

PLEASE NOTE SPECIAL MEETING TIME

CHEHALIS CITY COUNCIL AGENDA

CITY HALL

350 N MARKET BOULEVARD, CHEHALIS, WA 98532

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

5:30 p.m.

October 8, 2012

EXECUTIVE SESSION		
1. <u>Executive Session Pursuant to RCW 42.30.140(4)(a) – Collective Bargaining.</u> (City Manager, Human Resources Administrator)	---	

Regular Meeting of Monday, October 8, 2012

6:00 p.m.

ITEM	ADMINISTRATION RECOMMENDATION	PAGE
2. <u>Call to Order.</u> (Mayor)		
3. <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		
4. <u>Presentation of Certificates of Appreciation.</u> (Community Development Director)	---	
5. <u>Briefing on Updates to the 2012 Lewis County CEMP Annexes.</u> (Ross McDowell, Deputy Director of Lewis County Emergency Management)	---	

CONSENT CALENDAR		
6. <u>Minutes of the Regular Meeting of September 24, 2012.</u> (City Clerk)	APPROVE	1
7. <u>Vouchers and Transfers.</u> (Finance Manager)	APPROVE	7
8. <u>Resolution No. 16-2012, First and Final Reading - Adopting the 2012 Lewis County CEMP Including Annexes.</u> (Fire Chief)	ADOPT	9

ADMINISTRATION AND CITY COUNCIL REPORTS		
9. <u>Administration Reports.</u>		
10. <u>Council Reports.</u>		
a. Councilor reports. (City Council)	INFORMATION ONLY	
b. Council committee reports. (City Council)	INFORMATION ONLY	

NEW BUSINESS		
11. <u>Resolution No. 15-2012, First and Final Reading – Adopting the Port of Chehalis Comprehensive Plan.</u> (Community Development Director)	ADOPT	12
12. <u>Ordinance No. 900-B, First Reading – Water Utility Rate Adjustments.</u> (Public Works Director)	PASS	16
13. <u>Ordinance No. 901-B, First Reading – Wastewater Utility Rate Adjustments.</u> (Public Works Director)	PASS	24
14. <u>Ordinance No. 902-B, First Reading – Storm Water Utility Rate Adjustments.</u> (Public Works Director)	PASS	29

**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, OCTOBER 22, 2012

September 24, 2012

The Chehalis city council met in regular session on Monday, September 24, 2012, in the Chehalis city hall. Mayor Ketchum called the meeting to order at 5:00 p.m. with the following council members present: Terry Harris, Dr. Isaac Pope, Bob Spahr, Chad Taylor, and Dennis Dawes. Councilor Lund was absent (excused). Staff present included Merlin MacReynold, City Manager; Bill Hillier, City Attorney; Judy Schave, City Clerk; Bob Nacht, Community Development Director; Peggy Hammer, Human Resources Administrator; Herta Fairbanks, Public Works Director; Rick Sahlin, Street Superintendent; Dave Vasilauskas, Water Superintendent; and Patrick Wiltzius, Wastewater Superintendent. Members of the media included Kyle Spurr from *The Chronicle*.

1. **Executive Session.** Mayor Ketchum announced the council would be in executive session pursuant to RCW 42.30.110(1)(ii) – potential litigation for approximately 15 minutes and there would be no decision following conclusion of the executive session.

Mayor Ketchum closed the executive session at 5:12 p.m. and announced the council would take a three minute recess before opening the work session at 5:15 p.m.

2. **Work Session - Discussion on Utility Rates.** City Manager MacReynold reported the utility rates were something they have talked about off and on for the last two years. He felt, based on the information at the time, council made the right decision when they decided to discontinue the rate increases five years ago. City Manager MacReynold stated over the last couple of years the administration and the budget committee have cautioned that they were going to have to come back to the council with recommendations of rate increases at some point.

Public Works Director Herta Fairbanks provided the council with a copy of the presentation materials that included information on utility rates for water, wastewater and stormwater. Ms. Fairbanks noted the last rate adjustment enacted by the city was in 2007. She added the codified adjustments would have taken the city into 2010, but because of the economic situation, the council opted to freeze the rates. Ms. Fairbanks stated the city was at the point where tough decisions were going to have to be made, or something significant would have to change about the way service is provided for the citizens of Chehalis.

Ms. Fairbanks reported there were two things driving the need to adjust the rates. The first, even though the council froze the rates, expenses continue to increase just by virtue of the market; and the second had to do with the debt service requirements to maintain a reserve of one year's worth of debt service.

Ms. Fairbanks reported on the financial issues as follows:

- Rates have not been adjusted since 2007 due to current economic conditions in the community
- Utilities have used reserves to offset inflationary impacts to expenditures
- Reserves are at critically low levels and we can no longer put off rate adjustments
- Wastewater will be in violation of debt reserve covenant by the end of the year if something is not done differently
- A rate adjustment is necessary for the utilities to remain financially viable

Councilor Harris brought up the zero percent interest loan, noting if they did not keep a certain amount of money in reserves the Washington State Department of Ecology (DOE) could start charging interest, and the last thing he wants to do is start paying interest on \$32 million.

Ms. Fairbanks reported if the city is not able to sustain some financial viability on our utilities we will run into issues when trying to seek future funding. She stated if the city can't prove we have revenue to even maintain our operations and maintenance, nobody was going to be lending the city any money to do further projects.

Ms. Fairbanks presented a summary on each of the utilities to include information on current revenues, expenditures, reserve levels, and notes on future capital improvement projects.

Councilor Spahr inquired about the street sweeping program being funded out of the stormwater fund. Ms. Fairbanks reported they were moving it from the street program to stormwater because by cleaning the streets they were keeping garbage, leaves, and dirt out of the stormwater system.

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Mayor Ketchum stated he thought when they built the new wastewater treatment plant that DOE gave the city a certain amount of time to complete inflow and infiltration (I&I) projects. Ms. Fairbanks reported she had been through the documentation and could not find anywhere where the city is obligated to start doing I&I projects by a certain time period.

City Manager MacReynold stated he was under the same belief as the mayor, but Ms. Fairbanks did the research and found that it was not true. City Attorney Bill Hillier reported there was a provision in the consent decree that the city signed with DOE a number of years ago that required a certain amount of I&I, or mediation over a period of years, but that may have been taken away with the agreement to build a new treatment plant.

Ms. Fairbanks reported the average residential customer used 7 units a month (5,000 gallons of water) making the average monthly bill \$100.85 for water, sewer and storm, and the average commercial customer paid \$109.81 per month.

Ms. Fairbanks reported on where the city would have been if we had continued with rate adjustments through the end of 2010. She noted, if implemented, the average residential customer would currently be paying \$130.21.

Ms. Fairbanks reported on two potential rate strategies to mitigate the impact. The options include:

- Stormwater – no capital projects
- Water:
 - Option 1 - Adjust water system plan CIP timing and assume below-standard reserve balances, or
 - Option 2 - Adjust water system plan CIP timing and adequate, low-end reserve balances
- Wastewater:
 - Option 1 – One I&I project over the next six-year period, draw down reserve and rebuild over five years, or
 - Option 2 – Two I&I projects over the next six-year period, draw down reserve and rebuild over five years

Ms. Fairbanks reported on the rate increases from 2012 to 2016 for both residential and commercial. She noted \$20 would be the largest of the adjustments over the five year period, which was driven by the debt service covenant. Ms. Fairbanks reported the first I&I project wasn't scheduled until 2016 and didn't have any bearing on what they decide today.

Councilor Harris asked when they planned to implement the new rates. Ms. Fairbanks reported, ideally, the start date would be as soon as legislatively possible, which would be November 1, 2012. She noted each of the scheduled increases would be implemented each year in November. Ms. Fairbanks noted the budget would also need to be adjusted to reflect the additional revenue.

City Manager MacReynold suggested the council give direction, so ordinances could be put together and brought back for their consideration.

Mayor Ketchum stated he had concerns regarding the recommended monthly increases, noting the impact would be much bigger since customers receive their bills every two months.

Councilor Dawes also wondered why they were using an example of one month versus two months. He asked if residents have the option to pay on a monthly cycle. Ms. Fairbanks reported they provided the information on a monthly basis because most people think of their budgets on a monthly basis. She noted customers do have an option to pay monthly, noting the city has the ability to carry credit balances on customer accounts.

Councilor Dawes reported Lewis County PUD offers an operation of doing equal monthly payments, and suggested the city might want to look at something like that to make it easier for people to budget for.

Councilor Harris stated what he was hearing from residents was, it's difficult to remember to pay monthly because they don't receive a bill every month. He noted a monthly billing cycle would only increase the city's costs of doing business.

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Councilor Pope stated he was in favor of Option 1.

Councilor Dawes also supported Option 1, noting they needed to do something to take care of the short-term problem and plan ahead for at least one project, so they don't get too far behind the curve.

Councilor Harris stated he wouldn't mind going with Option 1, as long as they don't have to come back in a year or two because something comes up and they have to bump it up again.

Councilor Spahr stated if they were looking for consensus, he would agree with Option 1. He noted if they hadn't messed with the rates back in 2007 they still might be facing some kind of decision, but it wouldn't be the decision they were having to make today.

City Manager MacReynold felt it was important to recognize that the actions of the council over the past five years in not raising rates actually saved the citizens money in difficult economic times. He noted the only reason they were before the council requesting an increase now was because it's necessary. City Manager MacReynold stated they respect that the council is a very conservative group, which also reflects the community.

Mayor Ketchum closed the work session and opened the regular meeting at 6:01 p.m.

3. Chehalis River Basin Flood Authority Representative Selection. Mayor Ketchum thanked the applicants, Pete Bezy, Lyle Hojem and Arnold Haberstroh, for offering their time to serve as the city's primary representative on the Chehalis River Basin Flood Authority.

Councilor Taylor moved that the council appoint Arnold Haberstroh as the city's primary representative on the Chehalis River Basin Flood Authority.

The motion was seconded by Councilor Spahr and carried unanimously.

4. Proclamation Presentation. Mayor Ketchum presented Fire Chief Kelvin Johnson a proclamation declaring October 7-13, 2012, as "Fire Prevention Week" throughout the city.

5. Consent Calendar. Councilor Dawes moved to approve the consent calendar comprised of the following:

- a. Minutes of the regular meeting of September 10, 2012;
- b. Claim Vouchers No. 104110-104231 and EFT No. 82012 in the amount of \$288,687.72 dated September 14, 2012;
and
- c. Suspend the rules requiring two readings of an ordinance and pass Ordinance No. 899-B on first and final reading – extending the moratorium on medical marijuana and dispensaries for an additional six months.

The motion was seconded by Councilor Pope and carried unanimously.

6. Administration Reports.

a. **August Financial Report.** Finance Manager Eva Lindgren reported, for the most part, the general fund was on track with the exception of the grant revenues and the operating transfers in. She noted Community Development was experiencing some overage due to unemployment benefits, temporary salaries, and some emergency repairs, and she and Community Development Director Bob Nacht would be looking at that a little more closely.

There were no questions or comments concerning the enterprise funds.

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b. **Annual Debt Compliance Update.** Ms. Lindgren reported the city's bond counsel strongly advised that the city expand its existing Debt Management Policy to address post issuance compliance issues. She noted, because our debt issuance is a "limited tax bond," the Internal Revenue Service (IRS) gets very involved. Ms. Lindgren stated, as a matter of compliance, the IRS looks more favorably upon government entities that have written policies in place to address compliance with federal requirements.

Ms. Lindgren reported the agenda report included a copy of the policy portion that addressed the post-issuance compliance, and notes for each relevant section. Also attached was the Municipal Securities Rulemaking Board filing. She noted one of the biggest areas that small local governments don't meet the requirements is by not doing their federal filing.

Ms. Lindgren briefly explained the process of uploading the city's financials and operating data, and the necessary steps to maintain the files for the life of the bond.

c. **Retirement Notification.** City Manager MacReynold reported he received notice from Bob Nacht stating his anticipated retirement date of January 18, 2013.

7. **Council Reports.**

a. **Update From Councilor Pope.** Councilor Pope reminded the council about the Chehalis Foundation's gala coming up on October 17. He noted the Foundation recently had their monthly meeting and were all in agreement with the continued support of the Chehalis pool renovation project.

b. **Update From Councilor Harris.** Councilor Harris reported earlier in the day he and a few of the holiday decoration committee members (Patty Kaija, Rich Trotter and David Hartz) went down to Crystal Valley in Oregon to look at decorations and supplies. He noted they came back with tons of information and were pretty excited about what they looked at. Councilor Harris reported the company did mostly steel work, and everything was made in the United States. He thanked the Chehalis Foundation for sponsoring the holiday decorations for the city.

Councilor Pope added, if anyone would like to make a tax-deductible donation towards the decorations, they could do it through the Foundation. He noted the Foundation would be putting \$20,000 towards the project. Councilor Pope indicated Lewis County PUD would be looking at the electrical outlets, adding the city may be able to do some lighting, as well.

8. **Resolution No. 13-2012, First and Final Reading – Adopting a Green House Gas Emissions Reduction Policy.** Ms. Fairbanks reported the green house gas emissions reduction policy was something that came about a few years back by virtue of the movement towards green power and sustainability amongst communities. She noted the state put a requirement, starting with the Public Works Trust Fund and the Public Works Board, to start requiring green house gas emission policies from agencies they provide funding to.

Ms. Fairbanks suggested this was a semi-proactive attempt at getting a policy in place without stressing or straining the city unnecessarily. She noted they didn't include anything in the policy that would further restrict the city; it was only stating on paper the things the city is already doing.

Councilor Spahr felt the policy included things the city should be doing anyway in the process of our daily business.

Councilor Spahr moved that the council adopt Resolution No. 13-2012 on first and final reading.

The motion was seconded by Councilor Dawes.

Councilor Harris stated nothing concerned him more than assistance with strings attached. He stated he also did not like signing a blank check in the sense this could result in unfunded mandates by regulatory agencies down the road. Councilor Harris reported he didn't like being put in a box, and it seemed like municipalities always get hit with the highest costs, even more so than the private citizens. He stated he wanted to make sure the city is able to attach itself to future loans, but in theory, he couldn't support it.

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Councilor Taylor agreed, noting this was one of those building blocks that the state and regulators use to build tougher regulations in the future. He noted he would be voting against it, but hoped there would be enough support for it to pass, so the city could get future funding.

Councilor Dawes felt they had to support it, adding while he understood the frustration when it comes to bureaucrats, they needed to do it to help the rate payers.

The motion carried 4 to 2, with Councilors Harris and Taylor voting against the motion.

9. Resolution No. 14-2012, First and Final Reading – Revising Appendix Chapter “A” (Schedule of Fees and Charges) of the Uniform Development Regulations. City Manager MacReynold reported the city has been working on improving its compliance with the state’s leasehold excise tax since last year. He noted one of the sticking points has been our city owned parking lots, adding we are being required to charge a leasehold excise tax on the leased spaces based on state requirements.

Ms. Lindgren provided a color-coded map of one of the city’s parking lots, and explained how the leasehold excise tax requirements applied. She noted the tax would not apply to individual parking spaces, but rather to the businesses that purchase spaces that are contiguous, for their employees.

Ms. Lindgren reported they evaluated both residential and non-residential users and the consensus was that they leave the residential untouched at the low rate of \$7.50.

Councilor Taylor inquired as to how much money the parking lot leases brought in. Ms. Lindgren thought it was in the range of \$30,000. She reported the driver wasn’t to increase revenue, adding supply and demand would dictate what we receive.

Councilor Pope suggested the city have a private company run the program. City Attorney Hillier stated the leasehold excise tax would still need to be paid on what the private company pays the city.

After a lengthy discussion between the council and the administration, it was suggested that the matter be continued to allow the administration time to approach the businesses to see if they would be interested in having their employees purchase the spaces themselves to avoid having to pay the tax.

Councilor Spahr suggested \$7.50 for a parking spot downtown was dirt cheap, adding the city couldn’t maintain the lot for that price. He thought they should look at raising the fee a little bit, suggesting \$10 or \$15 per month.

Councilor Spahr reported the leasehold excise tax issue also affected the Veterans Memorial Museum and wanted to know if the council would be getting a report on that soon. City Attorney Hillier reported the museum hired an attorney to help them through that issue and the city was in contact with them to give assistance to determine a way they can resolve that issue.

Councilor Dawes stated the part that rubbed him wrong was that businesses have control over their property 24/7 for the term of the lease, and those who lease a parking space get to park in their space 8 hours a day, Monday through Friday, and have no control over it. City Attorney Hillier stated they were shocked that it was in the RCWs that parking lots were applicable.

Councilor Taylor suggested they not make it overly difficult for the businesses.

Councilor Dawes stated he was sure the businesses would probably do anything they can to save the folks some money, and that was the way he would like to see the city work.

Councilor Taylor requested, that in the future, the council be given more than one option to consider, noting it would have been nice to have seen an option on how not to do this to the taxpayers.

Councilor Spahr suggested it might be that the businesses just pay the tax and leave it at that.

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Councilor Harris suggested, since this is another state mandate, every person the city talks to should be given the phone number for the Consumer Service Department at the Department of Revenue, so they can spend all of their time on it.

Councilor Dawes brought up the issue of cat licenses listed in the Appendix Chapter "A," and wondered why they were listed when the city doesn't even charge for them. He suggested that it be removed from the list.

Ms. Lindgren reported it was already proposed to have it removed.

There being no further business to come before the council, the meeting adjourned at 6:56 p.m.

Mayor



Attest:

City Clerk

SUGGESTED MOTION

I move that the council approve the minutes of the regular city council meeting of September 24, 2012.

CITY OF CHEHALIS
AGENDA REPORT

DATE: September 28, 2012
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:

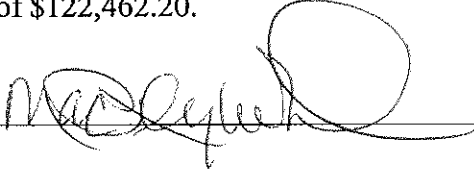
Claim Vouchers No. 104232 through 104339 in the amount of \$122,462.20 dated September 28, 2012 and the transfer of \$38,789.70 from the General Fund, \$42,200.00 from the Tourism Fund, \$2,460.25 from the Federal & State Grants Fund, \$104.29 from the Automotive Equipment Reserve Fund, \$6,242.79 from the Wastewater Fund, \$27,967.23 from the Water Fund, \$642.39 from the Storm & Surface Water Utility Fund and \$4,055.55 from the Firemen's Pension Fund.

RECOMMENDATION/COUNCIL ACTION DESIRED

The administration recommends that the council approve the September 28, 2012 Claim Vouchers No. 104232 through 104339 in the amount of \$122,462.20.

SUGGESTED MOTION

I move to approve the September 28, 2012 Claim Vouchers No. 104232 through 104339 in the amount of \$122,462.20.

Reviewed by: , City Manager

CITY OF CHEHALIS
AGENDA REPORT

DATE: September 28, 2012
TO: The Honorable Mayor and City Council
FROM: Eva Lindgren, Finance Manager *EL*
PREPARED BY: Michelle White, Accounting Tech II *MW*
SUBJECT: Payroll Vouchers and Transfers

ISSUE

Council approval is requested of the following financial transactions:

Payroll Vouchers No. 35998 through 36080, Direct Deposit Payroll Vouchers No. 3448 through 3520, and Electronic Federal Tax Payment No. 115 in the amount of \$706,376.28 dated September 28, 2012, and the transfer of \$493,547.49 from the General Fund, \$9,195.27 from the Arterial Street Fund, \$16,150.70 from the Gambling Enforcement Fund, \$898.95 from the Garbage Fund, \$78,075.51 from the Wastewater Fund, \$84,899.47 from the Water Fund, \$18,024.59 from the Storm & Surface Water Utility Fund, and \$5,584.30 from the Firemen's Pension Fund.

RECOMMENDATION/COUNCIL ACTION DESIRED

The administration recommends that the council approve the September 28, 2012, Payroll Vouchers No. 35998 through 36080, Direct Deposit Payroll Vouchers No. 3448 through 3520, and Electronic Federal Tax Payment No. 115 in the amount of \$706,376.28.

SUGGESTED MOTION

I move to approve the September 28, 2012, Payroll Vouchers No. 35998 through 36080, Direct Deposit Payroll Vouchers No. 3448 through 3520, and Electronic Federal Tax Payment No. 115 in the amount of \$706,376.28.

Reviewed by: *Maciejewski*, City Manager

**CITY OF CHEHALIS
AGENDA REPORT**

DATE: October 4, 2012

TO: The Honorable Mayor and City Council

FROM: Kelvin Johnson, Fire Chief

SUBJECT: Resolution No. 16-2012 – Adopting the 2012 Lewis County Comprehensive Emergency Management Plan (CEMP) annexes: (Lewis County Terrorism Plan, America’s Missing Broadcast Emergency Response (AMBER) Plan, Emergency Alert System (EAS) Plan, Hazardous Materials Emergency Response Plan, National Incident Management System (NIMS), and Incident Command System (ICS)

ISSUE

The request from the Lewis County Division of Emergency Management for a resolution from the City of Chehalis to accept the 2012 CEMP revisions including the annexes.

DISCUSSION

Division of Emergency Management Deputy Director Ross McDowell briefed the council on the updates made to the 2012 Lewis County CEMP. The plan is reviewed annually and after each activation of the County Emergency Operations Center/Emergency Coordination Center and revised every four years.

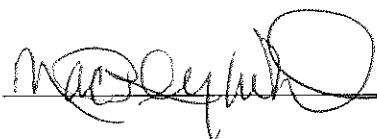
The Lewis County CEMP is a multi-jurisdictional plan that establishes mutual understanding among government agencies, business and industry, volunteer organizations, and citizens on the most common roles and responsibilities that will occur in any type of event.

RECOMMENDATION/COUNCIL ACTION DESIRED

The administration recommends that the council adopt Resolution No. 16-2012 on first and final reading.

SUGGESTED MOTION

I move that the council adopt Resolution No. 16-2012 on first and final reading.

Reviewed by:  _____, City Manager

RESOLUTION NO. 16-2012

ADOPTION OF 2012 LEWIS COUNTY CEMP ANNEXES: LEWIS COUNTY COUNTER TERRORISM PLAN, AMBER, EAS, HAZARDOUS MATERIALS EMERGENCY RESPONSE PLAN, NIMS, AND ICS

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

WHEREAS, the Lewis County Sheriff's Office, Division of Emergency Management has completed the revision of the Comprehensive Emergency Management Plan (CEMP) annexes: (Lewis County Counter Terrorism Plan, America's Missing Broadcast Emergency Response (AMBER) Plan, Emergency Alert System (EAS) Plan, and Hazardous Materials Emergency Response Plan) revised pursuant to RCW 38.52.070 and WAC 118.07; and,

WHEREAS, the plan has been presented for review to the City of Chehalis as a comprehensive set of guidelines for coordinating countywide disaster mitigation, preparedness, response and recovery in compliance with RCW 38.52.070; and,

WHEREAS, the City of Chehalis has reviewed said plans, and it appears to be in the best public interest to adopt the plans for the City of Chehalis; and

WHEREAS, the President, in Homeland Security Directive (HSPD)-5 directed the development of a National Incident Management System (NIMS), to provide a nationwide approach institutionalizing the use of the Incident Command System (ICS) for Federal, State, local, and tribal governments to work together to prevent, prepare for, respond to and recover from domestic incidents; and

WHEREAS, the Governor of the State of Washington has similarly endorsed NIMS and ICS by proclaiming them to be the official basis for management of incident response in Washington State; and

WHEREAS, HSPD-5 requires Federal departments and agencies to make adoption of the NIMS/ICS by State, tribal, and local organizations a condition for Federal preparedness assistance beginning in fiscal year 2006.

NOW, THEREFORE, BE IT RESOLVED that the aforesaid NIMS/ICS compliant Lewis County Comprehensive Emergency Management Plan is hereby approved and adopted by the City of Chehalis, Lewis County, Washington; and

BE IT FURTHER RESOLVED that said plans shall be distributed to all City of Chehalis departments to make them fully aware of their responsibilities and functions, which have been incorporated into the Comprehensive Emergency Management Plan; and

BE IT FURTHER RESOLVED that all Lewis County "First Responder" agencies including fire, law enforcement, emergency medical, public works, public health, emergency communications, emergency management and other agencies involved in disaster preparedness, prevention, response and recovery activities shall support the nation-wide implementation of the National Incident Management System (NIMS).

ADOPTED by the City Council of the city of Chehalis, Washington, and **APPROVED** by its Mayor, at a regularly scheduled open public meeting thereof this 8th day of October, 2012.

Mayor

Attest:

City Clerk

Approved as to form and content:

City Attorney

**CITY OF CHEHALIS
AGENDA REPORT**

TO: The Honorable Mayor and City Council

FROM: Bob Nacht, Community Development Director

DATE: September 26, 2012

SUBJECT: Resolution No. 15-2012; Adopting by Reference the Port of Chehalis Comprehensive Plan

ISSUE

The Port of Chehalis has adopted an updated and revised Comprehensive Plan. The Chehalis Development Regulations provide that the Port's Plan will be used to review development applications for projects in the Industrial Development District (Industrial Park).

DISCUSSION

The city's development regulations provide the mechanism whereby the Port of Chehalis is involved in both the adoption of the regulations governing the Industrial Park, and the permit review process when applications are received for projects in the Park.

The Port adopted a revised Comprehensive Plan by resolution last February. The city's regulations provide that the administration must use the revised Port Plan for permit review for projects in the Industrial Park. The regulations also provide that the Port is a member of the Development Review Committee (DRC) for those permit applications, and the Port representative to the Committee will advise the city if a project is consistent with their Comprehensive Plan.

In order for the DRC to regulate projects, the regulatory criteria and standards must be adopted by the city. Adoption of the Port's Comprehensive Plan is similar to adoption of the Building Codes – the set of standards are written by others but are appropriate for administration and enforcement by the city. The city has already adopted the Port's 2006 Plan and is now considering their 2012 Plan for adoption.

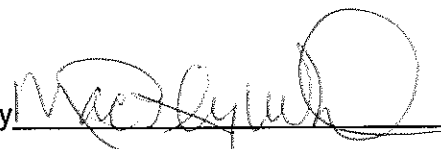
The Development Regulations provide that the Port Plan is contained in Appendix Chapter 'C' and used as the standard for development permitting in the Industrial Park area of the Urban Growth Area (UGA). The Regulations (CMC17.40) also provide that updates and revisions to adopted appendices can be made by resolution. A copy of the Port Plan has been distributed to the council under separate cover.

RECOMMENDATION / COUNCIL ACTION DESIRED

The administration recommends that the council adopt Resolution No. 15-2012 on first and final reading.

SUGGESTED MOTION

I move that the council adopt Resolution No. 15-2012 on first and final reading.

Reviewed by  _____ City Manager

RESOLUTION NO. 2012 – 07

**A RESOLUTION OF THE PORT OF CHEHALIS, LEWIS COUNTY,
WASHINGTON ADOPTING THE “PORT OF CHEHALIS COMPREHENSIVE
PLAN” AS THE COMPREHENSIVE SCHEME OF HARBOR
IMPROVEMENTS AND INDUSTRIAL DEVELOPMENT FOR THE PORT OF
CHEHALIS AND PORT OF CHEHALIS INDUSTRIAL DEVELOPMENT
DISTRICT**

WHEREAS, the Port of Chehalis is a duly established, authorized, and acting port district of the State of Washington; and

WHEREAS, the Port of Chehalis adopted the *Port of Chehalis Comprehensive Scheme of Development* as the comprehensive scheme of harbor improvements and industrial development for the Port District in March, 1993 and again in May, 1997; and again in November 2006 and

WHEREAS, the *Port of Chehalis Comprehensive Scheme of Development* has served as the Port of Chehalis comprehensive scheme of harbor improvements and industrial development as defined in RCW Chapter 53.25; and

WHEREAS, the Port of Chehalis recognizes the need to continually plan for its development with the Port District, and in furtherance of this need recognizes the need to update the *Port of Chehalis Comprehensive Scheme of Development* to incorporate changes in the area and future plans of the Port of Chehalis; and

WHEREAS, the Port of Chehalis has drafted the Port of Chehalis Comprehensive Plan, a comprehensive planning document for the Port of Chehalis; and

WHEREAS, the Port of Chehalis has held a public hearing on the Port of Chehalis Comprehensive Plan in accordance with RCW Chapter 53.25 and in an effort to obtain public input to the document and the Port’s planning process; and

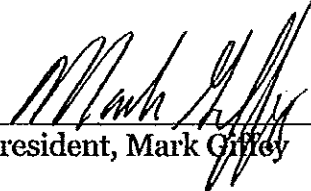
WHEREAS, the date of the public hearing was held on February 23, 2012; and

WHEREAS, the Port of Chehalis considered at said hearings the adoption of the *Port of Chehalis Comprehensive Plan* to serve as its comprehensive scheme of harbor improvements and industrial development as defined in RCW Chapter 53.25;

NOW, THEREFORE, BE IT RESOLVED by the Port Commission of the Port of Chehalis as follows:

1. The Port Commission hereby adopts the Port of Chehalis Comprehensive Plan, dated February 23, 2012, as its comprehensive scheme of harbor improvements and industrial development, and hereby replaces the *Port of Chehalis Comprehensive Scheme of Development*, dated November, 2006, with this document.

Adopted by the Port Commission of the Port of Chehalis at its regularly scheduled bi-monthly meeting thereof held this 23rd day of February, 2012 and duly authenticated in open session by the signatures of the Commissions voting in favor thereof and the seal of the Commission.



President, Mark Giffey



Vice President, Mark Anders

Attest By: 



Secretary, Ken Kostick

RESOLUTION NO. 15-2012

**A RESOLUTION OF THE CITY OF CHEHALIS,
WASHINGTON, ADOPTING THE PORT OF
CHEHALIS COMPREHENSIVE PLAN AND
PROVIDING FOR AN EFFECTIVE DATE HEREOF.**

WHEREAS, Chehalis Municipal Code (CMC) Chapter 17.40 establishes an Industrial Development District (IDD) within the Chehalis Industrial Park and provides for the involvement of the Port of Chehalis and the Port's Comprehensive Plan in the regulation thereof; and

WHEREAS, The Port of Chehalis has adopted a revised and updated Comprehensive Plan for reviewing development proposals within the designated IDD; and

WHEREAS, CMC Section 17.40.050 provides that revisions to the Port of Chehalis Comprehensive Plan will be adopted by the city by Resolution and used by the Development Review Committee; and

WHEREAS, Appendix Chapter 'C' of the Chehalis Development Regulations (CMC Title 17) contains the complete text of the Port of Chehalis Comprehensive Plan; and

WHEREAS, The Chehalis Development Regulations provide the opportunity for the Port of Chehalis to participate in the Development Review Committee process to review development proposals in the IDD for consistency with their Comprehensive Plan; now, therefore,

THE CITY COUNCIL OF THE CITY OF CHEHALIS, WASHINGTON, DO HEREBY RESOLVE AS FOLLOWS:

Section 1. The Port of Chehalis Comprehensive Plan dated February, 2012, adopted by the Port of Chehalis Resolution No. 2012-07, shall be, and the same hereby is, adopted by reference as if fully set forth herein.

Section 2. The adopted Port of Chehalis Comprehensive Plan shall supersede and replace the prior Plan contained in Appendix Chapter 'C' of the Chehalis Development Regulations. The City Clerk is authorized and directed to revise Appendix Chapter 'C' of said Regulations as provided herein.

Section 3. The effective date of this Resolution shall be immediately upon its adoption.

ADOPTED by the City Council of the city of Chehalis, Washington, and **APPROVED** by its Mayor, at a regularly scheduled open public meeting thereof on this 8th day of October, 2012.

Attest:

Mayor

City Clerk

Approved as to form:

City Attorney

CITY OF CHEHALIS

AGENDA REPORT

DATE: October 3, 2012
TO: The Honorable Mayor and City Council
FROM: Herta Fairbanks, Public Works Director
SUBJECT: Utility Rate Adjustments

ISSUE

The city has not adjusted utility rates for its water, wastewater, or stormwater utility since 2007, but operating costs have continued to increase, notably, fuel, insurance, power and chemicals.

DISCUSSION

The city has been conscientious of the current economic conditions and the affect these conditions have had on our community, and as a result has chosen to not adjust utility rates since 2007, although our operating costs have increased since that time. The city has been fortunate to be able to mitigate the increases in operating costs through a combination of efficient management and reserves, however, the utilities are now at the point where managerial creativity can no longer stave off necessary rate adjustments.

The administration presented two options for rate adjustments for the city's water, wastewater, and stormwater utilities during a council workshop held on September 24, 2012. The two options presented provided for a very conservative look at reserve levels, general financial indicators, and overall utility viability. The first option provided for one capital project in wastewater over a 6 year horizon and drawing down reserves on all three utilities to levels below "generally accepted" levels, but providing for them to be slowly rebuilt. In the second option, two capital projects were contemplated for wastewater and the drawdown on the reserves for the utilities is not as dramatic, while the recovery period is closer to "generally accepted" levels is faster.

After discussion at the workshop, council direction indicated that the first, lower cost option is more desirable. The administration has been working to prepare the necessary updates to our municipal code to accommodate the first option.

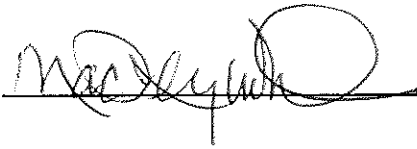
RECOMMENDATION/COUNCIL ACTION DESIRED

The administration recommends that the city council pass Ordinance Nos. 900-B, 901-

B, and 902-B on first reading.

SUGGESTED MOTION

I move that the city council pass Ordinance Nos. 900-B, 901-B, and 902-B on first reading.

REVIEWED BY:  _____, CITY MANAGER

ORDINANCE NO. 900-B

AN ORDINANCE OF THE CITY OF CHEHALIS, WASHINGTON, AMENDING SECTIONS 13.12.090, 13.12.110, 13.12.120 AND 13.12.180, ORDINANCE NO. 865-B, PASSED THE 14TH DAY OF FEBRUARY, 2011, AS CODIFIED IN THE CHEHALIS MUNICIPAL CODE.

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

Section 1. Sections 13.12.090, 13.12.110, 13.12.120, and 13.12.180 of the Chehalis Municipal Code shall be, and the same hereby are, amended to read as follows:

13.12.090 Charge for fire protection.

The monthly charge for fire protection service shall be as follows:

<u>Water Meter Service Size</u>	<u>Inside City Limits</u>	<u>Outside City Limits</u>
2"	\$ 6.58	\$ 7.23
3"	12.72	14.00
4"	35.29	38.83
6"	105.03	115.54
8"	207.59	228.36
10"	330.67	363.74
12"	474.26	521.69

~~**13.12.090 Charge for fire protection.**~~

~~The monthly charge for fire protection service shall be as follows:~~

<u>Water Meter Service Size</u>	<u>Inside City Limits</u>	<u>Outside City Limits</u>
2"	\$ 5.82	\$ 6.40
3"	11.26	12.39
4"	31.23	34.36
6"	92.95	102.25
8"	183.71	202.09
10"	292.63	321.89
12"	419.70	461.67

13.12.110 Water rates inside of the city limits.

The water rates to be charged for water usage for customers inside the city limits shall be as follows:

A. Residential Fixed Rate:

Size of Water Meter Service	2012	2013	2014	2015
--	-------------	-------------	-------------	-------------

5/8" x 3/4"	\$ 15.93	\$ 16.57	\$ 17.23	\$ 17.92
1"	22.86	23.77	24.73	25.71
1 1/2" and 2"	48.17	50.10	52.10	54.19

B. Commercial Fixed Rate:

Size of Water Meter Service	2012	2013	2014	2015
5/8" x 3/4"	\$ 17.85	\$ 18.57	\$ 19.31	\$ 20.08
1"	25.57	26.59	27.66	28.76
1 1/2" and 2"	53.86	56.01	58.25	60.58
3" and 4"	141.28	146.94	152.81	158.93
6"	269.86	280.65	291.88	303.55
8"	424.13	441.10	458.74	477.09

C. Consumption:

Year	Amount Per Unit of 100 Cubic Feet
2012	\$2.36
2013	2.46
2014	2.55
2015	2.66

D. Water rates inside the city limits and water rates outside the city limits shall be as stated for the year 2012 and shall remain the same for a period of 12 months from the effective date of Ordinance 900B, codified in this subsection. In all other respects, the terms and conditions of this section shall remain in full force and effect.

13.12.110 Water rates inside of the city limits.

The water rates to be charged for water usage for customers inside the city limits shall be as follows:

A. Residential Fixed Rate:

Size of Water Meter Service	2005	2006	2007
5/8" x 3/4"	\$ 12.54	\$ 13.30	\$ 14.10
1"	17.99	19.07	20.23
1 1/2" and 2"	37.96	40.25	42.68

Size of Water Meter Service	2008	2009	2010
5/8" x 3/4"	\$ 14.95	\$ 15.86	\$ 17.32
1"	21.45	22.74	24.84
1 1/2" and 2"	45.25	47.98	52.42

B. Commercial Fixed Rate:

Size of Water Service	2005	2006	2007
5/8" x 3/4"	\$ 14.05	\$ 14.90	\$ 15.80
1"	20.12	21.34	22.63
1 1/2" and 2"	42.39	44.95	47.66
3" and 4"	111.20	117.91	125.03
6"	212.39	225.21	238.81
8"	333.82	353.97	375.34

Size of Water Service	2008	2009	2010
5/8" x 3/4"	\$ 16.76	\$ 17.77	\$ 19.41
1"	23.99	25.44	27.79
1 1/2" and 2"	50.54	53.59	58.54
3" and 4"	132.58	140.58	153.57
6"	253.22	268.50	292.32
8"	398.00	422.02	461.02

C. Consumption:

Year	Amount Per Unit of 100 Cubic Feet
2005	\$1.86
2006	1.97
2007	2.09
2008	2.22
2009	2.35
2010	2.57

D. ~~Water rates inside the city limits and water rates outside the city limits shall be as stated for the year 2007 and shall remain the same for a period of 12 months from the effective date of Ordinance 826B, codified in this subsection. In all other respects, the terms and conditions of this section shall remain in full force and effect. At the end of the period of time for which rates are tolled at the 2007 rate, the council shall enact new legislation providing for water rates.~~

13.12.120 Water rates outside of the city limits.

The water rates to be charged for water usage for customers outside the city limits shall be as follows:

A. Residential Fixed Rate:

Size of Water Meter Service	2012	2013	2014	2015
5/8" x 3/4"	\$ 17.53	\$ 18.23	\$ 18.96	\$ 19.71
1"	25.14	26.15	27.19	28.28
1 1/2" and 2"	53.04	55.16	57.37	59.67

B. Commercial Fixed Rate:

Size of Water

Meter Service	2012	2013	2014	2015
5/8" x 3/4"	\$ 19.64	\$ 20.42	\$ 21.24	\$ 22.09
1"	28.13	29.25	30.42	31.64
1 1/2" and 2"	59.23	61.60	64.07	66.63
3" and 4"	155.41	161.63	168.09	174.81
6"	296.84	308.71	321.06	333.90
8"	466.54	485.20	504.61	524.80

C. Consumption:

Year	Amount Per Unit of 100 Cubic Feet
2012	\$2.60
2013	2.70
2014	2.81
2015	2.92

D. Water rates inside the city limits and water rates outside the city limits shall be as stated for the year 2012 and shall remain the same for a period of 12 months from the effective date of Ordinance 900B, codified in this subsection. In all other respects, the terms and conditions of this section shall remain in full force and effect.

13.12.120 Water rates outside of the city limits.

The water rates to be charged for water usage for customers outside the city limits shall be as follows:

A. Residential Fixed Rate:

Size of Water Meter Service	2005	2006	2007
5/8" x 3/4"	\$ 13.80	\$ 14.63	\$ 15.51
1"	19.79	20.98	22.25
1 1/2" and 2"	41.75	44.27	46.94

Size of Water Meter Service	2008	2009	2010
5/8" x 3/4"	\$ 16.45	\$ 17.44	\$ 19.05
1"	23.59	25.01	27.33
1 1/2" and 2"	49.78	52.78	57.66

B. Commercial Fixed Rate:

Size of Water Meter Service	2005	2006	2007
5/8" x 3/4"	\$ 15.46	\$ 16.39	\$ 17.38
1"	22.14	23.47	24.89
1 1/2" and 2"	46.63	49.44	52.42
3" and 4"	122.32	129.70	137.53
6"	233.63	247.73	262.69

8"	367.20	389.37	412.87
Size of Water Meter Service			
	2008	2009	2010
5/8" x 3/4"	\$ 18.43	\$ 19.54	\$ 21.35
1"	26.39	27.99	30.57
1½" and 2"	55.59	58.94	64.39
3" and 4"	145.83	154.63	168.92
6"	278.55	295.35	322.65
8"	437.80	464.22	507.12

C. Consumption:

Year	Amount Per Unit of 100 Cubic Feet
2005	\$2.05
2006	2.17
2007	2.30
2008	2.44
2009	2.59
2010	2.83

~~D. Water rates inside the city limits and water rates outside the city limits shall be as stated for the year 2007 and shall remain the same for a period of 12 months from the effective date of Ordinance 826B, codified in this subsection. In all other respects, the terms and conditions of this section shall remain in full force and effect. At the end of the period of time for which rates are tolled at the 2007 rate, the council shall enact new legislation providing for water rates.~~

13.12.180 Effective date.

The effective date of this ordinance shall be the 1st day of November, 2012.

~~**13.12.180 Effective date.**~~

~~The effective date of this ordinance shall be the February 22, 2011.~~

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 22nd day of October, 2012.

Mayor

Attest:

City Clerk

Approved as to Form:

City Attorney

ORDINANCE NO. 901-B

AN ORDINANCE OF THE CITY OF CHEHALIS, WASHINGTON AMENDING SECTIONS 13.16.040, AND 13.16.050, ORDINANCE NO. 773-B, PASSED THE 27TH DAY OF SEPTEMBER, 2004, AND CREATING SECTION 13.16.045, AS CODIFIED IN THE CHEHALIS MUNICIPAL CODE.

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

Section 1. Sections 13.16.040, and 13.16.050 of the Chehalis Municipal Code shall be, and the same hereby are, amended to read as follows:

13.16.040 Residential sewer charges.

A. Single-family residential sewer charges shall include a fixed rate charge and a usage charge. Sewer usage charges shall be based on the volume of water used during the winter months and averaged for summer month calculations. The monthly charges for single-family unit sewer service shall be as follows:

1. Residential fixed rate:

Year	Inside City Limits	Outside City Limits
2012	\$44.91	\$67.35
2013	47.61	71.39
2014	50.46	75.67
2015	53.49	80.21

2. Residential usage charge (per unit of 100 cubic feet)

Year	Inside City Limits	Outside City Limits
2012	\$5.40	\$5.79
2013	5.72	6.13
2014	6.07	6.50
2015	6.43	6.89

B. Monthly or bimonthly sewer usage for each account shall be calculated during the winter billing periods of October through March, or November through April, by using the actual total water usage for each account. Charges shall be calculated during the summer billing periods of April through September, or May through October, by using the lesser of the actual water usage during those periods, or the average of the actual water usage for the winter billing periods of October through March, or November through April; unless it can be demonstrated that another quantity of usage is actually used, or another method of calculating sewer usage charges is more accurate. In such cases, the demonstrated actual quantity of usage or more accurate method shall be used in computing the monthly sewer usage charges. The monthly sewer usage or averaged usage shall be added to the fixed rate charge.

C. For new sewer customers connecting or opening a utility account during the summer months, or where there is no history of winter water usage for an account, the lesser of the actual usage by the new customer or an average usage quantity for all residential customers, as determined by the finance director, shall be used, to calculate the summer sewer usage charge, unless it can be demonstrated that another

quantity of usage is actually used. In such cases, the demonstrated actual quantity of usage shall be used in computing the monthly sewer charges. The monthly sewer usage or average usage charge shall be added to the fixed rate charge.

13.16.040 Residential sewer charges.

~~A. Single family residential sewer charges shall include a fixed rate charge and a usage charge. Sewer usage charges shall be based on the volume of water used during the winter months and averaged for summer month calculations. The monthly charges for single family unit sewer service shall be as follows:~~

~~1. Residential fixed rate:~~

Year	Inside City Limits	Outside City Limits
2005	\$29.52	\$44.27
2006	32.57	48.84
2007	35.93	53.88
2008	39.63	59.43
2009	43.72	65.57
2010	47.55	71.31

~~2. Residential usage charge (per unit of 100 cubic feet)~~

Year	Inside City Limits	Outside City Limits
2005	\$3.55	\$3.81
2006	3.92	4.20
2007	4.32	4.63
2008	4.77	5.11
2009	5.26	5.64
2010	5.72	6.13

~~B. Monthly or bimonthly sewer usage for each account shall be calculated during the winter billing periods of October through March, or November through April, by using the actual total water usage for each account. Charges shall be calculated during the summer billing periods of April through September, or May through October, by using the lesser of the actual water usage during those periods, or the average of the actual water usage for the winter billing periods of October through March, or November through April; unless it can be demonstrated that another quantity of usage is actually used, or another method of calculating sewer usage charges is more accurate. In such cases, the demonstrated actual quantity of usage or more accurate method shall be used in computing the monthly sewer usage charges. The monthly sewer usage or averaged usage shall be added to the fixed rate charge.~~

~~C. For new sewer customers connecting or opening a utility account during the summer months, or where there is no history of winter water usage for an account, the lesser of the actual usage by the new customer or an average usage quantity for all residential customers, as determined by the finance director, shall be used, to calculate the summer sewer usage charge, unless it can be demonstrated that another quantity of usage is actually used. In such cases, the demonstrated actual quantity of usage shall be used in computing the monthly sewer charges. The monthly sewer usage or average usage charge shall be added to the fixed rate charge.~~

13.16.050 Commercial, industrial, and temporary sewer charges.

Commercial, industrial, and temporary sewer charges shall include a fixed rate charge and a usage charge. Sewer usage charges shall be based on volume of water used unless it can be demonstrated that another quantity of usage is actually used, or another method of calculating sewer usage charges is more accurate. In such cases, the demonstrated actual quantity of usage or more accurate method shall be

used in computing the monthly sewer usage charges. The monthly charges for commercial sewer service shall be as follows:

A. Commercial, industrial, and temporary fixed rate inside the city limits:

Size of Water Meter Service	2012	2013	2014
5/8" x 3/4"	\$ 61.43	\$ 65.11	\$ 69.02
1"	109.44	116.00	122.96
1½" and 2"	151.35	160.43	170.06
3" and 4"	286.41	303.60	321.81
6"	648.60	687.52	728.77
8"	972.91	1,031.29	1,093.16

Size of Water Meter Service	2015
5/8" x 3/4"	\$ 73.16
1"	130.34
1½" and 2"	180.26
3" and 4"	341.12
6"	772.49
8"	1,158.75

B. Commercial, industrial, and temporary fixed rate outside the city limits:

Size of Water Meter Service	2012	2013	2014	2015
5/8" x 3/4"	\$ 92.14	\$ 97.67	\$ 103.53	\$109.74
1"	164.16	174.01	184.45	195.52
1½" and 2"	227.04	240.66	255.10	270.41
3" and 4"	429.63	455.40	482.73	511.69
6"	972.90	1,031.27	1,093.15	1,158.74
8"	1,459.31	1,546.87	1,639.68	1,738.06

C. Commercial, industrial, and temporary usage charge (per unit of 100 cubic feet)

Year	Inside City Limits	Outside City Limits
2012	\$5.40	\$5.79
2013	5.72	6.13
2014	6.07	6.50
2015	6.43	6.89

D. Sewer rates inside the city limits and sewer rates outside the city limits shall be as stated for the year 2012 and shall remain the same for a period of 12 months from the effective date of Ord. 901B, codified in this subsection. In all other respects, the terms and conditions of this section shall remain in full force and effect.

Section 2. Section 13.16.045 of the Chehalis Municipal Code is hereby created to read as follows:

13.16.045 Effective Date

The effective date of this ordinance shall be the 1st day of November, 2012.

13.16.050 Commercial, industrial, and temporary sewer charges.

~~Commercial, industrial, and temporary sewer charges shall include a fixed rate charge and a usage charge. Sewer usage charges shall be based on volume of water used unless it can be demonstrated that another quantity of usage is actually used, or another method of calculating sewer usage charges is more accurate. In such cases, the demonstrated actual quantity of usage or more accurate method shall be used in computing the monthly sewer usage charges. The monthly charges for commercial sewer service shall be as follows:~~

A. Commercial, industrial, and temporary fixed rate inside the city limits:

Size of Water Meter Service	2005	2006	2007
5/8" x 3/4"	\$ 40.38	\$ 44.54	\$ 49.14
1"	71.94	79.36	87.55
1 1/2" and 2"	99.49	109.76	121.08
3" and 4"	188.28	207.70	229.13
6"	426.36	470.35	518.88
8"	639.53	705.51	778.30

Size of Water Meter Service	2008	2009	2010
5/8" x 3/4"	\$ 54.21	\$ 59.80	\$ 65.04
1"	96.58	106.55	115.88
1 1/2" and 2"	133.58	147.37	160.27
3" and 4"	252.77	278.87	303.29
6"	572.41	631.51	686.81
8"	858.59	947.24	1,030.18

B. Commercial, industrial, and temporary fixed rate outside the city limits:

Size of Water Meter Service	2005	2006	2007
5/8" x 3/4"	\$ 60.56	\$ 66.81	\$ 73.71
1"	107.91	119.05	131.33
1 1/2" and 2"	149.25	164.65	181.63
3" and 4"	282.42	311.56	343.70
6"	639.55	705.53	778.32
8"	959.29	1,058.26	1,167.45

Size of Water Meter Service	2008	2009	2010
5/8" x 3/4"	\$ 81.31	\$ 89.70	\$ 97.56
1"	144.88	159.83	173.83
1 1/2" and 2"	200.37	221.06	240.42
3" and 4"	379.16	418.31	454.94

6"	858.62	947.27	1,030.22
8"	1,287.89	1,420.86	1,545.28

~~C. Commercial, industrial, and temporary usage charge (per unit of 100 cubic feet)~~

Year	Inside City Limits	Outside City Limits
2005	\$3.55	\$3.81
2006	3.92	4.20
2007	4.32	4.63
2008	4.77	5.11
2009	5.26	5.64
2010	5.72	6.13

~~D. Sewer rates inside the city limits and sewer rates outside the city limits shall be as stated for the year 2007 and shall remain the same for a period of 12 months from the effective date of Ord. 827B, codified in this subsection. In all other respects, the terms and conditions of this section shall remain in full force and effect. At the end of the period of time for which rates are tolled at the 2007 rate, the council shall enact new legislation providing for sewer rates.~~

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 22nd day of October, 2012.

Mayor

Attest:

City Clerk

Approved as to Form:

City Attorney

ORDINANCE NO. 902-B

**AN ORDINANCE OF THE CITY OF CHEHALIS, WASHINGTON
AMENDING SECTIONS 13.28.030, 13.28.040, AND 13.28.120,
ORDINANCE NO. 868-B, PASSED THE 14TH DAY OF FEBRUARY,
2011; AS CODIFIED IN THE CHEHALIS MUNICIPAL CODE.**

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

13.28.030 Charges for specific parcels and uses.

The following utility charges are established for all parcels of real property in the city:

A. Residential Parcels. The single-family residential charges shall apply to each parcel having one dwelling unit. The monthly charges for single-family unit storm water service shall be as follows:

Year	Amount per Unit
2012	\$6.45
2013	6.95
2014	7.45
2015	7.95
2016	8.45
2017	8.95
2018	9.45

A residential parcel shall be deemed one ESU.

B. Undeveloped Parcels. Undeveloped parcels shall not be charged.

C. Parcels Located within a Flood Control District. Parcels located within a flood control district shall not be charged.

D. Parcels Containing a Detention Structure. The charge for all parcels containing a detention structure shall be based upon the total amount of measured impervious surface divided by the ESU and rounded to the nearest one-tenth whole number. The monthly service charge shall consist of the residential parcel charge for the first ESU and \$1.00 for each additional measured ESU:

Year	Amount per Unit
2012	\$6.45 plus \$1.00 per each additional ESU
2013	6.95 plus \$1.00 per each additional ESU
2014	7.45 plus \$1.00 per each additional ESU
2015	7.95 plus \$1.00 per each additional ESU
2016	8.45 plus \$1.00 per each additional ESU
2017	8.95 plus \$1.00 per each additional ESU
2018	9.45 plus \$1.00 per each additional ESU

E. Parcels with a Retention Structure. The monthly charge for all parcels containing a retention structure shall be the same as the monthly charge for residential parcels.

F. Other Parcels. The charge for all other parcels shall be based upon the total amount of measured impervious surface divided by the ESU, and rounded to the nearest one-tenth whole number. The actual total monthly service charge shall be computed by multiplying the measured ESUs for a parcel by the following monthly unit rates:

Year	Amount per Unit
2012	\$6.45
2013	6.95
2014	7.45
2015	7.95
2016	8.45
2017	8.95
2018	9.45

G. Limited-Access Highways, City Transportation System. State of Washington limited-access highways shall be excluded from being charged consistent with this ordinance and Chapter 90.03 RCW. The city transportation system, including surfaced and non-surfaced streets, alleys, and all other public roads located within city rights-of-way, shall be excluded from being charged consistent with this ordinance.

H. Storm water utility rates shall be as stated for the year 2012 and shall remain the same for a period of 12 months from the effective date of Ord. 902B, codified in this subsection. In all other respects, the terms and conditions of this section shall remain in full force and effect.

~~13.28.030 Charges for specific parcels and uses.~~

~~The following utility charges are established for all parcels of real property in the city:~~

~~A. Residential Parcels. The single family residential charges shall apply to each parcel having one dwelling unit. The monthly charges for single family unit storm water service shall be as follows:~~

Year	Amount per Unit
2005	\$4.89
2006	5.47
2007	5.95
2008	6.46
2009	6.84
2010	7.31

~~A residential parcel shall be deemed one ESU.~~

~~B. Undeveloped Parcels. Undeveloped parcels shall not be charged.~~

~~C. Parcels Located within a Flood Control District. Parcels located within a flood control district shall not be charged.~~

~~D. Parcels Containing a Detention Structure. The charge for all parcels containing a detention structure shall be based upon the total amount of measured impervious surface divided by the ESU and rounded to the nearest one-tenth whole number. The monthly service charge shall consist of the residential parcel charge for the first ESU and \$1.00 for each additional measured ESU.~~

Year	Amount per Unit
2005	\$4.89 plus \$1.00 per each additional ESU
2006	5.47 plus \$1.00 per each additional ESU
2007	5.95 plus \$1.00 per each additional ESU
2008	6.46 plus \$1.00 per each additional ESU
2009	6.84 plus \$1.00 per each additional ESU
2010	7.31 plus \$1.00 per each additional ESU

E. ~~Parcels with a Retention Structure.~~ The monthly charge for all parcels containing a retention structure shall be the same as the monthly charge for residential parcels.

F. ~~Other Parcels.~~ The charge for all other parcels shall be based upon the total amount of measured impervious surface divided by the ESU, and rounded to the nearest one-tenth whole number. The actual total monthly service charge shall be computed by multiplying the measured ESUs for a parcel by the following monthly unit rates:

Year	Amount per Unit
2005	\$4.89
2006	5.47
2007	5.95
2008	6.46
2009	6.84
2010	7.31

G. ~~Limited Access Highways, City Transportation System.~~ State of Washington limited-access highways shall be excluded from being charged consistent with this ordinance and Chapter 90.03 RCW. The city transportation system, including surfaced and non-surfaced streets, alleys, and all other public roads located within city rights-of-way, shall be excluded from being charged consistent with this ordinance.

H. ~~Storm water utility rates shall be as stated for the year 2007 and shall remain the same for a period of 12 months from the effective date of Ord. 828B, codified in this subsection. In all other respects, the terms and conditions of this section shall remain in full force and effect. At the end of the period of time for which rates are tolled at the 2007 rate, the council shall enact new legislation providing for storm water utility rates.~~

13.28.040 Appeal of ESU charges.

A. Any person, within 60 days after being notified of the determination of ESUs for a particular parcel(s) who considers the ESU determination or storm water utility charge calculation(s) applied to the parcel to be inaccurate, or who otherwise disagrees with a storm water utility rate determination, may apply to the public works director for a rate adjustment, stating in writing the grounds of the appeal.

B. Any person, after making or causing changes to a particular parcel(s) where such changes or modifications, reduce the total amount of impervious area of the parcel, may apply to the director for a redetermination of ESU(s). The director shall review the case file and determine whether a readjustment is warranted. If the director determines that an adjustment is warranted, the director shall cause the redetermination of impervious area and assignment of current ESU(s) to take place.

C. Any person, after making or causing changes to a particular parcel(s) where such changes or modifications provide mitigation that both exceeds that required by the city as a

condition of a development and is available for the benefit of other developed parcel(s), may apply to the director for a rate adjustment, stating in writing the reason or grounds of the request. The director shall review the case file and determine whether a rate adjustment is warranted. If the director determines that an adjustment is warranted, the actual total monthly service charge shall be computed by multiplying the measured ESUs for the parcel by the following monthly unit rate:

Year	Amount per Unit
2012	\$5.10
2013	5.49
2014	5.89
2015	6.28
2016	6.68
2017	7.07
2018	7.47

D. Appeals of any decisions made by the director may be brought before the city manager who may direct the reevaluation of the appeal. Appeals beyond the city manager may then be brought before council.

E. Nothing in this ordinance shall be construed to grant a right to judicial review, which does not otherwise exist in law. (In all cases, the decision of the council shall be final and conclusive.

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Year	Amount per Unit
2005	\$3.86
2006	4.32

2007	4.70
2008	5.10
2009	5.40
2010	5.77

~~D. Appeals of any decisions made by the director may be brought before the city manager who may direct the reevaluation of the appeal. Appeals beyond the city manager may then be brought before council.~~

~~E. Nothing in this ordinance shall be construed to grant a right to judicial review, which does not otherwise exist in law. (In all cases, the decision of the council shall be final and conclusive.~~

13.28.120 Effective Date.

The effective date of this ordinance shall be the November 1, 2012

~~**13.28.120 Effective Date.**~~

~~The effective date of this ordinance shall be the February 22, 2011~~

PASSED by city council of the city of Chehalis, Washington, and **APPROVED** by its mayor, at a regularly scheduled open public meeting thereof this 22nd day of October, 2012.

Mayor

Attest:

City Clerk

Approved as to Form:

City Attorney