



SELAH CITY COUNCIL

Meeting Agenda

5:30pm | November 9, 2021

Each item on the Council Agenda is covered by an
Agenda Item Sheet (AIS)

A yellow AIS indicates an action item.

A blue AIS indicates an information/non-action



Selah City Council
 Regular Meeting
 Tuesday, Nov 9, 2021
 5:30pm
 Via Zoom

Mayor:
 Mayor Pro Tem:
 Council Members:

Sherry Raymond
 Roger Bell
 Russell Carlson
 Jacquie Matson
 Kevin Wickenhagen
 Clifford Peterson
 Suzanne Vargas
 Michael Costello

CITY OF SELAH
 115 West Naches Avenue
 Selah, Washington 98942

City Administrator:
 City Attorney:
 Clerk/Treasurer:

Joe Henne
 Rob Case
 Dale Novobielski

AGENDA

- A. Call to Order –Mayor Raymond
- B. Roll Call
- C. Councilmember Absence – Motion to Excuse
- D. Pledge of Allegiance
- E. Invocation
- F. Agenda Changes **None**
- G. Public Appearances/Introductions/Presentations
 - 1. Katrina Henkle, Selah Downtown Association – Update
- H. Getting To Know Our Businesses **None**
- I. Communications
 - 1. Oral **None**

The City of Selah is a non-charter code city and we are presently conducting a regular meeting between the Mayor and City Council. A maximum of thirty minutes will be allotted for public comments. Common-sense standards of decorum apply. Comments must be respectful; no profanity or insults are allowed. Comments must pertain to City business and official actions. Constructive criticism of City officials is allowed, but defamation, personal attacks and impertinent assertions are not allowed. Commenters are limited to one comment per meeting and a maximum of two minutes. City staff may disallow or modify any comment that is deemed inappropriate. These standards are subject to revision.

- 2. Written **None**
- J. Proclamations/Announcements **None**
- K. 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.

- Treesa Morales * 1. Approval of Minutes: October 26, 2021 Council Meeting
- Dale N. * 2. Approval of Claims & Payroll

L. Public Hearings/Resolutions/Ordinances **None**

M. General Business

- 1. New Business **None**
- 2. Old Business **None**

N. Resolutions

James Lange N-1: Resolution authorizing the Mayor to sign a Fire Communication Services Contract with Yakima County Fire District #5, and Yakima County Fire Protection District 2.

O. Ordinances **None**

P. Public Appearances **None**

Q. Reports/Announcements

- 1. Departments
- 2. Council Members
- 3. City Administrator
- 4. Boards
- 5. Mayor

R. Executive Session **None**

S. Adjournment

Upcoming Special Meetings:
Meetings to discuss 2022 Budget:
**Nov 17 | 1:30pm - 4:30pm*
**Nov 18 | 1:30pm - 4:30pm*
**Nov 19 | 1:30pm - 4:30pm*
**All held via Zoom*

Next Regular Meeting: November 23, 2021



CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY



Council Meeting

Action Item

11/9/2021

K – 1

Title: Approval of Minutes: October 26, 2021 Council Meeting

From: Treesa Morales

Action Requested: Approval

Staff Recommendation: Approval of Minutes

Board/Commission Recommendation: Not Applicable

Fiscal Impact: N/A

Funding Source: N/A

Background / Findings & Facts: See Minutes for details

Recommended Motion: Motion to approve the Consent Agenda as written. (This item is part of the Consent Agenda)

City of Selah
City Council Meeting Minutes
October 26, 2021
Regular Meeting
Electronically Via Zoom

- A. Call to Order Mayor Raymond called the meeting to order at 5:30 pm.
- B. Roll Call
- Members Present: Kevin Wickenhagen; Jacquie Matson; Suzanne Vargas; Clifford Peterson; Roger Bell; Michael Costello
- Members Absent: Russell Carlson
- Staff Present: Joe Henne, City Administrator; Rob Case, City Attorney; Dan Christman, Police Chief; James Lange, Fire Chief; Mickey Gillie, Deputy Fire Chief; Jeff Peters, Community Development Supervisor; Treesa Morales, Public Records Specialist.

- C. Councilmember Absence
Motion to excuse Councilmember Carlson: Moved by Councilmember Wickenhagen. Seconded by Councilmember Costello. By show of hands, vote was unanimous to excuse Councilmember Carlson from this meeting.

- D. Pledge of Allegiance

Mayor Raymond led the Pledge of Allegiance

- E. Invocation

Pastor Alicia McClintic from Selah Church of the Nazarene gave the Prayer

- F. Agenda Changes

- G. Public Appearances/Introductions/Presentations

1. Katrina Henkle, Selah Downtown Association

Katrina Henkle, Selah Downtown Association (SDA) Executive Director, gave a report. Update reminded council and public to vote on the ballot, shop local, and remember about the Police town hall, and lighted parade and the lighting of the Christmas tree after parade. And a thank you for the B&O sponsors.

- H. Getting To Know Our Businesses None

- I. Communications
 - 1. Oral None
 - 2. Written None
- J. Proclamations/Announcements None
- K. Consent Agenda

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

- * 1. Approval of Minutes: October 12, 2021 Council Meeting
- * 2. Approval of Claims and Payroll:
 - Payroll Checks Nos. 84462-84521 for a total of \$258,081.91
 - Claim Checks Nos. 177164-177215 for a total of \$202,862.20
- * Moved to Consent Agenda:
 - O-6 Ordinance Amending the 2021 Budget for an Irrigation Water Rights Changes/Transfer Feasibility Study.
 - O-7 Ordinance Amending the 2021 Budget for the Purchase of a 2008 International Dump Truck
 - O-8 Ordinance Amending the 2021 Budget for Architectural Design Services for a Law and Justice Center.

Councilmember Bell moved to approve consent agenda as presented. Councilmember Matson seconded. By a show of hands, approval was unanimous.

Public Records Manager, Treesa Morales, read the Consent Agenda.

- L. Public Hearings
 - L-1 Closed Record Public Hearing to consider the City of Selah Planning Commission’s recommendation regarding a Comprehensive Plan Future Land Use and Zoning Map Amendment for property located in the vicinity of Naches Ave. and 4th St. from Semi-Public/Open Space to Commercial, and Residential, Single-Family (R-1) to Business, General (B-2).**

Introduced by Mayor Raymond and presented by Community Development Supervisor, Jeff Peters

Closed record public hearing was opened – no public comments. Council had discussion. Closed record public hearing was closed.

O-1 (RELOCATED) Ordinance Amending the Comprehensive Plan Future Land Use Map and Zoning Map of the City of Selah for Parcel 181435-41454 as Follows: Future Land Use Map from Semi-Public/Open Space to Commercial and Zoning Map from Residential Single-Family (R-1) to Business, General (B-2).

Introduced by Mayor Raymond and presented by Community Development Supervisor, Jeff Peters. After Discussion,

Councilmember Peterson moved, and Councilmember Bell seconded, to approve the Ordinance Amending the Comprehensive Plan Future Land Use Map and Zoning Map of the City of Selah for Parcel 181435-41454 as Follows: Future Land Use Map from Semi-Public/Open Space to Commercial and Zoning Map from Residential Single-Family (R-1) to Business, General (B-2).

Roll was called: Councilmember Wickenhagen – yes; Councilmember Matson – yes; Councilmember Vargas – yes; Councilmember Peterson – yes; Councilmember Bell – yes; Councilmember Costello – yes; Councilmember Carlson – absent. By voice vote, Ordinance passes unanimously.

L-2 Closed Record Public Hearing to consider the City of Selah Planning Commission's recommendation regarding a Comprehensive Plan Future Land Use and Zoning Map Amendment for property located at 705 & 705 ½ Bartlett Ave. from Low Density Residential to Medium Residential, and Residential, Single-Family (R-1) to Residential, Two-Family (R-2).

Introduced by Mayor Raymond and presented by Community Development Supervisor, Jeff Peters.

Closed record public hearing was opened – no public comments. Council had discussion. Closed record public hearing was closed.

O-2 (RELOCATED) Ordinance Amending the Comprehensive Plan Future Land Use Map and Zoning Map of the City of Selah for Parcel 181435-42005 as Follows: Future Land Use Map from Low Density Residential to Moderate Density Residential and Zoning Map from Residential, Single-Family (R-1) to Residential, Two-Family (R-2).

Introduced by Mayor Raymond and presented by Community Development Supervisor, Jeff Peters. After Discussion,

Councilmember Costello moved, and Councilmember Wickenhagen seconded, to approve the Ordinance Amending the Comprehensive Plan Future Land Use Map and Zoning Map of the City of Selah for Parcel 181435-42005 as Follows: Future Land Use Map from Low Density Residential to Moderate Density Residential and Zoning Map from Residential, Single-Family (R-1) to Residential, Two-Family (R-2).

Roll was called: Councilmember Wickenhagen – yes; Councilmember Matson – yes; Councilmember Vargas – yes; Councilmember Peterson – yes; Councilmember Bell –

yes; Councilmember Costello – yes; Councilmember Carlson – absent. By voice vote, Ordinance passes unanimously.

L-3 Closed Record Public Hearing to consider the City of Selah Planning Commission’s recommendation regarding a Comprehensive Plan Future Land Use and Zoning Map Amendment for property located at 310 W. Selah Ave. from Moderate Density Residential to High Density Residential, and Residential, Two-Family (R-2) to Residential, Multi-Family (R-3).

Introduced by Mayor Raymond and presented by Community Development Supervisor, Jeff Peters.

Closed record public hearing was opened – no public comments. Council had discussion. Closed record public hearing was closed.

O-3 (RELOCATED) Ordinance Amending the Comprehensive Plan Future Land Use Map and Zoning Map of the City of Selah for Parcels 181302-11436 and 181302-11437 as Follows: Future Land Use Map from Moderate Density Residential to High Density Residential and Zoning Map from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3).

Introduced by Mayor Raymond and presented by Community Development Supervisor, Jeff Peters. After Discussion,

Councilmember Bell moved, and Councilmember Matson seconded, to approve the Ordinance Amending the Comprehensive Plan Future Land Use Map and Zoning Map of the City of Selah for Parcels 181302-11436 and 181302-11437 as Follows: Future Land Use Map from Moderate Density Residential to High Density Residential and Zoning Map from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3).

Roll was called: Councilmember Wickenhagen – no; Councilmember Matson – yes; Councilmember Vargas – no; Councilmember Peterson – yes; Councilmember Bell – yes; Councilmember Costello – no; Councilmember Carlson – absent. By voice vote, Ordinance ends in a tie.

Applicant and property owner Thomas Durant was given an opportunity to explain his application and intended purpose with land. Discussed consistency with Selah zoning map and Planning Commission findings.

After discussion, a motion to reconsider was presented based on RCW 1.06.350: Councilmember Peterson moved, and Councilmember Bell seconded, to approve the motion to reconsider the Ordinance.

Roll was called: Councilmember Wickenhagen – yes; Councilmember Matson – yes; Councilmember Vargas – yes; Councilmember Peterson – yes; Councilmember Bell – yes; Councilmember Costello – yes; Councilmember Carlson – absent. By voice vote, motion for reconsider was granted.

Councilmember Bell moved, and Councilmember Matson seconded, to approve the Ordinance Amending the Comprehensive Plan Future Land Use Map and Zoning Map of the City of Selah for Parcels 181302-11436 and 181302-11437 as Follows: Future Land Use Map from Moderate Density Residential to High Density Residential and Zoning Map from Residential, Two-Family (R-2) to Residential, Multi-Family (R-3).

Roll was called: Councilmember Wickenhagen – no; Councilmember Matson – yes; Councilmember Vargas – no; Councilmember Peterson – yes; Councilmember Bell – yes; Councilmember Costello – yes; Councilmember Carlson – absent. By voice vote, Ordinance passes with 4-yes votes and 2-no votes.

L-4 Open Public Hearing to Consider Potential Adoption of the City’s Updated Water System Plan, which is entitled “City of Selah Water System Plan, February 2021

Introduced by Mayor Raymond and presented by Public Works Director, Rocky Wallace.

Closed record public hearing was opened – no public comments. Council had discussion. Closed record public hearing was closed.

O-4 (RELOCATED) Ordinance Adopting the City’s Updated Water System Plan Entitled “City of Selah Water System Plan, February 2021” and Repealing the City’s Preexisting Plan Entitled “2014 Comprehensive Water Plan.

Introduced by Mayor Raymond and presented by Public Works Director, Rocky Wallace. After Discussion,

Councilmember Peterson moved, and Councilmember Bell seconded, to approve the Ordinance Adopting the City’s Updated Water System Plan Entitled “City of Selah Water System Plan, February 2021” and Repealing the City’s Preexisting Plan Entitled “2014 Comprehensive Water Plan.

Roll was called: Councilmember Wickenhagen – yes; Councilmember Matson – yes; Councilmember Vargas – yes; Councilmember Peterson – yes; Councilmember Bell – yes; Councilmember Costello – yes; Councilmember Carlson – absent. By voice vote, Ordinance passes unanimously.

L-5 Open Public Hearing on Revenue Sources for the 2022 Budget.

Introduced by Mayor Raymond and presented by City Clerk/Treasurer, Dale Novobielski. Open Public Hearing was opened - no public comments were made. Council had discussion. Public meeting was closed.

M. General Business

- | | | |
|----|--------------|------|
| 1. | New Business | None |
| 2. | Old Business | None |

N. Resolutions

N-1. Resolution Authorizing the Mayor to Sign “Task Order No. 2021-11” between the City and HLA Engineering and Land Surveying, Inc., for Professional Engineering Services Related to the 2021 Annual Update to the City’s Stormwater Management Plan.

Introduced by Mayor Raymond and presented by Public Works Director, Rocky Wallace. After Discussion,

Councilmember Matson moved, and Councilmember Costello seconded, to Resolution Authorizing the Mayor to Sign “Task Order No. 2021-11” between the City and HLA Engineering and Land Surveying, Inc., for Professional Engineering Services Related to the 2021 Annual Update to the City’s Stormwater Management Plan.

Roll was called: Councilmember Wickenhagen – yes; Councilmember Matson – yes; Councilmember Vargas – yes; Councilmember Peterson – yes; Councilmember Bell – yes; Councilmember Costello – yes; Councilmember Carlson – absent. By voice vote, Resolution passes unanimously.

N-2. Resolution Authorizing the Mayor to Sign “Contract Number: PC22-96103-046” between the City and the Washington State Public Works Board, in order for the City to Obtain Financing for the City’s Contemplated Water Service Meter Improvements Project.

Introduced by Mayor Raymond and presented by Public Works Director, Rocky Wallace. After Discussion,

Councilmember Peterson moved, and Councilmember Matson seconded, to Resolution Authorizing the Mayor to Sign “Contract Number: PC22-96103-046” between the City and the Washington State Public Works Board, in order for the City to Obtain Financing for the City’s Contemplated Water Service Meter Improvements Project.

Roll was called: Councilmember Wickenhagen – yes; Councilmember Matson – yes; Councilmember Vargas – yes; Councilmember Peterson – yes; Councilmember Bell – yes; Councilmember Costello – yes; Councilmember Carlson – absent. By voice vote, Resolution passes unanimously.

N-3. Removed from the Agenda and meeting by Mayor Raymond during Agenda Changes (Section F).

N-4. Resolution Authorizing the Mayor to sign a Three-Page Letter Agreement dated October 21, 2021, between the City of Selah and the law firm of Foster Garvey P.C., Engaging such law firm to Provide Bond Counsel Services Relative to the City’s Wastewater Collection System Improvements Project.

Introduced by Mayor Raymond, presented by Public Works Director, Rocky Wallace. After Discussion:

Councilmember Matson moved, and Councilmember Bell seconded, to Resolution Authorizing the Mayor to sign a Three-Page Letter Agreement dated October 21, 2021, between the City of Selah and the law firm of Foster Garvey P.C., Engaging such law firm to Provide Bond Counsel Services Relative to the City’s Wastewater Collection System Improvements Project.

Roll was called: Councilmember Wickenhagen – yes; Councilmember Matson – yes; Councilmember Vargas – yes; Councilmember Peterson – yes; Councilmember Bell – yes; Councilmember Costello – yes; Councilmember Carlson – absent. By voice vote, Resolution passes unanimously.

N-5. Resolution Approving the 2021 Salary and Vacation Leave Accrual for Employee Treesa Morales, with a Retroactive Date of August 1, 2021.

Introduced by Mayor Raymond, presented by City Attorney, Rob Case.

Councilmember Matson moved, and Councilmember Costello seconded, to approve the Resolution Approving the 2021 Salary and Vacation Leave Accrual for Employee Treesa Morales, with a Retroactive Date of August 1, 2021.

After Discussion, note was made that the number of weeks noted on the second page should read three weeks per year rather than three weeks per month.

In accordance with RCW 1.06.340 – a motion was advanced to amend the original motion with the changes noted above. Sub-motion was made to amend with the note that vacation accrual should read three weeks per year instead of three weeks per month. Councilmember Bell moved. Councilmember Peterson seconded.

Roll was called: Councilmember Wickenhagen – yes; Councilmember Matson – yes; Councilmember Vargas –yes; Councilmember Peterson – yes; Councilmember Bell – yes; Councilmember Costello – yes; Councilmember Carlson – absent. By voice vote, the sub-motion was approved.

The original Resolution was revisited with noted sub-motion changes. Councilmember Matson moved, and Councilmember Costello seconded, to approve the Resolution Approving the 2021 Salary and Vacation Leave Accrual for Employee Treesa Morales, with a Retroactive Date of August 1, 2021

Roll was called: Councilmember Wickenhagen – yes; Councilmember Matson – yes; Councilmember Vargas –yes; Councilmember Peterson – yes; Councilmember Bell – yes; Councilmember Costello – yes; Councilmember Carlson – absent. By voice vote, Resolution passes unanimously.

O. Ordinances

O-1. Relocated – see public hearings.

O-2. Relocated – see public hearings

O-3 Relocated – see public hearings

O-4 Relocated – see public hearings

O-5 Ordinance Amending the 2021 Budget for the Hiring of a Probationary Police Officer.

Introduced by Mayor Raymond and presented by Chief of Police, Dan Christman. After Discussion:

Councilmember Costello moved, and Councilmember Wickenhagen seconded, to approve the Ordinance Amending the 2021 Budget for the Hiring of a Probationary Police Officer. Roll was called: Councilmember Wickenhagen – yes; Councilmember Matson – yes; Councilmember Vargas – yes; Councilmember Peterson – yes; Councilmember Bell – yes; Councilmember Costello – yes; Councilmember Carlson – absent. By voice vote, Ordinance passes unanimously.

O-6 Moved to Consent Agenda

O-7 Moved to Consent Agenda

O-8 Moved to Consent Agenda

O-9 Ordinance Amending Selah Municipal Code Section 1.10.031

Introduced by Mayor Raymond and presented by City Attorney, Rob Case. After Discussion:

Councilmember Bell moved, and Councilmember Peterson seconded, to approve the Ordinance Amending Selah Municipal Code Section 1.10.031.

Discussion was held: Public Works Director Rocky Wallace pointed out that the Utility Lead Foreman is a union member and should be removed from this list.

Sub-motion 1: Moved by Councilmember Wickenhagen, and Seconded by Councilmember Matson to approve the sub-motion removing the Utility Lead Foreman from the list of non-union unrepresented employees.

Roll was called: Councilmember Wickenhagen – yes; Councilmember Matson – yes; Councilmember Vargas – yes; Councilmember Peterson – yes; Councilmember Bell – yes; Councilmember Costello – yes; Councilmember Carlson – absent. By voice vote, Sub-motion 1 passes unanimously.

For the original motion: Councilmember Bell moved, and Councilmember Peterson seconded, to approve the Ordinance Amending Selah Municipal Code Section 1.10.031.

Roll was called: Councilmember Wickenhagen – yes; Councilmember Matson – yes; Councilmember Vargas – yes; Councilmember Peterson – yes; Councilmember Bell –

yes; Councilmember Costello – yes; Councilmember Carlson – absent. By voice vote, Ordinance passes unanimously.

P. Public Appearances None

Q. Reports/Announcements

1. Departments

- Chief Lange gave a report; updated council that the Fire Department is busy and staff is low. Finding ways to recruit new applicants.
- Chief Christman gave a report; thanked council for their continued support; discussed that the PD always working to connect with community such as working with classes at High School; reminded council of the upcoming food drives to help the local food bank; and of the public open house for the proposed Law and Justice Center project.
- Community Development Specialist Jeff Peters gave a report regarding the happenings at City Planning.
- Public Works Director Rocky Wallace gave report regarding ongoing projects within the City.

2. Councilmembers

- Councilmember Matson gave report regarding YVCOG
- Councilmember Vargas – no report
- Councilmember Costello – no report
- Councilmember Peterson – no report
- Councilmember Bell gave report regarding Law and Justice Center Meeting and remind everyone to vote
- Councilmember Wickenhagen – no report

3. City Attorney Rob Case – no report

4. City Administrator Henne gave report that he’s speaking at Selah Chamber meeting tomorrow 10/27/21. Discussion of how Police will adapt to the new legislative changes. Discussion of how HR will stay up to speed on keeping City where it needs to be.

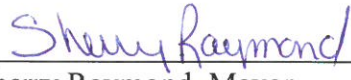
5. Mayor Raymond gave report reminder about the SDA’s post-council meeting at their office tomorrow 10/27.

R. Executive Session **Relocated
Scheduled: 4:30-5:15p.m RE: Litigation: RCW 42.30.110(1)(i)


S. Adjournment

Councilmember Peterson moved, and Councilmember Matson seconded, to adjourn the meeting. By a show of hands, approval was unanimous.

Meeting adjourned at 8:33pm.




Sherry Raymond, Mayor



Roger Bell, Councilmember

Russell Carlson, Councilmember

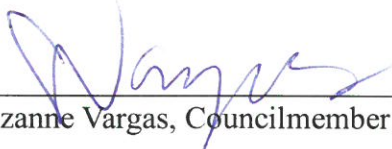


Jacquie Matson, Councilmember

Kevin Wickenhagen, Councilmember

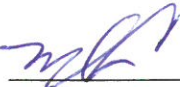


Clifford Peterson, Councilmember



Suzanne Vargas, Councilmember

ATTEST:



Michael Costello, Councilmember

Dale E. Novobielski, Clerk/Treasurer



CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY



Council Meeting

Action Item

11/9/2021

K – 2

Title: Approval of Claims and Payroll

From: Treesa Morales

Action Requested: Approval

Staff Recommendation: Approval of Claims & Payroll as listed on Check Registers

Board/Commission Recommendation: Not Applicable

Fiscal Impact: See Check Registers

Funding Source: See Check Registers

Background / Findings & Facts: See Check Registers

Recommended Motion: Motion to Approve the Consent Agenda as written (this item is part of the consent agenda).



CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY



Council Meeting	Action Item
11/9/2021	N-1

Title: Resolution authorizing the Mayor to sign a "Fire Communication Services Contract" with Yakima County Fire Protection Districts 5 and 2.

From: James Lange, Fire Chief

Action Requested: Approval

Staff Recommendation: To approve the attached Resolution in the form presented.

Board/Commission Recommendation: Not Applicable

Fiscal Impact: \$111,000 in 2022 (dependent on call volume).

Funding Source: 103 Fire Control Fund

Background / Findings & Facts: SunComm is the current communication center for all fire dispatching in upper Yakima County and police dispatching for the cities of Yakima, Union Gap and others. Yakima County Fire District #5 is the current backup communications center. As SunComm dispatches for multiple larger agencies, the upper county fire departments can be better served by Fire District #5 because it only dispatches calls for fire agencies and it uses firefighters when dispatching those calls. Funds collected from these cities and fire districts support the operation and maintenance costs of the Yakima County Fire District #5 Communication Center.

Recommended Action/Motion: I move to approve the Resolution in the form presented.

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: NONE

RESOLUTION NO. #2877

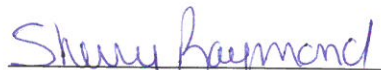
A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A FIRE COMMUNICATION SERVICES CONTRACT WITH YAKIMA COUNTY FIRE PROTECTION DISTRICTS 5 AND 2

WHEREAS, the City of Selah wishes to enter into a Fire Communication Service Contract with Yakima County Fire Protection Districts 5 and 2 for dispatch services, and

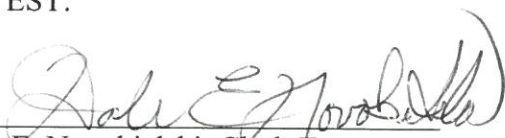
WHEREAS, the term of the contract is for two (2) calendar years commencing on April 1, 2022 and terminating at midnight on March 31, 2024;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH WASHINGTON, that the Mayor of the City of Selah be authorized to sign a Fire Communication Services Contract with said parties. A copy of the agreement is attached and incorporated as shown.

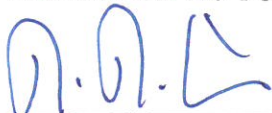
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH WASHINGTON, this 9th day of October, 2021.


Sherry Raymond, Mayor

ATTEST:


Dale E. Novobielski, Clerk Treasurer

APPROVED AS TO FORM:


Rob Case, City Attorney

FIRE COMMUNICATIONS SERVICES CONTRACT

THIS FIRE COMMUNICATIONS SERVICES CONTRACT, (hereinafter the “Contract”) is made and entered into by and between Yakima County Fire District #5, a Municipal Corporation (hereinafter “Fire District #5”) and Yakima County Fire District #2 and the City of Selah (hereinafter “Selah Fire Department”).

WITNESSETH

WHEREAS, Fire District #5 has heretofore provided dispatching service to the Cities and Districts of Lower Yakima County for the handling and processing of fire, alarm, and emergency calls.

WHEREAS, Fire District #5 and Selah Fire Department desire to enter into a new contract for such services.

NOW, THEREFORE, pursuant to the mutual covenants, promises and agreements set forth herein, it is agreed by and between Fire District #5 and Selah Fire Department as follows:

- 1. Fire District #5 Communications Center.** Fire District #5 shall continue to operate a central facility to be known as the Fire District #5 Communications Center within the County of Yakima and shall use the same for the purpose of receiving fire and emergency service calls from the respective areas served by all of the parties hereto, and shall dispatch fire apparatus, emergency apparatus or Medical apparatus of the appropriate party in answer to any such fire or emergency calls and for the purpose of receiving and transmitting mutual aid calls among the various parties hereto and for other related business.
- 2. Authority of Dispatch Center.** It is agreed that the duty of operating the Fire District #5 Communications Center and the complete management thereof is vested in Fire District #5 and that Fire District #5 shall have the full, complete, and exclusive authority to operate and manage such Fire District #5 Communications Center, including, but not limited to, the authority to hire and fire employees for such office.
- 3. Expense of Maintenance and Operation.** The expense of continued maintenance and operation of the Fire District #5 Communications Center, including the expense of operating all telephone lines terminating at the Fire District #5 Communications Center, and including the maintenance of equipment located within the Fire District #5 Communications Center and belonging to Fire District #5, shall be borne by Fire District #5.
- 4. Term of Contract.** This Contract is for a term of Two (2) calendar years commencing April 1, 2022 and terminating at midnight on March 31, 2024. Contract shall auto-renew every two years until such time as either party terminates the contract either by early termination as defined in this agreement or by providing written notice 180 days in advance of the midnight March 31 renewal date.
- 5. Cost of Service.** Fire District #5 shall maintain a record of Selah Fire Department alarm calls and Selah Fire Department shall be charged by Fire District #5 for each call as stated

herein. The base cost per alarm call for the contract period shall be the cost per alarm in Calendar year 2022 of Fifty-Nine dollars and Seventy-Six cents (\$59.76) per dispatch.

The cost per alarm call shall be adjusted January 1 of each year to an amount equal to the previous calendar year cost per alarm multiplied by the percent change from the previous year recorded in the consumer price index published by the Bureau of Labor Statistics of the U.S. Department of Labor for all Urban Consumers (CPI-U), West, Average for all items, with reference base period of 1982-84=100 (Index) for the calendar year of this computation, for the month of June, with tenth's of a percent rounded to the nearest whole percent and with a 2% minimum and a 4% maximum. In addition to the CPI cost adjustment, associated CAD and Spillman costs are also included. In the event that the percentage increase is less than 2%, a 2% increase will automatically be used. In the event that the percentage increase is more than 4%, a special meeting of the Dispatch Users Group will be convened for the purpose of authorizing an increase. If the U.S. Government ceases to publish the index on a 1982-84=100 reference base, the index shall be converted to the currently published standard reference base period in accordance with the conversion factor published by the United States Department of Labor, Bureau of Labor Statistics.

6. **Payment for Alarm Calls.** Selah Fire Department shall be billed quarterly for alarm calls. Billing will be for the prior 3 months of alarm calls ending March 31st, June 30th, September 30th and December 31st. Statement of billing will be mailed by April 30th, July 31st, October 31st and January 31st.

Selah Fire Department shall pay for each billing for alarm services within Sixty (60) days after billing by Fire District #5. Payment shall be made to Yakima County Fire District #5, PO Box 447, Zillah, Washington 98953.

7. **Definition of Alarm Calls.** A call to be charged for under the terms of this Contract is defined as follows:

A. **An emergency alarm call is defined as:** a call requiring priority dispatching of equipment from Selah Fire Department. Any number of vehicles from Selah Fire Department may answer any such alarm call. All communications dealing with such alarm call shall be deemed as one (1) alarm call.

B. **A non-emergency alarm call is defined as:** a call requiring non-priority dispatching of equipment from Selah Fire Department. Any number of vehicles from Selah Fire Department may answer any such alarm call. All communications dealing with such alarm call shall be deemed as one (1) alarm call.

8. **Services Included.** Included are receiving and dispatching of an alarm call to include receiving of call information, processing information to determine appropriate response, recording of call information to include units, times and pertinent call events, providing call

information and details via electronic sources such as notification Apps or radio system. Sources of notification are supplied and paid for by Selah Fire Department as are any devices required to receive said information.

9. Early Termination of Contract. Fire District #5 or Selah Fire Department may terminate this Contract, with or without cause, by providing one-hundred eighty (180) days written notice of termination to each of the parties to this contract. The Contract shall remain in full force and effect with regard to all remaining parties who have not exercised early contract termination pursuant to this clause.

10. Hold Harmless. Selah Fire Department shall protect, defend, indemnify, and hold harmless Fire District #5, its elected officials, agents, officers, and employees from any and all claims, demands, lawsuits, and liability arising out of or related to the performance of this contract.

11. Nondiscrimination Provision. During the performance of this Contract, Fire District #5 shall not discriminate on the basis of race, age, color, sex, religion, national origin, creed, marital status, political affiliation, or the presence of any sensory, mental or physical handicap. This provision shall include but not be limited to the following: Employment, upgrading, promotion, demotion, transfer, recruitment, advertising, layoff, or termination, rates of pay or other forms of compensation, and selection for training.

12. No Insurance. It is understood Fire District #5 does not maintain liability insurance for Selah Fire Department and/or their employees.

13. Assignment. This contract, or any interest herein, or claim hereunder, shall not be assigned or transferred in whole or in part to either Fire District #5 or Selah Fire Department or to any other person or entity without the prior written consent of Fire District #5 and Selah Fire Department. In the event that such prior written consent to an assignment is granted, then the assignee shall assume all duties, obligations, and liabilities of Fire District #5 and Selah Fire Department stated herein.

14. Severability. If any portion of this Contract is changed per mutual agreement or any portion is held invalid, the remainder of the Contract shall remain in full force and effect.

15. Integration. This written document constitutes the entire agreement between Fire District #5 and Selah Fire Department. There are no other oral or written agreements between the parties as to the subjects covered herein. No changes or additions to this Contract shall be valid or binding upon either party unless such change or addition be in writing and executed by all parties.

16. Governing Law. This Contract shall be governed by and construed in accordance with the laws of the State of Washington.

17. Venue. The venue for any action to enforce or interpret this Contract shall lie in the Superior Court of Washington for Yakima County Washington.

18. Signature.

Fire Communications Service Contract

CITY OF SELAH

YAKIMA COUNTY FIRE
PROTECTION DISTRICT #2

Mayor
Sherry Raymond

Commissioner Chairman
Dan Boyle

Date _____

Date _____

ATTESTED:

City Clerk/Treasurer
Dale Novobielski

Commissioner Secretary
Christine Willis

YAKIMA COUNTY FIRE DISTRICT #5 BOARD OF COMMISSIONERS

Chairman

Date _____

Printed Name

Attest

COUNCIL ROLL CALL LIST

Meeting Date: 11.9.2021

YES	ATTENDANCE	NO
✓	Kevin Wickenhagen	
✓	Jacque Matson	
✓	Suzanne Vargas	
✓	Clifford Peterson	
✓	Roger Bell	
✓	Michael Costello	
✓	Russell Carlson	

YES	AIS:	NO
	Kevin Wickenhagen	
	Jacque Matson	
	Suzanne Vargas	
	Clifford Peterson	
	Roger Bell	
	Michael Costello	
	Russell Carlson	

YES	AIS: N-1	NO
✓	Kevin Wickenhagen	
✓	Jacque Matson	
✓	Suzanne Vargas	
✓	Clifford Peterson	
✓	Roger Bell	
✓	Michael Costello	
✓	Russell Carlson	

YES	AIS:	NO
	Kevin Wickenhagen	
	Jacque Matson	
	Suzanne Vargas	
	Clifford Peterson	
	Roger Bell	
	Michael Costello	
	Russell Carlson	

YES	AIS:	NO
	Kevin Wickenhagen	
	Jacque Matson	
	Suzanne Vargas	
	Clifford Peterson	
	Roger Bell	
	Michael Costello	
	Russell Carlson	

YES	AIS:	NO
	Kevin Wickenhagen	
	Jacque Matson	
	Suzanne Vargas	
	Clifford Peterson	
	Roger Bell	
	Michael Costello	
	Russell Carlson	

YES	AIS:	NO
	Kevin Wickenhagen	
	Jacque Matson	
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	Clifford Peterson	
	Roger Bell	
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	Russell Carlson	

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