



WENATCHEE CITY COUNCIL

Thursday, May 11, 2017

Wenatchee City Hall
129 South Chelan
Wenatchee, WA 98801

AGENDA

4:30 p.m. Executive Session

Executive session to consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price. RCW 42.30.110(1)(b).

5:15 p.m. Regular Meeting

1. Call to Order, Pledge of Allegiance, and Roll Call.

2. Consent Items:

- Motion to approve agenda, vouchers, and minutes from previous meetings.

Vouchers:

Claim checks #181538 through #181618 in the amount \$228,762.94 for April 27, 2017
Claim checks #181619 through #181624 in the amount of \$10,002.68 for April 28, 2017
Benefit/deduction checks in the amount of \$724,329.96 for April 28, 2017
Claim checks #181643 through #181727 in the amount of \$370,711.44 for May 4, 2017
Payroll distribution in the amount of \$396,471.70 for May 5, 2017
Payroll distribution in the amount of \$3,921.44 for May 5, 2017

- Resolution No. 2017-29, appointing three (3) City Council members a voting representatives on behalf of the City of Wenatchee at the Association of Washington Cities annual conference business meeting.

3. Citizen Requests/Comments.

The "Citizen Comments" period is to provide the opportunity for members of the public to address the Council on items either not on the agenda or not listed as a public hearing. The Mayor will ask if there are any citizens wishing to address the Council. When recognized, please step up to the microphone, give your name and mailing address, and state the matter of your interest. If your interest is an agenda item, the Mayor may suggest that your comments wait until that time. Citizen comments will be limited to three minutes.

4. Presentations.

- Public Works Week Proclamation
- Arts Month Proclamation
- Youth United Proclamation
- National Historic Preservation Month

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Mayor's office at (509) 888-6204 (TTY 711). Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title 1.)

5. Action Items.

A. Arts, Recreation and Parks Commission Appointment

Presented by Parks, Recreation & Cultural Services Director David Erickson

Resolution No. 2017-25, appointing a member to the Arts, Recreation & Parks Commission (Marlin Peterson).

B. Comprehensive Plan Update: Parks, Recreation and Open Space (PROS) Plan

Presented by Parks, Recreation & Cultural Services Director David Erickson

Resolution No. 2017-26, of the City of Wenatchee adopting the 2018-24 Parks, Recreation and Open Space Plan.

C. Park Rules Amendment

Presented by Parks, Recreation & Cultural Services Director David Erickson

Ordinance No. 2017-09, of the City Council of the City of Wenatchee, Washington, amending Chapter 6A.18.050 of the Wenatchee City Code relating to park hours.

D. Support for Increased Commercial Air Service from Pangborn Memorial Airport

Presented by Executive Services Director Allison Williams

Resolution No. 2017-30, supporting increased commercial air service from Pangborn Memorial Airport to additional destinations and airline hubs for regional economic and personal benefit.

E. Federal Purchasing Policy Update

Presented by Finance Director Brad Posenjak

Resolution No. 2017-31, adopting an amended purchasing policy.

F. Coleman Oil Sanitary Discharge Agreement

Presented by Utilities Manager Mitch Reister

Motion for City Council to authorize execution of the Agreement for Temporary Discharge of Treated Groundwater to the City of Wenatchee Publicly Owned Treatment Works by the Mayor at a future date, at other than a public meeting, upon confirmation by Utilities staff that Coleman Oil has met their pre-discharge obligations as stipulated in the Agreement.

6. Reports.

- a. Mayor's Report
- b. Reports/New Business of Council Committees

7. Announcements.

8. Adjournment.



WENATCHEE CITY COUNCIL MEETING

Thursday, April 27, 2017

Wenatchee City Hall

129 South Chelan

Wenatchee, WA 98801

DRAFT

MINUTES

In attendance:

Mayor Frank Kuntz

Councilmember Jim Bailey

Councilmember Lyle Markhart

Councilmember Keith Huffaker

Councilmember Linda Herald

Councilmember Mike Poirier

Staff in attendance:

Executive Services Director Allison Williams

Assistant City Attorney Danielle Marchant

City Clerk Tammy Stanger

IS Support Tim McCord

IS Support Jessi Saucedo

Deputy Clerk/Public Information Officer Annagrisel Alvarez

Human Resources Director Kari Page

Finance Director Brad Posenjak

Public Works Director Matt Leonard

Economic Development Director Steve King

Police Chief Jim West

5:15 p.m. Regular Meeting

1. Call to Order, Pledge of Allegiance and Roll Call.

The Mayor called the regular meeting to order at 5:15 p.m. Councilmember Mike Poirier led the Pledge of Allegiance. The excused absences of Councilmembers Ruth Esparza and Mark Kulaas were noted for the record.

2. Consent Items:

- Motion to approve agenda, vouchers, and minutes from previous meetings.
- Resolution No. 2017-28, declaring certain personal property surplus to the needs of the City of Wenatchee and authorizing the Department of Public Works to dispose of the personal property identified herein.

**Motion to approve the consent items by Councilmember Keith Huffaker.
Councilmember Jim Bailey seconded the motion. Motion carried (5-0).**

3. Citizen Requests/Comments.

None.

4. Presentations.

- Poppy Days Proclamation – Izzy Brown, Junior Member of the American Legion Auxiliary, Unit 10, and Poppy Girl 2017, read her report about Poppy Days and announced that “Wenatchee Poppy Days” is scheduled for May 19 and 20. National Poppy Days is May 26. She then collected donations for a poppy.

5. Action Items.

A. Welcoming Resolution

Resolution No. 2017-27, declaring that the City of Wenatchee is committed to being a welcoming city and creating a community where all feel welcomed, safe, and able to fully participate in, and contribute to, our City’s economic and social life.

Executive Services Director Allison Williams presented the staff report.

Members of the Wenatchee Diversity Advisory Council, Jameson O’Neal, Paula Arno Martinez, Vanessa Gutierrez, and Patricia Whitfield, then read the resolution to the City Council and asked for their consideration to adopt the resolution. (Carrie Moody, Chair of the Diversity Advisory Council, was also present).

Alma Chacon on behalf of the members of CAFÉ, the Community for the Advance of Family Education, a non-profit organization in Wenatchee, read a letter supporting the resolution and applauded the efforts of the Diversity Advisory Council. The members of CAFÉ wish to be a partner in the endeavor and work together with the City.

Motion to approve by Councilmember Jim Bailey. Councilmember Lyle Markhart seconded the motion. Motion carried (5-0).

B. Amendment to AFSCME Local 846 Wage Schedule – Appendix A

Motion for City Council to approve the AFSCME Local 846 2017 Wage Schedule as recommended per attached Appendix A which establishes positions for regular status employment within the City of Wenatchee AFSCME Local 846 Group fixing the compensation to be paid for the calendar year 2017.

Human Resources Director Kari Page presented the staff report. Council asked questions.

Motion to approve by Councilmember Mike Poirier. Councilmember Linda Herald seconded the motion. Motion carried (5-0).

C. Update of the Management/Administrative Group Wage Schedule

Ordinance No. 2017-10, establishing positions for regular status employment within the City of Wenatchee Management/Administrative Group, fixing the compensation to be paid for the calendar year 2017, and repealing Ordinance No. 2016-38.

Human Resources Director Kari Page presented the staff report.

Motion to approve by Councilmember Linda Herald. Councilmember Keith Huffaker seconded the motion. Motion carried (5-0).

D. Amendment to Interlocal Agreement with Chelan County for District Court Probation Services

Motion for City Council to authorize the Mayor to sign the First Amendment to Interlocal Agreement for Providing District Court Services between Chelan County and the City of Wenatchee.

Finance Director Brad Posenjak presented the staff report. Council asked questions.

Motion to approve by Councilmember Lyle Markhart. Councilmember Keith Huffaker seconded the motion. Motion carried (5-0).

6. Public Hearings.

The Mayor called the public hearing to order and explained the public hearing process.

E. Assignment of Connection Charges for the West Springwater Avenue Sewer Extension, Project No. 1612

Ordinance No. 2017-07, approving and confirming a reasonable connection charge to connect to the public sewer system of the City of Wenatchee related to the West Springwater Avenue Sewer Extension.

Public Works Director Matt Leonard and Senior Engineer Utilities, Jeremy Hoover, presented the staff report. Staff recommended some reductions in ERUs for Pine Shadow, Beaconsfield and Scott Hansen, taking into consideration steep slopes, roadway and pond. Council asked questions and discussed the concerns.

The Mayor then asked for public comment.

Bryan Campbell, 1837 Jefferson Street, Wenatchee, spoke about his concerns and if there was any thought to claw back in the future if the developers were able to develop additional lots. The Mayor stated that the property owners have met with staff and staff found merit in their description of the buildable area allowing for this differentiation to be supported.

Motion to approve Ordinance No. 2017-07, approving and confirming a reasonable connection charge to connect to the public sewer system of the City of Wenatchee related to the West Springwater Avenue Sewer Extension, reducing Pine Shadow's amount of 20 ERUs to 10 ERUs, reducing Beaconsfield's from 63 ERUs to 53 ERUs, and reducing the Scott Hansen property from 5 ERUs to 4 ERUs, and confirming and approving the utility fund investment for the balance of the assessment, by Councilmember Keith Huffaker. Councilmember Linda Herald seconded the motion. Motion carried (5-0).

An updated exhibit will be prepared with the reduced ERUs noted above.

7. Reports.

a. Mayor's Report

- The Mayor introduced Jessi Saucedo, a new city Information Systems Technician.
- He announced that he attended the wonderful retirement party earlier today for Keith Kellogg who served over 21 years in the Wenatchee Police Department.
- He reminded the Council that the filing week for elections is May 15. We need to appoint three voting delegates for the AWC Annual Conference.
Councilmembers Jim Bailey, Lyle Markhart and Mike Poirier will be attending; staff will have the City Attorney draw up a resolution appointing those three as voting delegates at the conference.
- The Apple Blossom Festival kicked off today and he attended the Chief for a Day ceremony earlier today.
- The All Service Club Luncheon is next Wednesday at noon at the Convention Center.
- The City will be hosting the Welcome Reception for the visiting Misawa Sister City Delegation which is scheduled for next Wednesday, May 3 at 3:00 PM at Pybus.
- He and City staff will be traveling to Seattle on May 9 to meet with the Vulcan group for ideas about redevelopment.
- Our legislators are back in their offices as they head into budget negotiations.

b. Reports/New Business of Council Committees

- Councilmember Lyle Markhart reported that the NCW EDD is working on its strategy.

8. Announcements.

The Mayor said that there will be an executive session prior to the next Council meeting on May 12 regarding real estate matters.

He also mentioned that the Finance Committee considered one-time requests today.

The Mayor then wished everyone a safe and happy Apple Blossom and said to be sure to go to the food court!

9. Adjournment. With no further business the meeting adjourned at 6:06 p.m.

Frank J. Kuntz, Mayor

Attest:

Tammy L. Stanger, City Clerk

RESOLUTION NO. 2017-29

A RESOLUTION, appointing three (3) City Council members as voting representatives on behalf of the City of Wenatchee at the Association of Washington Cities annual conference business meeting.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Wenatchee makes the following appointments as voting representatives on behalf of the City of Wenatchee at the 2017 Association of Washington Cities annual conference business meeting:

Jim Bailey
Lyle Markhart
Mike Poirier

PASSED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE at a regular meeting thereof this ____ day of May, 2017.

CITY OF WENATCHEE, a Municipal
Corporation

By _____
FRANK KUNTZ, Mayor

ATTEST:

By _____
TAMMY L. STANGER
City Clerk

APPROVED:

By _____
STEVE D. SMITH, City Attorney

Proclamation

WHEREAS, public works infrastructure, facilities and services are of vital importance to sustainable communities and to the health, safety and well-being of the people of Wenatchee; and

WHEREAS, such facilities and services could not be provided without the dedicated efforts of public works professionals, engineers, managers and employees from state and local units of government and the private sector, who are responsible for and must plan, design, build, operate, and maintain the transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential to serve our citizens; and

WHEREAS, it is in the public interest for the citizens, civic leaders and children in the United States to gain knowledge of and to maintain a progressive interest and understand the importance of public works and public works programs in their respective communities; and

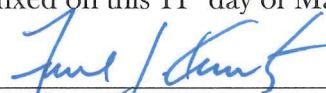
WHEREAS, 2017 marks the 57th annual National Public Works Week, sponsored by the American Public Works Association.

NOW, THEREFORE, I, Frank J. Kuntz, Mayor of the City of Wenatchee do hereby proclaim the week of May 21-27, 2017, as

PUBLIC WORKS WEEK

in the City of Wenatchee, and I urge all people in our community to join me in honoring our public works professionals, engineers, managers and employees, and recognizing the substantial contributions they have made to our national health, safety, welfare and quality of life.

IN WITNESS WHEREOF, I hereby set my hand and cause the seal of the City of Wenatchee to be affixed on this 11th day of May, 2017.



Frank J. Kuntz, Mayor



Proclamation

WHEREAS, Youth United is a program of United Way of Chelan and Douglas Counties and recognized by United Way Worldwide as a Student United Way.

WHEREAS, Youth United empowers students in grades 6-12 to become active volunteers in their community.

WHEREAS, Over 1300 students throughout Chelan and Douglas Counties participate in Youth United.

WHEREAS, In the past 12-months Youth United volunteers have served over 30,000 hours within their community, and all over the world, through selfless service projects.

WHEREAS, High school students who volunteer at least 145 hours in 12-months can earn a varsity letter from their school.

NOW, THEREFORE, in witness thereof, I, Frank J. Kuntz, as Mayor of the City of Wenatchee, offer congratulations to those students who serve the community through Youth United and commend the efforts of the United Way in assisting the students in achieving their goals.

IN WITNESS WHEREOF, I hereby set my hand and cause the seal of the City of Wenatchee to be affixed on this 11th day of May, 2017.



Mayor Frank J. Kuntz

Proclamation

Of the City of Wenatchee, Washington

WHEREAS, the arts, including dance, music, theatre, and visual arts, are defined as a core content area in Washington State's definition of basic education, and considered an essential component of the complete education that should be provided for all students; and

WHEREAS, learning in and through the arts enables students to develop critical thinking and problem solving skills, imagination and creativity, discipline, alternative ways to communicate and express feelings and ideas, and cross-cultural understanding, which supports academic success across the curriculum as well as personal growth outside the classroom; and

WHEREAS, imagination and creativity are increasingly understood as critical capacities needed for success in the 21st century workforce; and

WHEREAS, the arts can transform schools into havens of creativity and exploration – places where students want to learn, teachers want to teach, and all members of the learning community are more engaged and motivated; and

WHEREAS, high quality school-based arts education involves a wide range of partners, including School Boards, district administrators, educators, parents, artists and arts organizations, community members, and local businesses and organizations, whose collective endeavors towards equitable provision of arts learning for all students we celebrate and promote; and

WHEREAS, we applaud the efforts and dedication of the arts educators and advocates around the state, and we call for school and community leaders to continue to broaden and strengthen their commitment to provide arts education for *"Every Student in Every School."*

WHEREAS, the City of Wenatchee is invested in encouraging art through the work of the Wenatchee Arts, Recreation and Parks Commission and 1% for arts fund; and

WHEREAS, the Commission commends the work in the Wenatchee School District for their efforts which include: Beauty of Bronze, Elementary Art Academy Program, the District Art Show, the strong string/band programs that provide annual musicals, and district-wide musicals that rival professional shows seen in much larger venues.

NOW, THEREFORE, I, Frank J. Kuntz, Mayor of the City of Wenatchee do hereby proclaim the month of May as **"Arts Education Month"** in the City of Wenatchee and I urge all citizens to join us in this special observance.



IN WITNESS WHEREOF, I hereby set my hand and cause the seal of the City of Wenatchee to be affixed on this 11th day of May, 2017.

FRANK J. KUNTZ, Mayor

Proclamation

WHEREAS, historic preservation is an effective tool for managing growth and sustainable development, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability; and

WHEREAS, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people.

NOW, THEREFORE, I, Frank J. Kuntz, Mayor of the City of Wenatchee do hereby proclaim the month of May as:

NATIONAL HISTORIC PRESERVATION MONTH

in the City of Wenatchee, and I urge all people in our community to join me in recognizing historic places for the purpose of instilling national and community pride, promoting heritage and the social and economic benefits of historic preservation.

IN WITNESS WHEREOF, I hereby set my hand and cause the seal of the City of Wenatchee to be affixed on this 11th day of May, 2017.





Frank J. Kuntz, Mayor



MEMO

Parks, Recreation and Cultural Services Department

To: Mayor Kuntz and City Council Members
From: Dave Erickson, Parks, Recreation and Cultural Services Director
Date: April 19, 2017
Re: Arts, Recreation and Parks Commission appointment

ACTION REQUESTED

Move approval of Resolution 2017-25 appointing Marlin Peterson to position five of the Wenatchee Arts, Recreation and Parks Commission with a term expiring December 31, 2017.

BACKGROUND – PARKS AND RECREATION ADVISORY BOARD

The Arts, Recreation and Parks Commission is a nine-member citizen volunteer commission that serves in an advisory capacity to the Wenatchee City Council. The primary functions of the Commission are to:

- Review and make recommendations concerning recreation program offerings of the City.
- Oversee the City's art collection and comprehensive arts program.
- Provide recommendations regarding the acquisition, development and maintenance of park areas.
- Serve as the City Forestry Board and oversee the Urban Forestry Program.
- Review and make recommendations regarding the implementation of the City Parks, Recreation and Open Space Plan.
- Provide advice and make recommendations concerning the Wenatchee Community Center.
- Review art, recreation and park related proposals.
- Complete regular reviews of fees and charges for services.

Commissioner Reiner submitted her resignation from the Commission in April as she and her family moved out of State.

Marlin Peterson has applied for the open position on the Commission. He will bring a wealth of art knowledge to the commission. Marlin teaches art at Wenatchee Valley College and designed and painted the mural at Centennial Park.

At their April 18, 2017 meeting, the Arts, Recreation and Parks Commission interviewed Mr. Peterson and unanimously recommended his appointment to the Commission. He would complete the remainder of the unexpired term of position 5 on the Commission.

Copies of his application is attached.

RESOLUTION NO. 2017-25

A RESOLUTION, appointing a member to the Arts, Recreation and Parks Commission.

WHEREAS, a vacancy exists on the Arts, Recreation and Parks Commission; and

WHEREAS, at their April 18, 2017 meeting the Arts, Recreation and Parks Commission interviewed and unanimously recommended Marlin Peterson to be appointed to the Commission; and

WHEREAS, Marlin Peterson will bring valuable art experience to the Commission.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF WENATCHEE makes the following appointment to the Arts, Recreation and Parks Commission Position Five with a term ending on December 31, 2017:

NAME & ADDRESS

Marlin Peterson
1900 Skyline Drive
Wenatchee, WA 98801

TERM EXPIRES

December 31, 2017

PASSED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE at a regular meeting thereof this 11th day of May 2017.

CITY OF WENATCHEE,
a Municipal Corporation

By: _____
FRANK KUTNZ, Mayor

ATTEST:

By: _____
TAMMY STANGER, City Clerk

APPROVED:

By: _____
STEVE D. SMITH, City Attorney



COMMISSION/BOARD INFORMATION

Board (s) I would like to be considered for: (If more than one, please rank them in order of preference)

- | | |
|---|---|
| <input checked="" type="checkbox"/> Arts, Recreation & Parks Commission | <input type="checkbox"/> Greater Wenatchee Regional Events Center PFD Board |
| <input type="checkbox"/> Cemetery Advisory Board | <input type="checkbox"/> Historic Preservation Board |
| <input type="checkbox"/> Civil Service Board | <input type="checkbox"/> Lodging Tax Advisory Committee |
| <input type="checkbox"/> Code Enforcement Board | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Diversity Advisory Committee | <input type="checkbox"/> Tourism Promotion Area Board |

APPLICANT INFORMATION

City of Wenatchee Resident Yes No

Residency Requirement: Applicants must reside within the City Limits of Wenatchee except the Arts Commission, Diversity Advisory Committee, Historic Preservation Board, and the Parks & Recreation Advisory Board

Last Name: Peterson First Name: Marlin Initial: A

Physical Address: 1900 Skyline Drive City: Wenatchee Zip: 98801

Mailing Address: Same City: _____ Zip: _____

Day Phone: 509 881 8652 Evening Phone: _____

E-mail: marlinpeterson@gmail.com Years lived in Wenatchee Valley: 5

Occupation: freelance illustrator, instructor at WVC Years of Experience: 10

Work Address: same as home City: _____ Zip: _____

Education and Formal Training: BA History at WWU, Science Illustration UCSC

Have you ever been convicted of a felony or released from prison? Yes No

(A conviction record will not necessarily bar you from serving. Factors such as the nature and gravity of the crime, the length of time that has passed since the conviction and/or completion of any sentence, and the nature of the position for which you have applied will be considered.)

Volunteer/Community Experience:

Organization and Duties: _____ Length of Service: _____

Organization and Duties: _____ Length of Service: _____

Organization and Duties: _____ Length of Service: _____

Organization and Duties: _____ Length of Service: _____

Organization and Duties: _____ Length of Service: _____

Skills/Special Interests: _____

I have been involved with a wide array of public art, mostly in the form of murals. I have traveled widely and enjoy and appreciate the role public art plays in all cities.

Why are you seeking this appointment?

I love Wenatchee, and have taken part in some of the public art in Wenatchee. I would find it enriching to be a part of the path that Wenatchee takes in adding new public art in the future.

Would any conflict of interest be created as a result of your appointment? Yes No

If yes, please explain:

REFERENCES

Name: Scott Bailey
Address: Via dei Pepi, 62, 50121 City: Firenze, Italy Zip: _____
Phone: 011 39 345 9716993 Email: bailey.scott.j@gmail.com
Occupation: Head of the art department Wenatchee Valley College Years known: 6

Name: Christine Bosa
Address: 1900 skyline drive City: Wenatchee Zip: 98801
Phone: 206 817 9774 Email: bosa.christine@gmail.com
Occupation: Nurse Practitioner CVCH Years known: 15

Name: _____
Address: _____ City: _____ Zip: _____
Phone: _____ Email: _____
Occupation: _____ Years known: _____

AFFIDAVIT OF APPLICANT

I, Marlin Peterson, do hereby certify that the information contained in the foregoing application is true and correct to the best of my knowledge and belief. I also understand that this completed application may be made available for public inspection.

Marlin A Peterson

(Signature)

04/04/17

Date:



**City of Wenatchee
Volunteer Board, Commission and Committee Responsibilities**

To be selected and serve as a City of Wenatchee volunteer Board, Commission or Committee Member is a high honor and provides an unusual opportunity for genuine public service. Although the specific duties of each of the City's Boards vary widely with the purpose for which they are formed, there are certain responsibilities that are common to all members. As a volunteer Board, Commission or Committee representative of the City of Wenatchee, I agree to:

1. Understand my role and scope of responsibility. I will be informed of the individual group's scope of responsibility and operating procedures.
2. Represent the majority views of the group. Individual "opinions" to the public and press are discouraged, and, if given, must be identified as such.
3. Practice open and accountable government. I will be as open as possible about my decisions and actions, and also protect confidential information.
4. Represent the public interest and not special interest groups.
5. Not make decisions in order to gain financial or other benefits for myself, my family, or friends.
6. Serve as a liaison between the City and its citizens and can help reconcile contradictory viewpoints and to build a consensus around common goals and objectives. I will serve as a communication link between community, staff, and City, representing City programs and recommending and providing a channel for citizen expression.
7. Understand my role as a supportive relationship with the City Council and City staff and to follow the proper channel of communication through the designated staff person providing support for the group.
8. Do my homework and be thorough in recommendations. I will review agenda items under consideration prior to the meeting in order to be fully prepared to discuss, evaluate, and act on all matters scheduled for consideration. My conclusions will be based on careful preparation to strengthen the value of the group's recommendation.
9. Adhere to the highest standards of integrity and honesty in all endeavors and strive to safeguard the public trust. I shall announce any direct or remote conflict of interests prior to the discussion (RCW 42.36).
10. Understand that my authority is limited to decisions made by the group, and that in most cases, the decisions are advisory.
11. Understand that in my role I recommend policy while administrators and staff carry out approved policy.
12. Establish a good working relationship with fellow group members. I will respect individual viewpoints and allow other members time to present their views fully before making comments. I will be open and honest and welcome new members.
13. Not use or involve my membership in the conduct of political activities. However, I am not restricted from participating in political activities outside of my involvement in the group.

I hereby pledge to be positive in my role as a volunteer with the City and accept responsibility for my participation.

Signed: Martin A Peterson Date: 04/04/17



MEMO

Parks, Recreation and Cultural Services Department

To: Mayor Kuntz and City Council
From: Dave Erickson, Parks Recreation and Cultural Services Director
Re: Comprehensive Plan Update
Date: April 20, 2017

ACTION REQUESTED:

Move approval of Resolution 2017-26 adopting the 2018-2024 Parks, Recreation and Open Space Plan.

BACKGROUND:

For the past 9 months the Parks, Recreation and Cultural Services Department has worked to prepare an update of the six year Parks, Recreation and Open Space (PROS) Plan.

The PROS plan establishes a framework to guide the acquisition, development and improvement of park areas and facilities and the provision of recreational services throughout the City of Wenatchee. The current update also incorporates habitat and art elements. The plan is for the 2018-2024 time period.

The City is required to have an adopted plan which is approved by the State to be eligible for a number of grant programs. Grant eligibility is scheduled to expire at the end of this year. To meet the deadline, staff developed a detailed timeline of work plan tasks. The timeline was reviewed by the Arts, Recreation and Parks Commission at their September 2016 meeting and the project began.

Staff prepared the plan update and the Arts Recreation and Parks Commission served as the Steering Committee for the process and was asked to review and comment on each of the plan sections as they were prepared. The plan is divided into basic sections consistent with State requirements. The following is a summary of each section of the document with a description of the more notable changes.

The first chapter of the plan contains a basic introduction and summary of the document. It was first prepared and reviewed in November 2016. The biggest changes included adding a Growth Management Act section and the planning area map was updated.

The second chapter describes the planning area. This section was updated to include habitat areas, the arts and current statistics. This section was completed in January 2017.

The third chapter describes the existing public, semi-public and private parks, arts and recreation resources within the planning area. This section was updated to provide a more detailed inventory of parks and recreation amenities in the community, provide current photographs, add art and habitat information and update maps and inventory statistics. The first draft of this section was completed in February 2017. An open house was also conducted in February 2017.

The fourth chapter describes the methodology for determining the demand and needs. The wealth of recently completed, related planning efforts were incorporated into this chapter and summarized as they relate to the City system. The section creates a link between the City plan and State (funding agency plans). The section also includes a summary of public meetings and workshops and other outreach efforts. Tables and charts for level of service standards were updated using the most recent population data. The draft chapter was completed in February – March 2017 and was provided to the State for review. The Planning Commission also reviewed the draft document at a work session.

The fifth chapter of the plan contains the goals, objectives and strategic actions. Applicable goals and objectives not completed in the current 2012-18 PROS plan have pulled from each section of the document and carried forward into the update as were goals contained in the habitat plan and art comprehensive plan. New goals and objectives which respond to the public input process were incorporated into this section. The draft of this section was completed in March 2017.

In March 2017 the City Council received the draft at a work session and asked to review and provide comments. Comments were incorporated into the draft.

The sixth chapter contains a summary of the capital investment plan and describes the project ranking criteria. It contains a summary of common parks and recreation funding mechanisms and now includes a section outlining ongoing maintenance considerations and also and arts, recreation and organization priorities. The draft of this section and also the Appendices were completed in April 2017.

After incorporating comments received throughout the planning process, the final draft was prepared and distributed to the Arts, Recreation and Park Commission for review and comment. ***At their May 2017 meeting the Commission completed a final review of the document. Following this review they unanimously recommended approval of the plan and forwarded the recommendation to the City Council for consideration. Staff also recommends approval.***

Upon adoption, staff would complete and submit the checklists and other documents that are required by the State. The State acceptance process is generally two to three months long. With their approval, the City would remain grant eligible for a variety of State grants through 2024.

RESOLUTION NO. 2017-26

A RESOLUTION, of the City of Wenatchee adopting the 2018-24 Parks, Recreation and Open Space Plan.

WHEREAS, the City of Wenatchee utilizes a Parks, Recreation and Open Space (PROS) Comprehensive Plan to establish a framework to guide the acquisition, development and improvement of park areas and facilities and the provision of recreational services throughout the City of Wenatchee; and

WHEREAS, over a period of several months, a public outreach effort was conducted that included a community survey, collection and inventory of current community data and public workshops and meetings to provide input for a new six-year plan; and

WHEREAS, the City of Wenatchee has developed an updated plan which incorporates new six-year capital and action plans that reflect the accomplishments, updated standards and conditions, and changing community priorities of the City; and

WHEREAS, the Washington State Recreation and Conservation Office (RCO) requires that the new plan be developed for parks and recreation, trails, habitat, and natural open space areas in order for the City to remain eligible for grants, and requires that such a plan be submitted and accepted by the State of Washington; and

WHEREAS, the PROS Comprehensive Plan has been prepared to meet the requirements of the RCO with an updated inventory of parks and recreation resources, a reaffirmation of goals and objectives for park development, and the incorporation of the Capital Improvement Program (CIP); and

WHEREAS, the Arts, Recreation and Parks Commission unanimously recommended approval of the 2018-2024 PROS Comprehensive Plan at its' April 18, 2017 meeting.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY the City Council of the City of Wenatchee that the 2018-2024 Parks, Recreation and Open Space Comprehensive Plan be adopted in the form attached hereto as Exhibit "A".

PASSED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE at a regular meeting thereof this 11th day of May, 2017.

CITY OF WENATCHEE, a Municipal Corporation

By: _____
FRANK KUNTZ, Mayor

ATTEST:

By: _____
TAMMY STANGER, City Clerk

APPROVED:

By: _____
STEVE D. SMITH, City Attorney

Exhibit A can be found on the city's website at the following link: www.wenatcheewa.gov/05112017proscomplan



MEMO

Parks, Recreation and Cultural Services Department

To: Mayor Kuntz and City Council
From: Dave Erickson, Parks Recreation and Cultural Services Director
Re: Park Rules Amendment
Date: May 24, 2017

ACTION REQUESTED:

Move approval of Ordinance 2017-09 amending Wenatchee Municipal Code Chapter 6A.18.050 park hours.

BACKGROUND:

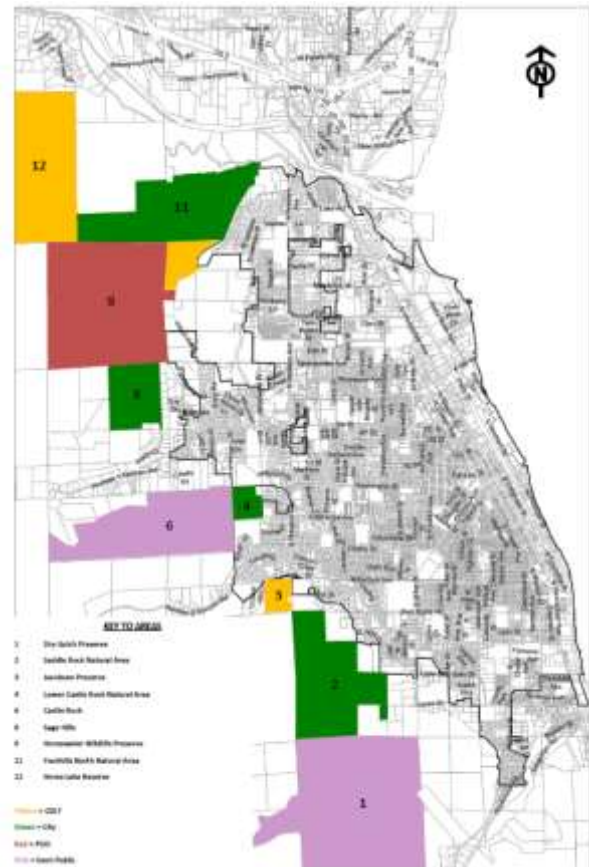
The park rules were first formally adopted in 2008 and amended in 2009. Section 6A.18.050 establishes hours for park areas. It reads as follows:

6A.18.050 Park hours.

(1) City parks are open to the public from 6:00 a.m. to 10:00 p.m. The parks are closed to public use from 10:00 p.m. to 6:00 a.m., and no person shall enter a closed park without a special event permit.

(2) A violation of this section is a class 3 civil infraction. (Ord. 2009-37 § 3; Ord. 2008-10 § 2.

Since the time the rules were adopted several additions have been made to the park system including: Saddle Rock (2010), Lower Castle Rock Natural Area (2014), Saddle Rock Gateway (2015), Foothills North Natural Area (2015) and Sage Hills Gateway (2017). Several of these properties came into the City system with different established hours and seasons. To maintain continuity with current practice, grant requirements and adjacent property uses the following amendments to section 6A.18.050 are proposed:



6A.18.050 Park hours.

(1) City parks are open to the public from 6:00 a.m. to 10:00 p.m. The parks are closed to public use from 10:00 p.m. to 6:00 a.m., and no person shall enter a closed park without a special event permit.

(2) City owned properties located in the Wenatchee foothills are open for use during daylight hours only and no person shall enter a closed property without a special event permit.

(3) City owned properties located in the Wenatchee foothills north of 5th Street shall be open to non-motorized recreational use seasonally from April 1 through November 30.

(4) A violation of this section is a class 3 civil infraction. (Ord. 2009-37 § 3; Ord. 2008-10 § 2.

This change has been discussed with Appleatchee, the Chelan Douglas Land Trust, Chelan County PUD and also Chelan County Sheriff's office.

It was reviewed by the City Attorney and recommended for approval by the Arts, Recreation and Parks Commission.

ORDINANCE NO. 2017-09

AN ORDINANCE, OF THE CITY COUNCIL OF THE CITY OF WENATCHEE, WASHINGTON AMENDING CHAPTER 6A.18.050 OF THE WENATCHEE CITY CODE RELATING TO PARK HOURS.

WHEREAS, the City of Wenatchee is desirous of securing for its residents an attractive, safe living environment and high quality of life; and

WHEREAS, the City of Wenatchee operates an existing park system and is actively pursuing the acquisition of property for parks and open space to add to that system for its current and future residents; and

WHEREAS, adopted rules and regulations provide the ability to regulate use that may be detrimental to the health, safety or well-being of the environment or user; and

WHEREAS, the proposed modifications have been reviewed by emergency management, law enforcement personnel and property partners; and

WHEREAS, the proposed modifications were unanimously recommended for approval by the Arts, Recreation and Parks Commission.

NOW, THEREFORE, the City Council of the City of Wenatchee, do ordain as follows:

SECTION I

Chapter 6A.18.050 of the Wenatchee City Code is hereby amended to read as follows:

6A.18.050 Park hours.

(1) Unless otherwise defined in this section City owned and operated parks are open to the public from 6:00 a.m. to 10:00 p.m. The parks are closed to public use from 10:00 p.m. to 6:00 a.m., and no person shall enter a closed park without a special event permit.

(2) All City owned properties located in the Wenatchee Foothills are open to non-motorized recreational use during daylight hours only and no person shall enter a closed property

without a special event permit. "Daylight hours" is defined as the time between 30 minutes before sunrise and 30 minutes after sunset.

(3) City owned properties located in the Wenatchee Foothills north of 5th Street shall be open to non-motorized recreational use seasonally from April 1 through November 30.

(4) A violation of this section is a class 3 civil infraction.

SECTION II.

If any section, subsection, clause or sentence of this Ordinance shall be held unconstitutional or invalid, such holding shall not affect the validity of the remaining provisions of this Ordinance.

SECTION III.

This Ordinance shall take effect from and after its passage thirty (30) days from and after publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE, at a regular meeting thereof, this 11th day of May, 2017.

CITY OF WENATCHEE, a Municipal
Corporation

By: _____
FRANK J. KUNTZ, Mayor

ATTEST:

By: _____
TAMMY STANGER, City Clerk

APPROVED:

By: _____
STEVE D. SMITH, City Attorney

MEMORANDUM

TO: Frank Kuntz, Mayor
City Council Members

FROM: Allison Williams, Executive Services Director

SUBJECT: Resolution 2017-30

DATE: **May 8, 2017**

The Port of Chelan County has been working diligently on improvements to Pangborn Airport which will help facilitate the increase in air service at Pangborn. The attached informational package will provide Council with an overview of their work and the importance of developing a local guarantee fund. Port representatives attended the April 27th Finance Committee meeting and made a request for funding. Resolution 2017-30 confirms the city's support and provides for a \$10,000 investment in the local guarantee fund.

From a staff standpoint: A strong airport is an anchor for our region and a key linkage to our global presence. It is used by the fruit industry, our labor force, our health care network and by the new connections we are making in the tech world. Improving this airport with well-connected and dependable flights is the one of the most important economic development projects for North Central Washington.

Council action requested: A Motion to approve Resolution 2017-30 supporting increased commercial air service from Pangborn Memorial Airport to additional destinations and airline hubs for regional economic and personal benefit.

RESOLUTION NO. 2017-30

A RESOLUTION, supporting increased commercial air service from Pangborn Memorial Airport to additional destinations and airline hubs for regional economic and personal benefit.

WHEREAS, Pangborn Memorial Airport serves as the commercial airport for North Central Washington; and

WHEREAS, Pangborn Memorial Airport desires to increase direct commercial flights to more destinations and airline hubs; and

WHEREAS, Pangborn Memorial Airport completed in 2016 the Runway Extension Project to improve the regional economy with increased commercial flight options; and

WHEREAS, business and leisure visitors to North Central Washington will increase with increased direct flight destinations; and

WHEREAS, businesses working with or located in North Central Washington will benefit from increased air service connectivity; and

WHEREAS, the City of Wenatchee relies on Pangborn Memorial Airport for overall economic function; and

WHEREAS, the City of Wenatchee sees the San Francisco area as a strategic market for connection to our region; and

WHEREAS, the Port of Chelan County finds and determines that an application for federal grant funding for additional air service will promote economic development in North Central Washington.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF WENATCHEE:

1. Hereby supports the continued expansion of Pangborn Memorial Airport commercial air services; and
2. Hereby supports the Port of Chelan County's application for federal grant funding to support additional air service at Pangborn Memorial Airport; and
3. Hereby commits to support of the effort with a Ten Thousand Dollar (\$10,000) investment in the local guarantee fund.

PASSED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE

at a regular meeting thereof this 11th day of May, 2017.

CITY OF WENATCHEE, a Municipal Corporation

By: _____
FRANK KUNTZ, Mayor

ATTEST:

By: _____
TAMMY STANGER, City Clerk

APPROVED:

By: _____
STEVE D. SMITH, City Attorney



AIR SERVICE INVESTMENT PROGRAM

KEY POINTS

The Air Service Investment Program is a community effort to secure a daily direct flight between Wenatchee and the San Francisco Bay area. This flight is essential infrastructure that is good for business, people and growth. Now is the time for the community to demonstrate its support through pledges toward this effort that will be matched 2 for 1 with Federal funds.

Goal: Secure daily air service between Wenatchee and the San Francisco Bay Area.

Why: Promote economic development in the region. Industries that will benefit include technology, tourism, and agriculture. Regional business recruitment efforts will also be enhanced.

More options and flexibility for flyers.

Enhanced air service reliability.

New service is good for business, people and growth.

How: Sharing of risk between the Port, Pangborn, the community, the Federal Government and the airline providing service. The community's role is to raise pledges totaling \$400,000 that will be matched 2 for 1 with Federal grant dollars. In addition to funding, the number of local contributors is critical to the success of this effort. Successful service will result in the return of some or all of the pledged funds.

Other Service: Efforts continue to secure more service to SeaTac and other destinations in addition to the San Francisco Bay area.

Timeline:	Secure local pledges	May, 2017
	Apply for Federal Grant	June, 2017
	Grant award	August, 2017
	Contact potential carriers and negotiate contact	Winter 2017-18
	New service commences	Summer 2018

For more information, go to www.FlyWenatchee.com/Bay-Area-Flight

See Voortex Productions Video at <https://vimeo.com/214097052>



AIR SERVICE INVESTMENT PLEDGE FORM

Name: _____

Organization: _____

Address: _____

City, State, Zip: _____

Phone: _____

Email Address: _____

Top Air Travel Destinations: _____

I/My Organization pledges \$ _____ towards direct service to the San Francisco Bay Area from Pangborn Memorial Airport.

May we publish your contribution? Yes / No

This statement of intent is non-binding. Pledges will be contacted to confirm their support once a carrier has made a commitment to serve Pangborn Memorial Airport.

Please return this pledge form to Craig Larsen at the Port of Chelan County.

Craig Larsen, Business Development Director
Port of Chelan County
238 Olds Station Rd, Suite A
Wenatchee, WA 98801
Craig@portofchelancounty.com
Fax: 509-662-5151

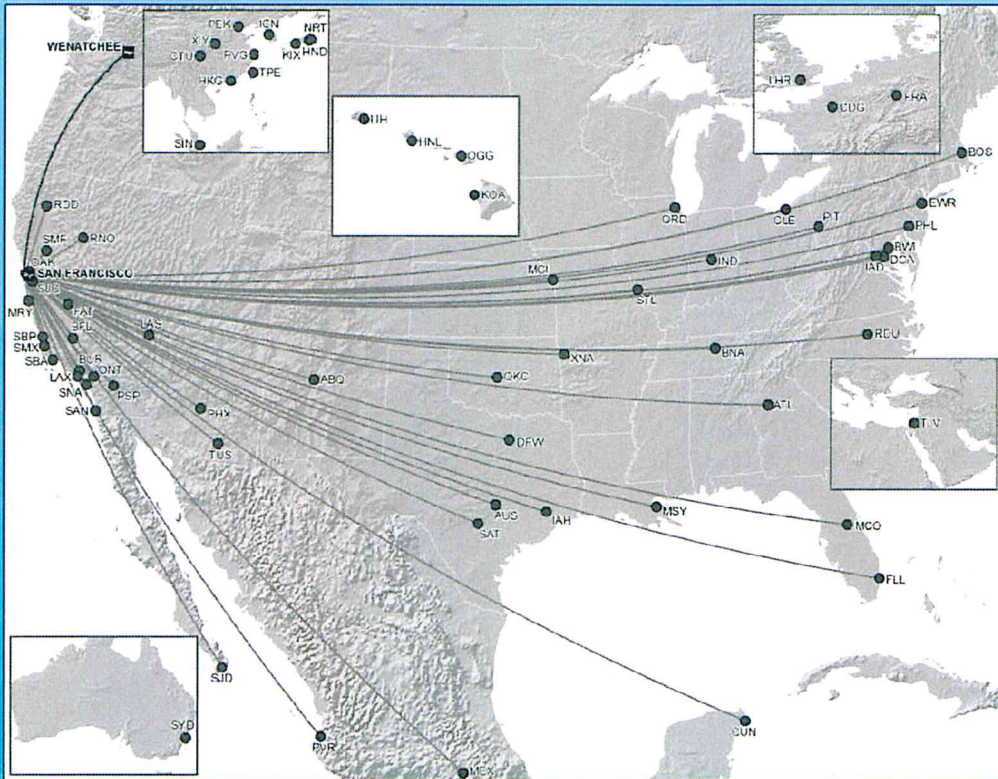
FLY WENATCHEE

WHERE WILL YOU GO TODAY?

PANGBORN MEMORIAL AIRPORT

AIR SERVICE INVESTMENT PROGRAM

TARGET MARKET



- **BAY AREA**
- **75 ONE-STOP CITIES**
- **1.5 HOURS**
- **MULTIPLE CARRIERS**

NEED MORE INFO?

Contact Craig Larsen

Business Development Director

Port of Chelan County

Office: 509-663-5159

Cell: 509-421-2116

craig@PortofChelanCounty.com





Expanded Air Service to San Francisco Bay Area

Frequently Asked Questions

1. What is the Air Service Investment Program?

In an effort to recruit new, non-stop air service between Pangborn Memorial Airport in East Wenatchee, WA and the San Francisco Bay Area, airlines must see broad community support, including proven demand. The Air Service Investment Program is a partnership in which financial risk is shared between the airline, the community, and the federal government. The community contributions are combined with a Federal Grant into a pool of funds from which the airline can draw if—and only if—revenue does not cover expenses during the first two years. If service is successful, funding will be returned to community investors at the end of the two year period.

2. Why the San Francisco Bay Area?

There are many reasons why the San Francisco Bay area is the preferred choice.

- a. Quantitative research shows us there is a growing demand for flights to the Bay Area in our community. Currently, 62 people a day travel from our region to the Bay Area, an increase of 39% since 2013. Our most popular destinations are on the West Coast/Mountain West.
- b. The Bay Area is a great hub for connectivity and a popular market for business travel, offering more flexibility of travel times and destinations than Seattle. For example, San Francisco Airport offers more direct flights to other popular destinations than Seattle: Seattle has seven non-stop flights to Washington, D.C. daily; San Francisco has 17. Seattle has seven non-stop flights to Chicago daily; San Francisco has 19. Internationally, Seattle has six direct destinations in Asia; San Francisco has 25. Seattle has five direct destinations in Europe; San Francisco has 14.

3. How do I pledge support for Air Service to San Francisco Bay Area?

There are a number of ways to show your support for this air service.

1. **Financial** – Sign a Pledge form for an amount of money to be added to the Air Service Investment Fund – Click for the Form
2. **Adopt** a Resolution with your organizations Board – Click for Sample Resolution
3. **Send** a letter of Support for the Program to craig@portofchelancounty.com

4. What are the sources of funds for the Air Service Investment Program?

The funding will be a mix of local support, federal grant money, and airline investment. The airline invests up to \$8,000,000 over the two-year startup period. The federal government contributes up to \$750,000 in cash funding. The community contributes up to \$400,000.

5. Why do pledges need to be made by April 30, 2017?

The federal grant application deadline is in May, and the success of our grant application is dependent on secured community pledges.



6. Are we guaranteeing the airline a profit margin?

No. This is a guarantee of enough *revenue* to cover expenses (not a profit). The funds will only be drawn upon if the ticket sales do not cover expenses during a two year startup phase. If service is successful, contributions will be returned to community investors at the end of the two year period. The interested airline will state its required revenue per segment. This amount will be audited and negotiated by a third party consultant specifically trained for the task.

7. Did this type of project work in other communities?

Yes. Since 2001 airlines in North America have launched more than 100 new routes with community/federal grant investment program. Some communities have used little to none of their financial contributions to help support the start of new air service. Here are two examples:

- a. In 2011, Spokane negotiated with Delta Airlines for air service to Los Angeles. Daily service was successful, the investment program has ended, and service continues.
- b. San Luis Obispo recently negotiated with Alaska Airlines for air service to Seattle. Service begins in April 2017.

8. When will service to the San Francisco Bay area be available?

Service launch is targeted for spring of 2018.

9. Why should we add another destination to Pangborn's air service?

The airport is an important economic driver in our community, which is the largest metropolitan area in Washington State not serviced by an interstate. Greater flexibility in flight offerings promotes current businesses and attracts new business. We hear again and again that quality of life is the single biggest reason people live here. This flight is a direct enhancement to our community's quality of life, offering greater flexibility for travel times and locations and also improving weather-related cancellations. In short, it's good for business, people, and growth.

10. Who do I write the check to?

The Port of Chelan County, as manager of Air Service at Pangborn Memorial Airport is managing the program and taking Pledges (Click for the Pledge Form). Checks will be collected later this year.

11. What contributions will the Port of Chelan County make to the project?

The Port of Chelan County is leading the Air Service Investment Program, recruiting the new airline service, and will take on the lead financial responsibility of carrying the project forward. Pangborn Airport and the Port of Chelan County are also planning and will pay for infrastructure improvements to accommodate the new airline service.

PROJECTED TOURISM IMPACTS TO NORTH CENTRAL WASHINGTON OF A ONCE DAILY FLIGHT TO THE SAN FRANCISCO BAY AREA

We project total direct spending in our region from visitors because of this new flight to exceed \$1.8 million annually. Over \$250,000 of this would flow to local governments in the form of taxes and fees. At least \$700,000 would go directly into employee's pockets as wages. This would lead to new jobs and more hours for those currently employed in the tourism and related industries. These numbers represent direct spending only. Typical multipliers to determine a total for direct, indirect and induced spending range between three and four, or \$5.4 to 7.2 million.

The region served by our airport has a population below 200,000. Agriculture continues to be the base of our economy but it is characterized by low wages and seasonal work. Tourism takes advantage of the natural beauty of our region, our great outdoor recreation opportunities, and an emerging wine industry and is less seasonal than agriculture. Leavenworth and Chelan are two very successful year round tourism destinations in the region. Walla Walla, Washington has been very successful attracting wine and other tourists from the San Francisco Bay Area, without a direct flight. We can do the same and a direct flight would be a huge boost to that effort.

Thank you again for your consideration. Please feel free to contact me if additional information would be of assistance.



Destination San Francisco
Bay Area and Beyond

FLY 
WENATCHEE
WHERE WILL YOU GO TODAY?
PANGBORN MEMORIAL AIRPORT

Join the Effort
Pledge Today

FlyWenatchee.com/Bay-Area-Flight

-----Original Message-----

From: Ruth Esparza [<mailto:REsparza@WenatcheeWA.Gov>]

Sent: Thursday, March 23, 2017 6:48 PM

Cc: Craig Larsen <Craig@ccpd.com>

Subject: Support for direct flights to San Francisco

Mr. Jack

My name is Ruth Esparza. I am a local attorney and city councilwoman for the City of Wenatchee. I am writing on behalf of the estimated 30-plus percent of the Latino population within the North Central Washington region. I am a Latina who has lived in the Wenatchee Valley for over 32 years. I have seen how much the Latino population has grown in the area over the years. The Latino population in our area is composed of Mexicans (the majority), Salvadoreans (second largest in numbers) and others from Central and South America.

Although the Latino community is hard working, it continues to be an impoverished and underserved community. When I heard of the possibility of having a direct flight from Wenatchee to San Francisco, I immediately thought of the benefits the Latino community would enjoy. First, flights to San Francisco would make it easier for Mexicans and all others who wish to travel to Mexico. There would be only two flights instead of three or more (currently the flights from Wenatchee go to Seattle and then to either San Jose, San Francisco, Los Angeles, or San Diego and then continuing to Mexico). A direct flight to San Francisco would mean bypassing Seattle and making the trip more cost effective.

Salvadorians in the Wenatchee Valley often visit the Consulate of El Salvador in San Francisco. It is the nearest Consulate within the United States. The direct flight to San Francisco would be more convenient and less expensive for the Salvadorian community. The Columbian community, although smaller in numbers, is also in the same predicament.

Your support and investment in this project will promote a service that all sectors of our community would benefit from. Should you have any questions or concerns, please do not hesitate to contact me.

Best regards,

Ruth Esparza

Wenatchee City Councilwoman

Sent from my iPad

**COUNCIL AGENDA REPORT
FINANCE DEPARTMENT**

TO: Frank Kuntz, Mayor
City Council Members

FROM: Brad Posenjak, Finance Director

SUBJECT: Federal Purchasing Policy Update

DATE: May 8, 2017

MEETING DATE: May 11, 2017

I. OVERVIEW

The City of Wenatchee receives Federal funding for various projects and services. As a recipient of Federal funds, the City is obligated to maintain certain rules and policies. The Code of Federal Regulations was recently updated requiring Federal funds recipients to adopt policies that address conflicts of interest in the selection, award and administration of contracts. City staff have utilized recommendations from the State Auditor's Office to craft these policy revisions.

II. ACTION REQUESTED

Staff requests the City Council approve Resolution 2017-31 adopting an amended Purchasing Policy.

III. FISCAL IMPACT

None. This policy update was submitted to Finance Committee.

IV. ATTACHMENTS

Resolution 2017-31
Exhibit "A" – Purchasing Policies (changes on pages 4 and 13 are underlined)

V. ADMINISTRATIVE ROUTING

Tammy Stanger, City Clerk
Allison Williams, Executive Services Director

RESOLUTION NO. 2017-31

A RESOLUTION, adopting an amended purchasing policy.

WHEREAS, the City receives federal grants proceeds and as a recipient of federal funds the City is obligated to certain rules, regulations, and codes; and

WHEREAS, the Code of Federal Regulations (CFR) is the codification of the general and permanent rules and one such rule, Title 2: Grants and Agreements §200.318 General Procurement Standards requires that a non-federal entity (a local government) must use its own documented procurement procedures that conform to applicable federal law and the standards outlined in §200.318.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE that the purchasing procedure manual attached hereto as Exhibit “A” shall be and hereby is adopted and approved.

PASSED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE, at a regular meeting thereof, this 11th day of May, 2017.

CITY OF WENATCHEE, a Municipal
Corporation

By: _____
FRANK KUNTZ, Mayor

ATTEST:

By: _____
TAMMY STANGER, City Clerk

APPROVED:

By: _____
STEVE D. SMITH, City Attorney

Exhibit "A"

Purchasing Procedure Manual

As revised ~~August 28, 2014~~ May 11, 2017

Document Purpose

- To coordinate a uniform purchasing system to supply City operations with an uninterrupted flow of materials and services.
- To purchase competitively and wisely to obtain maximum value for the communities dollars expended.
- To follow State laws, local ordinances and administrative procedures, thereby assuring the legality of the purchasing process.

Ethical Considerations

The purpose of this section is to provide guidance to all City employees in regard to purchasing practices so that they may conduct themselves in a manner which will be in the best interest of the City of Wenatchee.

- All purchasing activity is to be impartial and fair.
- City employees may not solicit, accept, nor agree to accept any gratuity for themselves, their families or others that results in their personal gain which may affect their impartiality in making decisions on the job. Discounts or concessions realistically available to the general population, items received that do not result in personal gain, and samples to the City used for general City use are examples of items that are not gratuities.

Goals

- To treat all citizens equally with courtesy and impartiality, and refrain from granting any special advantage to any citizen beyond what is available to all citizens. The City of Wenatchee does not discriminate on the basis of sex, age, race, color, religion, national origin, mental or physical disability, marital, veteran or any other protected status.
- To give efficient, productive, and economic service to the public.
- To avoid real or potential conflicts between private and public duties, remembering that the public interest must be the principal concern.
- To keep confidential all information acquired by reason of one's position, which may be used for personal or financial gain for the employee or other persons.
- To refrain from securing special privileges or exemptions for one's self or other persons that are not available to all citizens.

X:\Administration\Council Meetings\2017\05.11.2017\Purchasing Policy 2017.docx

- To avoid receiving, soliciting or otherwise obtaining anything of value that is greater than nominal intrinsic value from any other public official, employee or citizen which is intended to influence the performance of official duties.
- To disclose to the appropriate authority the nature and extent of any financial or personal interest in a city contract, legislation, or in any type of transaction involving the City, when participating in the development of or giving an official opinion on the matter.

FEDERAL & STATE FUNDING

It should be understood that anyone purchasing goods or services with Federal or State funds will understand and abide by the purchasing guidelines set forth by the granting agency.

City officers, employees, and agents may not participate in the selection, award, or administration of a contract supported by a Federal award if they have a real or apparent conflict of interest. As stated in 2 CFR 200.318(c), such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-Federal entity must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.

Employees violating this section are subject to disciplinary action commensurate with the severity of the violation, ranging from a letter of reprimand to termination of employment.

Any instance where a potential conflict of interest may arise must be disclosed in writing by the responsible department to the federal awarding agency or pass-through entity in accordance with applicable Federal awarding agency policy.

PURCHASING THRESHOLDS AND QUOTE GUIDELINES

To purchase materials, supplies, equipment or contract for services, the following guidelines shall be followed.

Dollar thresholds for quoting are as follows:

- Up to \$10,000 - no formal bid required
- \$10,001 to 25,000 - 3 Telephone Quotes
- \$25,001 or Greater - 3 Written Quotes

All dollar limits are based on a per-unit cost and should include appropriate sales tax plus freight, handling, and set-up costs if easily ascertained.

All City Departments are encouraged to purchase locally if price, availability and quality are comparable to non-local sources. Each department is responsible for obtaining its own quotes regardless of the size or quantity of the purchase. Telephone quotes should be documented in the requisition process so they become part of the purchase order, and written quotes should be attached to the purchase order when it is sent to the Finance Department for payment.

LOCAL PURCHASING PREFERENCE

When purchasing goods and/or services we should at all times make the choice that provides our operation (and the tax payers we serve) with the best price (keeping in mind of course the quality of the product or service we are acquiring). To choose a more expensive quotation from a vendor for goods or services that are equivalent in quality places us in violation of Article 8, Section 7 of the Washington State Constitution which prohibits the gifting of public funds, and is forbidden in all cases, with the following exception:

When comparing quotations from competing vendors we can take into consideration the local portion of sales tax that the City will receive as a result of the purchase. This portion is .85% (.0085) of the sales price. For example, if the quotation for a product from a non-local vendor is \$10,000, we can choose a quote from a vendor *located within the City of Wenatchee* for as much as \$10,085 (which is arrived at by multiplying the purchase price times the City's portion of the sales tax rate of .85%, so the calculation would be $\$10,000 \times 1.0085 = \$10,085$).

OBTAINING QUOTES

Requesting department personnel must contact verbally or in writing at least three vendors for quotations. (Be sure technical information defines acceptable quality and insure vendors are quoting on equal and comparable items, etc.) All vendors must be provided the same information. Make it clear that the City will not pay for any technical information pertaining to a potential purchase unless agreed upon in advance. At least one quote must be from a vendor located in the Greater Wenatchee Area. In the event that no local vendor can supply the required material or equipment, this requirement may be waived.

Verbal or written quotes must include the following details:

- A description of the goods or services to be purchased.
- The number of units to be purchased.
- Sales tax on the total purchase.
- Shipping cost.
- Total cost.

It is further recommended that departments consider obtaining the following:

- Delivery time requirements.
- Terms of payment (particularly in those instances where discounts for earlier payment may be available).

Consideration should be given as to quality of service and product availability.

PIGGYBACKING AND PURCHASING COOPERATIVE

In an effort to limit the duplication of work involved in the bidding process, the City encourages the use of "piggybacking" onto bids obtained by other agencies as well as the use of the Washington State Purchasing Cooperative.

1. "Piggybacking" is the process by which the City, by written agreement, utilizes the purchasing contract of another agency to satisfy the state mandated bidding requirements. This agreement is required to be executed **prior** to the advertisement or solicitation of quotes by the bidding agency. All aspects of this interlocal agreement shall satisfy the requirements of RCW 39.34.030.
2. The Washington State Purchasing Cooperative is a program administered by the Washington State Department of Enterprise Services which performs purchasing for state and local agencies. The City is a member of this cooperative and can take advantage of any state contract which allows use by local agencies. To obtain these contracts the Office of State Procurement has followed all bidding requirements placed upon local agencies.

Either of the two methods in this section may be utilized in lieu of obtaining written or verbal quotes detailed above.

SOLE SOURCE PURCHASES

On a case by case basis, the quote requirement may be waived and a sole source purchase approved. There should be careful deliberation before going to a sole source as this type of purchase eliminates competition.

A sole source purchase may be approved if one of the following conditions is met:

1. Vendor is the original equipment manufacturer or the warranty would be void if a lesser quality alternative were used.
2. The parts or equipment are not interchangeable with similar parts or equipment available from another manufacturer.
3. No other equipment is available that will meet the specialized needs of the division or perform the intended function.
4. Detailed justification is available which establishes beyond a doubt that the vendor is the only source available to provide the item or service required.

TECHNOLOGY PURCHASES

All acquisitions related to information technology must adhere to a separate Technology Purchasing Policy and require the approval of Information Systems.

Examples of technology purchases include:

- Workstations – desktop computers, laptops, tablet PCs, etc.
- Peripherals – technology related hardware such as printers, monitors, personal digital assistants (PDAs), digital cameras, etc. that connect to *or have the potential to connect to* the City's network and/or city workstations.

CAPITAL OUTLAY – FIXED ASSETS

Contact Finance if you need assistance.

A fixed asset is a specific piece of real or personal property which meets all of the following characteristics:

- Unit cost of \$5,000 or more, including tax, set-up and freight
- Tangible in nature, possesses physical substance
- Expected useful life of greater than four years

Inventories will not be considered a capital outlay.

Spare parts will not be considered capital outlay.

When entering a requisition for capital purchases please keep this in mind when selecting the appropriate BARS number to be used

CONTRACT APPROVAL LEVELS

These approval levels are designed for contracts whose costs are covered by budget appropriations previously approved by City Council. Contracts requiring additional appropriations must be approved by the Council prior to signing. Purchasing thresholds and quote guidelines should be followed when entering into any contract. Legal review is also advised prior to approval.

Supplies, Equipment, Non-professional Services, and Information Services

Less than \$30,000 annual and no more than a 5 year term

Contracts in this range are to be approved by the Department Director or designee.

\$30,000 or more annually Contracts in the range are to be approved by City Council.

Professional Services and Technology Agreements

Less than \$30,000 annually and no more than a 5 year term

Contract in this range are to approved by the Department Director or designee.

\$30,000 or more annually

Contracts in the range are to be approved by the City Council.

Public Works Projects

Less than \$50,000 annually and no more than a 5 year term

Contracts in the range are to be approved by the Public Works Director.

\$50,000 or more annually Contracts in this range are to be approved by the City Council

CONTRACTING WITH AN INDEPENDENT CONTRACTOR

An Independent Contractor must meet the following six tests established by the Department of Labor & Industries otherwise they are an employee.

1. An Independent Contractor is free from substantial control by the employer (e.g. output, scheduling, or resources).
2. Operates from a site or location not owned by the contracting agency.
3. Individual is customarily in an established trade or business.
4. Individual has established an account with the Dept. of Revenue and any other state agency that collects taxes.
5. Individual is responsible for filing schedules with the IRS.
6. Individual maintains a separate set of books and records reflecting items of income and expense of his business.

You should contact the City Attorney for contract related questions.

CERTIFICATES OF INSURANCE AND PREVAILING WAGES

Certificates of Insurance

Each time the City hires a contractor to perform work on City property, the City accepts a risk should something go wrong. Before any contractor is allowed to work on City property, the contracting department should determine whether a Certificate of Insurance is required. If so, the contractor must furnish the City with a Certificate of Insurance naming the City as an additional insured.

Prevailing Wages

RCW 39.12 establishes the terms and conditions governing Prevailing Wage Law in the State of Washington. This law requires that workers be paid certain hourly wages for all public work and public service maintenance contracts, no matter what the dollar amount. The Department of Labor and Industries administers the law; the Attorney General prosecutes violators; and the State Auditor ascertains if our policies, practices and procedures meet the requirements of the law.

Public Work includes all work, construction, alteration, repair or improvement that the City has performed. It includes, but is not limited to:

- Demolition
- Remodeling
- Renovation
- Maintenance
- Painting
- Road Construction
- Utilities Construction
- Janitorial
- Offsite prefabrication of ducts, liners & steel products
- Production & delivery of gravel, rock, concrete & asphalt

The need to pay “prevailing wage” should be clearly stated in any public works and public services maintenance contracts entered into by the City.

INFORUM GOLD PROCEDURES

The Purchase Order, whether individual or blanket, constitutes a contract between the City and the vendor. It is the vendor's authorization to provide the goods or services specified and bill the City.

A Purchase Order must be obtained **prior** to each purchase of goods or services made by a City Department. To obtain the PO, authorized personnel in each department will enter a requisition into the Eden Accounting System. Purchasing authority is set departmentally; if you require a change in this authority, the Dept Director should email the Finance Department those changes.

Departmental limits are set on the dollar value of the requisition allowable without Department Director or Manager's approval. If the requisition being entered exceeds this limit, the system will route the requisition via an e-mail notice to the Department Director/Manager to obtain approval before the requisition will route to the Finance Department for approval and conversion to a Purchase Order. **This will necessitate planning ahead as the requisition must be entered, approved and converted to a PO prior to making the purchase.**

In your discussions with vendors the Finance Department would appreciate your efforts in convincing them to clearly provide the City PO number on all invoices. Those invoices arriving in the Finance Department with the wrong or no PO number on them will be set aside until research as to their origin can be completed which results in the vendor receiving payment at a later date than would otherwise be necessary.

All vendors should be directed to mail all invoices to the Finance Department at PO Box 519 Wenatchee WA 98807, in lieu of mailing, invoice may be emailed to accountspayable@wenatcheewa.gov . Any invoices received at the Department should be immediately forwarded to Accounts Payable in the Finance Department.

Blanket PO's

A Blanket Purchase Order may be utilized when numerous repetitive purchases are made from one vendor. If it is determined that a blanket purchase order is warranted, the authorized Departmental Personnel will enter the requisition. This is the same process as with regular PO's, however the PO type must be changed to "Blanket" and specify the period of time to be covered. A blanket purchase order may be entered on a monthly or annual basis. Whichever the case may be the blanket PO will be closed at the end of that period and a new one must be entered. Blanket Purchase Orders cannot commit budget in future years.

Blanket Purchase Order Exceptions

Blanket Purchase Orders will not be allowed for grocery stores (i.e. Safeway, Albertson's, etc) or contracted construction projects. Items needed to complete non-

contracted projects must be requested by individual PO. Again, the requisitioning and PO process must be completed prior to making the purchase.

Emergency Purchase Orders

From time to time it may be necessary that a purchase be made prior to obtaining a purchase order. This would be considered an emergency situation outside of regular business hours. An emergency situation is defined as a case of extreme and immediate necessity in which the operation of the Department would be seriously hampered, or when the “protection of persons or preservation of property” would not be possible if the normal requisition process were followed. However, a purchase order must be requested immediately upon returning to work on the next business day. Be sure to obtain a sales receipt from the vendor and submit this along with the requisition and explanation as to the nature of the emergency.

Failure to plan purchasing needs in an adequate and timely manner does not constitute an emergency or case of extreme and immediate necessity.

Requisitioning process

The employee initiating the requisition is responsible to ascertain that it is as complete as possible, including the vendor, quantities, prices descriptions and specifications, make and model number and sizes. Also, included should be the City Bars number against which the purchase should be charged. If the purchase is subject to the verbal quotation threshold, the quotes should be documented in the requisition process so they become part of the purchase order.

The requisition will be completed in the Eden system by Departmental personnel authorized to do so. Purchasing will approve requisition for purchase order generation each day at approximately 11:00 a.m. At the point the purchase order is posted in the Eden system the funds will be encumbered for the transaction and the PO will be available for printing by departmental employees.

At the time the purchase is made, a signed packing slip, bill of sale or receipt must be returned to the Departmental Employee assigned the responsibility of routing complete or partially complete PO's to the Finance Department.

At least weekly purchase orders should be reviewed for completeness by each Department. When it is determined that all or a substantial portion of the items listed on the purchase order have been received, the Departmental employee with authority to do so should:

1. Approve payment of the purchase by signing the purchase order acknowledging that the items have been received.
2. Check the appropriate box indicating whether partial or complete receipt of items has been made.
3. Attach the packing slip, receipt or bill of sale, and written quotations (if the quote is necessary to facilitate the purchase) to the PO.

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4. Forward the entire PO package via interoffice mail to Accounts Payable in the Finance Department.

The Finance Department will match the vendor invoice to the purchase order and make payment if everything is in order. If the invoice differs substantially from the purchase order, the ordering Department will be required to review and approve the invoice for payment. No payment will be made on any invoice until all goods and/or services billed have been received.

DISPOSAL OF SURPLUS PROPERTY

Surplus property is anything and everything that is owned by the City, is tangible, movable (not permanently affixed) and considered either obsolete or of no further use to the City in the foreseeable future.

Procedure for Departmental Disposal of Surplus Personal Property

1. Once the property is deemed to be of no further use by a department they should first consider whether it might be welcomed in other City operations. If so, they should alert other departments of their intent to surplus the items. If there is no interest in the items they should proceed with the following steps.
2. Contact the Purchasing Accounting Technician in Finance Department to obtain forms and labeling instructions.
3. Complete form with all required information and route to City Clerk to obtain Council approval. Securely tag all items to be surplus. If surplus items fail to sell the Auctioneer is authorized to dispose of small items.
4. When requested to do so by the Finance Department, deliver to storage or auction site.

With prior Council approval items may be surplus by means other than public auction (i.e. internet sale, sealed bid)

FEDERAL PROPERTY DISPOSAL

Property purchased with Federal funds must be disposed according to policies established by the applicable Federal awarding agency.

**COUNCIL AGENDA REPORT
PUBLIC WORKS DEPARTMENT**

TO: Frank Kuntz, Mayor
City Council

FROM: Mitch Reister, PE – Utilities Manager

SUBJECT: Coleman Oil Sanitary Sewer Discharge Agreement

DATE: May 9, 2017

MEETING DATE: May 11, 2017

I. OVERVIEW

Coleman Oil, Inc., located at 3 Chehalis Street, has been identified by the Department of Ecology as the source of petroleum groundwater contamination. One of the groundwater treatment and cleanup options Ecology has provided to Coleman Oil is to pump the contaminated groundwater at their facility to the surface, treat said groundwater with approved mechanical/chemical strategies at their site, and discharge “clean” groundwater to the City’s Waste Water Treatment Plant (WWTP) until the groundwater contamination has been mitigated.

In order to ensure proper, Ecology-approved treatment methods are utilized by Coleman Oil in preparing the groundwater for acceptance into the City’s WWTP, and to minimize risk to the WWTP, the City has required Coleman Oil to enter into a temporary discharge agreement stipulating said requirements, timeframes, and procedures. Prior to execution of the Agreement by the City, Coleman Oil must meet all pre-discharge requirements as defined in the Agreement.

Coleman Oil will not be allowed to discharge any treated groundwater to the WWTP until the Agreement is executed by the City.

II. ACTION REQUESTED

Staff recommends that the City Council authorize execution of the Agreement by the Mayor at a future date, at other than a public meeting, upon confirmation by Utilities staff that Coleman Oil has met their pre-discharge obligations as stipulated in the Agreement.

III. FISCAL IMPACT Submitted to the Finance Committee Yes No

No impacts; all costs to implement the Agreement shall be borne by Coleman Oil.

IV. PROPOSED PROJECT SCHEDULE

Coleman Oil desires to begin discharging treated groundwater to the WWTP as soon as possible. The Agreement term is 6-months, if necessary; the Agreement may be extended at the discretion of the City.

V. REFERENCE(S)

1. Agreement for Temporary Discharge of Treated Groundwater to the City of Wenatchee Public Owned Treatment Works

VI. ADMINISTRATIVE ROUTING

Tammy Stanger, City Clerk

Agreement for Temporary Discharge of Treated Groundwater to the City of Wenatchee Publicly Owned Treatment Works

AGREEMENT made this 4th day of May, 2017, by and between the City of Wenatchee, a Washington municipal corporation, hereinafter referred to as “City,” and Coleman Oil, Inc. hereinafter referred to as “Coleman.”

Recitals

Whereas, the City owns and operates a Publicly Owned Treatment Works (hereinafter “POTW”); and

Whereas, Coleman desires to discharge treated groundwater from the spill cleanup at 3 Chehalis Street, Wenatchee, Washington, which has the potential to adversely affect the City’s POTW; and

Whereas, the City and Coleman desire to enter into this special agreement pursuant to WCC 4.08.060 (4) setting forth special terms under which Coleman may discharge its treated groundwater to the POTW.

1. TERM OF CONTRACT:

- 1.1 This CONTRACT shall become effective upon written approval from the CITY when the following conditions have been met:
 - 1.1.1 The applicable permits to connect to sewer have been issued.
 - 1.1.2 A shut-off valve has been installed on the sewer lateral at the property line.
 - 1.1.3 The sewer connection and shut-off valve has passed all required inspections.
 - 1.1.4 COLEMAN has provided satisfactory calibration documentation on the wastewater discharge meter and the installation has been approved by the CITY.
 - 1.1.5 The City has received an operations plan prepared by COLEMAN including at a minimum:
 - 1.1.5.1 Procedure for treating the groundwater.
 - 1.1.5.2 Procedure for testing.
 - 1.1.5.3 Alternate disposal option(s) for the groundwater.
 - 1.1.5.4 Emergency procedures and contact information.
- 1.2 The CONTRACT will expire upon completion of the project or six months after the effective date, whichever occurs first.
- 1.3 This CONTRACT is issued to Coleman for the specific discharge of treated groundwater from the site at 3 Chehalis Street, Wenatchee, Washington.

1.4 The CITY reserves the right to modify or terminate this CONTRACT at any time in the event it deems modification or termination is necessary to preserve the integrity and function of the POTW. City shall notify COLEMAN in writing of any proposed modifications or termination three (3) calendar days prior to the implementation of such modifications or termination.

2. USE OF SEWERS:

2.1 All use by Coleman of CITY sewers shall be in compliance with all federal, state and local regulations including Wenatchee City Code Chapter 4.08.

2.2 COLEMAN shall install a wastewater discharge meter on all sewer connections prior to beginning wastewater discharges. Meter specifications and location shall be approved by the CITY. The meter shall be read daily by COLEMAN and meter readings shall be submitted weekly to the CITY in a format and method acceptable to the CITY.

2.3 COLEMAN shall provide all testing data to the CITY and shall not discharge until written approval is received from the CITY for each batch. The CITY shall respond by the end of the next business day from when the data is received. The CITY may require additional analysis to the testing required by this CONTRACT at COLEMAN's expense. The CITY reserves the right to not accept specific batches.

2.4 COLEMAN shall only discharge to the POTW Monday through Friday. With advanced written approval from the CITY, discharges may be accepted on Saturday or Sunday.

2.5 COLEMAN shall be limited to a maximum discharge to the POTW of 4,000 gallons per day and at a maximum rate of 10 gallons per minute.

2.6 This CONTRACT and the authorization to discharge cannot be transferred, sold, or otherwise given to a new owner, new user, different premises, or any new or modified operation unless authorized in writing by the CITY.

3. ANALYTICAL TESTING, & FEES:

3.1 Table 3-1 lists the analytical tests required to discharge treated groundwater under the terms of this CONTRACT.

TABLE 3-1

Analytical Test	Method Number
Total Suspended Solids	SM2540-D
pH	SM4500-H+B
Chemical Oxygen Demand	SM5220-D
Total Organic Carbon	SM5310-B/C/D
Total Metals: As, Ba, Cd, Cr, Pb, Se, Ag, Cu, Zn	200.8

Total Mercury	7470A
Pesticides/PCBs	608
Volatile Petroleum Products	NWTPH-GxBTEX
Semi-volatile Petroleum Products	NWTPH-D _x
Ignitability	1010A

3.2 All testing must be performed by a Washington State certified laboratory that at the time of testing is certified for the tests shown in Table 4-1.

3.3 COLEMAN shall be billed a base fee of \$40.70 per month plus \$3.90 per hundred cubic feet as well as applicable utility taxes to discharge to the POTW. In addition, a 15% administrative fee shall be applied to the monthly bill before taxes.

4. INSPECTIONS & REPORTING

4.1 COLEMAN shall allow CITY staff to enter upon COLEMAN's premises at 3 Chehalis during operating hours upon one hour advance notice by the CITY to:

4.2.1 Inspect any facilities, equipment (including monitoring and control equipment), practices, storage facilities or operations.

4.2.2 Have access to and copy any records that must be kept as a condition of the CONTRACT or the WASHINGTON STATE DEPARTMENT OF ECOLOGY.

4.2.3 Sample or monitor for the purpose of assuring compliance.

4.2.4 Inspect any production, manufacturing, fabricating or storage area where pollutants regulated under this CONTRACT could originate, be stored, or be discharged to the sewer system.

4.2 COLEMAN shall report any accidental or slug discharges immediately to the CITY. In case of an accidental or slug discharge or any other substantial incident which may have an adverse impact on the POTW, COLEMAN shall contact the CITY at (509)888-3324 between 7:00 A.M. and 3:30 P.M. and after hours call the CITY's afterhours emergency line at 1-800-374-5632.

4.3 COLEMAN shall notify the CITY for review and approval of any proposed changes to discharges at least seven (7) calendar days prior to the modified waste stream being discharged to the POTW.

5. ENFORCEMENT

5.1 The CITY reserves the right to initiate enforcement action for any violation of this CONTRACT or Wenatchee City Code Chapter 4.08.

5.2 COLEMAN may be billed surcharges and fines for exceedances of the discharge limits in Table 4-1. Payment by Industrial Discharger shall be due in the normal course along with regular monthly sewer charges.

5.3 Enforcement action will be in accordance with the administrative and judicial actions under Wenatchee City Code Chapter 4.08.

6. INDEMNIFICATION:

COLEMAN shall defend, indemnify and save the CITY and its elected officials, officers and employees harmless from any and all claim and risk and all losses, damages, demands, suits, judgments, and attorney fees or other expenses of any kind on account of injury to or death of any and all persons, on or account of all property damage of any kind, or loss of use resulting therefrom, to any party arising out of, or in any manner connected with, the service performed under this contract, or caused in whole or in part by reason of the negligence or unlawful acts or omissions of COLEMAN, its' subcontractors, employees or agents, except only for those losses resulting from and to the extent of the negligence of the CITY. COLEMAN waives its' immunity under the State Industrial Insurance ACT, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties.

7. INSURANCE:

COLEMAN shall obtain and keep in force during the term of the CONTRACT insurance in no less than the following amounts:

	<u>Comprehensive/General</u>	<u>Property</u>
Occurrence	\$1,000,000	\$1,000,000
Aggregate	\$2,000,000	\$2,000,000

A Certificate of Insurance shall be provided to the City upon request. Compliance with this section shall be a prerequisite to City accepting wastewater discharges hereunder.

SIGNED THIS 4th day of May, 2017.

CITY OF WENATCHEE,
a Washington municipal corporation

COLEMAN OIL, INC.

By: _____
FRANK KUNTZ, Mayor

By: James C. Cach
_____ James C. Cach