

SELAH CITY COUNCIL

6:30pm May 26, 2015

5:30pm – Patrick Spurgin, Hearing Examiner



Selah City Council
 Regular Meeting
 Tuesday, May 26, 2015
 6:30pm
 City Council Chambers

Mayor:
 Mayor Pro Tem:
 Council Members:

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

CITY OF SELAH
 115 West Naches Avenue
 Selah, Washington 98942

City Administrator: Don Wayman
 City Attorney: Bob Noe
 Clerk/Treasurer: Dale Novobielski

AGENDA

- A. Call to Order –Mayor Gawlik
- 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 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: May 12, 2015 Study Session & Council Meeting
- Dale N. * 2. Approval of Claims & Payroll

- J. Public Hearings **None**
- K. New Business **None**
- L. Old Business **None**
- M. Resolutions

- Joe Henne 1. Resolution Authorizing the Mayor to approve Task Order 2015-3 between the City of Selah and Huibregtse, Louman Associates, Inc. for Water Telemetry System Upgrades



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



COUNCIL MEETING ACTION ITEM

5/26/2015 I – 1

Title: Approval of Minutes: May 12, 2015 Study Session & Council Meeting

Thru: Donald Wayman, 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
May 12, 2015
3:30pm

Mayor Gawlik opened the Study Session.

Assistant to the City Administrator Potter discussed the proposed branding and marketing that the City, along with the Selah Downtown Association, the Selah School District, and the Selah Chamber of Commerce, are looking into. He reviewed the information provided in the packet, then opened the floor to questions.

Discussion followed on the draft contract, whether the City should provide additional funds above the fifteen thousand dollars already budgeted for the Selah Downtown Association, what would need to come to Council for approval, and the process involved.

The Study Session ended at 3:58pm.

City of Selah
Council Minutes
May 12, 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; Roy Sample; Jane Williams

Members Excused: Allen Schmid

Staff Present: Don Wayman, City Administrator; Bob Noe, City Attorney; Gary Hanna, Fire Chief; Jim Lange, Deputy Fire Chief; Rick Hayes, Police Chief; Joe Henne, Public Works Director; Dale Novobielski, Clerk/Treasurer; Charles Brown, Recreation Manager; Tom Durant, Community Planner; Andrew Potter, Assistant to the City Administrator; Monica Lake, Executive Assistant

C. Pledge of Allegiance

Council Member Smeback led the Pledge of Allegiance. Pastor Mark Flippin gave the 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. Seeing no one rise to speak, he then closed the meeting.

2. Written

a. April 2015 Monthly Report for Building Permits and Inspections, Animal Control and Code Enforcement

Council Member Tierney wondered why three permits were issued for the same house.

Public Works Director Henne responded that permits are broken out so that they can be issued separately if need be.

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: April 28, 2015 Study Session & Council Meeting

* 2. Approval of Claims & Payroll:

Payroll Checks Nos. 78530 – 78567 for a total of \$230,154.97

Claim Checks Nos. 65720 – 65810 for a total of \$138,156.19

Council Member Tierney moved, and Council Member Sample 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 **None**

L. Old Business **None**

M. Resolutions

1. Resolution Authorizing the Mayor to sign a Professional Service Agreement with the Yakima Valley Conference of Governments (YVCOG) For Professional Services to update the City Growth Management Act (GMA) Comprehensive Plan

Public Works Director Henne addressed M – 1. He said that the GMA Comprehensive Plan needs to be updated by July 1, 2017, and that he is proposing that the City use YVCOG to assist with preparation for the update, as they have provided this service to other entities in the past and are familiar with the process. He referred Council to the information provided in the packet for details on the scope of the agreement, adding that the City has utilized a firm from Bellevue in the past but he would prefer to use a local agency this time.

City Administrator Wayman agreed with Public Works Director Henne.

Shawn Conrad, Senior Planner for YVCOG, approached the podium and addressed the Council. She said that her organization has experience with this, and they are currently working with many cities in the valley. She state that they recognize the importance of having the plan completed for the deadline, as there are grants and funds that require compliance. She noted that the contract expires at the end of the calendar year, but that it can be extended if the City wishes to do so.

Council Member Smeback wondered if there were specific areas to focus on.

Ms. Conrad responded that she didn't think so; there is a lot of data similar to other cities and nothing stands out just yet.

Council Member Williams wondered if they would have recommendations for changing the municipal code, or if that would be the Council's job.

Ms. Conrad replied that there are three components to the GMA: the Comprehensive Plan, the Critical Area Ordinance update, and the regulations update. She said that they will review to make sure everything is in compliance, and that there are some changes to the GMA that will need to be incorporated.

Council Member Williams expressed her desire to involve the public in the process.

Mayor Gawlik commented that public hearings are required.

Ms. Conrad responded in the affirmative, saying that they would hold workshops, update the Comprehensive Plan and Critical Areas Ordinance, and then make it available for public review.

Mayor Gawlik asked if they'd have input from the public.

Ms. Conrad replied in the affirmative.

Council Member Smeback inquired if some of the work done to and evaluation of a city's ability to extend services.

Ms. Conrad responded in the affirmative, adding that she is working with Public Works Director Henne on a twenty year plan timeframe.

Council Member Sample wondered if there would be any changes in the urban growth area.

Ms. Conrad replied in the affirmative, noting that she will meet with staff to discuss a timeline to finish the updates 2017.

Council Member Overby asked if she would consult with staff prior to talking with the public.

Ms. Conrad indicated that she would do so both prior and during the process.

Council Member Overby felt this would be a good topic for a retreat.

Public Works Director Henne said that state guidelines highlight specific elements that need to be changed by the City, such as the water plan and the transportation element. He noted that there would be an additional cost to the City if they opted to go with an outside firm rather than utilizing YVCOG. He noted that he'll also meet with Yakima County planners to discuss boundaries and population growth, although he doesn't see an enlargement of the growth management area.

Council Member Overby moved, and Council Member Smeback seconded, to approve the Resolution Authorizing the Mayor to sign a Professional Service Agreement with the Yakima Valley Conference of Governments (YVCOG) For Professional Services to update the City Growth Management Act (GMA) Comprehensive Plan. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Smeback –yes; Council Member Sample – yes; Council Member Williams – recused. By voice vote approval was unanimous.

2. Resolution Authorizing the Mayor to award the construction contract for the Wernex Loop Transportation Alternatives Program (TAP) Sidewalk Project

Public Works Director Henne addressed M – 2. He said that they had a bid opening on April 29th, and that the low bid was seven percent under the engineer's estimate. He commented that the Selah School District has already begun work on their part of the project, which involves a retaining wall, relocation of a fence and putting a sidewalk back in, and that the City will start their portion around the 11th or 18th of June, He referred Council to the bid sheet, noting that it was fairly close this time, and that this is a no match project funded entirely by Federal tax funds.

Council Member Overby moved, and Council Member Tierney seconded, to approve the Resolution Authorizing the Mayor to award the construction contract for the Wernex Loop Transportation Alternatives Program (TAP) Sidewalk Project. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Smeback –yes; Council Member Sample – yes; Council Member Williams – yes. By voice vote approval was unanimous.

N. Ordinances None

O. Reports/Announcements

1. Mayor

Mayor Gawlik announced that the annual Association of Washington Cities conference will be at the end of June, and requested that any Council Members interested in attending contact Executive Assistant Lake. He extended an invitation to those watching to attend the annual Community Days association.

Council Member Williams suggested a reminder about open filing.

Mayor Gawlik stated that open filing for the five Council positions on this year's ballot, as well as the Mayoral seat, runs through Friday. He invited everyone to attend the Sunrise Selah Meet & Greet, a weekly informal opportunity to meet with City staff and administration at Nana Kate's, every Wednesday from 7am to 9am.

2. Council Members

Council Member Overby had no report, but extended a welcome to City Administrator Wayman.

Council Member Sample welcomed City Administrator Wayman.

Council Member Tierney welcomed the new City Administrator. He expressed his desire to find a more appropriate name for Volunteer Park.

Council Member Smeback welcomed City Administrator Wayman and thanks Public Works Director Henne for his services as interim.

Council Member Williams welcomed City Administrator Wayman, and invited everyone to Community Days. She listed several of the events that will take place, such as the hobo feed, potato feed, and pancake breakfast.

3. Departmental

Public Works Director Henne said that they are getting the City ready for Community Days, adding that a carnival is already here. He noted that they are scheduled to stripe the streets just mid-week, although the possibility of rain would delay the project. He commented that a local business truck dumped oil on Pleasant Avenue, and that they put down absorbent to deal with it. He stated that they are busy with building permits and animal control calls.

Council Member Smeback asked about the City ordinance that requires one to build parking within a certain amount of time.

Public Works Director Henne responded that he doesn't recall the time frame off hand, but it does require a two inch minimum hard surface.

Council Member Smeback wondered how long the Civic Center's expanded parking would remain a gravel surface.

Public Works Director Henne replied that they chose to create additional parking rather than simply fence off the lots, and that the City is not a business. He added that he prefers not to pave the area then tear it out if a new Civic Center required it.

Council Member Tierney inquired if they should proceed with the paving while oil prices are low.

Public Works Director Henne reiterated that a decision needs to be made regarding the Civic Center prior to paving the parking area. He noted that Carlon Park's lot had gravel for a while before the City paved the parking area.

Clerk/Treasurer Novobielski gave an update on property tax revenues, noting that the City is currently at forty-eight percent of the budgeted amount for the year. He added that the amount received is approximately three thousand dollars more than the same time last year.

Community Planner Durant said that he is still working on the backlog, but is making progress. He commented that the Hearing Examiner will be at the next meeting to present his annual report and address any questions Council may have.

Council Member Williams asked if it would be a study session or during the regular meeting.

Community Planner Durant responded that it will be a study session.

Recreation Manager Brown said that they are looking at an expansion of the pool deck per input from the pool survey. He invited people to the hobo feed and other Community Days events, noting that he will have a booth at Wixson Park with information on the pool project and Volunteer Park.

Council Member Williams inquired about the parade route and start time.

Mayor Gawlik replied that it will start at 10am, and will follow the same route as last year along Wenas Road and onto Jim Clements Way.

Fire Chief Hanna gave an update on the recent fire events, noting that both required help from our mutual aid partners. He reminded everyone to take precautions when burning outdoors. He said that they will be doing inspections on the park vendors Friday and Saturday.

Mayor Gawlik requested that he address the issue of hillside fire by the homeless camps.

Fire Chief Hanna responded that they don't have a cause for the fire, but the origin was at the camps.

Mayor Gawlik remarked that Police Chief Hayes has a letter from the property owner that gives police the authority to remove anyone camping in that section.

Council Member Tierney asked if Fire Chief Hanna had an opportunity to talk to Mr. Owens yet.

Fire Chief Hanna responded in the negative. He noted that there have been two fires by the river, one of which was outside City limits but still within the Fire District.

Police Chief Hayes said that they are ready for Community Days. He stated that they have been down to the homeless camps three times, removing one person the last time, and that they will continue their efforts in that matter.

Council Member Williams wondered if the land could be cleared.

Police Chief Hayes replied that it would be difficult to do, as it would be challenging to get equipment into that area.

City Administrator Wayman thanked the Mayor for the opportunity to be City Administrator, and the City staff for their initial briefings. He also thanked the Council Members for their one on one meetings.

City Attorney Noe had no report.

4. Boards

a. Parks Board Minutes – January 5, 2015

P. Executive Session **None**

Q. Adjournment

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

The meeting adjourned at 4:56pm.

John Gawlik, Mayor

Paul Overby, Council Member

John Tierney, Council Member

Dave Smeback, Council Member

EXCUSED
Allen Schmid, Council Member

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
5/26/2015 1 – 2

Title: Claims & Payroll

Thru: Donald Wayman, City Administrator

From: Monica Lake, Executive Assistant

Action Requested: Informational - No action

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

5/26/2015 M – 1

Title: Resolution Authorizing the Mayor to approve Task Order 2015-3 between the City of Selah and Huibregtse, Louman Associates, Inc. for Water Telemetry System Upgrades.

Thru: Donald Wayman, City Administrator

From: Joe Henne, Public Works Director

Action Requested: Approval

Board/Commission Recommendation: Not applicable

Fiscal Impact: \$52,000.00

Funding Source: Water Fund: 411.000.094.594.34.65.32

Staff Recommendation:

Staff is requesting the City Council approve Task Order 2015-3 to upgrade the existing water telemetry system.

Background / Findings & Facts:

Upgrade existing water telemetry system and human machine interface (HMI) to provide additional control, monitoring, and data logging capabilities to better manage water rights usage, well performance and water supply to upper pressure zones.

Recommended Motion:

Approve Task Order 2015-3.

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING THE MAYOR TO SIGN TASK ORDER
2015-3 BETWEEN THE CITY OF SELAH AND HUIBREGTSE,
LOUMAN ASSOCIATES, INC. FOR WATER TELEMETRY SYSTEM
UPGRADES**

WHEREAS, the City of Selah desires to upgrade their existing water telemetry system and human machine interface (HMI) to provide additional control, monitoring, and data capabilities to better manage water rights usage, well performance, and water supply to upper pressure zones; and

WHEREAS, the City of Selah currently uses Huibregtse, Louman Associates, Inc. (HLA) for professional civil engineering and consulting work; and

WHEREAS, the City of Selah wishes to engage HLA via task order for water telemetry system upgrades; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, the Mayor be authorized to sign Task Order No 2015-3 for Water Telemetry System Upgrades.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, this 26th day of May, 2015.

John Gawlik, Mayor

ATTEST:

Dale E. Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:

Robert F. Noe, City Attorney

RESOLUTION NO. _____

TASK ORDER NO. 2015-3

REGARDING GENERAL AGREEMENT BETWEEN CITY OF SELAH

AND

HUIBREGTSE, LOUMAN ASSOCIATES, INC.

PROJECT DESCRIPTION:

Water Telemetry System Upgrades
HLA Project No. 15078E

The City of Selah (CITY) desires to upgrade their existing water telemetry system and human machine interface (HMI) to provide additional control, monitoring, and data logging capabilities to better manage water rights usage, well performance, and water supply to upper pressure zones.

SCOPE OF SERVICES:

At the direction of the City of Selah (CITY), Huibregtse, Louman Associates, Inc. (HLA), and HLA's subconsultant, Conley Engineering, Inc. (CEI), shall provide professional engineering services for the Water Telemetry System Upgrades project. HLA and CEI services shall include the following:

Telemetry System Engineering and Programming

- A. Prepare a system pumping plan that will allow the CITY to maximize its water supply resources while staying within its authorized annual water right quantities. Seasonal demand variations and well source capacity constraints will be accounted for in the plan.
- B. Provide control system programming and add an HMI window and displays to implement the pumping plan and allow the CITY to track their water rights status.
- C. Provide control system programming and add HMI displays to monitor well static water levels and specific capacities to anticipate and plan for source improvements prior to system failure.
- D. Provide control system programming and add HMI displays to manage and track water supply to the upper pressure zones. Booster stations that require flowmeter modifications to totalize flow are not included in the scope of this project.
- E. Add four sets of custom pen displays to the Historical screen in the HMI to allow for currently displayed pens to be saved and renamed as a custom set so that the graphical data for a portion of the system can be quickly viewed.
- F. Provide control system programming and add HMI displays that will allow the CITY to monitor program and alarm system status.
- G. Evaluate Well No. 7 flow control options (control valve modification or VFD) that will allow year-round use of the source to maximize use of its water right.

TIME OF PERFORMANCE:

Following authorization to proceed, HLA will diligently pursue completion of this project as soon as possible. Time for completion of individual tasks listed above, as directed by the CITY, shall be negotiated and mutually agreed upon at the time service is requested by the CITY.

FEE FOR SERVICE:

For the services furnished by HLA as described under this Agreement, the CITY agrees to pay HLA the fees as set forth herein. The amounts listed below may be revised only by written agreement of both parties.

Telemetry System Engineering and Programming

All work shall be performed on a time-spent basis at normal hourly billing rates included in our General Agreement, plus reimbursement for non-salary expenses with an estimated amount of \$52,000.00.

Proposed:  5/19/15
Huibregtse, Louman Associates, Inc. Date
Jeffrey T. Louman, PE, President

Approved: _____ Date _____
City of Selah
John Gawlik, Mayor



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



COUNCIL MEETING ACTION ITEM

5/26/2015 M – 2

Title: Resolution establishing June 9, 2015 as the Date to Conduct a Public Hearing to consider the Six Year Transportation Improvement Program for the Years 2016 to 2021.

Thru: Donald Wayman, City Administrator

From: Joe Henne, Public Works Director

Action Requested: Approval

Board/Commission Recommendation: Not applicable

Fiscal Impact: N/A

Funding Source: N/A

Staff Recommendation:

Staff is requesting the City Council to set a public hearing date of June 9, 2015 on the Six Year Transportation Improvement Program for the years 2016 to 2021.

Background / Findings & Facts:

N/A

Recommended Motion:

Set a 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:

5/27/2014

Resolution adopting the Six Year Transportation Improvement Program for Secondary and Collector Arterial Streets within the City of Selah for the Years 2015 to 2020.

5/13/2014

Resolution establishing May 27, 2014 as the Date to Conduct a Public Hearing to consider the Six Year Transportation Improvement Program for the Years 2015 to 2020.

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RESOLUTION NO. _____

**RESOLUTION ESTABLISHING JUNE 9, 2015 AS THE DATE TO
CONDUCT A PUBLIC HEARING TO CONSIDER THE SIX YEAR
TRANSPORTATION IMPROVEMENT PROGRAM FOR THE YEARS
2016 TO 2021**

WHEREAS, the Session Laws of 1949, State of Washington, require that cities of the State to establish a comprehensive street program for the improvement to secondary and collector arterial streets; and

WHEREAS, the City of Selah wishes to conduct a Public Hearing on an amendment to the Six Year Transportation Improvement Program for the years 2016 to 2021; and,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, as follows

That June 9, 2015 at 4:00 p.m., or as soon thereafter as practical, in the Council Hearing Room, 115 W. Naches Avenue, Selah, WA. shall be set as the date, time and location of a public hearing to hear and decide on the Six Year Transportation Improvement Program for the years 2016 to 2021 provided as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, THIS 26th DAY OF MAY, 2015.

John Gawlik, Mayor

ATTEST:

Dale E. Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:

Bob Noe, City Attorney

RESOLUTION NO. _____



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



COUNCIL MEETING ACTION ITEM

5/26/2015 M – 3

Title: Resolution Authorizing the Mayor to accept the Drinking Water State Revolving Fund Program (DWSRF) Loan Number DM12-952-093 Project Completion Amendment as Certified and Complete.

Thru: Donald Wayman, City Administrator

From: Joe Henne, Public Works Director

Action Requested: Approval

Board/Commission Recommendation: Not applicable

Fiscal Impact: \$1,408,727.48

Funding Source: Water Fund: 411.000.094.594.34.65.36

Staff Recommendation:

Acceptance and approval.

Background / Findings & Facts:

The City contracted with Scout Lake Construction to complete the the 2013 DWSRF Water Systems Improvements.

Recommended Motion:

Approve the resolution and authorize the Mayor to accept project amendment certified and complete.



**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	Resolution Authorizing the Mayor to accept the 2013 DWSRF Water System Improvements as complete and approve final Progress Estimate No. 8 and Project Acceptance.
2/25/2014	Resolution Authorizing the Mayor to Sign a Construction Contract between the City of Selah and Scout Lake Construction, Inc. for the 2013 DWSRF Water Systems Improvements DM12-952-093.
2/26/2013	Resolution authorizing the Mayor to sign a 2013 Drinking Water State Revolving Fund (DWSRF) Loan Application, Water Main Replacement.

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RESOLUTION NO. _____

**RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT
DRINKING WATER STATE REVOLVING FUND PROGRAM
(DWSRF) LOAN NUMBER DM12-952-093 PROJECT
COMPLETION AMENDMENT AS CERTIFIED AND COMPLETE**

WHEREAS, the purpose of this amendment is to acknowledge the project has been certified complete and the final contract amount, interest rate, and local share on the City of Selah, 2013 Water System Improvements contract have been adjusted; and

WHEREAS, the estimated project funding amount of \$1,555,400.00 has been adjusted to the actual funding cost of \$1,408,727.48; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, the Mayor accept DWSRF DM12-952-093 Project Completion Amendment as Certified and Complete.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, this 26th day of May, 2015.

John Gawlik, Mayor

ATTEST:

Dale E. Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:

Robert F. Noe, City Attorney

RESOLUTION NO. _____



STATE OF WASHINGTON

DEPARTMENT OF COMMERCE

PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000

www.commerce.wa.gov

May 4, 2015

Joe Henne
City Of Selah
113 South Second ST
Selah, WA 98942

RE: Amendment to Loan Agreement/Contract

Dear Mr. Henne:

Enclosed are two originals of the Project Completion Amendment including Attachment I: Certified Project Completion Report for DWSRF Loan DM12-952-093.

Please have both originals of the amendment (including the Certified Report) and one A19 Reimbursement Voucher signed and dated by the appropriate authorities, and return them to the Contracts Administration Unit within 60 days of the date of this letter. After the amendments are signed by all parties, an original executed amendment will be returned to you for your files.

Clients that expend \$500,000 or more in their fiscal year, from any federal source or from any combination of federal sources, must have an audit conducted in accordance with Office of Management and Budget revised Circular A-133. A copy of the audit reporting package must be sent to Commerce no later than nine months after the end of the Contractor's fiscal year. In the event the audit discloses disallowed costs, the Public Works Board retains the right to recover an appropriate amount after fully considering the recommendations on disallowed costs resulting from the final audit. More information regarding audit requirements can be found in the loan agreement with the Board as well as in the DWSRF Management Handbook.

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

Steve Dunk
Local Government Division
(360) 725-3157
Stephen.Dunk@commerce.wa.gov

Enclosures



AMENDMENT FACE SHEET

**Loan Number: DM12-952-093
PROJECT COMPLETION AMENDMENT**

Washington State Department of Commerce

**PUBLIC WORKS BOARD
DRINKING WATER STATE REVOLVING FUND PROGRAM**

1. Contractor City Of Selah 113 South Second St Selah, WA 98942		2. Contractor Doing Business As (optional) N/A	
3. Contractor Representative (only if updated) N/A		4. Public Works Board Representative (only if updated) N/A	
5. Original Contract Amount 1,555,400.00	6a. DeObligation 146,672.52	6b. Forgiveness 0.00	7. Final Contract Amount 1,408,727.48
8. Amendment Funding Source Federal: <input checked="" type="checkbox"/> State: <input checked="" type="checkbox"/> Other: <input type="checkbox"/> N/A: <input type="checkbox"/>		9. Amendment Start Date Amendment Execution Date	10. Amendment End Date Oct 1, 2034
11. Federal Funds (as applicable): N/A		Federal Agency: EPA	CFDA Number: 66.468
12. Amendment Purpose: The purpose of this amendment is to certify the project completion of the Drinking Water State Revolving Fund Loan Number DM12-952-093. The Board, defined as the Washington State Public Works Board, and Borrower/Contractor acknowledge and accept the terms of this Agreement/Contract As Amended and attachments and have executed this Agreement/Contract Amendment on the date below to start as of the date and year referenced above. The rights and obligations of both parties to this Agreement/Contract As Amended are governed by this Agreement/Contract Amendment and the following other documents incorporated by reference: Amendment Terms and Conditions, including Attachment I: Certified Project Completion Report. A copy of this Agreement/Contract Amendment shall be attached to and made a part of the original Agreement/Contract between the Board and the Borrower/Contractor. Any reference in the original Agreement/Contract to the "Agreement" or the "Contract" shall mean the "Agreement As Amended" or "Contract As Amended," respectively.			
FOR THE BORROWER/CONTRACTOR _____ Signature _____ Print Name _____ Title _____ Date		FOR PUBLIC WORKS BOARD _____ Stan Finkelstein, Public Works Board Chair _____ Date APPROVED AS TO FORM ONLY _____ This (10th) Day of March, 2014 Bob Ferguson Attorney General _____ Signature on File Kathryn Wyatt Assistant Attorney General	

AMENDMENT TERMS AND CONDITIONS

Contract Number: DM12-952-093

PUBLIC WORKS BOARD DRINKING WATER STATE REVOLVING FUND PROGRAM

Loan Number: DM12-952-093
Project Name: 2013 Water System Improvements
Contractor: City of Selah

The purpose of this amendment is to acknowledge the project has been certified complete and the final contract amount, interest rate, and local share on the above referenced contract have been adjusted, if necessary, as reflected below.

The Public Works Board, (or its successor) a department of the state of Washington and the Contractor agree to amend the above referenced contract as described below.

The amount of the loan shall be the **Final Loan Amount** as identified on the Declarations Page. The interest rate shall be the **Final Interest Rate** as identified on the Declarations Page, per annum on the outstanding balance. The loan term shall be the **Final Loan Term** as identified on the Declarations Page.

The third paragraph of the Audit Section (for non-municipal jurisdictions only) is amended to read as follows:

All Contractors are required, at project completion, to submit a completed Project Completion Amendment certified by the Chief Financial Officer or Certified Public Accountant of the Contractor/Borrower. The Chief Financial Officer or the Certified Public Accountant must review the project financial records as identified in the Project Completion Amendment to ensure all reimbursed costs are consistent with the declared **Scope Of Work**.

The attachment to this amendment: Certified Project Completion Report, includes the following sections: Chief Executive Officer Certification; Chief Financial Officer Certification or Certified Public Accountant (for non-municipal jurisdictions only); Estimated and Actual Project Costs by Cost Category; and Estimated and Actual Project Funding.

ATTACHMENT I: CERTIFIED PROJECT COMPLETION REPORT

Loan Number: DM12-952-093

PUBLIC WORKS BOARD DRINKING WATER STATE REVOLVING FUND PROGRAM

Loan Number: DM12-952-093
Project Name: 2013 Water System
Improvements

Contractor: City of Selah
Address: 113 South Second ST
Selah, WA 98942

Chief Executive Officer Certification

The Chief Executive Officer of the Contractor/Borrower certifies that:

- To the best of his/her knowledge, the financial information and data provided in this report is true and correct as of the signature date indicated below, no project construction costs listed in this report were incurred before the Environmental Protection Agency (EPA) grant award date or project costs incurred after the date of the project completion.
- Records supporting the information provided in this report are on file and will be made available by the Contractor/Borrower upon request.
- A copy of the project's Construction Completion Report(s) submitted to Washington State Department of Health (DOH) for their approval; OR, a copy of the letter from the DOH acknowledging receipt and approval of the project's Construction Completion Report(s), WAC 246-290-120(5), 246-290-125(2)(b) or WAC 246-290-125(3) has been provide to the department.
- Evidence documenting compliance with audit requirements as referenced in Section 1.27 of the Loan Agreement will be provided no later than nine (9) months after the end of the Contractor/Borrower's fiscal year.
- The project was completed on _____ in accordance with the Loan Agreement/Contract's Scope of Work.

Signature of Certifying Officer

Title

Print Name

Date

Chief Financial Officer or Certified Public Accountant Certification – for Non-Municipal Jurisdictions

The Chief Financial Officer of the Contractor/Borrower certifies that:

- Records supporting the financial information provided in Sections 1 and 2 have been reviewed and were found consistent with the Drinking Water State Revolving Fund (DWSRF) Loan Contract/Agreement's Scope of Work; and,
- Records were found in compliance with the Washington Administrative Code (WAC) 399-30-030 (3) which identifies eligible costs, included but not limited to those listed in attachment DWSRF eligible Project Costs for projects assisted with a DWSRF loan.

Signature of Certifying Officer

Date

Phone Number

Print Name

Address

Section 1: Estimated and Actual Project Costs by Cost Category

COST CATEGORY	ESTIMATED COSTS	ACTUAL COSTS
Engineering Report (Preliminary Engineering)	\$0.00	\$0.00
Environmental Review	\$7,500.00	\$0.00
Historical Review/Cultural Review	\$7,500.00	\$0.00
Land/ROW Acquisition	\$0.00	\$0.00
Permits	\$0.00	\$0.00
Public Involvement/Information	\$0.00	\$0.00
Bid Documents (Design Engineering)	\$145,000.00	\$145,000.00
Construction	\$928,300.00	\$1,027,420.54
Other Fees: (Sales or Use Taxes)	\$76,100.00	\$55,778.30
Contingency: 0.00%	\$200,900.00	
Other: DOH Review/Approval Fee	\$3,000.00	\$0.00
Other: Project administration	\$15,000.00	\$12,365.14
Other: Construction Engineering	\$156,700.00	\$152,763.50
Other:	\$0.00	\$0.00
Loan Fee		\$15,400.00
TOTAL PROJECT COST	\$1,540,000.00	\$1,408,727.48

Section 2: Estimated and Actual Project Funding

TYPE OF FUNDING	SOURCE	ESTIMATED FUNDING	ACTUAL FUNDING
Grants and Other Non-Matching Funds			
Grant #1		\$0.00	\$0.00
Grant #2		\$0.00	\$0.00
Other Grants		\$0.00	\$0.00
New Grants			\$0.00
New Grants	0.00		\$0.00
Total Grants and Other Non-Matching Funds		\$0.00	\$0.00
Loans			
<i>This DWSRF Loan Request</i>	<i>Public Works Board</i>	<i>\$1,555,400.00</i>	<i>\$1,408,727.48</i>
Other Loan #1		\$0.00	\$0.00
Other Loan #2		\$0.00	\$0.00
Other Loans		\$0.00	\$0.00
New Loans			\$0.00
New Loans			\$0.00
Total Loans		\$1,555,400.00	\$1,408,727.48
Local Revenue			
Source #1		\$0.00	\$0.00
Source #2		\$0.00	\$0.00
Other Local Revenue		\$0.00	\$0.00
New Local Revenue			\$0.00
Total Local Revenue		\$0.00	\$0.00
Other Funds			
Other Funds		\$0.00	\$0.00
Other Funds			\$0.00
Total Other Funds		\$0.00	\$0.00
TOTAL PROJECT FUNDING		\$1,555,400.00	\$1,408,727.48

AMENDMENT DECLARATIONS

<i>Amendment Title</i>	Project Completion Amendment
<i>Amendment Number</i>	Amendment X

CLIENT INFORMATION

<i>Legal Name</i>	City of Selah
<i>Loan Number</i>	DM12-952-093

PROJECT INFORMATION

<i>Project Title</i>	2013 Water System Improvements
<i>Project City</i>	Selah
<i>Project State</i>	Washington
<i>Project Zip Code</i>	98942

LOAN TERMS and CONDITIONS

<i>Loan Amount</i>	\$1,555,400.00
<i>De-obligation</i>	\$146,672.52
<i>Forgiveness</i>	0.00
<i>Final Loan Amount</i>	\$1,408,727.48
<i>Loan Term</i>	24
<i>Final Loan Term</i>	22
<i>Interest Rate</i>	1.00
<i>Final Interest Rate</i>	1.00
<i>Payment Month</i>	Oct

DECLARATION (continued)

Loan Number

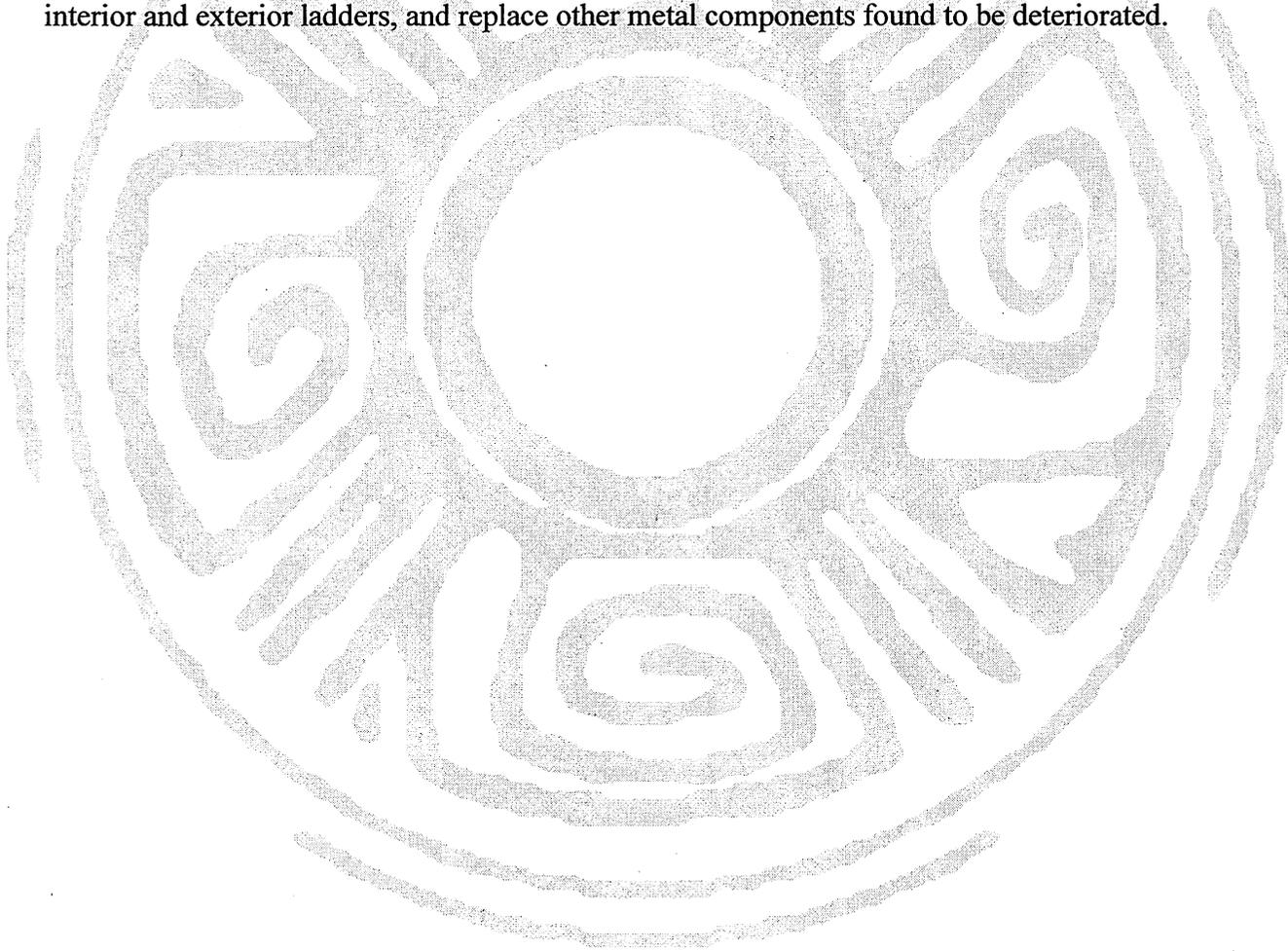
DM12-952-093

Project Title

2013 Water System Improvements

Scope of Work:

Water Pipeline Replacement: Replace approximately 5,800 linear feet of existing water distribution piping with new 8" pipe, fittings and appurtenances (valves, fire hydrants and service connections). Street trenching and pavement repair will be included. Water Main Loop: Install approximately 700 linear feet of new 8" water distribution pipe, fittings and appurtenances (valves, fire hydrants and service connections). Street trenching and pavement repair will be included. Reservoir Rehabilitation: Clean and inspect existing 1.0 MG Goodlander Reservoir. Depending on the results of the inspection: seal cracks as necessary, replace existing piping that is found to be deteriorated, install new piping and valves needed to improve circulation, replace interior and exterior ladders, and replace other metal components found to be deteriorated.





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



COUNCIL MEETING ACTION ITEM

5/26/2015 N – 1

Title: Ordinance Repealing Chapter 10.24, to the Selah Municipal Code, “Planned Development (PD) Zoning District”; Directing a Work Program; Addressing Vesting; Establishing an Effective Date; and, Providing for Severability

Thru: Donald Wayman, City Administrator

From: Tom Durant, Community Planner

Action Requested: Approval

Board/Commission Recommendation: Not applicable

Fiscal Impact: N/A

Funding Source: N/A

Staff Recommendation:

Approval of Ordinance

Background / Findings & Facts:

Staff is asking that the current Planned Develop Zoning District, Chapter 10.24 in the municipal code, be repealed and sent to the Planning Commission. The goal is to update the chapter within ninety days, to reflect current design parameters and add development standards. The current chapter is too broad and open to interpretation, and doesn’t reflect the desires of the community.

Recommended Motion:

Move to approve



**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:
10/13/2009	Ordinance Amending Selah Municipal Code, Title 10, Chapter 10.24 Planned Development (PD) Zoning District
8/13/1974	Ordinance Relating to Zoning; Creating a Planned Development Zone; establishing a Procedure for Applying for such a Zone; Setting forth Requirements for such a Zone; creating a New Chapter to Selah Code, Numbered and Entitled "Chapter 10.15, PD, Planned Development Zone; and Amending Section 10.04.010 of Selah Code

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ORDINANCE NO. _____

AN ORDINANCE REPEALING CHAPTER 10.24, TO THE SELAH MUNICIPAL CODE, "PLANNED DEVELOPMENT (PD) ZONING DISTRICT"; DIRECTING A WORK PROGRAM; ADDRESSING VESTING; ESTABLISHING AN EFFECTIVE DATE; AND, PROVIDING FOR SEVERABILITY

WHEREAS, the City of Selah previously adopted Ordinance No. 1634 (2004) and subsequently amended that Ordinance by Ordinance No. 1779 (2009), which is codified as Chapter 10.24, Planned Development (PD) Zoning District, to the Selah Municipal Code;

WHEREAS, Chapter 10.24 was adopted for the purposes set forth within its own provisions. Section 10.24.010 provides as follows:

10.24.010 - Purpose.

A planned development zone approved in accordance with this chapter shall be a separate zoning district. Regardless of underlying zoning requirements, a planned development zone may permit all proposed uses and developments that can shown to be in conformance with the policies of the comprehensive plan. A planned development zone may be permitted at any location subject to the provisions of this chapter. Approval of a planned development zone shall modify and supersede all regulations of the underlying zoning district. An applicant may also file a subdivision or binding site plan application which, if filed, may be processed concurrently with the planned development zone application.

The purpose of this chapter, providing for the establishment of a planned development zone, is to allow new development that is consistent with the comprehensive plan but that would not be readily permitted in other zoning districts due to limitations in dimensional standards, permitted uses, or accessory uses. In addition, planned development zones may:

- (1) Encourage flexibility in design and development that are architecturally and environmentally innovative, that will encourage a more creative approach in the development of land, and which will result in a more efficient, aesthetic and desirable utilization of the land than is possible through strict application of standard zoning and subdivision controls; provided, that subdivision controls are applicable to planned development zoning only when a planned development zone application is combined with a proposal to divide land into lots.

WHEREAS, over the years development proposals have been processed under the provisions of Chapter 10.24 and those development proposals have often been met with

challenge, objection, contention, and even litigation;

WHEREAS, there is often no clear direction within the provisions of Chapter 10.24 to guide resolution of issues related to development proposals processed under its provisions;

WHEREAS, as a result, the City Council wishes to now repeal the existing Chapter 10.24 and wishes to re-draft the provisions to provide clearer direction to both to developers proposing projects under the City's Planned Development chapter and to interested residents and others so as to alleviate the possibility for contention and challenge relating to the project proposed under a new chapter;

WHEREAS, the City Council recognizes that its zoning code cannot be left without a chapter addressing Planned Development for long and, therefore, the City Council wishes to direct that a work program be established by the Mayor and City Staff to expeditiously address a new Chapter to the Selah Municipal Code addressing Planned Development and that the City Staff work through the Planning Commission to undertake the necessary analysis and public processes to recommend a new Chapter to the City Council for its consideration within 90 days of this effective date of this ordinance;

WHEREAS, the City acknowledges that development proposals may legally vest prior to the effective date of this ordinance, that this ordinance shall have no effect on such vested development applications, and that those applications will be processed according to the ordinances in effect at the time of vesting. This is in accordance with the Vested Rights Doctrine in the State of Washington which "refers generally to the notion that a land use application, under the proper conditions, will be considered only under the land use statutes and ordinances in effect at the time of the application's submission." *Noble Manor v. Pierce County*, 133 Wn.2d 269, 275 (1997);

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, DOES ORDAIN as follows:

Section 1. Selah Municipal Code Chapter 10.24, "Planned Development (PD) Zoning District" repealed.

Chapter 10.24 of the Selah Municipal Code is hereby repealed in its entirety and shall no longer have any force or effect after the effective date of this Ordinance.

Section 2. Work Program. The Mayor is authorized to allocate the necessary resources and staff time to establish a work program addressing issues related to the Planned Development within the City of Selah and to develop through the Planning Commission and its public hearing and input processes appropriate proposals for a new Chapter to the Selah Municipal Code addressing Planned Development and other associated development regulations, as may be necessary.

Section 3. Vesting. 1) Applications for permits under the City's Planned

Development provisions are subject to the Vested Rights Doctrine under state law and they will vest at such time where the application is filed with the City, deemed to be complete, and where all required fees have been paid; 2) Vested permit applications shall be reviewed under the development regulations in effect on the date when the complete application is filed, including the provisions of the Planned Development (PD) Zoning District, Chapter 10.24, in effect at the time the complete application is filed notwithstanding the repeal of Chapter 10.24; and, 3) this provision for vesting, however, shall not be construed to restrict the City from imposing conditions on permits pursuant to the State Environmental Policy Act (SEPA), RCW 43.21, WAC 197-11, and the City's adopted SEPA provisions.

Section 4. Effective Date. This ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

Section 5. Severability. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of constitutionality of any other section, clause or phrase of this Ordinance.

ORDAINED this 26th day of May, 2015.

John Gawlik, Mayor

ATTEST:

Dale E. Novobielski, Clerk Treasurer

APPROVED AS TO FORM:

Robert F. Noe, City Attorney

ORDINANCE NO. _____



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



COUNCIL MEETING INFORMATIONAL ITEM

5/26/2015 P – 4A

Title: Lodging Tax Advisory Committee Minutes – February 23, 2015

Thru: Donald Wayman, City Administrator

From: Monica Lake, Executive Assistant

Action Requested: Informational - No action

Board/Commission Recommendation: Not applicable

Fiscal Impact: N/A

Funding Source: N/A

Staff Recommendation:

N/A

Background / Findings & Facts:

N/A

Recommended Motion:

N/A

City of Selah
Lodging Tax Advisory Committee Meeting
Monday, February 23, 2015
Selah City Council Chambers

A. CALL TO ORDER

Chairman Smeback called the meeting to order at 10:10am.

B. ROLL CALL

Members Present: Dave Smeback; Jean Brown; Donna Garner

Members Absent: Shelly Monson; Bill Harris

Staff Present: Charlie Brown, Recreation Manager; Monica Lake, Executive Assistant

C. REVIEW OF MINUTES FROM NOVEMBER 17, 2014 MEETING

Board Member Harris moved, and Board Member Brown seconded, approval of the Minutes from the November 17, 2014 meeting. By voice vote, approval was unanimous.

D. COMMUNICATIONS **NONE**

E. GENERAL BUSINESS **NONE**

F. OLD BUSINESS **NONE**

G. NEW BUSINESS

1. Application from Dennis Ball for Promotion of possible new Entry Sign

Recreation Manager Brown gave a brief summary of the application submitted by Mr. Ball. Discussion followed on whether the Selah Downtown Association (SDA) is presently working on a sign, that the SDA turned down Mr. Ball's request for the same project, and that the art that a local artist wanted to use a part of the signage.

Board Member Garner moved, and Board Member Brown seconded, to deny the application from Dennis Ball. By voice vote approval was unanimous.

2. Sports Destination Marketing

Recreation Manager Brown presented two brochures to the Board Members, saying that placing an ad in these would market Selah's fields nationally and allow them to see if bigger tournaments could be drawn to the area. Discussion followed on ad

sizes, looking into advertising in a publication specifically directed at softball and/or baseball to promote the fields, and other possible uses for the fields and parks.

H. BOARD MEMBER REPORTS

Recreation Manager Brown said that they are looking at making the July 3rd event bigger, possibly having a competition for local bands. He noted that, since it's on a Friday this year, they can extend the event and make it longer. He gave a brief update on the new all-inclusive park and status of the donations for the grant match.

Board Member Brown stated that the annual New Vision meeting will be in March, and that they also have an exporting workshop coming up in April.

Board Member Garner had no report.

Chairman Smeback had no report.

ADJOURNMENT:

Board Member Brown moved, and Chairman Smeback seconded, that the meeting be adjourned. By voice vote, the motion passed unanimously.

The meeting was adjourned at 11:03am.