



# SELAH CITY COUNCIL

April 25, 2023

4:00 pm: Study Session

*RE: Selah's Housing Action Plan*

5:30 pm: Regular Scheduled Meeting

Significant items on the Agenda – such as Public Hearings, Ordinances and Resolutions – will have an explanatory Agenda Item Sheet (AIS)

A yellow AIS cover page indicates an action item.

A blue AIS cover page indicates an informational/non-action item.



Selah City Council  
Meeting Date: April 25, 2023  
4:00pm: Study Session  
5:30 pm: Regular Meeting

City of Selah  
115 W. Naches Ave.  
Selah, WA 98942

Mayor:	Sherry Raymond
Mayor Pro Tempore & Councilmember:	Russell Carlson
Councilmembers:	Kevin Wickenhagen
	Jared Iverson
	Elizabeth Marquis
	Clifford Peterson
	Roger Bell
	Michael Costello
City Administrator:	Joe Henne
City Attorney:	Rob Case
Clerk/Treasurer:	Dale Novobielski

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## AGENDA

- 1) **Call to Order – Mayor Raymond**
- 2) **Roll Call**
- 3) **Registering in record of councilmember absence(s) as excused absence(s), per SMC 1.06.070**
  - a) Councilmember Costello
- 4) **Pledge of Allegiance**
- 5) **Invocation with Tom Morris from Calvary Selah**
- 6) **Announcement of changes, if any, from previously-published Agenda**
- 7) **Getting to know local businesses, agencies and/or people (up to 5 minutes total)**
  - a) Selah Cleaners
- 8) **Comments from the public (up to 30 minutes total)**

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 pertaining to City business and official actions are the most valued, but comments pertaining to City officials' ability to fulfill their job duties due to events, actions, or activities that occurred outside the scope of their duties as a City official may also be offered. Constructive criticism of City officials is allowed including constructive criticism specifically mentioning City officials or employees by name as to official actions, but defamation, personal attacks and impertinent assertions are not allowed.

Commenters are limited to one comment per meeting and each comment is subject to a duration limit. City staff may disallow or modify any received written comment that exceeds its duration limit or that is deemed inappropriate, and the Mayor or Presiding Officer may turn off the podium microphone or otherwise silence any in-person comment that exceeds its duration limit or is deemed inappropriate.

These standards are subject to revision and will be updated whenever necessary in order to comply with constitutional requirements.

- A. Pre-arranged oral comments (up to 5 minutes each) - None
- B. Reading of received written comments (up to 2 minutes each) – None
- C. Oral comments by people in attendance (up to 2 minutes each)

9) **Proclamations/announcements**

10) **Consent Agenda**

Consent Agenda items are listed with an asterisk (\*). Those items are considered routine and will be addressed via a joint motion, without any discussion or debate. However, upon the request of any Councilmember an item will be removed from the Consent Agenda, will be addressed separately, and will be subject to discussion and debate.

- A. Treesa Morales \* Approval of Minutes from April 11, 2023 Study Session and Council Meeting
- B. Dale Novobielski \* Approval of Claims & Payroll
- D. Joe Henne Resolution 13-C. Resolution Authorizing the Mayor to Sign, on Behalf of the City, a One-Page Written Contract with Yakima Herald-Republic, Designating Such Newspaper as the City's Official Newspaper for 2022 Pursuant to RCW 35A.12.160 and Establishing the Applicable Publishing Rates for 2023
- C. Jim Lange Resolution 13-D. Resolution Declaring Specified Fire Department Mobile and Portable Radios as Surplus, and Authorizing their Disposition and Sale
- E. Dale Novobielski Ordinance 14-A. Ordinance Amending the 2023 Budget for License Plate Reader Cameras
- F. Dale Novobielski Ordinance 14-B. Ordinance Amending the 2023 Budget for Court Legal Expenses
- G. Dale Novobielski Ordinance 14-C. Ordinance Amending the 2023 Budget for A Welcome to Selah Sign
- H. Dale Novobielski Ordinance 14-D. Ordinance Amending the 2023 Budget for Transfer from Fund 001 General to Fund 140 Contingency Reserve

11) **Public Hearings – None**

12) **General Business**

- A. New Business – None

B. Old Business – None

13) **Resolutions**

- A. Rocky Wallace Resolution Authorizing the Mayor to Sign “Task Order No. 1” with Gray and Osborne, Inc., for Professional Services Related to the City’s 2023 Crack Seal Project
- B. Rocky Wallace Resolution Authorizing the Mayor to Sign a Two-Page, Letter-Style Agreement to Extend the End Date of the Interlocal Agreement Previously Entered into by the City via its Resolution No. 2852 with the Yakima County Right-of-Way Department for Acquisition Services Relative to the City’s Valleyview Avenue, South Third Street and Southern Avenue Improvements Project
- C. Joe Henne **\*On Consent\*** Resolution Authorizing the Mayor to Sign, on Behalf of the City, a One-Page Written Contract with Yakima Herald-Republic, Designating Such Newspaper as the City’s Official Newspaper for 2022 Pursuant to RCW 35A.12.160 and Establishing the Applicable Publishing Rates for 2023.
- D. Jim Lange **\*On Consent\*** Resolution Declaring Specified Fire Department Mobile and Portable Radios as Surplus, and Authorizing their Disposition and Sale

14) **Ordinances**

- A. Dale Novobielski **\*On Consent\*** Ordinance Amending the 2023 Budget for License Plate Reader Cameras
- B. Dale Novobielski **\*On Consent\*** Ordinance Amending the 2023 Budget for Court Legal Expenses
- C. Dale Novobielski **\*On Consent\*** Ordinance Amending the 2023 Budget for A Welcome to Selah Sign
- D. Dale Novobielski **\*On Consent\*** Ordinance Amending the 2023 Budget for Transfer from Fund 001 General to Fund 140 Contingency Reserve

15) **Reports/Announcements**

- A. Departments
- B. Councilmembers, personally and on behalf of committees and boards
- C. City Attorney
- D. City Administrator
- E. Mayor or Presiding Officer, personally and on behalf of committees and boards
  - a. Planning Commission meeting minutes from March 21, 2023



16) **Executive Session(s) – None**

17) **Adjournment**

Next Study Session: May 11, 2023

Regular Meeting: May 11, 2023



**Selah City Council**  
Regular Meeting  
***AGENDA ITEM SUMMARY***

Meeting Date: 4/25/2023

Agenda Number: 10-A\*

Action Item

**Title:** Approval of Minutes, April 11, 2023 Study Session and Regular Council Meeting

**From:** Treesa Morales, Executive Assistant

**Action Requested:** Approval

**Staff Recommendation:** Approval

**Board/Commission Recommendation:** N/A

**Fiscal Impact:** N/A

**Funding Source:** N/A

**Background/Findings/Facts:** N/A

**Recommended Motion:** I move to approve the Consent Agenda in the form presented (This item is part of the consent agenda).

*Record of all prior actions taken by the City Council and/or City Board, City Committee, Planning Commission, or the Hearing Examiner (if not applicable, please state none).*

**Date:**            **Action Taken:** None

**City of Selah**  
**City Council STUDY SESSION Minutes**  
**April 11, 2023**  
Regular Study Session

Mayor Raymond called the meeting to order. Introduced the first study session.

**4:00pm | Study Session #1 | Topic: Janitor/Custodian Discussion**

City Administrator Joe Henne started the discussion, reminded council that when evaluating the projected presented today, to remember there are many high-priced projects coming up.

Mr. Henne explained the material presented to the Councilmembers and the research conducted in providing different samples which include a full-time employee to be hired by the City, continuing with the current service from Operation Omni, or consideration of the proposals from Sandy's Cleaning Service or NoeMess.

Councilmember Carlson asked if the numbers from Sandy's Cleaning Service were only to clean the Police Station? Mr. Henne said yes, they are just for the police station. After discussion, Mr. Henne stated that staff is proposing to stick with Operation Omni with a 5% increase and improve communication to see if output changes. Mr. Henne also stated that if Council wished to direct staff to move to a different company, to come to a consensus and provide direction.

Chief Christman provided extensive information on his discussions with Sandy's Cleaning Service and how the rate will adjust depending on regular schedules and if the Department is willing to do small things like the garbage so she can focus on the larger items. Chief stated that, initially, because of the state of the building, the cost will be higher until a proper level of cleanliness is achieved; after which the price will drop as cleaning will be more in maintenance rather than deep cleaning.

Councilmember Bell, when referencing hiring a full-time employee, asked if staff considered all the extras that might be needed to be successful such as supplies, vacuums, mops, even a vehicle to get between buildings? Mr. Henne said those were not included, he was just trying to show that it would be more expensive to change to a full-time employee.

Councilmember Marquis asked who currently cleans the fire station. Mr. Henne said, they do. Chief Lange clarified that they clean the building and call for service when needed if it gets bad.

Councilmember Carlson said he is more worried about the civic center than the police station as the community members are paying high dollars to rent the facility. Mr. Carlson said he has personally seen mouse droppings in the restroom, and heard – numerous times – from people who have rented the building, that it is disgusting. Recreation Director, Zack Schab provided information on the effects of the current company on the civic center. Mr. Schab stated that he feels, regardless who is cleaning the civic center, the building is too large for one person to successfully do on their own. Mr. Wallace provided input, stating his building gets dirty because of the type of job his crew does. Mr. Wallace said his staff helps clean the building throughout the day as dirt and debris is tracked in, but that if anything needs to be done, Mr. Wallace will send an email to Betty for the request, and she responds.

Councilmember Iverson asked if there has ever been a review for Operation Omni? Mr. Henne said, no, not that he is aware of. Mr. Iverson commented that staff should be expected to keep their space clean, but having conversation monthly about performance and not seeing improvement is a concern. Mayor Raymond expressed concerns of paying higher wages when there are a number of high dollar items coming up. Councilmember Carlson reminded council that Operation Omni has been told numerous times the work product needed to improve, but nothing has changed.

Councilmember Marquis added the suggestion of revising the RFP quotes and suggested if the request included more buildings, perhaps there would be more interest. Ms. Marquis also stated she believes the Council and the City should be good stewards of our buildings and spend the money to care for them. Councilmember Iverson agreed, stated he would like to see a proposal from Sandy with normal pricing when the building is up to expectations.

Sandy Ortega approached the podium as she was in the audience. Ms. Ortega gave information on the numbers included in her proposal and explained the work she plans on performing. Ms. Ortega also explained how prices would change depending on what the City wants, and reminded council that nothing is set in stone and the bid can be adjusted depending on the needs of the city and the wishes of the council.

Discussion continued on whether to do another formal RFP process to just solicit bids from local companies. Public Works Director, Rocky Wallace suggested that City Staff could access the MRSC small works roster.

Mayor Raymond stated the Council needed to move on to the next study session topic, but that Staff work on this and bring information to Council ASAP.

## **5:52pm | Study Session #2 | Topic: Carlon Park Improvements**

City Administrator, Joe Henne, led the discussion, providing Council with an explanation of upcoming projects, specifically replacement of lights at Carlon Park and repairs to the tennis courts. Public Works Director, Rocky Wallace, stated that he has been working with Musco lighting. Mr. Wallace said, with regard to the lights, that the wood poles must be inspected, which would cost about \$9500 to inspect and certify the pole. Mr. Wallace pointed out that the bid provided to council is based on the assumption that the current poles will work, but that the project cost will be much higher if the poles need to be replaced. Mr. Wallace then gave information on the tennis courts and the different options between asphalt or concrete. He further explained that he is meeting with the School District soon to discuss the potential shortfall as well as reserves available with the city to cover the cost of the projects.

Councilmember Carlson asked how many lights there are currently on the field? Mr. Wallace estimated there are eight poles and three banks of lights per pole, and the tennis courts have 6 lights. Councilmember Carlson asked how well the current lights are working? Mr. Wallace said there are approximately 20 bulbs out currently, and they are old lights and very inefficient. Councilmember Carlson asked what the cost would be to replace the current light and asked Rocky if the City and teams could make them work for five years by continuing to replace bulbs. Mr. Henne said the City needs to have the poles inspected before answering, and also that he plans to move ahead with replacing and repairing the tennis courts.

Councilmember Bell stated that though he doesn't want to minimize baseball in the community, Wood Field is owned by the City and putting half a million dollars into a field where

Legion baseball has exclusive use of the field for seven months doesn't seem appropriate. Mr. Bell asked if there was some other way to fix the issues? Mr. Wallace reminded Council that the school district uses the field for part of the year, and Legion only gets the field during the summer months; Mr. Wallace also informed council that grid kids has been using the field for practice also, because of the lights. Mr. Bell said he understood, but he thinks the council should talk to them before spending any money. Mr. Henne agreed, said the City needs to talk all user groups who play on the fields, and update them all. Mr. Bell also commented that the City just spent a lot of money on the outfield fence at Wood Field, and Legion Baseball put up all the advertising banners, and the City does not see any money from any of it. Mr. Henne said they would work on it, and suggested they move on to the next subject.

### **5:09pm | Study Session #3 | Topic: Selah Police Station**

City Administrator, Joe Henne, explained the options for purchasing an existing building to renovate into a new police station (see handouts). Mr. Henne explained the first option, the Garner building next to Anytime Fitness would cost \$475,000 to purchase and includes the three-story church and the adjacent house. The second building, the nursing home next to city hall, would cost \$885,000 but the owner is willing to renegotiate. The final option, the old Helms Hardware buildings (currently the dance studio) would cost \$1,400,000. And all buildings would need extensive renovations. Mr. Henne pointed out that Chief Christman would prefer the second option – the old nursing home next to City Hall because it is on one level. Councilmember Wickenhagen asked Chief Christman why one level was so important. Chief Christman explained the potential disconnect when staff is on different levels, but more importantly, it would avoid the need for an elevator.

Councilmember Costello asked if parking would be an issue at the building next to City Hall? Chief Christman explained the various areas for parking, which he believes will be sufficient.

Councilmember Costello spoke of his conversations with the public on their thoughts of why the bond didn't pass, where many said the building was either too big or cost too much money. Mr. Costello proposed that the City remove the court of the new building design and reduce size and expense and put another bond out to the voters for approval. Mr. Costello expressed concerns of putting a lot of money into renovating a new building and never having it be worth it in the end. Chief Christman said he recently spoke to McKenzie Architecture and asked if they would be interested in downsizing the new building plans or helping with a remodel of an existing building, to which they told Chief they are in the game regardless of what decision the City makes.

Councilmember Bell commented that in his conversation with Mackenzie Architecture, removing the court room from the plans wouldn't change the final price much because the court room is a basic room and not an expensive part of the building. Mr. Bell stated that if that is the case, then based on inflation, removing the court room will mean the overall cost will be the same, but with less building. Mayor Raymond agreed, and stated more discussion was needed, but that the Council needs to take a break to prepare for the regular meeting.

5:27pm – Study Session ended, 3-minute break.

**City of Selah**  
**City Council Meeting Minutes**  
**April 11, 2023**  
Regular Meeting

1) **Call to Order: Mayor Raymond called the meeting to order at 5:30 pm.**

2) **Roll Call**

A. Members Present: Elizabeth Marquis, Roger Bell, Michael Costello, Russell Carlson, Jared Iverson, Kevin Wickenhagen, Clifford Peterson

B. Staff Present: Joe Henne, City Administrator; Rob Case, City Attorney; Dan Christman, Chief of Police; James Lange, Fire Chief; Rocky Wallace, Public Works Director; Dale Novobielski, City Clerk/Treasurer; Jeff Peters, Community Development Supervisor; and Treesa Morales, Public Records Manager.

3) **Registering in record of Councilmember absence(s) as excused absence(s), per SMC 1.06.070: None**

4) **Pledge of Allegiance**

5) **Invocation with Jason William from Harvest Church, Selah**

6) **Announcement of changes, if any, from previously-published agenda: None**

7) **Getting to know local businesses, agencies and/or people**

A. Commissioner Amanda McKinney came to the podium and gave presentation on the various items. Commissioner McKinney gave details of her recent trip to Washington DC where she met with leaders involved in the PFAS incident and mentioned they see it as a high priority.

Mayor Raymond mentioned the City plans to use APRA money for the Flock Cameras and wondered when the City would see the APRA money. Commissioner McKinney stated that all APRA money is provided under reimbursement status only. Applicants must complete a form through a portal and provide proper documentation, but no advanced money would be available for ARPA dollars.

Councilmember Carlson stated his concerns with the current status of Ambulance availability in the county, and the consequences of the City of Yakima's decisions on the surrounding communities. Mr. Carlson said that because of this, Selah does not have a good response time for aid units, which is a huge disservice to our community, and asked Ms. McKinney where her thoughts. Commissioner McKinney mentioned that Bruisic is working on it, and that one company filed an appeal which is slowing down the process, but the Commissioners know it is an urgent matter and they are working on it as fast as allowed, especially now that the issue is tied up in the courts with the appeal.



Commissioner McKinney said she would be happy to answer any other questions. Mayor Raymond thanked her for coming to the meeting.

- B. Katrina Henkle from the Selah Downtown Association provided an update on the current status of the SDA and recent projects they are working on.

Ms. Henkle explained the process on the mural project and expects the new artwork to be installed very soon, definitely before the Community Days event. Ms. Henkle mentioned a possible Fourth of July festival and SDA-sponsored bingo on the third Thursday of each month in the Selah Civic Center.

Councilmember Carlson asked about the B&O tax, and Ms Henkle confirmed it was still open and requested Councilmembers encourage local businesses apply.

- C. William Schuler approached the podium to explain the handout he provided to Councilmembers regarding the City's public defender contract with Brumback and Ottem and Attorney William Schuler.

Mr. Schuler explained the state regulations that a public defender can take up to 400 cases in a year, and that at his firm there are three attorneys which would triple the amount of cases they can take. Mr. Schuler also explained his firm has access to interpreters and a large data system to process cases. After providing more information on what he and Brumback and Ottem are able to do, Mr. Schuler suggested the City use a public defender screening form which would cut down on the number of cases from those who could afford attorneys. Mr. Schuler then asked if there were any questions.

Councilmember Carlson asked if Mr. Schuler knew the current case count in Selah. Mr. Schuler said there were at least 200-220 last year and he anticipates that number would go up this year. Hearing no other questions, Mayor Raymond thanked Mr. Schuler for coming.

**8) Comments from the public**

- A. Pre-arranged oral comments - None
- B. Reading of received written comments - None
- C. Oral comments by people in attendance - None

**9) Proclamations/Announcements: None**

**10) Consent Agenda (all items listed with an asterisk (\*) are considered part of the consent agenda and are enacted in one motion).**

Councilmember Carlson moved to approve the Consent Agenda. Councilmember Iverson seconded. Mayor Raymond restated the motion and asked Council for discussion.

Councilmember Bell pointed out that the minutes stated that all councilmembers were present at the March 28<sup>th</sup> meeting, but in fact there were two absent – Councilmember Wickenhagen and Councilmember Carlon – and requested the change be made. Councilmember Carlson moved to approve the agenda with suggested amendments. Councilmember Iverson seconded, again. Mayor Raymond asked all who approve say, “aye.” No opposed. By voice vote, motion carries.

Executive Secretary, Treesa Morales, read the Consent Agenda:

- A. Treesa Morales      Approval of Minutes: March 28, 2023 Council Meeting

- B. Dale Novobielski      Approval of Claims and Payroll:  
Payroll Checks No. 85474-85489 for a total of  
\$350,689.02  
Claim Checks No. 179647-179771 for a total of  
\$749,458.34
- C. Rocky Wallace      Resolution 13-B. Resolution Authorizing the Mayor to  
Sign a Washington State Department of Transportation  
Local Agency Agreement Supplement No. 4, to  
Deobligate Half of the Excess Construction Funding for  
the Street Portion of the City's Valleyview Avenue,  
South Third Street and Southern Avenue Improvements  
Project
- D. Rocky Wallace      Resolution 13-C. Resolution Authorizing the Mayor to  
Sign the United States Department of Agriculture Rural  
Development RUS BULLETIN 1780-27 LOAN  
RESOLUTION, Relating to the City's Wastewater  
Collection System Improvements Project

**11) Public Hearings: None**

**12) General Business**

**A. New Business**

i. RE: Hiring of Four (4) Probationary Firefighters in Current Year 2023.  
Presented by Chief Lange who explained the reason for needing four new full-time fire fighters is because the station is switching to a 24/7 coverage station with duty shifts where members will be at the station 24 hours a day.  
Chief Lange explained the department has completed the testing process to form a entry-level list, which has also been recently approved by the Civil Service Commission. Chief Lange plans to make the transition to shift work on July 1, 2023. City Attorney Case explained why Chief Lange was presenting this to the Council, and Chief Lange explained there is money in the budget to hire the four this year, but some budget adjustments might be necessary.

**B. Old Business - None**

**13) Resolutions**

Before beginning on resolutions, Councilmember Carlson requested to switch Resolution 13-E with Resolution 13-F and vote on 13-F before 13-E. City Attorney Case suggested that perhaps the discussion of Resolution 13-E and 13-F could be held together and then a vote could be held in whichever order the Council prefers. After more discussion on what order to hold Resolution 13-E, 13-F, and 13-G, Mayor Raymond suggested the Council decide during that part of the meeting and introduced Resolution 13-A.

**A. Resolution Authorizing the Mayor to Sign a Contract with Cascade Sign and Fabrication, Related to the City's Welcome to Selah Sign Project**

Presented by Public Works Director, Rocky Wallace. After presentation, Mr. Wallace stated that the RFQ was sent to five contractors, and the City received one in return, which was for approximately \$39,000, which has been budgeted for. Mr. Case confirmed that the City would be spending \$9,000 out of the general fund? Mr. Wallace confirmed yes, LTAC has approved funds and the SDA has donated as well.

Councilmember Wickenhagen moved to approved the resolution as presented. Councilmember Peterson seconded. Mayor Raymond restated the motion and asked Council for discussion.

Councilmember Carlson expressed his concern that by paying the same company, Cascade Signs, to do both the sign and the landscaping, the City is effectively paying double profit margins. Mr. Carlson also wondered if the RFP included the initial bid by Cascade sign, which would have thwarted other companies from applying, thinking it was already decided. Mr. Carlson mentioned his worry that perhaps it did not seem like an impartial bid process. Mr. Wallace explained that they used the MRSC small works roster and he selected the first five names on the list to try to keep it as fair as possible. Mr. Wallace stated he wasn't sure about the landscaping, but that he expects the company will have a sub-contractor for both landscaping and electrician. Councilmember Carlson again stated his feelings that there are plenty of landscaping companies around who could do the project. Councilmember Wickenhagen asked, then, who would run the project if the awarded company wasn't able to hire sub-contractors to do parts of the project.

Agreeing with Councilmember Carlson, Councilmember Iverson asked Mr. Wallace if Public Works could do the electricity on the project. Mr. Wallace stated, no. Mr. Iverson asked if Public Works could do the landscaping. Mr. Wallace said, not going to say no, but it would be difficult. City Administrator, Joe Henne, explained that almost all general contractors have subs, and doing so is very common for Public Works-type projects.

Seeing no further discussion, Mayor Raymond requested Roll Call.

Roll was called: Councilmember Marquis – yes; Councilmember Bell – yes; Councilmember Costello – yes; Councilmember Carlson – no; Councilmember Iverson – yes; Councilmember Wickenhagen – yes; Councilmember Peterson – yes. By voice vote, Resolution Authorizing the Mayor to Sign a Contract with Cascade Sign and Fabrication, related to the City's Welcome to Selah Sign Project was approved.

**B. Resolution Authorizing the Mayor to Sign a Washington State Department of Transportation Local Agency Agreement Supplement No. 4, to Deobligate Half of the Excess Construction Funding for the Street Portion of the City's Valleyview Avenue, South Third Street and Southern Avenue Improvements Project**

\*On consent agenda\* Resolution was passed upon approval of the consent agenda.

**C. Resolution Authorizing the Mayor to Sign the United States Department of Agriculture Rural Development RUS BULLETIN 1780-27 LOAN RESOLUTION, Relating to the City's Wastewater Collection System Improvements Project.**

\*On consent agenda\* Resolution was passed upon approval of the consent agenda.

**D. Resolution Authorizing the Mayor to Sign an Agreement with Flock Safety for acquisition, installation, and implementation of Flock Automated License Plate Reader (ALPR) Cameras inside the City of Selah.**

Presented by Police Chief Daniel Christman. Chief Christman explained the purpose of the cameras and the benefit they provide to the City of Selah as well as the County as a whole through collaboration on cases. Chief Christman pointed out that the intent was to get 10 cameras but that on April 1, Flock raised their rates, and now he is only requesting to purchase 8 cameras to place on all the main areas of town. Chief Christman stated that he plans to use APRA money for the initial purchase of the cameras and that once the contract is signed the clock starts ticking.

Councilmember Peterson asked about the ones that require solar, and wondered if the APRA funds will cover the cost of the solar receptor. Chief Christman confirmed yes, the money will cover everything including the post for the camera, the wiring and installations. Councilmember Peterson wondered if the City would pay the electric bill for cameras that are wired into pole with electricity. Chief Christman confirmed yes, but that it is a very low draw.

Councilmember Costello moved to approve the resolution as presented. Councilmember Wickenhagen seconded. After repeating the motion, Mayor Raymond asked council for discussion.

Councilmember Costello asked if the cost of installation was included in the bid of \$3,000 per camera. Chief Christman stated yes, as per the original grant that was awarded, the cost includes installation within the City. Councilmember Costello said he went to the Flock website and noticed there is a long list of items required to activate the cameras. Chief Christman agreed, and confirmed that is why it is good for Flock to install the cameras, so nothing gets missed. Chief Christman also explained the cameras that Selah PD plans to purchase are fixed and not movable to different sites.

Councilmember Bell clarified that if the City signs the agreement, do the cameras belong to the City. Chief Christman said, per the Flock representative, not really. The cameras will always belong to Flock, and that the City is effectively renting them from Flock. Mr. Case commented that the City would be paying for a service, not purchasing goods, and that this contract is on an annual renewal, which means the City could fire them at any time and Flock could take their equipment.

Councilmember Bell confirmed that the City would have to pay \$30,000 every year for this service? Chief Christman said yes, \$24,000 every year. Mr. Case pointed out, also, that Flock can always raise the rates and that the anticipated annual cost is not guaranteed.

Councilmember Bell asked for clarification. Mr. Bell stated that in his understanding of the contract, it looks like the terms state that the City would be signing for one year, and a two-year initial renewal – so is the City committed for two years? And if so, how does the City give notice if they decide the cameras are not working out? City Attorney confirmed, yes, Mr. Bell's understanding of the contract is correct. Mr. Bell said, so the City is committing to \$48,000 over two years, and, per his understanding, Mr. Bell said the contract reads that either party can terminate the contract, but if Flock terminates the contract, there is no fee. But if the City terminates the contract, there is a \$500 charge per pole to terminate.

Chief Christman pointed out that the City of Yakima has – cameras which have been extremely productive, and the cameras resulted in – tied to the NCIC III System which will ping cars in a silver or amber alert and if the Selah has the cameras too, Selah PD can access over 230 flock cameras deployed in Yakima County. Chief Christman explained the heat mapping system where the cameras can track a car throughout the county and explained his hopes that next year Selah PD can show success stories of how the cameras have kept Selah safe.

Councilmember Bell noted that in section 2.8.1 of the contract, the City needs to have all the paperwork done, including hardwiring and electrical and permits. Chief Christman agreed, saying that he was recently told by the Flock camera rep that permits need to be in-hand before coming to the City as they are concerned of putting a pole into the ground and not having power available, so the City needs to be prepared.

Councilmember Bell wonders if the City must provide power? Chief Christman said, yes, he would prefer to tie into power rather than rely on solar.

Councilmember Peterson asked if the Flock company takes care of maintenance and upgrades, and what about vandalism? Chief Christman said he wasn't sure. Mayor Raymond pointed out the answer is on #7 of the contract. Chief Christman pointed out that the City of Yakima has had great success with partnering with businesses in support of the cameras; he said the Flock representative he spoke to, who recently retired from a law enforcement agency, has been doing work with Yakima PD and said he would be happy to come to Selah to talk to businesses. Chief Christman said the Flock Representative said the City of Yakima has received financial support for businesses for the cost of the cameras as they see the value in them.

Hearing no other discussion, Mayor Raymond asked for Roll Call.

Roll was called: Councilmember Marquis – yes; Councilmember Bell – yes; Councilmember Costello – yes; Councilmember Carlson – yes; Councilmember Iverson – yes; Councilmember Wickenhagen – yes; Councilmember Peterson – yes. By voice vote, the Resolution Authorizing the Mayor to Sign an Agreement with Flock Safety for acquisition, installation, and implementation of Flock Automated License Plate Reader (ALPR) Cameras inside the City of Selah, was approved.

- E. Resolution Directing the City Administrator to Issue a Two-Page Letter Jointly to the Law Firm of Brumback & Ottem and Attorney William Schuler, Notifying Both that their Engagement as Public Defender(s) as to New Cases is Terminated Effective June 30, 2023**
- F. Resolution Authorizing the Mayor to Sign a Fourteen-Page Contract for Indigent Defense Services with Attorney Daniel B. Polage**

City Attorney Rob Case presented the Resolution 13-F first. Explained the details of the contract and the anticipated changes in fees. After presentation for 13-F, Mr. Case presented the details for Resolution 13-E, pointing out that the current the current contract states Mr. Schuler will continue accepting cases through April 2023, and remain with any clients after May 1, 2023 as needed depending on the case.

Councilmember Wickenhagen moved to approve Resolution 13-E and Resolution 13-F as presented. Councilmember Peterson seconded. After repeating the motion, Mayor Raymond asked council for discussion.

Councilmember Carlson referenced the current contract and stated his concerns over committing to a contract without meeting Daniel Polage. Mr. Carlson stated he wished Mr. Polage would have come to the meeting.

Councilmember Iverson asked Mr. Case why the City was wanting to switch. Mr. Case stated part of it was due to lack of availability by the current prosecutor. Councilmember Iverson noted that the raises seem substantial. Mr. Case provided reasoning for the proposed rates based on county-wide trends for Attorneys.

Councilmember Carlson asked how Attorney Gano was allowed to be involved after the deadline, and wondered if doing so made costs go up in his efforts to negotiate. Mr. Case explained how Mr. Gano was permitted to submit a letter and it was accepted by the City Administrator. Discussion continued.

Hearing no other comments, Mayor Raymond restated the original motion and requested roll call.

Roll was called: Councilmember Marquis – yes; Councilmember Bell – yes; Councilmember Costello – yes; Councilmember Carlson – no; Councilmember Iverson – yes; Councilmember Wickenhagen – yes; Councilmember Peterson – yes. By voice vote, the Resolution Directing the City Administrator to Issue a Two-Page Letter Jointly to the Law Firm of Brumback & Ottem and Attorney William Schuler, Notifying Both that their Engagement as Public Defender(s) as to New Cases is Terminated Effective June 30, 2023 was approved; and the Resolution Authorizing the Mayor to Sign a Fourteen-Page Contract for Indigent Defense Services with Attorney Daniel B. Polage was approved.

- G. Resolution Authorizing the Mayor to Sign a Four-Page Amendment to Professional Services Contract Prosecution with the Entity of Margita A. Dornay Attorney at Law, PLLC.**



Presented by City Attorney Rob Case, who gave details on the changes presented in the amended contract. After presentation,

Councilmember Carlon asked for clarification if the new contract still mirrors that of the public defender. Ms. Case said the sentence is still in there, but the proposed amendments are not identical as those for the public defender this time. Mr. Carlson asked if the current contract says increases are matched in a dollar amount or a percentage amount? Mr. Case, after reading directly from the contract, clarified that Ms. Dornay would receive a matching percentage increase.

Councilmember Marquis asked for explanation on why Ms. Dornay's original request was to increase up to \$7300/month, but the proposed contract says she will receive \$8000 per month. Mr. Case explained the timeline of events where originally the City thought they would have two Public Defenders, but then when it changed to one, Ms. Dornay had a conversation with Mr. Case to express her thoughts on the contract amount.

Councilmember Peterson moved to approve the Resolution as presented. Councilmember Carlson seconded. After restating the restating the motion, Mayor Raymond asked for roll call.

Roll was called: Councilmember Marquis – yes; Councilmember Bell – yes; Councilmember Costello – yes; Councilmember Carlson – yes; Councilmember Iverson – yes; Councilmember Wickenhagen – yes; Councilmember Peterson – yes. By voice vote, Resolution Authorizing the Mayor to Sign a Four-Page Amendment to Professional Services Contract Prosecution with the Entity of Margita A. Dornay Attorney at Law, PLLC, was approved.

#### **14) Ordinances**

- A. ORDINANCE of the City of Selah, Washington, relating to the sewer system of the City; providing for the issuance of a taxable sewer revenue bond of the City in the principal amount of \$2,111,000, for the purpose of providing funds to pay costs of the acquisition, construction and installation of improvements to the City's sewer system; fixing the terms and covenants of the bond; creating, adopting and continuing certain funds and accounts; providing for the issuance of additional bonds; approving the sale and providing for the delivery of the bond to the United States of America, acting through the United States Department of Agriculture; and providing for related matters**

Introduced by Mayor Raymond and presented by Rock Wallace. After presentation,

Councilmember Carlson moved to approve the resolution as presented. Councilmember Costello seconded. Hearing no further discussion, Mayor Raymond restated the motion and requested roll call.

Roll was called: Councilmember Marquis – yes; Councilmember Bell – yes; Councilmember Costello – yes; Councilmember Carlson – yes; Councilmember Iverson – yes; Councilmember Wickenhagen – yes; Councilmember Peterson – yes. By voice vote, ORDINANCE of the City

of Selah, Washington, relating to the sewer system of the City; providing for the issuance of a taxable sewer revenue bond of the City in the principal amount of \$2,111,000, for the purpose of providing funds to pay costs of the acquisition, construction and installation of improvements to the City's sewer system; fixing the terms and covenants of the bond; creating, adopting and continuing certain funds and accounts; providing for the issuance of additional bonds; approving the sale and providing for the delivery of the bond to the United States of America, acting through the United States Department of Agriculture; and providing for related matters, was approved.

## **15) Reports/Announcements**

### **A. Departments**

Police: Chief Christman gave a department update and report.

Parks and Recreation: Recreation Director, Zack Schab gave a department update and report.

Planning Department: Jeff Peters provided department update.

Public Works: Rocky Wallace gave update on the department and current projects.

Finance: Dale Novobielski gave report on city finances.

### **B. Councilmembers**

Councilmember Marquis gave update on Selah Community Days Association meeting she recently attended, also commented on the parade.

Councilmember Bell gave update on the SPRSA meeting and stated the pool is hiring for all positions, so if you know of anyone, encourage them to apply soon.

Councilmember Carlson, based on the study session discussion, asked for the plan for the janitorial services and the police station.

Mr. Henne stated the plan for janitor service is to put together a scope of work and look at the MRSC Small Works Roster for other potentially interested companies. Mr. Carlson asked for a timeframe. Mr. Henne said he would pull work items from the current contract and discuss needs for each department, which will probably take a week or more, then a few weeks more for work with MRSC.

Councilmember Carlson asked about the plan for the Police station. Mr. Henne said, based on his understanding of the study session, he plans to go back to McKenzie to reduce the floor plan and remove the court room, then he will get a new estimate for the building and bring it back to council for review. Councilmember Peterson asked if there was a way to figure remodeling costs for any of the other buildings. Mr. Henne said it would be difficult to get a rough estimate. Mr. Peterson said it would hard to compare all the options without knowing the potential remodeling costs are unknown. Mr. Peters weighed in and said when the City paid for estimate on the old Wells Fargo bank building, the city paid \$12,000 for a 15-page report and it only barely touched on the potential repair costs. Councilmember Iverson said KDA says \$14,000 plus any reimbursable items to evaluate; and asked if that would give a cost estimate? Chief Christman said no, that would just provide a list, then McKenzie architecture would provide the end costs. Councilmember Carlson asked if the City received a response from the landlord to extend the current lease. Mr. Henne said they have not specifically asked yet because the Council has not provided an idea of timeline, and stated perhaps the City should just have a year-by-year extension. Mayor Raymond agreed they needed to talk about extending the lease.

- C. City Attorney – no report
- D. City Administrator – no report
- E. Mayor Raymond – no report

**R. Executive Session** **None**

**S. Adjournment**

Councilmember Carlson moved to adjourn the meeting. Councilmember Costello seconded. Mayor Raymond asked for all those in favor, say “Aye.” By voice vote, motion was unanimous.

The meeting adjourned at 7:55 pm.

\_\_\_\_\_  
Roger Bell, Councilmember

\_\_\_\_\_  
Jared Iverson, Councilmember

\_\_\_\_\_  
Clifford Peterson, Councilmember

\_\_\_\_\_  
Michael Costello, Councilmember

\_\_\_\_\_  
Sherry Raymond, Mayor

\_\_\_\_\_  
Russell Carlson, Councilmember

\_\_\_\_\_  
Kevin Wickenhagen, Councilmember

\_\_\_\_\_  
Elizabeth Marquis, Councilmember

ATTEST:

\_\_\_\_\_  
Dale E. Novobielski, Clerk/Treasurer



**Selah City Council**  
Regular Meeting  
**AGENDA ITEM SUMMARY**

Meeting Date: 4/25/2023

Agenda Number: 10-B\*

Action Item

**Title:** Approval of Claims and Payroll

**From:** Dale Novobielski, City Clerk/Treasurer

**Action Requested:** Approval

**Staff Recommendation:** Approval

**Board/Commission Recommendation:** N/A

**Fiscal Impact:** See claims and payroll registers

**Funding Source:** See claims and payroll registers

**Background/Findings/Facts:** N/A

**Recommended Motion:** I move to approve the Consent Agenda in the form presented (This item is part of the consent agenda).

*Record of all prior actions taken by the City Council and/or City Board, City Committee, Planning Commission, or the Hearing Examiner (if not applicable, please state none).*

**Date:**                      **Action Taken: None**





**Selah City Council**  
Regular Meeting  
**AGENDA ITEM SUMMARY**

Meeting Date: 4/25/2023

Agenda Number: 13-A

Action Item

**Title:** Resolution Authorizing the Mayor to Sign "Task Order 1" with Gray and Osborne, Inc., for Professional Services Related to the City's 2023 Crack Seal Project

**From:** Rocky D. Wallace, Public Works Director

**Action Requested:** Approval

**Staff Recommendation:** Approval

**Board/Commission Recommendation:** N/A

**Fiscal Impact:** \$5,000.00 for professional engineering fees. (The actual costs for engaging a contractor to perform the work are not yet known, will be presented later, and will be separately acted upon by the City Council).

**Funding Source:** 111, Street Improvement Fund

**Background/Findings/Facts:** The City desires to perform asphalt crack sealing on various portions of city-owned streets, parking lots and other locations throughout the City. This will be known as the City's 2023 Crack Seal Project.

The entity of Gray and Osborne, Inc. (G&O) is one of the City's contracting engineering firms and provides professional engineering services to the City on a project-by-project basis, because the City does not directly employ any engineer(s) on its staff. G&O is willing and able to provide the necessary engineering services on this Project. A written task order – labeled "Task Order 1" – has been prepared, reflecting G&O's expected maximum fees of \$5,000.00.

The attached proposed Resolution will, if approved, authorize the Mayor to sign Task Order 1, so that work can commence on this Project forthwith. The City's recently-adopted 2023 budget – via Ordinance No. 2814 – already includes sufficient monies specifically allocated for this Project, including but not limited to G&O's engineering fees.

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

*Record of all prior actions taken by the City Council and/or City Board, City Committee, Planning Commission, or the Hearing Examiner (if not applicable, please state none).*

**Date:**                      **Action Taken:** None

RESOLUTION NO. 3004

RESOLUTION AUTHORIZING THE MAYOR TO SIGN "TASK ORDER 1" WITH GRAY  
AND OSBORNE, INC., FOR PROFESSIONAL SERVICES RELATED TO THE CITY'S 2023  
CRACK SEAL PROJECT

WHEREAS, the City desires – as the City's 2023 Crack Seal Project – to fill asphalt cracks in various city-owned streets, parking lots and other locations throughout the City, and to also undertake related tasks and actions; and

WHEREAS, the entity of Gray and Osborne, Inc. (G&O) is one of the City's contracted engineering firms and provides professional engineering services to the City on a project-by-project basis pursuant to a previously-entered-into Contract for Professional Engineering Services, because the City does not directly employ any engineer(s) on its staff; and

WHEREAS, G&O is willing and able to provide the professional planning services that are necessary for this Project; and

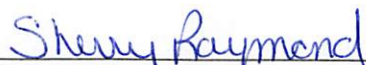
WHEREAS, G&O has drafted a four-page "Task Order 1", which recites G&O's scope of work and G&O's expected maximum fees of \$5,000.00; and

WHEREAS, the terms of Task Order 1 are acceptable to City staff and City staff recommends that the City Council authorize the Mayor to sign it; and

WHEREAS, the City Council finds that good causes exists;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON that the Mayor be and is authorized to sign the four-page Task Order 1 with G&O in the form appended hereto.


PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON this 25<sup>th</sup> day of April, 2023.

  
Sherry Raymond, Mayor

ATTEST:

  
Dale E. Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:

  
Rob Case, City Attorney



**TASK ORDER 1  
TO  
CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES**

THIS TASK ORDER, by and between the City of Selah, Washington, hereinafter referred to as the Agency, and Gray & Osborne, Inc., hereinafter referred to as the Engineer, hereby modifies the contract for engineering services dated (by Agency) November 8, 2022, for additional services related to the 2023-2025 Municipal Engineering Services.

2023 Crack Sealing

See attached Exhibits A and B for scope and fee. For a not-to-exceed cost of \$5,000.

IN WITNESS WHEREOF, the parties hereto have executed, or cause to be executed by their duly authorized officials, this TASK ORDER to the Contract for Engineering Services in duplicate on the respective dates indicated below.

**GRAY & OSBORNE, INC.**

By: Michael B. Johnson  
(Signature)

Name: Michael B. Johnson, P.E., President  
GRAY & OSBORNE, INC.

Date: 4/4/23

**CITY OF SELAH**

By: Sherry Raymond  
(Signature)

Name: SHERRY RAYMOND  
(Print)

Date: 04-25-2023

"Equal Opportunity/Affirmative Action Employer"

## **EXHIBIT A**

### **SCOPE OF WORK**

#### **CITY OF SELAH 2023 CRACK SEALING ENGINEERING SERVICES**

#### **INTRODUCTION**

The purpose of this Contract is for Gray & Osborne, Inc. to provide engineering and related services necessary to develop specifications, and cost estimates resulting in the preparation of bid/construction documents suitable for the bid, award, and construction of:

Crack sealing consisting of two schedules. Schedule A is estimated to include 14,637 LF and Schedule B is estimated to include 7,535 LF.

Schedule A will include the following:

- South Rushmore Road (East Naches to End of Road)
- North Park Drive (East Goodlander to Roundabout)
- North Park Drive (Roundabout)
- North Park Drive (Roundabout to Wenas Road)
- South Park Drive (Roundabout to East Bartlett Avenue)

Schedule B will include the following:

- Various other locations

Our scope of work is more fully detailed below.

#### **Task 1 – Final Design Plans and Specifications**

- A. Prepare and submit final project specifications and cost estimates. Format of specifications shall be modeled after WSDOT Standards (2023 *Washington State Standard Specifications for Road and Bridge Construction*). A vicinity map showing the areas to be crack sealed will be included within the project specifications.

#### **Task 2 – Bid and Award Services**

- A. Prepare bid advertisement and distribute to up two newspapers (Daily Journal as well as City's newspaper of record).
- B. Prepare and distribute electronic bid documents to Gray & Osborne bidding website and City. Maintain bidders list.

- C. Answer bid inquiries during bid phase, to include providing written clarification as may be required.
- D. Prepare and distribute any bid addenda as required.
- E. Review bids tendered, check references of responsible, qualified low bidder, prepare and distribute bid summary, and prepare and transmit Engineer's "Letter of Recommendation for Award." Coordinate with City.

### **Task 3 – Construction Administration Services**

- A. Review material submittals.
- B. Prepare one progress estimate. Quantities shall be verified by the City.
- C. Prepare closeout documentation and letters.

### **EXCLUDED SERVICES**

This scope of work excludes the following work:

- 1. It is our understanding that the project is funded by the City and that no coordination is required with outside funding agencies.
- 2. Detailed Plan Sheets will not be required. Only an overall Vicinity Map will be prepared.
- 3. Preconstruction Meeting and Minutes.
- 4. Review and transmittal of Contract Documents including Contractor's insurance and bonds.
- 5. Construction Inspection – It is our understanding that the City will provide construction inspection, to include project acceptance, and measurement of quantities.

### **SCHEDULE**

Provide bid documents to City within eight weeks of the City issuing the Notice to Proceed.

### **BUDGET**

The maximum amount payable to the Engineer for completion of all work associated with this Scope of Work, including contingencies, salaries, overhead, direct non-salary costs, and net fee is as shown in Exhibit B. This amount shall not be exceeded without prior written authorization of the City.

## EXHIBIT B

### ENGINEERING SERVICES SCOPE AND ESTIMATED COST

*City of Selah - 2023 Crack Sealing*

Tasks	Principal Hours	Project Manager Hours	Project Engineer Hours
1 Final Design Plans and Specifications	1	4	12
2 Bid and Award Services		2	6
3 Construction Administration Services		2	6
Hour Estimate:	1	8	24
Fully Burdened Billing Rate Range:*	\$150 to \$235	\$140 to \$235	\$125 to \$175
Estimated Fully Burdened Billing Rate:*	\$185	\$150	\$145
Fully Burdened Labor Cost:	\$185	\$1,200	\$3,480

Total Fully Burdened Labor Cost: \$ 4,865

Direct Non-Salary Cost:

Mileage & Expenses (Mileage @ current IRS rate) \$ 135

**TOTAL ESTIMATED COST: \$ 5,000**

\* Actual labor cost will be based on each employee's actual rate. Estimated rates are for determining total estimated cost only. Fully burdened billing rates include direct salary cost, overhead, and profit.



**Selah City Council**  
Regular Meeting  
**AGENDA ITEM SUMMARY**

Meeting Date: 4/25/2023

Agenda Number: 13-13

Action Item

**Title:** Resolution Authorizing the Mayor to Sign a Two-Page, Letter-Style Agreement to Extend the End Date of the Interlocal Agreement Previously Entered into by the City via its Resolution No. 2852 with the Yakima County Right-of-Way Department for Acquisition Services Relative to the City's Valleyview Avenue, South Third Street and Southern Avenue Improvements Project

**From:** Rocky D. Wallace, Public Works Director

**Action Requested:** Approval

**Staff Recommendation:** Approval

**Board/Commission Recommendation:** N/A

**Fiscal Impact:** No increase to previously-budgeted amounts for the right-of-way phase of project

**Funding Source:** 111, Street Improvement Fund

**Background/Findings/Facts:** This pertains to the City's ongoing Valleyview Avenue, South Third Street and Southern Avenue Improvements Project. In mid-2021, the City Council approved Resolution No. 2852, which authorized the Mayor to sign an Interlocal Agreement with Yakima County whereby the City would receive right-of-way acquisition services from Yakima County. The originally-contemplated end date for such Interlocal Agreement was December 31, 2022, which was approximately three-and-one-half months ago. However, Yakima County is still receiving and processing underlying invoices from involved contractors. Accordingly, Yakima County is requesting to extend the end date of the Interlocal Agreement to June 30, 2023, so that all invoices can be processed without any confusion or obstacle due to the Interlocal Agreement still reciting an end date of December 31, 2022.

City staff has prepared a two-page, letter-style agreement that will effectuate the extension of the Interlocal Agreement's end date. A copy of the letter is submitted with this AIS. Public Works requests that the City Council authorize the Mayor – via approval of the attached proposed Resolution – to sign the letter.

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

*Record of all prior actions taken by the City Council and/or City Board, City Committee, Planning Commission, or the Hearing Examiner (if not applicable, please state none).*



<b>Date:</b>	<b>Action Taken:</b>
4/11/2023	Resolution No. 2998 authorizing the Mayor to sign a Washington State Department of Transportation Local Agency Agreement Supplement No.4, to Deobligate half of the excess construction funding for the street portion of the City's Valleyview Avenue, South Third Street and Southern Avenue Improvements Project.
3/28/2023	Resolution No.2993 authorizing the Mayor to sign a Washington State Department of Transportation construction agreement GCB 3820 agreement, related to the City's Valleyview Avenue, South Third Street, and Southern Avenue Improvements Project
2/14/2023	Resolution No. 2984 authorizing the Mayor to sign a Washington State Department of Transportation Supplemental Agreement Number 1 to the Washington State Department of Transportation Local Agency A&E Professional Services Negotiated Hourly Rate Consultant Agreement, related to the City's Valleyview Avenue, South Third Street and Southern Avenue Improvements Project.
1/24/2023	Resolution No. 2970 authorizing the Mayor to sign a two-page Transportation Improvements Board Updated Cost Estimate, for the Valleyview Avenue, South Thirds Street and Southern Avenue Improvements Project.
1/24/2023	Resolution No. 2969 authorizing the Mayor to sign a contract with Midway Underground, LLC, related to the City's Valleyview Avenue, South Thirds Street and Southern Avenue Improvements Project.
9/13/2022	Resolution No. 2944 authorizing the Mayor to sign a Washington State Department of Transportation (WSDOT) Local Agency A&E Professional Services Negotiated Hourly Rate Consultant Agreement for the Valleyview Avenue/South Third Street/Southern Avenue Road Improvements Project.
8/23/2022	Resolution No. 2942 Authorizing the Mayor to sign a Washington State Department of Transportation (WSDOT) Local Agency Agreement Supplement Number 3, to Obligate Construction funding for the Valleyview/South Third Street/Southern Avenue Improvements Project.
8/23/2022	Resolution No. 2941 Authorizing the Mayor to sign a Washington State Department of Transportation (WSDOT) Local Agency Project Prospectus for the Valleyview/South Third Street/Southern Avenue Improvements Project.
12/14/2021	Resolution No. 2889 Authorizing the City Administrator to Sign the Approved Administrative Offer Summaries (AOS) for the Valleyview Ave, South Third Street, and Southern Avenue Improvement Projects



- 12/14/2021 Resolution No. 2888 Authorizing the Mayor to Sign a Washington State Transportation Improvement (TIB) Fuel Tax Grant Agreement P-E-182(P03)-1 For Valleyview Avenue, Third Street and Southern Avenue Improvements
- 11/23/2021 Resolution No. 2878 Authorizing the Mayor to Sign Task Order No. 2021-12 Between the City of Selah and HLA Engineering and Land Surveying, Inc., for Engineering and Surveying Services for the Valleyview Ave., South Third Street, Southern Avenue Sewer Improvement Project
- 7/27/2021 Resolution No.2861 Authorizing the Mayor to sign a Transportation Improvement Board (TIB) 2021 Urban Sidewalk Program Application for /Valleyview Avenue, Third Street, and Southern Avenue Improvements
- 6/08/2021 Resolution No. 2852 authorizing the Mayor to Sign an Interlocal Agency Agreement Between the City of Selah and Yakima County for Right-of-Way Acquisition Services for the Valleyview Avenue-South 3<sup>rd</sup> Street-Southern Avenue Reconstruction Projects
- 4/23/2019 Resolution No. 2733 Authorizing the Mayor to sign a Supplemental Agreement Number 3 with HLA Engineering and Land Surveying Inc. for Consultant Services for the Valleyview Ave. /Third St. /Southern Avenue improvement Project
- 4/23/2019 Resolution No. 2732 Authorizing the Mayor to sign the Washington State Department of Transportation (WSDOT) Local Agency Agreement Supplement Number 1 for the Valleyview/South Third Street/Southern Avenue Improvements Project
- 8/11/2015 Resolution No. 2479 Authorizing the Mayor to sign a letter to confirm continuing commitment to Project Match for the Valleyview Avenue/South Third Street/Southern Avenue Project's Right of Way and Construction phases.
- 12/10/2013 Resolution No. 2359 Authorizing the Mayor to Sign an Agreement for Certified Acceptance Services with Yakima County, Washington - STP Paving Project on Valleyview Avenue/South Third Street/Southern Avenue/South First Street
- 12/10/2013 Resolution No. 2356 Authorizing the Mayor to Sign a Local Agency Standard Consulting Agreement for Professional Municipal Engineering Services with Huibregtse, Louman Associates, Inc. for the Valleyview Avenue/South Third Street/Southern Ave/South First Street
- 7/9/2013 Resolution No. 2323 Adopting the Amended Six-Year Transportation Improvement Program for the Years 2013-2018 to Reflect the Funding Status Change to Secure the Purchase of a Clean Air Compliant Street Sweeper and Funding of the Valleyview Avenue to South Third



- 6/13/2013 Resolution No. 2319 Authorizing the Mayor to sign the Washington State Department of Transportation (WSDOT) Local Agency Federal Aid Project Prospectus for the Valleyview Avenue/South Third Street/Southern Avenue Road Improvements Project
- 6/13/2013 Resolution No. 2318 Authorizing the Mayor to sign the Washington State Department of Transportation (WSDOT) Local Agency Agreement for the Valleyview Avenue/South Third Street/Southern Avenue Road Improvements Project
- 1/22/2013 Resolution No. 2289 Authorizing the Mayor to Sign the 2013 Surface Transportation Program (STP) Funding Application for the South Selah Loop Improvement Project
- 1/8/2013 Council Study Session

RESOLUTION NO. 3005

RESOLUTION AUTHORIZING THE MAYOR TO SIGN A TWO-PAGE, LETTER-STYLE AGREEMENT TO EXTEND THE END DATE OF THE INTERLOCAL AGREEMENT PREVIOUSLY ENTERED INTO BY THE CITY VIA ITS RESOLUTION NO. 2852 WITH THE YAKIMA COUNTY RIGHT-OF-WAY DEPARTMENT FOR ACQUISITION SERVICES RELATIVE TO THE CITY'S VALLEYVIEW AVENUE, SOUTH THIRD STREET AND SOUTHERN AVENUE IMPROVEMENTS PROJECT

WHEREAS, in mid-2021, the City Council approved Resolution No. 2852, which authorized the Mayor to sign an Interlocal Agreement with Yakima County whereby the City would receive right-of-way acquisition services from Yakima County relative to the City's Valleyview Avenue, South Third Street and Southern Avenue Improvements Project; and

WHEREAS, the originally-contemplated end date for such Interlocal Agreement was December 31, 2022, which was approximately three-and-one-half months ago; and

WHEREAS, Yakima County is still receiving and processing underlying invoices from involved contractors; and

WHEREAS, Yakima County is requesting to extend the end date of the Interlocal Agreement to June 30, 2023, so that all invoices can be processed without any confusion or obstacle due to the Interlocal Agreement still reciting an end date of December 31, 2022; and

WHEREAS, City staff has prepared a two-page, letter-style agreement that will effectuate the extension of the Interlocal Agreement's end date; and

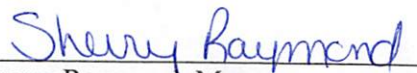
WHEREAS, the City Council finds good cause to authorize the Mayor to sign the letter in the form appended hereto;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, that the Mayor be and is authorized to the two-page, letter-style agreement in the form appended hereto.

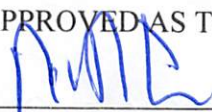
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, this 25<sup>th</sup> day of April, 2023.

ATTEST:

  
Dale Novobielski, Clerk Treasurer

  
Sherry Raymond, Mayor

APPROVED AS TO FORM:

  
Rob Case, City Attorney





# CITY OF SELAH

Public Works Department  
222 S. Rushmore Road  
Selah, WA 98942

P: 509-698-7365  
F: 509-698-7372

April 25, 2023

Jase Testerman  
County Roads Right of Way  
128 N. 2nd Street, Fourth Floor County Courthouse

RE: (STPUS 4709 001) City of Selah's Valleyview Ave/South Third Street/ Southern Avenue  
Improvements Project  
Interlocal Agreement entered into June 2021

Dear Mr. Testerman:

The City of Selah is in the right-of-way acquisition phase of its ongoing Valleyview Ave/South Third Street/Southern Ave Improvements Project. Such Project will include construction of sidewalk, curb and gutter, storm drainage, sewer main, and street lighting.

In June 2021, an Interlocal Agreement was entered into between Selah (via its Resolution No. 2852 and the Mayor's signature on the Agreement) and Yakima County (via its Resolution No. 157-2021 and appropriate approval signature(s)) whereby Yakima County's Right-of-Way Department (identified below as Yakima County) would provide acquisition services to Selah on this Project. Some of the relevant terms are, in summary form, the following:

Yakima County shall administrate all Right of Way Services on this project for the City of Selah. All tasks shall follow the WSDOT Approved Acquisition Procedures requirements for the City of Selah.

Yakima County shall assign these professional tasks of title, appraisal, and acquisition as necessary and coordinated with the City.

Commitment to the Procedures, team communication and schedules throughout the project is assured by all parties and their assigns.

## Itemized Task Assignment

Obtain title reports, title review and title clearance as appropriate for the portions of parcels necessary for construction.

Provide Appraisals/Administrative Offer Summaries for the necessary acquisitions.

Prepare offer letter package documents and fully execute all acquisition transaction requirements.





# CITY OF SELAH

Public Works Department  
222 S. Rushmore Road  
Selah, WA 98942

P: 509-698-7365

F: 509-698-7372

All necessary rights will be acquired in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies of 1970, as amended and CFR 49, part 24.

Required WSDOT Local Programs coordination for necessary FHWA right of way certification.

File production, delivery, and consultant retention.

## Schedule

Task start date shall be July 1, 2021, Task end date shall be December 31, 2022.

Manifestly, the originally-contemplated end date of the Interlocal Agreement of December 31, 2022, was roughly three-and-one-half months ago. However, the City understands that Yakima County is continuing to receive and process underlying invoices from involved contractors. Moreover, the City understands that Yakima County is accordingly requesting to extend the end date of the Interlocal Agreement for a period of time, so that all invoices can be processed without any confusion or obstacle due to the Interlocal Agreement still reciting an end date of December 31, 2022.

The City is willing to recognize, grant and agree to such an extension. Likewise, the City is willing to affirm that the Interlocal Agreement has continued in full force and effect from December 31, 2022, to the date of the instant letter-style agreement, and shall now run – per the instant letter-style agreement – to the new end date of June 30, 2023.

When communicating about and charging for your work, please reference the City of Selah's Valleyview Ave/South 3<sup>rd</sup> Street/Southern Ave Improvements Project.

Sincerely,

Accepted and approved: 04/25/23  
Date

Sherry Raymond  
Title: MAYOR, CITY OF SELAH

\_\_\_\_\_  
Jase Testerman / Right Of Way Manager







**Selah City Council**  
Regular Meeting  
**AGENDA ITEM SUMMARY**

Meeting Date: 4/25/2022

Agenda Number: 13-6\*

Action Item
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**Title:** Resolution Authorizing the Mayor to Sign, on Behalf of the City, a One-Page Written Contract with Yakima Herald-Republic, Designating Such Newspaper as the City's Official Newspaper for 2022 Pursuant to RCW 35A.12.160 and Establishing the Applicable Publishing Rates for 2023

**From:** Joe Henne, City Administrator

**Action Requested:** Approval

**Staff Recommendation:** Approval

**Board/Commission Recommendation:** N/A

**Fiscal Impact:** Periodic and varied, based on actual needs and usage. The applicable publishing rates charged to the City by the Yakima Herald during 2023 will be \$1.75 per-line for the first insertion and \$1.65 per-line for each subsequent insertion on a given notice published in solid nonpareil type

**Funding Source:** General Fund

**Background/Findings/Facts:** RCW 35A.12.160 requires the City to publish certain items, such as Ordinances and other notifications, in a newspaper that is designated as "the city's official newspaper". The City has historically utilized the Yakima Herald-Republic newspaper as the City's official newspaper, has been doing so during the initial months of 2023, and desires to continue doing so for the duration of 2023. The Yakima Herald-Republic has proposed a one-page written contract that – if approved and adopted by the City – would confirm the applicable publishing rates for 2023. The contract is slightly tardy, given that it is already April and that the parties have been utilizing these rates throughout the initial months of 2023. A copy of the proposed contract is appended to this AIS, and City staff seeks the City Council's approval for the Mayor to sign it.

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

*Record of all prior actions taken by the City Council and/or City Board, City Committee, Planning Commission, or the Hearing Examiner (if not applicable, please state none).*

<b>Date:</b>	<b>Action Taken: None</b>
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RESOLUTION NO. 3006

RESOLUTION AUTHORIZING THE MAYOR TO SIGN, ON BEHALF OF THE CITY, A ONE-PAGE WRITTEN CONTRACT WITH YAKIMA HERALD-REPUBLIC, DESIGNATING SUCH NEWSPAPER AS THE CITY'S OFFICIAL NEWSPAPER FOR 2022 PURSUANT TO RCW 35A.12.160 AND ESTABLISHING THE APPLICABLE PUBLISHING RATES FOR 2023

WHEREAS, RCW 35A.12.160 requires the City to publish certain items, such as Ordinances and other notifications, in a newspaper that is designated as "the city's official newspaper"; and

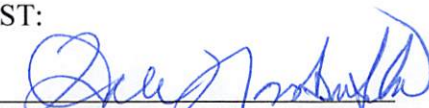
WHEREAS, the City has historically utilized the Yakima Herald-Republic newspaper as the City's official newspaper, has been doing so during the initial months of 2023, and desires to continue doing so for the duration of 2023; and


WHEREAS, the Yakima Herald-Republic is willing and able to continue serving as the City's official newspaper for the duration of 2023, and has proposed a one-page written contract that – if approved and adopted by the City – would confirm the new applicable publishing rates for 2023;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, that the Mayor be and is authorized to sign, on behalf of the City, a one-page contract with the Yakima-Herald Republic for the 2023 calendar year. A copy of such contract is attached hereto.


PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, this 25<sup>th</sup> day of April, 2023.

ATTEST:

  
Dale Novobielski, Clerk Treasurer

  
Sherry Raymond, Mayor

APPROVED AS TO FORM:

  
Rob Case, City Attorney



### LEGAL ADVERTISING CONTRACT

THIS CONTRACT, executed this \_\_\_ day of March 2023 by and between the City of Selah, Washington, hereinafter called the City, and the Yakima Herald-Republic, hereinafter called the Publisher;

WITNESSETH:

WHEREAS, the Publisher proposes as follows: at the rate of \$1.75 per line for the first insertion and \$1.65 per line for each subsequent insertion of a particular advertisement in solid nonpareil type; the parties agree as follows:

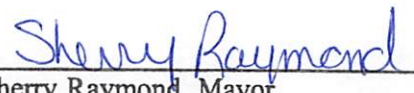
The City does hereby accept the aforesaid bid of the Publisher, and agrees to pay the Publisher accordingly for the required printing and publishing of City ordinances, resolutions, legal notices and other legal advertising required by law to be published by the City commencing on the date hereof and ending on the 31st day of December, 2023.

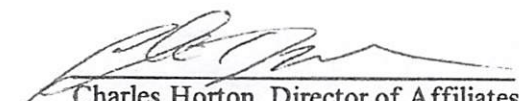
The name of the newspaper in which the City legal advertising is to be printed is the Yakima Herald-Republic.

Executed the day and year first above written.

CITY OF SELAH, WASHINGTON

  
Dale E. Novobielski, Clerk-Treasurer  
City of Selah

  
Sherry Raymond, Mayor  
City of Selah

  
Charles Horton, Director of Affiliates  
Yakima Herald-Republic





**Selah City Council**  
Regular Meeting  
**AGENDA ITEM SUMMARY**

Meeting Date: 4/25/2023

Agenda Number: 13-D\*

Action Item

**Title:** Resolution Declaring Specified Fire Department Mobile and Portable Radios as Surplus, and Authorizing their Disposition and Sale

**From:** Jim Lange, Fire Chief

**Action Requested:** Approval

**Staff Recommendation:** Approval

**Board/Commission Recommendation:** Approval

**Fiscal Impact:** No outlay; anticipated receipt of less than \$5,000.00

**Funding Source:** N/A

**Background/Findings/Facts:** The Fire Department purchased and installed all new mobile and portable radios. The Fire Department management desires to surplus its preexisting-and-now-replaced Motorola mobile and portable radios, which are no longer needed for fire operations. These radios were replaced due to age and to keep up with the county-wide Communication Plan. The proposed surplus inventory includes 92 - HT 1250 portable radios, 11 - CM 300 mobile radios, 3 - CDM 1250 mobile radios, 5 - CDM 1550 mobile radios, and miscellaneous amounts of related chargers, mounting brackets and microphones. The plan for surplus is to transfer some to the Public Works Department to improve its current radio inventory, to sell some to other smaller interested fire departments, and to use a surplus website to advertise the remaining units for sale at whatever maximum prices can be obtained. Fire Department management contemplates that the sales could potentially generate net proceeds – after the website's fees – of less than \$5,000.00. Any net proceeds will be deposited into the Fire Control Fund No. 103.

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

*Record of all prior actions taken by the City Council and/or City Board, City Committee, Planning Commission, or the Hearing Examiner (if not applicable, please state none).*

**Date:**                      **Action Taken:** None

RESOLUTION NO. 3007

RESOLUTION DECLARING SPECIFIED FIRE DEPARTMENT MOBILE  
AND PORTABLE RADIOS AS SURPLUS, AND AUTHORIZING THEIR  
DISPOSITION AND SALE

WHEREAS, the Fire Department owns a total 92 Motorola HT 1250 portable radios, a combined total of 19 Motorola CM 300, CDM 1240 and CDM 1550 mobile radios, and miscellaneous amounts of related chargers, mounting brackets and microphones that are no longer needed for fire department operations; and

WHEREAS, in their present condition, the 111 total radios and accessory equipment are likely worth no more than five thousand dollars (\$5,000.00) on a cumulative basis, and on an individual basis each item has only a *de minimis* value; and

WHEREAS, Fire Department management desires to have the radios and accessory equipment declared to be surplus by the City Council consistent with its general powers under RCW 35A.11.010 and other applicable law, and further desires to receive authorization to dispose and sell the radios and accessory equipment as Fire Department management sees fit; and

WHEREAS, other City departments could potentially make beneficial use of some of the radios or equipment; and

WHEREAS, other smaller fire departments may be interested in purchasing some of the radios and equipment, and various other parties might also be interested in purchasing some of the radios and equipment; and

WHEREAS, the City Council finds that good cause exists for declaring these items to be surplus, and for granting Fire Department management the approval to sell and dispose of the items;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, that the City Council does hereby declare the above-specified items to be surplus and to have *de minimis* values when considered separately, and also hereby authorizes Fire Department management to dispose of and sell such items without further approval or action by the City Council – with such sale(s) being made either to other area fire departments directly or to various other parties via a surplus website, each and all for whatever maximum prices can be obtained. Finally, any net sale proceeds shall be deposited into the Fire Control Fund No. 103.

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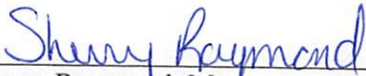
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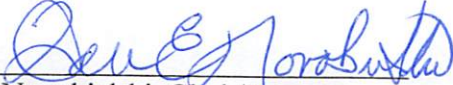
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PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH,  
WASHINGTON, this 25<sup>th</sup> day of April, 2023.

  
\_\_\_\_\_  
Sherry Raymond, Mayor

ATTEST:

  
\_\_\_\_\_  
Dale E. Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Rob Case, City Attorney



**Selah City Council**  
Regular Meeting  
**AGENDA ITEM SUMMARY**

Meeting Date: 4/25/2023

Agenda Number: 14-A \*

Action Item

**Title:** Ordinance Amending the 2023 Budget for License Plate Reader Cameras

**From:** Dale Novobielski, Clerk-Treasurer

**Action Requested:** Approval

**Staff Recommendation:** Approval

**Board/Commission Recommendation:** n/a

**Fiscal Impact:** \$ 30,780

**Funding Source:** Yakima County ARPA Funds

**Background/Findings/Facts:** The City Council authorized the Mayor to sign a contract for License Plate Reader Cameras.

**Recommended Motion:** I move to approve an Ordinance amending the 2023 budget for License Plate Reader Cameras.

*Record of all prior actions taken by the City Council and/or City Board, City Committee, Planning Commission, or the Hearing Examiner (if not applicable, please state none).*

**Date:**                      **Action Taken:**

4/11/23                      The City Council Approved Resolutions authorizing the Mayor to sign a contract with Flock Safety for License Plate Reader Cameras.

ORDINANCE NO. 2193

AN ORDINANCE AMENDING THE 2023 BUDGET FOR LICENSE PLATE READER  
CAMERAS

WHEREAS, the City has authorized the Mayor to sign a contract for License Plate Reader  
cameras;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, does  
ordain that the Clerk-Treasurer be authorized to amend the 2023 Budget as follows:

**001 General**

**Police**

001.000.021.333.00.00.00	ARPA – Yakima County	\$ 30,780
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**Non-Departmental**

001.000.094.594.21.64.00	Capital Outlay – License Plate Reader Cameras	\$ 30,780
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PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF SELAH,  
WASHINGTON this 25<sup>th</sup> day of April 2023.

Sherry Raymond  
Sherry Raymond, Mayor

ATTEST:

Dale E. Novobielski  
Dale E. Novobielski, Clerk-Treasurer

APPROVED AS TO FORM:

Rob Case  
Rob Case, City Attorney

ORDINANCE NO. 2193





**Selah City Council**  
Regular Meeting  
**AGENDA ITEM SUMMARY**

Meeting Date: 4/25/2023

Agenda Number: 14-B\*

Action Item

**Title:** Ordinance Amending the 2023 Budget for Court Legal Expenses

**From:** Dale Novobielski, Clerk-Treasurer

**Action Requested:** Approval

**Staff Recommendation:** Approval

**Board/Commission Recommendation:** n/a

**Fiscal Impact:** \$ 63,000

**Funding Source:** Fund 001 General

**Background/Findings/Facts:** The City Council authorized the Mayor to sign contracts for Court legal services resulting in an expenditure increase for the Prosecutor and Public Defender positions.

**Recommended Motion:** I move to approve an Ordinance amending the 2023 budget for an increase in Court Legal expenses.

*Record of all prior actions taken by the City Council and/or City Board, City Committee, Planning Commission, or the Hearing Examiner (if not applicable, please state none).*

**Date:**

**Action Taken:**

4/11/23

The City Council approved Resolutions authorizing the Mayor to sign a revised contract for the City Prosecutor and a contract with a new Public Defender.

ORDINANCE NO. 2194

AN ORDINANCE AMENDING THE 2023 BUDGET FOR COURT LEGAL EXPENSES

WHEREAS, the City has authorized the Mayor to sign a revised contract for the City Prosecutor and a contract with a new Public Defender;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, does ordain that the Clerk-Treasurer be authorized to amend the 2023 Budget as follows:

**001 General**

**Legal**

001.000.015.515.31.41.02	Prosecutor	\$ 21,000
001.000.015.515.31.41.03	Public Defender	42,000
001.000.999.508.91.00.00	New Ending Unassigned Cash & Invest.	592,764

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON this 25<sup>th</sup> day of April 2023.

Sherry Raymond  
Sherry Raymond, Mayor

ATTEST:

Dale E. Novobielski  
Dale E. Novobielski, Clerk-Treasurer

APPROVED AS TO FORM:

Rob Case  
Rob Case, City Attorney

ORDINANCE NO. 2194





**Selah City Council**  
Regular Meeting  
**AGENDA ITEM SUMMARY**

Meeting Date: 4/25/2023

Agenda Number: 14-C\*

Action Item

**Title:** Ordinance Amending the 2023 Budget for A Welcome to Selah Sign

**From:** Dale Novobielski, Clerk-Treasurer

**Action Requested:** Approval

**Staff Recommendation:** Approval

**Board/Commission Recommendation:** LTAC (Lodging Tax Advisory Committee) Funding Approval

**Fiscal Impact:** \$ 39,009

**Funding Source:** Fund 001 General \$ 7,785, Fund 115 Local Access St. Improv. \$ 15,000, Selah Downtown Association \$ 3,724 and LTAC funds \$ 12,500.

**Background/Findings/Facts:** The City Council authorized the Mayor to sign a contract for the construction of a Welcome to Selah Sign to be erected at the South entrance to the City.

**Recommended Motion:** I move to approve an Ordinance amending the 2023 budget for a Welcome to Selah Sign.

*Record of all prior actions taken by the City Council and/or City Board, City Committee, Planning Commission, or the Hearing Examiner (if not applicable, please state none).*

**Date:**                      **Action Taken:**

4/11/2023              The City Council approved a Resolution authorizing the Mayor to sign a contract to construct and erect a Welcome to Selah sign at the South entrance of the city.

3/6/2023              The Lodging Tax Advisory Committee (LTAC) approved a funding application requesting \$ 12,500 for a Welcome to Selah Sign.



ORDINANCE NO. 2145

AN ORDINANCE AMENDING THE 2023 BUDGET FOR A WELCOME TO SELAH SIGN

WHEREAS, the City has authorized the Mayor to sign a contract for the construction of a Welcome to Selah Sign to be erected at the South entrance to the City;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, does ordain that the Clerk-Treasurer be authorized to amend the 2023 Budget as follows:

**001 General**

**Non-Departmental**

001.000.098.397.00.00.00	Operating Transfers-In Fund 121 Tourism	\$ 12,500
001.000.098.397.00.00.00	Operating Transfers-In Fund 115 Local Access	
	Street Improvements	15,000
001.000.098.367.00.00.00	Contributions – Selah Downtown Assoc.	3,724
001.000.094.594.13.63.00	Capital Outlay - Welcome to Selah Sign	\$ 39,009
001.000.999.508.91.00.00	New Ending Unassigned Cash & Invest.	655,764

**111 Street Improvements**

111.000.098.397.00.00.00	Operating Transfers-In – F115 General	\$ (15,000)
111.000.095.595.30.63.29	First St Beautification	(15,000)

**115 Local Access St. Improv.**

115.000.097.597.00.01.00	Operating Transfers-Out – F111 St. Improv.	\$ (15,000)
115.000.097.597.00.03.00	Operating Transfers-Out – F001 General	\$ 15,000


**121 Tourism**

121.000.097.597.00.01.04	Operating Transfers-Out – Fund 001 General	\$ 12,500
121.000.999.508.91.00.00	New Ending Unassigned Cash & Invest.	\$ 46,470

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON this 25<sup>th</sup> day of April 2023.

  
Sherry Raymond, Mayor

ATTEST:

  
Dale E. Novobielski, Clerk-Treasurer

APPROVED AS TO FORM:

  
Rob Case, City Attorney

ORDINANCE NO. 2145



**Selah City Council**  
Regular Meeting  
**AGENDA ITEM SUMMARY**

Meeting Date: 4/25/2023

Agenda Number: 14-D\*

Action Item

**Title:** Ordinance Amending the 2023 Budget for Transfer From Fund 001 General To Fund 140 Contingency Reserve

**From:** Dale Novobielski, Clerk-Treasurer

**Action Requested:** Approval

**Staff Recommendation:** Approval

**Board/Commission Recommendation:** Finance Committee Approval

**Fiscal Impact:** \$ 600,000

**Funding Source:** Fund 001 General to Fund 140 Contingency Reserve

**Background/Findings/Facts:** Analysis of the December 31, 2022 ending Cash & Investment balance of fund 001 General has determined that \$ 600,000 may be transferred to fund 140 Contingency Reserve, leaving fund 001 with an Unassigned ending fund balance equal to approximately 12% of budgeted operating expenditures.

**Recommended Motion:** I move to approve an Ordinance amending the 2023 budget for a transfer from fund 001 General to fund 140 Contingency Reserve.

*Record of all prior actions taken by the City Council and/or City Board, City Committee, Planning Commission, or the Hearing Examiner (if not applicable, please state none).*

**Date:**                      **Action Taken:**

3/21/23                      The Finance Committee directed the Clerk-Treasurer to analyze the December 31, 2022 ending Cash & Investment balance of fund 001 General to identify how much was available for transfer to fund 140 Contingency Reserve.



ORDINANCE NO. 2196

AN ORDINANCE AMENDING THE 2023 BUDGET FOR A TRANSFER FROM FUND 001  
GENERAL TO FUND 140 CONTINGENCY RESERVE

WHEREAS, the City desires to approve a transfer from fund 001 General to fund 140  
Contingency Reserve;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, does  
ordain that the Clerk-Treasurer be authorized to amend the 2023 Budget as follows:

**001 General**

**Non-Departmental**

001.000.098.597.00.00.00	Operating Transfer-Out - F140 Contingency Res	\$ 600,000
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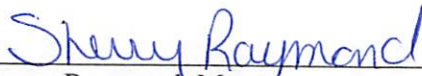
001.000.999.508.91.00.00	New Ending Unassigned Cash & Invest.	663,549
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**140 Contingency Reserve**

140.000.098.397.00.00.00	Operating Transfers-In – F001 General	\$ 600,000
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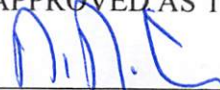
140.000.098.308.91.00.00	New Ending Unassigned Cash & Invest.	\$1,519,359
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PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF SELAH,  
WASHINGTON this 25<sup>th</sup> day of April 2023.

  
Sherry Raymond, Mayor

ATTEST:   
Dale E. Novobielski, Clerk-Treasurer

APPROVED AS TO FORM:

  
Rob Case, City Attorney

ORDINANCE NO. 2196



**Selah City Council**  
Regular Meeting  
**AGENDA ITEM SUMMARY**

Meeting Date: 4/25/2023

Agenda Number: 15-E-1

Informational Item

**Title:** Minutes from March 21, 2023 Planning Commission Meeting

**From:** Jennifer Leslie, Building Permit Specialist

**Action Requested:** Informational - No Action Needed

**Staff Recommendation:** N/A

**Board/Commission Recommendation:** N/A

**Fiscal Impact:** N/A

**Funding Source:** N/A

**Background/Findings/Facts:** N/A

**Recommended Motion:** N/A

*Record of all prior actions taken by the City Council and/or City Board, City Committee, Planning Commission, or the Hearing Examiner (if not applicable, please state none).*

**Action Taken:** None

**City of Selah  
Planning Commission Minutes  
Of  
March 21, 2023**

**A. Call to Order**

**Vice Chairman Apodaca calls the meeting to order at 5:50 pm.**

### B. Roll Call

**Members Present:** Chairman Smith (arrived at 6:02pm), Vice Chair Apodaca,  
Commissioners: Elliott.

**Members Absent:** Commissioners: Graf and Chandler.

**Staff Present:** Jeff Peters, City Planner.

**Guest:** Kevin Wickenhagen and Matthew Taylor.

### C. Agenda Changes

**Mr. Peters states that due to not currently having a quorum present, we will move backwards tonight starting with the City of Selah Housing Action Plan.**

#### D. Communications

1. Oral - None
2. Written - None

### **E. Approval of Minutes**

***1. Approval of minutes from February 21, 2023.***

**Chairman Smith asks for a motion to approve the minutes from the February 21, 2023 meeting.**

**Commissioner Elliot motions to approve minutes.**

**Vice Chair Apodaca seconds.**

**Minutes are approved with a voice vote of 3-0.**

## F. Public Hearings

## Open Public Hearing for the City of Selah ADA Transition Plan.

**Chairman Smith states for the record that there are not any members of the public in attendance.**



**Matthew Taylor, City of Selah Engineering Tech, introduces himself and shares a PowerPoint presentation for the City of Selah ADA Transition plan.**

**Discussion takes place.**

**Mr. Taylor asked for questions and comments. No questions or comments were provided.**

**Chairman Smith makes a motion to accept the draft and move the Recommendation of the Planning Commission on to the City Council.**

**Commissioner Elliott seconds.**

**Planning Commission Recommendation to the City Council for the City of Selah ADA Transition Plan is approved with a voice vote of 3-0.**

**G.     General Business**

**1. Old Business - None**

**2. New Business -**

**Mr. Peters shares a PowerPoint presentation on the State requirements for the City of Selah Housing Action Plan.**

**Discussion takes place.**

**Mr. Peters speaks on the survey that is taking place in April for the City of Selah Housing Action Plan. A page on the City of Selah website is being created for information, the current survey, and dates to the open public meetings available regarding the HAP for the public and all interested parties.**

**Mr. Wickenhagen suggest that the City uses the Election Department consensus to reach all City residents.**

**H.     Reports/Announcements**

**1. Chairman - None**

**2. Commissioners - None**

**3. Staff -**

**Mr. Peters shares the upcoming dates scheduled for the Housing Action Plan.**

**I.     Adjournment**

**Chairman Smith motions to adjourn.**

Commissioner Elliott

Chairman Smith adjourns the meeting at 7:45pm with a voice vote of 3-0.

Jammie Apadaca  
Chairman, Lisa Smith  
absent Vice Chair, Jammie  
Apadaca

**DATE:** APRIL 25, 2023

[illegible]

# COUNCIL ROLL CALL LIST: Meeting Date: 04.25.23

YES	ATTENDANCE	NO
✓	Councilmember Marquis	
	Councilmember Bell	✓
	Councilmember Costello	✓
✓	Councilmember Carlson	
✓	Councilmember Iverson	
✓	Councilmember Wickenhagen	
✓	Councilmember Peterson	

YES	AIS:	NO
	Councilmember Marquis	
	Councilmember Bell	
	Councilmember Costello	
	Councilmember Carlson	
	Councilmember Iverson	
	Councilmember Wickenhagen	
	Councilmember Peterson	

YES	AIS: <u>13-A</u>	NO
✓	Councilmember Marquis	
	<del>Councilmember Bell</del>	
	<del>Councilmember Costello</del>	
✓	Councilmember Carlson	
✓	Councilmember Iverson	
✓	Councilmember Wickenhagen	
✓	Councilmember Peterson	

YES	AIS:	NO
	Councilmember Marquis	
	Councilmember Bell	
	Councilmember Costello	
	Councilmember Carlson	
	Councilmember Iverson	
	Councilmember Wickenhagen	
	Councilmember Peterson	

YES	AIS: <u>13-B</u>	NO
✓	Councilmember Marquis	
	<del>Councilmember Bell</del>	
	<del>Councilmember Costello</del>	
✓	Councilmember Carlson	
✓	Councilmember Iverson	
✓	Councilmember Wickenhagen	
✓	Councilmember Peterson	

YES	AIS:	NO
	Councilmember Marquis	
	Councilmember Bell	
	Councilmember Costello	
	Councilmember Carlson	
	Councilmember Iverson	
	Councilmember Wickenhagen	
	Councilmember Peterson	

UNAN.

UNAN.



# SELAH CITY COUNCIL

Study Session Materials  
April 25, 2023 Meeting







# Selah, Washington Housing Action Plan (HAP)



Planning Commission Briefing  
19 April 2023





**1 Housing needs analysis**

-  1.1 Analyze population/employment trends
-  1.2 Identify housing needs
-  1.3 Collect data on housing conditions
-  1.4 Evaluate comprehensive plan housing element
- 1.5 Review effectiveness of regulations/processes
- 1.6 Perform in-fill capacity analysis
- 1.7 Identify displacement risks

**Deliverable - Conditions/housing needs analysis report**

**2 Provide public participation and input**

-  2.1 Identify outreach groups
-  2.2 Review existing information
- 2.3 Conduct workshop with public
- 2.4 Conduct survey of voter households
- 2.5 Conduct workshops with stakeholder groups

**Deliverable - Public engagement plan/results**

**3 Evaluate/develop policies and tools**

- 3.1 Develop strategies to increase supply
- 3.2 Develop anti-displacement strategies
- 3.3 Review strategies for equity, barriers, gaps
- 3.4 Develop action plan for implementation

**Deliverable - draft housing action plan (HAP)**

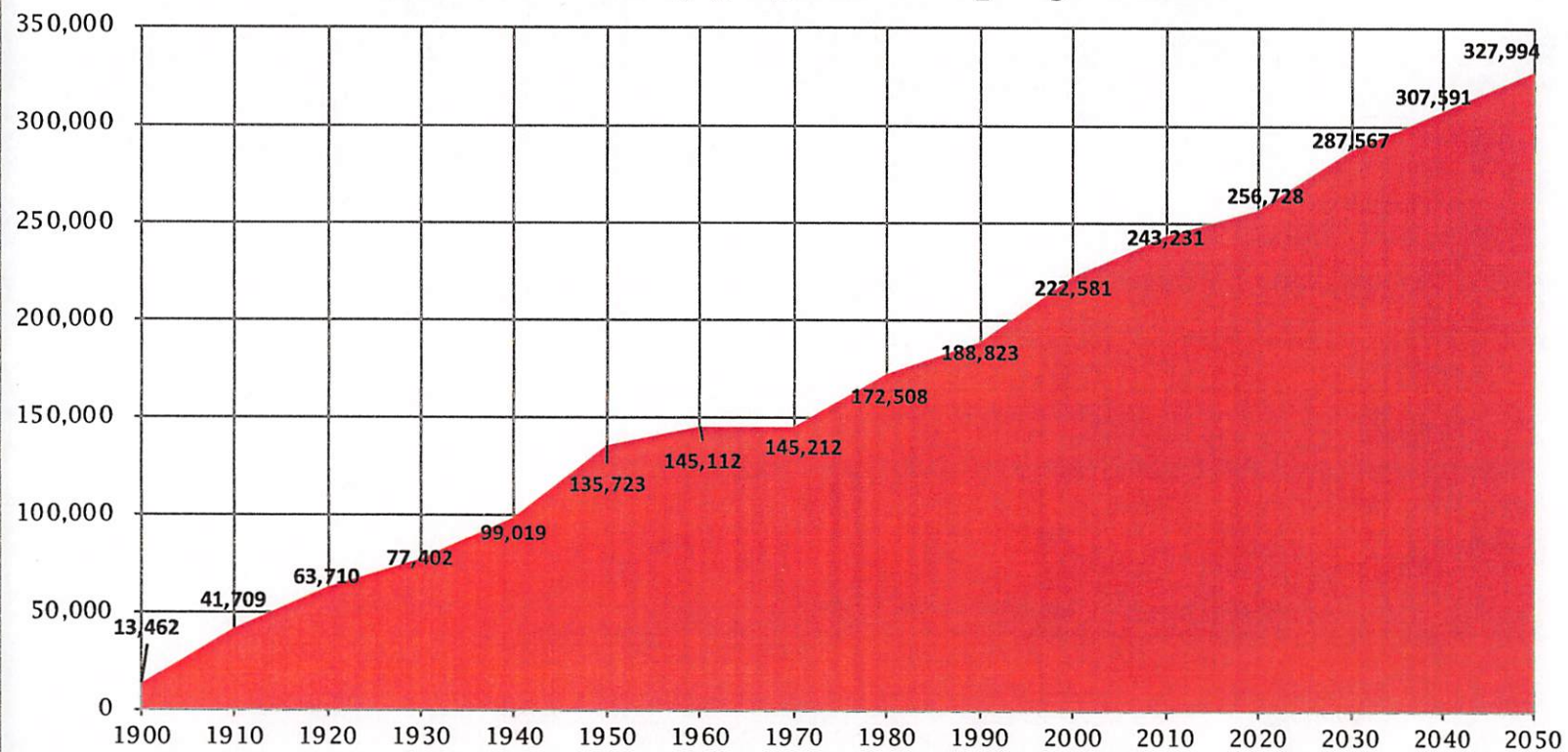
**4 Publish/adopt housing action plan (HAP)**

- 4.1 Conduct Planning Commission hearing/edits
- 4.2 Conduct City Council hearing/edits
- 4.3 Prepare resolution for adoption

**Deliverable - Adopted Housing Action Plan (HAP)**



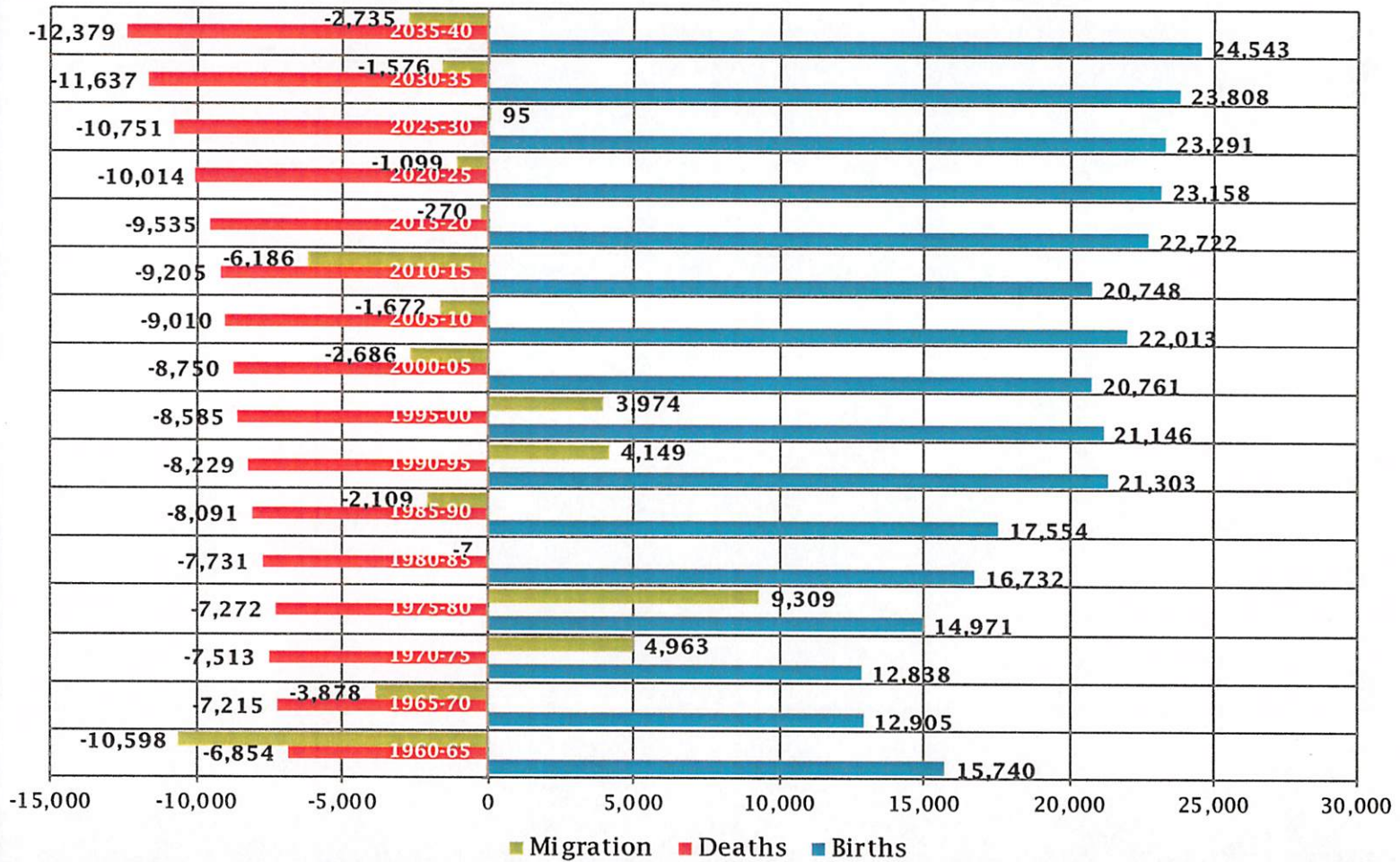
## Yakima County population projections



Source: WA OFM Medium Series 2018



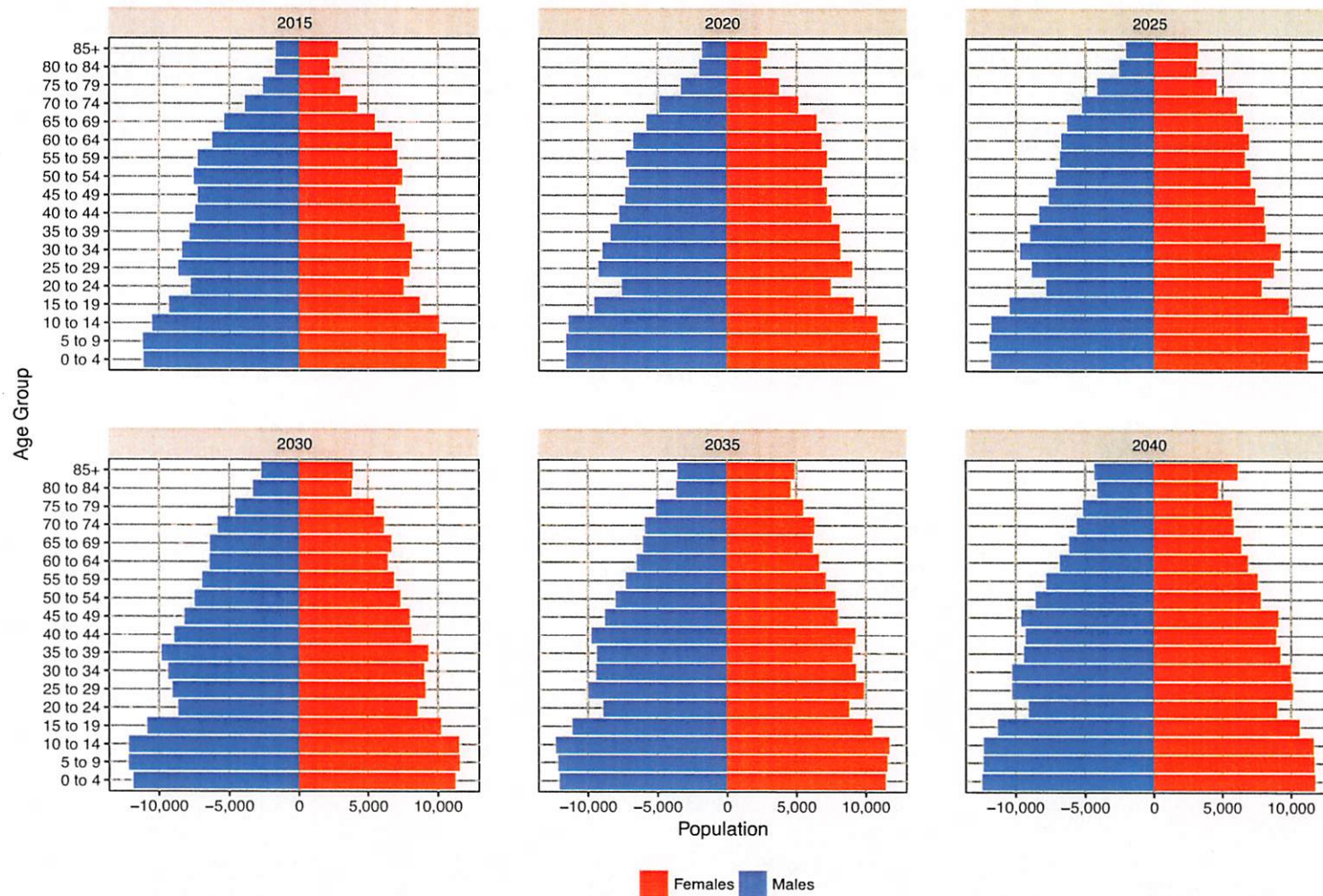
## Yakima County 1960-2040 Net Change





# Yakima County, 2017 GMA Projections

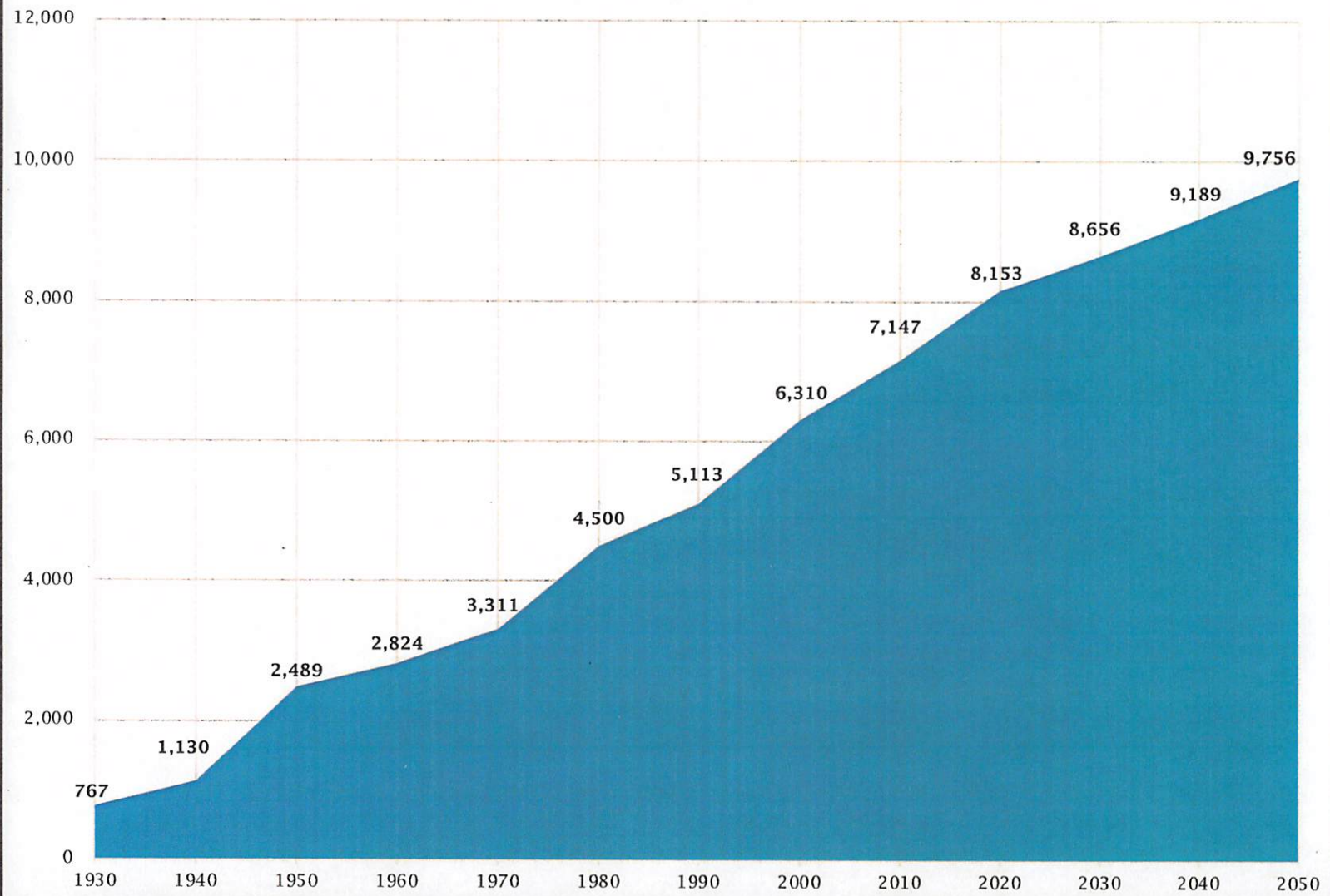
Medium Series Age Distributions



OFM Forecasting & Research Division | January 2018

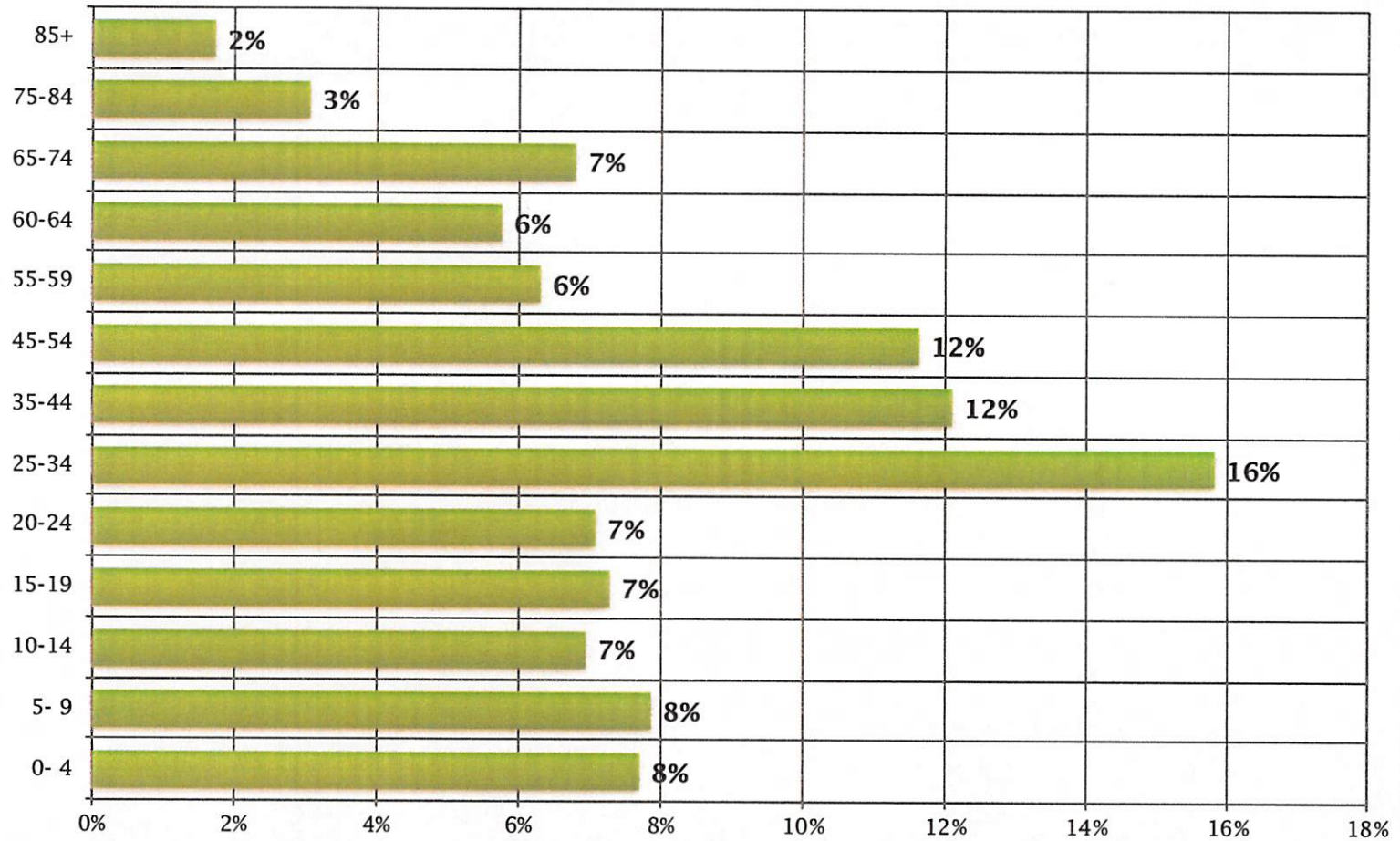


## Selah population





## Age distribution in Selah 2021



Source: American Community Survey (ACS) 2017-2021

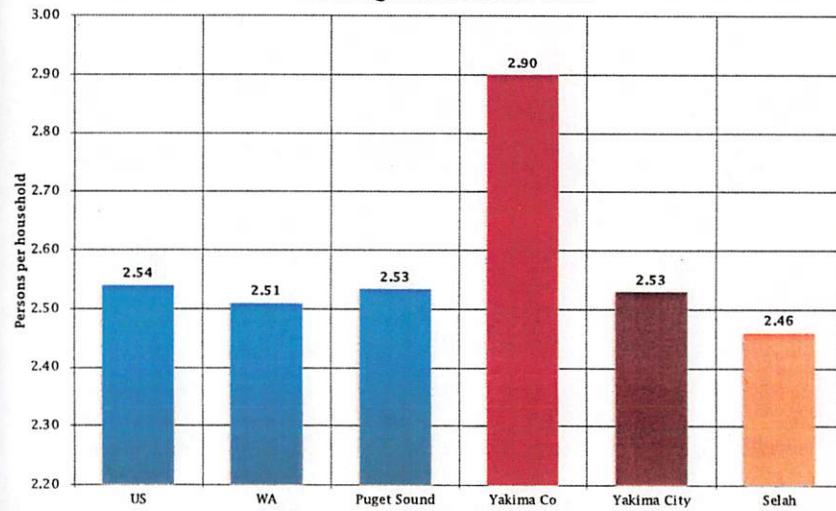


## ACS – American Community Survey 2017-2021 Limitations

- The American Community Survey (ACS) - is an ongoing statistical survey by the US Census Bureau sent to approximately 250,000 addresses monthly (or 3,000,000 per year) – *margin of error varies from +/-3.0% to +/-14.6% depending on the subject*. The ACS regularly gathers information previously contained only in the long form of the decennial census. It is the largest survey other than the decennial census that the Census Bureau administers.
- The HAP demographic characteristics - are taken from the ACS's most current compilations for the combined 2017 to 2021 years. Given the limited sampling the results are likely to be typical but not overtly accurate of actual existing conditions.
- The 2020 Decennial Census - was conducted in 2020 and is still being compiled with the following scheduled release dates:
  - Demographic profiles – May 2023
  - Demographic and housing characteristics – May 2023
  - Detailed demographic and housing characteristics – August 2023

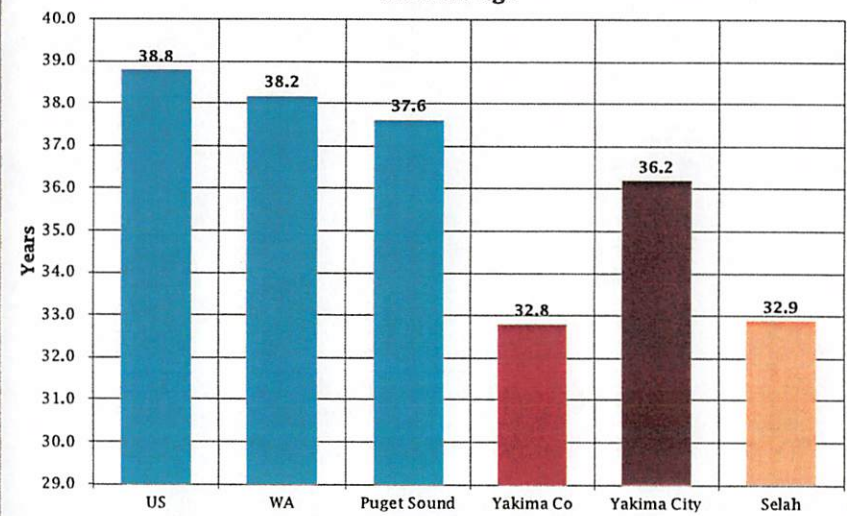


**Average household size**



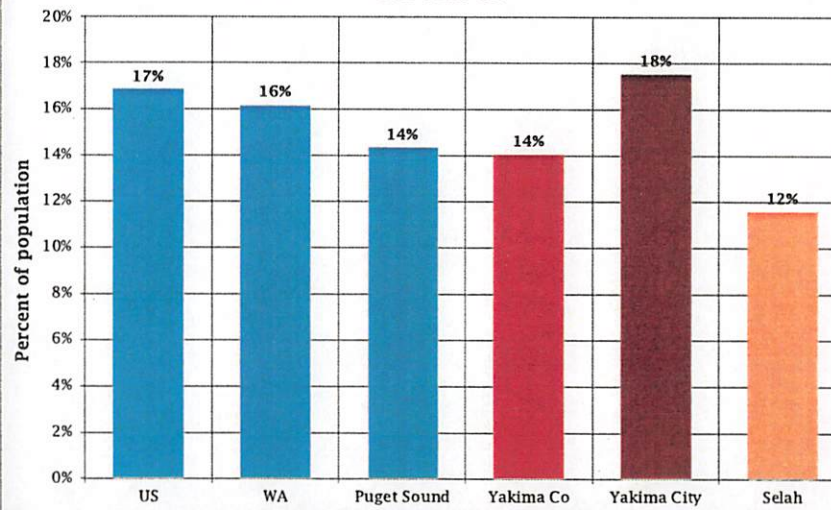
Source: American Community Survey (ACS) 2017-2021

**Median age**



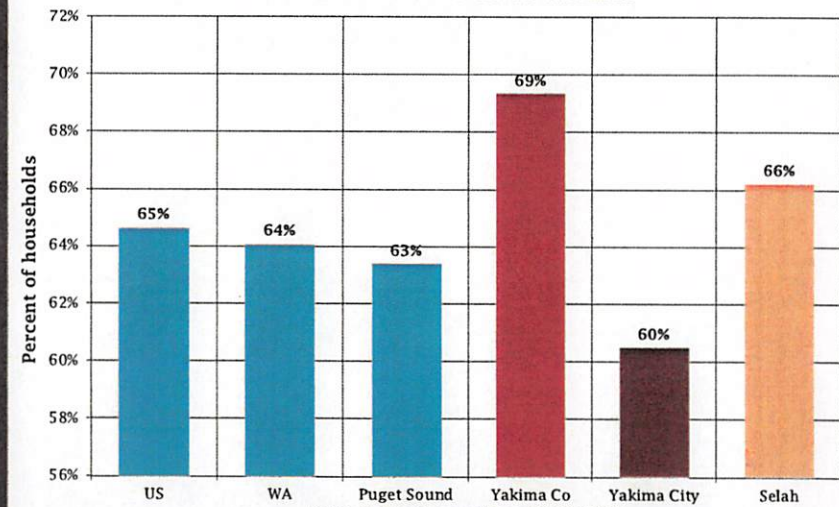
Source: American Community Survey (ACS) 2017-2021

**Percent 65+**



Source: American Community Survey (ACS) 2017-2021

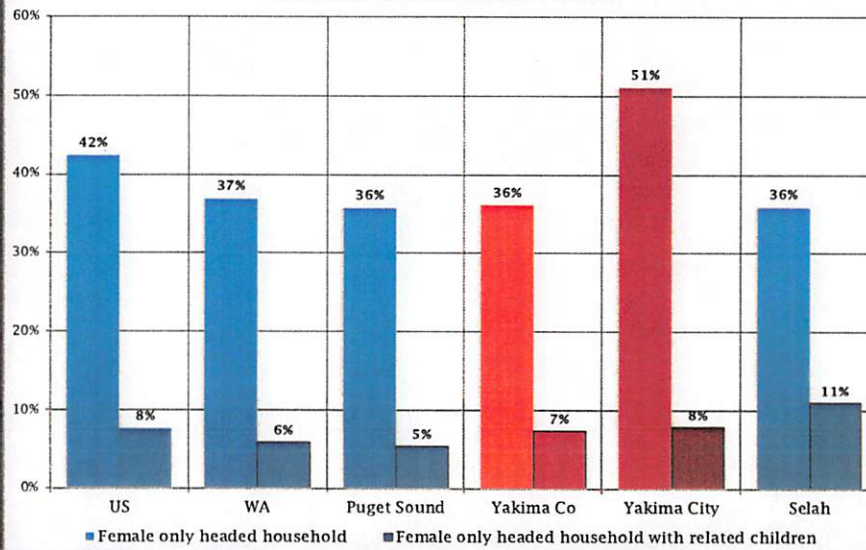
**Percent households in families**



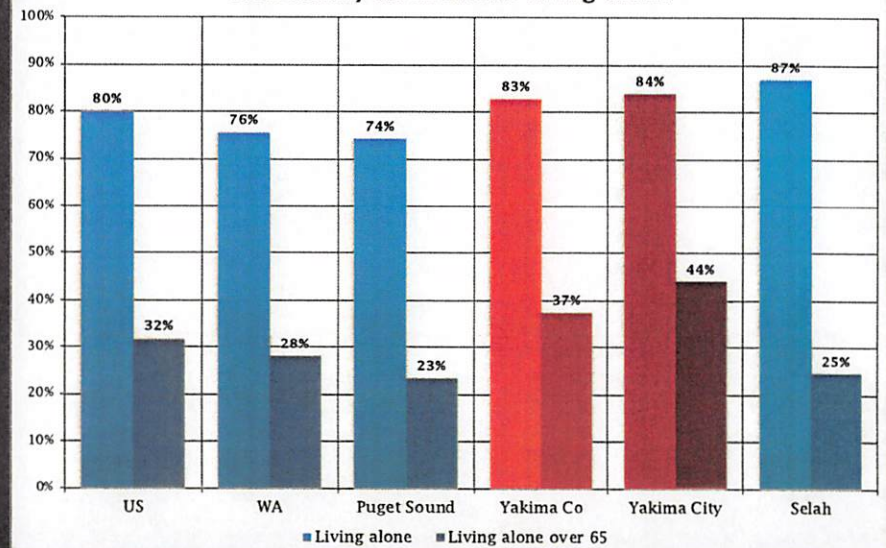
Source: American Community Survey (ACS) 2017-2021



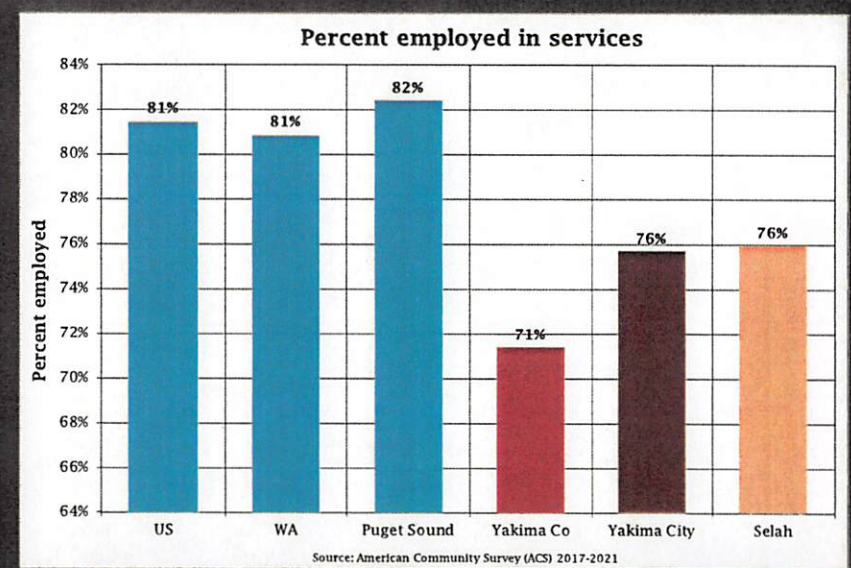
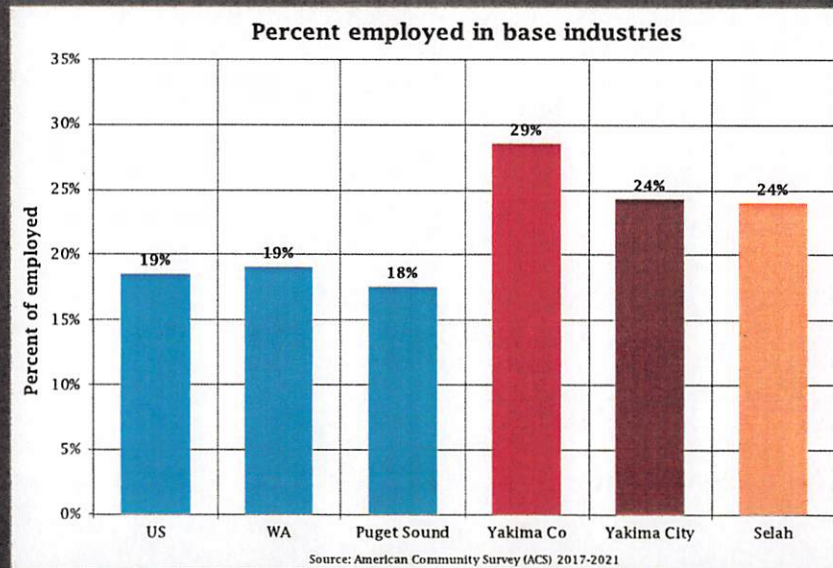
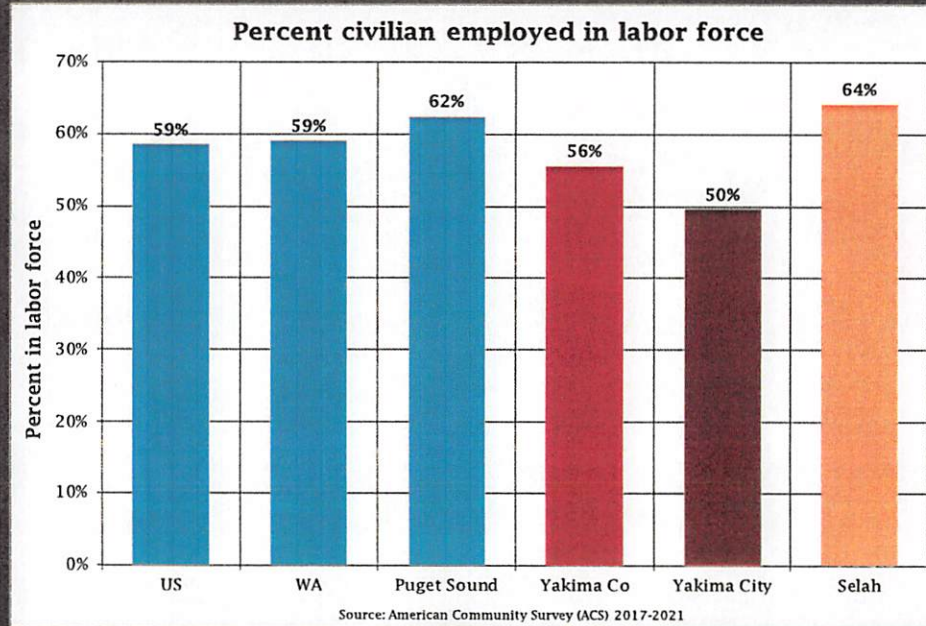
**Female headed households**



**Non-family households living alone**

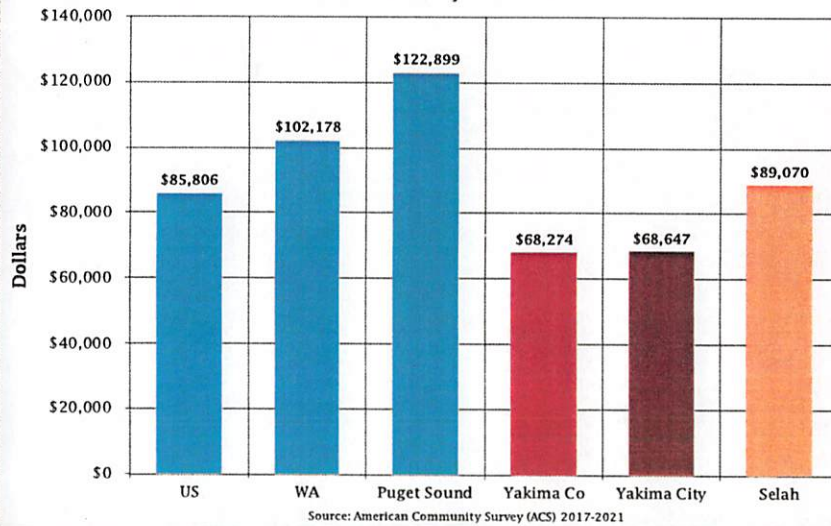




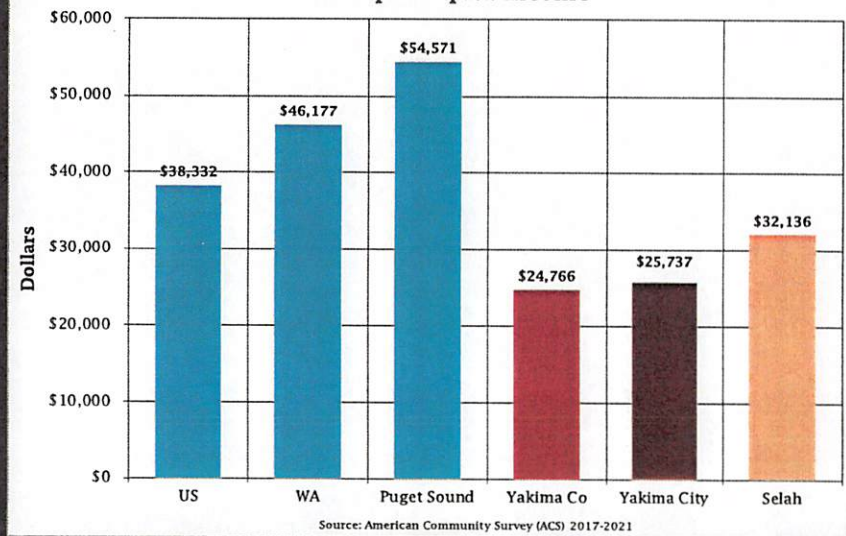




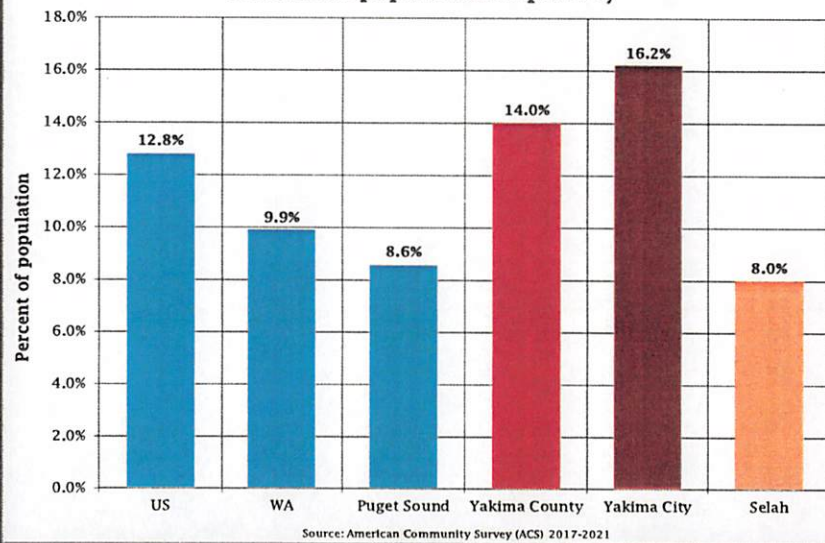
**Median family income**



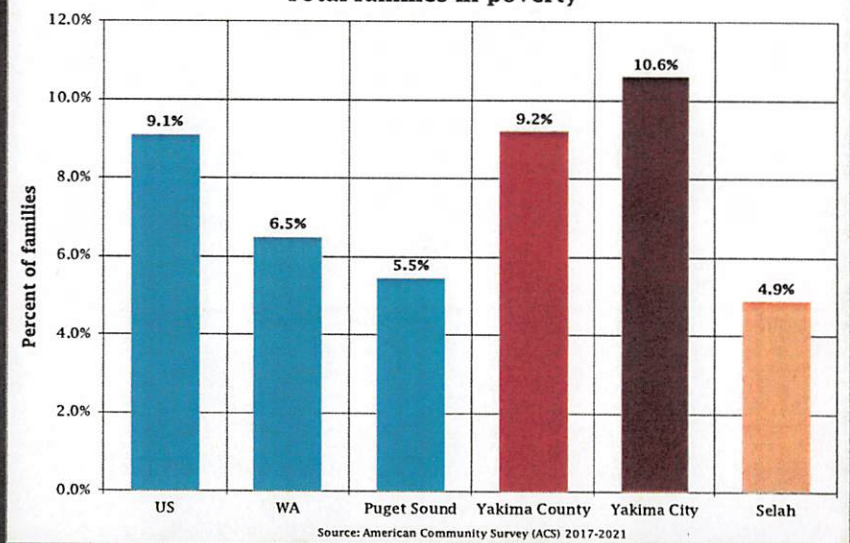
**Median per capita income**



**Percent of population in poverty**

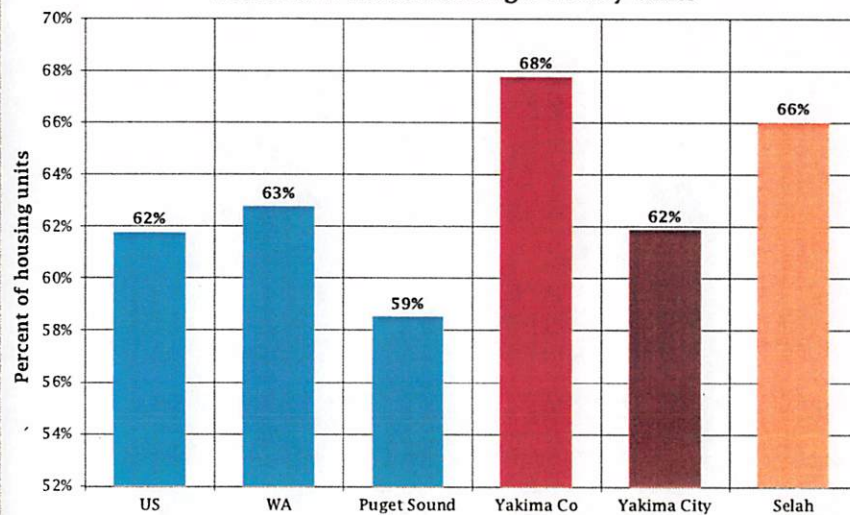


**Total families in poverty**



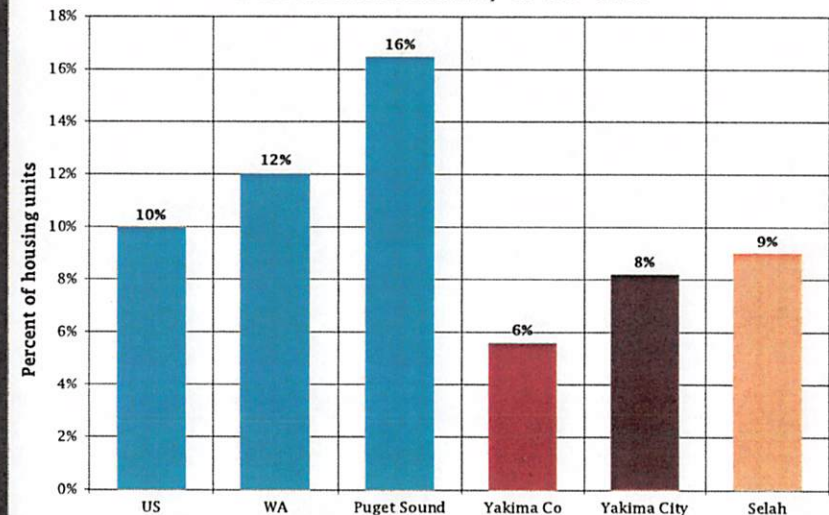


**Percent in detached single family units**



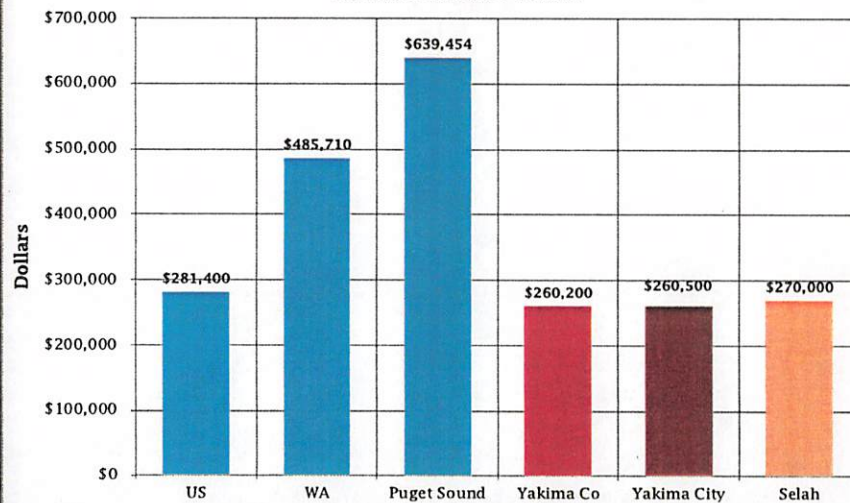
Source: American Community Survey (ACS) 2017-2021

**Percent in multifamily of 20+ units**



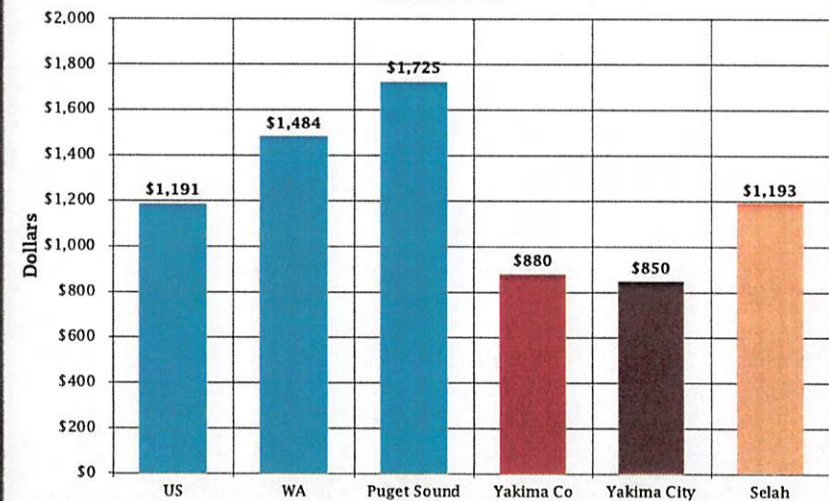
Source: American Community Survey (ACS) 2017-2021

**Median house value**



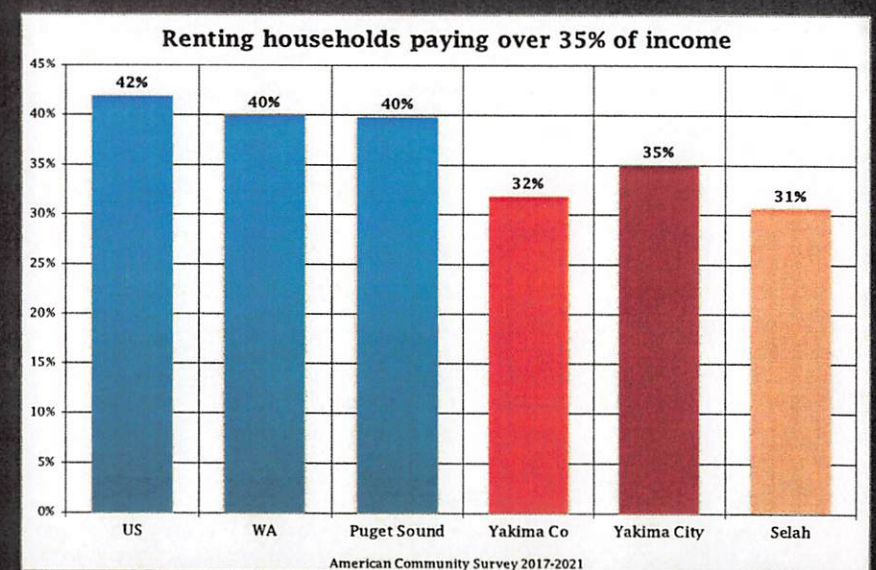
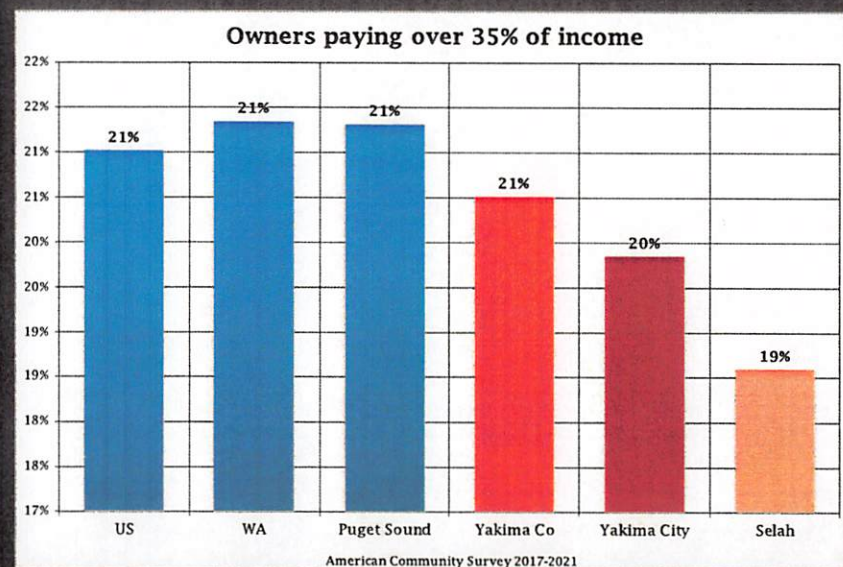
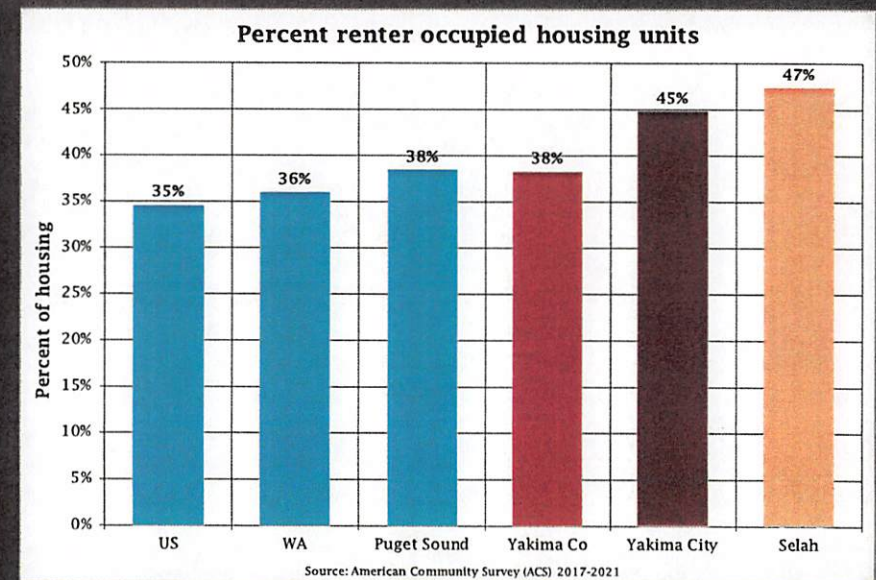
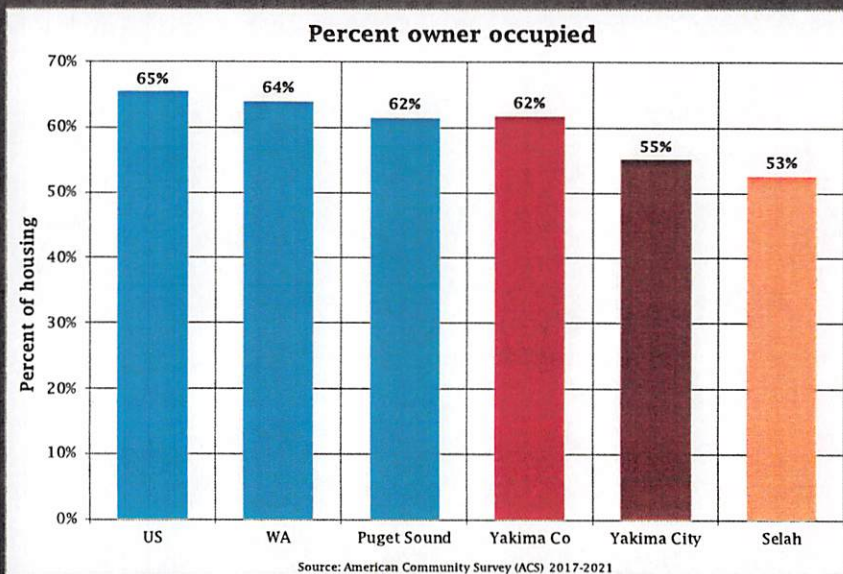
Source: American Community Survey (ACS) 2017-2021

**Median rent**



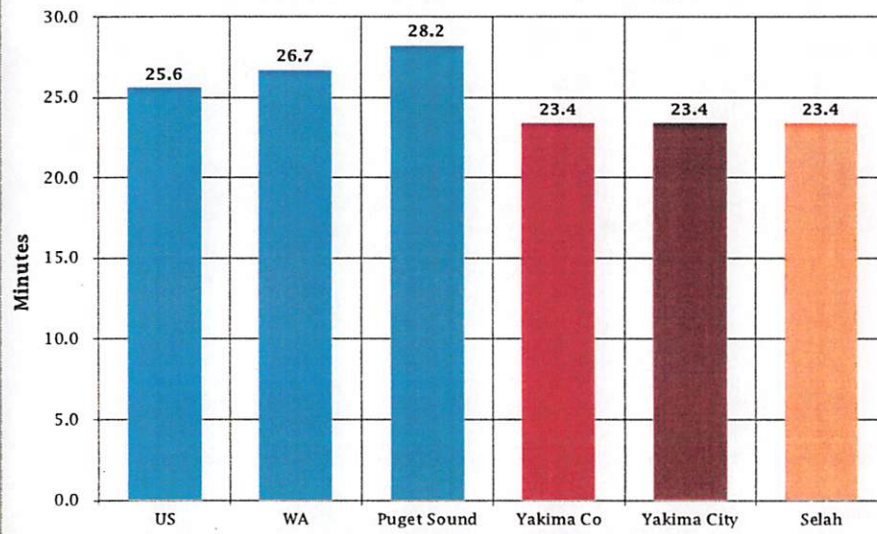
Source: American Community Survey (ACS) 2017-2021





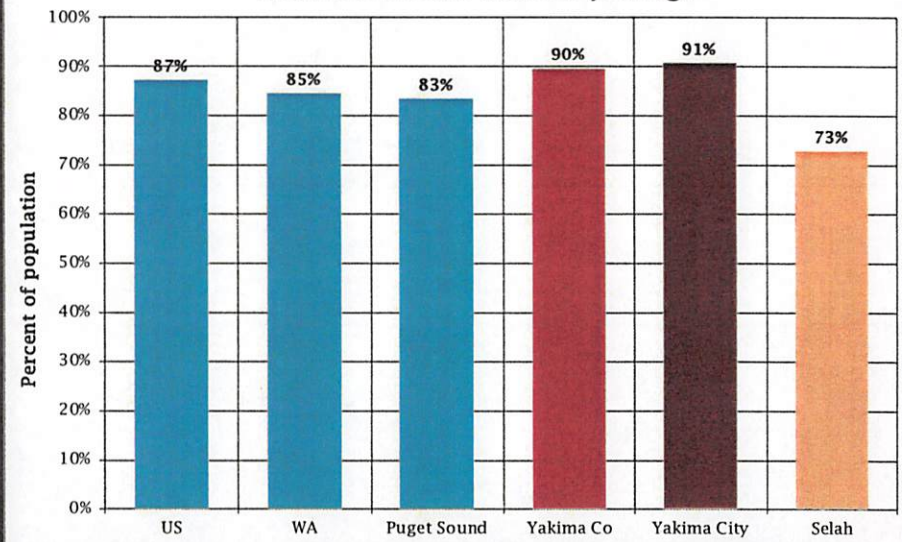


Mean travel time to work in minutes



Source: American Community Survey (ACS) 2017-2021

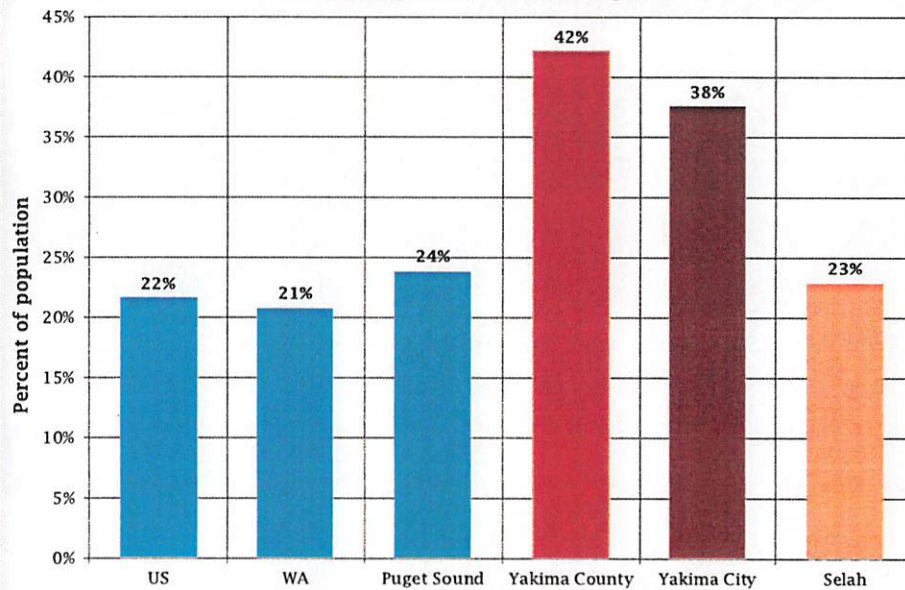
Resided in same house 1 year ago



Source: American Community Survey (ACS) 2017-2021

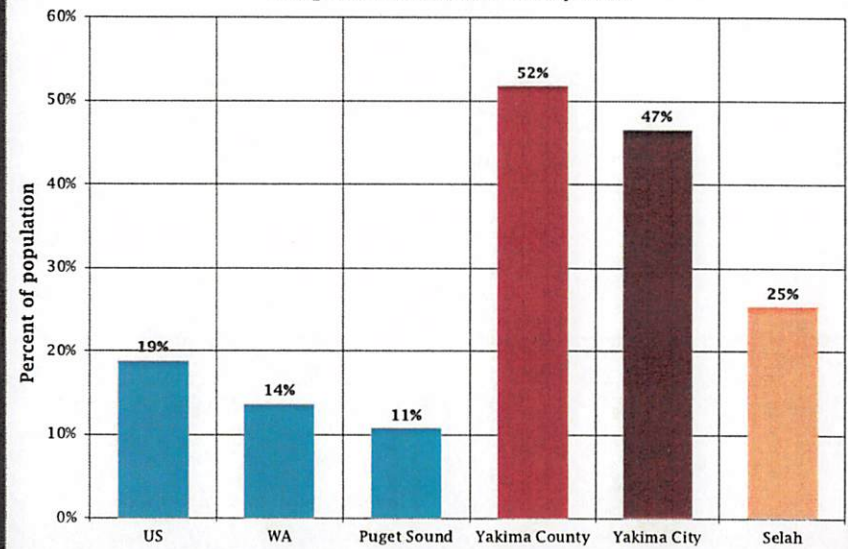


### Language other than English



Source: American Community Survey (ACS) 2017-2021

### Hispanic or Latino of any race



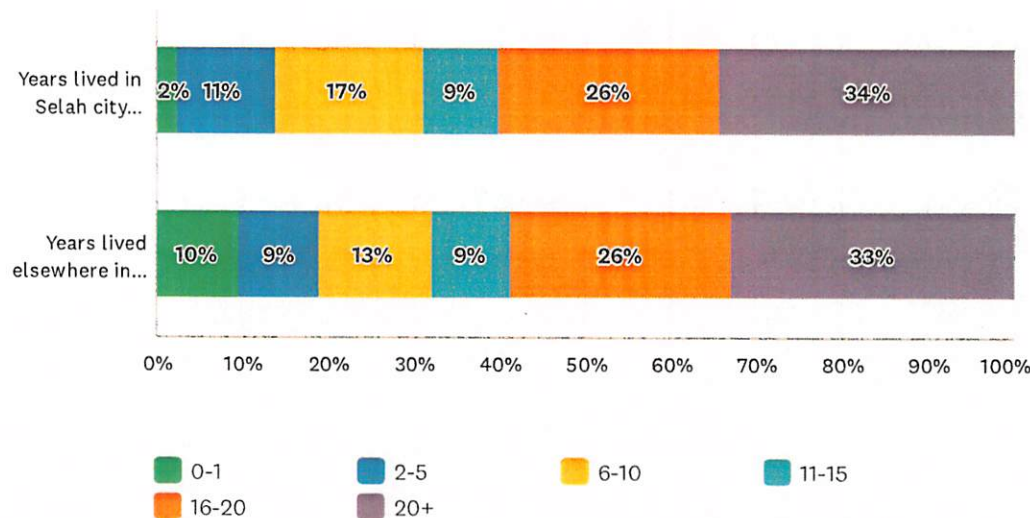
Source: American Community Survey (ACS) 2017-2021



# Resident outreach survey - 791 completions

## Q11 YOUR HOUSEHOLD CHARACTERISTICS How many years have you lived in Selah city limits or elsewhere in Yakima County?

Answered: 787 Skipped: 4

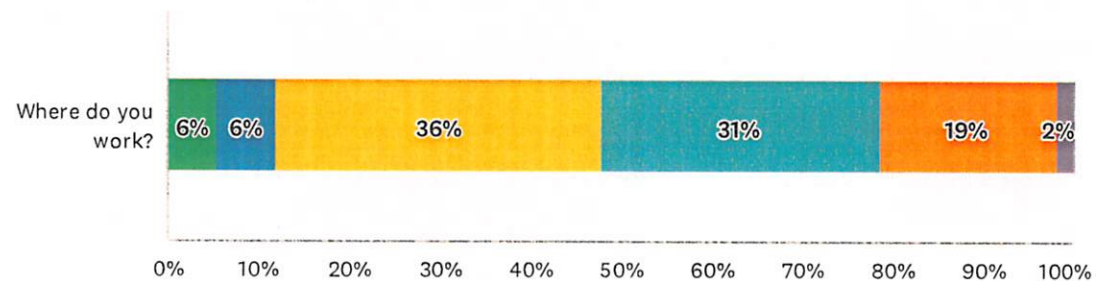


	0-1	2-5	6-10	11-15	16-20	20+	TOTAL	WEIGHTED AVERAGE
Years lived in Selah city limits?	2% 19	11% 89	17% 134	9% 68	26% 201	34% 268	779	4.47
Years lived elsewhere in Yakima County?	10% 74	9% 72	13% 100	9% 70	26% 197	33% 251	764	4.30



## Q12 Where do you work?

Answered: 785 Skipped: 6



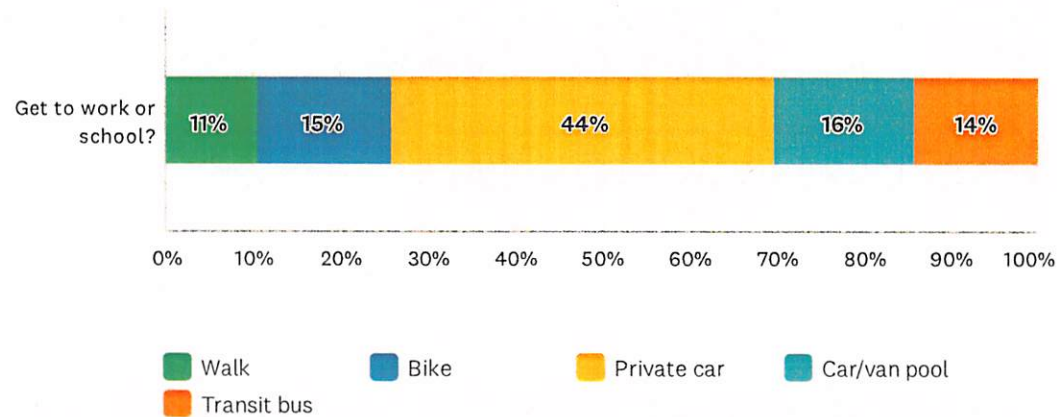
■ Retired
 ■ In home
 ■ Selah
 ■ Yakima
 ■ Other Yaki...
 ■ Other area

	RETIRED	IN HOME	SELAH	YAKIMA	OTHER YAKIMA COUNTY	OTHER AREA	TOTAL	WEIGHTED AVERAGE
Where do you work?	6%	6%	36%	31%	19%	2%	785	3.58
	44	51	281	242	152	15		



### Q13 How do you typically get to work?

Answered: 770 Skipped: 21

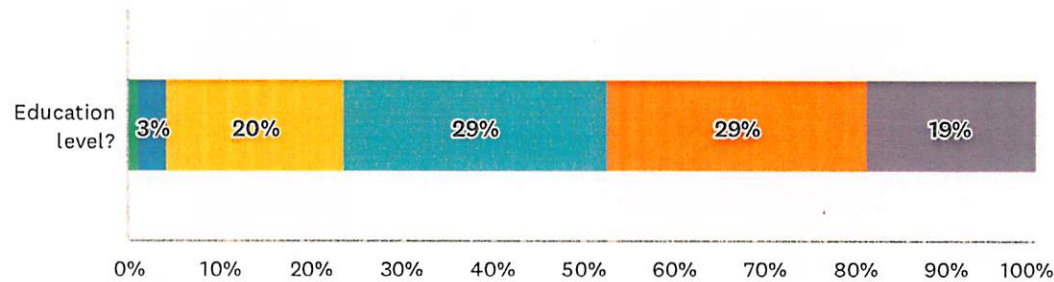


	WALK	BIKE	PRIVATE CAR	CAR/VAN POOL	TRANSIT BUS	TOTAL	WEIGHTED AVERAGE
Get to work or school?	11% 82	15% 118	44% 337	16% 124	14% 109	770	3.08



## Q14 What level of schooling have you completed?

Answered: 787 Skipped: 4

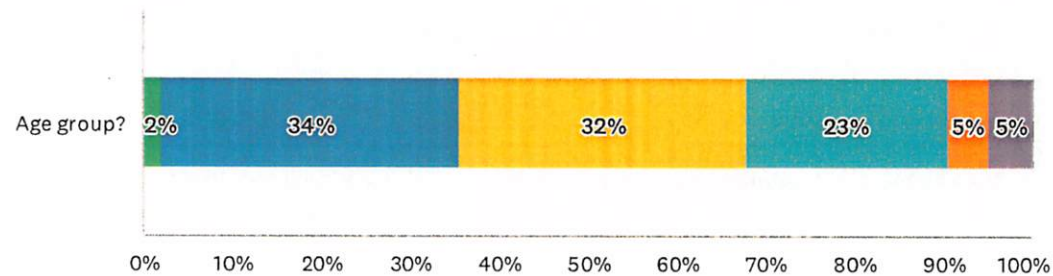


	GRADE SCHOOL	HIGH SCHOOL	TECHNICAL SCHOOL	SOME COLLEGE	COLLEGE GRADUATE	GRADUATE SCHOOL	TOTAL	WEIGHTED AVERAGE
Education level?	1% 9	3% 24	20% 154	29% 229	29% 225	19% 146	787	4.37



## Q15 What age group are you in?

Answered: 787 Skipped: 4



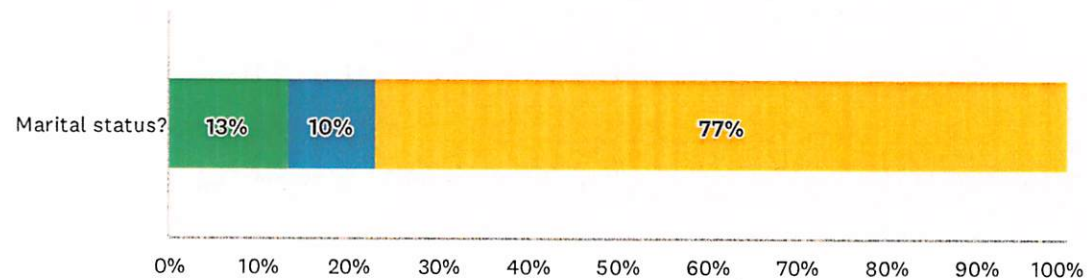
■ 19-24    ■ 25-34    ■ 35-44    ■ 45-54  
■ 55-64    ■ 65+

	19-24	25-34	35-44	45-54	55-64	65+	TOTAL	WEIGHTED AVERAGE
Age group?	2%	34%	32%	23%	5%	5%		
	16	264	255	178	36	38	787	3.09



## Q16 What is your marital status?

Answered: 780 Skipped: 11



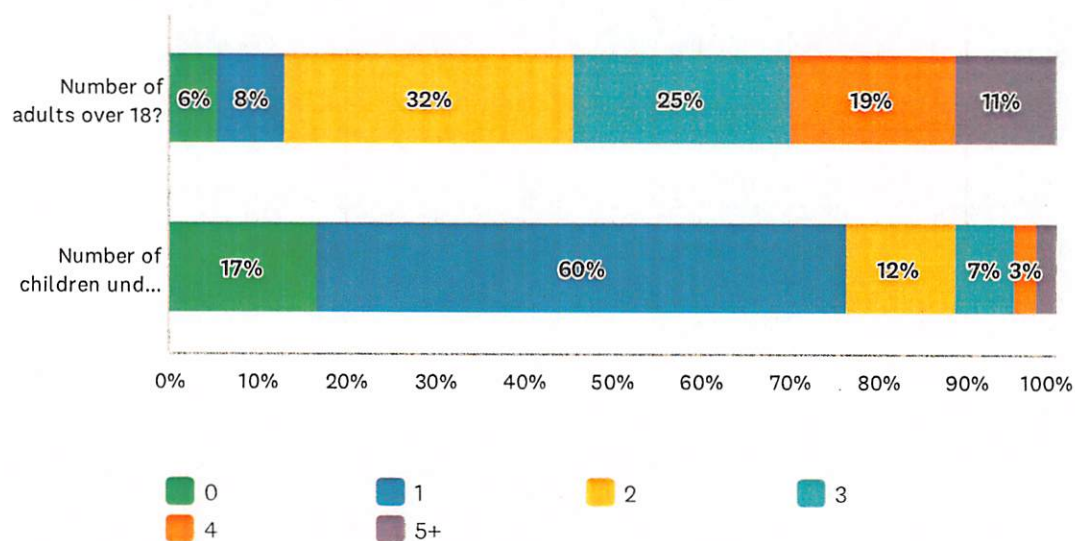
Single Co-habitat Married

	SINGLE	CO-HABITAT	MARRIED	TOTAL	WEIGHTED AVERAGE
Marital status?	13% 105	10% 75	77% 600	780	2.63



## Q17 Including yourself, how many adults and children in your household?

Answered: 788 Skipped: 3

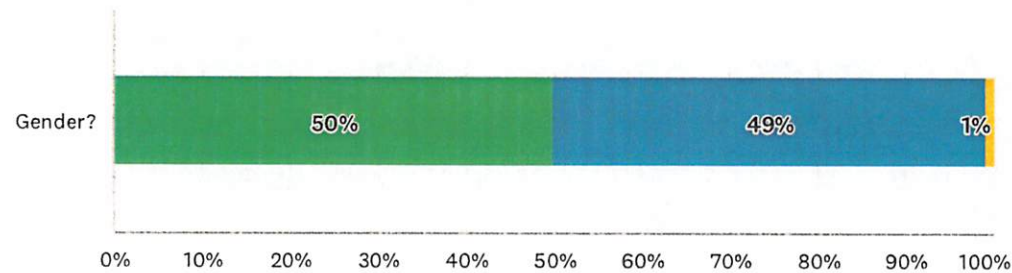


	0	1	2	3	4	5+	TOTAL	WEIGHTED AVERAGE
Number of adults over 18?	6% 43	8% 59	32% 253	25% 192	19% 145	11% 87	779	3.77
Number of children under 18?	17% 127	60% 453	12% 92	7% 52	3% 19	2% 15	758	2.25



## Q18 What is your gender?

Answered: 776 Skipped: 15



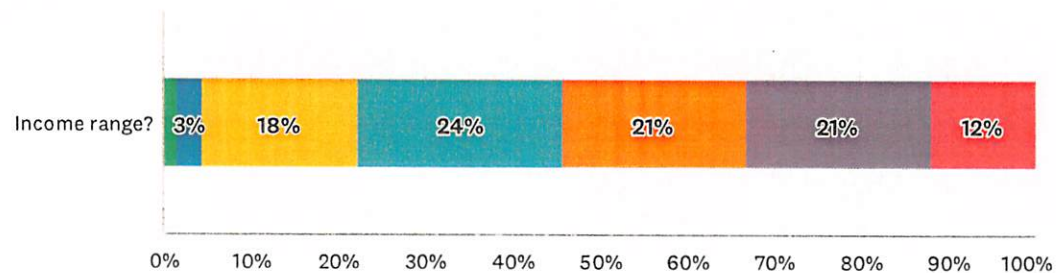
Male Female Other

	MALE	FEMALE	OTHER	TOTAL	WEIGHTED AVERAGE
Gender?	50% 388	49% 381	1% 7	776	1.51



## Q19 What is your household's annual income range?

Answered: 769 Skipped: 22



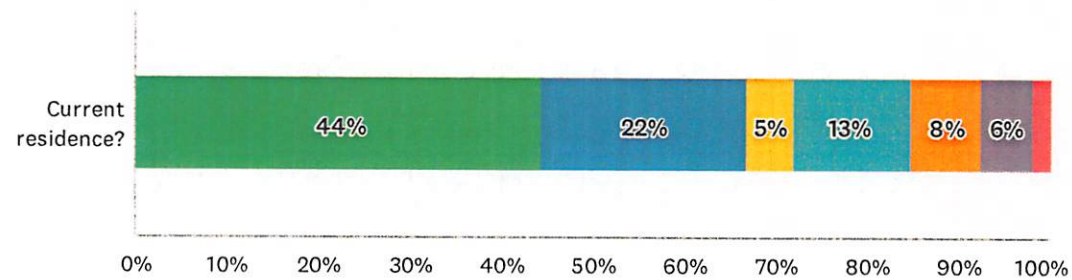
■ \$0-20,000   
 ■ \$21-30,000   
 ■ \$31-40,000   
 ■ \$41-50,000  
■ \$51-75,000   
 ■ \$76-100,000   
 ■ \$100,000+

	\$0-20,000	\$21-30,000	\$31-40,000	\$41-50,000	\$51-75,000	\$76-100,000	\$100,000+	TOTAL
Income range?	2%	3%	18%	24%	21%	21%	12%	
	13	21	138	181	162	163	91	769



### Q3 What is your current residence?

Answered: 783 Skipped: 8



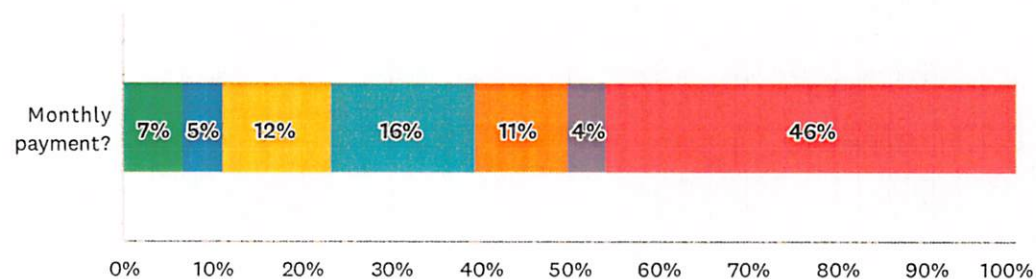
■ Own mobile... 
 ■ Own single-... 
 ■ Own townh... 
 ■ Own condo... 
 ■ Rent single... 
 ■ Rent apart... 
 ■ Rent room

	OWN MOBILE OR MODULAR HOME	OWN SINGLE- FAMILY HOUSE	OWN TOWNHOUSE	OWN CONDOMINIUM	RENT SINGLE-FAMILY DETACHED/ATTACHED HOUSE	RENT APARTMENT	RENT ROOM
Current residence?	44% 347	22% 176	5% 41	13% 100	8% 60	6% 45	2% 14



## Q4 How much do you pay for rent or a mortgage each month?

Answered: 787 Skipped: 4



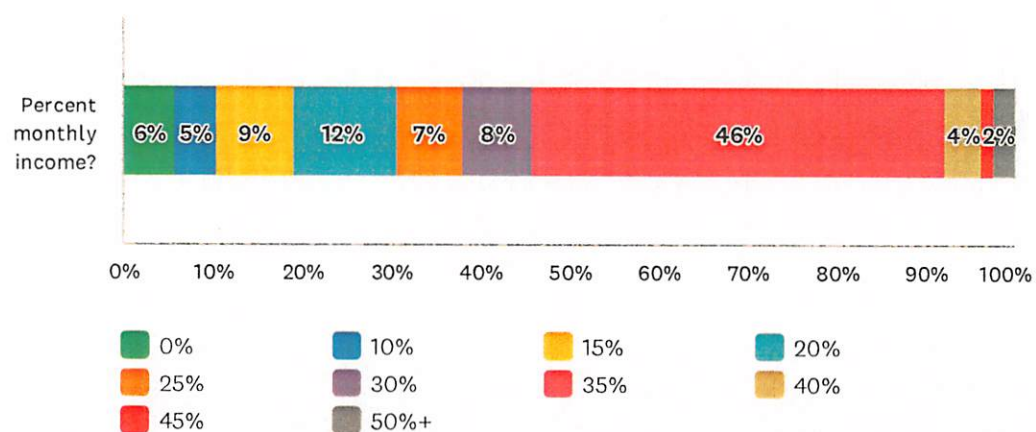
■ \$0 - own ho... 
 ■ \$1 - 499 
 ■ \$500-999 
 ■ \$1,000-1,499  
■ \$1,500-1,999 
 ■ \$2,000-2,4... 
 ■ \$2,500+

	\$0 - OWN HOUSE	\$1 - 499	\$500-999	\$1,000-1,499	\$1,500-1,999	\$2,000-2,499	\$2,500+	TOTAL
Monthly payment?	7%	5%	12%	16%	11%	4%	46%	
	53	36	94	127	83	34	360	787



## Q5 What percent of your household's total monthly income do you currently pay for rent or mortgage?

Answered: 785 Skipped: 6

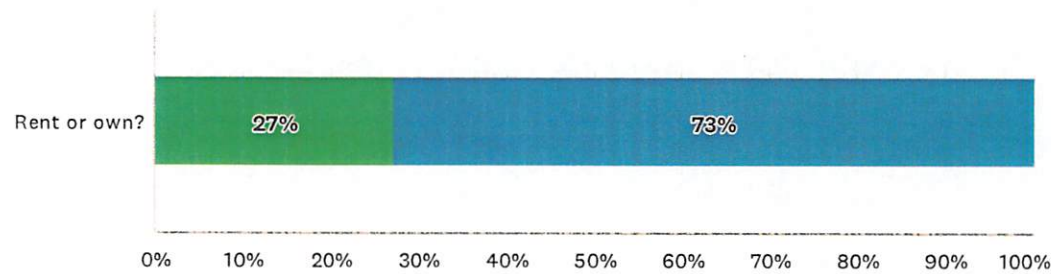


	0%	10%	15%	20%	25%	30%	35%	40%	45%	50%+	TOTAL
Percent monthly income?	6%	5%	9%	12%	7%	8%	46%	4%	1%	2%	
	45	37	67	91	58	62	364	32	11	18	785



## Q6 Would you like to rent or own?

Answered: 784 Skipped: 7



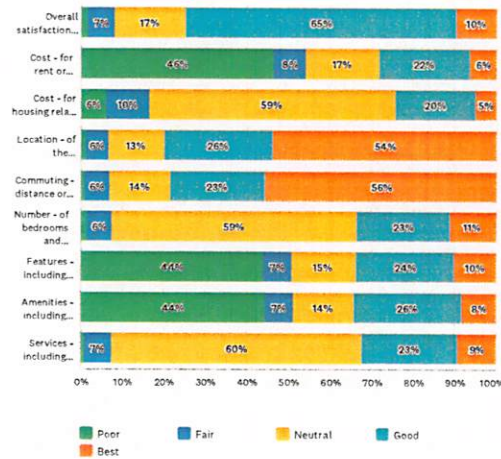
■ Rent ■ Own

	RENT	OWN	TOTAL	WEIGHTED AVERAGE
Rent or own?	27% 213	73% 571	784	1.73



**Q1 YOUR CURRENT HOUSING CONDITIONS** How do you rate your current housing situation?

Answered: 791 Skipped: 0

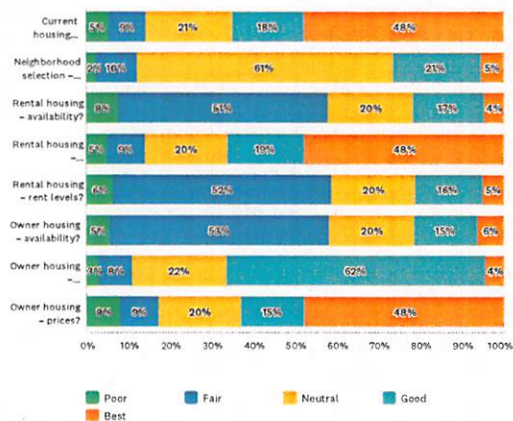


	POOR	FAIR	NEUTRAL	GOOD	BEST	TOTAL	WEIGHTED AVERAGE
Overall satisfaction - with your apartment, condo, house?	2% 13	7% 52	17% 132	65% 514	10% 76	787	3.75
Cost - for rent or mortgage payments?	46% 366	8% 61	17% 137	22% 174	6% 50	788	2.34
Cost - for housing related services including utilities and property taxes?	6% 48	10% 82	59% 464	20% 157	5% 38	789	3.07
Location - of the neighborhood you live in?	1% 9	6% 45	13% 105	26% 207	54% 425	791	4.26
Commuting - distance or time to work or school?	1% 6	6% 49	14% 113	23% 182	55% 436	786	4.26
Number - of bedrooms and bathrooms?	2% 12	6% 48	58% 462	23% 180	11% 88	790	3.36
Features - including kitchen, family room, fireplace?	44% 345	7% 55	15% 119	24% 187	10% 80	786	2.49
Amenities - including access to parks, playgrounds?	44% 350	7% 55	14% 113	26% 206	8% 65	789	2.47
Services - including schools, fire, police, transit?	1% 6	7% 54	60% 472	23% 184	9% 74	790	3.34



**Q2 EXISTING HOUSING CONDITIONS IN SELAH** How do you rate the existing housing market in Selah?

Answered: 789 Skipped: 2

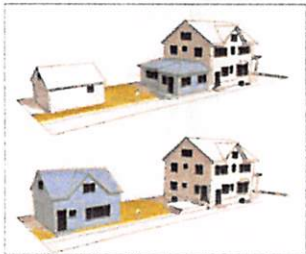


	POOR	FAIR	NEUTRAL	GOOD	BEST	TOTAL	WEIGHTED AVERAGE
Current housing selection – type and design?	5% 42	9% 71	21% 162	18% 138	48% 375	788	3.93
Neighborhood selection – quality and location?	2% 17	10% 80	61% 482	21% 168	5% 42	789	3.17
Rental housing – availability?	8% 59	51% 397	20% 159	17% 135	4% 35	785	2.61
Rental housing – characteristics?	5% 39	9% 71	20% 155	19% 146	48% 374	785	3.95
Rental housing – rent levels?	6% 50	52% 411	20% 156	16% 128	5% 38	783	2.61
Owner housing – availability?	5% 43	53% 415	20% 160	15% 120	6% 48	786	2.64
Owner housing – characteristics?	3% 22	8% 65	22% 176	62% 489	4% 33	785	3.57
Owner housing – prices?	8% 63	9% 73	20% 154	15% 121	48% 374	785	3.85



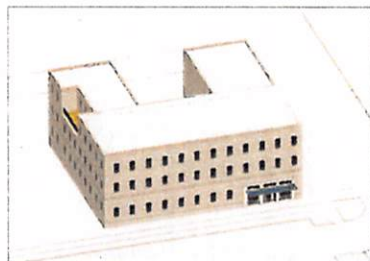
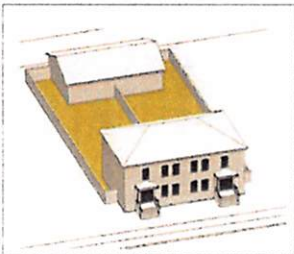
# "Missing Middle"

Accessory Dwelling Unit



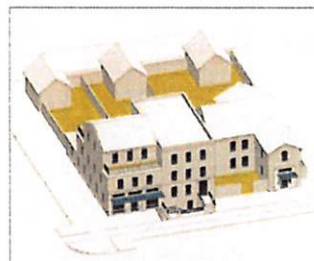
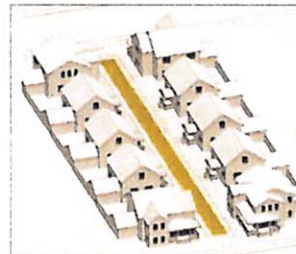
Courtyard Building

Duplex



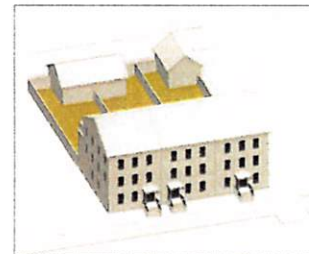
Multiplex

Cottage



Live-Work

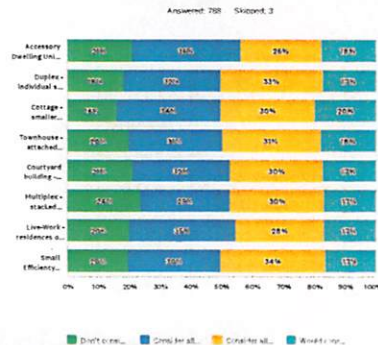
Townhouse



SEDU



Q7 "Missing Middle Housing (MMH)" is the type of housing that was built in older city single-family neighborhoods in past years. MMH included a number of different housing types that were scaled to reflect single-family housing characteristics including heights, widths, and lot coverages. MMH were located along major roads and around local neighborhood stores to buffer low density single-family neighborhoods and increase density and choice. The preceding graphic illustrates a number of MMH types. Do you think MMH should be incorporated into Selah neighborhoods and would you be interested in living in any?

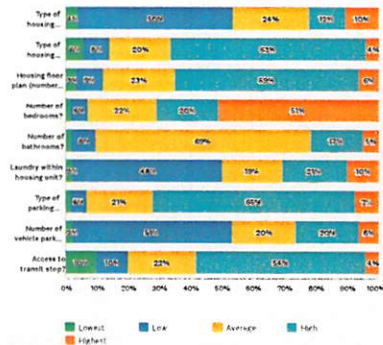


	DON'T CONSIDER IN SELAH	CONSIDER ALLOWING IN SELAH IN SELECT NEIGHBORHOODS	CONSIDER ALLOWING CITYWIDE	WOULD CONSIDER LIVING IN	TOTAL	WEIGHTED AVERAGE
Accessory Dwelling Unit (ADU) - attached to house, or garage, or detached	21% 164	36% 280	26% 202	18% 140	786	2.40
Duplex - individual side by side single-family units	18% 141	32% 252	33% 258	17% 136	787	2.49
Cottage - smaller single-family clustered around open space	16% 126	34% 267	30% 235	20% 158	786	2.54
Townhouse - attached single-family units	20% 156	31% 242	31% 247	18% 142	787	2.48
Courtyard building - apartments or condos clustered around a courtyard	21% 166	32% 251	30% 233	17% 137	787	2.43
Multiplex - stacked apartments of condos with ground floor uses	24% 188	29% 230	30% 236	17% 133	787	2.40
Live-Work - residences over owner occupant retail or office uses	20% 158	35% 272	28% 222	17% 133	785	2.42
Small Efficiency Dwelling Unit (SEDU) - self contained studios with kitchen and bathrooms in a variety of buildings	20% 154	30% 237	34% 262	16% 129	782	2.47



Q8 Assuming you COULD NOT AFFORD all of your preferences, what priority would you place on the following housing characteristics on a scale of lowest to highest?

Answers: 706, Segment 5

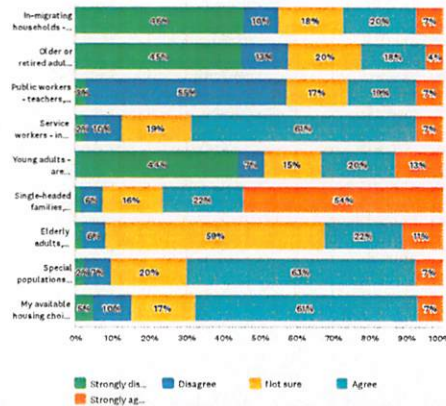


	LOWEST	LOW	AVERAGE	HIGH	HIGHEST	TOTAL	WEIGHTED AVERAGE
Type of housing (single-family, Accessory Dwelling Unit (ADU), duplex, cottage, townhouse, courtyard building, multiplex, live-work, Small Efficiency Dwelling Unit (SEDU))?	4% 30	50% 389	24% 189	12% 94	10% 81	783	2.75
Type of housing development (co-housing, 55+ adult retirement, extended care)?	6% 44	8% 66	19% 153	63% 491	4% 31	785	3.51
Housing floor plan (number of floors)?	3% 25	9% 70	23% 179	59% 463	6% 48	785	3.56
Number of bedrooms?	2% 12	6% 44	22% 171	20% 158	51% 398	783	4.13
Number of bathrooms?	2% 15	8% 61	69% 539	17% 131	5% 38	784	3.15
Laundry within housing unit?	2% 17	48% 378	19% 149	21% 164	10% 77	785	2.88
Type of parking (on-street, lot, garage)?	2% 13	5% 39	21% 167	65% 505	7% 58	782	3.71
Number of vehicle parking spaces?	2% 18	51% 401	20% 160	20% 159	6% 48	786	2.77
Access to transit stop?	10% 79	10% 79	22% 171	54% 427	4% 30	786	3.32



**Q9 HOUSING TRENDS IN SELAH** To what extent do you disagree or agree with the following statements concerning housing conditions in Selah?

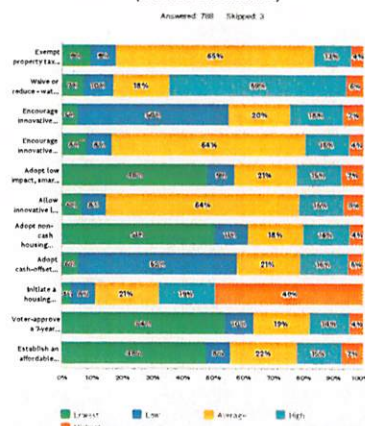
Answered: 788 Skipped: 3



	STRONGLY DISAGREE	DISAGREE	NOT SURE	AGREE	STRONGLY AGREE	TOTAL	WEIGHTED AVERAGE
In-migrating households - move to Selah with cash from high market housing sales and buy available houses in Selah at high prices driving up the price of houses that remain for local residents?	46% 359	10% 75	18% 140	20% 157	7% 56	787	2.33
Older or retired adults - move to Selah to live full-time and buy available houses at higher prices driving up the price of houses that remain for local residents?	45% 355	13% 101	20% 157	18% 141	4% 35	789	2.24
Public workers - teachers, police officers, firefighters, and other critical public service workers cannot pay rising housing costs and are not accepting local job offers affecting Selah's economic development?	3% 22	55% 432	16% 130	19% 148	7% 56	788	2.73
Service workers - in retail, health, and other services cannot afford rising housing costs and are not accepting jobs affecting Selah's economic development?	2% 19	10% 81	19% 148	61% 483	7% 57	788	3.61
Young adults - are increasingly unable to rent or buy an affordable living unit that is manageable with local entry level job incomes?	44% 348	7% 57	15% 121	20% 161	13% 102	789	2.51
Single-headed families, especially female - are unable to rent or buy an affordable living unit and pay for daycare, health costs, and other family expenses?	2% 13	6% 46	16% 126	22% 174	54% 427	786	4.22
Elderly adults, including single individuals - are increasingly unable to find affordable housing that fits their changing lifestyle needs and as a consequence continue to live in and keep older lower priced housing units out of the market?	2% 16	6% 50	59% 467	22% 170	11% 85	788	3.33
Special populations including the mentally ill, victims of domestic abuse, and the temporary homeless - are unable to be economically housed to the extent current sponsors are unable to develop and operate necessary housing?	2% 19	7% 58	20% 160	63% 491	7% 57	785	3.65
My available housing choice - as a result of the above as well as other market factors, is not what I really need or want?	5% 40	10% 82	17% 133	61% 478	7% 53	786	3.54



Q10 YOUR OPINION ON POSSIBLE HOUSING SOLUTIONS What priority would you place on the following possible policies as a means of creating affordable housing in Selah on a lowest to highest scale? (Please prioritize all solutions.)



	LOWEST	LOW	AVERAGE	HIGH	HIGHEST	TOTAL	WEIGHTED AVERAGE
Exempt property taxes - for multifamily projects that include affordable housing for up to 8, 12, or 20 years in accordance with Washington State affordable housing policies and legislation?	9% 74	9% 69	65% 513	13% 100	4% 30	786	2.93
Waive or reduce - water, sewer connection fees for infill affordable housing developments.	7% 57	10% 78	18% 144	59% 464	6% 44	787	3.46
Encourage innovative housing products - possibly including Accessory Dwelling Unit (ADU), duplex, cottage, townhouse, courtyard building, multiplex, live-work, small efficiency dwelling units (SEDU)?	5% 41	50% 394	20% 159	18% 140	7% 52	786	2.70
Encourage innovative housing construction methods - possibly including pre-manufactured, modular, and container methods?	8% 65	8% 66	64% 504	15% 118	4% 35	788	2.99
Adopt low impact, smart, and green development guidelines - for solar energy, passive heating, increased insulation, energy efficient appliances, stormwater treatment, pervious pavement, recycled materials, and other innovations that may increase initial construction costs but reduce long-term operating and utility costs?	48% 380	9% 70	21% 163	15% 118	7% 57	788	2.24
Allow innovative land ownership options - including land trusts where a nonprofit organization owns and leases the land at a low lease rate to a qualified affordable household who buys the house and agrees that when they eventually sell the house it will be at a reduced cost to allow purchase by another qualified affordable household.	6% 51	8% 66	64% 500	15% 120	6% 49	786	3.06
Adopt non-cash housing incentives - possibly allowing additional height, reduced parking ratios, or increased site coverage for housing projects that provide a minimum number of affordable housing units?	51% 397	11% 87	18% 143	16% 123	4% 34	784	2.12
Adopt cash-offset housing incentives - possibly including reduced building permit fees, utility connection charges, park and traffic impact fees for housing projects that provide a minimum number of affordable housing units?	6% 44	53% 413	21% 164	16% 128	5% 37	786	2.62
Initiate a housing renovation loan program - where the eligible house is rehabilitated and the loan is deferred for payment until the house is sold?	3% 24	8% 64	21% 166	19% 148	49% 385	787	4.02
Voter approve a 7-year special property tax levy - to provide funds to finance the development of a mixed-use, mixed-income demonstration project for innovative affordable housing products and methods in the city?	54% 424	10% 75	19% 146	14% 107	4% 33	785	2.04
Establish an affordable housing coalition - of public, nonprofit, and for-profit representatives to monitor housing conditions in Selah and advise public officials on actions that can be taken over time to resolve quality and affordability concerns?	48% 378	8% 63	22% 173	15% 119	7% 55	788	2.25



Questions?

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ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1110

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AS AMENDED BY THE SENATE

Passed Legislature - 2023 Regular Session

State of Washington                      68th Legislature                      2023 Regular Session

By House Appropriations (originally sponsored by Representatives Bateman, Barkis, Reed, Taylor, Riccelli, Berry, Fitzgibbon, Peterson, Duerr, Lekanoff, Alvarado, Street, Ryu, Ramel, Cortes, Doglio, Macri, Mena, Gregerson, Thai, Bergquist, Farivar, Wylie, Stonier, Pollet, Santos, Fosse, and Ormsby)

READ FIRST TIME 02/24/23.

1            AN ACT Relating to creating more homes for Washington by  
2 increasing middle housing in areas traditionally dedicated to single-  
3 family detached housing; amending RCW 36.70A.030, 36.70A.280,  
4 43.21C.495, and 43.21C.450; adding new sections to chapter 36.70A  
5 RCW; adding a new section to chapter 64.34 RCW; adding a new section  
6 to chapter 64.32 RCW; adding a new section to chapter 64.38 RCW;  
7 adding a new section to chapter 64.90 RCW; and creating new sections.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

9            NEW SECTION.    **Sec. 1.** The legislature finds that Washington is  
10 facing an unprecedented housing crisis for its current population and  
11 a lack of housing choices, and is not likely to meet the  
12 affordability goals for future populations. In order to meet the goal  
13 of 1,000,000 new homes by 2044, and enhanced quality of life and  
14 environmental protection, innovative housing policies will need to be  
15 adopted.

16            Increasing housing options that are more affordable to various  
17 income levels is critical to achieving the state's housing goals,  
18 including those codified by the legislature under chapter 254, Laws  
19 of 2021.

20            There is continued need for the development of housing at all  
21 income levels, including middle housing that will provide a wider



variety of housing options and configurations to allow Washingtonians to live near where they work.

Homes developed at higher densities are more affordable by design for Washington residents both in their construction and reduced household energy and transportation costs.

While creating more housing options, it is essential for cities to identify areas at higher risk of displacement and establish antidisplacement policies as required in Engrossed Second Substitute House Bill No. 1220 (chapter 254, Laws of 2021).

The state has made historic investments in subsidized affordable housing through the housing trust fund, yet even with these historic investments, the magnitude of the housing shortage requires both public and private investment.

In addition to addressing the housing shortage, allowing more housing options in areas already served by urban infrastructure will reduce the pressure to develop natural and working lands, support key strategies for climate change, food security, and Puget Sound recovery, and save taxpayers and ratepayers money.

**Sec. 2.** RCW 36.70A.030 and 2021 c 254 s 6 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Administrative design review" means a development permit process whereby an application is reviewed, approved, or denied by the planning director or the planning director's designee based solely on objective design and development standards without a public predecision hearing, unless such review is otherwise required by state or federal law, or the structure is a designated landmark or historic district established under a local preservation ordinance. A city may utilize public meetings, hearings, or voluntary review boards to consider, recommend, or approve requests for variances from locally established design review standards.

(2) "Adopt a comprehensive land use plan" means to enact a new comprehensive land use plan or to update an existing comprehensive land use plan.

((+2+)) (3) "Affordable housing" means, unless the context clearly indicates otherwise, residential housing whose monthly costs, including utilities other than telephone, do not exceed thirty percent of the monthly income of a household whose income is:

(a) For rental housing, sixty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development; or

(b) For owner-occupied housing, eighty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

~~((3))~~ (4) "Agricultural land" means land primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, finfish in upland hatcheries, or livestock, and that has long-term commercial significance for agricultural production.

~~((4))~~ (5) "City" means any city or town, including a code city.

~~((5))~~ (6) "Comprehensive land use plan," "comprehensive plan," or "plan" means a generalized coordinated land use policy statement of the governing body of a county or city that is adopted pursuant to this chapter.

~~((6))~~ (7) "Cottage housing" means residential units on a lot with a common open space that either: (a) Is owned in common; or (b) has units owned as condominium units with property owned in common and a minimum of 20 percent of the lot size as open space.

(8) "Courtyard apartments" means up to four attached dwelling units arranged on two or three sides of a yard or court.

(9) "Critical areas" include the following areas and ecosystems: (a) Wetlands; (b) areas with a critical recharging effect on aquifers used for potable water; (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically hazardous areas. "Fish and wildlife habitat conservation areas" does not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of and are maintained by a port district or an irrigation district or company.

~~((7))~~ (10) "Department" means the department of commerce.

~~((8))~~ (11) "Development regulations" or "regulation" means the controls placed on development or land use activities by a county or city, including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls,



1 planned unit development ordinances, subdivision ordinances, and  
2 binding site plan ordinances together with any amendments thereto. A  
3 development regulation does not include a decision to approve a  
4 project permit application, as defined in RCW 36.70B.020, even though  
5 the decision may be expressed in a resolution or ordinance of the  
6 legislative body of the county or city.

7 ~~((9))~~ (12) "Emergency housing" means temporary indoor  
8 accommodations for individuals or families who are homeless or at  
9 imminent risk of becoming homeless that is intended to address the  
10 basic health, food, clothing, and personal hygiene needs of  
11 individuals or families. Emergency housing may or may not require  
12 occupants to enter into a lease or an occupancy agreement.

13 ~~((10))~~ (13) "Emergency shelter" means a facility that provides  
14 a temporary shelter for individuals or families who are currently  
15 homeless. Emergency shelter may not require occupants to enter into a  
16 lease or an occupancy agreement. Emergency shelter facilities may  
17 include day and warming centers that do not provide overnight  
18 accommodations.

19 ~~((11))~~ (14) "Extremely low-income household" means a single  
20 person, family, or unrelated persons living together whose adjusted  
21 income is at or below thirty percent of the median household income  
22 adjusted for household size, for the county where the household is  
23 located, as reported by the United States department of housing and  
24 urban development.

25 ~~((12))~~ (15) "Forestland" means land primarily devoted to  
26 growing trees for long-term commercial timber production on land that  
27 can be economically and practically managed for such production,  
28 including Christmas trees subject to the excise tax imposed under RCW  
29 84.33.100 through 84.33.140, and that has long-term commercial  
30 significance. In determining whether forestland is primarily devoted  
31 to growing trees for long-term commercial timber production on land  
32 that can be economically and practically managed for such production,  
33 the following factors shall be considered: (a) The proximity of the  
34 land to urban, suburban, and rural settlements; (b) surrounding  
35 parcel size and the compatibility and intensity of adjacent and  
36 nearby land uses; (c) long-term local economic conditions that affect  
37 the ability to manage for timber production; and (d) the availability  
38 of public facilities and services conducive to conversion of  
39 forestland to other uses.

1        ~~((13))~~ (16) "Freight rail dependent uses" means buildings and  
2 other infrastructure that are used in the fabrication, processing,  
3 storage, and transport of goods where the use is dependent on and  
4 makes use of an adjacent short line railroad. Such facilities are  
5 both urban and rural development for purposes of this chapter.  
6 "Freight rail dependent uses" does not include buildings and other  
7 infrastructure that are used in the fabrication, processing, storage,  
8 and transport of coal, liquefied natural gas, or "crude oil" as  
9 defined in RCW 90.56.010.

10       ~~((14))~~ (17) "Geologically hazardous areas" means areas that  
11 because of their susceptibility to erosion, sliding, earthquake, or  
12 other geological events, are not suited to the siting of commercial,  
13 residential, or industrial development consistent with public health  
14 or safety concerns.

15       ~~((15))~~ (18) "Long-term commercial significance" includes the  
16 growing capacity, productivity, and soil composition of the land for  
17 long-term commercial production, in consideration with the land's  
18 proximity to population areas, and the possibility of more intense  
19 uses of the land.

20       ~~((16))~~ (19) "Low-income household" means a single person,  
21 family, or unrelated persons living together whose adjusted income is  
22 at or below eighty percent of the median household income adjusted  
23 for household size, for the county where the household is located, as  
24 reported by the United States department of housing and urban  
25 development.

26       ~~((17))~~ (20) "Major transit stop" means:

27       (a) A stop on a high capacity transportation system funded or  
28 expanded under the provisions of chapter 81.104 RCW;

29       (b) Commuter rail stops;

30       (c) Stops on rail or fixed guideway systems; or

31       (d) Stops on bus rapid transit routes.

32       (21) "Middle housing" means buildings that are compatible in  
33 scale, form, and character with single-family houses and contain two  
34 or more attached, stacked, or clustered homes including duplexes,  
35 triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked  
36 flats, courtyard apartments, and cottage housing.

37       (22) "Minerals" include gravel, sand, and valuable metallic  
38 substances.

39       ~~((18))~~ (23) "Moderate-income household" means a single person,  
40 family, or unrelated persons living together whose adjusted income is



1 at or below 120 percent of the median household income adjusted for  
2 household size, for the county where the household is located, as  
3 reported by the United States department of housing and urban  
4 development.

5 ~~((19))~~ (24) "Permanent supportive housing" is subsidized,  
6 leased housing with no limit on length of stay that prioritizes  
7 people who need comprehensive support services to retain tenancy and  
8 utilizes admissions practices designed to use lower barriers to entry  
9 than would be typical for other subsidized or unsubsidized rental  
10 housing, especially related to rental history, criminal history, and  
11 personal behaviors. Permanent supportive housing is paired with on-  
12 site or off-site voluntary services designed to support a person  
13 living with a complex and disabling behavioral health or physical  
14 health condition who was experiencing homelessness or was at imminent  
15 risk of homelessness prior to moving into housing to retain their  
16 housing and be a successful tenant in a housing arrangement, improve  
17 the resident's health status, and connect the resident of the housing  
18 with community-based health care, treatment, or employment services.  
19 Permanent supportive housing is subject to all of the rights and  
20 responsibilities defined in chapter 59.18 RCW.

21 ~~((20))~~ (25) "Public facilities" include streets, roads,  
22 highways, sidewalks, street and road lighting systems, traffic  
23 signals, domestic water systems, storm and sanitary sewer systems,  
24 parks and recreational facilities, and schools.

25 ~~((21))~~ (26) "Public services" include fire protection and  
26 suppression, law enforcement, public health, education, recreation,  
27 environmental protection, and other governmental services.

28 ~~((22))~~ (27) "Recreational land" means land so designated under  
29 RCW 36.70A.1701 and that, immediately prior to this designation, was  
30 designated as agricultural land of long-term commercial significance  
31 under RCW 36.70A.170. Recreational land must have playing fields and  
32 supporting facilities existing before July 1, 2004, for sports played  
33 on grass playing fields.

34 ~~((23))~~ (28) "Rural character" refers to the patterns of land  
35 use and development established by a county in the rural element of  
36 its comprehensive plan:

37 (a) In which open space, the natural landscape, and vegetation  
38 predominate over the built environment;

39 (b) That foster traditional rural lifestyles, rural-based  
40 economies, and opportunities to both live and work in rural areas;

1 (c) That provide visual landscapes that are traditionally found  
2 in rural areas and communities;

3 (d) That are compatible with the use of the land by wildlife and  
4 for fish and wildlife habitat;

5 (e) That reduce the inappropriate conversion of undeveloped land  
6 into sprawling, low-density development;

7 (f) That generally do not require the extension of urban  
8 governmental services; and

9 (g) That are consistent with the protection of natural surface  
10 water flows and groundwater and surface water recharge and discharge  
11 areas.

12 ~~((+24+))~~ (29) "Rural development" refers to development outside  
13 the urban growth area and outside agricultural, forest, and mineral  
14 resource lands designated pursuant to RCW 36.70A.170. Rural  
15 development can consist of a variety of uses and residential  
16 densities, including clustered residential development, at levels  
17 that are consistent with the preservation of rural character and the  
18 requirements of the rural element. Rural development does not refer  
19 to agriculture or forestry activities that may be conducted in rural  
20 areas.

21 ~~((+25+))~~ (30) "Rural governmental services" or "rural services"  
22 include those public services and public facilities historically and  
23 typically delivered at an intensity usually found in rural areas, and  
24 may include domestic water systems(~~(+)~~) and fire and police  
25 protection services(~~(+ transportation and public transit services,~~  
26 ~~and other public utilities)~~) associated with rural development and  
27 normally not associated with urban areas. Rural services do not  
28 include storm or sanitary sewers, except as otherwise authorized by  
29 RCW 36.70A.110(4).

30 ~~((+26+))~~ (31) "Short line railroad" means those railroad lines  
31 designated class II or class III by the United States surface  
32 transportation board.

33 ~~((+27+))~~ (32) "Single-family zones" means those zones where  
34 single-family detached housing is the predominant land use.

35 (33) "Stacked flat" means dwelling units in a residential  
36 building of no more than three stories on a residential zoned lot in  
37 which each floor may be separately rented or owned.

38 (34) "Townhouses" means buildings that contain three or more  
39 attached single-family dwelling units that extend from foundation to  
40 roof and that have a yard or public way on not less than two sides.



1        (35) "Urban governmental services" or "urban services" include  
2 those public services and public facilities at an intensity  
3 historically and typically provided in cities, specifically including  
4 storm and sanitary sewer systems, domestic water systems, street  
5 cleaning services, fire and police protection services, public  
6 transit services, and other public utilities associated with urban  
7 areas and normally not associated with rural areas.

8        ~~((28))~~ (36) "Urban growth" refers to growth that makes  
9 intensive use of land for the location of buildings, structures, and  
10 impermeable surfaces to such a degree as to be incompatible with the  
11 primary use of land for the production of food, other agricultural  
12 products, or fiber, or the extraction of mineral resources, rural  
13 uses, rural development, and natural resource lands designated  
14 pursuant to RCW 36.70A.170. A pattern of more intensive rural  
15 development, as provided in RCW 36.70A.070(5)(d), is not urban  
16 growth. When allowed to spread over wide areas, urban growth  
17 typically requires urban governmental services. "Characterized by  
18 urban growth" refers to land having urban growth located on it, or to  
19 land located in relationship to an area with urban growth on it as to  
20 be appropriate for urban growth.

21        ~~((29))~~ (37) "Urban growth areas" means those areas designated  
22 by a county pursuant to RCW 36.70A.110.

23        ~~((30))~~ (38) "Very low-income household" means a single person,  
24 family, or unrelated persons living together whose adjusted income is  
25 at or below fifty percent of the median household income adjusted for  
26 household size, for the county where the household is located, as  
27 reported by the United States department of housing and urban  
28 development.

29        ~~((31))~~ (39) "Wetland" or "wetlands" means areas that are  
30 inundated or saturated by surface water or groundwater at a frequency  
31 and duration sufficient to support, and that under normal  
32 circumstances do support, a prevalence of vegetation typically  
33 adapted for life in saturated soil conditions. Wetlands generally  
34 include swamps, marshes, bogs, and similar areas. Wetlands do not  
35 include those artificial wetlands intentionally created from  
36 nonwetland sites, including, but not limited to, irrigation and  
37 drainage ditches, grass-lined swales, canals, detention facilities,  
38 wastewater treatment facilities, farm ponds, and landscape amenities,  
39 or those wetlands created after July 1, 1990, that were  
40 unintentionally created as a result of the construction of a road,

1 street, or highway. Wetlands may include those artificial wetlands  
2 intentionally created from nonwetland areas created to mitigate  
3 conversion of wetlands.

4 NEW SECTION. **Sec. 3.** A new section is added to chapter 36.70A  
5 RCW to read as follows:

6 (1) Except as provided in subsection (4) of this section, any  
7 city that is required or chooses to plan under RCW 36.70A.040 must  
8 provide by ordinance and incorporate into its development  
9 regulations, zoning regulations, and other official controls,  
10 authorization for the following:

11 (a) For cities with a population of at least 25,000 but less than  
12 75,000 based on office of financial management population estimates:

13 (i) The development of at least two units per lot on all lots  
14 zoned predominantly for residential use, unless zoning permitting  
15 higher densities or intensities applies;

16 (ii) The development of at least four units per lot on all lots  
17 zoned predominantly for residential use, unless zoning permitting  
18 higher densities or intensities applies, within one-quarter mile  
19 walking distance of a major transit stop; and

20 (iii) The development of at least four units per lot on all lots  
21 zoned predominantly for residential use, unless zoning permitting  
22 higher densities or intensities applies, if at least one unit is  
23 affordable housing.

24 (b) For cities with a population of at least 75,000 based on  
25 office of financial management population estimates:

26 (i) The development of at least four units per lot on all lots  
27 zoned predominantly for residential use, unless zoning permitting  
28 higher densities or intensities applies;

29 (ii) The development of at least six units per lot on all lots  
30 zoned predominantly for residential use, unless zoning permitting  
31 higher densities or intensities applies, within one-quarter mile  
32 walking distance of a major transit stop; and

33 (iii) The development of at least six units per lot on all lots  
34 zoned predominantly for residential use, unless zoning permitting  
35 higher densities or intensities applies, if at least two units are  
36 affordable housing.

37 (c) For cities with a population of less than 25,000, that are  
38 within a contiguous urban growth area with the largest city in a  
39 county with a population of more than 275,000, based on office of



1 financial management population estimates the development of at least  
2 two units per lot on all lots zoned predominantly for residential  
3 use, unless zoning permitting higher densities or intensities  
4 applies.

5 (2)(a) To qualify for the additional units allowed under  
6 subsection (1) of this section, the applicant must commit to renting  
7 or selling the required number of units as affordable housing. The  
8 units must be maintained as affordable for a term of at least 50  
9 years, and the property must satisfy that commitment and all required  
10 affordability and income eligibility conditions adopted by the local  
11 government under this chapter. A city must require the applicant to  
12 record a covenant or deed restriction that ensures the continuing  
13 rental of units subject to these affordability requirements  
14 consistent with the conditions in chapter 84.14 RCW for a period of  
15 no less than 50 years. The covenant or deed restriction must also  
16 address criteria and policies to maintain public benefit if the  
17 property is converted to a use other than which continues to provide  
18 for permanently affordable housing.

19 (b) The units dedicated as affordable must be provided in a range  
20 of sizes comparable to other units in the development. To the extent  
21 practicable, the number of bedrooms in affordable units must be in  
22 the same proportion as the number of bedrooms in units within the  
23 entire development. The affordable units must generally be  
24 distributed throughout the development and have substantially the  
25 same functionality as the other units in the development.

26 (c) If a city has enacted a program under RCW 36.70A.540, the  
27 terms of that program govern to the extent they vary from the  
28 requirements of this subsection.

29 (3) If a city has enacted a program under RCW 36.70A.540,  
30 subsection (1) of this section does not preclude the city from  
31 requiring any development, including development described in  
32 subsection (1) of this section, to provide affordable housing, either  
33 on-site or through an in-lieu payment, nor limit the city's ability  
34 to expand such a program or modify its requirements.

35 (4)(a) As an alternative to the density requirements in  
36 subsection (1) of this section, a city may implement the density  
37 requirements in subsection (1) of this section for at least 75  
38 percent of lots in the city that are primarily dedicated to single-  
39 family detached housing units.

1 (b) The 25 percent of lots for which the requirements of  
2 subsection (1) of this section are not implemented must include but  
3 are not limited to:

4 (i) Any areas within the city for which the department has  
5 certified an extension of the implementation timelines under section  
6 5 of this act due to the risk of displacement;

7 (ii) Any areas within the city for which the department has  
8 certified an extension of the implementation timelines under section  
9 7 of this act due to a lack of infrastructure capacity;

10 (iii) Any lots designated with critical areas or their buffers  
11 that are exempt from the density requirements as provided in  
12 subsection (8) of this section;

13 (iv) Any portion of a city within a one-mile radius of a  
14 commercial airport with at least 9,000,000 annual enplanements that  
15 is exempt from the parking requirements under subsection (7)(b) of  
16 this section; and

17 (v) Any areas subject to sea level rise, increased flooding,  
18 susceptible to wildfires, or geological hazards over the next 100  
19 years.

20 (c) Unless identified as at higher risk of displacement under RCW  
21 36.70A.070(2)(g), the 25 percent of lots for which the requirements  
22 of subsection (1) of this section are not implemented may not  
23 include:

24 (i) Any areas for which the exclusion would further racially  
25 disparate impacts or result in zoning with a discriminatory effect;

26 (ii) Any areas within one-half mile walking distance of a major  
27 transit stop; or

28 (iii) Any areas historically covered by a covenant or deed  
29 restriction excluding racial minorities from owning property or  
30 living in the area, as known to the city at the time of each  
31 comprehensive plan update.

32 (5) A city must allow at least six of the nine types of middle  
33 housing to achieve the unit density required in subsection (1) of  
34 this section. A city may allow accessory dwelling units to achieve  
35 the unit density required in subsection (1) of this section. Cities  
36 are not required to allow accessory dwelling units or middle housing  
37 types beyond the density requirements in subsection (1) of this  
38 section. A city must also allow zero lot line short subdivision where  
39 the number of lots created is equal to the unit density required in  
40 subsection (1) of this section.



1 (6) Any city subject to the requirements of this section:  
2 (a) If applying design review for middle housing, only  
3 administrative design review shall be required;  
4 (b) Except as provided in (a) of this subsection, shall not  
5 require through development regulations any standards for middle  
6 housing that are more restrictive than those required for detached  
7 single-family residences, but may apply any objective development  
8 regulations that are required for detached single-family residences,  
9 including, but not limited to, set-back, lot coverage, stormwater,  
10 clearing, and tree canopy and retention requirements to ensure  
11 compliance with existing ordinances intended to protect critical  
12 areas and public health and safety;  
13 (c) Shall apply to middle housing the same development permit and  
14 environmental review processes that apply to detached single-family  
15 residences, unless otherwise required by state law including, but not  
16 limited to, shoreline regulations under chapter 90.58 RCW, building  
17 codes under chapter 19.27 RCW, energy codes under chapter 19.27A RCW,  
18 or electrical codes under chapter 19.28 RCW;  
19 (d) Shall not require off-street parking as a condition of  
20 permitting development of middle housing within one-half mile walking  
21 distance of a major transit stop;  
22 (e) Shall not require more than one off-street parking space per  
23 unit as a condition of permitting development of middle housing on  
24 lots smaller than 6,000 square feet before any zero lot line  
25 subdivisions or lot splits;  
26 (f) Shall not require more than two off-street parking spaces per  
27 unit as a condition of permitting development of middle housing on  
28 lots greater than 6,000 square feet before any zero lot line  
29 subdivisions or lot splits; and  
30 (g) Are not required to achieve the per unit density under this  
31 act on lots after subdivision below 1,000 square feet unless the city  
32 chooses to enact smaller allowable lot sizes.  
33 (7) The provisions of subsection (6)(d) through (f) of this  
34 section do not apply:  
35 (a) If a local government submits to the department an empirical  
36 study prepared by a credentialed transportation or land use planning  
37 expert that clearly demonstrates, and the department finds and  
38 certifies, that the application of the parking limitations of  
39 subsection (6)(d) through (f) of this section for middle housing will  
40 be significantly less safe for vehicle drivers or passengers,

1 pedestrians, or bicyclists than if the jurisdiction's parking  
2 requirements were applied to the same location for the same number of  
3 detached houses. The department must develop guidance to assist  
4 cities on items to include in the study; or

5 (b) To portions of cities within a one-mile radius of a  
6 commercial airport in Washington with at least 9,000,000 annual  
7 enplanements.

8 (8) The provisions of this section do not apply to:

9 (a) Lots designated with critical areas designated under RCW  
10 36.70A.170 or their buffers as required by RCW 36.70A.170;

11 (b) A watershed serving a reservoir for potable water if that  
12 watershed is or was listed, as of the effective date of this section,  
13 as impaired or threatened under section 303(d) of the federal clean  
14 water act (33 U.S.C. Sec. 1313(d)); or

15 (c) Lots that have been designated urban separators by countywide  
16 planning policies as of the effective date of this section.

17 (9) Nothing in this section prohibits a city from permitting  
18 detached single-family residences.

19 (10) Nothing in this section requires a city to issue a building  
20 permit if other federal, state, and local requirements for a building  
21 permit are not met.

22 (11) A city must comply with the requirements of this section on  
23 the latter of:

24 (a) Six months after its next periodic comprehensive plan update  
25 required under RCW 36.70A.130 if the city meets the population  
26 threshold based on the 2020 office of financial management population  
27 data; or

28 (b) 12 months after their next implementation progress report  
29 required under RCW 36.70A.130 after a determination by the office of  
30 financial management that the city has reached a population threshold  
31 established under this section.

32 (12) A city complying with this section and not granted a  
33 timeline extension under section 7 of this act does not have to  
34 update its capital facilities plan element required by RCW  
35 36.70A.070(3) to accommodate the increased housing required by this  
36 act until the first periodic comprehensive plan update required for  
37 the city under RCW 36.70A.130(5) that occurs on or after June 30,  
38 2034.



1        NEW SECTION.    **Sec. 4.**    A new section is added to chapter 36.70A  
2    RCW to read as follows:

3        (1)(a) The department is directed to provide technical assistance  
4    to cities as they implement the requirements under section 3 of this  
5    act.

6        (b) The department shall prioritize such technical assistance to  
7    cities demonstrating the greatest need.

8        (2)(a) The department shall publish model middle housing  
9    ordinances no later than six months following the effective date of  
10   this section.

11       (b) In any city subject to section 3 of this act that has not  
12   passed ordinances, regulations, or other official controls within the  
13   time frames provided under section 3(11) of this act, the model  
14   ordinance supersedes, preempts, and invalidates local development  
15   regulations until the city takes all actions necessary to implement  
16   section 3 of this act.

17       (3)(a) The department is directed to establish a process by which  
18   cities implementing the requirements of section 3 of this act may  
19   seek approval of alternative local action necessary to meet the  
20   requirements of this act.

21       (b) The department may approve actions under this section for  
22   cities that have, by January 1, 2023, adopted a comprehensive plan  
23   that is substantially similar to the requirements of this act and  
24   have adopted, or within one year of the effective date of this  
25   section adopts, permanent development regulations that are  
26   substantially similar to the requirements of this act. In determining  
27   whether a city's adopted comprehensive plan and permanent development  
28   regulations are substantially similar, the department must find as  
29   substantially similar plans and regulations that:

30       (i) Result in an overall increase in housing units allowed in  
31   single-family zones that is at least 75 percent of the increase in  
32   housing units allowed in single-family zones if the specific  
33   provisions of this act were adopted;

34       (ii) Allow for middle housing throughout the city, rather than  
35   just in targeted locations; and

36       (iii) Allow for additional density near major transit stops, and  
37   for projects that incorporate dedicated affordable housing.

38       (c) The department may also approve actions under this section  
39   for cities that have, by January 1, 2023, adopted a comprehensive  
40   plan or development regulations that have significantly reduced or

1 eliminated residentially zoned areas that are predominantly single  
2 family. The department must find that a city's actions are  
3 substantially similar to the requirements of this act if they have  
4 adopted, or within one year of the effective date of this section  
5 adopts, permanent development regulations that:

6 (i) Result in an overall increase in housing units allowed in  
7 single-family zones that is at least 75 percent of the increase in  
8 housing units allowed in single-family zones if the specific  
9 provisions of this act were adopted;

10 (ii) Allow for middle housing throughout the city, rather than  
11 just in targeted locations; and

12 (iii) Allow for additional density near major transit stops, and  
13 for projects that incorporate dedicated affordable housing.

14 (d) The department may determine that a comprehensive plan and  
15 development regulations that do not meet these criteria are otherwise  
16 substantially similar to the requirements of this act if the city can  
17 clearly demonstrate that the regulations adopted will allow for a  
18 greater increase in middle housing production within single family  
19 zones than would be allowed through implementation of section 3 of  
20 this act.

21 (e) Any local actions approved by the department pursuant to (a)  
22 of this subsection to implement the requirements under section 3 of  
23 this act are exempt from appeals under this chapter and chapter  
24 43.21C RCW.

25 (f) The department's final decision to approve or reject actions  
26 by cities implementing section 3 of this act may be appealed to the  
27 growth management hearings board by filing a petition as provided in  
28 RCW 36.70A.290.

29 (4) The department may issue guidance for local jurisdictions to  
30 ensure that the levels of middle housing zoning under this act can be  
31 integrated with the methods used by cities to calculate zoning  
32 densities and intensities in local zoning and development  
33 regulations.

34 NEW SECTION. **Sec. 5.** A new section is added to chapter 36.70A  
35 RCW to read as follows:

36 Any city choosing the alternative density requirements in section  
37 3(4) of this act may apply to the department for, and the department  
38 may certify, an extension for areas at risk of displacement as  
39 determined by the antidisplacement analysis that a jurisdiction is



1 required to complete under RCW 36.70A.070(2). The city must create a  
2 plan for implementing antidisplacement policies by their next  
3 implementation progress report required by RCW 36.70A.130(9). The  
4 department may certify one further extension based on evidence of  
5 significant ongoing displacement risk in the impacted area.

6 **Sec. 6.** RCW 36.70A.280 and 2011 c 360 s 17 are each amended to  
7 read as follows:

8 (1) The growth management hearings board shall hear and determine  
9 only those petitions alleging either:

10 (a) That, except as provided otherwise by this subsection, a  
11 state agency, county, or city planning under this chapter is not in  
12 compliance with the requirements of this chapter, chapter 90.58 RCW  
13 as it relates to the adoption of shoreline master programs or  
14 amendments thereto, or chapter 43.21C RCW as it relates to plans,  
15 development regulations, or amendments, adopted under RCW 36.70A.040  
16 or chapter 90.58 RCW. Nothing in this subsection authorizes the board  
17 to hear petitions alleging noncompliance with RCW 36.70A.5801;

18 (b) That the twenty-year growth management planning population  
19 projections adopted by the office of financial management pursuant to  
20 RCW 43.62.035 should be adjusted;

21 (c) That the approval of a work plan adopted under RCW  
22 36.70A.735(1)(a) is not in compliance with the requirements of the  
23 program established under RCW 36.70A.710;

24 (d) That regulations adopted under RCW 36.70A.735(1)(b) are not  
25 regionally applicable and cannot be adopted, wholly or partially, by  
26 another jurisdiction; ((or))

27 (e) That a department certification under RCW 36.70A.735(1)(c) is  
28 erroneous; or

29 (f) That the department's final decision to approve or reject  
30 actions by a city implementing section 3 of this act is clearly  
31 erroneous.

32 (2) A petition may be filed only by: (a) The state, or a county  
33 or city that plans under this chapter; (b) a person who has  
34 participated orally or in writing before the county or city regarding  
35 the matter on which a review is being requested; (c) a person who is  
36 certified by the governor within sixty days of filing the request  
37 with the board; or (d) a person qualified pursuant to RCW 34.05.530.

38 (3) For purposes of this section "person" means any individual,  
39 partnership, corporation, association, state agency, governmental

subdivision or unit thereof, or public or private organization or entity of any character.

(4) To establish participation standing under subsection (2)(b) of this section, a person must show that his or her participation before the county or city was reasonably related to the person's issue as presented to the board.

(5) When considering a possible adjustment to a growth management planning population projection prepared by the office of financial management, the board shall consider the implications of any such adjustment to the population forecast for the entire state.

The rationale for any adjustment that is adopted by the board must be documented and filed with the office of financial management within ten working days after adoption.

If adjusted by the board, a county growth management planning population projection shall only be used for the planning purposes set forth in this chapter and shall be known as the "board adjusted population projection." None of these changes shall affect the official state and county population forecasts prepared by the office of financial management, which shall continue to be used for state budget and planning purposes.

**NEW SECTION.** **Sec. 7.** A new section is added to chapter 36.70A RCW to read as follows:

(1) Any city choosing the alternative density requirements in section 3(4) of this act may apply to the department for, and the department may certify, an extension of the implementation timelines established under section 3(11) of this act.

(2) An extension certified under this section may be applied only to specific areas where a city can demonstrate that water, sewer, stormwater, transportation infrastructure, including facilities and transit services, or fire protection services lack capacity to accommodate the density required in section 3 of this act, and the city has:

(a) Included one or more improvements, as needed, within its capital facilities plan to adequately increase capacity; or

(b) Identified which special district is responsible for providing the necessary infrastructure if the infrastructure is provided by a special purpose district.

(3) If an extension of the implementation timelines is requested due to lack of water supply from the city or the purveyors who serve



1 water within the city, the department's evaluation of the extension  
2 must be based on the applicable water system plans in effect and  
3 approved by the department of health. Water system plan updates  
4 initiated after the effective date of this section must include  
5 consideration of water supply requirements for middle housing types.

6 (4) An extension granted under this section remains in effect  
7 until the earliest of:

8 (a) The infrastructure is improved to accommodate the capacity;

9 (b) The city's deadline to complete its next periodic  
10 comprehensive plan update under RCW 36.70A.130; or

11 (c) The city's deadline to complete its implementation progress  
12 report to the department as required under RCW 36.70A.130(9).

13 (5) A city that has received an extension under this section may  
14 reapply for any needed extension with its next periodic comprehensive  
15 plan update under RCW 36.70A.130 or its implementation progress  
16 report to the department under RCW 36.70A.130(9). The application for  
17 an additional extension must include a list of infrastructure  
18 improvements necessary to meet the capacity required in section 3 of  
19 this act. Such additional extension must only be to address  
20 infrastructure deficiency that a city is not reasonably able to  
21 address within the first extension.

22 (6) The department may establish by rule any standards or  
23 procedures necessary to implement this section.

24 (7) The department must provide the legislature with a list of  
25 projects identified in a city's capital facilities plan that were the  
26 basis for the extension under this section, including planning level  
27 estimates. Additionally, the city must contact special purpose  
28 districts to identify additional projects associated with extensions  
29 under this section.

30 (8) A city granted an extension for a specific area must allow  
31 development as provided under section 3 of this act if the developer  
32 commits to providing the necessary water, sewer, or stormwater  
33 infrastructure.

34 (9) If an area zoned predominantly for residential use is  
35 currently served only by private wells, group B water systems or  
36 group A water systems with less than 50 connections, or a city or  
37 water providers within the city do not have an adequate water supply  
38 or available connections to serve the zoning increase required under  
39 section 3 of this act, the city may limit the areas subject to the  
40 requirements under section 3 of this act to match current water

1 availability. Nothing in this act affects or modifies the  
2 responsibilities of cities to plan for or provide urban governmental  
3 services as defined in RCW 36.70A.030 or affordable housing as  
4 required by RCW 36.70A.070.

5 (10) No city shall approve a building permit for housing under  
6 section 3 of this act without compliance with the adequate water  
7 supply requirements of RCW 19.27.097.

8 (11) If an area zoned predominantly for residential use is  
9 currently served only by on-site sewage systems, development may be  
10 limited to two units per lot, until either the landowner or local  
11 government provides sewer service or demonstrates a sewer system will  
12 serve the development at the time of construction. Nothing in this  
13 act affects or modifies the responsibilities of cities to plan for or  
14 provide urban governmental services as defined in RCW 36.70A.030.

15 **Sec. 8.** RCW 43.21C.495 and 2022 c 246 s 3 are each amended to  
16 read as follows:

17 (1) Adoption of ordinances, development regulations and  
18 amendments to such regulations, and other nonproject actions taken by  
19 a city to implement: The actions specified in section 2, chapter 246,  
20 Laws of 2022 unless the adoption of such ordinances, development  
21 regulations and amendments to such regulations, or other nonproject  
22 actions has a probable significant adverse impact on fish habitat;  
23 and the increased residential building capacity actions identified in  
24 RCW 36.70A.600(1), with the exception of the action specified in RCW  
25 36.70A.600(1)(f), are not subject to administrative or judicial  
26 appeals under this chapter.

27 (2) Amendments to development regulations and other nonproject  
28 actions taken by a city to implement the requirements under section 3  
29 of this act pursuant to section 4(3)(b) of this act are not subject  
30 to administrative or judicial appeals under this chapter.

31 **Sec. 9.** RCW 43.21C.450 and 2012 1st sp.s. c 1 s 307 are each  
32 amended to read as follows:

33 The following nonproject actions are categorically exempt from  
34 the requirements of this chapter:

35 (1) Amendments to development regulations that are required to  
36 ensure consistency with an adopted comprehensive plan pursuant to RCW  
37 36.70A.040, where the comprehensive plan was previously subjected to  
38 environmental review pursuant to this chapter and the impacts



1 associated with the proposed regulation were specifically addressed  
2 in the prior environmental review;

3 (2) Amendments to development regulations that are required to  
4 ensure consistency with a shoreline master program approved pursuant  
5 to RCW 90.58.090, where the shoreline master program was previously  
6 subjected to environmental review pursuant to this chapter and the  
7 impacts associated with the proposed regulation were specifically  
8 addressed in the prior environmental review;

9 (3) Amendments to development regulations that, upon  
10 implementation of a project action, will provide increased  
11 environmental protection, limited to the following:

12 (a) Increased protections for critical areas, such as enhanced  
13 buffers or setbacks;

14 (b) Increased vegetation retention or decreased impervious  
15 surface areas in shoreline jurisdiction; and

16 (c) Increased vegetation retention or decreased impervious  
17 surface areas in critical areas;

18 (4) Amendments to technical codes adopted by a county, city, or  
19 town to ensure consistency with minimum standards contained in state  
20 law, including the following:

21 (a) Building codes required by chapter 19.27 RCW;

22 (b) Energy codes required by chapter 19.27A RCW; and

23 (c) Electrical codes required by chapter 19.28 RCW.

24 (5) Amendments to development regulations to remove requirements  
25 for parking from development proposed to fill in an urban growth area  
26 designated according to RCW 36.70A.110.

27 NEW SECTION. Sec. 10. A new section is added to chapter 64.34  
28 RCW to read as follows:

29 A declaration created after the effective date of this section  
30 and applicable to an area within a city subject to the middle housing  
31 requirements in section 3 of this act may not actively or effectively  
32 prohibit the construction, development, or use of additional housing  
33 units as required in section 3 of this act.

34 NEW SECTION. Sec. 11. A new section is added to chapter 64.32  
35 RCW to read as follows:

36 A declaration created after the effective date of this section  
37 and applicable to an association of apartment owners located within  
38 an area of a city subject to the middle housing requirements in

1 section 3 of this act may not actively or effectively prohibit the  
2 construction, development, or use of additional housing units as  
3 required in section 3 of this act.

4 NEW SECTION. **Sec. 12.** A new section is added to chapter 64.38  
5 RCW to read as follows:

6 Governing documents of associations within cities subject to the  
7 middle housing requirements in section 3 of this act that are created  
8 after the effective date of this section may not actively or  
9 effectively prohibit the construction, development, or use of  
10 additional housing units as required in section 3 of this act.

11 NEW SECTION. **Sec. 13.** A new section is added to chapter 64.90  
12 RCW to read as follows:

13 Declarations and governing documents of a common interest  
14 community within cities subject to the middle housing requirements in  
15 section 3 of this act that are created after the effective date of  
16 this section may not actively or effectively prohibit the  
17 construction, development, or use of additional housing units as  
18 required in section 3 of this act.

19 NEW SECTION. **Sec. 14.** The department of commerce may establish  
20 by rule any standards or procedures necessary to implement sections 2  
21 through 7 of this act.

22 NEW SECTION. **Sec. 15.** If specific funding for the purposes of  
23 this act, referencing this act by bill or chapter number, is not  
24 provided by June 30, 2023, in the omnibus appropriations act, this  
25 act is null and void.

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