services are provided only when fixed-route is available, door-to-door, to individuals who cannot access fixed-route bus service. Selah’s paratransit services the areas within the city limits of Yakima and Selah and some trips into the city of Union Gap (many for dialysis). Paratransit ridership decreased 2.65% from 3,922 passengers in 2012 to 3,818 passengers in 2013. Paratransit services typically cost \$20-\$24 per passenger trip. Paratransit services are required under FTA regulations because fixed-route bus service is provided.



SECTION III: STATE & LOCAL LONG-RANGE PUBLIC TRANSPORTATION & CAPITAL IMPROVEMENT PRIORITIES

Local Priorities

This plan establishes local priorities for Selah's Transit Services, which include:

1. Connecting Selah's Transit System with Neighboring Transit Systems

Connections can be made from Prosser to Ellensburg by utilizing the Yakima-Ellensburg Commuter, People For People's Community Connector, & Yakima Transit's fixed-route system. Selah anticipates participation in the Yakima-Ellensburg Commuter potentially through funding support and capital improvements.

2. Providing Efficient and Effective Transit Services throughout Selah

Selah's constantly looking at ways to provide more effective and efficient service to passengers though route modifications and passenger facilities (park & ride locations & passenger shelters).

Capital Improvements

As part of Selah's effort to provide commuting options, they purchased property behind the City's Civic Center that will be developed into a multi-use park & ride lot. Additional passenger shelters and sidewalk improvements for ADA accessible passengers may be considered in the future.

Just outside of Selah, Yakima Transit obtained grant funding for 2013-2014 to expand the Firing Center Park & Ride lot along Interstate 82 at the Firing Center Road Exit 26, which serves the region, but is more immediately available for Selah commuters. This property is owned by WSDOT and Yakima County and operated by WSDOT. The August 2014 expansion increases the lot from 45 stalls to 116 parking stalls. Although Selah didn't participate financially, their efforts in supporting the project helped Yakima Transit obtain the necessary funding.

SECTION IV: PROGRAM FUNDING & EXPENSES

Operating Revenue

Selah utilizes sales tax revenue & grant funding to maintain transit services. Selah Transit's operating revenue was \$335,568 for 2013. Operating revenues for 2014 for Selah are anticipated to be \$95,000 above (28% increase) the 2013 funding levels. Funding in subsequent years should revert back to something close to 2013 funding levels. The increase in sales tax revenue is the result of an increase in government capital projects.

The city of Selah purchases fixed-route bus and Dial-A-Ride services from the city of Yakima. These services allow Yakima residents to come to Selah to purchase goods and services, as well as work for local employers or access life-necessity services like dental, medical, & social services, and vice versa. Currently, Selah's service consists of a portion of Yakima Transit's Route 10, which travels from the Yakima Downtown Transit Center along N. 1st Street to and throughout the city of Selah. Selah pays for the time that the bus travels within the city of Selah on an hourly rate.



Selah benefits from Yakima Transit's operating grants as they relate to their service including utilizing a portion of Yakima Transit's annual allocation from the Federal Transit Administration. Service reductions and expansions are at Selah's discretion. Selah's most recent change was to extend services to the Firing Center (7 round trips per weekday) to provide additional support for the Yakima-Ellensburg Commuter and provide service to workers at the Zirkle fruit warehouse and processing facility.

Sales Taxes

The City of Selah has a voter-approved 0.3% sales tax that pays for operating service in Selah, mainly fixed-route and paratransit services contracted for through Yakima Transit. Each 0.1% of sales tax equals approximately \$100K in revenue.

Grant Funds

The City of Selah participates in Yakima Transit grants relating to Selah's service. In 2013, these grants included the 5307 annual apportionment grant, Sunday Service grant, and Extended Hours Grant.

Washington State Transit Formula Funds

The Washington State Department of Transportation provides allocations to the city of Selah for general operating expenses and paratransit services. For 2013-2015, the amount was \$6,718 for paratransit and \$4,800 for general transit services.

Operating Expenditures

Selah's operating expenses were \$331,024, which includes a 3% increase in transit fees. This increase was a result of a floating cost structure contained within the operating agreement and is based on the City of Yakima's prior year fixed-route costs. Selah's rates decreased in 2014 and are anticipated to increase slightly in 2015. Paratransit services remained relatively close to actual costs for 2013 and are based on a cost-per-trip basis as negotiated by the City of Yakima with Medstar the Dial-A-Ride contractor. The rates the paratransit contractor charges typically increase each year due to a built in cost of living increase. Selah's operating expenses are anticipated to slightly increase through 2019.

Capital Funds

Selah's typical capital expenses are for bus shelters and sidewalks. In 2013 \$5,000 of Transit funds was spent on Capital expenses (sidewalk improvements \$5,000). Other typical expenses include bus shelter improvements, and utility shop facility improvements). Selah plans on continuing to improve accessibility to transit stops and provide shelter from the elements for their passengers. For 2014, Selah planned \$96,000 budgeted for Transit funded capital expenses (Park & Ride \$50,000, ADA accessible sidewalks \$35,000, and passenger shelters \$11,000). Capital expenses are anticipated to be minimal (less than \$50,000) through 2019.

SECTION V: SIGNIFICANT CHANGES PLANNED, 2014 – 2019

Selah Transit does not have any significant operating changes or capital improvements planned for the 2014-2019 period.



Exhibit A – Transit Financials

Selah Transit - 2013 Annual Report & Budget 2014-2019							
	2013	2014	2015	2016	2017	2018	2019
Beginning Balance	\$411,810	\$ 416,354	\$155,832	\$148,812	\$130,822	\$134,962	\$117,132
Operating Revenues							
Sales Tax	\$ 225,537	\$ 334,407	\$ 280,000	\$ 280,000	\$ 280,000	\$ 280,000	\$ 280,000
Federal Operating Grants	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
WSDOT Grants	\$ -	\$ 6,718	\$ 6,000	\$ -	\$ 6,000	\$ -	\$ 6,000
WSDOT Formula Funds	\$ 7,554	\$ 4,800	\$ 4,800	\$ 4,800	\$ 4,900	\$ 4,900	\$ 4,900
Other	\$ 2,477	\$ 1,150	\$ 1,180	\$ 1,210	\$ 1,240	\$ 1,270	\$ 1,270
Total Operating Revenue	\$ 235,568	\$ 347,075	\$ 291,980	\$ 286,010	\$ 292,140	\$ 286,170	\$ 292,170
Operating Expenses							
Fixed-Route P&M	\$ 268,344	\$ 253,510	\$ 240,000	\$ 240,000	\$ 240,000	\$ 240,000	\$ 240,000
Yakima-Ellensburg Commuter	\$ -	\$ 6,000	\$ 16,000	\$ 16,000	\$ 16,000	\$ 16,000	\$ 16,000
Paratransit ADA P&M	\$ 62,681	\$ 71,087	\$ 62,000	\$ 62,000	\$ 62,000	\$ 62,000	\$ 62,000
Total Operating Expenses	\$ 331,024	\$ 330,597	\$ 318,000				
Net Cash Available	\$316,354	\$432,832	\$129,812	\$116,822	\$104,962	\$103,132	\$91,302
Capital Revenue							
Sales Tax Revenue	\$ 100,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000
WSDOT Grant - Capital	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Capital Revenue	\$ 100,000	\$ 40,000					
Capital Expenditures							
Minor Equipment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Facilities		\$ 286,000	\$ -	\$ -	\$ -	\$ -	\$ -
Shelters/benches/signs		\$ 11,000	\$ 11,000	\$ 11,000	\$ -	\$ 11,000	\$ 11,000
Sidewalks		\$ 20,000	\$ 10,000	\$ 15,000	\$ 10,000	\$ 15,000	\$ 15,000
Total Capital Expenses	\$ -	\$ 317,000	\$ 21,000	\$ 26,000	\$ 10,000	\$ 26,000	\$ 26,000
Ending Cash Balance 12/31	\$ 416,354	\$ 155,832	\$ 148,812	\$ 130,822	\$ 134,962	\$ 117,132	\$ 105,302

Appendix B: Six-Year Transit Improvement Plan - Project List

There are no major capital or operating projects planned over the next six years that will utilize transit funds or public transportation grant funds.



APPENDIX C: PUBLIC HEARING NOTICE

Thursday January 22, 2015

Selah Transit is submitting to the Washington State Department of Transportation its Six-Year Transit Development Plan and Annual Report.

These documents address state and local long and short-range priorities, capital improvements, planned significant operating changes, program funding sources, and the summary of Selah Transit's 2013 operations. The proposed program will be the final program, unless amended, satisfies the requirements regarding the final Program of Projects.

A public hearing on the submittal will be held Tuesday, Jan. 27, 2014, at 6:30pm at the Selah Civic Center, 216 S 1st St., Selah, WA. The plan will be reviewed and approved by the Selah City Council on this date.

A draft document is available for public review during normal office hours at the Selah City Hall located at 115 West Naches Ave, Selah, WA 98942 or online at www.yakimatransit.org.



Appendix D: Fixed-Route Map





**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



COUNCIL MEETING ACTION ITEM

1/13/2015 M - 1

Title: Resolution adopting the Selah Transit Development Plan, including the annual report for 2013 and six-year Plan 2014-2019.

Thru: Joe Henne, Interim City Administrator

From: Andrew Potter, Assistant to the City Administrator

Action Requested: Approval

Board/Commission Recommendation: Not applicable

Fiscal Impact: N/A

Funding Source: N/A

Staff Recommendation:

Staff is recommending the City Council approve the resolution adopting the Selah Transit Development Plan.

Background / Findings & Facts:

The WSDOT requires that we submit, annually, an official report for the previous year and an updated six-year plan. In the past this has been handled by Yakima Transit through the City of Yakima. This needs to be passed to continue to be eligible for grant funding.

Recommended Motion:

Move to approve the Resolution adopting the Selah Transit Development Plan, including the annual report for 2013 and six-year Plan 2014-2019.



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Record of all prior actions taken by the City Council and/or a City Board, City Committee, Planning Commission, or the Hearing Examiner (where applicable)

Date:	Action Taken:
1/13/2015	Set a public hearing for the Selah Transit Development Plan
1/27/2015	Public hearing to consider the Selah Transit Development Plan

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RESOLUTION NO. _____

A RESOLUTION ADOPTING THE SELAH TRANSIT DEVELOPMENT PLAN, INCLUDING THE ANNUAL REPORT FOR 2013 AND SIX-YEAR PLAN 2014-2019.

WHEREAS, the Washington State Department of Transportation requires that cities of the State establish and maintain a Transit Development Plan; and

WHEREAS, Yakima transit must have a yearly updated plan on file in order to apply for Department of Transportation Funds;

WHEREAS, the City of Selah published a Notice of Public Hearing establishing January 27, 2015 as the Public Hearing date to consider the Transit Development Plan;

WHEREAS, the City Council conducted the Public Hearing on January 27, 2015;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, that having first conducted a Public Hearing and having consider the testimony, if any, and other materials and information provided to the City Council on the proposed Transit Development Plan; the Transit Development Plan entitled the "Annual Report for 2013 and Six-year Plan 2014 to 2019" attached hereto and incorporated herein by reference is hereby adopted.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, this 27th day of January, 2015.

Brooke Finch, Mayor Pro Tem

ATTEST:

Dale Novobielski, Clerk/ Treasurer

APPROVED AS TO FORM:

Robert F. Noe, City Attorney

RESOLUTION NO. _____



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



COUNCIL MEETING ACTION ITEM

1/27/2015 M – 2

Title: Resolution authorizing the Mayor Pro Tem to sign a Professional Services Agreement with Durant Development Services, Inc. for professional planning services

Thru: Joe Henne, Interim City Administrator

From: Joe Henne, Interim City Administrator

Action Requested: Approval

Board/Commission Recommendation: Not applicable

Fiscal Impact: \$2,520 per month, up to 42 hours. Any hours beyond 42 hours in a month will be billed at \$60.00 per hour. Additionally, the City will provide an insurance endorsement for General Liability and/or Wrongful Acts. The Premium charge would be approximately \$250 for one line item or \$500 for both lines.

Funding Source: Fund 001

Staff Recommendation:

Approval of the agreement with Durant Development Services

Background / Findings & Facts:

At the 2014 retreat Council discussed the retirement of Community Planner Davison and the need to fill the position. The attached contract was prepared by Bob Noe, and the attached information regarding an insurance endorsement was provided by CIAW, the City's insurance provider.



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



At the January 13, 2015 meeting Council voted to modify the contract to be a month to month contract and include no charge for travel time.

Interim City Administrator Henne contacted Mr. Durant and obtained his consent to the modifications.

Recommended Motion:

Move to approve the Resolution authorizing the Mayor Pro Tem to sign a Professional Services Agreement with Durant Development Services, Inc. for professional planning services

Record of all prior actions taken by the City Council and/or a City Board, City Committee, Planning Commission, or the Hearing Examiner (where applicable)

Date:	Action Taken:
1/13/2015	Council requested that the contract be modified and brought back for approval
9/4/2014	Council Retreat. Discussion on Community Planner position.

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CITY OF SELAH, WASHINGTON
RESOLUTION NO. _____

A RESOLUTION authorizing the Mayor Pro Tem to sign a Professional Services Agreement with Durant Development Services, Inc. for professional planning services.

WHEREAS, the City of Selah has a need for a professional planner to perform planning services;

WHEREAS, Durant Development Services, Inc. has been providing said service on an as-needed basis under the direction of the Public Works Director;

WHEREAS, the City and Durant Development Services, Inc. have agreed to a Professional Services Agreement for the provision of professional planning services;

WHEREAS, the City of Selah desires to enter into a Professional Services Agreement with Durant Development Services, Inc. for professional planning services;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, HEREBY RESOLVES as follows:

The Mayor Pro Tem is authorized to sign a Professional Services Agreement with Durant Development Services, Inc. for professional planning services for the City of Selah.

PASSED this 27th day of January , 2015.

Brooke Finch, Mayor Pro Tem

ATTEST:

APPROVED AS TO FORM:

Dale Novobielski, Clerk/Treasurer

Robert F. Noe, City Attorney

PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT is entered into this 27th day of January, 2015 by and between the City of Selah, a Municipal Corporation, 115 W. Naches Avenue, Selah, Washington 98942 referred to herein as "City" and "Consultant" more specified as Durant Development Services, Inc., a Washington Corporation, 513 N. Front Street, Suite Q, Yakima, Washington 98901.

In consideration of the terms and conditions contained, the parties hereto agree as follows:

1. "Consultant" agrees to perform professional planning services for "City" to include attendance at Planning Commission, Hearing Examiner and City Council meetings, the review of applications for proposed developments including land use permits, subdivisions, site plans, rezones, annexations, site visits in connection with the review of development proposals, the preparation of studies and analyses with respect to the City's land development controls, long range planning services as may be required in connection with the Comprehensive Plan, advising the public on land use and zoning procedures and requirements and other services commonly performed by City planning professionals.
2. "City" shall have the following responsibilities under this agreement:
 - a. The provision of all available data, reports, records and maps to which the "City" has access and which are needed by the "Consultant" for the performance of the services provided for herein,
 - b. Providing assistance and cooperation for the "Consultant" in obtaining any other needed material which "City" does not have access to.
 - c. Providing support staff services, office space, voice mail and email as needed by the "Consultant" for the performance of the services provided for herein.
3. "Consultant" agrees to perform all services provided for herein for a fee of \$2,520 per month, based on a minimum of 42 hours per month. Any work performed by the "Consultant" beyond 42 hours to be billed at \$60.00 per hour. Provided, however, that Consultant shall not bill time during his travel to and from Selah City facilities.
4. Any reimbursable expenses incurred by the "Consultant", including but not limited to, reproduction costs, recording costs shall be charged to the "City" at cost as verified by receipts. It is understood that expenses are to be kept at a minimum commensurate with the proper completion of the services provided for under this agreement and with the understanding that most such services will be provided for by the "City." Mileage shall be charged at the current rate established by the Internal Revenue Service for itemizing deductions on individual tax returns. Provided, however, that "Consultant" will waive all mileage expense for travel within the City of Selah, the Selah Urban Growth Area and between Yakima and Selah and further provided that any billable travel charges shall be pre-approved by the "City".
5. This agreement contains all terms and conditions agreed upon by the parties. No change or addition to this agreement shall be valid or binding upon either party unless such change or addition is in writing and executed by both parties.
6. The parties agree that for the purposes of this Agreement, the "Consultant" is an independent contractor and neither "Consultant" nor any employee of "Consultant" is an employee of "City". Neither "Consultant" nor any employee of "Consultant" is entitled to any benefits that "City" provides its employees.

7. The "Consultant" shall not assign or subcontract any portion of the contracted activities without obtaining prior written approval from "City".
8. Either party may terminate this contract upon thirty (30) days written notice sent by certified mail to the address listed above.
9. Each party shall indemnify and hold harmless the other party, its officers, agents and employees, from all liability, loss or damage, including costs of defense they may suffer as a result of claims, demands, actions, damages, costs or judgments which result from the actions performed by the indemnifying party, its agents, employees, or subcontractors pursuant to this Agreement.
10. This Agreement shall be governed by the laws of the State of Washington. Any action, suit or judicial proceeding for the enforcement of this Agreement shall be brought in the Superior Court for the State of Washington in Yakima County, Washington.
11. The term of this Agreement shall be month to month. It shall automatically extend for single monthly periods at the beginning of each month unless terminated pursuant to provision (9) above.

Dated this 13th day of January, 2015

CONSULTANT

Durant Development Services, Inc.

City of Selah

Thomas R. Durant, President

Brooke Finch, Mayor Pro Tem

ATTEST:

Dale Novobielski, Clerk/Treasurer