



CITY COUNCIL REGULAR MEETING AGENDA
January 4, 2022 at 6:30 p.m.
City Hall Council Chambers and Virtual

The City of Kennewick broadcasts City Council meetings on the City's website at <https://www.go2kennewick.com/CouncilMeetingBroadcasts> and via Zoom. The City provides options for members of the public who are unable to attend in person (if applicable/available) and wish to comment on items during a regular meeting virtually or telephonically via Zoom and the City's website (see more information under Visitors on the agenda.) *Anyone attending in person is asked to comply with the State mandates regarding gathering in [public spaces](#). Face coverings will be available.*

1. CALL TO ORDER

Pledge of Allegiance/Welcome

- Roll Call
- Election of Mayor and Mayor Pro Tem

HONORS & RECOGNITIONS

2. APPROVAL OF AGENDA

3. CONSENT AGENDA

All matters listed within the Consent Agenda have been distributed to each member of the Kennewick City Council for reading and study, are considered to be routine, and will be enacted by one motion of the Council with no separate discussion.

- a. Minutes of Regular Meeting of December 21, 2021.
- b. (1) Motion to approve Claims Roster - None.
(2) Motion to approve the Claims Roster for the Columbia Park Golf Course Account for November 2021.
(3) Motion to approve the Claims Rosters for the Toyota Center Operations and Box Office Accounts for November 2021.
- c. Motion to approve Payroll Roster for December 15, 2021.
- d. Motion to authorize the City Manager to sign the Interlocal Agreement with Hanford Communities.
- e. Motion to authorize the Mayor (or in his absence Mayor Pro Tem) to sign the Final Plat of Southcliffe Phase 6, contingent upon payment of fees and bonding for incomplete sidewalks.
- f. Motion to authorize the Mayor (or in his absence Mayor Pro Tem) to sign the Final Plat of Apple Valley Phase 5B, contingent upon payment of fees and bonding for incomplete sidewalk work.

4. VISITORS

The City asks all members of the public who are unable to attend in person (if applicable/available) and wish to comment during the meeting under the Visitors section virtually (via Zoom) or telephonically, please register at

https://us02web.zoom.us/webinar/register/WN_lunNWbfBQ-SRHuOvnihaRA.

Registrations must be received by 4:00 p.m. on Tuesday, January 4th.

The public may also submit comments regarding items on any agenda item not covered under a public hearing, by filling out an online form at

<https://www.go2kennewick.com/VisitorsComments> no later than 4:30 p.m. on Monday, January 3rd to be included in the Council packet.

Interested parties may submit written comments to P.O. Box 6108, Kennewick, WA 99336; or e-mail clerkinfo@ci.kennewick.wa.us no later than 4:30 p.m. on Monday, January 3rd to be included in the Council packet.

5. ORDINANCES/RESOLUTIONS

- a. Ordinance 5964: Change of Zone (COZ) from Residential, Suburban (RS) to Residential, Medium (RM) at 3321 W. 10th Ave

6. PUBLIC HEARINGS/MEETINGS

7. NEW BUSINESS

- a. Ethics Policy and Ethics Officer

8. UNFINISHED BUSINESS

9. COUNCIL COMMENTS/DISCUSSION

10. ADJOURNMENT

CITY OF KENNEWICK
CITY COUNCIL
Regular Meeting
December 21, 2021

1. CALL TO ORDER

Mayor Don Britain called the meeting to order at 6:30 p.m.

Meeting was conducted through an online, virtual meeting platform. Councilmembers and staff joined remotely. City Council temporarily designated the location for regular, special and study session meetings to a virtual location until termination of the state of emergency or until rescinded.

City Council and Staff Present:

Mayor Pro Tem Steve Lee	Marie Mosley	Emily Estes-Cross	Jennifer Hansen
John Trumbo	Anthony Muai	Chris Guerrero	
Bill McKay	Christina Palmer	Kevin Crowley	
Chuck Torelli	Lisa Beaton	Evelyn Lusignan	
Jim Millbauer	Cary Roe	Corey Osborn	
Brad Beauchamp	Terri Wright	Bruce Mills	
Mayor Don Britain	Dan Legard	Krystal Townsend	

Mr. Torelli led the Pledge of Allegiance.

HONORS & RECOGNITIONS

- Retiree Recognition – Drew Sneyd (18-years) & Mark Stradley (26-years)

Mayor Britain read the retirement plaque words and thanked Mr. Sneyd for his 18-years of service. Mr. Sneyd was not in attendance.

Mayor Britain read the retirement plaque words and thanked Mr. Stradley for his 26-years of service. Mr. Stradley was not in attendance.

- Outgoing Council Members Recognition
 - Resolution No. 21-16
 - Resolution No. 21-17

City Clerk Wright read Resolution No. 21-16 in its entirety recognizing Mayor Britain's 12-years of service and the plaque words thanking him for his service to the City of Kennewick.

Mr. Millbauer moved, seconded by Mayor Pro Tem Lee to adopt Resolution No. 21-16. The motion passed 6-0 with Mayor Britain abstaining.

City Clerk Wright read Resolution No. 21-17 in its entirety recognizing Mayor Pro Tem Lee's 4-years of service to the City of Kennewick. Mayor Pro Tem Lee will also receive a plaque thanking him for his service to the City of Kennewick.

Mr. Torelli moved, seconded by Mayor Britain to adopt Resolution No. 21-16. The motion passed 6-0 with Mayor Pro Tem Lee abstaining.

2. APPROVAL OF AGENDA

Mayor Pro Tem Lee moved, seconded by Mr. Torelli to approve the Agenda as presented. The motion passed unanimously.

3. APPROVAL OF CONSENT AGENDA

- a. Minutes of Regular Meeting of December 7, 2021.
- b. (1) Motion to approve Claims Roster for November 2021.
(2) Motion to approve the Claims Roster for the Toyota Center Operations and Box Office Accounts for October 2021.
- c. Motion to approve Payroll Roster for November 30, 2021.
- d. Motion to authorize the City Manager to sign the Columbia Park Golf Course Management Agreement with Kennewick Golf Corporation.
- e. Motion to authorize the Mayor (or in his absence Mayor Pro Tem) to sign the final plat for Apple Valley 6A, contingent upon the completion of outstanding Public Works and Planning requirements.
- f. Motion to authorize the City Manager to sign an extension of the City's banking services contract with US Bank through December 31, 2023.
- g. Resolution 21-13: Setting a public hearing on January 18, 2022 for a right-of-way vacation at 7114 W. Hildebrand Blvd.
- h. Motion to adopt the 2022 Legislative Priorities.

Mayor Pro Tem Lee moved, seconded by Mr. Torelli to approve the Consent Agenda. The motion passed unanimously.

4. VISITORS

Tina Gregory, 5820 W. 10th Ave, Kennewick – Talked about CDC's inaccurate information on Covid-19 and wants Council meetings back to in-person.

Skip Novakovich, 110 N. Cascade St, Kennewick – Thanked Mayor Britain for his service to the citizens of Kennewick and his leadership.

Ashely Britain, 1634 Horn Ave, Richland – Talked about the accomplishments Mr. Britain has achieved during his tenure and expressed displeasure with the actions of Mr. McKay and Mr. Trumbo.

5. ORDINANCE/RESOLUTIONS

- a. (1) Ordinance 5959: Adding KMC 9.54 Regulating Public Camping
(2) Ordinance 5960: Amending KMC 10.08.040 City Park Regulations. Lisa Beaton, City Attorney reported on both items.

ORDINANCE NO. 5959

AN ORDINANCE RELATING TO REGULATING PUBLIC CAMPING AND ADDING CHAPTER 9.54 TO THE KENNEWICK MUNICIPAL CODE

Mayor Pro Tem Lee moved, seconded by Mr. Millbauer to adopt Ordinance No. 5959. The motion passed unanimously.

ORDINANCE NO. 5960

AN ORDINANCE RELATING TO CITY PARK REGULATIONS AND AMENDING SECTION 10.08.040 OF THE KENNEWICK MUNICIPAL CODE

Mayor Pro Tem Lee moved, seconded by Mr. Torelli to adopt Ordinance No. 5960. The motion passed unanimously.

- b. Ordinance 5961: Amending KMC 1.40 Requests for Access to or Copies of City Records. Krystal Townsend, Public Records Officer reported.

ORDINANCE NO. 5961

AN ORDINANCE RELATING TO REQUESTS FOR ACCESS TO OR COPIES OF CITY RECORDS AND AMENDING SECTIONS 1.40.010, 1.40.030, 1.40.060, 1.40.090, 1.40.110, 1.40.120, 1.40.160, AND 1.40.170, OF THE KENNEWICK MUNICIPAL CODE

Mr. Millbauer moved, seconded by Mayor Pro Tem Lee to adopt Ordinance No. 5961. The motion passed 5 to 2. Mr. McKay and Mr. Trumbo opposed.

- c. Ordinance 5962: Charter Cable Franchise Agreement. Lisa Beaton, City Attorney reported.

ORDINANCE NO. 5962

AN ORDINANCE OF THE CITY OF KENNEWICK GRANTING A NON-EXCLUSIVE CABLE FRANCHISE TO SPECTRUM PACIFIC WEST, LLC, WITHIN THE PUBLIC WAYS OF THE CITY OF KENNEWICK

Mayor Pro Tem Lee moved, seconded by Mr. Torelli to adopt Ordinance No. 5962. The motion passed unanimously.

- d. Ordinance 5963: PocketiNet Franchise Agreement. Bruce Mills, Deputy Public Works Director reported.

ORDINANCE NO. 5963

AN ORDINANCE OF THE CITY OF KENNEWICK GRANTING A NON-EXCLUSIVE FRANCHISE TO POCKETINET TO CONSTRUCT, INSTALL, OPERATE, MAINTAIN, REPAIR, OR REMOVE FIBER OPTIC CABLES WITHIN THE PUBLIC WAYS OF THE CITY OF KENNEWICK

Mayor Pro Tem Lee moved, seconded by Mr. Millbauer to adopt Ordinance No. 5963. The motion passed unanimously.

6. PUBLIC HEARINGS/MEETINGS

- a. Resolution 21-15: Amending Public Records Fee Schedule. Krystal Townsend, Public Records Officer reported.

Public hearing was opened and closed at 8:15 p.m. No public testimony provided.

RESOLUTION NO. 21-15

A RESOLUTION AMENDING THE PUBLIC RECORDS FEE SCHEDULE

Mr. Millbauer moved, seconded by Mr. Torelli to adopt Resolution No. 21-15 Option 2. The motion passed 4-3. Mr. McKay, Mr. Trumbo and Mr. Beauchamp opposed.

7. NEW BUSINESS - None
8. UNFINISHED BUSINESS - None
9. COUNCIL COMMENTS/DISCUSSION

Council members reported on their respective activities.

10. ADJOURNMENT

Meeting adjourned at 8:42 p.m.

Terri L. Wright, CMC
City Clerk

Council Agenda Coversheet



Agenda Item Number	3.b.(2)	Council Date	01/04/2022
Agenda Item Type	General Business Item		
Subject	Columbia Park Golf Course Account		
Ordinance/Reso #		Contract #	
Project #		Permit #	
Department	Finance		

Consent Agenda	<input checked="" type="checkbox"/>
Ordinance/Reso	<input type="checkbox"/>
Public Mtg / Hrg	<input type="checkbox"/>
Other	<input type="checkbox"/>
Quasi-Judicial	<input type="checkbox"/>

Recommendation

That Council approve the Claims Roster for the Columbia Park Golf Course Account for November 2021.

Motion for Consideration

I move to approve the Claims Roster for the Columbia Park Golf Course Account for November 2021 in the amount of \$32,035.45, comprised of check numbers 2654-2660 in the amount of \$5,380.06 and electronic transfers in the amount of \$26,655.39.

Summary

The first page of the roster is a summary of check and electronic transfer activity, with the following pages presenting more detailed information.

Alternatives

None.

Fiscal Impact

Total \$32,035.45.

Through	Denise Winters Dec 17, 14:28:26 GMT-0800 2021
Dept Head Approval	Dan Legard Dec 21, 14:51:27 GMT-0800 2021
City Mgr Approval	Marie Mosley Dec 29, 17:15:30 GMT-0800 2021

Attachments:

Recording Required?

**COLUMBIA PARK GOLF COURSE FUND
CHECK REGISTER
November 2021**

Check Number	Vendor Check Name	Check Date	Amount	Type
2654	TOTAL E INTEGRATED INC.	11/15/2021	\$137.95	Check
2655	COLUMBIA POINT GOLF COURSE	11/18/2021	\$134.40	Check
2656	COURSECO, INC	11/18/2021	\$14.22	Check
2657	KENNEWICK GOLF CORPORATION	11/18/2021	\$4,813.49	Check
2658	MELISSA HIBBARD	11/18/2021	\$240.00	Check
2660	YELP	11/18/2021	\$40.00	Check
ADPTS 1510694	ADP TOTAL SOURCE (AUTOPAY)	11/10/2021	\$4,592.72	EFT
NATIONWIDE 364179395	NATIONWIDE	11/1/2021	\$706.92	EFT
WA DOR 0023393330	DEPARTMENT OF REVENUE	11/18/2021	\$2,829.36	EFT
414038	ACUSHNET	11/10/2021	\$223.11	EFT
414163	BLUE ROOM	11/10/2021	\$266.67	EFT
414095	CITY OF KENNEWICK ELECTRICAL	11/10/2021	\$451.65	EFT
414120	PEPSI COLA BOTTLING CO.	11/10/2021	\$171.31	EFT
416151	CITY OF KENNEWICK ELECTRICAL	11/26/2021	\$376.13	EFT
Paid by ACH	CINTAS CORPORATION #608	11/12/2021	\$227.35	EFT
Paid by ACH	COLEMAN OIL COMPANY	11/12/2021	\$625.43	EFT
Paid by ACH	WESTERN EQUIPMENT	11/29/2021	\$2,290.78	EFT
Paid by ACH	ADP TOTAL SOURCE (AUTOPAY)	11/5/2021	\$7,872.25	EFT
Paid by ACH	ADP TOTAL SOURCE (AUTOPAY)	11/19/2021	\$4,222.10	EFT
Paid by ACH	ELAN (MONTHLY CREDIT CARD CHGS)	11/30/2021	\$1,015.29	EFT
Bank Deduction	MERCHANT SERVICES	11/1/2021	\$730.91	EFT
Bank Deduction	US Bank	11/15/2021	\$53.41	
			\$32,035.45	

I, Dan Legard, Finance Director, do hereby certify that the merchandise or services hereinbefore specified have been received, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation and that the vouchers listed above are approved for payment this day.



Dan Legard, Finance Director

The payments on this claims roster are comprised of the following:

Check numbers 2654-2660	\$	5,380.06
Electronic transfers		26,655.39
Total	\$	32,035.45

Exceptions:

Check	Vendor	Date	Amount	Debit	Credit
2654	TOTAL E INTEGRATED INC. PAY PURCH	11/15/2021 20005-000-244-00 51900-050-244-00	ACCOUNTS PAYABLE - GP CONTRACT SERVICES	\$137.95 \$137.95	 \$137.95
2655	COLUMBIA POINT GOLF COURSE PAY PURCH PURCH PURCH PURCH	11/18/2021 20005-000-244-00 50100-060-244-00 50100-080-244-00 50200-050-244-00 50950-050-244-00	ACCOUNTS PAYABLE - GP SALARIES SALARIES HOURLY WAGES COMBINED ADMIN, TAXES, W/C	\$134.40 \$192.30 \$192.30	 \$208.50 \$41.70
2656	COURSECO, INC PAY PURCH	11/18/2021 20005-000-244-00 52800-080-244-00	ACCOUNTS PAYABLE - GP SUBSCRIPTIONS & PUBLICATIONS	\$14.22 \$14.22	 \$14.22
2657	KENNEWICK GOLF CORPORATION PAY PURCH PURCH	11/18/2021 20005-000-244-00 59600-080-244-00 59610-080-244-00	ACCOUNTS PAYABLE - GP ACCOUNTING FEES MANAGEMENT FEE	\$4,813.49 \$1,204.02 \$3,609.47	 \$4,813.49
2658	MELISSA HIBBARD PAY PURCH	11/18/2021 20005-000-244-00 52100-080-244-00	ACCOUNTS PAYABLE - GP TELECOMMUNICATIONS	\$240.00 \$240.00	 \$240.00
2660	YELP PAY PURCH	11/18/2021 20005-000-244-00 53100-080-244-00	ACCOUNTS PAYABLE - GP ADVERTISING & MARKETING	\$40.00 \$40.00	 \$40.00
ADPTS 1510694	ADP TOTAL SOURCE (AUTOPAY) PAY PURCH PURCH	11/10/2021 20005-000-244-00 50800-050-244-00 50800-060-244-00	ACCOUNTS PAYABLE - GP HEALTH BENEFITS HEALTH BENEFITS	\$4,592.72 \$2,717.19 \$1,875.53	 \$4,592.72
NATIONWIDE 364179395	NATIONWIDE PAY PURCH	11/1/2021 20006-000-244-00 18400-000-244-00	ACCOUNTS PAYABLE - GP PREPAID INSURANCE	\$706.92 \$706.92	 \$706.92
WA DOR 0023393330	DEPARTMENT OF REVENUE PAY PURCH PURCH	11/18/2021 20005-000-244-00 20300-000-244-00 91101-000-244-00	ACCOUNTS PAYABLE - GP SALES TAX PAYABLE OTHER STATE TAXES	\$2,829.36 \$1,514.78 \$1,314.58	 \$2,829.36
414038	ACUSHNET PAY PURCH	11/10/2021 20006-000-244-00 47150-050-244-00	ACCOUNTS PAYABLE - GP COGS MERCHANDISE	\$223.11 \$223.11	 \$223.11
414163	BLUE ROOM PAY PURCH PURCH	11/10/2021 20006-000-244-00 52300-050-244-00 52300-060-244-00	ACCOUNTS PAYABLE - GP GARBAGE & DEBRIS REMOVAL GARBAGE & DEBRIS REMOVAL	\$266.67 \$176.00 \$90.67	 \$266.67
414095	CITY OF KENNEWICK ELECTRICAL PAY PURCH PURCH	11/10/2021 20006-000-244-00 52200-060-244-00 52210-060-244-00	ACCOUNTS PAYABLE - GP UTILITIES - GAS & ELECTRIC IRRIGATION ELECTRICITY	\$451.65 \$40.65 \$411.00	 \$451.65
414120	PEPSI COLA BOTTLING CO. PAY PURCH PURCH	11/10/2021 20006-000-244-00 49150-070-244-00 49200-070-244-00	ACCOUNTS PAYABLE - GP COGS - PACKAGED FOOD COGS - SOFT BEVERAGE	\$171.31 \$58.51 \$112.80	 \$171.31
416151	CITY OF KENNEWICK ELECTRICAL PAY PURCH PURCH	11/26/2021 20006-000-244-00 52200-060-244-00 52210-060-244-00	ACCOUNTS PAYABLE - GP UTILITIES - GAS & ELECTRIC IRRIGATION ELECTRICITY	\$376.13 \$38.83 \$337.30	 \$376.13
Paid by ACH	CINTAS CORPORATION #608 PAY PURCH PURCH	11/12/2021 20006-000-244-00 51900-060-244-00 51900-080-244-00	ACCOUNTS PAYABLE - GP CONTRACT SERVICES CONTRACT SERVICES	\$227.35 \$65.99 \$161.36	 \$227.35
Paid by ACH	COLEMAN OIL COMPANY PAY PURCH PURCH	11/12/2021 20005-000-244-00 58300-060-244-00 58300-050-244-00	ACCOUNTS PAYABLE - GP FUEL & OIL MAINTENANCE FUEL & OIL GOLF	\$625.43 \$517.68 \$107.75	 \$625.43
Paid by ACH	WESTERN EQUIPMENT PAY PURCH PURCH	11/29/2021 20006-000-244-00 58400-060-244-00 58100-060-244-00	ACCOUNTS PAYABLE - GP EQUIPMENT OUTSIDE REPAIRS EQUIPMENT PARTS	\$2,290.78 \$405.00 \$1,885.78	 \$2,290.78

Check	Vendor	Date	Amount	Debit	Credit
Paid by ACH	ADP TOTAL SOURCE (AUTOPAY)	11/5/2021		\$7,872.25	
	PAY	50000-000-244-00	TEMPORARY ACCT		\$7,872.25
	PURCH	50100-060-244-00	SALARIES	\$3,594.32	
	PURCH	50200-050-244-00	HOURLY WAGES	\$2,556.16	
	PURCH	50200-060-244-00	HOURLY WAGES	\$1,305.66	
	PURCH	50800-050-244-00	HEALTH BENEFITS		\$543.31
	PURCH	50800-060-244-00	HEALTH BENEFITS		\$368.52
	PURCH	50950-050-244-00	COMBINED ADMIN, TAXES, W/C	\$534.92	
	PURCH	50950-060-244-00	COMBINED ADMIN, TAXES, W/C	\$765.47	
	PURCH	50950-080-244-00	COMBINED ADMIN, TAXES, W/C	\$27.55	
Paid by ACH	ADP TOTAL SOURCE (AUTOPAY)	11/19/2021		\$4,222.10	
	PAY	50000-000-244-00	TEMPORARY ACCT		\$4,222.10
	PURCH	50100-060-244-00	SALARIES	\$1,642.80	
	PURCH	50200-050-244-00	HOURLY WAGES	\$1,732.67	
	PURCH	50200-060-244-00	HOURLY WAGES	\$973.83	
	PURCH	50800-050-244-00	HEALTH BENEFITS		\$543.31
	PURCH	50800-060-244-00	HEALTH BENEFITS		\$368.52
	PURCH	50950-050-244-00	COMBINED ADMIN, TAXES, W/C	\$319.49	
	PURCH	50950-060-244-00	COMBINED ADMIN, TAXES, W/C	\$443.03	
	PURCH	50950-080-244-00	COMBINED ADMIN, TAXES, W/C	\$22.11	
Paid by ACH	ELAN (MONTHLY CREDIT CARD CHGS)	11/30/2021		\$1,015.29	
	PAY	50000-000-244-00	TEMPORARY ACCT		\$1,015.29
	PURCH	51300-060-244-00	EDUCATION & TRAINING	\$60.00	
	PURCH	52100-060-244-00	TELECOMMUNICATIONS	\$169.96	
	PURCH	52500-080-244-00	OFFICE SUPPLIES	\$291.39	
	PURCH	52800-080-244-00	SUBSCRIPTIONS & PUBLICATIONS	\$9.25	
	PURCH	53100-080-244-00	ADVERTISING & MARKETING	\$210.45	
	PURCH	53200-080-244-00	PROMO & ENTER	\$100.08	
	PURCH	53500-060-244-00	LICENSES & FEES	\$46.35	
	PURCH	53500-080-244-00	LICENSES & FEES	\$92.25	
	PURCH	54700-060-244-00	EQUIPMENT RENTAL	\$35.56	
Bank Deduction	MERCHANT SERVICES	11/1/2021		\$730.91	
	PAY	10420-000-244-00	OPERATING CHECKING ACCT - US Bank		\$730.91
	PURCH	54000-080-244-00	BANK CHARGES	\$730.91	
Bank Deduction	US Bank	11/15/2021		\$53.41	
	PAY	10420-000-244-00	OPERATING CHECKING ACCT - US Bank		\$53.41
	PURCH	54000-080-244-00	BANK CHARGES	\$53.41	

**Council Agenda
Coversheet**



Agenda Item Number	3.b.(3)	Council Date	01/04/2022
Agenda Item Type	General Business Item		
Subject	Toyota Center/Arena Accounts		
Ordinance/Reso #		Contract #	
Project #		Permit #	
Department	Finance		

Consent Agenda

Ordinance/Reso

Public Mtg / Hrg

Other

Quasi-Judicial

Recommendation

Staff recommends that Council approve the Claims Rosters for the Toyota Center Operations and Box Office Accounts for November 2021.

Motion for Consideration

I move to approve the Claims Rosters for the Toyota Center Operations and Box Office Accounts for November 2021 in the amount of \$973,419.45, comprised of check number 22129-22157 in the amount of \$62,336.16 and electronic transfers in the amount of \$911,083.29.

Summary

None.

Alternatives

None.

Fiscal Impact

Total \$973,419.45.

Through	Denise Winters Dec 17, 14:32:48 GMT-0800 2021
Dept Head Approval	Dan Legard Dec 21, 14:56:19 GMT-0800 2021
City Mgr Approval	Marie Mosley Dec 29, 17:17:18 GMT-0800 2021

Attachments:

Recording
Required?

**Toyota Center and Toyota Arena
Claims Roster
November 2021**

Num	Date	Name	Memo	Account	Paid Amount
22129	11/02/2021	Baskin Robbins		1006.1 - Sterling Operating Account	
Ams vs Seattle	10/22/2021		Third Party Sales Ams vs Seattle	5300.7 - Sales-Third Party	-400.00
Ams vs Spokane	10/23/2021		Third Party Sales Ams vs Spokane	5300.7 - Sales-Third Party	-577.07
Ams vs Seattle	10/30/2021		Third Party Sales Ams vs Seattle	5300.7 - Sales-Third Party	-565.75
					<u>-1,542.82</u>
22130	11/02/2021	Bayou		1006.1 - Sterling Operating Account	
Ams vs Seattle	10/22/2021		Third Party Sales Ams vs Seattle	5300.7 - Sales-Third Party	-321.17
Ams vs Spokane	10/23/2021		Third Party Sales Ams vs Spokane	5300.7 - Sales-Third Party	-441.11
Ams vs Seattle	10/30/2021		Third Party Sales Ams vs Seattle	5300.7 - Sales-Third Party	-596.73
					<u>-1,359.01</u>
22131	11/02/2021	Chapala Express Stand		1006.1 - Sterling Operating Account	
Ams vs Seattle	10/22/2021		Third Party Sales Ams vs Seattle	5300.7 - Sales-Third Party	-719.36
Ams vs Spokane	10/23/2021		Third Party Sales Ams vs Spokane	5300.7 - Sales-Third Party	-911.22
Ams vs Seattle	10/30/2021		Third Party Sales Ams vs Seattle	5300.7 - Sales-Third Party	-687.89
					<u>-2,318.47</u>
22132	11/02/2021	Columbia Treats		1006.1 - Sterling Operating Account	
Ams vs Seattle	10/22/2021		Third Party Sales Ams vs Seattle	5300.7 - Sales-Third Party	-305.85
Ams vs Spokane	10/23/2021		Third Party Sales Ams vs Spokane	5300.7 - Sales-Third Party	-484.21
Ams vs Seattle	10/30/2021		Third Party Sales Ams vs Seattle	5300.7 - Sales-Third Party	-386.05
					<u>-1,176.11</u>
22133	11/02/2021	Doggie Style Gourmet		1006.1 - Sterling Operating Account	
Ams vs Seattle	10/22/2021		Third Party Sales Ams vs Seattle	5300.7 - Sales-Third Party	-421.55
Ams vs Spokane	10/23/2021		Third Party Sales Ams vs Spokane	5300.7 - Sales-Third Party	-644.20
Ams vs Seattle	10/30/2021		Third Party Sales Ams vs Seattle	5300.7 - Sales-Third Party	-469.06
					<u>-1,534.81</u>
22134	11/02/2021	KC Brand		1006.1 - Sterling Operating Account	
Ams vs Seattle	10/22/2021		Third Party Sales Ams vs Seattle	5300.7 - Sales-Third Party	-603.48
Ams vs Spokane	10/23/2021		Third Party Sales Ams vs Spokane	5300.7 - Sales-Third Party	-755.41
Ams vs Seattle	10/30/2021		Third Party Sales Ams vs Seattle	5300.7 - Sales-Third Party	-810.72
					<u>-2,169.61</u>
22135	11/05/2021	Overholt, Ryan	Runner for Jeff Dunham	1006.1 - Sterling Operating Account	
21-1106	11/06/2021		Runner for Jeff Dunham	5073 - Reimbursed Outside Services	-250.00
					<u>-250.00</u>
22136	11/05/2021	Rocky Mountain Rigging	VOID: Rigging for Jeff Dunham	1006.1 - Sterling Operating Account	
					0.00
22137	11/06/2021	Rocky Mountain Rigging	Rigging for Jeff Dunham FINAL	1006.1 - Sterling Operating Account	
Jeff Dunham	11/06/2021		Rigging for Jeff Dunham FINAL	5073 - Reimbursed Outside Services	-5,690.80
					<u>-5,690.80</u>
22138	11/12/2021	Rocky Mountain Rigging	Rigging for Banda MS	1006.1 - Sterling Operating Account	
Banda MS	11/14/2021		Rigging for Banda MS	5073 - Reimbursed Outside Services	-5,690.80
					<u>-5,690.80</u>
22139	11/12/2021	Townsquare Media-Tri Cities		1006.1 - Sterling Operating Account	
2491846-1	04/30/2021		Radio Ads for Foreigner	1633.52 - Foreigner	-467.50
2622617-1	06/30/2021		Radio Ads for Pitbull	1633.15 - Pitbull	-178.50
2622259-1	06/30/2021		PO 3556 Radio Ads for Skillet	1633 - Prepaid Advertising	-380.80
2821773-1	09/30/2021		PO 3556 Radio Ads for Skillet	1633.1 - Event Advertising	-285.60
2821773-2	10/12/2021		Radio Ads for Skillet	1633 - Prepaid Advertising	-785.40
					<u>-2,097.80</u>
22140	11/12/2021	US Foods		1006.1 - Sterling Operating Account	
287308	10/07/2021		Food Order 10/7/21	1400.1 - Inventory-Food	-1,448.75
287309	10/07/2021		Food Order 10/7/21	1400.1 - Inventory-Food	-1,727.29
300248	10/19/2021		Food Order 10/19/21	1400.1 - Inventory-Food	-895.46
303166	10/21/2021		Food Order 10/21/21	1400.1 - Inventory-Food	-2,480.33
310209	10/28/2021		Food Order 10/28/21	1400.1 - Inventory-Food	-3,657.42
310212	10/28/2021		Food Order 10/28/21	1400.1 - Inventory-Food	-251.30
317009	11/04/2021		Food Order 11/04/21	1400.1 - Inventory-Food	-1,896.91
358022	11/06/2021		Gold Mine Yellow Popcorn	1400.1 - Inventory-Food	-125.40
321603	11/09/2021		Food Order 11/09/21	1400.1 - Inventory-Food	-3,041.23
					<u>-15,524.09</u>

**Toyota Center and Toyota Arena
Claims Roster
November 2021**

Num	Date	Name	Memo	Account	Paid Amount
22141	11/19/2021	Adamson, Janine	LTS - October 2021	1006.1 - Sterling Operating Account	
LTS October	11/09/2021		LTS - October 2021	8065 - Contracted Labor	-60.00
					-60.00
22142	11/19/2021	Berry, Timothy	LTS - October 2021	1006.1 - Sterling Operating Account	
LTS October	11/09/2021		LTS- October 2021	8065 - Contracted Labor	-150.00
					-150.00
22143	11/19/2021	Bond, Craig	LTS - October 2021	1006.1 - Sterling Operating Account	
LTS October	11/09/2021		LTS - October 2021	8065 - Contracted Labor	-560.00
					-560.00
22144	11/19/2021	Bond, Jennifer		1006.1 - Sterling Operating Account	
September 2021	10/01/2021		September 2021	8065 - Contracted Labor	-1,000.00
October 2021	11/09/2021		October 2021	8065 - Contracted Labor	-1,000.00
LTS October 2021	11/09/2021		LTS October 2021	8065 - Contracted Labor	-480.00
November 2021	12/01/2021		November 2021	8065 - Contracted Labor	-1,000.00
					-3,480.00
22145	11/19/2021	Grace McNally	LTS - October 2021	1006.1 - Sterling Operating Account	
LTS October	11/09/2021		LTS - October 2021	8065 - Contracted Labor	-140.00
					-140.00
22146	11/19/2021	Jessica Boyd	LTS - October 2021	1006.1 - Sterling Operating Account	
LTS October	11/09/2021		LTS - October 2021	8065 - Contracted Labor	-120.00
					-120.00
22147	11/19/2021	Zori Rouleau	LTS - October 2021	1006.1 - Sterling Operating Account	
LTS October	11/09/2021		LTS - October 2021	5144 - Learn to Skate	-75.00
					-75.00
22148	11/19/2021	Void	VOID: Printer error	1006.1 - Sterling Operating Account	
					0.00
22149	11/19/2021	Baskin Robbins		1006.1 - Sterling Operating Account	
Ams vs Seattle	11/05/2021		Third Party Sales Ams vs Seattle	5300.7 - Sales-Third Party	-580.11
Jeff Dunham	11/06/2021		Third Party Sales for Jeff Dunham	5300.7 - Sales-Third Party	-300.55
Ams vs Portland	11/13/2021		Third Party Sales Ams vs Portland	5300.7 - Sales-Third Party	-705.17
Banda MS	11/14/2021		Third Party Sales for Banda MS	5300.7 - Sales-Third Party	-94.06
					-1,679.89
22150	11/19/2021	Bayou	Third Party Sales Ams vs Portland	1006.1 - Sterling Operating Account	
Ams vs Portland	11/13/2021		Third Party Sales Ams vs Portland	5300.7 - Sales-Third Party	-447.70
					-447.70
22151	11/19/2021	Chapala Express Stand		1006.1 - Sterling Operating Account	
Ams vs Seattle	11/05/2021		Third Party Sales Ams vs Seattle	5300.7 - Sales-Third Party	-795.24
Ams vs Portland	11/13/2021		Third Party Sales Ams vs Portland	5300.7 - Sales-Third Party	-943.55
Banda MS	11/14/2021		Third Party Sales Banda MS	5300.7 - Sales-Third Party	-110.43
					-1,849.22
22152	11/19/2021	Columbia Treats		1006.1 - Sterling Operating Account	
Ams vs Seattle	11/05/2021		Third Party Sales Ams vs Seattle	5300.7 - Sales-Third Party	-350.74
Ams vs Portland	11/13/2021		Third Party Sales Ams vs Portland	5300.7 - Sales-Third Party	-424.36
					-775.10
22153	11/19/2021	Doggie Style Gourmet		1006.1 - Sterling Operating Account	
Ams vs Seattle	11/05/2021		Third Party Sales Ams vs Seattle	5300.7 - Sales-Third Party	-579.56
Ams vs Portland	11/13/2021		Third Party Sales Ams vs Portland	5300.7 - Sales-Third Party	-623.20
					-1,202.76
22154	11/19/2021	KC Brand		1006.1 - Sterling Operating Account	
Ams vs Seattle	11/05/2021		Third Party Sales Ams vs Seattle	5300.7 - Sales-Third Party	-852.65
Ams vs Portland	11/13/2021		Third Party Sales Ams vs Portland	5300.7 - Sales-Third Party	-793.09
					-1,645.74

**Toyota Center and Toyota Arena
Claims Roster
November 2021**

Num	Date	Name	Memo	Account	Paid Amount
22155	11/23/2021	Collins, John	Clean Draft Beer Lines, Taps, & Faucets	1006.1 - Sterling Operating Account	
30025	11/19/2021		Clean Draft Beer Lines, Taps, & Faucets	8094FB - Outside Services - Food & Bev	-480.00
					-480.00
22156	11/23/2021	RFP Plastics	REPLACEMENT Acrylic Clear Cast	1006.1 - Sterling Operating Account	
COD Rink glass	11/19/2021		REPLACEMENT Acrylic Clear Cast	8098 - Supplies & Equipment	-741.63
					-741.63
22157	11/23/2021	Rocky Mountain Rigging	Rigging for Trevor Noah	1006.1 - Sterling Operating Account	
Trevor Noah	11/19/2021		Rigging for Trevor Noah	5073 - Reimbursed Outside Services	-9,574.80
					-9,574.80
EFT	11/03/2021	Southern Wine & Spirits of Washington	Liquor Order 11/03/21	1006.1 - Sterling Operating Account	
			Liquor Order 11/03/21	1400.3 - Inventory-Liquor	-364.62
					-364.62
ONLINE	11/04/2021	Sterling Change	Change request 11/4/21	1006.1 - Sterling Operating Account	
			Change for vault - New balance \$34,000	1121 - Vault Cash-F&B	-8,000.00
			Dunham settlement advance 11/6/21	1298 - Cash Advances for Events	-2,000.00
					-10,000.00
WIRE	11/08/2021	Tate Entertainment Group	Jeff Dunham 11/6/2021	1006.1 - Sterling Operating Account	
Dunham 11/6/21	11/06/2021		Jeff Dunham 11/6/21	3601 - Unearned Revenue-Ticket Sales	-176,990.70
			TM Rebate, Jeff Dunham 11/6/21	5001.9 - Settlement Costs	-5,511.65
					-182,502.35
EFT	11/09/2021	King Beverage Inc.	Beer Order 11/09/21	1006.1 - Sterling Operating Account	
			Beer Order 11/09/21	1400.2 - Inventory-Beer	-5,238.55
					-5,238.55
EFT	11/10/2021	The Odom Corporation	Beer Order 11/10/21 13492683	1006.1 - Sterling Operating Account	
			Beer ORder 11/10/21 13492683	1400.2 - Inventory-Beer	-1,143.00
					-1,143.00
EFT	11/10/2021	Southern Wine & Spirits of Washington	Liquor Order 11/10/21 3880139	1006.1 - Sterling Operating Account	
			Liquor Order 11/10/21 3880139	1400.3 - Inventory-Liquor	-933.85
					-933.85
EFT	11/12/2021	King Beverage Inc.	Beer ORder 11/12/21 2423538	1006.1 - Sterling Operating Account	
			Beer Order 2423538	1400.2 - Inventory-Beer	-962.50
					-962.50
WIRE	11/16/2021	Valdivia Marketing Group - VMG	Settlement Bandas MS 11/14/21	1006.1 - Sterling Operating Account	
Banda MS 11/14/21	11/14/2021		Bandas MS 11/14/21	3601 - Unearned Revenue-Ticket Sales	-202,790.55
			Ad tax calc error, Bandas MS 11/14/21	5001.9 - Settlement Costs	-223.87
			Concession rebate, Bandas MS 11/14/21	5001.9 - Settlement Costs	-2,690.53
					-205,704.95
EFT	11/17/2021	Southern Wine & Spirits of Washington	Liquor Order 11/17/21 3887021	1006.1 - Sterling Operating Account	
			Liquor Order 11/17/21 3887021	1400.3 - Inventory-Liquor	-736.94
					-736.94
EFT	11/18/2021	King Beverage Inc.	Beer Order 11/18/21 2426629	1006.1 - Sterling Operating Account	
			Beer Order 11/18/21 2426629	1400.2 - Inventory-Beer	-1,022.40
					-1,022.40
EFT	11/18/2021	The Odom Corporation	Beer Order 11/18/21 13811286	1006.1 - Sterling Operating Account	
			Beer Order 11/18/21 13811286	1400.2 - Inventory-Beer	-404.00
					-404.00
EFT	11/20/2021	Rattlesnake Mountain Brewing Company	Beer Order 11/10/21 271019	1006.1 - Sterling Operating Account	
			Beer Order 11/10/21 571019	1400.2 - Inventory-Beer	-360.00
					-360.00
WIRE	11/23/2021	Tate Entertainment Group	VIP bump due to promoter	1006.1 - Sterling Operating Account	
Dunham VIP 11/6/21	11/06/2021		VIP Bump Dunham 11/6/21	3601 - Unearned Revenue-Ticket Sales	-8,344.66
					-8,344.66

**Toyota Center and Toyota Arena
Claims Roster
November 2021**

Num	Date	Name	Memo	Account	Paid Amount
ONLINE	11/29/2021	Department of Revenue	Excise Tax Return Oct 2020	1006.1 - Sterling Operating Account	
		Department of Revenue	Sales Tax Payable Oct 2021	2201 - *Sales Tax Payable	-12,608.74
			B&O Tax Expense Oct 2021	8241 - Sales, B&O & Use Taxes	-391.44
					<u>-13,000.18</u>
TRANSFER	11/30/2021	Three Rivers Convention Center1	Payroll transfer through 6/20/2021	1006.1 - Sterling Operating Account	
			Payroll transfer through P/End 6/20/2021	2215 - Due To (From) Convention Center	-297,356.10
					<u>-297,356.10</u>
WIRE	11/30/2021	Live Nation	Settlement Trevor Noah 11/28/21	1006.1 - Sterling Operating Account	
Trevor Noah 11/28/21	11/28/2021		Trevor Noah 11/28/21	3601 - Unearned Revenue-Ticket Sales	-156,181.18
			Ticket rebate, Trevor Noah 11/28/21	5001.9 - Settlement Costs	-15,877.97
					<u>-172,059.15</u>
WIRE	11/30/2021	Live Nation	Redirect B&O tax to Live Nation for payment	1006.1 - Sterling Operating Account	
B&O Tax Trevor Noah	11/28/2021		Trevor Noah B&O tax paid by Live Nation	2206 - B&O Tax Payable	-3,019.57
					<u>-3,019.57</u>
			Total Paid - Operations Account	\$ 965,488.98	
AUTO	11/01/2021	American Express	AMEX fees	1006.3 - Sterling Box Office Account	
			AMEX Fees - Oct 2021	8109 - Credit Card Fees	-44.71
			AMEX - Refunds issues Oct 2021	3601 - Unearned Revenue-Ticket Sales	-3,362.00
					<u>-3,406.71</u>
AUTO	11/30/2021	American Express	AMEX fees	1006.3 - Sterling Box Office Account	
			AMEX Fees - Nov 2021	8109 - Credit Card Fees	-71.76
			AMEX - Refunds issues Nov 2021	3601 - Unearned Revenue-Ticket Sales	-4,452.00
					<u>-4,523.76</u>
			Total Paid - Box Office Account	\$ 7,930.47	
			Total Paid	\$ 973,419.45	

I, Dan Legard, Finance Director, do hereby certify that the merchandise or services hereinbefore specified have been received, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation and that the vouchers listed above are approved for payment this day.



Dan Legard, Finance Director

The payments on this claims roster are comprised of the following:

Check numbers 22129-22157	\$	62,336.16
Electronic transfers - Operations		903,152.82
Electronic transfers - Box Office		7,930.47
Total	\$	<u>973,419.45</u>

Exceptions:

Council Agenda Coversheet



Agenda Item Number	3.c.	Council Date	01/04/2022
Agenda Item Type	General Business Item		
Subject	Payroll Roster for PPE 12/15/2021		
Ordinance/Reso #		Contract #	
Project #		Permit #	
Department	Finance		

Consent Agenda	<input checked="" type="checkbox"/>
Ordinance/Reso	<input type="checkbox"/>
Public Mtg / Hrg	<input type="checkbox"/>
Other	<input type="checkbox"/>
Quasi-Judicial	<input type="checkbox"/>

Recommendation

That council approve the Payroll Roster.

Motion for Consideration

I move to approve the Payroll Roster for 12/15/2021 in the amount of \$2,650,422.05 comprised of check numbers 75502 through 75510 and direct deposit numbers 198045 through 198497.

Summary

None.

Alternatives

None.

Fiscal Impact

Total \$2,650,422.05.

Through	
Dept Head Approval	Dan Legard Dec 21, 14:53:24 GMT-0800 2021
City Mgr Approval	Marie Mosley Dec 29, 17:18:07 GMT-0800 2021

Attachments: payroll roster



Recording Required?

January 4, 2022

All Departments:

December 15, 2021

ADMINISTRATIVE TEAM		950.04
CITY COUNCIL		4,612.50
CITY MANAGER		12,803.09
CIVIL SERVICE		4,408.00
COMMUNITY PLANNING & ECONOMIC DEVELOPMENT		23,237.61
EMPLOYEE & COMMUNITY RELATIONS		46,954.24
ENGINEERING		58,015.11
FACILITIES & GROUNDS		80,424.28
FINANCE		51,691.85
FIRE		94,187.25
LEGAL SERVICES		20,960.27
MANAGEMENT SERVICES		84,847.89
POLICE		494,628.54
	Subtotal General Fund	<u>977,720.67</u>
STREETS		21,984.35
TRAFFIC		23,743.10
	Subtotal Street Fund	<u>45,727.45</u>
BI-PIN		10,403.89
BUILDING SAFETY		45,950.16
COMMUNITY DEVELOPMENT		4,422.14
CRIMINAL JUSTICE		70,517.52
EQUIPMENT RENTAL		9,939.05
MEDICAL SERVICES		350,279.66
RISK MANAGEMENT		4,279.74
STORMWATER UTILITY		21,882.74
WATER & SEWER		150,559.10
	Subtotal Other Funds	<u>668,234.00</u>
	Total Salaries and Wages	<u>1,691,682.12</u>
<u>Benefits:</u>		
Dental Insurance		46,497.65
Industrial Insurance		36,668.86
Life Insurance		5,123.77
Long Term Disability Insurance		5,818.76
Medical Insurance		638,797.78
Medical Retirement Account		3,262.50
Retirement		123,182.02
Social Security (FICA)		89,907.23
Vision Insurance		7,410.70
WA Family Leave		2,070.66
	Total Benefits	<u>958,739.93</u>
	Grand Total	<u><u>\$2,650,422.05</u></u>

I, Dan Legard, Finance Director, at the direction of the Council, do hereby certify that the Payroll hereinabove specified is approved for payment in the amount of \$2,650,422.05 comprised of check numbers 75502 through 75510 and direct deposit numbers 198045 through 198497.

Approved for payment:



Dan Legard, Finance Director

Council Agenda Coversheet



Agenda Item Number	3.d.	Council Date	01/04/2022
Agenda Item Type	Contract/Agreement/Lease		
Subject	Hanford Communities ILA		
Ordinance/Reso #		Contract #	
Project #		Permit #	
Department	City Manager		

Consent Agenda	<input checked="" type="checkbox"/>
Ordinance/Reso	<input type="checkbox"/>
Public Mtg / Hrg	<input type="checkbox"/>
Other	<input type="checkbox"/>
Quasi-Judicial	<input type="checkbox"/>

Recommendation

That Council authorize the Mayor to sign the updated Hanford Communities Interlocal Agreement.

Motion for Consideration

I move to authorize the Mayor to sign the updated Hanford Communities Interlocal Agreement.

Summary

The Hanford Communities interlocal agreement (ILA) expired on December 31, 2021. Rather than extend the term of the ILA, it was decided to incorporate the recent amendments into a new and updated ILA. The most significant modification to the ILA is to incorporate the first amendment into the ILA. This amendment provided the ability for the operating jurisdiction to be a third party in addition to one of the participating jurisdictions.

By way of background, you may recall that prior to Pam Brown-Larson's retirement from the City of Richland, Pam provided the support to Hanford Communities. The City of Richland was the operating jurisdiction for Hanford Communities. When Pam retired, Hanford Communities entered into an agreement with TRIDEC to be the operating jurisdiction. TRIDEC is involved in many of the same Hanford issues as Hanford Communities, therefore it was determined that it would be more effective if we could have consistency between TRIDEC and Hanford Communities. Section II.4 of the ILA incorporates how Hanford Communities is currently operating per the first amendment to the ILA that was adopted in April, 2020.

The impetus for the new ILA is to establish a term from January 1, 2022 through December 31, 2026, since the ILA expired on December 31, 2021. In addition to incorporating the first amendment and updating the term of the agreement, this ILA provides clarification to regarding ownership of property found in Section V.

Alternatives

To not sign the interlocal agreement and provide notice by June 30, 2022 that we would not be participating in Hanford Communities after December 31, 2022.

Fiscal Impact

The City of Kennewick pays a portion of Hanford Communities operating costs, based on population. Due to the ecology grant and reserves, it was determined that the assessments for the first 1/2 of 2022 would be paused and re-evaluated mid-year. During 2021, the City of Kennewick paid \$18,735 to Hanford Communities.

Through	<input type="text"/>	Attachments: Agreement <input type="text"/>
Dept Head Approval	<input type="text"/>	
City Mgr Approval	Marie Mosley Dec 29, 16:53:29 GMT-0800 2021	
		<input type="checkbox"/> Recording Required?

AN INTERLOCAL COOPERATION AGREEMENT BETWEEN ELIGIBLE LOCAL GOVERNMENTS TO REVIEW, EVALUATE, AND MONITOR CONDITIONS AND OPERATIONS AT THE HANFORD NUCLEAR RESERVATION (HANFORD) AND ESTABLISHING THE HANFORD COMMUNITIES

This **INTERLOCAL AGREEMENT**, effective the 1st day of January, ~~2017~~2022, is hereby entered into by and between the Cities of Richland, Kennewick, Pasco, and West Richland, and the Counties of Benton and Franklin (hereinafter referred to as “Participating Jurisdictions”).

WHEREAS, the Interlocal Cooperation Act, RCW 39.34 allows public agencies to make the most efficient use of their powers by enabling them to cooperate with each other on the basis of mutual advantage to provide services and facilities that will best meet the needs of each community; and

WHEREAS, environmental contamination at Hanford and the U.S. Department of Energy’s consequential environmental remediation and waste management activities impose numerous health, safety, and socio-economic impacts on the well-being of the residents of Richland, Kennewick, Pasco, West Richland, and unincorporated portions of Benton and Franklin Counties; and

WHEREAS, the vast majority of those who work at Hanford live in and around the Cities of Richland, Kennewick, Pasco, and West Richland; and the counties therein; and

WHEREAS, although each jurisdiction fully reserves the right to pursue its own interests with regard to Hanford, through joint utilization of personnel and other resources these jurisdictions are desirous of entering into a program to review, evaluate and monitor conditions at Hanford and policies, programs and operations of the Department of Energy (DOE) and others in regard to Hanford,

NOW THEREFORE, in consideration of the mutual covenants contained herein, it is agreed in accordance with the provisions of RCW 39.34.030 as follows:

I. PURPOSE

The purpose of this Agreement is to make available jointly to the Participating Jurisdictions technical, analytical, and other resources to review, evaluate and monitor conditions at Hanford such as cleanup, workforce and community transition. Information will also be made available regarding policies, programs and operations of the DOE and others with regard to Hanford, and to enhance citizen understanding of such. To that end, the Participating Jurisdictions have established and periodically renew this Interlocal Cooperation Agreement creating an ~~organization~~ administrative entity to be known as the “*Hanford Communities*” to:

1. Coordinate efforts concerning Hanford activities and issues requiring local government interaction or participation between the Hanford Communities, the DOE, local, state, and national agencies;
2. Interact with the DOE, the Washington State Department of Ecology, the U. S. Environmental Protection Agency, and others regarding Hanford environmental

- contamination, remediation, waste management, response to emergencies, and work force and site transition issues;
3. Evaluate reports, findings, and recommendations regarding ongoing, planned and possible cleanup and waste management activities at Hanford, including actual or potential environmental and socio-economic impacts on the Hanford Communities or individual Participating Jurisdictions;
 4. Prepare special studies, assessments, surveys, and related efforts regarding Hanford for the use of the Hanford Communities or individual Participating Jurisdictions and/or to further public information and enhance citizen understanding of Hanford-related issues; and
 5. Prepare and issue position papers, give testimony, and sponsor other activities designed to inform the public about environmental, waste management, emergency management, and site transition activities; and
 6. Prepare and present issue papers and sponsor activities in support of workforce and community transition issues.

II. ORGANIZATION

1. **Eligibility:** Full membership in the Hanford Communities Interlocal is limited to the cities of Richland, Kennewick, Pasco, and West Richland and the counties of Benton and Franklin. Affiliate memberships are open to local government entities other than general purpose governments.
2. **Governing Board:** The governing bodies of each Participating Jurisdiction shall identify one (1) elected legislative representative from its governing body to serve on the Governing Board of the Hanford Communities. Governing Board members shall focus on addressing issues at the policy level and shall advocate positions consistent with the annual Issue Agenda.
3. **Administrative Board:** The chief administrative officers, or designees, of the Participating Jurisdictions shall constitute the Administrative Board of the Hanford Communities. Administrative Board members shall address the day-to-day activities of the Hanford Communities consistent with executing the policy decisions made by the Governing Board.
4. **Operating Jurisdiction:** The Operating Jurisdiction may be one of the Participating Jurisdictions or a third-party qualified to carry out the items enumerated in "Section I - Purpose" on behalf of the Hanford Communities. The Operating Jurisdiction's rules, regulations, and ordinances, unless otherwise specifically provided for herein, apply to the administrative entity. Employees of the administrative entity are employees of the Operating Jurisdiction, which shall provide all necessary support services. With oversight from the Administrative Board, the Operating Jurisdiction shall administer the Hanford Communities budget, from which authorized program expenses shall be reimbursed. The Operating Jurisdiction shall provide these reimbursed services at no administrative charge to participants of this Interlocal Agreement.^[KH1]

4.5. **Officers:** There shall be a Chairperson and Vice-chairperson for the Governing Board and the Administrative Board, respectively. The Chairperson and Vice-chairperson shall be elected from among the membership of each board to serve one-year terms effective January 1 of each year.

III. ADMINISTRATION

1. **Budget Preparation:** The Operating Jurisdiction shall prepare a budget in accordance with its budget cycle based upon policies adopted by the Governing Board. The budget shall be approved by the Governing Board of the Hanford Communities.
2. **Funding:** Funds necessary to carry out this Agreement shall come from Participating Jurisdiction assessments and federal, state, and other grants. Assessments shall be based on a funding formula approved by the Hanford Communities Administrative Board.
3. **Meetings:** The Governing Board shall meet annually to approve the Hanford Communities budget and Issue Agenda for the coming year, and other times as needed. The Administrative Board will meet as needed, however, no ~~event~~ less frequently than ~~quarterly~~ ~~during~~ biannually each calendar year. Meetings of the Hanford Communities Governing Board shall be subject to the Washington Open Public Meetings Act.
4. **Dispute Resolution:** Disputes between or among the Participating Jurisdictions and affiliated members regarding the breach, interpretation or enforcement of this Agreement shall be first addressed by the parties in a good faith effort to resolve the dispute. Any remaining disputes shall be resolved by binding arbitration in accordance with RCW 7.04A and the Mandatory Rules of Arbitration.
5. **Liability:** To the extent any liability exceeds the insurance coverage of the Operating Jurisdiction, each remaining Participating Jurisdiction shall be jointly liable for the balance of claim in the same ration as their percentage contribution is to the annual budget.

IV. DURATION OF THE AGREEMENT

This Agreement shall be effective the 1st day of January, ~~2017-2022 when signed by the Participating Jurisdictions~~ and shall continue through December 31, ~~2024~~ 2026. The term of this Agreement may be extended thereafter with the written approval of the Participating Jurisdictions.

V. OWNERSHIP OF PROPERTY

All property, real and personal, acquired with Hanford Communities funds to carry out the purposes of this Agreement shall ~~be the property of the Hanford Communities~~ ^[KH2] owned by and between the Participating Jurisdictions in the same ratio as their percentage of contribution is to the annual budget. Real and personal property owned by the Operating Jurisdiction and used to service its contract with the Hanford Communities shall remain the property of the Operating Jurisdiction. ~~In the event any property becomes surplus or upon partial or complete termination of this Agreement, property of the Hanford Communities shall be sold and the proceeds shall be divided between the Participating Jurisdictions in the same ratio as their percentage of contribution is to the annual budget.~~ ^[KH3]

All documents, studies, and issue papers prepared for or on behalf of the Hanford Communities shall be available to Participating Jurisdictions and affiliates for all purposes. The Operating Jurisdiction is responsible for maintaining Hanford Communities' records consistent with state law for retention of public records, Ch. 40.14 RCW. [KH4] The Washington Public Records Act shall apply to such records for any request made by the public. The Operating Jurisdiction shall serve as the public records officer for Hanford Communities.

VI. AMENDMENT

The Agreement may be amended upon written approval of a majority of the Governing Board.

VII. WITHDRAWAL

A jurisdiction may withdraw without penalty from this Agreement effective December 31 of any year, provided written notice is given to the Administrative Board no later than the preceding June 30.

RICHLAND

Mayor, City of Richland

Attest:

Richland City Clerk

Approved as to Form:

City Attorney

PASCO

Mayor, City of Pasco

Attest:

Pasco City Clerk

KENNEWICK

Mayor, City of Kennewick

Attest:

Kennewick City Clerk

Approved as to Form:

City Attorney

WEST RICHLAND

Mayor, City of West Richland

Attest:

West Richland City Clerk

Approved as to Form:

Pasco City Attorney

Approved as to Form:

West Richland City Attorney

BENTON COUNTY

FRANKLIN COUNTY

Chairman, Benton County
Board of Commissioners

Chairman, Franklin County
Board of Commissioners

Attest:

Attest:

Clerk of the Board, Benton County

Clerk of the Board, Franklin County

Approved as to Form

Approved as to Form:

Benton County Civil Deputy
Prosecuting Attorney

Franklin County Civil Deputy
Prosecuting Attorney

Council Agenda Coversheet



Agenda Item Number	3.e.	Council Date	01/04/2022
Agenda Item Type	Final Plat		
Subject	Southcliffe Phase 6		
Ordinance/Reso #		Contract #	
Project #		Permit #	SUB-2021-0003
Department	Planning		

Consent Agenda	<input checked="" type="checkbox"/>
Ordinance/Reso	<input type="checkbox"/>
Public Mtg / Hrg	<input type="checkbox"/>
Other	<input type="checkbox"/>
Quasi-Judicial	<input type="checkbox"/>

Recommendation

That City Council authorize the Mayor (or in his/her absence Mayor Pro Tem) to sign the Final Plat of Southcliffe Phase 6, contingent upon payment of fees and bonding for incomplete sidewalks.

Motion for Consideration

I move to authorize the Mayor (or in his/her absence Mayor Pro Tem) to sign the Final Plat of Southcliffe Phase 6, contingent upon payment of fees and bonding for incomplete sidewalks.

Summary

An application has been submitted by Nick Wright for the Final Plat of Southcliffe Phase 6. The plat consists of 18 lots on 9.39 acres located west of Colorado Place between 22nd and 23rd Avenues. The site is zoned Residential, Low Density which allows a minimum lot size of 7,500 square feet. The smallest lot is 13,340 square feet, the largest lot is 26,899 square feet and the average lot size is 18,936 square feet. The Preliminary Plat of Southcliffe was approved by the hearing examiner's decision dated December 6, 2012.

Staff has reviewed the final plat application and has found it to be in conformance with all applicable city development regulations. Prior to signing the final plat, the outstanding conditions will be met, in addition to payment of fees and bonding for incomplete sidewalks. Following Council approval and plat signatures, the plat can be recorded and lots sold to individual owners.

Alternatives

No alternatives were reviewed or are recommended as the applicant has met the applicable standards.

Fiscal Impact

None

Through	Steve Donovan Dec 29, 08:11:42 GMT-0800 2021
Dept Head Approval	Steve Donovan Dec 29, 08:11:50 GMT-0800 2021
City Mgr Approval	Marie Mosley Dec 29, 17:20:50 GMT-0800 2021

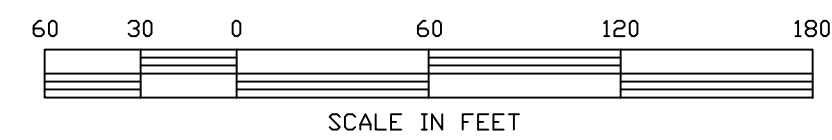
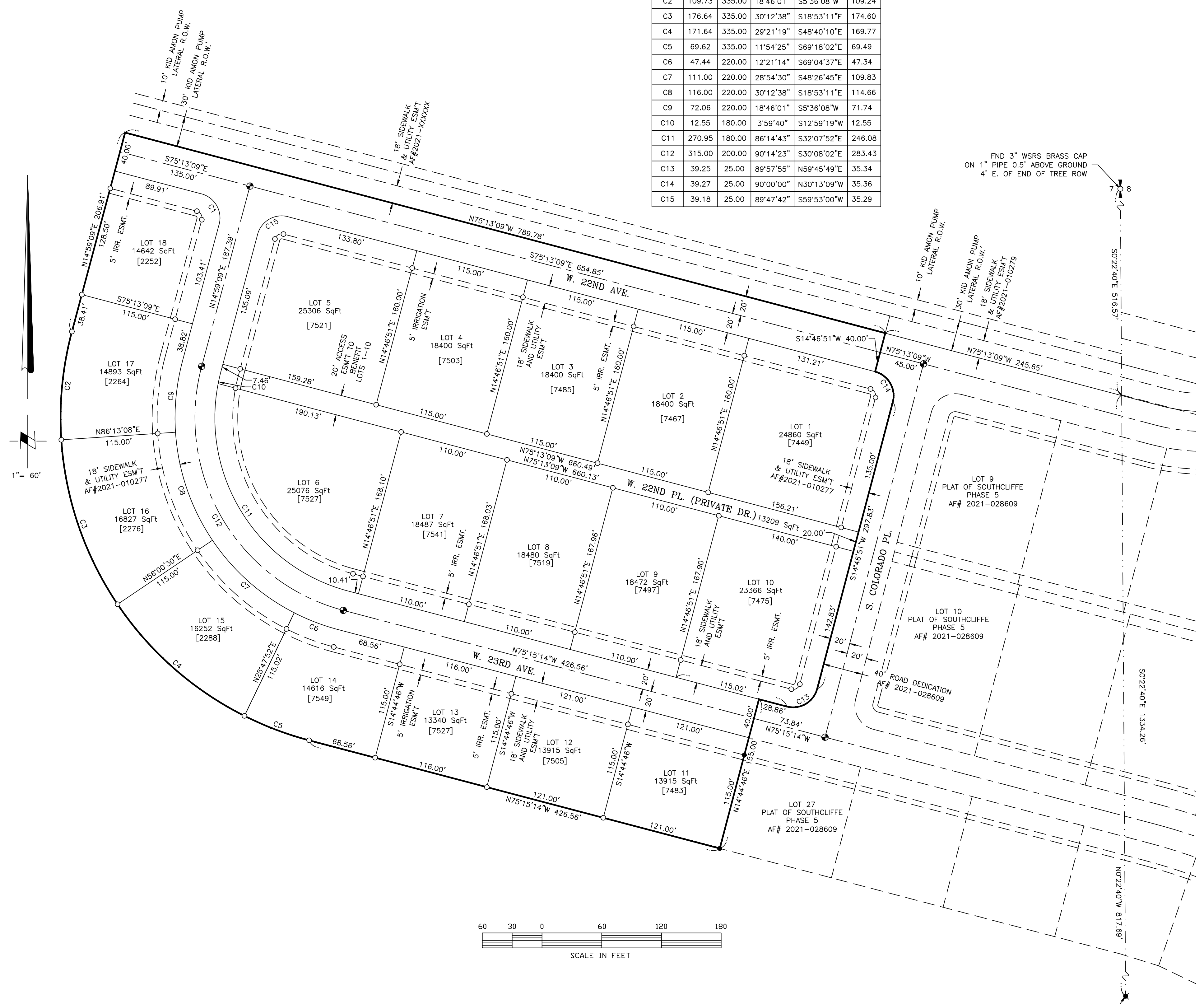
Attachments: Final Plat

Recording Required?

PLAT OF SOUTHCLIFFE PHASE 6

LOCATED IN A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 8 NORTH, RANGE 29 EAST, W.M. CITY OF KENNEWICK, BENTON COUNTY, WASHINGTON

Curve Table					
CURVE	LENGTH	RADIUS	DELTA	CH. BRNG.	CHORD
C1	39.36	25.00	90°12'18"	N30°07'00"W	35.42
C2	109.73	335.00	18°46'01"	S5°36'08"W	109.24
C3	176.64	335.00	30°12'38"	S18°53'11"E	174.60
C4	171.64	335.00	29°21'19"	S48°40'10"E	169.77
C5	69.62	335.00	11°54'25"	S69°18'02"E	69.49
C6	47.44	220.00	12°21'14"	S69°04'37"E	47.34
C7	111.00	220.00	28°54'30"	S48°26'45"E	109.83
C8	116.00	220.00	30°12'38"	S18°53'11"E	114.66
C9	72.06	220.00	18°46'01"	S5°36'08"W	71.74
C10	12.55	180.00	3°59'40"	S12°59'19"W	12.55
C11	270.95	180.00	86°14'43"	S32°07'52"E	246.08
C12	315.00	200.00	90°14'23"	S30°08'02"E	283.43
C13	39.25	25.00	89°57'55"	N59°45'49"E	35.34
C14	39.27	25.00	90°00'00"	N30°13'09"W	35.36
C15	39.18	25.00	89°47'42"	S59°53'00"W	35.29



NOTES:

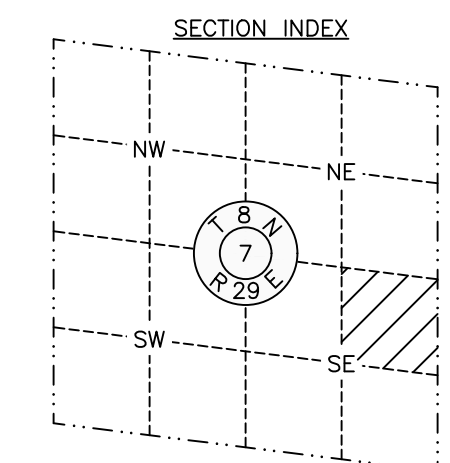
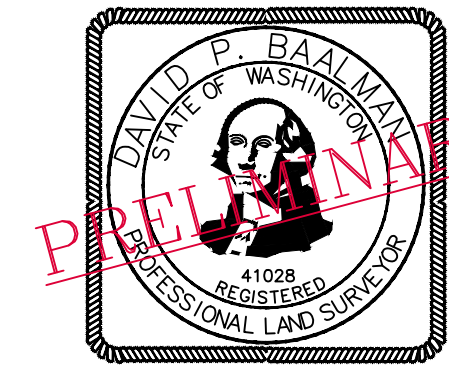
1. BASIS OF BEARING IS GRID, WASHINGTON STATE PLANE, NAD 83(2011), SOUTH ZONE BASED ON GNSS OBSERVATIONS. DISTANCES SHOWN HEREON ARE GROUND SCALED FROM GRID USING A COMBINED FACTOR OF 0.99980726 FROM LAT: 46°11'04.1"N LONG: 117°49'20.7"W
2. ○ = DENOTES 5/8"x24" REBAR WITH ORANGE PLASTIC CAP STAMPED "DPB WA 41028" TO BE SET AT COMPLETION OF CONSTRUCTION.
3. ● = DENOTES 3" BRASS CAP IN MONUMENT CASE STAMPED "41028" TO BE SET AT COMPLETION OF CONSTRUCTION.
4. ● = DENOTES FOUND 5/8" REBAR "RSI DPB 41028" PER PLAT OF SOUTHCLIFFE PHASE 4 OR MONUMENT AS NOTED.
5. EQUIPMENT AND PROCEDURES: THIS SURVEY WAS PERFORMED WITH MULTI FREQUENCY GNSS RECEIVERS CONFIGURED FOR REAL TIME KINEMATIC SURVEYING.

FND HP JONES BRASS CAP PER ROS 2569 (HELD) REBAR DESCRIBED IN SP 3488 NOT FOUND (SEE PLAT OF SOUTHCLIFFE PHASE 5 V15 PG714)

SURVEYOR'S CERTIFICATION

I DAVID P. BAALMAN, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF WASHINGTON, (REG. 41028) HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION, THAT THE DISTANCES, COURSES AND ANGLES ARE SHOWN TRUE AND CORRECT THEREON, AND THAT THE MONUMENTS HAVE BEEN SET AND LOT CORNERS STAKED ON THE GROUND AS SHOWN ON THE MAP.

DAVID P. BAALMAN LS#41028
DATE _____



AUDITOR'S CERTIFICATE

FILED FOR RECORD AT THE REQUEST OF ROGERS SURVEYING INC. RECORDED IN VOLUME _____ OF PLATS, PAGE _____ RECORDS OF BENTON COUNTY, WASHINGTON, AT _____ MINUTES PAST _____ M., THIS _____ DAY OF _____, 20____.

BENTON COUNTY AUDITOR _____ FEE NUMBER _____

RSI ROGERS SURVEYING INC., P.S.
1455 COLUMBIA PARK TRAIL
RICHLAND, WA, 98352
PHONE (509) 783-4141
FAX: (509) 783-8994
www.rogerssurveying.com

PLAT OF SOUTHCLIFFE PHASE 6

LEGAL DESCRIPTION:

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 8 NORTH, RANGE 29 EAST, WILLAMETTE MERIDIAN, SITUATE IN THE CITY OF KENNEWICK, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE QUARTER CORNER COMMON TO SAID SECTIONS 7 AND 8, SAID POINT BEING MONUMENTED BY A WASHINGTON STATE RECLAMATION SERVICE BRASS CAP;
 THENCE SOUTH 0°22'40" EAST 516.57 FEET ALONG THE EAST LINE OF SAID SECTION 7 TO THE NORTHERLY BOUNDARY OF THE PLAT OF SOUTHCLIFFE PHASE 5, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 15 OF PLATS, PAGE 714, RECORDS OF BENTON COUNTY, WASHINGTON;
 THENCE NORTH 75°13'09" WEST 245.65 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING;
 THENCE CONTINUING NORTH 75°13'09" WEST 789.78 FEET;
 THENCE SOUTH 14°59'09" WEST 206.91 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 335.00 FEET;
 THENCE SOUTHEASTERLY 527.62 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°14'23";
 THENCE SOUTH 75°15'14" EAST 426.56 FEET TO THE WESTERLY BOUNDARY OF SAID PLAT OF SOUTHCLIFFE PHASE 5;
 THENCE NORTH 14°44'46" EAST 155.00 FEET ALONG SAID WESTERLY BOUNDARY;
 THENCE SOUTH 75°15'14" EAST 28.86 FEET ALONG SAID WESTERLY BOUNDARY TO THE BEGINNING OF A CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 25.00 FEET;
 THENCE NORTHEASTERLY 39.25 FEET ALONG THE ARC OF SAID CURVE AND ALONG SAID WESTERLY BOUNDARY THROUGH A CENTRAL ANGLE OF 89°57'55";
 THENCE NORTH 14°46'51" EAST 297.83 FEET ALONG SAID WESTERLY BOUNDARY TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 25.00 FEET;
 THENCE NORTHWESTERLY 39.27 FEET ALONG THE ARC OF SAID CURVE AND ALONG SAID WESTERLY BOUNDARY THROUGH A CENTRAL ANGLE OF 90°00'00";
 THENCE NORTH 14°46'51" EAST 40.00 FEET ALONG SAID WESTERLY BOUNDARY TO THE POINT OF BEGINNING.

APPROVALS:

THE UTILITY EASEMENTS SHOWN HEREON ARE HEREBY APPROVED BY THE UTILITIES OF WASHINGTON.

_____	TITLE _____	DATE _____
BENTON COUNTY P.U.D. NO. 1		
_____	TITLE _____	DATE _____
CASCADE NATURAL GAS CORP.		
_____	TITLE _____	DATE _____
CHARTER COMMUNICATIONS		

THE PLAT IS HEREBY APPROVED BY AND FOR THE CITY OF KENNEWICK, BENTON COUNTY, WASHINGTON.

_____	CITY OF KENNEWICK FILE NUMBER _____
_____	SIGNATURE, CITY OF KENNEWICK PLAT ADMINISTRATOR _____
_____	DATE _____
_____	SIGNATURE, KENNEWICK CITY ENGINEER _____
_____	DATE _____
_____	SIGNATURE, MAYOR, CITY OF KENNEWICK _____
_____	DATE _____
_____	CITY CLERK, CITY OF KENNEWICK _____
_____	DATE _____

TREASURER'S CERTIFICATE:

I HEREBY CERTIFY THAT THE TAXES ON THE LAND DESCRIBED HEREON HAVE BEEN PAID TO AND INCLUDING THE YEAR 20____.

_____	DATE _____
BENTON COUNTY TREASURER	
_____	DATE _____
BENTON COUNTY ASSESSOR	

IRRIGATION APPROVAL:

I HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREON IS LOCATED WITHIN THE BOUNDARIES OF THE KENNEWICK IRRIGATION DISTRICT BUT THAT THIS PROPERTY IS NOT CLASSIFIED AS IRRIGABLE LAND AND IS NOT ENTITLED TO IRRIGATION WATER UNDER THE EXISTING OPERATING RULES AND REGULATIONS OF THIS DISTRICT. I FURTHER CERTIFY THAT THE IRRIGATION EASEMENTS SHOWN ON SAID PLAT ARE ADEQUATE TO SERVE ALL LOTS SHOWN HEREON PER THE REQUIREMENTS OF RCW 58.17.310.

_____ KENNEWICK IRRIGATION DISTRICT

IRRIGATION DISTRICT NOTES:

- NO GRADING MAY BE PERFORMED OR ANY PERMANENT STRUCTURE BUILT WITHIN THE BUREAU OF RECLAMATION RIGHT OF WAY WITHOUT AN APPROVED PERMIT FROM THE KENNEWICK IRRIGATION DISTRICT AND/OR UNITED STATES BUREAU OF RECLAMATION, WHEN APPLICABLE.
- THIS PROPERTY IS LOCATED WITHIN THE BOUNDARIES OF THE KENNEWICK IRRIGATION DISTRICT AND IN THE IMMEDIATE VICINITY OF IRRIGATION INFRASTRUCTURE. PLEASE REFER TO WWW.KID.ORG FOR FURTHER INFORMATION.

CITY OF KENNEWICK NOTES:

- [] = ADDRESSES SHOWN IN BRACKETS ARE SUBJECT TO CHANGE BY THE CITY OF KENNEWICK. ZIP CODE: 99338.
- THE CITY OF KENNEWICK IS NOT RESPONSIBLE FOR THE MAINTENANCE OR REPAIR OF THE PRIVATE ALLEY EASEMENT OR ANY STORM DRAIN STRUCTURES OR PIPING THEREIN.
- ALL PERMITTED STRUCTURES SHALL REQUIRE A GEOTECH REPORT STATING THE SOIL BEARING CAPACITY EITHER AS A PART OF A MASS REPORT ADDRESSING ALL THE PARCEL IN THIS PHASE OR AS INDIVIDUAL GEOTECH REPORTS FOR EACH INDIVIDUAL LOT. THE GEOTECH REPORT SHALL BE REQUIRED PRIOR TO THE APPROVAL OF THE FOOTING INSPECTION.
- THE SECONDARY EMERGENCY VEHICLE ACCESS (SEVA) SHALL BE CONSTRUCTED AND MAINTAINED TO AN ALL-WEATHER SURFACE AND CAPABLE TO HOLD THE WEIGHT OF AT LEAST 75,000 LBS. AT SUCH TIME THE SEVA IS NOT CONSTRUCTED OR MAINTAINED TO THE APPLICABLE CITY OF KENNEWICK STANDARDS, EVERY RESIDENCE IN THIS PHASE SHALL INSTALL FIRE SPRINKLERS THAT MEET 13D NFPA STANDARDS.
- ANY RESIDENTIAL STRUCTURES BUILT ON LOTS 6,7,8,9, AND 10 SHALL BE REQUIRED TO HAVE NFPA 13D FIRE SPRINKLERS INSTALLED.

OWNERS CERTIFICATE:

KNOW ALL PERSONS BY THESE PRESENTS THAT BAUDER-YOUNG PROPERTIES, LLC, A WASHINGTON LIMITED LIABILITY COMPANY, ARE THE OWNERS OF THE LAND SHOWN ON THE PLAT OF SOUTHCLIFFE, PHASE 5, HEREBY DECLARE SAID PLAT AND DEDICATE TO THE PUBLIC, FOR THE USE OF THE PUBLIC FOREVER, ALL EASEMENTS AND RIGHT OF WAYS AS SHOWN HEREON.

_____ TERRY HASH, PARTNER
 BAUDER-YOUNG PROPERTIES, LLC,
 A WASHINGTON LIMITED LIABILITY CO.

_____ GRANT YOUNG, PARTNER
 BAUDER-YOUNG PROPERTIES, LLC,
 A WASHINGTON LIMITED LIABILITY CO.

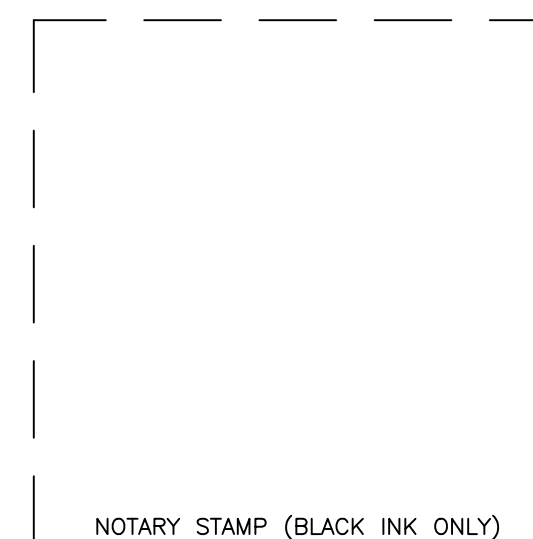
ACKNOWLEDGMENT:

STATE OF WASHINGTON }
 COUNTY OF BENTON } S.S.

THIS IS TO CERTIFY ON THIS _____ DAY OF _____, 20____, A.D. PERSONALLY APPEARED BEFORE ME, TERRY HASH, PARTNER OF BAUDER-YOUNG PARTNERSHIP, LLC, A WASHINGTON LIMITED LIABILITY COMPANY, TO ME KNOWN TO BE THE INDIVIDUAL IN AND WHO SIGNED THE ABOVE "OWNERS CERTIFICATE", AND ACKNOWLEDGED TO ME THAT SHE SIGNED THE SAME AS HER VOLUNTARY ACT AND DEED. IN WITNESS THEREOF, I HAVE SET MY HAND AND OFFICIAL SEAL THE DAY AND YEAR FIRST ABOVE WRITTEN.

_____ NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

MY COMMISSION EXPIRES: _____



NOTARY STAMP (BLACK INK ONLY)

ACKNOWLEDGMENT:

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

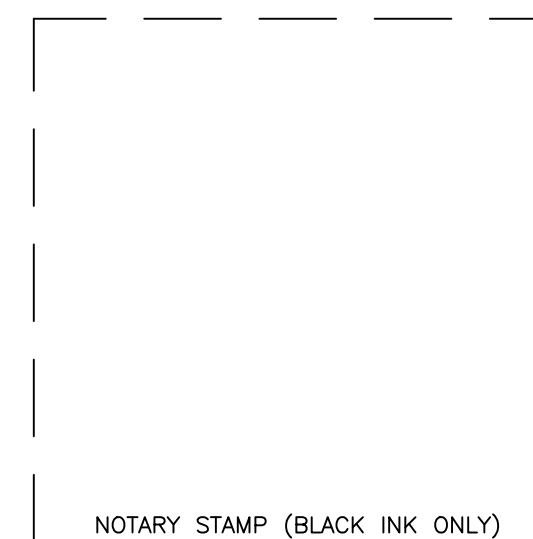
STATE OF CALIFORNIA }
 COUNTY OF _____ } S.S.

ON _____ BEFORE ME, _____ PERSONALLY APPEARED GRANT YOUNG, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN HIS AUTHORIZED CAPACITY, AND THAT BY HIS SIGNATURE ON THE INSTRUMENT THE PERSON(S) OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

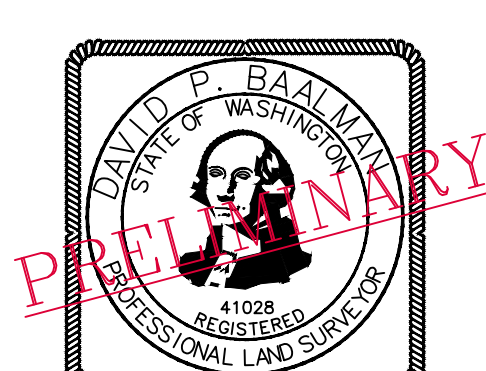
I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

_____ SIGNATURE



NOTARY STAMP (BLACK INK ONLY)



RSI ROGERS
 SURVEYING INC., P.S.
 1455 COLUMBIA PARK TRAIL
 RICHLAND, WA, 99352
 PHONE (509) 783-4141
 FAX: (509) 783-8994
 www.rsiconsulting.com

_____ DATE

Council Agenda Coversheet



Agenda Item Number	3.f.	Council Date	01/04/2022
Agenda Item Type	Final Plat		
Subject	Apple Valley Phase 5B		
Ordinance/Reso #		Contract #	
Project #	FP 21-08	Permit #	PLN-2021-03650
Department	Planning		

Consent Agenda	<input checked="" type="checkbox"/>
Ordinance/Reso	<input type="checkbox"/>
Public Mtg / Hrg	<input type="checkbox"/>
Other	<input type="checkbox"/>
Quasi-Judicial	<input type="checkbox"/>

Recommendation

That City Council authorize the Mayor (or in his/her absence Mayor Pro Tem) to sign the Final Plat of Apple Valley Phase 5B, contingent upon payment of fees and bonding for incomplete sidewalk work.

Motion for Consideration

I move to authorize the Mayor (or in his/her absence Mayor Pro Tem) to sign the Final Plat of Apple Valley Phase 5B, contingent upon payment of fees and incomplete sidewalk work.

Summary

An application has been submitted by Matt Smith for the Final Plat of Apple Valley Phase 5B. The plat consists of six lots on 1.80 acres located at S Wilson Street and W 35th Avenue. The site is zoned Residential, Low Density which allows a minimum lot size of 7,500 square feet. The smallest lot is 8,419 square feet, the largest lot is 11,378 square feet and the average lot size is 10,635 square feet. The Preliminary Plat of Apple Valley Phase 5 was approved by the hearing examiner's decision dated January 28, 2020.

Staff has reviewed the final plat application and has found it to be in conformance with all applicable city development regulations. Prior to signing the final plat, the outstanding conditions will be met, in addition to payment of fees and bonding for incomplete sidewalk work. Following Council approval and plat signatures, the plat can be recorded and lots sold to individual owners.

Alternatives

No alternatives were reviewed or are recommended as the applicant has met the applicable standards.

Fiscal Impact

None

Through	Steve Donovan Dec 29, 08:12:28 GMT-0800 2021
Dept Head Approval	Steve Donovan Dec 29, 08:12:30 GMT-0800 2021
City Mgr Approval	Marie Mosley Dec 29, 17:47:51 GMT-0800 2021

Attachments: Final Plat Map

Recording Required?

Council Agenda Coversheet



Agenda Item Number	5.a.	Council Date	01/04/2022
Agenda Item Type	Ordinance		
Subject	Change of Zone from RS to RM		
Ordinance/Reso #	5964	Contract #	
Project #	COZ 21-13	Permit #	PLN-2021-03738
Department	Planning		

Consent Agenda	<input type="checkbox"/>
Ordinance/Reso	<input checked="" type="checkbox"/>
Public Mtg / Hrg	<input type="checkbox"/>
Other	<input type="checkbox"/>
Quasi-Judicial	<input type="checkbox"/>

Recommendation

The Planning Commission recommends City Council concur with the findings and conclusions contained within staff report COZ 21-13 by adopting Ordinance 5964.

Motion for Consideration

I move to adopt Ordinance 5964.

Summary

Tami Johnson of Creekstone Senior Living has applied to change the zoning of 0.96 acres from Residential, Suburban Density (RS) to Residential, Medium Density (RM). The RM zone is an implementing zoning district of the Medium Density Residential Comprehensive Plan Land Use Designation, which the Council approved in October of 2021. The request is consistent with the Comprehensive Plan.

The subject property is located at 3321 W 10th Avenue, and is currently developed as a senior living facility. Adjacent properties to the east and west are zoned Residential, Low Density (RL), while those to the south are zoned Residential, Suburban Density (RS), with Residential, Medium Density (RM) to the north.

The Planning Commission held a public hearing to review the proposal on 6 December 2021. At the hearing, staff presented an overview of the staff report and findings. No public testimony either for or against the proposed Change in Zone was received. The Planning Commission voted unanimously to recommend approval of COZ 21-13 to City Council.

Alternatives

None recommended.

Fiscal Impact

None.

Through	Matt Halitsky Dec 27, 14:02:35 GMT-0800 2021
Dept Head Approval	Steve Donovan Dec 28, 09:12:53 GMT-0800 2021
City Mgr Approval	Marie Mosley Dec 29, 17:50:15 GMT-0800 2021

Attachments:

Ordinance
Vicinity Map
Draft PC Minutes
Staff Report
PC Action Summary
Presentation

Recording
Required?

CITY OF KENNEWICK
ORDINANCE NO. 5964

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY WITHIN THE CITY OF KENNEWICK LOCATED 3321 W. 10th AVENUE FROM RESIDENTIAL SUBURBAN TO RESIDENTIAL MEDIUM (COZ 21-13, Tami Johnson, Creekstone Senior Living)

THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Ordinance No. 3001, as amended, the zoning ordinance of the City of Kennewick and the accompanying zoning map of the City of Kennewick being part of said ordinance shall be and hereby is changed from Residential Suburban to Residential Medium for the real property described as follows:

Parcel #	Legal Description
110891013456001	3321 W 10 TH AVENUE KENNEWICK WA 99336 SECTION 10, TOWNSHIP 8 NORTH, RANGE 29 EAST, QUARTER NE: THAT PORTION OF SHORT PLAT #3456, LOT 1 L
110891013456002	3335 W 10 TH AVEUNE KENNEWICK WA 99336 SECTION 10, TOWNSHIP 8 NORTH RANGE 269 EAST, QUARTER NE: THAT PORTION OF SHORT PLAT #3456 LOT 2 L
1108910103456003	3349 W 10 TH AVENUE KENNEWICK WA 99336 SECTION 10, TOWNSHIP 8 NORTH RANGE 29 EAST, QUARTER NE: THAT PORTION OF SHORT PLAT #3456 LOT 3 L
110891013456004	3363 W 10 TH AVENUE KENNEWICK WA 99336 SECTION 10, TOWNSHIP 8 NORTH RANGE 29 EAST, QUARTER NE: THAT PORTION OF SHORT PLAT #3456 4 L
110891013456005	3321 W 10 TH AVENUE KENNEWICK WA 99336 SECTION 10, TOWNSHIP 8 NORTH RANGE 29 EAST, QUARTER NE: THAT PORTION OF SHORT PLAT #3456 LOT 1 L
110891013456006	3335 W 10 TH AVENUE KENNEWICK WA 99336 SECTION 10, TOWNSHIP 8 NORTH RANGE 29 EAST, QUARTER NE: THAT PORTION OF SHORT PLAT #3456 LOT 2 L
110891013456007	3349 W 10 TH AVENUE KENNEWICK WA 99336 SECTION 10, TOWNSHIP 8 NORTH RANGE 29 EAST, QUARTER NE: THAT PORTION OF SHORT PLAT #3456 LOT 3 L
1108910134156008	3363 W 10 TH AVENUE KENNEWICK WA 99336 SECTION 10, TOWNSHIP 8 NORTH RANGE 29 EAST, QUARTER NE: THAT PORTION OF SHORT PLAT #3456 LOT 4 L

Section 2. The City Council finds the amendments described in Section 1 above are in conformance with the Comprehensive Plan of the City.

Section 3. Severability Clause. If any provision of this amendatory ordinance or its application to any persons or circumstances is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Section 4. The Responsible Official for the State Environmental Policy Act has determined that the proposal will not have a probable significant adverse impact on the quality of the environment.

Section 5. This ordinance shall be in full force and effect five (5) days from and after its approval, passage and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 4th day of January, 2022, and signed in authentication of its passage this 4th day of January, 2022.

Attest:

Mayor

TERRI L. WRIGHT, City Clerk

ORDINANCE NO. 5964 filed and recorded in the office of the City Clerk of the City of Kennewick, Washington this 5th day of January, 2022.

Approved as to form:

LISA BEATON, City Attorney

TERRI L. WRIGHT, City Clerk

DATE OF PUBLICATION _____

**KENNEWICK PLANNING COMMISSION
DECEMBER 6, 2021
VIRTUAL MEETING MINUTES**

CALL TO ORDER

Chairman Morris called the meeting to order at 6:30 p.m.

Chairman Morris led the Pledge of Allegiance.

Chairman Morris made the following statement:

“Tonight’s meeting will be conducted through an online, virtual meeting platform. Planning Commissioners and staff are joining us remotely in order to comply with Governor Inslee’s Proclamation 20.28.4 as it relates to the Open Public Meeting Act during the COVID-19 State of Emergency. Should an individual Planning Commissioner become unexpectedly disconnected from the Webinar, please rejoin the meeting at your first opportunity. The record will reflect your attendance. The meeting will proceed so long as a quorum of Planning Commissioners are present. Please activate your mute button at the bottom of your computer screen when not speaking”.

Community Planning Director Anthony Muai called the roll and found the following logged into the Webinar:

Present: Chairman Morris, Vice Chairman Stolle, Commissioners Griffith, Moore, and Helgeson

Excused: Commissioners Hempstead and Short

Unexcused: None

Staff Present: Anthony Muai, AICP Community Planning Director; AICP Senior Planner, Matt Halitsky, Planner.

Chairman Morris made the following statement:

“Next item is the Approval of the Consent Agenda. All matters listed within the Consent Agenda have been distributed to each member of the Kennewick Planning Commission for reading and study, are considered to be routine, and will be enacted by one motion of the Planning Commission with no separate discussion.”

Commissioner Moore moved to approve the Consent Agenda; Commissioner Griffith seconded the motion. The motion passed unanimously on a roll call vote.

CONSENT AGENDA

- a. Approval of Agenda
- b. Approval of November 15, 2021 Minutes
- c. Motion to enter Staff Reports into the Record

PUBLIC HEARINGS

Chairman Morris opened the virtual public hearing at 6:36 p.m. for Change of Zone (COZ) #21-13 proposing to change the zoning district for approximately .96 acres located at 3321 W. 10th Avenue from Residential, Suburban Density (RS) to Residential, Medium Density (RM). Applicant and owner is Tami Johnson, Creekstone Senior Living, 3321 W. 10th Avenue, Kennewick, WA 99336.

Mr. Halitsky gave a brief overview of the staff report, and shared a Power Point presentation of the staff report.

Planning Commission questions:

None

Testimony of Applicant/Applicant's Representative:

Tami Johnson/Creekstone Senior Living
3321 W. 10th Ave.
Kennewick 99336

Just trying to be one property with one address so that EMS can find the facility easily.

Testimony in Favor of the Request:

None

Testimony Neutral/Against the Request:

None

Staff Comments:

None

Public Testimony for COZ 21-13 closed at 6:41 p.m.

Chairman Morris asked for a motion.

Commissioner Moore moved to concur with the findings and conclusions in staff report COZ 21-13 and forward a recommendation to City Council APPROVAL of the request.

Commissioner Helgeson seconded the motion.

Planning Commission Discussion:

None

The motion passed on a unanimous roll call vote.

VISITORS NOT ON AGENDA:

None

OLD BUSINESS:

None

NEW BUSINESS:

None

REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:

None

ADJOURNMENT:

The meeting adjourned at 6:45 p.m.



COMMUNITY PLANNING DEPARTMENT

**STAFF REPORT AND RECOMMENDATION TO
THE PLANNING COMMISSION**

FILE No: COZ 21-13 / PLN-2021-03738

Staff Report Date: 4 November 2021
Hearing Date & Location: 6 December 2021, Virtual Hearing
Report Prepared By: Matt Halitsky, AICP
Planner
Report Reviewed By: Steve Donovan, AICP
Senior Planner

Summary

Recommendation: The City of Kennewick Planning Staff RECOMMENDS APPROVAL of Change of Zone 21-13.

Summary of Proposal: A Change of Zone from Residential, Suburban (RS) to Residential, Medium Density (RM) for .96 acres.

Proposal Location: 3321 W 10th Avenue

Legal Description: See Exhibit 2

**Property Owner
& Applicant:** Creekstone Senior Living
c/o Tami Johnson
3321 W 10th Avenue
Kennewick, WA 99336

Regulatory Controls:

1. Comprehensive Plan – Land Use
2. KMC Title 4 – Administrative Procedures
3. KMC Title 18 – Zoning
4. Washington State Environmental Policy Act

COZ Key Application Processing Dates:

Application Submittal	18 October 2021
Determination of Completeness Issued	19 October 2021
Notice of Application Posted	19 October 2021
Date of Mailed Notice of Public Hearing	18 November 2021
Property Posting Sign for Public Hearing	18 November 2021
Date of Published Notice of Public Hearing	21 November 2021

Exhibits:

1. Staff Report
2. Legal Description
3. Application/Supplemental Information
4. Vicinity Map
5. Comprehensive Plan Map
6. Zoning Map
7. Notice of Mailing
8. SEPA Determination of Non-significance
9. Ordinance 5935
10. KID Comment Letter

Zoning Adjacent to the Site:

North: Residential, Medium Density (RM)

East: Residential, Low Density (RL)

South: Residential, Suburban (RS)

West: Residential, Low Density (RL)

Applicable Goals and Policies of the Comprehensive Plan:

Housing Goals and Policies:

Goal 1: Support and develop a variety of housing types and densities to meet the diverse needs of the population.

Policy 4: Promote development of senior housing in proximity to needed services.

Kennewick Municipal Code Findings:

The following findings shall be met in order to approve a change of zone:

KMC 18.51.070(2): Findings:

Findings Required. In order to amend the zoning map, the City Council must find that:

- a. The proposed amendment conforms with the comprehensive plan; and
Staff Response: The proposed Change of Zone conforms to the Comprehensive Plan as the RM zoning district is an implementing zoning district of the site's current Medium Density Residential land use designation, which was approved by City Council in October 2021.
- b. Promotes the public necessity, convenience and general welfare; and
Staff Response: The proposed Change of Zone will allow the applicant to consolidate what is currently eight parcels into one lot, aiding in the continued administrative management of the existing senior living facility, as well as assisting emergency responders in locating the various units on the property as addressing will be simplified.
- c. The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands, which are deemed unacceptable by the City; and
Staff Response: The proposed Change of Zone will not impose additional burden on public facilities. The property is already developed and no future expansion is proposed.
- d. The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan; and

Staff Response: The proposed amendment will establish a zoning district that complies with Comprehensive Plan. The RM zone is an implementing zone of the site's Medium Density Residential land use designation.

- e. Single Family Residential zoned properties only; Property is adjacent and contiguous (which shall include corner touches and property located across a public right-of-way) to property of the same proposed zoning classification or higher zoning classification.

Staff Response: The finding is not applicable; the proposed zoning district is not a single-family residential zone. That said, the RM zoning district is located across 10th Avenue to the north of the subject property.

Public Comments:

To date, there are no public comments either for or against the requested Change in Zone.

Agency Comments:

In a letter dated 27 October 2021 from the Kennewick Irrigation District (KID), the agency reminded the applicant that no permanent structures are allowed within irrigation easements and all existing irrigation facilities shall be protected.

Staff Analysis of Proposal & Discussion:

The subject property was annexed by the City on 26 March 1984 via Ordinance 2834 and established the current zoning as Residential, Suburban (RS). On 8 October 2021, the City adopted Ordinance 5935, which amended the Comprehensive Plan land use designation from Low Density Residential to Medium Density Residential.

The proposed Change of Zone (COZ 21-13) is a request to change the zoning district for eight parcels totaling 0.96 acres located at 3321 West 10th Avenue from RS to RM. Pursuant to Table 1 of the Comprehensive Plan, the RM zoning district is an implementing zoning district of the Medium Density Residential land use designation. RCW 36.70A, Growth Management Act, requires that a City's development regulations implement its comprehensive plan.

Per KMC 18.03.040(21) the purpose of RM zoning district is as follows:

RM - The purpose of the RM district is to establish areas for medium density single and multiple-family residential buildings and to establish regulations for their development. The district is for more intensive residential use where necessary or desirable to achieve good neighborhood design and stabilize land use.

Although the RM zone allows for a density of 13 units per acre, the site is currently developed with senior housing. No additional development or expansion of the current use is proposed. It is the applicant's intent to complete a parcel consolidation subsequent to the change in zone to consolidate the eight parcels included in the application into one, to aid in financial management of the property, and perhaps more importantly, to aid emergency services in locating the individual units that will ultimately be united under one address.

The proposed findings meet the requirements of KMC 18.51.070(2).

Findings:

1. The applicant is Creekstone Senior Living, c/o Tami Johnson, 3321 W 10th Avenue, Kennewick, WA 99338.

2. The property owner is Creekstone Holdings LLC, 3321 W 10th Avenue, Kennewick, WA 99338.
3. The proposed change of zone is located at 3321 W 10th Avenue. Parcel Numbers: 1-1089-101-3456-007, 1-1089-101-3456-008, 1-1089-101-3456-003, 1-1089-101-3456-002, 1-1089-101-3456-001, 1-1089-101-3456-004, 1-1089-101-3456-005, 1-1089-101-3456-006.
4. The City's Comprehensive Plan Land Use Designation for the subject property is Medium Density Residential.
5. The City changed the land use designation for the site on 8 October 2021 as part of the 2021 Comprehensive Plan Amendment Cycle.
6. The request is to change the zoning from Residential, Suburban (RS) to Residential, Medium (RM).
7. The Residential, Medium Zoning District is an implementing zone of the Medium Density Residential Comprehensive Plan Land Use Map Designation.
8. On 18 October 2021, the application was submitted; and declared complete for processing on 19 October 2021.
9. The application was routed for review to City Departments and outside agencies for comment on 19 October 2021.
10. Access to the site is via W 10th Avenue.
11. The Environmental Determination of Non-Significance (ED 21-10) was issued for the associated Comprehensive Plan Amendment (CPA 21-02).
12. The Property Posting sign for the public hearing was posted on site 18 November 2021.
13. Notice of the public hearing for this application was published in the Tri-City Herald on 21 November 2021. Notices were also mailed to property owners within 300 feet of the site on 18 November 2021.
14. The proposed amendment conforms to the comprehensive plan.
15. The proposed amendment promotes the public necessity, convenience and general welfare.
16. The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands, which are deemed unacceptable by the City.
17. The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan.

Conclusions:

1. Approval will implement the Comprehensive Plan Land Use Designation of Medium Density Residential.
2. Approval will not result in an increase of adverse environmental impacts.
3. Approval will implement Housing Goals and Policies Land Use Goal 1 and Policy 4 of the City of Kennewick Comprehensive Plan.
4. Approval will result in the promotion of public necessity, convenience and/or general welfare.

5. The proposed Change of Zone complies with KMC 18.51.070(2).

Recommendation:

Staff has reviewed the application and recommends that the Planning Commission concur with the findings and conclusions contained within staff report COZ 21-13 and recommend approval to City Council.

Motion:

I move that the Planning Commission concur with the findings and conclusions contained within staff report COZ 21-13 and recommend approval of the request to City Council.

Legal Description for Creekstone Assisted Living

3321 W. 10th Avenue

Kennewick, WA 99336

Parcel#	Legal description
110891013456001	3321 W 10 TH AVENUE KENNEWICK WA 99336 SECTION 10, TOWNSHIP 8 NORTH, RANGE 29 EAST, QUARTER NE: THAT PORTION OF SHORT PLAT #3456, LOT 1 L
110891013456002	3335 W 10 TH AVENUE KENNEWICK WA 99336 SECTION 10, TOWNSHIP 8 NORTH RANGE 29 EAST, QUARTER NE: THAT PORTION OF SHORT PLAT #3456 Lot 2 L
1108891013456003	3349 W 10 th AVENUE KENNEWICK WA 99336 SECTION 10 TOWNSHIP 8 NORTH RANGE 29 EAST QUARTER NE: THAT PORTION OF SHORT PLAT #3456 LOT 3L
110891013456004	3363 W 10 TH AVENUE KENNEWICK WA 99336 SECTION 10 TOWNSHIP 8 NORTH RANGE 29 EAST QUARTER NE: THAT PORTION OF SHORT PLAT #3456 LOT 4L
110891013456005	3321 W 10 TH AVENUE KENNEWICK WA 99336 SECTION 10 TOWNSHIP 8 NORTH RANGE 29 EAST QUARTER NE: THAT PORTION OF SHORT PLAT #3456 LOT 1 L
110891013456006	3335 W 10 TH AVENUE KENNEWICK WA 99336 SECTION 10, TOWNSHIP 8 NORTH RANGE 29 EAST, QUARTER NE: THAT PORTION OF SHORT PLAT #3456 Lot 2 L
110891013456007	3349 W 10 th AVENUE KENNEWICK WA 99336 SECTION 10 TOWNSHIP 8 NORTH RANGE 29 EAST QUARTER NE: THAT PORTION OF SHORT PLAT #3456 LOT 3L
1108910134560008	3363 W 10 TH AVENUE KENNEWICK WA 99336 SECTION 10 TOWNSHIP 8 NORTH RANGE 29 EAST QUARTER NE: THAT PORTION OF SHORT PLAT #3456 LOT 4L

CITY OF KENNEWICK
COMMUNITY PLANNING & DEVELOPMENT SERVICES

APPLICATION (general form)

PROJECT # _____ - _____ PLN- 2021 - 03138 FEE \$ 1094⁰⁰

Please completely fill out this form and return it to Community Planning & Development Services, PO Box 6108, Kennewick, WA 99336, along with the application fee (see fee schedule). Attach a copy of the checklist for the land use application you are submitting. The application submittal must contain all of the information requested on the checklist in order to be processed. **Incomplete applications will not be accepted.**

Check one of the following for the type of application you are submitting:

Site Plan Tier 1 Tier 2 Tier 3 Binding Site Plan
Short Plat Conditional Use Other Change of Zone

Environmental Determination PLN- _____ - _____ Pre Application Meeting PLN- _____ - _____

Applicant: Creekestone Assisted living / Tami Johnson

Address: 3321 W. 10th Ave

Telephone: 509-491-1318 Cell Phone: 509-851-8854 Fax: _____ E-mail owner @ creekestone
canal.com

Property Owner (if other than applicant): _____

Address: _____

Telephone: _____ Cell Phone: _____ E-mail _____

SITE INFORMATION 110891013456007, 110891013456008, 110891013456003, 110891013456002
110891013456001, 110891013456004,

Parcel No. 110891013456005, 110891013456006 Acres , 96 Zoning: Medium Density Residential

Address of property: 3321 W 10th Ave Kennewick, WA 99336

Number of Existing Parking Spaces 12 Number of Proposed (New) Parking Spaces 0

Present use of property Assisted living Community

Size of existing structure: 2500 sq ft sq. ft. Size of Proposed addition/New structure: 0 sq. ft.

Height of building: N/A Cubic feet of excavation: 0 Cost of new construction 0

Benton County Assessor Market Improvement Value: 0

Description of Project: Consolidating 8 separate lots into one parcel or one approved lot

I, the undersigned, do hereby certify that, to the best of my knowledge, the information provided above is true and correct.

Tami Johnson
Applicant's Signature

Tami Johnson
Signature of owner or owner's authorized representative

Date: 10-18-21

Change-of-Zone Supplemental Information

The following questions will be reviewed by both the Planning Commission and City Council as a means of assisting in their consideration of change-of-zone requests. Use additional pages if necessary.

1. Does the public necessity, convenience, and general welfare require the adoption of the proposed amendment? Please explain:

Combining to one address vs 4 separate addresses will aid EMS.
 EMS has difficulty finding the separate addresses. In the last year we
 have added A, B, C, D to the houses which has helped EMS, but the current
 addresses add confusion when they are called

2. Are there sites presently available on the market which are correctly zoned for the proposed use? Are these sites within a 1/2 mile of the proposed site? Within 1 mile of the proposed site? If yes, please indicate the general location of the site(s) and the reasons why these sites are not proposed to be utilized:

n/A

3. Is the proposed amendment consistent with the existing land use pattern in the area? Please explain

yes, this property was on Oct 5 rezoned to fit its current use

4. Are the existing uses, in the area, in conformance with the area's zoning classification? If no, please explain the differences:

yes

5. Will the proposed amendment create an isolated district, or introduce a more intense land use to the area? Please explain.

no

6. Does the existing zoning prohibit reasonable use of the property? Please explain.

no

7. Will any residential character, in the immediate area, be adversely affected by the proposed amendment? If yes or maybe, please explain:

no

8. Will property values in the vicinity be changed by the proposed amendment? If yes or maybe, please explain:

no

9. Will approval of the proposed amendment set a precedent for other similar proposals or uses? Will this deter the use, improvement or development of adjacent property in accordance with the existing Zoning Districts? Please explain:

no

10. Will the proposed amendment encourage more private investments which will be beneficial to the redevelopment of a deteriorated area? Please explain:

no

11. Will the proposed amendment combat any economic segregation and allow greater choice in the market? Please explain.

no

12. Will the proposed amendment create conflict between potential land uses and transportation patterns? Or safety concerns? Please explain:

no

A. BACKGROUND [\[help\]](#)1. Name of proposed project, if applicable: [\[help\]](#)

N/A

2. Name of applicant: [\[help\]](#)

Tami Johnson

3. Address and phone number of applicant and contact person:
[\[help\]](#)3321 W 10th Ave
Kennewick, WA 99338509-491-1318 or 509-851-8854
C4. Date checklist prepared: [\[help\]](#)

4-2-21

5. Agency requesting checklist: [\[help\]](#)

City of Kennewick

6. Proposed timing or schedule (including phasing, if applicable):
[\[help\]](#)

Immediate

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

[\[help\]](#) Yes. To be able to utilize land space for additional community living areas; gazebos, pergolas, Community Space.

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

[\[help\]](#)
N/A**Evaluation for Agency Use Only**

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. [\[help\]](#)

no

10. List any government approvals or permits that will be needed for your proposal, if known. [\[help\]](#)

n/a

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

Converting 8 separate lots into one piece of property or plot

Attach
Site
map

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

[\[help\]](#)

Evaluation for Agency Use Only

B. ENVIRONMENTAL ELEMENTS [\[help\]](#)**Evaluation for Agency Use Only****1. Earth**

- a. General description of the site [\[help\]](#)
 (check one): Flat, rolling, hilly, steep slopes,
 mountainous, other _____

- b. What is the steepest slope on the site (approximate percent slope)? [\[help\]](#) flat

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

n/a

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. [\[help\]](#)

no

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. [\[help\]](#)

none

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. [\[help\]](#)

no-

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? [\[help\]](#)

none

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: [\[help\]](#)

n/a

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. [\[help\]](#)

none

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. [\[help\]](#)

no- n/a

- c. Proposed measures to reduce or control emissions or other impacts to air, if any: [\[help\]](#)

n/a

3. Water

- a. Surface Water: [\[help\]](#)

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

none

Evaluation for Agency Use Only

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

no

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. [\[help\]](#)

n/a

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. [\[help\]](#)

no

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. [\[help\]](#)

no

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. [\[help\]](#)

no

b. Ground Water:

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

no

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

of animals or humans the system(s) are expected to serve.
[\[help\]](#)

none

c. Water runoff (including stormwater): **no**

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

n/a

2) Could waste materials enter ground or surface waters? If so, generally describe. [\[help\]](#)

no

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

no

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: [\[help\]](#)

n/a

4. Plants [\[help\]](#)

a. Check the types of vegetation found on the site: [\[help\]](#)

deciduous tree: alder maple aspen other
evergreen tree: fir cedar pine other

shrubs

grass

pasture

crop or grain bullrush

Orchards, vineyards or other permanent crops.

wet soil plants: cattail buttercup
skunk cabbage

other water plants: water lily eelgrass milfoil
other types of vegetation

b. What kind and amount of vegetation will be removed or altered? [\[help\]](#)

none

c. List threatened and endangered species known to be on or near the site. [\[help\]](#)

none

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: [\[help\]](#)

none

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

None

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include: [\[help\]](#)

birds: other: hawk heron eagle songbirds

mammals: deer bear elk beaver

fish: bass salmon trout herring shellfish

other:

b. List any threatened and endangered species known to be on or near the site. [\[help\]](#)

none

c. Is the site part of a migration route? If so, explain. [\[help\]](#)

no

d. Proposed measures to preserve or enhance wildlife, if any: [\[help\]](#)

n/a

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

n/a

6. Energy and natural resources

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

n/a

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. [\[help\]](#)

no

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: [\[help\]](#)

n/a

7. Environmental health

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

no

- 1) Describe any known or possible contamination at the site from present or past uses. [\[help\]](#)

none

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

none

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

none

- 4) Describe special emergency services that might be required.

none

- 5) Proposed measures to reduce or control environmental health hazards, if any: [\[help\]](#)

n/a

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? [\[help\]](#)

traffic

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

none other than normal.

3) Proposed measures to reduce or control noise impacts, if any: [\[help\]](#)

none

8. Land and shoreline use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. [\[help\]](#)

Assisted Living Community -
Personal Property ownership

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

no

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

no

c. Describe any structures on the site. [\[help\]](#)

4 Seperate Ranch style homes

d. Will any structures be demolished? If so, what? [\[help\]](#)

no

e. What is the current zoning classification of the site? [\[help\]](#)

f. What is the current comprehensive plan designation of the site? [\[help\]](#)

g. If applicable, what is the current shoreline master program designation of the site? [\[help\]](#)

n/a

h. Has any part of the site been classified as a critical area by the city or county? If so, specify. [\[help\]](#)

NO

i. Approximately how many people would reside or work in the completed project? [\[help\]](#)

35-40 total

j. Approximately how many people would the completed project displace? [\[help\]](#)

none

k. Proposed measures to avoid or reduce displacement impacts, if any: [\[help\]](#)

n/a

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: [\[help\]](#)

n/a

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

n/a

9. Housing

- a. Approximately how many units would be provided, if any?
Indicate whether high, middle, or low-income housing. [\[help\]](#)

NIA

- b. Approximately how many units, if any, would be eliminated?
Indicate whether high, middle, or low-income housing. [\[help\]](#)

0

- c. Proposed measures to reduce or control housing impacts, if any:
[\[help\]](#)

NIA

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? [\[help\]](#)

NIA

- b. What views in the immediate vicinity would be altered or obstructed? [\[help\]](#)

NIA

- c. Proposed measures to reduce or control aesthetic impacts, if any: [\[help\]](#)

NIA

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? [\[help\]](#)

none

- b. Could light or glare from the finished project be a safety hazard or interfere with views? [\[help\]](#)

none

- c. What existing off-site sources of light or glare may affect your proposal? [\[help\]](#)

none

- d. Proposed measures to reduce or control light and glare impacts, if any: [\[help\]](#)

n/a

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity? [\[help\]](#)

n/a

- b. Would the proposed project displace any existing recreational uses? If so, describe. [\[help\]](#)

no

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: [\[help\]](#)

none

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. [\[help\]](#)

no

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

no

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. [\[help\]](#)

N/A

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

N/A

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. [\[help\]](#)

N/A

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? [\[help\]](#)

n/a

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? [\[help\]](#)

n/a / none

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

no

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. [\[help\]](#)

no

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

N/A

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. [\[help\]](#)

no

- h. Proposed measures to reduce or control transportation impacts, if any: [\[help\]](#)

none

15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. [\[help\]](#)

no

b. Proposed measures to reduce or control direct impacts on public services, if any. [\[help\]](#)

none

16. Utilities

a. Check utilities currently available at the site: [\[help\]](#)

electricity, natural gas, water refuse service
 telephone, sanitary sewer, septic system,
other _____

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. [\[help\]](#)

C. SIGNATURE [\[help\]](#)

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

Signature: Tami Johnson

Name of signee Tami Johnson

Position and Agency/Organization owner

Date Submitted: 4-6-21

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS [\[help\]](#)**(IT IS NOT NECESSARY to use this sheet for project actions)**

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

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

N/A

Proposed measures to avoid or reduce such increases are:

n/a

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

n/a

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

n/a

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

NIA

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

NIA

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

NIA

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

NIA

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

NIA

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

N/A

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

N/A

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

N/A

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

N/A

ESA LISTED SALMONIDS CHECKLIST

The Listed Salmonids Checklist is provided in order that the City can identify a project's potential impacts (if any) on salmonids that have been listed as "threat ened" or "endangered" under the Federal Endangered Species Act (ESA). A salmonid is any fish species that spends part of its life cycle in the ocean and returns to fresh water. Potential project impacts that may result in a "taking" of listed salmonids must be avoided, or mitigated to insignificant levels. Generally, under ESA, a "taking" is broadly defined as any action that causes the death of, or harm to, the listed species. Such actions include those that affect the environmental in ways that interfere with or reduce the level of reproduction of the species.

If ESA listed species are present or ever were present in the watershed where your project will be located, your project has the potential for affecting them, and you need to comply with the ESA. The questions in this section will help determine if the ESA listing will impact your project. The Fish Program Manager at the appropriate Department of Fish and Wildlife (DFW) regional office can provide additional information. Please contact the Dept. of Fish and Wildlife at 1701 S. 24th, Yakima WA 98902-5720, Phone No. 509-575-2740.

1. Are ESA listed salmonids currently present in the watershed in which your project will be?

Yes No

Please Describe.

2. Has there ever been an ESA listed salmonid stock present in this watershed?

Yes No

Please Describe.

NOTE: Kennewick is located in the upper Mid-Columbia watershed. Salmonids are present in the watershed - questions no. 1 and no. 2 already answered "yes". Questions A-1 and A-2 are also answered.

PROJECT SPECIFIC: The questions in this section are specific to the project and vicinity.

A1. Name of watershed: Upper Mid-Columbia

A2. Name of nearest waterbody: Columbia River

A3. What is the distance from this project to the nearest body of water?

Often a buffer between the project and a stream can reduce the chance of a negative impact to fish.

A4. What is the current land use between the project and the potentially affected water body (parking lots, farmland, etc.)

Residential + Commercial Property use

A5. What percentage of the project will be impervious surface (including pavement & roof area)?

none

FISH MIGRATION: The following questions will help determine if this project could interfere with migration of adult and juvenile fish. Both increases and decreases in water flows can affect fish migration.

B1. Does the project require the withdrawal of

a. Surface water? Yes _____ No X
 Amount
 Name of surface water body

b. Ground water? Yes _____ No X
 Amount
 From Where
 Depth of well

B2. Will any water be rerouted? Yes _____ No X
 If yes, will this require a channel change?

B3. Will there be retention ponds? Yes _____ No X
 If yes, will this be an infiltration pond or a surface discharge to either a municipal storm water system or a surface water body?

If to a surface water discharge, please give the name of the waterbody.

B4. Will this project require the building of new roads? (Increased road mileage may affect the timing of water reaching a stream and may, thus, impact fish habitat.)

B5. Are culverts proposed as part of this project? Yes _____ No X

B6. Are stormwater drywells proposed as part of this project? Yes _____ No X

A4. What is the current land use between the project and the potentially affected water body (parking lots, farmland, etc.)

n/a

A5. What percentage of the project will be impervious surface (including pavement & roof area)?

n/a

FISH MIGRATION: The following questions will help determine if this project could interfere with migration of adult and juvenile fish. Both increases and decreases in water flows can affect fish migration.

B1. Does the project require the withdrawal of

a. Surface water? Yes _____ No X

Amount

Name of surface water body

b. Ground water? Yes _____ No X

Amount

From Where

Depth of well

B2. Will any water be rerouted? Yes _____ No X

If yes, will this require a channel change?

B3. Will there be retention ponds? Yes _____ No X

If yes, will this be an infiltration pond or a surface discharge to either a municipal storm water system or a surface water body?

If to a surface water discharge, please give the name of the waterbody.

B4. Will this project require the building of new roads? (Increased road mileage may affect the timing of water reaching a stream and may, thus, impact fish habitat.)

n/a

B5. Are culverts proposed as part of this project? Yes _____ No X

B6. Are stormwater drywells proposed as part of this project? Yes _____ No X

B7. Will topography changes affect the duration/direction of runoff flows? Yes _____ No X

If yes describe the changes.

B8. Will the project involve any reduction of a floodway or floodplain by filling or other partial blockage of flows? Yes _____ No X

If yes, how will the loss of flood storage be mitigated by your project?

WATER QUALITY: The following questions will help determine if this project could adversely impact water quality. Degraded water quality can affect listed species. Water quality can be made worse by runoff from impervious surfaces, altering water temperature, discharging contaminants, etc.

C1. Will your project either reduce or increase shade along or over a waterbody?
Yes _____ No X (Removal of shading vegetation or the building of structures such as docks or floats often result in a change in shade.)

C2. Will the project increase nutrient loading or have the potential to increase nutrient loading or contaminants (fertilizers, other waste discharges, or runoff) to the waterbody?
Yes _____ No X

C3. Will turbidity (dissolved or partially dissolved sediment load) be increased because of construction of the project or during operation of the project? (In-water or near water work will often increase turbidity.)
Yes _____ No X

C4. Will your project require long term maintenance, i.e., bridge cleaning, highway salting, chemical sprays for vegetation management, clearing of parking lots?
Yes _____ No X

Please Describe.

Vegetation: The following questions are designed to determine if the project will affect riparian vegetation, which can impact listed species.

D1. Will the project involve the removal of any vegetation from the stream banks?
YES _____ NO ✓

If yes, please describe the existing conditions and the amount and type of vegetation to be removed.

D2. If any vegetation is removed, do you plan to re-plant? YES _____ NO _____

If yes, what types of plants will you use? none will be moved

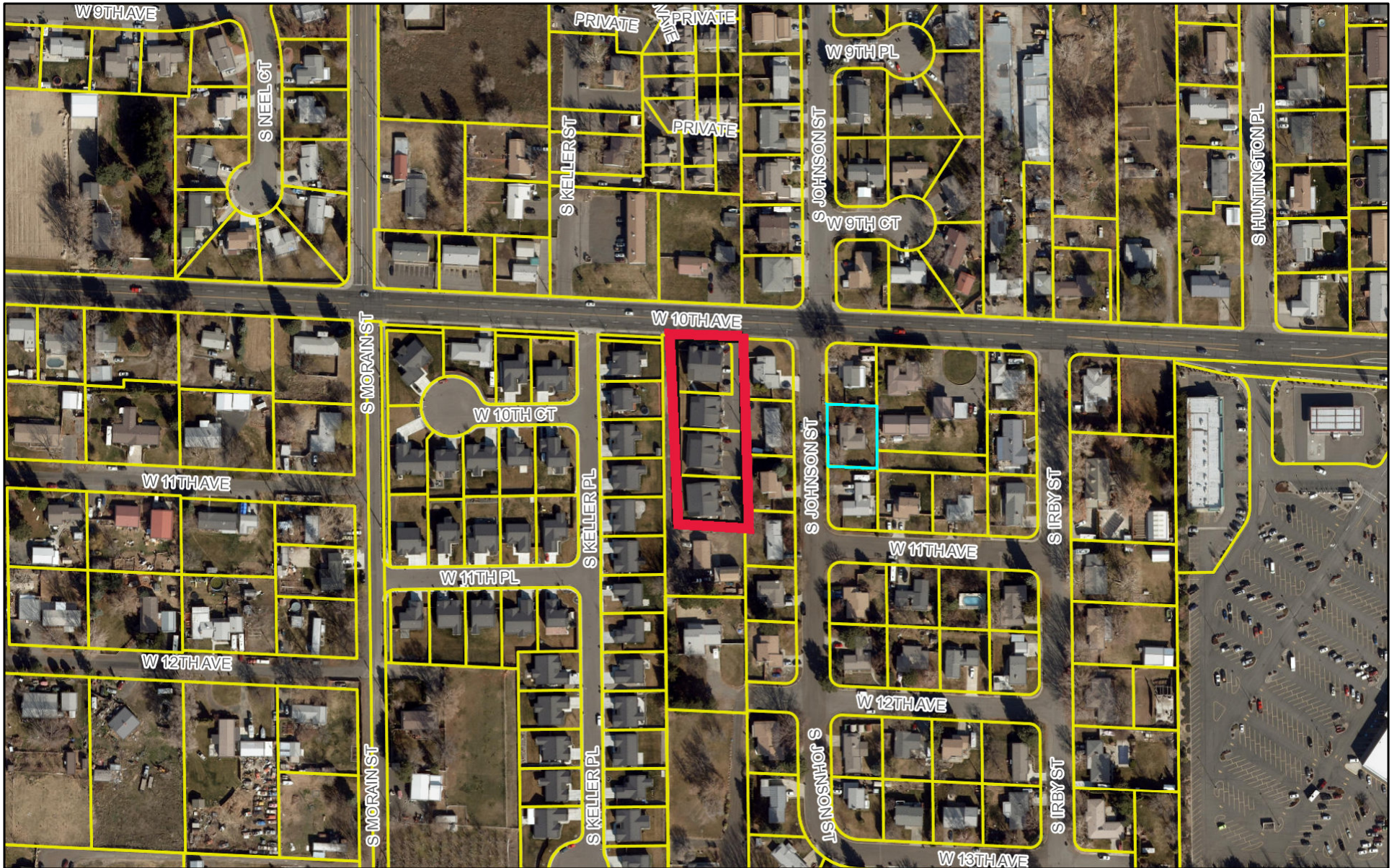
E. SIGNATURE

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

Signature Tomu Johnson

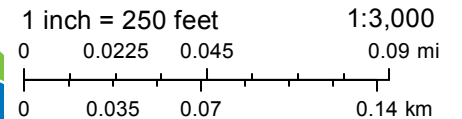
Date 4-6-21

Vicinity Map



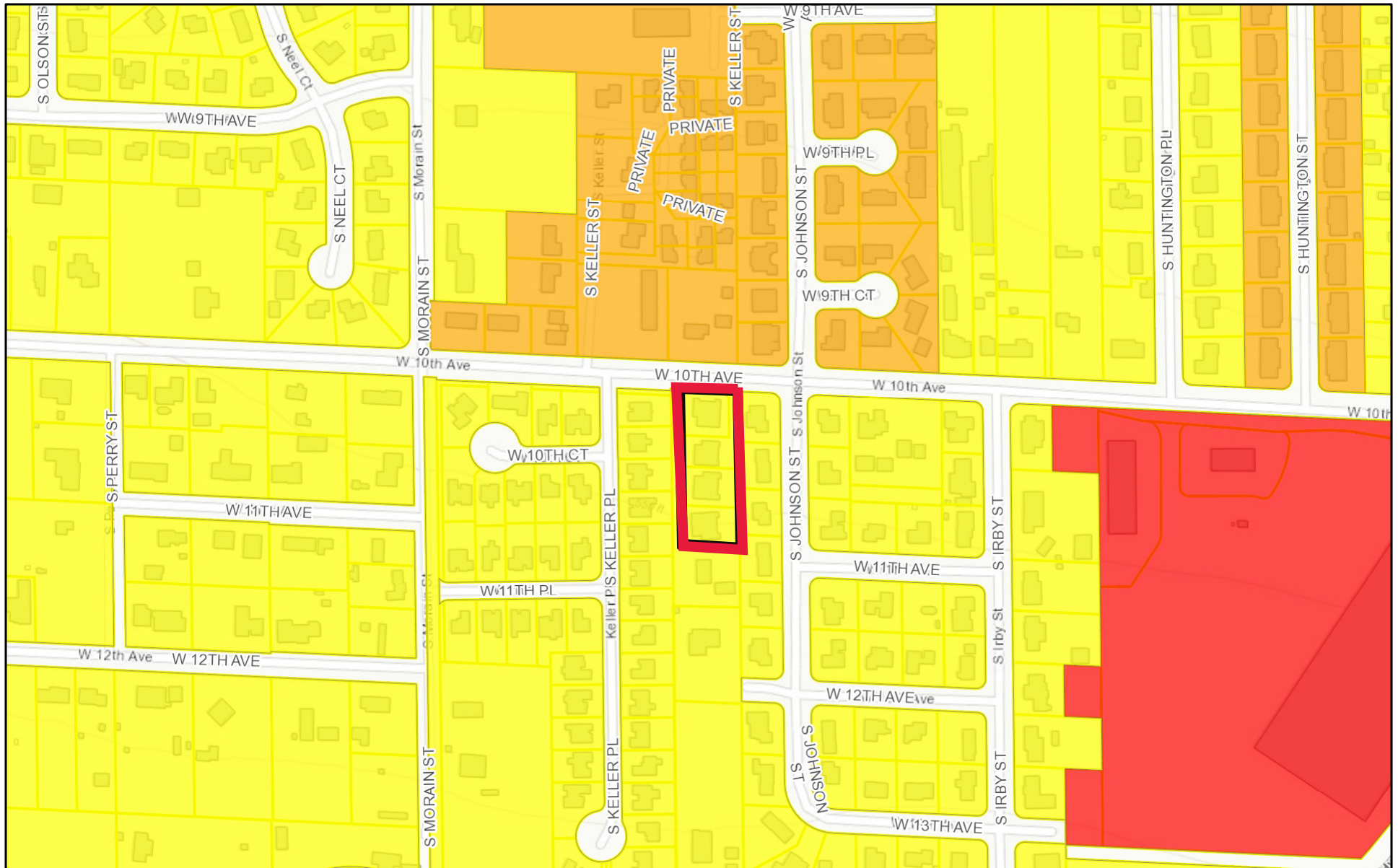
November 18, 2021 This plan is suitable for informational use only. City of Kennewick accepts no liability for any error whatsoever.

- | | | |
|--------------------|---------------------------|--------------------|
| StreetName | SV_CI_RICHLAND_10 | SurveyParcel |
| SurveyCityLimits | SV_CI_COUNTY_10 | Preliminary Parcel |
| SV_CI_KENNEWICK_10 | SurveyUrbanGrowthBoundary | |



Sources: Esri, HERE, Garmin, Intermap, increment P Corp.,

Land Use Map



November 18, 2021 This plan is suitable for informational use only. City of Kennewick accepts no liability for any error whatsoever.

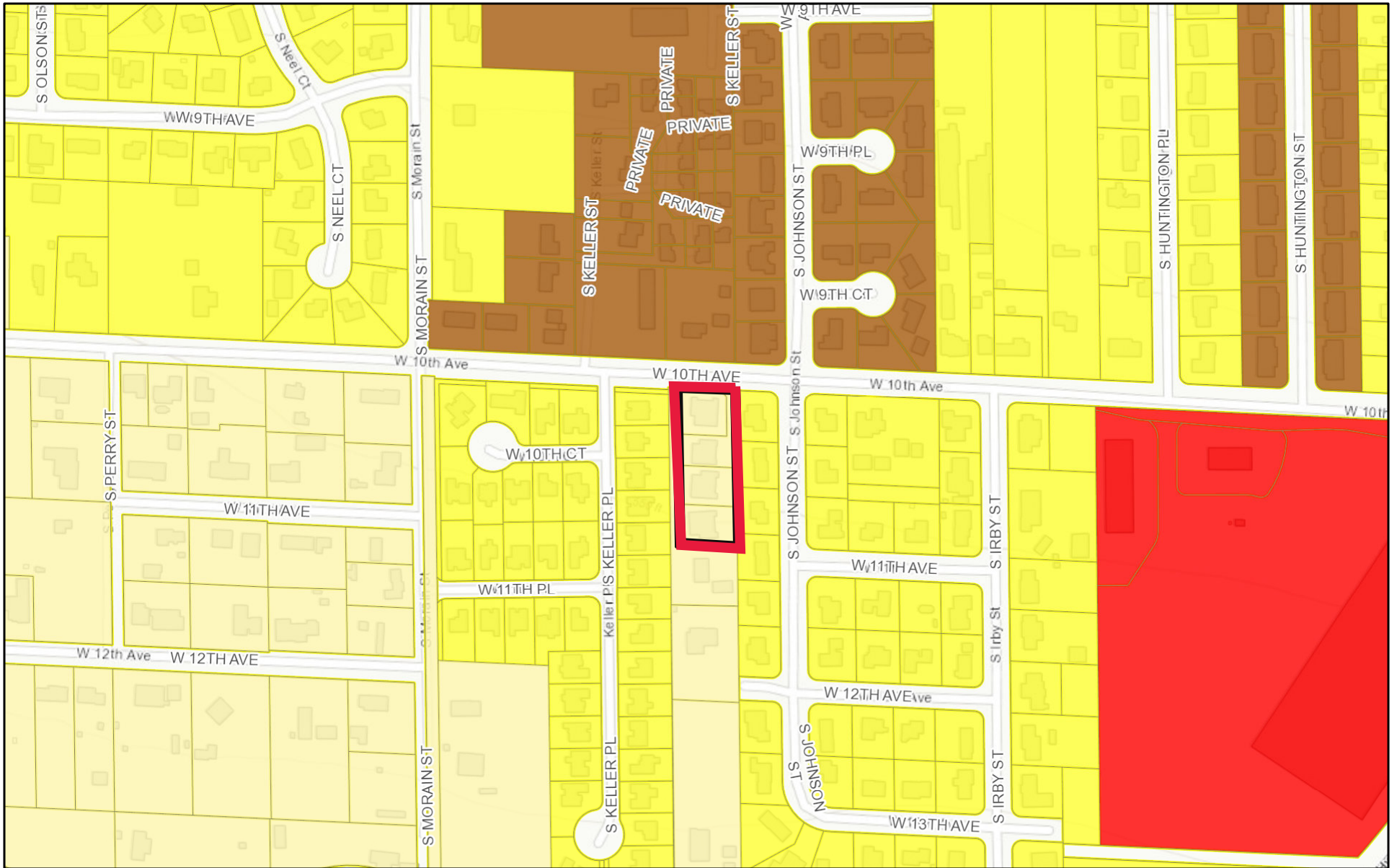
- | | |
|--|---------------------------|
| StreetName | SV_CI_RICHLAND_10 |
| SurveyCityLimits | SV_CI_COUNTY_10 |
|  SV_CI_KENNEWICK_10 | SurveyUrbanGrowthBoundary |



1 inch = 300 feet 1:3,600
 0 0.0275 0.055 0.11 mi
 0 0.0425 0.085 0.17 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp.,

Zoning Map



November 18, 2021 This plan is suitable for informational use only. City of Kennewick accepts no liability for any error whatsoever.

- StreetName
- SurveyCityLimits
 - SV_CI_RICHLAND_10
 - SV_CI_COUNTY_10
 - SV_CI_KENNEWICK_10
 - SurveyUrbanGrowthBoundary



1 inch = 300 feet 1:3,600

0 0.0275 0.055 0.11 mi

0 0.0425 0.085 0.17 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp.,



NOTIFICATION OF MAILING

I, Matt Halitsky, on Nov 18, 20 21

Mailed 55 copies of Notia of Public Hearing w/ Plat Map
for COZ 21-13 / PLN-2021-03738

to Property Owners Per list Attached.

as shown on the attached list.

M. Halitsky
Signature

37 Gr8 House LLC 2725 Willowbrook Ave Richland, WA 99352	37 A & K Hunter Properties LLC 22129 32nd Ave SE Bothell, WA 98021	37 Good Investments LLC PO Box 4450 Pasco, WA 99302
37 Patricia Kabage PO Box 1672 Beaverton, OR 97075	37 J/S Brock Properties LLC 411 W 32nd Ave Kennewick, WA 99337	37 Peter & Tana Hatton 63625 N Brahma Ct Bend, OR 97701
37 Tyler Chapman 970 S Johnson Kennewick, WA 99336-4604	37 William Gripentog 5204 S Auburn Pl Kennewick, WA 99337	37 Reed & Ciel Murri 1245 Gage Blvd Richland, WA 99352
37 Brian Tucker 8712 Lancaster Dr Pasco, WA 99301	37 Sierra & John Hogg 947 S Keller St Kennewick, WA 99336-4679	37 Donald Bender 945 S Keller St Kennewick, WA 99336-4679
37 Terilynn Didesidero 941 S Keller St Kennewick, WA 99336-4679	37 Oscar Garcia 3377 W 10th Ave Kennewick, WA 99336-4634	37 Creekstone Holdings LLC 3321 W 10th Ave Kennewick, WA 99336
37 Maria-Theresa David 2849 S Hartford Pl Kennewick, WA 99337	37 Jacob Hebert 3526 W 10th Ct Kennewick, WA 99338-4632	37 Maria Ayala 2337 NW Valley View Dr Hermiston, OR 97838
37 Melford & Carmen Bond 3509 W 38th Ave Kennewick, WA 99337	37 Jonathan Hodge 3506 W 11th Pl Kennewick, WA 99337	37 Jesus & Davila Gutierrez 3503 W 10th Ct Kennewick, WA 99337-4632
37 Cherry Glen Homeowner's Assoc C/O Everstar 1920 N Pittsburgh St Ste A Kennewick, WA 99336	37 Lee Scott 1002 S Johnson St Kennewick, WA 99338-2150	37 Randy Blumer 7535 W Kennewick Ave Ste A Kennewick, WA 99336
37 Spencer & Marissa Deford 1010 S Johnson St Kennewick, WA 99338-2150	37 Sanjow LLC 8108 Grandridge Blvd Kennewick, WA 99336	37 Rebecca Bittle 3222 W 11th Ave Kennewick, WA 99338-2101
37 Julie Marboe 801 S Belfair St Kennewick, WA 99336	37 Sfh Kennewick LLC 14937 104th Ave NE Bothell, WA 98011	37 Thomas Hallen 1003 S Johnson St Kennewick, WA 99338-2151

37
Arth & Velma Day
3319 W 10th Ave
Kennewick, WA 99336

37
Brenda Nelson
1007 S Keller Pl
Kennewick, WA 99337

37
Joshua & Anna Starkel
1025 Keller Pl
Kennewick, WA 99337

37
Tareq & Shaymaa Khalaf
1043 S Keller Pl
Kennewick, WA 99338

37
Diane Kalinowski
1061 Keller Pl
Kennewick, WA 99337

37
Michael & Anna Killian
1079 S Keller Pl
Kennewick, WA 99338

37
Fabian & Barker Garcia
3324 W 12th Ave
Kennewick, WA 99337

37
Eino & Marlene Kallioinen
1104 Lilac St
Forrest Grove, OR 97116

37
Christopher & Sada Rudy
3223 W 11th Ave
Kennewick, WA 99338-2156

37
Stevan Wade
1102 S Johnson St
Kennewick, WA 99338-2152

37
Tyler Grace
1106 S Johnson St
Kennewick, WA 99338-2152

37
Robert Flores
1107 S Johnson St
Kennewick, WA 99338-2153

37
Perez & Love Osorio
1115 S Keller Pl
Kennewick, WA 99338

37
Nghia & My Nguyen
905 N Oklahoma Pl
Kennewick, WA 99336

37
Lights One LLC
8220 W Gage Blvd Ste #143
Kennewick, WA 99336

37
Alvaro Ramirez
1150 S Keller Pl
Kennewick, WA 99337

37
Mariscal Guzman
3505 W 11th Pl
Kennewick, WA 99337

37
Sharon Fenn
3527 W 11th Place
Kennewick, WA 99337

37
Stephen Trott
3528 W 11th Place
Kennewick, WA 99336

37
Jonathan Hodge
3506 W 11th Pl
Kennewick, WA 99337

37
Jesus & Gutierrez Davila Jr
3503 W 10th Ct
Kennewick, WA 99337-4632

37
Maria-Theresa David
2849 S Hartford Pl
Kennewick, WA 99337

37
Jacob Hebert
3526 W 10th Ct
Kennewick, WA 99338-4632

37
Maria Ayala
2337 NW Valley View Dr
Hermiston, OR 97838

37
Hayden Homes LLC C/O Everstar
1920 N Pittsburg St Ste A
Kennewick, WA 99336

37



Community Planning Department

210 West 6th Avenue

Kennewick, WA 99336

Phone: (509) 585-4280

cedinfo@ci.kennewick.wa.us

DETERMINATION OF NON-SIGNIFICANCE

FILE/PROJECT NUMBER: ED 21-10 / PLN-2021-01154 & CPA 21-02 / PLN-2021-01128

DESCRIPTION OF PROPOSAL: Change the land use designation of 0.96 acres from Low Density Residential (LDR) to Medium Density Residential (MDR).

PROPONENT: Tami Johnson, Creekstone Assisted Living

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: 3321 W 10th Ave

LEAD AGENCY: City of Kennewick

DETERMINATION: The City of Kennewick has determined that this proposal does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) will not be required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the City. This information is available to the public on request. Application for other required permits may require further review under SEPA procedures.

- There is no comment period for this DNS.
- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.
- This DNS is issued under 197-11-340(2); the City will not act on this proposal for fifteen days from the date below. Comments must be submitted by ____. After the review period has elapsed, all comments received will be evaluated and the DNS will be retained, modified, or withdrawn as required by SEPA regulations.

RESPONSIBLE OFFICIAL: Anthony Muai, AICP

POSITION/TITLE: Interim Community Planning Director

ADDRESS: 210 W 6th Ave., P.O. Box 6108, Kennewick, WA 99336

PHONE: (509) 585-4386

- Changes, modifications and /or additions to the checklist have been made on the attached Environmental Checklist Review.

This DNS is subject to the attached conditions:

- No conditions.
- See attached condition(s).

Date: 1 July 2021

Signature: _____

Appeal: An appeal of this determination must be submitted to the Community Planning Department within fourteen (14) calendar days after the date issued. This appeal must be written and make specific factual objections to the City's threshold determination. Appeals shall be conducted in conformance with Section 4.12.090(9) of the Kennewick Municipal Code and the required fees pursuant to the City's adopted Fee Schedule shall be paid at time of appeal submittal.

Copies of this DNS were emailed to Benton Clean Air Authority, Confederated Tribes of Umatilla Indian Reservation, Department of Ecology SEPA Register, Department of Fish & Wildlife, Department of Natural Resources, Washington State Department of Transportation.

CITY OF KENNEWICK
ORDINANCE NO. 5935

AN ORDINANCE AMENDING THE CITY OF KENNEWICK'S COMPREHENSIVE
PLAN (CPA 21-02, CREEKSTONE HOLDINGS LLC)

WHEREAS, the City of Kennewick, by and through its City Council, and pursuant to the Growth Management Act, directed the Planning Commission of the City of Kennewick to review and update the Comprehensive Plan for the purposes of coordinating all plans and programs relating to the physical and social development of the Kennewick Urban Growth Area and the people therein; and

WHEREAS, the City of Kennewick, in accord with the Growth Management Act and RCW 36.70A.130 and implementing municipal regulations, has directed the Department of Community Planning and the Planning Commission to review and update the plan annually; and

WHEREAS, appropriate public notice has been given and a public hearing held by the Planning Commission on August 16, 2021 concerning the proposed changes, and the same has been reviewed by the Department of Commerce for the review required under RCW 36.70A.106; NOW, THEREFORE:

THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. The following amendment is made to the City of Kennewick Comprehensive Plan Land Use Map as adopted by Resolution 07-12:

1. CPA 21-02 – .96 acres located at 3321, 3335, 3349, and 3363 W 10th Avenue (Low Density Residential to Medium Density Residential).

Section 2. The property is legally described as follows:

Low Density Residential to Medium Density Residential

Parcel # 110891013456001
3321 W 10th AVENUE KENNEWICK WA 99336
SECTION 10, TOWNSHIP 8 NORTH, RANGE 29 EAST, QUARTER NE: THAT
PORTION OF SHORT PLAT #3456, LOT 1L.

Parcel # 110891013456002
3335 W 10th AVENUE KENNEWICK WA 99336
SECTION 10, TOWNSHIP 8 NORTH RANGE 29 EAST, QUARTER NE: THAT
PORTION OF SHORT PLAT #3456 Lot 2L.

Parcel # 1108891013456003
3349 W 10th AVENUE KENNEWICK WA 99336
SECTION 10 TOWNSHIP 8 NORTH RANGE 29 EAST QUARTER NE: THAT

PORTION OF SHORT PLAT #3456 LOT 3L.

Parcel # 110891013456004
3363 W 10th AVENUE KENNEWICK WA 99336
SECTION 10 TOWNSHIP 8 NORTH RANGE 29 EAST QUARTER NE: THAT
PORTION OF SHORT PLAT #3456 LOT 4L.

Parcel # 110891013456005
3321 W 10th AVENUE KENNEWICK WA 99336
SECTION 10 TOWNSHIP 8 NORTH RANGE 29 EAST QUARTER NE: THAT
PORTION OF SHORT PLAT #3456 LOT 1L.

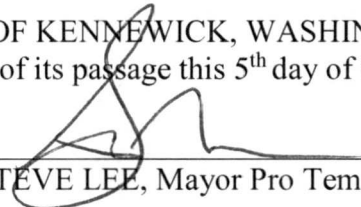
Parcel # 110891013456006
3335 W 10th AVENUE KENNEWICK WA 99336
SECTION 10, TOWNSHIP 8 NORTH RANGE 29 EAST, QUARTER NE: THAT
PORTION OF SHORT PLAT #3456 Lot 2L.

Parcel # 110891013456007
3349 W 10th AVENUE KENNEWICK WA 99336
SECTION 10 TOWNSHIP 8 NORTH RANGE 29 EAST QUARTER NE: THAT
PORTION OF SHORT PLAT #3456 LOT 3L.

Parcel # 1108910134560008
3363 W 10th AVENUE KENNEWICK WA 99336
SECTION 10 TOWNSHIP 8 NORTH RANGE 29 EAST QUARTER NE: THAT
PORTION OF SHORT PLAT #3456 LOT 4L.

Section 3. This ordinance shall be in full force and effect five days from and after its passage, approval and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 5th day of October, 2021, and signed in authentication of its passage this 5th day of October, 2021.



STEVE LEE, Mayor Pro Tem

Attest:



TERRI L. WRIGHT, City Clerk

ORDINANCE NO. 5935 filed and recorded in the office of the City Clerk of the City of Kennewick, Washington this 6th day of October, 2021.

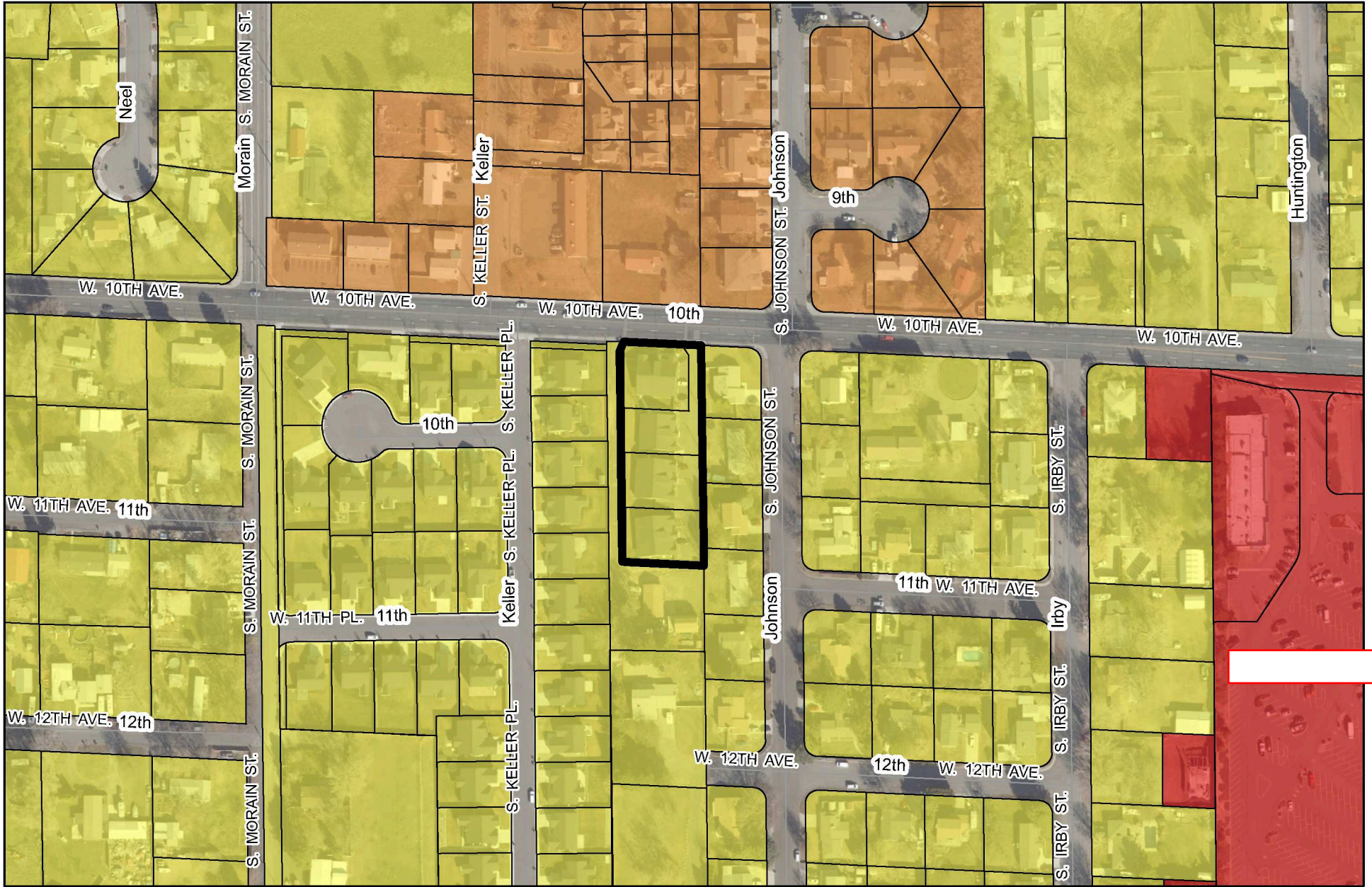
Approved as to Form:











LISA BEATON, City Attorney
DATE OF PUBLICATION 10-8-2021



TERRI L. WRIGHT, City Clerk



CPA 21-02/PLN-2021-01128 Land Use Map

-  Open Space
-  Low Density Residential
-  Medium Density Residential
-  High Density Residential
-  Mixed Use
-  Commercial
-  Industrial
-  Public Facility





2015 South Ely Street
Kennewick, WA 99337
Customer Service 509-586-9111
Business 509-586-6012
FAX 509-586-7663
www.kid.org

October 27, 2021

Mathew Halitsky, AICP
City of Kennewick/ Development Services Division
PO Box 6108
Kennewick, WA 99336

Subject: Review Comments for COZ 21-13/PLN-2021-03738

Dear Mr. Halitsky:

The Kennewick Irrigation District has received your Change of Zone Application submitted by Creekstone Assisted Living/Tami Johnson, project location is at 3321 W 10th Ave, Kennewick, WA 99336, consisting of 8 separate parcels with total of 0.96 acres from Residential, Low (RL) to Residential, Medium (RM).

1. This parcel is within the Kennewick Irrigation District (KID) boundaries and is considered irrigable lands; therefore, the Kennewick Irrigation District assesses them.
 - a. A KID service connection is available. Contact KID for more information.
2. Please note that permanent structures are not allowed within irrigation easements.
3. Please protect all existing irrigation facilities.

If you have any questions regarding these comments, please contact me at the address/phone number listed above.

Sincerely,

A handwritten signature in blue ink that reads "Chris D. Sittman".

Chris D. Sittman
CAD Specialist

cc: LB\correspondence\File 10-8-29
Applicant via mail – Creekstone Assisted Living/Tami Johnson, 3321 W 10th Ave, Kennewick, WA 99336

Planning Commission Action Summary

COZ 21-13 – Creekstone Senior Living

The Kennewick Planning Commission conducted a virtual public hearing on 6 December 2021. All interested parties were notified to come before the Commission and be heard. After reviewing the staff report and all oral and written facts and opinions, the Commission passed a motion on the proposed Change of Zone, concurring with the findings and conclusions contained within staff report COZ 21-13 and recommends to City Council approval of the proposed Change of Zone.

Findings of Fact

1. The applicant is Creekstone Senior Living, c/o Tami Johnson, 3321 W 10th Avenue, Kennewick, WA 99338.
2. The property owner is Creekstone Holdings LLC, 3321 W 10th Avenue, Kennewick, WA 99338.
3. The proposed change of zone is located at 3321 W 10th Avenue. Parcel Numbers: 1-1089-101-3456-007, 1-1089-101-3456-008, 1-1089-101-3456-003, 1-1089-101-3456-002, 1-1089-101-3456-001, 1-1089-101-3456-004, 1-1089-101-3456-005, 1-1089-101-3456-006.
4. The City's Comprehensive Plan Land Use Designation for the subject property is Medium Density Residential.
5. The City changed the land use designation for the site on 8 October 2021 as part of the 2021 Comprehensive Plan Amendment Cycle.
6. The request is to change the zoning from Residential, Suburban (RS) to Residential, Medium (RM).
7. The Residential, Medium Zoning District is an implementing zone of the Medium Density Residential Comprehensive Plan Land Use Map Designation.
8. On 18 October 2021, the application was submitted; and declared complete for processing on 19 October 2021.
9. The application was routed for review to City Departments and outside agencies for comment on 19 October 2021.
10. Access to the site is via W 10th Avenue.
11. The Environmental Determination of Non-Significance (ED 21-10) was issued for the associated Comprehensive Plan Amendment (CPA 21-02).
12. The Property Posting sign for the public hearing was posted on site 18 November 2021.
13. Notice of the public hearing for this application was published in the Tri-City Herald on 21 November 2021. Notices were also mailed to property owners within 300 feet of the site on 18 November 2021.
14. The proposed amendment conforms to the comprehensive plan.
15. The proposed amendment promotes the public necessity, convenience and general welfare.

16. The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands, which are deemed unacceptable by the City.
17. The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan.

Conclusions of Law

1. Approval will implement the Comprehensive Plan Land Use Designation of Medium Density Residential.
2. Approval will not result in an increase of adverse environmental impacts.
3. Approval will implement Housing Goals and Policies Land Use Goal 1 and Policy 4 of the City of Kennewick Comprehensive Plan.
4. Approval will result in the promotion of public necessity, convenience and/or general welfare.
5. The proposed Change of Zone complies with KMC 18.51.070(2).

The motion to recommend Approval to City Council passed with a vote of 5 to 0.

City Council Public Hearing

Change of Zone COZ 21-13

4 JANUARY 2022



Application Summary

Applicant: Creekstone Senior Living c/o Tami Johnson

Owner(s): Creekstone Holdings LLC

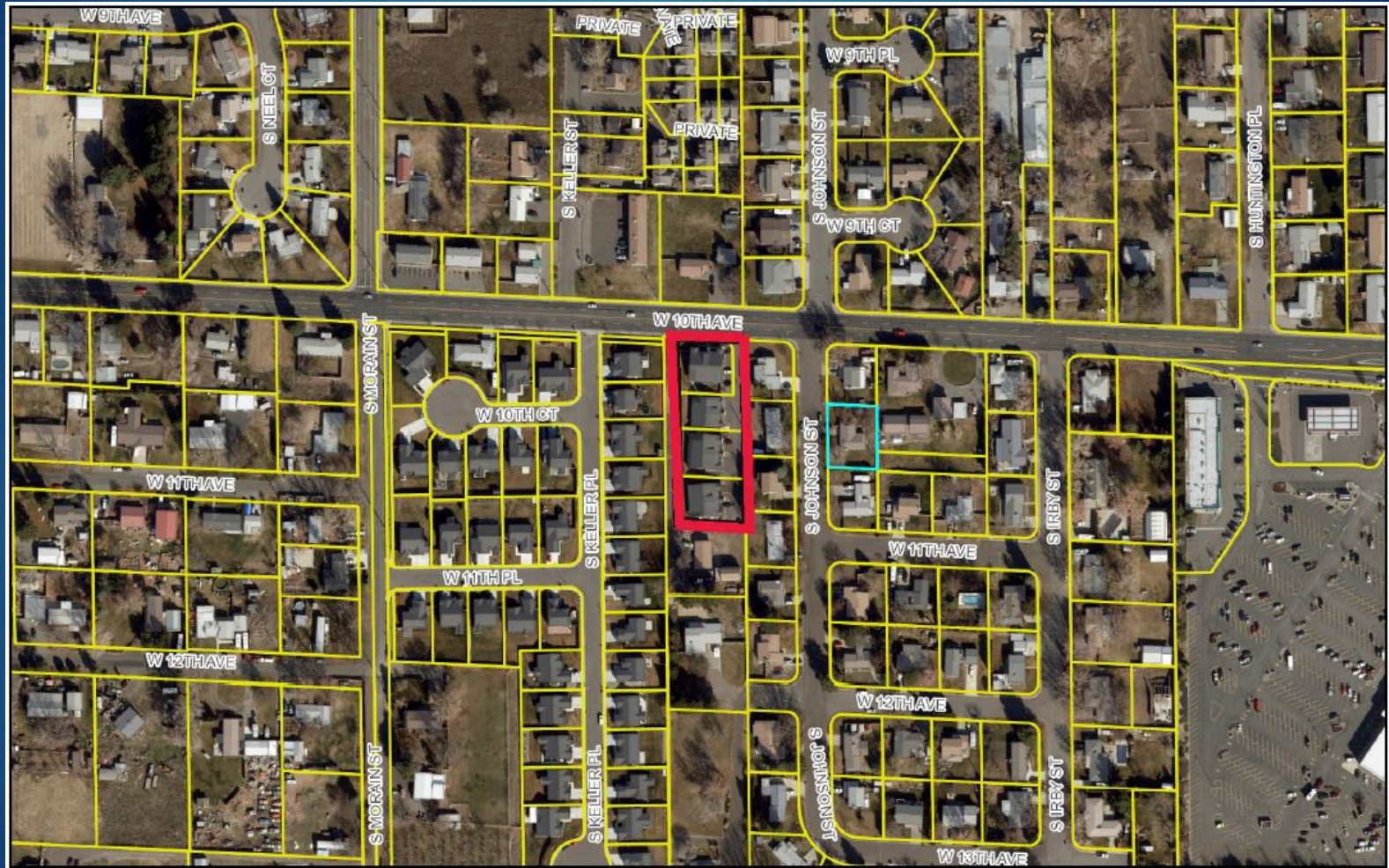
Proposal: Rezone 0.96 acres from Residential, Suburban (RS) to Residential, Medium Density (RM)

Comprehensive Plan Designation: Medium Density Residential

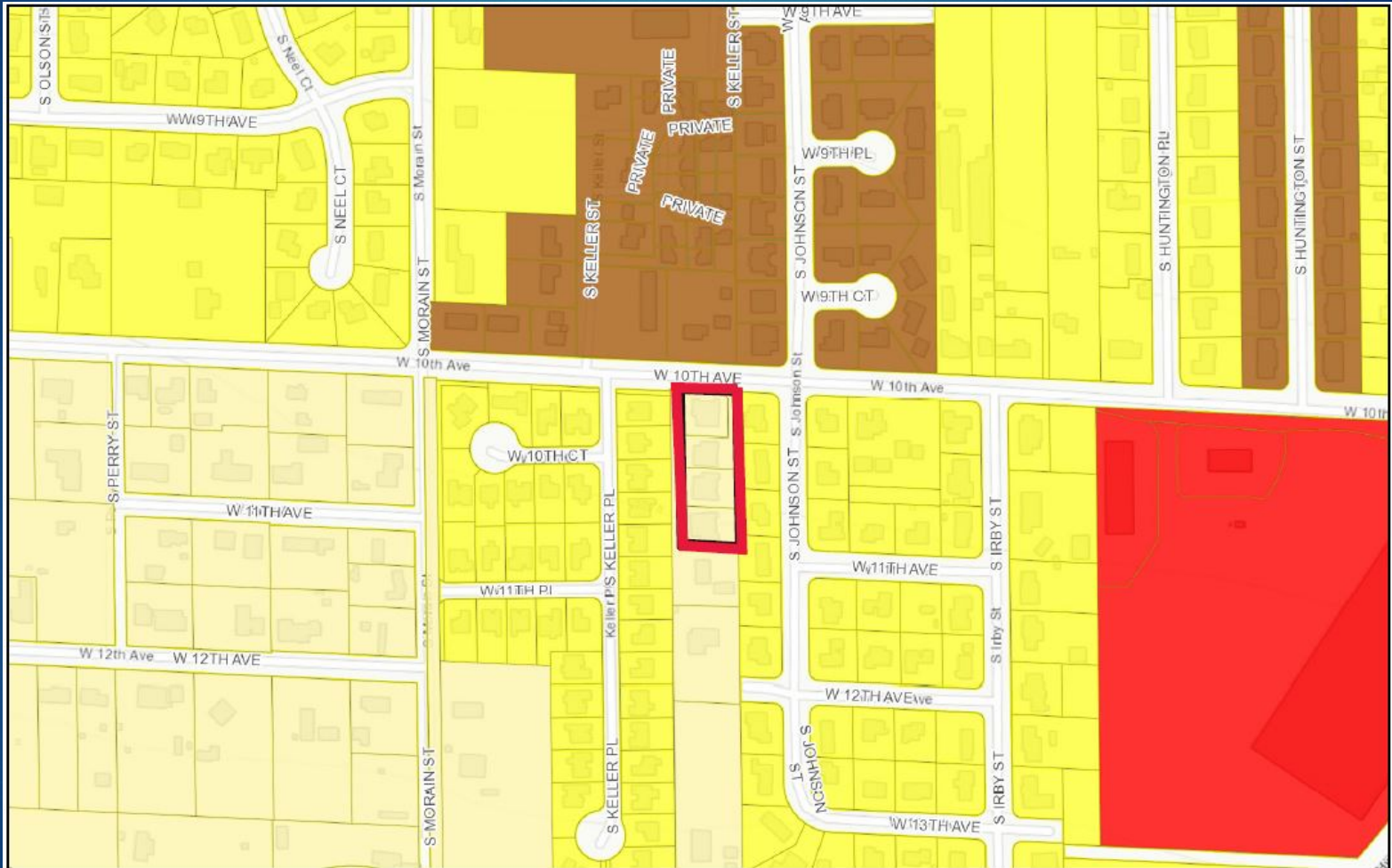
Location: 3321 W 10th Avenue

Planning Commission Public Hearing: 6 December 2021

Vicinity Map



Zoning Map



Property History

- Annexed 26 March 1984 via Ordinance 2834
- Land use designation changed to Medium Density Residential as part of the 2021 Comprehensive Plan Amendment (Ordinance 5935)

Permitted Uses

The RS and the RM zones allow for many of the same types of uses. The RM zone allows for more dense development, including multi-family.

Change of Zone Findings

KMC 18.51.070(2)

- (a) The proposed amendment conforms with the comprehensive plan.
- (b) Promotes the public necessity, convenience and general welfare.
- (c) The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands which are deemed unacceptable by the City.
- (d) The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan.
- (e) Single Family Residential zoned properties only; Property is adjacent and contiguous (which shall include corner touches and property located across a public right-of-way) to property of the same proposed zoning classification or higher zoning classification.

Recommendation

Recommend City Council concur with the Findings and Conclusions contained within staff report COZ 21-13 and approve the Change in Zone.

Council Agenda Coversheet



Agenda Item Number	7.a.	Council Date	01/04/2022
Agenda Item Type	Contract/Agreement/Lease		
Subject	Ethics Policy & Ethics Officer		
Ordinance/Reso #		Contract #	
Project #		Permit #	
Department	City Manager		

Consent Agenda	<input type="checkbox"/>
Ordinance/Reso	<input type="checkbox"/>
Public Mtg / Hrg	<input type="checkbox"/>
Other	<input checked="" type="checkbox"/>
Quasi-Judicial	<input type="checkbox"/>

Recommendation

That council review and discuss the ethics policy and ethics officer agreement and provide direction to staff.

Motion for Consideration

I move to direct staff to....[provide direction to staff]. Some options are identified below.

Summary

On December 20th, the City Clerk received four ethics complaints. In compliance with the Council's ethics policy, on December 22nd, the City Clerk transmitted those ethics complaints to the ethics officer. Subsequently, on December 27th, the City Clerk received confirmation from the ethics officer that he had received the complaints at which time she forwarded the complaints to those councilmembers that were complained against and then to the full council, in compliance with our procedure.

In reviewing the ethics policy and the ethics officer agreement, staff discovered that the ethics officer contract expired on December 31, 2021. Staff is seeking direction from Council on what, if any, modifications council would like to make to the ethics policy and what action council would like to take regarding the ethics officer contract that expired December 31st. After council discusses the ethics policy and ethics officer agreement, the following are potential actions that council may want to consider:

- * Direct staff to prepare an ordinance to repeal the ethics code, KMC 2.06, retroactive to December 1, 2021 (or other date)
 - * Direct staff to allow the ethics officer contract to expire and not renew the contract with Tom Atwood
- Or:
- * Direct staff to prepare an ordinance to modify the ethics code (identify the sections in KMC 2.06 that you would like to modify)
 - * Direct staff to renew the term of the ethics officer contract with Tom Atwood to expire on December 31, 202X

If council decides to repeal the ethics code, council could consider revisiting the code at a later time or determine a different process to address complaints against councilmembers.

Alternatives

Several options may be considered by Council (some of which are provided above).

Fiscal Impact

N/A

Through	
Dept Head Approval	
City Mgr Approval	Marie Mosley Dec 29, 17:12:37 GMT-0800 2021

Attachments:

Policy
Contract

Recording Required?

CHAPTER 2.06 COUNCIL CODE OF ETHICS

2.06.010: Policy:

- (1) Purpose. The Kennewick City Council has adopted a Code of Ethics for members of the City Council to promote public confidence in the integrity of local government and its fair operation. This Code of Ethics will provide the basis for education and training for Council Members; both elected and appointed, to ensure that the highest standards and best practices with regard to ethics will be followed.
- (2) Intent. The citizens and businesses of Kennewick are entitled to have fair, ethical and accountable local government that has earned the public's full confidence. The City Council is committed to upholding the City of Kennewick Core Values which state:

We will provide excellent public service and ensure the safety and wellbeing of our community and one another through the empowerment of each employee. We value integrity, inclusiveness, stewardship and communication.

We are accountable to our community for innovation and collaborative efforts that anticipate needs, leverage resources and deliver solutions.

Integrity: We hold ourselves to the highest standard of professionalism and ethical conduct.

Inclusiveness: We embrace diversity and value different perspectives as we work together for the common good.

Stewardship: We ensure the public's resources are used responsibly to provide the greatest benefit.

Communication: We will listen and engage in an open, honest and timely exchange of information.

- (3) In keeping with the City of Kennewick's commitment to excellence, the effective functioning of democratic government therefore requires that:
 - (a) Public officials, both elected and appointed, comply with the laws and policies affecting the operations of government;
 - (b) Public officials be independent, impartial and fair in their judgment and actions;
 - (c) Public office be used for the public good, not for personal gain; and
 - (d) Public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

(Ord. 5812 Sec. 1(part), 2019)

2.06.020: Definitions.

- (1) "Official" means a member of the City Council elected or appointed.
- (2) "Relative" means spouse or domestic partner, child, step-child, parent, step-parent, parent-in-law, grandparent, grandchild, sibling, aunt, uncle, niece, nephew, son- or daughter-in-law, brother- or sister-in-law.

(Ord. 5812 Sec. 1(part), 2019)

2.06.030: Prohibited Conduct.

- (1) Conflicts of Interest. In order to ensure their independence and impartiality on behalf of the common good, officials shall not participate in government decisions in which any of the following has a financial interest:
 - (a) The official;
 - (b) A relative;
 - (c) An individual with whom the official resides; or
 - (d) An entity that the official serves as an officer, director, trustee, partner or employee.

Officials shall abstain from participating in deliberations and decision-making where conflicts exist.

- (2) Appearance of Conflict. If it could appear to a reasonable person, having knowledge of the relevant circumstances, that the official's judgment is impaired because of either:
 - (a) A personal or business relationship not covered under the foregoing subsection; or
 - (b) A transaction or activity engaged in by the official;the official shall disclose the facts giving rise to the appearance of a conflict before participating in the matter.
- (3) Misuse of Public Position or Resources. Except for infrequent use at little or no cost to the City, officials shall not use public resources that are not available to the public in general, such as city staff time, equipment, supplies or facilities, for other than a city purpose.
- (4) Representation of Third Parties. The members of the City Council shall not appear on behalf of the financial interest of third parties before the Council or any board, commission or proceeding of the City, or in interaction with staff.
- (5) Solicitations of Charitable Contributions. No official may make direct personal solicitations for charitable contributions from city employees.
- (6) Gifts and Favors. Officials shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office, which are not available to the public in general. They may not solicit or receive any thing of monetary value from any person or entity where the thing of monetary value has been solicited, or received or given or, to a reasonable person, would appear to have been solicited, received or given with intent to give or obtain special consideration or influence as to any action by the official in his or her official capacity; provided, that nothing shall prohibit campaign contributions which are solicited or received and reported in accordance with applicable law.
- (7) Confidential Information. Officials shall not disclose or use any confidential information gained by reason of their official position for other than a city purpose. "Confidential information" means:
 - (a) Specific information, rather than generalized knowledge, that are not available to a person who files a public records request; and
 - (b) Information made confidential by law.

(Ord. 5812 Sec. 1(part), 2019)

2.06.040: Ethical Standards.

In addition to Section 2.06.030 of the Code of Ethics, which shall be administered by the Ethics' Officer, officials are also required to comply with the following standards:

- (1) **Compliance with Other Laws.** Officials shall comply with federal, state and city laws in the performance of their public duties. These laws include, but are not limited to: the United States and Washington Constitutions; laws pertaining to conflicts of interest, election campaigns, financial disclosures and open processes of government; and city ordinances and policies. See Appendix A. As required by RCW 42.17A.565, no official shall knowingly solicit or encourage, directly or indirectly, any political contribution from any city employee. Except under limited circumstances described in RCW 42.17A.555 no official may use or authorize the use of the facilities of the City for the purpose of assisting a campaign for the election of any person to any office, or for the promotion of or opposition to any ballot proposition in a manner not available to the general public on the same terms.
- (2) **Working for the Common Good.** Recognizing that stewardship of the public interest must be their primary concern, officials will work for the common good of the people of Kennewick and not for any private or personal interest, and they will ensure fair and equal treatment of all persons, claims and transactions coming before the City Council. Officials need to be mindful that making special requests of staff - even when the response does not benefit the official personally - puts staff in an awkward position. Questions for city staff members shall be submitted to the City Manager who will then coordinate with staff to provide a response.
- (3) **Respect for Process.** Officials shall perform their duties in accordance with the processes and rules of order established by the City Council governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by city staff.
- (4) **Commitment to Transparency.** Transparency, openness, and accountability are fundamental values of the City and are also required by the laws of the state of Washington. The public has a right to inspect and copy public records unless exempt by law from disclosure. All materials relating to the conduct of city government that are prepared, possessed, used or retained by any official, including email, text messages and other electronic records, are subject to requirements for retention, protection, and disclosure. Officials may assume that all copies of materials received from city staff have already been archived and do not need to be retained. Officials shall not discard, damage, or destroy the original copy of any public record unless directed by the city public records officer (the city clerk), who has responsibility to ensure that the City complies with the record retention schedules established under Chapter 40.14 RCW. Officials shall promptly provide any records requested by the public records officer in response to a disclosure request under the Public Records Act, Chapter 42.56 RCW. It is the responsibility of the public records officer, together with the city attorney, to decide which records meet the definition of "public record" and whether or not they are exempt from disclosure; officials must not take it upon themselves to decide whether a record meets the definition of a public record, that a record is exempt from disclosure, or to otherwise conceal a record.
- (5) **Conduct of Public Meetings.** Officials shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.
- (6) **Decisions Based on Merit.** Officials shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

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- (7) Ex Parte Communications. In quasi-judicial matters, officials shall publicly disclose substantive information that is relevant to a matter under consideration by the Council or boards and commissions, which they may have received from sources outside of the public decision-making process.
 - (8) Attendance. Attendance at regular council meetings by Council Members is required absent being excused per KMC 2.04.050(2). As provided in RCW 35A.12.060, a Council Member shall forfeit his or her office by failing to attend three consecutive regular meetings of the Council without being excused by the Council.
 - (9) Nepotism. A Council Member may not vote or participate in the interview or appointment of a relative to boards or commissions or other appointed positions.
 - (10) Advocacy. When acting in an official capacity as a city official representing the City, officials shall represent the official policies or positions of the City Council, to the best of their ability when the City Council, has taken a position or given an instruction. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the City of Kennewick, nor will they allow the inference that they do. Officials have the right to endorse candidates for all Council seats or other elected offices. It is inappropriate to make or display endorsements during council meetings, board/commission meetings, or other official city meetings.
 - (11) Policy Role of Officials. Officials shall respect and adhere to the council-manager structure of Kennewick city government as outlined by Chapter 35A.13 RCW. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by the public, boards and commissions, and city staff. Except as provided by state law, officials shall not interfere with the administrative functions of the City or the professional duties of city staff; nor shall they impair the ability of staff to implement Council policy decisions.

APPENDIX A

Ch. 9A.72 RCW	Perjury and interference with official proceedings
RCW 35A.12.060	Vacancy for nonattendance
Ch. 35A.13 RCW	Council-Manager plan of government
	Incompatible offices
Ch. 40.14 RCW	Preservation and destruction of public records
RCW 42.17A.555	Use of public office or agency facilities in Campaigns - Prohibition - Exceptions
RCW 42.17A.565	Solicitation of contributions by public officials or Employees
Ch. 42.23 RCW	Code of Ethics for municipal officers - Contract Interests
Ch. 42.36 RCW	Appearance of Fairness Doctrine - Limitations
Ch. 42.56 RCW	Public Records Act

(Ord. 5888 Sec. 1, 2020 ; Ord. 5812 Sec. 1(part), 2019)

2.06.050: Ethics Officer.

- (1) The City Council creates the office of the Ethics' Officer. The Ethics' Officer will interpret and apply the council code of ethics to complaints submitted to the Officer. The Ethics Officer will be appointed solely with regard to their qualifications for the duties of the office which shall include, but not be limited to, appropriate educational and legal experience. The Ethics' Officer, in addition to other duties, may recommend changes or additions to this Council Code of Ethics to the City Council.
- (2) The Council Interview Committee, City Manager and City Attorney will interview applicants who respond to the City's Request for Proposals for the Ethics Officer. The Committee will forward two candidates to the full City Council for review and appointment by a majority vote of the Council.

2.06.060: Complaints, Investigations, Hearings and Enforcement:

The Ethics Officer may resolve inadvertent and minor violations of the Code of Ethics informally, unless the Ethics' Officer determines that doing so would not serve the public interest. When a violation is neither inadvertent nor minor, the Ethics' Officer shall initiate an action in accordance with this section.

- (1) Complaint Process.
 - (a) Complaint Requirements - Service. Two officials are required to sign off on a written complaint before it can be filed with the Ethics' Officer alleging one or more violations of this Code of Ethics by an official. The complaint must set forth specific facts with enough precision and detail for the Ethics' Officer to make a determination of sufficiency. It must be signed under penalty of perjury by the officials submitting it in a manner consistent with Chapter 9A.72 RCW. The complaint shall be filed with the city clerk who will date-stamp it as received and forward it to the Ethics Officer.
 - (b) Finding of Sufficiency. The Ethics Officer shall make a determination of sufficiency within 30 days of receipt of the written complaint. A complaint shall be sufficient if the allegations, if established, would violate Section 2.06.030 or 2.06.040 of this Code. The Ethics Officer's determination is not reviewable. If the finding is one of sufficiency of the complaint, then the Ethics Officer shall investigate the complaint as set forth below.
 - (c) Dismissal. The Ethics Officer shall dismiss the complaint if the Ethics Officer determines that the violation was inadvertent and minor; or a violation occurred, but appropriate actions have been taken to fully address the allegedly unethical conduct. A decision for dismissal as noted above is final and not reviewable.
 - (d) Notice. Notice of action by the Ethics Officer shall be provided as follows:
 - (i) Notice of a finding of insufficiency or dismissal of a complaint by the Ethics Officer shall be sent to the officials who made the complaint and the official complained against within seven days of the decision by the Ethics Officer. A finding of insufficiency or dismissal of a complaint by the Ethics Officer is final and binding, and no administrative or other legal appeal is available through the Ethics Officer.
 - (ii) Within seven days of the Ethics Officer rendering a finding of sufficiency, the city clerk shall send notice to the officials who made the complaint and the official complained against, of the Ethics Officer's determination. If, after investigation, the Ethics Officer has reason to believe that a material violation of Section 2.06.030 or 2.06.040 has occurred, the city clerk shall give notice of the public hearing which will be held to determine if a violation has occurred. Notice shall be provided at least 30 days prior to the date set for the hearing. The following must be submitted to the Ethics Officer via the City Clerk at least fifteen days prior to the scheduled hearing:
 - A. Written response to the assertions in the complaint by the accused;
 - B. Any motions by the accused asserting Procedural or Technical challenges to the complaint;
 - C. Witness list including contact information (Name, Address, and Telephone number).

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- (iii) If at any point in the process, a recall petition is filed based on substantially the same charges as the ethics complaint as determined by the Ethics Officer, the process will be stayed until final resolution of the recall petition.
 - (e) Stipulations. At any time after a complaint has been filed with the Ethics Officer, the Ethics Officer may seek and make recommendations that the City Council enter into a stipulation with the official complained against. The recommended stipulation will include the nature of the complaint, relevant facts, the reasons the Ethics Officer thinks a stipulation is appropriate, an admission of the violation by the official complained against, a promise by the official complained against not to repeat the violation, and if appropriate, a recommended remedy or penalty. The recommended stipulation shall be sent to the officials who made the complaint and the official complained against and forwarded to the City Council for action.
- (2) Conduct of Hearings.
- (a) All hearings on complaints found to be sufficient shall be conducted by the Ethics Officer and are open to the public. The official who is the subject of the complaint may appear at the hearing with or without counsel and may call witnesses and cross examine witnesses. The hearing shall be informal, meaning that the Ethics Officer shall not be bound by the strict rules of evidence prevailing in courts of law or equity. The Ethics Officer may call witnesses on his or her own motion and compel the production of books, records, papers, or other evidence as needed. To that end, the Ethics Officer shall issue subpoenas and subpoenas duces tecum. All testimony shall be under oath administered by the Ethics Officer. The Ethics Officer may adjourn the hearing from time to time to allow for the orderly presentation of evidence. The Ethics Officer shall prepare an official record of the hearing, including all testimony, which shall be recorded by mechanical device, and exhibits; provided, that the Ethics Officer shall not be required to transcribe such records unless presented with a request accompanied by payment of the cost of transcription.
 - (b) Within 30 days after the conclusion of the hearing, the Ethics Officer shall, based upon a preponderance of the evidence, make and fully record in his or her permanent records, findings of fact, conclusions of law, and his or her recommended disposition. A copy of the findings, conclusions, and recommended disposition shall be sent to the officials who made the complaint and to the official complained against. Additional copies of the findings, conclusions, and recommendations shall be forwarded to the City Council.
- (3) City Council Action. Final City Council action to decide upon stipulations and recommendations from the Ethics Officer or findings, conclusions, and recommendations from the Ethics Officer shall be by majority vote in a public meeting. Deliberations by the Council may be in executive session. The member of the Council against whom the complaint was made will not participate in any executive session and shall not vote on any matter involving him or herself. However, upon request of the member of the Council against whom the complaint was made, a public meeting before the Council will be held on the issue of penalties.
- (4) Disposition. In the event the Ethics Officer finds that the person against whom the complaint was made has violated the Code of Ethics, then the City Council may take any of the following actions by a majority vote of the Council. The action of the City Council shall be final and not subject to further review or appeal except as may be otherwise provided by law or as provided in subsection (5) of this section.
- (a) Dismissal. Dismissal of the complaint without penalties.
 - (b) Referral. A complaint may be referred to another agency with jurisdiction over the violation, such as the Public Disclosure Commission. Final action on the complaint may be stayed pending resolution of the matter by the agency to which it was referred.

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- (c) Admonition. An admonition shall be an oral non-public statement made by the mayor, or his/her designee, or if the complaint is against the mayor, the mayor pro-tem or his/her designee, to the official.
 - (d) Reprimand. A reprimand shall be administered to the official by a motion of reprimand by the majority of the City Council.
 - (e) Censure. A resolution of censure shall be a resolution read to the person in public. The resolution shall be prepared by the City Council and shall be signed by the mayor, or if the complaint is against the mayor, the mayor pro-tem. The person shall appear at a City Council meeting at a time and place directed by the City Council to receive the resolution of censure. Notice shall be given at least 20 calendar days before the scheduled appearance at which time a copy of the proposed resolution of censure shall be provided to the person. The resolution of censure shall be read publicly, and the person shall not make any statement in support of, or in opposition thereto, or in mitigation thereof. The resolution of censure shall be read at the time it is scheduled whether or not the official appears as required.
 - (f) Civil Penalties. The City Council may assess a civil penalty of up to one thousand dollars or three times the economic value of anything received in violation of this Code of Ethics or three times the economic value of any loss to the City, whichever is greater. Any monetary penalty assessed civilly shall be placed in the City's general fund. The City Council may also suspend a portion of a civil penalty imposed on condition the Council Member have no other violations of the Council Code of Ethics for one year.
 - (g) Contract Void. As provided by RCW 42.23.050, any contract made in violation of Chapter 42.23 RCW, "Code of Ethics for municipal officers - contract interests," is void.
 - (h) Other Penalties. The City Council may impose a restriction, loss of a committee assignment, or loss of appointment as a representative of the city for any regional or multijurisdictional body or membership on any board or commission which requires an appointment or confirmation of an appointment by the City Council.
- (5) Review of Civil Penalties. If the City Council orders an official to pay a civil penalty, the official may seek a writ of review from the superior court pursuant to Chapter 7.16 RCW, within 30 days of the City Council's order.
 - (6) Protection Against Retaliation. Neither the City nor any official may take or threaten to take, directly or indirectly, official or personal action, including, but not limited to, discharge, discipline, personal attack, harassment, intimidation, or change in job, salary, or responsibilities, against any council member because that council member files a complaint with the Ethics Officer.
 - (7) Public Records. Records filed with the Ethics Officer become public records that may be subject to inspection and copying by members of the public, unless an exemption in law exists. To the extent required to prevent an unreasonable invasion of personal privacy interests protected by RCW 42.56.230(2), identity information may be redacted when an unsubstantiated complaint is made available in response to a public records request; however, in each case, the justification for the redaction shall be explained fully in writing. A finding by the Ethics Officer determining that a complaint is sufficient shall contain at the beginning the following specific language:

NOTICE: ANY PORTION OF THIS FINDING DETERMINING SUFFICIENCY OF ANY PORTION OF A COMPLAINT DOES NOT DETERMINE THE TRUTH OR FALSITY OF THE ALLEGATIONS CONTAINED IN THE COMPLAINT FILED WITH THE ETHICS' OFFICER. THE ETHICS' OFFICER HAS ONLY DETERMINED THAT IF CERTAIN FACTS CONTAINED IN THE COMPLAINT ARE FOUND TO BE TRUE DURING A LATER HEARING TO BE CONDUCTED BY THE ETHICS' OFFICER, THEN VIOLATION(S) OF THE CODE OF ETHICS MAY BE FOUND TO HAVE OCCURRED.

The City shall release copies of any written reports resulting from an investigation of a sustained complaint, any Ethics' Officer Orders, and any written censures or reprimands issued by the City Council, in response to public records requests consistent with Chapter 42.56 RCW and any other applicable public disclosure laws.

(8) Liberal Construction - Limitation Period - Effective Date.

- (a) This Code of Ethics shall be liberally construed to effectuate its purpose and policy and to supplement existing laws that relate to the same subject.
- (b) Any action taken under this Code of Ethics must be commenced within two years from the date of violation.

(Ord. 5888 Sec. 2, 2020 ; Ord. 5812 Sec. 1(part), 2019)

ETHICS OFFICER AGREEMENT
BETWEEN
TOM ATWOOD
AND
CITY OF KENNEWICK

THIS AGREEMENT is entered into on the date last below written between the CITY OF KENNEWICK, WASHINGTON ("City") and TOM ATWOOD, hereinafter called "the Ethics Officer."

WHEREAS, the City desires to retain the services of an Ethics Officer; and

WHEREAS, the City has passed Ordinance 5812 creating the Office of the Ethics Officer under the Kennewick Municipal Code, Chapter 2.06, to provide a decision-making process and public hearing system to address formal ethics complaints filed against City Council Members; and

WHEREAS, the City is therefore prepared to engage the services of the Ethics Officer to provide the necessary Ethics Officer Services; and

WHEREAS, the Ethics Officer has represented to the City that the Ethics Officer is in compliance with the professional registration statutes of the State of Washington, and has signified a willingness to furnish Ethics Officer services to the City; NOW, THEREFORE,

IN CONSIDERATION of the terms and conditions set forth below, or attached and incorporated and made a part hereof, the parties agree as follows:

1. Services by Ethics Officer. The City hereby retains the Ethics Officer to perform the professional services described in the scope of work which is attached hereto as Exhibit A, and incorporated herein by reference. The Ethics Officer shall furnish all services, labor and related equipment necessary to conduct and complete the work, except as specifically noted otherwise in this Agreement.
2. Payment.
 - A. The City shall pay the Ethics Officer at the rate(s) set forth in Exhibit A for all services performed and expenses incurred under this Agreement. Such payment shall be full compensation for work performed or services rendered and for all labor, materials, supplies, equipment, and incidentals necessary to complete the services.
 - B. The Ethics Officer shall maintain time and expense records and provide them to the City, along with invoices for services rendered, in a timely manner and in a format acceptable to the City for work performed to the date of the invoice.

- C. All invoices shall be paid by the City within 30 days of receipt of a proper invoice, unless the City gives notice that the invoice is in dispute.
 - D. The Ethics Officer shall keep time, expense, billing, and other business records pertaining to this Agreement available for inspection by City representatives during the Ethics Officer's normal business hours for three (3) years after final payment. Copies shall be made available upon the City's request. The copies will be provided without cost if required to substantiate any billing of the Ethics Officer, but the Ethics Officer may charge the City for copies requested for any other purpose.
 - E. If the services rendered do not meet the requirements of this Agreement, the Ethics Officer will correct or modify the work to comply with the terms of this Agreement. Correction of typographical and other clerical errors made by the Ethics Officer shall be made at no cost to the City. The City may withhold payment for services that do not meet the requirements of this Agreement until such time as the work is corrected.
3. Discrimination and Compliance with Laws.
- A. The Ethics Officer agrees not to discriminate against any employee or applicant for employment or any other person in performance of this Agreement because of race, creed, color, national origin, marital status, sex, age, disability, or other circumstances prohibited by federal, state, or local law or ordinance, except for a bone fide occupational qualification.
 - B. The Ethics Officer shall comply with all federal, state, and local laws and ordinances applicable to the work to be done under this Agreement.
 - C. Violation of this Paragraph 3 shall be a material breach of this Agreement and grounds for cancellation, termination or suspension of this Agreement by the City, in whole or in part, and may result in ineligibility for further work for the City.
4. Term and Termination of Agreement.
- A. This Agreement shall commence on the date of signature and remain in effect until December 31, 2021, unless sooner terminated or unless the City and the Ethics Officer mutually agree in writing to extend the term of said Agreement.
 - B. This Agreement may be terminated by the City, without cause, upon ninety (90) days written notice. This Agreement may be terminated by the Ethics Officer, without cause, upon ninety (90) days written notice. In the event of termination, all finished or unfinished documents, reports, or other material or work of the Ethics Officer, pursuant to this Agreement, shall be submitted to the City, and the

Ethics Officer shall be entitled to just and equitable compensation for any satisfactory work completed prior to the date of termination.

5. Renewal. This Agreement may be renewed at the City's option. The City shall notify the Ethics Officer of the City's desire to renew at least thirty (30) days in advance of the expiration date of the then-current term. The City or Ethics Officer may propose changes in any specific term of this Agreement, including, but not limited to, the flat fee and hourly rate set forth on Exhibit A as part of the renewal and any such changes shall become a part of the Agreement for the renewal term if the parties mutually agree. In the event that a new Agreement is not negotiated prior to the end of the term, the Agreement shall automatically renew for a period of three months.
6. Notices. All notices affecting the terms of this Agreement shall be in writing and shall be given in person, by US mail, or by courier services with confirmation of receipt, to the addresses set forth below:

Ethics Officer:	Tom Atwood 1030 N. Center Pkwy, Suite 115 Kennewick, WA 99336
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City:	Marie Mosley City Manager City of Kennewick 210 W. 6 th Avenue Kennewick, WA 99336
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7. Ownership of Work Products. The City shall keep the official record in each Ethics Officer matter and all primary copies of exhibits. The Ethics Officer shall possess only secondary, working copies of all data, materials, reports, memoranda and any other documents or recordings developed under this Agreement. Upon notice of termination, consistent with Section 4 above, the Ethics Officer shall complete any outstanding, unfinished matter within thirty (30) days and consistent with state law. All completed decisions shall become the property of the City. The City agrees that if it uses products prepared by the Ethics Officer for purposes other than those intended in this Agreement, it does so at its sole risk and it agrees to hold the Ethics Officer harmless from such use. Upon termination of this Agreement, the Ethics Officer shall return any working copies in their possession, as requested by the City, but shall be entitled to retain attorney work product.
8. General Administration and Management. The City Manager, or their designee, shall be responsible for coordinating the work of the Ethics Officer, shall provide any necessary information for and direction of the Ethics Officer's services in order to ensure that such services meet the requirements of this Agreement, and shall be responsible for reviewing, monitoring, and approving the quality of such work. The parties understand that the Ethics Officer will work independently and without direct supervision and that the only direction provided by the City will be administrative in nature.

9. Disputes. Any dispute concerning questions of fact in connection with the work not disposed of by agreement between the Ethics Officer and the City shall be referred for resolution to a mutually acceptable mediator. The parties shall each be responsible for one-half of the mediator's fees and costs.

10. Indemnity. The Ethics Officer agrees to hold harmless, indemnify and defend the City, its officers, agents, and employees, from and against any and all claims, losses, or liability, for injuries, sickness or death of persons, including employees of the Ethics Officer, or damage to property, arising out of any willful misconduct or negligent act, error, or omission of the Ethics Officer, its officers, agents, or employees, in connection with the services required by this Agreement, provided, however, that:
 - A. The Ethics Officer's obligations to indemnify, defend, and hold harmless shall not extend to injuries, sickness, death, or damage caused by, or resulting from the sole willful misconduct or sole negligence of the City, its officers, agents or employees; and
 - B. The Ethics Officer's obligations to indemnify, defend, and hold harmless for injuries, sickness, death or damage caused by or resulting from the concurrent negligence or willful misconduct of the Ethics Officer and the City, or of the Ethics Officer and a third party, other than an officer, agent, or employee of the Ethics Officer, shall apply only to the extent of the negligence or willful misconduct of the Ethics Officer.
 - C. The City agrees to hold harmless, indemnify and defend the Ethics Officer from and against any and all claims, losses, or liability, for injuries sickness or death of persons, including employees of the City, or damage to property, arising out of any willful misconduct or negligent act, error, or omission of the City, its officers, agents or employees in connection with the services required by this Agreement, provided, however, that the City's obligation to indemnify, defend and hold harmless shall not extend to injuries, sickness, death or damage caused by or resulting from the sole willful misconduct or sole negligence of the Ethics Officer.

11. City Business License. The Ethics Officer has obtained, or agrees to obtain, a business license from the City prior to commencing to perform any services under this Agreement. The Ethics Officer will maintain the business license in good standing throughout the term of this Agreement.

12. Subletting or Assigning Agreement. Neither the City nor the Ethics Officer shall assign or subcontract any rights, duties or interests accruing from this Agreement without the express prior written consent of the other.

13. Independent Contractor. The Ethics Officer is, and shall be at all times during the term of this Agreement, an independent contractor. The City shall not be liable for, nor obligated to pay to the Ethics Officer, or any employee of the Ethics Officer, sick leave, vacation pay, overtime or any other benefit applicable to employees of the City, nor to pay or deduct any social security, income tax or other tax from the payments made to the Ethics Officer which may arise as an incident of the Ethics Officer performing services for the City. The City shall not be obligated to pay industrial insurance for the services rendered by the Ethics Officer.
14. Compliance and Governing Law. The Ethics Officer shall, at all times, comply with all applicable federal, state, and local laws, rules, ordinances, and regulations. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington.
15. Non-Waiver. Payment for any part of the work or services by the City shall not constitute a waiver by the City of any remedies of any type it may have against the Ethics Officer for any breach of the Agreement by the Ethics Officer, or for failure of the Ethics Officer to perform work required of it under the Agreement with the City. Waiver of any right or entitlement under this Agreement by the City shall not constitute waiver of any other right or entitlement.
16. Litigation. In the event either party deems it necessary to institute legal action or proceedings to enforce any right or obligation under this Agreement, the parties agree that such actions shall be initiated in the Superior Court of the State of Washington, in and for Benton County. The parties agree that all questions shall be resolved by application of Washington law and that parties to such actions shall have the right to appeal from such decisions of the Superior Court in accordance with the laws of the State of Washington. The Ethics Officer hereby consents to the personal jurisdiction of the Superior Court of the State of Washington, in and for Benton County. The prevailing party in any such litigation shall be entitled to recover its costs, including reasonable attorney's fees, in addition to any other award.
17. Taxes. The Ethics Officer will be solely responsible for the payment of any and all applicable taxes related to the services provided under this Agreement and if such taxes are required to be passed through to the City by law, the same shall be duly itemized on any billings submitted to the City by the Ethics Officer.
18. Entire Agreement. This Agreement, together with attachments or addenda, represents the entire and integrated Agreement between the parties hereto and supersedes all prior negotiations, representations, or agreements, either written or oral. This Agreement may be amended, modified or added to only by written instrument properly signed by both parties hereto.

IN WITNESS WHEREOF, the parties have executed this Agreement on the 13th day of November, 2019.

CITY OF KENNEWICK

ETHICS OFFICER

By: Marie E. Mosley
MARIE E. MOSLEY, City Manager
Approved as to form:

By: T. Atwood
TOM ATWOOD

By: Lisa Beaton
LISA BEATON, City Attorney

EXHIBIT A
SCOPE OF WORK

1. Scope of Work. The Ethics Officer shall perform all services and provide all goods as identified below.
2. City Direction. All duties shall be performed pursuant to the direction of the City Manager, or their designee.
3. Designated Ethics Officer. The City of Kennewick hereby designates Tom Atwood, as the City's Ethics Officer.
4. Ethics Officer Responsibilities.
 - a. The Ethics Officer shall provide services and fulfill duties set forth in the following:
 - i. Kennewick Municipal Code, Section 2.06.050 Ethics Officer and Section 2.06.060 Complaints, Investigations, Hearings and Enforcement; and
 - ii. Provide Rules of Procedure for the Ethics Officer.
 - b. The Ethics Officer will work independently and without direct supervision. They will remain fully knowledgeable regarding the Ethics Code. The City will provide all municipal codes, ordinances, resolutions, regulations, policies and guidelines and revisions thereof, necessary for the Ethics Officer to maintain the required level of knowledge and understanding.
5. Schedule of Hearings.
 - a. Hearings will be held in the evening and scheduled based upon the availability of City Council Chambers and the Ethics Officer.
 - b. The Ethics Officer may, on occasion, be requested to conduct an additional hearing, depending upon the number of matters pending; such additional hearing will be scheduled per the availability of the Ethics Officer and the mutual agreement of the parties, without amendment of this Agreement.
6. Performance Standard. All duties shall be performed to the City's satisfaction, including, but not limited to, conducting orderly and impartial hearings, creating a professional and courteous environment for complainants, citizens and staff; and timely preparing findings of fact and conclusion of law which are clear and based on sound reasoning and all applicable law.

7. Administrative Support. The City of Kennewick will provide administrative support services to the Ethics Officer. These include:
 - a. Coordinate and assign hearing schedule with Ethics Officer and affected City Departments;
 - b. Advertise hearings according to legal requirements;
 - c. Attend all hearings to setup meeting room, record and create a record of the hearings;
 - d. Maintain the official City file for each case;
 - e. Perform administrative duties for the Ethics Officer as required;
 - f. Coordinate distribution of Ethics Officer decisions to City Council and the Parties of Record;
 - g. Screen correspondence, email, and telephone calls to the Ethics Officer in an effort to assure that prohibited *ex parte* contacts are not made;
 - h. Process and approve all Ethics Officer invoices;
 - i. Oversee any contract changes on an annual basis; and
 - j. Keep the Ethics Officer apprised of all ordinance amendments or enactments relating to the provisions governing Ethics and Ethics Officer services by sending copies of ordinances as soon as possible after adoption.

8. Compensation. In consideration of the Ethics Officer performing the services under the Scope of Work, the City agrees to pay the Ethics Officer as follows:
 - a. A fee of \$200.00 per hour will be paid for holding the hearing, writing decisions and recommendations, and stipulated settlement agreements where appropriate.
 - b. A fee of \$200.00 per hour for preparation of rules of procedure and any amendments there to if such services are requested.
 - c. The parties agree that the hourly fee for the services described in 8a. will increase in the second year to \$240.00 per hour.
 - d. The Ethics Officer shall be responsible for the cost of transportation.

9. Term of Agreement. This Agreement shall commence on the date of signature, and continue through December 31, 2021. The Agreement may be extended for additional periods of time upon mutual agreement of the City and the Ethics Officer.

10. Advice to the City. The Ethics Officer may meet with City staff and City Council as needed and scheduled by the City, to advise the City regarding clarity and adequacy of City codes and other matters relating to the Ethics Officer's duties and responsibilities. If additional meetings are required from time-to-time, the Ethics Officer and the City will mutually agree on time, place, and participants to be included in such discussions. The time spent on such advisory duties will be compensated at the same professional rate agreed above.



City Council Meeting Schedule January 2022

The City broadcasts all City Council meetings on the City's website
<https://www.go2kennewick.com/CouncilMeetingBroadcasts>.

January 4, 2022
Tuesday, 6:30 p.m. REGULAR COUNCIL MEETING

January 11, 2022
Tuesday, 6:30 p.m. WORKSHOP MEETING (the workshop meeting will be done
via Zoom and broadcast on the City's website
<https://www.go2kennewick.com/CouncilMeetingBroadcasts>)

1. OPMA and PRA Training
2. Public Records Processing
3. Accessory Dwelling Unit Sewer & Water Connections

January 18, 2022
Tuesday, 6:30 p.m. REGULAR COUNCIL MEETING

January 25, 2022
Tuesday, 6:30 p.m. WORKSHOP MEETING (the workshop meeting will be done
via Zoom and broadcast on the City's website
<https://www.go2kennewick.com/CouncilMeetingBroadcasts>)

1. Fire Station No. 1 Update
2. Council Internal Committees

To assure disabled persons the opportunity to participate in or benefit from City services, please provide twenty-four (24) hour advance notice for additional arrangements to reasonably accommodate special needs.

Please be advised that all Kennewick City Council Meetings are Audio and Video Taped



City Council Meeting Schedule February 2022

The City broadcasts all City Council meetings on the City's website
<https://www.go2kennewick.com/CouncilMeetingBroadcasts>.

February 1, 2022

Tuesday, 6:30 p.m.

REGULAR COUNCIL MEETING

February 8, 2022

Tuesday, 6:30 p.m.

WORKSHOP MEETING

1. Facilities Master Plan Update
2. Hanford Update (Brian Vance)
3. 2022 Parks & Recreation Commission Work Plan Update
4. River of Fire Update

February 15, 2022

Tuesday, 6:30 p.m.

REGULAR COUNCIL MEETING

February 22, 2022

Tuesday, 6:30 p.m.

WORKSHOP MEETING

1. Entertainment District Partnership Update (A-1 Pearl)
2. Animal Control Update

To assure disabled persons the opportunity to participate in or benefit from City services, please provide twenty-four (24) hour advance notice for additional arrangements to reasonably accommodate special needs.

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