



SELAH CITY COUNCIL

December 12, 2023

5:30 p.m. – Regular Scheduled Meeting

Significant items on the Agenda – such as Consent Agenda Items, 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: December 12, 2023
5:30 p.m.: Regular Meeting

| | |
|---------------------------------------|--|
| 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 |

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

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**
- 4) **Pledge of Allegiance**
- 5) **Invocation with Tom Morris from Calvary Church of 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. Samantha Groth, Broadway Bound (11 E. 1st Ave Suite 3&4, Selah)
- 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 November 28, 2023 Council Meeting
- B. Dale Novobielski * Approval of Claims & Payroll
- C. Jennifer Leslie * Review of Planning Commission meeting minutes from November 7, 2023 meeting.
- *13-A. Jeff Peters Resolution Authorizing the Mayor to Sign a Fifteen-Page Interagency Agreement with the Department of Commerce to Enable the City to Receive a Middle Housing Grant, and also Authorizing City Staff to Execute a Task Order Amending the City's Contract with Beckwith Consulting Group to be Consistent with the Middle Housing Grant
- *13-B. Rob Case Resolution Authorizing the Mayor of Selah to Sign a Six-Page Telecommunications Franchise Agreement with Consolidated Communications of Washington Company, LLC, that Grants a Nonexclusive Franchise for Telecommunications Facilities
- *13-C. Rocky Wallace Resolution Authorizing the Mayor to Sign a Five-Page Washington State Transportation Improvement Board Fuel Tax Grant Agreement 8-4-182(008)-1, Pertaining to the City's East Goodlander Road / Lancaster Road Traffic Signal Project
- *13-D. Rocky Wallace Resolution Authorizing the Mayor and Clerk/Treasurer to Sign a One-Page Washington State Transportation Improvement Board Project Funding Status Form, Pertaining to the City's East Goodlander Road / Lancaster Road Traffic Signal Project
- *13-E. Rob Case Resolution Authorizing the Mayor to Sign a Brokerage Agreement with Central Washington Insurance Agency, Inc.

*14-D. Dale Ordinance Amending the 2023 Budget for Miscellaneous
Novobielski Adjustments

11) **Public Hearings**

- A. Open-Record Public Hearing, to Consider Amending Selah Municipal Code (SMC) Section 10.34.120 Regarding a Downtown Parking Exempt Area, and, also, Adopting a New SMC Section 10.34.125 Regarding Electric Vehicle Charging Stations.

Ordinance #14-A. *RELOCATED* Ordinance Amending Section 10.34.120 of the Selah Municipal Code, regarding a Downtown Parking Exempt Area; Adopting a New Section 10.34.125 of the Selah Municipal Code, Regarding Electric Vehicle Charging Stations; Providing for Severability; Authorizing Corrections; Directing Transmittal to the State; and Directing Publication and Establishing an Effective Date

12) **General Business**

A. New Business

- i. Recognition of Outgoing Council Members and Mayor Raymond
- ii. Retirement Recognition for Joe Henne after 34 years of service with the City of Selah
- iii. Retirement Recognition for Dale Novobielski after 27 years of service with the City of Selah
- iv. Swearing-In Ceremony for Newly Elected Council Members and Mayor
- v. Retaining One or More Replacement Janitorial Providers as Of or Near January 1, 2024

B. Old Business – None

13) **Resolutions**

F. Dale Resolution Revising Rates for 2024 Sewer Utility Services
Novobielski

G. Dale Resolution Revising Rates for 2024 Solid Waste Utility Services
Novobielski

H. Dale Resolution Revising Rates for 2024 Water Utility Services
Novobielski

14) **Ordinances**

A. → Relocated (See Public Hearings)

B. Rob Case Ordinance Establishing the 2024 Base Salary and Wage Schedule for Unrepresented (a/k/a Non-Union) Positions

- C. Dale Ordinance Adopting the Budget for the City of Selah,
Novobielski Washington for the Year Ending December 31, 2024

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

16) **Executive Session – 30 Minutes**

- A. RCW 42.30.110(1)(b) - Regarding the acquisition of real estate

17) **Closed Session – 30 Minutes**

- A. RCW 42.30.140(4)(b) – Regarding collective bargaining negotiations

18) **Adjournment**

Next Regular Meeting: January 9, 2023 at 5:30 p.m.



Selah City Council
Regular Meeting
AGENDA ITEM SUMMARY

Meeting Date: 12/12/2023

Agenda Number: 10-A*

Action Item

Title: Approval of Meeting Minutes from November 28, 2023 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 Meeting Minutes
November 28, 2023

Call to Order: Mayor Raymond called the meeting to order at 5:30 p.m.

Roll Call

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

Staff Present: Joe Henne, City Administrator; Rob Case, City Attorney; Daniel Christman, Police Chief; James Lange, Fire Chief; Rocky Wallace, Public Works Director; Dale Novobielski, City Clerk/Treasurer; Jeff Peters, Community Development Supervisor; Zack Schab, Recreation Director, and Treesa Morales, Executive Secretary.

Pledge of Allegiance was said by all in attendance

Invocation

Pastor Mark Williams from United Methodist Church provided prayer

Comments from the public

Mayor Raymond read the stipulations of the rules for public comments.

Audience member Jeni Rice, owner of Explore Your Wild, gave council an update on the past year and their projections and plans for the upcoming year. Ms. Rice provided a handout to council. After two minutes, the timer sounded and Councilmember Bell made a motion to allow two more minutes to Ms. Rice to complete her presentation. Councilmember Carlson seconded. Mayor Raymond called for a voice vote. All members agreed. Motion granted. Ms. Rice finished her presentation.

Audience member Katrina Henkle from the Selah Downtown Association approached the podium and provided an update on the upcoming SDA events.

Announcement of changes, if any, from previously-published Agenda

Mayor Raymond announced to Council that though there were not changes to the agenda, she noted that the Resolution listed on the consent agenda was noted as 14-A when it should be listed as 13-A.

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

Mayor Raymond presented the stipulations of the Consent Agenda. Councilmember Carlson moved to approve the Consent Agenda as presented. Councilmember Costello seconded. Mayor

Raymond restated the motion and asked council for discussion. Hearing none, Mayor Raymond requested a voice vote to approve the motion. By voice vote motion carries.

Mrs. Morales read the Consent Agenda:

- A. Treesa Morales Approval of Minutes: November 14, 2023 Study Session and Council Meeting
- B. Dale Novobielski Approval of Claims and Payroll:
Payroll Checks No. 85859-85936 for a total of \$761,200.69
Claim Checks No. 180709-180840 for a total of \$617,484.89
- 13-A. Rocky Wallace *13-A. Resolution Authorizing Public Works to Surplus Used Water Service Meters Related to the City's Water Service Meter Project

Councilmember Carlson moved to add an executive session to the end of the meeting, under RCW 42.30.110(1)(b) regarding the acquisition of real estate. Councilmember Costello seconded. Mayor Raymond asked for any discussion. Hearing none, Mayor Raymond asked for a voice vote. All members agreed. Motion carries.

Mayor Raymond returned to the agenda and introduced the Resolution 13-B.

Resolutions

13-B. Resolution Directing City Staff to Publish an Underlying Proposed Resolution in the City's Designated Official Newspaper as Notice of the City's Intent to Grant a Nonexclusive Franchise for Telecommunications Facilities to Consolidated Communications of Washington Company, LLC, on December 12, 2023

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

Council Member Wickenhagen moved to approve the Resolution. Council Member Peterson Seconded. Mayor Raymond restated the motion and asked Council for discussion.

Councilmember Carlson asked if there was a limit as to how much could be installed on one pole? Mr. Case responded that entities are allowed to locate or co-locate and that there can be multiple units as long as they don't interfere with each other.

Councilmember Wickenhagen told Mr. Carlson that Pacific Power has strict guidelines as to what and who can add items to their poles. Mr. Carlson asked if the City could adopt something similar? Mr. Case asked in what way? Mr. Carlson said with regards to spacing on limiting the number of items on one pole. Mr. Case said he was not sure and he would have to look into it, but that currently the standard is for successful operability.

Hearing no further discussion, Mayor Raymond requested roll call. Mrs. Morales called roll: Councilmember Marquis – yes; Councilmember Bell – yes; Councilmember Costello – yes; Councilmember Carlson – yes; Councilmember Iverson – yes; Councilmember Wickenhagen – yes; Councilmember Peterson – yes. Vote passes unanimously. Motion carries.

Ordinances

14-A. Ordinance to Establish the Amount of Taxes to be Levied Upon Real & Personal Property in the City of Selah, Yakima County, Washington, and Fixing the Tax Levy for the Year 2024

Council Member Peterson moved to approve the Ordinance as presented. Council Member Wickenhagen seconded the motion. Mayor Raymond restated the motion and asked Council for discussion. Hearing no discussion, Mayor Raymond requested roll call. Mrs. Morales called roll: Councilmember Marquis – yes; Councilmember Bell – yes; Councilmember Costello – yes; Councilmember Carlson – yes; Councilmember Iverson – yes; Councilmember Wickenhagen – yes; Councilmember Peterson – yes. Vote passes unanimously. Motion carries.

Reports/Announcements

Departments

- Fire Department – Deputy Chief Willis gave a department report
- Police Department – Chief Christman gave a department report
- Planning Department – Jeff Peters gave a department report
- Public Works – Rocky Wallace gave a department report
- Finance – Dale Novobielski gave a department report

Councilmembers

- Councilmember Bell announced the Selah High School is having a DECCA competition on January 8th and encouraged everyone to attend.
- Councilmember Wickenhagen discussed his attendance at the Yakima Valley Tourism meeting, stating that they are seeing a slight increase in tourism revenue, and they made an excellent video highlighting the Yakima Valley to hopefully promote more tourism next year.

Mayor Raymond referenced her recent attendance at the Valley Mayor's Meeting, explaining a representative from Washington State Department of Transportation was there, and reminded all in attendance that the Vantage bridge project was set to start next spring and would be going on for three years.

Mayor Raymond announced that the Council would take a 5-minute break and then go into an Executive Session according to RCW 42.30.110(1)(b) - Regarding the acquisition of real estate. Mayor Raymond stated that Council would return to the record at 7:00 p.m.

6:15 p.m. Council went into the Executive Session

7:00 p.m. Council returned to the regular meeting. Mayor Raymond stated that no vote was taken and no decisions were made in the Executive Session.

Mayor Raymond announced that the council would return to executive session per RCW 42.30.110(1)(b) regarding the acquisition of real estate for 20 minutes and return to the record at 7:20 p.m.

7:02 p.m. Council went into the Executive Session

7:20 p.m. Council returned to the record.

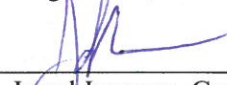
Adjournment

Councilmember Carlson moved to adjourn the meeting. Councilmember Marquis seconded. By voice vote, motion carries.

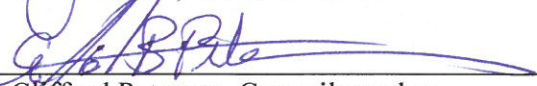
Meeting ended at 7:21 p.m.



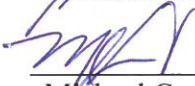
Roger Bell, Councilmember



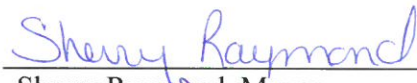
Jared Iverson, Councilmember



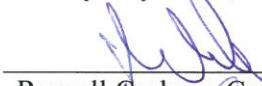
Clifford Peterson, Councilmember



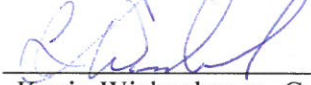
Michael Costello, Councilmember



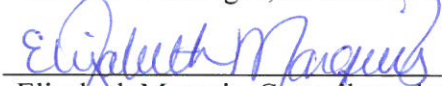
Sherry Raymond, Mayor



Russell Carlson, Councilmember




Kevin Wickenhagen, Councilmember



Elizabeth Marquis, Councilmember

ATTEST:



Dale Novobielski, Clerk/Treasurer



Selah City Council
Regular Meeting
AGENDA ITEM SUMMARY

Meeting Date: 12/12/2023

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: 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



Selah City Council
Regular Meeting
AGENDA ITEM SUMMARY

Meeting Date: 12/12/2023

Agenda Number: 10-C*

Informational Item

Title: Minutes from November 07, 2023 Planning Commission Meeting

From: Jennifer Leslie, Building Permit Technician

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
November 07, 2023

A. Call to Order

Chairman Smith calls the meeting to order at 5:32 pm.

B. Roll Call

Members Present: Chairman Smith, Vice Chair Apodaca, Commissioners: Graf, Elliott and Chandler.

Members Absent: None.

Staff Present: Jeff Peters, City Planner.

Guest: Tom Beckwith on Zoom.

C. Agenda Changes

D. Communications

1. Oral - None

2. Written - None

E. Approval of Minutes

1. Approval of minutes from October 18, 2023

Chairman Smith motions to approve the minutes from the October 18, 2023 meeting.

Commissioner Graf seconds.

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

F. Public Hearings

G. General Business

1. Old Business - None

2. New Business -

Mr. Peters explains that Tom Beckwith with Beckwith Consulting will go over the final draft of the City of Selah Housing Action Plan in his PowerPoint presentation.

Tom Beckwith presents a PowerPoint for the City of Selah Housing Action Plan Final Implementation Plan.

Discussion takes place.

H. Reports/Announcements

1. Chairman - None
2. Commissioners - None
3. Staff -

Mr. Peters states the Public Hearing for changes to the City of Selah Title 10 Parking Standards and EV Charging Stations will be on November 21, 2023.

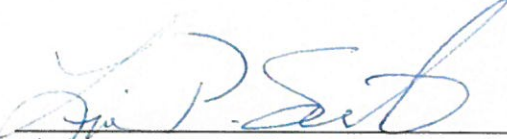
H. Adjournment

Chairman Smith asks for a motion to adjourn.

Commissioner Elliott motions to adjourn.

Commissioner Chandler seconds.

Chairman Smith adjourns the meeting at 7:18pm with a voice vote of 5-0.


Chairman, Lisa Smith



Selah City Council
Regular Meeting
AGENDA ITEM SUMMARY

Meeting Date: 12/12/2023

Agenda Number: 11-A

Action Item

Action: Open-Record Public Hearing, to Consider Amending Selah Municipal Code (SMC) Section 10.34.120 Regarding a Downtown Parking Exempt Area, and, also, Adopting a New SMC Section 10.34.125 Regarding Electric Vehicle Charging Stations

From: Jeff Peters, Community Development Supervisor

Action Requested: Public Hearing - Open Record

Staff Recommendation: Hold the required public hearing and receive any written and/or oral input from the public. (Thereafter, consider whether to pass the proposed Ordinance that is separately submitted.)

Board/Commission Recommendation: Approval

Fiscal Impact: N/A

Funding Source: N/A

Background/Findings/Facts: At the City Council meeting on October 10, 2023, the owner of a business property situated just outside of the City's currently-existing Downtown Parking Exempt Area petitioned to enlarge the Downtown Parking Exempt Area so as to include parcels fronting the south side of Each Naches Avenue between South First Street and Jim Clements Way. The City Council expressed a general willingness to likely expand the area as requested.

Thereafter, City staff drafted proposed amendments to SMC Chapter 10.34 that, if later enacted, would effectuate the enlargement, and, on a related issue, also would specify where electric vehicle charging stations can be installed. Those proposed amendments were considered by the City's Planning Commission during a study session on October 24, 2023, and also during a public hearing on November 21, 2023. Ultimately, the Planning Commission recommended that the proposed amendments be enacted.

In anticipation of today's City Council meeting, City staff revised its prior draft. However, the revised draft makes only formatting, numbering, organization and language changes from the prior draft; the operative effect – specifically, how and where the Downtown Parking Exempt Area would be enlarged, and how and where electric vehicle charging stations can be installed – has not been changed from the prior draft.

All of the proposed amendments are shown in editing marks on the separately-submitted proposed Ordinance, which proposed Ordinance the City Council should consider following conclusion of the instant open-record public hearing.

Recommended Motion: None.

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: |
|--------------|--|
| 10/24/2023 | Planning Commission Study Session |
| 10/27/2023 | Notice of Amendments Public Hearing and Legal Notice |
| 11/21/2023 | Planning Commission Public Hearing |
| 11/19/2023 | Notice of City Council Public Hearing |

Selah City Council Hearing Packet
for
Selah Municipal Code Amendments to 10.34 Parking Exempt Area & EV
Charging Station Code Amendments
SEPA-2023-003

List of Exhibits

| <u>Item</u> | <u>Exhibit</u> |
|---|-----------------------|
| Staff Report & Recommendation | |
| City of Selah Planning Commission Recommendation | 1A |
| Staff Report, Facts and Findings | 1B |
| Applications: | |
| State Environmental Policy Act Checklist (SEPA) | 2A |
| Draft Development Regulation Changes Parking Exempt & EV Charging Stations | 2B |
| Public Comments: | |
| Lisa Gordon Written Comments on proposed zoning amendments, October 31, 2023 | 3A |
| Environmental Decisions: | |
| City of Selah Determination of Nonsignificance | 4A |
| Public Notices: | |
| Notice of Environmental Review, Application, Public Comment & Planning Commission Public Hearing | 5A |
| Affidavit of Publication – Legal Add | 5B |
| Affidavit of Mailing - Notice of Environmental Review, Application, Public Comment & Planning Commission Public Hearing | 5C |
| Notice of City Council Public Hearing – Legal Add | 5D |
| Affidavit of Publication City Council Public Hearing – Legal Add | 5E |

SELAH PLANNING COMMISSION
RECOMMENDATION TO THE SELAH CITY COUNCIL
FOR
AMENDEMENTS TO
SELAH MUNICIPAL CODE CHAPTER 10.34 PARKING REGULATIONS

WHEREAS

The City of Selah, hereafter referred to as the "City" pursuant to RCW 36.70A.040 is required to plan under the provisions of the Growth Management Act; and

WHEREAS

Pursuant to RCW 36.70A.130(1) the City is required to take legislative action to review and revise its development regulations in accordance with the Growth Management Act; and,

WHEREAS

Pursuant to RCW 36.70A.020, goals are set forth to guide the development and adoption of comprehensive plans and adoption of development regulations; and

WHEREAS

Selah Municipal Code Title 10 contains zoning and subdivision regulations that govern the City's administrative procedures for development actions; and,

WHEREAS

The City of Selah last amended its parking regulations in 2004; and,

WHEREAS

The City of Selah Planning Commission conducted one study session on the draft parking and charging station amendments on October 24, 2023; and,

WHEREAS

Environmental Review was conducted under the State Environmental Policy Act (SEPA). A Determination of Nonsignificance (DNS) was issued on November 10, 2023.

WHEREAS

Public notice of the public hearing was published in the official newspaper of the City and sent to all parties who expressed interest in the development regulations through the public review and SEPA processes on October 27, 2023; and,

WHEREAS

At its November 21, 2023, public hearing, the Selah Planning Commission heard the staff presentation regarding the proposed development regulation amendments, took public testimony, and recommended approval of the proposed amendments; and,



Now therefore, the Selah Planning Commission presents the following findings and recommendations to the Selah City Council:

Based upon a review of the information contained in the staff report, exhibits, testimony and other evidence presented at an open record public hearing held on November 21, 2023, the Planning Commission makes the following:

PURPOSE AND DESCRIPTION OF PROPOSED AMENDMENTS:

At the October 10, 2023, Council meeting, a business owner with property located just outside of the City's Parking Exempt Area petitioned the City Council to expand the parking exempt area to the area depicted upon the attached maps which the council affirmed. The business owners' reason for the request is to remove the requirement for businesses, and existing and future buildings in the affected area to have to provide off-street parking, thus increasing the redevelopment potential for properties on the south side of E. Naches Ave.

The second amendment is the allowance of Electric Vehicle Charging Stations in all commercial and industrial zoning districts, and public and private parking lots. The state of Washington requires that all cities in the state not prohibit vehicle charging stations and allow them wherever gas stations are allowed within the city. The City of Selah does not prohibit or disallow vehicle charging stations, however they are not specifically permitted in the city code either. Therefore, this amendment will permit and codify where EV Charging Stations are allowed throughout the city based upon zoning district.

FINDINGS OF FACT

1. The City of Selah Planning Commission conducted one study session on the draft parking and EV Charging Station amendments on October 24, 2023; and,
2. Environmental Review was conducted under the State Environmental Policy Act (SEPA). A Determination of Nonsignificance (DNS) was issued on November 10, 2023.
3. Public notice of the public hearing was published in the official newspaper a minimum of 10-days prior to the Planning Commission's public hearing on October 27, 2023.
4. On October 31, 2023, the City of Selah Planning Department received one public comment letter in support of the draft parking amendments.
5. During the public hearing 1 members of the public spoke on the proposed amendments when the Planning Commission Chair opened the hearing for public comment.
6. The Planning Commission considered the proposed development regulation amendments and public comments at the public hearing on November 21, 2023.

7. The Planning Commission found that the expansion of the parking exempt area will increase the redevelopment potential for properties on the south side of E. Naches Ave., and should not negatively impact surrounding businesses.
8. The Planning Commission also found that the allowance of Electric Vehicle Charging Stations in all commercial and industrial zoning districts, and public and private parking lots will permit and codify where EV Charging Stations are allowed throughout the city based upon zoning district, and bring the city's codes more into conformance with state law.

CONCLUSIONS

1. The proposed development regulation revisions, of SMC Title 10.34 Off-Street Parking and Loading, meets the requirements of the Growth Management Act.
2. The proposed parking and EV Charging Stations amendments are consistent with and implement the Comprehensive Plan, and are consistent with the Growth Management Act and other requirements of state law.
3. The public hearing was duly advertised in accordance with state and local law.
4. All members of the public were given an opportunity to comment in writing, and verbally during the open record public hearing.
5. The public use and interest will be served by adopting the proposed amendments.

MOTION

Based on the testimony and evidence presented during the public hearing, I move that the Planning Commission adopt the findings of fact and order that the draft ordinance dated November 21, 2023 be forwarded to the Selah City Council with a recommendation of approval of the proposed amendments to Chapter 10.34 Off-Street Parking and Loading of the Selah Municipal Code.

Having made the above Findings of Fact and Conclusions, the Planning Commission hereby renders its

RECOMMENDATION TO THE CITY COUNCIL

The Planning Commission of the City of Selah, having received and considered all evidence and testimony presented at the public hearing and having received and reviewed the record herein,

hereby recommends that the draft ordinance pertaining to Chapters 10.34 Off-Street Parking and Loading of the Selah Municipal Code dated November 21, 2023 be forwarded to the Selah City Council with a recommendation of **Approval**.

RECOMMENDED this 21st day of November 2023.

By: 
Chair, Lisa Smith
Selah Planning Commission

CITY OF SELAH PLANNING COMMISSION
STAFF REPORT
November 13, 2023

TO: Selah Planning Commission

FROM: Jeff Peters, City Planner

SUBJECT: Selah Planning Commission consideration and public hearing of amendments to Selah Municipal Code (SMC) Title 10.34 Off-Street Parking and Loading.

FOR MEETING OF: November 21, 2023

PROPOSAL: Selah Planning Commission consideration and public hearing for amendments to Selah Municipal Code (SMC) Title 10.34 Off-Street Parking and Loading pertaining to the expansion of the City of Selah's Parking Exempt Area, and providing for the allowance of Electronic Vehicle (EV) Charging Stations in all zoning districts where gas stations are allowed, as well as within public and private parking lots, and Environmental Review of the amendments in their entirety.

STAFF RECOMMENDATION: The Selah Community Development and Planning Division recommends that the Planning Commission hold the required public hearing, take public input, revise the draft amendments as necessary and forward the Planning Commission's recommendation to the Selah City Council for final consideration.

PURPOSE AND DESCRIPTION OF THE PROPOSED AMENDMENTS: At the October 10, 2023, Council meeting, a business owner with property located just outside of the City's Parking Exempt Area petitioned the City Council to expand the parking exempt area to the area depicted upon the attached maps which the council affirmed. The business owners' reason for the request is to remove the requirement for businesses, and existing and future buildings in the affected area to have to provide off-street parking, thus increasing the redevelopment potential for properties on the south side of E. Naches Ave. Note: Expansion of the Parking Exempt Area does not affect any businesses or property owners right to provide private off-street parking stalls for their patrons or the right to limit or prohibit the use of said private parking stalls/lots.

The second amendment is the allowance of Electric Vehicle Charging Stations in all commercial and industrial zoning districts, and public and private parking lots. The state of Washington requires that all cities in the state not prohibit vehicle charging stations and allow them wherever gas stations are allowed within the city. The City of Selah does not prohibit or disallow vehicle charging stations, however they are not specifically permitted in the city code either. Therefore, this amendment will permit and codify where EV Charging Stations are allowed throughout the city based upon zoning district.



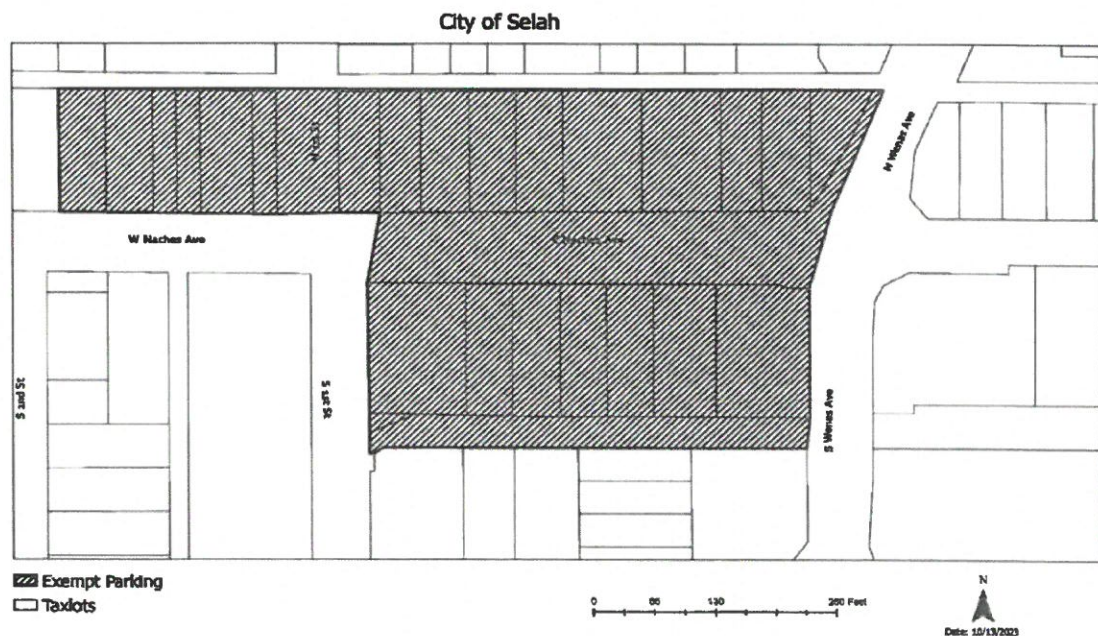
AFFECTED AREA FOR PARKING EXEMPT AREA EXPANSION: The geographic area starting from the north side of East Naches Ave., south to the south side of the city alley/parking lot (N. of E. 1st Ave.), and bounded by S. 1st St. on the west and S. Wenas Ave. on the east (see attached maps for existing and proposed parking areas).

AFFECTED TAX PARCEL NUMBERS FOR PARKING EXEMPT AREA: 181436-33039, 181436-33019, 181436-33018, 181436-33017, 181436-33016, 181436-33015, 181436-33014

MUNICIPAL CODES AMENDED:

10.34.120 Exemption Downtown Parking Exempt Area.

A portion of the ~~central business core~~ city's downtown Business, General (B-2) zoning district the shaded area depicted in Figure 34-1, is exempt from the provisions of this chapter relative to the number of off-street parking spaces required. All other requirements of this chapter shall apply to any off-street parking provided by a property owner or business.



10.34.125 Electric Vehicle Charging Stations.

A. Electric vehicle charging stations, as defined by RCW 36.70A.695(5), or as amended, shall be allowed as follows, except for on resource lands or in critical areas:

1. As an accessory use to an approved principal use in the B-1, B-2, and, M-1, zoning districts.

2. As a right-of-way use permit in public parking lots and/or on-street public parking areas.

ENVIRONMENTAL REVIEW (SEPA): Environmental Review was conducted under the State Environmental Policy Act (SEPA). A Determination of Nonsignificance (DNS) was issued on November 10, 2023.

PUBLIC NOTICE: Notice of Public Hearing and legal publication occurred in the Yakima Herald Republic on October 29, 2023, and was posted on the city's website greater than ten days prior to the Planning Commission hearing.

PUBLIC & AGENCY COMMENTS: As of the date of this report, one public comment was received on the proposed amendments.

CONCLUSIONS:

1. Pursuant to RCW 36.70A.040 the city is required to plan under the provisions of the Growth Management Act; and
2. Pursuant to RCW 36.70A.130(1) the City is required to take legislative action to review and revise its development regulations in accordance with the Growth Management Act; and,
3. Pursuant to RCW 36.70A.020, goals are set forth to guide the development and adoption of comprehensive plans and adoption of development regulations; and
4. Selah Municipal Code Title 10 contains zoning and subdivision regulations that govern the City's administrative procedures for development actions; and,
5. The City of Selah adopted its current Parking Exempt area in 2004 with no revision following adoption; and,
6. The public use and interest will be served.
7. Environmental Review for the proposed amendments was conducted under the State Environmental Policy Act (SEPA). A Determination of Nonsignificance (DNS) was issued on November 10, 2023. Additionally, no appeals were filed during the 5-day appeal period following issuance.
8. Public notice of the public hearing was published in the official newspaper a minimum of 10-days prior to the Planning Commission's public hearing.

RECOMMENDATION: Staff recommends **APPROVAL** and **ADOPTION** of the draft parking/charging amendments.



ENVIRONMENTAL CHECKLIST

STATE ENVIRONMENTAL POLICY ACT (SEPA)

RCW Chapter 43.21C

PURPOSE OF CHECKLIST

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

INSTRUCTIONS FOR APPLICANTS

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help you describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

USE OF CHECKLIST FOR NONPROJECT PROPOSALS

For non-project proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project", "applicant", and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B – Environmental Elements – that do not contribute meaningfully to the analysis of the proposal.

A. BACKGROUND INFORMATION (To be completed by the applicant.)

1. Name Of Proposed Project (If Applicable):

City of Selah amendments to SMC Ch. 10.34 Off-Street Parking and Loading - Parking Exempt Area & EV Charging Stations

2. Applicant's Name & Phone:

Jeff Peters, City of Selah Community Development Supervisor, (509)698-7372

3. Applicant's Address:

City of Selah Public Works 222 Rushmore Road, Selah, WA 98942

4. Contact Person & Phone:

Same as applicant.

5. Agency Requesting Checklist: City of Selah

6. Proposed Timing Or Schedule (Including Phasing, If Applicable):

N/A Non Project Action

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain:

None at this time.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal:

None.

EXHIBIT

tabbies

2A

A. BACKGROUND INFORMATION (To be completed by the applicant.)

- 9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain:**
None pending/ Non-Project Action.

- 10. List any government approvals or permits that will be needed for your proposal, if known:**
SEPA determination, City of Selah Planning Commission Public Hearing, and City Council Approval.

- 11. Give a brief, but complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.):**

At the October 10, 2023, Council meeting, a business owner with property just outside of the City's Parking Exempt Area petitioned the City Council to expand the parking exempt area to the area depicted upon the attached maps which the council affirmed. The business owners reason for the request is to remove the requirement for businesses, and existing and future buildings in the affected area to have to provide off-street parking, thus increasing the redevelopment potential for properties on the south side of E. Naches Ave. Note: Expansion of the Parking Exempt Area does not affect any businesses or property owners right to provide private off-street parking stalls for their patrons or the right to limit or prohibit the use of said private parking stalls/lots.

The second amendment is the addition of Electric Vehicle Charging Stations in all commercial and industrial zoning districts, and public and private parking lots. (See attached documents).

- 12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist:**
City Limits.

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)**EARTH**

1. General description of the site (✓ one):

☒ flat ☒ rolling ☒ hilly ☒ steep slopes ☒ mountainous ☐ other: _____

2. What is the steepest slope on the site (approximate percent slope)?

N/A Non-Project Action.

3. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

N/A Non-Project Action.

4. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

N/A Non-Project Action.

5. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

N/A Non-Project Action.

6. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

N/A Non-Project Action.

7. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

N/A Non-Project Action.

8. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

N/A Non-Project Action.

AIR

1. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

N/A Non-Project Action.

2. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

N/A Non-Project Action.

3. Proposed measures to reduce or control emissions or other impacts to air, if any:

N/A Non-Project Action.

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)**SURFACE WATER**

1. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

N/A Non-Project Action

2. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

N/A Non-Project Action

3. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

N/A Non-Project Action

4. Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

N/A Non-Project Action

5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

N/A Non-Project Action

6. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

N/A Non-Project Action

GROUND WATER

1. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

N/A Non-Project Action

2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

N/A Non-Project Action

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)**WATER RUNOFF (INCLUDING STORM WATER)**

1. Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

N/A Non-Project Action

2. Could waste materials enter ground or surface waters? If so, generally describe.

N/A Non-Project Action

3. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

N/A Non-Project Action

4. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

N/A Non-Project Action

PLANTS

1. Check (✓) types of vegetation found on the site:

Deciduous Trees:

☒ Alder

☒ Maple

☒ Aspen

☐ Other

Evergreen Trees:

☒ Fir

☒ Cedar

☒ Pine

☐ Other

Wet Soil Plants:

☒ Cattail

☒ Buttercup

☒ Bullrush

☒ Skunk Cabbage

☐ Other

Water Plants:

☒ Milfoil

☒ Eelgrass

☒ Water Lily

☐ Other

Other:

☒ Shrubs

☒ Grass

☒ Pasture

☒ Crop Or Grain

☒ Orchards, vineyards, or other permanent crops

☒ Other types of vegetation

2. What kind and amount of vegetation will be removed or altered?

N/A Non-Project Action

3. List threatened or endangered species known to be on or near the site.

N/A Non-Project Action

4. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

N/A Non-Project Action

5. List all noxious weeds and invasive species known to be on or near the site.

N/A Non-Project Action

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)**ANIMALS**

1. List any birds or other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other:

All of the above.

2. List any threatened or endangered species known to be on or near the site.

There are few threatened or endangered species known to live in or around the city limits of Selah; however this proposal does not involve any change to the land.

3. Is the site part of a migration route? If so, explain.

Migratory birds may use property within the City limits; however, this proposal does not involve any change to the land or habitat, and is considered a Non Project Action.

4. Proposed measures to preserve or enhance wildlife, if any:

N/A Non-Project Action

5. List any invasive animal species known to be on or near the site.

N/A Non-Project Action

ENERGY AND NATURAL RESOURCES

1. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

N/A Non-Project Action

2. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

N/A Non-Project Action

3. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

N/A Non-Project Action

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)**ENVIRONMENTAL HEALTH**

1. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

N/A Non-Project Action

2. Describe any known or possible contamination at the site from present or past uses.

N/A Non-Project Action

3. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

N/A Non-Project Action

4. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

N/A Non-Project Action

5. Describe special emergency services that might be required.

N/A Non-Project Action

6. Proposed measures to reduce or control environmental health hazards, if any:

N/A Non-Project Action

NOISE

1. What types of noise exist in the area, which may affect your project (for example: traffic, equipment, operation, other)?

N/A Non-Project Action

2. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

N/A Non-Project Action

3. Proposed measures to reduce or control noise impacts, if any:

N/A Non-Project Action

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

LAND AND SHORELINE USE

1. **What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.**

N/A Non-Project Action

2. **Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?**

Many of the properties within the City of Selah have been used for agriculture purposes in the past.

3. **Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:**

N/A Non-Project Action

4. **Describe any structures on the site.**

N/A Non-Project Action

5. **Will any structures be demolished? If so, what?**

N/A Non-Project Action

6. **What is the current zoning classification of the site?**

The zoning classifications in which the proposed uses could be allowed are B-1, B-2, and M-1.

7. **What is the current comprehensive plan designation of the site?**

The Future Land Use designations in which the proposed uses could be allowed are Commercial and Industrial.

8. **If applicable, what is the current shoreline master program designation of the site?**

N/A Non-Project Action

9. **Has any part of the site been classified as a critical area by the city or county? If so, specify.**

N/A Non-Project Action

10. **Approximately how many people would reside or work in the completed project?**

N/A Non-Project Action

11. **Approximately how many people would the completed project displace?**

N/A Non-Project Action

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)**LAND AND SHORELINE USE**

12. Proposed measures to avoid or reduce displacement impacts, if any.

N/A Non-Project Action

13. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

N/A Non-Project Action

14. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

N/A Non-Project Action

HOUSING

1. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

N/A Non-Project Action

2. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

N/A Non-Project Action

3. Proposed measures to reduce or control housing impacts, if any:

N/A Non-Project Action

AESTHETICS

1. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

N/A Non-Project Action

2. What views in the immediate vicinity would be altered or obstructed?

N/A Non-Project Action

3. Proposed measures to reduce or control aesthetic impacts, if any:

N/A Non-Project Action

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)**LIGHT AND GLARE**

1. What type of light or glare will the proposal produce? What time of day would it mainly occur?

N/A Non-Project Action

2. Could light or glare from the finished project be a safety hazard or interfere with views?

N/A Non-Project Action

3. What existing off-site sources of light or glare may affect your proposal?

N/A Non-Project Action

4. Proposed measures to reduce or control light and glare impacts, if any:

N/A Non-Project Action

RECREATION

1. What designated and informal recreational opportunities are in the immediate vicinity?

N/A Non-Project Action

2. Would the proposed project displace any existing recreational uses? If so, describe.

N/A Non-Project Action

3. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

N/A Non-Project Action

HISTORIC AND CULTURAL PRESERVATION

1. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

N/A Non-Project Action

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

HISTORIC AND CULTURAL PRESERVATION

2. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

N/A Non-Project Action

3. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

N/A Non-Project Action

TRANSPORTATION

1. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

N/A Non-Project Action

2. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

N/A Non-Project Action

3. How many parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

N/A Non-Project Action

4. Will the proposal require any new or improvements to existing roads, streets, pedestrian bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

N/A Non-Project Action

5. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

N/A Non-Project Action

6. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?

N/A Non-Project Action

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)**TRANSPORTATION**

7. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe:

N/A Non-Project Action

8. Proposed measures to reduce or control transportation impacts, if any:

N/A Non-Project Action

PUBLIC SERVICES

1. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe:

N/A Non-Project Action

2. Proposed measures to reduce or control direct impacts on public services, if any.

N/A Non-Project Action

UTILITIES

1. Check (✓) utilities currently available at the site:

☒ electricity ☒ natural gas ☒ water ☒ refuse service ☒ telephone

☒ sanitary sewer ☒ septic system ☐ other _____

2. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

N/A Non-Project Action

C. SIGNATURE (To be completed by the applicant.)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Jeffery R. Peters

10/26/2023

Property Owner or Agent Signature

Date Submitted

Jeffery R Peters

Community Development Supervisor

Name of Signee

Position and Agency/Organization

**PLEASE COMPLETE SECTION "D" ON THE NEXT PAGES
IF THERE IS NO PROJECT RELATED TO THIS ENVIRONMENTAL REVIEW**

D. SUPPLEMENTAL SECTION FOR NONPROJECT ACTIONS ONLY (to be completed by the applicant)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment. When answering these questions, be aware of the extent the proposal, or the types of activities that would likely result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposed ordinance changes will not affect how land uses discharge to water, emissions to the air, storage, or release of toxic or hazardous substances, or the production of noise.

Proposed measures to avoid or reduce such increases are:

As the proposal will not increase any of the above environmental conditions, no measures to avoid or reduce these conditions have been proposed.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposed ordinance changes should have a neutral effect on plants, animals, fish, or marine life, as the parking ordinance changes do not affect any Shoreline or Critical Area regulations, and will be compliant with federal and state law.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

The proposed ordinance changes should have a neutral effect on plants, animals, fish, or marine life. No protection measures proposed.

3. How would the proposal be likely to deplete energy or natural resources?

The proposed amendments do not involve regulations dealing with energy or natural resources.

Proposed measures to protect or conserve energy and natural resources are:

None proposed

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposed ordinance changes should have a neutral effect on environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplain, or prime farmlands as the parking ordinance amendments does not change any environmental regulations.

Proposed measures to protect such resources or to avoid or reduce impacts are:

None proposed.

D. SUPPLEMENTAL SECTION FOR NONPROJECT ACTIONS ONLY (to be completed by the applicant)

- 5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?**

The proposed ordinance changes should have a neutral effect on land and shoreline uses, as the parking ordinance will be compliant with federal and state law, and does not change any shoreline development regulations.

Proposed measures to avoid or reduce shoreline and land use impacts are:

None proposed.

- 6. How would the proposal be likely to increase demands on transportation or public services and utilities?**

No likely impacts.

Proposed measures to reduce or respond to such demand(s) are:

None proposed.

- 7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.**

The proposed amendments will not conflict with any local, state, or federal laws, or requirements for the protection of the environment, as the parking ordinance will be compliant with federal and state law.

10.34.120 Exemption.

A portion of the central business core, the shaded area in Figure 34-1, is exempt from the provisions of this chapter relative to the number of off-street parking spaces required. All other requirements of this chapter shall apply to any off-street parking provided by a property owner or business.



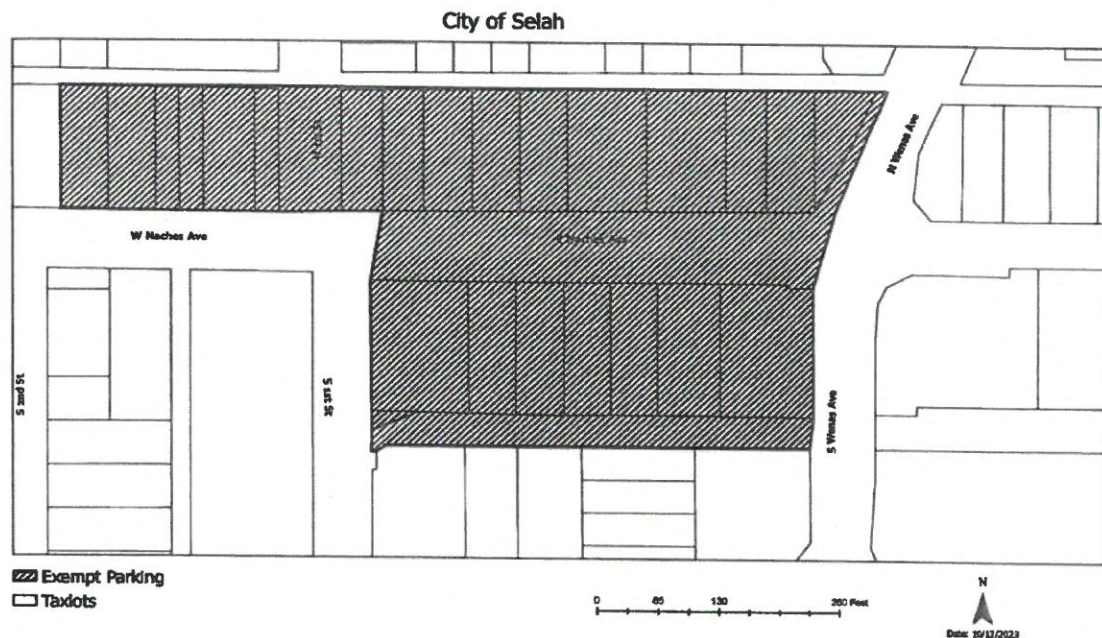
The Selah Municipal Code is current through Ordinance 2202, passed August 22, 2023.

EXHIBIT

2B

10.34.120 Downtown Parking Exempt Area.

A portion of the ~~central business core~~ city's downtown Business, General (B-2) zoning district ~~the shaded area depicted~~ in Figure 34-1, is exempt from the provisions of this chapter relative to the number of off-street parking spaces required. All other requirements of this chapter shall apply to any off-street parking provided by a property owner or business.



10.34.125 Electric Vehicle Charging Stations.

A. Electric vehicle charging stations, as defined by RCW [36.70A.695\(5\)](#), or as amended, shall be allowed as follows, except for on resource lands or in critical areas:

1. As an accessory use to an approved principal use in the B-1, B-2, and, M-1, zoning districts.
2. As a right-of-way use permit in public parking lots and/or on-street public parking areas.

Peters, Jeff

From: Lisa Gordon <davidlisa97@hotmail.com>
Sent: Tuesday, October 31, 2023 12:12 PM
To: Peters, Jeff; Leslie, Jennifer
Subject: SEPA 2023-003

Dear Jeff Peters,

Thank you for the opportunity to comment on the SEPA 2023-003 environmental review for the City of Selah. My family would like to express our support for this project. We own three commercial properties in the downtown area and welcome the extension of the parking exemption to fairly cover both sides of the street on East Naches Avenue. I will be at the November 21st hearing to make a statement of support and be available for questions if needed.

Kind Regards,

Lisa Gordon





CITY OF SELAH

Planning Department • 222 South Rushmore RD. • Selah, WA 98942 • Ph: (509) 698-7365 • www.selahwa.gov

Determination of Nonsignificance

Description of Proposal: Environmental Review for amendments to Selah Municipal Code (SMC) Title 10.34 Off-Street Parking and Loading pertaining to the expansion of the City of Selah's Parking Exempt Area, and providing for the allowance of Electronic Vehicle (EV) Charging Stations in all zoning districts where gas stations are allowed, as well as within public and private parking lots. (See Environmental Checklist SEPA-2023-003, and attached documents for further description).

Proponent: City of Selah
115 W. Naches Avenue
Selah, WA. 98942

Location of Proposal including street address, if any: City Limits

Lead Agency: City of Selah

City File Number: SEPA-2023-003

The lead agency for this proposal has determined that it will not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is being issued using the process in WAC 197-11-340. There is no further comment period.

Responsible Official: Joe Henne

Position / Title: City Administrator/SEPA Responsible Official

Signature: 

Date of Issuance: November 10, 2023

Appeals: You may appeal this determination to the Selah City Council by filing a written appeal with the required \$300.00 filing fee at the Selah Planning Department, 222 S. Rushmore Road no later than 5:00 p.m. on November 15, 2023. You should be prepared to make specific factual objections. Contact the Planning Department at 698-7365 to read or ask about the procedures for SEPA appeals.





CITY OF SELAH

Planning Department • 222 South Rushmore RD. • Selah, WA 98942 • Ph: (509) 698-7365 • www.selahwa.gov

CITY OF SELAH

NOTICE OF ENVIRONMENTAL REVIEW, PUBLIC COMMENT AND PLANNING COMMISSION PUBLIC HEARING

PROJECT DESCRIPTION

Notice of Application and Environmental Review for amendments to Selah Municipal Code (SMC) Title 10.34 Off-Street Parking and Loading pertaining to the expansion of the City of Selah's **Parking Exempt Area**, and providing for the **allowance of Electronic Vehicle (EV) Charging Stations** in all zoning districts where gas stations are allowed, as well as within public and private parking lots. (See Environmental Checklist SEPA-2023-003, and attached documents for further description.

Affected Area for Parking Exempt Area Expansion:

The geographic area starting from the north side of East Naches Ave., south to the south side of the city alley/parking lot (N. of E. 1st Ave.), and bounded by S. 1st St. on the west and S. Wenas Ave. on the east (see attached maps for existing and proposed parking areas).

Affected Tax Parcel Numbers for Parking Exempt Area:

181436-33039, 181436-33019, 181436-33018, 181436-33017, 181436-33016, 181436-33015, 181436-33014

Project Applicant: City of Selah, Community Development & Planning

File Numbers: SEPA 2023-003

Date of Application: October 25, 2023

Date of Determination of Completeness: October 26, 2023

ENVIRONMENTAL REVIEW

This is to notify all the public and private agencies with jurisdiction and environmental expertise that the City of Selah Community Development and Planning Department has been established as the lead agency, pursuant to the Washington State Environmental Policy Act (SEPA) for the above stated project. The City of Selah is presently inclined towards the issuance of a Determination of Non-Significance (DNS) on this project. WAC 197-11-340(2) is being used. **The City of Selah will not act on this proposal for 14-days.**

Comment due date: November 10, 2023

REQUEST FOR WRITTEN COMMENTS

Agencies, tribes, and the public are encouraged to review and comment on the proposed project and its probable environmental impacts. There is a 14-day comment period for this review. All written comments received by **November 10, 2023**, will be considered prior to issuing the final threshold determination on this application.

NOTICE OF DECISION

A copy of the SEPA threshold determination will be mailed to the parties, agencies, and those who provided public comment after the end of the 14-day public comment period.

Open Record Public Hearing

Notice is hereby given that on Tuesday, November 21, 2023, commencing at 5:30 P.M., or as soon thereafter as practical, the City of Selah Planning Commission will conduct an open record public hearing in the Council Chambers, Selah City Hall, 115 W. Naches Ave. Selah, WA regarding consideration of the above-described zoning amendments. All interested persons may appear and provide testimony on the application. At the conclusion of the public hearing the Planning Commission will consider the matter and issue a recommendation to the City Council for approval, approval with conditions, or denial of the of the proposed amendments.

The draft Parking Amendments and SEPA Checklist are available during regular business hours at the Planning Department at 222 South Rushmore Road, Selah, Washington 98942 or on the City of Selah's website at <https://selahwa.gov/planning/>. The staff report will be available approximately one week before the hearing. Contact the Planning Department with any questions.

Dated this 27th day of October 2023.

/s/

Jeff Peters, Community Development Supervisor



10.34.120 Exemption.

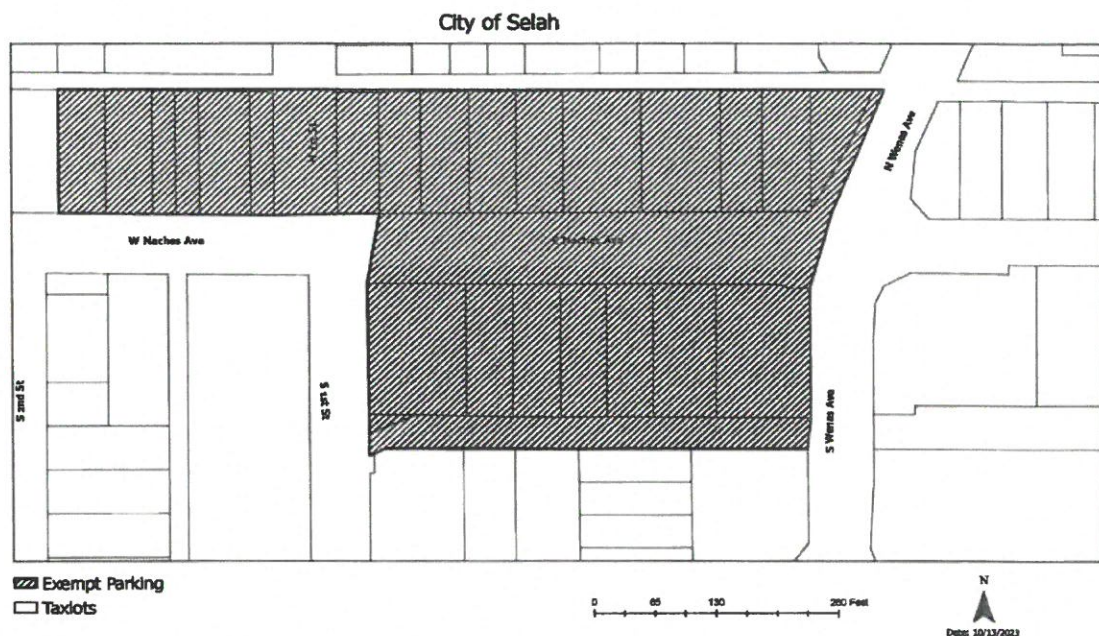
A portion of the central business core, the shaded area in Figure 34-1, is exempt from the provisions of this chapter relative to the number of off-street parking spaces required. All other requirements of this chapter shall apply to any off-street parking provided by a property owner or business.



The Selah Municipal Code is current through Ordinance 2202, passed August 22, 2023.

10.34.120 Downtown Parking Exempt Area.

A portion of the ~~central business core city's downtown Business, General (B-2) zoning district~~ the shaded area depicted in Figure 34-1, is exempt from the provisions of this chapter relative to the number of off-street parking spaces required. All other requirements of this chapter shall apply to any off-street parking provided by a property owner or business.



10.34.125 Electric Vehicle Charging Stations.

A. Electric vehicle charging stations, as defined by RCW 36.70A.695(5), or as amended, shall be allowed as follows, except for on resource lands or in critical areas:

1. As an accessory use to an approved principal use in the B-1, B-2, and, M-1, zoning districts.
2. As a right-of-way use permit in public parking lots and/or on-street public parking areas.

AFFIDAVIT OF PUBLICATION

Jeff Peters
City Of Selah
115 W Naches Avenue
Selah WA 98942

STATE OF WASHINGTON, COUNTIES OF YAKIMA

The undersigned, on oath states that he/she is an authorized representative of Yakima Herald-Republic, Inc., publisher of Yakima Herald-Republic and El Sol de Yakima, of general circulation published daily in Yakima County, State of Washington. Yakima Herald-Republic and El Sol de Yakima have been approved as legal newspapers by orders of the Superior Court of Yakima County.

The notice, in the exact form annexed, was published in the regular and entire issue of said paper or papers and distributed to its subscribers during all of the said period.

11/01/2023

Agent

JACKIE CHAPMAN

Signature

Jackie Chapman

Subscribed and sworn to before me on

November 2, 2023

Lisa M. Dwyer
(Notary Signature) Notary Public in and for the State of Washington, residing at Yakima

Publication Cost: \$220.50
Order No: 66270
Customer No: 23209
PO #:



Publication Cost: \$220.50
Order No: 66270
Customer No: 23209
PO #:

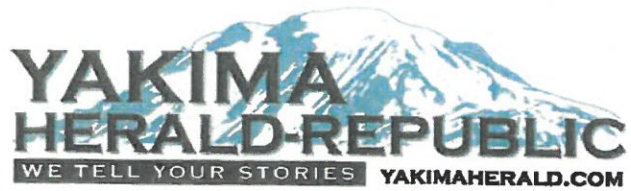
CITY OF SELAH NOTICE OF ENVIRONMENTAL REVIEW, PUBLIC COMMENT AND PLANNING COMMISSION PUBLIC HEARING: PROJECT DESCRIPTION: Notice of Application and Environmental Review for amendments to Selah Municipal Code (SMC) Title 10.34 Off-Street Parking and Loading pertaining to the expansion of the City of Selah's **Parking Exempt Area**, and providing for the **allowance of Electronic Vehicle (EV) Charging Stations** in all zoning districts where gas stations are allowed, as well as within public and private parking lots. (See Environmental Checklist SEPA-2023-003, and attached documents for further description).

Affected Area for Parking Exempt Area Expansion: The geographic area starting from the north side of East Naches Ave., south to the south side of the city alley/parking lot (N. of E. 1st Ave.), and bounded by S. 1st St. on the west and S. Wenas Ave. on the east (see attached maps for existing and proposed parking areas).

Affected Tax Parcel Numbers for Parking Exempt Area: 181436-33039, 181436-33019, 181436-33018, 181436-33017, 181436-33016, 181436-33015, 181436-33014: **Project Applicant:** City of Selah, Community Development & Planning; **File Numbers:** SEPA 2023-003; **Date of Application:** October 25, 2023; **Date of Determination of Completeness:** October 26, 2023; **ENVIRONMENTAL REVIEW:** This is to notify all the public and private agencies with jurisdiction and environmental expertise that the City of Selah Community Development and Planning Department has been established as the lead agency, pursuant to the Washington State Environmental Policy Act (SEPA) for the above stated project. The City of Selah is presently inclined towards the issuance of a Determination of Non-Significance (DNS) on this project. WAC 197-11-340(2) is being used. **The City of Selah will not act on this proposal for 14-days.** **Comment due date: November 10, 2023:** **REQUEST FOR WRITTEN COMMENTS:** Agencies, tribes, and the public are encouraged to review and comment on the proposed project and its probable environmental impacts. There is a 14-day comment period for this review. All written comments received by **November 10, 2023**, will be considered prior to issuing the final threshold determination on this application. **NOTICE OF DECISION:** A copy of the SEPA threshold determination will be mailed to the parties, agencies, and those who provided public comment after the end of the 14-day public comment period. **Open Record Public Hearing:** Notice is hereby given that on Tuesday, November 21, 2023, commencing at 5:30 P.M., or as soon thereafter as practical, the City of Selah Planning Commission will conduct an open record public hearing in the Council Chambers, Selah City Hall, 115 W. Naches Ave. Selah, WA regarding consideration of the above-described zoning amendments. All interested persons may appear and provide testimony on the application. At the conclusion of the public hearing the Planning Commission will consider the matter and issue a recommendation to the City Council for approval, approval with conditions, or denial of the of the proposed amendments. The draft Parking Amendments and SEPA Checklist are available during regular business hours at the Planning Department at 222 South Rushmore Road, Selah, Washington 98942 or on the City of Selah's website at <https://selahwa.gov/planning/>. The staff report will be available approximately one week before the hearing. Contact the Planning Department with any questions. Dated this 27th day of October 2023. /s/ Jeff Peters, Community Development Supervisor

(66270) November 1, 2023

Yakima Herald-Republic
PO Box 9668
Yakima, WA 98909



City Of Selah
Jeff Peters
115 W Naches Avenue
Selah, WA 98942
USA

Order Confirmation

| | |
|------------------|--|
| Order #: | 66181 |
| Order Ref #: | |
| Date: | 10/27/2023 |
| Advertiser #: | 23209 |
| Advertiser Name: | City Of Selah |
| Agency #: | |
| Agency Name: | |
| Account Manager: | Simon Sizer ssizer@yakimaherald.com |

\$ 220.50

| Ad No. | Date | Description | Position | Format |
|--------|------------|--|---|------------------------------|
| 375537 | 10/29/2023 | CITY OF SELAH NOTICE OF ENVIRONMENTAL REVIEW, PUBLIC COMMENT AND PLANNING COMMISSION PUBLIC HEARING: PROJECT DESCRIPTION: Notice | Yakima Herald Republic Broadsheet - CL-Legals | 3.46 x 7.91 in x 2.0000 col. |
| 375538 | 10/29/2023 | CITY OF SELAH NOTICE OF ENVIRONMENTAL REVIEW, PUBLIC COMMENT AND PLANNING COMMISSION PUBLIC HEARING: PROJECT DESCRIPTION: Notice | Yakima Herald Republic CL Online - CL-Legals | 3.46 x 7.91 in x 2.0000 col. |

Summary

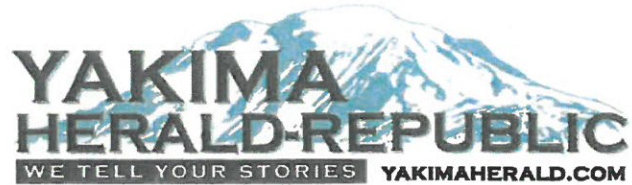
| | |
|------------------|-----------|
| Total Net Amount | \$ 220.50 |
| Taxes | \$ 0.00 |
| Total Amount | \$ 220.50 |

Remittance Address:

Yakima Herald-Republic
PO Box 9668
Yakima, WA 98909
Tel: (206) 464-2550

Yakima Herald-Republic

PO Box 9668
Yakima, WA 98909



Classified Category: Legals|Public Notices

CITY OF SELAH NOTICE OF ENVIRONMENTAL REVIEW, PUBLIC COMMENT AND PLANNING COMMISSION PUBLIC HEARING: PROJECT DESCRIPTION: Notice of Application and Environmental Review for amendments to Selah Municipal Code (SMC) Title 10.34 Off-Street Parking and Loading pertaining to the expansion of the City of Selah's **Parking Exempt Area**, and providing for the **allowance of Electronic Vehicle (EV) Charging Stations** in all zoning districts where gas stations are allowed, as well as within public and private parking lots. (See Environmental Checklist SEPA-2023-003, and attached documents for further description).
Affected Area for Parking Exempt Area Expansion: The geographic area starting from the north side of East Naches Ave., south to the south side of the city alley/parking lot (N. of E. 1st Ave.), and bounded by S. 1st St. on the west and S. Wenas Ave. on the east (see attached maps for existing and proposed parking areas).
Affected Tax Parcel Numbers for Parking Exempt Area: 181436-33039, 181436-33019, 181436-33018, 181436-33017, 181436-33016, 181436-33015, 181436-33014: **Project Applicant:** City of Selah, Community Development & Planning:
File Numbers: SEPA 2023-003: **Date of Application:** October 25, 2023: **Date of Determination of Completeness:** October 26, 2023: **ENVIRONMENTAL REVIEW:** This is to notify all the public and private agencies with jurisdiction and environmental expertise that the City of Selah Community Development and Planning Department has been established as the lead agency, pursuant to the Washington State Environmental Policy Act (SEPA) for the above stated project. The City of Selah is presently inclined towards the issuance of a Determination of Non-Significance (DNS) on this project. WAC 197-11-340(2) is being used. **The City of Selah will not act on this proposal for 14-days.: Comment due date: November 10, 2023:**
REQUEST FOR WRITTEN COMMENTS: Agencies, tribes, and the public are encouraged to review and comment on the proposed project and its probable environmental impacts. There is a 14-day comment period for this review. All written comments received by **November 10, 2023**, will be considered prior to issuing the final threshold determination on this application.: **NOTICE OF DECISION:** A copy of the SEPA threshold determination will be mailed to the parties, agencies, and those who provided public comment after the end of the 14-day public comment period.: **Open Record Public Hearing:** Notice is hereby given that on Tuesday, November 21, 2023, commencing at 5:30 P.M., or as soon thereafter as practical, the City of Selah Planning Commission will conduct an open record public hearing in the Council Chambers, Selah City Hall, 115 W. Naches Ave. Selah, WA regarding consideration of the above-described zoning amendments. All interested persons may appear and provide testimony on the application. At the conclusion of the public hearing the Planning Commission will consider the matter and issue a recommendation to the City Council for approval, approval with conditions, or denial of the of the proposed amendments. The draft Parking Amendments and SEPA Checklist are available during regular business hours at the Planning Department at 222 South Rushmore Road, Selah, Washington 98942 or on the City of Selah's website at <https://selahwa.gov/planning/>. The staff report will be available approximately one week before the hearing. Contact the Planning Department with any questions. Dated this 27nd day of October 2023. /s/ Jeff Peters, Community Development Supervisor

() October 29, 2023

DATE: October 27, 2023
TO: Simon Sizer—Yakima-Herald Republic
FROM: Jeff Peters, City Planner
SUBJECT: Notice of Environmental Review, Public Comment and Planning Commission Public Hearing
PUBLICATION DATE: Sunday, October 29, 2023

CITY OF SELAH NOTICE OF ENVIRONMENTAL REVIEW, PUBLIC COMMENT AND PLANNING COMMISSION PUBLIC HEARING: PROJECT DESCRIPTION: Notice of Application and Environmental

Review for amendments to Selah Municipal Code (SMC) Title 10.34 Off-Street Parking and Loading pertaining to the expansion of the City of Selah's **Parking Exempt Area**, and providing for the **allowance of Electronic Vehicle (EV) Charging Stations** in all zoning districts where gas stations are allowed, as well as within public and private parking lots. (See Environmental Checklist SEPA-2023-003, and attached documents for further description).

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33017, 181436-33016, 181436-33015, 181436-33014: **Project Applicant:** City of Selah, Community Development & Planning: **File Numbers:** SEPA 2023-003: **Date of Application:** October 25, 2023: **Date of Determination of**

Completeness: October 26, 2023: **ENVIRONMENTAL REVIEW:** This is to notify all the public and private agencies with jurisdiction and environmental expertise that the City of Selah Community Development and Planning Department has been established as the lead agency, pursuant to the Washington State Environmental Policy Act (SEPA) for the above stated project. The City of Selah is presently inclined towards the issuance of a Determination of Non- Significance (DNS) on this project. WAC 197-11-340(2) is being used. **The City of Selah will not act on this proposal for 14-days.: Comment due date: November 10, 2023: REQUEST FOR WRITTEN**

COMMENTS: Agencies, tribes, and the public are encouraged to review and comment on the proposed project and its probable environmental impacts. There is a 14-day comment period for this review. All written comments received by November 10, 2023, will be considered prior to issuing the final threshold determination on this application.: **NOTICE OF DECISION:** A copy of the SEPA threshold determination will be mailed to the parties, agencies, and those who provided public comment after the end of the 14-day public comment period.: **Open**

Record Public Hearing: Notice is hereby given that on Tuesday, November 21, 2023, commencing at 5:30 P.M., or as soon thereafter as practical, the City of Selah Planning Commission will conduct an open record public hearing in the Council Chambers, Selah City Hall, 115 W. Naches Ave. Selah, WA regarding consideration of the above-described zoning amendments. All interested persons may appear and provide testimony on the application. At the conclusion of the public hearing the Planning Commission will consider the matter and issue a recommendation to the City Council for approval, approval with conditions, or denial of the of the proposed amendments. The draft Parking Amendments and SEPA Checklist are available during regular business hours at the Planning Department at 222 South Rushmore Road, Selah, Washington 98942 or on the City of Selah's website at <https://selahwa.gov/planning/>. The staff report will be available approximately one week before the hearing. Contact the Planning Department with any questions. Dated this 27nd day of October 2023. /s/ Jeff Peters, Community Development Supervisor



**CITY OF SELAH
AFFIDAVIT OF MAILING**

**STATE OF WASHINGTON
COUNTY OF YAKIMA**

I, Jeff Peters, being first duly sworn on oath dispose and says:

I am an employee of the City of Selah, 222 South Rushmore Road, Selah, Washington; that I did on the 27rd day of October, 2023 caused to be mailed, 70 envelopes, containing a true and correct copy of the Notice of Application, Environmental Review, and Public Hearing SEPA-2023-003. Said envelopes mailed from Selah, WA with the correct first-class postage and addressed to all property owners within a 300-foot radius of the subject parking exempt area.

A listing of the persons to whom notice has been mailed is contained in file SEPA-2023-003.

Signed Jeff Peters

**STATE OF WASHINGTON
COUNTY OF YAKIMA**

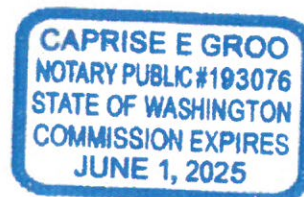
On this day personally appeared before me Jeff Peters to me known to
be the individual referenced herein and who caused to be mailed the

Notice of Application, Environmental Review, Opportunity to Provide Comment, and
Public Hearing for SEPA-2023-003

Given under my hand and official seal this 31st day of October 2023.

Signed Caprise E. Groo

Notary Public in and for the State of Washington, residing at Yakima, WA. My term
expires: June 1, 2025.



18143632041
CBO PROPERTIES LLC
PO BOX 70
SELAH, WA 98942

18143633499
TREE TOP INC
PO BOX 248
SELAH, WA 98942

18143544459
SELAH CREEK HOLDINGS LLC
202 W NACHES AVE
SELAH, WA 98942

18143632426
JOSEPH D MAXWELL
115 E ORCHARD AVE
SELAH, WA 98942

18143632446
VERNON E & PAULA L ZETTLER
102 N WENAS RD
SELAH, WA 98942

18143632418
PAK KEI & KAR HING HO LEE
103 N 1ST ST STE A
SELAH, WA 98942

18143544485
MERRY JAY ENTERPRISES LLC
PO BOX 387
SELAH, WA 98942

18143632410
JANICE A PEASE
1712 E POMONA RD
YAKIMA, WA 98901

18143633492
RINGER PROPERTY MGT LLC
12777 US HWY 12
NACHES, WA 98937

18143541405
SELAH CITY
115 W NACHES AVE
SELAH, WA 98942

18143541418
TPR CO LLC
475 N WENAS RD
SELAH, WA 98942

18143544462
DLH INVESTMENTS LLC
112 S 2ND ST
SELAH, WA 98942

18143541429
JON DEVERLY & MELANE LEE
207 W ORCHARD AVE
SELAH, WA 98942

18143632415
STUART & PATRICIA PETRI
PO BOX 268
SELAH, WA 98942

18143633408
YAKIMA COOPERATIVE ASSN
501 S FRONT ST
YAKIMA, WA 98901

18143541410
THOMAS M & LINDA L BEKSINSKI
211 W NACHES AVE
SELAH, WA 98942

18143633501
TREE TOP INC
PO BOX 248
SELAH, WA 98942

18143541426
ANDREW FLEMING R
201 W ORCHARD AVE
SELAH, WA 98942

18143633030
DAN L POLITTE
1915 FRUITVALE BLVD
YAKIMA, WA 98902

18143544450
CCAB INDUSTRIAL EQUIPMENT LLC
137 E NACHES AVE
SELAH, WA 98942

18143633484
DIAMOND L CORP
PO BOX 793
SELAH, WA 98942

18143541403
ATRIEM INVESTMENTS LLC
1821 NAGLER RD
SELAH, WA 98942

18143633490
PAIGE & ROYAL TEAS
1403 W CHERRY AVE
SELAH, WA 98942

18143633039
BLACK ROCK PROPERTIES LLC
PO BOX 265
SELAH, WA 98942

18143633044
TREE TOP INC
PO BOX 248
SELAH, WA 98942

18143631400
CBO PROPERTIES LLC
PO BOX 70
SELAH, WA 98942

18143632419
PAK KEI & KAR HING HO LEE
103 N 1ST ST STE A
SELAH, WA 98942

18143632444
ARTURO & FRANCISCA GEORGE
106 N WENAS RD
SELAH, WA 98942

18143541408
HYCO PROPERTIES LLC
2609 RIVER RD
YAKIMA, WA 98902

18143632494
DARIN N & CHRISTINA L WILLIAMS
671 BRATHOVDE RD
SELAH, WA 98942

18143544491
YAKIMA VALLEY LIBRARIES
115 W NACHES AVE
SELAH, WA 98942

18143633485
ANNE M BELL
9 E 1ST AVE
SELAH, WA 98942

18143544488
DOUGLAS & CAROL MATHEWS REVOCABLE TRUST
PO BOX 667
SELAH, WA 98942

18143632429
JANICE PEASE A
1712 E POMONA RD
YAKIMA, WA 98901

18143541424
BONA TERRA 16 LLC
105 W ORCHARD AVE
SELAH, WA 98942

18143632498
SHANNON E & GINGER C TYLER
PO BOX 365
SELAH, WA 98942

18143541530
HYCO PROPERTIES LLC
2609 RIVER RD
YAKIMA, WA 98902

18143632042
SERGIO VALENCIA
204 RIVERVIEW AVE
SELAH, WA 98942

18143633489
LARRY D & PIA PARDI HULL
901 SUMMITVIEW SUITE#250
YAKIMA, WA 98902

18143633491
RINGER PROPERTY MGT LLC
12777 US HWY 12
NACHES, WA 98937

18143544447
PINGREY MOTOR COMPANY
102 W NACHES AVE
SELAH, WA 98942

18143633410
SHARON MCCOY L
114 E 1ST AVE
SELAH, WA 98942

18143632402
SANTOS J M INVESTMENTS LLC
1303 W CHERRY AVE
SELAH, WA 98942

18143541417
TPR CO LLC
475 N WENAS RD
SELAH, WA 98942

18143632413
BRADLEY T & LIANNE HELMS
599 HARRISON RD
SELAH, WA 98942

18143634019
TREE TOP INC
PO BOX 248
SELAH, WA 98942

18143544453
CCAB INDUSTRIAL EQUIPMENT LLC
137 E NACHES AVE
SELAH, WA 98942

18143632408
ROGER L & LINDA B URBANIAK
4112 78TH AVE SE
MERCER ISLAND, WA 98040

18143632445
ARTEMIO SANCHEZ
104 N WENAS AVE
SELAH, WA 98942

18143632428
NIKKI PERALTA
164 GORE RD
SELAH, WA 98942

18143632048
JAMES & DONNA GARNER
PO BOX 879
SELAH, WA 98942

18143633017
HARLAN D & MAXINE H DOUGLASS
601 W MAIN #400
SPOKANE, WA 99201

18143632492
ELLENSBURG TELEPHONE CO
121 S 17TH ST
MATTOON, IL 61938

18143633015
HARLAN D & MAXINE H DOUGLASS
601 W MAIN #400
SPOKANE, WA 99201

18143632404
BLACK ROCK PROPERTIES LLC
1770 E POMONA RD
YAKIMA, WA 98901

18143632401
CHRISTINE SAMPLE
3809 HAVSTAD ST
PASCO, WA 99301

18143632458
ROGER L & LINDA B URBANIAK
4112 78TH AVE SE
MERCER ISLAND, WA 98040

18143633407
YAKIMA COOPERATIVE ASSN
501 S FRONT ST
YAKIMA, WA 98901

18143541409
SELAH RENTALS LLC
211 W NACHES AVE
SELAH, WA 98942

18143544449
MERRY JAY ENTERPRISES LLC
PO BOX 387
SELAH, WA 98942

18143544489
ROSA C OLATUNJI
206 1/2 W NACHES AVE
SELAH, WA 98942

18143541531
TPR CO LLC
475 N WENAS RD
SELAH, WA 98942

18143541423
BONA TERRA 16 LLC
105 W ORCHARD AVE
SELAH, WA 98942

18143632450
ELLENSBURG TELEPHONE CO
305 N RUBY ST
ELLENSBURG, WA 98926

18143632062
VIRGINIA WRIGHT
7 N WENAS RD
SELAH, WA 98942

18143632403
BUD OWENS FAMILY LIMITED PARTNERSHIP
PO BOX 129
SELAH, WA 98942

18143541428
BRAD & LINDA JESPERSON
205 W ORCHARD AVE
SELAH, WA 98942

18143633014
BUD OWENS FAMILY LIMITED PARTNERSHIP
PO BOX 129
SELAH, WA 98942

18143632411
GERARD Z & BONNIE J DOMBROWSKI
106 E ORCHARD AVE
SELAH, WA 98942

18143544481
DRAPER HILL ENTERPRISES LLC
2310 MACLAREN ST
YAKIMA, WA 98902

18143632425
ROGER L & LINDA B URBANIAK
4112 78TH AVE SE
MERCER ISLAND, WA 98040

18143632060
JEFF & MENDY BEKSINSKI
270 MAPLEWAY RD
SELAH, WA 98942

18143633025
JDANCO LLC
1915 FRUITVALE BLVD
YAKIMA, WA 98902

18143544455
CCAB INDUSTRIAL EQUIPMENT LLC
137 E NACHES AVE
SELAH, WA 98942

18143544482
PINGREY MOTOR COMPANY
PO BOX 370
SELAH, WA 98942

18143633412
JESCO DEVELOPMENT LLC
PO BOX 340
SELAH, WA 98942

18143541412
HOYDAR BUCK CORP
PO BOX 1081
SELAH, WA 98942

18143632441
PAK KEI & KAR HING HO LEE
103 N 1ST ST STE A
SELAH, WA 98942

18142599999

18143541401
SELAH LIBERTY BUILDING LLC
1770 E POMONA RD
YAKIMA, WA 98901

18143544446
EAKIN PROPERTIES LLC
115 S 2ND ST
SELAH, WA 98942

18143541414
HELMS HOMES LLC
151 TWIN PEAKS RD
SELAH, WA 98942

18143632499
SHANNON E & GINGER C TYLER
PO BOX 365
SELAH, WA 98942

18143632400
CHRISTINE SAMPLE
3809 HAVSTAD ST
PASCO, WA 99301

18143541425
CRAIG R & TRACY L SANISLO
280 PLEASANT VALLEY RD
YAKIMA, WA 98908

18143541415
TROY & JOANNE HELMS
151 TWIN PEAKS RD
SELAH, WA 98942

18143541413
SELAH RENTALS LLC
211 W NACHES AVE
SELAH, WA 98942

18143632417
JEFFREY R & PATRICIA A HARTWICK
681 E HUNTZINGER RD
SELAH, WA 98942

18143633016
HARLAN D & MAXINE H DOUGLASS
601 W MAIN #400
SPOKANE, WA 99201

18143541404
SELAH CITY
115 W NACHES AVE
SELAH, WA 98942

18143541402
TODD L WIDNER
109 W NACHES AVE
SELAH, WA 98942

18143632449
DARIN N & CHRISTINA L WILLIAMS
671 BRATHOVDE RD
SELAH, WA 98942

18143632416
SETH & MARIA PEASE
122 E ORCHARD AVE
SELAH, WA 98942

18143633018
HARLAN D & MAXINE H DOUGLASS
601 W MAIN #400
SPOKANE, WA 99201

18143632452
CCAB INDUSTRIAL EQUIPMENT LLC
PO BOX 850
SELAH, WA 98942

18143633019
BLACK ROCK PROPERTIES LLC
PO BOX 265
SELAH, WA 98942

18143541422
GARY CHAO HUANG
106 N 1ST ST
SELAH, WA 98942

18143541427
DUNCAN STOLTENOW
203 W ORCHARD AVE
SELAH, WA 98942

18143632043
JASON & LEISEL PEPPER
861 MCGONAGLE RD
SELAH, WA 98942

18143633483
YAKIMA VALLEY BANK
P O BOX 460169
HOUSTON, TX 77056

18143633405
PINGREY MOTOR CO.
PO BOX 370
SELAH, WA 98942

18143632049
SELAH RENTALS LLC
211 W NACHES AVE
SELAH, WA 98942

18143632414
STUART & PATRICIA PETRI
PO BOX 268
SELAH, WA 98942

18143633042
WILLIAM G WILSON
PO BOX 1689
EDMONDS, WA 98020

18143632044
JASON & LEISEL PEPPER
861 MCGONAGLE RD
SELAH, WA 98942

18143541400
LIBERTY BUILDING ADDITION LLC
6 S 2ND ST STE 1116
YAKIMA, WA 98901

18143632047
VIRGINIA WRIGHT
7 N WENAS RD
SELAH, WA 98942

18143632412
PATRICK J FAHEY
1843 E POMONA RD
YAKIMA, WA 98901

18143632430
ROGER L & LINDA B URBANIAK
4112 78TH AVE SE
MERCER ISLAND, WA 98040

18143544448
PINGREY MOTOR COMPANY
102 W NACHES AVE
SELAH, WA 98942

18143632409
ROGER L & LINDA B URBANIAK
4112 78TH AVE SE
MERCER ISLAND, WA 98040

18143633400
WILLIAM COX T
9 E 1ST AVE
SELAH, WA 98942

18143632427
LEO E DILLMAN
119 E ORCHARD AVE
SELAH, WA 98942

18143541416
HELMS HOMES LLC
151 TWIN PEAKS RD
SELAH, WA 98942



CITY OF SELAH

Planning Department • 222 South Rushmore RD. • Selah, WA 98942 • Ph: (509) 698-7365 • www.selahwa.gov

CITY OF SELAH **NOTICE OF ENVIRONMENTAL REVIEW, PUBLIC COMMENT AND PLANNING COMMISSION** **PUBLIC HEARING**

PROJECT DESCRIPTION

Notice of Application and Environmental Review for amendments to Selah Municipal Code (SMC) Title 10.34 Off-Street Parking and Loading pertaining to the expansion of the City of Selah's **Parking Exempt Area**, and providing for the allowance of **Electronic Vehicle (EV) Charging Stations** in all zoning districts where gas stations are allowed, as well as within public and private parking lots. (See Environmental Checklist SEPA-2023-003, and attached documents for further description.

Affected Area for Parking Exempt Area Expansion:

The geographic area starting from the north side of East Naches Ave., south to the south side of the city alley/parking lot (N. of E. 1st Ave.), and bounded by S. 1st St. on the west and S. Wenas Ave. on the east (see attached maps for existing and proposed parking areas).

Affected Tax Parcel Numbers for Parking Exempt Area:

181436-33039, 181436-33019, 181436-33018, 181436-33017, 181436-33016, 181436-33015, 181436-33014

Project Applicant: City of Selah, Community Development & Planning

File Numbers: SEPA 2023-003

Date of Application: October 25, 2023

Date of Determination of Completeness: October 26, 2023

ENVIRONMENTAL REVIEW

This is to notify all the public and private agencies with jurisdiction and environmental expertise that the City of Selah Community Development and Planning Department has been established as the lead agency, pursuant to the Washington State Environmental Policy Act (SEPA) for the above stated project. The City of Selah is presently inclined towards the issuance of a Determination of Non-Significance (DNS) on this project. WAC 197-11-340(2) is being used. **The City of Selah will not act on this proposal for 14-days.**

Comment due date: November 10, 2023

REQUEST FOR WRITTEN COMMENTS

Agencies, tribes, and the public are encouraged to review and comment on the proposed project and its probable environmental impacts. There is a 14-day comment period for this review. All written comments received by **November 10, 2023**, will be considered prior to issuing the final threshold determination on this application.

NOTICE OF DECISION

A copy of the SEPA threshold determination will be mailed to the parties, agencies, and those who provided public comment after the end of the 14-day public comment period.

Open Record Public Hearing

Notice is hereby given that on Tuesday, November 21, 2023, commencing at 5:30 P.M., or as soon thereafter as practical, the City of Selah Planning Commission will conduct an open record public hearing in the Council Chambers, Selah City Hall, 115 W. Naches Ave. Selah, WA regarding consideration of the above-described zoning amendments. All interested persons may appear and provide testimony on the application. At the conclusion of the public hearing the Planning Commission will consider the matter and issue a recommendation to the City Council for approval, approval with conditions, or denial of the of the proposed amendments.

The draft Parking Amendments and SEPA Checklist are available during regular business hours at the Planning Department at 222 South Rushmore Road, Selah, Washington 98942 or on the City of Selah's website at <https://selahwa.gov/planning/>. The staff report will be available approximately one week before the hearing. Contact the Planning Department with any questions.

Dated this 27th day of October 2023.

/s/

Jeff Peters, Community Development Supervisor

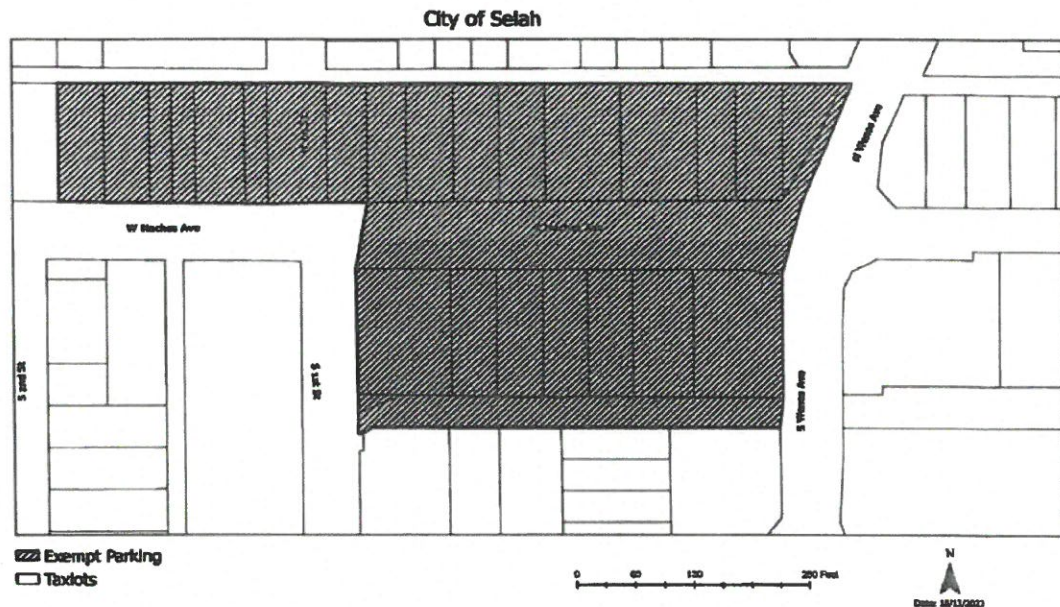
10.34.120 Exemption.

A portion of the central business core, the shaded area in Figure 34-1, is exempt from the provisions of this chapter relative to the number of off-street parking spaces required. All other requirements of this chapter shall apply to any off-street parking provided by a property owner or business.



10.34.120 Downtown Parking Exempt Area.

A portion of the ~~central business core city's downtown Business, General (B-2) zoning district~~ the shaded area depicted in Figure 34-1, is exempt from the provisions of this chapter relative to the number of off-street parking spaces required. All other requirements of this chapter shall apply to any off-street parking provided by a property owner or business.



10.34.125 Electric Vehicle Charging Stations.

A. Electric vehicle charging stations, as defined by RCW 36.70A.695(5), or as amended, shall be allowed as follows, except for on resource lands or in critical areas:

1. As an accessory use to an approved principal use in the B-1, B-2, and, M-1, zoning districts.
2. As a right-of-way use permit in public parking lots and/or on-street public parking areas.



ENVIRONMENTAL CHECKLIST

STATE ENVIRONMENTAL POLICY ACT (SEPA)

RCW Chapter 43.21C

PURPOSE OF CHECKLIST

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

INSTRUCTIONS FOR APPLICANTS

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help you describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

USE OF CHECKLIST FOR NONPROJECT PROPOSALS

For non-project proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project", "applicant", and "property or site" should be read as "proposal", "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B – Environmental Elements – that do not contribute meaningfully to the analysis of the proposal.

A. BACKGROUND INFORMATION (To be completed by the applicant.)

1. Name Of Proposed Project (If Applicable):

City of Selah amendments to SMC Ch. 10.34 Off-Street Parking and Loading - Parking Exempt Area & EV Charging Stations

2. Applicant's Name & Phone:

Jeff Peters, City of Selah Community Development Supervisor, (509)698-7372

3. Applicant's Address:

City of Selah Public Works 222 Rushmore Road, Selah, WA 98942

4. Contact Person & Phone:

Same as applicant.

5. Agency Requesting Checklist: City of Selah

6. Proposed Timing Or Schedule (Including Phasing, If Applicable):

N/A Non Project Action

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain:

None at this time.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal:

None.

A. BACKGROUND INFORMATION (To be completed by the applicant.)

- 9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain:**

None pending/ Non-Project Action.

- 10. List any government approvals or permits that will be needed for your proposal, if known:**

SEPA determination, City of Selah Planning Commission Public Hearing, and City Council Approval.

- 11. Give a brief, but complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.):**

At the October 10, 2023, Council meeting, a business owner with property just outside of the City's Parking Exempt Area petitioned the City Council to expand the parking exempt area to the area depicted upon the attached maps which the council affirmed. The business owners reason for the request is to remove the requirement for businesses, and existing and future buildings in the affected area to have to provide off-street parking, thus increasing the redevelopment potential for properties on the south side of E. Naches Ave. Note: Expansion of the Parking Exempt Area does not affect any businesses or property owners right to provide private off-street parking stalls for their patrons or the right to limit or prohibit the use of said private parking stalls/lots.

The second amendment is the addition of Electric Vehicle Charging Stations in all commercial and industrial zoning districts, and public and private parking lots. (See attached documents).

- 12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist:**

City Limits.

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

EARTH

1. General description of the site (✓ one):

☒ flat ☒ rolling ☒ hilly ☒ steep slopes ☒ mountainous ☐ other: _____

2. What is the steepest slope on the site (approximate percent slope)?

N/A Non-Project Action.

3. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

N/A Non-Project Action.

4. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

N/A Non-Project Action.

5. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

N/A Non-Project Action.

6. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

N/A Non-Project Action.

7. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

N/A Non-Project Action.

8. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

N/A Non-Project Action.

AIR

1. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

N/A Non-Project Action.

2. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

N/A Non-Project Action.

3. Proposed measures to reduce or control emissions or other impacts to air, if any:

N/A Non-Project Action.

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

SURFACE WATER

1. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

N/A Non-Project Action

2. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

N/A Non-Project Action

3. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

N/A Non-Project Action

4. Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

N/A Non-Project Action

5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

N/A Non-Project Action

6. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

N/A Non-Project Action

GROUND WATER

1. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

N/A Non-Project Action

2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

N/A Non-Project Action

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)**WATER RUNOFF (INCLUDING STORM WATER)**

1. Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

N/A Non-Project Action

2. Could waste materials enter ground or surface waters? If so, generally describe.

N/A Non-Project Action

3. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

N/A Non-Project Action

4. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

N/A Non-Project Action

PLANTS

1. Check (✓) types of vegetation found on the site:

Deciduous Trees:

- ☒ Alder
☒ Maple
☒ Aspen
☐ Other

Evergreen Trees:

- ☒ Fir
☒ Cedar
☒ Pine
☐ Other

Wet Soil Plants:

- ☒ Cattail
☒ Buttercup
☒ Bullrush
☒ Skunk Cabbage
☐ Other

Water Plants:

- ☒ Milfoil
☒ Eelgrass
☒ Water Lily
☐ Other

Other:

- ☒ Shrubs
☒ Grass
☒ Pasture
☒ Crop Or Grain
☒ Orchards, vineyards, or other permanent crops
☒ Other types of vegetation

2. What kind and amount of vegetation will be removed or altered?

N/A Non-Project Action

3. List threatened or endangered species known to be on or near the site.

N/A Non-Project Action

4. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

N/A Non-Project Action

5. List all noxious weeds and invasive species known to be on or near the site.

N/A Non-Project Action

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

ANIMALS

1. **List any birds or other animals which have been observed on or near the site or are known to be on or near the site.**

Examples include:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other:

All of the above.

2. **List any threatened or endangered species known to be on or near the site.**

There are few threatened or endangered species known to live in or around the city limits of Selah; however this proposal does not involve any change to the land.

3. **Is the site part of a migration route? If so, explain.**

Migratory birds may use property within the City limits; however, this proposal does not involve any change to the land or habitat, and is considered a Non Project Action.

4. **Proposed measures to preserve or enhance wildlife, if any:**

N/A Non-Project Action

5. **List any invasive animal species known to be on or near the site.**

N/A Non-Project Action

ENERGY AND NATURAL RESOURCES

1. **What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.**

N/A Non-Project Action

2. **Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.**

N/A Non-Project Action

3. **What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:**

N/A Non-Project Action

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

ENVIRONMENTAL HEALTH

1. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

N/A Non-Project Action

2. Describe any known or possible contamination at the site from present or past uses.

N/A Non-Project Action

3. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

N/A Non-Project Action

4. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

N/A Non-Project Action

5. Describe special emergency services that might be required.

N/A Non-Project Action

6. Proposed measures to reduce or control environmental health hazards, if any:

N/A Non-Project Action

NOISE

1. What types of noise exist in the area, which may affect your project (for example: traffic, equipment, operation, other)?

N/A Non-Project Action

2. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

N/A Non-Project Action

3. Proposed measures to reduce or control noise impacts, if any:

N/A Non-Project Action

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

LAND AND SHORELINE USE

1. **What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.**

N/A Non-Project Action

2. **Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?**

Many of the properties within the City of Selah have been used for agriculture purposes in the past.

3. **Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:**

N/A Non-Project Action

4. **Describe any structures on the site.**

N/A Non-Project Action

5. **Will any structures be demolished? If so, what?**

N/A Non-Project Action

6. **What is the current zoning classification of the site?**

The zoning classifications in which the proposed uses could be allowed are B-1, B-2, and M-1.

7. **What is the current comprehensive plan designation of the site?**

The Future Land Use designations in which the proposed uses could be allowed are Commercial and Industrial.

8. **If applicable, what is the current shoreline master program designation of the site?**

N/A Non-Project Action

9. **Has any part of the site been classified as a critical area by the city or county? If so, specify.**

N/A Non-Project Action

10. **Approximately how many people would reside or work in the completed project?**

N/A Non-Project Action

11. **Approximately how many people would the completed project displace?**

N/A Non-Project Action

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

LAND AND SHORELINE USE

12. Proposed measures to avoid or reduce displacement impacts, if any.

N/A Non-Project Action

13. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

N/A Non-Project Action

14. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

N/A Non-Project Action

HOUSING

1. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

N/A Non-Project Action

2. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

N/A Non-Project Action

3. Proposed measures to reduce or control housing impacts, if any:

N/A Non-Project Action

AESTHETICS

1. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

N/A Non-Project Action

2. What views in the immediate vicinity would be altered or obstructed?

N/A Non-Project Action

3. Proposed measures to reduce or control aesthetic impacts, if any:

N/A Non-Project Action

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

LIGHT AND GLARE

1. What type of light or glare will the proposal produce? What time of day would it mainly occur?

N/A Non-Project Action

2. Could light or glare from the finished project be a safety hazard or interfere with views?

N/A Non-Project Action

3. What existing off-site sources of light or glare may affect your proposal?

N/A Non-Project Action

4. Proposed measures to reduce or control light and glare impacts, if any:

N/A Non-Project Action

RECREATION

1. What designated and informal recreational opportunities are in the immediate vicinity?

N/A Non-Project Action

2. Would the proposed project displace any existing recreational uses? If so, describe.

N/A Non-Project Action

3. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

N/A Non-Project Action

HISTORIC AND CULTURAL PRESERVATION

1. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

N/A Non-Project Action

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

HISTORIC AND CULTURAL PRESERVATION

2. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

N/A Non-Project Action

3. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

N/A Non-Project Action

TRANSPORTATION

1. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

N/A Non-Project Action

2. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

N/A Non-Project Action

3. How many parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

N/A Non-Project Action

4. Will the proposal require any new or improvements to existing roads, streets, pedestrian bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

N/A Non-Project Action

5. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

N/A Non-Project Action

6. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?

N/A Non-Project Action

B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant)

TRANSPORTATION

7. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe:

N/A Non-Project Action

8. Proposed measures to reduce or control transportation impacts, if any:

N/A Non-Project Action

PUBLIC SERVICES

1. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe:

N/A Non-Project Action

2. Proposed measures to reduce or control direct impacts on public services, if any.

N/A Non-Project Action

UTILITIES

1. Check (✓) utilities currently available at the site:

☒ electricity ☒ natural gas ☒ water ☒ refuse service ☒ telephone

☒ sanitary sewer ☒ septic system ☐ other _____

2. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

N/A Non-Project Action

C. SIGNATURE (To be completed by the applicant.)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.


Property Owner or Agent Signature

10/26/2023
Date Submitted

Jeffery R Peters

Community Development Supervisor

Name of Signee

Position and Agency/Organization

**PLEASE COMPLETE SECTION "D" ON THE NEXT PAGES
IF THERE IS NO PROJECT RELATED TO THIS ENVIRONMENTAL REVIEW**

D. SUPPLEMENTAL SECTION FOR NONPROJECT ACTIONS ONLY (to be completed by the applicant)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment. When answering these questions, be aware of the extent the proposal, or the types of activities that would likely result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposed ordinance changes will not affect how land uses discharge to water, emissions to the air, storage, or release of toxic or hazardous substances, or the production of noise.

Proposed measures to avoid or reduce such increases are:

As the proposal will not increase any of the above environmental conditions, no measures to avoid or reduce these conditions have been proposed.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposed ordinance changes should have a neutral effect on plants, animals, fish, or marine life, as the parking ordinance changes do not affect any Shoreline or Critical Area regulations, and will be compliant with federal and state law.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

The proposed ordinance changes should have a neutral effect on plants, animals, fish, or marine life. No protection measures proposed.

3. How would the proposal be likely to deplete energy or natural resources?

The proposed amendments do not involve regulations dealing with energy or natural resources.

Proposed measures to protect or conserve energy and natural resources are:

None proposed

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposed ordinance changes should have a neutral effect on environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplain, or prime farmlands as the parking ordinance amendments does not change any environmental regulations.

Proposed measures to protect such resources or to avoid or reduce impacts are:

None proposed.

D. SUPPLEMENTAL SECTION FOR NONPROJECT ACTIONS ONLY (to be completed by the applicant)

- 5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?**

The proposed ordinance changes should have a neutral effect on land and shoreline uses, as the parking ordinance will be compliant with federal and state law, and does not change any shoreline development regulations.

Proposed measures to avoid or reduce shoreline and land use impacts are:

None proposed.

- 6. How would the proposal be likely to increase demands on transportation or public services and utilities?**

No likely impacts.

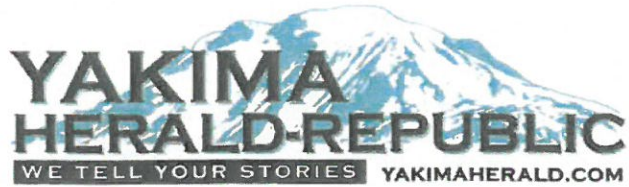
Proposed measures to reduce or respond to such demand(s) are:

None proposed.

- 7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.**

The proposed amendments will not conflict with any local, state, or federal laws, or requirements for the protection of the environment, as the parking ordinance will be compliant with federal and state law.

Yakima Herald-Republic
PO Box 9668
Yakima, WA 98909



City Of Selah
Jeff Peters
115 W Naches Avenue
Selah, WA 98942
USA

Order Confirmation

| | |
|------------------|--|
| Order #: | 67383 |
| Order Ref #: | |
| Date: | 11/17/2023 |
| Advertiser #: | 23209 |
| Advertiser Name: | City Of Selah |
| Agency #: | |
| Agency Name: | |
| Account Manager: | Simon Sizer ssizer@yakimaherald.com |

\$ 117.25

| Ad No. | Date | Description | Position | Format |
|--------|------------|--|---|------------------------------|
| 380702 | 11/19/2023 | CITY OF SELAH NOTICE OF PUBLIC HEARING: Consideration of amendments to the City of Selah Municipal Code (SMC) Title 10 Title 10. | Yakima Herald Republic Broadsheet - CL-Legals | 1.67 x 8.37 in x 1.0000 col. |
| 380703 | 11/19/2023 | CITY OF SELAH NOTICE OF PUBLIC HEARING: Consideration of amendments to the City of Selah Municipal Code (SMC) Title 10 Title 10. | Yakima Herald Republic CL Online - CL-Legals | 1.67 x 8.37 in x 1.0000 col. |

Summary

| | |
|------------------|-----------|
| Total Net Amount | \$ 117.25 |
| Taxes | \$ 0.00 |
| Total Amount | \$ 117.25 |

Remittance Address:

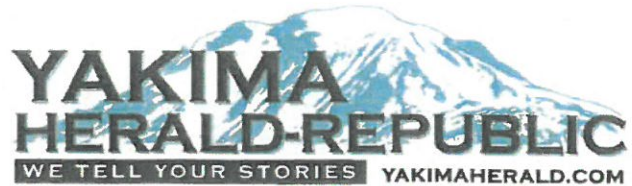
Yakima Herald-Republic
PO Box 9668
Yakima, WA 98909
Tel: (206) 464-2550

EXHIBIT

tabbies

50

Yakima Herald-Republic
PO Box 9668
Yakima, WA 98909



Classified Category: Legals|Public Notices

**CITY OF SELAH NOTICE OF
PUBLIC HEARING:**

Consideration of amendments to the City of Selah Municipal Code (SMC) Title 10 Title 10.34 Off-Street Parking and Loading pertaining to the expansion of the City of Selah's Parking Exempt Area, and providing for the allowance of Electronic Vehicle (EV) Charging Stations in all zoning districts where gas stations are allowed, as well as within public and private parking lots. Notice is hereby given by the City of Selah, Washington, that the City Council will conduct a public hearing on Tuesday, December 12, 2023, commencing at 5:30 p.m., or as soon thereafter as practical, in the Council Chambers, Selah City Hall, 115 W. Naches, Selah, WA to consider the City of Selah Planning Commission's recommendation regarding the adoption of the proposed ordinances/amendments to the City of Selah's Municipal Code. Copies of the proposed development regulations are available for public inspection during regular business hours at the City of Selah Planning Department, 222 south Rushmore road, Selah, WA., and the proposed ordinances amending the City of Selah's Municipal Code may be found at <https://selahwa.gov/planning/public-notices>. All persons wishing to offer comments for or against the proposed amendments are encouraged to attend. All written comments received prior to the day of the public hearing will be considered in the city council deliberations. If you have questions please feel free to contact Jeff Peters, Community Development Supervisor in person at 222 south Rushmore Road, Selah, WA or by phone at (509) 698-7365, by fax at (509) 698-7372 or by e-mail at jeff.peters@selahwa.gov. Dated this 19th day of November. Jeff Peters, Community Development Supervisor.

(67383) November 19, 2023

AFFIDAVIT OF PUBLICATION

Jeff Peters
City Of Selah
115 W Naches Avenue
Selah WA 98942

STATE OF WASHINGTON, COUNTIES OF YAKIMA

The undersigned, on oath states that he/she is an authorized representative of Yakima Herald-Republic, Inc., publisher of Yakima Herald-Republic and El Sol de Yakima, of general circulation published daily in Yakima County, State of Washington. Yakima Herald-Republic and El Sol de Yakima have been approved as legal newspapers by orders of the Superior Court of Yakima County.

The notice, in the exact form annexed, was published in the regular and entire issue of said paper or papers and distributed to its subscribers during all of the said period.

11/19/2023

Agent

JACKIE CHAPMAN

Signature

Jackie Chapman

Subscribed and sworn to before me on

November 21, 2023

Lisa M. Dwyer

(Notary Signature) Notary Public in and for the State of Washington, residing at Yakima

Publication Cost: \$117.25
Order No: 67383
Customer No: 23209
PO #:



**CITY OF SELAH NOTICE OF
PUBLIC HEARING:**

**Consideration of
amendments to the City of
Selah Municipal Code (SMC)
Title 10 Title 10.34 Off-Street
Parking and Loading
pertaining to the expansion
of the City of Selah's
Parking Exempt Area, and
providing for the allowance
of Electronic Vehicle (EV)
Charging Stations in all
zoning districts where gas
stations are allowed, as well
as within public and private
parking lots. Notice is hereby
given by the City of Selah,
Washington, that the City
Council will conduct a public
hearing on Tuesday,
December 12, 2023,
commencing at 5:30 p.m., or
as soon thereafter as
practical, in the Council
Chambers, Selah City Hall,
115 W. Naches, Selah, WA to
consider the City of Selah
Planning Commission's
recommendation regarding
the adoption of the proposed
ordinances/amendments to
the City of Selah's Municipal
Code. Copies of the proposed
development regulations are
available for public inspection
during regular business hours
at the City of Selah Planning
Department, 222 south
Rushmore road, Selah, WA.,
and the proposed ordinances
amending the City of Selah's
Municipal Code may be found
at [https://selahwa.gov
/planning/public-notices](https://selahwa.gov/planning/public-notices). All
persons wishing to offer
comments for or against the
proposed amendments are
encouraged to attend. All
written comments received
prior to the day of the public
hearing will be considered in
the city council deliberations.
If you have questions please
feel free to contact Jeff Peters,
Community Development
Supervisor in person at 222
south Rushmore Road, Selah,
WA or by phone at (509) 698-
7365, by fax at (509) 698-
7372 or by e-mail at
jeff.peters@selahwa.gov.
Dated this 19th day of
November. Jeff Peters,
Community Development
Supervisor.**

(67383) November 19, 2023

Publication Cost: \$117.25
Order No: 67383
Customer No: 23209
PO #:



Selah City Council
Regular Meeting
AGENDA ITEM SUMMARY

Meeting Date: 12/12/2023

Agenda Number: **12.A.i**

Informational Item

Title: Recognition of Outgoing Council Members and Mayor Raymond

Background/Findings/Facts: City Staff and the Community would like to recognize Council Member Carlson, Council Member Bell, and Mayor Sherry Raymond for their service to the Community on the Selah City Council.

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: 12/12/2023

Agenda Number: **12.A.ii**

Informational Item

Title: Retirement Recognition for Joe Henne after 34 years of service with the City of Selah

From: Mayor Raymond and City Staff

Action Requested: Informational - No Action Needed

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: 12/12/2023

Agenda Number: **12.A.iii**

Informational Item

Title: Retirement Recognition for Dale Novobielski after 27 years of service with the City of Selah

From: Mayor Raymond and City Staff

Action Requested: Informational - No Action Needed

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: 12/12/2023

Agenda Number: **12.A.iv**

Informational Item

Title: Swearing-In Ceremony for Newly Elected Council Members and Mayor

From: Mayor Raymond and City Staff

Action Requested: Informational - No Action Needed

Background/Findings/Facts: RCW 29A.04.133(3) requires each elected officer to take and subscribe to an oath or affirmation, which shall be administered by an officer or notary who is authorized to administer oaths. It has been customary for the City Clerk/Treasurer to perform such ceremony and Oath of Office with each newly elected official. As such, Mr. Dale Novobielski will perform the ceremony with Council Member Elect, William Longmire; Council Member Elect, David Monaghan, and Mayor-Elect, Roger Bell.

Recommended Motion: None

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: 12/12/2023

Agenda Number: **12.A.v**

Informational Item

Topic: Retaining One or More Replacement Janitorial Providers As Of or Near January 1, 2024

Background: The City's contractual relationship with its current janitorial provider, ABM Industry Groups, LLC, will terminate at the end of the year. Thus, the City needs to explore retaining one or more replacement provider(s). The agreed price between the City and ABM had been roughly \$71,000 per year. City staff would like authorization to negotiate with one or more replacement provider(s) for some or all the scope of work. The Police building might be excluded. The Civic Center building is the primary focus, given that it is rented to users and requires extensive cleaning between uses.

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:**

| | |
|------------|--|
| 11/14/2023 | Resolution No. 3061: Resolution Authorizing City Staff to Send Written Notice to ABM Industry Groups, LLC, to Terminate the Janitorial Services Agreement Effective as of December 31, 2023, and to Reduce ABM's Scope of Work in the Meantime |
|------------|--|



Selah City Council
Regular Meeting
AGENDA ITEM SUMMARY

Meeting Date: 12/12/2023

Agenda Number: 13-A *

Action Item

Title: Resolution Authorizing the Mayor to Sign a Fifteen-Page Interagency Agreement with the Department of Commerce to Enable the City to Receive a Middle Housing Grant, and also Authorizing City Staff to Execute a Task Order Amending the City's Contract with Beckwith Consulting Group to be Consistent with the Middle Housing Grant

From: Jeff Peters, Community Development Supervisor

Action Requested: Approval

Staff Recommendation: Approval

Board/Commission Recommendation: N/A

Fiscal Impact: Receipt of \$50,000.00 of grant funds, which will be expended towards the development of so-called middle housing development regulations. Disbursement of funds is scheduled to occur from November 2023 to December of 2024.

Funding Source: Washington State Department of Commerce, Middle Housing Grant.

Background/Findings/Facts: From late-2022 to present, the Planning Division and its housing consultant – Beckwith Consulting Group – have been working on the development of a Housing Action Plan (HAP) for the City that will provide strategies to address recent changes in state law focused on housing affordability. Following months of development and public involvement, the City has completed the draft HAP. The draft HAP will be scheduled for consideration and adoption, by the City Council, on January 23, 2024.

In September 2023, the Washington State Department of Commerce opened a competitive grant application process for funding cities' actions aimed at the development and implementation of so-called middle housing development strategies and regulations. As directed by the City Council, the Planning Division Beckwith Consulting drafted a scope of work and applied for a Middle Housing Grant. On October 17, 2023, the City was awarded a grant in the amount of \$50,000.00.

A fifteen-page Interagency Agreement, Contract Number 24-63326-138, has been drafted to enable the City to receive such grant. The terms are acceptable to City staff.

The attached proposed Resolution will, if approved by the City Council, authorize the Mayor to sign the fifteen-page Agreement and, also, authorize City staff to sign a Task Order that amends the City's contract with Beckwith Consulting so as to be consistent with such grant.

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:**

9/12/2023 City Council directed staff to apply for Middle Housing Grant

RESOLUTION NO. 3064

RESOLUTION AUTHORIZING THE MAYOR TO SIGN A FIFTEEN-PAGE INTERAGENCY AGREEMENT WITH THE DEPARTMENT OF COMMERCE TO ENABLE THE CITY TO RECEIVE A MIDDLE HOUSING GRANT, AND ALSO AUTHORIZING STAFF TO EXECUTE A TASK ORDER AMENDING THE CITY'S CONTRACT WITH BECKWITH CONSULTING GROUP TO BE CONSISTENT WITH THE MIDDLE HOUSING GRANT

WHEREAS, the City is required – by RCW 36.70A.020, as amended during the 2021 legislative session by Engrossed Second Substitute House Bill (HB) 1220 – to “plan for and accommodate” for housing affordability for all income levels, including moderate, low, very low and extremely low-income levels; and

WHEREAS, the housing element component of the City's current 2017 Comprehensive Plan does not have a sufficient housing inventory, population projections, housing analysis, goals and policies, and responsive development regulations, to address the City's affordable housing needs as now required by state law; and

WHEREAS, in preparation for updating the current 2017 Comprehensive Plan and development regulations, beginning in 2024 and concluding in 2026, the City has completed a draft Housing Action Plan; and

WHEREAS, in September 2023, the Washington State Department of Commerce opened a competitive grant application process for funding cities' actions aimed at the development and implementation of so-called middle housing development strategies and regulations; and

WHEREAS, as directed by the City Council, the Planning Division and its housing consultant – Beckwith Consulting Group – drafted a scope of work and applied for a Middle Housing Grant, and the City was then awarded a grant in the amount of \$50,000.00 on October 17, 2023; and

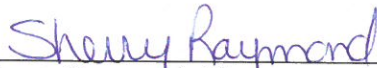
WHEREAS, a fifteen-page Interagency Agreement, Contract Number 24-63326-138, has been drafted for the City to receive such grant funds, and the terms are acceptable to City staff; and

WHEREAS, City staff is seeking City Council authorization for the Mayor to sign such fifteen-page Agreement, and further, authorization for City staff to execute a Task Order with Beckwith Consulting that amends the City's existing contract with Beckwith Consulting so as to be consistent with such grant;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, the Mayor be and is hereby authorized to sign the fifteen-page Interagency Agreement, Contract Number 24-63326-138, in the form appended hereto, and, further, that City staff be and is authorized to execute a Task Order with Beckwith Consulting so as to amend the

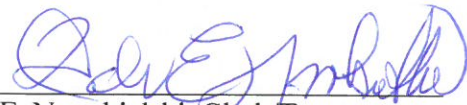
City's contract with Beckwith Consulting to be consistent with the middle housing grant.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH,
WASHINGTON, this 12th day of December, 2023.



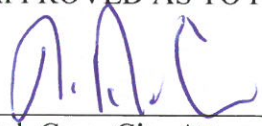
Sherry Raymond, Mayor

ATTEST:



Dale E. Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:



Rob Case, City Attorney



Interagency Agreement with

City of Selah

through

Growth Management Services

Contract Number:

24-63326-138

For

Middle Housing Grant

Dated:

Date of Execution

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Face Sheet

Contract Number: 24-63326-138

Local Government Division Growth Management Services Middle Housing Grants

| | | | |
|---|--|---|---|
| 1. Contractor City of Selah 222 South Rushmore Road Selah, WA - 98942 | | 2. Regional Planner Deanah Watson Deanah.Watson@commerce.wa.gov | |
| 3. Contractor Representative Jeff Peters Community Development Supervisor 509-698-7367 jeff.peters@selahwa.gov | | 4. COMMERCE Representative Anne Aurelia Fritzel 1011 Plum Street SE Housing Planning Manager Olympia, WA 98504 360-259-5216 Anne.Fritzel@commerce.wa.gov | |
| 5. Contract Amount \$50000 | 6. Funding Source Federal: <input type="checkbox"/> State: <input checked="" type="checkbox"/> Other: <input type="checkbox"/> N/A: <input type="checkbox"/> | | 7. Start Date Date of Execution |
| 8. End Date June 15, 2025 | | | |
| 9. Federal Funds (as applicable) N/A | | Federal Agency: N/A | |
| 10. Tax ID # N/A | | 11. SWV # 000771700 | |
| 12. UBI # 392-000-174 | | 13. UEI # N/A | |
| 14. Contract Purpose For activities that support the preparation and adoption of policies and/or codes and other measures specific to implement middle housing (RCW 36.70A.030(26)) by applicable statutory deadlines. | | | |
| COMMERCE, defined as the Department of Commerce, and the Contractor, as defined above, acknowledge and accept the terms of this Contract and Attachments and have executed this Contract on the date below and warrant they are authorized to bind their respective agencies. The rights and obligations of both parties to this Contract are governed by this Contract and the following documents incorporated by reference: Contractor Terms and Conditions including Attachment "A" – Scope of Work, and Attachment "B" – Budget. | | | |
| FOR CONTRACTOR <div style="border-bottom: 1px solid black; margin-bottom: 5px; display: inline-block;"> <i>Sherry Raymond</i> </div> Sherry Raymond, Mayor <div style="border-bottom: 1px solid black; margin-bottom: 5px; display: inline-block;"> Signature </div> <div style="border-bottom: 1px solid black; margin-bottom: 5px; display: inline-block;"> <i>12-12-2023</i> </div> Date | | FOR COMMERCE <div style="border-bottom: 1px solid black; margin-bottom: 5px; display: inline-block;"> Mark K. Barkley, Assistant Director Local Government Division </div> <div style="border-bottom: 1px solid black; margin-bottom: 5px; display: inline-block;"> Date </div> APPROVED AS TO FORM ONLY BY ASSISTANT ATTORNEY GENERAL APPROVAL ON FILE | |

Special Terms and Conditions

1. AUTHORITY

COMMERCE and Contractor enter into this Contract pursuant to the authority granted by Chapter 39.34 RCW.

2. CONTRACT MANAGEMENT

The Representative for each of the parties shall be responsible for and shall be the contact person for all communications and billings regarding the performance of this Contract.

The Representative for COMMERCE and their contact information are identified on the Face Sheet of this Contract.

The Representative for the Contractor and their contact information are identified on the Face Sheet of this Contract.

3. COMPENSATION

COMMERCE shall pay an amount not to exceed \$50000 (fifty thousand dollars), for the performance of all things necessary for or incidental to the performance of work under this Contract as set forth in the Scope of Work.

4. BILLING PROCEDURES AND PAYMENT

COMMERCE will pay Contractor upon acceptance of deliverables provided and receipt of properly completed invoices, which shall be submitted to the Representative for COMMERCE not more often than monthly nor less than quarterly.

The invoices shall describe and document, to COMMERCE's satisfaction, a description of the work performed, the progress of the project, and fees. The invoice shall include the Contract Number 24-63326-138.

Payment shall be considered timely if made by COMMERCE within thirty (30) calendar days after receipt of properly completed invoices. Payment shall be sent to the address designated by the Contractor.

COMMERCE may, in its sole discretion, terminate the Contract or withhold payments claimed by the Contractor for services rendered if the Contractor fails to satisfactorily comply with any term or condition of this Contract.

No payments in advance or in anticipation of services or supplies to be provided under this Agreement shall be made by COMMERCE.

Invoices and End of Fiscal Year

Invoices are due on the 20th of the month following the provision of services.

Final invoices for a state fiscal year may be due sooner than the 20th and Commerce will provide notification of the end of fiscal year due date.

The Contractor must invoice for all expenses from the beginning of the contract through June 30, regardless of the contract start and end date.

Duplication of Billed Costs

The Contractor shall not bill COMMERCE for services performed under this Agreement, and COMMERCE shall not pay the Contractor, if the Contractor is entitled to payment or has been or will be paid by any other source, including grants, for that service. Any payment made by COMMERCE for costs that are determined to be duplicate, in Commerce's sole determination, shall be subject to recapture and may result in suspension or termination of this Contract.

Disallowed Costs

The Contractor is responsible for any audit exceptions or disallowed costs incurred by its own organization or that of its subcontractors.

COMMERCE may, in its sole discretion, withhold ten percent (10%) from each payment until acceptance by COMMERCE of the final report (or completion of the project, etc.).

5. SUBCONTRACTOR DATA COLLECTION

Contractor will submit reports, in a form and format to be provided by Commerce and at intervals as agreed by the parties, regarding work under this Contract performed by subcontractors and the portion of Contract funds expended for work performed by subcontractors, including but not necessarily limited to minority-owned, woman-owned, and veteran-owned business subcontractors. "Subcontractors" shall mean subcontractors of any tier.

6. INSURANCE

Each party certifies that it is self-insured under the State's or local government self-insurance liability program, and shall be responsible for losses for which it is found liable.

7. FRAUD AND OTHER LOSS REPORTING

Contractor shall report in writing all known or suspected fraud or other loss of any funds or other property furnished under this Contract immediately or as soon as practicable to the Commerce Representative identified on the Face Sheet.

8. ORDER OF PRECEDENCE

In the event of an inconsistency in this Contract, the inconsistency shall be resolved by giving precedence in the following order:

- Applicable federal and state of Washington statutes and regulations
- Special Terms and Conditions
- General Terms and Conditions
- Attachment A – Scope of Work
- Attachment B – Budget

General Terms and Conditions

1. DEFINITIONS

As used throughout this Contract, the following terms shall have the meaning set forth below:

- A. "Authorized Representative" shall mean the Director and/or the designee authorized in writing to act on the Director's behalf.
- B. "COMMERCE" shall mean the Washington Department of Commerce.
- C. "Contract" or "Agreement" or "Grant" means the entire written agreement between COMMERCE and the Contractor, including any Attachments, documents, or materials incorporated by reference. E-mail or Facsimile transmission of a signed copy of this contract shall be the same as delivery of an original.
- D. "Contractor" or "Grantee" shall mean the entity identified on the face sheet performing service(s) under this Contract, and shall include all employees and agents of the Contractor.
- E. "Personal Information" shall mean information identifiable to any person, including, but not limited to, information that relates to a person's name, health, finances, education, business, use or receipt of governmental services or other activities, addresses, telephone numbers, social security numbers, driver license numbers, other identifying numbers, and any financial identifiers, and "Protected Health Information" under the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA).
- F. "State" shall mean the state of Washington.
- G. "Subcontractor" shall mean one not in the employment of the Contractor, who is performing all or part of those services under this Contract under a separate contract with the Contractor. The terms "subcontractor" and "subcontractors" mean subcontractor(s) in any tier.

2. ALL WRITINGS CONTAINED HEREIN

This Contract contains all the terms and conditions agreed upon by the parties. No other understandings, oral or otherwise, regarding the subject matter of this Contract shall be deemed to exist or to bind any of the parties hereto.

3. AMENDMENTS

This Contract may be amended by mutual agreement of the parties. Such amendments shall not be binding unless they are in writing and signed by personnel authorized to bind each of the parties.

4. ASSIGNMENT

Neither this Contract, work thereunder, nor any claim arising under this Contract, shall be transferred or assigned by the Contractor without prior written consent of COMMERCE.

5. CONFIDENTIALITY AND SAFEGUARDING OF INFORMATION

A. "Confidential Information" as used in this section includes:

- i. All material provided to the Contractor by COMMERCE that is designated as "confidential" by COMMERCE;
- ii. All material produced by the Contractor that is designated as "confidential" by COMMERCE; and

iii. All Personal Information in the possession of the Contractor that may not be disclosed under state or federal law.

- B.** The Contractor shall comply with all state and federal laws related to the use, sharing, transfer, sale, or disclosure of Confidential Information. The Contractor shall use Confidential Information solely for the purposes of this Contract and shall not use, share, transfer, sell or disclose any Confidential Information to any third party except with the prior written consent of COMMERCE or as may be required by law. The Contractor shall take all necessary steps to assure that Confidential Information is safeguarded to prevent unauthorized use, sharing, transfer, sale or disclosure of Confidential Information or violation of any state or federal laws related thereto. Upon request, the Contractor shall provide COMMERCE with its policies and procedures on confidentiality. COMMERCE may require changes to such policies and procedures as they apply to this Contract whenever COMMERCE reasonably determines that changes are necessary to prevent unauthorized disclosures. The Contractor shall make the changes within the time period specified by COMMERCE. Upon request, the Contractor shall immediately return to COMMERCE any Confidential Information that COMMERCE reasonably determines has not been adequately protected by the Contractor against unauthorized disclosure.
- C.** Unauthorized Use or Disclosure. The Contractor shall notify COMMERCE within five (5) working days of any unauthorized use or disclosure of any confidential information, and shall take necessary steps to mitigate the harmful effects of such use or disclosure.

6. COPYRIGHT

Unless otherwise provided, all Materials produced under this Contract shall be considered "works for hire" as defined by the U.S. Copyright Act and shall be owned by COMMERCE. COMMERCE shall be considered the author of such Materials. In the event the Materials are not considered "works for hire" under the U.S. Copyright laws, the Contractor hereby irrevocably assigns all right, title, and interest in all Materials, including all intellectual property rights, moral rights, and rights of publicity to COMMERCE effective from the moment of creation of such Materials.

"Materials" means all items in any format and includes, but is not limited to, data, reports, documents, pamphlets, advertisements, books, magazines, surveys, studies, computer programs, films, tapes, and/or sound reproductions. "Ownership" includes the right to copyright, patent, register and the ability to transfer these rights.

For Materials that are delivered under the Contract, but that incorporate pre-existing materials not produced under the Contract, the Contractor hereby grants to COMMERCE a nonexclusive, royalty-free, irrevocable license (with rights to sublicense to others) in such Materials to translate, reproduce, distribute, prepare derivative works, publicly perform, and publicly display. The Contractor warrants and represents that the Contractor has all rights and permissions, including intellectual property rights, moral rights and rights of publicity, necessary to grant such a license to COMMERCE.

The Contractor shall exert all reasonable effort to advise COMMERCE, at the time of delivery of Materials furnished under this Contract, of all known or potential invasions of privacy contained therein and of any portion of such document which was not produced in the performance of this Contract. The Contractor shall provide COMMERCE with prompt written notice of each notice or claim of infringement received by the Contractor with respect to any Materials delivered under this Contract. COMMERCE shall have the right to modify or remove any restrictive markings placed upon the Materials by the Contractor.

7. DISPUTES

In the event that a dispute arises under this Agreement, it shall be determined by a Dispute Board in the following manner: Each party to this Agreement shall appoint one member to the Dispute Board. The members so appointed shall jointly appoint an additional member to the Dispute Board. The Dispute Board shall review the facts, Agreement terms and applicable statutes and rules and make

a determination of the dispute. The Dispute Board shall thereafter decide the dispute with the majority prevailing. The determination of the Dispute Board shall be final and binding on the parties hereto. As an alternative to this process, either of the parties may request intervention by the Governor, as provided by RCW 43.17.330, in which event the Governor's process will control.

8. GOVERNING LAW AND VENUE

This Contract shall be construed and interpreted in accordance with the laws of the state of Washington, and the venue of any action brought hereunder shall be in the Superior Court for Thurston County.

9. INDEMNIFICATION

Each party shall be solely responsible for the acts of its employees, officers, and agents.

10. LICENSING, ACCREDITATION AND REGISTRATION

The Contractor shall comply with all applicable local, state, and federal licensing, accreditation and registration requirements or standards necessary for the performance of this Contract.

11. RECAPTURE

In the event that the Contractor fails to perform this Contract in accordance with state laws, federal laws, and/or the provisions of this Contract, COMMERCE reserves the right to recapture funds in an amount to compensate COMMERCE for the noncompliance in addition to any other remedies available at law or in equity.

Repayment by the Contractor of funds under this recapture provision shall occur within the time period specified by COMMERCE. In the alternative, COMMERCE may recapture such funds from payments due under this Contract.

12. RECORDS MAINTENANCE

The Contractor shall maintain books, records, documents, data and other evidence relating to this contract and performance of the services described herein, including but not limited to accounting procedures and practices that sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this contract.

The Contractor shall retain such records for a period of six years following the date of final payment. At no additional cost, these records, including materials generated under the contract, shall be subject at all reasonable times to inspection, review or audit by COMMERCE, personnel duly authorized by COMMERCE, the Office of the State Auditor, and federal and state officials so authorized by law, regulation or agreement.

If any litigation, claim or audit is started before the expiration of the six (6) year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved.

13. SAVINGS

In the event funding from state, federal, or other sources is withdrawn, reduced, or limited in any way after the effective date of this Contract and prior to normal completion, COMMERCE may suspend or terminate the Contract under the "Termination for Convenience" clause, without the ten calendar day notice requirement. In lieu of termination, the Contract may be amended to reflect the new funding limitations and conditions.

14. SEVERABILITY

The provisions of this contract are intended to be severable. If any term or provision is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of the contract.

15. SUBCONTRACTING

The Contractor may only subcontract work contemplated under this Contract if it obtains the prior written approval of COMMERCE.

If COMMERCE approves subcontracting, the Contractor shall maintain written procedures related to subcontracting, as well as copies of all subcontracts and records related to subcontracts. For cause, COMMERCE in writing may: (a) require the Contractor to amend its subcontracting procedures as they relate to this Contract; (b) prohibit the Contractor from subcontracting with a particular person or entity; or (c) require the Contractor to rescind or amend a subcontract.

Every subcontract shall bind the Subcontractor to follow all applicable terms of this Contract. The Contractor is responsible to COMMERCE if the Subcontractor fails to comply with any applicable term or condition of this Contract. The Contractor shall appropriately monitor the activities of the Subcontractor to assure fiscal conditions of this Contract. In no event shall the existence of a subcontract operate to release or reduce the liability of the Contractor to COMMERCE for any breach in the performance of the Contractor's duties.

Every subcontract shall include a term that COMMERCE and the State of Washington are not liable for claims or damages arising from a Subcontractor's performance of the subcontract.

16. SURVIVAL

The terms, conditions, and warranties contained in this Contract that by their sense and context are intended to survive the completion of the performance, cancellation or termination of this Contract shall so survive.

17. TERMINATION FOR CAUSE

In the event COMMERCE determines the Contractor has failed to comply with the conditions of this contract in a timely manner, COMMERCE has the right to suspend or terminate this contract. Before suspending or terminating the contract, COMMERCE shall notify the Contractor in writing of the need to take corrective action. If corrective action is not taken within 30 calendar days, the contract may be terminated or suspended.

In the event of termination or suspension, the Contractor shall be liable for damages as authorized by law including, but not limited to, any cost difference between the original contract and the replacement or cover contract and all administrative costs directly related to the replacement contract, e.g., cost of the competitive bidding, mailing, advertising and staff time.

COMMERCE reserves the right to suspend all or part of the contract, withhold further payments, or prohibit the Contractor from incurring additional obligations of funds during investigation of the alleged compliance breach and pending corrective action by the Contractor or a decision by COMMERCE to terminate the contract. A termination shall be deemed a "Termination for Convenience" if it is determined that the Contractor: (1) was not in default; or (2) failure to perform was outside of his or her control, fault or negligence.

The rights and remedies of COMMERCE provided in this contract are not exclusive and are, in addition to any other rights and remedies, provided by law.

18. TERMINATION FOR CONVENIENCE

Except as otherwise provided in this Contract, COMMERCE may, by ten (10) business days' written notice, beginning on the second day after the mailing, terminate this Contract, in whole or in part. If this Contract is so terminated, COMMERCE shall be liable only for payment required under the terms of this Contract for services rendered or goods delivered prior to the effective date of termination.

19. TERMINATION PROCEDURES

Upon termination of this contract, COMMERCE, in addition to any other rights provided in this contract, may require the Contractor to deliver to COMMERCE any property specifically produced or

acquired for the performance of such part of this contract as has been terminated. The provisions of the "Treatment of Assets" clause shall apply in such property transfer.

COMMERCE shall pay to the Contractor the agreed upon price, if separately stated, for completed work and services accepted by COMMERCE, and the amount agreed upon by the Contractor and COMMERCE for (i) completed work and services for which no separate price is stated, (ii) partially completed work and services, (iii) other property or services that are accepted by COMMERCE, and (iv) the protection and preservation of property, unless the termination is for default, in which case the Authorized Representative shall determine the extent of the liability of COMMERCE. Failure to agree with such determination shall be a dispute within the meaning of the "Disputes" clause of this contract. COMMERCE may withhold from any amounts due the Contractor such sum as the Authorized Representative determines to be necessary to protect COMMERCE against potential loss or liability.

The rights and remedies of COMMERCE provided in this section shall not be exclusive and are in addition to any other rights and remedies provided by law or under this contract.

After receipt of a notice of termination, and except as otherwise directed by the Authorized Representative, the Contractor shall:

- A. Stop work under the contract on the date, and to the extent specified, in the notice;
- B. Place no further orders or subcontracts for materials, services, or facilities except as may be necessary for completion of such portion of the work under the contract that is not terminated;
- C. Assign to COMMERCE, in the manner, at the times, and to the extent directed by the Authorized Representative, all of the rights, title, and interest of the Contractor under the orders and subcontracts so terminated, in which case COMMERCE has the right, at its discretion, to settle or pay any or all claims arising out of the termination of such orders and subcontracts;
- D. Settle all outstanding liabilities and all claims arising out of such termination of orders and subcontracts, with the approval or ratification of the Authorized Representative to the extent the Authorized Representative may require, which approval or ratification shall be final for all the purposes of this clause;
- E. Transfer title to COMMERCE and deliver in the manner, at the times, and to the extent directed by the Authorized Representative any property which, if the contract had been completed, would have been required to be furnished to COMMERCE;
- F. Complete performance of such part of the work as shall not have been terminated by the Authorized Representative; and
- G. Take such action as may be necessary, or as the Authorized Representative may direct, for the protection and preservation of the property related to this contract, which is in the possession of the Contractor and in which COMMERCE has or may acquire an interest.

20. TREATMENT OF ASSETS

Title to all property furnished by COMMERCE shall remain in COMMERCE. Title to all property furnished by the Contractor, for the cost of which the Contractor is entitled to be reimbursed as a direct item of cost under this contract, shall pass to and vest in COMMERCE upon delivery of such property by the Contractor. Title to other property, the cost of which is reimbursable to the Contractor under this contract, shall pass to and vest in COMMERCE upon (i) issuance for use of such property in the performance of this contract, or (ii) commencement of use of such property in the performance of this contract, or (iii) reimbursement of the cost thereof by COMMERCE in whole or in part, whichever first occurs.

- A. Any property of COMMERCE furnished to the Contractor shall, unless otherwise provided herein or approved by COMMERCE, be used only for the performance of this contract.
- B. The Contractor shall be responsible for any loss or damage to property of COMMERCE that results from the negligence of the Contractor or which results from the failure on the part of the Contractor to maintain and administer that property in accordance with sound management practices.
- C. If any COMMERCE property is lost, destroyed or damaged, the Contractor shall immediately notify COMMERCE and shall take all reasonable steps to protect the property from further damage.
- D. The Contractor shall surrender to COMMERCE all property of COMMERCE prior to settlement upon completion, termination or cancellation of this contract.
- E. All reference to the Contractor under this clause shall also include Contractor's employees, agents or Subcontractors.

21. **WAIVER**

Waiver of any default or breach shall not be deemed to be a waiver of any subsequent default or breach. Any waiver shall not be construed to be a modification of the terms of this Contract unless stated to be such in writing and signed by Authorized Representative of COMMERCE.

Attachment A: Scope of Work

| Grant Objective: Engage public in Middle Housing, draft development regulations, and adopt final regulations. | | | |
|---|--|----------------------|---------------------|
| Actions/Steps/ Deliverables | Description | Start Date | End Date |
| Action 1 | Middle Housing Public Engagement Plan | October 2023 | January 2024 |
| Step 1.1 | Continue public outreach of residents, employees, employers, developers, nonprofit sponsors, Planning Commission, City Council, and other stakeholders initiated with the soon to be completed Housing Action Plan (HAP). | October 2023 | January 2024 |
| Step 1.2 | Conduct interviews, workshops, surveys, and open houses of the participants identified in Step 1.1 to discuss the need to implement Middle Housing to meet HB 1110 requirements and a certifiable Comprehensive Plan Update in 2024. | October 2023 | January 2024 |
| Deliverable 1 | Middle Housing Public Engagement Plan | | January 2024 |
| Action 2 | Middle Housing Public engagement informational materials and results | November 2023 | June 2024 |

| | | | |
|---------------|---|---------------|----------------|
| Step 2.1 | Update HAP informational materials to focus on the need to determine buildable capacity per HB 1110 and implement Missing Middle housing types including Accessory Dwelling Units per HB 1337. | November 2023 | November 2023 |
| Step 2.2 | Conduct interviews, workshops, surveys, and open houses of the participants identified in Step 1.1 to review the scope, schedule, and other particulars to implement HB 1110. | November 2023 | June 2024 |
| Deliverable 2 | Public engagement results report including informational materials from Step 2.1 and the discussions from Step 2.2. | | June 2024 |
| Action 3 | Draft Middle Housing capacity estimates, development regulation amendments to implement HB 1110 using WA DOC Middle Housing Model Ordinance. | January 2024 | March 2024 |
| Step 3.1 | Review Middle Housing capacity estimates and draft development regulation amendments with residents, employees, employers, developers, nonprofit sponsors, and Planning Commission using interviews, workshops, surveys, and open houses. | January 2024 | February 2024 |
| Step 3.2 | Refine final Middle Housing capacity objectives and development regulations with Planning Commission and City Council. | May 2024 | September 2024 |
| Deliverable 3 | Refined draft Middle Housing ordinance | | September 2024 |

| | | | |
|----------------------|--|--------------------|----------------------|
| Action 4 | Adopt Middle Housing development regulation amendments | August 2024 | October 2024 |
| Step 4.1 | Transmit draft Middle Housing ordinance to WA DOC for review per RCW 36.70A.106. | October 2024 | November 2024 |
| Step 4.2 | Review WA DOC comments with Planning Commission and conduct public hearing on development regulation amendments | November 2024 | November 2024 |
| Step 4.3 | Review WA DOC comments and Planning Commission recommendations with City Council and conduct public hearing on development regulation amendments | October 2024 | October 2024 |
| Step 4.4 | City Council adopts Middle Housing development regulation amendments | November 2024 | December 2024 |
| Deliverable 4 | Adopted Middle Housing ordinance and development regulation amendments | | December 2024 |

Attachment B: Budget

| Grant Objective: Engage public in Middle Housing, draft development regulations, and adopt final regulations. | Fiscal Year | Commerce Funds |
|---|----------------------|----------------|
| Deliverable 1. Public Engagement Plan | FY1 – November 2023 | \$5,000 |
| Deliverable 2. Public Engagement Informational Materials & Report | FY1 – June 15, 2024 | \$20,000 |
| Deliverable 3. Draft Middle Housing Development Regulations Amendments | FY2 – September 2024 | \$10,000 |
| Deliverable 4. Adopted Middle Housing ordinance | FY2 – December 2024 | \$15,000 |
| Total: | | \$50,000 |



Selah City Council
Regular Meeting
AGENDA ITEM SUMMARY

Meeting Date: 12/12/2023

Agenda Number: **13-B***

Action Item

Title: Resolution Authorizing the Mayor of Selah to Sign a Six-Page Telecommunications Franchise Agreement with Consolidated Communications of Washington Company, LLC, that Grants a Nonexclusive Franchise for Telecommunications Facilities

From: Rob Case, City Attorney

Action Requested: Approval

Staff Recommendation: Approve the Resolution as submitted

Board/Commission Recommendation: N/A

Fiscal Impact: N/A

Funding Source: N/A

Background/Findings/Facts: As a code city, Selah is authorized – by state law – to grant nonexclusive franchise rights to any person or entity that desires to use a portion of the City's public infrastructure for certain purposes. The permissible purposes include the transmission and distribution of signals and other methods of communication. *See* RCW 35A.47.040 (1st ¶).

The entity known as Consolidated Communications of Washington Company, LLC, desires to obtain a nonexclusive franchise, so that it can locate telecommunications facilities both underground and above ground at various locations on City-owned rights-of-way. This would occur pursuant to a six-page Telecommunications Franchise Agreement, a proposed copy of which is submitted with this AIS. The terms are acceptable to City staff. The City will not incur any financial outlay under the Agreement. Nor will the City receive any annual franchise fee payments, because state law prohibits the City from charging such due to the fact that the applicant's fiber optic cables will be used – at least in part – for telephone services. *See* RCW 35.21.860 & 82.16.010.

During the City Council meeting on November 28, 2023, Resolution No. 3063 was passed and adopted. That Resolution directed City staff to publish notice in the City's designated official newspaper of the City Council's intent to likely grant the proposed franchise on December 12, 2023. This was done so as to satisfy the prerequisites established by RCW 35A.47.040 (2nd ¶). In fact, notice was published in the Yakima Herald-Republic on December 3, 2023.

Today, the City Council can take final action. City staff asks the City Council to pass and adopt the now-submitted proposed Resolution, which authorizes the Mayor to sign the six-page Agreement and to thus grant the franchise.

Recommended Motion: I move to adopt 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. 3065

RESOLUTION AUTHORIZING THE MAYOR OF SELAH TO SIGN A SIX-PAGE TELECOMMUNICATIONS FRANCHISE AGREEMENT WITH CONSOLIDATED COMMUNICATIONS OF WASHINGTON COMPANY, LLC, THAT GRANTS A NONEXCLUSIVE FRANCHISE FOR TELECOMMUNICATIONS FACILITIES

WHEREAS, the entity known as Consolidated Communications of Washington Company, LLC, desires to obtain a nonexclusive franchise from the City of Selah so that it can locate telecommunications facilities, both underground and above ground, within rights-of-way owned by the City; and

WHEREAS, state law – specifically RCW 35A.47.040 – authorizes the City to grant nonexclusive franchises for such purpose; and

WHEREAS, a proposed six-page Telecommunications Franchise Agreement has been drafted and its terms are acceptable to City staff; and

WHEREAS, the City Council finds that good cause exists to authorize the Mayor to sign the Agreement and to thus grant the franchise;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, that the Mayor is authorized to sign the six-page Telecommunications Franchise Agreement in the form appended hereto, and to thus grant the franchise.

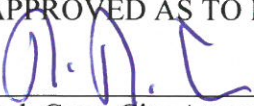
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, this 12th day of December, 2023.


Sherry Raymond, Mayor

ATTEST:

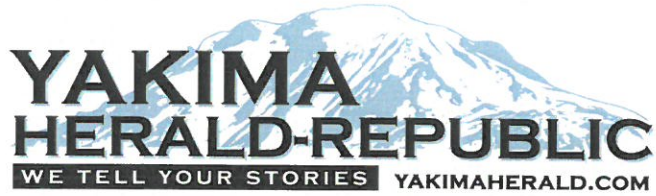

Dale E. Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:


Rob Case, City Attorney

Yakima Herald-Republic

PO Box 9668
Yakima, WA 98909



City Of Selah
Teresa Morales
115 W Naches Avenue
Selah, WA 98942
USA

Order Confirmation

| | |
|------------------|--|
| Order #: | 68048 |
| Order Ref #: | |
| Date: | 11/30/2023 |
| Advertiser #: | 23209 |
| Advertiser Name: | City Of Selah |
| Agency #: | |
| Agency Name: | |
| Account Manager: | Simon Sizer ssizer@yakimaherald.com |

\$ 161.00

| Ad No. | Date | Description | Position | Format |
|--------|-----------|--|--|------------------------------|
| 383921 | 12/3/2023 | CITY COUNCIL FOR THE CITY OF SELAH, WASHINGTON The following Resolution was adopted on Tuesday, November 28, 2023 at the Regul | Yakima Herald Republic Broadsheet - CL-Legals | 3.46 × 5.79 in × 2.0000 col. |
| 383922 | 12/3/2023 | CITY COUNCIL FOR THE CITY OF SELAH, WASHINGTON The following Resolution was adopted on Tuesday, November 28, 2023 at the Regul | Yakima Herald Republic CL Online - CL-Legals | 3.46 × 5.79 in × 2.0000 col. |

Summary

| | |
|-------------------------|------------------|
| Total Net Amount | \$ 161.00 |
| Taxes | \$ 0.00 |
| Total Amount | \$ 161.00 |

Remittance Address:

Yakima Herald-Republic
PO Box 9668
Yakima, WA 98909
Tel: (206) 464-2550

Classified Category: Legals|Public Notices

CITY COUNCIL FOR THE CITY OF SELAH, WASHINGTON

The following Resolution was adopted on Tuesday, November 28, 2023 at the Regular Council Meeting:

Resolution #3063: RESOLUTION DIRECTING CITY STAFF TO PUBLISH AN UNDERLYING PROPOSED RESOLUTION IN THE CITY'S DESIGNATED OFFICIAL NEWSPAPER AS NOTICE OF THE CITY'S INTENT TO GRANT A NONEXCLUSIVE FRANCHISE FOR TELECOMMUNICATIONS FACILITIES TO CONSOLIDATED COMMUNICATIONS OF WASHINGTON COMPANY, LLC, ON DECEMBER 12, 2023

UNDERLYING RESOLUTION:

[PROPOSED] RESOLUTION AUTHORIZING THE MAYOR OF SELAH TO SIGN A SIX-PAGE TELECOMMUNICATIONS FRANCHISE AGREEMENT WITH CONSOLIDATED COMMUNICATIONS OF WASHINGTON COMPANY, LLC, THAT GRANTS A NONEXCLUSIVE FRANCHISE FOR TELECOMMUNICATIONS FACILITIES

WHEREAS, the entity known as Consolidated Communications of Washington Company, LLC, desires to obtain a nonexclusive franchise from the City of Selah so that it can locate telecommunications facilities, both underground and above ground, within rights-of-way owned by the City; and

WHEREAS, state law – specifically RCW 35A.47.040 – authorizes the City to grant nonexclusive franchises for such purpose; and

WHEREAS, a proposed six-page Telecommunications Franchise Agreement has been drafted and its terms are acceptable to City staff; and

WHEREAS, the City Council finds that good cause exists to authorize the Mayor to sign the Agreement and to thus grant the franchise;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, that the Mayor is authorized to sign the six-page Telecommunications Franchise Agreement and to thus grant the franchise.

(68048) December 2, 2023

TELECOMMUNICATION FRANCHISE AGREEMENT

This Telecommunications Franchise Agreement ("AGREEMENT" or "FRANCHISE") is entered into by and between **Consolidated Communications of Washington Company, LLC** ("FRANCHISEE") and the municipal corporation of the **City of Selah, Washington** ("CITY").

RECITALS

WHEREAS the CITY also recognizes that the use of public rights-of-way must be restricted to allow for the construction of amenities necessary to serve the needs within the CITY for all parcels located within the CITY. The coordination, planning, and management of the CITY'S rights-of-way is necessary to ensure that the burden of costs for the operations of non-municipal interests are not borne by the citizenry; and

WHEREAS, the CITY has determined that the development of a comprehensive plan for rights-of-way use, and management is the most effective means for managing the current use of rights-of-way and ensuring prudent and appropriate decisions concerning the use of rights-of-way in the future; and

WHEREAS, FRANCHISEE has determined that it is in its best interests to move forward with the installation and maintenance of telecommunications facilities within the public rights-of-way of CITY.

NOW THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

Section 1. Non-exclusive Franchise Granted. CITY hereby grants to FRANCHISEE, subject to the conditions prescribed in this AGREEMENT, the franchise rights and authority to construct, replace, repair, monitor, maintain, use, and operate the equipment and facilities necessary for telecommunication service crossing, within the CITY-owned rights-of-way ("FRANCHISE AREA").

Such franchise rights and authority shall not be deemed to be exclusive to FRANCHISEE and shall in no way prohibit or limit the CITY's ability to grant other franchises, permits, or rights along, over, or under the areas to which this FRANCHISE has been granted to FRANCHISEE; provided that, any other franchise(s) do not unreasonably interfere with FRANCHISEE'S exercise of its franchise rights and authority. This FRANCHISE shall in no way interfere with existing utilities or in any way limit, prohibit, or prevent, the CITY from using the FRANCHISE AREA or affect the CITY'S jurisdiction over any area in any way.

Section 2. Authority. The CITY'S Director of Public Works or his/her designee is hereby granted the authority to administer and enforce the terms and provisions of this FRANCHISE and may develop such rules, policies, and procedures, as he/she deems necessary to carry out the provisions contained herein.

Section 3. Construction Provisions and Standards. The following provisions shall be considered mandatory and failure to abide by any conditions described herein shall be deemed as non-compliance with the terms of this FRANCHISE:

- A. **Permit Required** - No construction, maintenance, or repairs (except for emergency repairs) shall be undertaken in the FRANCHISE AREA without first obtaining a permit to perform such work from CITY'S Public Works Department.
- B. **Coordination** - All work and inspection shall be coordinated with the Engineering Division of CITY'S Public Works Department to ensure consistency with CITY'S infrastructure, CITY'S future capital improvement projects, all developer improvements, and pertinent codes and franchises.
- C. **Construction Standards** - Any construction, installation, maintenance, and restoration activities performed by or for FRANCHISEE within the FRANCHISE AREA shall be conducted and located so as to produce the least amount of interference with the free passage of pedestrian and vehicular traffic. All construction, installation, maintenance, traffic control and restoration activities shall be conducted so as to conform to CITY'S most-current standards in effect at the time that such activities take place, and as may detailed in a Manual on Accommodating Utilities.
- D. **Undergrounding** - The parties agree that this FRANCHISE does not limit the CITY'S authority under federal law, state law or local ordinance, to require the undergrounding of utilities or other facilities. FRANCHISEE shall not be required to convert existing facilities or install new facilities underground in any areas where other service providers (e.g., power, cable, telecommunications, etc.) have aerial facilities.
- E. **Removal or Abandonment** - Upon the removal from service of any telecommunication components or other associated structures, facilities and amenities, FRANCHISEE shall comply with all applicable standards and requirements prescribed by CITY'S Public Works Department for the removal or abandonment of said structures and telecommunication service facilities.
- F. **"One-Call" Location & Liability** – CITY will not locate private infrastructure. The "One-Call" locate will be the responsibility of the FRANCHISEE.
- G. **As-Built Plans Required** - FRANCHISEE shall present as-built plans to be inspected and approved by CITY'S Public Works Director or his/her designee.
- H. **Protect Public Interest** - FRANCHISEE understands and agrees that the Selah Municipal Code incorporates provisions necessary to protect the public interest and investment with regard to utilization of CITY-owned roads and rights-of-way.
- I. **Relocation** - Whenever CITY determines that it is necessary for any of FRANCHISEE'S facilities, or for other system components, to be moved or relocated to accommodate the construction, or enhancement of any CITY-owned public amenity in the FRANCHISE AREA, CITY shall notify FRANCHISEE in writing of such determination, and FRANCHISEE shall promptly submit plans for such relocation. Within ninety (90) days of the approval by CITY of the plans for relocation, FRANCHISEE shall relocate those facilities or structures designated by CITY. The costs of moving or relocating FRANCHISEE facilities

or structures, including but not limited to costs for design, engineering and construction is the responsibility of FRANCHISEE.

Section 4. Franchise Compliance.

- A. Franchise Violations** - The failure by FRANCHISEE to comply fully with any of the provisions of this AGREEMENT may result in a written notice from CITY, which describes the violation(s) and requests remedial action within thirty (30) days of receipt of such notice. If FRANCHISEE has not attained full compliance at the end of the thirty (30) day period following receipt of the violation notification, CITY may declare an immediate termination of all franchise rights and authority, provided that full compliance was reasonably possible within that thirty (30) day period. The demonstration of due diligence on the part of FRANCHISEE may be grounds for the grant of an extension in the period during which compliance is to be attained; provided that, FRANCHISEE continues to pursue correction of any violation(s) of the AGREEMENT that are or were noted by CITY.
- B. Emergency Actions** - If any of FRANCHISEE'S actions, or any failure by FRANCHISEE to act, to correct a situation caused by FRANCHISEE is deemed by CITY to create a threat to life or property, CITY may order FRANCHISEE to immediately correct said situation threat or, at CITY'S discretion, CITY may undertake measures to correct said situation threat itself; provided that, when possible, CITY shall notify FRANCHISEE of said threat and give FRANCHISEE an opportunity to correct said threat before undertaking such measures itself. FRANCHISEE shall be liable for all costs, expenses, and damages attributable to the correction of such an emergency situation as undertaken by CITY to the extent that such situation was caused by FRANCHISEE, and shall further be liable for all costs, expenses, and damages resulting to CITY from such situation and any reimbursement of such costs to CITY shall be made within thirty (30) days of written notice of the completion of such action or determination of damages by CITY. The failure by FRANCHISEE to take appropriate action to correct a situation caused by FRANCHISEE and identified by CITY as a threat to public or private safety or property shall be considered a violation of this FRANCHISE and each day that such a situation continues to exist and FRANCHISEE fails to take appropriate action to abate said situation shall be regarded as a separate violation.
- C. Other Remedies** - Nothing contained in this FRANCHISE shall limit CITY'S available remedies in the event if FRANCHISEE fails to comply with the provisions of this FRANCHISE, including but not limited to, CITY'S right to sue for specific performance and/or damages.
- D. Removal of System** - In the event that this FRANCHISE is terminated as a result of violation(s), FRANCHISEE shall at its sole expense, promptly remove all components and facilities, provided that, CITY, at its discretion, may allow FRANCHISEE to abandon its facilities in place.

Section 5. Insurance. FRANCHISEE shall present to CITY proof that FRANCHISEE has general liability insurance in the amount of one million dollars (\$1,000,000) in the single event and two million dollars (\$2,000,000) in the aggregate.

Section 6. Other Permits & Approvals. Nothing in this FRANCHISE shall relieve FRANCHISEE from any obligation to obtain approvals or necessary permits from applicable federal, state, and CITY authorities for all activities in the FRANCHISE AREA.

Section 7. FRANCHISEE'S Successors. The rights, privileges, benefits, title, or interest provided by this FRANCHISE shall automatically transfer to any assign(s) or successor(s) in interest of FRANCHISEE and, in such event, each instance of the word and reference to the position of "Franchisee" within this AGREEMENT shall henceforth be read, construed and interpreted as stating the name of the successor(s).

Section 8. Franchise Term. The franchise rights and authority granted by this FRANCHISE shall remain in full force and effect for a period of fifteen (15) years from the effective date of this FRANCHISEE and will be renegotiable at the end of that time.

Section 9. Administrative Fees. (NOT APPLICABLE)

Section 10. Franchise Fee. (NOT APPLICABLE)

Section 11. Capacity for CITY Use. As long as FRANCHISEE is in compliance and good standing with CITY, any new expansion into a new service area within the City of Selah will be subject to substantially the same terms and conditions set forth in this FRANCHISE and such permission will be given within sixty (60) days following notice by FRANCHISEE to CITY'S Public Works Director. However, if FRANCHISEE is not in compliance and good standing with CITY, prior to expanding into a new service area within the City of Selah, FRANCHISEE shall contact CITY'S Public Works Department and provide notice of the proposed area of expansion and negotiations shall then occur between FRANCHISEE and CITY on specific public benefit projects within the proposed expanded service area. FRANCHISEE and CITY will agree on the specific public benefit within the proposed expanded service area prior to FRANCHISEE obtaining a right-of-way use permit for action within the expanded service area.

Section 12. Notices. Any notices to be served upon CITY or FRANCHISEE shall be delivered to the following addresses respectively:

CITY:
City of Selah
ATTN: City Administrator
ATTN: City Attorney
115 West Naches Ave.
Selah, WA 98942

FRANCHISEE:
Consolidated Communications of Washington, LLC
ATTN: Contracts Department
2116 South 17th St.
Mattoon, IL 61938

Section 13. Claims for Damages. In the construction, installation, repair, operation, and maintenance of its structures and facilities, FRANCHISEE shall use reasonable and appropriate precautions to avoid damage to persons or property. FRANCHISEE shall indemnify, hold harmless, and also defend CITY and its officers, agents, employees, insurers and liability risk pools from all claims, actions or damages of every kind or description, including reasonable attorney's and expert witness fees, which may accrue to or be suffered by any person or persons, corporation or property to the extent caused in part or in whole by any negligent act or omission of FRANCHISEE, its officers, agents, employees and contractors, carried on in the furtherance of the rights, benefits, and privileges granted to FRANCHISEE by this FRANCHISE. In the event any claim or demand is presented to or filed with the CITY which gives rise to FRANCHISEE'S obligation(s) pursuant to this section, CITY shall within a reasonable time notify FRANCHISEE thereof and FRANCHISEE shall have a right, at its election, to settle or compromise such claim or demand. In the event any claim or action is commenced in which CITY is named as a party, and which suit or action is based on a claim or demand which gives rise to FRANCHISEE'S obligation(s) pursuant to this section, CITY shall promptly notify FRANCHISEE thereof, and FRANCHISEE shall, at its sole cost and expense, defend such suit or action by attorneys of its own election. In defense of such suit or action, FRANCHISEE may, at its election and at its sole cost and expense, settle or compromise such suit or action. This section shall not be construed to require FRANCHISEE to: (i) protect and save CITY harmless from any claims, actions, or damages; (ii) settle or compromise any claim, demand, suit, or action; (iii) appear in or defend any suit or action; or, (iv) pay any judgment or reimburse the CITY'S costs and expenses (including reasonable attorney's fees), to the extent such claim arises out of the sole negligence of CITY. To the extent of any concurrent negligence between FRANCHISEE and CITY, FRANCHISEE'S obligations under this section shall only extend to its own share of negligence or fault. CITY shall have the right at all times to participate through its own attorney in any suit or action which arises out of any right, privilege, and authority granted by or exercised pursuant to this FRANCHISE when CITY determines that such participation is required to protect the interests of CITY or the public. Such participation by CITY shall be at CITY'S sole cost and expense.

Section 14. Severability. If any section, sentence, clause, or phrase of this FRANCHISE is held to be invalid or unconstitutional by a court of competent jurisdiction, CITY may, at its sole discretion, deem the entire FRANCHISE to be affected and thereby nullified. However, in the event that a determination is made that a section, sentence, clause, or phrase in this FRANCHISE is invalid or unconstitutional, CITY may elect to treat the portion declared invalid or unconstitutional as severable and enforce the remaining provisions of this FRANCHISE; provided that, if CITY elects to enforce the remaining provisions of the FRANCHISE, FRANCHISEE shall have the option to terminate the FRANCHISE.

Section 15. Indemnification. FRANCHISEE, and each of its successors and assigns, agrees and covenants to indemnify and hold harmless CITY from and against any and all liability, loss, cost, damages, whether to persons or property, or expense of any type or nature, including reasonable attorney's fees and expert witness fees, to the extent it arises from any negligent act or omission or willful misconduct of FRANCHISEE or one of its successors or assigns, arising from or connected to work under this FRANCHISE; provided however, that in case any suit or action is instituted against CITY by reason of any such damage or injury, CITY shall: (i) cause written notice thereof to be given unto FRANCHISEE; (ii) provide all reasonably requested assistance in defense or settlement of such claim at FRANCHISEE'S expense; and, (iii) retain the right to control the defense of settlement or such claims.

Section 16. Effective Date. This FRANCHISE shall take effect and be in full force and effect after approval of the City of Selah City Council via a Resolution.

Section 17. Other Conditions: (None)

This FRANCHISE is not valid until accepted and signed by FRANCHISEE.

DATED this 13 day of DEC, 23, at Selah, Washington.

City

By: Sherry Raymond

Name: mayor, city of SELAH
[Title]

Date: 12/13/2023

Consolidated Communications of Washington Company, LLC
UBI No. 604-378-974

By: _____
Michael J. Shultz

Name: _____
Senior Vice President Regulatory & Public Policy

Date: _____



Selah City Council
Regular Meeting
AGENDA ITEM SUMMARY

Meeting Date: 12/12/2023

Agenda Number: 13-C*

Action Item

Title: Resolution Authorizing the Mayor to Sign a Five-Page Washington State Transportation Improvement Board Fuel Tax Grant Agreement 8-4-182(008)-1, Pertaining to the City's East Goodlander Road / Lancaster Road Traffic Signal Project

From: Rocky Wallace, Public Works Director

Action Requested: Approval

Staff Recommendation: Approval

Board/Commission Recommendation: N/A

Fiscal Impact: The City will receive \$612,810.00 of TIB grant funds, and the City will expend \$68,090.00 of its own funds on this project (which portion will be reimbursed to the City by the Selah School District).

Funding Source: 111, Street Improvement Fund

Background/Findings/Facts: The City's East Goodlander Road / Lancaster Road Traffic Signal Project (Project) will construct a new traffic signal where one does not currently exist. The City has received a funding commitment from the Washington State Transportation Improvement Board (TIB) for a portion of the costs on this Project.

TIB will contribute a maximum of \$612,810.00, provided that the City contributes another \$68,090.00. The City has sufficient monies to contribute such amount, and the City's contribution will be later reimbursed by the Selah School District (as previously discussed with the City Council).

A five-page Washington State Transportation Improvement Board Fuel Tax Agreement 8-4-182(008)-1 has been prepared, a copy is appended to this AIS, and City staff is requesting that the City Council authorize the Mayor – via approving the attached proposed Resolution – 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).

Date: **Action Taken:**

8/8/2023

Resolution No. 3038 Authorizing the Mayor to Sign a Transportation
Improvements Board (TIB) Funding Application for the 2023 Urban Arterial
Program for the East Goodlander Road / Lancaster Road Traffic Signal Project

RESOLUTION NO. 3066

RESOLUTION AUTHORIZING THE MAYOR SIGN A FIVE-PAGE WASHINGTON STATE
TRANSPORTATION IMPROVEMENTS BOARD FUEL TAX GRANT AGREEMENT 8-4-
182(008)-1, PERTAINING TO THE CITY'S EAST GOODLANDER ROAD / LANCASTER
ROAD TRAFFIC SIGNAL PROJECT

WHEREAS, the City desires – as part of its East Goodlander Road / Lancaster Road Traffic Signal Project (Project) – to construct a new traffic signal where one does not currently exist; and

WHEREAS, the City has received a funding commitment from the Washington State Transportation Improvement Board (TIB) for portion of the costs on such Project; and

WHEREAS, TIB will contribute a maximum of \$612,810.00 toward the Project, provided that the City contributes another \$68,090.00; and

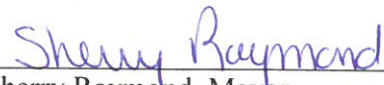
WHEREAS, a five-page Washington State Transportation Improvement Board Fuel Tax Grant Agreement 8-4-182(008)-1 has been prepared, its terms are acceptable to City staff, and City staff recommends that the City Council authorize the Mayor to sign it;

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 five-page Washington State Transportation Improvement Board Fuel Tax Grant Agreement 8-4-182(008)-1 in the form appended hereto.

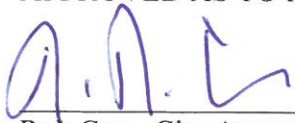
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, this 12th day of December, 2023.

ATTEST:


Dale Novobielski, Clerk Treasurer


Sherry Raymond, Mayor

APPROVED AS TO FORM:


Rob Case, City Attorney



City of Selah
8-4-182(008)-1
E Goodlander Road Signal
Lancaster Rd Signal

STATE OF WASHINGTON
TRANSPORTATION IMPROVEMENT BOARD
AND
City of Selah
AGREEMENT

THIS GRANT AGREEMENT (hereinafter "Agreement") for the E Goodlander Road Signal, Landcaster Rd Signal (hereinafter "Project") is entered into by the WASHINGTON STATE TRANSPORTATION IMPROVEMENT BOARD (hereinafter "TIB") and City of Selah, a political subdivision of the State of Washington (hereinafter "RECIPIENT").

1.0 PURPOSE

For the project specified above, TIB shall pay 90.0000 percent of approved eligible project costs up to the amount of \$612,810, pursuant to terms contained in the RECIPIENT'S Grant Application, supporting documentation, chapter 47.26 RCW, title 479 WAC, and the terms and conditions listed below.

2.0 SCOPE AND BUDGET

The Project Scope and Budget are initially described in RECIPIENT's Grant Application and incorporated by reference into this Agreement. Scope and Budget will be further developed and refined, but not substantially altered during the Design, Bid Authorization and Construction Phases. Any material alterations to the original Project Scope or Budget as initially described in the Grant Application must be authorized by TIB in advance by written amendment.

3.0 PROJECT DOCUMENTATION

TIB requires RECIPIENT to make reasonable progress and submit timely Project documentation as applicable throughout the Project. Upon RECIPIENT's submission of each Project document to TIB, the terms contained in the document will be incorporated by reference into the Agreement. Required documents include, but are not limited to the following:

- a) Project Funding Status Form
- b) Bid Authorization Form with plans and engineers estimate
- c) Award Updated Cost Estimate
- d) Bid Tabulations
- e) Contract Completion Updated Cost Estimate with final summary of quantities
- f) Project Accounting History

4.0 BILLING AND PAYMENT

The local agency shall submit progress billings as project costs are incurred to enable TIB to maintain accurate budgeting and fund management. Payment requests may be submitted as



often as the RECIPIENT deems necessary, but shall be submitted at least quarterly if billable amounts are greater than \$50,000. If progress billings are not submitted, large payments may be delayed or scheduled in a payment plan.

5.0 TERM OF AGREEMENT

This Agreement shall be effective upon execution by TIB and shall continue through closeout of the grant or until terminated as provided herein, but shall not exceed 10 years unless amended by the Parties.

6.0 AMENDMENTS

This Agreement may be amended by mutual agreement of the Parties. Such amendments shall not be binding unless they are in writing and signed by persons authorized to bind each of the Parties.

7.0 ASSIGNMENT

The RECIPIENT shall not assign or transfer its rights, benefits, or obligations under this Agreement without the prior written consent of TIB. The RECIPIENT is deemed to consent to assignment of this Agreement by TIB to a successor entity. Such consent shall not constitute a waiver of the RECIPIENT's other rights under this Agreement.

8.0 GOVERNANCE & VENUE

This Agreement shall be construed and interpreted in accordance with the laws of the state of Washington and venue of any action brought hereunder shall be in the Superior Court for Thurston County.

9.0 DEFAULT AND TERMINATION

9.1 NON-COMPLIANCE

- a) In the event TIB determines, in its sole discretion, the RECIPIENT has failed to comply with the terms and conditions of this Agreement, TIB shall notify the RECIPIENT, in writing, of the non-compliance.
- b) In response to the notice, RECIPIENT shall provide a written response within 10 business days of receipt of TIB's notice of non-compliance, which should include either a detailed plan to correct the non-compliance, a request to amend the Project, or a denial accompanied by supporting details.
- c) TIB will provide 30 days for RECIPIENT to make reasonable progress toward compliance pursuant to its plan to correct or implement its amendment to the Project.
- d) Should RECIPIENT dispute non-compliance, TIB will investigate the dispute and may withhold further payments or prohibit the RECIPIENT from incurring additional reimbursable costs during the investigation.

9.2 DEFAULT

RECIPIENT may be considered in default if TIB determines, in its sole discretion, that:



- a) RECIPIENT is not making reasonable progress toward correction and compliance.
- b) TIB denies the RECIPIENT's request to amend the Project.
- c) After investigation TIB confirms RECIPIENT'S non-compliance.

TIB reserves the right to order RECIPIENT to immediately stop work on the Project and TIB may stop Project payments until the requested corrections have been made or the Agreement has been terminated.

9.3 TERMINATION

- a) In the event of default by the RECIPIENT as determined pursuant to Section 9.2, TIB shall serve RECIPIENT with a written notice of termination of this Agreement, which shall be served in person, by email or by certified letter. Upon service of notice of termination, the RECIPIENT shall immediately stop work and/or take such action as may be directed by TIB.
- b) In the event of default and/or termination by either PARTY, the RECIPIENT may be liable for damages as authorized by law including, but not limited to, repayment of grant funds.
- c) The rights and remedies of TIB provided in the AGREEMENT are not exclusive and are in addition to any other rights and remedies provided by law.

9.4 TERMINATION FOR NECESSITY

TIB may, with ten (10) days written notice, terminate this Agreement, in whole or in part, because funds are no longer available for the purpose of meeting TIB's obligations. If this Agreement is so terminated, TIB shall be liable only for payment required under this Agreement for performance rendered or costs incurred prior to the effective date of termination.

10.0 USE OF TIB GRANT FUNDS

TIB grant funds come from Motor Vehicle Fuel Tax revenue. Any use of these funds for anything other than highway or roadway system improvements is prohibited and shall subject the RECIPIENT to the terms, conditions and remedies set forth in Section 9. If Right of Way is purchased using TIB funds, and some or all of the Right of Way is subsequently sold, proceeds from the sale must be deposited into the RECIPIENT's motor vehicle fund and used for a motor vehicle purpose.

11.0 INCREASE OR DECREASE IN TIB GRANT FUNDS

At Bid Award and Contract Completion, RECIPIENT may request an increase in the maximum payable TIB funds for the specific project. Requests must be made in writing and will be considered by TIB and awarded at the sole discretion of TIB. All increase requests must be made pursuant to WAC 479-05-202 and/or WAC 479-01-060. If an increase is denied, the recipient shall be liable for all costs incurred in excess of the maximum amount payable by TIB. In the event that final costs related to the specific project are less than the initial grant award, TIB funds will be decreased and/or refunded to TIB in a manner that maintains the intended ratio between TIB funds and total project costs, as described in Section 1.0 of this Agreement.



12.0 INDEPENDENT CAPACITY

The RECIPIENT shall be deemed an independent contractor for all purposes and the employees of the RECIPIENT or any of its contractors, subcontractors, and employees thereof shall not in any manner be deemed employees of TIB.

13.0 INDEMNIFICATION AND HOLD HARMLESS

The PARTIES agree to the following:

Each of the PARTIES, shall protect, defend, indemnify, and save harmless the other PARTY, its officers, officials, employees, and agents, while acting within the scope of their employment as such, from any and all costs, claims, judgment, and/or awards of damages, arising out of, or in any way resulting from, that PARTY's own negligent acts or omissions which may arise in connection with its performance under this Agreement. No PARTY will be required to indemnify, defend, or save harmless the other PARTY if the claim, suit, or action for injuries, death, or damages is caused by the sole negligence of the other PARTY. Where such claims, suits, or actions result from the concurrent negligence of the PARTIES, the indemnity provisions provided herein shall be valid and enforceable only to the extent of a PARTY's own negligence. Each of the PARTIES agrees that its obligations under this subparagraph extend to any claim, demand and/or cause of action brought by, or on behalf of, any of its employees or agents. For this purpose, each of the PARTIES, by mutual negotiation, hereby waives, with respect to the other PARTY only, any immunity that would otherwise be available to it against such claims under the Industrial Insurance provision of Title 51 RCW. In any action to enforce the provisions of the Section, the prevailing PARTY shall be entitled to recover its reasonable attorney's fees and costs incurred from the other PARTY. The obligations of this Section shall survive termination of this Agreement.

14.0 DISPUTE RESOLUTION

- a) The PARTIES shall make good faith efforts to quickly and collaboratively resolve any dispute arising under or in connection with this AGREEMENT. The dispute resolution process outlined in this Section applies to disputes arising under or in connection with the terms of this AGREEMENT.
- b) Informal Resolution. The PARTIES shall use their best efforts to resolve disputes promptly and at the lowest organizational level.
- c) In the event that the PARTIES are unable to resolve the dispute, the PARTIES shall submit the matter to non-binding mediation facilitated by a mutually agreed upon mediator. The PARTIES shall share equally in the cost of the mediator.
- d) Each PARTY agrees to compromise to the fullest extent possible in resolving the dispute in order to avoid delays or additional incurred cost to the Project.
- e) The PARTIES agree that they shall have no right to seek relief in a court of law until and unless the Dispute Resolution process has been exhausted.



15.0 ENTIRE AGREEMENT

This Agreement, together with the RECIPIENT'S Grant Application, the provisions of chapter 47.26 Revised Code of Washington, the provisions of title 479 Washington Administrative Code, and TIB Policies, constitutes the entire agreement between the PARTIES and supersedes all previous written or oral agreements between the PARTIES.

16.0 RECORDS MAINTENANCE

The RECIPIENT shall maintain books, records, documents, data and other evidence relating to this Agreement and performance of the services described herein, including but not limited to accounting procedures and practices which sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this Agreement. RECIPIENT shall retain such records for a period of six years following the date of final payment. At no additional cost, these records, including materials generated under the Agreement shall be subject at all reasonable times to inspection, review or audit by TIB personnel duly authorized by TIB, the Office of the State Auditor, and federal and state officials so authorized by law, regulation or agreement.

If any litigation, claim or audit is started before the expiration of the six (6) year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved.

Approved as to Form
Attorney General

By:

Signature on file

Guy Bowman
Assistant Attorney General

Lead Agency

Transportation Improvement Board

Sherry Raymond 12-13-23
Chief Executive Officer Date

Executive Director Date

Sherry Raymond, Mayor
Print Name

Print Name

From: [Heusman, Jonathan \(TIB\)](#)
To: [Wallace, Rocky](#)
Subject: Congratulations on Selection - Selah - E Goodlander Road Signal - TIB Project Number 8-4-182(008)-1
Date: Monday, December 4, 2023 11:45:10 AM
Attachments: [image001.png](#)
[Funding Status Form - Selah - E Goodlander Road Signal.pdf](#)
[Grant Agreement - Selah - E Goodlander Road Signal.pdf](#)
[Selection Letter - Selah - E Goodlander Road Signal.pdf](#)

Congratulations! On December 1st, 2023 the TIB board approved funding for the subject project. Please find the attached project selection letter, fuel tax grant agreement, and project funding status form. Prior to beginning any reimbursable work, please "wet" sign a copy of the fuel tax grant agreement and project funding status forms and return them to me as well as an excerpt from the agency's adopted six-year program if applicable (these are not needed for preservation projects). Please send scanned copies of the documents back to me in PDF format for processing.

If you have any questions, please give me a call at (360) 586-1143 or reply to this email. I look forward to working with you on this project.

All the Best



Jonathan Heusman, PE
Southeast Region Engineer
www.tib.wa.gov/

E: jonathanh@tib.wa.gov
T: 360.586.1143
A: PO Box 40901, Olympia, WA 98504-0901



Washington State Transportation Improvement Board

TIB Members

Chair
Mayor Glenn Johnson
City of Pullman

Vice Chair
Councilmember Sam Low
Snohomish County

Amy Asher
Mason Transit Authority

Aaron Butters, PE
HW Lochner Inc.

Susan Carter
Hopelink

Kent Cash, PE
Port of Vancouver

Barbara Chamberlain
WSDOT

Elizabeth Chamberlain
City of Walla Walla

Dongho Chang, PE
WSDOT

Scott Chesney
Spokane County

Vicky Clarke
Cascade Bicycle Club/Washington Bikes

Mike Dahlem, PE
City of Sumner

Commissioner Al French
Spokane County

Councilmember Hilda González
City of Granger

Commissioner Scott Hutsell
Lincoln County

Les Reardanz
Whatcom Transportation Authority

Peter Rogalsky, PE
City of Richland

Mayor Kim Roscoe
City of Fife

Maria Thomas
Office of Financial Management

Jennifer Walker
Thurston County

Jane Wall
County Road Administration Board

Ashley Probart
Executive Director

P.O. Box 40901
Olympia, WA 98504-0901
Phone: 360-586-1140
Fax: 360-586-1165
www.tib.wa.gov

December 1, 2023

Mr. Rocky Wallace
Public Works Director
City of Selah
222 South Rushmore Rd
Selah, WA 98942

Dear Mr. Wallace:

Congratulations! We are pleased to announce the selection of your project, E Goodlander Road Signal, Lancaster Rd Signal, TIB project number 8-4-182(008)-1.

TIB is awarding 90.0000% of approved eligible project costs with a maximum grant of \$612,810.

Before any work is permitted on this project, you must complete and email the following items to your TIB engineer:

- Verify the information on the attached Project Funding Status Form and, revise if necessary. Sign and email a copy.
- Submit the section of your adopted Six Year Transportation Improvement Plan listing this project;
- Sign and email one copy of the Fuel Tax Grant Distribution Agreement.

You may only incur reimbursable expenses after you receive approval from TIB.

In accordance with RCW 47.26.084, you must certify full funding by December 2, 2024 or the grant may be terminated. Grants may also be rescinded due to unreasonable project delay as described in WAC 479-05-211.

If you have questions, please contact Jonathan Heusman, TIB Project Engineer, at JonathanH@TIB.wa.gov.

Sincerely,

Ashley Probart
Executive Director

Enclosures



Selah City Council
Regular Meeting
AGENDA ITEM SUMMARY

Meeting Date: 12/12/2023

Agenda Number: 13-D*

Action Item

Title: Resolution Authorizing the Mayor and Clerk/Treasurer to Sign a One-Page Washington State Transportation Improvement Board Project Funding Status Form, Pertaining to the City's East Goodlander Road / Lancaster Road Traffic Signal Project

From: Rocky Wallace, Public Works Director

Action Requested: Approval

Staff Recommendation: Approval

Board/Commission Recommendation: N/A

Fiscal Impact: The City will receive \$612,810 of TIB grant funds, and the City will expend \$68,090 of its own funds on this project (which portion will be reimbursed to the City by the Selah School District).

Funding Source: 111, Street Improvement Fund

Background/Findings/Facts: The City's East Goodlander Road / Lancaster Road Traffic Signal Project (Project) will construct a new traffic signal where one does not currently exist. The City has received a funding commitment from the Washington State Transportation Improvement Board (TIB) for a portion of the costs on this Project.

TIB will contribute a maximum of \$612,810.00, provided that the City contributes another \$68,090.00. The City has sufficient monies to contribute such amount, and the City's contribution will be later reimbursed by the Selah School District (as previously discussed with the City Council).

A one-page Washington State Transportation Improvement Board Project Funding Status Form has been prepared, a copy is appended to this AIS, and City staff is requesting that the City Council authorize the Mayor and Clerk/Treasurer– via approving the attached proposed Resolution – 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).

Date: **Action Taken:**

8/8/2023

Resolution No. 3038 Authorizing the Mayor to Sign a Transportation
Improvements Board (TIB) Funding Application for the 2023 Urban Arterial
Program for the East Goodlander Road / Lancaster Road Traffic Signal Project

RESOLUTION NO. 3067

RESOLUTION AUTHORIZING THE MAYOR AND CLERK/TREASURER TO
SIGN A ONE-PAGE WASHINGTON STATE TRANSPORTATION
IMPROVEMENTS BOARD PROJECT FUNDING STATUS FORM, PERTAINING
TO THE CITY'S EAST GOODLANDER ROAD / LANCASTER ROAD TRAFFIC
SIGNAL PROJECT

WHEREAS, the City desires – as part of its East Goodlander Road / Lancaster Road Traffic Signal Project (Project) – to construct a new traffic signal where one does not currently exist; and

WHEREAS, the City has received funding commitment from the Washington State Transportation Improvements Board (TIB) for portion of the costs on such Project; and

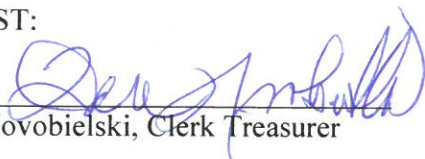
WHEREAS, TIB will contribute a maximum of \$612,810.00 toward the Project, provided that the City contributes another \$68,090.00; and


WHEREAS, a one-page Washington State Transportation Improvements Board Project Funding Status Form has been prepared, its terms are acceptable to City staff, and City staff recommends that the City Council authorize the Mayor and Clerk/Treasurer to sign it;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, that the Mayor and Clerk/ Treasurer be and are authorized to sign the one-page Washington State Transportation Improvements Board Project Funding Status Form in the form appended hereto.

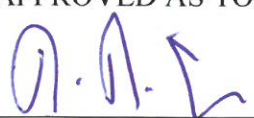
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, this 12th day of December, 2023.

ATTEST:


Dale Novobielski, Clerk Treasurer


Sherry Raymond, Mayor

APPROVED AS TO FORM:


Rob Case, City Attorney



Transportation Improvement Board

Project Funding Status Form

Agency Name: **SELAH**
Project Name: **E Goodlander Road Signal
Lancaster Rd Signal**

TIB Project Number: **8-4-182(008)-1**

Verify the information below and revise if necessary. Email to: Your TIB Engineer

PROJECT SCHEDULE

| Target Dates | | |
|-----------------------|--------------------|---------------------|
| Construction Approval | Contract Bid Award | Contract Completion |
| 1/22/2024 | 2/13/2024 | 11/25/2024 |

PROJECT FUNDING PARTNERS

List additional funding partners and amount.

| Funding Partners | Amount | Revised Funding |
|-------------------|--------|-----------------|
| SELAH | 68,090 | |
| WSDOT | 0 | |
| Federal Funds | 0 | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| TOTAL LOCAL FUNDS | 68,090 | |

Signatures are required from two different agency officials. Return the originally signed form to your TIB Engineer.

Mayor or Public Works Director

Signature

12/13/2023

Date

SHERRY Raymond

Printed or Typed Name

Mayor

Title

Financial Officer

Signature

12/13/2023

Date

DAVE NOVOBIESKI

Printed or Typed Name

CLERK / TREASURER

Title



Washington State Transportation Improvement Board

TIB Members

Chair
Mayor Glenn Johnson
City of Pullman

Vice Chair
Councilmember Sam Low
Snohomish County

Amy Asher
Mason Transit Authority

Aaron Butters, PE
HW Lochner Inc.

Susan Carter
Hopelink

Kent Cash, PE
Port of Vancouver

Barbara Chamberlain
WSDOT

Elizabeth Chamberlain
City of Walla Walla

Dongho Chang, PE
WSDOT

Scott Chesney
Spokane County

Vicky Clarke
Cascade Bicycle Club/Washington Bikes

Mike Dahlem, PE
City of Sumner

Commissioner Al French
Spokane County

Councilmember Hilda González
City of Granger

Commissioner Scott Hutsell
Lincoln County

Les Reardanz
Whatcom Transportation Authority

Peter Rogalsky, PE
City of Richland

Mayor Kim Roscoe
City of Fife

Maria Thomas
Office of Financial Management

Jennifer Walker
Thurston County

Jane Wall
County Road Administration Board

Ashley Probart
Executive Director

P.O. Box 40901
Olympia, WA 98504-0901
Phone: 360-586-1140
Fax: 360-586-1165
www.tib.wa.gov

December 1, 2023

Mr. Rocky Wallace
Public Works Director
City of Selah
222 South Rushmore Rd
Selah, WA 98942

Dear Mr. Wallace:

Congratulations! We are pleased to announce the selection of your project, E Goodlander Road Signal, Lancaster Rd Signal, TIB project number 8-4-182(008)-1.

TIB is awarding 90.0000% of approved eligible project costs with a maximum grant of \$612,810.

Before any work is permitted on this project, you must complete and email the following items to your TIB engineer:

- Verify the information on the attached Project Funding Status Form and, revise if necessary. Sign and email a copy.
- Submit the section of your adopted Six Year Transportation Improvement Plan listing this project;
- Sign and email one copy of the Fuel Tax Grant Distribution Agreement.

You may only incur reimbursable expenses after you receive approval from TIB.

In accordance with RCW 47.26.084, you must certify full funding by December 2, 2024 or the grant may be terminated. Grants may also be rescinded due to unreasonable project delay as described in WAC 479-05-211.

If you have questions, please contact Jonathan Heusman, TIB Project Engineer, at JonathanH@TIB.wa.gov.

Sincerely,

Ashley Probart
Executive Director

Enclosures

From: [Heusman, Jonathan \(TIB\)](#)
To: [Wallace, Rocky](#)
Subject: Congratulations on Selection - Selah - E Goodlander Road Signal - TIB Project Number 8-4-182(008)-1
Date: Monday, December 4, 2023 11:45:10 AM
Attachments: [image001.png](#)
[Funding Status Form - Selah - E Goodlander Road Signal.pdf](#)
[Grant Agreement - Selah - E Goodlander Road Signal.pdf](#)
[Selection Letter - Selah - E Goodlander Road Signal.pdf](#)

Congratulations! On December 1st, 2023 the TIB board approved funding for the subject project. Please find the attached project selection letter, fuel tax grant agreement, and project funding status form. Prior to beginning any reimbursable work, please "wet" sign a copy of the fuel tax grant agreement and project funding status forms and return them to me as well as an excerpt from the agency's adopted six-year program if applicable (these are not needed for preservation projects). Please send scanned copies of the documents back to me in PDF format for processing.

If you have any questions, please give me a call at (360) 586-1143 or reply to this email. I look forward to working with you on this project.

All the Best



Jonathan Heusman, PE
Southeast Region Engineer
www.tib.wa.gov/

E: jonathanh@tib.wa.gov
T: 360.586.1143
A: PO Box 40901, Olympia, WA 98504-0901



Selah City Council
Regular Meeting
AGENDA ITEM SUMMARY

Meeting Date: 12/12/2023

Agenda Number: 13-E*

Action Item

Title: Resolution Authorizing the Mayor to Sign a One-Page Brokerage Agreement with Central Washington Insurance Agency, Inc.

From: Rob Case, City Attorney

Action Requested: Approval

Staff Recommendation: Approval

Board/Commission Recommendation: N/A

Fiscal Impact: City will pay Central Washington Insurance Agency an amount equivalent to 2.00% of the City's annual risk pool premium (paid to WCIA) for property and casualty coverage

Funding Source: 001, General Fund

Background/Findings/Facts: The City has an existing contractual relationship with Central Washington Insurance Agency, Inc. ("Broker"), which relationship was entered into on or about May 1, 2016, and was later amended via Resolution No. 2708 that the City Council passed and adopted on December 11, 2018.

In prior years, the City paid Broker an amount equivalent to five percent (5.00%) of the City's annual risk pool premium (originally to CIAW, and then to WCIA) for property and casualty coverage. At the turn of 2022-2023, City management successfully negotiated with Broker to reduce the payment to a lesser amount of two-and-one-half percent (2.50%) of such amount. On December 13, 2022, the City Council passed and adopted Resolution No. 2954, which authorized the Mayor to sign a Brokerage Agreement with Broker for 2023 at such lesser rate.

For 2024, the rate is going to be reduced further – specifically to two percent (2.00%). A one-page Brokerage Agreement between Central Washington Insurance Agency, Inc and City of Selah has been prepared, and its terms are acceptable to City staff. A copy is appended to this AIS, and City staff is requesting that the City Council authorize the Mayor – via approving the attached proposed Resolution – 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).

Date: **Action Taken:**

12/13/2022 Resolution No. 2954: Resolution Authorizing the Mayor to Sign a Brokerage Agreement with Central Washington Insurance Agency, Inc.

RESOLUTION NO. 3068

RESOLUTION AUTHORIZING THE MAYOR SIGN A ONE-PAGE
BROKERAGE AGREEMENT WITH CENTRAL WASHINGTON INSURANCE
AGENCY, INC.

WHEREAS, the City has an existing contractual relationship with Central Washington Insurance Agency, Inc. ("Broker"), which relationship was entered into on or about May 1, 2016, and was later continued via Resolution No. 2708 that the City Council passed and adopted on December 11, 2018, and also via Resolution No. 2954 that the City Council passed and adopted on December 13, 2022; and

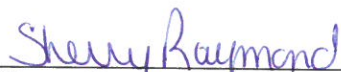
WHEREAS, a one-page Brokerage Agreement between Central Washington Insurance Agency, Inc and City of Selah has been prepared for execution at the turn of 2023-2024, its terms are acceptable to City staff, and it specifies that the City will pay Broker an amount equivalent to two-percent (2.00%) of the City's annual risk pool premium (paid to WCIA) for property and casualty coverage; and

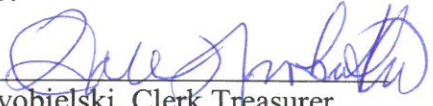
WHEREAS, the City Council finds that good cause exists;

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 one-page Brokerage Agreement between Central Washington Insurance Agency, Inc and City of Selah in the form appended hereto.

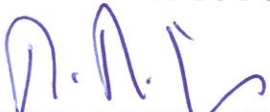
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, this 12th day of December, 2023.

ATTEST:


Sherry Raymond, Mayor


Dale Novobielski, Clerk Treasurer

APPROVED AS TO FORM:


Rob Case, City Attorney

Brokerage Agreement between Central Washington Insurance Agency, Inc and City of Selah

Central Washington Insurance Agency, Inc and the City of Selah agree to enter an insurance brokerage agreement effective May 1st, 2016 and amended January 1st, 2023 as it relates to the City's property and casualty insurance policy. The agreement will be evaluated by both parties at the renewal date of the City of Selah's property and casualty insurance policy. At that time, either party can decide to end the agreement, or both parties can decide to renew the agreement for another year. By signing this agreement:

Central Washington Insurance Agency, Inc will agree to;

Work with City, claimants against City, and adjusters in the event of a claim

Work through the renewal process with the City and insurance carrier:

Be available to help complete renewal process

Review property, auto, and equipment schedules as needed

Assist City appointed Origami user with certificate requests

Work with carrier and City with loss control trainings and inspections

If the City is not happy at some point with current carrier (currently WCIA), Central Washington Insurance Agency will take the account out to bid with other carriers

The City of Selah will agree to;

Pay an annual broker fee to Central Washington Insurance Agency, Inc that is equal to 2.0% of their annual property and casualty insurance premium

Immediately contact WCIA or Central Washington Insurance Agency, Inc in the event of a potential claim

Be available to meet with WCIA and Central Washington Insurance, Inc to work through renewal requirements

Be receptive to insurance company recommendations

By: Sherry Raymond
City of Selah

Sherry Raymond, Mayor
Name and Title

Date 12/13/2023

By: Stefan J. Morford
Central Washington Insurance Agency, Inc

Stefan J. Morford, President
Name and Title

Date 12/14/23

Brokerage Agreement between Central Washington Insurance Agency, Inc and City of Selah

Central Washington Insurance Agency, Inc and the City of Selah agree to enter an insurance brokerage agreement effective May 1st, 2016 and amended January 1st, 2023 as it relates to the City's property and casualty insurance policy. The agreement will be evaluated by both parties at the renewal date of the City of Selah's property and casualty insurance policy. At that time, either party can decide to end the agreement, or both parties can decide to renew the agreement for another year. By signing this agreement:

Central Washington Insurance Agency, Inc will agree to;

Work with City, claimants against City, and adjusters in the event of a claim

Work through the renewal process with the City and insurance carrier:

Be available to help complete renewal process

Review property, auto, and equipment schedules as needed

Assist City appointed Origami user with certificate requests

Work with carrier and City with loss control trainings and inspections

If the City is not happy at some point with current carrier (currently WCIA), Central Washington Insurance Agency will take the account out to bid with other carriers

The City of Selah will agree to;

Pay an annual broker fee to Central Washington Insurance Agency, Inc that is equal to 2.5% of their annual property and casualty insurance premium

Immediately contact WCIA or Central Washington Insurance Agency, Inc in the event of a potential claim

Be available to meet with WCIA and Central Washington Insurance, Inc to work through renewal requirements

Be receptive to insurance company recommendations

By: [Signature]
City of Selah

RUSSEN CARLSON, Mayor
Name and Title PRO TEMPORE

Date 12/13/2022

By: [Signature]
Central Washington Insurance Agency, Inc

Steven S. Monks, President
Name and Title

Date 12/22/23

ORIGINAL



Selah City Council
Regular Meeting
AGENDA ITEM SUMMARY

Meeting Date: 12/12/2023

Agenda Number: 13-F

Action Item

Title: Resolution Revising Rates for 2024 Sewer Utility Services

From: Dale Novobielski, Clerk/Treasurer

Action Requested: Approval

Staff Recommendation: Approval

Board/Commission Recommendation: Not Applicable

Fiscal Impact: Increase for Residential service \$18.77 per month, Seniors / Disabled Low Income \$11.26 per month, Multi-residential consisting of more than 4 units on one parcel \$13.13 per month per unit, Commercial users and Industrial users w/o monitoring stations and with 200 mg/l BOD & TSS discharge \$ 17.05 per month and \$.98 per hundred cubic feet (hcf) in excess of 17 hcf per month, Schools \$ 99.48 per month and \$ 2.78 per hcf in excess of 36 hcf, Convenience stores, sandwich shops, coffee shops, hotels and assisted living facilities \$ 19.90 per month and \$ 1.75 per hcf in excess of 11 hcf, Supermarkets and restaurants \$ 19.90 per month and \$ 3.07 per hcf in excess of 7 hcf, and Yakima Valley School \$ 332.56 per month and \$ 3.26 per hcf in excess of 102 hcf per month.

Funding Source: Not Applicable

Background/Findings/Facts: As a part of the 2024 budget development a 35% rate increase was determined appropriate for the Sewer fund.

Recommended Motion: I move to approve the Resolution revising rates for 2024 Sewer Utility Services.

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. 3069

A RESOLUTION OF THE CITY OF SELAH, WASHINGTON,
PERTAINING TO SEWER RATES

WHEREAS, Chapter 9.10.060 of the Selah Municipal Code provides that rates for Sewer Utility services be set by resolution of the City Council from time to time; and,

WHEREAS, the City Council has determined that a revision in the Sewer Rate structure is appropriate;

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

1. RESIDENTIAL RATES

- A. Single-family dwellings and multi-family units of four units or less shall be charged a rate of seventy-two dollars and forty cents (\$72.40) per month, provided water or sewer service is requested and connection has been made.
- B. Multi-residential dwellings consisting of more than four units on one parcel of land, including, but not limited to, multiplexes, apartments and multi-unit residential complexes, served collectively or independently, shall be charged fifty dollars and sixty-five cents (\$50.65) per unit per month without consideration to occupancy status.
- C. Multi-family dwellings, including guest and sleeping rooms, shall be charged seventy-two dollars and forty cents (\$72.40) per unit of family capacity, per month, without consideration to occupancy status. Family capacity is based on the number of beds, where three beds are considered equal to one unit of family capacity.
- D. Multi-residential developments, including manufactured housing parks, condominium and townhouse developments, and residential development complexes served collectively or independently, shall be charged seventy-two dollars and forty cents (\$72.40) per unit, or space, per month without consideration to occupancy status.
- E. Low-Income Senior Citizens and Low-Income Disabled Persons Occupant Rate.
 - (1) Single-family dwellings shall be charged a rate of forty-three dollars and forty-four cents (\$43.44) per month, per dwelling, regardless of occupancy, provided water or sewer service is requested and connection has been made.
 - (2) A senior citizen is a person who occupies a dwelling unit and is sixty-two years of age or older.

- (3) A low-income senior citizen shall be a senior citizen whose income, combined with the income of other household occupants, if any, for the calendar year preceding was less than:

| Household Size | Annual Household Income |
|-------------------|----------------------------|
| 1 | \$ 26,000 |
| 2 | 35,000 |
| 3 | 44,000 |
| 4 | 53,000 |

- (4) A disabled person is a person who occupies a dwelling unit and qualifies for special parking privileges under RCW 46.16.381(1)(a) through (f) or a blind person as defined in RCW 74.18.020(4) or developmentally disabled as defined in RCW 71A.10.020(2) or a mentally ill person as defined in RCW 71.05.020(1).
- (5) A low-income disabled person shall be a disabled person whose income, combined with other household occupants, if any, for the calendar year preceding was less than:

| Household Size | Annual Household Income |
|-------------------|----------------------------|
| 1 | \$ 26,000 |
| 2 | 35,000 |
| 3 | 44,000 |
| 4 | 53,000 |

- (6) Combined income shall be income from all sources and any gain realized by any person from the sale, transfer, or upon being displaced from, his or her residence shall not be considered as income for the purposes of this section, if reinvested in a replacement residence within eighteen (18) months of its realization.
- (7) Determination of eligibility shall be made by the City Clerk-Treasurer based upon the annual statement of the low-income senior citizen or low-income disabled person, or any other reasonable and verifiable means at the discretion of the Clerk-Treasurer.

- F. Outside utility residential user accounts shall pay one hundred fifty percent (150%) of the applicable sewer service rates charged to all City residents.

2. COMMERCIAL/BUSINESS RATES

- A. Commercial/business accounts shall be charged based on the volume and strength of wastewater discharged into the City sewage system. Volume shall be determined through metered water consumption. The strength of wastewater will be determined based on the type of commercial/business activity. For commercial/businesses not

RESO 3069

listed in the categories below, the Public Works Director shall determine which category is most closely related to the commercial/business account.

- B. Category A – This category applies to those commercial and business establishments maintaining only restroom facilities for employees and the public, and for hotels and motels without a restaurant that discharges to the same service line. These establishments generally discharge wastewater with a strength of 200 mg/l BOD and 200 mg/l TSS. The domestic sewer charge shall be based upon metered water consumption, and shall be three dollars and seventy-nine cents (\$3.79) per one hundred cubic feet, but not less than sixty-five dollars and seventy-seven cents (\$65.77) per establishment, per month.
- C. Category B – This category applies to those commercial and business establishments such as convenience stores, sandwich shops, coffee shops, hotels and motels with a restaurant, and assisted living facilities. These establishments generally discharge wastewater with a strength of 400 mg/l BOD and 400 mg/l TSS. The domestic sewer charge shall be based upon metered water consumption, and shall be six dollars and seventy-four cents (\$6.74) per one hundred cubic feet, but not less than seventy-six dollars and seventy-six cents (\$76.76) per establishment, per month.
- D. Category C – This category applies to those commercial and business establishments such as restaurants, pizza shops, bakeries, fast food/drive-in restaurants, and supermarkets. These establishments generally discharge wastewater with a strength of 800 mg/l BOD and 800 mg/l TSS. The domestic sewer charge shall be based upon metered water consumption, and shall be eleven dollars and eighty-four cents (\$11.84) per one hundred cubic feet, but not less than seventy-six dollars and seventy-six cents (\$76.76) per establishment, per month.
- E. Where multiple commercial and business establishments are tenants in a single building and are served by a common water meter, and have a single account with the City, domestic waste charges shall be based upon metered water consumption, and shall be at the rate determined by the City for the highest BOD and TSS values of the users discharging to the sewer, but not less than sixty-five dollars and seventy-seven cents (\$65.77) per establishment, per month. If commercial and business establishments are served by separate water meters, then each establishment shall be charged at the appropriate rate specified within this section, but not less than sixty-five dollars and seventy-seven cents (\$65.77) per meter, per month.
- F. Where multiple commercial and business establishments are tenants in a single building and are served by a common water meter, and each establishment has a separate account with the City, domestic waste charges shall be based upon metered water consumption at the rate determined by the City for the highest BOD and TSS values of the users discharging to the sewer, but not less than sixty-five dollars and seventy-seven cents (\$65.77) per establishment, per month. Billing amounts in excess of the minimum shall be distributed equally between the establishments connected to the meter.

RESO 3069

- G. Where residential and commercial uses are jointly served by a common water meter, each residential dwelling unit shall be charged seventy-two dollars and forty cents (\$72.40), per unit, per month, and be allotted three hundred cubic feet of water per month per residential dwelling unit. Each business establishment shall be charged a minimum of sixty-five dollars and seventy-seven cents (\$65.77) per unit, per month. Water metered in excess of three hundred cubic feet per residential unit shall be considered commercial consumption, and the appropriate commercial rate described above as determined by the City shall be applied.
- H. Commercial/business users who lose water through evaporation, irrigation, or in the product, may request a reduction in their monthly sewer charge only if the difference between water consumed and wastewater discharged to the City is documented through the use of water meters. In such a situation, the monthly sewer charges will be based upon the volume of wastewater discharged to the City at the appropriate rate specified within this section.
- I. Outside utility commercial/business sewer accounts shall pay one hundred fifty percent (150%) of the applicable sewer service rates charged to City commercial/business users.

3. GOVERNMENT RATES

- A. Unless otherwise noted below, governmental sewer accounts shall be charged at Commercial/Business Rates as described in Section 2. The Public Works Director shall determine which category of Commercial/Business rates shall apply to the governmental sewer account.
- B. Schools – Schools shall be charged for sewer service based upon metered water consumption at the rate of ten dollars and seventy-one cents (\$10.71) per one hundred cubic feet, but not less than three hundred eighty-three dollars and seventy-two cents (\$383.72) per month per metered account.
- C. Yakima Valley School – Yakima Valley School shall be charged for sewer service based upon metered water consumption at the rate of twelve dollars and fifty-eight cents (\$12.58) per one hundred cubic feet, but not less than twelve hundred eighty-two dollars and seventy-three cents (\$1,282.73) per month. Residential dwelling units associated with the Yakima Valley School and served by separate water meters shall be charged for sewer service at the residential rate set forth in Section 1.
- D. Outside utility governmental user accounts shall pay one hundred fifty percent (150%) of the applicable sewer service rates charged to City government users.

4. INDUSTRIAL RATES

REF 3069

Industrial users of City wastewater facilities shall be evaluated and determined by the City as to whether monitoring stations on wastewater discharges will be required. If monitoring stations are required by the City, the City shall designate when, where, and how many stations shall be placed. City-approved monitoring stations shall be installed and maintained continuously in satisfactory and effective operation by, and at the expense of, the industrial user, at the direction of the City.

A. General Industrial User Conditions

The following conditions apply to all industrial users discharging to the City wastewater facilities:

- (1) There shall be no unmetered sources of water contributing wastewater to the City sewage works without the knowledge and prior written approval of the City.
- (2) The City reserves the right to test, monitor, and control any wastewater discharged to any City facility at any time, including the right set forth in Selah Code Section 9.10.072.
- (3) The discharges of industrial users may be restricted to a capacity allocated in an industrial discharge contract with the City, or a State or NPDES Waste Discharge Permit issued to the user by the Washington Department of Ecology, whichever results in the smaller capacity. In the event the discharge from an industrial user exceeds that allocated, then a rate surcharge shall be assessed. Such a surcharge shall only be assessed when the discharge exceeds that allocated to the industrial user on an average monthly basis for any of the three components that comprise the rate determination (flow, BOD, and TSS). The surcharge shall only be applied to that portion of the component that is in excess of the industrial user's allocation, and shall be equal to one hundred twenty-five percent (125%) of the rate for that component. For example, if an industrial user's discharge is within the allocated limits for flow and BOD, but exceeds the TSS allocated limit by 100 pounds per day on an average monthly basis, then that excess 100 pounds per day times the number of days in the month shall be charged a rate equal to 125% of the per pound TSS rate.
- (4) Industrial users who lose water through evaporation, irrigation, or in the product, may request a reduction in their monthly sewer charge only if the difference between water consumed and wastewater discharged to the City is documented using water meters. In such a situation, the monthly sewer charges will be based upon the volume of wastewater discharged to City wastewater facilities at the appropriate rate specified within this section.
- (5) The pH of discharges from all industrial users discharging liquids into the public sewers other than the industrial pretreatment system shall not be lower than 6.0 nor greater than 9.0 as determined by monitoring station results. Any discharge of waste outside this range shall be subject to a penalty of two hundred fifty-seven dollars and thirty-six cents (\$257.36) per day. For the

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purposes of this monetary penalty, each day's discharge shall be considered a separate event.

- (6) In the event characteristics of the wastewater as determined by the monitoring station results are not available due to an equipment malfunction, failed laboratory test, or other unforeseen circumstance, then the quantities of flow, BOD, and TSS shall be determined as follows:

- a. The quantity of wastewater flow shall be based on one of the following methods as determined by the City to be effective and representative for the month when data or results are not available:

- i. The wastewater flow shall be equal to the flow for the same month in the previous year times the average flow for the previous twelve (12) months divided by the average flow for the twelve (12) month period preceding the month used from the previous year. For example, if the quantity of flow is not available in October 2017, then the flow would be calculated as follows:

$$\text{October 2017 flow} = \frac{(\text{October 2016 flow}) \times (\text{Average daily flow Oct 2016 through Sept 2017})}{(\text{Average daily flow Oct 2015 through Sept 2016})}$$

- ii. The wastewater flow shall be equal to the total water flow into the user, as determined by water meter readings for the user, times a conversion factor determined by dividing the wastewater flows for the previous twelve (12) months by the water meter readings for the previous twelve (12) months. For example, if the quantity of flow is not available in October 2017, then the flow would be calculated as follows:

$$\text{October 2017 flow} = \frac{(\text{October 2017 water flow}) \times (\text{Oct 2016 through Sept 2017 wastewater flow})}{(\text{Oct 2016 through Sept 2017 water flow})}$$

- iii. The wastewater flow shall be equal to the total water flow into the user, as determined by water meter readings for the user, times a conversion factor determined by the City performing a quantitative water balance through the users process to develop a relationship between water consumption and wastewater discharge.

- iv. The wastewater flow shall be determined by any other method deemed acceptable to the City.

- b. The quantity of BOD shall be based on one of the following methods as determined by the City to be effective and representative for the month when data or results are not available:

RESO 3069

- i. The BOD concentration shall be equal to the BOD concentration for the same month in the previous year times the average BOD concentration for the previous twelve (12) months divided by the average BOD concentration for the twelve (12) month period preceding the month used from the previous year. For example, if the BOD concentration is not available in October 2017, then the BOD concentration would be calculated as follows:

$$\text{October 2017 BOD} = \frac{(\text{October 2016 BOD}) \times (\text{Average BOD concentration Oct 2016 through Sept 2017})}{(\text{Average BOD concentration Oct 2015 through Sept 2016})}$$

- ii. The BOD concentration shall be equal to the BOD concentration for the previous month.
 - iii. The BOD concentration shall be determined by any other method deemed acceptable to the City.
- c. The quantity of TSS shall be based on one of the following methods as determined by the City to be effective and representative for the month when data or results are not available:

- i. The TSS concentration (conc.) shall be equal to the TSS concentration for the same month in the previous year times the average TSS concentration for the previous twelve (12) months divided by the average TSS concentration for the twelve (12) month period preceding the month used from the previous year. For example, if the TSS concentration is not available in October 2017, then the TSS concentration would be calculated as follows:

$$\text{October 2017 TSS} = \frac{(\text{October 2016 TSS}) \times (\text{Average TSS concentration Oct 2016 through Sept 2017})}{(\text{Average TSS concentration Oct 2015 through Sept 2016})}$$

- ii. The TSS concentration shall be equal to the TSS concentration for the previous month.
 - iii. The TSS concentration shall be determined by any other method deemed acceptable to the City.
- (7) The City shall charge monetary penalties for any discharge from an industrial user that meets the criteria of an excessive industrial discharge as defined in Selah Code section 9.10.010. For the purposes of charging monetary penalties, each day's discharge and each component (flow, BOD, and TSS) shall be considered a separate event. Monetary penalties shall include, but not necessarily be limited to, the following:
- a. All costs associated with providing treatment to the industrial slug discharge.

RESO 3069

- b. All costs associated with repair of equipment damaged by, or associated with, providing treatment to the industrial slug discharge.
- c. All costs associated with NPDES permit violations, federal or state government orders resulting from NPDES permit violations, penalties imposed by the federal or state government upon the City for NPDES permit violations, and all costs associated with any citizens lawsuit filed against the City for NPDES permit violations.
- d. Industrial slug discharges lasting five (5) or more consecutive days shall be subject to the surcharge provisions of Section 4.A.(3) of this Resolution whether or not the industrial user's maximum monthly allocated capacity is exceeded.

- (8) Outside utility industrial users shall pay one hundred fifty percent (150%) of the applicable sewer service rates charged to City industrial users.

B. Industrial Users Not Required to Have Monitoring Stations

- (1) Industrial users not required to have metering and monitoring stations shall be charged at Commercial/Business Rates as described in Section 2. The Public Works Director shall determine which category of Commercial/Business rates shall apply to the industrial user.

C. Industrial Users Required to Have Monitoring Stations

- (1) The minimum monthly charge to an industrial account in this category shall be six-hundred sixty-nine dollars and ninety-six cents (\$669.96) per month, per industry.
- (2) Industrial users required to install City-approved monitoring stations on their discharges to the City, but not required to connect to the City pretreatment facility, shall be charged for sewer service based upon the volume, strength, and characteristics of the wastewater as determined by the monitoring station results at the following rates:

| <u>Component</u> | <u>Symbol</u> | <u>Rate</u> |
|---------------------------|---------------|-------------------------|
| Hydraulic (flow) | Q | \$1.1418 per 100 cu.ft. |
| Biochemical oxygen demand | BOD | \$0.5010 per pound |
| Total suspended solids | TSS | \$0.8810 per pound |

D. Industrial Users Required to Connect to the City Pretreatment Facility

- (1) The minimum monthly charge to an industrial account in this category shall be one thousand one hundred sixteen dollars and sixty-seven cents (\$1,116.67) per month, per monitoring station, per industry.

RESO 3064

- (2) The industrial pretreatment facility is recognized as having a finite capacity to treat wastewater. The following capacities and limitations have been established:

| <u>Component</u> | <u>Units</u> | <u>Capacity</u> | <u>Occurrence</u> |
|------------------|--------------|-----------------|--------------------------|
| Hydraulic (flow) | MGD | 0.40 | Max. Monthly Flow |
| BOD | lbs/day | 4,000 | Max. Monthly BOD Loading |
| TSS | lbs/day | 1,500 | Max. Monthly TSS Loading |

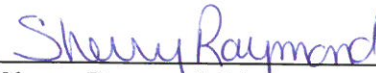
- (3) In the event of multiple users of the pretreatment facility, the City shall allocate a respective share of the capacity of each component to each of the users.
- (4) Industrial users required to connect to the City pretreatment facility shall install City-approved monitoring stations at their expense on their wastewater discharge lines to monitor the volume, strength, and characteristics of their wastewater discharges into the pretreatment facility. Charges for sewer service shall be based upon the volume, strength, and characteristics of the wastewater discharged to the pretreatment facility as determined by monitoring station results at the following rates:

| <u>Component</u> | <u>Symbol</u> | <u>Rate</u> |
|---------------------------|---------------|-------------------------|
| Hydraulic (flow) | Q | \$1.1418 per 100 cu.ft. |
| Biochemical oxygen demand | BOD | \$0.5010 per pound |
| Total suspended solids | TSS | \$0.8810 per pound |

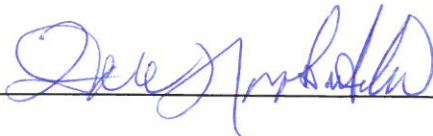
- (5) The pH of discharges from all industrial users discharging liquids into the industrial pretreatment system shall not be lower than 5.0 nor greater than 11.0 as determined by monitoring station results. Any discharge of waste outside this range shall be subject to a penalty of two hundred fifty-seven dollars and thirty-six cents (\$257.36) per day. For the purposes of this monetary penalty, each day's discharge shall be considered a separate event.

BE IT FURTHER RESOLVED that the rates set forth herein shall be effective commencing on January 1, 2024.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, this 12th day of December 2023.


Sherry Raymond, Mayor

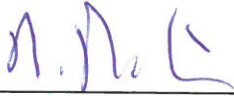
ATTEST:



RESO 3069

Dale E. Novobielski, Clerk-Treasurer

APPROVED AS TO FORM:

A handwritten signature in blue ink, appearing to read 'Rob Case', is written above a horizontal line.

Rob Case, City Attorney

RESOLUTION NO. 3069



Selah City Council
Regular Meeting
AGENDA ITEM SUMMARY

Meeting Date: 12/12/2023

Agenda Number: 13-6

Action Item

Title: Resolution Revising Rates for 2024 Solid Waste Utility Services

From: Dale Novobielski, Clerk/Treasurer

Action Requested: Approval

Staff Recommendation: Approval

Board/Commission Recommendation: Not Applicable

Fiscal Impact: Monthly increase for: 96 gallon service \$.58, Low Income Senior/Disabled 64 gallon service \$.41, Occasional extra \$.10, Yard Waste service \$.07, 1 yd dumpster service \$1.89, 1.5yd dumpster service \$2.15, 2 yd dumpster service \$3.13, 3 yd dumpster service \$5.08, 4 yd dumpster service \$6.17, 6 yd dumpster service \$7.34, 8 yd dumpster service \$8.62, overfill per yard \$.60, 20 yard drop box pickup \$3.23 and a 30/40 yard drop box pickup \$3.95.

Funding Source:

Background/Findings/Facts: As a part of the 2024 budget development a 3 % rate increase was determined appropriate for the Solid Waste fund.

Recommended Motion: I move to approve the Resolution revising rates for 2024 Solid Waste Utility Services.

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. 3070

RESOLUTION REVISING RATES FOR THE COLLECTION OF SOLID WASTE

WHEREAS, Section 3.02.080 of the Selah Municipal Code provides that rates for Solid Waste collection be set by resolution of the City Council from time to time, and

WHEREAS, the City Council has determined that a revision in the Solid Waste Rate structure is appropriate;

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

The following rates are to be billed monthly by the City and paid by the residents and customers of the City:

| CLASSIFICATION | COLLECTION INTERVAL | RATES AND FEES |
|--|---------------------|----------------|
| <u>Totes:</u> | | |
| 32 Gallon Tote | per week | \$14.83 |
| 64 Gallon Tote | per week | 16.22 |
| 96 Gallon Tote | per week | 19.75 |
| Each additional 64-gallon tote | | 7.06 |
| Each additional 96-gallon tote | | 10.61 |
| Occasional extra 32-gallon equivalent | each | \$ 3.54 |
| *Yard Waste (3 containers 2 times per month) | | \$ 2.24 |

*Yard waste service is optional. This is not a mandatory service but does allow the resident the choice to have it picked up at their curb or to dispose of it themselves in a legal manner.

Low-Income Senior Citizens and Low-Income Disabled Persons Occupant Rate

- (1) Low-Income Senior and Low-Income Disabled;

| | |
|----------------------|----------|
| 64 Gal Tote per week | \$ 13.97 |
| 96 Gal Tote per week | 17.35 |
- (2) A senior citizen is a person who occupies a dwelling unit and is sixty-two years of age or older.
- (3) A low-income senior citizen shall be a senior citizen whose income, combined with the income of other household occupants, if any, for the calendar year preceding was less than:

| Household Size | Annual Household Income |
|-------------------|----------------------------|
| 1 | \$ 26,000 |
| 2 | 35,000 |
| 3 | 44,000 |
| 4 | 53,000 |

- (4) A disabled person is a person who occupies a dwelling unit and qualifies for special parking privileges under RCW 46.16.381(1)(a) through (f) or a blind person as defined in RCW 74.18.020(4) or developmentally disabled as defined in RCW 71A.10.020(2) or a mentally ill person as defined in RCW 71.05.020(1).
- (5) A low-income disabled person shall be a disabled person whose income, combined with other household occupants, if any, for the calendar year preceding was less than:

| Household Size | Annual Household Income |
|-------------------|----------------------------|
| 1 | \$ 26,000 |
| 2 | 35,000 |
| 3 | 44,000 |
| 4 | 53,000 |

| CLASSIFICATION | COLLECTION INTERVAL | RATES AND FEES |
|----------------|---------------------|----------------|
|----------------|---------------------|----------------|

Bins & Drop Boxes:

| | | |
|--------------|-----------------------------|----------|
| 1.0 Yard Bin | 1 time per week | \$64.80 |
| 1.0 Yard Bin | 2 times per week | 129.60 |
| 1.0 Yard Bin | 3 times per week | 194.40 |
| 1.0 Yard Bin | Special on-call pickup each | 16.22 |
| 1.5 Yard Bin | 1 time per week | \$73.73 |
| 1.5 Yard Bin | 2 times per week | 147.46 |
| 1.5 Yard Bin | 3 times per week | 221.19 |
| 1.5 Yard Bin | Special on-call pickup each | 18.46 |
| 2.0 Yard Bin | 1 time per week | \$107.30 |
| 2.0 Yard Bin | 2 times per week | 214.60 |
| 2.0 Yard Bin | Special on-call pickup each | 26.81 |
| 3.0 Yard Bin | 1 time per week | \$174.88 |
| 3.0 Yard Bin | 2 times per week | 349.76 |
| 3.0 Yard Bin | Special on-call pickup each | 43.17 |
| 4.0 Yard Bin | 1 time per week | \$211.77 |
| 4.0 Yard Bin | 2 times per week | 423.54 |

| | | |
|----------------------------------|-----------------------------|-----------|
| 4.0 Yard Bin | Special on-call pickup each | 52.93 |
| 6.0 Yard Bin | 1 time per week | \$251.89 |
| 6.0 Yard Bin | 2 times per week | 503.78 |
| 6.0 Yard Bin | Special on-call pickup each | 62.98 |
| 8.0 Yard Bin | 1 time per week | \$295.93 |
| 8.0 Yard Bin | 2 times per week | 591.86 |
| 8.0 Yard Bin | Special on-call pickup each | 74.01 |
| Overfill per yard | | \$20.47 |
| 20 yard drop box | per pickup | \$111.04* |
| 20 yard self contained compactor | per pickup | 194.12* |
| 30 & 40 yard drop box | per pickup | \$135.57* |
| 30 yard self contained compactor | per pickup | 250.27* |

*Plus dump fee. Temporary drop boxes are subject to a daily rental charge and initial delivery fee.

Additional Services and Fees:

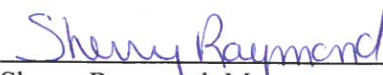
Walk-in Service: \$0.31 per foot round-trip per can per pickup.

Commercial locking container service: an additional charge of \$22.96 per month for a locking bin.

Roll out charge: If a driver is required to move a commercial container more than ten feet but less than twenty-five feet to the curb or alley line, an additional charge of \$6.60 per pickup will be assessed. An additional charge of \$3.84 per pickup will be assessed for each additional twenty-five-foot increment.


NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON that the rates for Solid Waste be adopted and that the rates set forth herein shall be effective commencing January 1, 2024.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON this 12th day of December, 2023.


 Sherry Raymond, Mayor


RESO 3070

ATTEST:



Dale E. Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:



Rob Case, City Attorney

RESOLUTION NO. 3070



Selah City Council
Regular Meeting
AGENDA ITEM SUMMARY

Meeting Date: 12/12/2023

Agenda Number: 13-H

Action Item

Title: Resolution Revising Rates for 2024 Water Utility Services

From: Dale Novobielski, Clerk/Treasurer

Action Requested: Approval

Staff Recommendation: Approval

Board/Commission Recommendation: Not Applicable

Fiscal Impact: Increase for ¾" water service using 10 hundred cubic feet (hcf) per month \$.98 and \$.09 per additional hcf, 1" water service using 10 hcf per month and \$.07 per additional hcf, 1 ¼ - 1 ½ water service using 10 hcf per month \$1.63 and \$.09 per additional hcf, 2" water service using 10 hcf per month \$1.95 and \$.09 per additional hcf, 3" water service using 20 hcf per month \$2.60 and \$.11 per additional hcf, 4" water service using 20 hcf per month \$3.72 per month and \$.10 per additional hcf for the next 180 hcf and \$.08 per additional hcf, over 4" water service using 20 hcf per month \$3.90 per month and \$.11 per additional hcf for the next 4,980 hcf and \$.09 per additional hcf. Multiple dwelling units / mobile home park units \$.70 per month for each dwelling unit or space / Senior or Disabled Low Income service using 3 hcf per month \$.62 per month and \$.08 per additional hcf for the next 7 hcf and \$.06 per additional hcf. Bulk water users will pay an increase of \$.11 per hundred gallons.

Funding Source: Not Applicable

Background/Findings/Facts: As a part of the 2024 budget development a 5 % rate increase was determined appropriate for the Water fund.

Recommended Motion: I move to approve the Resolution revising rates for 2024 Water Utility Services.

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. 3071

A RESOLUTION REVISING RATES FOR WATER UTILITY SERVICES

WHEREAS, Section 9.02.190 of the Selah Municipal Code provides that rates for Water Utility services be set by resolution of the City Council from time to time, and

WHEREAS, the City Council has determined that a revision in the Water Rate structure is appropriate;

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

Water Service Charges:

a) Within Corporate Limits

| Meter Size | Consumption (100 cubic ft) | | Minimum | Overage (per 100 cubic ft) |
|--------------------------|-------------------------------|-------|---------|-------------------------------|
| 3/4" or smaller | First | 3 | \$20.57 | |
| | Next | 7 | | 1.83 |
| | Over | 10 | | 1.42 |
| 1" | First | 4 | 27.33 | |
| | Next | 6 | | 1.83 |
| | Over | 10 | | 1.42 |
| 1-1/4" through 1-1/2" | First | 5 | 34.17 | |
| | Next | 5 | | 1.83 |
| | Over | 10 | | 1.42 |
| 2" | First | 5 | 40.95 | |
| | Next | 5 | | 1.83 |
| | Over | 10 | | 1.42 |
| 3" | First | 10 | 54.64 | |
| | Next | 10 | | 1.83 |
| | Over | 20 | | 1.42 |
| 4" | First | 20 | 81.94 | |
| | Next | 180 | | 2.30 |
| | Over | 200 | | 1.83 |
| Over 4" | First | 20 | 81.94 | |
| | Next | 4,980 | | 2.30 |
| | Over | 5,000 | | 1.83 |

- b) The minimum charge per month for the availability of water service for two-family dwellings, multiple dwellings, group houses and condominiums, apartment houses, and mobile home parks as defined in Chapter 10.02 shall be fourteen dollars and seventy-eight cents (\$14.78) for each dwelling unit or mobile home space. Each dwelling unit or mobile home space shall be allotted 300 cubic feet of minimum consumption, and water used over this minimum amount shall be charged at the applicable rate in section (a) above.

c) Low-Income Senior Citizens and Low-Income Disabled Persons Occupant Rate.

- (1) Single-family dwellings shall be charged thirteen dollars and two cents (\$13.02) per month, for the first 300 cubic feet of water consumption. Additional water consumption will be charged at the rate of one dollar and sixty-one cents (\$1.61) per 100 cubic feet for the next 700 cubic feet and one dollar and twenty-eight cents (\$1.28) per 100 cubic feet for over 1,000 cubic feet.
- (2) A senior citizen is a person who occupies a dwelling unit and is sixty-two years of age or older.
- (3) A low-income senior citizen shall be a senior citizen whose income, combined with the income of other household occupants, if any, for the calendar year preceding was less than:

| Household Size | Annual Household Income |
|-------------------|----------------------------|
| 1 | \$ 26,000 |
| 2 | 35,000 |
| 3 | 44,000 |
| 4 | 53,000 |

- (4) A disabled person is a person who occupies a dwelling unit and qualifies for special parking privileges under RCW 46.16.381(1)(a) through (f) or a blind person as defined in RCW 74.18.020(4) or developmentally disabled as defined in RCW 71A.10.020(2) or a mentally ill person as defined in RCW 71.05.020(1).
- (5) A low-income disabled person shall be a disabled person whose income, combined with other household occupants, if any, for the calendar year preceding was less than:

| Household Size | Annual Household Income |
|-------------------|----------------------------|
| 1 | \$ 26,000 |
| 2 | 35,000 |
| 3 | 44,000 |
| 4 | 53,000 |

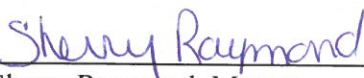
- (6) Combined income shall be income from all sources and any gain realized by any person from the sale, transfer, or upon being displaced from, his or her residence shall not be considered as income for the purposes of this section, if reinvested in a replacement residence within eighteen (18) months of its realization.
- (7) Determination of eligibility shall be made by the City Clerk-Treasurer based upon the annual statement of the low-income senior citizen or low-income disabled person, or any other reasonable and verifiable means at the discretion of the Clerk-Treasurer.

RESO 3011

- d) Outside utility users shall pay one hundred fifty percent (150%) of the applicable water service charges charged to City residents and commercial/business users.
- e) Bulk water consumers shall be served at the convenience of the City and shall pay the sum of ten dollars and fifty cents (\$10.50) per fill and two dollars and thirty cents (\$2.30) per hundred gallon unit.

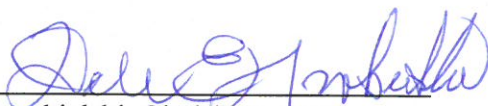
BE IT FURTHER RESOLVED that the rates set forth herein shall be effective commencing January 1, 2024.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, this 12th day of December, 2023.



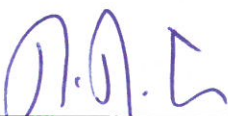
Sherry Raymond, Mayor

ATTEST:



Dale E. Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:



Rob Case, City Attorney

RESOLUTION NO. 3071



Selah City Council
Regular Meeting
AGENDA ITEM SUMMARY

Meeting Date: 12/12/2023

Agenda Number: **14-A**

Action Item

Title: Ordinance Amending Section 10.34.120 of the Selah Municipal Code, Regarding a Downtown Parking Exempt Area; Adopting a New Section 10.34.125 of the Selah Municipal Code, Regarding Electric Vehicle Charging Stations; Providing for Severability; Authorizing Corrections; Directing Transmittal to the State; and Directing Publication and Establishing an Effective Date

From: Jeff Peters, Community Development Supervisor

Action Requested: Approval

Staff Recommendation: Adopt the submitted proposed Ordinance.

Board/Commission Recommendation: Approval

Fiscal Impact: N/A

Funding Source: N/A

Background/Findings/Facts: Appended to this AIS is a proposed Ordinance, which should be considered following conclusion of the preceding open-record public hearing. The proposed Ordinance would, if enacted, enlarge the Downtown Exempt Parking Area, specify where electric vehicle charging stations can be installed, and make numerous clerical revisions to SMC Chapter 10.34.

Recommended Motion: None.

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: |
|--------------|--|
| 10/24/2023 | Planning Commission Study Session |
| 10/27/2023 | Notice of Amendments Public Hearing and Legal Notice |
| 11/21/2023 | Planning Commission Public Hearing |
| 11/19/2023 | Notice of City Council Public Hearing |

ORDINANCE NO. 2214

ORDINANCE AMENDING SECTION 10.34.120 OF THE SELAH MUNICIPAL CODE, REGARDING A DOWNTOWN PARKING EXEMPT AREA; ADOPTING A NEW SECTION 10.34.125 OF THE SELAH MUNICIPAL CODE, REGARDING ELECTRIC VEHICLE CHARGING STATIONS; PROVIDING FOR SEVERABILITY; AUTHORIZING CORRECTIONS; DIRECTING TRANSMITTAL TO THE STATE; AND DIRECTING PUBLICATION AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, Selah is required, pursuant to RCW 36.70A.040, to plan in accordance with the Growth Management Act; and

WHEREAS, Selah is further required, pursuant to RCW 36.70A.130(1), to take legislative action to review and revise its development regulations in accordance with the Growth Management Act; and

WHEREAS, RCW 36.70A.020 set forth planning goals to guide the development and adoption of comprehensive plans and development regulations; and

WHEREAS, Selah Municipal Code (SMC) Title 10 contains zoning and subdivision regulations that govern the Selah's administrative procedures for development actions; and

WHEREAS, Selah last amended its parking regulations in 2004; and

WHEREAS, Selah's Planning Commission conducted a study session on October 24, 2023, relative to draft Parking Exempt and EV Charging Station amendments for the SMC; and

WHEREAS, on October 27, 2023, public notice of the Planning Commission's next forthcoming public hearing to be held on November 21, 2023, was published in the official newspaper of the City and also sent to all parties who expressed interest in the development regulations through the public review and SEPA processes; and

WHEREAS, an environmental review was conducted under the State Environmental Policy Act (SEPA) and a Determination of Nonsignificance (DNS) was issued on November 10, 2023; and

WHEREAS, at its public hearing on November 21, 2023, the Planning Commission heard a presentation from City staff regarding the proposed code amendments, allowed time for public testimony, and ultimately recommended that the proposed amendments be approved by the City Council via later action; and

WHEREAS, on November 19, 2023, public notice of the City Council's next forthcoming public hearing to be held on December 12, 2023, was published in the official newspaper of the City and also sent to all parties who expressed interest in being notified and who commented on the draft amendments through the public review and SEPA processes or at the Planning Commission's prior public hearing; and

WHEREAS, all persons desiring to either provide written testimony or speak regarding the proposed code amendments – during the Planning Commission’s public hearing on November 21, 2023, and/or during the City Council’s public meeting on December 12, 2023 – were given a fair opportunity to be provide testimony and speak; and

WHEREAS, the City Council deems itself sufficient apprised in this matter and finds that good cause exists to adopt the proposed code amendments;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, does hereby ordain as follows:

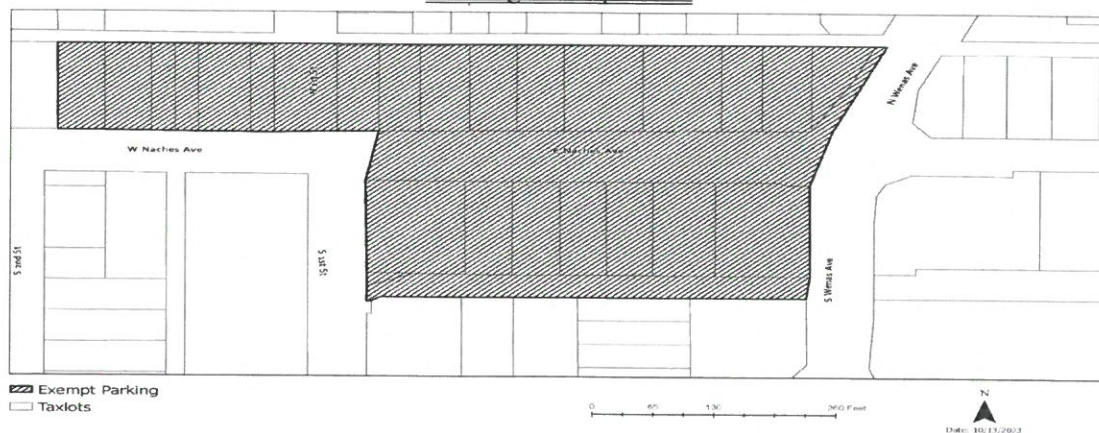
Section 1. Adoption of Planning Commission’s Recommendation; Findings and Conclusions based on Record. That, following review of the entire record of testimony and exhibits, including the Planning Commission’s recommendation and any written and oral testimony presented directly to the City Council on or in advance of December 12, 2023, the Planning Commission’s recommendation is adopted. Further, that the City Council’s findings and conclusions are based on such record.

Section 2. Amendment of SMC Section 10.34.120. That the titles, substantive bodies and internally-referenced preexisting “Figure 34-1”, “Table 34-A” and “Table 34-1” of and within SMC section 10.34.120 be and are retitled and amended as shown in the following editing marks (which are included in this Ordinance for ease of reference, but which shall be removed when the codifier publishes the official updated version of SMC 10.34.120 on the internet; and with the new “Figure A” fully replacing its unlabeled predecessor, which predecessor is not set forth on the face of this Ordinance):

10.34.120 Exemption Downtown Parking Exempt Area.

A portion of the ~~central business core, city’s downtown Business, General (B-2) zoning district,~~ the shaded area in Figure 34-1 depicted in Figure A set forth below, is exempt from the provisions of this chapter relative to the number of off-street parking spaces required. All other requirements of this chapter shall apply to any off-street parking provided by a property owner or business.

SMC section 10.34.120, Figure A
Parking Exempt Area



~~Chapter 10.34~~ SMC section 10.34.120, ~~Table 34-A~~ Table A

Table Of Parking Space Minimum Design Standards

| Angle of Parking (Degrees) | One-Way Maneuvering Lane Width (Feet) | Two-Way Maneuvering Lane Width (Feet) | Parking Stall Width (Feet) | Parking Stall Length (Feet) |
|-------------------------------|--|--|-------------------------------|--------------------------------|
| Parallel to 29 | 12 | 20 | 9 | 23 |
| 30 – 53 | 12 | 20 | 9 | 16 |
| 54 – 75 | 15 | 20 | 9 | 18 |
| 76 – 90 | 18 | 24 | 10 | 20 |

SMC section 10.34.120, Table 34-A Table B

Table Of Parking Spaces Required

The number of off-street parking spaces required for various uses shall not be less than as ~~required specified in Table 34-A~~ Table B, or for uses not listed in this such table not less than the number specified in the most current edition of the Institute of Transportation Engineers Parking Generation Manual.

| City of Selah Zoning Ordinance, Title 10, Chapter 34, Table 34-A <u>Table B</u> | |
|--|---|
| Activity | Parking Standards |
| Agricultural Services | |
| Agriculturally related industries: packing, processing plants | One space for each 300 sq. ft. of GFA |
| Storage facilities | Two spaces for the first 1,000 sq. ft. of GFA plus one space for each additional 3,000 sq. ft. of GFA |
| Amusement and Recreation | |
| Athletic club (<u>as defined in Appendix A to SMC Chapters 10.02 through 10.48</u>) | 3.55 spaces per 1,000 sq. ft. of GFA |
| Auditoriums, exhibition hall | One space for each 100 sq. ft. of GFA |
| Billiard hall | 6.56 stalls per 1,000 sq. ft. of GFA and 2.89 stalls per billiard table |
| Bowling alley | 5.02 spaces for each lane |
| Exercise facility/health/fitness club | 5.27 spaces per 1,000 sq. ft. of GFA |
| Game room, card room, electronic game rooms | 5.81 spaces per 1,000 sq. ft. of GFA and 0.34 spaces per gaming positions |
| Golf course | 8.68 spaces per hole |
| Gymnasiums | One space for each 1,000 sq. ft. of GFA |
| Health/fitness club (<u>as defined in Appendix A to SMC Chapters 10.02</u>) | 5.27 spaces per 1,000 sq. ft. of GFA |

| City of Selah Zoning Ordinance, Title 10, Chapter 34, Table 34 + <u>Table B</u> | |
|--|---|
| Activity | Parking Standards |
| <u>through 10.48)</u> | |
| Horse racing track, speedway, grandstands | One space for each three fixed seats or 54 inches of bench seating |
| Ice skating, roller skating, skateboarding (indoor) | 5.8 spaces per 1,000 sq. ft. of GFA |
| Movie theater (see ITE Parking Generation Manual for Multiplex Movie Theater) (<u>as defined in Appendix A to SMC Chapters 10.02 through 10.48)</u>) | 0.26 spaces per seat |
| Multipurpose recreational facility (<u>as defined in Appendix A to SMC Chapters 10.02 through 10.48)</u>) | 1.78 spaces per golf hole; and 10.67 spaces per 1,000 sq. ft. of GFA; and 16 spaces per acre |
| Park: city (10 acres or less) | 2.80 spaces per acre |
| Park: city (more than 10 acres) | 5.10 spaces per acre |
| Soccer complex | 58.80 spaces per field |
| Swimming pools | One space for each 150 sq. ft. of water surface area |
| Tennis courts, indoor and outdoor (outside of a park or multipurpose recreational center) | 3.56 spaces per court |
| Water slide park | 84.5 spaces per acre |
| Community Services | |
| Churches, synagogues and temples | 8.37 spaces per 1,000 sq. ft. of GFA |
| College, community | 0.18 spaces per student |
| College, university | 0.22 spaces per student |
| Community center recreational (<u>as defined in Appendix A to SMC Chapters 10.02 through 10.48)</u>) | 3.20 vehicles per 1,000 sq. ft. of GFA |
| Convalescent, adult care center, nursing and group homes | 0.35 spaces per bed |
| Convention center | 0.44 spaces <u>times</u> maximum occupant load |
| Fire and police stations | One space for each 200 sq. ft. of GFA |
| Halfway house (detention center) | One space for each two beds |
| Hospital | 3.95 spaces per 1,000 sq. ft. of GFA |
| Schools: Elementary | 0.17 spaces per student. Parking for schools shall be determined at the time of construction and shall be based |

| City of Selah Zoning Ordinance, Title 10, Chapter 34, Table 34-1 <u>Table B</u> | |
|--|--|
| Activity | Parking Standards |
| | upon maximum occupancy of the structure(s). Any additional construction or placement of portables shall require recalculation of the maximum occupancy and the addition of parking stalls accordingly. |
| Schools: High school | 0.09 spaces per student (see note above for calculation of parking stalls) |
| Schools: Middle/junior high | 0.09 spaces per student (see note above for calculation of parking stalls) |
| Schools: Private school (K-12) | 0.40 spaces per student |
| Juvenile detention center | 1.5 spaces for each bed |
| Mosque | 17.32 spaces per 1,000 sq. ft. of GFA |
| Museums, art galleries | 1.32 spaces per 1,000 sq. ft. of GFA |
| Preschools, child care centers | 3.16 spaces per 1,000 sq. ft. of GFA |
| Libraries | 2.61 spaces per 1,000 sq. ft. of GFA |
| Vocational schools | One space for each 400 sq. ft. of GFA |
| Light Industrial Uses (not otherwise provided in this table) | |
| General light industrial | 0.75 spaces per 1,000 sq. ft. of GFA |
| Industrial park | 1.27 spaces per 1,000 sq. ft. of GFA |
| Manufacturing (Mass Production) | |
| Manufacturing | 1.02 spaces per 1,000 sq. ft. of GFA |
| Residential | |
| Assisted living | 0.41 per dwelling unit |
| Continuing care retirement community | One space per dwelling |
| Single-family dwelling | Three spaces |
| Two-family dwelling | Six spaces |
| Multiple-family dwellings: | |
| Three to four units | Two spaces per dwelling unit |
| Five units | Two spaces per dwelling unit |
| Six units or more | Two spaces per dwelling unit |
| Retirement home | One space for each dwelling unit |
| Retail Trade and Services | |
| Addressing, mailing and stenographic | One space for each 300 sq. ft. of GFA |

| City of Selah Zoning Ordinance, Title 10, Chapter 34, Table 34 + <u>Table B</u> | |
|--|--|
| Activity | Parking Standards |
| services | |
| Advertising agencies | One space for each 300 sq. ft. of GFA |
| Animal hospital/veterinary clinic | 1.6 spaces per 1,000 sq. ft. of GFA and 1.4 vehicles per employee |
| Apparel/clothing store | 2.13 spaces per 1,000 sq. ft. of GFA |
| Automobile, truck, mobile/manufactured home, recreational vehicle sales | One space for each 500 sq. ft. of showroom and one space for each 1,000 sq. ft. of retail sales floor area |
| Automotive: Automobile maintenance and service shop | Two spaces per service area including work bays |
| Automotive: Car wash | Six spaces per wash bay |
| Automotive: Parts and accessories | 2.25 spaces per 1,000 sq. ft. of GFA |
| Automotive: Car wash, self-service | One space for each 1,000 sq. ft. of GFA |
| Automotive: Paint and body shops | Two spaces per service area including work bays |
| Automotive: Specialized repair shop (brakes, radiator, etc.) | Two spaces per service area including work bays |
| Automotive: Tire store | 4.17 spaces per 1,000 sq. ft. of GFA |
| Automotive: Wrecking and dismantling | One space for each 500 sq. ft. of GFA |
| Bank/financial institution | One space for each 200 sq. ft. of GFA |
| Bank/financial institution drive-in | 4.00 stalls per 1,000 sq. ft. of GFA |
| Beauty and barber shops | One space for each 75 sq. ft. of GFA |
| Bed and breakfast inn | One space for each guest room |
| Bookstore | 0.89 spaces per 1,000 sq. ft. of GFA |
| Building and contractors office | One space for each 800 sq. ft. of GFA |
| Carpet store | 1.79 spaces per 1,000 sq. ft. of GFA |
| Coffee/donut shop (without drive-through window) | 14.44 spaces per 1,000 sq. ft. of GFA |
| Coffee/donut shop (with drive-through window) | 10.40 spaces per 1,000 sq. ft. of GFA |
| Copy, print and express shipping store | Three spaces per 1,000 sq. ft. of GFA |
| Convenience market (<u>as defined in Appendix A to SMC Chapters 10.02 through 10.48</u>) | 3.11 spaces per 1,000 sq. ft. of GFA |
| Convenience market (with gas pumps) | 8.38 spaces per 1,000 sq. ft. of GFA |
| Discount club (<u>as defined in Appendix A to SMC Chapters 10.02 through 10.48</u>) | 2.90 spaces per 1,000 sq. ft. of GFA |
| Drugstore with drive-through window | 2.39 spaces per 1,000 sq. ft. of GFA |

| City of Selah Zoning Ordinance, Title 10, Chapter 34, Table 34-I <u>Table B</u> | |
|---|--|
| Activity | Parking Standards |
| Drugstore without drive-through window | 2.94 spaces per 1,000 sq. ft. of GFA |
| Dry cleaners | 1.40 stalls per 1,000 sq. ft. of GFA |
| Electronics store | 3.03 spaces per 1,000 sq. ft. of GFA |
| Farm supplies | One space for each 800 sq. ft. of GFA |
| Furniture, home furnishings, appliances | 1.04 spaces per 1,000 sq. ft. of GFA |
| Sporting goods store | 1.78 spaces per 1,000 sq. ft. of GFA |
| Home improvement store | 3.19 stalls per 1,000 sq. ft. of GFA |
| Heating, air conditioning, plumbing equipment store | One space for each 400 sq. ft. of GFA |
| Heavy equipment, farm equipment sales and repair | One space for each 300 sq. ft. of GFA |
| Hotel | 1.20 spaces per room |
| Hotel: Business | 0.66 spaces per room |
| Hotel: Resort | 1.29 spaces per room |
| Household appliances, furniture, small engine, TV repair | One space for each 300 sq. ft. of GFA |
| Liquor store | 2.98 spaces per 1,000 sq. ft. of GFA |
| Lumber yard/building materials | One space for each 400 sq. ft. of GFA of structure and storage area |
| Nursery | One space for each 400 sq. ft. of structure and permanent outside display and sales area |
| Medical: Dental laboratories and offices | 3.20 spaces per 1,000 sq. ft. of GFA |
| Medical: Surgery center | 5.67 per operating room |
| Medical: Clinics | 4.94 spaces per 1,000 sq. ft. of GFA |
| Motels | 0.71 spaces per room |
| Multiple use shopping center: Two or more structures or uses within a single building with shared parking | 4.67 spaces per 1,000 sq. ft. of GFA |
| Office supply store | 0.61 spaces per 1,000 sq. ft. of GFA |
| Paint, glass and wallpaper store | One space for each 400 sq. ft. of GFA |
| Pet supply store | 1.17 spaces per 1,000 sq. ft. of GFA |
| Post office | 33.20 spaces per 1,000 sq. ft. of GFA and 2.01 spaces per employee |
| Professional office building for accountants, attorneys, engineers, government, etc. | 4.15 spaces per 1,000 sq. ft. of GFA |

| City of Selah Zoning Ordinance, Title 10, Chapter 34, Table 34-1 <u>Table B</u> | |
|---|---|
| Activity | Parking Standards |
| Radio/TV studios and offices | One space for each 300 sq. ft. of GFA |
| Real estate office | One space for each 200 sq. ft. of GFA |
| Residential mini-storage | One space for each 300 sq. ft. of GFA of office space |
| Restaurant, cafe (sit-down) | 16.41 spaces per 1,000 sq. ft. of GFA |
| Restaurant, fast-food (without drive-through window) | 12.40 spaces per 1,000 sq. ft. of GFA |
| Restaurant, fast-food (with drive-through window) | 9.98 spaces per 1,000 sq. ft. of GFA |
| Retail service establishments listed or not listed in Chapter 10.28, Table 10.28A but not listed in this table | One space for each 300 sq. ft. of GFA |
| Retail trade establishments listed in or not listed in Chapter 10.28, Table 10.28A but not listed in this table | |
| Less than 4,000 sq. ft. of GFA | One space for each 300 sq. ft. of GFA |
| 4,001 to 10,000 sq. ft. of GFA | One space for each 350 sq. ft. of GFA |
| 10,001 to 25,000 sq. ft. of GFA | One space for each 400 sq. ft. of GFA |
| Greater than 25,000 sq. ft. of GFA | Three spaces for each 1,000 sq. ft. of GFA |
| Service station with or without convenience market | 0.75 spaces per fueling position |
| Shoe sales, repair or shine | One space for each 300 sq. ft. of GFA |
| Supermarket | 3.92 spaces per 1,000 sq. ft. of GFA |
| Tavern, bar, dine-drink-dance establishments | One space for each 75 sq. ft. of GFA |
| Toy/children's store | 1.94 spaces per 1,000 sq. ft. of GFA |
| Waste material processing and junk handling | One space for each 500 sq. ft. of GFA |
| Transportation | |
| Bus terminal, dispatch office, storage and maintenance facility | One space for each 500 sq. ft. of GFA |
| Air, rail and truck terminal | One space for each 300 sq. ft. of GFA |
| Taxicab terminal, dispatch office, storage and maintenance facility | One space for each 300 sq. ft. of GFA |
| Utilities | |

| City of Selah Zoning Ordinance, Title 10, Chapter 34, Table 34-1 <u>Table B</u> | |
|--|--|
| Activity | Parking Standards |
| Utility services | One space for each 800 sq. ft. of GFA |
| Wholesale Trade | |
| Warehousing | 0.51 spaces per 1,000 sq. ft. of GFA |
| Wholesale trade | Two spaces for first 1,000 sq. ft. of GFA, plus one space for each additional 3,000 sq. ft. of GFA |

Abbreviations/Symbols: GFA – gross floor area; sq. ft. – square feet

Section 3. Adoption of New SMC section 10.34.125. That a SMC section 10.34.125 be and is adopted, so as to have a title and substantive body set forth below:

10.34.125 Electric Vehicle Charging Stations.

Electric vehicle charging stations – as defined by RCW 36.70A.695(5) in its now-existing form and, also, each and every future form of the statute following any amendment, addition or recodification that the state government enacts or effectuates – shall not be allowed on resource lands or in critical areas, but shall be allowed as set forth in subsections (a) and (b) below:

- (a) As an accessory use to an approved principal use that is situated in the B-1, B-2 or M-1 zoning district.
- (b) Pursuant to an issued right-of-way use permit with regard to a public parking lot or on-street public parking area.


Section 4. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Corrections. The City Attorney and the codifiers of the Selah Municipal Code are authorized to make any necessary or desirable clerical or formatting changes – including but not limited to correcting scrivener errors; changing formatting; eliminating bold, italic and underscore emphasis; changing numbering; and correcting references – when publishing or republishing the official text of any section(s) of the Selah Municipal Code due to any amendment, addition, alteration, change, impact or enactment effectuated by this Ordinance.

Section 4. Transmittal to State. A copy of this Ordinance shall be submitted to the Washington State Department of Commerce for inclusion within its records, both within 10 days following adoption of the Ordinance and also within 10 days following any correction(s) that might be applied by the City Attorney or codifiers pursuant to Section 3 above.

Section 5. Publishing & Effective Date. Consistent with RCW 35A.12.130 (3rd ¶) and .160 (1st and 2nd ¶¶), this Ordinance or a summary of it shall be published at least once in the City's official newspaper prior to the Ordinance taking effect.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH,
WASHINGTON this 12th day of December, 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: 12/12/2023

Agenda Number: **14-B**

Action Item

Title: Ordinance Establishing the 2024 Base Salary and Wage Schedule for Unrepresented (a/k/a Non-Union) Positions

From: Rob Case, City Attorney

Action Requested: Approval

Staff Recommendation: Approval

Board/Commission Recommendation: N/A

Fiscal Impact: N/A

Funding Source: N/A

Background/Findings/Facts: At the conclusion of each calendar year, the City Council needs to establish – by adopting an Ordinance – the salary and wage base rates that will apply for the City's unrepresented (a/k/a non-union) positions during the following calendar year. The base rates for 2024 are the subject of this AIS and the corresponding proposed four-page Ordinance.

For reference, I have appended a copy of the ordinance for the current year of 2023 – specifically, Ordinance No. 2185.

Monetarily, City management is proposing a five percent (5.00%) cost of living (COLA) adjustment for nearly all of these positions. Such five-percent COLA figure was previously discussed with the Finance Committee. One exception is the position of Planning & Building Permit Specialist at the Public Works Department, for which City management is proposing a nearly ten percent (10.00%) overall adjustment, comprised of both the above-mentioned five-percent COLA and also a general raise.

The salary/wage ranges (*i.e.*, the difference between each minimum amount and maximum amount) will also change in comparison to 2023. For 2023, the ranges were about ten percent (10.00%) for all positions. During 2024, many of the ranges will be enlarged to fifteen percent (15.00%) and some will be reduced to just four percent (4.00%).

The listed order of positions has also been modified. Specifically, the Community Service positions (who work out of the Civic Center) have been moved downward on the list (such that they appear on page 2 of the now-under-consideration proposed Ordinance, versus having appeared on page 1 of the Ordinance No. 2185 for 2023) and those positions are now expressly recited as being part of the Public Works Department (because the Public Works Director will be the supervising department head for those positions).

ORDINANCE NO. 2215

ORDINANCE ESTABLISHING THE 2024 BASE SALARY AND WAGE SCHEDULE FOR
UNREPRESENTED (A/K/A NON-UNION) POSITIONS

WHEREAS, the City needs to establish the salary and wage schedule that will apply for the City's unrepresented (a/k/a non-union) positions during the calendar year of 2024;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Salary and Wage Rates for 2024. During the calendar year of 2024, the following respective monthly salary ranges and hourly wage ranges will apply for the City's unrepresented (a/k/a non-union) positions:

Full-Time Regular Employee
Positions Established by
SMC 1.10.031(f):

(all figures are gross)

Monthly Salary:

minimum **maximum**

Administrative

(ranges of apprx. 15%)

| | | |
|--|----------|----------|
| City Administrator | \$ 9,600 | \$11,262 |
| Clerk-Treasurer | \$ 8,600 | \$10,131 |
| City Attorney | \$12,900 | \$15,070 |
| Human Resrcs./Public Rcrds. Mngr./Admin. Asst. (as 3 combined positions) | \$ 5,900 | \$ 6,911 |
| Human Resources Manager | \$ 4,500 | \$ 5,250 |
| Public Records Manager | \$ 4,650 | \$ 5,436 |
| Admin. Asst. (a/k/a Exc. Asst.) | \$ 4,375 | \$ 5,107 |
| Payroll & Accts. Pyabl. Spclst. | \$ 4,375 | \$ 5,107 |
| Utility Billing Specialist | \$ 4,375 | \$ 5,107 |
| Court Clerk & Administrator | \$ 4,375 | \$ 5,107 |

Public Works: Administration & Utilities

(ranges of apprx. 15%)

| | | |
|------------------------------|----------|----------|
| Public Works Director | \$ 7,900 | \$ 9,269 |
| Public Works Utility Superv. | \$ 7,500 | \$ 8,821 |
| Public Works Engineer Tech. | \$ 4,600 | \$ 5,369 |
| Public Works Admin. Asst. | \$ 4,100 | \$ 5,107 |

Public Works: Community Development

(ranges of apprx. 15%)

| | | |
|--|----------|----------|
| Community Dvlpmt. Superv. (a/k/a Cmty. Plnr. or Code Dftr.) | \$ 7,500 | \$ 8,821 |
| Building & Code Inspector | \$ 5,000 | \$ 5,943 |
| Code Enfor. & Strwtr. Mgmt. | \$ 4,000 | \$ 4,666 |

| | | |
|---|---------------------------|----------|
| Plnng. & Bldg. Permit Spclst. | (range of appr. 20%) | |
| | \$ 3,600 | \$ 4,465 |
| <u>Public Works: Wastewater Treatment Plant</u> | (ranges of appr. 15%) | |
| WWTP. Supervisor | \$ 6,900 | \$ 8,130 |
| WWTP. Lab Tech IV | \$ 5,500 | \$ 6,325 |
| WWTP Lab Tech III | \$ 5,300 | \$ 6,217 |
| WWTP. Operator IV | \$ 5,300 | \$ 6,217 |
| WWTP. Operator III | \$ 5,100 | \$ 5,952 |
| WWTP. Operator II | \$ 4,700 | \$ 5,577 |
| WWTP. Operator I | \$ 4,450 | \$ 5,198 |
| WWTP. Operator Trainee | \$ 4,100 | \$ 4,820 |
| WWTP. Mechanic | \$ 4,400 | \$ 5,150 |
| <u>Public Works: Community Services</u> | (ranges of appr. 15%) | |
| Community Services Mngr. | \$ 4,600 | \$ 5,462 |
| Recr. Coord. – Youth Sports | \$ 3,400 | \$ 4,038 |
| Facility Coord. – Civic Center | \$ 3,400 | \$ 4,038 |
| <u>Police Department</u> | (ranges of appr. 15%) | |
| Police Chief | \$ 9,250 | \$10,801 |
| Deputy Chief of Police | \$ 8,600 | \$10,080 |
| Police Lieutenant | \$ 8,000 | \$ 9,345 |
| <u>Fire Department</u> | | |
| Fire Chief | (range of appr. 15%) | |
| | \$10,200 | \$11,991 |
| | (step ranges of appr. 4%) | |
| Deputy Fire Chief – Step 3 | \$ 9,242 | \$ 9,593 |
| Deputy Fire Chief – Step 2 | \$ 8,890 | \$ 9,242 |
| Deputy Fire Chief – Step 1 | \$ 7,683 | \$ 8,890 |
| Captain – Step 3 | \$ 7,479 | \$ 7,684 |
| Captain – Step 2 | \$ 7,274 | \$ 7,479 |
| Captain – Step 1 | \$ 7,070 | \$ 7,274 |
| Lieutenant – Step 3 | \$ 6,884 | \$ 7,070 |
| Lieutenant – Step 2 | \$ 6,699 | \$ 6,884 |
| Lieutenant – Step 1 | \$ 6,504 | \$ 6,699 |
| Firefighter – Step 3 | \$ 5,983 | \$ 6,504 |
| Firefighter – Step 2 | \$ 5,286 | \$ 5,983 |
| Firefighter – Step 1 | \$ 5,062 | \$ 5,286 |
| Firefighter – Probationary | \$ 4,300 | \$ 5,062 |
| | (range of appr. 20%) | |
| Fire Dept. Admin. Asst. | \$ 4,300 | \$ 5,062 |

**Part-Time, Seasonal &
Temporary Positions:**

(all figures are gross)
Hourly Rate:

| | <u>minimum</u> | <u>maximum</u> |
|--|----------------|----------------|
| Office Assistant | \$ 17.58 | \$ 20.51 |
| PW. Laborer II | \$ 18.64 | \$ 21.53 |
| PW. Laborer I | \$ 16.28 | \$ 18.38 |
| Recr. Sports Supervisor | \$ 16.28 | \$ 18.38 |
| Recr. Programs: Spts. Ref. III | \$ 16.28 | \$ 17.22 |
| Recr. Programs: Spts. Ref. II | \$ 16.28 | \$ 16.91 |
| Recr. Programs: Spts. Ref. I or Scorekeeper | \$ 16.28 | \$ 16.80 |

The state-wide minimum wage during 2024 will be \$16.28 per hour. As allowed by state law, any referee or scorekeeper who is 14 or 15 years of age may be employed at an hourly rate that is 85% of the then-applicable minimum wage, which will equate to \$13.84 per hour during the calendar year of 2024.

Section 2. Clarifications and Cross-References. The following clarifications and cross-references apply:


- a. Not every position recited above is presently occupied as of the date of this Ordinance and the City is not required to fill every position. As allowed by SMC 1.10.031(e), some positions recited above are nonexclusive positions, which means that multiple people may occupy those positions at the same time.
- b. As allowed by SMC 1.10.031(a) & (c), additional or different positions may be created at the discretion of the Mayor, and multiple positions may be combined at the discretion of the Mayor so long as the salary/wage rate paid to any person occupying a combined position does not exceed the maximum amount specified on this Ordinance for the highest-paid of the combined positions or a new amount specifically approved by the City Council. As of the date of this Ordinance, the three positions of Human Resources Manager, Public Records Manager and [City Hall] Administrative Assistant are combined and are occupied by a single person, and such person will be paid a salary that does not exceed the maximum amount specified on this Ordinance for such combined position.
- c. This Ordinance establishes a salary/wage range for each position. Whenever the City advertises an opening as to any position recited above, the full salary/wage range should be specified within the advertisement(s). Any new person hired into a fulltime position recited above should ordinarily begin at, or near, the minimum rate amount specified for that position. Thereafter, one or more periodic salary/wage increase(s) should occur when appropriate prior to the person then earning the maximum salary/wage for the fulltime position. When a person is promoted from a fulltime position to a higher fulltime position, the person may immediately be paid the maximum rate specified for the higher fulltime

position at the discretion of the Mayor.

- d. This Ordinance only establishes base salary rates and base wage rates. By contrast, it does not establish, guarantee or restrict any fringe benefits (such as insurance coverage, vacation and leave accruals, and retirement accruals), any longevity pay accruals or any overtime or comp time accruals that might exist or apply.
- e. As reflected by its title and body, this Ordinance only pertains to unrepresented (a/k/a non-union) positions. Represented employees (a/k/a union members) will be paid the salaries/wages specified by the then-applicable Collective Bargaining Agreement (or other union contract) that governs their employment. As of the date of this Ordinance, most Police Department employees and many Public Works Department employees are represented employees (a/k/a union members).
- f. Ordinance No. 2185 was the applicable salary and wage ordinance for the year of 2023.


Section 3. Publishing and Effective Date. This Ordinance shall take effect and be in full force as of January 1, 2024. A summary of this Ordinance shall be published in the City's official newspaper, consistent with RCW 35A.12.120 and .160, at least five calendar days prior to January 1, 2023.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON,
this 12th day of December, 2023.



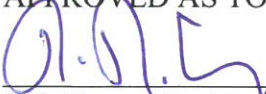
Sherry Raymond, Mayor

ATTEST:



Dale E. Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:



Rob Case, City Attorney



Selah City Council
Regular Meeting
AGENDA ITEM SUMMARY

Meeting Date: 12/12/2023

Agenda Number: 14-C

Action Item

Title: Ordinance Adopting the Budget for the City of Selah, Washington for the Year Ending December 31, 2024

From: Dale Novobielski, Clerk/Treasurer

Action Requested: Approval

Staff Recommendation: Approval

Board/Commission Recommendation: N/A

Fiscal Impact: Appropriations of \$ 28,172,242

Funding Source: The various operating and reserve funds of the City.

Background/Findings/Facts: In accordance with RCW 35A.33.075 the City is required to adopt its annual operating budget by Ordinance.

Other language changes have also been made, versus Ordinance No. 2185 for 2023.

Recommended Motion: I move to approve the Ordinance adopting the 2024 budget for the City of Selah.

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

ORDINANCE NO. 2216

AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY OF SELAH,
WASHINGTON, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024

WHEREAS, the City council has considered the estimated revenues and appropriations required in budgeting and controlling the financial operations of the City for 2024 and has prepared a preliminary budget, published notices of hearings, and held public hearings as required by law;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON does ordain as follows:

Section 1. The budget for the year 2024 is hereby adopted at the fund level in its final form and content as set forth in the document entitled 2024 Budget.

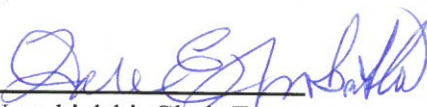
Section 2. Estimated Revenues & Beginning Net Cash & Investments, Requested Appropriations and Estimated Ending Net Cash & Investments are described in summary as follows:

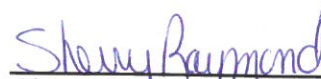
| <u>Fund</u> | <u>Department</u> | <u>Est. Revenues & Beginning Fund Balance</u> | <u>Appropriations</u> | <u>Estimated Ending Fund Balance</u> | <u>Total Requested Appropriations & Ending Fund Balance</u> |
|-------------|------------------------------------|---|-----------------------|--|---|
| 001 | <u>General</u> | | | | |
| | Legislative | | \$63,869 | | |
| | Court | \$78,500 | 186,280 | | |
| | Executive | 94,500 | 225,507 | | |
| | Finance, Recording & Election Svcs | | 191,861 | | |
| | Legal | 3,000 | 341,211 | | |
| | Facilities | | 196,112 | | |
| | Police | 678,311 | 3,415,924 | | |
| | Detention | 1,000 | 180,500 | | |
| | Emergency Svcs. | | 5,415 | | |
| | Pollution Control | | 4,015 | | |
| | Animal Control | | 68,812 | | |
| | Code & Building | 79,000 | 241,485 | | |
| | Planning | 203,679 | 312,674 | | |
| | Substance Abuse | | 2,000 | | |
| | Participant Recreation | 110,157 | 246,089 | | |
| | Parks | 917,900 | 1,684,343 | | |
| | Transfers-In | 293,505 | | | |
| | Transfers-Out | | 405,000 | | |
| | Non-Departmental | 4,714,777 | | | |
| | | <u>\$9,413,031</u> | <u>\$7,771,097</u> | <u>\$1,641,934</u> | <u>\$9,413,031</u> |

| <u>Fund</u> | <u>Department</u> | <u>Est. Revenues & Beginning Fund Balance</u> | <u>Appropriations</u> | <u>Estimated Ending Fund Balance</u> | <u>Appropriations & Ending Fund Balance</u> |
|-------------|-----------------------------|---|-----------------------|--|---|
| 103 | Fire Control | 5,489,740 | 2,667,454 | 2,822,286 | 5,489,740 |
| 110 | Street | 1,328,060 | 1,174,525 | 153,535 | 1,328,060 |
| 111 | Street Improvement | 970,054 | 960,710 | 9,344 | 970,054 |
| 113 | Paths & Trails | 4,777 | 0 | 4,777 | 4,777 |
| 115 | Local Access Street Improv. | 251,223 | 91,632 | 159,591 | 251,223 |
| 118 | Civic Center | 643,227 | 606,906 | 36,321 | 643,227 |
| 119 | Transit | 1,512,376 | 666,156 | 846,220 | 1,512,376 |
| 121 | Tourism | 73,470 | 16,485 | 56,985 | 73,470 |
| 140 | Contingency Reserve | 1,555,359 | 23,484 | 1,531,875 | 1,555,359 |
| 150 | Fire Equipment Reserve | 1,054,259 | 159,000 | 895,259 | 1,054,259 |
| 153 | EMS Equipment Reserve | 28,150 | 0 | 28,150 | 28,150 |
| 170 | CE Equipment Reserve | 856,401 | 270,021 | 586,380 | 856,401 |
| 171 | PW Equipment Reserve | 201,428 | 85,616 | 115,812 | 201,428 |
| 180 | Drugs & Alcohol Comm. Res. | 4,810 | 0 | 4,810 | 4,810 |
| 181 | Crime Prev. Accum.Reserve | 3,813 | 0 | 3,813 | 3,813 |
| 301 | Capital Improvement | 1,179,121 | 12,500 | 1,166,621 | 1,179,121 |
| 303 | Fire Control Building Res. | 80,818 | 0 | 80,818 | 80,818 |
| 308 | Civic Center Capital | 10,360 | 0 | 10,360 | 10,360 |
| 310 | CE Building/Property Res. | 1,057,000 | 0 | 1,057,000 | 1,057,000 |
| 411 | Water | 5,654,433 | 4,613,277 | 1,041,156 | 5,654,433 |
| 415 | Sewer | 7,875,511 | 6,524,886 | 1,350,625 | 7,875,511 |
| 420 | Solid Waste | 1,522,017 | 1,258,493 | 263,524 | 1,522,017 |
| 461 | Water Reserve | 3,708,770 | 1,000,000 | 2,708,770 | 3,708,770 |
| 465 | Sewer Reserve | 1,061,754 | 270,000 | 791,754 | 1,061,754 |
| | | <u>\$45,539,962</u> | <u>\$28,172,242</u> | <u>\$17,367,720</u> | <u>\$45,539,962</u> |

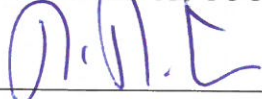
PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF SELAH,
WASHINGTON this 12th day of December, 2023.

ATTEST:


Dale E. Novobielski, Clerk-Treasurer


Sherry Raymond, Mayor

APPROVED AS TO FORM:


Rob Case, City Attorney

ORDINANCE NO. 2216



Selah City Council
Regular Meeting
AGENDA ITEM SUMMARY

Meeting Date: 12/12/2023

Agenda Number: 14-D *

Action Item

Title: Ordinance Amending the 2023 Budget for Miscellaneous Adjustments

From: Dale Novobielski, City Clerk/Treasurer

Action Requested: Approval

Staff Recommendation: Approval

Board/Commission Recommendation: N/A

Fiscal Impact: F001 General Revenues increased \$ 144,170 more than appropriations and ARPA funds of \$ 399,588 were returned from F465 Sewer Reserve to the General fund, F103 Fire Control \$ 7,727 increase in appropriations, F110 City Street \$ 1,980 increase in appropriations, F118 Civic Center \$ 31,900 increase in appropriations offset by Revenue increases and a transfer of \$ 25,894 from F140 Contingency Reserve, F119 Transit \$ 334,396 increase in appropriations offset by Revenue increases and a reduction in Ending Cash & Investments of \$ 252,396, F411 Water \$ 50,649 increase in appropriations offset by Revenue increases, F415 Sewer \$ 226,685 increase in appropriations offset by a reduction in Ending Cash & Investments and F420 Solid Waste \$ 158,285 increase in appropriations offset by a \$ 90,000 increase in Revenues and a reduction in Ending Cash & Investments of \$ 68,285.

Funding Source: See above

Background/Findings/Facts: To amend the 2023 budget to supplement existing appropriations for: Administrative personnel retirements and hiring of replacements, State Audit costs, repairs to fiber optic connection for computer network, increase in Police fuel costs, increase in Civic Center utility, supply and repair & maintenance costs, increase in Transit Fixed Route costs and the replacement of a TIB grant for sidewalk improvements which was not awarded, increase in Water Debt Service costs, increase in Sewer debt service and construction project costs, increase in Solid Waste costs for contracted hauler services, and a change in funding for the City's share of the Crusher Canyon Sewer Project from ARPA grant funds to Sewer Reserve due to the establishment of a sewer connection benefit cost recovery program.

Recommended Motion: I move to approve the Ordinance amending the 2023 budget for miscellaneous adjustments.

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

ORDINANCE NO. 2213

AN ORDINANCE AMENDING THE 2023 BUDGET FOR MISCELLANEOUS
ADJUSTMENTS

WHEREAS, the City desires to approve miscellaneous adjustments to the 2023 Budget;

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

001 General

Executive

| | | |
|--------------------------|---------------------------|-----------|
| 001.000.013.513.10.11.00 | Regular Pay | \$ 14,835 |
| 001.000.013.513.10.21.00 | Personnel Benefits | 2,393 |
| 001.000.013.513.10.21.01 | Employee Relocation Costs | 5,000 |

Financial Svcs

| | | |
|--------------------------|---------------------------|--------|
| 001.000.014.514.21.11.00 | Regular Pay | 17,981 |
| 001.000.014.514.21.21.00 | Personnel Benefits | 2,917 |
| 001.000.014.514.23.41.00 | Prof Svcs – State Auditor | 16,304 |

Facilities

| | | |
|--------------------------|-----------------------|--------|
| 001.000.018.518.30.48.00 | Repairs & Maintenance | 16,400 |
|--------------------------|-----------------------|--------|

Police

| | | |
|--------------------------|---------------------------|--------|
| 001.000.021.334.03.50.00 | Traffic Safety Commission | 10,437 |
| 001.000.021.334.06.90.01 | WASPC Grant | 16,600 |
| 001.000.021.521.20.12.00 | Overtime Pay | 8,927 |
| 001.000.021.521.20.32.00 | Fuel Consumed | 20,000 |
| 001.000.021.521.20.49.01 | Training/Seminar Fees | 10,000 |

Non-Departmental

| | | |
|--------------------------|---|-----------|
| 001.000.094.594.21.64.00 | Machinery & Equipment – Police | \$ 8,110 |
| 001.000.098.313.11.00.00 | Sales Tax | 240,000 |
| 001.000.098.397.00.08.00 | Operating Transfers-In – F465 Sewer Reserve | 399,588 |
| 001.000.999.508.31.00.00 | New Ending Restricted Cash & Inv – ARPA | 1,105,523 |
| 001.000.999.508.91.00.00 | New Ending Unassigned Cash & Investments | 736,934 |

103 Fire Control

| | | |
|--------------------------|--|-------------|
| 103.000.022.522.20.11.00 | Regular Pay | \$ 6,649 |
| 103.000.022.522.20.21.00 | Personnel Benefits | 1,078 |
| 103.000.999.508.31.00.00 | New Ending Restricted Cash & Investments | \$2,239,657 |

110 City Street

| | | |
|--------------------------|--|------------|
| 110.000.042.542.90.11.00 | Regular Pay | \$ 1,703 |
| 110.000.042.542.90.21.00 | Personnel Benefits | 277 |
| 110.000.999.508.51.00.00 | New Ending Assigned Cash & Investments | \$ 256,755 |

111 Street Improvement

| | | |
|--------------------------|---|---------------|
| 111.000.095.334.03.80.03 | TIB – Naches Sidewalk | \$ (294,192) |
| 111.000.095.397.00.00.00 | Operating Transfers-In – Fund 119 Transit | \$ 294,192 |

118 Civic Center

| | | |
|--------------------------|---|----------|
| 118.000.075.395.20.00.00 | Facility Rental | \$ 2,000 |
| 118.000.075.395.20.00.00 | Insurance Recovery | 4,006 |
| 118.000.097.397.00.00.00 | Operating Transfers-In - F140 Contingency Res | 25,894 |
| 118.000.075.575.50.31.00 | Operating Supplies | \$ 2,000 |
| 118.000.075.575.50.47.00 | Public Utility Svcs | 6,000 |
| 118.000.075.575.50.48.00 | Repairs & Maintenance | 23,900 |

119 Transit

| | | |
|--------------------------|--|-----------|
| 119.000.047.313.21.00.00 | Transit Sales Tax | \$ 82,000 |
| 119.000.047.547.10.11.00 | Regular Pay | \$ 13,085 |
| 119.000.047.547.10.21.00 | Personnel Benefits | 2,119 |
| 119.000.047.547.10.41.02 | Transit Fixed Route | 25,000 |
| 119.000.097.597.00.02.00 | Operating Transfers-Out – F111 St Improv | 294,192 |
| 119.000.999.508.31.00.00 | New Ending Restricted Cash & Investments | 542,130 |

140 Contingency Reserve

| | | |
|--------------------------|---|--------------|
| 140.000.097.597.00.01.00 | Operating Transfers-Out – F118 Civic Center | \$ 25,894 |
| 140.000.008.508.91.00.00 | New Ending Unassigned Cash & Investments | \$ 1,493,465 |

411 Water

| | | |
|--------------------------|---------------------|-----------|
| 411.000.034.343.40.10.00 | Water Sales/Metered | \$ 50,649 |
| 411.000.034.534.80.11.00 | Regular Pay | \$ 13,563 |
| 411.000.034.534.80.21.00 | Personnel Benefits | 2,196 |
| 411.000.091.591.34.78.06 | 22 SRF Principal | 33,202 |
| 411.000.092.592.34.83.06 | 22 SRF Interest | 1,688 |

415 Sewer

| | | |
|--------------------------|--------------------|--------------|
| 415.000.035.391.80.00.00 | USDA Loan | \$ 2,111,000 |
| 415.000.035.535.70.11.00 | Regular Pay | \$ 8,778 |
| 415.000.035.535.70.21.00 | Personnel Benefits | 1,424 |

| | | |
|--------------------------|--|-----------|
| 415.000.035.535.80.11.00 | Regular Pay | 2,393 |
| 415.000.035.535.80.21.00 | Personnel Benefits | 386 |
| 415.000.035.535.80.41.03 | Facility Plan | 41,016 |
| 415.000.091.591.35.78.00 | Banner Interim Loan | 2,111,000 |
| 415.000.092.592.35.83.06 | Banner Bank Interest | 27,801 |
| 415.000.094.594.35.63.70 | Sewer Improvements | 87,257 |
| 415.000.094.594.35.63.71 | Crusher Canyon | 57,630 |
| 415.000.999.508.51.00.00 | New Ending Assigned Cash & Investments | 633,584 |

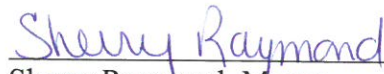
420 Solid Waste

| | | |
|--------------------------|--|-----------|
| 420.000.037.343.70.00.00 | Garbage/Solid Waste Fees | \$ 90,000 |
| 420.000.037.537.80.11.00 | Regular Pay | \$ 11,435 |
| 420.000.037.537.80.21.00 | Personnel Benefits | 1,850 |
| 420.000.037.537.80.41.00 | Professional Services | 145,000 |
| 420.000.999.508.51.00.00 | New Ending Assigned Cash & Investments | 200,732 |

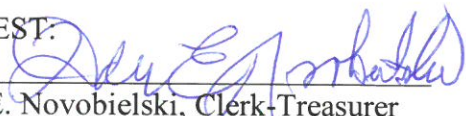
465 Sewer Reserve

| | | |
|--------------------------|--|------------|
| 465.000.097.597.00.03.00 | Operating Transfers-Out – F001 General | \$ 399,588 |
| 465.000.008.508.51.00.00 | New Ending Assigned Cash & Investments | \$ 870,248 |

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF SELAH,
WASHINGTON this 12th day of December 2023.


Sherry Raymond, Mayor

ATTEST:


Dale E. Novobielski, Clerk-Treasurer

APPROVED AS TO FORM:


Rob Case, City Attorney

ORDINANCE NO. 2213

DATE: DEC 12, 2023

DATE: DEC 12, 2023

[illegible]

COUNCIL ROLL CALL LIST: Meeting Date: 12-12-2023

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

| YES | AIS: <u>14-A</u> | NO |
|-----|---------------------------------|----|
| ✓ | Councilmember Marquis | |
| ✓ | Councilmember Bell | |
| ✓ | Councilmember Costello <u>1</u> | |
| ✓ | Councilmember Carlson | |
| ✓ | Councilmember Iverson | |
| ✓ | Councilmember Wickenhagen | |
| ✓ | Councilmember Peterson <u>2</u> | |

UNAN.

| YES | AIS: <u>MOVE 13-E to CONSENT</u> | NO |
|-----|----------------------------------|----|
| ✓ | Councilmember Marquis | |
| ✓ | Councilmember Bell | |
| ✓ | Councilmember Costello <u>2</u> | |
| ✓ | Councilmember Carlson <u>1</u> | |
| ✓ | Councilmember Iverson | |
| ✓ | Councilmember Wickenhagen | |
| ✓ | Councilmember Peterson | |

VOICE
VOTE

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

UNAN.

| YES | AIS: <u>CONSENT</u> | NO |
|-----|---------------------------|----|
| ✓ | Councilmember Marquis | |
| ✓ | Councilmember Bell | |
| ✓ | Councilmember Costello | |
| ✓ | Councilmember Carlson | |
| ✓ | Councilmember Iverson | |
| ✓ | Councilmember Wickenhagen | |
| ✓ | Councilmember Peterson | |

VOICE
VOTE

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

UNAN.

COUNCIL ROLL CALL LIST: Meeting Date: 12-12-2023

UNAN.

| YES | ATTENDANCE 13-G | NO |
|-----|---------------------------|----|
| ✓ | Councilmember Marquis | |
| ✓ | Councilmember Bell | |
| ✓ | Councilmember Costello | |
| ✓ | Councilmember Carlson | |
| ✓ | Councilmember Iverson | |
| ✓ | Councilmember Wickenhagen | |
| ✓ | Councilmember Peterson | |

AS PRESENTED

| YES | AIS: 14-B | NO |
|-----|---------------------------|----|
| ✓ | Councilmember Marquis | |
| ✓ | Councilmember Bell | |
| ✓ | Councilmember Costello | |
| ✓ | Councilmember Carlson | ✓ |
| ✓ | Councilmember Iverson | |
| | Councilmember Wickenhagen | ✓ |
| ✓ | Councilmember Peterson | |

PASS
5 YES
2 NO

UNAN.

| YES | AIS: 13-H | NO |
|-----|---------------------------|----|
| ✓ | Councilmember Marquis | |
| ✓ | Councilmember Bell | |
| ✓ | Councilmember Costello | |
| ✓ | Councilmember Carlson | |
| ✓ | Councilmember Iverson | |
| ✓ | Councilmember Wickenhagen | |
| ✓ | Councilmember Peterson | |

| YES | AIS: 14-C | NO |
|-----|---------------------------|----|
| ✓ | Councilmember Marquis | |
| ✓ | Councilmember Bell | |
| ✓ | Councilmember Costello | |
| ✓ | Councilmember Carlson | |
| ✓ | Councilmember Iverson | |
| ✓ | Councilmember Wickenhagen | |
| ✓ | Councilmember Peterson | |

UNAN.

FAIL

| YES | AIS: 14-B (WITH AMMEND) | NO |
|-----|---------------------------|----|
| | Councilmember Marquis | ✓ |
| | Councilmember Bell | ✓ |
| | Councilmember Costello | ✓ |
| ✓ | Councilmember Carlson | |
| | Councilmember Iverson | ✓ |
| ✓ | Councilmember Wickenhagen | |
| | Councilmember Peterson | ✓ |

REMOVE ITEM 17 ON AGENDA

| YES | AIS: REMOVE ITEM 17 ON AGENDA | NO |
|-----|-------------------------------|----|
| ✓ | Councilmember Marquis | |
| ✓ | Councilmember Bell | |
| ✓ | Councilmember Costello | |
| ✓ | Councilmember Carlson | |
| ✓ | Councilmember Iverson | |
| ✓ | Councilmember Wickenhagen | |
| ✓ | Councilmember Peterson | |

UNAN.

2 — FAIL — 5