



WENATCHEE CITY COUNCIL

Thursday, June 8, 2017

Wenatchee City Hall
129 South Chelan
Wenatchee, WA 98801

AGENDA

4:30 p.m. Executive Session

Executive session to consider 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)), and to discuss with legal counsel representing the agency matters relating to potential litigation to which the agency is likely to become a party when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency (RCW 42.30.110(1)(i)).

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 #181902 through #181960 in the amount of \$152,678.01 for May 25, 2017

Claim checks #181961 through #181972 in the amount of \$10,540.09 for May 26, 2017

Wires #1415 through #1416 in the amount of \$34,457.44 for May 26, 2017

Benefit/deduction checks in the amount of \$733,840.57 for May 31, 2017

Claim checks #181973 through #182050 in the amount of \$465,239.95 for June 1, 2017

Payroll distribution in the amount of \$405,242.04 for June 5, 2017

Payroll distribution in the amount of \$961.16 for June 5, 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.

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.)

4. Presentations.

- General Aviation Appreciation Month Proclamation
- Julio Cruz Day Proclamation

5. Public Hearing Item.

The Mayor will call the Public Hearing to order and state the ground rules, the purpose of the hearing, the action that the hearing body may take on the matter, will address the appearance of fairness doctrine, and will state the manner in which the hearing will proceed. Staff will first give a report, followed by testimony of experts and/or the applicant, followed then by public testimony. All speakers must speak into the microphone and clearly state their names and addresses. All comments should be addressed to the hearing body, should be relevant to the application, and should not be of a personal nature. Public testimony may be limited to three minutes, unless further time is granted by the Mayor. If there are a large number of speakers, a representative may be appointed to speak on behalf of the group.

A. Amendments to the Wenatchee Urban Area Comprehensive Plan Presented by Community Development Staff

Resolution No. 2017-35, amending the Wenatchee Urban Area Comprehensive Plan, the Sunnyslope Sub-Area Plan and adopting two new sub-area plans, that is to say the North Wenatchee Master Plan and the South Wenatchee Action Plan.

Amendments to the City of Wenatchee Zoning Code

Ordinance 2017-12, amending the official zoning map of the City of Wenatchee under Title 10 Zoning, City of Wenatchee Code.

B. Sewer Comprehensive Plan Update Presented by Mitch Reister, Utilities Manager

Motion for City Council to adopt the City of Wenatchee Sewer Comprehensive Plan Update, May 2017.

City Code Changes to Support the Comprehensive Sewer Plan
Presented by Mitch Reister, Utilities Manager

Ordinance No. 2017-11, amending Chapter 4.08 WCC relating to sewers – rates and charges.

6. Action Items.

C. Planning Commission Appointment of John Brown Presented by Glen DeVries, Community Development Director

Resolution No. 2017-34, appointing a voting representative to the Wenatchee Planning Commission to fill an unexpired term ending December 31, 2019 (John Brown).

- D. Bid Award for the Mission and Crawford Improvements Project 1409
Presented by Gary Owen, City Engineer

Motion for City Council to authorize the Mayor to award project No. 1409 to the lowest responsible bidder with the recommendation of Public Works staff, and further authorize the Mayor to sign the construction contract documents.

- E. Pavement Management System Development Project #1511 Supplement #3
Presented by Gary Owen, City Engineer

Motion for City Council to approve Supplement #3 with NCE for additional professional pavement management services associated with the project no. 1511 and further authorize the Mayor to sign the supplement on behalf of the City.

- F. Memorandum of Understanding for Public-Private Partnership
Presented by Steve King, Economic Development Director

Motion for City Council to approve a Memorandum of Understanding with LocalTel regarding the intent of the City to purchase a portion of the Federal Building and establish a public-private partnership.

- G. Morley Annexation Petition – Setting Public Hearing
Presented by Glen DeVries, Community Development Director and Matt Parsons, Associate Planner

Resolution No. 2017-36, fixing time for public hearing on petition for annexation of an unincorporated area north of Maple Street and west of the Pershing Street also known as the Morley Annexation Area.

7. Reports.

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

8. Announcements.

9. Adjournment.



DRAFT

WENATCHEE CITY COUNCIL MEETING

Thursday, May 24, 2017

Wenatchee City Hall

129 South Chelan

Wenatchee, WA 98801

MINUTES

In attendance:

Mayor Frank Kuntz
Councilmember Jim Bailey
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
Economic Development Director Steve King
Utilities Manager Mitch Reister
Planning Director Glen DeVries
Senior Planner John Ajax
Finance Director Brad Posenjak
City Engineer Gary Owen

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 Ruth Esparza led the Pledge of Allegiance. All Councilmembers were present.

2. Consent Items:

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

Motion to approve the consent items with an amendment to the Agenda by switching the order of B and C for consideration by Councilmember Mark Kulaas. Councilmember Jim Bailey seconded the motion. Motion carried (7-0).

3. Citizen Requests/Comments.

Joe Marlowe, 1300 Kittitas Street, spoke of his concerns with code enforcement in his neighborhood. The Mayor stated he would check into it and get back to Mr. Marlowe within the following week.

4. Presentations.

- Memorial Day Proclamation read by Councilmember Jim Bailey, The Mayor presented the Proclamation to local Veterans Advocate Patricia Hail who invited everyone to the Memorial Day ceremonies scheduled for Monday at 10:00 a.m. at the courthouse and at the bridge, and at 11:00 a.m. at the Wenatchee Cemetery.
- Employee Recognition – Carolyn Griffin-Bugert was present and thanked the Council for the partnership with the City and the School District’s After School Program. Environmental Technician Paula Salter was recognized for her good work and dedication of time educating the students in the program about water quality.

5. Action Items.

A. Appointment to the Diversity Advisory Committee

Executive Services Director Allison Williams presented the staff report.

Motion to approve Resolution No. 2017-32, appointing a member to the Diversity Advisory Committee to fill an open three (3) year term (Charity Bergman) by Councilmember Linda Herald. Councilmember Keith Huffaker seconded the motion. Motion carried (7-0).

B. Purchase and Sale Agreement – North Wenatchee

Economic Development Director Steve King presented the staff report. Ben Faubian, who represents NW Wholesale in the transaction, was also present. Council asked questions.

Motion for City Council to authorize the Mayor to negotiate final details and enter into a purchase and sale agreement with NW Wholesale and Michelson Packaging by Councilmember Mark Kulaas. Councilmember Mike Poirier seconded the motion. Motion carried (7-0).

C. Resolution in Support of CERB Application

Economic Development Director Steve King presented the staff report. Council asked questions.

Motion to approve 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 by Councilmember Linda Herald. Councilmember Ruth Esparza seconded the motion. Motion carried (7-0).

D. Amendment to Sewer Comprehensive Plan Contract

Utilities Manager Mitch Reister presented the staff report. Council commented.

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 by Councilmember Jim Bailey. Councilmember Lyle Markhart seconded the motion. Motion carried (7-0).

6. Work Session

E. Small Cell Wireless Facilities Moratorium/Code Update

Community Development Director Glen DeVries and Senior Planner John Ajax presented an overview of the proposed code updates, including examples of designs, components of small cell wireless facilities, considerations, and legalities.

Staff recommends extending the moratorium for an additional six months to work through design standards. Council would like to take a look at the Spokane model and would like to see provisions for pole standards.

City Attorney Steve Smith mentioned that there is an effort in the state legislature to preempt local jurisdictions to regulate small cell towers, which could happen in the current special session.

7. Reports.

- a. Mayor's Report – The Mayor reported on the following:
- He thanked staff for the good work on the real estate transaction;
 - Finance Committee met today and sales tax is looking good.
 - He has a lot of presentations and out-of-town meetings coming up.
 - He stated that the city continues to hire exceptional people – most recently Aaron Kelly who comes to us from Waste Management.
 - June 8 is expected to be a long meeting with the Comprehensive Plan and Sewer Comprehensive Plan scheduled for public hearing.
 - George Larsen was in the audience and stated he and many of his neighbors are in support of the Sewer Comprehensive Plan.

b. Reports/New Business of Council Committees

- Councilmember Keith Huffaker stated that he has received a proposed Interlocal Agreement with Chelan County Solid Waste for consideration. He will forward that to staff. A presentation from Chelan County Solid Waste will be scheduled for an upcoming work session.

8. Announcements. None.

9. Adjournment. With no further business the meeting adjourned at 6:41 p.m.

Frank J. Kuntz, Mayor

Attest:

Tammy L. Stanger, City Clerk

Proclamation

WHEREAS, the City of Wenatchee, in the state of Washington, has a significant interest in the continued vitality of general aviation, aircraft manufacturing, aviation educational institutions, aviation organizations and community airports; and

WHEREAS, general aviation and the Pangborn Memorial Airport have an immense economic impact on Wenatchee; and

WHEREAS, general aviation not only supports Washington's economy, it improves overall quality of life by supporting emergency medical and healthcare services, law enforcement, firefighting and disaster relief, and by transporting business travelers to their destinations quickly and safely; and

WHEREAS, the nation's aviation infrastructure represents an important public benefit, and Congressional oversight should be in place to ensure stable funding of this system;

NOW THEREFORE, I, Frank J. Kuntz, Mayor of the City of Wenatchee, do hereby proclaim general aviation a vital strategic resource to the City of Wenatchee and declare June as GENERAL AVIATION APPRECIATION MONTH in the City of Wenatchee.

IN WITNESS WHEREOF, I hereby set my hand and cause the seal of the City of Wenatchee to be affixed on this 24th day of May, 2017.




FRANK J. KUNTZ, Mayor

Proclamation

1
2
3 A PROCLAMATION SETTING THURSDAY, JUNE 29TH AS JULIO CRUZ DAY IN
4 WENATCHEE.

5
6 WHEREAS, Julio Cruz – aka “The Cruiser” as known to Seattle Mariner fans from 1977 –
7 1983;

8
9 AND, WHEREAS, Julio Cruz was born in Brooklyn New York and went to college at San
10 Bernardino Valley College and entered the major league farm system with the
11 California Angels;

12
13 AND WHEREAS, The Cruiser had the Mariner record for the most stolen bases six years in a
14 row, stealing more than 40 bases and a Mariner career of 290 stolen bases;

15
16 AND WHEREAS, Julio Cruz’ Major League debut was July 4, 1977 with the Seattle Mariners
17 having joined the team from a San Diego Padre farm club;

18
19 AND WHEREAS, Julio Cruz was the Mariner’s starting second baseman for six seasons –
20 known for his great speed;

21
22 AND WHEREAS, Julio Cruz was inducted into the Hispanic Heritage Baseball Museum Hall
23 of Fame in 2004;

24
25 AND WHEREAS today Julio Cruz is still a Mariner, announcing Mariner games in Spanish;

26
27 AND WHEREAS Julio Cruz has been an inspiration and mentor to many young ball players,
28 especially within the Hispanic/Latino community;


29
30 AND WHEREAS Julio Cruz is coming to Wenatchee on Thursday, June 29th to help the PUD
31 and the AppleSox celebrate **PUD Night at the AppleSox**,

32
33 AND WHEREAS, Chelan County PUD provides low cost, reliable, clean, carbon-free and
34 renewable hydropower to nearly 33,000 customer-owners in the City of Wenatchee;

35
36 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF WENATCHEE,
37 WASHINGTON THAT: WE welcome Julio Cruz to the Wenatchee Valley and commend his
38 efforts for working with all youth to build self-esteem and a sense of achievement, we hereby
39 declare Thursday, June 29th Julio Cruz Day in Wenatchee by this proclamation.

40
41 Adopted by the Wenatchee City Council the 8th day of June, 2017, and signed by me in
42 open session in authentication of its adoption this 8th day of June, 2017.





Mayor Frank J. Kuntz

TO: Wenatchee City Council
FROM: Community Development Staff
SUBJECT: Proposed Amendments to the Wenatchee Urban Area Comprehensive Plan
DATE: June 4, 2017 HEARING DATE: June 8, 2017

I. OVERVIEW

The Washington State Growth Management Act requires periodic review and, if necessary, revision of the Wenatchee Urban Area Comprehensive Plan. The City of Wenatchee completed a comprehensive update of the plan in 2006. The intent of the 2016-2017 update process was to consider strategic amendments as necessary to build upon the process from 2006 and meet state update requirements. The City established a process and schedule for public participation with the adoption of a Public Participation Plan under Resolution No. 2016-13.

The City of Wenatchee Planning Commission held a series of 10 workshops for the purposes of reviewing and updating each of the elements of the comprehensive plan. Notice of this process was provided to a master list of current and prior stakeholders involved in planning in the community and the public was invited to attend the workshops. The public was invited to track progress on the update process by signing up with email notifications of workshops and hearings and reviewing web postings for draft materials.

On January 22, 2017, a 60 day public review and comment period and environmental review was issued by the City. This notice identified opportunities for public comment through additional workshops, an open house and public hearings before the City of Wenatchee Planning Commission and Wenatchee City Council. The City of Wenatchee Planning Commission held a “drop in” open house on February 15, in the Council Chambers of Wenatchee City Hall, 129 South Chelan Avenue, Wenatchee. The two new proposed comprehensive sub-area plans also included additional public outreach components with the public and stakeholders. Written comments and public testimony were reviewed and considered in the review and adoption process.

ACTION REQUESTED

On April 19, 2017, the City of Wenatchee Planning Commission held a public hearing on the following proposals:

- *Amendments to the Wenatchee Urban Area Plan text, goals, policies, exhibits and studies reflecting the 2016-2017 comprehensive plan update process in*

compliance with the 8 year cycle update requirements of the Washington State Growth Management Act under RCW 36.70A.130. Plan amendments also include the addition of the Live-Work Corridor Designation (LWC). Accompanying zoning map and text amendments for the new designation will be developed in a future process. Multiple land use designation map amendments are proposed in the urban growth area both north and south of the Wenatchee River in city limits and within unincorporated areas amending the Wenatchee Urban Area Plan and Sunnyslope Sub-Area Plan. Zoning map amendments, under Title 10, WCC, within city limits for existing land use designation categories are being reviewed concurrently with the comprehensive plan land use map designation changes and would be considered for adoption subsequent to the land use designation amendments under a separate adopting ordinance.

- *As a component of the update process, two new sub-area plans are being proposed for adoption, the North Wenatchee Master Plan and the South Wenatchee Action Plan. Adoption of the North Wenatchee Plan is being adopted with limitations and policy guidance on its applicability and future steps for implementation in coordination with property owners.*

This public hearing was continued until May 17, 2017 at 5:30 P.M. at the City of Wenatchee Council Chambers for the purpose of providing additional time for staff review and analysis of public and agency comments. At the conclusion of the May 17, 2017 Public Hearing, the Planning Commission forwarded a recommendation of approval to the Wenatchee City Council for consideration. The Wenatchee City Council has held a series of three workshops to review the draft proposals.

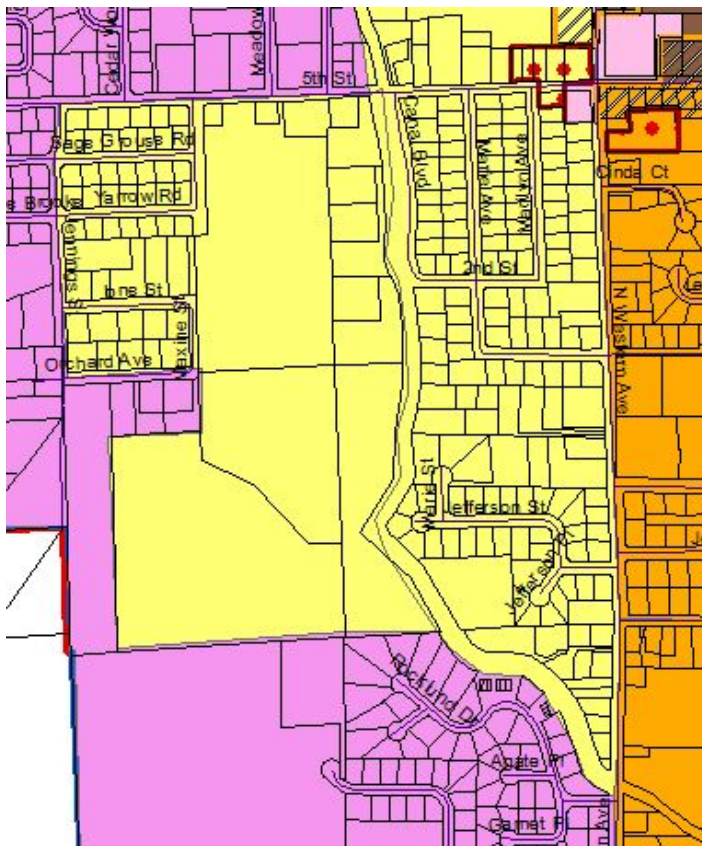
Planning staff is recommending a number of minor changes in the Land Use, Housing and Land Capacity Analysis which would amend the Planning Commission's recommendation in order to be consistent with the City of Wenatchee updated Sewer Plan, also before the Council for consideration at the June 8, 2017 Council Session. The Planning Commission was informed at their public hearing that minor changes would be proposed to maintain consistency. The proposed amendments, and staff reports to the Planning Commission with public and agency comments can be reviewed on the City of Wenatchee Website on the internet by selecting the "2017 60-Day Review" link under the heading of "Current Projects" in the Community and Economic Development Section of the Government heading on the City of Wenatchee website: www.wenatcheewa.gov. Alternatively the following link may be utilized: <http://www.wenatcheewa.gov/government/community-and-economic-development/comprehensive-plan/2016-2017-comprehensive-plan-update-process>. The materials are listed under the heading of, Draft Documents.

At the last workshop before the Wenatchee City Council on May 18, 2017, the Planning Commission recommendation, and public and agency comments were reviewed by the Council. Questions were posed specifically on two components of the Planning

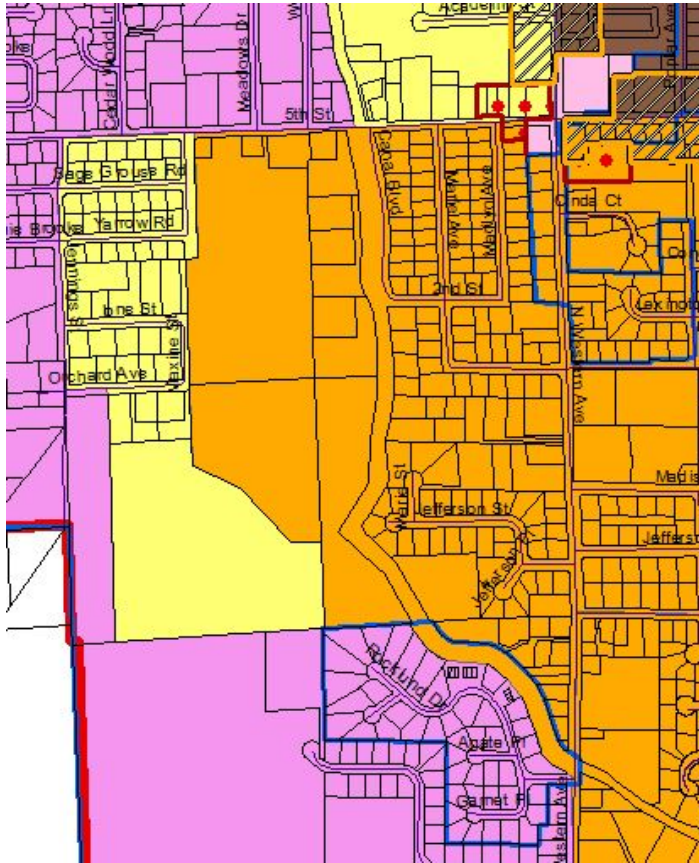
Commission's recommendation. Planning staff has provided the Council a summary of the questions below with a brief summary analysis. Should the Council determine that a change is warranted on one or both of these issues, alternative options have been provided in the form of findings and motions for the Council's consideration that could amend the Planning Commission's recommendation.

Question 1/(Option A): Changing the land use designation of an area in West Wenatchee from Residential Low (RL) to Residential Moderate (RM) and Residential Single Family (RS) to Residential Low (RL). The purpose of this change is to accommodate higher densities than previously permitted on this level, easy to develop land. Multiple property owners have requested this change to increase the range of opportunities in the types of housing units and assist in making it cost effective to construct necessary infrastructure. The question discussed at the Council workshop is whether the increase in density is appropriate with the character of the area.

Existing (Residential Low Density- Yellow, Residential Moderate- Orange, Residential Single Family-Purple) (Option A)



Proposed Recommendation of the Planning Commission



The existing comprehensive plan establishes that the Residential Low Land Use Designation has a maximum density of 8 dwelling units per acre, and a standard minimum lot size of 7,000 square feet prior to a planned development under the zoning code. The Residential Moderate Land Use Designation has a maximum density of 20 dwelling units per acre, and a standard minimum lot size of 6,000 square feet prior to a planned development. In each district, planned developments must review and incorporate appropriate design components to consider compatibility with surrounding neighborhoods. The largest vacant parcels in the area of the proposal, requested by the land owners, were 16.35, 9.60, 2.20, and 9.0 acres in size. The combined increase in potential housing units in these parcels at the maximum density is 446 housing units. This calculation is overly simplistic as it does not factor in site needs, infrastructure, constraints, building compatibility with surrounding areas, planned development criteria, etc.

Existing Plan Policies:

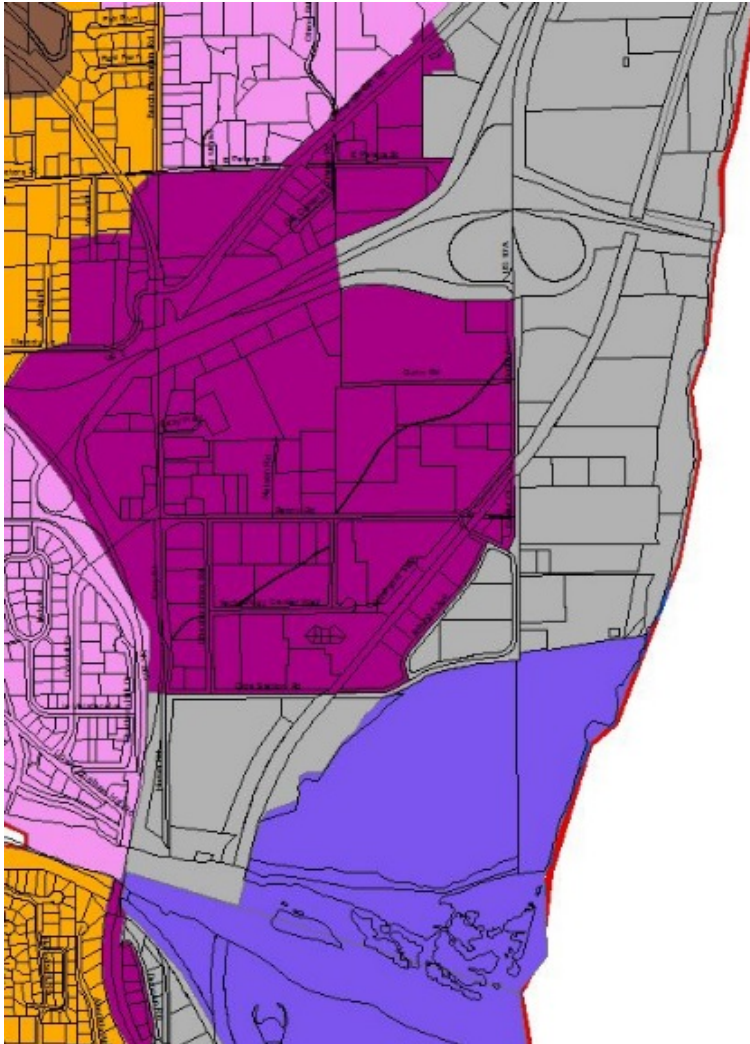
Policy 2, under the Residential Development Goal of the Land Use Element of the Wenatchee Urban Area Comprehensive Plan: Discourage lower density development on flat, easily developed ground.

Policy 5, under the Residential Development Goal of the Land Use Element of the Wenatchee Urban Area Comprehensive Plan: Adopt more flexible design standards for residential development that will permit the construction of different housing types compatible with surrounding neighborhoods.

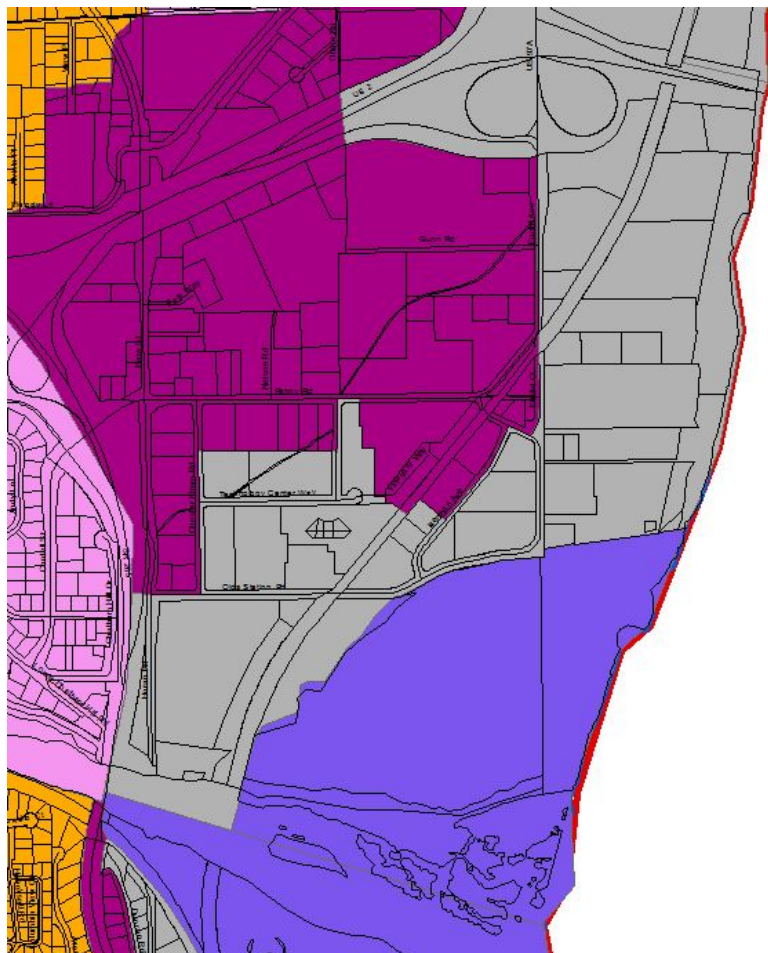
If the City Council prefers the current land use designations for this area "Option A", a draft finding of fact and motion to amend the Planning Commission's recommendation is provided below.

Question 2/(Option B): A change in land use designations for an area in Olds Station which is currently designated industrial and contains a number of nonconforming commercial uses, expanding the North Wenatchee Business District (NWBD) designation to the east. The question raised at the City Council Workshop was whether the original staff recommendation reviewed at the public hearing was preferable. The rationale for staff's recommendation is contained in the Supplemental Staff Report dated May 10, 2017, in response to the Chelan County Port District's comments.

Staff Recommendation for the Planning Commission Hearings (Option B)



Planning Commission Recommendation to City Council in response to written and verbal testimony from the Chelan County Port District



If the City Council chooses to amend the Planning Commission Recommendation, preferring “Option B”, staff’s original recommendation for the Planning Commission Hearing, a draft finding of fact and motion to amend the Planning Commission’s recommendation is provided below.

A draft motion for the Wenatchee City Council’s consideration:

Draft Motion: I move to approve Resolution 2017-35, amending the Wenatchee Urban Area Comprehensive Plan, the Sunnyslope Sub-Area Plan and adopting two new sub-area plans, that is to say the North Wenatchee Master Plan and the South Wenatchee Action Plan.

Potential Amendments to the Planning Commission Recommendation. If choosing to make an amendment, the draft motion above can be used with the addition of the following statement-**with the following amendment(s):**

Option A: Amending the proposed land use designation map of the Land Use Element in the Wenatchee Urban Area Comprehensive Plan in Exhibit “B”, and land use designation map amendments specifically identified in Exhibit “E” of this Resolution consistent with Option A of this June 4, 2017 Agenda Report and incorporating the following finding of fact in Exhibit “A” of this Resolution.

Finding: The proposed expansion of the Residential Moderate Land Use Designation is not compatible with the residential densities and character within and adjacent to the proposal.

Option B: Amending the proposed land use designation map of the Land Use Element in the Wenatchee Urban Area Comprehensive Plan in Exhibit “B”, and land use designation map amendments specifically identified in Exhibit “E” of this Resolution consistent with Option B of this June 4, 2017 Agenda Report and incorporating the following finding of fact in Exhibit “A” of this Resolution.

Finding: The recommended boundary for the proposed expansion of the North Wenatchee Business District in Olds Station identified in the April 19, 2017 and May 17, 2017 Planning Commission Hearing proposal provides:

- A more cohesive logical boundary for the North Wenatchee Business District;
- Supports the implementation of the Sunnyslope Sub-Area Plan by facilitating a step towards the inclusion of residential uses, potentially mixing apartments or condominiums and services along with or in proximity to office or industrial development;
- Supports the opportunity to expand or establish new light industrial uses in the North Wenatchee Business District expansion area;
- Recognizes that the Chelan County Port District through the sale of properties, has established a series of non-industrial uses within properties previously owned by the Chelan County Port District;
- Recognizes that light industrial uses are desirable and should be reviewed and sited through a review process that considers the unique needs for

light industrial uses and provides for compatibility in relation to existing and future non-industrial uses; and

- Supports a process to encourage the Chelan County Port District to revise existing covenants which do not align with the current comprehensive plan, the implementing zoning standards, and the proposed amendments, in order to provide clarity and encouragement for existing and future development consistent with the comprehensive plan.

Staff will be available at the public hearing to support the Council for any modifications in review of the proposed Resolution.

II. FISCAL IMPACT

No known fiscal impacts can directly be attributed to the proposed amendments to Wenatchee City Code.

III. PROPOSED PROJECT SCHEDULE

If adopted by the Wenatchee City Council, Community and Economic Development staff would provide notice to the Washington State Department of Commerce of the adoption, completing the process with a 60 day appeal period required by RCW 36.70A.

IV. REFERENCE(S)

1. Draft Resolution No. 2017-35, including Exhibits A-E

RESOLUTION NO. 2017-35

A RESOLUTION, amending the Wenatchee Urban Area Comprehensive Plan, the Sunnyslope Sub-Area Plan and adopting two new sub-area plans, that is to say the North Wenatchee Master Plan and the South Wenatchee Action Plan.

WHEREAS, the City of Wenatchee has adopted the Wenatchee Urban Area Comprehensive Plan and a series of sub-area comprehensive plans pursuant to the Growth Management Act (GMA), RCW Chapter 36.70A, which cover the Wenatchee Urban Growth Area and all incorporated areas within the City of Wenatchee, that have been found to be consistent with each other and with the adopted GMA plans of the adjoining jurisdictions; and

WHEREAS, the City of Wenatchee Planning Commission has transmitted a recommendation of approval to this Council regarding amendments to the Wenatchee Urban Area Comprehensive Plan; and

WHEREAS, the Wenatchee City Council held a public hearing on the proposed amendments, considered public testimony and the record, and made limited amendments to the Planning Commission's recommendation; and

WHEREAS, notice of all public hearings on this matter have been published according to law; and

WHEREAS, the Wenatchee City Council adopt the Findings of Fact and Conclusions of Law as set forth in Exhibit "A" and incorporate them in this Resolution by this reference as though fully set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE, that the following amendments to the Wenatchee Urban

Area Comprehensive Plan shall be and hereby are adopted as set forth in Exhibits “B” – “E” attached hereto and incorporated herein by this reference.

BE IT FURTHER RESOLVED, that this resolution shall be effective immediately.

PASSED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE this 8th day of June, 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”

Findings of Fact:

1. The City of Wenatchee has adopted the Wenatchee Urban Area Comprehensive Plan and a series of sub-area comprehensive plans pursuant to the Growth Management Act (GMA), RCW Chapter 36.70A, which cover the Wenatchee Urban Growth Area and all incorporated areas within the City of Wenatchee, that have been found to be consistent with each other and with the adopted GMA plans of the adjoining jurisdictions.
2. The City of Wenatchee Planning Commission is responsible for long range planning matters and providing implementation recommendations to assure compliance with the Growth Management Act for the City of Wenatchee Urban Growth Area in coordination with Chelan County and within the incorporated boundaries of the City of Wenatchee. These measures include updates and amendments to the comprehensive plan, development regulations, environmental regulations, and any other rules, actions or regulations deemed necessary to implement the Growth Management Act.
3. The schedule established by the Growth Management Act in RCW 36.70A.130(5)(c) mandates the City of Wenatchee to take action to review and, if necessary, revise its comprehensive plan to ensure compliance with the Growth Management Act prior to June 30, 2017.
4. The City of Wenatchee completed a comprehensive update of the Wenatchee Urban Area Plan in 2006. The intent of the 2017 update process was to consider strategic amendments as necessary to build upon the process from 2006 and meet state update requirements.
5. The City established a process and schedule for public participation with the adoption of a Public Participation Plan under Resolution No. 2016-13.
6. The City of Wenatchee Planning Commission held a series of 10 workshops between April 2016 and January 2017 for the purposes of reviewing and updating each of the elements of the comprehensive plan. Notice of this process was provided to a master list of current and prior stakeholders involved in planning in the community and the public was invited to attend the workshops. The public was invited to track progress on the update process by signing up with email notifications of workshops and hearings and reviewing web postings for draft materials.
7. On January 22, 2017, a 60 day public review and comment period and environmental review was issued by the City of Wenatchee on the proposed amendments. Notification was published in the Wenatchee World on January 22, 2017. Additional notices were provided to local, regional and state agencies for the 60 day review and comment period/environmental review; and to interested parties, the press, and landowners within proposed area-wide comprehensive plan and rezone amendments.
8. The City of Wenatchee Planning Commission held a “drop in” open house on February 15, 2017 from 4:00PM to 6:00PM in the Council Chambers of

- Wenatchee City Hall to provide information on the comprehensive plan update process and encourage public comments.
9. The City of Wenatchee Planning Commission held a workshop on March 15, 2017 in the City Council Chambers of Wenatchee City Hall for the purposes of reviewing public comments.
 10. A notice of intent to adopt amendments was submitted to the Washington State Department of Commerce on January 20, 2017 along with draft amendments.
 11. A periodic Update Checklist for Cities, Washington State Department of Commerce, was completed documenting compliance with the comprehensive plan update requirements and provided to the Department of Commerce on March 30, 2017.
 12. On April 19, 2017, the City of Wenatchee Planning Commission conducted an advertised public hearing. The City of Wenatchee Planning Commission continued the Public Hearing to May 17, 2017, in the Council Chambers of Wenatchee City Hall, Wenatchee, WA at 5:30 P.M. The Planning Commission entered into the record the files on this amendment, accepted public testimony at both hearings, and deliberated the merits of the proposal.
 13. The City of Wenatchee Planning Commission has reviewed the entire record including the goals and policies of the comprehensive plan and public testimony as it relates to the proposed amendments to the Wenatchee Urban Area Comprehensive Plan.
 14. On June 8, 2017, the Wenatchee City Council conducted an advertised public hearing. The Wenatchee City Council entered into the record the files on the amendments, accepted public testimony, and deliberated the merits of the proposal.
 15. The Wenatchee City Council has reviewed the entire record including the goals and policies of the comprehensive plan and public testimony as it relates to the proposed amendments to the Wenatchee Urban Area Comprehensive Plan.
 16. The City of Wenatchee issued a determination of non-significance (DNS) and adopted by reference the existing Final Supplemental Environmental Impact Statement for the Wenatchee Urban Area Comprehensive Plan Update 2006, adopted April 4, 2007, on February 17, 2017 with respect to the proposed amendments.
 17. Public and agency comments were reviewed and considered during the review and development of amendments to the Wenatchee Urban Area Plan.
 18. The April 12, 2017 Staff Report to the City of Wenatchee Planning Commission generally summarized updates to each component of the Wenatchee Urban Area Plan including two new sub area plans, the North Wenatchee Master Plan and South Wenatchee Action Plan. These proposed amendments are in response to changing needs and opportunities in the community and provide direction and guidance for the City to move forward implementing new and revised policy direction consistent with the planning goals of RCW 36.70A.020. The compilation of these changes provide an update for the City of Wenatchee Urban Area Plan in compliance with RCW 36.70A.130(5)(c).
 19. Limited changes to the Land Use and Housing Elements and Land Capacity Analysis were incorporated into the draft amendments to the Wenatchee Urban

- Area Plan after the Planning Commission recommendation to be consistent with the 2017 draft update to the City of Wenatchee Sewer Comprehensive Plan.
20. The Growth Management Act defines geologically hazardous areas to mean areas that because of their susceptibility to erosion, sliding, earthquake, or other geologic events, are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns.
 21. Increasing residential densities in geologically hazardous areas is not consistent with the Growth Management Act, or the Natural Environmental Element of the Wenatchee Urban Area Comprehensive Plan.
 22. The City of Wenatchee Urban Growth Area can accommodate the projected new 2,497 housing units necessary to meet future demands for growth in the 20 year planning period. The Housing Study completed by Burke and Associates has identified that current vacancy rates for multi-family units are 1% vs. a healthy standard of 5%. Median value per square foot in Wenatchee is 72% higher than Yakima, 49% higher than Spokane, and 39% higher than the Tri-Cities. Exhibit 45, Rental Income and Gap, 2010-2014, Wenatchee CCD and East Wenatchee CCD indicates a need for 1601 market rate housing units at 100-120% ratio to 2014 median household income in the Wenatchee Urban Area. Given this deficit the Housing Study indicates that the middle to high income households are likely occupying some share of the units that would otherwise be affordable to those with lower incomes. In order to meet housing needs in Wenatchee, simply accommodating the necessary population growth is not sufficient.
 23. The combination of the existing housing gap and the housing units necessary in the future for growth, demonstrate that the current City of Wenatchee Urban Growth Boundary does not significantly exceed future needs for residential growth. The most significant concern with the existing urban growth boundary is ensuring that sewer service is successfully extended into the identified 20 year sewer service area prior to non-urban densities consuming vacant land, precluding urban growth.
 24. Applicable excerpts from the Sunnyslope Sub-Area Plan Land Use Element and Goals and Policies include:
 - Chapter 4, Land Use Element, Zone of change: “New residents are coming. If preserving existing lot patterns is crucial to existing Sunnyslope residents, then other areas must intensify to accommodate forecasted growth. The primary strategy developed through the public process to accommodate this growth establishes a “Zone of Change” generally including Olds Station and that portion of Sunnyslope south of Beacon Road, identifying those places where land uses must evolve to provide increased housing density and new local services.” Pg. 36
 - “The Zone of Change represents an opportunity to manage land development in a new way. It anticipates a gradual evolution of land use in Olds Station, and a more rapid transformation of land uses in what are now some of Sunnyslope’s last remaining orchard areas. Olds Station, now an employment, shopping, and services center, is largely governed by a Planned Development District overseen by the Port of Chelan

County. This plan anticipates Olds Station will evolve over time into a district including residential use, mixing apartments or condominiums along with or in proximity to office and light industrial development.” Pg. 37

- Industrial- Olds Station will remain an employment center with the Port of Chelan County and other property owners continuing to develop industrial and professional offices in this area, consistent with planned development permit approvals. The Industrial designation will accommodate this, however, the increased demand for high-density housing in Sunnyslope calls for the inclusion of residential uses in Olds Station as part of a larger urban mixed-use strategy. Today’s market may not support residential uses in Olds Station, but areas of Wenatchee’s waterfront are now undergoing a transition that could be extended into the Olds Station area.” Pg. 39-40

25. Applicable goals and policies from the Sunnyslope Sub-Area Plan:

- Goal 3 Policy C: Encourage residential development in Olds Station
- Goal 3 Policy D: Direct residential intensity into Central Sunnyslope and, in the future, Olds Station.
- Goal 8 Develop additional housing in Olds Station and along the waterfront.
- Goal 8 Policy A. Encourage eventual permitting of housing in Olds Station and along the Columbia River/Wenatchee River waterfront.
- Goal 9 Increase diversity of housing types within the planning area.
- Goal 9 Policy A. Permit a variety of housing types within the planning area.
- Goal 9 Policy B. Encourage experimentation in housing in Sunnyslope and Olds Station.
- Goal 9 Policy C. Broaden the list of permitted housing in traditional non-housing land use classifications and zoning districts.
- Goal 9 Policy D. Coordinate with the Port of Chelan County and others to encourage residential development in Olds Station.
- Goal 11 Policy A. Encourage increased housing densities in Central Sunnyslope and Olds Station.
- Goal 11 Policy E. Coordinate with other local jurisdictions to assess housing needs and encourage the retention of housing affordable to all economic segments.

26. Policy 2, under the Residential Development Goal of the Land Use Element of the Wenatchee Urban Area Comprehensive Plan, provides: Discourage lower density development on flat, easily developed ground.

27. Policy 5, under the Residential Development Goal of the Land Use Element of the Wenatchee Urban Area Comprehensive Plan, provides: Adopt more flexible design standards for residential development that will permit the construction of different housing types compatible with surrounding neighborhoods.

28. The City has an interest* in addressing the non-conforming commercial uses that exist in Olds Station, and providing a permit process for those uses should they choose to expand. *It is against public policy to allow the indefinite extension of nonconforming uses. The public effort is not to extend a nonconforming use but rather to permit it to exist as long as necessary and then to require conformity in the future. The public intent is the eventual elimination of nonconforming uses.
29. The proposed amendments assist in the implementation of the Sunnyslope Sub-Area Plan.

Conclusions of Law:

1. The procedural and substantive requirements of the State Environmental Policy Act have been complied with.
2. The procedural requirements of RCW 36.70A have been complied with.
3. The proposed amendments are consistent with the Chelan County Countywide Planning Policies and the City of Wenatchee Urban Area Comprehensive Plan.
4. The proposed amendments are consistent with the requirements of Revised Code of Washington, and the Washington Administrative Code.

Exhibit B: Wenatchee Urban Area Comprehensive Plan

The document may be reviewed at the City of Wenatchee Website on the internet by selecting the “2017 60-Day Review” link under the heading of “Current Projects” in the Community and Economic Development Section of the Government heading on the City of Wenatchee website: www.wenatcheewa.gov. Alternatively the following link may be utilized: <http://www.wenatcheewa.gov/government/community-and-economic-development/comprehensive-plan/2016-2017-comprehensive-plan-update-process>. The materials are listed under the heading of, Draft Documents.

Exhibit C: North Wenatchee Master Plan

The document may be reviewed at the City of Wenatchee Website on the internet by selecting the “2017 60-Day Review” link under the heading of “Current Projects” in the Community and Economic Development Section of the Government heading on the City of Wenatchee website: www.wenatcheewa.gov. Alternatively the following link may be utilized: <http://www.wenatcheewa.gov/government/community-and-economic-development/comprehensive-plan/2016-2017-comprehensive-plan-update-process>. The materials are listed under the heading of, Draft Documents.

Exhibit D: South Wenatchee Action Plan

The document may be reviewed at the City of Wenatchee Website on the internet by selecting the “2017 60-Day Review” link under the heading of “Current Projects” in the Community and Economic Development Section of the Government heading on the City of Wenatchee website: www.wenatcheewa.gov. Alternatively the following link may be utilized: <http://www.wenatcheewa.gov/government/community-and-economic-development/comprehensive-plan/2016-2017-comprehensive-plan-update-process>. The materials are listed under the heading of, Draft Documents.

Exhibit "E", Land Use Designation Map Amendments to the Wenatchee Urban Area Comprehensive Plan and Sunnyslope Sub-Area Plan

See the last page for map legend, the zoning and land use designation map symbols and colors are the same.

Revision to the Columbia Street Overlay (CSO).

Existing:

Proposed:

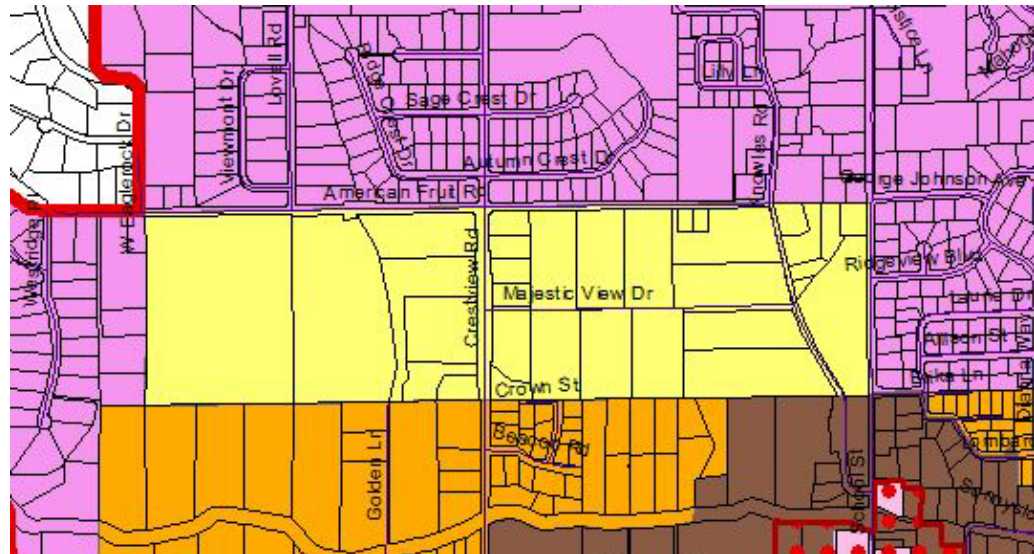


- Land use designation amendment of an area in Sunnyslope from Residential Single Family (RS) to Residential Low (RL).

- Existing:

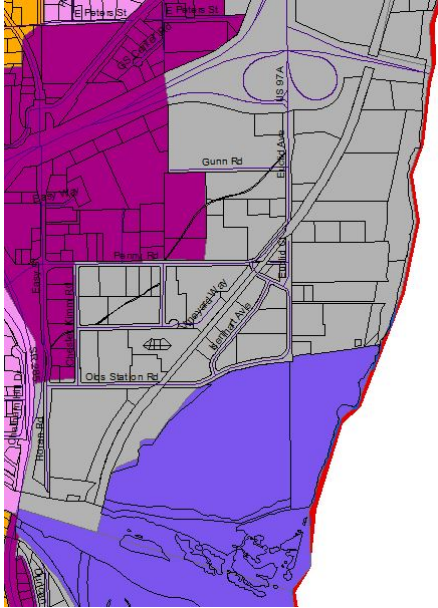


- Proposed:

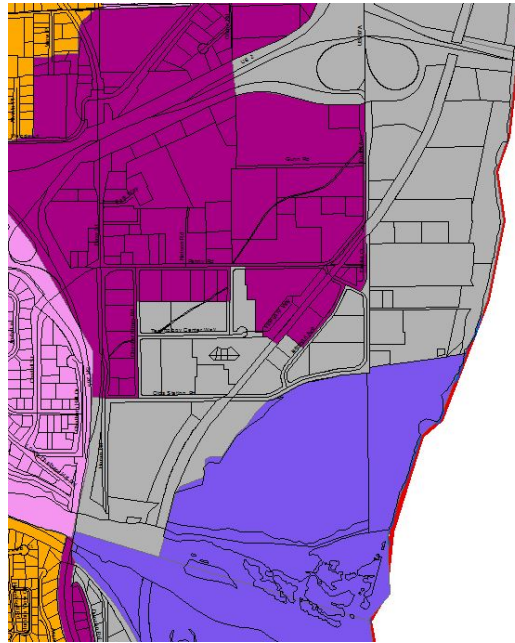


Expansion of the North Wenatchee Business District (NWBD) designation to the east in the Olds Station Area.

Existing:

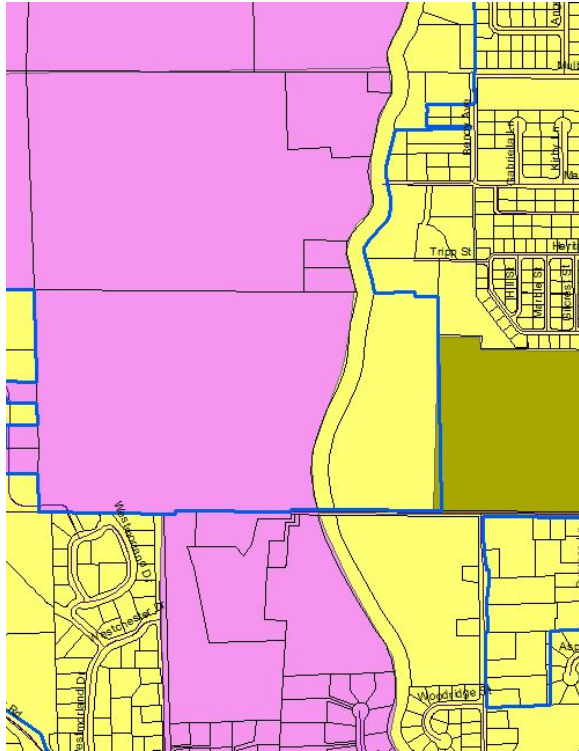


Proposed:

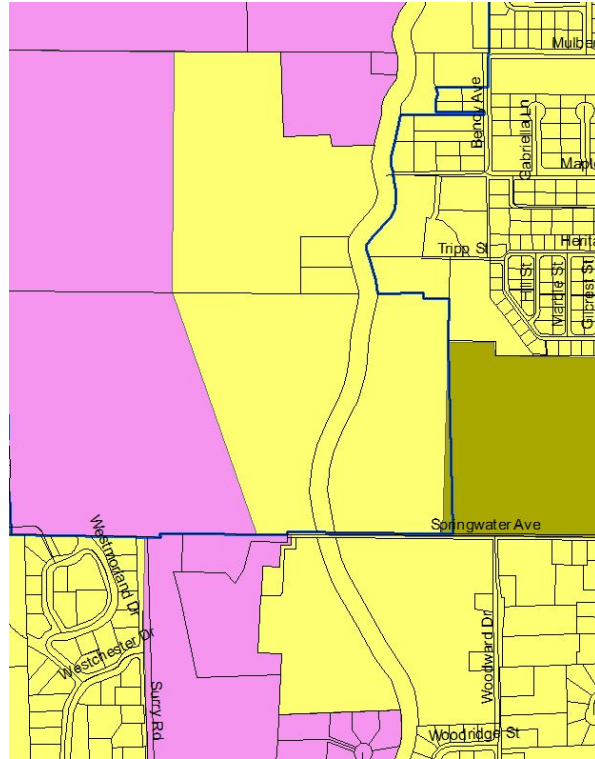


Expansion of the Residential Low District designation west to the base of the foothills.

Exiting:

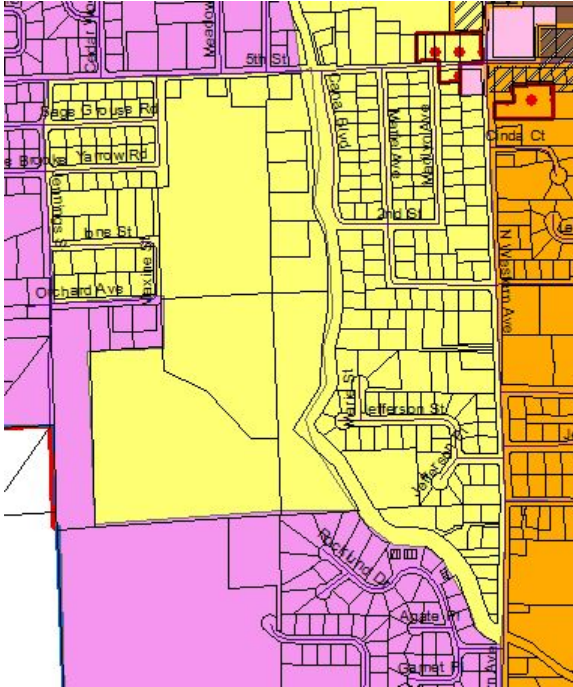


Proposed:

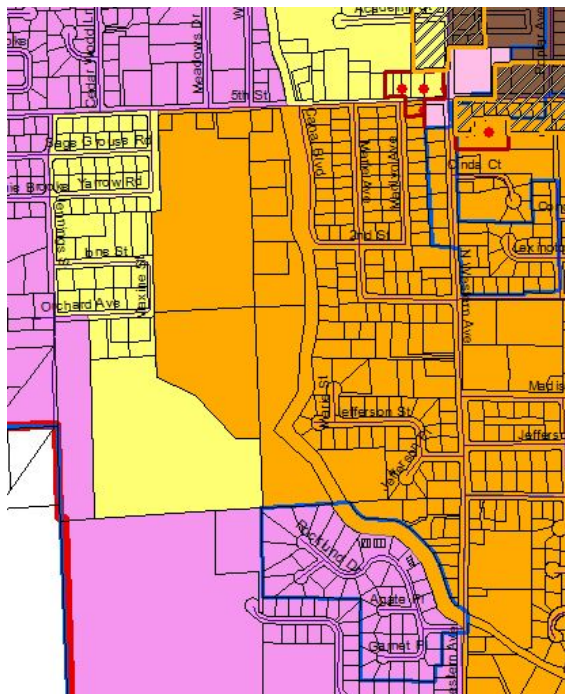


Land use designation amendment in West Wenatchee from Residential Low (RL) to Residential Moderate (RM) and Residential Single Family (RS) to Residential Low (RL).

Existing:



Proposed:



- Land use designation amendment of two parcels on the west side of N Chelan Ave, north of 5th Street, from Central Business District (CBD) to North Wenatchee Business District (NWBD).

Existing:

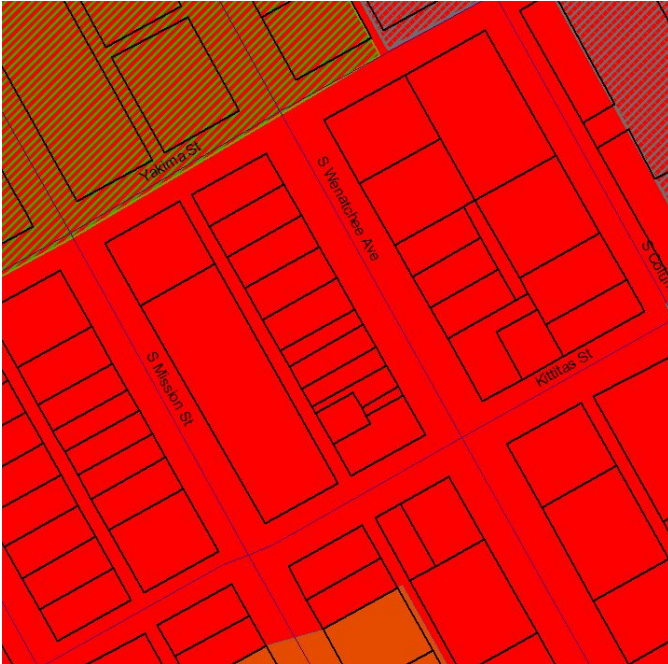


Proposed:

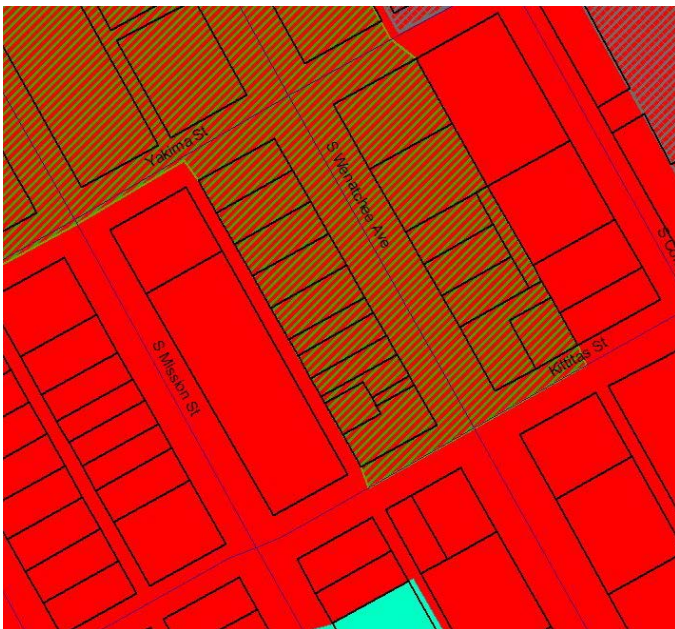


- Extension of the Historic Entertainment Overlay (HEO) district land use designation to cover parcels on both sides of S. Wenatchee AVE. between Yakima and Kittitas Streets. The underlying Central Business District (CBD) designations remain the same.

Existing:



Proposed:



- A new land use designation, called Live-Work Corridor, in the vicinity of the south end of the Chelan/Mission couplet.

Existing:



Proposed:



- A revision to the MRC Land Use Designation – WCC10.40.070 specifies that the MRC extends 200ft from the edge of the right-of-way (ROW). Previously, the MRC Overlay was drawn 200ft from the centerline rather than the edge of the ROW. For several years, MRC was excluded from unincorporated areas which affected the area shown below. The overlay has been corrected to reach all the way to the intersection.

Existing:

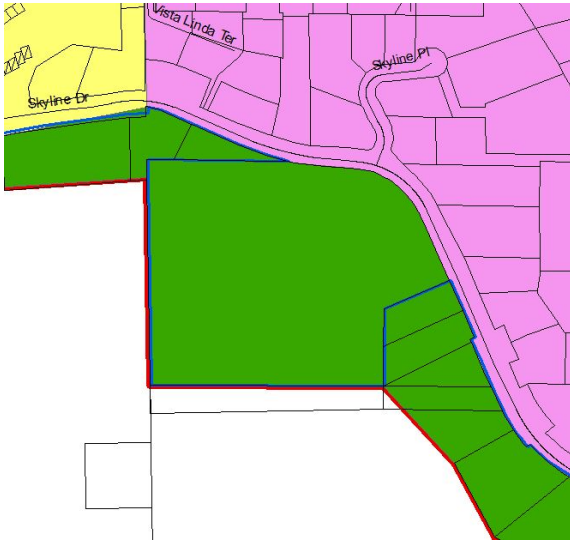


Proposed:

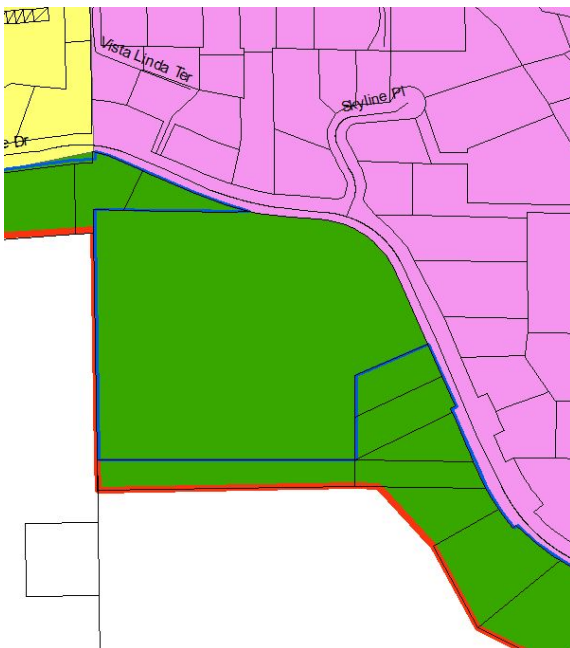


Expansion of the City of Wenatchee Urban Growth Area to include Chelan County Assessor Parcel Numbers: 222009705830 and 222009705825. Land Use Designation Amendment from Chelan County Zoning Designation Residential/Resource 5 (RR5) to City of Wenatchee Land Use Designation of Residential Foothills Low (RF).


Existing:



Proposed:




Legend

 City Limits

 Urban Growth Area


— Streets

Overlay Districts

 CSO - Columbia Street Overlay

 HEO - Historic / Entertainment Overlay


 WMU - Industrial Overlay

 WMU - Pedestrian Overlay

 WMU - Recreational / Residential Overlay


 GHD - Grandview Historic District


 MRC - Mixed Residential Corridor


 CNO - Neighborhood Commercial Overlay

Zoning Districts


 LWC - Live-Work Corridor

 NWBD - North Wenatchee Business District

 SWBD - South Wenatchee Business District

 CBD - Central Business District


 CN - Neighborhood Commercial


 I - Industrial

 WMU - Waterfront Mixed Use

 OMU - Office Mixed use


 RMU - Residential Mixed Use

 RH - Residential High

 RM - Residential Moderate

 RL - Residential Low

 RS - Residential Single Family

 RFL - Residential Foothills Low

TO: Wenatchee City Council

FROM: Community Development Staff

SUBJECT: Proposed Amendments to the City of Wenatchee Zoning Code, Ordinance 2017-12, A or B.

DATE: June 4, 2017 HEARING DATE: June 8, 2017

I. OVERVIEW

The adoption of Resolution No. 2017-35 provides updates to each component of the Wenatchee Urban Area Plan including two new sub area plans, the North Wenatchee Master Plan and South Wenatchee Action Plan. These proposed amendments are in response to changing needs and opportunities in the community and provide direction and guidance for the City to move forward implementing new and revised policy direction. The compilation of these changes provide an update for the City of Wenatchee Urban Area Plan in compliance with RCW 36.70A.130(5)(c). Proposed zoning map amendments to Wenatchee City Code are consistent with and necessary to implement the land use designation map amendments adopted for the Wenatchee Urban Area Comprehensive Plan Amendments.

ACTION REQUESTED

- *Proposed amendments to the official zoning map of the City of Wenatchee under Title 10 Zoning.*

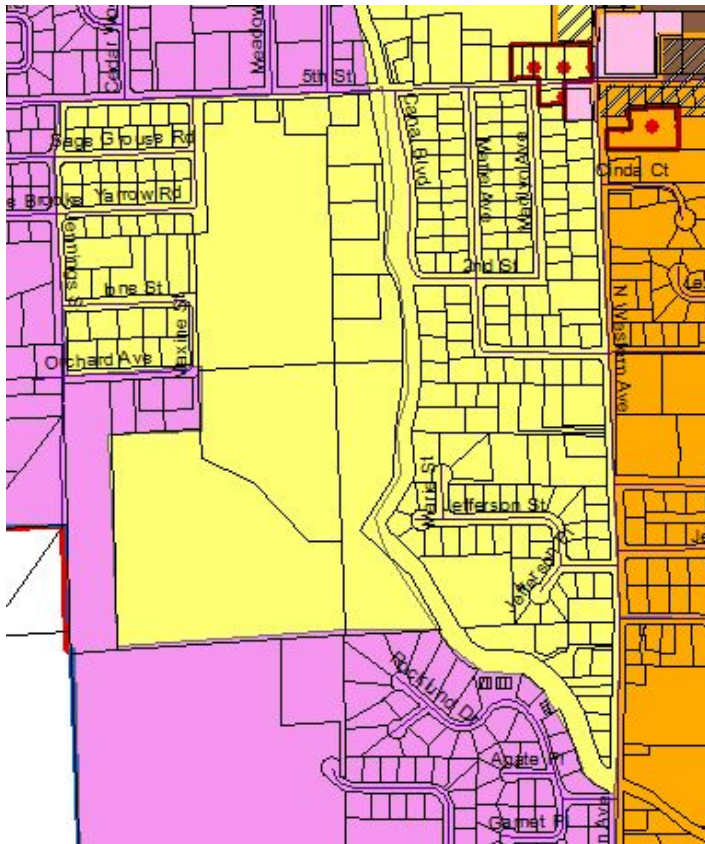
The City of Wenatchee Planning Commission held a public hearing on April 19, 2017 and on May 17, 2017. At the conclusion of the May 17, 2017 Public Hearing, the Planning Commission forwarded a recommendation of approval to the Wenatchee City Council for consideration. Two versions of Ordinance 2017-12 have been provided. Ordinance 2017-12A should be adopted if no changes were made to the land use designation amendments proposed by the City of Wenatchee Planning Commission under Resolution 2017-35. If amendments are made to the City of Wenatchee Planning Commission recommendations on land use designation amendments, then Ordinance 2017-12B should be adopted.

The proposed amendments, and staff reports to the Planning Commission with public and agency comments can be reviewed on the City of Wenatchee Website on the internet by selecting the "2017 60-Day Review" link under the heading of "Current Projects" in the Community and Economic Development Section of the Government heading on the City of Wenatchee website: www.wenatcheewa.gov. Alternatively the following link may be utilized: <http://www.wenatcheewa.gov/government/community->

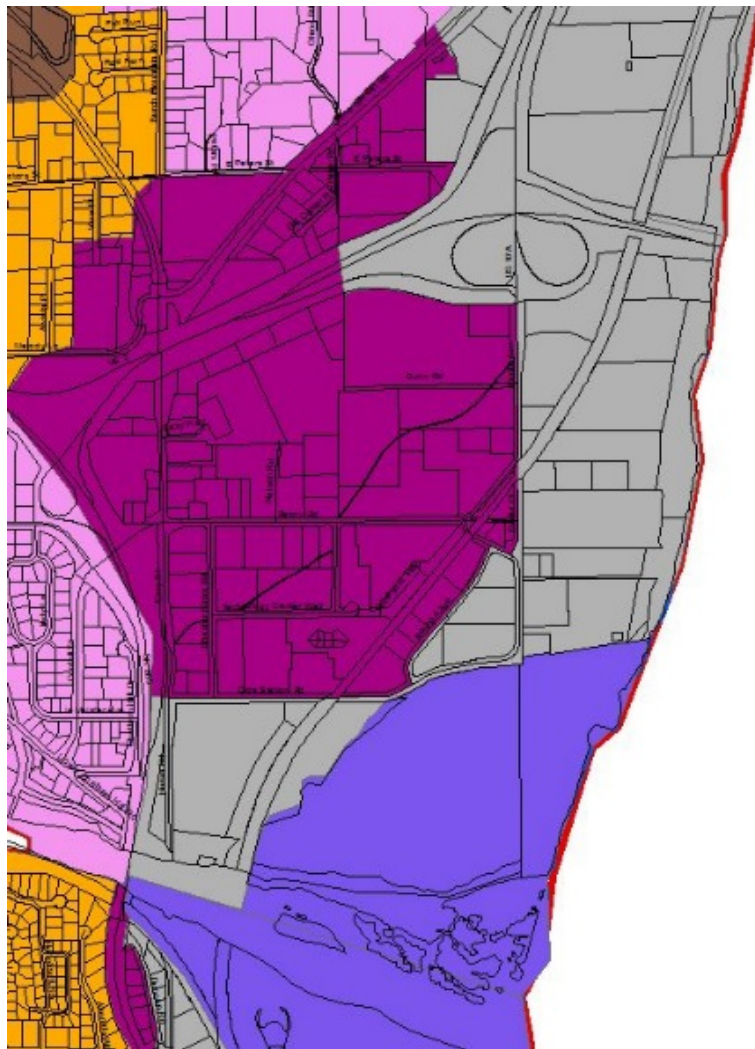
[and-economic-development/comprehensive-plan/2016-2017-comprehensive-plan-update-process](#). The materials are listed under the heading of, Draft Documents.

If Option A or B was chosen under Resolution 2017-35 that amended the proposed land use designation amendments proposed by the Planning Commission; then the corresponding change would need to occur for proposed zoning map amendments in Exhibit B of this draft ordinance. Option A and B are depicted as:

OPTION A- Retain Existing Zoning (Residential Low Density- Yellow, Residential Moderate- Orange, Residential Single Family-Purple) (Option A), removing the Planning Commission Recommendation in this area, identified as zone map amendment #4, in Exhibit B.



OPTION B- Staff Recommendation for the Planning Commission Hearings (Option B), replacing the Planning Commission recommendation for this area, identified as zone map amendment #2, in Exhibit B.



A draft motion for the Wenatchee City Council's consideration:

Draft Motion: I move to approve Ordinance 2017-12, (A or B) Amending the Official Zoning Map for the City of Wenatchee under Title 10 Zoning, Wenatchee City Code.

If amendments were made to the City of Wenatchee Planning Commission recommendations on land use designation amendments, then Ordinance 2017-12B should be adopted. Amendments to Exhibit B must be noted that correspond with any land use designation changes done under Resolution 2017-35. Add the following statement to the motion above...**with the following amendment(s) to Exhibit B:**

Amending the zoning map amendments in Exhibit “B” of this Ordinance consistent with Option A (and/or) Option B of this June 4, 2017 Agenda Report.

Staff will be available at the public hearing to support the Council for any modifications in review of the proposed Ordinance.

II. FISCAL IMPACT

No known fiscal impacts can directly be attributed to the proposed amendments to Wenatchee City Code.

III. PROPOSED PROJECT SCHEDULE

If adopted by the Wenatchee City Council, Community and Economic Development staff would provide notice to the Washington State Department of Commerce of the adoption, completing the process with a 60 day appeal period required by RCW 36.70A.

IV. REFERENCE(S)

1. Draft Ordinance No. 2017-12 A or B, including Exhibits A-B

ORDINANCE NO. 2017-12

AN ORDINANCE, amending the official zoning map of the City of Wenatchee under Title 10 Zoning, City of Wenatchee Code.

WHEREAS, the City of Wenatchee has adopted the Wenatchee Urban Area Comprehensive Plan and a series of sub-area comprehensive plans pursuant to the Growth Management Act (GMA), RCW Chapter 36.70A, which cover the Wenatchee Urban Growth Area and all incorporated areas within the City of Wenatchee, that have been found to be consistent with each other and with the adopted GMA plans of the adjoining jurisdictions; and

WHEREAS, the City of Wenatchee Planning Commission has transmitted a recommendation of approval to this Council regarding zoning map amendments to the Wenatchee City Code; and

WHEREAS, notice of all public hearings on this matter have been published according to law; and

WHEREAS, the Wenatchee City Council adopt the Findings of Fact and Conclusions of Law as set forth in Exhibit “A” and incorporate them in this Ordinance by this reference as though fully set forth herein.

**THE CITY COUNCIL OF THE CITY OF WENATCHEE DO
ORDAIN AS FOLLOWS:**

SECTION I

That the amendments to the Wenatchee City Code as set forth in Exhibit “B” attached hereto and incorporated by this reference shall be and hereby are approved and adopted.

SECTION II

This ordinance shall take effect thirty (30) days from and after approval and publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE this 8th day of June, 2017.

CITY OF WENATCHEE, a Municipal corporation

By: _____
FRANK KUNTZ, Mayor

ATTEST:

By: _____
TAMMY STANGER, City Clerk

APPROVED:

By: _____
STEVE SMITH, City Attorney

ORDINANCE NO. 2017-12

AN ORDINANCE, amending the official zoning map of the City of Wenatchee under Title 10 Zoning, City of Wenatchee Code.

WHEREAS, the City of Wenatchee has adopted the Wenatchee Urban Area Comprehensive Plan and a series of sub-area comprehensive plans pursuant to the Growth Management Act (GMA), RCW Chapter 36.70A, which cover the Wenatchee Urban Growth Area and all incorporated areas within the City of Wenatchee, that have been found to be consistent with each other and with the adopted GMA plans of the adjoining jurisdictions; and

WHEREAS, the City of Wenatchee Planning Commission has transmitted a recommendation of approval to this Council regarding zoning map amendments to the Wenatchee City Code; and

WHEREAS, the Wenatchee City Council held a public hearing on the proposed amendments, considered public testimony and the record, and made limited amendments to the Planning Commission's recommendation; and

WHEREAS, notice of all public hearings on this matter have been published according to law; and

WHEREAS, the Wenatchee City Council adopt the Findings of Fact and Conclusions of Law as set forth in Exhibit "A" and incorporate them in this Ordinance by this reference as though fully set forth herein.

**THE CITY COUNCIL OF THE CITY OF WENATCHEE DO
ORDAIN AS FOLLOWS:**

SECTION I

That the amendments to the Wenatchee City Code as set forth in Exhibit “B” attached hereto and incorporated by this reference shall be and hereby are approved and adopted.

SECTION II

This ordinance shall take effect thirty (30) days from and after approval and publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE this 8th day of June, 2017.

CITY OF WENATCHEE, a Municipal corporation

By: _____
FRANK KUNTZ, Mayor

ATTEST:

By: _____
TAMMY STANGER, City Clerk

APPROVED:

By: _____
STEVE SMITH, City Attorney

Exhibit “A”

Findings of Fact:

1. The City of Wenatchee has adopted the Wenatchee Urban Area Comprehensive Plan and a series of sub-area comprehensive plans pursuant to the Growth Management Act (GMA), RCW Chapter 36.70A, which cover the Wenatchee Urban Growth Area and all incorporated areas within the City of Wenatchee, that have been found to be consistent with each other and with the adopted GMA plans of the adjoining jurisdictions.
2. The City of Wenatchee Planning Commission is responsible for long range planning matters and providing implementation recommendations to assure compliance with the Growth Management Act for the City of Wenatchee Urban Growth Area in coordination with Chelan County and within the incorporated boundaries of the City of Wenatchee. These measures include updates and amendments to the comprehensive plan, development regulations, environmental regulations, and any other rules, actions or regulations deemed necessary to implement the Growth Management Act.
3. The schedule established by the Growth Management Act in RCW 36.70A.130(5)(c) mandates the City of Wenatchee to take action to review and, if necessary, revise its comprehensive plan to ensure compliance with the Growth Management Act prior to June 30, 2017.
4. The City of Wenatchee completed a comprehensive update of the Wenatchee Urban Area Plan in 2006. The intent of the 2017 update process was to consider strategic amendments as necessary to build upon the process from 2006 and meet state update requirements.
5. The City established a process and schedule for public participation with the adoption of a Public Participation Plan under Resolution No. 2016-13.
6. The City of Wenatchee Planning Commission held a series of 10 workshops between April 2016 and January 2017 for the purposes of reviewing and updating each of the elements of the comprehensive plan and any necessary amendments of Wenatchee City Code. Notice of this process was provided to a master list of current and prior stakeholders involved in planning in the community and the public was invited to attend the workshops. The public was invited to track progress on the update process by signing up with email notifications of workshops and hearings and reviewing web postings for draft materials.
7. On January 22, 2017, a 60 day public review and comment period and environmental review was issued by the City of Wenatchee on the proposed amendments. Notification was published in the Wenatchee World on January 22, 2017. Additional notices were provided to local, regional and state agencies for the 60 day review and comment period/environmental review; and to interested parties, the press, and landowners within proposed area-wide comprehensive plan and rezone amendments.

8. The City of Wenatchee Planning Commission held a “drop in” open house on February 15, 2017 from 4:00PM to 6:00PM in the Council Chambers of Wenatchee City Hall to provide information on the comprehensive plan update process and encourage public comments.
9. The City of Wenatchee Planning Commission held a workshop on March 15, 2017 in the City Council Chambers of Wenatchee City Hall for the purposes of reviewing public comments.
10. A notice of intent to adopt amendments was submitted to the Washington State Department of Commerce on January 20, 2017 along with draft amendments.
11. A periodic Update Checklist for Cities, Washington State Department of Commerce, was completed documenting compliance with the comprehensive plan update requirements and provided to the Department of Commerce on March 30, 2017.
12. On April 19, 2017, the City of Wenatchee Planning Commission conducted an advertised public hearing. The City of Wenatchee Planning Commission continued the Public Hearing to May 17, 2017, in the Council Chambers of Wenatchee City Hall, Wenatchee, WA at 5:30 P.M. The Planning Commission entered into the record the files on these amendments, accepted public testimony at both hearings, and deliberated the merits of the proposal.
13. The City of Wenatchee Planning Commission has reviewed the entire record including the goals and policies of the comprehensive plan and public testimony as it relates to the proposed zoning map amendments to Wenatchee City Code.
14. On June 8, 2017, the Wenatchee City Council conducted an advertised public hearing. The Wenatchee City Council entered into the record the files on these amendments, accepted public testimony, and deliberated the merits of the proposal.
15. The Wenatchee City Council has reviewed the entire record including the goals and policies of the comprehensive plan and public testimony as it relates to the proposed amendments.
16. The City of Wenatchee issued a determination of non-significance (DNS) and adopted by reference the existing Final Supplemental Environmental Impact Statement for the Wenatchee Urban Area Comprehensive Plan Update 2006, adopted April 4, 2007, on February 17, 2017 with respect to the proposed amendments.
17. Public and agency comments were reviewed and considered during the review and development of amendments to the Wenatchee Urban Area Plan and Wenatchee City Code.
18. The April 12, 2017 Staff Report to the City of Wenatchee Planning Commission generally summarized updates to each component of the Wenatchee Urban Area Plan including two new sub area plans, the North Wenatchee Master Plan and South Wenatchee Action Plan. These proposed amendments are in response to changing needs and opportunities in the community and provide direction and guidance for the City to move forward implementing new and revised policy direction. The compilation of these changes provide an update for the City of Wenatchee Urban Area Plan in compliance with RCW 36.70A.130(5)(c). Proposed zoning map amendments to Wenatchee City Code

are consistent with and necessary to implement the land use designation map amendments adopted for the Wenatchee Urban Area Comprehensive Plan Amendments.

19. The adoption of proposed zoning map amendments to Wenatchee City Code in Olds Station going from Industrial Zoning to the North Wenatchee Business District supersede and replace Chelan County Zone Changes: 323, 323-A, 98-4, 96-8, 476A, 474, 211, 380; adopted under Resolutions 81-42, 98-98, 96-83, 98-102, 97-140, 91-62, 75-31, 84-68, 85-90, 84-68, 86-21, and 88-21; within the areas of the zoning map amendments.

Conclusions of Law:

1. The procedural and substantive requirements of the State Environmental Policy Act have been complied with.
2. The procedural requirements of RCW 36.70A have been complied with.
3. The proposed amendments are consistent with the Chelan County Countywide Planning Policies and the City of Wenatchee Urban Area Comprehensive Plan.
4. The proposed amendments are consistent with the requirements of Revised Code of Washington, and the Washington Administrative Code.

Exhibit "B", Zoning Map Amendments to the Official City of Wenatchee Zoning Map, Title 10 Zoning, WCC.

See last page for map legend

Revision to the Columbia Street Overlay District (CSO).

Existing:

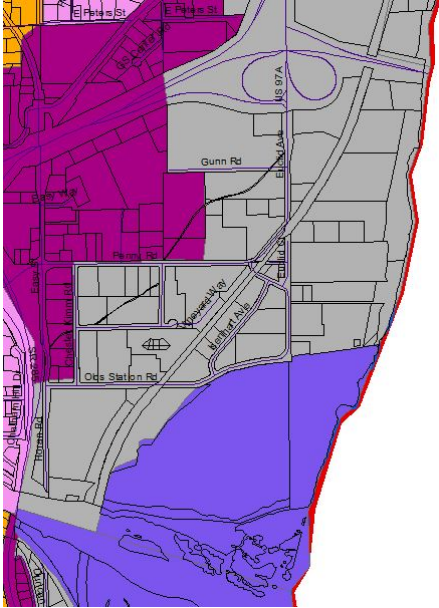


Proposed, (Zone map amendment # 1):

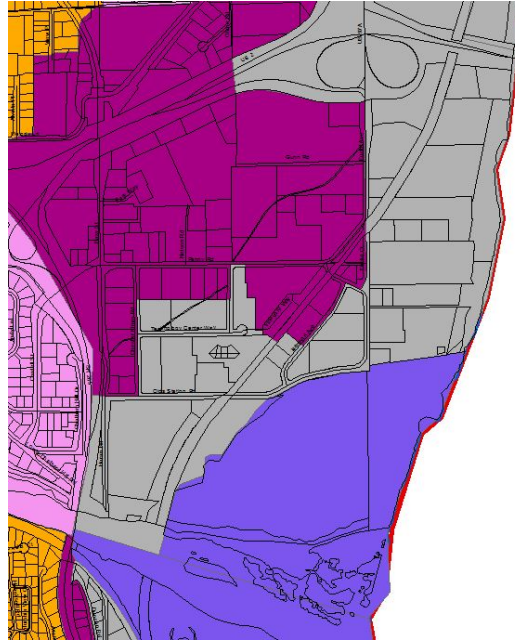


Rezone of an area in Olds Station. Expansion of the North Wenatchee Business District (NWBD) to the east.

Existing:

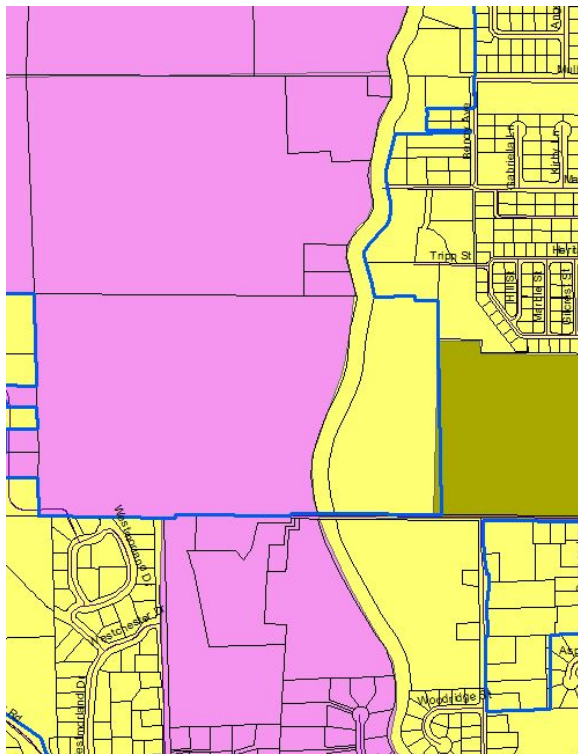


Proposed, (Zone map amendment #2):

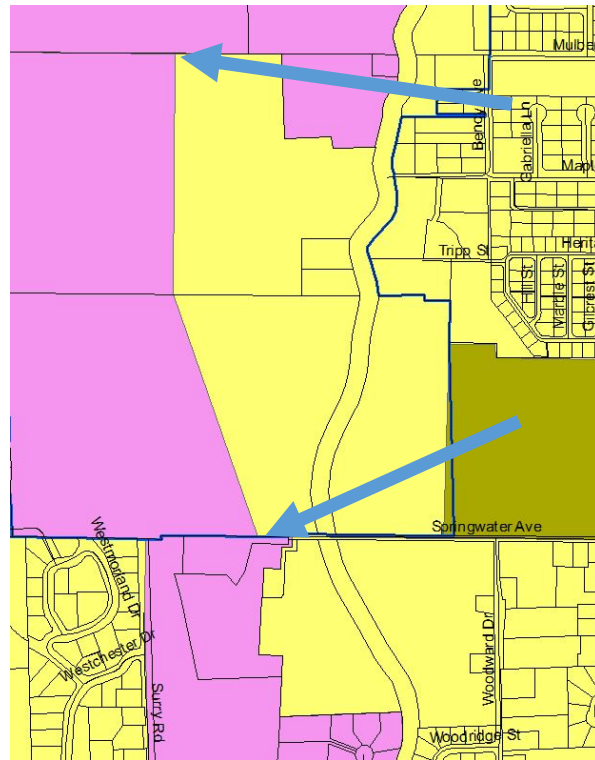


Expansion of the Residential Low Zoning District west to the base of the foothills.

Existing:



Proposed, (Zone map amendment #3):



The description of the boundary between RS and RL appears below. The arrows in the image above indicates the beginning and end of the line.

Line "A"

The following describes a line located in Section 32, Township 23 North, Range 20 East of the Willamette Meridian, Chelan County, Washington more particularly described as follows:

Commencing at a brass cap in concrete, which is the center of Section 32, also being the Southwest corner of property conveyed to Barton H. Clennon, et ux, Cory R. Clennon Trust, and to Cameron P. Clennon Trust by deed recorded under Auditor's File No. 2335624;

Thence along the South line of said property $N89^{\circ}40'51''W$ 396.80 feet to the TRUE POINT OF BEGINNING of Line "A";

Thence $S0^{\circ}27'06''W$ 1318.95 feet to a point on the South line of property conveyed to Wenatchee School District No. 246 by deed recorded under Auditor's File No. 2156947, from which the Northeast corner of said property, a 5/8" rebar and cap, lies $S89^{\circ}34'09''E$ 1019.60 feet;

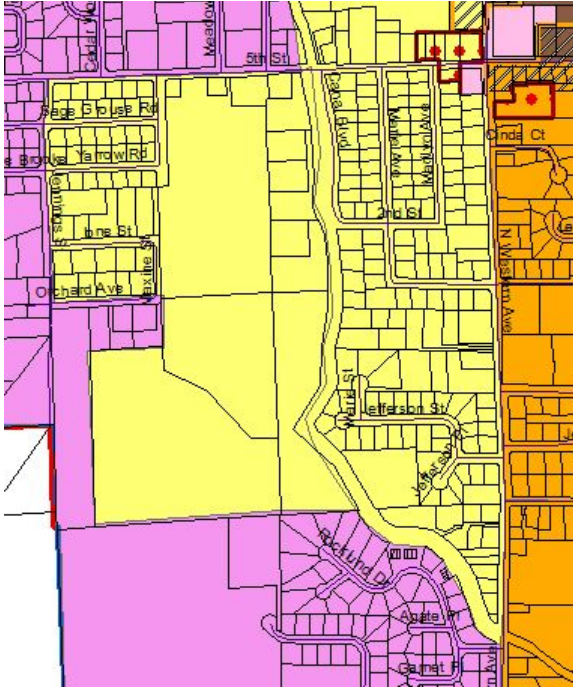
Thence $S18^{\circ}14'57''E$ 1393.37 feet to a brass cap in concrete, also being the South Quarter Corner of section 32, and TIRMINUS of said line.

Prepared by: Joshua B. Velazquez

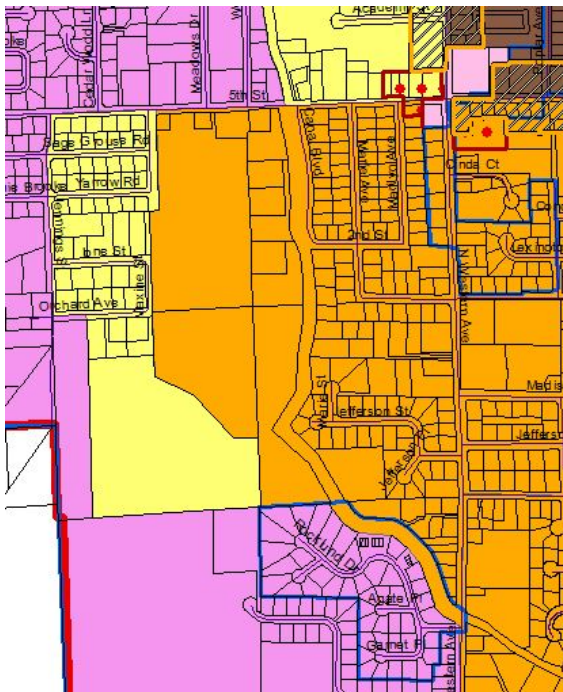
Date: March 13, 2017

Rezone of area in West Wenatchee from Residential Low (RL) to Residential Moderate (RM) and Residential Single Family (RS) to Residential Low (RL).

Existing:



Proposed, (Zone map amendment #4):



- Rezone of two parcels on the west side of N Chelan Ave, north of 5th Street, from Central Business District (CBD) to North Wenatchee Business District (NWBD), re-aligning the boundary of the two districts.

Existing:

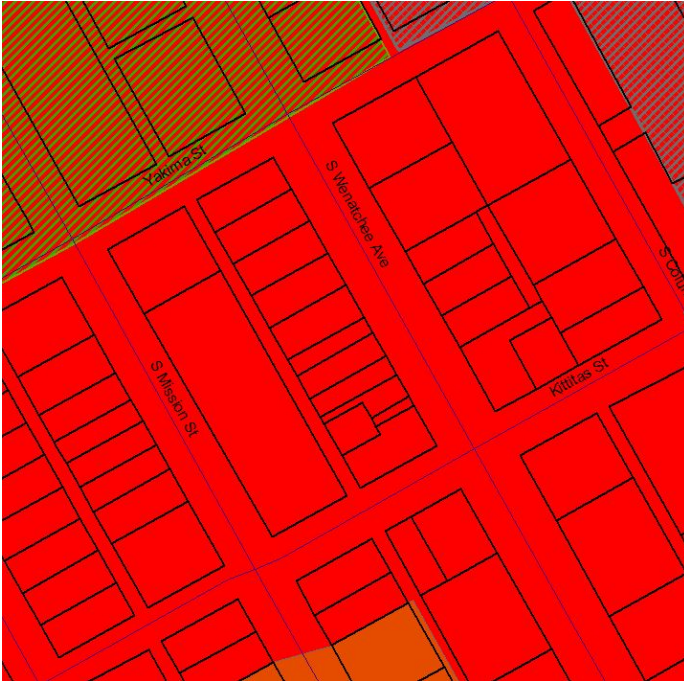


Proposed, (Zone map amendment #5):

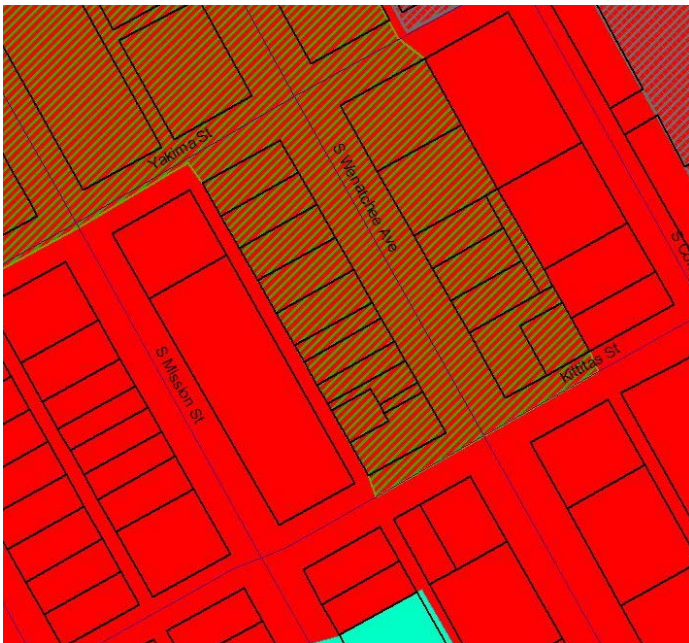


- Extension of the Historic Entertainment Overlay (HEO) District to cover parcels on both sides of S. Wenatchee Ave. between Yakima and Kittitas Streets. The underlying Zoning of the Central Business District (CBD) remains the same.

Existing:



Proposed, (Zone map amendment #6):

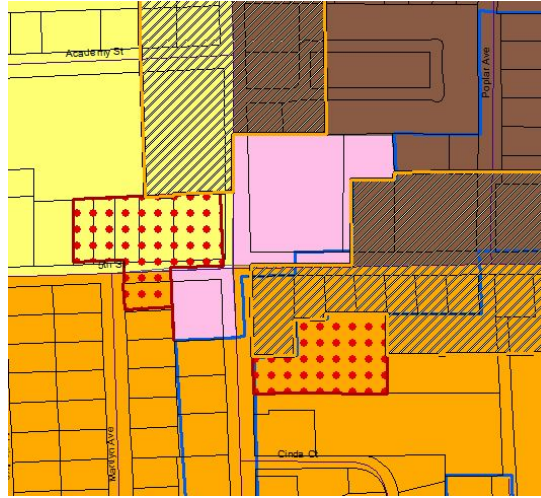


- Revision to MRC – WCC10.40.070 specifies that the MRC extends 200ft from the edge of the right-of-way (ROW).


Existing:



Proposed, (Zone map amendment #7):



Legend

 City Limits

 Urban Growth Area

— Streets

Overlay Districts

 CSO - Columbia Street Overlay

 HEO - Historic / Entertainment Overlay


 WMU - Industrial Overlay

 WMU - Pedestrian Overlay

 WMU - Recreational / Residential Overlay


 GHD - Grandview Historic District


 MRC - Mixed Residential Corridor

 CNO - Neighborhood Commercial Overlay

Zoning Districts


 LWC - Live-Work Corridor

 NWBD - North Wenatchee Business District


 SWBD - South Wenatchee Business District

 CBD - Central Business District

 CN - Neighborhood Commercial


 I - Industrial

 WMU - Waterfront Mixed Use

 OMU - Office Mixed use

 RMU - Residential Mixed Use

 RH - Residential High

 RM - Residential Moderate

 RL - Residential Low

 RS - Residential Single Family

 RFL - Residential Foothills Low

**COUNCIL AGENDA REPORT
PUBLIC WORKS DEPARTMENT**

TO: Frank Kuntz, Mayor
City Council

FROM: Mitch Reister, PE, Utilities Manager

SUBJECT: Sewer Comprehensive Plan Adoption

DATE: June 5, 2017

MEETING DATE: June 8, 2017

I. OVERVIEW

The objective of the City of Wenatchee Comprehensive Sewer Plan was to develop a balanced and sustainable approach for operating, maintaining, and extending the sewer system. Gray and Osborne, Inc., was selected in March of 2016 along with FCS Group. The project included creating a model of the sewer collections system, developing a list of capital projects from the collections system evaluation and the Wastewater Facilities Plan Update (2016), developing a sewer extension program, and conducting a rate and fee analysis. The draft plan was presented to City Council in March and to the Chelan County Board of Commissioners in May. Public Works staff also solicited comments from the public via the website, at two public meetings in March and April, and through the State Environmental Policy Act process in May.

The final plan includes capital projects for the next 20 years. These projects include replacing undersized and damaged infrastructure, improvements to the wastewater treatment plant and lift stations, new infrastructure for Sunnyslope, and new main extensions to fill in the existing collections system. Taking into consideration the proposed capital projects and the ongoing operations and maintenance expenses, a financial plan was developed that balances the cost of the wastewater system between new and existing customers. As a result, both sewer rate increases and connection fee increases are being proposed.

II. ACTION REQUESTED

Staff recommends that the City Council adopt the City of Wenatchee Sewer Comprehensive Plan Update, May 2017.

III. FISCAL IMPACT Submitted to the Finance Committee Yes No

The financial analysis evaluated the current utility finances and financial policies along with the proposed capital projects and the ongoing operations and maintenance expenses. Sewer rate increases of 6% per year are proposed through 2022, with a 4.5% and 3% increases in 2023 and 2024, respectively. Increased system investment fees and two new connection fees, a citywide local facilities charge (LFC) and a Sunnyslope local facilities surcharge, will support the capital improvements.

IV. PROPOSED IMPLEMENTATION SCHEDULE

Upon approval of the Sewer Comprehensive Plan and adoption of the Wenatchee City Code revisions, new sewer rates and fees would be applicable August 1st and staff would immediately begin working on the sewer extension program capital improvement plan (CIP).

**COUNCIL AGENDA REPORT
PUBLIC WORKS DEPARTMENT**

V. REFERENCE(S)

1. City of Wenatchee Sewer Comprehensive Plan, May 2017, Gray & Osborne, Inc.

The plan can be found on the city's website at the following link:

<http://www.wenatcheewa.gov/government/public-works/sanitary-sewer>

VI. ADMINISTRATIVE ROUTING

Tammy Stanger, City Clerk
Brad Posenjak, Finance Director

**COUNCIL AGENDA REPORT
PUBLIC WORKS DEPARTMENT**

**COUNCIL AGENDA REPORT
PUBLIC WORKS DEPARTMENT**

TO: Frank Kuntz, Mayor
City Council

FROM: Mitch Reister, P.E., Utilities Manager

SUBJECT: City Code Changes to Support the Comprehensive Sewer Plan

DATE: June 5, 2017

MEETING DATE: June 8, 2017

I. OVERVIEW

To support the implementation of the City's Comprehensive Sewer Plan (2017), changes to the City code will be necessary. The following bullets highlight and summarize the proposed code changes to Wenatchee City Code 4.08:

- Corrections were made to the definition of sewer lateral or side sewer.
- Sewer rates were updated consistent with the recommendations from Chapter 10 of the Comprehensive Sewer Plan. Rates will increase 6% per year through 2022, 4.5% in 2023, and 3.0% annually starting in 2024. The first 6% rate increase would be effective August 1st. Subsequent rate increases would occur on January 1st.
- An expiration date was added to the sewer connection permit. Sewer permits will expire after 18 months if a connection to sewer is not completed.
- To promote and support multi-family development, a modified rate structure for connection fees was developed. In the code revisions, the sewer connection fees for multi-family residential projects would be based on the number of equivalent residential units associated with the water meter rather than the total number of dwelling units. This will incentivize large, multi-family developments.
- The system investment fee was increased from \$570 to \$1,500 per equivalent residential unit. The calculated system investment fee is \$3,710.
- New connection fees were added to support the Sewer Extension Program.
 - The Citywide Local Facilities Charge of \$6,140 per equivalent residential unit will be charged for all new sewer customers connecting to a City-built sewer main. This fee will replace the existing frontage fees except for in cases where the frontage fees have already been adopted by ordinance.
 - The Sunnyslope Local Facilities Surcharge of \$3,810 per equivalent residential unit will be charged for all connections on or upstream of the Horan Road trunk line including city and developer built mains and collectors. The purpose of this surcharge is to offset the cost of the new mains and lift stations needed to serve Sunnyslope.

II. ACTION REQUESTED

Staff recommends that the City Council approve changes to the defined sections of the City Code and authorize the Mayor to sign Ordinance 2017-11.

III. FISCAL IMPACT Submitted to the Finance Committee Yes No

The approval of the new sewer utility rates and fees will support the on-going operation and maintenance of the sewer system and the six-year capital project plan in the City of Wenatchee Comprehensive Sewer Plan (May 2017).

**COUNCIL AGENDA REPORT
PUBLIC WORKS DEPARTMENT**

IV. PROPOSED IMPLEMENTATION SCHEDULE

The code changes would become effective on August 1, 2017. Utility Billing staff plan to provide a notice to customers regarding the rate changes in the June and July bills. Public Works staff will be updating rates and fees on the website and in City's permitting software.

V. REFERENCE(S)

1. Ordinance No. 2017-11

VI. ADMINISTRATIVE ROUTING

Tammy Stanger, City Clerk
Brad Posenjak, Finance Director

ORDINANCE NO. 2017-11

AN ORDINANCE, amending Chapter 4.08 WCC relating to sewers – rates and charges.

THE CITY COUNCIL OF THE CITY OF WENATCHEE DO

ORDAIN as follows:

SECTION I

Chapter 4.08 “Sewers – Rates and Charges” of the Wenatchee City Code

shall be and hereby is amended to read as follows:

Chapter 4.08

SEWERS – RATES AND CHARGES¹

Sections:

- 4.08.010 Definitions.
- 4.08.020 Use of public sewers required.
- 4.08.030 Building sewers and connections.
- 4.08.035 Sewer service rates.
- 4.08.036 Connection fees.
- 4.08.037 System investment fee.
- 4.08.038 Annual CPI adjustment.
- 4.08.040 Customer classification.
- 4.08.050 Billings.
- 4.08.060 Special provisions.
- 4.08.070 Water/sewer utility fund.
- 4.08.080 Prohibited discharges.
- 4.08.090 Regulation of waste received from contributing jurisdictions.
- 4.08.100 Pretreatment.
- 4.08.110 Inspections, monitoring and record keeping.
- 4.08.120 Administrative enforcement remedies.
- 4.08.130 Judicial enforcement remedies.

4.08.010 Definitions.

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this chapter, shall have the meanings hereinafter designated:

- (1) “AKART” shall mean an acronym for “all known, available, and reasonable methods (prevention, control, and treatment) to prevent and control pollution of the waters of the state of Washington.” (Chapter 90.48 RCW.) AKART shall represent the most current methodology that can be reasonably required for preventing, controlling, or abating the

pollutants associated with a discharge. AKART may be required by the director for any discharge to the POTW.

(2) "Applicable pretreatment standards" shall mean for any specified pollutant: the more stringent of city prohibitive standards, city specific pretreatment standards (local limits), state of Washington pretreatment standards, or applicable national categorical pretreatment standards.

(3) "Application for temporary discharge" shall mean the city of Wenatchee application form which must be completed by any person requesting to discharge wastewater from a temporary process or cleanup project that is not directly tied to the collection system.

(4) "Biochemical oxygen demand (BOD)" shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five days at 20 degrees centigrade, expressed in milligrams per liter (mg/l).

(5) "Biosolids" shall mean municipal sewage sludge that is a primarily organic, semisolid product resulting from the wastewater treatment process and meets all requirements of Chapter 70.95J RCW.

(6) "Building" shall mean any structure used for human habitation or a place of business, recreation, or other purpose requiring wastewater disposal services.

(7) "Building drain" shall mean that part of the lowest piping of a drainage system which receives the discharge from piping inside the walls of a structure or building to a point two feet outside the outer face of a structure, wall, or foundation and conveys it to the sewer or an on-site sewage disposal system. The property owner is responsible for the maintenance of this sewer.

(8) "Categorical pretreatment standards or categorical standards" shall mean any regulation containing pollutant discharge limits promulgated by the U.S. EPA in accordance with Sections 307(b) and (c) of the Federal Water Pollution Control Act (33 U.S.C. 1317) which apply to a specific category of users and which appear in 40 CFR Chapter 1, Subchapter N, Parts 405 through 471.

(9) "City" shall mean the city of Wenatchee, Washington, a municipal corporation of the state of Washington, acting by and through its city council, unless such authority shall be lawfully delegated to other persons.

(10) "Collection system" shall mean the system of sewers, manholes, pump stations, and appurtenances receiving liquid wastes from buildings and premises for transmission to the wastewater treatment plant.

(11) "Color" shall be defined by the percent transmittance, which is affected by the presence of dissolved substances and suspended matter including but not limited to natural metallic ions, humus and peat materials, planktons, weeds and industrial wastes. Distilled water would have 100 percent transmittance.

(12) "Commercial/industrial customer" shall mean any person discharging water-carried waste and wastewater including but not limited to wastewater from any producing, manufacturing, processing, institutional, commercial, nonprofit, or agricultural operation.

(13) "Contributing jurisdiction" shall be defined as a municipality or sanitary district located outside the city limits and contributing wastewater to the POTW.

(14) "Cooling water" shall mean water used for cooling purposes generated from any use, such as air conditioning, heat exchangers, cooling or refrigeration. For purposes of this chapter, such waters are further divided into two subcategories: (a) uncontaminated – water to which the only pollutant added is heat, which has no direct contact with any raw material, waste, intermediate or final product, and which does not contain levels of contaminants detectably higher than that of the intake water; (b) contaminated – water likely to contain pollutants detectably higher than intake water. This includes water contaminated through any means, including chemicals added for water treatment, corrosion inhibition, or biocides, or by direct contact with any process materials, products, and/or wastewater.

(15) "Customer" shall mean the person in whose name service is rendered as evidenced by the person's signature on the application or contract for that service, or in the absence of a signed instrument, by the receipt and payment of bills regularly issued in the person's name regardless of the identity of the actual user of the service.

~~(16) "Customer service lateral" shall mean the lateral from the building clean-out to the city mainline, which shall be owned and maintained by the customer.~~

(17) "Department (Ecology)" shall mean the Washington State Department of Ecology or authorized representatives thereof.

(18) "Director" shall mean the city of Wenatchee director of public works who is charged with certain duties and responsibilities by this chapter, or any other person the director may appoint.

(19) "Domestic wastewater" shall mean the water carrying human waste and the water from activities such as dishwashing, bathing and laundry in residential buildings.

(20) "EPA" shall mean the U.S. Environmental Protection Agency, or other duly authorized official of said agency.

(21) "Equivalent residential unit (ERU)" shall mean the unit of measure of daily water consumption for establishing the system investment fee to be paid to the city. One ERU is defined by the size of water meter required to meet the daily water consumption of a single-family residence. Nonresidential and multifamily residences are assigned one or more ERUs based on the size of the water meter needed to meet daily water consumption requirements.

(22) "Fats, oils and greases (FOG)" shall mean organic compounds which are generally insoluble in water, although they can be emulsified; FOG may be subdivided into polar (typically of animal or vegetable origin) and nonpolar (typically derived from petroleum) subcategories.

(23) "Floatable oil" shall mean fat or grease in a physical condition such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility.

(24) "Hauled wastes" shall mean wastes conveyed to the city by other than a direct connection to the sewer; also called "trucked wastes."

(25) "Industrial user survey" shall mean a survey form developed by the POTW to be completed by any industrial user at the request of the director. The survey information

includes, but is not limited to, types and amounts of wastewater generated, treatment and disposal methods, and chemical storage.

(26) “Inflow” shall mean water not requiring treatment, which enters the sanitary sewer system as a result of precipitation events.

(27) “Interference” shall mean a discharge which, alone or in conjunction with a discharge or discharges from other sources, either: (a) inhibits or disrupts the POTW, its treatment processes or operations; (b) inhibits or disrupts its sludge or biosolids processes, use or disposal; or (c) is a cause of a violation of any requirement of the POTW’s NPDES permit including an increase in the magnitude or duration of a violation or any increase in the cost of treatment of sewage or in the cost of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): Section 405 of the Federal Water Pollution Control Act (33 U.S.C. 1345 et seq.); the Solid Waste Disposal Act (SWDA), including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 6901 et seq.); any state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA; the Clean Air Act (42 U.S.C. 7401 et seq.); the Toxic Substances Control Act (TSCA) (15 U.S.C. 2601 et seq.); and the Marine Protection, Research and Sanctuaries Act (33 U.S.C. 1401 et seq.).

(28) “May” is permissive.

(29) “Medical wastes” shall mean isolation wastes, infectious agents, pathological wastes, sharps, body parts, fomites, etiologic agents, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes and dialysis waste.

(30) “Metered service” is a service for which charges are computed on the basis of measured quantities of water or wastewater.

(31) “Mg/l” means milligrams per liter.

(32) “Noncontact cooling water” shall mean water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

(33) “NPDES” shall mean the National Pollutant Discharge Elimination System permit program as administered by the U.S. EPA or State of Washington Department of Ecology.

(34) “Operation and maintenance” shall mean those functions that result in expenditures during the useful life of the treatment works for materials, labor, utilities, and other items which are necessary for managing and maintaining the sewage works to achieve the capacity and performance for which such works were designed and constructed. The term “operation and maintenance” includes replacement.

(35) “Pass through” shall mean a discharge or pollutant which enters and subsequently exits the POTW into waters of the state in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the city’s NPDES permit (including an increase in the magnitude or duration of a violation).

(36) "Percent transmittance" shall be defined as the percentage of UV light at a wavelength of 254 nm not absorbed after passing through a one-centimeter water sample using a spectrophotometer.

(37) "Person" shall mean any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity, or their legal representatives, agents or assigns. This definition includes all federal, state or local governmental entities.

(38) "pH" shall mean the logarithm of the reciprocal of the hydrogen ion concentration.

(39) "Pollutant" shall mean any substance discharged to a POTW which, if discharged directly, would alter the chemical, physical, thermal, biological, or radiological integrity of the waters of the state, or would be likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety or welfare, or to any legitimate beneficial use, or to any animal life, either terrestrial or aquatic. Pollutants include the following: dredged spoil, solid waste, incinerator residue, sewage, garbage, sludges, screenings, residues from pretreatment of wastes, munitions, medical wastes, chemical wastes, industrial wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, agricultural wastes, including stems, pits, leaves or fruit, and the characteristics of the wastewater (i.e., pH, temperature, suspended solids, turbidity, color, BOD, chemical oxygen demand (COD), toxicity, and odor).

(40) "POTW" or "publicly owned treatment works" shall mean a treatment works, as defined by Section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292), which is owned by the city. In this chapter, POTW refers to the city of Wenatchee as the entity owning and having responsibility for the operation and maintenance of the treatment works, and includes any devices or systems owned by the city and used in the collection, storage, treatment, recycling and reclamation of sewage, industrial wastes and sewage sludge and any sewers, pipes, and other conveyances owned by the city of Wenatchee which collect and convey wastewater to the city of Wenatchee wastewater treatment plant.

(41) "Pretreatment" shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. This reduction or alteration can be obtained by physical, chemical or biological processes, by process changes, or by other means, except by diluting the concentration of the pollutants unless specifically allowed by an applicable pretreatment standard.

(42) "Pretreatment requirement" shall mean any substantive or procedural local, state, or federal requirement related to pretreatment developed under Chapter 90.48 RCW and/or Sections 307 and 402 of the Federal Water Pollution Control Act.

(43) "Pretreatment standard" shall mean any pollutant discharge limitations including categorical standards, state standards, and limits of WCC 4.08.080 applicable to the discharge of nondomestic wastes to the POTW. The term shall also include the prohibited discharge standards of this chapter (WCC 4.08.080), WAC 173-216-060, and 40 CFR Part 403.5.

(44) "Public sewer" shall mean a sewer lying within a public highway, road, street, avenue, alleyway, public place, public easement, or right-of-way and which is controlled by or under the jurisdiction of the city. This does not include the side sewer in a public right-of-way.

- (45) "Replacement" shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances, which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.
- (46) "Residential customer" shall mean any contributor to the POTW whose lot, parcel, real estate, or building is used primarily for domestic dwelling purposes including houses, apartment complexes and recreational vehicle and mobile home parks.
- (47) "Sanitary sewer" shall mean a drain or sewer that carries liquid- and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.
- (48) "Sewage" means water-carried human wastes or a combination of water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface, storm, or other waters as may be present (the preferred term is "wastewater").
- (49) "Sewage sludge" means a semisolid substance consisting of settled sewage solids combined with varying amounts of water and dissolved materials generated from a publicly owned wastewater treatment plant.
- (50) "Sewer" shall mean any pipe, conduit, ditch, or other device used to collect and transport sewage.
- (51) "Shall" defines a mandatory requirement.
- (52) "Side sewer" or "sewer lateral" shall mean a privately-owned and maintained pipe system which is designed to convey wastewater from the building drain, plumbing outlet or other approved facility, to a public sewer system. This includes the entire length of pipe, wherever located; including in private property utility easements, public rights-of-way, or public easements~~the sewer, not directly controlled or maintained by a public authority, which begins two feet outside the outer face of a structure, wall, or foundation conveying wastewater from the building drain to a public sewer or private sewer.~~
- (53) "Significant industrial user (SIU)" shall mean any user of the POTW who: (a) is subject to a categorical pretreatment standard; or (b) discharges an average of 25,000 gallons per day (gpd) or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blowdown wastewater); or (c) contributes a process waste stream which makes up five percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or (d) is designated as such by the director on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement. Upon finding that a user meeting the criteria of subsection (b), (c), or (d) of this definition has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the director may at any time, on his or her own initiative or in response to a petition received from an industrial user, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a significant industrial user.
- (54) "Slugload" or "slug" shall mean any discharge at a flow, rate, or concentration which could cause a violation of the prohibited discharge standards (WCC 4.08.080), or any

discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a noncustomary batch discharge.

(55) “State” shall mean the state of Washington.

(56) “Storm sewer” (sometimes termed “storm drain”) shall mean a drain or sewer which carries storm and surface waters and drainage, but from which domestic wastewater, industrial wastewater and process wastewater are intentionally excluded.

(57) “Storm water” shall mean any flow occurring during or following any form of natural precipitation, and resulting therefrom, including snowmelt.

(58) “Suspended solids” shall mean total suspended matter that either floats on the surface of or is in suspension in water, sewage, or other liquids, and which is removable by laboratory filtering.

(59) “Toxic pollutants” shall mean those substances listed in the federal priority pollutant list and any other pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the U.S. Environmental Protection Agency under Section 307 (33 U.S.C. 1317) of the Federal Water Pollution Control Act.

(60) “User” shall mean any person discharging wastewater to the POTW.

(61) “WAC” shall mean the Washington Administrative Code.

(62) “Wastewater” shall mean the liquid- or water-carried industrial wastewater or domestic wastewater or any modification thereof, or any other water-carried waste, including that which may be combined with any groundwater, surface water, or storm water, that is or may be discharged to the POTW.

(63) “Wastewater discharge permit” shall mean a state waste discharge permit or a general permit issued by the Washington State Department of Ecology in accordance with Chapter 173-216 WAC.

(64) “Wastewater treatment plant” shall mean that portion of the POTW designated to provide treatment of wastewater.

(65) “Water meter” shall mean a water volume measuring and recording device, owned and approved by the city. (Ord. 2016-17 § 1; Ord. 2007-02 § 1; Ord. 2004-27 § 1)

4.08.020 Use of public sewers required.

(1) The owner or occupant of any house, building, or properties used for human occupancy, employment, recreation, or other purposes, situated within the city sewer service boundaries and abutting on any street, alley, or right-of-way in which there is now located a public sanitary sewer within 200 feet of the property line, is hereby required at his or her expense to connect to the public sewer in accordance with the provisions of this chapter. When a property is served by an existing private wastewater disposal system, connection to the public sanitary sewer system will be required to ensure protection of the environment and/or public health and safety when any of the following occurs:

- (a) The private wastewater disposal system is found to be in failing condition as determined by the Chelan-Douglas health district; or

(b) The private wastewater disposal system is found to be inadequate for the proposed or existing use of the property as determined by the Chelan-Douglas health district.

(c) The owner of a property served by a private wastewater disposal system denied a permit application to repair or replace the existing septic system on the grounds set forth in subsections (1)(a) and (b) of this section shall have the right to file an appeal with the city clerk within 14 calendar days after the decision by the Chelan-Douglas Health District which shall be heard by the city's hearing examiner in accordance with WCC 13.11.030 for review of such determination, which review shall be in accordance with RCW 35A.21.390. Appeals shall be subject to an administrative appeal fee in accordance with WCC 1.99.010. Pursuant to RCW 35A.21.390(5), a final determination by the city's hearing examiner shall not be subject to further appeal.

(2) All new divisions of land and construction of residential, commercial and industrial facilities shall be reviewed by the city engineer to determine if public sewer shall be extended to the site. It shall be the policy of the city to have public sewer extended to all new development unless special circumstances exist. All new subdivisions and construction of residential, commercial and industrial facilities and short plats approved with interim on-site sewage disposal facilities shall be required to install sanitary sewage collection systems and provide a connection from each lot. Sanitary sewage collection systems shall be installed to service all lots interior to the subdivision.

(3) If any such connection shall not be made within 60 days after written notice to the occupant or owner of such lot or parcel of property, building or structure by the director, the city is hereby authorized and directed to cause such connection to be made and to file a statement of the cost thereof with the city clerk, and thereupon a warrant in the amount of such cost payable to the city shall be issued by the city treasurer under the direction of the city council. The amount of such warrant, plus interest at the rate of 12 percent per annum upon the total amount of such cost and penalty shall be assessed against the property upon which the said building or structure is situated, and shall become a lien thereon as herein provided. Such total amount, when collected, shall be paid into said water/sewer utility fund. (Ord. 2016-17 § 1; Ord. 2007-02 § 2; Ord. 2004-27 § 2)

4.08.030 Building sewers and connections.

(1) The connection of the building sewer into the public sewer shall conform to the requirements of the most recent editions of the International Building Code, Uniform Plumbing Code and Washington State Standard Specifications for Road, Bridge and Municipal Construction.

(2) No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the city. Property owners must apply in writing at the department of public works for new services and when a change of use occurs on the property including but not limited to changes in the number of dwelling units, the number of water meters, the size of the water meter or the sewer customer classification.

(3) All costs and expenses incidental to the installation and connection of the building drain shall be borne by the owner. The owner or applicant of the premises in question shall indemnify the city against any loss or damage that may directly or indirectly be occasioned by the installation of the building drain.

(4) A single sewer lateral shall be installed to serve each building lot. Multiple connections to a single sewer lateral shall not be allowed except at the discretion of the city engineer when all of the following conditions apply:

- (a) The site topography prohibits the installation of a lateral for each building lot.
- (b) The capacity of the sewer lateral is sufficient for multiple connections.
- (c) The topography of the site is such that damage is not caused to any of the interconnected customers should the sewer lateral become plugged.

(5) Old building sewers may be used in connection with new buildings only when they are found on examination by the director at the owner's expense to be in good repair, to be suitable for this purpose, and to meet all requirements of this chapter. A change in use of a building may require the installation of oil/water separators, grit removal or other pretreatment or monitoring facilities prior to commencing a wastewater discharge, as specified in WCC 4.08.100.

(6) The city assumes no responsibility for the maintenance of any ~~customer service~~ sewer lateral, side sewer, or any building sewer lines on private property or in easements or street rights-of-way.

(7) Sewer connection permits issued pursuant to 4.08.030(2) shall expire eighteen (18) months after the date issued. If a sewer connection is not completed prior to the expiration date of the permit, the fees paid on the permit will be refunded to the applicant. The applicant must then re-apply to connect to sewer and pay the current sewer connection fees as of the date of re-application.

(7) *Repealed by Ord. 2016-17.*

(8) Any building or portion of a building with sewer piping located below the elevation of the next upstream manhole cover of the public sewer serving such drainage piping shall be protected with a check valve or backflow prevention device on the building drain or service lateral. The customer shall be responsible for the maintenance of this check valve. The city shall not be responsible for any backflow resulting from failure of this system.

(9) No person shall connect roof downspouts, foundation drains, areaway drains, irrigation, or other sources of surface runoff or groundwater to a side sewer or building drain, which in turn is connected directly or indirectly to a public sanitary sewer, or maintain such a connection. The property owner shall be required to disconnect the aforementioned connection by a method approved by the director at the owner's expense. (Ord. 2016-17 § 1; Ord. 2007-02 § 3; Ord. 2004-27 § 3)

4.08.035 Sewer service rates.

(1) The sewer service rates shall be a monthly fixed amount for customers in the single-family residential classification and multifamily residential classifications.

(2) The sewer service rates for multifamily shall be billed a fixed monthly charge multiplied by the number of dwelling units.

(3) Commercial-industrial customers All other classifications, excluding special permit dischargers, shall be billed a fixed minimum monthly charge based on the customer

classification plus a charge per one+00 hundred cubic feet of water use in excess of the first 10,000 hundred cubic feet of water use in the billing period.

(4) The sewer service rates established for each customer classification shall be as follows effective August 1, 2017:

<u>Customer Classification</u>	<u>Residential Monthly Fixed Charge per Dwelling Unit</u>	<u>Commercial/Industrial Monthly Fixed Charge</u>	<u>Charge per 1 hundred cubic feet over 10 hundred cubic feet</u>
<u>Single Family Residential</u>	<u>26.37</u>	<u>N/A</u>	<u>N/A</u>
<u>Multifamily Residential</u>	<u>22.85</u>	<u>N/A</u>	<u>N/A</u>
<u>Commercial/Industrial-Domestic</u>	<u>N/A</u>	<u>31.75</u>	<u>2.99</u>
<u>Commercial/Industrial-Medium</u>	<u>N/A</u>	<u>40.70</u>	<u>3.90</u>
<u>Commercial/Industrial-High</u>	<u>N/A</u>	<u>61.30</u>	<u>5.97</u>

The sewer service rates shall be increased by six percent on January 1, 2018, by six percent on January 1, 2019, by six percent on January 1, 2020, by six percent on January 1, 2021, by six percent on January 1, 2022, by four and half percent on January 1, 2023, and by three percent on January 1, 2024. In addition to such other charges as may be approved by the city council, commencing January 1, 2025, and on January 1st of each successive year thereafter, the sewer service rates addressed herein shall be automatically increased by three percent.

(5) Residential rates for qualifying senior citizens and disabled low income customers may be discounted per WCC 9.02.010. (Ord. 2016-17 § 1; Ord. 2010-39 § 1; Ord. 2007-02 § 4; Ord. 2003-23 § 1)

4.08.036 Connection fees.

(1) Property owners seeking to connect to the sewer system of the city shall pay an inspection fee of \$40.00 per connection.

~~and, in addition, pay a connection (frontage) charge to pay their equitable share of the cost of such system as enumerated in RCW 35.92.025 benefiting their property. The equitable share shall include interest charges applied from the date of construction of the sewer system until the connection, or for a period not to exceed 10 years, at a rate commensurate with the rate of interest applicable to the city at the time of construction or major rehabilitation of the sewer system, or at the time of installation of the sewer line to which the property owner is seeking to connect, not to exceed 10 percent per year. The aggregate amount of interest shall not exceed the equitable share of the cost of the system allocated to such property owners.~~

2) Property owners connecting a sewer lateral or side sewer to a sewer main installed by the City of Wenatchee shall pay the local facilities charge of \$6,140\$20 per equivalent residential unit to pay their equitable share of the cost of local sewer facilities as enumerated in RCW 35.92.025. For the single-family residential customer classification, each dwelling unit shall be one equivalent residential unit. For multifamily residential, domestic, medium, and high-strength commercial and industrial customer classifications, the equivalent residential unit(s) used to calculate the local facilities charge shall be based on the water meter size as reflected on the accompanying table. Each additional equivalent residential unit shall be at a rate of 75% of the first equivalent residential unit. The local facilities charge shall not be applied to connections that have frontage fee agreements that have been adopted by ordinance prior to August 1, 2017 or are part of a local improvement district or utility local improvement district. Customers connecting to the sewer system within two years of sewer becoming available will receive a discount on the local facilities charge of 30%.

<u>Water Meter Size</u>	<u>ERU</u>
<u>5/8" x 1"</u>	<u>1</u>
<u>1"</u>	<u>2.5</u>
<u>1-1/2"</u>	<u>5</u>
<u>2"</u>	<u>8</u>
<u>3"</u>	<u>16</u>

<u>Water Meter Size</u>	<u>ERU</u>
<u>4"</u>	<u>25</u>
<u>6"</u>	<u>50</u>
<u>8"</u>	<u>80</u>

(3) Property owners connecting a sewer lateral or side sewer to a sewer main and located on the west and north sides of Highway 2 and Highway 97 A and Highway 285 shall pay the applicable local facilities charge, if any, together with the Sunnyslope local facilities surcharge of \$3,810 per equivalent residential unit to pay their equitable share of the cost of local sewer facilities as enumerated in RCW 35.92.025. For the single-family residential customer classification, each dwelling unit shall be one equivalent residential unit. For multifamily residential, domestic, medium, and high-strength commercial and industrial customer classifications, the equivalent residential unit(s) used to calculate the local facilities charge shall be based on the water meter size as reflected on the table accompanying subsection (2). Each additional equivalent residential unit shall be at a rate of 75% of the first equivalent residential unit. Customers connecting to the sewer system within two years of sewer becoming available will receive a discount on the Sunnyslope local facilities charge of 30%.

(4) On January 1st of each year, beginning on January 1, 2018, the local facilities charge and Sunnyslope local facilities surcharge shall be increased by 1%. Frontage fee refunds may be issued for a new connection when both of the following two conditions are satisfied:

(a) The property owner paid frontage fees that included the installation cost of the existing sewer lateral; and

(b) The existing sewer lateral was damaged, does not exist as shown in the city records, or is not within 10 feet of the location shown in the city records.

Refunds will not be issued in the case where laterals have been damaged by franchise utilities. Property owners not paying frontage fees on new connections are solely responsible for existing and new laterals regardless of condition and location shown in the city records.

(5) A credit against the system investment fee shall be allowed in an amount equal to the amount of sewage disposal payments actually made or 36 monthly payments, whichever amount is less, at the time property is connected to the sewage disposal system for those properties previously charged the sanitary sewer service fee because the property was located within 200 feet of the sewage disposal system, even though the property was not connected to the system.

(6) If a sewer service remains disconnected resulting from disconnection of domestic water for four years or more, the property owner will be required to pay the sewer system investment fees at the time their water service is reconnected unless the property owner can provide proof that the applicable system investment fees were previously paid. If a change of use occurs on the property, including but not limited to a change in the classification from a lower classification to a higher classification as set forth in WCC 4.08.040, a change in the number of dwelling units,

~~addition of a new water meter or an increase in the size of the existing water meter, the property owner shall be required to pay the difference in the sewer system investment fees. Sewer system investment fees shall not be refunded for decreases in meter size, removal of a water meter, a decrease in the number of dwelling units or decrease in sewer classification. (Ord. 2016-17 § 1; Ord. 2007-02 § 5; Ord. 2003-23 § 2)~~

4.08.037 System investment fee.

(1) Each new connection to the city’s sewer system shall pay to the city a “system investment fee.”, as provided for by RCW 35.92.025. The system investment fee will represent a recovery by the city of its net investment in the sewer utility to be used by the customer connecting to the sewer system. The system investment fee shall be a flat charge per dwelling unit for single-family residential ~~and multifamily residential customer classifications~~. For multifamily, domestic, medium, and high-strength commercial and industrial customer classifications, the equivalent residential unit based on the water meter size serving these classifications shall be used to calculate the system investment fee as shown on the table accompanying 4.08.036 (2). Where a commercial or residential customer includes more than one activity, the system investment fee shall be based on that fee applicable to the activity with the highest wastewater strength classification. The system investment fee shall be payable when making application for connection to the city’s sewer system for residential or commercial establishment. The system investment fee for each customer classification is as follows:

Customer Classification	Charge for First Dwelling Unit or Equivalent Residential Unit	Charge for Additional Dwelling Unit or Equivalent Residential Unit
Single-family residential	\$570.00 <u>1,500</u>	N/A
Multifamily residential	\$509.00 <u>1,500</u>	\$469.00 <u>1,125</u>
Commercial/industrial (domestic)	\$570.00 <u>1,500</u>	\$530.00 <u>1,125</u>
Commercial/industrial (medium)	\$710.00 <u>1,870</u>	\$670.00 <u>1,400</u>
Commercial/industrial (high)	\$1,032 <u>2,720</u>	\$992.00 <u>2,040</u>
The determination of equivalent residential units for commercial/industrial customers shall be in accordance with the following table based on the water meter size serving the sewer customers.		

Water Meter Size	ERU
5/8" x 1"	1
1"	2.5
1-1/2"	5
2"	8
3"	16
4"	25
6"	50
8"	80

(25) A credit against the system investment fee shall be allowed in an amount equal to the amount of sewage disposal payments actually made or 36 monthly payments, whichever amount is less, at the time property is connected to the sewage disposal system for those properties previously charged the sanitary sewer service fee because the property was located within 200 feet of the sewage disposal system, even though the property was not connected to the system.

(36) If a sewer service remains disconnected resulting from disconnection of domestic water for four years or more, the property owner will be required to pay the sewer system investment fees at the time their water service is reconnected unless the property owner can provide proof that the applicable system investment fees were previously paid. If a change of use occurs on the property, including but not limited to a change in the classification from a lower classification to a higher classification as set forth in WCC 4.08.040, a change in the number of dwelling units, addition of a new water meter or an increase in the size of the existing water meter, the property owner shall be required to pay the difference in the sewer system investment fees. Sewer system investment fees shall not be refunded for decreases in meter size, removal of a water meter, a decrease in the number of dwelling units or decrease in sewer classification.

(Ord. 2016-17 § 1; Ord. 2007-02 § 6; Ord. 2003-23 § 3)

4.08.038 — Annual CPI adjustment.

~~In addition to such other charges as may be approved by the city council, commencing January 1, 2017, and on January 1st of each successive year thereafter, the rates addressed herein shall be automatically increased based upon 80 percent of the Consumer Price Index, Pacific Cities and U.S. City Average, All Items Indexes, for the period July to July, All Urban Consumers, West B/C as published by the Bureau of Labor Statistics. In no event shall the rates be increased by an amount less than one percent nor greater than five percent without prior approval by the city council. However, these fees and charges shall not, in any case, decrease. (Ord. 2016-17 § 1; Ord. 2010-039 § 2; Ord. 2007-02 § 7; Ord. 2003-23 § 4)~~

4.08.040 Customer classification.

Each customer connected to the city's sewer system shall be classified based on the type of business or residential activity to be conducted or being conducted on the premises and/or the specific characteristics of the wastewater being discharged. Wastewater discharges shall be characterized by the strength of the wastewater based on BOD and suspended solids, the concentration of metals, and/or other organic chemicals that may affect the treatability of the discharge. These customer classifications shall include residential, commercial/industrial, and special permit dischargers as defined below. The ranges of BOD and suspended solids given for each classification are from the Washington State Department of Ecology Publication Number 98-37 entitled "Criteria for Sewage Works Design" and may not represent the actual strength discharged by a specific customer.

(1) Residential. Residential customers include single-family residential and multifamily residential which discharge to the sewer system wastewater of a domestic nature and with an average strength of less than 240 mg/l of BOD and 260 mg/l of suspended solids. The two classifications of residential are further defined as follows:

(a) Single-Family Residential. A single-family residential customer shall be deemed to mean a separate dwelling occupied by one family with a single connection to the city's sewer system. A single-family residence may be site-built or manufactured.

(b) Multifamily Residential. This classification shall include a residential building or buildings containing two or more dwelling units each with separate kitchen facilities, cottage housing and mobile or manufactured home parks connected to the city's sewer system by one or more connecting sewers.

(2) Commercial/Industrial. Commercial/industrial customer classifications are distinguished based on type of business and/or their wastewater characteristics. The three classifications include domestic, medium strength wastewater, and high-strength wastewater. The types of commercial, institutional, and industrial in each of the three categories, and the average strength of the wastewater based on these activities, is identified below:

(a) Commercial/Industrial – Domestic. Customers in this classification will typically have a wastewater strength that is primarily domestic in character and on an average basis does not exceed 240 mg/l of BOD and 260 mg/l of suspended solids. Commercial and industrial activities included in this classification are as follows:

- (i) Professional offices;
- (ii) Retail sales;
- (iii) Auto service and repair;
- (iv) Motels and hotels (rooms only).

(b) Commercial/Industrial – Medium. Customers in this classification will have an average wastewater strength that is greater than that of the commercial/industrial – domestic classification but on a daily average will not exceed 410 mg/l of BOD and 425 mg/l of

suspended solids and will not exceed a five-day average of 240 mg/l of BOD and 260 mg/l of suspended solids. Commercial and industrial activities included in this classification are:

- (i) Grocery stores without food grinders;
- (ii) Hospitals and convalescent centers;
- (iii) Manufacturers;
- (iv) Food processors.

(c) Commercial/Industrial – High. Customers in this classification will have an average wastewater strength that is greater than that of the commercial/industrial – medium classification but on the average does not exceed a daily average of 1,150 mg/l of BOD and 1,200 mg/l of suspended solids and will not exceed a five-day average of 450 mg/l of BOD and 460 mg/l of suspended solids. The types of business included in this classification are restaurants, hotels with dining facilities, bakeries, auto steam cleaning, grocery stores with food grinders, mortuaries, commercial laundries and special industrial manufacturing or processing activities.

(3) Special Permit Dischargers. This classification of customer includes commercial or municipal operators who, through a separate license, permit, or contract, are authorized to discharge at a designated point in the city POTW wastes collected from other sources such as wastewater from cleanup projects, or other hauled wastewater. The city shall establish administratively the requirements for licensing each firm, person or municipality wishing to discharge waste to the city POTW. See WCC 4.08.080, 4.08.100 and 4.08.110 for additional requirements.

(4) Dual Classification. Where a customer connected to or connecting to the city's sewer system includes activities and wastewater strengths falling in more than one of the classifications defined above, the customer shall be classified based on the highest strength of wastewater from the activities carried on in the premises. If the water service to each type of activity in the building can be separated and a separate meter installed to each activity, then each activity would be classified as a separate customer under the applicable classification.

(5) Home Occupation. Customers with approved home occupations shall be classified based on the highest strength of wastewater from the activities carried on in the premises. Customers whose home occupation meets the criteria of the commercial/industrial-domestic category shall be billed as a residential customer. All other customers operating home occupations shall be billed as a commercial/industrial customer under the appropriate commercial/industrial category. (Ord. 2016-17 § 1; Ord. 2007-02 § 8; Ord. 2004-27 § 4)

4.08.050 Billings.

Billings and collections for sewage disposal service shall be prescribed in Chapter 9.02 WCC. (Ord. 2016-17 § 1; Ord. 2007-02 § 9; Ord. 2004-27 § 5)

4.08.060 Special provisions.

(1) All sanitary sewage disposal service furnished to a customer outside the city limits shall be charged at the rate of 150 percent of the schedule for rates and charges set forth in WCC 4.08.035 through 4.08.038; however, the city, with respect to commercial and industrial

customers situated outside the city limits, may enter into contracts for furnishing sanitary sewage disposal service on such terms as the city may determine to be equitable in each instance. Such agreements shall be approved by the city council.

(2) Where the use of water is such that a portion of all the water used does not flow into the city sewer but is lost by evaporation, irrigation, sprinkling or any other cause, or is used in manufactured products such as ice, canned goods, beverages and the like, and the person in control provides proof of this fact to the city of Wenatchee, and installs a meter or other measuring device approved by the director to measure the amount of water so used or lost, fees may be adjusted based on measured flow.

(3) In the event a developer is requested by the city to install a sewer system and/or sewer lines larger than required for serving the development, the city will pay the additional cost of the oversized system and/or lines.

(4) Special Agreement. The city reserves the right to enter into special agreements or contracts with customers setting out special terms under which they may discharge to the POTW with the terms of such special agreements to govern in the event of conflict with this chapter; provided, however, in no case will a special agreement waive compliance with a pretreatment standard or requirement.

(5) Credits for Commercial/Industrial Customers. When a customer classified as commercial/industrial under WCC 4.08.040(2) requests a credit due to a water leak, the customer must complete a credit request form and provide evidence to the city finance department that there has been a water leak in the customer's water line that did not reach the sewer system and that the leak has been repaired. Commercial/industrial customers requesting a credit due to a wastewater flow metering issue must also complete a credit request form and provide evidence of the problem and that the problem has been repaired. The director will make a factual determination of the leak or wastewater flow metering problem and its repair and make a recommendation to the finance department as to whether a credit shall be given. When a commercial/industrial customer demonstrates to the satisfaction of the director that the water leak or wastewater flow metering problem occurred and was repaired within 30 days or in accordance with an alternate timeline approved by the director, the city may allow a sewer credit of up to one-half of the sewer consumption above the customer's average sewer consumption for the same period or the average of the customer's available history when less than 12 months of consumption history is not available. Adjustments to a specific account at the request of the customer may not be made more than once in a two-year period unless approved by the director and credits shall not be given for consumption that is less than 50 percent over the average consumption for the same period. (Ord. 2016-17 § 1; Ord. 2007-02 § 10; Ord. 2004-27 § 6)

4.08.070 Water/sewer utility fund.

There is hereby created a special fund of the city to be known as the "water/sewer utility fund." Any and all revenues received for the use of sewers as set forth herein for sewage disposal service from the sale of by-products from the wastewater treatment plant and/or from any other source of rental, use or services rendered by such utility shall be credited to and paid into such fund. All engineering expenses incurred by the engineering department in planning, designing, supervising and administering any work on the Wenatchee municipal sewer system, and all expenses of maintenance and operation of the sewer system and wastewater treatment plant

including but not limited to all improvements, additions, betterment, extensions, repairs, replacements and revenue bond debt service, shall be paid out of said fund. (Ord. 2016-17 § 1; Ord. 2007-02 § 11; Ord. 2004-27 § 7)

4.08.080 Prohibited discharges.

(1) General Provisions. No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass through or interference. These general prohibitions and the specific prohibitions in subsection (2) of this section apply to all users of the POTW and customers of the contributing jurisdictions whether or not they are subject to categorical pretreatment standards or any other national, state, or local pretreatment standards or requirements.

(2) Specific Prohibitions. No user shall introduce or cause to be introduced into the POTW the following pollutants in any form (solid, liquid, or gaseous):

(a) Any pollutant which either alone or by interaction may create a fire or explosive hazard in the POTW, including, but not limited to, wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit (60 degrees Celsius) using the test methods specified in 40 CFR 261.21. At no time shall a wastestream cause two successive readings on a combustible gas meter to be more than five percent nor any single reading over 10 percent of the lower explosive limit (LEL) of the meter at any point in the collection system or treatment plant. Prohibited materials include, but are not limited to, gasoline, fuel oil, diesel, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, sulfides, and any other substances which are a fire hazard or hazard to the POTW;

(b) Any pollutant which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0 or more than 11.0;

(c) Any solid or viscous substances including fats, oils and greases in amounts which may cause obstruction of the flow in the POTW or interference;

(d) Any discharge of pollutants, including oxygen demanding pollutants (BOD, etc.), released at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, is sufficient to cause interference with the POTW;

(e) Any wastestream having a temperature which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which would cause the temperature at the introduction into the treatment plant to exceed 104 degrees Fahrenheit (40 degrees Celsius);

(f) Any wastewater having an animal/vegetable (polar) based floatable oil, fat waste, oil, or grease, or a mineral/petroleum (nonpolar) based oil or grease (whether or not emulsified), hexane or ether-soluble matter content in excess of 100 mg/l, or any petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;

(g) Any pollutants which singly or by interaction with other wastes result in the presence of noxious or malodorous gases or fumes in a quantity that may cause acute worker health and

safety problems, or are capable of creating a public nuisance or are sufficient to prevent the entry into sewers for maintenance and repair;

(h) Any trucked or hauled wastes except at discharge points designated by the city pursuant to WCC 4.08.060 or 4.08.090;

(i) Any inflow from sources which do not require treatment or would not be afforded a significant degree of treatment by the POTW including storm water and wastewaters affecting system hydraulic loading, unless specifically authorized by the director;

(j) Any cooling water or boiler water containing chemicals other than chlorine and/or sulfuric acid except as approved by the director;

(k) Any dangerous wastes or hazardous wastes as defined in Chapter 173-303 WAC, as amended, except as allowed in compliance with that regulation;

(l) Any water added for the purpose of diluting wastes which would otherwise exceed applicable pretreatment standards;

(m) Any sludges, screenings, or other residues from the pretreatment of industrial wastewater discharges;

(n) Any discharge which imparts color which cannot be removed by the POTW's treatment process including but not limited to dye wastes, vegetable tanning solutions, and pear float, which consequently imparts color to the treatment plant's effluent and interferes with the ultraviolet disinfection process;

(o) Any discharge containing radioactive wastes or isotopes except as specifically approved by the director in compliance with the applicable state or federal regulations including WAC 246-221-190, "Disposal by Release into Sanitary Sewerage Systems"; and meeting the concentration limits of WAC 246-221-290, Appendix A, Table I, Column 2; and WAC 246-221-300, Appendix B;

(p) Any substances which may cause the POTW's effluent or treatment residues, sludges, or scums to be unsuitable for reclamation and reuse or would interfere with the reclamation process or cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed pursuant to the federal, state, or local statutes or regulations applicable to the sludge management method being used;

(q) Persistent pesticides and/or substances regulated by the Federal Insecticide Fungicide Rodenticide Act (FIFRA) except as approved by the director;

(r) Any detergents, surface-active agents, or other substances in amounts which may cause excessive foaming in the POTW;

(s) Any substance, alone or in conjunction with other sources, which will cause the POTW to violate its NPDES permit.

(3) Local Limits. The following pollutant levels are established to protect against pass through and interference with the operation of the treatment plant. No person shall discharge wastewater containing in excess of the following instantaneous maximum allowable discharge limits:

Copper	0.68 parts per million (ppm)
Lead	0.5 ppm
Zinc	1.48 ppm
Total Phenols	0.10 ppm

The above limits apply at the point where the wastewater is discharged to the POTW. All concentrations of metallic substances are for “total” metals unless indicated otherwise. The department or the city may impose mass limitations in addition to, or in place of, the concentration-based limitations above. The city may also revise or modify the local limits as required, or if deemed necessary to avoid violations to the NPDES permit.

(4) Federal Categorical Pretreatment Standards. All users in the regulated industrial categories shall meet national categorical pretreatment standards as adopted and hereafter amended by the EPA pursuant to the Federal Water Pollution Control Act. These standards, found in 40 CFR Chapter 1, Subchapter N, Parts 405 – 471, are hereby incorporated by reference.

(5) State Requirements. State requirements and limitations on discharges to the POTW as incorporated into Washington State law by Chapter 90.48 RCW and implemented in Chapters 173-201A, 173-216 and 173-240 WAC shall be met by all users which are subject to such standards in any instance in which they are more stringent than federal requirements and limitations, or those in this or other applicable ordinances. This includes the requirement to meet AKART as defined herein whenever applicable and more stringent than local limits, and to comply with the requirements of WCC 4.08.100. (Ord. 2016-17 § 1; Ord. 2007-02 § 12; Ord. 2004-27 § 8)

4.08.090 Regulation of waste received from contributing jurisdictions.

(1) If another municipality or sanitary district located outside the city limits desires to contribute wastewater to the POTW, the director may enter into a multi-jurisdictional agreement with the contributing jurisdiction.

(2) Prior to entering into an agreement provided by subsection (1) of this section, the contributing jurisdiction shall provide the following information to the city:

- (a) A description of the quality and volume of wastewater discharged to the POTW by the contributing jurisdiction including analytical testing results which may include FOG, BOD, suspended solids, priority pollutants, metals and other analytes;
- (b) A list of all customers discharging within the contributing jurisdiction;
- (c) A legal description of the area to be served; and

- (d) Such other information related to wastewater discharge as the director may deem necessary.
- (3) A multi-jurisdictional agreement, as allowed by subsection (1) of this section, shall contain the following conditions:
- (a) A requirement for the contributing jurisdiction to adopt or adopt by reference a sewer use ordinance which is at least as stringent as the ordinance codified in this chapter and local limits which are at least as stringent as those adopted by the city's ordinance. The requirement shall specify that such ordinance and limits must be revised as necessary to reflect changes made to the city's ordinance or local limits;
 - (b) A requirement for the contributing jurisdiction to submit a revised user inventory on at least an annual basis;
 - (c) A provision specifying which pretreatment implementation activities, including wastewater discharge permit issuance, inspection and sampling, and enforcement, will be conducted by the contributing jurisdiction; which of those activities will be conducted by the director; and which of these activities will be conducted jointly by the contributing jurisdiction and the director;
 - (d) A requirement for the contributing jurisdiction to provide the director with access to all information related to wastewater discharge that the contributing jurisdiction obtains as part of its pretreatment activities;
 - (e) Limits on the nature, quality and volume of the contributing jurisdiction's wastewater at the designated monitoring point before it discharges to the POTW;
 - (f) Requirements for monitoring the contributing jurisdiction's discharge including analytes and testing frequency;
 - (g) A provision ensuring director access to the facilities of customers located within the contributing jurisdictional boundaries for the purpose of inspection, sampling and collection of any other information related to the wastewater discharge and duties deemed necessary by the director; and
 - (h) A provision specifying remedies available for breach of the terms of the multi-jurisdictional agreement. (Ord. 2016-17 § 1; Ord. 2007-02 § 13; Ord. 2004-27 § 9)

4.08.100 Pretreatment.

(1) Industrial User Surveys. The director shall periodically notify new, existing, and potential users of the requirement to complete an industrial user survey form. Upon notification, users shall fully and accurately complete the survey form, and return the completed form to the director within 30 days of receipt. Each user shall maintain a copy of the latest completed survey form at their place of business. Failure to fully or accurately complete a survey form or to maintain the latest survey form on the premises where a wastewater discharge is occurring shall be a violation of this chapter.

(2) Wastewater Discharge Permit. Any user meeting the definition of a significant industrial user shall file an application for a state waste discharge permit with the Department in accordance with the requirements of WAC 173-216-070. Proof of acceptance of the application and payment of permit fees shall be kept at the user's facilities, and produced upon request by the director. Failure to submit the application or rejection of the application by the Department may be considered sufficient grounds to terminate or refuse to provide sewer service. Any violation of the terms and conditions of the wastewater discharge permit shall be deemed a violation of this chapter and subjects the user to the sanctions set out in this chapter. Obtaining authorization from the Department and the POTW does not relieve a user of its obligation to comply with all federal and state pretreatment standards or requirements or with any other requirements of federal, state and local law.

(3) Commercial/industrial customers shall properly install, operate, and maintain the wastewater facilities which, combined with appropriate practices, are necessary to achieve AKART as defined herein. Such pretreatment facilities shall be designed to achieve compliance with all applicable pretreatment standards and requirements within the time limitations specified by the EPA, state or the city, whichever is more stringent. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the Department for review and approval in accordance with the procedures of Chapter 173-240 WAC, and shall be disclosed to the city before construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying its facility as necessary to produce a discharge acceptable to the city and/or the Department and meet discharge limitations under the provisions of this chapter. Such facilities shall be provided, operated, and maintained at the user's expense.

(4) Significant industrial users shall comply with approved engineering reports, plans and specifications, and operations and maintenance manuals, and shall modify such documents to reflect any proposed modifications of industrial wastewater (pretreatment) facilities. SIUs shall submit proposals to modify pretreatment facilities to the Department before implementation in accordance with Chapter 173-240 WAC. SIUs shall submit a copy of such revised plans and the Department's acceptance to the director before implementing changes to approved pretreatment facilities. The director may audit the compliance of any SIU, and require changes in operating procedures deemed necessary by the director to ensure continued compliance with applicable pretreatment standards and requirements.

(5) If monitoring of a commercial/industrial customer indicates noncompliance with the requirements of this chapter, the customer will be required to take corrective measures at the customer's expense. Such measures may include: restricting a discharge during peak flow or low flow periods; designating that certain wastewater be discharged only into specific sewers; requiring relocation and/or consolidation of discharge points; installing a sampling site as specified by the city; and/or separating sewage or storm water wastestreams from industrial wastestreams.

(6) Commercial/industrial customers who operate restaurants, cafes, lunch counters, cafeterias, bars or clubs, or hotel, hospital, factory or school kitchens, butcher shops, grocery stores or any other establishment where grease may be introduced into the sewer system shall have a gravity grease interceptor to prevent the discharge of fat, oil, and grease waste. Such pretreatment

facilities shall be located outside the building and installed in the wastewater line leading from the sinks, drains or other fixtures where grease may be discharged. New grease interceptors shall be in accordance with the most recent edition of the Uniform Plumbing Code and any other requirements by the city as set forth in this chapter. Grease interceptors that include dishwasher effluent shall be sized to allow sufficient detention time to allow for cooling of the effluent. Sanitary facilities will not be allowed to connect upstream of any grease interceptor. Hydromechanical grease interceptors inside the building shall only be allowed upon written approval by the director under special circumstances which may include but are not limited to insufficient space to install an outside interceptor, cost of retrofitting existing facilities, and single service businesses with limited menus.

(7) Commercial/industrial customers who operate automobile and truck repair facilities, car washes, steam cleaning or pressure washing facilities, or any other establishment where grit, sand, and petroleum-based grease and oil may be introduced into the sewer system shall have an oil/water separator, settling tanks or grit trap. These oil/water separators, settling tanks and grit traps must be in accordance with the city and Department of Ecology standards.

(8) All grease interceptors, oil/water separators, settling tanks, and grit traps shall be properly installed, maintained and operated by the user at the user's expense. The pretreatment facilities shall be kept in continuous operation at all times, and shall be maintained to provide efficient operation. Cleaning must be performed by a service contractor qualified to perform such cleaning, or in a manner approved by the director. All material removed shall be disposed of in accordance with all state and federal regulations. Oil and grease waste and grit removed from such facilities shall not be disposed of in the sanitary or storm sewer. Furthermore, the use of hot water, enzymes, bacteria, chemicals or other agents or devices that cause the contents of a pretreatment device to be discharged into the sanitary sewer system is prohibited. Records of maintenance shall be made readily available on-site to the director for review and inspection, and must be maintained for a minimum of five years. The director will require that all maintenance records be submitted on a routine basis for businesses whose operations are known to generate high levels of oil and grease or who have failed in the past to properly maintain their pretreatment facilities and fail to produce a discharge quality in compliance with the parameters set forth in this chapter.

(9) Commercial/industrial customers with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

(10) Report of Changed Conditions. Each commercial/industrial customer must notify the city of any planned significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least 30 days before the change. These significant changes include, but are not limited to, flow changes of 20 percent or greater, changes in the strength of wastewater being discharged, and the discharge of previously unreported pollutants. The director may require the user to submit information as may be deemed necessary to evaluate the changed condition. No user shall implement the planned changed condition(s) until and unless the director has responded to the user's notice.

(11) Slug Discharge Control Plans. If it is determined that the commercial/industrial customer's discharge is occurring in slugloads, the user may be required to install, properly operate, and maintain, at the user's expense, facilities to prevent slugloads or accidental discharges of

pollutants to the POTW. Such users will be required to implement spill plans developed in compliance with applicable OSHA, health, fire, and Department regulations applicable to discharges to POTWs. When such plans are required, they shall contain at least the following elements:

- (a) Description of wastewater discharge practices;
- (b) Description of any and all stored chemicals including material safety data sheets;
- (c) Procedures for immediately notifying the POTW of any accidental or slug discharges, with procedures for follow-up written notification within five days; and
- (d) Procedures to prevent any accidental slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building or containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.

(12) Accidental Spill Notification. Users shall verbally notify the POTW immediately upon the occurrence of a slugload or accidental discharge of substances regulated by this chapter or discharge permit and take immediate actions to correct the situation. Such notification shall include the following information: (a) the location of the discharge, (b) the date and time thereof, (c) the type of waste, (d) the waste concentration and volume, and (e) the corrective actions taken and planned. The user shall follow up with a written notification to the director containing the same. Any user who discharges an accidental discharge or slugload shall be liable for: (a) recovery of any resultant expenses, losses, and damages to the POTW; (b) recovery of any fines or settlements levied upon the city by any government agency or court of competent jurisdiction attributable to the discharge; and (c) applicable fines and penalties assessed upon the user by the city for noncompliance with this chapter.

(13) Commercial/industrial customers may be required to retrofit facilities which were constructed prior to the adoption of this chapter. The requirement to retrofit shall be on a case-by-case basis as determined by the director for compliance with city, state and federal regulations. The director may require installation of grease interceptors, grease traps or other pretreatment facilities for those facilities that violate discharge prohibitions. In deciding whether to require a user to retrofit their facilities, the director shall take into account all relevant circumstances including but not limited to the extent of potential harm caused by the discharge, the magnitude and duration of the discharge, economic detriment to the user, corrective actions by the user, and the compliance history of the user. All costs incurred in retrofitting a user's facility shall be the sole responsibility of the user.

(14) Commercial/industrial customers installing and maintaining pretreatment facilities in accordance with this chapter may qualify for incentives. Incentive programs must be approved by city council and will be awarded according to the criteria set forth in the program. Incentive programs may be discontinued without prior notice. (Ord. 2016-17 § 1; Ord. 2007-02 § 14; Ord. 2004-27 § 10)

4.08.110 Inspections, monitoring and record keeping.

(1) Inspection and Sampling. The director shall have the right to enter the facilities of any user to ascertain compliance with this chapter and any wastewater discharge permit. Persons or occupants of premises where wastewater is created or discharged shall allow the director ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination or in the performance of any of their duties. The director and/or Department shall have the right to set up on the user's property such devices as are necessary to conduct sampling inspections, compliance monitoring and/or metering operations. Where a user has security measures in place which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with their security guards so that, upon presentation of suitable identification, personnel from the POTW or Department will be permitted to enter, without delay, for the purposes of performing their specific responsibilities.

(2) Search Warrants. If the director has been refused access to a building, structure or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this chapter, or that there is a need to inspect as part of a routine inspection program of the POTW designed to verify compliance with this chapter or any wastewater discharge permit, or to protect the overall public health, safety and welfare of the community, then the director shall seek issuance of a search and/or seizure warrant from the superior court of Chelan County.

(3) Wastewater Monitoring. Any user subject to sampling requirements shall collect, analyze samples and report results as specified in the user's wastewater discharge permit or contract. The director may require sampling, analysis and reporting of results by users who are not required to have a wastewater discharge permit if information or data are needed to establish a sewer charge, determine the treatability of the effluent, determine compliance with this chapter or determine any other factor which is related to the operation and maintenance of the sewer system.

(4) Analyses. All wastewater analyses shall be performed either by a state certified laboratory, by a laboratory of a commercial/industrial customer approved by the director or, at the discretion of the director, by personnel of the POTW. If performed by POTW personnel, the user requesting the analyses shall pay an appropriate charge. Data developed in the laboratory of a user shall be verified by a responsible administrative official of the industrial discharger under penalty of perjury and certify to its being accurate and correct. All wastewater analyses shall be conducted in accordance with U.S. Environmental Protection Agency approved analytical methods (40 CFR Part 136). If no appropriate procedure is contained therein, the standard procedure of the industry or a procedure judged satisfactory by the director shall be used to measure wastewater constituents. Any independent laboratory or discharger performing tests shall furnish any required test data or information on the test methods or equipment used, if requested to do so by the director.

(5) Monitoring Facilities. All wastewater dischargers required by the director or discharge permit by the Department of Ecology to make continuous or periodic measurements shall furnish, install and maintain a monitoring facility or station of a design or configuration approved by the director. The monitoring facility shall be located in an accessible location approved by the director and shall be provided in accordance with the city's requirements and all applicable local

construction requirements. Plans for all monitoring facilities, including flow measurement and sampling systems, judged by the director to require engineering design, shall be prepared and signed by an engineer of suitable discipline licensed by the state of Washington.

(6) Record Keeping. Users shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this chapter and any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements. Records shall include the date, exact place, method, and time of sampling and the name of the person(s) taking the samples; the date analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least five years.

(7) Confidential Information. Records kept by the director with respect to the nature and frequency of discharges from any user shall be available to the public without restriction, unless the user specifically requests, and is able to demonstrate to the satisfaction of the director, that the release of such information would divulge information, processes or methods of production entitled to confidentiality under the law. Users shall clearly mark "confidential" on all areas of correspondence they wish to be held confidential from the public, and feel is afforded such protection. The director shall determine if such information is legally afforded this protection under the law upon receipt of a request for such information. Only information marked "confidential" and determined by the director to legally qualify as such shall be withheld from the public. The city can provide no assurance that such information will not ultimately be determined to be a public record subject to release if ordered by the court, and the city undertakes no obligation to defend the nondisclosure of such information in court. No correspondence claimed as "confidential" shall be withheld from any state or federal agency responsible for oversight of the POTW's NPDES permit or authority to implement the NPDES, or state or federal pretreatment programs. Wastewater constituents and characteristics, and other "effluent data" as defined in 40 CFR 2.302, will not be recognized as confidential information and will be made available to the public without restriction. (Ord. 2016-17 § 1; Ord. 2007-02 § 15; Ord. 2004-27 § 11)

4.08.120 Administrative enforcement remedies.

(1) State Responsibility. The Department is charged with permitting and regulating commercial/industrial customers discharging to the POTW. Except for emergency actions, it shall be the policy of the director to coordinate actions in regard to control of such users with the Department until such time as a local pretreatment program for the city may be authorized by the state. Failure to conduct such coordination, however, shall not invalidate any action of the city authorized by this chapter.

(2) Notice of Violation. Whenever the director finds that any user has violated or is continuing to violate a contract, any provision of this chapter, or an order issued hereunder, the director may serve upon such user written notice of the violation. Within 10 days of receipt of such notice of violation, the user shall submit to the director an explanation of the violation and a plan to satisfactorily correct and prevent the reoccurrence of such violation(s). The plan shall include specific actions the user will take, and the completion dates of each. Submission of this plan in no way relieves the user of liability for any violations occurring before or after receipt of the

notice of violation. Nothing in this section shall limit the authority of the city to take any action, including emergency actions or any other enforcement action, without first issuing a notice of violation.

(3) Compliance Orders. Whenever the director finds that a user has violated, or continues to violate, any provision of this chapter, or order issued hereunder, the director may issue a compliance order to the user responsible for the violation. This order shall direct that adequate pretreatment facilities, devices, or other related appurtenances be installed and properly operated and maintained. The order shall specify that wastewater services, including collection and treatment, shall be discontinued and/or applicable penalties imposed unless, following a specified time period, the directed actions are taken. Compliance orders may also contain such other requirements as might be reasonably necessary and appropriate to address the violation or noncompliance, including, but not limited to, the installation of pretreatment technology, additional self-monitoring, and management practices designed to minimize the amount of pollutants discharged to the POTW. A compliance order may not extend the deadline for compliance beyond any applicable state or federal deadlines, nor does a compliance order release the user from liability from any past, present, or continuing violation(s). Issuance of a compliance order shall not be a prerequisite to taking any other action against the user. Failure to comply with any terms or requirements of a compliance order by a user shall be an additional and independent basis for termination of water and wastewater services, including collection and treatment, or any other enforcement action authorized under this chapter and deemed appropriate by the director.

(4) Cease and Desist Orders. The director may issue a cease and desist order upon finding a user has or is violating either: this chapter, a wastewater discharge permit or order issued by the Department, or any other pretreatment standard or requirement. The decision to issue a cease and desist order shall consider the likelihood that a user's violations in conjunction with other discharges could cause a threat to the POTW, POTW workers, or the public, or cause pass through, interference, or a violation of the POTW's NPDES permit. The order issued by the director will direct the user to cease and desist all such violations and to: (a) immediately cease such actions or discharges described; (b) comply with all applicable pretreatment standards and requirements; (c) take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge. Issuance of a cease and desist order shall not be a bar against, or prerequisite for, taking any other action against the user.

(5) Recovery of Costs Incurred by the City. Any discharger violating any of the provisions of this chapter who discharges or causes a discharge producing a deposit or obstruction or causes damage to or impairs the city's POTW shall be liable to the city for any expense, loss, fines, or damage caused by such violation or discharge. The city will bill the discharger for the cost incurred by the city for any cleaning, repair, replacement work, or other damages caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this chapter enforceable under the provisions of this section and WCC 4.08.130.

(6) Noncompliance Fines. Notwithstanding any other section of this chapter, any user who is found by the director to have violated any provision of this chapter, or orders issued hereunder, shall be fined in the amount not to exceed \$1,000 per violation. Each day on which

noncompliance shall occur or continue shall be deemed a separate and distinct violation. Such assessments may be added to the user's next scheduled sewer service charge or billed separately. Unpaid charges, fines, and penalties shall constitute a lien against the individual user's property. Issuance of an administrative fine shall not be a prerequisite for taking any other action against the user.

(7) Termination of Treatment Services. The director shall have authority to terminate water and wastewater services, including collection and treatment, through the issuance of a termination order to any user upon determining that such user has: (a) refused access allowed by this chapter thereby preventing the implementation of any purpose of this chapter; (b) violated any provision of this chapter including the discharge prohibitions and standards of WCC 4.08.080; or (c) violated any lawful order of the city issued with respect to this chapter. For users holding permits to discharge to the POTW, violation of the following conditions is also grounds for terminating discharge services: (a) failure to accurately report wastewater constituents or characteristics; (b) failure to report significant changes in operations or wastewater constituents or characteristics; or (c) violation of any term or condition of the user's waste discharge permit. Tenants and property owners shall be notified at least 10 days prior to services being terminated. Service will be restored after the customer has made arrangements to come into compliance and paid or made payment arrangements acceptable to the finance department for the water disconnect/connect charge under WCC 1.99.060 or for sewer disconnect/connect all costs associated with the installation of a shut-off valve including permits, labor, equipment and materials. If a customer makes arrangements for compliance and payment after 4:30 p.m., the services will not be reconnected until the next business day. If a customer wishes to have their services reconnected after 4:30 p.m., they will be charged after hours rates per WCC 1.99.060.

(8) Administrative Hearing. A user shall be afforded the opportunity to an administrative hearing to contest the director's determination to suspend services, terminate wastewater services, impose penalties, recover costs, or establish compliance schedules. Any hearing pursuant to this section must be requested by the user in writing within 10 days after the user receives notice of the city's determination. The user's written request for hearing shall be filed with the director. Failure to submit a timely notice shall be deemed to be a failure to exhaust administrative remedies and shall preclude any further review. The city will conduct the hearing within 20 days of the receipt of the request (or within five days if the user is contesting suspension or termination of wastewater services). The administrative hearing will be held before the director. Formal rules of evidence will not apply; provided, however, that the director will review the existing record, and only the user and the city will be allowed to present oral testimony and documentary evidence to the director. The director will issue a written decision within 10 days of the conclusion of the hearing. Except as otherwise provided, all decisions by the director shall be final and conclusive on all parties unless appealed to the hearing examiner under subsection (9) of this section. The director's decision, action, or determination shall remain in effect during such period of appeal.

(9) Appeal to the Hearings Examiner. Any decision of the director rendered pursuant to subsection (8) of this section may be reviewed by open record appeal to the hearings examiner. The user must file written notice of appeal with the city clerk within 10 days following notification of such decision or action. Such notice of appeal shall set forth in reasonable detail the action or decision appealed and the user's grounds for reversal or modification thereof.

Failure to submit a timely notice shall be deemed to be a failure to exhaust administrative remedies and shall preclude any further review. Following receipt of such notice, the city clerk will schedule a date for a public hearing with hearings examiner at which time the hearings examiner shall consider the appeal. The date of the public hearing should be no later than 20 days following the date the clerk received notice of the appeal. The clerk will mail written notice to all parties of record to apprise them of the hearing date. The hearing shall be an open record hearing at which the user and the city may present witness testimony and documentary evidence. At the conclusion of the public hearing the hearings examiner may adopt, amend and adopt, reverse, amend and reverse the findings, conclusions, and decision of the director.

(10) Judicial Review. The decision of the hearings examiner on appeal of the decision of the director shall be final and conclusive unless, within 20 days from the date of final action, the user files a petition for review with the superior court of Chelan County in the manner prescribed by law. Judicial review shall be a closed record appeal based upon the record created before the hearings examiner. (Ord. 2016-17 § 1; Ord. 2007-02 § 16; Ord. 2004-27 § 12)

4.08.130 Judicial enforcement remedies.

(1) Injunctive Relief. When the director finds that a user has violated (or continues to violate) any provision of this chapter, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, he/she may petition the superior court of Chelan County through the city attorney for the issuance of a temporary or permanent injunction, as appropriate. Such injunction shall restrain or compel specific compliance with an applicable wastewater discharge permit, order, or other requirement imposed by this chapter on activities of the user. The city may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the user to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a user.

(2) Civil Penalties. A user who has violated or continues to violate any provision of this chapter, an order issued hereunder, a wastewater discharge permit, or any other pretreatment standard or requirement not reserved by a permit by the Department shall be liable to the city for a civil penalty of at least \$1,000 per violation but not more than \$10,000 per violation. Each day upon which a violation occurs or continues shall constitute a separate violation. In the case of noncompliance with a monthly or other long-term average discharge limits, penalties shall accrue for each day during the period of such noncompliance. In addition to the penalty amounts assessable above, the director may recover reasonable attorneys' fees, court costs, and other expenses associated with compliance and enforcement activities authorized under this chapter. This shall include recovery of costs for sampling and monitoring, and the cost of any actual damages incurred by the city including penalties for noncompliance with the city NPDES permit to the extent attributable to the user. The city shall petition the superior court of Chelan County to impose, assess, and recover such sums. In recommending the amount of civil liability, the director shall consider all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any other factor as justice requires, and shall present this analysis as evidence in support of the recommended penalty. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a user.

(3) Criminal Prosecution. A user who willfully violates any provision of this chapter, or order issued hereunder, or any other pretreatment standard or requirement shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than \$1,000 per violation or imprisonment in the county jail not to exceed 90 days, or by both fine and imprisonment, at the discretion of the district court of Chelan County. The above provision applies to any user who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this chapter, wastewater discharge permit, or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this chapter. Where willful or negligent introduction of a substance into the POTW causes personal injury or property damage, this action shall be in addition to any other civil or criminal action for personal injury or property damage available under the law.

(4) Remedies Nonexclusive. The provisions in WCC 4.08.120 and this section are not exclusive remedies. The city reserves the right to take any, all, or any combination of these actions concurrently or sequentially against a noncompliant user or to take other actions as warranted by the circumstances. (Ord. 2016-17 § 1; Ord. 2007-02 § 17; Ord. 2004-27 § 13)

¹ Cross-reference: For provisions regarding late charges for delinquent accounts, see Ch. 9.02.

SECTION II

The provisions of this Ordinance are declared to be separate and severable.

The invalidity of any clause, sentence, paragraph, section or portion of this Ordinance, or the invalidity of the application thereof to any person or circumstances shall not affect the validity of the remainder of this Ordinance, or the validity of its application to other persons or circumstances.

SECTION III

A summary of this Ordinance will be published in the official newspaper of the City of Wenatchee and shall be in full force and effect thirty (30) days after passage and publication as provided by law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF
WENATCHEE**, at a regular meeting thereof, this ____ day of _____, 2016~~7~~.


CITY OF WENATCHEE, a Municipal
Corporation

By: _____
FRANK KUNTZ, Mayor

ATTEST:

By: _____
TAMMY STANGER, City Clerk

APPROVED:

By:  _____
STEVE D. SMITH, City Attorney

TO: Frank Kuntz, Mayor
City Council

FROM: Glen DeVries, Director of Community Development

SUBJECT: Planning Commission Member Appointment – John Brown

DATE: June 5, 2017

MEETING DATE: June 8, 2017

I. OVERVIEW

The City of Wenatchee Planning Commission currently has one vacant position. This vacancy was created following the resignation of Commissioner Randy Asplund in February.

In accordance with the City of Wenatchee Zoning Code, the Planning Commission consists of 7 members appointed by a majority of the City Council. The term of each planning commissioner shall be for a period of four years. Members are eligible to serve three consecutive terms, to a maximum of 14 years. In addition, it is required that:

- At least six members shall be residents of the city.
- One member may reside outside the city so long as they are a majority interest owner of a business physically located within the city of Wenatchee.
- Commissioners shall be expected to attend at least 80 percent of all scheduled meetings in any 12-month period unless there is a prearranged absence.

At their regular meeting on May 17th, the Planning Commission interviewed applicant John Brown. Following their deliberation, the Planning Commission unanimously agreed to recommend the appointment of John Brown to the Planning Commission.

II. ACTION REQUESTED

City staff and members of the Planning Commission recommend that City Council pass Resolution No. 2017-34, appointing John Brown to the Planning Commission to fill the unexpired term left by Randy Asplund ending December 31, 2019.

III. FISCAL IMPACT Submitted to the Finance Committee: No

None, the Planning Commission is made up of volunteer members.

IV. REFERENCE(S)

1. Resolution 2017-34
2. John Brown Application

V. ADMINISTRATIVE ROUTING

Tammy Stanger, City Clerk

RESOLUTION NO. 2017-34

A RESOLUTION, appointing a voting representative to the Wenatchee Planning Commission to fill an unexpired term ending December 31, 2019.

WHEREAS, John Brown has expressed interest in being appointed to the Wenatchee Planning Commission.

WHEREAS, the Wenatchee Planning Commission interviewed and voted to recommend John Brown to fill the current vacancy on the Board.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF WENATCHEE makes the following appointment on the Planning Commission:

NAME & ADDRESS

John Brown
2017 Linville Drive
Wenatchee, WA 98801

TERM EXPIRES

December 31, 2019

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

CITY OF WENATCHEE, a Municipal Corporation

By: _____
FRANK KUNTZ, Mayor

ATTEST:

By: _____
TAMMY STANGER, City Clerk

APPROVED:

By: _____
STEVE D. SMITH, City Attorney



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 checked="" 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: Brown First Name: John Initial: M

Physical Address: 2017 Linville Drive City: Wenatchee Zip: ~~98801~~ 98801

Mailing Address: same City: _____ Zip: _____

Day Phone: 509-670-1111 Evening Phone: 509-670-1111

E-mail: jbrown@dcpud.org Years lived in Wenatchee Valley: 30

Occupation: Douglas PUD Property Supervisor Years of Experience: 30

Work Address: 1151 Valley Mall Pkwy City: E. Wenatchee Zip: 98802

Education and Formal Training: BS Env. Science/ 30 years experience in land use and land use decision making

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: _____ | |

Experience related to the Commission/Board: _____
I have been involved with land use activities, land use practicum and land use decision making throughout my 30 year career
in land use.

Why are you seeking this appointment? _____
I have additional free time at this point in life and would like to serve my community in some capacity that I have practical
knowledge of.

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

If yes, please explain: _____

REFERENCES

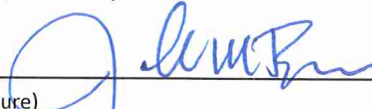
Name: Phil Safar
Address: 10 First St. City: Wenatchee Zip: 98801
Phone: 509-665-7022 Email: phil@safarlaw.com
Occupation: Lawyer Years known: 25+

Name: Jim Corcoran
Address: 610 N. Mission St. City: Wenatchee Zip: 98801
Phone: 509-665-6900 Email: jcorcoran@applesox.com
Occupation: Business Owner Years known: 25+

Name: Jeff Dahlstrom
Address: 1124 N. Miller St. City: Wenatchee Zip: 98801
Phone: 509-663-5186 Email: jeff.dahlstrom@alphamediausa.com
Occupation: Sales Manager KKR Years known: 25+

AFFIDAVIT OF APPLICANT

I, John Brown, 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: 3-23-2014



**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:  Date: 3/23/2014

**COUNCIL AGENDA REPORT
PUBLIC WORKS DEPARTMENT**

TO: Frank Kuntz, Mayor
City Council

FROM:  Gary Owen, City Engineer

SUBJECT: Bid Award for the Mission & Crawford Improvements Project No. 1409

DATE: June 5, 2017

MEETING DATE: June 8, 2017

I. OVERVIEW

The Mission and Crawford Improvements project will replace the existing 10" steel water main in Crawford Ave between S Mission St and S Wenatchee Ave. Additionally, the existing 8" ductile iron water main on S Mission St, to the south of Crawford Ave, will be replaced. In total, 1,115 feet of existing water main will be replaced with new 12" ductile iron pipe. The project will also replace 25 water services and install two fire hydrants. In terms of transportation improvements, the intersection of Mission and Crawford will be repaved and ADA compliant curb ramps will be installed at the intersection corners. Finally, the existing signal system will be upgraded with new APS pushbuttons, countdown pedestrian signal heads, 12" LED traffic signal heads, and flashing-yellow arrows for the northbound and southbound legs.

The project is currently being advertised for construction bids and staff was preparing for contract award at the June 22 council meeting. As that meeting has been cancelled, staff is requesting that the Mayor be authorized to award the contract and execute the construction documents with the lowest responsible bidder at the recommendation of staff.

II. ACTION REQUESTED

Staff recommends that the City Council authorize the Mayor to award project No. 1409 to the lowest responsible bidder with the recommendation of Public Works staff, and further authorize the Mayor to sign the construction contract documents.

III. FISCAL IMPACT Submitted to the Finance Committee Yes No

The engineer's estimate for the work is \$843,000 and the overall project cost is \$981,000. The primary funding source is the water fund #401 with lesser amounts also from storm, arterial streets, overlay, and one-time general fund 2017.

IV. PROPOSED PROJECT SCHEDULE

The contract documents specify 60 working days to complete the construction. If a responsible bid is received and recommended for award, the work should begin in mid-July and be complete in mid-October.

V. REFERENCE(S)

1. 2017 Capital Improvement Project Budget

VI. ADMINISTRATIVE ROUTING

Tammy Stanger, City Clerk
Matt Leonard, Public Works Director
Jennifer Saugen, Assistant City Engineer

2017 Capital Improvement Project Budget

Date: May 23, 2017

Project Name: Mission and Crawford Improvements Project Category: Utility/Street

Project Description: This project was originally intended to separate and remove problematic water system components in the intersection of Mission and Crawford Streets.

Lead Engineer:	<u>Jeremy Hoover</u>	Start Year:	<u>2015</u>
Assigned Department:	<u>Public Works</u>	End Year:	<u>2017</u>
Total Project Budget:	<u>\$981,000</u>	Project Number:	<u>1409</u>
2017 Budget:	<u>\$957,164</u>	Total City Funding:	<u>\$981,000</u>
		Other Funding:	<u> </u>

Revenue Notes and/or Requests for Budget Changes:

The Mission and Crawford Improvements project now will replace the existing 10" steel water main in Crawford Ave between S Mission St and S Wenatchee Ave. Additionally, the existing 8" ductile iron water main on S Mission St, to the south of Crawford Ave, will be replaced. In total, 1,115 feet of existing water main will be replaced with new 12" ductile iron pipe. The project will also replace 25 water services and install two fire hydrants. In terms of transportation improvements, the intersection of Mission and Crawford will be repaved and ADA compliant curb ramps will be installed at the intersection corners. Finally, the existing signal system will be upgraded with new APS pushbuttons, countdown pedestrian signal heads, 12" LED traffic signal heads, and flashing-yellow arrows for the northbound and southbound legs.

Project Expenditures by Category	Current Budget	Budget Amendment	Prior Years Spent	ESTIMATES			Project Total
				2017	2018	2019	
Design Engineering	68,600	5,000	23,836	49,764			73,600
Right of Way Acquisition							
Construction	550,000	293,300		843,300			843,300
Construction Engineering	45,500	18,600		64,100			64,100
Miscellaneous							
Art Fund	5,400	2,600 (5,400)					8,000
Total Project Expenditures	669,500	311,500	23,836	957,164			981,000

Art fund is 1% of construction costs

Project Revenues by Category		Current Budget	Budget Amendment	Prior Years	ESTIMATES			Project Total
					2017	2018	2019	
Fund:	#401 - Water	545,000	91,340	15,053	621,287			636,340
Fund:	#410 - Storm Drain Utility	6,200	17,840	570	23,470			24,040
Fund:	#109 - Arterial Streets	40,000	111,310 131,860	4,485	167,375			171,860
Fund:	#111 - Overlay	78,300	70,460	3,728	145,032			148,760
Fund:	One-Time	0	20,500					
GRANTS:								
Federal								
TIB								
Total Project Revenues		669,500	311,500	23,836	957,164			981,000

*APPROVED BY FINANCE COMMITTEE ON MAY 25, 2017.

Project	General Fund	Original Expense Acct	Utilities	Utility Fund Account
Additional funding for South Yard Building - \$90,000 currently funded for 2017	597	65,000 108.0000.001.594.44.64.00	35,000	Various
Enclose Wash Bay at PSC - Employee safety issue	597	39,000 108.0000.001.594.44.64.00	21,000	Various
Trailer for Paver - Employee safety issue	597	40,000 503.0000.001.594.48.64.07		
Landscaping at new bulb outs Spokane/Mission. Not in scope of grant.	597	10,000 001.0000.023.542.61.40.00		
Crack Seal Parking lots	597	20,000 504.0000.001.518.20.48.00		
WWTP and Convention Center Fiber Line - Chelan Ave to First St to Ped bridge	597	29,250 106.0000.001.594.75.63.00	60,750	401.0000.001.594.35.63.00
Police Station HVAC repairs - mechanical upgrades found during Energy Updates project	597	45,000 504.0000.001.594.11.62.00		
New Radio System for vehicles	597	16,250 108.0000.001.542.31.35.00	8,750	Various
Cemetery road maintenance - patching, crack sealing, and chip sealing roads	597	50,000 430.0000.001.536.50.48.00		
Cemetery Expansion - expand cemetery towards Story Lane	597	85,000 430.0000.001.594.36.63.00		
South Yard/ Decant Facility Loader	597	58,500 503.0000.001.594.48.64.07	31,500	Various
Remove juniper on Wenatchee Avenue between Horse Lake Rd and Bridge	597	75,000 001.0000.023.518.30.40.00		
Mission and Crawford Intersection Improvements - pedestrian push buttons and heads	597	20,500 108.0000.001.542.64.35.00		
Skyline Overlook light and camera system		35,000 001.0000.023.576.80.40.00		
City-wide work order system		50,000 001.0000.023.594.48.60.00	50,000	Various
			468,500	

Transfer from General funds as designated 597 above: 001.0000.023.597.00.00.00

**COUNCIL AGENDA REPORT
PUBLIC WORKS DEPARTMENT**

TO: Frank Kuntz, Mayor
City Council

FROM: *GAO* Gary Owen, City Engineer

SUBJECT: Pavement Management System Development, Project No. 1511
Supplement #3 to Agreement with NCE Engineering

DATE: June 5, 2017

MEETING DATE: June 8, 2017

I. OVERVIEW

In 2015, the City contracted with Nichols Consulting Engineers (NCE) to develop a pavement management system to optimize resources dedicated to our pavement network. They have performed a pavement condition assessment and detailed pavement inventory and drafted a report detailing several options for pavement preservation of the city network. The recommended scenario 2 includes an expenditure of \$24.4 Million over 10 years to maintain the existing overall pavement condition rating of 75 utilizing mostly chip seals while the deferred maintenance figure grows.

After the initial recommendation from NCE, the city formed a pavement committee and addressed several additional scenarios and funding strategies in 2016. This year, we recommend having NCE rate the pavement network again to improve the accuracy of the degradation curve and complete the final report for the program in addition to the staff training on the Streetwise software package.

II. ACTION REQUESTED

Staff recommends the City Council approve supplement #3 with NCE for additional professional pavement management services associated with project no. 1511 and further authorize the Mayor to sign the supplement on behalf of the City.

III. FISCAL IMPACT Submitted to the Finance Committee Yes (No)

This supplement will not change the fiscal impact of the overall project, because the overall cost will be within a the budgeted amount of \$150,000.

IV. PROPOSED PROJECT SCHEDULE

The completion date of the project will be revised to March 31, 2018.

V. REFERENCE(S)

1. Consultant Supplemental Agreement
2. 2017 Capital Improvement Project Budget

VI. ADMINISTRATIVE ROUTING

Matt Leonard, Public Works Director
Rachael Evans, Contracts Coordinator
Tammy Stanger, City Clerk

PW's agenda report 2017-18



Transportation Improvement Board Consultant Supplemental Agreement

Agency City of Wenatchee

Project Number 1511

Project Name Citywide Pavement Management Services

Consulting Firm NCE

Supplement Phase Supplement for 2017 Pavement Survey and additional PMS services

The Local Agency of City of Wenatchee desires to supplement the agreement entered into with and executed on July 21, 2015.

All provisions in the basic agreement remain in effect except as expressly modified by this supplement.

The changes to the agreement are described as follows:

Section II, **SCOPE OF WORK**, is hereby amended to include:

As detailed in attached April 19, 2017 Memorandum and Scope of Work.

Section IV, **TIME FOR BEGINNING AND COMPLETION**, is amended to change the Completion Date

SUPPLEMENTAL COMPLETION DATE March 31, 2018

Section V, **PAYMENT**, shall be amended as follows as set forth in Exhibit A

MAXIMUM AMOUNT PAYABLE \$150,624

EXHIBIT A			
	Current Agreement w/ supplements	Supplement #3	Total
Labor Costs	\$87,800	\$43,800	\$131,600
Direct Costs	\$11,454	\$7,570	\$19,024
Total	\$99,254	\$51,370	\$150,624

If you concur with this supplement and agree to the changes as stated above, please sign and date in the appropriate spaces below.

Agency Signature	Date
Consultant Signature 	Date 6/15/17

MEMORANDUM

Date: April 19, 2017
To: Gary Owen
From: Linda Pierce and Hans Meyer
Subject: 2017 Pavement Condition Survey









This memorandum addresses NCE's scope of work, level of effort, and costs to conduct the 2017 pavement condition survey and analysis for the Citywide Pavement Management Services project.

Scope of Work

The scope of work is based on the task as listed in the original contract. The following provides a summary of work to be conducted under each task.

Task A – Kick-Off Meeting

NCE will conduct a conference call with City staff to kick-off the 2017 pavement condition survey to discuss any administration issues and changes that have occurred since the previous pavement condition survey. Potential items to be discussed include:

-  Points of contacts
-  Scheduling and access requirements for field work
-  Public safety concerns, requirements, and procedures
-  Quality Control Plan (QCP)
-  List of publicly maintained streets (as well as privately owned)
-  Street sectionalization parameters
-  A discussion of agency boundaries and private road designations
-  Other issues as appropriate

Prior to the kick-off meeting, NCE will prepare and email an agenda to the City staff for review.

Deliverables

1. Technical memorandum summarizing the meeting.

Task B – Pavement Management Software

No additional work will be conducted under this task.

Task C – Populate PMS Database with Inventory Data

NCE will review and update the PMS database based on any changes from the previous database review effort. Data items such as name, location, lengths, widths, age, number of lanes, and surface types will be reviewed and revised as necessary while driving each street segment.



Deliverables

1. An inventory report containing all information collected and populated in the database.

Task D – Pavement Condition Assessment

NCE will perform a walking pavement condition survey on the City's pavement network (up to 120 centerline miles). The survey will be performed with one-person crews. NCE will be responsible for providing all equipment necessary for performance of this task.

Note that this scope of work and condition surveys do not address issues including but not limited to traffic, safety and road hazards, geometric issues, road shoulders, sidewalks, curb and gutters, drainage issues or short term maintenance that should be performed.

All data collected from the condition surveys will be downloaded into the StreetSaver™ database. NCE will perform the pavement condition index (PCI) calculations using StreetSaver™ and correct any inconsistencies.

Quality Control/Quality Assurance (QC/QA) checks will be conducted and include:

- Calibration of all data collection activities
- Review of field activities, including spot checks on the field crews
- Reviewing field procedures and making changes as needed
- Comparing the field data collected with on-site conditions
- Review of all data entry functions, including random spot checks
- Review of reports generated and analyses performed to ensure a quality product

Deliverables

1. PCI report (hardcopy and electronic)

Task E – Maintenance and Rehabilitation Decision Tree

NCE will review maintenance and rehabilitation (M&R) strategies with City staff. Any changes to treatment types, materials, or costs will be discussed and incorporated as requested by the City staff.

Deliverables

1. Updated M&R decision tree

Task F – Budgetary Analysis and Reports

NCE will update the all needs scenario and Scenario 5B to reflect the results of the 2017 pavement condition survey. In addition, NCE will conduct up to two additional scenario updates as directed by the City. NCE will prepare a report which contains, at a minimum, the following:

- An inventory of all City streets including functional classifications, length and widths, surface types, and PCI
- Current pavement conditions in tabular format for all road classes and surface types
- Comparison analysis of the 2017 to 2015 survey results
- Updated projected annual repair/rehabilitation programs for road maintenance for a multi-year period



- ✦ Updated project schedules and associated budgets (with inflation adjustments) for the entire network as well as each road segment, for each calendar year over the given period of time (max. 3 budgets)
- ✦ An analysis allowing the City to measure and understand the impact of deferred maintenance (backlog) on the overall network condition
- ✦ Multi-year work plan with costs
- ✦ Recommendations for updating PMS street data
- ✦ Maps (both 11" X 17" and 24" X 36")

NCE will deliver a draft report to the City for review. Upon receipt of the City's comments, NCE will complete the final report for submittal.

Deliverables

1. Draft Report (electronic copy)
2. Final Report (three copies)
3. Budget Scenario maps plotted out as 24" X 36" (three sets)
4. CD/DVD containing:
 - Final Report
 - Budget Scenario Map set (24" X 36")

Task G – GIS Integration

No additional work will be conducted under this task.

Task H – City Council Presentation

NCE will prepare and present the results and highlights from Task F to the Pavement Committee and/or the Wenatchee City Council (Council) as requested by the City Engineer. As needed, a draft presentation(s) will be developed and shared with the City in advance of the presentation to ensure agreement on the materials to be provided to the Council. A total of two meetings are estimated for this effort.

Deliverables

1. Presentation to the Pavement Committee and/or City Council

Task I – Pavement Management Software Training

This task will be conducted as indicated in NCE's original work effort.

Deliverable

1. Training manuals for City staff

Task J – One Year Technical Support and Warranty (Optional)

This task will be conducted as indicated in NCE's original work effort.

Project Schedule

The following table summarizes NCE's proposed project schedule. We anticipate that this project can be completed within 22 weeks from Notice to Proceed (NTP). The 2017 pavement condition survey will be conducted during the same period of time as the 2015 pavement condition survey (i.e., September – October).



Task Description	Weeks to Completion after NTP
A. Kickoff Meeting	1 week
B. Not applicable	
C. Populate Pavement Management System Database with Inventory Data	Varies
D. Pavement Condition Assessments	16 weeks
E. Update M&R Decision Tree	17 weeks
F. Budgetary Analysis & Reports	20 weeks
G. Not applicable	
H. City Council Presentation	22 weeks
I. Pavement Management Software Training	22 weeks
J. One Year Technical Support & Warranty	Varies





NCE Labor Fees

Role in Project	Hourly Fee (\$)	Level of Effort (hours)										Total Fee (\$)	
		Task A: Kick-Off Meeting	Task B: Pavement Mgmt Software	Task C: Populate PMS Database	Task D: Pavement Condition Assessment	Task E: M&R Decision Tree	Task F: Budgetary Analysis & Reports	Task G: GIS Integration	Task H: City Council	Task I: PMS Training	Task J: 1-Yr Tech Support (Optional)		Total Hours
Project Manager	\$ 195	0	0	0	0	0	4	0	16	0	0	20	\$3,900
Principal-in-Charge	\$ 245	0	0	0	0	0	0	0	0	0	0	0	\$0
QC/QA Manager	\$ 245	0	0	0	4	0	0	0	0	0	0	4	\$980
Project Engineer	\$ 140	2	0	16	32	8	32	0	8	0	0	98	\$13,720
Senior Field Technician	\$ 120	0	0	0	210	0	0	0	0	0	0	210	\$25,200
Total Labor Fee		\$280	\$0	\$2,240	\$30,660	\$1,120	\$5,260	\$0	\$4,240	\$0	\$0	332	\$43,800

Direct Charges

Description	Task A: Kick-Off Meeting	Task B: Pavement Mgmt Software	Task C: Populate PMS Database	Task D: Pavement Condition Assessment	Task E: M&R Decision Tree	Task F: Budgetary Analysis & Reports	Task G: GIS Integration	Task H: City Council	Task I: PMS Training	Task J: 1-Yr Tech Support (Optional)	Total Direct Charges (\$)
Vehicle Charge per day (@28 days)	\$0	\$0	\$0	\$2,600	\$0	\$0	\$0	\$0	\$0	\$0	\$2,600
Travel Costs (airfare, hotel, per diem)	\$0	\$0	\$0	\$4,290	\$0	\$0	\$0	\$250	\$0	\$0	\$4,540
Communication Charge (1% of Direct Labor Fees)	\$0	\$0	\$20	\$310	\$10	\$50	\$0	\$40	\$0	\$0	\$430
Total Direct Charges	\$0	\$0	\$20	\$7,200	\$10	\$50	\$0	\$290	\$0	\$0	\$7,570
Project Total Fee	\$280	\$0	\$2,260	\$37,860	\$1,130	\$5,310	\$0	\$4,530	\$0	\$0	\$51,370

Assumptions:

- Kick-off Meeting will be via conference call.
- 1-person data collection crew.
- 1379 samples inspected.
- No traffic control will be required for data collection activities.
- Task H assumes two trips and Task I assumes one trip.

COUNCIL AGENDA REPORT
City of Wenatchee



TO: Frank Kuntz, Mayor
City Council

FROM: Steve King, Economic Development Director; Allison Williams, Executive Services Director
Dale Cantrell, IS Director; Matt Leonard, Public Works Director;
Steve Smith, City Attorney; Tammy Stanger, City Clerk
Cliff Burdick, Building and Fire Code Official; Brad Posenjak, Finance Director

SUBJECT: Memorandum of Understanding with LocalTel Federal Building LLC for a Public Private Partnership for the Purchase of a portion of the Federal Building

DATE: June 4, 2017

MEETING DATE: June 8, 2017

I. OVERVIEW

The City of Wenatchee investigated the feasibility of purchasing the Federal Building for a new city hall in the fall of 2016. The city chose to forgo a negotiated purchase from the Governmental Service Administration of the Federal Government to allow for a public auction. In this effort, the city established a maximum purchase price that the city would bid up to. In addition, in this study that the city needed less than 50% of the space of the building for short term and long term growth with a preference of occupying the main floor for ease of public access. Early this spring, the city bid up to our limits and then stopped bidding.

As of several weeks ago, LocalTel was notified by GSA that they were the apparent winning bid in the auction with a purchase price of \$3.94 Million. LocalTel has determined that they need less than 50% of the space and has approached the city to determine if the city is interested in purchasing a portion of the building for City Hall. Over the past several weeks, city staff and LocalTel have been in discussion regarding a public private partnership for splitting ownership of the building and sharing in the operation and management of the facility.

This nonbinding memorandum of understanding establishes public notification and provides the principles under which a public – private partnership would be established. Upon approval, over the next several months staff and LocalTel will work through the details of a purchase agreement and establishment of a condominium association.

II. ACTION REQUESTED

Staff recommends the City Council approve a Memorandum of Understanding with LocalTel regarding the intent of the City to purchase a portion of the Federal Building and establish a public – private partnership.

III. FISCAL IMPACT Submitted to the Finance Committee Yes No

The cost to the city is estimated to be under \$2.5 Million depending on cost associated with developing a condominium. The costs will be shared on a square footage prorated basis.

COUNCIL AGENDA REPORT
City of Wenatchee



The city will be hiring professional architectural services to perform space planning and develop cost estimates for remodeling the building for City Hall purposes. Preliminary estimates of \$5 Million were developed last fall for remodeling the ground floor. Additional remodeling to mezzanine space would cost an additional \$3 Million. Therefore, the total cost estimate for purchasing a portion of the building and remodeling the main floor for City Hall is estimated to range between \$8 Million and \$11 Million depending on the extent and options chosen through the design process.

IV. PROPOSED PROJECT SCHEDULE

The City and LocalTel will work efficiently to develop a purchase contract with the goal of signing the contract by the end of July. The condominium process will take an additional 3-4 months. Existing GSA tenants have the right to remain in place for up to 5 years depending on GSA relocation efforts.

V. REFERENCE(S)

Memorandum of Understanding

VI. ADMINISTRATIVE ROUTING

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

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF WENATCHEE AND LOCALTEL FEDERAL BUILDING
LLC ESTABLISHING FRAMEWORK FOR A PUBLIC – PRIVATE PARTNERSHIP
FOR OWNERSHIP OF THE FEDERAL BUILDING**

WHEREAS, the General Services Administration has surplused the former post office building that is an anchor building in south Wenatchee; and

WHEREAS, Localtel Federal Building LLC is acquiring the Federal Building to relocate its affiliate corporate headquarters into Wenatchee; and

WHEREAS, the City of Wenatchee has completed the South Wenatchee Subarea Plan and identified the importance of this building to the neighborhood and the importance of keeping a governmental center in Downtown Wenatchee; and

WHEREAS, the City of Wenatchee has established that a new City Hall needs to be planned to facilitate future growth of the City; and

WHEREAS, the Federal Building location, its structure, and building characteristics are well suited for a city hall over the long term; and

WHEREAS, the Localtel Federal Building LLC has offered to partner with the city on the future development of the building; and

WHEREAS, in reviewing costs for new municipal buildings across the state, a partnership in the Federal Building would be cost effective on behalf of the city's taxpayers in providing for municipal needs; and

WHEREAS, public private partnerships have been utilized in Washington State for efficient development of public facilities; and

WHEREAS a public-private partnership will facilitate a use of the Federal Building benefiting both the City and LocalTel.

NOW, THEREFORE, the parties agree as follows:

Localtel Federal Building LLC intends to sell and the City intends to buy approximately 50% of the former Federal Building and associated grounds generally described as a portion of the main floor, mezzanine and the second floor. The exact legal description to be defined by condominium survey. The parties will work toward entering a mutually satisfactory purchase and sale agreement by July 31, 2017.

The parties agree in principle that the price of this transaction will be based on a prorated share of LocalTel Federal Building LLC building acquisition cost plus the cost to create a condominium based on square footage ownership of each party less common area.

Upon completion of a purchase and sale agreement, LocalTel Building Federal LLC and the city will work together to divide the building through a condominium. As part of the condominium, a non-profit condominium association will be created to manage the building and govern the public private partnership for the long term sustainable operation and management of the building. The parties will put forth good faith effort to develop the condominium and complete the purchase before December 31, 2017.

By July 31, 2017, the city intends procure the services of an architectural firm to carry out overall space planning needs and schematic design.

The parties agree that by investing in the maintenance and operations of Federal Building, this facility will remain a productive and important asset for each party and for the community for the long term.

DATED this _____ day of June, 2017.

CITY OF WENATCHEE

LOCALTEL FEDERAL BUILDING LLC

By _____
FRANK KUNTZ, Mayor

By _____
Its Manager/Member

TO: Mayor Frank Kuntz
City Council Members

FROM: Glen DeVries, Director
Matt Parsons, Associate Planner

SUBJECT: Annexation, Resolution 2017-36 - Setting a Public Hearing Date

DATE: June 5, 2017

MEETING DATE: June 8, 2017

I. OVERVIEW

On March 9, 2017 a ten (10) percent annexation petition was brought before the Wenatchee City Council for property located in an unincorporated area north of Maple Street and west of Pershing Street. The approving motion set the annexation boundary, adopted the existing land use designation as Residential Moderate (RM), and required the annexation area to assume existing city indebtedness.

A 60 percent annexation petition was established and circulated following approval of the 10 percent petition. The petition has been signed by the majority property owners for the annexation area and certified by the Chelan County Assessor.

State law establishes when a legally sufficient petition is filed, the city council may consider it and:

1. Fix a date for a public hearing, and
2. Provide notice specifying the time and place of the hearing and inviting interested persons to appear and voice approval or disapproval of the annexation. The notice is to be:
 - a. Published in one or more issues of a newspaper of general circulation in the city; and
 - b. Posted in three public places within the territory proposed for annexation

II. ACTION REQUESTED

Staff is requesting the City Council approve Resolution 2017-36 to establish a date of June 15, 2017 for a public hearing to consider final action on the subject annexation.

III. BUDGET IMPACTS

Annexation would result in additional annual property revenues to the City and one time revenues from future building permits. Estimates of annual property tax and the costs associated with providing additional City services are not currently available.

IV. ATTACHMENT(S)

1. Resolution 2017-36

V. MOTION

I move to approve Resolution 2017-36, setting a public hearing date of June 15, 2017 for final action on the proposed annexation.

VI. ADMINISTRATIVE ROUTING

Tammy Stanger
Kim Schooley

RESOLUTION NO. 2017-36

A RESOLUTION, fixing time for public hearing on petition for annexation of an unincorporated area north of Maple Street and west of the Pershing Street also known as the Morley Annexation Area.

WHEREAS, there has been filed with the City Council of the City of Wenatchee a Petition for Annexation of the following described real property in Chelan County, Washington, to-wit:

See “Exhibit A” attached hereto and incorporated herein by reference as if fully set forth;

and

WHEREAS, said property is contiguous to the City of Wenatchee and has not heretofore been incorporated as a city or town; and

WHEREAS, said petition has been signed in writing by the owners of not less than sixty percent in value, according to the assessed valuation for general taxation of the property for which annexation is petitioned; and

WHEREAS, said petition has been certified by the Chelan County Assessor as seen in “Exhibit B”; and

WHEREAS, attached to said petition is a plat or drawing which outlines the boundaries of the property sought to be annexed.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL
OF THE CITY OF WENATCHEE, as follows:**

SECTION I

That Thursday, the 15th day of June, 2017, at the hour of 5:15 o'clock p.m. of said day, or as soon thereafter as the matter may be heard, has been fixed as the date for a public hearing upon said petition at the City Council Chambers at City Hall in Wenatchee, at which time and place all interested persons may appear and voice their approval or disapproval of said petition for annexation.

SECTION II

That the City Clerk of the City of Wenatchee give notice of the time and place of hearing of said petition by posting a copy of said notice in three (3) public places within the territory proposed for annexation and by publishing one copy thereof in one issue of *The Wenatchee World*, a newspaper of general circulation in the City of Wenatchee.

**PASSED BY THE CITY COUNCIL OF THE CITY OF
WENATCHEE, at a regular meeting thereof, this 8th day of June, 2017.**

CITY OF WENATCHEE, a Municipal
Corporation

By: _____
FRANK KUNTZ, Mayor

ATTEST:

By: _____
TAMMY STANGER, City Clerk

APPROVED:

By: _____
STEVE D. SMITH, City Attorney



Community Development Department
1350 McKittrick Street/ P.O. Box 519
Wenatchee, WA 98801/ 98807
(509) 888-3261 FAX – (509) 888-3201

PETITION TO COMMENCE ANNEXATION (DIRECT PETITION METHOD)

- We, the undersigned, are owners of real property lying outside of the corporate limits of the City of Wenatchee, Washington, but contiguous thereto and designated as part of the Wenatchee Urban Growth Area. A legal description (Exhibit A) and map (Exhibit B) of this area are attached to this petition.
- We, the undersigned, who together, are the owners of not less than 60% assessed valuation of the real property described herein (Exhibit A), do hereby petition that such property(ies) be annexed to the City of Wenatchee under RCW 35A.14.120. The Wenatchee City Council held a public hearing on March 9, 2017 to accept a notice of intention to commence annexation subject to the conditions specified below. The following text is a quote of the motion made at the March 9 meeting as documented in the minutes:

Motion to approve the annexation boundary labeled Option 1 of the ten percent (10%) annexation petition for property located in an unincorporated area north of Maple Street and west of Pershing Street, to require the adoption of the proposed zoning regulations as it is set forth in the Comprehensive Plan of the City as Residential Moderate, and to require the assumption of existing indebtedness of the City by the area to be annexed. Motion to approve by Councilmember Mark Kulaas. Councilmember Ruth Esparza seconded the motion. Motion carried (6-0).

WARNING

Every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he or she is not a legal voter, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

Parcel Number	Physical Address	Property Owner	Signature	Title of Representative	Date
232033320550		MORLEY JASON&JULIE		Owner	5/17/17
				Owner	5/17/17

Exhibit A

City of Wenatchee, Washington

Boundary Description of the Morley Annexation

May 8, 2017

A portion of the East half of the Northeast quarter of the Northwest quarter of the Southwest quarter of Section 33, Township 23 North, range 20, East of the Willamette Meridian, Chelan County, Washington, more particularly described as follows:

Commencing at the Southwest corner of said subdivision; thence North 0 degrees, 22 minutes East along the West line of said subdivision for 173.3 feet to the True Point of Beginning; thence continuing North 0 degrees, 22 minutes East for 154.7 feet; thence South 89 degrees, 04 minutes, 15 seconds East for 81 feet; thence South 0 degrees, 22 minutes West for 154.7 feet; thence North 89 degrees, 04 minutes, 15 seconds West for 81 feet to the Point of Beginning.

Excluding any areas already incorporated into the City of Wenatchee.

Exhibit B Morley Annexation





Deanna C. Walter
CHELAN COUNTY ASSESSOR

350 Orondo Ave, Suite 6
Wenatchee, WA 98801-2885
PHONE: 509-667-6365 FAX: 509-667-6664
WEBSITE: <http://www.co.chelan.wa.us/assessor>

**DETERMINATION OF SUFFICIENCY OF PETITION
FOR ANNEXATION
(RCW 35.21.005 / RCW 35A.01.040)**

**DIRECT PETITION METHOD
(RCW 35.13 / RCW 35A.14)**

PARCEL # 23 20 33320550 JASON & JULIE MORLEY

Date petition submitted to County Assessor: 5/19/2017

Terminal Date (RCW 35.31.004): 5/25/2017

Assessment Date: 1/1/2016

The petition DOES DOES NOT meet the required minimum 60% of assessed value.

Total Assessed Value of proposed annexation area: \$168,121

Total Assessed Value of petition: \$168,121

Percent of Assessed Value: 100%

Deanna C. Walter

Deanna Walter, Assessor

5/25/17

Date