



CITY OF MOSES LAKE
STAFF REPORT

To: John Williams, City Manager
From: W. Robert Taylor, Finance Director
Date: December 27, 2016
Proceeding Type: Motion
Subject: Ordinance - Amend MLMC Chapter 5.40 Taxicabs

Legislative History:

• First Presentation:	December 27, 2016
• Second presentation:	
• Action:	Single Reading - Motion

Staff Report Summary

Attached is an ordinance amending Moses Lake Municipal Code (MLMC 5.40.120) entitled "Identification Costs of Screening". With the inclusion of the fee schedule as part of the Budget ordinance the separate fee listing within the Municipal Code is deemed unnecessary. This ordinance is to reference the fee in the schedule and to eliminate potential future conflict with the schedule by also listing it in the individual chapters.

Background

Council approved the 2017 annual budget with Ordinance 2834 on December 13, 2016. With the passing of the budget they also passed the fee schedule which placed the fees in one location and made them readily available for viewing and easily assessable.

Fiscal and Policy Implications

Moves the fee listing for City services and charges from multiple locations in the MLMC to one place for easy identification and reference.

Options

<i>Option</i>	<i>Results</i>
<ul style="list-style-type: none">• <i>Adopt the ordinance</i>	Action would keep consistency with other changes to the MLMC and reduce potential differences with the fee schedule.
<ul style="list-style-type: none">• <i>Take no action</i>	MLMC 5.40.120 will need to be corrected to match the fee schedule each year the fee schedule is approved.

Staff Recommendation

Staff recommends that City Council move to adopt the ordinance as presented.

Attachments

A.	Ordinance
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ORDINANCE NO. 2843

AN ORDINANCE AMENDING CHAPTER 5.40 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "TAXICABS"

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

Section 1. Chapter 5.40 of the Moses Lake Municipal Code entitled "Taxicabs" is amended as follows:

5.40.120 Identification Costs of Screening:

- A. Every taxicab driver shall, at all times, have in his possession an identification card in a form approved by the Police Chief. Such card shall have thereon, in addition to such other information as may be required by the Police Chief, the photograph, right index print, name of employer, and signature of the person being identified and date of expiration of the card.
- B. The Police Chief shall charge a one time application review fee as assessed in accordance with the adopted fee schedule of one hundred and five dollars (\$105) to help defray the costs of screening any applicant for an identification card and license and he may, in addition to any other fees, charge the applicant the actual cost of the card. Fingerprinting costs are included in the ~~one hundred and five dollar (\$105)~~ applicant review fee. All identification cards shall expire on the 31st day of December of each year.
- C. All identification cards shall remain the property of the City of Moses Lake. When a holder of an identification card shall leave the employment of a taxicab company, said holder shall immediately surrender his identification card and forward it immediately to the Police Chief. The former employee may then reapply for an identification card upon employment with another taxicab company licensed by the City of Moses Lake.

Section 2. This ordinance shall take effect and be in force five (5) days after its passage.

Adopted by the City Council and signed by its Mayor on December 27, 2016.

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: December 27, 2016
Proceeding Type: Motion
Subject: Ordinance - Amend MLMC Chapter 5.50 Telecommunication Use Fees

Legislative History:

• First Presentation:	December 27, 2016
• Second presentation:	
• Action:	Single Reading - Motion

Staff Report Summary

Attached is an ordinance amending Moses Lake Municipal Code (MLMC 5.50.030) entitled "Application Fees". With the inclusion of the fee schedule as part of the Budget ordinance the separate fee listing within the Municipal Code is deemed unnecessary. This ordinance is to reference the fee in the schedule and to eliminate potential future conflict with the schedule by also listing it in the individual chapters.

Background

Council approved the 2017 annual budget with Ordinance 2834 on December 13, 2016. With the passing of the budget they also passed the fee schedule which placed the fees in one location and made them readily available for viewing and easily assessable.

Fiscal and Policy Implications

Moves the fee listing for City services and charges from multiple locations in the MLMC to one place for easy identification and reference.

Options

<i>Option</i>	<i>Results</i>
<ul style="list-style-type: none">• <i>Adopt the ordinance</i>	Action would keep consistency with other changes to the MLMC and reduce potential differences with the fee schedule.
<ul style="list-style-type: none">• <i>Take no action</i>	MLMC 5.50.030 will need to be corrected to match the fee schedule each year the fee schedule is approved.

Staff Recommendation

Staff recommends that City Council move to adopt the ordinance as presented.

Attachments

A.	Ordinance
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ORDINANCE NO. 2844

AN ORDINANCE AMENDING CHAPTER 5.50 OF THE MOSES LAKE MUNICIPAL
CODE ENTITLED "TELECOMMUNICATION USE FEES"

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

Section 1. Chapter 5.50 of the Moses Lake Municipal Code entitled "Telecommunication Use Fees" is amended as follows:

5.50.030 Application Fees. Any portion of the ~~following~~ fees for processing applications or renewals not consumed by city staff or consultants in the processing of the telecommunication right-of-way use authorization applications and renewals and facilities leases and renewals will be refunded to the applicant. The ~~following~~ fees for processing telecommunication right-of-way use authorization applications and renewals and facilities leases and renewals ~~are created:~~ for the following shall be assessed in accordance with the adopted fee schedule:

Telecommunications license	\$1,000
Renewal of telecommunications license	\$—500
Telecommunications franchise	\$3,000
Telecommunications franchise renewal	\$1,500
Cable franchise	\$4,000
Cable franchise renewal	\$2,000

Section 2. This ordinance shall take effect and be in force five (5) days after its passage.

Adopted by the City Council and signed by its Mayor on December 27, 2016.

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: December 27, 2016
Proceeding Type: Motion
Subject: Ordinance - Amend MLMC Chapter 13.12 Water, Sewer and Stormwater Rates

Legislative History:

• First Presentation:	December 27, 2016
• Second presentation:	
• Action:	Single Reading - Motion

Staff Report Summary

Attached is an ordinance amending Moses Lake Municipal Code (MLMC 13.12.) entitled "Water, Sewer, and Stormwater Rates". With the inclusion of the fee schedule as part of the Budget ordinance the separate fee listing within the Municipal Code is deemed unnecessary. This ordinance is to reference the fee in the schedule approved by Council and to eliminate potential future conflict with the schedule by also listing it in the individual chapters.

The surcharge is levied on those accounts outside the city limits (Larson Air Base). Whereas the utility occupational tax is levied on those accounts within the city limits. This increase would change the surcharge from 8% to 10%, thus matching the utility tax.

Background

Council approved the 2017 annual budget with Ordinance 2834 on December 13, 2016. With the passing of the budget they also passed the fee schedule which placed the fees in one location and made them readily available for viewing and easily assessable.

The Utility Occupational Tax passed by council with the fee schedule establishes the rate at 10%. To be equitable the city has always established a surcharge equal to the utility tax. Council supported the increase in the utility tax to help support public safety enhancements and other council priorities.

Fiscal and Policy Implications

Moves the fee listing for City services and charges from multiple locations in the MLMC to one place for easy identification and reference. Furthermore the surcharge would be consistent with the current rate of the utility tax.

Options

<i>Option</i>	<i>Results</i>
<ul style="list-style-type: none">• <i>Adopt the ordinance</i>	Action would keep consistency with other changes to the MLMC, reduce potential differences with the fee schedule and match accounts outside the city limits with those inside.
<ul style="list-style-type: none">• <i>Take no action</i>	MLMC 13.12. will need to be corrected to match the fee schedule each year the fee schedule is approved and the accounts outside the city would have services at a cheaper rate.

Staff Recommendation

Staff recommends that City Council move to adopt the ordinance as presented.

Attachments

A.	Ordinance
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ORDINANCE NO. 2845

AN ORDINANCE AMENDING CHAPTER 13.12 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "WATER, SEWER, AND STORMWATER RATES"

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

Section 1. Chapter 13.12 of the Moses Lake Municipal Code entitled "Water, Sewer, and Stormwater Rates" is amended as follows:

13.12.010 Residential Water Rates:

- A. ~~A rate shall be assessed in accordance with the adopted fee schedule. The following shall be the monthly rate charge for water from the city water system from all residential living units within the corporate limits of the city and outside the corporate limits of the City. after May 1, 2016:~~

Amount Used (in cubic feet)	Water Rate
0-500	\$23.05 per month
Over 500	\$.86 per 100 cu. ft. or portion thereof

- B. ~~A rate shall be assessed in accordance with the adopted fee schedule for The following shall be the minimum monthly amounts charged according to each meter in service for all residential living units within the corporate limits of the City and outside the corporate limits of the City. after May 1, 2016:~~

Meter Size (in inches)	Minimum Charge per Calendar Month	Water Delivered for Minimum (in cubic feet)
3/4 or smaller	\$23.05	500
1	\$27.35	1,000
1½	\$40.25	2,500
2	\$104.75	10,000

NOTE: All minimum charges are the base rate with all consumption in excess of five hundred (500) cubic feet computed at the over five hundred (500) cubic feet rate.

13.12.015 Dwellings With Two Living Units:

- A. ~~A rate shall be assessed in accordance with the adopted fee schedule. The following shall be the monthly rate charged for water from the City system for a dwelling with two (2) separate living units within the corporate limits of the City and outside the corporate limits of the City with only one (1) meter serving two (2) living units or for two (2) houses on a single lot served by one (1) meter. after May 1, 2016:~~

Amount Used (in cubic feet)	Water Rate
0-1,000	\$46.10 per month
Over 1,000	\$.86 per 100 cu. ft. or portion thereof

- B. ~~A rate shall be assessed in accordance with the adopted fee schedule for The following shall be the minimum monthly amounts charged according to the size of each meter in service to~~

a dwelling with two (2) separate living units with only one (1) meter to the living unit or for two (2) houses on a single lot served by one (1) meter within the corporate limits of the City and outside the corporate limits of the City. ~~after May 1, 2016:~~

Meter Size (in inches)	Minimum Charge per Calendar Month	Water Delivered for Minimum (in cubic feet)
3/4 or smaller	\$46.10	1,000
1	\$54.70	2,000
1½	\$80.50	5,000
2	\$209.50	20,000

13.12.020 Commercial Water Rates:

- A. ~~A rate shall be assessed in accordance with the adopted fee schedule. The following shall be the monthly rate charged for water from the City water system for commercial users and dwellings with three (3) or more living units served by one (1) meter within the corporate limits of the City and outside the corporate limits of the City. after May 1, 2016:~~

Amount Used (in cubic feet)	Water Rate
0-500	\$38.90 per month
Over 500	\$.86 per 100 cu. ft. or portion thereof

- B. ~~A rate shall be assessed in accordance with the adopted fee schedule for The following shall be the minimum monthly amounts charged according to each meter in service for commercial users and dwellings with three (3) or more living units served by one (1) meter within the corporate limits of the City and outside the corporate limits of the City. after May 1, 2016:~~

Meter Size (in inches)	Minimum Charge per Calendar Month	Water Delivered for Minimum (in cubic feet)
3/4 or smaller	\$38.90	500
1	\$43.20	1,000
1½	\$56.10	2,500
2	\$120.60	10,000
3	\$206.60	20,000
4	\$335.60	35,000
6	\$464.60	50,000
8	\$808.60	90,000
10	\$1,324.60	150,000

- 13.12.030 Residential Sewer Rates: ~~A rate shall be assessed in accordance with the adopted fee schedule for The following shall be the monthly rate charged~~ customers residing within the corporate limits of the City and outside the corporate limits of the City for sewer service from the City sewer system for single-family dwellings and each unit of a duplex with separate meters. ~~flat rate, \$33.17 per month after May 1, 2016:~~

- 13.12.035 Duplex Sewer Rates: ~~A rate shall be assessed in accordance with the adopted fee schedule for The following shall be the monthly rate charged~~ customers residing within the corporate limits of the City and outside the corporate limits of the City for sewer service from the City sewer system for duplexes with only one (1) meter serving two (2) living units or for two (2) living units on a single

lot served by one (1) meter. ~~flat rate, \$67.50 per month after May 1, 2016.~~

13.12.040 Commercial Sewer Rates:

- A. ~~A rate shall be assessed in accordance with the adopted fee schedule for~~ The following shall be the monthly rate charged customers residing within the corporate limits of the City and outside the corporate limits of the City for all chargeable water discharged into the City sewer system by commercial users and dwellings with three (3) or more living units served by one (1) meter. ~~after May 1, 2016:~~

Amount Used (in cubic feet)	Sewer Rate
0-1,000	\$35.40 per month minimum
Over 1,000	\$1.37 per 100 cu. ft. or portion thereof

- B. For purposes of calculating sewer charges, chargeable water shall be defined as follows: Chargeable water shall be measured by the water consumed on the premises, whatever the source of such water, and the same will be metered either by a public utility meter or one installed and maintained by the property owner of the premises at the property owner's expense and approved and inspected by the city. Where the water is metered by a privately owned water meter and is used to determine sewer charges, the city shall be allowed access to the meter in order to read such meter. Where the use of water is such that a portion of all the water used does not flow into the sewer system, for whatever reason, but is lost by evaporation, irrigation, sprinkling or is used in manufacturing or in a manufactured product, or is lost for whatever reason, and the person in control provides proof of this fact and installs a meter or other measuring device approved by the city to measure the amount of water so used and so lost, or if the city is capable of determining the amount of sewage entering the city's sewer system by some other mechanical means, this water may be deducted from the actual water consumption used in calculating the sewer charge.

The sewer charges for triplexes and apartments, mobile home parks, schools, hospitals and other commercial establishments with increased usage for irrigation, only if their landscaping exceeds five thousand (5,000) square feet, shall be computed on the average consumption during the previous non-irrigation season, unless the user elects to install, at his expense, an approved measuring device to measure water not entering the sewer system. When a user has a swimming pool or cooling units discharging to the sanitary sewer, he must install an approved meter to determine the amount of water exempt from sewer charges during the irrigation season. The irrigation season shall be defined as the period in which statements are mailed for the April through November billing cycles.

- C. Sewer rates for commercial uses discharged into the sewer system may be separately determined by the City Council, based upon both volume and chemical characteristics of the sewage. The City Council reserves the privilege to require pre-treatment of any material discharged into the sewerage system, or to prohibit discharge into the system of industrial wastes that, because of either volume or concentration, will overload existing sewerage facilities.
- D. All air-conditioning and refrigeration units that are installed, replaced or that have capacity increased after the effective date of the ordinance codified in this chapter shall be required to install recirculating units. Disposal may not be accomplished by discharging into the sanitary sewer system.

13.12.042 Stormwater Rates: The following shall be the monthly rate for stormwater fees on residential and non-residential properties.

- A. Residential properties shall be assessed a rate in accordance with the adopted fee schedule ~~for charged five dollars and fifty cents (\$5.50) per each living unit.~~

- B. Non-residential properties shall be assessed a rate in accordance with the adopted fee schedule ~~charged the following rates per Table 13.12:~~

~~Table 13.12.042~~

Category	Impervious Ground Cover (s.f)	Rate
Non-residential 1	Up to 6,000	\$5.50
Non-residential 2	6,001 to 15,000	\$9.30
Non-residential 3	15,001 to 30,000	\$13.60
Non-residential 4	30,001 to 60,000	\$27.10
Non-residential 5	60,001 to 120,000	\$54.05
Non-residential 6	120,001 to 240,000	\$108.20
Non-residential 7	More than 240,000	\$162.30

- C. Undeveloped property shall not be charged a stormwater fee.
- D. Non-residential property owners may submit a request for the following credits to the stormwater fees. Residential properties are not eligible for credits. The credits are not cumulative. Requests for credit shall be submitted to the Municipal Services Director on forms provided by the Municipal Services Department.
1. A credit of up to eighty percent (80%) may be approved for non-residential properties for portions of on-site stormwater discharges to privately maintained on-site treatment facilities that are in compliance with an active National Pollutant Discharge Elimination System (NPDES) permit. A copy of the NPDES permit and the associated Stormwater Pollution Prevention Plan shall be provided to the Municipal Services Director with the application for credit. No credits will be approved for stormwater discharged to facilities that are maintained and serviced by the stormwater utility.
 2. A credit of up to fifty percent (50%) may be approved for non-residential property for portions of on-site stormwater discharges to privately maintained stormwater systems that meet best management practices of the most current version of the *Stormwater Management Manual for Eastern Washington*, meet all City of Moses Lake requirements, and are approved by the Municipal Services Director.
 3. A credit of up to ten percent (10%) may be approved for non-residential property for portions of on-site stormwater discharges from roofs of non-residential buildings to privately maintained stormwater facilities that utilize a permissive rainwater harvesting system that complies with the Department of Ecology's requirements and is approved by the Municipal Services Director.
- E. Approval of credit shall be indicated by a credit application that is signed by the Municipal Services Director. Approved credits are effective for the first full month's billing cycle following the date of approval. Credits may be approved for multiple billing cycles, provided that conditions of approval are continuously met by the applicant. Credits are not retroactive to current or prior billings. Credits for future billing cycles may be revoked by the Municipal Services Director if on-site conditions change; if federal, state, or local regulations change such that on-site stormwater treatment facilities are no longer current or acceptable; or if the ordinance for stormwater is revised by City Council.
- F. The above stormwater rates will become effective May 1, 2015.

~~13.12.045 Rate Indexing: Water, sewer, and stormwater rates shall be revised with billing dates every year after May 1, 1998 for sewer and water and after May 1, 2011 for stormwater, by an amount equal~~

~~to the increase in the All Urban Consumers, All West City Average, October to October December to December, Consumer Price Index (CPI). The increases shall be rounded to the next \$.05 increment for base or flat rates and to the next \$.01 increment for rates for consumption and use in excess of the base or flat rate. The increases shall be computed by the Finance Department and confirmed by City Council action considered at a regular City Council meeting at least thirty (30) days before the revised rates are to become effective.~~

13.12.090 Water Usage - Fire Hydrants: Water delivered through fire hydrants associated with the City's water system shall be billed as follows:

- A. The City shall provide a meter to measure the amount of water being delivered through a fire hydrant. The fee for the meter, plus the commercial rate, shall be as assessed in accordance with the adopted fee schedule. If no fire hydrant meter is available from the City, anyone receiving water from a fire hydrant shall pay a fee as assessed in accordance with the adopted fee schedule for the water received through a fire hydrant. ~~Fire hydrant meters provided by the City shall be used, when available, to measure the amount of water being delivered through the fire hydrant. Anyone receiving water delivered through a fire hydrant shall pay four dollars (\$4) per day for the water received through a fire hydrant plus the commercial rate listed in Section 13.12.020 for water delivered if a fire hydrant meter, provided by the City, is used to measure the amount of water delivered. If no fire hydrant meter is available from the city, anyone receiving water from a fire hydrant shall pay six dollars (\$6) per day for the water received through a fire hydrant.~~
- B. The City shall pay, from its current expense fund to the water and sewer fund, an amount determined by the Finance Department and approved by the City Council through the budgeting process to cover the cost of providing fire protection capabilities through the system of fire hydrants included as part of the City's water system.

Section 2. This ordinance shall take effect and be in force five (5) days after its passage.

Adopted by the City Council and signed by its Mayor on December 27, 2016.

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: Brett Bastian, Fire Chief
Date: December 27, 2016
Proceeding Type: MOTION
Subject: Ordinance – Amend MLMC 16.40 Fire Department Permit Fees

Legislative History:

• First Presentation:	December 13, 2016
• Second presentation:	December 27, 2016
• Action:	Single Reading - Motion

Staff Report Summary

Moses Lake Municipal Code Chapter 16.40 regulates Fire Department permits. This chapter has been updated to reflect the movement of the permit fee schedule to the master fee schedule adopted at the City Council meeting of December 13, 2016. Also included in the change to this section of the MLMC is the requirement for fire department permits regulating marijuana extraction systems as specified in WAC 314-55-104, and has updated all references to the 2012 Edition of the International Fire Code to simply read "currently adopted state fire code."

Background

MLMC 16.40 has been in place for more than a decade, and has until now contained the permit fee schedule for fire department permits. With the movement to the master fee schedule, the permit fee schedule has been removed from MLMC 16.40

Fiscal and Policy Implications

Options

<i>Option</i>	<i>Results</i>
<ul style="list-style-type: none">• <i>Adopt the ordinance amending MLMC 16.40</i>	Allows movement of the permit fee schedule for fire department permits to be moved to the master fee schedule for the City.
<ul style="list-style-type: none">• <i>Take no action.</i>	Would require removing the permit fees for fire department permit fees and retaining them in the existing code chapter.

Staff Recommendation

Staff recommends that City Council move forward with passage of the ordinance amending MLMC Chapter 16.40.

Attachments

A.	Ordinance
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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">•		

ORDINANCE NO. 2846

AN ORDINANCE AMENDING CHAPTER 16.40 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "FIRE DEPARTMENT PERMIT FEES"

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

Section 1. Chapter 16.40 of the Moses Lake Municipal Code entitled "Fire Department Permit Fees" is amended as follows:

16.40.010 Permit: Any property owner or authorized agent who intends to conduct an operation or business, or install or modify systems and equipment regulated by the Fire Code adopted by the State of Washington, or cause any such work to be done, shall first make application to the Fire Code Official and obtain the required permit.

A. Types of Permits:

1. Operational Permit: An operational permit allows the applicant to conduct an operation or a business for which a permit is required by this chapter for either:
 - a. A prescribed period
 - b. Until renewed or revoked
2. Construction Permit: A construction permit allows the applicant to install or modify systems and equipment for which a permit is required by this chapter.

B. Permit Application:

1. Application for a permit required by this code shall be made to the Fire Code Official in such form and detail as prescribed by the Fire Code Official. Applications for permits shall be accompanied by such plans as prescribed by the Fire Code Official. Applications ~~Applicants~~ for permits shall be accompanied by plans twenty-four inches (24") x thirty-six inches (36") or thirty inches (30") x forty-two inches (42"). Working drawings scale shall be one eighth inch (1/8") = one inch (1") and site plans scale shall be one inch (1") = twenty feet (20') or one inch (1") = forty feet (40'). A minimum of three (3) sets of plans shall be submitted for fire alarm and fire sprinkler systems. A minimum of two (2) sets of plans shall be submitted for all other systems. When more than one (1) permit is required for the same location, such permits may be consolidated into a single permit.
2. Refusal to issue permit: If the application for a permit describes a use that does not conform to the requirements of this chapter and other pertinent laws and ordinances, the Fire Code Official shall not issue a permit, but shall return the application with the refusal to issue such permit. Such refusal shall be in writing and contain the reasons for refusal.
3. Inspection authorized: Before a new operational permit is approved, the Fire Code Official is authorized to inspect the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used to determine compliance with the currently adopted State Fire Code and this code or any operational constraints required.
4. Time limitation of application: An application for a permit for any proposed work or operation shall be deemed to have been abandoned one hundred eighty (180) days after the date of filing, unless such application has been diligently prosecuted or a permit shall have been issued; except that the Fire Code Official is authorized to grant one (1) or more extensions of time for additional periods not exceeding ninety (90) days each. The extension shall be requested in writing and justifiable cause demonstrated

C. Conditions of a permit: A permit shall constitute permission to maintain, store or handle materials; or to conduct processes which produce conditions hazardous to life or property; or to install equipment utilized in connection with such activities; or to install or modify any fire protection system or equipment or any other construction, equipment installation or modification in accordance with the provisions of this code where a permit is required.

1. Expiration: An operational permit shall remain in effect until reissued, renewed or revoked or for such a period of time as specified in the permit. Construction permits shall automatically become invalid unless the work authorized by such permit is commenced within one hundred eighty (180) days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of one hundred eighty (180) days after the time the work is commenced. A new permit shall be required before any work recommences.

2. Occupancy prohibited before approval: The building or structure shall not be occupied prior to the Fire Code Official issuing a permit and conducting associated inspections indicating the applicable provisions of this code have been met.

16.40.020 Permits: A permit shall be obtained from the Moses Lake Fire Department for the following activities, operations, practices, or functions:

A. Required operational permits: The Fire Code Official is authorized to issue operational permits for the operations set forth in the currently adopted State Fire Code. In addition to the permits required by the adopted State Fire Code, marijuana extraction systems regulated under WAC 314-55-104 shall require an operational permit. Sections 105.6.1 through 105.6.46 of the 2012 edition of the International Fire Code.

B. Hazardous materials permits: Hazardous materials permits are a special operation permit and shall be submitted on a Moses Lake Fire Department Hazardous Materials Permit Application. Hazardous materials permits shall expire twenty-four (24) months from the date of issue.

C. Required construction permits: The Fire Code Official is authorized to issue construction permits for new installations of or modifications to any fire protection or detection system required by the currently adopted State Fire Code or where required by this code.

16.40.030 Permit Fees: Permit fees shall be assessed in accordance with the adopted fee schedule.

Table 1 - Fire Department Permit Fee Schedule for Construction/Modification Permits	
Total Valuation	Permit Fee Multiplier
\$1 to \$500	\$30
\$501 to \$2,000	\$30 for the first \$500 plus \$3.05 for each additional \$100 or fraction thereof, to and including \$2,000
\$2,001 to \$25,000	\$75.75 for the first \$2,000 plus \$14 for each additional \$1,000 or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$397.75 for the first \$25,000 plus \$10.10 for each additional \$1,000 or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	\$650.25 for the first \$50,000 plus \$7 for each additional \$1,000 or fraction thereof, to

	and including \$100,000
\$100,001 to \$500,000	\$1,000.25 for the first \$100,000 plus \$5.60 for each additional \$1,000 or fraction thereof to and including \$500,000
\$500,001 to \$1,000,000	\$3,240.25 for the first \$500,000 plus \$4.75 for each additional \$1,000 or fraction thereof to and including \$1,000,000
\$1,000,001 and up	\$5,615.25 for the first \$1,000,000 plus \$3.65 for each additional \$1,000 or fraction thereof

Table 2 - Fire Department Permit Fee Schedule for Operational Permits	
Type	Permit Fee/Expiration Time Frame
Aviation Facilities (Group H or S occupancy for servicing, repair, or fuel servicing)	\$200.00 - must be renewed every 24 months
Carnivals and fairs:	\$100.00 - valid for 10 days
Combustible dust producing operations:	\$100.00 - must be renewed every 24 months
Dry cleaning:	\$100.00 - must be renewed every 24 months or upon change to a more hazardous solvent
Exhibits and trade shows:	\$100.00 - valid for 10 days
High Piled Storage. Required for any building or portion thereof as a high piled storage area exceeding 500 square feet.	\$200.00 - must be renewed every 24 months
Hot work operations inside buildings:	\$75.00 - must be renewed every 24 months
Hot work operations: Application of roof coverings with the use of an open flame device	\$50.00 - valid for 7 days at a single address
Industrial ovens regulated by Chapter 30 of the 2012 International Fire Code	\$500.00 - must be renewed every 24 months
Lumberyards exceeding 100,000 board feet of storage	\$100.00 - must be renewed every 24 months
Temporary membrane structures and tents exceeding 400 square feet	\$75.00 - valid for a period not to exceed 180 days
Battery systems having a liquid capacity of more than 50 gallons	\$200.00 - must be renewed every 24 months

16.40.040 Hazardous Materials Permits: Occupancies storing, maintaining, producing, or using hazardous materials or hazardous wastes that exceed the permit quantities shown in Table H1, H1F (Flammable&Combustible Liquids) or H1C (compressed gases/aerosols) below shall submit a Hazardous Materials Permit Application to the Fire Code Official along with all supporting documentation required on the permit application form. Permits shall be valid for two (2) years.

For the purposes of permit fee calculations, permit fees shall be based on the hazard ranking of the produces) utilizing the hazard ranking outlined in National Fire Protection Association Standard 704 (Standard System for the Identification of the Hazards of Materials for Emergency Response) Permit fees for hazardous materials permits shall be calculated using Table H2 below.

Table H1-Permit Amounts for Hazardous Materials	
Type of Material	Amount
Corrosive materials	Liquids: 55 gallons Solids: 1000 pounds
Explosive Materials	Any quantity within the scope of Chapter 56, 2012 edition of the International Fire Code
Flammable Solids	100 pounds
Highly toxic materials(OSHA definition)	Gases, Liquids, Solids: Any amount
Toxic materials (OSHA definition)	Liquids 10 gallons Solids 100 pounds
Oxidizing materials	Liquids: Class 4 Any Amount Class 3 1 gallon Class 2 10 gallons Class 1 55 gallons Solids: Class 4 Any amount Class 3 10 pounds Class 2 10 gallons Class 1 55 gallons
Organic Peroxides	Liquids: Class I or II Any Amount Class in 1 gallon Class IV 2 gallons Class V No permit required Solids: Class I & II Any amount Class III 10 pounds Class IV 20 pounds Class V No permit required
Pyrophoric materials	Gases, Liquids, Solids: Any Amount
Reactive materials	Liquids: Class 3 & 4 Any amount Class 2 5 gallons Class 1 10 gallons Solids: Class 3 & 4 Any amount Class 2 50 pounds Class 1 100 pounds

Water Reactive Materials	Liquids: Class 3 Any amount Class 2 5 gallons Class 1 55 gallons Solids: Class 3 Any amount Class 2 50 pounds Class 1 500 pounds
Liquified petroleum gas	Storage and use of LP gas above 500 gallons water capacity Operations of cargo tankers (rail & road) that transport LP gas.

Table HIF-Permit Amounts for Flammable and Combustible Liquids	
Class 1 Liquids	In excess of 5 gallons in a building or 10 gallons outside. Permit required for fuel dispensing stations refineries bulk plants or similar facilities.
Class II or IHA	In excess of 25 gallons in a building or in 60 gallons outside.
Class III	In excess of 500 gallons

Table H.C.-Permit Amounts for Compressed Gases and Aerosols	
Type of Gas	Amount (Cubic feet at N.T.P.)
Corrosive	200
Flammable (Except Liquified Petroleum Gas)	200
Highly Toxic	Any Amount
Inert and simple asphyxiant	600
Oxidizing (including oxygen)	504
Pyrophoric	Any Amount
Toxic	Any Amount

Permit Fee Calculation: Instructions for calculating permit fees is found on the Fire Department Hazardous Materials Permit Application.

Each class of hazardous material shown in tables HI, HIF and H1C above the permit amount will be used to calculate permit fees (individual materials within a class will be counted toward the aggregate quantity for that class). Hazardous materials permit fees are established in the master fee schedule published by the City of Moses Lake.

Table H2 - Hazardous Materials Permit Fees	
1 Class	\$100.00

2 Classes	\$200.00
3 Classes	\$300.00
4 Classes or more than 4,000 gallons, 19,000 cubic feet, or 249,000 pounds of any one class.	\$450.00
5 or more classes or more than 5,000 gallons, 25,000 cubic feet, or 280,000 pounds of any one class.	\$580.00
Highly Toxic, Toxic, & Pyrophoric materials all amounts up to maximum allowed by the 2012 edition of the International Fire Code.	\$400.00

16.40.050 Demolition of Systems/Fire Equipment: The removal or demolition of any fire protection system, fire protection equipment or fire alarm system or any component of those systems that are required under the current or previously adopted state fire, building, or mechanical code shall require a Fire Department permit. Components include, but are not limited to: vents, fans, plenums, and hoods for special hazard systems including UL300 and FM200 systems, wiring, alarm panels, sprinklers, piping, or other devices as determined by the Fire Code Official. Permit fees for demolition are established in the master fee schedule published by the City of Moses Lake.

————— A. Removal of components other than removal and replacement during normal maintenance: \$75

————— B. Demolition of fire protection systems or fire protection equipment: \$150—

~~16.40.060 Third Party Review: When, in the opinion of the Fire Code Official, third party review is necessary due to a lack of sufficient reference material (standards) or when a process is of sufficient complexity that it exceeds the knowledge and training of City staff, the City reserves the right to hire individuals or companies to perform expert analysis and review at the expense of the permit applicant.~~

16.40.080 Compliance with State International Fire Code: Permit applicants and the applicants agents and employees shall carry out the proposed activity in compliance with the currently adopted State Fire Code and with other laws and regulations which are applicable, whether or not specified in this chapter, and in complete accordance with approved plans and specifications.

16.40.090 Posting of Permit: Permits shall be kept on the premises designated within the permit at all times and shall be posted in a conspicuous location on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the Fire or Police Departments or other persons authorized by the Fire Chief.

16.40.100 Permit Revocation: A permit shall continue until revoked or for such a period of time as designated within the permit at the time of issuance. Permits shall not be transferred and any change in use, occupancy, operation, or ownership shall require a new permit. The Fire Chief is authorized to suspend or revoke a permit when it is determined by the Chief that:

A. The permit was used by a person other than the person to whom the permit was issued.

B. The permit was used for a location other than that for which it was issued.

C. Any of the conditions or limitations set forth in the permit have been violated.

D. The Permittee failed, refused, or neglected to comply with the orders or notices duly served in accordance with the provisions of the currently adopted edition of the State Fire Code International Fire Code within the time provided within the State International Fire Code.

E. There has been a false statement or misrepresentation as to a material fact in the application or plans on which the permit or application was based.

F. The permit was issued in error or in violation of an ordinance, regulation, or the State International Fire Code.

Any revocation by the Fire Chief can be appealed to the Moses Lake City Council within ten (10) days of receiving the revocation notice.

Section 2. This ordinance shall take effect and be in force five (5) days after its passage.

Adopted by the City Council and signed by its Mayor on December 27, 2016.

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: December 27, 2016
Proceeding Type: Motion
Subject: Resolution – Interfund Loan to Sanitation fund

Legislative History:

• First Presentation:	December 27, 2016
• Second presentation:	
• Action:	Motion

Staff Report Summary

Attached is a resolution for Council's approval authorizing an interfund loan between the Water/Sewer fund and the Sanitation fund. Along with the authorization there must be an agreed upon repayment schedule with rates and specific dates of repayment. The length according to the State Auditors cannot exceed three (3) years.

Background

This is a temporary resolution to ensure that the revenue meets the needs of the expenditures. An analysis of the fund will be conducted to review rates of both residential and commercial to be sure that all costs are being covered in an equitable and fair manner.

Fiscal and Policy Implications

Passing of the resolution will assure that the fund stays in balance and that revenues meet the needs to finance the expenditures of the fund. A budget adjustment will be made to 2017 budget to account for the repayment.

Options

<i>Option</i>	<i>Results</i>
<ul style="list-style-type: none">• <i>Adopt the resolution</i>	Action would match the ordinance amending the 2016 budget and would leave a fund balance for the fund.
<ul style="list-style-type: none">• <i>Take no action</i>	Ordinance amending the 2016 would need to be changed and could result in violation of RCW 35.33.125 with no other revenue to cover expenditures for the fund.

Staff Recommendation

Staff recommends that City Council move to adopt the resolution as presented.

Attachments

A.	resolution
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RESOLUTION NO.3659

A RESOLUTION AUTHORIZING AN INTER-FUND LOAN TO THE
SANITATION FUND 490 FROM THE WATER/SEWER FUND 410

RECITALS:

1. The Sanitation Fund 490 will receive service fee revenues at a later date.
2. The present cash balance is not sufficient to meet the present and projected needs of the fund.

RESOLVED:

1. The Water/Sewer Fund 410 shall loan \$300,000 to the Sanitation Fund 490 with interest at 1%.
2. The loan shall be repaid to the Water/Sewer Fund 410 per the following schedule:

<u>Date</u>	<u>Payment</u>	<u>Interest</u>	<u>Principal</u>	<u>Balance</u>
				300,000.00
12/22/16	78,000.00	3,000.00	75,000.00	225,000.00
12/22/17	77,250.00	2,250.00	75,000.00	150,000.00
12/22/18	151,500.00	1,500.00	150,000.00	-0-
Total	306,750.00	6,750.00	300,000.00	

Adopted by the City Council on December 27, 2106.

Todd Voth, Mayor

ATTEST:

W. Robert Taylor, Finance Director



CITY OF MOSES LAKE
STAFF REPORT

To: John Williams, City Manager
From: W. Robert Taylor, Finance Director
Date: December 27, 2016
Proceeding Type: Motion
Subject: Resolution – Interfund Loan to Ambulance fund

Legislative History:

• First Presentation:	December 27, 2016
• Second presentation:	
• Action:	Motion

Staff Report Summary

Attached is a resolution for Council's approval authorizing an interfund loan between the Water/Sewer fund and the ambulance fund. Along with the authorization there must be an agreed upon repayment schedule with rates and specific dates of repayment. The length according to the State Auditors cannot exceed three (3) years.

Background

This is a temporary resolution to ensure that the revenue meets the needs of the expenditures. An analysis of the fund and both revenue and expenditures will be taken to ensure that future needs are met without the need of a loan.

Fiscal and Policy Implications

This is a stop gap measure. Passing of the resolution will assure that the fund stays in balance and that revenues meet the needs to finance the expenditures of the fund. A budget adjustment will be made to 2017 budget to account for the repayment. With the conclusion of the upcoming cost of service study the fund will know precisely what fees to charge to cover its future costs.

Options

<i>Option</i>	<i>Results</i>
<ul style="list-style-type: none">• <i>Adopt the resolution</i>	Action would match the ordinance amending the 2016 budget and would leave a fund balance for the fund.
<ul style="list-style-type: none">• <i>Take no action</i>	Ordinance amending the 2016 would need to be changed and could result in violation of RCW 35.33.125 with no other revenue to cover expenditures for the fund.

Staff Recommendation

Staff recommends that City Council move to adopt the resolution as presented.

Attachments

A.	resolution
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RESOLUTION NO.3660

A RESOLUTION AUTHORIZING AN INTER-FUND LOAN TO THE
AMBULANCE FUND 498 FROM THE WATER/SEWER FUND 410

RECITALS:

1. The Ambulance Fund 498 will receive service fee revenues at a later date.
2. The present cash balance is not sufficient to meet the present and projected needs of the fund.

RESOLVED:

1. The Water/Sewer Fund 410 shall loan \$300,000 to the Ambulance Fund 498 with interest at 1%.
2. The loan shall be repaid to the Water/Sewer Fund 410 per the following schedule:

<u>Date</u>	<u>Payment</u>	<u>Interest</u>	<u>Principal</u>	<u>Balance</u>
12/22/16	78,000.00	3,000.00	75,000.00	300,000.00
12/22/17	77,250.00	2,250.00	75,000.00	225,000.00
12/22/18	151,500.00	1,500.00	150,000.00	150,000.00
				-0-
Total	306,750.00	6,750.00	300,000.00	

Adopted by the City Council on December 27, 2016.

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. Dir./Deputy City Manager
Date: December 27, 2016
Proceeding Type: Motion
Subject: Resolution – Repeal Resolution 3165 – Development Review and Permit Fees

Legislative History:

• First Presentation:	December 27, 2016
• Second presentation:	
• Action:	Single Reading - Motion

Staff Report Summary

Attached is an Resolution establishing Development Review and Permit Fees per Moses Lake Municipal Code 3.54 entitled Development and Review Fees. With the inclusion of the fee schedule as part of the Budget ordinance the separate fee listing within the Municipal Code is deemed unnecessary.

Background

Council approved the 2017 annual budget with Ordinance 2834 on December 13, 2016. With the passing of the budget they also passed the fee schedule which placed the fees in one location and made them readily available for viewing and easily assessable.

Fiscal and Policy Implications

Moves the fee listing for City services and charges from multiple locations in the MLMC to one place for easy identification and reference.

Options

<i>Option</i>	<i>Results</i>
<ul style="list-style-type: none">• <i>Pass Resolution 3568</i>	Implements the fees as contained within the 2017 Budget passed by the City Council.
<ul style="list-style-type: none">• <i>Take no action</i>	Creates inconsistencies with the 2017 Budget

Staff Recommendation

Staff recommends that City Council to adopt the attached Resolution as presented.

Attachments

A.	Resolution
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RESOLUTION NO. 3658

A RESOLUTION REPEALING RESOLUTION NO. 3165 AND ADOPTING A
NEW RESOLUTION ESTABLISHING DEVELOPMENT REVIEW AND
PERMIT FEES

RECITALS:

1. The City Council shall, from time to time, establish appropriate fees for development review and permits.

Resolved:

1. The following development review and permits are adopted:

<u>Review or Permit</u>	<u>Fee</u>
A. Annexation	\$400
B. Appeals	\$350
C. Administrative Appeals	\$500
D. Binding Site Plan	\$1,000
E. Boundary Line Adjustment	\$250
F. Comprehensive Plan Amendment - Text	\$800
G. Comprehensive Plan Amendment - Map	\$1,000
H. Construction Plan Review Fees	
1. Municipal Services Review per each sheet	\$50
I. Development Agreement	\$1,500
J. Land Use Action	
1. Zone Change Requests, Conditional and Unmentioned Use Requests, Site Plans	\$1,000
2. Zoning Variances	\$100 + actual cost of notification, publishing, and Hearing Examiner's fee
3. Public Hearing not otherwise specified	\$60
K. Planned Unit Development	\$1,000
L. Right-of-Way Vacations	\$200
M. Shoreline Management Application	\$100
1. Substantial Development and/or Conditional Use Permit	\$200
2. Exemption	no additional fee
3. Variance	\$100
N. State Environmental Policy Act (MLMC 14.06)	
1. Threshold Determination	\$250
2. Environmental Impact Statement	\$500

O. Subdivision Applications	
1. Preliminary Short Subdivision Application	\$500
2. Final Short Subdivision Application	\$200
3. Preliminary Major Subdivision Application	\$500
4. Final Major Subdivision Application	\$400
P. Placement Permit	
1. Manufactured Structure	\$350
2. Cargo Container	\$60
Q. Wastewater Permits Fees	
1. Discharges greater than 750 gallons per day	
a) New Discharge Permit Application	\$3,000
b) Discharge Permit Renewals	\$1,500
c) Annual Discharge Permit Fee	\$750
2. Discharges less than 750 gallons per day	
a) New Discharge Permit Application	\$1,000
b) Discharge permit Renewals	\$500
c) Annual Discharge Permit Fee	\$250

Adopted by the City Council on December 27, 2016.

ATTEST:

Todd Voth, Mayor

W. Robert Taylor, Finance Director



CITY OF MOSES LAKE STAFF REPORT

To: City Council
From: John Williams, City Manager
Date: December 27, 2016
Proceeding Type: Motion
Subject: Ordinance - Transportation Benefit District (TBD)

Legislative History:

• First Presentation:	November 22, 2016
• Public Hearing:	December 13, 2016
• Third Presentation:	December 27, 2016
• Action:	Motion

Staff Report Summary

After discussion at a recent Council meeting and at the budget study session, Council directed staff to provide information regarding the creation of a TBD. A public hearing was held December 13, 2016. Council can now take action to create the TBD Board and Boundary as provided by state statute. After such action the TBD can call a meeting to discuss if they wish to fund a TBD and the projects to be considered.

Background

Transportation Benefit Districts are quasi-municipal corporations with independent taxing authority. A TBD can impose specific taxes or fees either through a vote of the people or through district board action.

The members of the legislative authority proposing to establish a TBD serve as the governing body. The legislative body acts ex officio and independently as the TBD governing body and the City's Finance Director would act as the treasurer of the district. TBD's can provide for acquiring,

constructing, improving and funding an adopted list of projects that is consistent with the City's transportation plan.

RCW 36.73.050 Establishment of district – Public Hearing – Ordinance

Steps for establishment of a district:

Finance Director would act as the treasurer of the district. TBD's can provide for acquiring, constructing, improving and funding an adopted list of projects that is consistent with the City's transportation plan.

RCW 36.73.050 Establishment of district – Public Hearing – Ordinance

Steps for establishment of a district:

1. Set a public hearing date
2. Conduct a public hearing
3. Adopt an ordinance providing for the action

The ordinance should include:

- Establishment of the TBD
 - Creation of the board and functions
 - Specify types of improvements/projects to be funded
 - Authorize the TBD Board to establish a vehicle fee or provide for a ballot measure
 - Provide for dissolution when all indebtedness has been retired and anticipated responsibilities have been satisfied.
4. Adopt a resolution authorizing an interlocal agency agreement between the City and the District
 5. Conduct a TBD Board meeting, elect Chair and officers, authorize the interlocal agency agreement between the City and the District, adopt by-laws
 6. Determine funding mechanism

Options

<i>Option</i>	<i>Results</i>
<ul style="list-style-type: none">• <i>Accept public testimony and adopt ordinance</i>	Adopted projects and improvement will be funded with revenues from the TBD
<ul style="list-style-type: none">• <i>Accept public testimony and do not adopt the ordinance</i>	Projects and improvements will go unfunded
<ul style="list-style-type: none">• <i>Take no action.</i>	No public testimony will be accepted and projects and improvements will go unfunded

Staff Recommendation

Staff recommends Council consider adopting the Transportation Benefit District Ordinance as presented.

Attachments

A.	Proposed Ordinance
B.	Proposed boundary 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">• Ordinance		

ORDINANCE NO. 2847

AN ORDINANCE ESTABLISHING A TRANSPORTATION BENEFIT DISTRICT, SPECIFYING THE BOUNDARIES FOR THE TRANSPORTATION BENEFIT DISTRICT, SPECIFYING THE MAINTENANCE AND PRESERVATION OF EXISTING TRANSPORTATION IMPROVEMENTS

WHEREAS, RCW 35.21.225 authorizes the City Council to establish a Transportation Benefit District subject to the provisions of Chapter 36.73 RCW; and

WHEREAS, the City Council of the City of Moses Lake has the responsibility under the Constitution of the State of Washington for the construction, improvement, maintenance, protection and operation of public ways within the corporate limits of the City pursuant to RCW 35A.11.020 and Chapter 35A.47 RCW; and

WHEREAS, the construction, improvement, maintenance, protection and operation of public ways requires preserving existing transportation improvements to avoid both catastrophic failure of the improvements which require significant additional funds to reconstruct as well as their gradual deterioration; and

WHEREAS, the number one priority in the "Washington Transportation Plan for 2007-2026" adopted by the Washington Transportation Commission is to preserve and to extend prior investments and existing transportation facilities and the services they provide to the people and commerce; and

WHEREAS, the State Transportation Plan establishes unfunded high priorities of statewide significance and includes the need to "preserve, maintain and operate city streets" thereby recognizing that the shortfall in funding to preserve, maintain and operate city streets is a matter of statewide significance and, accordingly, an eligible transportation improvement listed on a state plan within the meaning of RCW 36.73.015; and

WHEREAS, the City of Moses Lake has limited transportation funding to pay for necessary transportation construction, preservation and maintenance; and

WHEREAS, dedicated revenues for the City of Moses Lake have decreased at the same time that the ongoing annual costs reserved to maintain the City's transportation infrastructures continue to rise leaving the City unable to continue to adequately preserve and maintain the City's transportation infrastructure; and

WHEREAS, the City desires to form a Transportation Benefit District which includes the entire City of Moses Lake as the boundary may currently exist and may hereafter be expanded by annexation; and

WHEREAS, the City Council of the City of Moses Lake finds it to be in the best interest of the City to establish a City wide Transportation Benefit District for the preservation, construction and maintenance of the City's Transportation Infrastructure consistent with Chapter 36.73 RCW and to protect the City's long term investment in that infrastructure, to reduce the risk of transportation facility failure, to improve safety, to continue optimal performance of the infrastructure over time, and to avoid more expensive infrastructure replacements in the future;

NOW THEREFORE, the City Council of the City of Moses Lake, Washington does hereby ordain, as follows:

Section 1. Purpose. The purpose of this ordinance is to establish a Transportation Benefit District pursuant to RCW 35.21.225 and RCW 36.73. The City Council of Moses Lake finds that it is in the public interest to provide adequate levels of funding for the purposes of ongoing transportation improvements that preserve, maintain and, as appropriate, construct or reconstruct the transportation infrastructure of the City of Moses Lake consistent with Chapter 36.73 RCW.

Section 2. Providing for a Formation of a Transportation Benefit District. The City of Moses Lake adopts a new chapter of the Moses Lake Municipal Code as follows:

1. Establishing Transportation Benefit District: There is created a Transportation Benefit District to be known as the Moses Lake Transportation Benefit District or "District" with geographical boundaries comprised of the corporate limits of the City as they currently exist or as they may expand in their existence following future annexation.

2. Governing Board:

A. A governing board of the Transportation Benefit District shall be the Moses Lake City Council acting as ex officio and independent capacity, which shall have the authority to exercise the statutory powers set forth in Chapter 36.73 RCW.

B. The Board shall issue an annual report, pursuant to the requirements of RCW 36.73.160(2).

3. Officers: The Treasurer of the Transportation Benefit District shall be the City Finance Director of the City of Moses Lake. The Chairman of the Transportation Benefit District shall be the Mayor of the City of Moses Lake.

4. Functions of the District: The District Board may authorize certain funding mechanisms as provided in RCW 36.73.040, RCW 36.73.060, RCW 36.73.065 and RCW 36.73.070. The District Board will also have authority to hire staff, enter into contracts, acquire, hold and dispose of real property and to sue and be sued.

5. Transportation Improvements Fund: The funds generated by the Transportation Benefit District shall be used for transportation improvements that construct, reconstruct, preserve, maintain and operate the existing transportation infrastructure of the City of Moses Lake consistent with the criteria of Chapter 36.73 RCW and as contained in the City's Transportation Plan. Funds may be utilized for any lawful purposes under the chapter, but all funds raised through the TBD shall be expended only for such preservation, maintenance and operation, construction and reconstruction in accordance with the provisions of RCW 36.73 as the same exists or is hereafter amended.

The funds expended by the Transportation Benefit District shall construct, reconstruct, preserve, maintain and operate the City's previous investments in the transportation infrastructure, reduce the risk of transportation facility failure, improve safety, continue the cost effectiveness of the City's infrastructure investments, and continue the optimal performance of the transportation system. Additional transportation projects may be funded only after compliance with provisions of RCW 36.73.050(b) following notice, public hearing and enactment of an authorizing ordinance.

6. Dissolution: The Transportation Benefit District shall be automatically dissolved in accordance with and in the matter provided in state law, when all indebtedness of the District has been retired and when all the District's anticipated responsibilities have been satisfied.

Section 3. Severability. If any provision this ordinance or its application or any person, legal entity or circumstances held invalid the remainder of the ordinance or its application or any person, legal entity or circumstances is not affected.

Section 4. Corrections. The City Clerk is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering sections/subsection numbers and any references thereto.

Section 5. This ordinance shall take effect and be in force thirty (30) days after its passage and publication of its summary as provided by law.

Adopted by the City Council and signed by its Mayor on December 27, 2016.

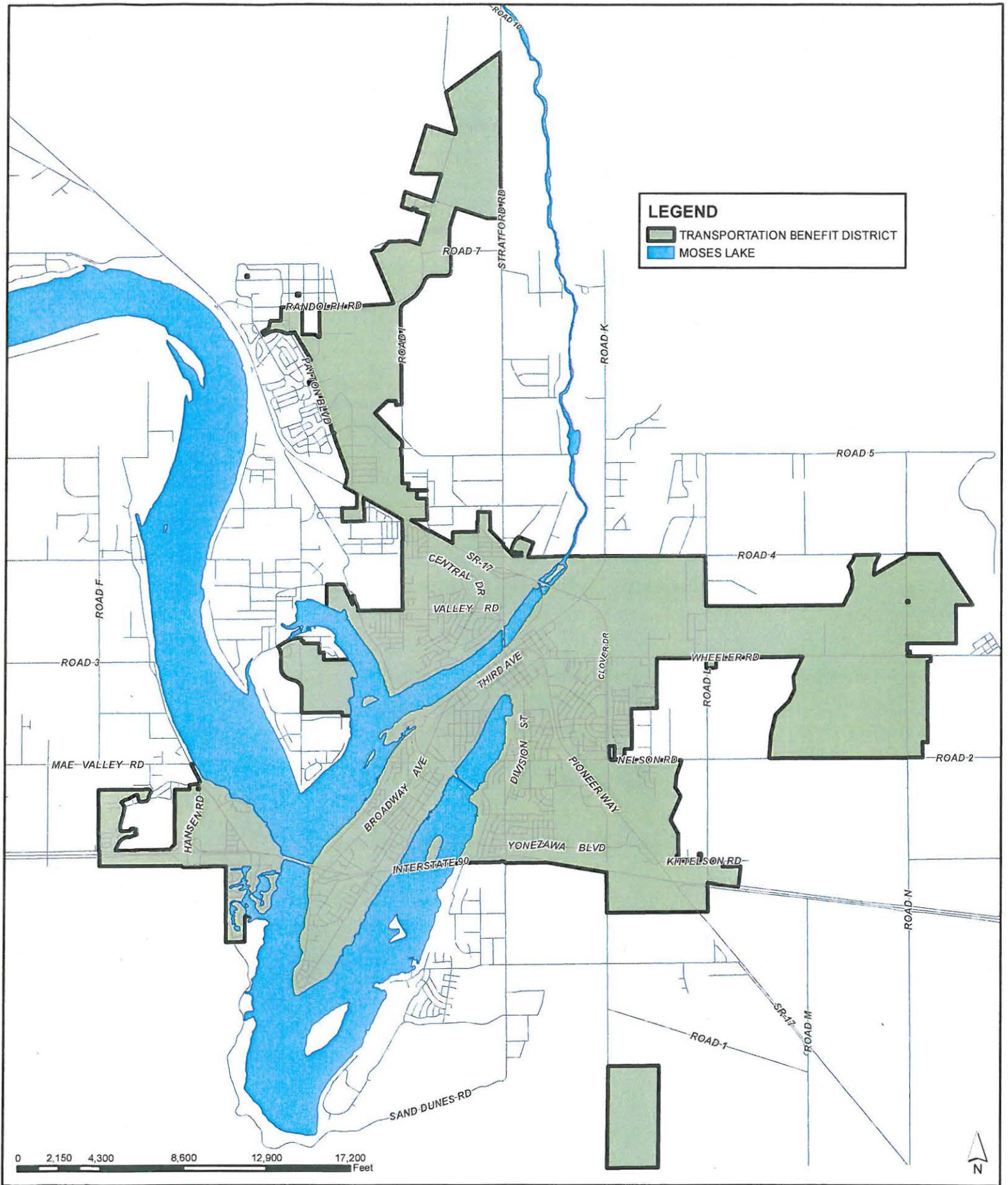
Todd Voth, Mayor

ATTEST:

W. Robert Taylor, Finance Director

APPROVED AS TO FORM:

Katherine L. Kenison, City Attorney



CITY OF MOSES LAKE | TRANSPORTATION BENEFIT DISTRICT



CITY OF MOSES LAKE
STAFF REPORT

To: John Williams, City Manager
From: Gilbert Alvarado, Comm. Dev. Dir/Deputy City Manager
Date: December 27, 2016
Proceeding Type: Motion
Subject: Ordinance - 2017 Comp Plan Updates

Legislative History:

• First Presentation:	December 13, 2016
• Second presentation:	December 27, 2016
• Action:	Motion

Staff Report Summary

The Washington State Growth Management Act (GMA) requires that most cities and counties adopt and maintain a Comprehensive Plan which addresses certain mandated elements as prescribed by the Act. The Plan may be amended no more than once per year. The City of Moses Lake adopted a GMA-compliant Comprehensive Plan in 2001 and has amended it periodically. Attached are the proposed amendments for 2016, consisting of updates to the Utilities Element, the Transportation Element, including the Activity Trails map, and two site-specific land use designation changes requested by property owners.

The City Council conducted a public hearing on December 13th to take public testimony on the proposed 2017 Comprehensive Plan amendments. The hearing was opened and closed and the mandatory one (1) open record hearing was concluded.

Background

The Planning Commission held a Public Hearing on November 11, 2016 and took testimony on the following proposed amendments:

A. Minor updates to the Transportation Element to update the element with new information, including adding the most recent traffic counts and trail counts, matching the updated Transportation Improvement Program (TIP), adjusting dates for projects that have been delayed, deleting projects that are finished, adding the goals and objectives of the QUADCO Human Services Transportation Plan, adding new level of service calculations and projections from land use projects that have been initiated, adding the results of an engineering study of Wheeler Road traffic, adjusting project costs and revenue, and correcting the numbering of the tables. Two figures are also being updated this year. TE- 2, Traffic Counts, is being updated with 2015 information. TE- 3, Activity Trails, shows the new bike lanes on Division Street. The Transportation Element was extensively updated in 2012, and has had minor updates each year since. Pages from 17 on are included, since there are changes on almost every page. All changes are shown in underline and strikeout format. The full document is available on the City's website at <http://cityofml.com/compplanupdate> .

B. Updates to the Utilities Element are being included as part of the 2016 Comprehensive Plan update. This chapter was extensively updated in 2014; however, since that time, the City has adopted new versions of both the Water and Wastewater System Plans. For consistency, the Comprehensive Plan should be updated to match. The 2016 changes to both the Water and Wastewater Facilities sections are to update to current conditions and current projections, and to update the lists of expected capital improvements for the next 6 years and the next 20 years. The Electrical Power Supply section was updated as well with current conditions and current projections from the 2015 Grant County PUD Annual Report. The pages with the draft changes are attached. All changes are shown in underline and strikeout format. The full document is available on the City's website at <http://cityofml.com/compplanupdate> . No changes are being proposed to the Goals and Policies, Solid Waste Management, Natural Gas Supply, or Telecommunications sections of the Utilities Element. Staff did not identify any needed changes in these sections since the 2014 major update to this element.

C. Re-designate approximately 25 acres from Parks/Open Space to Public Facilities. The location is west of the Municipal Airport and includes the City Operations Complex at 11789 Road 4. Assessor Parcel #11-0484-006. This area is zoned Public but the current Parks/Open Space designation does not match the current use of City Operations (Public Works/Parks shop sites) for the northern portion nor the future planned use of Municipal Airport expansion for the southern portion. See attached Analysis.

*NOTE: This site-specific request has been pulled and moved to the 2017 Comp Plan Amendments cycle

D. Re-designate 7 acres from Low Density Residential to High Density Residential. The owner is Lee/Norman Development LLC, and the location is within The Greens Planned Unit Residential Development, 123 Ninth Avenue. Parcel numbers are #11-1272-317, 318, -319, -320, -326, -327, -328, -329, -333, -334, -311, and 11-0103-000.

Fiscal and Policy Implications

N/A

Options

<i>Option</i>	<i>Results</i>
<ul style="list-style-type: none"><i>Review and consider the Planning Commission's Recommendation</i>	<i>Adoption of the 2017 Comprehensive Plan amendments as recommended by the Planning Commission</i>
<ul style="list-style-type: none"><i>Take no action</i>	<i>The 2017 Comprehensive Plan amendments do not move forward which would create some inconsistencies within the Plan</i>

Staff Recommendation

Staff recommends that the City Council pass the Ordinance adopting the 2017 Comprehensive Plan amendments as recommended by the Planning Commission.

Attachments

A	Ordinance
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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. 2848

AN ORDINANCE ADOPTING THE 2016 COMPREHENSIVE PLAN AMENDMENTS

Recitals:

1. The City of Moses Lake's Comprehensive Plan was adopted on September 11, 2001, in accordance with the Growth Management Act (GMA) and the State Environmental Policy Act (SEPA).
2. The Comprehensive Plan includes five (5) of the seven (7) mandatory elements required by GMA, except that GMA declares that the requirements for an Economic Development Element and a Park and Recreation Element are null and void until funds sufficient to cover applicable local government costs are appropriated and distributed by the state at least two (2) years before the city must update its Comprehensive Plan as required by RCW 36.70A.130.
3. The Washington State Growth Management Act requires the city to establish procedures and schedules whereby updates, proposed amendments, or revision of the Comprehensive Plan may be considered.
4. RCW 36.70A.130 requires cities and counties fully planning under the Growth Management Act to review and evaluate their comprehensive plans at least every eight years and update them if needed.
5. The City began a major update of the 2001 Comprehensive Plan in 2012 and continued it with updates of portions of the Comprehensive Plan in 2013 and 2014, to complete the required periodic update in 2014 per the requirements of RCW 36.70A.130. Minor updates and amendments were adopted in 2015.
6. A SEPA Determination of Non-Significance for the adoption of the 2016 Comprehensive Plan amendments was issued October 7, 2016.
7. The Planning Commission discussed the 2016 amendments as regular agenda items at public meetings on June 16, June 30, July 14, September 15, and September 29, 2016.
8. The Planning Commission held a public hearing on the 2016 amendments on November 10, 2016, and made recommendations to the City Council to approve two of the three proposed amendments: the updates to the Transportation and Utilities Elements. For the Lee/Norman Land Use Amendment, the Planning Commission was unable to agree on a recommendation. A fourth proposed amendment, a designation change adjacent to the Municipal Airport, was withdrawn and will be resubmitted for the 2017 cycle. A legal notice was published in the local newspaper, notices were posted on bulletin boards in the Civic Center and Annex and the City's website, and notice was mailed to owners and occupants within 500' of the land use designation amendment. The only written comment received was a letter from Nicholas and Verna Mount, opposed to the Lee/Norman Land Use designation change. The only testimony at the public hearing was Rose DeRenzo, 123 E. Ninth Avenue, questioning the Lee/Norman amendment.
9. The amendments to the Comprehensive Plan and zone changes were submitted to the State of Washington Office of Community Development on October 7, 2016, for a 60-day review and comment period as required by GMA. No comments have been received.
10. The City Council held a public hearing on the Comprehensive Plan amendments and zone changes December 13, 2016. A legal notice was published in the local newspaper, and notices were posted on bulletin boards in the Civic Center and Annex and the City's website.
11. On December 27, 2016, the City Council took legislative action to accept the Planning Commission's recommendations.

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

Section 1: The recitals set forth above are incorporated herein as findings of fact.

Section 2: The City Council hereby adopts the following amendments to the Comprehensive Plan:

1. Minor update of the Transportation Element to incorporate the 2016 Transportation Improvement Program (TIP), and update dates, projects, and counts.
2. Minor update of the Utilities Element to incorporate the 2015 Wastewater System Plan and 2016 Water System Plan, and update data and projects in the Wastewater, Water, and Electrical sections.
3. Re-designate 7 acres from Low Density to High Density Residential. The site is The Greens Planned Unit Residential Development at 123 E. Ninth Avenue. Parcel number 11-1272-311, -317, -318, -319, -320, -326, -327, -328, -329, -333, -334, and 11-0103-000.

Section 3. 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 December 27, 2016.

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: December 27, 2016
Proceeding Type: Motion
Subject: Ordinance – Amend 2016 Budget

Legislative History:

• First Presentation:	December 27, 2016
• Second presentation:	
• Action:	Single Reading - Motion

Staff Report Summary

Council has an opportunity to approve these 2016 budget adjustments. Consent by Council gives staff direction to make corrections to the budget for purchases already approved by Council throughout the year.

Background

Council approved the 2016 annual budget with Ordinance 2793 on December 22, 2015 and subsequent adjustments on February 23, and August 9 2016. The current adjustments cover unanticipated expenditures, costs of formally approved expenditures and requirements from State agencies affecting policy and expenditures. The adjustments are briefly described below.

1. General Fund:
 - a. Executive branch had increase professional fees due to ongoing negotiations with the two bargaining units.

- b. Community Development had large increases in professional services for the Win Co appeal.
 - c. Police exceeded their expenses in wages and salaries due to the settlement of their contract and payment of retro pay.
 - d. Fire department exceeded their wages and salaries due to the settlement of their contract and payment of retro pay. The demolition of the concrete fire building to make room for the new building was an unbudgeted item.
2. Professional service for music licensing was not accounted for in Tourism fund.
 3. Street experienced major repairs of traffic controllers and ice melt for streets and unanticipated expenses for parks/street division which is being offset with unbudgeted revenue.
 4. According to the State Auditor's Office Water/Sewer must now report utility tax as revenue and then pay it out as an expenses. Net effect is zero but both revenue and expenses need to be increased by the same amount.
 5. Sanitation faced larger than anticipated expenditures from the purchase of additional carts and a greater increase in landfill costs dues to the yard waste facility being shut down for a period of time. Utility tax collected must be included in the utility fund and then paid out to the general fund as an expense.
 6. Stormwater must now account for the utility tax in their fund and then expense it out.
 7. Ambulance mileage was greatly reduced due to the elimination of out of town transports.

Fiscal and Policy Implications

Below is a Summary of the adjustment by fund.

2016 Budget Omnibus - Fund Summary

	Fund	Budget Adjustments		Net effect on Fund Balance
		Revenues	Expenses	
Tourism	102		1,000	1,000
Street	116	225,000	75,000	150,000
Water/Sewer	410	641,000	641,000	
Sanitation	490	404,800	404,800	
Storm Water	493	65,200	65,200	
Ambulance	498	-201,000	-167,000	34,000

Options

Option	Results
<ul style="list-style-type: none"> • <i>Adopt adjustment as presented</i> 	Action would allow staff to adjust the budget from Fund balance to specific line items.
<ul style="list-style-type: none"> • <i>Modify the adjustment</i> 	Action could require staff to bring an additional budget adjustment to council for consideration
<ul style="list-style-type: none"> • <i>Take no action</i> 	The budget would not be adjusted and could result in expenses exceeding budget and violate RCW 35.33.125.

Staff Recommendation

Council should declare an emergency and adopt this ordinance on a single reading. Staff recommends that City Council move to approve the budget adjustments as presented.

Attachments

A.	Ordinance
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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. 2849
AN ORDINANCE AMENDING THE 2016 BUDGET FOR THE CITY OF MOSES LAKE,
WASHINGTON

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

Section 1. The 2016 budget is amended as follows:

Budget Adjustments

	Fund	revenues	Expenses	Fund Balance Adjustment
tourism	102			1,000
professional fees			1,000	
streets	116			150,000
State entitlements		225,000		
Repair & Maint supplies			50,000	
supplies			25,000	
Water/Sewer	410			
Utility tax		641,000		
Utility tax payment			641,000	
Sanitation	490			
Utility tax		274,800		
interfund loan		(350,000)		
solid wste service		480,000		
Utility tax payment			274,800	
landfill			40,000	
supplies			30,000	
wages benefits			(18,000)	
interfund loan payment			78,000	
Storm Water	493			
Utility tax		65,200		
Utility tax payment			65,200	
Ambulance	498			34,000
interfund loan		300,000		
Mileage		(421,000)		
Transfers		(590,000)		
fire service provided		26,000		
BLS Amb service		484,000		
interfund loan payment			33,000	
wages - supplies			(200,000)	
GRAND TOTAL				185,000

Section 2. This ordinance shall take effect and be in force five (5) days after its poassage and publication of its summary

Adopted by the City Council and signed by its Mayor on December 27, 2016

Todd Voth, Mayor

ATTEST:

W. Robert Taylor, Finance Director

APPROVED AS TO FORM:

Katherine L. Kenison, Cit Attorney



CITY OF MOSES LAKE STAFF REPORT

To: John Williams, City Manager
From: Gilbert Alvarado, Community Dev. Director/Deputy City Manager
Date: December 27, 2016
Proceeding Type: Consideration
Subject: Ordinance – Amend MLMC Chapter 17.06 Definitions

Legislative History:

• First Presentation:	December 27, 2016
• Second presentation:	
• Action:	Consideration

Staff Report Summary

Attached is an ordinance that amends the definition of a major subdivision. The Planning Commission and City staff audited the provisions of MLMC 17.09 and 17.12 and determined that changes were in order.

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..

Fiscal and Policy Implications

N/A

Options

<i>Option</i>	<i>Results</i>
<ul style="list-style-type: none">• <i>Adopt the ordinance amending MLMC 17.06</i>	Definition is amended to reflect current language
<ul style="list-style-type: none">• <i>Take no action.</i>	Definition is out of sync with the regulations

Staff Recommendation

Staff recommends the City Council consider the amendments.

Attachments

N/A	Ordinance
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Legal Review

The following documents are attached and subject to legal review:

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

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 17.06 OF THE MOSES LAKE MUNICIPAL
CODE ENTITLED "DEFINITIONS"

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

Section 1. Chapter 17.06" of the Moses Lake Municipal Code entitled "Definitions" is amended as follows:

17.06.290 Major Subdivision: The division or redivision of land, for the purpose of sale, lease, or transfer of ownership. Major subdivisions are required whenever the subdivision ~~includes lands that exceed four (4) acres,~~ consists of ten (10) or more lots, or includes lands that have been subdivided by a short subdivision within the previous five (5) years ~~by a different owner.~~

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 January 10, 2017.

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: Gary Harer, Municipal Services Director
Date: December 27, 2016
Proceeding Type: Motion
Subject: Resolution – Declaring City Owned Property as Surplus

Legislative History:

- | | |
|------------------------|-------------------|
| • First Presentation: | December 27, 2016 |
| • Second presentation: | |
| • Action: | Motion |
-

Staff Report Summary

The attached Resolution gives authorization to surplus the school zone flashing beacons that are in City right-of-way and authorize the sale to the Moses Lake School District 161.

Background:

There are 32 school zone flashing beacons in city right-of-way that the City operates. City staff sets the timing based on information the school staff gives them. In the last few years it has been cumbersome since the school schedules have changed so much. The operating system for the beacons changed from a 2g to a 4g system last spring. During this time City staff and the School District staff have discussed the possibility of transferring the ownership of all the beacons to the School District so they can have full control of the beacons and can change the beacon timing during their flexible hours. The School District has agreed to accept the ownership after the beacons are back in operation. The School District owns and operates the flashing beacons in the Larson Housing area. There are no requirements for cities to own or operate school zone flashing beacons.

Fiscal and Policy Implications

The City will be relieved from the expense to repair, maintain, and operate the flashing beacons.

Options

Option	Results
<ul style="list-style-type: none">• Adopt the resolution	The School District will own, repair, maintain and operate the school zone flashing beacons.
<ul style="list-style-type: none">• Do not adopt the resolution	The City will retain ownership of the beacons

Staff Recommendation

Staff recommends that the resolution be adopted.

Attachments

A.	Resolution
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Legal Review

The following documents are attached and subject to legal review:

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

RESOLUTION NO. 3657

**A RESOLUTION DECARING CITY OWNED PROPERTY AS SURPLUS AND
AUTHORIZING ITS SALE TO THE MOSES LAKE SCHOOL DISTRICT 161**

RECITALS:

1. The City of Moses Lake, Washington owns school zone flashing beacons at the following locations:

Burress Avenue @ Texas Street	611 Burress Avenue
Burress Avenue 100' north of Neppel	549 Burress Avenue
Burress Avenue 100' south of Spruce	550 Burress Avenue
Burress Avenue 50' south of Main	416 Burress Avenue
Central Drive 100' north of Pine Drive	339 Central Drive
Central Drive 225' north of Reisner Road	522 Central Drive
Clover Drive 55' north of Dahlia Drive	Across from 840 S. Clover Drive
Clover Drive 250' north of Fairbanks Drive	640 S. Clover Drive
Division Street 350' north of Nelson Road	1224 S. Division Street
Division 350' south of Nelson Road	1325 S. Division Street
Fairbanks Drive 180' east of S. Clover Drive	710 Fairbanks Drive
Lakeshore Drive 280' north of Hermit Road.	3910 Lakeshore Drive
Lakeshore Drive 360' north of Pommer Street	4211 Lakeshore Drive
Lark Avenue 40' east of Grand Drive	1003 Lark Avenue
Lark Avenue 100' west of Dahlia Drive	1113 Lark Avenue
Nelson Road @ Jefferson Avenue	Between 303 & 405 Nelson Rd
Nelson Road 125' west of Pioneer Way	720 E. Nelson Road
Nelson Road 175' east of Alderwood Drive	937 E. Nelson Road
Nelson Road 50' west of Clover Drive	Across from 1111 E. Nelson Rd.
Peninsula Drive 380' north of Pommer Street	4113 Peninsula Drive
Peninsula Drive	3750 Peninsula Drive
Peninsula Drive @ Russell Avenue	2601 Peninsula Drive
Peninsula Drive @ Linea Lane	2212 Peninsula Drive
Pioneer Way 100' north of Colonial Avenue	1549 S. Pioneer Way
Pioneer Way 300' north of Nelson Road	1230 S. Pioneer Way
Pioneer Way @ Hunter Place	1413 Pioneer Way
Texas Street 243' south of Burress Avenue	2316 Texas Street
Texas Street 480' north of Russell Avenue	2415 Texas Street
Third Avenue 250' west of Elm Street	699 W. Third Ave.
Third Avenue 250' east of Dogwood Street	408 W. Third Ave.
Valley Road. 250' west of Paxson Drive.	No address
Valley Road. 270' east of Paxson Drive	No address

2. The City of Moses Lake and the Moses Lake School District 161 agree that the School District should own, maintain and operate the flashing beacons since the flashing beacon timing is controlled by the School District's schedule.
3. Neither state law or the Manual of Traffic Control Devices require the City to own or operate school zone flashing beacons.
4. The City would have a long term monetary benefit since the City would not have the expense of repairing, maintaining, and operating, the flashing beacons.

RESOLVED:

1. The City Council of Moses Lake declares that it is in the best interest of the City to surplus the school zone flashing beacons and sell them to the Moses Lake School District 161.

Todd Voth, Mayor

ATTEST:

W. Robert Taylor, Finance Director



CITY OF MOSES LAKE STAFF REPORT

To: John Williams, City Manager
From: Gilbert Alvarado, Comm. Dev. Dir/Deputy City Manager
Date: December 27, 2016
Proceeding Type: Motion
Subject: 2017 Lodging Tax Funding - Requests/Recommendations

Legislative History:

• First Presentation:	December 27, 2016
• Second presentation:	
• Action:	Motion

Staff Report Summary

The Moses Lake Lodging Tax Advisory Committee (LTAC) met on December 6, 2016 to consider the 2017 applications for funding support to eligible groups and organizations that have positive impacts on tourism in the greater Moses Lake area. The funding source is the hotel/motel tax that the City of Moses Lake receives from the State of Washington.

The LTAC Committee considered all applications in accordance with the LTAC General Guidelines document with specific attention to the Project Evaluation Criteria portion of the Guidelines. The LTAC recommended that the City Council fund in 2017 the following requests:

1. Columbia Basin Allied Arts: \$10,000
2. Moses Lake Chamber of Commerce - Lake of Lights Festival: \$30,000
3. Moses Lake Chamber of Commerce - Visitor Information Center Operation: \$40,000
4. Moses Lake Chamber of Commerce - Advertising Campaign: \$60,000
5. City of Moses Lake - Larson Playfield Lighting Project: \$250,000

The LTAC also recommended an additional \$40,000 be approved for the Moses Lake Chamber of Commerce - Advertising Campaign.

Background

The Lodging Tax is an existing excise (sales) tax authorized by State law in RCW 67.28, Public Stadium, Convention, Arts and Tourism Facilities. The City of Moses Lake has imposed an excise tax on charges for lodging by hotels, motels, and similar business enterprises, pursuant to Chapter 82.08 RCW. In Moses Lake, the total tax on lodging is 4% (this includes the original 2% from sales tax and the additional 2% special excise tax.

Fiscal and Policy Implications

City of Moses Lake Policy Statement for Use of the Lodging Tax:

City of Moses Lake's Lodging Tax Fund will be the source of city funding for tourism promotion. The city does not make any multi-year commitments with lodging tax funds. However, service providers are not limited or prohibited from making repeat annual requests of the same nature. The city intends to maintain a reserve in the fund, and will assess on an annual basis how much of the fund to appropriate in a given year.

The revenues received from the city's hotel/motel tax may be used for the following purposes only:

1. Tourism promotion and marketing and the marketing and operations of special events and festivals
2. Operation of a tourism promotion agency
3. Capital and/or operating costs for city-owned tourism facilities or qualified non- profit organizations
4. Paying all or any part of the cost of tourism promotion
5. Acquiring tourism related facilities
6. Operating tourism related facilities
7. Funding of a multi-jurisdictional tourism related facility

Options

<i>Option</i>	<i>Results</i>
<ul style="list-style-type: none">• <i>Review and approve the LTAC funding recommendations</i>	<i>The applicants move forward with budgeting the funding of their requests</i>
<ul style="list-style-type: none">• <i>Review and revise the LTAC funding recommendations</i>	<i>The City Council must advise the LTAC of their revisions to the LTAC funding recommendations</i>
<ul style="list-style-type: none">• <i>No Action</i>	<i>The hotel/motel tax funds remain in place and continue to accrue</i>

Staff Recommendation

Staff recommends that the City Council approve the LTAC 2017 funding recommendations as presented.

Attachments

A	LTAC Meeting Minutes
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Legal Review

The following documents are attached and subject to legal review:

Type of Document	Title of Document	Date Reviewed by Legal Counsel

MOSES LAKE LODGING TAX ADVISORY COMMITTEE

December 6, 2016

The regular meeting of the Moses Lake Lodging Tax Advisory Committee was called to order at 1:30 p.m. by Chairman Ecret in the Council Chambers of the Civic Center, 401 S. Balsam, Moses Lake, Washington.

Executive Secretary Sophia Guerrero called the roll. The following were:

Present: Chairman Bill Ecret, and members Brenda Teals, Tim Molitor, Daniel Ramarui, and Debbie Doran-Martinez
Gilbert Alvarado, Community Development Director/Deputy City Manager

Absent: W. Robert Taylor, Finance Director

MINUTES: The minutes of the October 31 meeting were presented.

Action Taken: Ms. Doran-Martinez moved that the minutes be approved, seconded by Mr. Molitor, and passed unanimously.

STAFF COMMUNICATIONS

Gilbert Alvarado, Community Development Director/Deputy City Manager, stated that there is approximately \$223,000 which the Committee can allocate to various projects. He recommended that the deadline for applications to be received be changed to October 1 in order to meet city budgetary requirements.

Mr. Alvarado recommended that in 2018 the LTAC have a retreat in June to audit what has been funded and prepare for the next round of applications.

LODGING TAX FUNDS UPDATE

Mr. Alvarado provided information on the Council's role in awarding lodging tax funds and the prior use of the funds.

There was some discussion about the advantages of establishing a reserve fund.

COLUMBIA BASIN ALLIED ARTS

Columbia Basin Allied Arts requested \$10,000. The Columbia Basin Allied Arts is a non-profit organization that provides cultural and art events including 4 premier shows and 3 Green Turtle shows at the Wallenstein theater.

There was discussion by the Committee on the request.

MOSES LAKE CHAMBER OF COMMERCE - LAKE OF LIGHTS FESTIVAL

The Moses Lake Chamber of Commerce requested \$30,000 for an annual festival beginning the first Saturday of July to celebrate Independence Holiday with a fireworks display, food truck rodeo, concerts in the park and possibly an air show at the Grant County International Airport.

There was discussion by the Committee on the request.

MOSES LAKE CHAMBER OF COMMERCE - VISITOR INFORMATION CENTER OPERATION

The Moses Lake Chamber of Commerce requested \$40,000 to support the operation of a tourism related facility owned or operated by non-profit organizations. The visitor information provides information to those interested in the community in a variety of ways.

There was discussion by the Committee on the request.

MOSES LAKE CHAMBER OF COMMERCE - ADVERTISING CAMPAIGN

The Moses Lake Chamber of Commerce requested \$60,000 to support an advertising campaign to attract tourists to the community.

CITY OF MOSES LAKE - LARSON PLAYFIELD BALLFIELD LIGHTING

The City of Moses Lake requested \$250,000 to provide outdoor ballfield lighting for the Larson Ballfield complex. The lack of evening play on the ballfields due to no lighting has had a negative impact on the community.

There was discussion by the Committee on the request.

Action Taken: Mrs. Teals moved that all five proposals be approved with the stipulation that if the City does not receive the grant for the Larson Playfield Ballfield Lighting, that the City provide the needed funds for that project, seconded by Ms. Doran-Martinez.

There was additional discussion on allocating more funds to some of the projects than requested since the there is \$473,000 available and the applications submitted total \$390,000.

Action Taken: Mr. Molitor moved that the motion be amended to add an additional \$40,000 to the request from the Chamber of Commerce for the advertising campaign, and \$12,500 be put in a reserve fund, and \$25,000 be used for debt relief by the City, seconded by Ms. Doran-Martinez, and passed unanimously.

The amended motion passed unanimously.

ADJOURNMENT: The regular meeting was adjourned at 2:52 p.m.

ATTEST

Bill Ecret, Chairman

W. Robert Taylor, Finance Director