



## WENATCHEE CITY COUNCIL

Thursday, May 25, 2017

Wenatchee City Hall  
129 South Chelan  
Wenatchee, WA 98801

### AGENDA

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#### 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:

Payroll distribution (special) in the amount of \$123.96 for May 8, 2017  
Claim checks #181728 through #181809 in the amount of \$1,030,269.52 for May 11, 2017  
Claim checks #181810 through #181816 in the amount of \$59,509.04 for May 16, 2017  
Claim checks #181817 through #181901 in the amount of \$486,064.33 for May 18, 2017  
Payroll distribution in the amount of \$297,365.00 for May 19, 2017  
Payroll distribution (retirees) in the amount of \$11,785.57 for May 31, 2017

##### 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.

- Memorial Day Proclamation
- Employee Recognition

## 5. Action Items.

- A. Appointment to the Diversity Advisory Committee  
Presented by Executive Services Director Allison Williams

*Resolution No. 2017-32, appointing a member to the Diversity Advisory Committee to fill an open three (3) year term (Charity Bergman)*

- B. Resolution in Support of CERB Application  
Presented by Economic Development Director Steve King

*Resolution No. 2017-33, in support of a committed partner application to Community Economic Revitalization Board for funding from the Department of Commerce to assist in the financing of constructing the McKittrick Street extension.*

- C. Purchase and Sale Agreement – North Wenatchee  
Presented by Economic Development Director Steve King

*Motion for City Council to authorize the Mayor to negotiate final details and enter into a purchase and sale agreement.*

- D. Amendment to Sewer Comprehensive Plan Contract  
Presented by Utilities Manager Mitch Reister

*Motion for City Council to approve Amendment No. 2 to the contract with Gray and Osborne, Inc. for the Sewer Comprehensive Plan Update, Project No. 1608, and authorize the Mayor's signature.*

## 6. Work Session

- E. Small Cell Wireless Facilities Moratorium/Code Update  
Presented by Community Development Director Glen DeVries and Senior Planner John Ajax

## 7. Reports.

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

## 8. Announcements.

## 9. Adjournment.



## WENATCHEE CITY COUNCIL MEETING

Thursday, May 11, 2017

Wenatchee City Hall

129 South Chelan

Wenatchee, WA 98801

**DRAFT**

### MINUTES

**In attendance:**

Mayor Frank Kuntz  
Councilmember Jim Bailey (via phone)  
Councilmember Ruth Esparza  
Councilmember Lyle Markhart  
Councilmember Keith Huffaker  
Councilmember Mark Kulaas  
Councilmember Linda Herald  
Councilmember Mike Poirier

**Staff in attendance:**

Executive Services Director Allison Williams  
City Attorney Steve Smith  
City Clerk Tammy Stanger  
IS Support Jessi Saucedo  
IS Support Tim McCord  
Deputy Clerk/Public Information Officer Annagrisel Alvarez  
Parks, Recreation & Cultural Services Director David Erickson  
Finance Director Brad Posenjak  
Utilities Manager Mitch Reister  
Economic Development Director Steve King  
Public Works Director Matt Leonard  
Planning Director Glen DeVries  
Police Chief Steve Crown

Mayor Frank J. Kuntz called the meeting to order at 4:30 p.m. for the purpose of meeting in executive session.

#### **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).

**Motion to meet in executive session for a time period not to exceed 45 minutes with the City Attorney present by Councilmember Mark Kulaas. Councilmember Lyle Markhart seconded the motion. Motion carried (6-0).**

Councilmember Jim Bailey was not present for the motion but participated in the executive session via phone conference.

Council adjourned from executive session at 5:10 p.m.

## 5:15 p.m. Regular Meeting

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

Mayor Frank J. Kuntz called the regular meeting to order at 5:15 p.m. Councilmember Mark Kulaas led the Pledge of Allegiance. All Councilmembers were present, with Councilmember Jim Bailey participating via phone conference.

### 2. Consent Items:

- Motion to approve agenda, vouchers, and minutes from previous meetings.
- Resolution No. 2017-29, 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.

**Motion to approve the consent items by Councilmember Keith Huffaker. Councilmember Lyle Markhart seconded the motion. Motion carried (7-0).**

### 3. Citizen Requests/Comments.

There were no citizen comments.

### 4. Presentations.

- Public Works Week Proclamation read by Councilmember Linda Herald and presented to Public Works Director Matt Leonard who said a few words about Public Works Week.
- Arts Month Proclamation read by Councilmember Mark Kulaas and presented to Arts, Recreation & Parks Commission Member Don Collins, who said a few words about the growing arts programs within the Wenatchee School District.
- Youth United Proclamation read by Councilmember Ruth Esparza and presented to the United Way Youth United Student Leadership Board (Aryana Villafuerte, Sophia Dillon, Hadassah Lurbur, Itzel Velazquez, and Brynn Sherrell).
- National Historic Preservation Month read by Councilmember Mike Poirier and presented to Associate Planner Kirsten Larsen who invited everyone to attend the Historic Home Tour scheduled for May 21.

### 5. Action Items.

#### A. Arts, Recreation and Parks Commission Appointment

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

Parks, Recreation & Cultural Services Director David Erickson presented the staff report. Applicant Marlin Peterson was also present and introduced himself.

**Motion to approve by Councilmember Linda Herald. Councilmember Keith Huffaker seconded the motion. Motion carried (7-0).**

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

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

Parks, Recreation & Cultural Services Director David Erickson presented the staff report. Council asked questions.

**Motion to approve by Councilmember Keith Huffaker. Councilmember Mike Poirier seconded the motion. Motion carried (7-0).**

C. Park Rules Amendment

*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.*

Presented by Parks, Recreation & Cultural Services Director David Erickson presented the staff report. Council asked questions.

**Motion to approve by Councilmember Ruth Esparza. Councilmember Keith Huffaker seconded the motion. Motion carried (7-0).**

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

*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.*

Executive Services Director Allison Williams presented the staff report. Council asked questions.

**Motion to approve by Councilmember Mark Kulaas. Councilmember Linda Herald seconded the motion. Motion carried (7-0).**

E. Federal Purchasing Policy Update

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

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

**Motion to approve by Councilmember Keith Huffaker. Councilmember Ruth Esparza seconded the motion. Motion carried (7-0).**

F. Coleman Oil Sanitary Discharge Agreement

*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.*

Utilities Manager Mitch Reister presented the staff report. Council asked questions.

**Motion to approve by Councilmember Linda Herald. Councilmember Mike Poirier seconded the motion. Motion carried (7-0).**

**6. Reports.**

a. Mayor's Report

The Mayor reported on the following matters:

1. Staff has been working with a Bay area business for relocating to Wenatchee.
2. He traveled to Seattle on Tuesday with staff and met with UW staff, Vulcan Real Estate representatives, and a developer company – hoping to create housing development interest in the valley.
3. The Transportation Council met today and discussed Confluence Parkway.
4. The Finance Committee considered one time requests.

b. Reports/New Business of Council Committees

Councilmember Lyle Markhart reported that there is a tour of the Wells House coming up. The \$50 fee will go back to the Wells House.

Councilmember Mike Poirier thanked his mom for attending tonight's meeting and reminded everyone that Mother's Day was on Sunday!

Councilmember Linda Herald commented that the work on Maple and Western looks good.

Councilmember Mark Kulaas said the WDA board met yesterday. They will be holding their "possibilities tour" next Wednesday. They are discussing training opportunities to promote entrepreneurial training and investment. They also held a discussion about Apple Blossom and the traffic issues caused by the Tour D'Bloom after the

parade. He stated that “Girls Night Out” sold out in advance of the event. And the Ale Trail is scheduled for Father’s Day weekend.

**7. Announcements.**

Executive Services Director Allison Williams reported that next week’s work session will include an annual report from the Museum, additional overview of the comprehensive plan, and a report on the North Wenatchee Avenue Forms and Functions study. The TPA and LTAC will both meet next week at the new Chamber office.

**8. Adjournment.** With no further business the meeting adjourned at 6:05 p.m.

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Frank J. Kuntz, Mayor

Attest:

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Tammy L. Stanger, City Clerk



## WENATCHEE CITY COUNCIL WORK SESSION

Thursday, May 18, 2017

5:15 pm

WENATCHEE CITY HALL  
129 South Chelan  
Wenatchee, WA 98801

**DRAFT**

### MINUTES

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Present:

Mayor Frank J. Kuntz  
Councilmember Jim Bailey  
Councilmember Ruth Esparza  
Councilmember Lyle Markhart  
Councilmember Keith Huffaker  
Councilmember Mark Kulaas  
Councilmember Mike Porier

Staff Present:

Executive Services Director Allison Williams  
City Clerk Tammy Stanger  
Public Information Officer Annagrisel Alvarez  
Community Development Director Glen DeVries  
Associate Planner Matt Parsons  
Economic Development Director Steve King  
Public Works Director Matt Leonard  
Finance Director Brad Posenjak

***DISCUSSION ITEMS:***

A. Wenatchee Valley Museum and Cultural Center – Annual Report

Sandy Cohen, Director of the Wenatchee Valley Museum and Cultural Center, presented a short video highlighting the accomplishments of the past year for the Museum. One of the greatest highlights was that the Museum received the 2016 non-profit of the year award at



the Wenatchee Valley Chamber of Commerce annual banquet. He spoke about the future plans of the Museum, including a capital campaign for improvements to modernize the exhibits. The Mayor commended Sandy and the Museum, stating that the Museum has come a long ways over the last four years!

B. Comp Plan Update, (overview/questions)

Associate Planner Matt Parsons provided an overview of the land use and housing elements of the plan and went over the proposed significant changes. Community Development Director Glen DeVries provided an overview of the significant comments received, current housing needs, and minor modifications to the land use tables and final clarifications, Olds Station land use designations and zoning map amendments. The final Comprehensive Plan is set for a July 8 hearing before the City Council.

C. North Wenatchee Avenue Form and Function Study

Economic Development Director Steve King and Public Works Director Matt Leonard presented the findings from the North Wenatchee Avenue Forms and Function Study prepared by Crandall Arambula. Also present were Link Transit Director Richard DeRock, Chelan-Douglas Transportation Council Director Jeff Wilkens, and Department of Transportation Representative Nick Manzano, who each spoke about the project. Council discussed the overview and concurred that Option B provided the best value overall and provided flexibility for the future. The Mayor noted the need to get definition to direct staff to move forward now.

The meeting adjourned at 7:14 p.m.

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Frank J. Kuntz, Mayor

Attest:

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Tammy L. Stanger, City Clerk

# Proclamation

**WHEREAS,** Since the inception of our country by the establishment of the United States Constitution, it has on occasion, been necessary to protect the concepts of the Constitution; and

**WHEREAS,** At times, it became necessary to resort to armed conflict to protect these concepts, which give each citizen of the United States certain inalienable rights; and

**WHEREAS,** Citizens of our great country have given of their lives in the protection of these unalienable rights; and

**WHEREAS,** Each year we set aside one day to which we can revive the memory of those who have sacrificed and those who have passed on.

NOW, THEREFORE, I, Frank J. Kuntz, Mayor of the City of Wenatchee, do hereby proclaim, May 29, 2017, as

## MEMORIAL DAY

in the city of Wenatchee and I urge all citizens to join us in honoring their memory.

IN WITNESS WHEREOF, I have caused the seal of the City of Wenatchee to be affixed on this 25<sup>th</sup> day of May, 2017.



A handwritten signature in blue ink, reading "Frank J. Kuntz", is written over a horizontal line.

Frank J. Kuntz, Mayor

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**COUNCIL AGENDA REPORT**

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**TO:** Frank Kuntz, Mayor  
City Council Members

**FROM:** Allison Williams, Executive Services Director

**SUBJECT:** Resolution 2017-32

**DATE:** May 22, 2017

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The City of Wenatchee's Diversity Advisory Committee has two open terms. Following is the application for Charity Bergman who would fill the remaining term of Cindy Wright, who needed to resign due to job commitments. The term is a remainder of a three year term that will end December 31, 2018. The committee interviewed Charity at their regular May 10th meeting and recommended her for appointment.

**Action Requested:** City Council motion to approve Resolution 2017-32 appointing Charity Bergman to an open three year term on the City's Diversity Advisory Committee ending December 31, 2018.



**City of Wenatchee**  
Volunteer Commission and Board Application

**COMMISSION/BOARD INFORMATION**

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

- |  |   |
|--|---|
| <input 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 checked="" 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: Bergman First Name: Charity Initial: M

Physical Address: 1821 9th St NE City: East Wenatchee Zip: 98802

Mailing Address: Same as above City: Same Zip: Same

Day Phone: 928-925-5530 Evening Phone: 928-925-5530

E-mail: charity@uwcdc.org Years lived in Wenatchee Valley: 2.5

Occupation: Early Learning Coalition Coordinator Years of Experience: 3.5 yrs non-profit; 15+ yrs professional

Work Address: 105 South Mission Street City: Wenatchee Zip: 98801

Education and Formal Training: B.S. Interdisciplinary Studies (Aerospace Engineering, Math, Psychology, Global Security & Intelligence), Embry-Riddle Aero. Univ.

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: United Way of Chelan and Douglas Counties, Early Learning Coordinator Length of Service: 6 mo.

Organization and Duties: North Central Early Learning Collaborative, Early Learning Coordinator Length of Service: 6 mo.

Organization and Duties: Coalition for Children and Families of NCW, Coalition Coordinator Length of Service: 6 mo.

Organization and Duties: Boys and Girls Clubs of Central Arizona, Director of Operations Length of Service: 3 yrs.

Organization and Duties: Boys and Girls Club of Brewster, Volunteer Length of Service: 3 mo.

Skills/Special Interests: I am a rational human being driven toward creating positive change so that my children, and all children, can thrive in healthy communities. I am also semi-fluent in Spanish and am striving toward full fluency.

Experience related to the Commission/Board: Through my position at the United Way, I have been working collaboratively with many local, regional, and state-level organizations to advocate for racial, cultural, and socio-economic equity in our community and communities across the NCW region. I have a great passion for the well-being of children and families, and an equally great passion for supporting healthy, tolerant, and diverse communities.

Why are you seeking this appointment? I am seeking this appointment because I have lived in the valley for 2.5 years and while I am encouraged by the progress being made to break down and transcend cultural barriers and divisions, there is always more that can be done. I would like to be directly involved with the inclusion and outreach efforts in our community.

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

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_

**REFERENCES**

Name: Alan Walker  
Address: 105 S Mission St City: Wenatchee Zip: 98801  
Phone: 509-662-8261 Email: alan@uwcdc.org  
Occupation: Executive Director, United Way of Chelan and Douglas Counties Years known: <1

Name: Carrie Moody  
Address: 23 S Wenatchee Ave, Suite 203 City: Wenatchee Zip: 98801  
Phone: 509-888-2377 Email: cmoody@co.douglas.wa.us  
Occupation: Program Coordinator, Chelan-Douglas Developmental Disabilities Years known: <1

Name: Nancy Spurgeon  
Address: 1300 Fifth Street City: Wenatchee Zip: 98801  
Phone: 509-670-1937 Email: nspurgeon@wvc.edu  
Occupation: ECE Coordinator, Wenatchee Valley College; President, Coalition for Children and Families NCW Years known: <1

**AFFIDAVIT OF APPLICANT**

I, Charity M. Bergman, 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.

\_\_\_\_\_  
(Signature)  
Date: 10-May-2017



**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: Charity M. Bergman

Date: 5/10/2017

## RESOLUTION NO. 2017-32

A **RESOLUTION**, appointing a member to the Diversity Advisory Committee to fill an open three (3) year term.

**WHEREAS**, Charity Bergman has expressed an interest in serving as a member of the City of Wenatchee Diversity Advisory Committee to fill an open three year term.

**NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF WENATCHEE** makes the following appointment, commencing immediately, to the Diversity Advisory Committee for the term noted:

**NAME & ADDRESS**

Charity Bergman  
1821 9<sup>th</sup> St. NE  
East Wenatchee, WA 98802

**TERM EXPIRES**

December 31, 2018

**PASSED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE** at a regular meeting thereof this 25<sup>th</sup> 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



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**COUNCIL AGENDA REPORT**  
**City of Wenatchee**

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**TO:** Frank Kuntz, Mayor  
City Council

**FROM:** Steve King, Economic Development Director

**SUBJECT:** CERB Loan Application - McKittrick Street Extension

**DATE:** May 22, 2017

**MEETING DATE:** May 25, 2017

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**I. OVERVIEW**

Staff recommends the City Council authorize the application for loan funding to build an at grade rail crossing and extend right of way into the Stemilt property. This loan application is classified as a committed partner funding request as it is coordinated with economic development providing jobs within the existing vacant Stemilt building which is located along the east side of the rail road tracks. These improvements will require removal and remodel of a portion of this building to facilitate the purchase of right of way and the extension of McKittrick Street. This loan application furthers the Railroad underpass project in which a Federal \$28 Million Fastlane grant was applied for in December of 2016. Staff is recommending proceeding with this project while waiting for a Federal grant. It will be necessary to work with BNSF for permitting this at grade crossing. This will allow the right of way to be purchased and building modified prior to occupancy by a prospective technology based company. This company along with the property owner anticipate investing \$5.4 Million to prepare the building. The company also anticipates hiring 96 people with salaries ranging from an average of \$45,000 to a maximum of \$100,000 per year. This loan program is for public entities constructing improvements to support job creation associated with a committed private partner.

Not only will these improvements support the private partner, but they will also support the development of the North Wenatchee master plan in which public investments were estimated at \$37 Million to leverage private investments of \$240 Million. The improvements will tie into work being done associated with the Wenatchee Ave./McKittrick intersection as well as the future relocation of Miller Street. The City applied for funding for the Miller Street relocation in 2016 through the Department of Commerce Public Works Trust Fund program. The City of Wenatchee project is ranked and pending approval through the state legislative session. The following project map depicts the each segment of road work along with the funding source.

Finally, public notice of this action was provide via the Wenatchee World and email notification lists this week.

**COUNCIL AGENDA REPORT**  
**City of Wenatchee**



McKittrick Street \$2.7 Million – Federal Grant



PWTF Loan - \$4.8 Million – Pending

**COUNCIL AGENDA REPORT**  
**City of Wenatchee**



CERB Loan - \$1.46 Million – This Action

**II. ACTION REQUESTED**

*Staff recommends the City Council pass Resolution No. 2017-33 in support of a committed partner application to the Community Economic Revitalization Board for funding from the Department of Commerce to assist in the financing of constructing the McKittrick Street extension.*

**III. FISCAL IMPACT Submitted to the Finance Committee Yes No**

Upon successful application, the city will be responsible for repayment of the \$1.46 million loan based on a 20 year repayment period with an interest rate not to exceed 3%. The estimated debt service for this loan will not exceed \$116,000 per year. The terms of the loan may be based on a lower interest rate in which debt service will be less. The city will also be required to front a 20% match equal to \$365,000. The match will come from general fund reserves with the repayment obligation also being a general fund obligation.

The city in 2016 adopted Resolution 2016-38 committing to fund the debt service associated with a Public Works Board Trust Fund loan in the amount of \$4.8 Million. The debt service associated with that project if awarded is estimated at \$142,000 per year from the General Fund and \$155,000 from the Storm Fund.

These project are key elements of infrastructure identified in the North Wenatchee Master Plan that is required in order to realize \$240 Million in private investment anticipated in the plan.

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**COUNCIL AGENDA REPORT**  
**City of Wenatchee**

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This project has not been included in the 2017 budget. Approximately 70% of the funds would be expended this year with the remaining expended in 2018. A budget amendment will be required.

**IV. PROPOSED PROJECT SCHEDULE**

The committed private partner has a target date of opening January 1, 2018. 70% of the budget would be completed in 2017 including purchase of the right of way and removal of a portion of the warehouse. The at-grade crossing at McKittrick Street would be constructed in 2018-2019 pending BNSF permitting.

**V. REFERENCE(S)**

Resolution 2017-33

**VI. ADMINISTRATIVE ROUTING**

Tammy Stanger, City Clerk  
Allison Williams, Executive Services Director  
Brad Posenjak, Finance Director

## **RESOLUTION NO. 2017-33**

**A RESOLUTION,** in support of a committed partner application to Community Economic Revitalization Board for funding from the Department of Commerce to assist in the financing of constructing the McKittrick Street extension.

**WHEREAS,** the City is in compliance with Growth Management Act requirements (RCW 36.70A); and

**WHEREAS,** the City plans under the Growth Management Act and has adopted a Comprehensive Plan entitled “Planning to Blossom 2025: Wenatchee Urban Area Comprehensive Plan”; and

**WHEREAS,** the adopted Comprehensive Plan identifies North Wenatchee as a critical commercial district for the City; and

**WHEREAS,** in the summer of 2015 a fire storm caused fires at three major industrial uses in the North Wenatchee Business District; and

**WHEREAS,** the city applied for and was awarded a Community Economic Revitalization Planning Grant from the Department of Commerce to develop a master plan for the 50 acre impacted area; and

**WHEREAS,** the master plan identified the need for a railroad crossing to open up the area for development by providing improved access across the Seattle Chicago BNSF mainline; and

**WHEREAS,** the city has funding to build a new McKittrick/North Wenatchee Avenue intersection and extend McKittrick Street to the west side of the BNSF tracks; and

**WHEREAS**, the city is working with Stemilt Growers, owners of the property located east of the BNSF railroad tracks to facilitate development of their property to support a committed business to utilize one of their remaining warehouses; and

**WHEREAS**, right of way and removal of approximately 80 feet of the existing warehouse is necessary to facilitate building McKittrick Street east of the BNSF railroad tracks; and

**WHEREAS**, Stemilt Growers supports the city purchasing this right of way and building an at grade railroad crossing as a temporary access solution while funding is pursued for an underpass; and

**WHEREAS**, it is in the best interest of the City of Wenatchee to support improved commerce, job development, and redevelopment of the North Wenatchee district through providing critical infrastructure that supports the area as well as the city.

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY** the City Council of the City of Wenatchee to declare its support of the application for committed partner funding from the Community Economic Revitalization Board within the Department of Commerce in the amount of \$1,460,000 to be used for the purchase of right of way, removal and restoration of an existing warehouse located within the proposed right of way, and construction of an at-grade BNSF railroad crossing. Furthermore, the City of Wenatchee commits \$365,000 in local funding to match this grant as well as the debt service to support the repayment of the loan with a principal amount not to exceed \$1,460,000.

**PASSED BY THE CITY COUNCIL OF THE CITY OF  
WENATCHEE** at a regular meeting thereof this 25th 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

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**COUNCIL AGENDA REPORT**  
**City of Wenatchee**

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**TO:** Frank Kuntz, Mayor  
City Council

**FROM:** Steve King, Economic Development Director

**SUBJECT:** Purchase and Sale Agreement - North Wenatchee

**DATE:** May 22, 2017

**MEETING DATE:** May 25, 2017

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**I. OVERVIEW**

The city of Wenatchee has been in negotiation with property owners in the North Wenatchee area for the purchase of property for right of way and roadway development purposes.

Given this is a real estate transaction and the details are confidential in nature, the final documents will be presented at the City Council meeting and are not included in this agenda packet.

**II. ACTION REQUESTED**

*Staff recommends the City Council authorize the Mayor to negotiate final details and enter into a purchase and sale agreement with \_\_\_\_\_ .*

**III. FISCAL IMPACT Submitted to the Finance Committee Yes No**

The fiscal impact will be provided at the council meeting by staff.

**IV. PROPOSED PROJECT SCHEDULE**

Purchase of this property will facilitate construction of roadways over the next 3 years.

**V. REFERENCE(S)**

Final draft documents will be provided at the Council meeting. The documents represent negotiations with the seller. Minor modifications may be necessary prior to closing.

**VI. ADMINISTRATIVE ROUTING**

Tammy Stanger, City Clerk  
Allison Williams, Executive Services Director  
Brad Posenjak, Finance Director



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**COUNCIL AGENDA REPORT  
PUBLIC WORKS DEPARTMENT**

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**TO:** Frank Kuntz, Mayor  
City Council

**FROM:** Mitch Reister, Utilities Manager

**SUBJECT:** Amendment to Sewer Comprehensive Plan Contract

**DATE:** May 19, 2017

**MEETING DATE:** May 25, 2017

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**I. OVERVIEW**

Gray and Osborne, Inc. was hired in March of 2016 to update the City of Wenatchee Comprehensive Sewer Plan. A key component of the plan is addressing sewer extensions within the existing sewer system and out into Sunnyslope. Several options for financing the extension program have been reviewed and analyzed. The plan is now in a final draft. Staff would like to propose an amendment for the additional analysis of funding strategies and to complete any final revisions to the sewer comprehensive plan update.

**II. ACTION REQUESTED**

Staff recommends that the City Council approve Amendment No. 2 to the contract with Gray and Osborne, Inc. for the Sewer Comprehensive Plan Update, Project No. 1608, and authorize the Mayor's signature.

**III. FISCAL IMPACT Submitted to the Finance Committee Yes  No**

The proposed amendment would add \$42,200 to the existing contract with Gray and Osborne, Inc. With this amendment the total contract amount would be \$256,070. As of the March invoice, \$209,169.28 has been spent.

**IV. PROPOSED PROJECT SCHEDULE**

The financial analysis for the sewer comprehensive plan is complete and the final draft document is out for review. The public hearing and presentation to council for adoption of the plan will be on June 8<sup>th</sup>.

**V. REFERENCE(S)**

1. Wenatchee Sewer Plan -Scope of Work Amendment No. 2

**VI. ADMINISTRATIVE ROUTING**

Tammy Stanger, City Clerk  
Brad Posenjack, Finance Director



# Memorandum

**To:** Jay Swift, Gray & Osborne

**Date:** May 4, 2017

**Copy:** Matt Leonard, City of Wenatchee

**From:** Gordon Wilson, Senior Program Manager 

**RE:** Request for Amendment #2, Wenatchee Sewer Financial Plan

Following is a scope of work and budget for Amendment #2 to our contract with Gray & Osborne for a sewer financial plan and sewer extension program for the City of Wenatchee.

## A1. TASKS

This request is organized into two parts. Amendment Task 1 is for services already performed or specifically requested by the City already. Amendment Task 2 is a contingency for the remainder of the project, until the updated Sewer Comprehensive Plan and implementing ordinances are adopted by the City over the next month or two.

### *Amendment Task 1: Additional Analysis and Documentation*

Provide additional analysis in response to changes in the City Capital Improvement Program and changes in the design of the Sewer Extension Program. Make revisions to Draft Chapter 10 of the Sewer Comprehensive Plan incorporating the additional analysis. Participate in five additional meetings with City staff and/or City Council via conference call.

### *Amendment Task 2: Potential Additional Services*

Provide up to 20 hours of additional analysis, documentation, presentations, or assistance in drafting implementing ordinances as may be requested by the City as part of its review and approval process for the Sewer Comprehensive Plan and Sewer Extension Program.

## A2. BUDGET

As shown in the table below, our estimated cost of this work is \$20,500. The hourly rates are also shown on the table. The budget for our current contract (including Amendment #1) is \$69,900, so if Amendment #2 is approved, the total amended contract budget will be \$90,400.

<b>City of Wenatchee</b>														
<b>Sewer Financial Plan - Amendment #2</b>														
<b>FCS GROUP Proposed Budget</b>														
Tasks	Mtgs	Principal Johnson	Sr. Prog. Mgr. Wilson	Consultant Aaker	Analyst Langdon	Admin Support	Project Budget							
							Hours	Labor	Cost					
Hourly Rate ==>							\$255	\$205	\$155	\$125	\$80			
<b>Task 1: Additional Analysis and Documentation</b>							<i>Totals are rounded by task.</i>							
1.1			72.0				72.0	\$	14,760	\$	14,760			
1.2			8.0				8.0		1,640		1,640			
Task 1: Additional Analysis and Documentation			-	80.0	-	-	-	80.0	\$	16,400	\$	16,400		
<b>Task 2: Potential Additional Services</b>														
2.1			20.0				20.0	\$	4,100	\$	4,100			
Task 2: Potential Additional Services			-	20.0	-	-	-	20.0	\$	4,100	\$	4,100		
<b>Total Project:</b>														
Labor Hours			Hours:	-	100.0	-	-	-	100.0					
Labor Cost				\$	-	\$	20,500	\$	-	\$	-	\$	-	
Total Cost (rounded by task)												\$	20,500	

### A3. EXPLANATION

You deserve a word of explanation for this amendment request, since it is a sizable amount.

#### a) Amendment Task 1

Amendment Task 1 reflects the time required to adapt the financial model in response to new direction from City staff received at several points since last January, after the model was built and the technical analysis initially completed. During January and subsequent months, we have incorporated new CIP data to assume upsized trunk lines in Sunnyslope, acceleration of the Secondary Clarifier project, and other changes to CIP costs or schedule. We created a new CIP schedule that showed City infill projects at about \$1 million per year after 2019, updating not only the costs but also the ERUs and Local Facilities Charge (LFC) revenue. We tested alternative sewer rate increase strategies, eventually settling on the goal of a maximum of 6% per year. Over the past few months, we tested a variety of assumptions about connection requirements and incentive percentages, eliminating the fixed connection deadline first for Sunnyslope and later for the City infill areas. We first explored the impact of a reduced UGA and then developed a 20-year time horizon (rather than 30-year) for the LFC. We created a Sunnyslope local facilities surcharge, reducing the cost basis for the System Investment Fee (SIF). We created and tested alternative schedules for escalation of both the LFC and SIF over the next five years. Each change in assumptions about the LFC and SIF or connection requirements or discount percentage also requires that the forecast be re-balanced in order to keep the rate impact capped at 6% per year. Amendment Task 1 includes incorporation of the most recent City direction into the financial model and a significant revision to the Draft Chapter 10 that will be needed.

We have also been relied on for consultation throughout the decision-making process. The original scope of work envisioned six meetings with City staff and/or City Council. So far, we have participated in eleven meetings, either on site or remotely. Our planned budget for meetings has actually been adequate—because only three of the meetings were on-site and the other eight by conference call, additional time spent in meetings has been offset by reduced travel time. However, each meeting represents an iteration in the analysis—there is always time preparing the analysis for the next meeting, along with changes that we need to incorporate into the model as a result of the direction given in the meeting. So the number of meetings is a rough indicator of how many updates have been required to the analysis. In fact, if the total time in Amendment Task 1 is divided by five additional meetings (above the original budget), the result is an average of 16 hours per additional iteration of the analysis—which feels pretty realistic to me.

#### b) Amendment Task 2

Amendment Task 2 is for potential future work that might yet be needed. If no additional services are needed, then that cost would not be incurred. However, given the complexity and difficulty of what the City is undertaking, it seems prudent to add some kind of contingency for the remainder of the project, even though we all feel that we are nearing the finish line of this process.

### A4. CONCLUDING THOUGHTS

In addressing the problem of unsewered properties in the City and Sunnyslope UGA, the City is doing a significant thing that can have a positive impact on City growth for decades to come. If it were easy, this problem would have been solved ten years ago. We can expect there to be twists and turns in the process, as policymakers balance competing needs and create a structure for future development. So the fact that there have been numerous changes in City direction over the past five months is not a negative thing; it simply means that City managers and policymakers are taking the issue seriously. However, it does cost money to get through a decision-making process like this, and not all of it can be anticipated in advance. That is the “big picture” reason this amendment is needed.

Let me know if you have further questions.

**AMENDMENT NO. 2  
TO  
CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES  
G&O JOB NO. 16030**

THIS AMENDMENT, entered into this \_\_\_\_ day of \_\_\_\_\_ 2017, by and between the City of Wenatchee, Washington, hereinafter referred to as the Agency, and Gray & Osborne, Inc., hereinafter referred to as the Engineer, hereby modifies the contract for engineering services dated (by Agency) April 28, 2016, for additional services related to the Sewer Comprehensive Plan.

Add the attached Exhibit "A" covering the engineering services for the revisions associated with the Sewer Comprehensive Plan, with a "not to exceed" budget of \$42,200.00, as shown on the attached Exhibit "B."

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

**GRAY & OSBORNE, INC.**

**CITY OF WENATCHEE**

By: \_\_\_\_\_  
(Signature)

By: \_\_\_\_\_  
(Signature)

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

Name: Frank Kuntz, Mayor  
(Print)

Date: \_\_\_\_\_

Date: \_\_\_\_\_

"Equal Opportunity/Affirmative Action Employer"

## **EXHIBIT “A”**

### **SCOPE OF WORK AMENDMENT NO. 2 – UGA REVISIONS AND MEETINGS**

#### **CITY OF WENATCHEE SEWER COMPREHENSIVE PLAN**

This scope of work amendment identifies additional tasks to complete a Sewer Comprehensive Plan Amendment (Plan) and assist the City with revisions to the sewer code associated with the Plan. Estimated costs for the project are identified in the attached Exhibit B.

The following is a detailed description of the work to be performed under each task listed above.

#### **AMENDMENT TASK I – UGA REVISIONS**

- After the plan sewer flows were finished, we were asked to look at the impacts of expanding the UGA to include areas above Sunnyslope. We were also asked to look at impacts of potentially reducing the UGA in the Sunnyslope area.
- Examine land use, estimate populations, and develop sewer flows from expanded and reduced UGA.
- Model the sewer system with the flows from the expanded and reduced UGA area.
- Analyze system and collection system improvements required for serving expanded and reduced UGA area.
- Develop cost estimates for collection system improvements for expanded and reduced UGA area.
- Modify Plan to include updated CIP costs and future improvements if the UGA is reduced or expanded.

#### **AMENDMENT TASK II – COST ALTERNATIVES**

- Develop updated cost alternatives for chip seal restoration in Sunnyslope area.
- Develop updated cost alternatives for HMA overlay restoration in Sunnyslope area.
- Update CIP costs.

### **AMENDMENT TASK III – PUBLIC MEETING PREPARATION**

- Prepare service area figures for public meetings.
- Prepare figures showing parcels within 200 feet of proposed sewer for public meetings.

### **AMENDMENT TASK IV – ADDITIONAL MEETINGS**

- Attend additional meetings with public works staff to discuss changes to UGA, Project CIP costs, and financial policies. The original scope of work included up to four meeting/work sessions. Gray & Osborne has attended 15 meetings with public works staff and three council work sessions.

## EXHIBIT "B"

### ENGINEERING SERVICES SCOPE OF WORK AMENDMENT AND ESTIMATED COST

*City of Wenatchee - Sewer Comprehensive Plan Amendment No. 2*

Tasks	Principal Hours	Project Manager Hours	Project Engineer Hours
I UGA Revisions	4	16	32
II Cost Alternatives	2	8	16
III Public Meeting Preparation		2	8
IV Additional Meetings	8	32	20
Hour Estimate:	14	58	76
Fully Burdened Billing Rate Range:*	\$112 to \$176	\$115 to \$176	\$110 to \$142
Estimated Fully Burdened Billing Rate:*	\$145	\$140	\$125
Fully Burdened Labor Cost:	\$2,030	\$8,120	\$9,500

Total Fully Burdened Labor Cost:	\$ 19,650
Direct Non-Salary Cost:	
Subconsultant: FCS Group	\$ 20,500
Subconsultant Overhead (10%)	\$ 2,050
<b>TOTAL ESTIMATED COST:</b>	<b>\$ 42,200</b>

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

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**COMMUNITY DEVELOPMENT DEPARTMENT  
MEMORANDUM**

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**TO:** City Council  
Mayor Kuntz

**FROM:** Glen DeVries, Director  
John Ajax, Senior Planner

**SUBJECT:** **Workshop** - Small Cell Wireless Facilities Moratorium / Code Update

**DATE:** May 22, 2017 **MEETING DATE:** May 25, 2017

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**I. OVERVIEW**

Staff has conducted preliminary research into small cell wireless facilities and prepared a framework for draft zoning regulations for discussion. This information was presented to the Planning Commission on May 24 as a workshop.

**II. BACKGROUND**

On January 23, 2017, a six-month moratorium was enacted by the Wenatchee City Council for small cell wireless facilities. Small cell wireless facilities are a new technology being built by wireless telecommunication companies such as Verizon, AT&T, Sprint, T-Mobile to meet increasing demand for data transmission and signal coverage. The moratorium is intended to provide the time necessary for developing new code and permitting procedures directly related to this matter.

Small cell facilities are a dispersed group of small antennas that work in conjunction with larger cell towers. In many cities these antennas are being installed on utility poles within the right-of-way.

**III. ACTION REQUESTED**

Workshop / Discussion; no formal action

**IV. ATTACHMENT(S)**

a. Draft Code Update Wireless Communication Facilities

**V. ADMINISTRATIVE ROUTING**

Tammy Stanger  
Kim Schooley



**COMMUNITY DEVELOPMENT DEPARTMENT  
MEMORANDUM**

Wireless Moratorium (Ord. 2017-02) Work Plan.

<b>Tentative Timeline</b>	<b>Tasks</b>	<b>Notes</b>
<b>January 26, 2017</b>	City Council Emergency Adoption of six-month Moratorium on wireless facilities within the right-of-way; Ord. 2017-02	Effective upon passage - requires Public Hearing within 60 days. Six months ends on July 26, 2017
<b>March 23, 2017</b>	CC Public Hearing on Ordinance 2017-02	Establishes moratorium work plan
<b>March - May</b>	Research small cell facilities and provide outreach to local utility providers (Chelan County PUD) to begin framing code. Meet with service providers to understand facilities need. Begin initial code update framework.	
<b>May 3, 2017</b>	Present moratorium to Wenatchee Historic Preservation Board to obtain input on impacts to historic neighborhoods / buildings.	
<b>May 17, 2017</b>	Planning Commission Workshop	Provide draft for public / agency review
<b>May 25, 2017</b>	City Council Workshop to review PC recommendations for draft code update.	Conduct SEPA review analyzing environmental consequences that would result from the proposed changes.
<b>June 5, 2017</b>	Request Expedited Review - WA. State Department of Commerce.	
<b>June 21, 2017</b>	PC Public Hearing to review draft code and provide recommendation to CC.	<i>This date added after revision of timeline to make May 17 PC meeting a workshop.</i>
<b>June 22, 2017</b>	CC Public Hearing for consideration of code adoption	If approved, Ord. effective 30 days after publication in newspaper. Publication terminal date June 26, 2016
<b>July 26, 2017</b>	Six month moratorium end date	

#### 10.08.150 'W'

"Wireless communication antenna" means any exterior apparatus and supporting structures, less than 20 feet in height, designed for communication through the sending and/or receiving of electromagnetic waves for the purpose of providing the distribution of signals to other customers.

"Wireless communication facilities" or "WCF" means a staffed or unstaffed facility or location for the transmission and/or reception of radio frequency (RF) signals or other wireless communications or other signals for commercial communications purposes, typically consisting of one or more antennas or group of antennas, attachment support structure, transmission cables and other transmission equipment, and an equipment enclosure or cabinets. Small cell facilities and networks are included within the definition of wireless communication facilities: see specific definition(s) under WCC 10.08.130.

"Wireless communication tower" means any structure, greater than 20 feet in height, that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular towers, alternative tower structures, and the like. This definition does not include utility support structures such as utility poles, streetlights, traffic signals, or structures of a similar nature.

#### 10.08.130 "S"

"Small cell facility" means a wireless communication facility that meets both of the following qualifications:

(i) Each antenna is located inside an antenna enclosure of no more than three cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than three cubic feet; and

(ii) Primary equipment enclosures are no larger than seventeen cubic feet in volume. The following associated equipment may be located outside the primary equipment enclosure and if so located, are not included in the calculation of equipment volume: Electric meter, concealment, telecomm demarcation box, ground-based enclosures, battery back-up power systems, grounding equipment, power transfer switch, and cut-off switch.

"Small cell network" means a collection of interrelated small cell facilities designed to deliver personal wireless services through an interrelated network of spatially separated antenna nodes connected to a common source via a transport medium that provides wireless service within a geographic area. Including facilities similar in nature to small cell facilities, micro-cells, and Distributed Antenna Systems (DAS).

#### 10.48.230 Wireless communication facilities.

All wireless communication facilities, where allowed by Chapter 10.10 WCC, District Use Chart, shall meet the following standards unless otherwise regulated within this code:

(1) Wireless Communication Antennas. Wireless communication antennas are allowed as accessory uses in the RS, RL, RM, RH, and RMU zones, with the following minimum conditions:

(a) Antennas may be attached to any existing building or tower, except for one-, two-, three-, and four-unit dwellings;

(b) Installing of an antenna may be permitted, so long as the addition of said antenna adds no more than 20 feet to the height of said existing building or tower.

**Commented [JA1]:** From Spokane Code  
Purpose: The current zoning code section is named 'wireless communication facilities' without defining what that means. Added definition for clarity.

**Commented [JA2]:** Purpose: Language added to avoid confusion between utility poles and cell towers.

**Commented [JA3]:** Definitions (from RCW 80.36.375)  
Purpose: Definition included to be consistent with RCW.

**Commented [JA4]:** Purpose: Not allow commercial wireless antennas on residential structures throughout the entire city vs. only residential zones.

(c) All transmission equipment shall be concealed within existing architectural features to the maximum extent feasible. Any new architectural features proposed to conceal the transmission equipment shall be designed to mimic the existing underlying structure, shall be proportional to the existing underlying structure or conform to the underlying use and shall use materials in similar quality, finish, color and texture as the existing underlying structure.

(d) Any roof-mounted transmission equipment shall be set back from all roof edges to the maximum extent feasible.

(2) Amateur Radio, Receive-Only Antennas, Personal Wireless Services and Antennas. Amateur radio, receive-only antennas, personal wireless services and antennas are allowed in all Wenatchee zoning districts, but must adhere to the standards as defined in WCC [10.48.030](#) for accessory structures and placement behind residential setbacks.

(3) Personal Satellite Dishes. Personal satellite dishes are allowed in all Wenatchee zoning districts, but must adhere to the standards as defined in WCC [10.48.030](#), for accessory structures and for placement behind residential setbacks.

#### (4) Small Cell Wireless Facilities and Networks.

- a) A single permit may be used for multiple Small Cell Facilities that are part of a larger overall network; provided a right-of-way permit, building permit and/or SEPA compliance may be required.
- b) Land use review is not required for any Small Cell Facilities proposed for location on existing utility support structures within the right-of-way that do not increase height.
  - i) Small Cell Facilities are prohibited from being located in the right-of-way within the Grandview Historic District, excluding alleys.
  - ii) Small Cell Facilities are prohibited from being located in the right-of-way within the Historic Entertainment Overlay, excluding alleys.
- c) Type II review is required when a new utility support structure is proposed within the right-of-way or an existing utility support structure is modified for increased height. In no event shall an existing or new utility support structure, in the right-of-way, be increased in height more than fifteen (15) feet or exceed the zoned maximum height, whichever is less.
- d) Small Cell Facilities located outside of the right-of-way are allowed in all land use zones, subject to requirements of [10.48.230\(1\)](#).

**Commented [JA5]:** From Spokane Code (removed wording for 'towers')  
Purpose: Adds design criteria to lessen the visual impacts to surrounding areas.

**Commented [JA6]:** Purpose: Federal and State laws require public entities to allow for collocation of utilities in the right-of-way.

In the case of the HEO and GHD, most of the utilities are in alleys – idea is to allow but not visually impact street fronts in historic areas.

**Commented [JA7]:** Purpose: If an existing utility pole needs to be replaced or there is a gap in coverage, a new pole would be allowed with criteria.

**Commented [JA8]:** Purpose: this is intended to be consistent with current code that allows antennas on to be mounted on private property. Current buildings known to have antennas include the Coast Hotel, Hospital, and Cascadian apartments.

Uses	Commercial Districts				Mixed Use Districts			Residential Districts					Overlay Zones					
	CBD	NWBD/SWBD	CN	I	WMU	OMU	RMU	RF	RS	RL	RM	RH	HEO	CSO	MRC	IO	PO	RRO
Wireless communication antenna	AU	AU	AU	AU	AU	AU	AU	AU	AU	AU	AU	AU	AU	AU	AU	AU	AU	AU
Wireless communication tower	~	C	~	C	~	C	~	~	~	~	~	~	~	~	~	C	~	~

**10.65.350 Wireless communication towers.**

(1) Wireless communication towers shall be restricted to 150 feet in height for commercial zoning districts (CBD, NWBD, SWBD, I, and WMU) and 90 feet in height for residential zoning districts (RS, RL, RM, RH, CN, OMU, and RMU);

(2) Security fencing shall enclose all facilities, shall be no less than six feet in height, and shall be equipped with an appropriate anti-climbing device;

(3) Perimeter and street frontage landscaping shall be located outside of the fenced area;

(4) Accessory equipment facilities used to house wireless communications equipment should be located within buildings or placed underground when possible. When they cannot be located in buildings, equipment shelters or cabinets shall be screened and landscaped in conformance with Chapter [10.62](#) WCC, as amended;

(5) Site location and development shall preserve the pre-existing character of the surrounding buildings and land uses and the underlying zoning district to the extent consistent with the function of the communications equipment. Wireless communication towers shall be integrated through location and design to blend in with the existing characteristics of the site to the extent practical. Existing on-site vegetation shall be preserved or improved, and disturbance of existing topography shall be minimized, unless such disturbance would result in less visual impact of the site to the surrounding area;

(6) A study shall be provided showing that the structure is required for present and future network coverage, that the height requested is the minimum necessary to provide for the function and potential collocated antennas and why the antennas could not be collocated on an existing structure;

(7) Visual impacts shall be minimized to the greatest extent possible by maximum feasible use of camouflage or screening, including but not limited to fencing, landscaping, strategic placement adjacent to existing buildings or live or simulated vegetation, undergrounding of accessory equipment structures, incorporation of wireless communications support structures, antennas and other appurtenances into the architectural features of existing buildings or structures and by requiring compatibility with key design elements in the surrounding area; for example, use of brick or other material similar to that used in adjacent buildings or structures, incorporation of support structures into compatible architectural features such as flag poles, bell towers or cornices, or use of simulated vegetation to camouflage support structures. (Ord. 2010-03 § 1 (Exh. A); Ord. 2007-34 § 2 (Exh. A))

## Application Submittal Requirements

In addition to the application form requirements identified in WCC 13.05.010, applications for wireless communication facilities shall include the following information.

- A. Requirement for FCC Documentation. The applicant shall provide a copy of:
1. its documentation for FCC license submittal or registration, and
  2. the applicant's FCC license or registration.
- B. Site plans. Complete and accurate plans and drawings to scale, prepared, signed and sealed by a Washington-licensed engineer, land surveyor and/or architect, including (1) plan views and all elevations before and after the proposed construction with all height and width measurements called out; (2) a depiction of all proposed transmission equipment; (3) a depiction of all proposed utility runs and points of contact; and (4) a depiction of the leased or licensed area with all rights-of-way and/or easements for access and utilities in plan view.
- C. Structural Assessment. The applicant or owner of a proposed WCF shall provide a structural construction assessment of the support facility or tower, conducted by a professional engineer, licensed in the State of Washington, which shall be submitted with the application for a building permit.
- D. Visual analysis. A color visual analysis that includes to-scale visual simulations that show unobstructed before-and-after construction daytime and clear-weather views from at least four angles, together with a map that shows the location of each view.
- E. Statement of Purpose/RF Justification. A clear and complete written Statement of Purpose shall minimally include: (1) a description of the technical objective to be achieved; (2) a to-scale map that identifies the proposed site location and the targeted service area to be benefited by the proposed project; and (3) full-color signal propagation maps with objective units of signal strength measurement that show the applicant's current service coverage levels from all adjacent sites without the proposed site, predicted service coverage levels from all adjacent sites with the proposed site, and predicted service coverage levels from the proposed site without all adjacent sites. These materials shall be reviewed and signed by a Washington-licensed professional engineer or a qualified employee of the applicant. The qualified employee of the applicant shall submit his or her qualifications with the application.
- F. Design justification. A clear and complete written analysis that explains how the proposed design complies with the applicable design standards under this chapter to the maximum extent feasible. A complete design justification must identify all applicable design standards under this chapter and provide a factually detailed reason why the proposed design either complies or cannot feasibly comply.
- G. Radio frequency emissions compliance report. A written report, prepared, signed and sealed by a Washington-licensed professional engineer or a competent employee of the applicant, which assesses whether the proposed WCF demonstrates compliance with the exposure limits established by the FCC. The report shall also include a cumulative analysis that accounts for all emissions from all WCFs located on or adjacent to the proposed site, identifies the total exposure from all facilities and demonstrates compliance with all maximum permissible exposure limits established by the FCC. The report shall include a detailed description of all mitigation measures required by the FCC.

- H. Noise study. A noise study, prepared, signed and sealed by a Washington-licensed engineer, for a proposed WCF and all associated equipment, consistent with WCC Chapter 6A.40.
- I. Collocation consent. A written statement, signed by a person with the legal authority to bind the applicant and the project owner, which indicates whether the applicant is willing to allow other transmission equipment owned by others to collocate with the proposed wireless communication facility whenever technically and economically feasible and aesthetically desirable.
- J. Other published materials. All other information and/or materials that the City may, from time to time, make publicly available and designate as part of the application requirements.