



## CITY OF MOSES LAKE STAFF REPORT

---

To: John Williams, City Manager  
From: Gary Harer, Municipal Services Director  
Date: November 8, 2016  
Proceeding Type: MOTION  
Subject: Request to Connect to City Water and Sewer –  
Guy's Westshore Short Plat

---

### Legislative History:

• First Presentation:	November 8, 2016
• Action	Motion

### **Staff Report Summary**

Columbia NW Engineering requests on behalf of the clients to connect to the City's water and sewer systems to serve Lots 1 and 2 of the Guy's Westshore Short Plat. The City's systems have the capacity to serve these lots. The property is located inside of the City's UGA, but more than one-half mile from the city limits. If approved, the property owner will be required to sign an extra territorial agreement before a permit is issued for connecting to City services.

### **Background**

The City Council has approved connections along Westshore Drive in the past, provided the property owner signs an extra territorial agreement.

### **Fiscal and Policy Implications**

There are no fiscal implications.

### Options

<i>Option</i>	<i>Results</i>
<ul style="list-style-type: none"><li>• <i>Approve the request.</i></li></ul>	The owners will connect to the City's systems.
<ul style="list-style-type: none"><li>• <i>Deny the request.</i></li></ul>	The property owners will pursue other options for utilities.

### Staff Recommendation

Staff recommends City Council approve the request to connect to City utilities and require the property owners to sign an extra territorial agreement before a construction permit is issued.

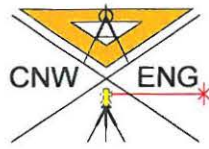
### Attachments

A.	Request letter, Site Map, Short Plat Drawing
----	--

### Legal Review

The following documents are attached and subject to legal review:

Type of Document	Title of Document	Date Reviewed by Legal Counsel
<ul style="list-style-type: none"><li>• none</li></ul>		



Civil Engineers  
Land Surveyors  
Planners

# Columbia NW Engineering, PS

249 North Elder Street  
Moses Lake, WA 98837-1799

Phone (509) 766-1226  
Fax (509) 766-6754

**RECEIVED**

September 26, 2016

SEP 30 2016

MUNICIPAL SERVICES DEPT.  
ENGINEERING  
CITY OF MOSES LAKE

**Gary Harer**  
Municipal Services Director  
City of Moses Lake  
P.O. Drawer 1579  
Moses Lake, WA 98837

Anne Henning  
Community Development Department  
City of Moses Lake  
PO Drawer 1579  
Moses Lake, WA 98837

**Subject: Guy's Westshore Short Plat (CNWE #1-14-069)**

Dear Gary and Anne:

In March of last year we started this plat; however, due to vacation of some road rights-of-way and other items, the actual submittal was delayed. In the passing several months the owners decided to add one more lot to the proposed short plat. I am resubmitting the request as outlined below.

The subject parcel (Grant County Parcel 17-0756-000) is within the City UGA. The following are attached:

- A copy of the preliminary plat for reference, and
- GCHD application form for water-sewer availability. Lots 1 and 2 are proposed to be served from City water and sewer. Lot 3 is proposed to be served by the existing on-site septic and well.

Based upon our phone conversation last week, on behalf of both Mr. Robert Guy and Mr. Ron Guy, we respectfully request:


1. Two water connections to the City of Moses Lake Municipal Water and Sewer Systems to serve Lots 1 and 2 of the proposed Guy's Westshore Short Plat, and
2. A waiver to the requirement for Lot 3 to connect to the Water and Sewer at this time. We understand that a Covenant will be required to be signed that would require Lot 3 to connect to the water if the well fails at some future date, and for connection to the sewer if the existing on-site system fails in the future.

We will need the signed GCHD form returned for our application to Grant County Planning. Call us and we will pick the form up.

Page 1 of 2

Please let me know when this request will be presented to the City Council for approval.

Sincerely,



Philip J. Bloom, PE PLS  
President

Attachments as noted.

cc: Ron Guy 2750 Westshore Drive NE, Moses Lake, WA 98837  
Robert Guy 8166 N. Dragon Lane, Pima, AZ 85543



Guy's  
Westshore  
Short Plat

ROAD 3

S19 T19 R28

Westshore Drive  
0.0 Miles

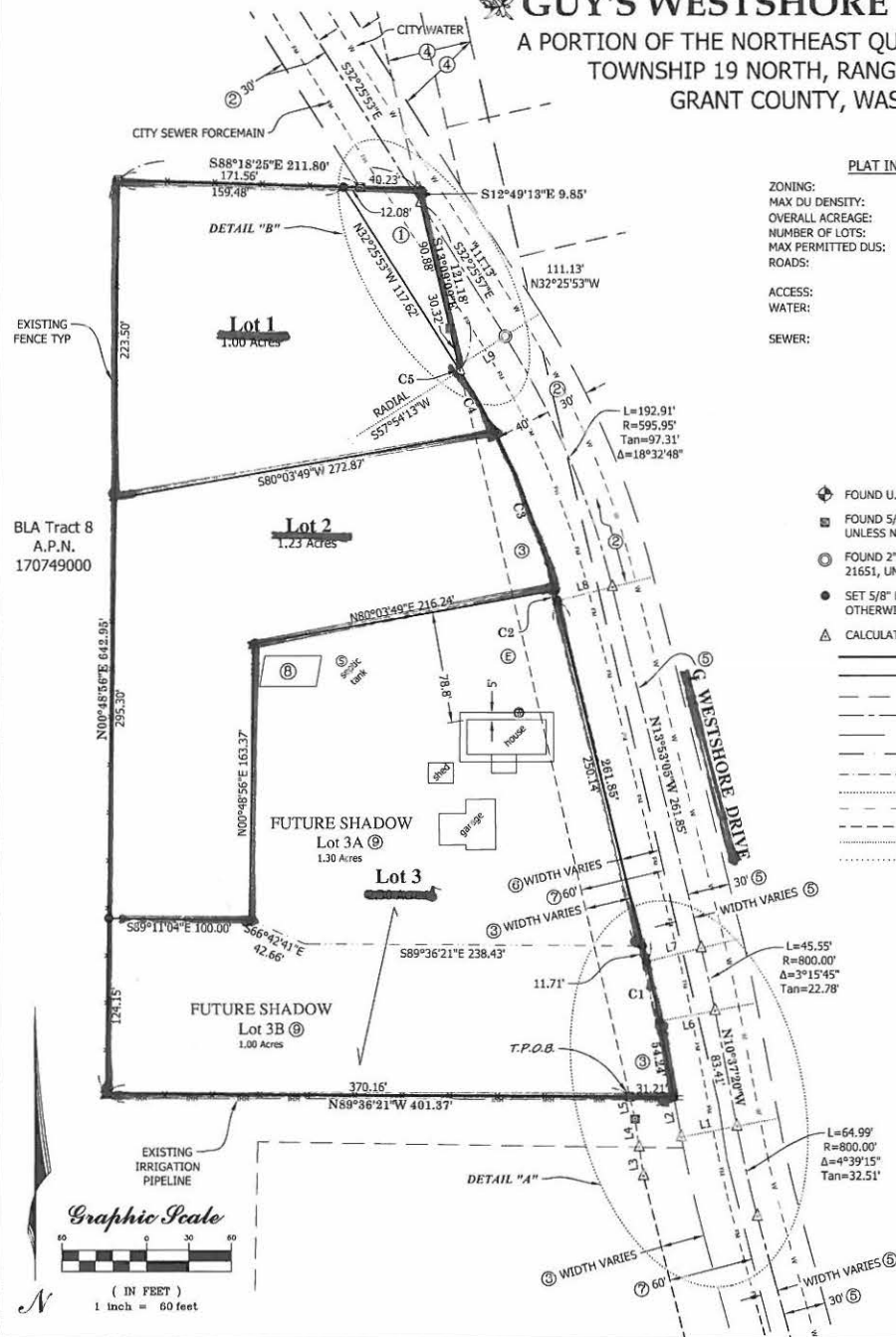
MAE VALLEY RD

city  
limits



# GUY'S WESTSHORE SHORT PLAT

A PORTION OF THE NORTHEAST QUARTER OF SECTION 19,  
TOWNSHIP 19 NORTH, RANGE 28 EAST, W.M.,  
GRANT COUNTY, WASHINGTON



## PLAT INFORMATION

ZONING: UR2 (URBAN RESIDENTIAL 2)  
MAX DU DENSITY: 4 DU/ACRE  
OVERALL ACREAGE: 4.51 ACRES  
NUMBER OF LOTS: 3 RESIDENTIAL  
MAX PERMITTED DUS: 10  
ROADS: 0.08 ACRES RIGHT-OF-WAY DEDICATED TO COUNTY WESTSHORE DRIVE  
ACCESS: CITY OF MOSES LAKE LOTS 1 & 2.  
WATER: LOT 3 INDIVIDUAL EXISTING WELL  
SEWER: CITY OF MOSES LAKE LOTS 1 & 2.  
LOT 3 ON SITE SEPTIC SYSTEM

## LEGEND

- FOUND U.S.B.R. BRASS & CAP MONUMENT IN CASE
- FOUND 5/8" REBAR & CAP (R.B.C.), P.L.S. 21651, UNLESS NOTED OTHERWISE
- FOUND 2" ALUMINUM CAP ON 5/8" REBAR, P.L.S. 21651, UNLESS NOTED OTHERWISE
- SET 5/8" REBAR & CAP (R.B.C.), UNLESS NOTED OTHERWISE, P.L.S. 46321
- CALCULATED POINT ONLY
- PROPERTY BOUNDARY LINE
- LOT LINE
- EXISTING PROPERTY LINE
- ROAD CENTERLINE
- ROAD RIGHT-OF-WAY
- SECTION LINE
- SECTION SUBDIVISION LINE
- SURVEY TIE LINE
- FUTURE LOT LINE SHADOW PLAT
- VACATED ROAD RIGHT-OF-WAY
- RADIAL LINE
- WELL PROTECTION ZONE

LINE TABLE		
L#	BEARING	DISTANCE
L1	N79°22'40"E	40.00'
L2	N10°37'20"W	29.16'
L3	N08°34'39"W	20.28'
L4	N08°34'39"W	20.28'
L5	S13°09'09"E	16.50'
L6	N79°22'40"E	40.00'
L7	N76°06'55"E	40.00'
L8	N76°06'55"E	40.00'
L9	S57°34'27"W	40.00'

CURVE TABLE			
C#	LENGTH	RADIUS	DELTA
C1	43.27'	760.00'	3°15'45"
C2	7.42'	555.95'	0°45'52"
C3	120.37'	555.95'	12°24'20"
C4	48.92'	555.95'	5°02'30"
C5	3.25'	555.95'	0°20'07"

## PLAT RESTRICTIONS

- (A) LAND WITHIN THIS SHORT PLAT SHALL NOT BE FURTHER DIVIDED FOR A PERIOD OF FIVE (5) YEARS FROM THE DATE OF APPROVAL UNLESS A NEW SUBDIVISION IS APPROVED IN ACCORDANCE WITH G.C.C.: CHAPTER 22.04.420 AND CHAPTER 58.17.
- (B) THE APPROVAL OF THIS SHORT SUBDIVISION DOES NOT GUARANTEE THE ISSUANCE OF ANY OTHER PERMIT.
- (C) PURSUANT TO G.C.C.: CHAPTER 22.04.420(D)(1)(C), GRANT COUNTY HAS NO RESPONSIBILITY TO CONSTRUCT, IMPROVE, MAINTAIN, OR OTHERWISE SERVICE ANY PRIVATE ROADS CONTAINED WITHIN THIS SHORT SUBDIVISION.
- (D) UTILITY EASEMENTS ARE GRANTED ALONG ALL LOT LINES WITHIN THIS SHORT PLAT. UTILITY EASEMENTS ALONG INTERIOR LOT LINES SHALL BE 10 FEET WIDE, 5 FEET ON EACH SIDE OF THE LOT LINE. UTILITY EASEMENTS ALONG EXTERIOR LOT LINES SHALL BE 10 FEET WIDE PARALLEL AND ADJACENT TO THE LOT LINE.

IN THE CASES WHERE FEDERAL, STATE, U.S.B.R. AND/OR IRRIGATION DISTRICT EASEMENTS OR RIGHTS-OF-WAY EXIST ALONG THE PROPERTY LINE, THE UTILITY EASEMENT SHALL RUN PARALLEL AND ADJACENT TO THE EXISTING EASEMENT OR RIGHTS-OF-WAY.

UTILITY EASEMENTS NOT IN USE ARE SUBJECT TO BEING RELOCATED UPON ALTERATION OF LOT LINES.

- (E) ALL NEW WELLS ARE SUBJECT TO A 100 FOOT MINIMUM RADIUS WELL HEAD PROTECTIVE ZONE. AT ANY POINT THAT THE WELL IS ABANDONED AND LOT 3 CONNECTS TO CITY WATER THE WELL HEAD PROTECTION EASEMENT WILL NO LONGER EXIST.

## NOTES

- (1) DEDICATED TO GRANT COUNTY, ALL RIGHTS, TITLE AND INTEREST ON THE LANDS SHOWN AS RIGHTS-OF-WAY FOR ROADS, STREETS AND ALLEYS.
- (2) RIGHT-OF-WAY EASEMENT TO GRANT COUNTY JUDGMENT 84-9-00905-7 SUPERIOR COURT OF WASHINGTON FOR GRANT COUNTY.
- (3) RIGHT-OF-WAY OF WESTSHORE DRIVE AS PLATTED ON STADE ORCHARD TRACTS WESTERLY PORTION VACATED, GRANT COUNTY COMMISSIONERS RESOLUTION 16.037, APRIL 19, 2016, A.F.N. 136158.
- (4) RIGHT-OF-WAY OF WESTSHORE DRIVE DEDICATED ON STADE ORCHARD TRACTS AND VACATED RESOLUTION 96-150-CC GRANT COUNTY COMMISSIONERS.
- (5) WESTSHORE DRIVE PRESCRIPTIVE USE RIGHT-OF-WAY MAINTAINED BY GRANT COUNTY.
- (6) RIGHT-OF-WAY OF WESTSHORE DRIVE REMAINING AFTER VACATION OF WESTERLY PORTION OF RIGHT-OF-WAY DEDICATED ON PLAT OF STADE ORCHARD TRACTS.
- (7) RIGHT-OF-WAY OF WESTSHORE DRIVE PER PLAT OF STADE ORCHARD TRACTS WEST PORTION VACATED PER, GRANT COUNTY COMMISSIONERS RESOLUTION 16.037, APRIL 19, 2016, A.F.N. 136158.
- (8) DRAINFIELD LOCATION PER INFORMATION PROVIDED BY OWNER.
- (9) SHADOW LOTS ARE NOT PLATTED AT THIS TIME BUT ARE SHOWING HOW THE LOT CAN BE FURTHER DEVELOPED IN THE FUTURE AND COMPLY WITH ZONING ORDINANCE.

INDEX DATA				
S19	T19	N	R28	E

**Columbia NW Engineering, PS**  
engineering ~ surveying ~ planning  
249 North Elder Street, Moses Lake, WA 98837  
Ph: 509-766-1226 Fax: 509-766-6754

**GUY'S WESTSHORE SHORT PLAT**  
FOR: ROBERT S. GUY ETAL AND RONALD C. GUY ETAL  
8166 N DRAGON LANE, PIMA, AZ 85543

DTW  
DRAWN BY  
SCP  
Q.A. REVIEW  
09-30-2016  
PLOT DATE  
1" = 60'  
PLOT SCALE  
1-14-069  
PROJ. NO.  
0  
REVISION NO.  
SHEET 2  
OF 3

k:\projects\1-14-069\_guy's westshore sp\production\survey\guy short plat p-plat 2016.dwg



**CITY OF MOSES LAKE**  
**STAFF REPORT**

---

To: John Williams, City Manager  
From: Gilbert Alvarado, Community Dev. Dir. / Deputy City Manager  
Date: November 8, 2016  
Proceeding Type: Motion  
Subject: Calling the Covenant as to Improvements for Baron Estates No. 2

---

**Legislative History:**

• First Presentation:	November 8, 2016
• Second presentation:	
• Action:	Motion

---

**Staff Report Summary**

Attached is the Baron Estates No. 2 consent agenda showing approval of the Final Major Plat and Findings of Fact, dated July 10, 2007. The Covenant as to Improvements was recorded with the Plat Mylar's on September 27, 2016. See attached.

**Background**

Baron Estates No. 2 consists of 26 lots on 6.46 acres located south of Sharon Avenue, between Legend Lane and Wallace Street. The City Council at their July 10, 2007 regular meeting adopted the Planning Commission's decision of approval for the Baron Estates No. 2 Final Plat and Findings of Fact. As part of the conditions of approval was a Covenant for Improvements for a temporary cul-de-sac at the end of Skyline Drive. The five-year time limit to complete the temporary cul-de-sac has been exceeded.

**Fiscal and Policy Implications**

n/a

### Options

<i>Option</i>	<i>Results</i>
<ul style="list-style-type: none"><li><i>To call the covenant as to Improvement for temporary cul-de-sac at the end of Skyline Drive.</i></li></ul>	The developer would be required to uphold the agreement of the covenant to complete the temporary cul-de-sac to City Standards, or extend Skyline Drive with full width street improvements to Jones Avenue.
<ul style="list-style-type: none"><li><i>Take no action.</i></li></ul>	The developer would remain in default of the Covenant as to Improvements of the temporary cul-de-sac.

### Staff Recommendation

Staff recommends the Moses Lake City Council recall the Covenant for Improvement for Baron Estates No. 2.

### Attachments

A.	Consent Agenda dated July 10, 2007
B.	Covenant of Improvements dated September 27, 2007
C.	Site Map

### Legal Review

The following documents are attached and subject to legal review:

Type of Document	Title of Document	Date Reviewed by Legal Counsel
<ul style="list-style-type: none"><li></li></ul>		

## CONSENT AGENDA

Resolution - Accept Improvements - Lakeland Addition Phase 4 Major Plat: A resolution was presented which accepts improvements constructed as part of the Lakeland Addition Phase 4 Major Plat. 1126

Resolution - Accept Grant - Washington Traffic Safety Committee: A resolution was presented which accepts a grant of \$36,030 from the Washington Traffic Safety Committee. The funds will be used to replace curb and gutter, paint crosswalk, and install school crossing signs on Burrass Street. 1117

Baron Estates #2 Final Major Plat and Findings of Fact: Olsen Homes submitted the Baron Estates #2 Final Major Plat. The plat is 26 lots on 6.46 acres located south of Sharon Avenue between Legend Lane and Wallace Street. The area is zoned R-1, Single Family Residential, which corresponds to the Comprehensive Plan Land Use Designation of Low Density Residential. The final plat has no significant changes from the approved preliminary plat. The Findings of Fact were also presented for approval. 1126

Lakeland Addition Phase 4 Final Major Plat and Findings of Fact: Aho Construction I submitted the Lakeland Addition Phase 4 Final Major Plat. The plat is 46 lots on 12.25 acres located east of Highway 17 at the end of Lakeland Drive. The area is zoned R-1, Single Family Residential, which corresponds to the Comprehensive Plan Land Use Designation of Low Density Residential. The final plat has no significant changes from the approved preliminary plat. The Findings of Fact were also presented for approval. 1126

Action Taken: Mr. Reese moved that the Consent Agenda be approved, seconded by Mr. Ecret, and passed unanimously. 1122  
P. 6562





Legal Department  
City of Moses Lake  
P. O. Box 1579  
Moses Lake, WA 98837

1223770 09/27/2007 09:15 AM  
Page 1 of 2 R 41.09 Grant Co, WA  
COL NU ENGINEERING

1. Owner and Plat: This covenant running with the land is made by Olsen Homes, LLC herein referred to as the owner of certain real property, herein referred to as the premises, located in the City of Moses Lake, Grant County, Washington and described as follows:

2. Recitals:

- 2.1 The owner has caused the premises to be platted and in connection with that platting, the owner is required to make certain improvements.
- 2.2 The owner and the City of Moses Lake, Grant County, Washington, desire to allow the owner to proceed with the completion of certain platting improvements at a time other than that specified by Moses Lake City Ordinance.
- 2.3 It is the desire of the owner that the terms upon which certain improvements will be required in the future to be placed upon the premises shall become covenants running with the land and shall be binding upon the land and all present and subsequent owners and persons dealing with the same.

3.1 **Binding Effect:** The terms of this covenant shall be binding upon the owner, his/its successors, assigns, heirs, agents, and all other persons claiming an interest in the premises or any portion thereof. The liability for the cost of the installation of the improvements, the construction of which is delayed by this covenant, is joint and several to the entire premises and any lots, tracts, parcels, or divisions of the premises.

- Within five (5) years of the date of this covenant, either replace the temporary cul-de-sac at the end of Skyline Drive with a permanent cul-de-sac or extend Skyline Drive with full width street improvements to Jones Avenue when Jones Avenue is constructed.

These improvements shall be designed and constructed to current city standards at the time of construction.

time of construction.

- 3.3 Triggering Event: Upon the happening of the event listed herein, the owner, his/its heirs, assigns, or successors in and to the premises shall cause the above improvements to be forthwith made. The City of Moses Lake shall give written notice to the owner to proceed to install those improvements when the city determines installation of those improvements is required, such as with the development of adjoining properties with improvements such as, but not limited to, sidewalks, curbs, gutters, streets, sewer, water, and street lighting or the installation of improvements such as, but not limited to, sidewalks, curbs, gutters, streets, sewer, water, and street lighting adjacent to the owner's property by the City of Moses Lake or by any other person, entity, or organization. The determination of the City of Moses Lake shall be conclusive.
- 3.4 Enforcement: The City of Moses Lake is a beneficiary of this covenant and as such is entitled to seek enforcement of this covenant or, in the alternative, reimbursement to the city for the costs of installing the improvements with public funds if the city has installed some or all of the required improvements itself after the failure of the owners to perform. In the event of such enforcement action, the City of Moses Lake shall be entitled to recover all costs of litigation including but not limited to the costs of title searches, service of process, discovery, and disposition costs, and all actual attorney's fees incurred before, during and after trial, including appeals.

4. Dated: 8-15, 2007

Olsen Homes, LLC

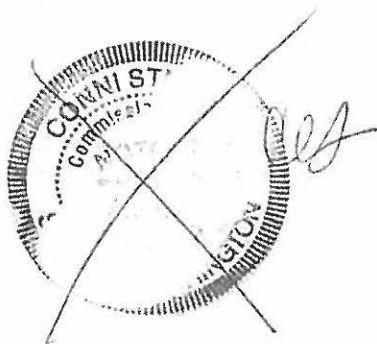
By Peter L Olsen

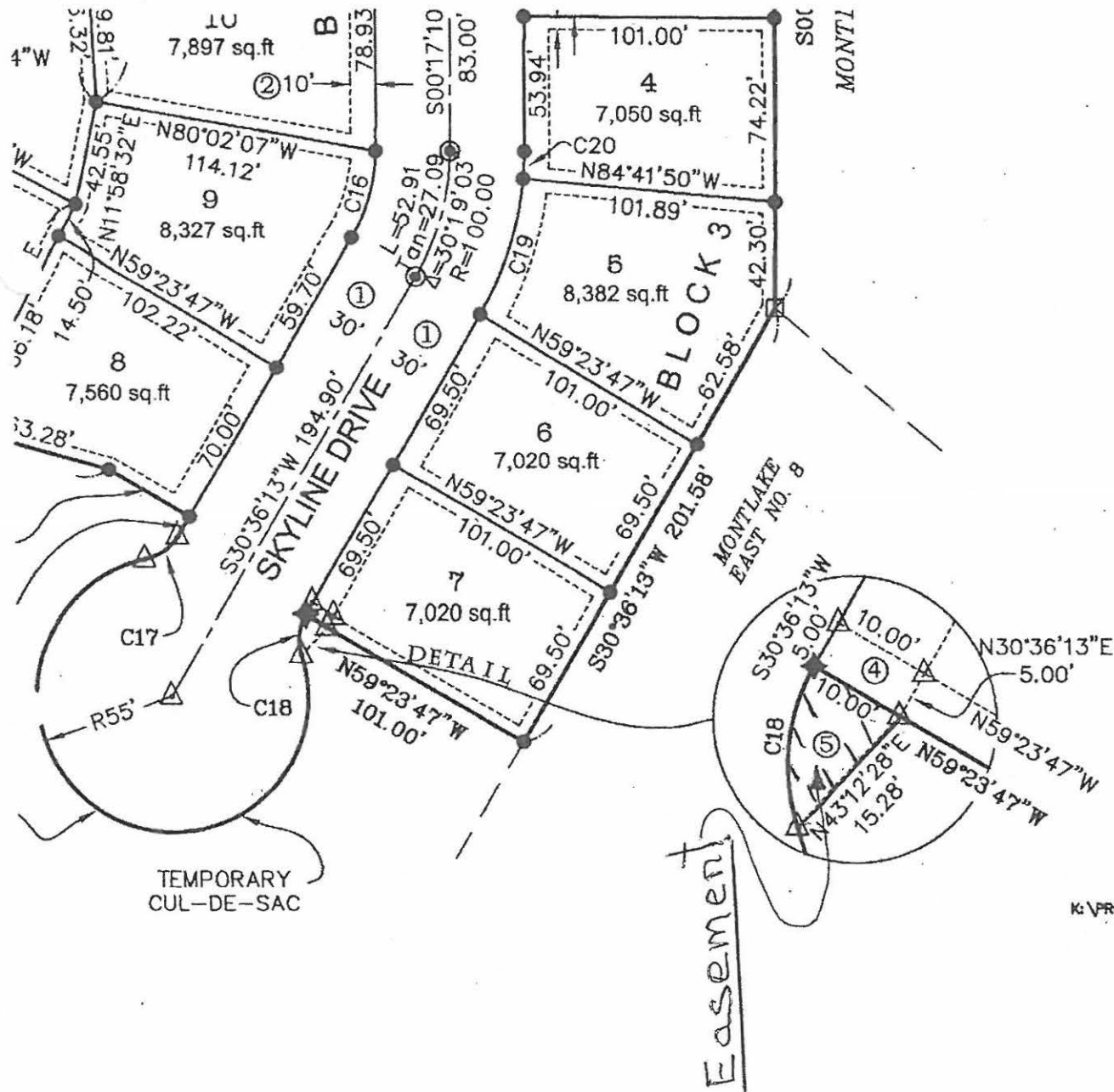
WASHINGTON STATE  
Grant County

I certify that I know or have satisfactory evidence that Peter L Olsen signed this instrument, on oath stated that he is authorized to execute the instrument and acknowledged it as the \_\_\_\_\_ of Olsen Homes, LLC to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 8/15/07 2007

Connie Stevens  
Notary Public  
My appointment expires 5/25/2010





CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	19.73	20.00	56°31'20"
C2	14.28	40.00	20°27'09"
C3	66.89	90.00	42°34'53"
C4	26.69	20.00	76°27'48"
C5	40.33	50.00	46°13'02"
C6	40.33	50.00	46°13'02"
C7	64.37	50.00	73°45'42"
C8	16.44	20.00	47°05'38"
C9	12.45	20.00	35°40'09"
C10	60.96	300.00	11°38'35"
C11	32.69	300.00	6°14'36"
C12	45.90	30.00	87°39'51"
C13	18.95	530.00	2°02'54"
C14	28.59	530.00	3°05'26"
C15	42.15	470.00	5°08'20"
C16	37.04	70.00	30°19'03"
C17	16.82	20.00	48°11'23"
C18	16.82	20.00	48°11'23"
C19	57.41	130.00	25°18'02"
C20	11.38	130.00	5°01'01"
C21	40.48	530.00	4°22'33"
C22	7.06	530.00	0°45'47"
C23	4.68	470.00	0°34'13"
C24	37.48	470.00	4°34'07"



## CITY OF MOSES LAKE STAFF REPORT

---

To: John Williams, City Manager  
From: Gary Harer, Municipal Services Director  
Date: November 8, 2016  
Proceeding Type: MOTION  
Subject: Request To Award Stormwater Repair Project - 2016

---

### Legislative History:

- |                       |                  |
|-----------------------|------------------|
| • First Presentation: | November 8, 2016 |
| • Action              | Motion           |
- 

### **Staff Report Summary**

On November 1<sup>st</sup> staff opened bids for the Stormwater Repair Project – 2016. The City received six (6) bids for the work. The bids ranged from \$106,508 to \$137,815. The Engineer's Estimate is \$122,106.

### **Background**

The 2016 budget includes adequate funds for installing, modifying, and replacing stormwater structures at eleven (11) locations throughout the City. This project will also address nine (9) non-conforming access ramps and bring them into ADA compliance.

The City has successfully worked with POW Contracting, Inc. out of Pasco in the past.

### **Fiscal and Policy Implications**

The project will require budgeted funds to be spent.

### Options

<i>Option</i>	<i>Results</i>
<ul style="list-style-type: none"><li>• <i>Approve a motion to award the Stormwater Repair Project – 2016.</i></li></ul>	Staff will move forward with executing a contract with the low bidder to complete the work.
<ul style="list-style-type: none"><li>• <i>Take no action.</i></li></ul>	Staff will stop working on this project and wait for further direction from City council.

### Staff Recommendation

Staff recommends awarding the Stormwater Repair Project – 2016 to POW Contracting, Inc. in the amount of \$106,508.00.

### Attachments

A.	Bid Summary
----	-------------

### Legal Review

The following documents are attached and subject to legal review:

Type of Document	Title of Document	Date Reviewed by Legal Counsel
<ul style="list-style-type: none"><li>• none</li></ul>		



PROJECT NAME: STORMWATER REPAIR PROJECT - 2016  
PROJECT NUMBER: A-787

Schedule A: Road Improvements					ENGINEER'S ESTIMATE		POW Contracting, Inc. Pasco, WA	
ITEM	ITEM DESCRIPTION	SECTION	APPROX. QUANTITY	UNIT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	Mobilization	1-09	1	L.S.	\$5,000.00	\$10,000.00	\$10,000.00	\$10,000.00
2	Traffic Control	1-10	1	L.S.	\$9,000.00	\$9,000.00	\$3,200.00	\$3,200.00
3	Remove Tree, Class II	2-01	2	EA	\$500.00	\$1,000.00	\$1,500.00	\$3,000.00
4	Remove Curb and Gutter	2-02	200	L.F.	\$10.00	\$2,000.00	\$3.00	\$600.00
5	Remove Cement Concrete Sidewalk	2-02	130	S.Y.	\$15.00	\$1,950.00	\$6.00	\$780.00
6	Remove Cement Concrete Driveway	2-02	42	S.Y.	\$18.00	\$756.00	\$9.00	\$378.00
7	Sawcut Asphalt or Concrete	2-02	300	L.F.	\$3.00	\$900.00	\$5.00	\$1,500.00
8	Remove and/or Replacement of Fence	2-02	10	L.F.	\$20.00	\$200.00	\$50.00	\$500.00
9	Water	2-07	10	MGal	\$20.00	\$200.00	\$50.00	\$500.00
10	Trimming and Cleanup	2-11	1	L.S.	\$3,000.00	\$3,000.00	\$1,000.00	\$1,000.00
11	Crushed Surfacing Top Course	4-04	5	Ton	\$30.00	\$150.00	\$100.00	\$500.00
12	HMA Patch CI 3/8" PG 64-28	5-06	75	S.Y.	\$150.00	\$11,250.00	\$50.00	\$3,750.00
13	PVC Storm Sewer Pipe 10 Inch Diameter	7-04	110	L.F.	\$25.00	\$2,750.00	\$85.00	\$9,350.00
14	Manhole 48 Inch Diameter	7-05	2	EA	\$3,500.00	\$7,000.00	\$2,500.00	\$5,000.00
15	Catch Basin, Type 1	7-05	6	EA	\$3,000.00	\$18,000.00	\$2,100.00	\$12,600.00
16	Drywell, Type A	7-05	1	EA	\$4,500.00	\$4,500.00	\$4,500.00	\$4,500.00
17	Drywell, Type B	7-05	2	EA	\$5,000.00	\$10,000.00	\$5,500.00	\$11,000.00
18	Infiltration Gallery	7-05	130	L.F.	\$115.00	\$14,950.00	\$125.00	\$16,250.00
19	Stormwater Manhole Overflow	7-05	2	EA	\$750.00	\$1,500.00	\$750.00	\$1,500.00
20	Connect to Existing Catch Basin	7-05	3	EA	\$750.00	\$2,250.00	\$750.00	\$2,250.00
21	Connect to Existing Manhole	7-05	1	EA	\$750.00	\$750.00	\$1,000.00	\$1,000.00
22	Sod	8-02	100	S.F.	\$20.00	\$2,000.00	\$10.00	\$1,000.00
23	Cement Concrete Curb and Gutter	8-04	240	L.F.	\$25.00	\$6,000.00	\$30.00	\$7,200.00
24	Cement Concrete Sidewalk	8-14	150	S.Y.	\$50.00	\$7,500.00	\$40.00	\$6,000.00
25	Detectable Warning Surface	8-14	90	S.F.	\$50.00	\$4,500.00	\$35.00	\$3,150.00
Subtotal Schedule A						\$122,106.00		\$106,508.00
Sales Tax					0.0%	\$0.00		\$0.00
Total Schedule A						\$122,106.00		\$106,508.00

PROJECT NAME: STORMWATER REPAIR PROJECT - 2016  
PROJECT NUMBER: A-787

Schedule A: Road Improvements					DW Excavating, Inc. Davenport, WA		Moreno and Nelson Const. Walla Walla, WA	
ITEM	ITEM DESCRIPTION	SECTION	APPROX. QUANTITY	UNIT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	Mobilization	1-09	1	L.S.	\$12,925.00	\$12,925.00	\$11,000.00	\$11,000.00
2	Traffic Control	1-10	1	L.S.	\$9,400.00	\$9,400.00	\$6,000.00	\$6,000.00
3	Remove Tree, Class II	2-01	2	EA	\$1,585.00	\$3,170.00	\$2,000.00	\$4,000.00
4	Remove Curb and Gutter	2-02	200	L.F.	\$16.00	\$3,200.00	\$10.00	\$2,000.00
5	Remove Cement Concrete Sidewalk	2-02	130	S.Y.	\$15.00	\$1,950.00	\$10.00	\$1,300.00
6	Remove Cement Concrete Driveway	2-02	42	S.Y.	\$15.00	\$630.00	\$10.00	\$420.00
7	Sawcut Asphalt or Concrete	2-02	300	L.F.	\$2.38	\$714.00	\$6.00	\$1,800.00
8	Remove and/or Replacement of Fence	2-02	10	L.F.	\$14.00	\$140.00	\$100.00	\$1,000.00
9	Water	2-07	10	MGal	\$500.00	\$5,000.00	\$10.00	\$100.00
10	Trimming and Cleanup	2-11	1	L.S.	\$1,200.00	\$1,200.00	\$3,500.00	\$3,500.00
11	Crushed Surfacing Top Course	4-04	5	Ton	\$168.00	\$840.00	\$160.00	\$800.00
12	HMA Patch CI 3/8" PG 64-28	5-06	75	S.Y.	\$90.00	\$6,750.00	\$55.00	\$4,125.00
13	PVC Storm Sewer Pipe 10 Inch Diameter	7-04	110	L.F.	\$40.00	\$4,400.00	\$45.00	\$4,950.00
14	Manhole 48 Inch Diameter	7-05	2	EA	\$2,245.00	\$4,490.00	\$3,000.00	\$6,000.00
15	Catch Basin, Type 1	7-05	6	EA	\$1,500.00	\$9,000.00	\$1,850.00	\$11,100.00
16	Drywell, Type A	7-05	1	EA	\$4,690.00	\$4,690.00	\$4,000.00	\$4,000.00
17	Drywell, Type B	7-05	2	EA	\$6,415.00	\$12,830.00	\$4,200.00	\$8,400.00
18	Infiltration Gallery	7-05	130	L.F.	\$90.50	\$11,765.00	\$75.00	\$9,750.00
19	Stormwater Manhole Overflow	7-05	2	EA	\$465.00	\$930.00	\$2,500.00	\$5,000.00
20	Connect to Existing Catch Basin	7-05	3	EA	\$560.00	\$1,680.00	\$500.00	\$1,500.00
21	Connect to Existing Manhole	7-05	1	EA	\$525.00	\$525.00	\$500.00	\$500.00
22	Sod	8-02	100	S.F.	\$3.70	\$370.00	\$10.00	\$1,000.00
23	Cement Concrete Curb and Gutter	8-04	240	L.F.	\$38.50	\$9,240.00	\$45.00	\$10,800.00
24	Cement Concrete Sidewalk	8-14	150	S.Y.	\$36.70	\$5,505.00	\$85.00	\$12,750.00
25	Detectable Warning Surface	8-14	90	S.F.	\$31.00	\$2,790.00	\$40.00	\$3,600.00
Subtotal Schedule A						\$114,134.00		\$115,395.00
Sales Tax					0.0%	\$0.00		\$0.00
Total Schedule A						\$114,134.00		\$115,395.00

PROJECT NAME: STORMWATER REPAIR PROJECT - 2016  
PROJECT NUMBER: A-787

Schedule A: Road Improvements					Cutting Edge Earthworks Moses Lake, WA		Culbert Construction Pasco, WA	
ITEM	ITEM DESCRIPTION	SECTION	APPROX. QUANTITY	UNIT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	Mobilization	1-09	1	L.S.	\$10,000.00	\$10,000.00	\$16,301.54	\$16,301.54
2	Traffic Control	1-10	1	L.S.	\$3,500.00	\$3,500.00	\$2,847.92	\$2,847.92
3	Remove Tree, Class II	2-01	2	EA	\$750.00	\$1,500.00	\$1,375.10	\$2,750.20
4	Remove Curb and Gutter	2-02	200	L.F.	\$25.00	\$5,000.00	\$31.25	\$6,250.00
5	Remove Cement Concrete Sidewalk	2-02	130	S.Y.	\$25.00	\$3,250.00	\$23.97	\$3,116.10
6	Remove Cement Concrete Driveway	2-02	42	S.Y.	\$25.00	\$1,050.00	\$45.96	\$1,930.32
7	Sawcut Asphalt or Concrete	2-02	300	L.F.	\$4.00	\$1,200.00	\$7.95	\$2,385.00
8	Remove and/or Replacement of Fence	2-02	10	L.F.	\$50.00	\$500.00	\$57.68	\$576.80
9	Water	2-07	10	MGal	\$25.00	\$250.00	\$0.00	\$0.00
10	Trimming and Cleanup	2-11	1	L.S.	\$2,000.00	\$2,000.00	\$3,686.00	\$3,686.00
11	Crushed Surfacing Top Course	4-04	5	Ton	\$50.00	\$250.00	\$680.40	\$3,402.00
12	HMA Patch CI 3/8" PG 64-28	5-06	75	S.Y.	\$125.00	\$9,375.00	\$142.04	\$10,653.00
13	PVC Storm Sewer Pipe 10 Inch Diameter	7-04	110	L.F.	\$50.00	\$5,500.00	\$43.85	\$4,823.50
14	Manhole 48 Inch Diameter	7-05	2	EA	\$3,000.00	\$6,000.00	\$2,123.43	\$4,246.86
15	Catch Basin, Type 1	7-05	6	EA	\$1,750.00	\$10,500.00	\$1,454.65	\$8,727.90
16	Drywell, Type A	7-05	1	EA	\$3,500.00	\$3,500.00	\$5,123.65	\$5,123.65
17	Drywell, Type B	7-05	2	EA	\$4,750.00	\$9,500.00	\$5,452.08	\$10,904.16
18	Infiltration Gallery	7-05	130	L.F.	\$60.00	\$7,800.00	\$89.45	\$11,628.50
19	Stormwater Manhole Overflow	7-05	2	EA	\$750.00	\$1,500.00	\$2,309.58	\$4,619.16
20	Connect to Existing Catch Basin	7-05	3	EA	\$250.00	\$750.00	\$380.65	\$1,141.95
21	Connect to Existing Manhole	7-05	1	EA	\$400.00	\$400.00	\$387.46	\$387.46
22	Sod	8-02	100	S.F.	\$10.00	\$1,000.00	\$21.58	\$2,158.00
23	Cement Concrete Curb and Gutter	8-04	240	L.F.	\$50.00	\$12,000.00	\$44.36	\$10,646.40
24	Cement Concrete Sidewalk	8-14	150	S.Y.	\$100.00	\$15,000.00	\$93.80	\$14,070.00
25	Detectable Warning Surface	8-14	90	S.F.	\$50.00	\$4,500.00	\$25.62	\$2,305.80
Subtotal Schedule A						\$115,825.00		\$134,682.22
Sales Tax						0.0%	\$0.00	\$0.00
Total Schedule A						\$115,825.00		\$134,682.22

PROJECT NAME: STORMWATER REPAIR PROJECT - 2016  
PROJECT NUMBER: A-787

Schedule A: Road Improvements					Summers Excavation Moses Lake, WA	
ITEM	ITEM DESCRIPTION	SECTION	APPROX. QUANTITY	UNIT	UNIT PRICE	AMOUNT
1	Mobilization	1-09	1	L.S.	\$11,000.00	\$11,000.00
2	Traffic Control	1-10	1	L.S.	\$4,000.00	\$4,000.00
3	Remove Tree, Class II	2-01	2	EA	\$1,500.00	\$3,000.00
4	Remove Curb and Gutter	2-02	200	L.F.	\$40.00	\$8,000.00
5	Remove Cement Concrete Sidewalk	2-02	130	S.Y.	\$40.00	\$5,200.00
6	Remove Cement Concrete Driveway	2-02	42	S.Y.	\$45.00	\$1,890.00
7	Sawcut Asphalt or Concrete	2-02	300	L.F.	\$24.00	\$7,200.00
8	Remove and/or Replacement of Fence	2-02	10	L.F.	\$100.00	\$1,000.00
9	Water	2-07	10	MGal	\$10.00	\$100.00
10	Trimming and Cleanup	2-11	1	L.S.	\$2,000.00	\$2,000.00
11	Crushed Surfacing Top Course	4-04	5	Ton	\$50.00	\$250.00
12	HMA Patch CI 3/8" PG 64-28	5-06	75	S.Y.	\$175.00	\$13,125.00
13	PVC Storm Sewer Pipe 10 Inch Diameter	7-04	110	L.F.	\$35.00	\$3,850.00
14	Manhole 48 Inch Diameter	7-05	2	EA	\$2,500.00	\$5,000.00
15	Catch Basin, Type 1	7-05	6	EA	\$1,800.00	\$10,800.00
16	Drywell, Type A	7-05	1	EA	\$4,000.00	\$4,000.00
17	Drywell, Type B	7-05	2	EA	\$5,000.00	\$10,000.00
18	Infiltration Gallery	7-05	130	L.F.	\$80.00	\$10,400.00
19	Stormwater Manhole Overflow	7-05	2	EA	\$1,500.00	\$3,000.00
20	Connect to Existing Catch Basin	7-05	3	EA	\$1,000.00	\$3,000.00
21	Connect to Existing Manhole	7-05	1	EA	\$1,000.00	\$1,000.00
22	Sod	8-02	100	S.F.	\$30.00	\$3,000.00
23	Cement Concrete Curb and Gutter	8-04	240	L.F.	\$50.00	\$12,000.00
24	Cement Concrete Sidewalk	8-14	150	S.Y.	\$55.00	\$8,250.00
25	Detectable Warning Surface	8-14	90	S.F.	\$75.00	\$6,750.00
Subtotal Schedule A						\$137,815.00
Sales Tax					0.0%	\$0.00
Total Schedule A						\$137,815.00





## CITY OF MOSES LAKE STAFF REPORT

---

To: John Williams, City Manager  
From: Gilbert Alvarado, Community Dev. Director/Deputy City Manager  
Date: November 8, 2016  
Proceeding Type: Consideration  
Subject: Ordinance – Amend MLMC Chapter 17.09, Short Subdivisions and 17.12, Major Subdivisions

---

### Legislative History:

• First Presentation:	November 8, 2016
• Second presentation:	
• Action:	Consideration

---

### **Staff Report Summary**

The Planning Commission, at their June 30, 2106 regularly scheduled meeting, discussed amending MLMC 17.09, Short Subdivisions, and 17.12, Major Subdivisions, by removing the limitation that a short subdivision could only be for land less than 4 acres. It was the consensus of the Commission to recommend to the City Council that MLMC 17.09 and 17.12. Attached is an ordinance reflecting the proposed changes as recommended by the Commission.

### **Background**

The 4-acre limit for short plats found in MLMC 17.09 and 17.12 is a local requirement and not state statute per RCW 58.17, Plats – Subdivision – Dedications. This requirement has forced multiple industrial and public one-lot plats to go through the more lengthy major subdivision process. The Commission recommended the change in order to expedite development. The Council has recently adopted consistent changes to the definitions of short and major subdivisions found in MLMC 17.06, Definitions.

### **Fiscal and Policy Implications**

N/A



### **Options**

<b><i>Option</i></b>	<b><i>Results</i></b>
<ul style="list-style-type: none"><li>• <i>Adopt the ordinance amending MLMC 17.09 and 17.12</i></li></ul>	Large parcels can be divided through the short subdivision process and development approval is expedited.
<ul style="list-style-type: none"><li>• <i>Take no action.</i></li></ul>	Development continues as before.

### **Staff Recommendation**

Staff recommends the City Council consider the amendments and adopt the ordinances as presented.

### **Attachments**

N/A	Ordinances
-----	------------

### **Legal Review**

The following documents are attached and subject to legal review:

<b>Type of Document</b>	<b>Title of Document</b>	<b>Date Reviewed by Legal Counsel</b>
Ordinance		

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 17.09 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "SHORT SUBDIVISIONS"

THE CITY COUNCIL OF THE CITY OF MOSES LAKE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Chapter 17.09 of the Moses Lake Municipal Code entitled "Short Subdivisions" is amended as follows:

17.09.020 Scope: This chapter regulates the division or redivision of land into nine (9) or fewer lots for the purpose of sale, lease, or transfer of ownership, ~~not exceeding four (4) acres in total area~~, and which has not been divided into a short subdivision within a period of five (5) years.

17.09.030 Preliminary Short Subdivision Conditions and Requirements:

A. General Conditions and Requirements:

1. The subdivision shall make adequate provision for municipal improvements, street lighting circuits, alleys, drainage ways, irrigation water right-of-ways, other public ways, public access, and other improvements as deemed necessary in conformance with Community Street and Utility Standards, Chapter 17.21, Chapter 17.24 and other codes and regulations that are applicable.
2. The subdivision shall comply with all zoning and health regulations.
3. The subdivision shall be consistent with the Comprehensive Plan.
4. The applicant shall make arrangements with Grant County PUD for payment of all street lighting fees.
5. The subdivision shall provide for irrigation water right-of-ways pursuant to state law.
6. The subdivision shall not have been divided by a short subdivision within five (5) years by a different owner.
7. The subdivision shall consist of nine (9) or fewer lots, ~~and shall not exceed four (4) acres in total area~~.
87. Unless an applicant requests otherwise, and the Plat Administrator agrees, a preliminary subdivision application shall be processed simultaneously with the application for rezones, deviations, planned development districts, building plan approvals, and similar quasi-judicial or administrative actions to the extent that procedural requirements applicable to those actions permit simultaneous processing.
98. Every decision or recommendation made under this chapter by the City Council or Planning Commission shall be in writing and shall include findings of fact and conclusions to support the decision or recommendation.
109. Preliminary subdivision applications shall be approved, disapproved, or returned to the applicant for modification within the time limitations established by state law; provided, if an Environmental Impact Statement is required pursuant to state law, or if deviations are required, the time spent reviewing and circulating the Environmental Impact Statement and deviation request by the local governmental agency is not counted in the time limitation period.

B. Specific Conditions and Requirements:

1. Prior to submitting a preliminary short subdivision application, the applicant shall schedule a pre-application conference with the Plat Administrator. During the pre-application conference, the applicant shall present a conceptual idea of the subdivision, and City personnel will respond informally to the applicant about potential items of concern or clarification, to aid the applicant in preparing the preliminary short subdivision application.
2. All preliminary subdivision applications shall be submitted to the Plat Administrator.
3. A completed preliminary short subdivision application shall include the following items:
  - a. A completed preliminary subdivision application form, signed by the property owner, on a form provided by the Community Development Department.
  - b. A non-refundable fee per Chapter 3.54.
  - c. A reduced set of all application drawings, each drawing on eleven inch (11") by seventeen inch (17") paper. Smaller sized drawings may be approved by the Plat Administrator.
  - d. A plat certificate from a title company licensed to do business in the State of Washington confirming that the title of the lands corresponds with the owners described and shown on the plat and instrument of dedication. The plat certificate shall be dated within thirty (30) calendar days of filing.
  - e. Twelve (12) full-size copies of the preliminary plat. The preliminary plat shall be a neat and accurate drawing, stamped and signed by a land surveyor. The preliminary short plat shall show sufficient detail and information to provide verification that the proposed subdivision layout can meet all approval requirements of a subdivision. The format shall be as specified in Chapter 17.15, with the ultimate goal of the applicant to provide a final plat per specifications in Chapter 17.15. Specific items that are required on a preliminary plat are listed below.
    - 1) Name of proposed subdivision, names of all existing streets within the survey, and names of all proposed streets.
    - 2) Boundaries of proposed subdivision established by the preliminary survey, and locations of the monuments found and established during the preliminary survey.
    - 3) All proposed lots with their dimensions, lot numbers, block numbers, and lot areas.
    - 4) Location and dimension of all existing and proposed streets, alleys, right-of-ways, municipal easements, public utility easements, and other public lands within and adjacent to the proposed subdivision.
    - 5) Location and dimensions of all existing and proposed USBR irrigation water right-of-ways on and adjacent to the proposed subdivision.
    - 6) Legal description of land within the proposed subdivision.
    - 7) Name, address, and seal of the land surveyor who made the preliminary survey.
    - 8) Date map is prepared, vicinity map, scale, north arrow, basis of bearing, vertical datum.

- f. Three (3) full-size copies of the site plan. Site plans shall be provided on a separate sheet from the plat, per site plan requirements listed in Chapter 17.15.
- g. Deviation requests.
- h. Traffic memos are required if the subdivision will increase traffic by more than one hundred (100) trips per day or more than ten (10) peak-hour trips.

Section 2. This ordinance shall take effect and be in force five (5) days after its passage and publication of its summary as provided by law.

Adopted by the City Council and signed by its Mayor on

\_\_\_\_\_  
Todd Voth, Mayor

ATTEST:

\_\_\_\_\_  
W. Robert Taylor, Finance Director

APPROVED AS TO FORM:

\_\_\_\_\_  
Katherine L. Kenison, City Attorney

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 17.12 OF THE MOSES LAKE MUNICIPAL  
CODE ENTITLED "MAJOR SUBDIVISIONS"

THE CITY COUNCIL OF THE CITY OF MOSES LAKE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Chapter 17.12 of the Moses Lake Municipal Code entitled "Major Subdivisions" is amended as follows:

17.12.020 Scope: This chapter regulates the division or redivision of land into ten (10) or more lots, ~~or that exceeds four (4) acres in total land area,~~ or that has been divided by a short subdivision within five (5) years ~~by a different owner,~~ for the purpose of sale, lease, or transfer of ownership.

Section 2. This ordinance shall take effect and be in force five (5) days after its passage and publication of its summary as provided by law.

Adopted by the City Council and signed by its Mayor on

\_\_\_\_\_  
Todd Voth, Mayor

ATTEST:

\_\_\_\_\_  
W. Robert Taylor, Finance Director

APPROVED AS TO FORM:

\_\_\_\_\_  
Katherine L. Kenison, City Attorney





**CITY OF MOSES LAKE**  
**STAFF REPORT**

---

To: John Williams, City Manager  
From: W. Robert Taylor, Finance Director  
Date: November 8, 2016  
Proceeding Type: Consideration  
Subject: 2017 Budget

---

**Legislative History:**

• First Presentation:	November 08, 2016
• Public Hearing:	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Second presentation:	
• Action:	Presentation

---

**Staff Report Summary**

This is the presentation of the budget ordinance establishing the authorization and spending plan for the 2017 fiscal year for all City operations. It requires a hearing to accept public comments and input. A balanced budget needs to be adopted by December 31, 2016.

**Background**

The Budget provides for the financial planning, control and evaluation of all funds. Prior to Council presentation the City Manager, Finance Director and department Directors met in September to review all budget proposals. The 2017 Preliminary Budget considers all the guidance and direction given by Council throughout the budget process.

**Fiscal and Policy Implications**

Total proposed 2017 expenditure Budget is approximately \$60,491,000 with the General Fund Operating Budget amounting to \$24,000,000.

**Options**

Presentation only.

**Staff Recommendation**

Presentation only. Provide staff with direction to any changes to make in the proposed budget ordinance including but not limited to revenue and expenditure adjustments.

**Attachments**

A.	Budget ordinance
----	------------------

**Legal Review**

The following documents are attached and subject to legal review:

Type of Document	Title of Document	Date Reviewed by Legal Counsel
•		

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY OF MOSES LAKE, WASHINGTON FOR THE YEAR OF **2017**

THE CITY COUNCIL OF THE CITY OF MOSES LAKE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. The total amounts of said budget for the year **2017** are as follows:

000	GENERAL FUND	\$ _____	( 1)
102	TOURISM ACTIVITIES	_____	( 2)
103	GRANTS AND DONATIONS	_____	( 3)
114	PATHS & TRAILS	_____	( 4)
116	STREET FUND	_____	( 5)
119	STREET REPAIR AND RECONSTRUCTION FUND	_____	( 6)
150	PARKS FEES	_____	( 7)
197	BASIN HOMES BLOCK GRANT FUND	_____	( 8)
308	CAPITAL IMPROVEMENT FUND	_____	( 9)
314	PARK AND RECREATION IMPROVEMENT FUND	_____	(11)
315	PARK MITIGATION CAPITAL PROJ FUND	_____	(10)
410	WATER/SEWER FUND (M & O)	_____	(12)
471	WATER RIGHTS	_____	(13)
477	WATER/SEWER CONSTRUCTION FUND	_____	(14)
490	SANITATION FUND	_____	(15)
493	STORMWATER	_____	(16A)
495	AIRPORT	_____	(16)
498	AMBULANCE FUND	_____	(17)
501	UNEMPLOYMENT COMPENSATION INSURANCE FUND	_____	(18)
503	SELF INSURANCE FUND	_____	(19)
517	CENTRAL SERVICES FUND	_____	(20)
519	EQUIPMENT RENTAL FUND	_____	(21)
528	BUILDING FUND, (M & O)	_____	(22)
611	FIREMEN'S PENSION FUND	_____	(23)
	TOTAL	\$ _____	( A)

Section 2. The **2017** Budget includes \$ \_\_\_\_\_ of operating "transfers-out" which are also budgeted at their point of expenditure or are transferred to non-budgeted debt service accounts. The **2017** Budget provides for internal service fund service expenditures of \$ \_\_\_\_\_. These funds provide services for the other funds and are supported by rates included in other budgets, as well as being budgeted as internal service funds. Ending fund balances in operating funds excluding internal service, debt service, and fiduciary funds total \$ \_\_\_\_\_ and require further appropriation by the City Council before they can be expended.

Section 3. The **2017** Comprehensive Budget for the city as a whole is \$ \_\_\_\_\_ which includes an estimated \$ \_\_\_\_\_ for debt service expense, continuing capital projects, assessment funds and other non-budgeted items. These items are an estimation only and can be changed as necessary without further budget appropriation, unless the total expenditures of a carryover project exceeds the original appropriation.

The **2017** Operating Budget including all carry over projects, estimations for debt service and debt service fund balances is \$ \_\_\_\_\_.

Section 4. The above as an expenditure budget represents estimated expenditures and projected ending fund balances. As a revenue budget they include estimated receipts and estimated beginning fund balances. Expenditure and Revenue Budgets are equal or are in balance in all funds.

Section 5. Internal service fund rates have been computed for **2017** as directed by the City Manager. The rates by fund and department are spread in the various budgets in the preliminary budget document. The internal service fund rates are hereby confirmed and approved by this ordinance.

Section 6. The budget for the **2017** fiscal year is adopted by reference.

Section 7. This ordinance shall take effect and be in force five (5) days after its passage and publication of its summary as provided by law.

Adopted by the City Council and signed by its Mayor on   .

ATTEST:

\_\_\_\_\_  
Todd Voth, Mayor

\_\_\_\_\_  
W. Robert Taylor, Finance Director

APPROVED AS TO FORM:

\_\_\_\_\_  
Katherine L. Kenison, City Attorney



## CITY OF MOSES LAKE STAFF REPORT

---

To: John Williams, City Manager  
From: W. Robert Taylor, Finance Director  
Date: November 8, 2016  
Proceeding Type: Consideration  
Subject: 2017 Fee Schedule – Revenue Sources

---

### Legislative History:

• First Presentation:	November 08, 2016
• Second presentation:	
• Action:	Presentation

---

### **Staff Report Summary**

This presentation provides City Council the opportunity to consider the acceptance of a 2017 fee schedule for the upcoming budget year. The fee schedule would afford the city council the opportunity of raising fees all at once effective January 1 of the upcoming year compared to raising the amount of various fees numerous times throughout the year.

### **Background**

Staff is requesting that City Council establish the fee schedule as part of the budget process to be included as part of the final acceptance to the budget ordinance. The fee schedule would be raised by a consumer price index as designated or other rate established by Council during the budget process. Fees considered as pass-through fees would be increased to match payments made by the city.

### **Fiscal and Policy Implications**

Fiscal implications are determined by specific activity. Estimates have been projected where possible in the 2017 annual preliminary budget.

**Options**

Presentation only.

**Staff Recommendation**

Presentation only.

**Attachments**

A.	Fee schedule
----	--------------

**Legal Review**

The following documents are attached and subject to legal review:

Type of Document	Title of Document	Date Reviewed by Legal Counsel
•		



# City of Moses Lake preliminary Fee Schedule

DEPART	FEE TYPE	FEE DESCRIPTION	CURRENT	PROPOSED
POLICE		Reports (incl accident)	.15/page	same
POLICE		accident		10
POLICE		Photos	.15/per	same
POLICE		DVD/CD	1.00/per	same
POLICE		Crim History	15	20
POLICE		Fingerprinting	10	15
POLICE		Dog Lic. Annual	10	same
POLICE		Dog Lic. Replacement	2.5	5
POLICE		potentially dangerous Dog Lic.	100	same
POLICE		Dangerous Dog Lic.	300	same
POLICE		Bike Lic.	0	same
POLICE		Notary fee	5	same
POLICE		Concealed pistol license	48	same
POLICE		CPL Fingerprinting	32	same
POLICE		Chicken License	10	same
POLICE		WATCH background checks	10	12
Fire	Administrative	conference room use 1/2 room (up to 50 occupants)	0	20
Fire	Administrative	conference room use Full room	0	40
Fire	Administrative	Local, State, Federal Government fee for cleaning / maintenance	0	25
Fire	Administrative	City of Moses Lake sponsored events No Fee	0	0
Fire	Permit (Hazardous material)	1 Class	100	125
Fire	Permit (Hazardous material)	2 Classes	200	225
Fire	Permit (Hazardous material)	3 Classes	300	350
Fire	Permit (Hazardous material)	4 Classes or more than 4,000 gallons, 19,000 cubic feet, or 249,000 pounds of any single class	450	500
Fire	Permit (Hazardous material)	5 Classes or more than 5,000 gallons, 25,000 cubic feet, or 280,000 pounds of any single class	580	628
Fire	Permit (Hazardous material)	Extremely Hazardous Substances, highly toxic, toxic, & pyrophoric materials of any amount	400	500
Fire	Operational Permit	Aviation Facilities	200	225
Fire	Operational Permit	Carnivals and Fairs	100	125
Fire	Operational Permit	Combustible Dust producing operations	100	125
Fire	Operational Permit	Dry Cleaning Plants using flammable solvents	100	125
Fire	Operational Permit	Exhibits/ Trade Shows	100	125
Fire	Operational Permit	High Piled Combustible Storage:	200	225
Fire	Operational Permit	Hot work operations	75	100
Fire	Operational Permit	Hot work program	125	150
Fire	Operational Permit	Industrial Oven:	500	550
Fire	Operational Permit	Lumber Yards exceeding 100,000 board feet of storage	100	125
Fire	Operational Permit	Marijuana Extraction Systems/ Facilities:	580	625
Fire	Operational Permit	Fire Department Radio Coverage System:	200	225
Fire	Operational Permit	Temporary membrane structures and tents exceeding 400 square feet	75	100
Fire	Operational Permit	Battery systems having a liquid capacity of more than 50 gallons	200	225
Fire	Permit	Fire protection systems, industrial process equipment regulated by the fire code, LPG, Natural gas, flammable and combustible liquid dispensing/distribution system and installation of private fire hydrant		
Fire	Permit	\$1 to \$500:	30	62
Fire	Permit	\$501 to \$2,000: \$30 for the first \$500	30	62
Fire	Permit	Plus for each additional \$100 or fraction thereof, to and including \$2,000	3.05	4

# City of Moses Lake preliminary Fee Schedule

DEPART	FEE TYPE	FEE DESCRIPTION	CURRENT	PROPOSED
Fire	Permit	\$2,001 to \$25,000: for the first \$2,000	75	110
Fire	Permit	Plus for each additional \$1000 or fraction there of , to and including \$25,000	14	16.5
Fire	Permit	\$25,001 to \$50,000: for the first \$25,000	397.75	453
Fire	Permit	Plus for each additional \$1,000 or fraction there of , to and including \$50,000	10.1	12.5
Fire	Permit	\$50,001 to \$100,000: for the first \$50,000	650.25	723
Fire	Permit	Plus for each additional \$1,000 or fraction thereof to and including \$100,000	7	9.5
Fire	Permit	\$100,001 to \$500,000: for the first \$100,000	1000.25	1090
Fire	Permit	Plus for each additional \$1,000 or fraction thereof to and including \$500,000	5.6	7.5
Fire	Permit	\$500,001 to \$1,000,000 for the first \$500,000	3240.25	3473
Fire	Permit	Plus for each additional \$1,000 or fraction thereof to and including \$1,000,000	4.75	6.5
Fire	Permit	\$1,000,001 and up: for the first \$1,000,000	5615.25	5995
Fire	Permit	Plus each additional \$1,000 or fraction thereof	3.65	4
Fire	Permit - Special Event	Fireworks / pyrotechnic displays:	100	175
Fire	Permit - Demolition	Demolition of required Fire Protection System or Fire Alarm System:	100	150
Fire	Permit	UST/AGT Decommissioning of flammable / combustible liquid tanks:	100	150
Fire	Plan Check	Plan review fees: An amount equal to 65% of the total permit fee	0.65	0.65
Fire	Plan Check	3rd Party Review	Cost Recovery	
Fire	Special Inspections	Special / Technical Inspections	Cost Recovery	
Fire	False Alarms	3 False Alarms in any 3 month period:	0	0
		4 or more false alarms in 3 months (per response)	500	625
Fire	MVA / Hazmat	Supply recovery for foam, absorbents, or other materials utilized to mitigate hazards	Cost Recovery	
Ambulance	School District Athletic Standby	Ambulance Standby for scheduled School District Athletic Events (per event)	275	300
Ambulance	MRI Transport	Transport from hospital to MRI w/ standby time (per transport)	600	600
Ambulance	Utility Rate Indexing	CPI Adjustment for Ambulance Utility per Utility account (rnded to closest \$.05)	11.3	11.5
Ambulance	Committed EMS Standby	Standby time for non-profit events	Cost Recovery	
Ambulance	Committed EMS Standby	Standby time for profit events: cost per hour	125	150
Ambulance	Healthcare Education	CPR / AED training--layperson	Cost Recovery	
Ambulance	Healthcare Education	CPR / Aed training--professional rescuer /healthcare provider	no current program	\$50.00 per student
Parks	Maintenance	Picnic Table/Bench (each)	\$10	\$20
Parks	Maintenance	Garbage Can (each)	\$5	\$10
Parks	Maintenance	Porta-Potti (each)	\$65	n/c
Parks	Maintenance	Port-Potti - Additional Service (per time)	\$15	n/c
Parks	Maintenance	Bleachers - 5 Row (per event)	\$60	n/c
Parks	Maintenance	Bleachers - 10 Row (per event)	\$120	n/c
Parks	Recreation	Surf 'n Slide Daily Admission (per person)	\$8-\$10	\$10-\$11
Parks	Recreation	Surf 'n Slide 10 Punch Card (per person)	\$75-\$95	\$85-\$105
Parks	Recreation	Surf 'n Slide Picnic Shelter (per hour)	\$10	\$15
Parks	Recreation	Surf 'n Slide Season Pass	\$85-\$235	\$45-\$65 per person
Parks	Recreation	Group Swim Lessons - All Levels	\$25	\$30
Parks	Recreation	Surf 'n Slide Body Boarding Lessons - Flowrider	\$40	n/c
Parks	Recreation	Surf 'n Slide Flowboarding Lessons - Standup	\$40	n/c
Parks	Recreation	Surf 'n Slide Private Rental (per hour)	\$440-\$990	\$545-\$1,090
Parks	Recreation	Surf 'n Slide - Semi-private Lessons - All Levels	\$50	\$60
Parks	Recreation	Lifeguard Certification Class	\$150	n/c

# City of Moses Lake preliminary Fee Schedule

DEPART	FEE TYPE	FEE DESCRIPTION	CURRENT	PROPOSED
Parks	Admin	Picnic Shelter Rental - 4 Hours	\$30	\$50
Parks	Admin	Picnic Shelter Rental - 8 Hours	\$50	\$70
Parks	Admin	Special Event Application Fee	\$50	n/c
Parks	Recreation/Museum	classes and programs	to be determined by class size and suplies	
Parks	Recreation	Parks/Recreation Programs	to be determined by class size and suplies	
Parks	Recreation	recreational sports leagues	to be determined by # of teams and supplies	
Parks	Recreation	Ice Skating Admission (per person)	\$2-\$3	n/c
Parks	Recreation	Ice Skating Admission Punchcard	\$15Y/\$25A	n/c
Parks	Recreation	Ice Skate Rental (per person)	\$5	n/c
Parks	Recreation	Ice Skating Admission Punchcard with Skates	\$45Y/\$55A	n/c
Parks	Recreation	Ice Skating Season Pass (Indivudal) no Skates	\$35Y/\$45A	n/c
Parks	Recreation	Ice Skating Season Pass (Indivudal) with Skates	\$65Y/\$75A	n/c
Parks	Recreation	winter ice program	to be determined by class size and suplies	
Parks	Recreation	Group Broomball Party (per person)	\$5	n/c
Parks	Recreation	Ice Rink Private Rental (per hour)	\$125-\$200	n/c
Parks	Maintenance	Softball Field Use (per game)	\$19Y/\$24A/\$29 non-local	n/c
Parks	Maintenance	Baseball Field Use (per game)	\$24Y/\$29A	n/c
Parks	Maintenance	Softball Field Lighting (per hour)	\$12	n/c
Parks	Maintenance	Baseball Field Lighting (per hour)	\$15	n/c
Parks	Recreation	Baseball/Softball Tournament Application Fee	\$100	n/c
Parks	Maintenance	Baseball/Softball Crowd Fencing (per event)	\$120	n/c
Parks	Maintenance	Baseball Pitcher's Mounds (each per event)	\$40	n/c
Parks	Maintenance	Baseball/Softball Temporary Field Fencing	\$60	n/c
Parks	Admin	Cascade Campground Tent Site	\$25	\$30
Parks	Admin	Cascade Campground Tent Site Processing Fee	\$5	n/c
Parks	Admin	Cascade Campground RV Site	\$30	\$35
Parks	Admin	Cascade Campground RV Site Processing Fee	\$5	n/c
Parks	Admin	Cascade Campground Group Site	\$170	\$190
Parks	Admin	Cascade Campground Group Site Processing Fee	\$50	n/c
Parks	Admin	Amphitheater Rental (Daily)	\$40	\$75
Parks	Recreation	Community Garden Plot Rental (16-80 sq. ft.)	\$5	\$10
Parks	Recreation	Community Garden Plot Rental (81-160 sq. ft.)	\$15	\$20
Parks	Recreation	Community Garden Plot Rental (161-280 sq. ft.)	\$20	\$25
Parks	Recreation	Community Garden Plot Rental (281-512 sq. ft.)	\$25	\$30
Parks	Recreation/Museum	Museum & Art Center Membership (Individual)	\$20-\$30	n/c
Parks	Recreation/Museum	Museum & Art Center Membership (Family)	\$40	n/c
Parks	Recreation/Museum	Museum & Art Center Membership (Associate)	\$55	n/c
Parks	Recreation/Museum	Museum & Art Center Membership (Booster)	\$100	n/c
Parks	Recreation/Museum	Museum & Art Center Membership (Sponsor)	\$250	n/c
Parks	Recreation/Museum	Museum & Art Center Membership (Patron)	\$500	n/c
Parks	Recreation/Museum	Museum & Art Center Membership (Benefactor)	\$1,000.00	n/c
Finance	Bus Lic	Bus lic. annual fee (prorated by qtr)	80	85
Finance	Bus Lic	Bus. Lic Temporary local,transcient	200	210
Finance	Bus Lic	Mobile and street vendors	150	155
Finance	Bus Lic	Bus. license fee - carnival 1st day	150	155
Finance	Bus Lic	- carnival 2nd day	70	75
Finance	Bus Lic	- carnival 3rd plus	45	50
Finance	Bus Lic	Bus. license fee - Circus 1st day	150	155
Finance	Bus Lic	- Circus 2nd day plus	70	75
Finance	Bus Lic	Bus license fee - Road show 1st day	60	65
Finance	Bus Lic	- Road show 2nd day plus	30	35
Finance	Bus Lic	Bus. Lic pawnbrokers/2nd hand dealer	105	110
Finance	Bus Lic	Bus. Lic Solictors	105	110
Finance	Bus Lic	Bus. Lic taxi	105	110
Finance	Bus Lic	telecommunication lic	1000	1100
Finance	Bus Lic	telecommunication lic - renewal	500	550
Utility	sanitation	Attachment A (based on contractor fees on Sept 1)	driven by contract (hybrid calculation of CPI)	

# City of Moses Lake preliminary Fee Schedule

DEPART	FEE TYPE	FEE DESCRIPTION	CURRENT	PROPOSED
Utility	Water Rates	residential basic 500 cf 3/4 inch	22.6	2016 rate plus cpi
Utility	Water Rates	resid over 500 (per 100 cf or portion thereof)	0.84	2016 rate plus cpi
Utility	Water Rates	residential basic 1000 cf 1 inch (nearest 10 cents)	26.8	2016 rate plus cpi
Utility	Water Rates	residential basic 2500 cf 1.5 inch	39.4	2016 rate plus cpi
Utility	Water Rates	residential basic 10000 cf 2 inch	102.4	2016 rate plus cpi
Utility	Water Rates	dwelling with 2 living units 1000 cf	45.2	dbl single resiendial
Utility	Water Rates	dwelling over 1000 (per 100 cf or portion thereof)	0.84	2016 rate plus cpi
Utility	Water Rates	dwelling with 2 living units 1000 cf 1 inch	53.6	2016 rate plus cpi
Utility	Water Rates	dwelling with 2 living units 1000 cf 1.5 inch	78.8	2016 rate plus cpi
Utility	Water Rates	dwelling with 2 living units 1000 cf 2 inch	204.8	2016 rate plus cpi
Utility	Water Rates	Commercial 500 cf 3/4 in.	38.2	2016 rate plus cpi
Utility	Water Rates	comm. over 500 (per 100 cf or portion thereof)	0.84	2016 rate plus cpi
Utility	Water Rates	comm. over 1000 1 in.	42.4	2016 rate plus cpi
Utility	Water Rates	comm. over 1000 1.5 in.	55	2016 rate plus cpi
Utility	Water Rates	comm. Over 2500 2 in.	118	2016 rate plus cpi
Utility	Water Rates	comm. over 10000 3 in.	202	2016 rate plus cpi
Utility	Water Rates	comm. over 35000 4 in.	328	2016 rate plus cpi
Utility	Water Rates	comm. over 50000 6 in.	454	2016 rate plus cpi
Utility	Water Rates	comm. over 90000 8 in.	790	2016 rate plus cpi
Utility	Water Rates	comm. over 150000 10 in.	1294	2016 rate plus cpi
Utility	sewer	residential sewer rates	33.15	2016 rate plus cpi
Utility	sewer	Duplex sewer rates	66.3	2016 rate plus cpi
Utility	sewer	commercial sewer to 1000 cf	34.75	2016 rate plus cpi
Utility	sewer	commercial sewer over 1000 cf (per 100 cf)	1.34	2016 rate plus cpi
Utility	strmwtr	stormwater rates residential up to 6000 sf	5.4	2016 rate plus cpi
Utility	strmwtr	strmwtr rates non-residential over 6000 sf impervious grnd cover	9.1	2016 rate plus cpi
Utility	strmwtr	strmwtr rates non-residential over 15000 sf impervious grnd cover	13.35	2016 rate plus cpi
Utility	strmwtr	strmwtr rates non-residential over 30000 sf impervious grnd cover	26.6	2016 rate plus cpi
Utility	strmwtr	strmwtr rates non-residential over 60000 sf impervious grnd cover	53.1	2016 rate plus cpi
Utility	strmwtr	strmwtr rates non-residential over 120000 sf impervious grnd cover	106.25	2016 rate plus cpi
Utility	strmwtr	strmwtr rates non-residential over 240000 sf impervious grnd cover	159.4	2016 rate plus cpi
Utility		delinquent service charge	30	n/c
Utility		service charge for turn offs/ons after 4:00 pm	80	n/c
Utility	hydrant rental	fire hydrant meter rental per day	4	5
Utility	hydrant rental	fire hydrant rental with no meter	6	8
Mun. Srv.	Water main tapping fee	3/4" - 2" tap	\$ 100.00	\$ 145.00
Mun. Srv.	Water main tapping fee	4" - 6" tap	\$ 225.00	\$ 325.00
Mun. Srv.	Water main tapping fee	8" tap	\$ 275.00	\$ 395.00
Mun. Srv.	Water main tapping fee	10" tap	\$ 350.00	\$ 500.00
Mun. Srv.	Water main tapping fee	12" tap	\$ 405.00	\$ 580.00
Mun. Srv.	Water sample	Purity test of sample	\$70/sample	\$ 100.00
Mun. Srv.	Filling and flushing	Newly constructed water mains	\$16/100 feet of line	\$ 23.00
Mun. Srv.	water meter	3/4" meter	\$ 245.00	\$ 350.00
Mun. Srv.	water meter	1" meter	\$ 315.00	\$ 450.00
Mun. Srv.	water meter	1-1/2" meter	\$ 470.00	\$ 675.00
Mun. Srv.	water meter	2" meter	\$ 875.00	\$ 1,250.00
Mun. Srv.	Previously installed water service	3/4" service	\$ 545.00	\$ 2,000.00
Mun. Srv.	Previously installed water service	1" service	\$ 600.00	\$ 3,000.00
Mun. Srv.	Previously installed water service	1-1/2" to 2" service	\$ 910.00	\$ 4,000.00
Mun. Srv.	Connect to existing main	Any size	\$ 255.00	\$ 365.00



# City of Moses Lake preliminary Fee Schedule

DEPART	FEE TYPE	FEE DESCRIPTION	CURRENT	PROPOSED
Mun. Svc.	City inspector overtime	Charge for working outside of normal hours	\$50/hour	\$ 60.00
Mun. Svc.	Water System Development Charge	3/4" water meter	\$ 1,128.00	\$ 2,120.00
Mun. Svc.	Water System Development Charge	1" water meter	\$ 1,916.00	based on future study
Mun. Svc.	Water System Development Charge	1-1/2" water meter	\$ 3,816.00	based on future study
Mun. Svc.	Water System Development Charge	2" water meter	\$ 6,128.00	\$ 14,100.00
Mun. Svc.	Water System Development Charge	3" water meter	\$ 11,559.00	based on future study
Mun. Svc.	Water System Development Charge	4" water meter	\$ 23,113.00	based on future study
Mun. Svc.	Water System Development Charge	6" water meter	\$ 48,180.00	based on future study
Mun. Svc.	Water System Development Charge	8" water meter	\$ 91,398.00	based on future study
Mun. Svc.	Water System Development Charge	10" water meter	\$ 139,832.00	based on future study
Mun. Svc.	Water System Development Charge	3/4" water meter	\$ 400.00	\$ 2,300.00
Mun. Svc.	Water System Development Charge	1" water meter	\$ 680.00	based on future study
Mun. Svc.	Water System Development Charge	1-1/2" water meter	\$ 1,348.00	based on future study
Mun. Svc.	Water System Development Charge	2" water meter	\$ 2,168.00	\$ 14,580.00
Mun. Svc.	Water System Development Charge	3" water meter	\$ 4,081.00	based on future study
Mun. Svc.	Water System Development Charge	4" water meter	\$ 8,160.00	based on future study
Mun. Svc.	Water System Development Charge	6" water meter	\$ 17,010.00	based on future study
Mun. Svc.	Water System Development Charge	8" water meter	\$ 32,264.00	based on future study
Mun. Svc.	Water System Development Charge	10" water meter	\$ 49,388.00	based on future study
Mun. Svc.	Engineering plan review	Engineering plan review	\$50 per sheet	\$300 minimum (includes up to 4 sheets) \$75 for each additional sheet
Mun. Svc.	Street obstruction permit	Inspection fee	2.5% of construction costs, \$25 minimum fee	2.5% of construction costs, \$50 minimum fee
Municipal Svc.	Sewer Discharge Permit	New discharge permit application (> 750 gpd)	\$ 3,000.00	\$ 3,500
	Sewer Discharge Permit	Discharge permit renewal (> 750)	\$ 1,500.00	\$ 1,700
	Sewer Discharge Permit	Annual Discharge permit fee (> 750)	\$ 750.00	\$ 850
Municipal Svc.	Sewer Discharge Permit	New discharge permit application (< 750 gpd)	\$ 1,000.00	N/A remove category
	Sewer Discharge Permit	Discharge permit renewal (< 750)	\$ 500.00	N/A remove category
	Sewer Discharge Permit	Annual Discharge permit fee (< 750)	\$ 250.00	N/A remove category



**CITY OF MOSES LAKE**  
**STAFF REPORT**

---

To: John Williams, City Manager  
From: Spencer Grigg, Parks and Recreation Director  
Date: November 8, 2016  
Proceeding Type: MOTION  
Subject: Accept cash donation from the Ephrata Moses Lake Kennel Club

---

**Legislative History:**

• First Presentation:	November 8, 2016
• Second presentation:	
• Action:	Motion

---

**Staff Report Summary**

Attached for Council approval is a resolution accepting a cash donation from the Ephrata Moses Lake Kennel Club to be used by the Parks and Recreation Department to install a Dogi Pot Pet Station at Blue Heron Park and to purchase a 10-roll case of litter pick up bags.

**Background**

n/a

**Fiscal and Policy Implications**

n/a



### Options

<i>Option</i>	<i>Results</i>
<ul style="list-style-type: none"><li><i>Motion</i></li></ul>	Donation would be accepted and used to install a Dogi Pot Pet Station at Blue Heron Park and purchase a 10-roll case of litter pick up bags.
<ul style="list-style-type: none"><li><i>Take no action.</i></li></ul>	Donation would not be accepted and a Dogi Pot Pet Station will not be installed at Blue Heron Park and litter pick up bags will not be purchased.

### Staff Recommendation

Staff recommends that the Moses Lake City Council approve the attached resolution and accept the cash donation of \$430.00 from the Ephrata Moses Lake Kennel Club.

### Attachments

A.	Resolution
----	------------

### Legal Review

The following documents are attached and subject to legal review:

Type of Document	Title of Document	Date Reviewed by Legal Counsel
<ul style="list-style-type: none"><li></li></ul>		

RESOLUTION NO. 3651

A RESOLUTION ACCEPTING A CASH DONATION OF \$430.00  
FROM THE EPHRATA MOSES LAKE KENNEL CLUB

RECITALS:

1. The Ephrata Moses Lake Kennel Club has donated four hundred thirty dollars (\$430.00) to the City of Moses Lake to be used by the Parks and Recreation Department to install a Dogi Pot Pet Station at Blue Heron Park and to purchase a 10-roll case of litter pick up bags.

RESOLVED:

1. The \$430.00 donation is accepted.
2. The City of Moses Lake wishes to express its sincere appreciation to the Ephrata Moses Lake Kennel Club.

Adopted by the City Council on \_\_\_\_\_.

\_\_\_\_\_  
Todd Voth, Mayor

ATTEST:

\_\_\_\_\_  
W. Robert Taylor, Finance Director



**CITY OF MOSES LAKE**  
**STAFF REPORT**

---

To: John Williams, City Manager  
From: Gilbert Alvarado, Community Dev. Director/Deputy City Manager  
Date: November 8, 2016  
Proceeding Type: MOTION  
Subject: Resolution – Nuisance Abatement – 205 W. Inglewood

---

**Legislative History:**

- |                        |                  |
|------------------------|------------------|
| • First Presentation:  | November 8, 2016 |
| • Second presentation: |                  |
| • Action:              | Motion           |

**Staff Report Summary**

Attached is a resolution providing for the abatement of a nuisance at 205 W. Inglewood owned by Craig L. and Melinda L. LeGrand. The Council should hold a hearing to consider the allegations of the Code Enforcement Officer that the property contains a public nuisance which has not been corrected. If the Council concurs that a public nuisance exists, the resolution should be adopted allowing the City to remove the public nuisance.

**Background**

The code enforcement matter at 205 W. Inglewood was found by the Code Enforcement Officer while on routine patrol of the city. In accordance with MLMC 8.14, Nuisances, the site was inspected and determined to be a nuisance pursuant to MLMC 8.14. See attached October 10, 2016 Notice of Violation and Order to Correct or Cease Activity.

**Fiscal and Policy Implications**

n/a

### Options

<i>Option</i>	<i>Results</i>
<ul style="list-style-type: none"><li>Consider the Resolution abating the existing nuisances at 205 w. Inglewood</li></ul>	Compliance with MLMC 8.14 Nuisances
<ul style="list-style-type: none"><li>Consider the Resolution and take no action.</li></ul>	Non-Compliance with MLMC 8.14, Nuisances

### Staff Recommendation

Staff recommends that City Council consider abating the existing nuisance at 2015 W. Inglewood and pass the Resolution as presented.

### Attachments

A.	Resolution
B.	Exhibits 1 – 4

### Legal Review

The following documents are attached and subject to legal review:

Type of Document	Title of Document	Date Reviewed by Legal Counsel
<ul style="list-style-type: none"><li>Resolution</li></ul>	Nuisance Abatement	City Attorney Katherine Kenison

RESOLUTION NO. 3652

A RESOLUTION DETERMINING THAT CRAIG L. AND MELINDA L. LEGRAND ARE THE OWNERS OF CERTAIN REAL PROPERTY WITHIN THE CITY; THAT A NUISANCE REQUIRING ABATEMENT BY CITY FORCES OR FORCES CONTRACTED BY THE CITY EXISTS ON SUCH PROPERTY; AND DIRECTING THE USE OF SUCH FORCES TO ABATE THE NUISANCE FOUND

Recitals:

1. Real Property Location and Ownership. It is alleged by a Code Enforcement Officer of the City, a person authorized to enforce the ordinances and municipal code of the City, that the real property located at 205 W. Inglewood Avenue (Lot 82, Montlake Add. #1, Parcel #101633000), Moses Lake, Washington, is the site of public nuisance violations of Moses Lake Municipal Code (MLMC) 8.14.030 U. The records of Grant County show the owners of the subject property to be Craig L. And Melinda L. LeGrand, 10750 Dune Lake Loop SE, Moses Lake, WA 98837.
2. Notice. On October 20, 2016, the Code Enforcement Officer caused to be delivered by regular mail and certified mail to the owner of record of the subject property a Notice of Violation and Order to Correct or Cease Activity. No appeal was filed to challenge that order. The time to comply under that order has passed. The nuisance described in that order has not been abated by correction of the condition of the property and a nuisance continues to exist on the subject property. On October 24, 2016, the Code Enforcement Officer caused to be delivered to Craig L. and Melinda L. LeGrand a notice of the intent of the City Council to consider adoption of a resolution such as this at its meeting of November 8, 2016. Such notice was in writing, in the English language and was delivered by return receipt mail and regular mail to the record owner of the subject property.
3. Violations. It has been established by the Notice of Violation and Order to Correct or Cease Activity that the following violations exist on the subject property and have not been corrected:
  - 3.1 A violation of MLMC 8.14.030 U - Nuisance Defined. Each of the following conditions, unless otherwise permitted by law, is declared to constitute a public nuisance, and whenever the Code Enforcement Officer determines that any of these conditions exist upon any premises or in any stream, drainage way or wetlands, the officer may require or provide for the abatement thereof pursuant to this chapter.
    - U. Except for any designated public park land, natural area, or environmentally sensitive area, or any undeveloped parcels of land not adjacent to developed areas or which are used for agricultural purposes, all grasses, weeds, or other vegetation growing or which has grown and died, which is determined to be a fire or safety hazard or a nuisance to persons, shall not exceed twelve inches (12") in height measured above the ground.
      1. The above exception may be waived and additional maintenance required by the Code Enforcement Officer if he determines such action is necessary to protect the safety of persons or adjoining property.
      2. All maintenance shall be done in a manner so that soil stability will not be disrupted or disturbed. Grass, weed, or vegetation control shall not include plowing, discing, or scraping the soil to eliminate the grasses, weeds, or other vegetation unless a soil stabilization plan, which will minimize blowing dust and

maintain soil stability and which shall be approved by the city prior to any plowing, discing, or scraping, is implemented immediately.

4. Hearing. On November 8, 2016 the Moses Lake City Council conducted a hearing to consider the allegations of the Code Enforcement Officer that the subject property contains a public nuisance ordered corrected which remains uncorrected and that the record owner is responsible for the costs of correcting and abating such violations if such corrections and abatement is accomplished by City forces or forces contracted by the City for such purpose. All interested persons were permitted to provide written or oral evidence relevant to the issue.

5. Evidence:

- 5.1. The following persons testified under oath:

Rick Rodriguez, Moses Lake Code Enforcement Officer

- 5.2. The following exhibits were made a part of the record of the proceedings:

EXHIBIT #1: Moses Lake Municipal Code Chapter 8.14.030 U

EXHIBIT #2: Notice of Violation and Order to Correct or Cease Activity dated October 10, 2016 from the Code Enforcement Officer addressed to Craig L. and Melinda L. LeGrand, 10750 Dune Lake Loop SE, Moses Lake, WA 98837

EXHIBIT #3: Pictures taken by Code Enforcement Officer of the property located at 205 w. Inglewood Avenue, Moses Lake, Washington.

EXHIBIT #4: Letter dated October 24, 2016, from the Code Enforcement Officer to Craig L. and Melinda L. LeGrand advising the property owner of the hearing regarding abatement of property, scheduled for November 8, 2016.

Resolved:

1. A public nuisance in violation of MLMC 8.14.030 U exists on the subject property at 205 w. Inglewood, Moses Lake, Washington. Craig L. and Melinda L. LeGrand, 10750 Dune Lake Loop SE, Moses Lake, WA 98837 are the record contract owners of the subject property per the records of Grant County.
2. The public nuisance located upon the subject property consists of:
  - 2.1. weeds in excess of 12" in height
3. The maintenance of these public nuisance violations on the subject property by the record owner is detrimental to the health, safety, welfare, peace and tranquility of the residents of the City impacting the quality of life and diminishing property values.
4. Craig L. and Melinda LeGrand, the record contract owners, have fifteen (15) days from the date of the adoption of this resolution to cause the nuisance violations listed herein to be removed to the satisfaction of the Code Enforcement Officer. Those improvements include the following:
  - 4.1 Weeds must be cut or removed



5. City staff shall provide a status report to City Council on the progress of the record contract owners and occupant to make the clean up required on the subject property. If the improvements, as listed above, are not to the satisfaction of the Code Enforcement Officer, the City is authorized to use City forces or contract forces to cause the identified public nuisances to be removed from the subject property to the satisfaction of the City Manager. All costs of any removal of the identified public nuisances done at City expense shall be recovered by the City Manager by all reasonable means including immediate assignment of the costs so incurred for collection.
6. A copy of this resolution shall be provided to the record contract owner by return receipt and regular mail after its approval by the City Council.

Adopted by the City Council on November 8, 2016.

---

Todd Voth, Mayor

ATTEST:

---

W. Robert Taylor, Finance Director



# City of Moses Lake

PO Drawer 1579  
Moses Lake, WA 98837  
Phone: (509) 764-3750

## NOTICE TO CORRECT - UNSAFE OR UNLAWFUL CONDITION

**DATED: Tuesday, September 27, 2016**

**ISSUED TO:**

CRAIG L & MELINDA L LEGRAND  
10750 DUNE LAKE LOOP SE  
MOSES LAKE, WA 98837-9084

**CASE #: COD2016-2125**

As owner, agent, lessee, other person occupying or having charge or control of the building, lot or premises described in the location below, you are hereby notified that the undersigned, pursuant to the violations listed below of the Moses Lake Municipal Code, has determined that there exists upon or adjoining said premises the following conditions:

*Weeds in excess of 12" in height are present in the back and side area of this home.*

### LOCATION OF UNLAWFUL CONDITION

LOCATION: 205 W INGLEWOOD AVE, MOSES LAKE

PARCEL: 101633000

LEGAL DESC: Lot 82 Montlake Add #1

### VIOLATIONS

**8.14.030.U - Maintenance of grasses, weeds, etc**

*Except for any designated public park land, natural area, or environmentally sensitive area, or any undeveloped parcels of land not adjacent to developed areas or which are used for agricultural purposes, all grasses, weeds, or other vegetation growing or which has grown and died, which is determined to be a fire or safety hazard or a nuisance to persons, shall not exceed twelve inches (12") in height measured above the ground. 1. The above exception may be waived and additional maintenance required by the Code Enforcement Officer if he determines such action is necessary to protect the safety of persons or adjoining property. 2. All maintenance shall be done in a manner so that soil stability will not be disrupted or disturbed. Grass, weed, or vegetation control shall not include plowing, discing, or scraping the soil to eliminate the grasses, weeds, or other vegetation unless a soil stabilization plan, which will minimize blowing dust and maintain soil stability and which shall be approved by the city prior to any plowing, discing, or scraping, is implemented immediately.*

### CORRECTION REQUIRED

*Weeds must be cut or removed from this area.*

You are notified to correct said conditions to the satisfaction of the undersigned by **Friday, October 7, 2016**. If you do not correct the condition within the specified time period, a notice and order to correct the condition will be issued to you, which can result in a penalty being imposed.

I would like to thank you in advance for your cooperating efforts. If you have any questions or need clarification on any of the above-mentioned items, please give me a call at (509) 764-3748 or come see me at City Hall.

Sincerely,

BRETT HOLLEN  
Code Enforcement Officer

8.14.030 Nuisance Defined. Each of the following conditions, unless otherwise permitted by law, is declared to constitute a public nuisance, and whenever the Code Enforcement Officer determines that any of these conditions exist upon any premises or in any stream, drainage way or wetlands, the officer may require or provide for the abatement thereof pursuant to this chapter.

U. Except for any designated public park land, natural area, or environmentally sensitive area, or any undeveloped parcels of land not adjacent to developed areas or which are used for agricultural purposes, all grasses, weeds, or other vegetation growing or which has grown and died, which is determined to be a fire or safety hazard or a nuisance to persons, shall not exceed twelve inches (12") in height measured above the ground.

1. The above exception may be waived and additional maintenance required by the Code Enforcement Officer if he determines such action is necessary to protect the safety of persons or adjoining property.
2. All maintenance shall be done in a manner so that soil stability will not be disrupted or disturbed. Grass, weed, or vegetation control shall not include plowing, discing, or scraping the soil to eliminate the grasses, weeds, or other vegetation unless a soil stabilization plan, which will minimize blowing dust and maintain soil stability and which shall be approved by the city prior to any plowing, discing, or scraping, is implemented immediately.



# City of Moses Lake

PO Drawer 1579  
Moses Lake, WA 98837  
Phone: (509) 764-3750

## NOTICE OF VIOLATION AND ORDER TO CORRECT OR CEASE ACTIVITY

**DATED: Monday, October 10, 2016**

**ISSUED TO:**

CRAIG L & MELINDA L LEGRAND  
10750 DUNE LAKE LOOP SE  
MOSES LAKE, WA 98837-9084

**CASE #: COD2016-2125**

### YOU ARE HEREBY ORDERED TO CORRECT OR CEASE THE ACTIVITY AS FOLLOWS:

*Weeds in excess of 12" in height are present in the back and side area of this home.*

**The City is requiring these corrections listed on this Notice and Order be accomplished by Monday, October 24, 2016.**

### ACTION NECESSARY TO CORRECT VIOLATION

*Weeds must be cut or removed from this area.*

### LOCATION OF UNLAWFUL CONDITION

LOCATION: 205 W INGLEWOOD AVE, MOSES LAKE  
LEGAL DESC: Lot 82 Montlake Add #1

PARCEL: 101633000

### PROVISIONS OF THE CITY OF MOSES LAKE CODE VIOLATED

*8.14.030.U - Maintenance of grasses, weeds, etc*

*Except for any designated public park land, natural area, or environmentally sensitive area, or any undeveloped parcels of land not adjacent to developed areas or which are used for agricultural purposes, all grasses, weeds, or other vegetation growing or which has grown and died, which is determined to be a fire or safety hazard or a nuisance to persons, shall not exceed twelve inches (12") in height measured above the ground. 1. The above exception may be waived and additional maintenance required by the Code Enforcement Officer if he determines such action is necessary to protect the safety of persons or adjoining property. 2. All maintenance shall be done in a manner so that soil stability will not be disrupted or disturbed. Grass, weed, or vegetation control shall not include plowing, discing, or scraping the soil to eliminate the grasses, weeds, or other vegetation unless a soil stabilization plan, which will minimize blowing dust and maintain soil stability and which shall be approved by the city prior to any plowing, discing, or scraping, is implemented immediately.*

**YOU ARE FURTHER NOTIFIED THAT THE MOSES LAKE CITY CODE PROVIDES FOR THE FOLLOWING PENALTIES:**

1. Any violation for which a Notice of Violation and Order to Correct or Cease Activity has been issued but which has not been corrected within the time specified shall incur a civil penalty of two hundred fifty dollars (\$250) per day up to a sum of five thousand dollars (\$5,000), beginning on the day the correction was to be completed. The cumulative penalty provided for in this paragraph shall not accrue while an appeal is pending, nor shall the penalty preclude the initiation of appropriate legal action to correct the violation. [MLMC 1.20.110(F)].
2. If a penalty has been assessed pursuant to MLMC 1.20.110(F), a Court shall assess that penalty and any additional penalty the Court considers appropriate plus court costs and attorney's fees.

**YOU MAY APPEAL THIS NOTICE AND ORDER TO THE HEARING EXAMINER WITHIN FOURTEEN (14) DAYS OF**

THIS NOTICE PURSUANT TO SECTION 1.20.120 OF THE MOSES LAKE MUNICIPAL CODE BY FILING A NOTICE OF APPEAL WITH THE CITY CLERK, 401 S. BALSAM ST., MOSES LAKE. YOU MAY ALTERNATIVELY REQUEST AN INFORMAL APPEAL OF THIS NOTICE AND ORDER TO THE COMMUNITY DEVELOPMENT DIRECTOR WITHIN TEN (10) DAYS OF THIS NOTICE PURSUANT TO SECTION 1.20.120 OF THE MOSES LAKE MUNICIPAL CODE BY FILING A NOTICE OF APPEAL WITH THE COMMUNITY DEVELOPMENT DIRECTOR, 321 S. BALSAM ST., MOSES LAKE.

YOU ARE FURTHER NOTIFIED THAT IF THE AFOREMENTIONED VIOLATION IS NOT CORRECTED AS SPECIFIED HEREIN, THIS MATTER WILL BE REFERRED TO THE CITY ATTORNEY FOR CIVIL ENFORCEMENT BY INJUNCTION OR OTHER APPROPRIATE ACTION.

Sincerely,

A handwritten signature in cursive script that reads "Brett Hollen".

BRETT HOLLEN  
Code Enforcement Officer





09/26/2016 07:37





# City of Moses Lake

PO Drawer 1579  
Moses Lake, WA 98837  
Phone: (509) 764-3750

DATED: Monday, October 24, 2016

CRAIG L & MELINDA L LEGRAND  
10750 DUNE LAKE LOOP SE  
MOSES LAKE, WA 98837-9084

RE: Hearing to Permit City Abatement of Nuisance for case file #: *COD2016-2125*  
Property Located at: 205 W INGLEWOOD AVE, MOSES LAKE on Parcel 101633000

Via Regular Mail and Certified Mail

CRAIG L & MELINDA L LEGRAND

You are identified in the records of the Grant County Assessor as the record owner of real property located within the City of Moses Lake described as: Lot 82 Montlake Add #1

This property is located at: 205 W INGLEWOOD AVE, MOSES LAKE on Parcel 101633000

On Monday, October 10, 2016 the City of Moses Lake mailed to you by regular mail and return receipt mail a Notice of Violation and Order to Correct or Cease Activity within the time allowed by the City Code. The time specified in that Notice of Violation and Order to Correct or Cease Activity has expired without compliance. As of Monday, October 24, 2016 the nuisance located on the subject property has not been corrected or removed.

Pursuant to Moses Lake Municipal Code (MLCM) 8.14.070 the City of Moses Lake is giving you notice that it will conduct a hearing before the Moses Lake City Council at the Council's regular meeting on Tuesday, November 8, 2016 which is more than ten days from the date of this letter. That meeting will begin at 7:00 p.m. in the Council Chambers in the Moses Lake Civic Center. The purpose of this hearing is for the City Council to determine if a nuisance exists on your property and if a nuisance is found to exist to direct the abatement of that nuisance by use of City contracted forces. The cost of that abatement will be assessed against you as the owner of the subject property. At the hearing all persons interested in the abatement of the nuisance existing on the subject property will have the opportunity to be heard under oath. At that time, you may present all relevant evidence you wish for the City Council to consider, whether that be documents, photos, or live testimony from yourself or others. At the conclusion of that hearing, it is expected the City Council will determine if an abatement of a nuisance located on the subject property should take place and when.

**THIS HEARING IS IMPORTANT. YOUR FAILURE TO PARTICIPATE MAY IMPACT IMPORTANT RIGHTS IN YOUR PROPERTY.**

If you have any questions, you may contact the City Manager's Office at the Moses Lake Civic Center, 401 S. Balsam, Moses Lake, WA, phone (509) 764-3701.

Sincerely,

**RICK RODRIGUEZ**  
Code Enforcement Officer

cc: City Manager  
City Attorney  
Community Development Director