



**WENATCHEE CITY COUNCIL**  
**Thursday, September 8, 2022**  
Wenatchee City Hall Council Chambers  
301 Yakima Street, 2<sup>nd</sup> Floor  
Wenatchee, WA 98801  
**AGENDA**

*"To create community through responsive leadership and services for the citizens and visitors of the  
Apple Capital of the World."*

Wenatchee City Hall is open for the public to attend Council meetings in person. The meetings are also broadcast live on the City's YouTube channel: [Wenatchee TV](#). The public may also participate in the meeting via phone by calling: (509) 888-3298, passcode 66516#.

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).

**4:45 p.m. Executive Session.** Executive session to consider the acquisition of real estate by purchase when public knowledge regarding such consideration would cause a likelihood of increased price. RCW 42.30.110(1)(b).

**5:15 p.m. Regular Meeting**

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

**2. Citizen Requests/Comments**

The "Citizen Comments" period is to provide the opportunity for members of the public to address the Council on any matter, including items on the agenda. Comments on public hearing items will be taken during the 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. Citizen comments will be limited to three minutes.

**3. Consent Items**

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

Vouchers:

Claim checks #204492 through #204569 in the amount of \$925,088.70 for August 25, 2022

Payroll distribution (retirees) in the amount of \$11,492.46 for August 31, 2022

Payroll distribution in the amount of \$595,972.58 for September 2, 2022

Benefits/deductions in the amount of \$961,011.46 for August 31, 2022

**4. Presentations**

- Constitution Week Proclamation
- Wenatchee Downtown Association

## 5. Action Items

- A. Wenatchee City Hall Redevelopment Project No. 1716 - TW Clark Change Order No. 14  
Presented by Facilities Manager Elisa Schafer  
**Action Requested:** *Motion for City Council to approve the contract change order with TW Clark Construction, LLC, and authorize the Mayor's signature.*
- B. Fair Properties LLC Annexation  
Presented by Senior Planner Matt Parsons  
**Action Requested:** *Motion for City Council to pass Ordinance No. 2022-17 providing for the annexation of an unincorporated area containing five parcels located northeast of the intersection of McKittrick Street and North Western Avenue also known as the Fair Properties LLC Annexation, subject to the provisions of Ordinance No. 2007-34, and all subsequent amendments thereto.*
- C. City Project SW22-05 Unit-Priced Concrete Flatwork - Authorization to Award Construction Contract  
Presented by Operations Manager Aaron Kelly  
**Action Requested:** *Motion for City Council to award the construction contract for the Unit-Priced Concrete Flatwork, Project No. SW22-05, to Jones Concrete in the amount of \$149,036.50 and authorize the Mayor to sign the contract documents.*

## 6. Public Hearings

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.

- D. Jacoby Annexation  
Presented by Senior Planner Matt Parsons  
**Action Requested:** *Motion for City Council to pass Resolution No. 2022-23 providing for the Notice of Intent to the Chelan County Boundary Review Board to annex certain property to the City of Wenatchee.*

## 7. Reports

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

## 8. Announcements

## 9. Close of Meeting



**DRAFT**

**WENATCHEE CITY COUNCIL**  
**Thursday, August 25, 2022**  
Wenatchee City Hall Council Chambers  
301 Yakima Street, 2<sup>nd</sup> Floor  
Wenatchee, WA 98801  
**MINUTES**

*"To create community through responsive leadership and services for the citizens and visitors of the Apple Capital of the World."*

**Present:** Mayor Frank Kuntz; Councilmember Position 1 Jose Cuevas; Councilmember Position 3 Top Rojanasthien; Councilmember Position 4 Travis Hornby; Councilmember Position 5 Mark Kulaas; Councilmember At-Large "A" Linda Herald; Councilmember At-Large "B" Keith Huffaker

**Staff Present:** Executive Services Director Laura Merrill; City Attorney Steve Smith; City Clerk Tammy Stanger; IS Support Jessi Saucedo; Senior Planner Matt Parsons; Senior Project Engineer Jake Lewing; City Engineer Gary Owen; Police Chief Steve Crown; Finance Director Brad Posenjak; Community Development Director Glen DeVries; Public Works Director Rob Jammerman

**5:15 p.m. Regular Meeting**

**1. Call to Order, Pledge of Allegiance, and Roll Call.** Mayor Frank J. Kuntz called the meeting to order at 5:15 p.m. Troop 7 led the Pledge of Allegiance. The excused absence of Councilmember Mike Poirier was noted for the record. Councilmember Keith Huffaker participated in the meeting via phone.

**2. Citizen Requests/Comments**

Doug Head, 1211 Red Apple Road, Wenatchee, presented a petition from his neighborhood requesting a commitment from the city for traffic calming in their neighborhood between Red Apple Road and Skyline Drive to Miller Street due to safety concerns and hazards with speeding vehicles. Police Chief Steve Crown came forward and spoke about the studies that were performed in the area over the summer showing over 1,000 vehicles a day and 85% of the flow was traveling over the posted speed limit. Engineering will be installing mounted speed signs in the next week and the Mayor added that staff has been working on a grant application for a traffic calming project in the area.

Marco Gonzalez, 808 Ferry Street, Wenatchee, addressed the City Council concerning a current code enforcement issue after building some space for his wife's daycare without a permit. He wants things fixed but doesn't know where to go. He has asked for union support because of the matter. The code enforcement matter is causing stress on the family and he feels the employees

have treated him unfairly. Executive Services Director Laura Gloria translated for Mr. Gonzalez and added it may be a communication issue as the permit process can be challenging and city staff will assist with communicating to help move towards a solution. Gloria Vasquez, 1925 Leavenworth Place, Wenatchee, bilingual staff is needed for the permitting process, as well as dual language permit documents.

### 3. Consent Items

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

Vouchers:

Payroll distribution in the amount of \$5,420.00 for August 5, 2022  
Claim check #204291 in the amount of \$250.00 for August 10, 2022  
Claim checks #2204292 through #204417 in the amount of \$1,636,349.85 for August 11, 2022  
Claim checks #204419 through #204425 in the amount of \$892.04 for August 11, 2022  
Wires #1566 and #1567 in the amount of \$58,346.53 for August 25, 2022  
Payroll distribution in the amount of \$396,975.00 for August 19, 2022  
Claim checks #204418 and #204426 through #204491 in the amount of \$495,273.18 for August 18, 2022  
Payroll distribution in the amount of \$1,300 for August 19, 2022

*Motion by Councilmember Travis Hornby to approve the agenda, vouchers and minutes from the previous meeting. Councilmember Jose Cuevas seconded the motion. Motion carried (6-0).*

### 4. Action Items

#### A. Jacoby Annexation

Senior Planner Matt Parsons presented the staff report. The Mayor commented about the Boundary Review Board Process.

*Motion by Councilmember Mark Kulaas for City Council to pass Resolution No. 2022-22, fixing time for hearing on petition for annexation of an unincorporated area containing one parcel located south of Maple Street between Pershing Street and Princeton Avenue also known as the Jacoby Annexation. Councilmember Top Rojanasthien seconded the motion. Motion carried (6-0).*

#### B. Real Estate Purchase and Sale Agreement between South of Pybus, LLC (Seller) and City of Wenatchee (Purchaser)

Executive Services Director Laura Gloria presented the staff report. Seller has provided an updated Purchase and Sale Agreement with Michael Noyd and Pybus Market Charitable Trust as Seller. Councilmember Travis Hornby recused himself due to a conflict of interest.

*Motion by Councilmember Linda Herald for City Council to authorize the Mayor to sign, in substantially similar form, the Real Estate Purchase and Sale Agreement between Michael Noyd and Pybus Market Charitable Trust and the City of Wenatchee, for the purchase of property commonly known as 101-125 South Worthen Street, Wenatchee, Washington. Councilmember Mark Kulaas seconded the motion. Motion carried (5-0) (Hornby conflict).*

**C. Real Estate Purchase and Sale Agreement between ETV, LLC (Seller) and City of Wenatchee (Purchaser)**

Executive Services Director Laura Gloria presented the staff report. Councilmember Travis Hornby recused himself due to a conflict of interest.

*Motion by Councilmember Top Rojanasthien for City Council to authorize the Mayor to sign, in substantially similar form, the Real Estate Purchase and Sale Agreement between ETV, LLC, and the City of Wenatchee, for the purchase of property commonly known as 131 South Worthen Street, Wenatchee, Washington. Councilmember Jose Cuevas seconded the motion. Motion carried (5-0) (Hornby conflict).*

**D. 2022 Pavement Preservation, City Project #2110 - Budget Amendment and Supplement #3 to Agreement with KPG**

Senior Project Engineer Jake Lewing presented the staff report.

*Motion by Councilmember Linda Herald for City Council to authorize the Mayor to execute Supplement #3 with KPG for additional design services for the 2022 Pavement Preservation (Project No. 2110). Councilmember Travis Hornby seconded the motion. Motion carried (6-0).*

**5. Public Hearings.** The Mayor called the public hearing to order and explained the public hearing process.

**E. Six Year Transportation Improvement Program Update**

City Engineer Gary Owen presented the staff report. Council asked questions.

The Mayor then asked for public comment.

Carl Ellard, 1500 Third Street, Wenatchee, former land surveyor and engineer with the Washington State Department of Transportation, addressed the Council. While he feels a lot of good things are happening, he is concerned with the lack of information on the website and information for the public.

With no further public comment the Mayor turned it back to the Council for action.

*Motion by Councilmember Mark Kulaas for City Council to adopt Ordinance No. 2022-16, adopting a revised and extended comprehensive street program for the ensuing six years for the City of Wenatchee as required by the laws of the State of Washington. Councilmember Travis Hornby seconded the motion. Motion carried (6-0).*

## 6. Reports

- a. Mayor's Report. The Mayor reported on the following:
- (1) It has been an extremely busy week. He and Executive Services Director Laura Gloria met with the Nespelem Cultural Committee last week regarding the Skookum sign and they will be reaching out to Blue Bird through their legal counsel (the city will not be involved).
  - (2) Executive Services Director Laura Gloria added staff continue to plan for the move to the new city hall space and there will be some office closures to the public. Information will go out in the coming weeks. The ribbon cutting has been scheduled for November 17. The marble is going back up on the outside of the building, and the budget for the city hall project is still on track.
  - (3) There has been a lot of interest in the old fire station building. The Mayor met last week with an interested restaurateur from the west side last week. The deadline for offers is September 14.
  - (4) June was another good month for sales tax.
  - (5) He is starting to hear issues about new building projects which is expected due to the rise in costs and interest rates.
  - (6) He and Executive Services Director met with Microsoft representatives yesterday as they are getting to understand the local area and city.
  - (7) Executive Services Director Laura Gloria added that Dave Erickson hosted tours last week of the various parks projects and it was great to see everything that is getting done.
- b. Reports/New Business of Council Committees

Councilmember Mark Kulaas mentioned that David Erickson spoke at the Wenatchee Rotary meeting today and it was very well attended and received.

Councilmember Linda Herald reported that she participated in a meeting with the Mayor of Vancouver about their "Safe Park" program, which is an area for RV's to park with bathrooms and dumpsters and rules. She toured the site when she attended the AWC conference earlier this year and was impressed. The Mayor added that locally it has become a growing concern and there may be the ability to have the same sort of space here for the winter.

Councilmember Top Rojanasthien reported that he attended the Tourism Promotion Area board meeting this week and they are working through next year's budget.

Councilmember Travis Hornby reported that the Wenatchee Downtown Association is facing some changes with Executive Director Linda Haglund's upcoming retirement and the process has begun for a replacement.

Councilmember Jose Cuevas reported that he attended the Chelan Douglas County Homeless meeting. The Wenatchee Rescue Mission had their refrigeration unit fail

and the School District is helping out letting them use theirs. There will be a joint meeting next month with the Columbia River Homeless Housing Task Force. The refrigeration unit will be a topic of discussion at that meeting. He will also be attending a LEOFF 1 meeting on Monday.

**7. Announcements.** None.

**8. Close of Meeting.** With no further business the meeting ended at 6:26 p.m.

---

Frank J. Kuntz, Mayor

Attest:

---

Tammy L. Stanger, City Clerk



# PROCLAMATION

## Constitution Week September 17-23, 2022

**WHEREAS,** September 17, 2022, marks the two hundred and thirty-fifth anniversary of the drafting of the Constitution of the United States of America by the Constitution Convention; and

**WHEREAS,** it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate the occasion; and

**WHEREAS,** Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America, designating September 17 through 23 as Constitution Week.

**NOW, THEREFORE,** I, Frank J. Kuntz, Mayor of the City of Wenatchee, Washington, do hereby proclaim the week of September 17 through 23 as **CONSTITUTION WEEK** and urge all citizens to study the Constitution and reflect on the privilege of being American with all the rights and responsibilities which that privilege involves.



**IN WITNESS WHEREOF,** I have caused the seal of the City of Wenatchee to be affixed on 8<sup>th</sup> this day of September, 2022.

  
\_\_\_\_\_  
FRANK J. KUNTZ, Mayor





## CITY COUNCIL AGENDA REPORT

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

**FROM:** Elisa Schafer, Facilities Manager  
Public Works Department

**MEETING DATE:** September 8, 2022

---

**I. SUBJECT**

City of Wenatchee Project No. 1716 - Wenatchee City Hall Redevelopment construction contract between the City and TW Clark Construction, LLC, Change Order No. 14 in the amount of \$172,423.00 plus WSST.

**II. ACTION REQUESTED**

Staff recommends the City Council approve the contract change order with TW Clark Construction, LLC and authorize the Mayor's signature.

**III. OVERVIEW**

The City of Wenatchee entered into a construction contract with TW Clark in the spring of 2021 for \$8,634,000, plus WSST, for the transformation of the former Federal Building mailroom sorting floor and mezzanine level into the new Wenatchee City Hall. Since that time, a total of thirteen change orders have been issued for a current construction contract amount of \$9,669,720.00, plus WSST.

This proposed contract change order consists of two major contract extension requests:

1. Project delays that occurred throughout the construction process. TW Clark is requesting additional project time and additional general conditions to compensate for disruption impacts due to the mechanical, electrical, plumbing and fire sprinkler redesign, as well as for multiple RFIs that caused interruption to the project schedule. This request is for overhead costs associated with construction oversight for 22 additional working days (33 calendar days) by TW Clark staff.
2. Project delays that occurred as a result of the exterior cladding complications. Progress delays associated with the exterior marble reinstallation began in February 2022 and was formally resolved in July 2022. The determination was that existing marble could be reinstalled, adding no additional reinstallation fees. As a result of this process, the total contract time will need to be extended by 52 working days (98 calendar days) which includes additional general conditions expenses. Also included in this change request is the rental fee for the extended duration the scaffolding system is onsite, as well as the marble testing required by the contract documents to be provided by the owner.

A minor change is also included in this change request for the cost difference for a tree grate that was specified as an incorrect size.

**IV. FISCAL IMPACT**

Change Order No. 14 in the amount of \$172,423.00, plus WSST, would be deducted from City of Wenatchee Project No. 1716 project budget. The new contract sum would equal \$9,842,143, plus WSST.

**V. PROPOSED PROJECT SCHEDULE**

Renovation began in June 2021 and is currently projected to be complete in November 2022.

**VI. REFERENCE(S)**

1. Capital Project Budget approved on November 18, 2021

**VII. ADMINISTRATIVE ROUTING**

Tammy Stanger, City Clerk  
Laura Gloria, Executive Services Director  
Brad Posenjak, Finance Director  
Rob Jammerman, Public Works Director  
Aaron Kelly, PW Operations Manager  
Natalie Thresher, Financial Analyst

# AIA<sup>®</sup> Document G701™ – 2017

## Change Order

<b>PROJECT:</b> <i>(Name and address)</i> Wenatchee City Hall 301 Yakima Street Wenatchee, WA 98801	<b>CONTRACT INFORMATION:</b> Contract For: General Construction Date: May 14, 2021	<b>CHANGE ORDER INFORMATION:</b> Change Order Number: 014 Date: 08/30/2022
<b>OWNER:</b> <i>(Name and address)</i> City of Wenatchee PO Box 519 Wenatchee, WA 98801	<b>ARCHITECT:</b> <i>(Name and address)</i> ARC Architects 119 S Main Street, Ste 200 Seattle, WA 98104	<b>CONTRACTOR:</b> <i>(Name and address)</i> TW Clark Construction, LLC 1117 North Evergreen Road #1 Spokane Valley, WA 99216

**THE CONTRACT IS CHANGED AS FOLLOWS:**

*(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)*

- AC 135.1 CCD1-R1 Extended GC's, WT&M Added Costs, Stucco Mockup
- AC 145 PRx Extended GC's July
- AC 146 PRx RFI 209 4x8 Tree Grate

The original Contract Sum was	\$ 8,634,000.00
The net change by previously authorized Change Orders	\$ 1,035,720.00
The Contract Sum prior to this Change Order was	\$ 9,669,720.00
The Contract Sum will be increased by this Change Order in the amount of	\$ 172, 423.00
The new Contract Sum including this Change Order will be	\$ 9,842,143.00

The Contract Time will be increased by 131 days.  
The new date of Substantial Completion will be November 14, 2022

**NOTE:** This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

**NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.**

ARC Architects <b>ARCHITECT</b> <i>(Firm name)</i>	TW Clark Construction, LLC <b>CONTRACTOR</b> <i>(Firm name)</i>	City of Wenatchee <b>OWNER</b> <i>(Firm name)</i>
 <b>SIGNATURE</b>	 <b>SIGNATURE</b>	 <b>SIGNATURE</b>
Jeff Wandasiewicz, Principal <b>PRINTED NAME AND TITLE</b>	Scott Rountree, Project Manager <b>PRINTED NAME AND TITLE</b>	Frank J. Kuntz, Mayor <b>PRINTED NAME AND TITLE</b>
08/30/2022 <b>DATE</b>	8/31/2022 <b>DATE</b>	 <b>DATE</b>

## CITY COUNCIL AGENDA REPORT

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

**FROM:** Matt Parsons, Senior Planner  
Community Development

**MEETING DATE:** September 8, 2022

---

**I. SUBJECT**

Fair Properties LLC Annexation - Ordinance 2022-17

**II. ACTION REQUESTED**

1. Staff is requesting the City Council approve Ordinance 2022-17, providing for the annexation of an unincorporated area containing five parcels located northeast of the intersection of McKittrick Street and North Western Avenue also known as the Fair Properties LLC Annexation, subject to the provisions of Ordinance No. 2007-34 and all subsequent amendments thereto.

**III. OVERVIEW**

On December 9, 2021 a ten percent (10%) annexation petition was brought before the Wenatchee City Council for the property located at the northeast corner of the intersection of McKittrick St and North Western Ave. The approving motion set the annexation boundary, adopted the existing land use designation and required the annexation area to assume existing city indebtedness. The boundary includes 5.17 acres of land made up of 5 tax parcels and no public right-of-way.

A sixty percent (60%) annexation petition was established and circulated following approval of the ten percent (10%) petition. The petition has been signed by the property owners representing an annexation area value of at least sixty percent (60%).

On March 24, the city council passed Resolution 2022-08 setting the date of the public hearing for April 14, 2022 at 5:15PM and directing staff to provide notice of the public hearing in the newspaper and to post a notice in three public places in the proposed annexation area. The notices were provided by staff as directed in the Resolution.

On April 14, the city council held a public hearing on the proposed annexation. Following the close of the public hearing, Resolution 2022-13 was passed by the council providing for a Notice of Intent to be sent to the Chelan County Boundary Review Board (BRB).

The Notice of Intent (NoI) was submitted to the BRB on May 11, 2022. At the May 25, 2022 meeting of the BRB, the public hearing date was set for the July 27, 2022 meeting.

A public hearing was held at the July 27, 2022 meeting of the BRB. After the close of the hearing, the BRB voted 3 to 2 to accept the application for annexation.

At the August 24, 2022 meeting of the BRB, the written decision approving the proposed annexation, was approved. In accordance with subsection V.D. of the BRB's Rules of Practice and Procedure, the city has one year to act on the approval by adopting an ordinance finalizing the annexation.

**IV. FISCAL IMPACT**

Annexation would result in additional annual property revenues to the City and one-time revenues from future building permits. All adjacent right-of-way is already within city limits so no additional maintenance obligations are expected.

**V. PROPOSED PROJECT SCHEDULE**

Approximate timeline for next steps:

Week of September 12-16, 2022 – Ordinance published in paper and staff notifies agencies and utility providers of adopted Ordinance

Mid November 2022 – Ordinance effective date (60 days after publication and notification)

Late November to early December (30 days following effective date) – Conduct census of annexation area and submit census data and materials to the Washington State Office of Financial Management.

**VI. REFERENCE(S)**

1. Decision of the Chelan County Boundary Review Board
2. Ordinance 2022-17

**VII. ADMINISTRATIVE ROUTING**

Tammy Stanger, City Clerk

Laura Merrill, Executive Services Director

Brad Posenjak, Finance Director

Glen DeVries, Community Development Director

Rob Jammerman, Public Works Director

**WASHINGTON STATE BOUNDARY REVIEW BOARD IN AND FOR THE COUNTY OF CHELAN**

**DECISION ON PETITION INVOKING JURISDICTION REGARDING NOTICE OF INTENTION 2022-002;  
KNOWN AS THE FAIR PROPERTIES, LLC, ANNEXATION BY CITY OF WENATCHEE**

This matter, having been heard by this board at a duly advertised public hearing on July 27, 2022, hereby makes the following findings, conclusions, and decisions:

1. On May 11, 2022, the City of Wenatchee filed with the Washington State Boundary Review Board for Chelan County a Notice of Intention (NoI) to annex five parcels known as the Fair Properties, LLC, Annexation.
2. The Clerk of this board assigned the matter NoI No. 2022-002 and it was discussed at the board's May 25, 2022, meeting. This board set the matter for a public hearing to occur on July 27, 2022.
3. Mr. David Granatstein submitted two letters invoking the jurisdiction of this board. The first was received on April 20, 2022, and the second on May 25, 2022. The second letter amended the first letter to be deemed received on May 11, the same date as NoI 2022-002 was received by this board.
4. Further, consistent with RCW 36.93.100, Mr. Granatstein's correspondence was received by this board within 45 days of receipt of NoI 2022-022. The requirement pursuant to RCW 36.93.100(4) to issue a decision in this matter within 120 days commenced on May 11, 2022.
5. The Clerk of this board duly advertised the public hearing consistent with the provisions of RCW 36.93.160.
6. In attendance at the hearing were: Dennis Johnson, Chair; Duane Goehner, Member; Carl Blum, Member; Larry Cordes, Member. After approximately 30 minutes, Vice Chair Aaron Young was present in person having previously attended via Zoom. Susan Hinkle, Deputy Prosecuting Attorney, Lisa de Vera, Clerk, David Granatstein, and Kammeron Todd, Deputy Prosecuting Attorney, were also in attendance.
7. The parcels subject to NoI 2022-002 are also all located within the United States Postal Service area for Wenatchee, Washington, 98801:
  - a. 232033230150; 1697 N. Western Avenue
  - b. 232033230850; 1730 McKittrick Street
  - c. 232033230800, 1622 McKittrick Street
  - d. 232033230750, 1620 McKittrick Street; Petitioner Mr. Granatstein's address
  - e. 232033230700, 1618 McKittrick Street
8. Pursuant to RCW 36.93.170, the proposed annexation is exempt from review pursuant to Chapter 43.21C RCW, the Washington State Environmental Policy Act.
9. Every parcel in the proposed annexation is within the Urban Growth Area for the City of Wenatchee; consistent with RCW 36.93.170. The subject five parcels are part of an island of county jurisdiction completely surrounded by the current boundaries of the City of Wenatchee.

10. The properties at 1697 N. Western and 1730 McKittrick are owned by commercial rather than residential entities and are of a size typical of their commercial uses. The other three parcels are primarily used for residential purposes and are slightly larger than the typical size of a residential lot within the city's current boundaries in the vicinity. Approximately ten businesses are located within the five parcels. None of the parcels are used for commercial agricultural or open space purposes.

11. Current city and county zoning and comprehensive plans allow for similar uses; a mix of residential and commercial purposes. The city's current zoning for 1730 McKittrick and 1697 N. Western is Residential Moderate and Mixed Residential Corridor overly. Fair Properties, LLC, has applied to the city for a zone change for the two commercial properties to be rezoned to Neighborhood Commercial.

12. The city's zoning and comprehensive plans would allow for increased residential density and intensity of urban and commercial uses of the two parcels currently used for primarily non-residential purposes, i.e., 1730 McKittrick and 1697 N. Western, compared to county zoning.

13. Current population density of the five parcels is low, approximately ten people, and would likely be subject to potential significant increase upon annexation when city zoning becomes applicable; however, it would not be inconsistent with current densities of other parcels in the general vicinity that are already in city jurisdiction.

14. Upon annexation, the five subject parcels would have no change in the provision of municipal services including but not necessarily limited to domestic water, sewer, fire protection, stormwater, roads, parks, police, schools, and library.

15. A Memorandum of Understanding dated July 8, 1997, between Chelan County and the five cities within the county regarding UGA land use was not discussed by this board. However, discussion was not necessary as approval of this annexation is consistent with the terms of the Growth Management Act, Chapter 36.70A RCW.

16. The per capita assessed valuation of the subject five parcels relative to the per capita assessed valuation of parcels in the general vicinity which are already in city jurisdiction was not discussed; however, development patterns in the vicinity suggest they would be similar.

17. The topography, natural boundaries and drainage basins are similar to the surrounding areas. Four of the five lots are accessible via McKittrick Street and backed by a very steep slope which creates a barrier to other residential properties to the north. However, those properties are accessed via N. Western Avenue.

18. The proximity to other populated areas is immediate. The subject properties are at the outer edge of an island of county jurisdiction within city jurisdiction and immediately abut city roads.

19. The proposed annexation would not have any effect on the existence and preservation of prime agricultural soils and productive agricultural uses as there are none in the vicinity.

20. The likelihood of significant growth in the adjacent incorporated and unincorporated areas during the next ten years will likely be similar because the five parcels subject to this proposed annexation are currently at the outer edge of an island of county jurisdiction surrounded by the city's jurisdiction.



21. The five subject parcels are well within an area where future community facilities could logically be located, in part due to current existing provision of municipal services and proximity to city population.

22. There would not be an effect on the provision of municipal services by the application of city ordinances, codes, regulations or resolutions on existing uses as those services are all currently provided by the city.

23. The present cost and adequacy of governmental services and controls in area may potential increase by a few hundred dollars annually as stated in the Nol at page 7 of 58.

24. There are no prospects of governmental services from sources other than current providers including the city.

25. There are no probable future needs for such services and controls that aren't already provided by current providers including the city.

26. There is no significant probable effect of this proposal or alternative annexation on the cost and adequacy of services and controls in area and adjacent area.

27. There is no negative effect on the finances, debt structure, and contractual obligations and rights of all affected governmental units.

28. The proposed annexation would likely have no effect on mutual economic and social interests in the general area nor on the local governmental structure of the county.

29. The annexation as proposed would not necessarily negatively impact the preservation of natural neighborhoods and communities as all of the subject lots are fully developed already and all boarder city roads.

30. The slopes within and abutting the five subject parcels currently coincide with ownership boundaries or lot lines, thus physical boundaries and land contours will continue to have their existing effect on the area. There are no bodies of water in the subject annexation area and all roads abutting the subject area are already in city jurisdiction.

31. For the reasons stated herein, the proposed annexation is consistent with the creation and preservation of logical service areas.

32. No abnormally irregular boundaries are created by approval of the annexation as presented; in fact, the reduction of an abnormally irregular boundary is furthered in that the size of the island of county jurisdiction within the city limits will occur.

33. There is no issue regarding a risk of multiple incorporations of small cities in this area due to the lack of proximity of another city's UGA. The population of incorporated City of Wenatchee exceeds ten thousand and thus far exceeds the population of the five parcels subject to the proposed annexation.

34. No dissolution of inactive special purpose districts would be required by virtue of approval of this proposed annexation.

35. Two members of the board expressed concern that zoning changes might be handled differently going through just the City as opposed to the City and County, and that is why the City wants the properties annexed in order to allow the City to process any and all rezones rather than the County, and that the issue may not be limited to zoning, but also other little things that accelerate the rate of change.

36. The board understands the substance of Mr. Granatstein's objections to the annexation as proposed and also the substance of the alternative annexation approvals submitted by him in his testimony; however, the evidence to the contrary that the proposal is consistent with applicable law is sufficiently persuasive.

35. None of the members of the board has submitted a written statement addressing opposition to approval of the annexation as proposed to become part of the official record in this matter.

37. The conclusion of the majority of this board is that the annexation as proposed is logical and meets or exceeds the application of the factors contained in RCW 36.93.170 and the objectives contained in RCW 36.93.180.

Now, therefore, be it hereby ordered, the decision of the Washington State Boundary Review Board for Chelan County is to approve the Fair Properties, LLC, annexation, filed on May 11, 2022, and assigned Notice of Intention No. 2022-002 as submitted.

Parcels subject to Nol 2022-002 and also which are all within the United States Postal Service area for Wenatchee, Washington, 98801:

- a. 232033230150; 1697 N. Western Avenue
- b. 232033230850; 1730 McKittrick Street
- c. 232033230800, 1622 McKittrick Street
- d. 232033230750, 1620 McKittrick Street
- e. 232033230700, 1618 McKittrick Street

are hereby annexed by the City of Wenatchee.

This is a final and appealable order of this board pursuant to the requirements of Chapter 36.93 RCW.

Decided and approved in open public session this 24th day of August, 2022:

  
Dennis Johnson, Chair


\_\_\_\_\_  
Aaron Young, Vice Chair

  
Larry Cordes, Member


\_\_\_\_\_  
Duane Goehner, Member

  
Carl T. Blum, Member

Attest:

  
\_\_\_\_\_  
Lisa de Vera, Clerk of the Board  
Dated: 8-24-22

Approved as to form:

  
\_\_\_\_\_  
Susan E. Hinkle, WSBA 18276  
Deputy Prosecuting Attorney  
Dated: 8/24/22

**ORDINANCE NO. 2022-17**

**AN ORDINANCE**, providing for the annexation of an unincorporated area containing five parcels located northeast of the intersection of McKittrick Street and North Western Avenue also known as the Fair Properties LLC Annexation, subject to the provisions of Ordinance No. 2007-34 and all subsequent amendments thereto.

**WHEREAS**, a petition to annex the real property hereinafter described was filed with the City Council of the City of Wenatchee, signed by owners representing 60% of the assessed valuation in the area for which annexation is petitioned, and

**WHEREAS**, the applicable zoning for the annexed property will be Residential Moderate (RM) for the whole area and the overlay known as Mixed Residential Corridor (MRC) for the portion of the area extending 200 feet east of the right-of-way of N Western Ave, as designated on the pre-annexation zoning map, and

**WHEREAS**, the City Council of the City of Wenatchee considered all factors relative to the proposed annexation, and

**WHEREAS**, the City Council of the City of Wenatchee held a public hearing on April 14, 2022, and

**WHEREAS**, the City Council of the City of Wenatchee approved Resolution 2022-13 providing for the Notice of Intention, and

**WHEREAS**, a Notice of Intention was submitted to the Washington State Boundary Review Board in and for the County of Chelan with the required fee on May 11, 2022, and

**WHEREAS**, the Washington State Boundary Review Board in and for the County of Chelan (BRB) approved the annexation as proposed in Notice of Intention (NoI) 2022-002 on August 24, 2022.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WENATCHEE DO ORDAIN** as follows:

### **SECTION I**

That the following described real property located in Chelan County, Washington, contiguous to the City of Wenatchee, to-wit:

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

and each and every part thereof be and the same is hereby annexed to the City of Wenatchee, State of Washington; and that the corporate limits of the City of Wenatchee be and they are hereby extended so as to include the property and territory hereinbefore fully described. That said property be assessed and taxed at the same rate and on the same basis as the property of the City of Wenatchee is assessed and taxed to pay for the now outstanding indebtedness of the City of Wenatchee contracted prior to or existing at the time of this annexation.

### **SECTION II**

That the property described in Section I hereof be and the same is hereby classified and zoned as Residential Moderate (RM) for the whole area and the overlay known as Mixed Residential Corridor (MRC) for the portion of the area extending 200 feet east of the right-of-way of N Western Ave. All such zoning and classification being subject to the provisions of Ordinance No. 2007-34, and all subsequent amendments thereto.

**SECTION III**

This Ordinance shall take effect from and after its passage on the later of sixty (60) days after publication of such Ordinance once in The Wenatchee World, the same being the official newspaper of the City of Wenatchee, and the Clerk is hereby directed to cause the same to be so publicized, or sixty (60) days from the date notice of the annexation is provided to the Chelan County Treasurer, Assessor, and light, power and gas distribution businesses.

**PASSED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE**, at a regular meeting thereof, this \_\_\_\_\_ day of September, 2022.

CITY OF WENATCHEE, a Municipal  
Corporation

By: \_\_\_\_\_  
FRANK J. KUNTZ, Mayor

ATTEST:

By: \_\_\_\_\_  
TAMMY STANGER, City Clerk

APPROVED:

By: \_\_\_\_\_  
STEVE D. SMITH, City Attorney

**Ordinance No.** 2022-17

**EXHIBIT A**

**Boundary Description of Real Property to be Annexed into  
the City of Wenatchee, WA  
January 22, 2022**

**- FAIR PROPERTIES LLC ANNEXATION -**

Lots, parcels of land, and street right of way located within a portion of the southwest quarter of the northwest quarter of Section 33, Township 23 North, Range 20 East of the Willamette Meridian, Chelan County, Washington, the combined perimeter boundary of said lots, parcels, and street being more particularly described as follows:

Commencing at the TRUE POINT OF BEGINNING, said point being the southwest corner of Lot 4, Chelan County Short Plat Number 1180, recorded January 23, 1985, in Book 2 of Short Plats, at page 70, record of said County, being the point of intersection of the North right of way line of McKittrick Street and the East right of way line of North Western Avenue and being also a point on the East line of Annexation Ordinance Number 2003-30, recorded October 31, 2003, under Auditor's File Number 2159538, records of said County;

thence northerly along said East line to the southwest corner of Lot 1, said Short Plat, being also the northeast corner of said Ordinance and an angle point corner of Annexation Ordinance Number 2689, recorded November 2, 1987, in Book 884 of Deeds, at pages 2178-2188, records of said County;

thence northerly along the East right of way line of said North Western Avenue and the East line of said Ordinance Number 2689 to the northwest corner of said Lot 1;

thence easterly to the northeast corner of said Lot 1;

thence southerly to the southeast corner of said Lot; thence easterly to the northeast corner of Lot 3, said Short Plat;

thence southerly along the East line of said Lot 3 to the northwest corner of Parcel B, Boundary Line Adjustment Number 2003-009, recorded February 5, 2003, under Auditor's File Number 2135487, records of said County;

thence easterly to the northeast corner of said Parcel B, being also the northwest corner of Lot A, Boundary Line Adjustment Number 2002-101, recorded October 28, 2002, under Auditor's File Number 2128042, records of said County;

thence easterly to the northeast corner of said Lot A, being also an angle point corner of the West line of that parcel of land conveyed to David Granatstein and Elizabeth Kirby by Deed recorded April 26, 1993, in Book 992 of Deeds, at page 948;

thence northeasterly along the northwesterly line of said parcel to the northwest corner thereof;

page 1 of 2.



(Fair Properties LLC Annexation Boundary Description continued)

thence easterly to the northeast corner of said parcel, being also the northwest corner of a parcel of land conveyed to Ryan and Kaitlynn Harmon by Deed recorded March 15, 2019, under Auditor's File Number 2493212, records of said County;

thence easterly to the northeast corner of said Parcel, said corner being also a point on the East line of the northwest quarter of the southwest quarter of the northwest quarter of said Section 33;

thence southerly along said East line to a point of intersection with the North right of way line of said McKittrick Street;

thence westerly and southwesterly along the North and northwesterly right of way line of said McKittrick Street, being also the northerly line of Annexation Ordinance Number 2015-37, recorded December 21, 2015, under Auditor's File Number 2430124, records of said County, to the TRUE POINT OF BEGINNING.

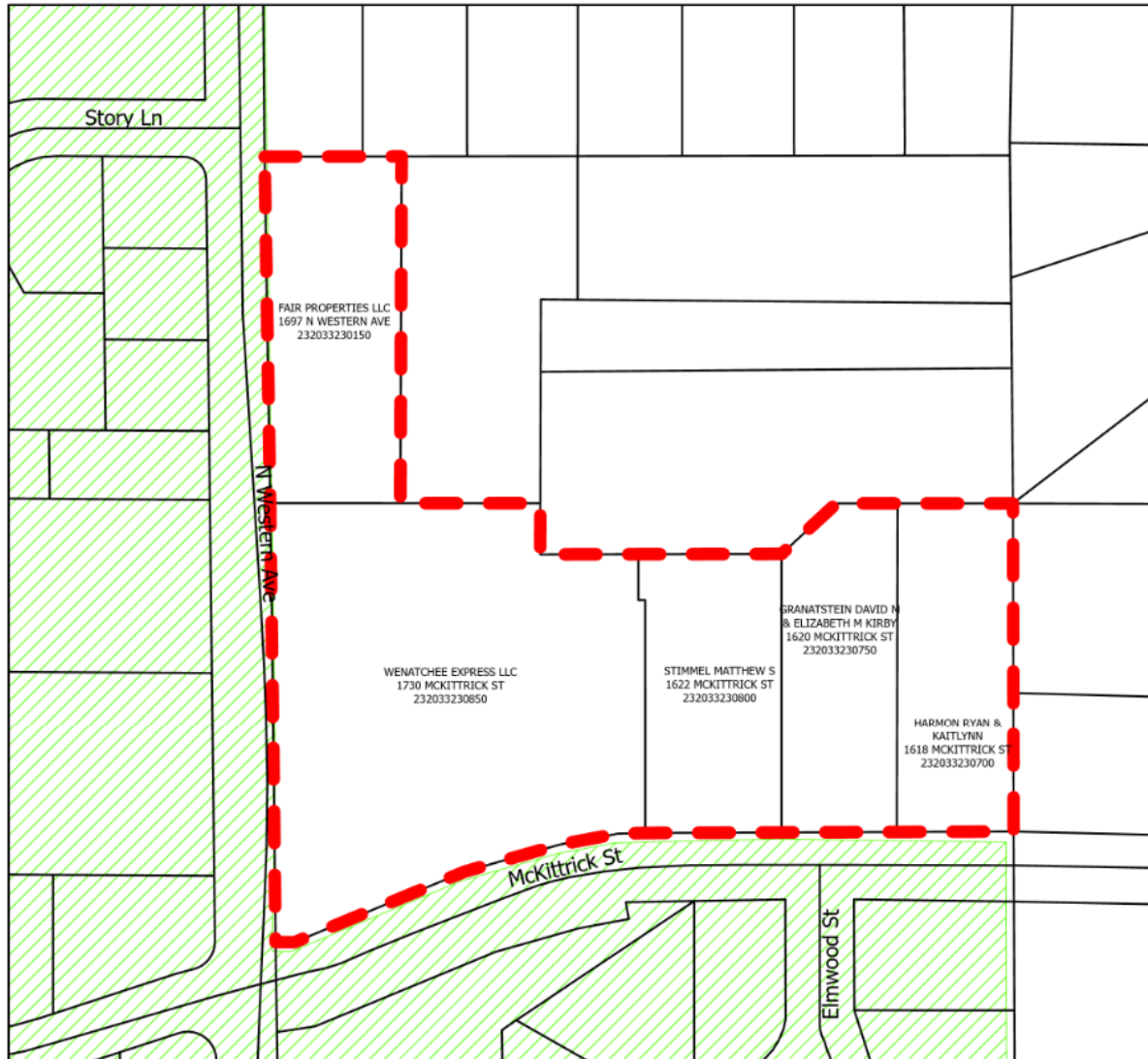
Prepared By: Erik B. Gahringer, PLS  
Date: January 22, 2022



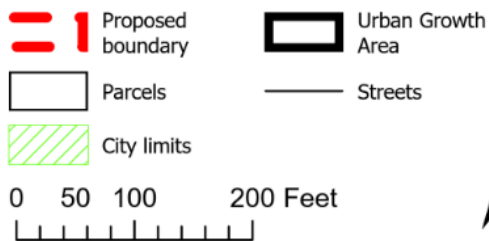
48° North  
Professional Land Surveying & Land Use Consulting  
P.O. Box 4266  
Wenatchee, WA 98807-4266  
Phone: (509) 436-1640

page 2 of 2.

## Exhibit B Fair Properties LLC Annexation Notice of Intention



### Legend



Acres in Proposed Boundary: 5.17  
Parcel numbers for lots in  
proposed area:  
232033230150  
232033230850  
232033230800  
232033230750  
232033230700



## CITY COUNCIL AGENDA REPORT

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

**FROM:** Aaron Kelly, Operations Manager  
Public Works Department

**MEETING DATE:** September 8, 2022

---

**I. SUBJECT**

City Project SW22-05 – Unit-Priced Concrete Flatwork  
Authorization to Award Construction Contract

**II. ACTION REQUESTED**

Staff recommends that the City Council award the construction contract for the Unit-Priced Concrete Flatwork, Project No. SW22-05, to Jones Concrete in the amount of \$149,036.50 and authorize the Mayor to sign the contract documents.

**III. OVERVIEW**

Over the past three years the city has contracted concrete flatwork through an on-call concrete contract. The most recent contract expired in August. The contract facilitated timely restoration of concrete infrastructure during times when the city's maintenance crews were experiencing increased workloads.

City's Streets and Utility Divisions have funding in their line item budgets for concrete flatwork and the work will be completed through task assignments. The task assignments will allow each division to manage their budgets and workload. The quantities shown in the bid proposal are an estimate to provide a common proposal for bidders. Payment will be based strictly on the work performed, and the city has no obligation to assign a minimum amount of work.

The project was distributed to MRSC's Small Works Roster on July 14, 2022 and we did not receive any bids. Staff solicited pricing for from contractors listed on the small works roster and received only one response from Jones Concrete. The proposal is consistent with previous years flatwork pricing and therefore, staff recommends to award the contract to Jones Concrete.

**IV. FISCAL IMPACT**

The contract is available to all city maintenance crews. It is expected that task assignments will be funded by Funds 023, 108, 401, 405, or 410 depending on the nature of the work.

**V. PROPOSED PROJECT SCHEDULE**

Work will be assigned by the city on a task order basis. The contract will be in effect for one year from the date of execution or until the total payment has reached \$150,000, whichever is sooner.

**VI. REFERENCE(S)**

1. Bid Proposal
2. Contract

**VII. ADMINISTRATIVE ROUTING**

Tammy Stanger, City Clerk  
Rob Jammerman, Public Works Director  
Brad Posenjak, Finance Director  
Laura Gloria, Executive Services Director  
Natalie Thresher, Contracts Coordinator

**City of Wenatchee**  
**Unit Priced Concrete Flatwork**

**BID PROPOSAL**

This Proposal is submitted as an offer by the undersigned, having examined the Contract Documents and considered all conditions to be encountered, to enter into a Contract with the City of Wenatchee (City) to furnish all labor, materials, and equipment, and to perform all work necessary to complete this project, in accordance with the Contract Documents, in consideration of the amounts stated in this Proposal.

**PROPOSAL AMOUNTS**

Unit prices for all items, all extensions, and total amount of Bid shall be shown. Enter unit prices in numerical figures only in dollars and cents, i.e. to two (2) decimal places (including for whole dollar amounts). All figures must be clearly legible. Bids with illegible figures in the Unit Price column will be rejected as unresponsive. Where conflict occurs between the unit price and the total amount specified for any item, the unit price shall prevail, and totals shall be corrected to conform thereto.

The Bidder will provide the following items in accordance with the above specifications, for the prices listed:

**BID FORM – SCHEDULE OF VALUES**

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE*	TOTAL
1	Minor Change	1	EST	\$5,000.00	\$5,000.00
2	Removing Cement Conc. Sidewalk	25	SY	189 <sup>70</sup>	4,742 <sup>50</sup>
3	Removing Cement Conc. Driveway Entrance	25	SY	216 <sup>90</sup>	5,420 <sup>00</sup>
4	Removing Cement Conc. Curb	50	LF	108 <sup>40</sup>	5,420 <sup>00</sup>
5	Removing Cement Conc. Curb and Gutter	50	LF	135 <sup>50</sup>	6,775 <sup>00</sup>
6	Removing Cement Conc. Pedestrian Curb	25	LF	108 <sup>40</sup>	2,710 <sup>00</sup>
7	Crushed Surfacing Top Course	50	TON	162.60	8,130
8	Crushed Surfacing Base Course	40	TON	162.60	6,504 <sup>00</sup>



*City of Wenatchee*  
*Unit Priced Concrete Flatwork*

*July 2022*  
*Bid Forms*

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE*	TOTAL
9	Adjust Valve Box	5	EA	108 <sup>40</sup>	542 <sup>00</sup>
10	Adjust Water Box Chamber	15	EA	108 <sup>40</sup>	1626 <sup>00</sup>
11	Cement Conc. Traffic Curb and Gutter	150	LF	54 <sup>20</sup>	8130 <sup>00</sup>
12	Cement Conc. Traffic Curb	150	LF	54 <sup>20</sup>	8130 <sup>00</sup>
13	Cement Conc. Pedestrian Curb	100	LF	48 <sup>78</sup>	4878 <sup>00</sup>
14	Cement Conc. Driveway Entrance	50	SY	119 <sup>24</sup>	5962 <sup>00</sup>
15	Cement Conc. Sidewalk	250	SY	189 <sup>70</sup>	47425 <sup>00</sup>
16	Cement Conc. Curb Ramp	100	SY	<del>271<sup>20</sup></del> 271 <sup>00</sup>	<del>27100<sup>00</sup></del> 27100 <sup>00</sup>
17	Adjust Junction Box	5	EA	108 <sup>40</sup>	542 <sup>00</sup>

**TOTAL BID PRICE** ..... \$ 149,036<sup>50</sup>

\*All applicable sales tax shall be included in the unit and lump sum Bid price per Section 1-07.2(1) and WAC 458-20-171.

**DECLARATION AND UNDERSTANDING**

The undersigned, hereinafter called the Bidder, declares that the only persons or parties interested in this bid are those named herein, that this bid is, in all respects, fair and without fraud, that it is made without collusion with any official of the Owner, and that the bid is made without any connection or collusion with any person submitting another bid on this Contract.

The Bidder further declares that he has carefully examined the Contract Documents and that this bid is made according to the provisions and under the terms of the Contract Documents, which Documents are hereby made a part of this bid.

**NON-DISCRIMINATION STATEMENT:**

By signing and submitting this Bid to the City, the Bidder certifies that, it has not discriminated against any minority, women, or emerging small business enterprises in obtaining any subcontracts.

**City of Wenatchee**  
**Unit Priced Concrete Flatwork**


**July 2022**  
**Bid Forms**

**ADDENDA:**

By signing and submitting this bid to the City, bidder represents that it has examined and carefully studied the Contract Documents, and other data identified in the Contract Documents, and the following Addenda, receipt of which is hereby acknowledged:

<b>ADDENDUM NO.</b>	<b>ADDENDUM DATE</b>

**SIGNATURE OF BIDDER:**

Name of Bidder:  Jones Concrete LLC

Signature of Authorized Agent:  Aug 16<sup>th</sup>  
(Date)

Title: Owner

Business Address: 2250 Stephanie Brooke  
Wenatchee Wa 98801

Phone #: 509)629-9431

Contractor State Registration No.: JONESCL882QZ

City of Wenatchee Business License No.: \_\_\_\_\_

State Industrial Insurance No.: 254, 979-00

Employment Security Department No.: 474490 00 2

Current UBI No.: 603-249-169

State Excise Tax Registration No.: \_\_\_\_\_





## CONTRACT

THIS AGREEMENT, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2022, between the CITY OF WENATCHEE, a Municipal Corporation of the State of Washington, and **Jones Concrete LLC** hereinafter called the Contractor; WITNESSETH:

That in consideration of the payments, covenants, and agreements hereinafter mentioned and attached and made a part of this agreement to be made and performed by the parties hereto, the parties hereto covenant and agree as follows:

1. The contractor shall do all work and furnish all tools, materials, and equipment for City of Wenatchee Project **SW22-05 Unit Priced Concrete Flatwork**, in the amount of \$149,036.50 (including applicable sales tax) in accordance with and as described in the attached plans and specifications and in full compliance with the terms, conditions, and stipulations herein set forth and attached, now referred to and by such reference incorporated herein and made a part hereof as fully for all purposes as if set forth at length, and shall perform any alterations in, or additions to, the work covered by this contract and every part thereof and any force account work which may be ordered as provided in this contract and every part thereof.

The Contractor shall provide and be at the expense of all materials, labor, carriage, tools, implements and conveniences, and things of every description that may be requisite for the transfer of materials and for constructing and completing the work provided for in this contract and every part thereof, except such as mentioned in the specifications to be furnished by the City of Wenatchee.

2. The City of Wenatchee hereby promises and agrees with the Contractor to employ, and does employ the Contractor to provide the materials and to do and cause to be done the above described work and to complete and finish the same according to the attached plans and specifications and the terms and conditions herein contained, and hereby contracts to pay for the same according to the attached specifications and the schedule of unit or itemized prices hereto attached, at the time and in the manner and upon the conditions provided for in this contract and every part thereof. The City further agrees to employ the Contractor to perform any alterations or additions to the work covered by this contract and every part thereof and any force account work that may be ordered and to pay for the same under the terms of this contract and the attached plans and specifications.

***Apple Capital of the World***

3. The Contractor for himself, and for his heirs, executors, administrators, successors, and assigns, does hereby agree to the full performance of all the covenants herein contained upon the part of the Contractor.
4. It is further provided that no liability shall attach to the City by reason of entering into this contract, except as expressly provided for herein.
5. Contractor agrees that he shall actively solicit the employment of minority group members. Contractor further agrees that he shall actively solicit bids for the subcontracting of goods or services from qualified minority businesses. Contractor shall furnish evidence of his compliance with these requirements of minority employment and solicitation. Contractor further agrees to consider the grant of subcontracts to said minority bidders on the basis of substantially equal proposals in the light most favorable to said minority businesses. The contractor shall be required to submit evidence of compliance with this section as part of the bid.

IN WITNESS WHEREOF the said parties and each of them have caused these presents to be duly executed by its proper officers and in the proper person or persons, the day and year first above written.

ATTEST:

CITY OF WENATCHEE  
A Municipal Corporation

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Contractor

By \_\_\_\_\_

\_\_\_\_\_  
Printed Name/Title

***Apple Capital of the World***



## CITY COUNCIL AGENDA REPORT

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

**FROM:** Matt Parsons, Senior Planner  
Community Development

**MEETING DATE:** September 8, 2022

---

**I. SUBJECT**

Jacoby Annexation: Resolution 2022-23 providing for the Notice of Intent to the Chelan County Boundary Review Board to annex certain property to the City of Wenatchee. The proposed annexation area is located south of Maple Street between Pershing St and Princeton Ave.

**II. ACTION REQUESTED**

Conduct a public hearing on the Jacoby Annexation. Motion requested for the City Council to pass Resolution 2022-23.

**III. OVERVIEW**

On March 9, 2022 a ten percent (10%) annexation petition was brought before the Wenatchee City Council for the property located south of Maple St. The approving motion set the annexation boundary, adopted the existing land use designation and required the annexation area to assume existing city indebtedness. The boundary includes a single parcel of land and is approximately 2.48 Acres.

A sixty percent (60%) annexation petition was established and circulated following approval of the ten percent (10%) petition. The petition has been signed by the property owners representing an annexation area value of 100% of the assessed value in the proposed boundary.

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

**IV. FISCAL IMPACT**

Annexation would result in additional annual property revenues to the city and one-time revenues from future building permits. No additional street right-of-way is included in the boundary so this annexation does not impact facility maintenance obligations.

**V. PROPOSED PROJECT SCHEDULE**

- Staff transmits a Notice of Intent to the Chelan County Boundary Review Board soon after the passage of the resolution.
- BRB process: Due to the fact that the total assessed value of the proposed area is less than \$2 million and less than 10 acres, the BRB Chairman may choose to declare that review is not necessary and allow it to proceed without the 45-day waiting period. If the 45-day waiting period passes and review has not been waived by the Chairman of the BRB (under RCW36.93.110) and jurisdiction has not been invoked (under RCW36.93.100), the application will be deemed approved. If jurisdiction is invoked under RCW36.93.100, a public hearing will be scheduled, noticed, and held in accordance with RCW36.93.160. The BRB would then have the option to approve the proposal, approve it in a modified form, or deny it.
- The BRB has 40 days to issue a written decision following a public hearing, if one was scheduled and held. The document will most likely be approved by the BRB at the next monthly meeting following the public hearing.
- If the BRB declines to review the application, jurisdiction is not invoked, the BRB approves the proposed boundary, or the BRB approves a modified version of the same, the City Council will then have the authority to adopt an ordinance for annexation of the area approved by the BRB.
- The ordinance will be written to take effect 60 days after it is published in the paper and notice has been sent to the Chelan County Treasurer, Assessor, and light, power and gas distribution businesses.

**VI. REFERENCE(S)**

1. Resolution 2022-23

**VII. ADMINISTRATIVE ROUTING**

Tammy Stanger, City Clerk  
Laura Merrill, Executive Services Director  
Brad Posenjak, Finance Director  
Rob Jammerman, Public Works Director  
Glen DeVries, Community Development Director

**RESOLUTION NO. 2022-23**

**A RESOLUTION,** providing for the Notice of Intention to annex certain property to the City of Wenatchee.

**WHEREAS,** a petition to annex the real property hereinafter described was filed with the City Council of the City of Wenatchee, signed by owners representing 60% of the assessed valuation in the area for which annexation is petitioned; and

**WHEREAS,** a review proceeding for said annexation may be required pursuant to RCW 35A.14.220; and

**WHEREAS,** the information required in a Notice of Intention as provided for in RCW 36.93.130 is as follows:

Jacoby Annexation

- (1) The nature of the action sought: Annexation of one parcel into the City of Wenatchee;
- (2) A brief statement of the reasons for the proposed action: The applicant submitted a 10% petition for their property at 1425 Maple St so they could connect to sewer;
- (3) The legal description of the boundaries proposed to be created: See Exhibit "A" attached hereto; and
- (4) A county assessor's map on which the boundaries to be created are designated: See Exhibit "B" attached hereto;

and

**WHEREAS,** the City Council of the City of Wenatchee considered all factors relative to the proposed annexation,

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WENATCHEE DOES HEREBY RESOLVE** as follows:

**SECTION I**

That, upon completion of the Chelan County Boundary Review Board process pursuant to Chapter 36.93 RCW, the following described real property located in Chelan County, Washington, contiguous to the City of Wenatchee, to-wit:

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

and each and every part thereof will be annexed to the City of Wenatchee, State of Washington; and that the corporate limits of the City of Wenatchee will be extended so as to include the property and territory hereinbefore fully described.

**SECTION II**

This Resolution shall take effect immediately.

**PASSED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE**, at a regular meeting thereof, this \_\_\_\_\_ day of September, 2022.

CITY OF WENATCHEE, a Municipal Corporation

By: \_\_\_\_\_  
FRANK J. KUNTZ, Mayor

ATTEST:

By: \_\_\_\_\_  
TAMMY STANGER, City Clerk

APPROVED:

By: \_\_\_\_\_  
STEVE D. SMITH, City Attorney

**EXHIBIT A**

Boundary Description of Real Property to be Annexed into the City of Wenatchee, WA

July 22, 2022

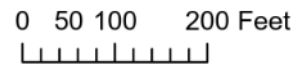
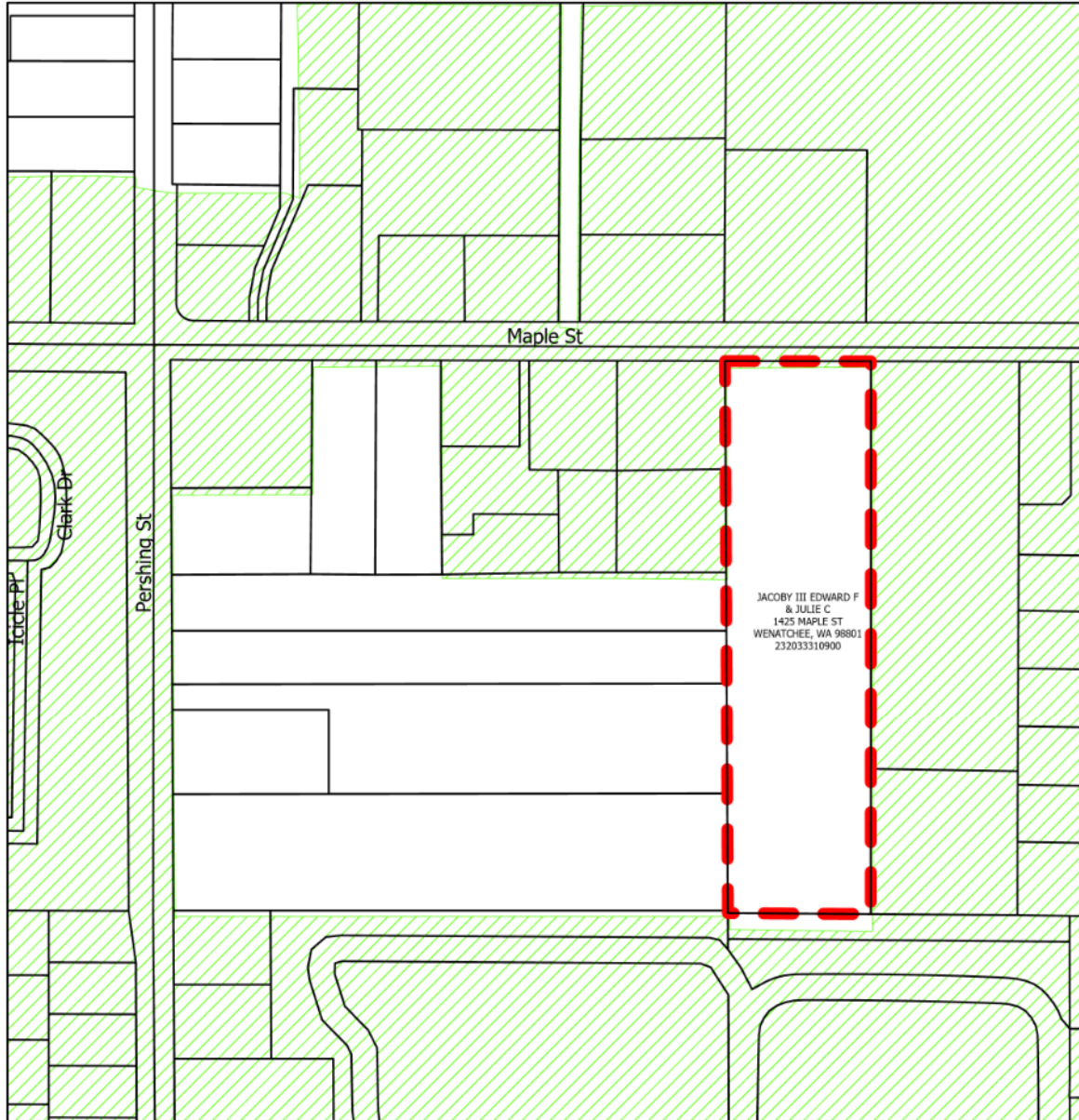
Jacoby Annexation

In Chelan County, State of Washington

The West half of the West half of the Southeast quarter of the Northeast quarter of the Southwest quarter, Section 33, Township 23 North, Range 20 East of the Willamette Meridian, Chelan County, Washington, EXCEPT right of way for Maple Street on the northerly line thereof.



Exhibit B  
Jacoboy Annexation  
Proposed Boundary



**Legend**

- Proposed Boundary
- Parcels
- City limits

- Urban Growth Area
- Streets

