

CHEHALIS CITY COUNCIL AGENDA
 CITY HALL
 350 N MARKET BOULEVARD, CHEHALIS, WA 98532

Terry F. Harris, District 1, Mayor Pro Tem Daryl J. Lund, District 2 Dr. Isaac S. Pope, District 4	Anthony E. Ketchum Sr., District 3 Mayor	Dennis Dawes, Position at Large Chad E. Taylor, Position at Large Bob Spahr, Position at Large
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Regular Meeting of July 8, 2013

5:00 p.m.

ITEM	ADMINISTRATION RECOMMENDATION	PAGE
1. <u>Call to Order.</u> (Mayor)		
2. <u>Pledge of Allegiance.</u> (Mayor)		

CITIZENS BUSINESS		
This is an opportunity for members of the audience to address the council on matters not listed elsewhere on the agenda. Speaker identification forms are available at the door and may be given to the city clerk prior to the beginning of the meeting.		

SPECIAL BUSINESS		
3. <u>Veterans Memorial Museum Update.</u> (Chip Duncan, Director)	---	
4. <u>Update on Upcoming Events at the Lewis County Historical Museum.</u> (Andy Skinner, Interim Director)	---	

CONSENT CALENDAR		
5. <u>Minutes of the Regular Meeting of June 24, 2013.</u> (City Clerk)	APPROVE	1
6. <u>Vouchers and Transfers.</u> (Finance Manager)	APPROVE	4

ADMINISTRATION AND CITY COUNCIL REPORTS		
7. <u>Administration Reports.</u>		
a. Update on Regional Fire Authority Planning Committee progress. (Fire Chief)	INFORMATION ONLY	6
8. <u>Council Reports.</u>		
a. Councilor reports. (City Council)	INFORMATION ONLY	
b. Council committee reports. (City Council)	INFORMATION ONLY	

UNFINISHED BUSINESS		
9. <u>Ordinance No. 911-B, Second and Final Reading – Amending the 2013 Budget.</u> (City Manager, Finance Manager)	PASS	7

NEW BUSINESS		
10. <u>Ordinance No. 912-B, First Reading – Amending the Chehalis Municipal Code Providing for Regulations of All Land Disturbing Activity.</u> (City Manager, Public Works Director)	PASS	12

**THE CITY COUNCIL MAY ADD AND TAKE ACTION ON
OTHER ITEMS NOT LISTED ON THIS AGENDA**

NEXT REGULAR CITY COUNCIL MEETING WILL BE ON MONDAY, JULY 22, 2013

June 24, 2013

The Chehalis city council met in regular session on Monday, June 24, 2013, in the Chehalis city hall. Mayor Pro-tem Harris called the meeting to order at 5:00 p.m. with the following council members present: Dr. Isaac Pope, Bob Spahr, Daryl Lund, and Chad Taylor. Mayor Ketchum and Council Dawes were absent (excused). Staff present included Merlin MacReynold, City Manager; Bill Hillier, City Attorney; Judy Schave, City Clerk; Glenn Schaffer, Police Chief; Jim Walkowski, Fire Chief; and Eva Lindgren, Finance Manager. Members of the media included Kyle Spurr from *The Chronicle*.

1. **Introductions.** Fire Chief Jim Walkowski introduced the city's newest firefighter/engineer Pennie McCarty. He stated the department appreciated the council's willingness to fill the vacancy, adding it would help them to provide a higher level of service to the community.

Chief Walkowski reported Firefighter McCarty started employment with the department last month and would be assigned to her current shift for the entire year of her probationary period. He noted Firefighter McCarty is the first career female firefighter in the 120 year history of the organization, and is also the first paramedic that the city of Chehalis has ever hired. Chief Walkowski reported Firefighter McCarty had been in the fire service for six and a half years, and a paramedic since 2010.

Firefighter McCarty provided a brief bio and thanked the council for the opportunity.

2. **Consent Calendar.** Councilor Spahr moved to approve the consent calendar comprised of the following:

- a. Minutes of the regular meeting of June 10, 2013; and
- b. Claim Vouchers No. 106301-106452 in the amount of \$1,089,331.01 dated June 14, 2013.

The motion was seconded by Councilor Lund and carried unanimously.

3. **Administration Reports.**

a. **May Financial Report.** Finance Manager Eva Lindgren reported on the May financials, noting they were pretty much on track. She stated the total tax revenues were exceeding the estimates by almost two percent; however, the non-tax revenues were not quite up to what was projected. Ms. Lindgren reported, earlier in the day, she sent out the latest sales and use tax report, adding the numbers continue to be up, but noticed a downward trend.

Ms. Lindgren reported the general fund expenditures had a positive 1.8 percent variance, which is in line with what was budgeted. She noted a couple of the negative variances would be addressed in the budget amendment to follow.

b. **Council Goal Work Session.** City Manager MacReynold reported the administration was looking at a couple of dates for the council goal work session. He suggested meeting on July 15 or 22. The consensus of the council was to meet on July 15, at 5 p.m.

c. **Update on Tacoma Rail Acquisition.** City Manager MacReynold reported the attorneys involved have made significant progress on the purchase and sale agreement. He stated, since Lewis County is the lead agency at this point, Commissioner Bill Schulte is the lead contact.

City Manager MacReynold reported there were a lot of positive things happening as they move forward. He stated they were currently working on the details of a business plan, public information, and organizational structure.

4. **Council Reports.**

a. **Update From Councilor Spahr.** Councilor Spahr reported he attended the Cowlitz-Lewis Economic Development District (CLEDD) meeting, noting they have a new executive director, Scott Patterson. He stated Wahkiakum County is talking about coming into the group, adding a lot of their time was spent on what they might call themselves if they did.

Councilor Spahr suggested the CLEDD might be an avenue for the city to get some help for the purchase of the railroad.

June 24, 2013

Councilor Spahr reported on the Regional Fire Authority Planning Committee meeting. He provided the council with a copy of the status and recommendations that showed all of the work they are studying and the timeline in which they expect to get the work done. Councilor Spahr stated it was interesting to see how each agency does so many things differently. He felt there was a benefit to all of the work they are doing, even if they never consolidate.

Councilor Spahr reported the committee felt it would be timely for Chief Walkowski to come and talk to the council, to bring them up to date. Chief Walkowski stated he believed Councilor Dawes was proposing to have that discussion at the first meeting in July.

b. **Update From Mayor Pro-tem Harris.** Mayor Pro-tem Harris reported he attended the Chehalis Community Renaissance Team meeting last week, adding they continue to work hard and are getting things done. He noted Public Works Director Herta Fairbanks made the announcement about going out to bid on the Chehalis Avenue project and everyone was very excited about it. Councilor Harris reported he was appointed to the committee to work on the beautification of the planters and rain gardens as part of the Chehalis Avenue project.

5. **Ordinance No. 911-B, First Reading – Amending the 2013 Budget.** Ms. Lindgren addressed an earlier question regarding the interfund loan noted in the budget amendment. She reported, in July 2012, they did a budget amendment for \$1.2 million for an interfund loan. At that time, Public Works Director Herta Fairbanks worked with the Washington State Department of Ecology and got concessions that allowed the city to not have to keep our reserves at such a high level, which meant we didn't have to borrow as much money.

Ms. Lindgren reported they didn't receive the concession until very late in the year and, at the time, she was not comfortable doing a revision to the 2012 budget. She stated, instead of borrowing the \$1.2 million and paying it off in three years, they would only be paying off \$250,000. Ms. Lindgren reported the budget amendment would reduce the budget to reflect what the amortization schedule shows, and will be paid later in the year.

Ms. Lindgren talked briefly the additional items in the budget amendment, including:

- Expenses for Tacoma Rail negotiations
- New copier/printer - municipal court
- Chehalis Foundation dollars for landscape supplies
- New state building code books
- New computer - finance department
- Capital asset software (second request)

Ms. Lindgren stated she expected additional items to be added to the budget amendment when it comes back before the council on second and final reading.

Councilor Taylor moved to pass Ordinance No. 911-B on first reading.

The motion was seconded by Councilor Spahr and carried unanimously.

There being no further business to come before the council, the meeting adjourned at 5:28 p.m.

Mayor

Attest:



City Clerk

June 24, 2013

SUGGESTED MOTION

I move that the council approve the minutes of the regular city council meeting of June 24, 2013.

CITY OF CHEHALIS
AGENDA REPORT

DATE: June 28, 2013
TO: The Honorable Mayor and City Council
FROM: Eva Lindgren, Finance Manager 
PREPARED BY: Michelle White, Accounting Tech II 
SUBJECT: Vouchers and Transfers

ISSUE

Council approval is requested of the following financial transactions:

Claim Vouchers No. 106453 through 106567 and Electronic Funds Transfer No. 520131 in the amount of \$149,732.90 dated June 28, 2013 and the transfer of \$38,005.50 from the General Fund, \$7,026.00 from the Tourism Fund, \$.07 from the Public Facilities Reserve Fund, \$36.49 from the Garbage Fund, \$50,947.72 from the Wastewater Fund, \$51,551.64 from the Water Fund, \$1,288.66 from the Storm & Surface Water Utility Fund, \$837.44 from the Firemen's Pension Fund and \$39.38 from the City Agency Fund.

RECOMMENDATION/COUNCIL ACTION DESIRED

The administration recommends that the council approve the June 28, 2013 Claim Vouchers No. 106453 through 106567 and Electronic Funds Transfer No. 520131 in the amount of \$149,732.90.

SUGGESTED MOTION

I move to approve the June 28, 2013 Claim Vouchers No. 106453 through 106567 and Electronic Funds Transfer No. 520131 in the amount of \$149,732.90.

Reviewed by: , City Manager

CITY OF CHEHALIS
AGENDA REPORT

DATE: June 28, 2013
TO: The Honorable Mayor and City Council
FROM: Eva Lindgren, Finance Manager
PREPARED BY: Michelle White, Accounting Tech II
SUBJECT: Payroll Vouchers and Transfers

ISSUE

Council approval is requested of the following financial transactions:

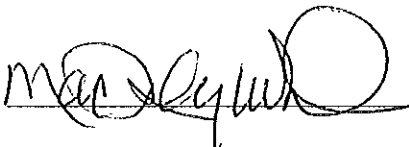
Payroll Vouchers No. 36605 through 36694, Direct Deposit Payroll Vouchers No. 4128 through 4204, and Electronic Federal Tax Payment No. 125 in the amount of \$706,823.77 dated June 28, 2013, and the transfer of \$488,762.03 from the General Fund, \$11,916.76 from the Arterial Street Fund, \$7,829.28 from the Gambling Enforcement Fund, \$897.17 from the Garbage Fund, \$88,100.80 from the Wastewater Fund, \$86,660.24 from the Water Fund, \$19,482.24 from the Storm & Surface Water Utility Fund and \$3,175.25 from the Firemen's Pension Fund.

RECOMMENDATION/COUNCIL ACTION DESIRED

The administration recommends that the council approve the June 28, 2013, Payroll Vouchers No. 36605 through 36694, Direct Deposit Payroll Vouchers No. 4128 through 4204, and Electronic Federal Tax Payment No. 125 in the amount of \$706,823.77.

SUGGESTED MOTION

I move to approve the June 28, 2013, Payroll Vouchers No. 36605 through 36694, Direct Deposit Payroll Vouchers No. 4128 through 4204, and Electronic Federal Tax Payment No. 125 in the amount of \$706,823.77.

Reviewed by: , City Manager

**CITY OF CHEHALIS
AGENDA REPORT**

TO: The Honorable Mayor and City Council
FROM: Jim Walkowski, Fire Chief
DATE: July 1, 2013
SUBJECT: Regional Fire Authority Planning Committee – Council Update

ISSUE

For the past 24 months, the City of Chehalis and the Riverside Fire Authority have been active participants in a Regional Fire Authority Planning Committee process in accordance with RCW 52.26.030(2). For the past eight months, the entities have been researching and developing the necessary elements to determine the feasibility of engaging in a functional consolidation.

DISCUSSION

A functional consolidation is when the two entities continue to exist separately, but would combine all administrative and operational functions into a single common resource. This strategy requires alignment of standard operating guidelines, policies, procedures and certain operational aspects to make the consolidated function perform properly. Currently, a portion of this has already been achieved by the two entities participating in the Fire Services Administration/Management and Fire Code Management Agreement.

A structure of shared decision-making is typically created as they relate to the consolidated function(s). This requires policy-makers and administrators to voluntarily forfeit their authority to unilaterally change actions, activities or direction in the consolidated function area in favor of a collaborative approach. A functional consolidation is accomplished legally through an Inter-local Cooperation Agreement between the two entities.

The advantages of this strategy is greater opportunities for efficiency; an opportunity to reinvest redundant resources into a single section or division in those areas lacking in resources, and a closer working relationship between members of the two entities in the consolidated function(s) that can transition over to other unrelated activities. This type of consolidation could be a segue to greater levels of cooperation and provide the framework for future collaborative initiatives.

Implementation of this strategy provides greater opportunities for efficiency, increased depth of service, and a closer working relationship between members of the two entities. Barriers can be broken down as members train together, use identical apparatus and equipment, and improve response efficiencies to the communities served. When members of the two entities interact with each other on a daily basis, not just during emergencies, or at the policy level, the differences appear smaller and stronger working relationships begin forming.

RECOMMENDATION / COUNCIL ACTION DESIRED

This is intended as an update only, no action requested.

SUGGESTED MOTION

This is intended as an update only, no motion required.

Reviewed by:  _____, City Manager

**CITY OF CHEHALIS
AGENDA REPORT**

TO: The Honorable Mayor and City Council
FROM: Eva Lindgren, Finance Manager
DATE: July 2, 2013
SUBJECT: Budget Amendment Ordinance 911-B; Second and Final Reading

ISSUE

Ordinance 911-B amending the 2013 Annual Budget is hereby submitted to reflect changes in estimates resulting from the City's activities.

DISCUSSION

The attached spreadsheet shows line-by-line the individual components of the proposed budget amendment.

A few additional changes have been made to the budget amendment since its first reading on June 24th. They are as follows:

- An increase to Sales and Use Tax Revenues.
- An increase to the Community Development Block Grant Fund for professional services.
- An increase of the Public Facilities Reserve Fund's beginning balance to reflect its actual beginning balance for 2013.
- An increase of the General Fund's and Public Facilities Reserve Fund's appropriations for the Street Division's portion of the Louisiana Avenue/Airport Road Connection project.
- An increase of the General Fund's appropriations to fund the City's portion of ball field improvements also funded by the Chehalis Foundation, the Cheney Foundation, and Chehalis Babe Ruth.

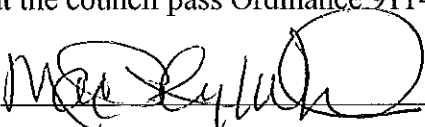
The Administration will be available to answer any questions with regards to the proposed budget amendment.

RECOMMENDATION/COUNCIL ACTION DESIRED

The Administration recommends that the council pass Ordinance 911-B on second and final reading, as amended.

SUGGESTED MOTION

I move that the council pass Ordinance 911-B on second and final reading, as amended.

Reviewed  _____, City Manager

ORDINANCE NO. 911-B

AN ORDINANCE OF THE CITY OF CHEHALIS, WASHINGTON, AMENDING THE ANNUAL BUDGET OF THE CITY FOR THE CALENDAR YEAR 2013, BY INCREASING APPROPRIATIONS OF THE GENERAL FUND IN THE SUM OF THIRTY-SEVEN THOUSAND FIVE HUNDRED AND THIRTEEN DOLLARS (\$37,513); THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND IN THE SUM OF ONE HUNDRED SIXTY DOLLARS (\$160); THE PUBLIC FACILITIES RESERVE FUND IN THE SUM OF TWENTY-THREE THOUSAND EIGHT HUNDRED AND EIGHTEEN DOLLARS (\$23,818); AND THE AUTOMOTIVE/EQUIPMENT RESERVE FUND IN THE SUM OF TWO THOUSAND EIGHT HUNDRED AND THIRTY-SEVEN DOLLARS (\$2,837); AND BY DECREASING THE APPROPRIATIONS OF THE WASTEWATER FUND IN THE SUM OF THREE HUNDRED-TWENTY THOUSAND SEVEN HUNDRED AND NINETY TWO DOLLARS (\$320,792); AND DIRECTING THE FINANCE MANAGER TO EFFECT THE BUDGET AMENDMENT HEREIN PROVIDED.

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

Section 1. The annual budget of the city for the calendar year 2013 shall be, and the same hereby is, amended so as to increase the General Fund's revenues by \$100,000 and increase expenditures by \$37,513. The annual budget of the city for the calendar year 2013 shall be, and hereby is amended to increase the appropriations of the General Fund in the sum of thirty-seven thousand five hundred and thirteen dollars (\$37,513).

Section 2. The annual budget of the city for the calendar year 2013 shall be, and the same hereby is, amended so as to increase the Community Development Block Grant Fund's expenditures by \$160. The annual budget of the city for the calendar year 2013 shall be, and hereby is amended to increase the appropriations of the Community Development Block Grant Fund in the sum of one hundred sixty dollars (\$160).

Section 3. The annual budget of the city for the calendar year 2013 shall be, and the same hereby is, amended so as to increase the Public Facilities Reserve Fund's beginning fund balance by \$22,934 and increase expenditures by \$23,818. The annual budget of the city for the calendar year 2013 shall be, and hereby is amended to increase the appropriations of the Public Facilities Reserve Fund in the sum of twenty-three thousand eight hundred and eighteen dollars (\$23,818).

Section 4. The annual budget of the city for the calendar year 2013 shall be, and the same hereby is, amended so as to increase the Automotive/Equipment Reserve Fund's beginning fund

balance by \$2,690 and increase expenditures by \$2,837. The annual budget of the city for the calendar year 2013 shall be, and hereby is amended to increase the appropriations of the Automotive/Equipment Reserve Fund in the sum of two thousand eight hundred and thirty-seven dollars (\$2,837).

Section 5. The annual budget of the city for the calendar year 2013 shall be, and the same hereby is, amended so as to decrease the Wastewater Fund's beginning fund balance by \$699,960 and decrease expenditures by \$320,792. The annual budget of the city for the calendar year 2013 shall be, and hereby is amended to decrease the appropriations of the Wastewater Fund in the sum of three hundred-twenty thousand seven hundred and ninety two dollars (\$320,792).

Section 6. The annual budget of the city for the calendar year 2013 shall be, and the same hereby is, amended so as to increase the Water Fund's beginning fund balance by \$1,413,668 and decrease revenues by \$320,792.

Section 7. Attached hereto and identified as Exhibit A, in summary form, are the total of estimated revenues, transfers in, expenditures, and transfers out for each separate fund and the aggregate totals for all such funds combined for the city for 2013 for the budget, as amended by Ordinance No. 909-B, as well as the budget as amended by Ordinance No. 911-B. Exhibit A, as amended, shows a total estimated ending fund balance of \$6,268,386.

PASSED by the city council of the City of Chehalis, Washington, and **APPROVED** on its second and final reading by its mayor, at a regularly scheduled open public meeting thereof this 8th day of July, 2013.

Mayor

Attest:

City Clerk

Approved as to form and content:

City Attorney

Exhibit A

CITY OF CHEHALIS AMENDED 2013 BUDGET 2013 Budget Summary - Revised with Ordinance 909-B All Funds

FUND NAME	Est. Beg. Fund Balance	Revenue	Operating Transfers In	Expenditures	Operating Transfers Out	Est. End. Fund Balance
General Fund	840,843	6,974,141	500,000	7,088,728	544,707	681,549
Arterial Street Fund	23,682	153,000	0	172,120	0	4,562
Tourism Fund	67,285	165,150	0	192,435	0	40,000
Community Dev. Block Grant Fund	19,904	5,050	0	0	0	24,954
HUD Block Grant Fund	322,036	3,600	0	0	0	325,636
Gambling Enforcement	77,881	0	0	77,881	0	0
Federal and State Grant Fund	0	585,152	520,000	605,152	500,000	0
2011 G.O. Bond Fund	0	0	98,827	98,827	0	0
Public Facilities Reserve Fund	884	0	0	0	0	884
Automotive/Equip. Res. Fund	147	0	0	0	0	147
1st Quarter REET Fund	122,074	28,400	0	0	42,002	108,472
2nd Quarter REET Fund	38,998	28,000	0	0	32,118	34,880
Wastewater Fund	2,190,390	4,204,941	0	4,869,928	0	1,525,403
Water Fund	1,353,419	2,931,887	0	2,575,471	0	1,709,835
Storms & Surface Water Fund	366,447	442,174	0	345,875	0	462,746
Garbage Fund	5,747	7,583	0	12,538	0	792
Firemen's Pension Fund	217,172	149,600	0	142,253	0	224,519
City Agency Fund	349,003	0	0	0	0	349,003
TOTALS	5,995,912	15,678,678	1,118,827	16,181,208	1,118,827	5,493,382

CITY OF CHEHALIS AMENDED 2013 BUDGET 2013 Budget Summary - Revised with Ordinance 911-B All Funds

FUND NAME	Est. Beg. Fund Balance	Revenue	Operating Transfers In	Expenditures	Operating Transfers Out	Est. End. Fund Balance
General Fund	840,843	7,074,141	500,000	7,126,241	544,707	744,036
Arterial Street Fund	23,682	153,000	0	172,120	0	4,562
Tourism Fund	67,285	165,150	0	192,435	0	40,000
Community Dev. Block Grant Fund	19,904	5,050	0	160	0	24,794
HUD Block Grant Fund	322,036	3,600	0	0	0	325,636
Gambling Enforcement	77,881	0	0	77,881	0	0
Federal and State Grant Fund	0	585,152	520,000	605,152	500,000	0
2011 G.O. Bond Fund	0	0	98,827	98,827	0	0
Public Facilities Reserve Fund	23,818	0	0	23,818	0	0
Automotive/Equip. Res. Fund	2,837	0	0	2,837	0	0
1st Quarter REET Fund	122,074	28,400	0	0	42,002	108,472
2nd Quarter REET Fund	38,998	28,000	0	0	32,118	34,880
Wastewater Fund	1,490,430	4,204,941	0	4,549,136	0	1,146,235
Water Fund	2,767,087	2,611,095	0	2,575,471	0	2,802,711
Storms & Surface Water Fund	366,447	442,174	0	345,875	0	462,746
Garbage Fund	5,747	7,583	0	12,538	0	792
Firemen's Pension Fund	217,172	149,600	0	142,253	0	224,519
City Agency Fund	349,003	0	0	0	0	349,003
TOTALS	6,735,244	15,457,886	1,118,827	15,924,744	1,118,827	6,268,386

City of Chehalis
 2013 Budget Amendment No. 2 - Ordinance 911-B
 Second Reading
 7/1/13

Fund No. and Name	Acct. Name	Reason for Amendment	Incr/(Decr) Rev.	Incr/(Decr) Exp.	Net Increase/(Decrease) to Fund Balance
Fund 001 - General Fund					
001.313.011.00	Sales and Use Taxes	Revenue Increase	100,000		
001.G1.518.090.51.00	Intergovernmental Svcs.	Non-Depl: Chehalis River Basin Flood Autho.		2,915	New for second reading
001.D1.515.030.41.00	Professional Svcs.	City Mgr. Tacoma Rail		10,000	
001.C1.594.012.64.00	Equipment	Court: Printer/copier died		1,473	
001.53.518.030.31.00	Supplies	CD: Foundation \$ for landscape spls.		2,500	
001.53.524.011.31.00	Supplies	CD: New State Bldg. Code books		724	
001.E1.514.023.35.00	Small Tools & Equip.	Fin.: Computer died		1,048	
001.E1.514.023.35.00	Small Tools & Equip.	Fin.: Capital Asset Software		3,674	
001.K1.595.030.63.00	Other Improvements	Sis: LAARC Project		3,179	New for second reading
001.53.594.076.63.00	Other Improvements	CD: Backstop/Babe Ruth		12,000	New for second reading
			100,000	37,513	62,487 General Fund:001
Fund 195 - Community Development Block Grant (CDBG) Fund					
195.46.559.020.41.01	Professional Svcs.	Loan foreclosure	0	160	New for second reading
				160	(160) CDBG Fund 195
Fund 301 - Public Facilities Reserve Fund					
* 301.44.595.030.63.00	Other Improvements	P.W.Sis: LAARC Project	0	23,818	New for second reading
				23,818	(23,818) Public Fac. Res. 301
Fund 302 - Automotive Equipment Reserve Fund					
302.45.594.012.64.00	Equipment	Court's printer/copier died	0	2,837	
				2,837	(2,837) Auto/Equip. Fund:302
Fund 404 - Wastewater Fund					
404.11.581.020.07.00	Interfund Principal Exp.	Smaller interfund loan taken in 2012		(314,617)	
404.11.592.135.00	Interfund Interest Exp.	Smaller interfund loan taken in 2012		(6,175)	
			0	(320,792)	320,792 Wastewater Fund:404
Fund 405 - Water Fund					
405.381.020.00	Interfund Principal "Rev."	Smaller interfund loan taken in 2012	(314,617)		
405.361.040.02	Interfund Interest Rev.	Smaller interfund loan taken in 2012	(6,175)		
			(320,792)	0	(320,792) Water Fund:405
			(220,792)	(256,464)	35,672 City-wide

* New account number

CITY OF CHEHALIS
AGENDA REPORT

DATE: July 2, 2013
TO: The Honorable Mayor and City Council
FROM: Herta Fairbanks, Public Works Director
Dennis Osborne, Community Development Director
SUBJECT: Fill and Grade Municipal Code Amendments

ISSUE

The city issues fill and grade permits to applicants through the Development Review Committee and the present authority for issuing said permits rests with the Public Works Department. This amendment is to propose changing the permitting authority to Community Development where all other environmental permitting and approvals are performed.

DISCUSSION

The city issues fill and grade permits to applicants seeking to fill or grade their property. Fill and grade permits are required within the city limits and the urban growth area and are issued primarily to ensure compliance with applicable environmental regulations. The environmental arm of the city is the Community Development Department and the approval/issuing authority for all other environmental permits and approvals is the building official or the community development director. In addition, the Public Works Department typically focuses on work within the right of way and the Community Development Department's focus is on work on private property. Most all fill and grade permits are on private property and fill and grade permits are the only environmental permits that are currently issued by the Public Works Department. This ordinance is proposed to consolidate the environmental permitting for applicants to the City and streamline the application process.

RECOMMENDATION/COUNCIL ACTION DESIRED

The administration recommends that the city council pass Ordinance No. 912-B on first reading.

SUGGESTED MOTION

I move that the city council pass Ordinance No. 912-B on first reading.

REVIEWED BY:  _____, CITY MANAGER

ORDINANCE NO. 912-B

AN ORDINANCE OF THE CITY OF CHEHALIS, WASHINGTON, AMENDING ORDINANCE NO. 454-B PROVIDING FOR THE REGULATION OF ALL LAND DISTURBING ACTIVITY WITHIN THE CITY OF CHEHALIS, TO CONTROL ACCELERATED EROSION AND SEDIMENTATION IN ORDER TO PREVENT DAMAGE TO PUBLIC OR PRIVATE PROPERTY; AND TO PREVENT SEDIMENT OR SEDIMENT-RELATED POLLUTION OF WATER AND OTHER DAMAGE TO RIVERS, CREEKS, WETLANDS AND OTHER WATER RESOURCES IN THE CITY OF CHEHALIS; ESTABLISHING THE PROCEDURES THROUGH WHICH THESE PURPOSES CAN BE ATTAINED; AND ESTABLISHING THE EFFECTIVE DATE HEREOF.

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

Section 1. Section 15.28 (LAND-DISTURBING ACTIVITY) of the Chehalis Municipal Code shall be, and the same amended as follows:

15.28.070 Permit – Required when – Standards for work.

A. Plan Required. No person shall initiate any land-disturbing activity which uncovers more than one contiguous acre without having a permit as required by this chapter. All work must be performed in accordance with a sequence shown on the approved plan or a revised sequence approved by the community development public works director;

15.28.090 Permit – Application – Form and filing.

To obtain a permit an applicant first must file an application in writing upon forms furnished by the community development public works department. The application must be signed by the owner of the property, or an authorized agent of the owner, where the land-disturbing activity is to be performed. If the owner is a corporation, the application must be signed by the president or vice-president and attested by the secretary or assistant secretary. The corporate seal must be affixed to the application. [Ord. 454B, 1992.]

15.28.100 Permit – Application – Contents.

The application for a permit must include the following:

K. Any supplemental material required by the community development public works director. [Ord. 454B, 1992.]

15.28.120 Interim erosion and sediment control plan.

D. An estimate of the cost of implementing and maintaining all interim erosion and sediment control measures must be submitted in a form acceptable to the community development public-works director. [Ord. 454B, 1992.]

15.28.130 Final erosion and sediment control plan.

C. An estimate of the costs of implementing and maintaining all final erosion and sediment control measures must be submitted in a form acceptable to the community development public-works director. [Ord. 454B, 1992.]

15.28.150 Engineering geology report.

A. An engineering geology report, when required by the community development public-works director, shall be based on adequate and necessary test borings and shall contain the following information:

1. An adequate description of the geology of the site.
2. Conclusions and recommendations regarding the effect of geologic conditions on the proposed development. Opinions and recommendations covering the adequacy of sites to be developed by the proposed grading.

15.28.200 Permit – Issuance authority.

The community development public-works director is the designated agent for the issuance of clearing/filling/grading permits in the city. The director shall have the authority to prepare regulations and set administrative procedures to carry out the purposes and intent of this chapter and related codes, policies, and regulations. [Ord. 454B, 1992.]

15.28.210 Permits – Issuance conditions.

A. Permit Issuance. A clearing/filling/grading permit shall be issued only in conjunction with one or more of the following:

1. A valid building permit application; provided no clearing and grading permit will be issued until a decision has been issued by the community development public-works director approving any required design review for the subject property and the time for appealing that decision has expired without an appeal having been filed. If an appeal is filed, no permit shall be issued until the city has made a final decision;

D. Detailed guidelines for permit application are available from the community development public-works department on request. The application for permit shall be accompanied by:

1. Three sets of plans and specifications prepared in conformance with this regulation and development standards of the city;

2. The permit fee; and
3. An approved means of security.

15.28.230 Permit – Additional conditions – Authorized when.

A. In granting any permit, the city may attach the conditions that it deems reasonably necessary to prevent sedimentation of public or private property, any sewer, storm drain, or watercourse, to prevent the operation from being conducted in a manner hazardous to life or property, or in a manner likely to create a nuisance. Those conditions may include the erection or installation of walls, drains, dams and structures, plantings, and erosion and sediment control measures or devices, furnishing necessary easements and a specified method of performing the work. These items must be identified on the erosion and sediment control plan submitted for approval. The following shall be conditions of all permits:

8. Allow the community development public-works director to enter the site for the purpose of inspecting compliance with the control plan or for performing any work necessary to bring the site into compliance with the control plan;

15.28.240 Permit – Duration.

Permits shall be valid for a period of up to 180 days, or the length of the building permit or other construction authorizations, whichever is longer, from the date of issuance. The community development public-works director may extend the period one or more times up to an additional 180 days. The director may require additional control measures as a condition of the extension if they are necessary to meet the requirements of this chapter. [Ord. 454B, 1992.]

15.28.260 Permit revocation and suspension – Procedure – Stop-work order.

A. Any permit issued under this chapter may be revoked or suspended by the community development public-works director, after notice, for:

15.28.290 Clearing and grading.

B. Grading. Changes in site topography shall conform to the following restrictions and those set forth in the development standards:

3. The maximum surface gradient on any artificially created slope shall be two feet of horizontal run to one foot of vertical fall. The gradient may be increased to that gradient which can be demonstrated through engineering calculations as outlined in the development standards to be stable with a 1.5 factor of safety if, in the opinion of the community development public-works director, it has been demonstrated by the applicant through engineering calculations that surface erosion can be controlled to that erosion rate equal to a two-to-one (2:1) slope under the same conditions;

15.28.310 Inspection access.

Authorized representatives of the community development public-works department may enter properties permitted under this chapter for the purpose of inspection and enforcement of the provisions of this chapter. [Ord. 454B, 1992.]

15.28.330 Inspection requirements during construction.

A. A copy of the approved erosion and sediment control plan and the sediment control permit must be available on site for inspection by authorized representatives of the community development public-works department.

D. When approved plans developed under the provisions of this chapter show the use of temporary basins or permanent storm water management structures, the department may require the submission of supportive documents such as test results, as-built plans, or material certifications. If necessary, in addition to its own inspections, the department may require that any portion of the construction of basins or structures be inspected and certified by a licensed professional engineer or land surveyor. At the community development public-works director's option, the permittee may secure the services of a licensed professional engineer or land surveyor to inspect the construction of the facilities and provide the department with a fully documented certification that all construction is done in accordance with the provisions of the approved plan, applicable rules, regulations, and specifications. If a certification is provided to the department, inspections required for that basin or structure may be waived. In these cases, the department must be notified at the time of the required inspection points and may make spot inspections.

15.28.380 Hazard determination authority – Existing excavations – Notice to repair.

Whenever the community development public-works director determines that any existing excavation or embankment or fill on private property has become a hazard to life and limb, or endangers property, or adversely affects the safety, use, or stability of a public way or drainage channel, the owner of the property upon which the excavation or fill is located, or other person or agency in control of the property, upon receipt of notice in writing from the building official, shall, within the period specified therein, repair or eliminate such excavation or embankment so as to eliminate the hazard and be in conformance with the requirements of this chapter. [Ord. 454B, 1992.]

15.28.390 Determination of risk hazard – Current job site.

A. If the city, either upon review of such plan or on inspection of the job site, determines that a significant risk of accelerated erosion or off-site sedimentation exists, the city will require a revised plan. Pending the preparation of the revised plan, work shall cease or shall continue under conditions outlined by the community development public-works director.

15.28.400 Deposits of soil or other material prohibited.

C. If any soil, earth, sand, gravel, rock, stone, or other material is caused to be deposited upon or to roll, flow, or wash upon any public or private property in violation of subsections (A) and (B) of this section, the person responsible must be notified and must cause the material to be removed from that property within 24 hours. In the event of an immediate danger to the public health or safety, notice must be given by the most expeditious means and the material must be removed immediately. In the event it is not so removed, the community development public works department may cause the removal and the cost of that removal by the department must be paid to the city by the person who failed to remove the material. The cost of removal is a lien upon all property and all rights to property, real or personal, of any person liable to pay that cost. The cost of removal must be listed on the tax bill and must be collected in the manner of ordinary taxes; provided, however, that this section must not be interpreted as prohibiting the department from proceeding directly with alternative enforcement procedures set forth in this chapter. [Ord. 454B, 1992.]

15.28.410 Appeals.

A. Any person aggrieved by the action of any official charged with the enforcement of this chapter, as the result of the disapproval of a properly filed application for a permit, issuance of a written notice of violation, or an alleged failure to properly enforce the chapter in regard to a specific application, shall have the right to appeal the action to the community development public works director. The appeal shall be filed in writing within 15 days of official transmittal of the final decision or determination to the applicant, and shall state clearly the grounds on which the appeal is based.

15.28.420 Liability limitations.

The community development public works director and other employees charged with the enforcement and administration of this policy, acting for the city in good faith and without malice in the discharge of their duties, shall not thereby render themselves liable personally for any damages which may accrue to persons or property as a result of any act required or by reason of any act or omission in the discharge of such duties. [Ord. 454B, 1992.]

Section 2. Section 12.04 (ENGINEERING DEVELOPMENT CODE) of the Chehalis Municipal Code shall be, and the same hereby is amended to read as follows:

12.04.060 Definition of terms.

"Fill permit" means a permit issued by the Chehalis community development public works department prior to the commencement of any filling, grading, clearing or other land-disturbing activities. [Ord. 819B § 13, 2007; Ord. 810B § 6, 2006; Ord. 785B § 14 (1.02), 2005; Ord. 767B, 2004.]

Section 3. Section 17.09 (ORGANIZATION AND ENFORCEMENT) of the Chehalis Municipal Code shall be, and the same hereby is, amended to read as follows:

17.09.070 Development review committee (DRC).

I. The fire department and police department issue fire code permits and parking permits; the community development public works department issues permits for clearing, filling, grading, right-of-way, utility installation and various other approvals; the community development department issues permits for building, zoning (land use), flood hazard zone, Shoreline Management Act, SEPA approvals and various other permits and approvals. Each of these permitting systems has been designed to address specific or unique issues related to any development proposal and is administered by the department having the related expertise. Any development proposal may be exempt from any of these permit systems, or may be under the jurisdiction of all of them. [Ord. 819B § 13, 2007; Ord. 810B § 6, 2006; Ord. 769B § 8, 2004; Ord. 767B, 2004; Ord. 766B, 2004; Ord. 720B § 1, 2002.]

Section 4. Effective Date.

The effective date of this ordinance shall be the 1st day of August, 2013.

PASSED by the City Council of the City of Chehalis, Washington, and **APPROVED** by its Mayor, at a regularly scheduled open public meeting thereof this ____ day of _____, 2013.

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney