

# MOSES LAKE CITY COUNCIL

Brent Reese  
Jason Avila  
Jon Lane

Bill Ecret  
Mayor



Joseph K. Gavinski  
City Manager

David Curnel  
Karen Liebrecht  
Dick Deane

September 10, 2013

## AGENDA

Sophia Guerrero, Executive Secretary

Civic Center - Council Chambers  
7:00 p.m.

1. **ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **IDENTIFICATION OF CITIZENS WANTING TO DISCUSS AGENDA ITEMS**  
**IDENTIFICATION OF CITIZENS WANTING TO DISCUSS NON-AGENDA ITEMS**
4. **PRESENTATIONS AND AWARDS**
  - A. **Proclamation - Moses Lake Wellness Week**
5. **CONSENT AGENDA**
  - A. **Approval of Minutes - August 27, 2013**
  - B. **Approval of Bills and Checks Issued**
  - C. **Accept Work - Stormwater Site B Project - 2013**
6. **COMMISSION APPOINTMENTS - None**
7. **CONSIDERATION OF BIDS AND QUOTES - None**
8. **PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGS - None**
9. **ORDINANCES AND RESOLUTIONS**
  - A. **Ordinance - Amend MLMC 18.20 Residential Zones - 2<sup>nd</sup> Reading**
  - B. **Ordinance - Amend MLMC 2.46 Tourism Commission - 1<sup>st</sup> Reading**
  - B. **Resolution - Authorizing the Transfer of Funds**
  - C. **Resolution - Adopting AWC Employee Benefits Trust Health Care Program**
  - D. **Resolution - Accept Donation of Funds - Endeavour Soccer Academy - Wallace**
  - E. **Resolution - Nuisance Abatement - 1351 E. Oasis Circle - Sicilia**
  - F. **Resolution - Nuisance Abatement - 8692 Charles Rd - Weber**
10. **REQUEST TO CALL FOR BIDS - None**
11. **REFERRALS FROM COMMISSIONS - None**

Finance W. Robert Taylor	Municipal Services Gary Harer	Police Chief Dave Ruffin	Parks & Recreation Spencer Grigg	Fire Chief Tom Taylor	Community Development Gilbert Alvarado	City Attorney Katherine L. Kenison
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12. **OTHER ITEMS FOR COUNCIL CONSIDERATION**
  - A. **Reappointing Lodging Tax Advisory Committee Members**
13. **NON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTS**
14. **COUNCIL QUESTIONS AND COMMENTS**
15. **CITY MANAGER REPORTS AND COMMENTS**
  - A. **Staff Reports**
    1. **Ambulance Cash Report**
    2. **Building Activity Report**
    3. **Itinerant Vendors Update**
    4. **Sales Tax / Transient Rental Income Report**

<b>Finance</b> W. Robert Taylor	<b>Municipal Services</b> Gary Harer	<b>Police Chief</b> Dave Ruffin	<b>Parks &amp; Recreation</b> Spencer Grigg	<b>Fire Chief</b> Tom Taylor	<b>Community Development</b> Gilbert Alvarado	<b>City Attorney</b> Katherine L. Kenison
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## **PROCLAMATION**

### **Moses Lake Wellness Week**

**WHEREAS:** The U.S. Department of Health and Human Services estimates the cost to treat illness and chronic disease caused by inactive lifestyles is nearly \$1,000 for every family in America, every year; and

**WHEREAS:** Health expenditures in the U.S. neared \$2.6 trillion in 2010, over 10 times the 256 billion spent in 1980; and

**WHEREAS:** Health Care costs for chronic disease treatments account for over 75% of the national health expenditure; and

**WHEREAS:** The increase in overweight and obesity in the U.S. has been a significant contributing factor to chronic illnesses and health care spending; and

**WHEREAS:** getting 30 minutes of moderate physical activity, such as a brisk walk, at least 5 times a week can result in significant health benefits such as lowering the risk of developing or dying from cardiovascular disease, hypertension, type II diabetes and improving the health of muscles, bones and joints; and

**WHEREAS:** physical activity is vital to the well-being of all Americans, and Moses Lake Wellness Week is an opportunity for the community to carve out time from their busy lifestyle to exercise, and focus on making positive lifestyle change; and

**WHEREAS:** the goal of Wellness Week is to help our community jump start healthier lives, stay active, live well and be well, and make Moses Lake a national leader in community-based health interventions; and

**WHEREAS:** The Wellness Campaign seeks to foster active living and healthy lifestyles b providing communities the structure and resources to implement healthy community initiatives; and

**NOW, THEREFORE,** I, Bill J. Ecret, Mayor of City of Moses Lake, Washington, do hereby proclaim September 22 – 28, 2013 as Moses Lake Wellness Week; and be it further

**RESOLVED:** That I encourage the residents of Grant County to take an active role in engaging in activities that promote healthy eating and greater physical activity for themselves and their families.

**SIGNED** and **SEALED** this 10<sup>th</sup> day of September, 2013

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**Bill J. Ecret, Mayor**  
**City of Moses Lake, Washington**

## MOSES LAKE CITY COUNCIL

August 27, 2013

Council Present: Bill Ecret, Dick Deane, Jon Lane, Karen Liebrecht, Jason Avila, and Brent Reese  
Absent: David Curnel

The meeting was called to order at 7 p.m. by Mayor Ecret.

PLEDGE OF ALLEGIANCE: Mayor Ecret led the Council in the pledge of allegiance.

### PRESENTATION AND AWARDS

### PROCLAMATION

The proclamation declaring September 10 - 17, 2013 as Commemoration and Support of Constitution Week was read in its entirety.

### CONSENT AGENDA

Minutes: The minutes of the August 13 meeting were presented for approval.

Approval of Claims, Prepaid Claims, Checks, and Payroll: Vouchers audited and certified by the Finance Director as required by RCW 42.24.080, and those expense reimbursement claims, certified as required by RCW 42.24.090, have been recorded on a listing which has been made available to the Council for approval and is retained for public inspection at the Civic Center. As of August 27, 2013 the Council does approve for payment claims in the amount of \$286,114.45; prepaid claims in the amounts of \$85,906.12 and \$481,846.06; claim checks in the amount of \$1,411,543.48; and payroll in the amount of \$354,299.70.

Seal Coat Project - Accept Work: Central Washington Asphalt, Inc completed work on the 2013 Seal Coat Project. The work should be accepted and the 60-day lien period entered into.

Resolution - Accept Improvements - Sunburst Multi-Family Major Plat: A resolution was presented which accepts the improvements constructed as part of the Sunburst Multi-Family Major Plat.

Resolution - Boundary Line Adjustment - Cascade Park: A resolution was presented which approves a boundary line adjustment between the City and the Estate of Ralph B. & Lois E. Kenison along a portion of the east property line of Cascade Park.

Action Taken: Mr. Reese moved that the Consent Agenda be approved, seconded by Mr. Lane, and passed unanimously.

COMMISSION APPOINTMENTS - None

CONSIDERATION OF BIDS AND QUOTES - None

### PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGS

### ORDINANCE - EXTEND MORATORIUM ON MEDICAL MARIJUANA GARDENS - 1<sup>ST</sup> READING/PUBLIC HEARING

An ordinance was presented which extends the moratorium on the establishment of "collective gardens" for the medical use of marijuana.



The ordinance of the City of Moses Lake extending a moratorium on the establishment of medical marijuana collective gardens, defining "medical marijuana collective gardens", providing for a public hearing establishing an effective date, and providing that the moratorium, unless extended, will sunset within six (6) months of the date of adoption was read by title only.

The public hearing was opened. There were no comments.

Action Taken: Mr. Deane moved that the public hearing be closed, seconded by Mr. Lane, and passed unanimously.

Action Taken: Mr. Lane moved that the second reading of the ordinance be adopted, seconded by Mrs. Liebrecht, and passed unanimously.

### ORDINANCES AND RESOLUTIONS

#### ORDINANCE - AMEND 18.20 - RESIDENTIAL ZONES - 1<sup>ST</sup> READING

An ordinance was presented which would allow taller fences on corner lots in residential zones.

The ordinance amending Chapter 18.20 of the Moses Lake Municipal Code entitled "Residential Zones" was read by title only.

Gilbert Alvarado, Community Development Director, stated that there is a tradeoff between the desire of the corner lot owners to have more of the yard hidden from sight and the overall appearance of the City to the neighbors, pedestrians, and visitors.

Victoria Podolyan, 437 N. Crestview Drive, provided a sketch of her lot and pointed out that a 4' fence that is allowed on a corner lot does not provide either privacy or security.

Action Taken: Mr. Lane moved that the first reading of the ordinance be adopted, seconded by Mr. Deane, and passed unanimously.

#### RESOLUTION - NUISANCE ABATEMENT - 2603 TEXAS

A resolution was presented which provides for the abatement of nuisances at 2603 Texas. The property is owned by Dorothy Hester.

The resolution determining that Dorothy N. Hester is the owner 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 was read by title only.

Clair Harden, Code Enforcement Officer, was sworn in and provided testimony concerning this issue.

There was no other testimony. The hearing was closed.

Action Taken: Mr. Reese moved that the resolution be adopted, seconded by Mr. Avila, and passed unanimously.

### RESOLUTIONS - NUISANCE ABATEMENTS

Resolutions were presented which provide for the abatement of nuisances at 9859 Olympic, owned by Robert McCourtie, 1046 Division, owned by Carlos Espinoza, and 9972 Sunny, owned by

Roland Huff.

Rick Rodriguez, Code Enforcement Officer, was sworn in and provided testimony concerning this issue.

There was no other testimony. The hearing was closed.

The resolution determining that Robert McCourtie is the owner 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 was read by title only.

Action Taken: Mrs. Liebrecht moved that the resolution be adopted, seconded by Mr. Lane, and passed unanimously.

The resolution determining that Carlos Chavez Espinoza is the owner 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 was read by title only.

Action Taken: Mr. Avila moved that the resolution be adopted, seconded by Mr. Reese, and passed unanimously.

The resolution determining that Roland C. and Anastacia Huff 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 was read by title only.

Action Taken: Mr. Reese moved that the resolution be adopted, seconded by Mr. Avila, and passed unanimously.

REQUEST TO CALL FOR BIDS - None

REFERRALS FROM COMMISSIONS - None

OTHER ITEMS FOR COUNCIL CONSIDERATION

REQUEST FOR CITY SERVICES - ROSE

Rick Rose requested permission to connect his property at 2215 Westshore to the City's water and sewer system. The lot is within one half mile of the City limits but the Council may wish to determine that it is impractical for the property owner to annex because of the intervening properties that are not within the City's limits.

Mr. Rose stated that his septic system has failed and since the property is on the lake side of Westshore, he requested permission to connect to city services.

Action Taken: Mr. Lane moved that the request be granted with the stipulation that an Extra Territorial Utility Agreement be required since it is impractical to annex the property at this time, seconded by Mrs. Liebrecht, and passed unanimously.

ANNEXATION - SONICO

The City of Moses Lake submitted a Notice of Intent to Commence Annexation Proceedings for

property between Randolph Road and 22<sup>nd</sup> Avenue to which the City holds the Power of Attorney through Extra Territorial Utility Extension Agreements signed by the property owners. The proposed annexation consists of approximately 61.5 acres. If the property for which the City has no Extra Territorial Utility Agreement is excluded, the annexation would consist of approximately 52.19 acres.

Joseph K. Gavinski, City Manager, pointed out which properties have signed Extra Territorial Utility Agreements and what other properties could be included in the proposed annexation.

Bea Stump, owner of property on Patton Boulevard, stated that they do not wish to be annexed at this time as they are currently developing the area and felt that there may be stricter requirements in the city which would increase the cost.

Action Taken: Mrs. Liebrecht moved that the City Council ratify the City Manager's execution on behalf of the City of the Notice of Intent to Commence Annexation Proceedings, seconded by Mr. Deane, and passed unanimously.

Action Taken: Mr. Lane moved that the Notice of Intent be receipted, seconded by Mr. Avila, and passed unanimously.

Action Taken: Mr. Deane moved that the Notice of Intent be accepted, seconded by Mr. Lane, and passed unanimously.

Action Taken: Mrs. Liebrecht moved that the staff draft up the Petition for Annexation to include the properties where the City hold an Extra Territorial Utility Agreement and Power of Attorney, the property where Sonico intends to build a facility, and Parcel Nos. 171049013, 311583000, 171044001, and 121089045, seconded by Mr. Deane, and passed unanimously.

#### NON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTS

COUNCIL QUESTIONS AND COMMENTS - None

#### CITY MANAGER REPORTS AND COMMENTS

#### INVESTMENT REPORT

The City received \$19,840.62 in investment income for July.

The regular meeting was adjourned at 8 p.m.

ATTEST

\_\_\_\_\_  
Bill J. Ecret, Mayor

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W. Robert Taylor, Finance Director

DATE 9/06/13  
TIME 08:47:36

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CITY OF MOSES LAKE  
TABULATION OF CLAIMS TO BE APPROVED  
COUNCIL MEETING OF 09/10/2013

NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
ACE HARDWARE	00006538	0000066962	14.01	MISC SUPPLIES
		0000066982	200.40	MISC SUPPLIES
		0000066982	43.12	MISC SUPPLIES
		0000067322	18.83	MISC SUPPLIES
		0000067322	6.44	MISC SUPPLIES
		=====		
		TOTAL:	282.80	
AG WEST DISTRIBUTING CO INC	00006842	0000067270	10.64	MISC SUPPLIES
		=====		
		TOTAL:	10.64	
AMERICAN LINEN	00004927	0000067250	682.22	LINEN SERVICE
		=====		
		TOTAL:	682.22	
BALIN LUSBY	00004683	0000067387	350.00	MAC PERFORMER PAY
		=====		
		TOTAL:	350.00	
CASCADE ANALYTICAL INC	00005014	0000067281	352.00	SAMPLE TESTING
		0000067281	1,005.24	SAMPLE TESTING
		=====		
		TOTAL:	1,357.24	
CENTRAL WASHINGTON CONCRETE	00003603	0000066965	246.02	MISC SUPPLIES
		0000067189	402.39	CONCRETE
		=====		
		TOTAL:	648.41	
CINTAS CORPORATION LOC 607	00000271	0000067190	32.38	SHOP TOWELS
		0000067190	32.36	SHOP TOWELS
		0000067190	366.00	SHOP TOWELS
		=====		
		TOTAL:	430.74	
COMMERCIAL TIRE	00005968	0000067273	351.75	NEW TIRES
		0000067273	1,369.12	NEW TIRES

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CITY OF MOSES LAKE  
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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account		Purpose of Purchase
		P.O. Number	P.O. Amount	
=====				
		TOTAL:		1,720.87
CSWW, INC dba BIG R STORES	00001701	0000066971	165.92	MISC SUPPLIES
		0000066971	313.40	MISC SUPPLIES
		0000067216	64.72	MISC SUPPLIES
		0000067216	8.62	MISC SUPPLIES
		0000067216	72.24	MISC SUPPLIES
		0000067216	50.67	MISC SUPPLIES
		0000067216	99.40	MISC SUPPLIES
		0000067216	193.11	MISC SUPPLIES
		0000067216	24.78	MISC SUPPLIES
=====				
		TOTAL:		992.86
EVERGREEN IMPLEMENT INC	00005234	0000067196	420.24	FILTERS, IDLER
=====				
		TOTAL:		420.24
INLAND PIPE & SUPPLY COMPANY	00003727	0000067202	39.30	HOSE BIB FAUCET
		0000067202	241.07	HOSE BIB FAUCET
=====				
		TOTAL:		280.37
LAD IRRIGATION COMPANY INC	00001101	0000067147	77.03	IRRIGATION REPAIR SUPPLIES
		0000067373	2,438.59	POOL PUMP
		0000067290	48.88	PVC COUPLERS
		0000067206	14.84	MISC SUPPLIES
		0000067206	13.95	MISC SUPPLIES
=====				
		TOTAL:		2,593.29
LAKE AUTO PARTS	00001102	0000067208	542.20	MISC SUPPLIES



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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
=====				
		TOTAL:	542.20	
PLATT ELECTRIC COMPANY	00001549	0000066978	49.68	MISC SUPPLIES
		0000067210	201.30	MISC SUPPLIES
		0000067210	519.31	MISC SUPPLIES
		0000067210	163.25	MISC SUPPLIES
=====				
		TOTAL:	933.54	
RATHBONE SALES INC	00005021	0000067287	13.90	PINI GEAR
		0000067228	307.57	MISC SUPPLIES
=====				
		TOTAL:	321.47	
=====				
		REPORT TOTAL:	11,566.89	

TOTALS PAGE  
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## TOTALS BY FUND

CHANGES TO BE MADE SHOULD BE LISTED BELOW.

VEND NO.	P.O. NO.	AMT LISTED	CORRECTED AMT	ACTION TO BE TAKEN

CORRECT AMOUNT TO BE PAID .....

C L A I M S   A P P R O V A L

WE, THE UNDERSIGNED COUNCILMEN OF THE CITY OF MOSES LAKE, WASHINGTON, DO HEREBY CERTIFY THAT THE MERCHANDISE OR SERVICES SPECIFIED HAVE BEEN RECEIVED AND THAT ABOVE CLAIMS ARE APPROVED, AS NOTED, FOR PAYMENT IN THE AMOUNT OF \$11,566.89 THIS 10TH DAY OF SEPTEMBER, 2013

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

FINANCE DIRECTOR

DATE 9/06/13  
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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
=====				
A M HARDWARE COMPANY INC	00007473	0000067275	390.60	REPAIR KIT
		=====		
		TOTAL:	390.60	
A T & T MOBILITY	00004826	0000067399	26.88	CELL PHONE SERVICE
		0000067399	328.53	CELL PHONE SERVICE
		0000067399	26.90	CELL PHONE SERVICE
		0000067399	1,300.23	CELL PHONE SERVICE
		0000067399	233.99	CELL PHONE SERVICE
		0000067399	28.88	CELL PHONE SERVICE
		0000067399	124.17	CELL PHONE SERVICE
		0000067399	124.36	CELL PHONE SERVICE
		0000067399	40.69	CELL PHONE SERVICE
		0000067399	196.08	CELL PHONE SERVICE
		0000067399	40.48	CELL PHONE SERVICE
		0000067399	213.91	CELL PHONE SERVICE
		=====		
		TOTAL:	2,685.10	
BANK OF NEW YORK - EFT	00006561	0000067307	230,000.00	DEBT SERVICE PAYMENTS
		0000067307	230,000.00	DEBT SERVICE PAYMENTS
		0000067307	26,796.25	DEBT SERVICE PAYMENTS
		0000067307	26,796.25	DEBT SERVICE PAYMENTS
		0000067307	137,500.00	DEBT SERVICE PAYMENTS
		0000067307	137,500.00	DEBT SERVICE PAYMENTS
		0000067307	76,484.38	DEBT SERVICE PAYMENTS
		0000067307	76,484.37	DEBT SERVICE PAYMENTS
		0000067307	155,000.00	DEBT SERVICE PAYMENTS

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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
		0000067307	26,513.34	DEBT SERVICE PAYMENTS
		0000067307	2,437.50	DEBT SERVICE PAYMENTS
		=====		
		TOTAL:	1,125,512.09	
BANK OF NEW YORK MELLON	00005075			
		0000067311	100.59	ADMIN FEES/BONDS
		0000067311	100.58	ADMIN FEES/BONDS
		0000067311	100.58	ADMIN FEES/BONDS
		=====		
		TOTAL:	301.75	
BASIN LOCK & SECURITY	00003714			
		0000067382	215.23	SERVICES
		=====		
		TOTAL:	215.23	
BATTERY SYSTEMS	00004673			
		0000067292	285.46	BATTERIES
		=====		
		TOTAL:	285.46	
BETTY JOHANSEN	00004610			
		0000067348	59.50	BOWL/PITCHER/PLATTER
		=====		
		TOTAL:	59.50	
BEVERLY WEATHERSPOON	00006180			
		0000067344	7.00	EARRINGS
		=====		
		TOTAL:	7.00	
BIG SKY FIRE/AFFIRMED MEDICAL	00006233			
		0000067293	96.84	FIRST AID SUPPLIES
		=====		
		TOTAL:	96.84	
BLUMENTHAL UNIFORM CO INC	00000133			
		0000067331	222.17	UNIFORM PANTS
		=====		
		TOTAL:	222.17	
BONNIE LONG	00007193			
		0000067263	100.00	VEHICLE USE - SEPTEMBER 2013
		=====		
		TOTAL:	100.00	
BOUND TREE MEDICAL LLC	00006022			
		0000067303	166.90	AMBULANCE SUPPLIES
		=====		
		TOTAL:	166.90	
BROADWAY ANIMAL HOSPITAL	00000165			
		0000067385	243.00	SERVICES
		=====		
		TOTAL:	243.00	

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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
BSN SPORTS	00006942	0000067371	227.23	SOCCER NET
		TOTAL:	227.23	
BUD CLARY CHRYSLER DODGE JEEP	00005449	0000067325	94.01	CAP WHEEL
		TOTAL:	94.01	
BUD CLARY FORD	00006454	0000067266	179.06	LOCK ASSEMBLY
		TOTAL:	179.06	
BURKE MARKETING & PROMOTION	00005798	0000067280	9,505.96	ADVERTISING/AGENCY RETAINER
		TOTAL:	9,505.96	
BUSINESS INTERIORS & EQUIPMENT	00003619	0000067390	1,781.12	COPIER MAINT AGREEMENTS
		TOTAL:	1,781.12	
CALIFORNIA CONTRACTORS SUPPLY	00006014	0000067318	330.48	GLOVES
		TOTAL:	330.48	
CAROL CROSS	00004253	0000067345	66.50	CRANE
		TOTAL:	66.50	
CAROL HOHN	00006772	0000067200	175.00	BUILDING MAINT
		TOTAL:	175.00	
CENTER FOR ED & EMPLOY LAW	00007515	0000067386	254.95	PUBLICATION
		TOTAL:	254.95	
CENTRAL MACHINERY SALES INC	00002779	0000067274	647.40	MISC SUPPLIES
		0000067274	20.31	MISC SUPPLIES
		0000067274	58.14	MISC SUPPLIES
		TOTAL:	725.85	
CENTRAL MANUFACTURING INC	00005478	0000067323	459.72	CONCRETE FOR UTIL CUT
		0000067323	345.23	CONCRETE FOR UTIL CUT



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CITY OF MOSES LAKE  
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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
		TOTAL:	804.95	
CENTURYLINK	00003599	0000067334	8.00	LONG DISTANCE TEL SERVICE
		0000067334	8.00	LONG DISTANCE TEL SERVICE
		0000067334	40.00	LONG DISTANCE TEL SERVICE
		0000067334	40.00	LONG DISTANCE TEL SERVICE
		TOTAL:	96.00	
	00001502	0000067306	149.68	TELEPHONE SERVICE
		TOTAL:	149.68	
	00003599	0000067334	80.00	LONG DISTANCE TEL SERVICE
		TOTAL:	80.00	
	00001502	0000067306	213.33	TELEPHONE SERVICE
		TOTAL:	213.33	
	00003599	0000067334	20.50	LONG DISTANCE TEL SERVICE
		TOTAL:	20.50	
	00001502	0000067306	44.70	TELEPHONE SERVICE
		TOTAL:	44.70	
	00003599	0000067334	4.00	LONG DISTANCE TEL SERVICE
		0000067334	10.00	LONG DISTANCE TEL SERVICE
		TOTAL:	14.00	
	00001502	0000067306	42.70	TELEPHONE SERVICE
		TOTAL:	42.70	
	00003599	0000067334	130.98	LONG DISTANCE TEL SERVICE
		0000067334	90.23	LONG DISTANCE TEL SERVICE

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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number P.O. Amount	Purpose of Purchase
		0000067312 50.56	WATER SHUT OFF NOTIFICATIONS
		0000067312 16.85	WATER SHUT OFF NOTIFICATIONS
		=====	
		TOTAL: 288.62	
	00001502		
		0000067306 44.05	TELEPHONE SERVICE
		=====	
		TOTAL: 44.05	
	00003599		
		0000067334 29.66	LONG DISTANCE TEL SERVICE
		0000067334 28.37	LONG DISTANCE TEL SERVICE
		0000067334 4.00	LONG DISTANCE TEL SERVICE
		0000067334 4.00	LONG DISTANCE TEL SERVICE
		=====	
		TOTAL: 66.03	
CHAIM BEZALEL/YONNAH BEN LEVY	00005703		
		0000067341 66.50	VASE
		=====	
		TOTAL: 66.50	
CITY OF MOSES LAKE	00008107		
		0000067342 37.69	EXCISE TAX
		0000067342 33.01	EXCISE TAX
		0000067342 12.19	EXCISE TAX
		0000067342 8.33	EXCISE TAX
		0000067342 12.13	EXCISE TAX
		0000067342 33.78	EXCISE TAX
		0000067342 1,246.70	EXCISE TAX
		0000067342 10.72	EXCISE TAX
		0000067342 291.91	EXCISE TAX
		0000067342 45.49	EXCISE TAX
		0000067342 5.84	EXCISE TAX
		=====	
		TOTAL: 1,737.79	
	00008201		

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CITY OF MOSES LAKE  
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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number P.O. Amount	Purpose of Purchase
		0000067313 9,096.35	WATER SERVICE
		0000067313 2,135.54	WATER SERVICE
		=====	
		TOTAL: 11,231.89	
	00008107		
		0000067342 69.70	EXCISE TAX
		0000067342 9.22	EXCISE TAX
		0000067342 161.95	EXCISE TAX
		0000067342 70.28	EXCISE TAX
		0000067342 18.01	EXCISE TAX
		=====	
		TOTAL: 329.16	
	00008106		
		0000067286 300.21	RETAIN-POLICE IMPOUND FENCE
		=====	
		TOTAL: 300.21	
	00008201		
		0000067313 520.76	WATER SERVICE
		0000067313 1,375.50	WATER SERVICE
		0000067313 2,411.21	WATER SERVICE
		=====	
		TOTAL: 4,307.47	
	00008106		
		0000067284 770.35	RETAINAGE-2013 WEED SPRAYING
		=====	
		TOTAL: 770.35	
	00008107		
		0000067342 13.19	EXCISE TAX
		0000067342 115.06	EXCISE TAX
		=====	
		TOTAL: 128.25	
	00008201		
		0000067313 374.69	WATER SERVICE
		=====	
		TOTAL: 374.69	
	00008107		
		0000067342 24,192.01	EXCISE TAX
		0000067342 7,555.96	EXCISE TAX
		0000067342 2,370.84	EXCISE TAX

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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number P.O. Amount	Purpose of Purchase
		=====	
		TOTAL: 34,118.81	
	00008106		
		0000067394 916.75	RETAIN PE 3 POW SEWER L/S 13
		=====	
		TOTAL: 916.75	
	00008107		
		0000067342 11,017.72	EXCISE TAX
		0000067342 921.96	EXCISE TAX
		0000067342 126.33	EXCISE TAX
		0000067342 142.69	EXCISE TAX
		0000067342 3,040.86	EXCISE TAX
		0000067342 42.41	EXCISE TAX
		0000067342 3.79	EXCISE TAX
		0000067342 32.43	EXCISE TAX
		0000067342 3,466.85	EXCISE TAX
		=====	
		TOTAL: 18,795.04	
	00008106		
		0000067339 8.10	RETAINAGE/KONE/AUG
		0000067339 52.62	RETAINAGE/KONE/AUG
		=====	
		TOTAL: 60.72	
CITY OF SPOKANE	00004155		
		0000067383 42.90	EVICENCE DESTRUCTION
		=====	
		TOTAL: 42.90	
CLYDE WEST INC	00005788		
		0000067272 2,218.78	REPAIR FRONT DRUM ASSEMBLY
		=====	
		TOTAL: 2,218.78	
COLUMBIA BASIN DAILY HERALD	00000210		
		0000067305 257.04	PUBLICATIONS
		=====	
		TOTAL: 257.04	
COMFORT EXPERTS	00007009		

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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account		Purpose of Purchase
		P.O. Number	P.O. Amount	
		0000067321	431.60	EXCAVATE WATER SERVICE
		=====		
		TOTAL:	431.60	
CONCESSIONS SUPPLY	00006286			
		0000067288	192.61	SNS RESALE
		=====		
		TOTAL:	192.61	
CONFLUENCE HEALTH	00005069			
		0000067299	59.96	CDL PHYSICAL
		0000067332	115.31	HEP B VACCINE
		=====		
		TOTAL:	175.27	
CONSOLIDATED DISPOSAL SERVICE	00006284			
		0000067395	195.21	DISPOSAL LOADS
		0000067395	18.82	DISPOSAL LOADS
		0000067395	21,000.09	DISPOSAL LOADS
		=====		
		TOTAL:	21,214.12	
CONSOLIDATED ELECTRIC DIST	00000819			
		0000067360	37.55	MISC SUPPLIES
		=====		
		TOTAL:	37.55	
CORAL SALES COMPANY	00007109			
		0000067330	9,411.26	SCHOOL ZONE FLASHING BEACONS
		0000067330	9,411.25	SCHOOL ZONE FLASHING BEACONS
		0000067330	9,411.25	SCHOOL ZONE FLASHING BEACONS
		=====		
		TOTAL:	28,233.76	
CORRECT EQUIPMENT	00004721			
		0000067374	827.22	JAPANESE GARDEN SEWER PUMP
		=====		
		TOTAL:	827.22	
CUMMINS NORTHWEST INC	00004644			
		0000067271	1,385.33	REPROGRAM GENERATOR
		=====		
		TOTAL:	1,385.33	
DATABAR	00007974			
		0000067309	890.84	MAIL UTILITY BILLS
		0000067309	624.64	MAIL UTILITY BILLS
		0000067309	366.23	MAIL UTILITY BILLS
		0000067309	122.08	MAIL UTILITY BILLS



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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
DATABAR	00007974	0000067309	156.86	MAIL UTILITY BILLS
		=====		
		TOTAL:	2,160.65	
DEBORAH GOODRICH CHITTENDEN	00004888	0000067349	29.40	EARRINGS
		=====		
		TOTAL:	29.40	
E F RECOVERY	00007244	0000067300	4,969.98	PROF SERV/AMB BILLING
		=====		
		TOTAL:	4,969.98	
EASTERN CASCADE DIST	00006909	0000067375	44.00	DRINKING WATER
		=====		
		TOTAL:	44.00	
FABER INDUSTRIAL SUPPLY	00000501	0000067361	81.05	MISC SUPPLIES
		0000067278	16.85	MISC SUPPLIES
		=====		
		TOTAL:	97.90	
FASTENAL COMPANY	00007372	0000067362	80.59	MISC SUPPLIES
		0000067320	328.52	MISC SUPPLIES
		0000067320	460.57	MISC SUPPLIES
		0000067320	280.32	MISC SUPPLIES
		=====		
		TOTAL:	1,150.00	
FRANCIE ALBERTSON	00005644	0000067346	68.60	BRACELETS
		=====		
		TOTAL:	68.60	
G & A TRUCK & AUTO REPAIR	00006726	0000067279	124.62	CHARGE A/C SYSTEM
		=====		
		TOTAL:	124.62	
GRAINGER PARTS OPERATIONS	00002755	0000067268	25.94	MISC SUPPLIES
		0000067268	27.19	MISC SUPPLIES
		=====		
		TOTAL:	53.13	
GRANT COUNTY ECON DEV COUNCIL	00005738	0000067389	18.00	LUNCHEON-ECRET

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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number P.O. Amount	Purpose of Purchase
		=====	
		TOTAL: 18.00	
HACH COMPANY	00000712	0000067269 626.70	MISC SUPPLIES
		=====	
		TOTAL: 626.70	
HAYES INSTRUMENT CO INC	00003870	0000067258 287.47	SURVEY SUPPLIES
		=====	
		TOTAL: 287.47	
JAN COOK MACK	00005821	0000067343 46.20	CARDS
		=====	
		TOTAL: 46.20	
JERRYS AUTO SUPPLY	00005835	0000067291 89.31	MISC SUPPLIES
		0000067291 36.66	MISC SUPPLIES
		=====	
		TOTAL: 125.97	
JUDY THOMPSON	00003825	0000067351 108.50	QUILTS/TOTE
		=====	
		TOTAL: 108.50	
KATHERINE L KENISON	00006980	0000067314 3,200.00	PROF SERVICE
		=====	
		TOTAL: 3,200.00	
KENNETH A GOODRICH	00005639	0000067347 49.00	BOWL
		=====	
		TOTAL: 49.00	
KONE INC	00006438	0000067308 153.75	2013 ELEVATOR MAINT AGREE JUNE
		0000067308 999.39	2013 ELEVATOR MAINT AGREE JUNE
		=====	
		TOTAL: 1,153.14	
LAKESIDE DISPOSAL	00004080	0000067315 180,868.59	CONTRACT PAYMENT
		=====	
		TOTAL: 180,868.59	
LAURA CASTELLANOS	00004902	0000067352 177.10	BOOKS/PAINTINGS/PINS

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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number P.O. Amount	Purpose of Purchase
		=====	
		TOTAL: 177.10	
LINDSAY/CULLIGAN	00005289		
		0000067319 13.08	PR/MAC WATER
		0000067319 26.16	PR/MAC WATER
		0000067328 87.24	BOTTLED WATER
		=====	
		TOTAL: 126.48	
LOCALTEL COMMUNICATIONS	00004374		
		0000067335 3,019.25	INTERNET SERVICE
		=====	
		TOTAL: 3,019.25	
LYNN PEAVEY COMPANY	00003799		
		0000067378 320.36	SUPPLIES
		=====	
		TOTAL: 320.36	
MID-AMERICAN RESEARCH CHEM	00005055		
		0000067329 97.60	MOISTURE BARRIER
		=====	
		TOTAL: 97.60	
MOON SECURITY SERVICES INC	00006510		
		0000067381 41.50	MONTHLY MONITOTING
		=====	
		TOTAL: 41.50	
MOSES LAKE SHEET METAL	00001256		
		0000067372 496.34	DRAINAGE PAN
		=====	
		TOTAL: 496.34	
MOSES LAKE STEEL SUPPLY	00001268		
		0000067364 60.60	MISC SUPPLIES
		0000067364 600.00	MISC SUPPLIES
		0000067326 50.27	
		0000067326 28.18	
		=====	
		TOTAL: 739.05	
MULTI AGENCY COMM CENTER E911	00006695		
		0000067379 37,293.75	USER FEE
		0000067301 801.00	USER FEES/SEPT
		0000067301 4,137.75	USER FEES/SEPT
		=====	
		TOTAL: 42,232.50	
NORTH CENTRAL WASHINGTON FENCE	00006902		

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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number P.O. Amount	Purpose of Purchase
		0000067285 5,703.82	2013 POLICE IMPOUND FENCE
		=====	
		TOTAL: 5,703.82	
NORTHLAND CABLE	00006282		
		0000067337 73.22	LRC CABLE SERVICE
		=====	
		TOTAL: 73.22	
NORTHSTAR CHEMICAL INC	00006113		
		0000067316 5,767.73	SODIUM HYPO
		=====	
		TOTAL: 5,767.73	
OASIS AUTO SPA	00004834		
		0000067265 462.00	CAR WASHES
		=====	
		TOTAL: 462.00	
OXARC INC	00001412		
		0000067366 237.30	MISC SUPPLIES
		0000067277 11.86	HARD HAT, GLOVES
		0000067277 655.79	HARD HAT, GLOVES
		0000067277 15.51	HARD HAT, GLOVES
		=====	
		TOTAL: 920.46	
PATRICK FLEMING	00007316		
		0000067350 37.80	BOWL & MUGS
		=====	
		TOTAL: 37.80	
PINNACLE PUBLIC FINANCE INC	00005179		
		0000067296 10,837.66	#37A LEASE PYMT/SEPT
		0000067296 651.66	#37A LEASE PYMT/SEPT
		=====	
		TOTAL: 11,489.32	
PNC EQUIPMENT FINANCE LLC	00007085		
		0000067295 112.38	#36 LEASE PYMT/SEPT
		0000067295 5.60	#36 LEASE PYMT/SEPT
		0000067295 15,493.81	#36 LEASE PYMT/SEPT
		0000067295 771.48	#36 LEASE PYMT/SEPT
		=====	
		TOTAL: 16,383.27	
POW CONTRACTING	00005344		
		0000067393 18,866.72	PAY EST 3 SEWER L/S 2013
		=====	
		TOTAL: 18,866.72	

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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account		Purpose of Purchase
		P.O. Number	P.O. Amount	
PROGRESSIVE MEDICAL INTL	00006656	0000067302	341.77	AMB SUPPLIES
		TOTAL:	341.77	
QCL INC	00006542	0000067298	15.00	ADMIN FEE INCREASE
		0000067388	69.00	NEW HIRE DRUG TEST
		TOTAL:	84.00	
REBEKAH LITTLEFIELD	00004722	0000067353	448.00	PAINTINGS
		TOTAL:	448.00	
REDDY ICE	00004329	0000067340	798.00	ICE RESALE/CASCADE CAMPGROUND
		TOTAL:	798.00	
REFLEX TRAFFIC SYSTEMS	00004837	0000067396	15,507.87	PROF SERV-RED LIGHT TICKETS
		TOTAL:	15,507.87	
ROCK MILLS ENTERPRISES	00007295	0000067327	111.50	MOTOR
		TOTAL:	111.50	
SAFARILAND	00004703	0000067380	895.00	REGISTRATION
		TOTAL:	895.00	
SAFETY KLEEN CORP	00004265	0000067267	460.68	SOLVENT CLEANING
		TOTAL:	460.68	
SAFETY LINE	00007253	0000067294	414.12	SAFETY VESTS
		TOTAL:	414.12	
SEA WESTERN INC	00001879	0000067304	235.42	HELMET
		TOTAL:	235.42	
SHERWIN-WILLIAMS	00006229	0000067276	868.92	MISC PAINT, SUPPLIES
		TOTAL:	868.92	
SHIRTBUILDERS INC	00004022	0000067376	95.12	UNIFORMS



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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account		Purpose of Purchase
		P.O. Number	P.O. Amount	
=====				
		TOTAL:	95.12	
SWANK MOTION PICTURES INC	00008015	0000067336	346.36	MOVIE IN MCCOSH PARK (LORAX)
		TOTAL:	346.36	
TASIYA OLIVER	00007578	0000067333	39.84	REIMB MILEAGE
		TOTAL:	39.84	
TERRA FIRMA EXCAVATION	00005962	0000067317	431.60	EXCAVATE WATER SERVICE
		TOTAL:	431.60	
THE LIFEGUARD STORE	00007072	0000067289	48.12	BAG VALVE MASKS
		TOTAL:	48.12	
THE PROFESSORS INC	00004873	0000067283	14,636.48	2013 WEED SPRAYING
		TOTAL:	14,636.48	
UNITED PARCEL SERVICE	00005456	0000067398	44.00	SHIPPING CHARGES
		0000067398	9.24	SHIPPING CHARGES
		TOTAL:	53.24	
W C P SOLUTIONS	00006671	0000067264	976.20	CLEANING SUPPLIES
		TOTAL:	976.20	
WA CITIES INSURANCE AUTHORITY	00006720	0000067397	3,836.03	INSURANCE DEDUCTIBLE
		TOTAL:	3,836.03	
Z ENGINEERS PLLC	00005614	0000067391	1,437.50	PROFESS SERV LIFT STATION 2013
		TOTAL:	1,437.50	
=====				
		REPORT TOTAL:	1,617,846.31	

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CITY OF MOSES LAKE  
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TOTALS BY FUND

FUND	FUND NAME	AMOUNT
000	GENERAL FUND	79,404.68
102	TOURISM ACTIVITIES	346.36
103	GRANTS AND DONATIONS	17,281.39
116	STREET	21,656.53
119	STREET REPR/RECON	28,233.76
275	EQUIPMENT LEASES	117.98
281	G.O.B. 2006 REDEMPTION	201.17
410	WATER/SEWER	48,420.20
450	2011 BOND FUND	513,592.50
452	2004 BOND FUND	427,968.75
477	WATER SEWER CONSTRUCTION	21,220.97
486	G.O.B. 2006 REDEMPTION	100.58
490	SANITATION FUND	213,303.19
493	STORM WATER	1,154.25
495	AIRPORT	345.38
498	AMBULANCE SERVICE FUND	13,297.86
503	SELF-INSURANCE	3,836.03
517	CENTRAL SERVICES	4,915.42
519	EQUIPMENT RENTAL	35,297.59
528	BUILD MAINTENANCE	187,151.72

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CITY OF MOSES LAKE  
TABULATION OF CLAIMS TO BE APPROVED  
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TOTALS BY FUND

FUND	FUND NAME	AMOUNT
TOTAL		1,617,846.31

CHANGES TO BE MADE SHOULD BE LISTED BELOW.

VEND NO.	P.O. NO.	AMT LISTED	CORRECTED AMT	ACTION TO BE TAKEN
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....

CORRECT AMOUNT TO BE PAID .....

\* \* \* \* \*

\* CL A I M S A P P R O V A L \*

\* WE, THE UNDERSIGNED COUNCILMEN OF THE CITY OF MOSES LAKE, WASHINGTON, DO HEREBY CERTIFY THAT THE MERCHANDISE \*

\* OR SERVICES SPECIFIED HAVE BEEN RECEIVED AND THAT ABOVE CLAIMS ARE APPROVED, AS NOTED, FOR PAYMENT \*

\* IN THE AMOUNT OF \$1,617,846.31 THIS 10TH DAY OF SEPTEMBER, 2013 \*

\* .....

\* COUNCIL MEMBER COUNCIL MEMBER \*

\* .....

\* COUNCIL MEMBER FINANCE DIRECTOR \*

\* \* \* \* \*

September 5, 2013

TO: City Manager  
For City Council Consideration

FROM: Municipal Services Director

SUBJECT: **Accept Work**  
**Stormwater Retrofit Project, Site B – 2013**

Halme Construction has completed the work for the 2013 Stormwater Retrofit Project, Site B. This project included construction of a stormwater bio-filtration swale on Sage Road, construction of an underground stormwater system on Blue Heron, Sage Road, and Laguna Drive, and abandonment of existing drywells on those three streets that no longer met environmental standards.

The final construction cost for this project is \$218,552 as compared with the total bid amount of \$201,425. The additional cost is mainly due to lowering and replacing an existing water main in the intersection of Laguna Drive and Sage Road that was discovered at the same elevation of the new gravity stormwater main during construction.

The contract work is physically complete and ready for acceptance by City Council. The 60-day lien period will begin upon acceptance of the work, as required by Washington State Law.

Respectfully Submitted,



Gary Harer, PE/PLS  
Municipal Services Director

September 4, 2013

TO: City Manager for Council Consideration  
FROM: Community Development Director  
SUBJECT: Ordinance - Amend 18.20, Residential Zones - 2<sup>nd</sup> Reading

Attached is a proposed ordinance which amends Chapter 18.20 of the Moses Lake Municipal Code entitled "Residential Zones" by allowing taller fences on corner lots.

The ordinance is presented for Council consideration. This is the second reading of the ordinance.

Respectfully submitted,

A handwritten signature in blue ink, appearing to be 'Gil Alvarado', with a stylized, flowing script.

Gil Alvarado  
Community Development Director

GA:jt

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 18.20 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "RESIDENTIAL ZONES"

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

Section 1. Chapter 18.20 of the Moses Lake Municipal Code entitled "Residential Zones" is amended as follows:

18.20.120 Fences, Walls, and Hedges:

A. Solid fencing shall not obscure sight at intersection.

B. All corner lots shall maintain a vehicular sight triangle for safety purposes. A sight triangle shall be formed by measuring from the intersection of the extended curb line or the traveled right-of-way (if no curbs exist) of the adjacent street to a distance of fifty feet (50') from the corner point. The third side of the triangle is the straight line connecting the two (2) fifty foot (50') sides. Within the area comprising the triangle, no fence, shrub, or other physical obstruction higher than thirty-six inches (36") above the established street grade shall be permitted. See Figure 1.

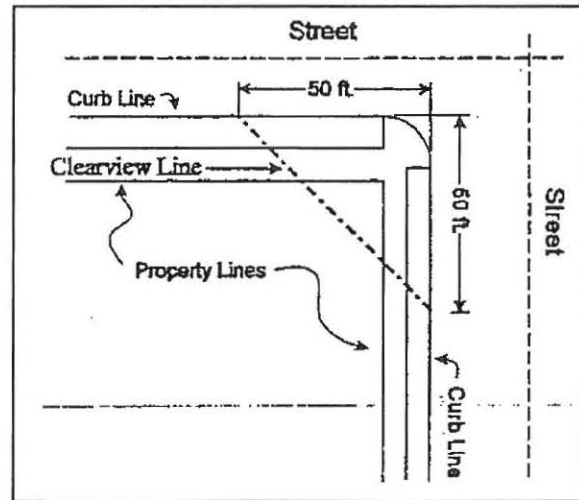


Figure 1

C. Fences and walls shall not exceed four feet (4') above finished ground level outside of the vehicle sight triangle in any front yard or corner lot exterior side yard, except for the following:

1. In the R-4 Zone, chain link, woven wire, or split rail fences, not to exceed five (5) feet in height are permitted. Fences of other materials and sight-obscuring fences shall not exceed 4'.
2. For a corner lot in the R-1, R-2, or R-3 Zone, the street frontage along the side of the house may have a fence up to six feet (6') in height, provided that the fence is set back from the sidewalk at least five feet (5'), and the area between the fence and the sidewalk is maintained in irrigated landscaping that meets the requirement of a Type IV street frontage buffer as specified in MLMC 18.57 at a minimum. The six foot (6') fence may extend no closer to the street frontage along the front of the house than twenty-five feet (25') or even with the front of the house, whichever is more. The sight triangle provisions of MLMC 18.20.120.B must also be met.
32. When one of the frontages of a through lot is a primary or secondary street, sight obscuring fences not exceeding six feet (6') in height may be built inside the property line to within five feet (5') of the sidewalk abutting the primary or secondary street, provided the following requirements are met unless otherwise approved by the Planning Commission:

- a. The adjacent strip of land between the fence and the back of the adjacent sidewalk shall be improved by the property owner concurrent with the fence installation.
  - b. The property owner shall provide a treatment plan for the strip of land as part of the building permit application process.
  - c. The treatment plan shall provide for minimum treatment with grass, decorative rock, wood, bark, or any combination of such materials or similar materials in a manner that will minimize disturbance by natural elements or pedestrians. Additional landscaping is encouraged.
  - d. Approved landscaping, installed between the fence and the property line shall be permanently maintained in a healthy growing condition. Dead, diseased, and dying material shall be replaced immediately. Planted areas shall be maintained clear of rubbish and debris.
  - e. Fences proposed along Valley Road, Yonezawa Boulevard, Grape Drive, Division Street, and Nelson Road shall be three-dimensional, capped or framed, with twelve inch (12") wide pilasters located a maximum of sixteen feet (16') apart. Pilasters shall be of contrasting materials. The use of durable materials, such as masonry, is strongly encouraged. Masonry columns a minimum of two feet (2') wide may be placed every forty-eight feet (48') maximum if used in place of pilasters. All wood materials used must be painted or stained. Fences that are not consistent with the conditions specifically stated in this section may be allowed subject to the approval of the Planning Commission.
  - f. Lots contained within subdivisions may not apply for an individual fence permit unless the majority of the lots with arterial street frontage within that subdivision have already legally constructed six foot (6') high fencing along the frontage. If less than the majority of said lots have six foot (6') high fencing, then a subdivision fence pursuant to 18.20.120. K is required.
- D. Fences and walls shall not exceed eight feet (8') above finished ground level in any interior side or rear yard.
- E. Fences along walkways, pedestrian paths, or activity trail links open to the public shall be no more than four feet (4') solid or six feet (6') open in height or a combination of both with a maximum of four feet (4') solid portion starting from the top of the walkway, pedestrian path, or activity trail. Fencing located within the front or exterior side yard setback area may not exceed 4' in height. All fencing materials must be located inside the property line, and a landscaping treatment is required for the exterior side of the fence up to the hard surface pathway. This area shall be maintained by the property owner. The landscaping treatment plan is required in conjunction with the fence permit application and shall include a minimum treatment of grass, decorative rock, wood, bark, or any combination of such materials, or similar materials, in a manner that will minimize disturbance by natural elements or pedestrians. Additional landscaping is encouraged.
- F. All fences in residential zones shall be constructed of material commonly used in residential fence construction, such as wood, masonry, ornamental iron, chain link, and similar material. Fences of synthetic materials that have the functional equivalence of natural or traditional material may be substituted. Fences shall not be made of tires, or similar salvage materials, not originally designed as structural components of fences or buildings
- G. Electric fences and barbed wire fences shall be prohibited, except in the R-4 Zone where they may be used to contain livestock. Such fences shall not be located within the front yard setback area or along property lines adjacent to other residential and commercial zones and



shall be removed when the livestock use has been discontinued. Electric fences shall be posted with permanent signs every fifty feet (50') stating that the fence is electrified. All electric fences and appliances, equipment, and materials used in connection therewith shall be listed or labeled by a qualified testing agency and shall be installed in accordance with manufacturer's specifications and in compliance with the National Electrical Code.

H. Responsibility of Owners and Occupants:

1. It shall be the responsibility of the owner and/or occupant of the property where a fence is erected to maintain the structure in good repair at all times. When a portion of the fence exceeding twenty five percent (25%) of the street frontage is found to be in a deteriorated condition and/or in need of repair, including, but not limited to, broken or missing structural components, and/or the fence is substantially less than perpendicular to grade, the Building Official, or his or her authorized agent, may order the fencing to be repaired, replaced or removed depending on the condition of the fence. Such order shall be in writing. If the fencing is ordered to be replaced, then new fencing shall meet the current regulations.
2. The provisions of this section shall not apply to fences, walls, or shrubbery owned or maintained by the city, or to fences constructed or maintained by any other governmental body or agency, for which the principal purpose is inherent to public safety.

I. An installation permit shall be required for the construction, erection, or installation of a fence or wall. All permit applications shall be reviewed and approved by the Building Official and the City Engineer for vehicular and pedestrian safety. Fences and walls exceeding six feet (6') in height are regulated by the State Building Code and require a building permit and associated fees.

J. Additional information about fences is contained in MLMC 12.28.

K. Subdivision Fencing: Border fences or walls not to exceed six feet (6') in height along streets bordering the subdivision and tapering to no higher than three feet (3') at street intersections and/or subdivision entrances may be permitted for new subdivisions under the following conditions:

1. The subdivision must be designed for interior street access to all lots abutting the border street(s).
2. If such a fence is proposed it must be for all or a majority of the arterial street frontage the subject lots abut. Individual fences taller than forty-eight inches (48") on independent lots will not be permitted in the required set back areas.
3. Fences shall be three-dimensional, capped or framed, with twelve inch (12") wide pilasters located a maximum of sixteen feet (16') apart. Pilasters shall be of contrasting materials. The use of durable materials, such as masonry, is strongly encouraged. Masonry columns a minimum of two feet (2') wide may be placed every forty-eight feet (48') maximum if used in place of pilasters. All wood materials must be painted or stained.
4. The fence may be installed along the public right-of-way line provided there is a minimum of five feet (5') of irrigated landscaping between the fence and the street improvements (sidewalk, curb, gutter, street trees). Border fences may not extend into the front yard on corner lots.
5. A five foot (5') width of landscaping is required between the fence and the abutting arterial, except that if the arterial is SR-17 then landscaping must comply with section 18.57.040. Landscaping for all other arterials must include one of the following landscaping options:



- a. Deciduous trees planted at an average spacing of twenty-five feet (25'), and a mix of evergreen and deciduous shrubs, spaced no further than 4' apart that do not exceed a height of four feet (4'), and non living groundcover; or
  - b. Deciduous trees planted at an average spacing of twenty-five feet (25'), and live groundcover.
6. The type and design of the fence and landscaping shall be reviewed and approved by the Planning Commission, and may be concurrent with the subdivision review process. The review shall include the fence material, landscaping, maintenance and the timing of the installation of fence and landscaping. All applications for subdivision fencing or walls shall be reviewed by the City Engineer for vehicular and pedestrian safety.
7. All landscaping elements, plant materials, and street trees shall be planted or installed by the developer and permanently maintained pursuant to MLMC 18.57.090 by a homeowner's association. In the absence of a homeowner's association, (i.e. if it is disbanded) landscaping shall be maintained by the individual property owner.
8. A homeowner's association, or similar organization, is required and shall perpetually maintain the fence and the landscaping. The developer and/or homeowners association shall provide evidence of such perpetual maintenance. The Community Development Director shall approve the evidence of the homeowners' association,
9. An irrigation system designed for the health of the street trees on arterial streets maintained by the homeowner's association or individual owner shall be required.

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 September 10, 2013.

\_\_\_\_\_  
Bill J. Ecret, Mayor

ATTEST:

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

APPROVED AS TO FORM:

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



September 5, 2013

Honorable Mayor and  
Moses Lake City Council

Dear Council Members

Attached is a proposed ordinance amending Chapter 2.46 of the Moses Lake Municipal Code entitled "Tourism Commission". The proposed ordinance reduces the size of the Commission from 7 members to 5 members. The proposed amendment is suggested because of difficulty in recruiting and finding members of the community willing to serve on the Commission.

The proposed ordinance is presented for Council consideration. This is the first reading of the ordinance.

Respectfully submitted



Joseph K. Gavinski  
City Manager

JKG:jt

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 2.46 OF THE MOSES LAKE MUNICIPAL  
CODE ENTITLED "TOURISM COMMISSION"

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

Section 1. Chapter 2.46 of the Moses Lake Municipal Code entitled "Tourism Commission" is amended as follows:

2.46.010 Commission Established: The Tourism Commission for the city is created and shall consist of five ~~(5) seven (7)~~ members from citizens who reside, own property, or operate or manage a business, association, or non-profit organization within the corporate limits of the city who shall be appointed by the Mayor and confirmed by the City Council, pursuant to MLMC 2.08.040.

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 September 24, 2013.

\_\_\_\_\_  
Bill J. Ecret, Mayor

ATTEST:

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

APPROVED AS TO FORM:

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



September 5, 2013

Honorable Mayor and  
Moses Lake City Council

Dear Council Members

Attached is a proposed resolution authorizing the transfer of funds from the Water/Sewer Fund to the General Fund in 2013 and 2014.

There are several reasons for the transfer which are set forth in the resolution. First of all, the transfer is suggested because of a change in a previous practice with regard to the overhead rate previously charged the Water/Sewer Fund for services provided the Water/Sewer Fund by the City's Engineering Division of the Municipal Services Department, which is funded by the City's governmental general operating fund.

Secondly, it is noted that the Water/Sewer Fund pays no property taxes to the General Fund which would not be the case if the water and sewer systems were privately owned. It is also noted that under the accounting standards under which the City operates, the Water/Sewer Fund is deemed a non-governmental proprietary operation.

Thirdly, the authority exists in statute, in the City's opinion, for the City to transfer 4% of the cost of the water system into the General Fund as a maintenance and operating cost of the water system.

With this transfer the City will alleviate some of the pressure on the City's general fund activities resulting from the on-going dispute between REC and the County with regard to the assessed value of the REC property. This dispute has resulted in a significant decline in property taxes receipted by the City's General Fund.

The proposed resolution is presented to you for your consideration.

Respectfully submitted



Joseph K. Gavinski  
City Manager

JKG:jt

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE  
WATER/SEWER FUND TO THE GENERAL FUND IN 2013 AND 2014

RECITALS:

1. The City of Moses Lake operates an Engineering Division in the Municipal Services Department which is funded with governmental, general operating revenue.
2. The City for many years charged for the actual labor costs and an overhead rate for engineering services provided the Water/Sewer Fund, a non-governmental, business related proprietary fund at a rate similar to what a private engineering firm would charge the City for the same services.
3. The overhead rate included a reimbursement for the cost of housing the Engineering Division, furnishings, equipment, supplies, etc.
4. The City intended, planned, and budgeted for the overhead rate as a part of the cost of doing business for the Water/Sewer Fund and included such costs in the water/sewer rate structure.
5. The City was advised by the Washington State Auditor's Office in 2012 that the City's overhead rate needed actual support and that it advised the City should not use the overhead rate as it had been doing for years. The City quit charging the previously charged overhead rate.
6. RCW 35.3.535, in the City's opinion, applicable in part to the City, due to the City's status as an optional municipal code city, states:

"Rates shall be fixed by ordinance for supplying water . . . sufficient to pay for all operating and maintenance charges. If the rates in force produce a greater amount than is necessary to meet operating and maintenance charges, the rates may be reduced or the excess income may be transferred to the City's current expense fund.

...

The term "maintenance and operating charges," as used in this section include all necessary repairs, replacement, interest on any debts incurred in acquiring, constructing, repairing, and operating plants and departments and all depreciation charges. This term shall also include an annual charge equal to 4% on the cost of the plant or system, as determined by the State Auditor to be paid into the current expense fund, except that where utility bonds have been or may hereafter be issued and are unpaid no payment shall be required into the current expense fund until such bonds are paid.

7. The City determined it was more cost effective to utilize the authority in RCW 35.23.535 rather than go through a time consuming exercise and process and establish the overhead rate as previously used by the City which was a rate similar to what a private engineering firm would charge the City for the same services.
8. It should be noted that the Water/Sewer Fund, a non-governmental business related proprietary fund does not pay to the City's governmental general operating fund any property taxes or

payment in lieu of taxes even though the assets of the Water/Sewer Fund are valued at approximately \$1.8 million. If the Water/Sewer Fund were operated as a privately held business it would pay approximately \$341,223 in property taxes to the City.

RESOLVED:

1. The City shall transfer \$500,000 in 2013 and 2014 to the General Fund from the Water/Sewer Fund under the authority of RCW 35.3.535 since there is excess income in the fund due to the fact that the City is not charging an overhead rate for the engineering services as it had done in the past as it has budgeted and planned for in 2013 and 2014 and because the Water/Sewer Fund pays no property tax to the City or payment in lieu of taxes and because the City can include a charge in its water/sewer rates equal to 4% of the cost of the water system as a maintenance and operating charge.

Adopted by the City Council on September 10, 2013.

ATTEST:

\_\_\_\_\_  
Bill J. Ecret, Mayor

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





September 3, 2013

Honorable Mayor and  
Moses Lake City Council

Dear Council Members

Attached is a proposed resolution adopting the Association of Washington Cities Employee Benefit Trust's Health Care Program. The consideration of the resolution and attached inter-local agreement is due to in a fundamental change in the health care benefits managed by the Trust. After many months of research and consideration, the AWC Employee Benefit Trust Board of Trustees voted to change from a fully insured benefit program to a self insured model.

As a result of adopting a self-funding program, it is anticipated there will be 0% increase in costs for those covered by the Trust's medical, dental, and vision programs for 2014.

In order to continue to participate in the Trust, the resolution must be adopted by the City of Moses Lake and authorization provided to execute the inter-local agreement.

The resolution is presented to you for your consideration.

Respectfully submitted



Joseph K. Gavinski  
City Manager

JKG:jt

## RESOLUTION NO.

### A RESOLUTION ADOPTING THE ASSOCIATION OF WASHINGTON CITIES EMPLOYEE BENEFIT TRUST HEALTH CARE PROGRAM

#### RECITALS:

1. The Association of Washington Cities Employee Benefit Trust (the "Trust") is an entity to which contributions by cities and towns and non-city entities organized and existing under the Constitution or laws of the State of Washington and who are members of the Trust (Participating Cities and Towns," and "Participating Non-City Entities") and their employees can be paid and through which the Board of Trustees of the Trust ("Trustees") provides one or more insured health and welfare benefit plans or programs to Participating Cities and Towns' and Non-City Entities' employees, their dependents and other beneficiaries ("Beneficiaries"), on whose behalf the contributions were paid.
2. The Trust qualifies as a voluntary employee beneficiary association within the meaning of Section 501(c)(9) of the Internal Revenue Code, providing for the payment of life, sick, accident or other benefits to Beneficiaries.
3. The Trust and Participating Cities and Towns and Non-City Entities have determined that it is in the best interest of Participating Cities and Towns and Non-City Entities to jointly self-insure certain health benefit plans and programs for Beneficiaries through a designated account within the Trust, while at the same time having the Trust continue as the entity to which other insured health and welfare benefit program contributions are paid and through which insured health and welfare benefit plans and programs are provided to Beneficiaries.
4. It appears economically feasible and practical for the parties to do so.
5. Chapter 48.62 RCW provides that two or more local government Entities may, by interlocal agreement under Chapter 39.34 RCW, jointly self-insure health benefit plans and programs, and/or jointly hire risk management services for such plans or programs by any one or more of certain specified methods.
6. The Association of Washington Cities Employee Benefit Trust Interlocal Agreement (the "interlocal Agreement") attached hereto creates a joint self-insured health and welfare benefit program (the "Health Care Program") to be administered by the Trustees for the purposes of providing self-insured health benefits to the Beneficiaries.
7. WAC 200-110-030 requires every local government entity participating in a joint self-insurance health and welfare benefit program to adopt such program by resolution.
8. Chapter 48.62 requires Health Care Program assets to be managed consistent with existing authority over use of municipal funds in RCW 35.39.030. The Trust will manage Health Care Program reserves in compliance with Chapter 48.62 RCW, RCW 35.39.030, and the Health Care Program Investment Policy.
9. All premium contributions for use in the Health Care Program are deposited into a designated account within the Trust, the Health Care Program Account (the "HCP Account"), and the HCP Account represents a pool of funds that is independent of all other Trust or AWC funds.



10. The Trust intends to manage the HCP Account assets in compliance with federal and state laws and the Interlocal Agreement.
11. The City of Moses Lake believes it is in the best interest of the Health Care Program to allow the Trust to manage the HCP Account.

RESOLVED:

1. The Interlocal Agreement creating the Health Care Program is hereby adopted.
2. By adopting such Agreement, the City of Moses Lake acknowledges that it shall be subject to assessments as required by the Health Care Program.

Adopted by the City Council on September 10, 2013.

ATTEST:

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Bill Ecert, Mayor

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W. Robert Taylor, Finance Director

**ASSOCIATION OF WASHINGTON CITIES EMPLOYEE BENEFIT TRUST  
HEALTH CARE PROGRAM  
INTERLOCAL AGREEMENT**

This Agreement is made and entered into in the State of Washington by and among the Association of Washington Cities Employee Benefit Trust (the "Trust") and cities and towns, and non-city entities organized and existing under the Constitution or laws of the State of Washington and who are members of the Trust ("Participating Cities and Towns," or "Participating Non-City Entities"), all of whom are signatories to this Agreement.

**RECITALS**

WHEREAS, the Trust is an entity to which contributions by Participating Cities and Towns and Non-City Entities (defined below) and Participating Employees (defined below) are paid and through which the Board of Trustees provides one or more insured health and welfare benefit plans or programs to Participating Employees, their covered dependents and other beneficiaries ("Beneficiaries"), on whose behalf the contributions were paid; and

WHEREAS, the Trust qualifies as a voluntary employee beneficiary association within the meaning of Section 501(c)(9) of the Internal Revenue Code ("VEBA"), providing for the payment of life, sick, accident or other benefits to Beneficiaries; and

WHEREAS, the Trust and the Participating Cities and Towns have determined that it is in the best interest of Participating Cities and Towns to jointly self-insure certain health benefit plans and programs for Beneficiaries through a designated account within the Trust, while at the same time having the Trust continue as the entity to which health and welfare benefit plan or program contributions are paid and through which insured health and welfare benefit plans and programs are provided to Beneficiaries; and

WHEREAS, it appears economically feasible and practical for the parties to this Agreement (defined below) to do so; and

WHEREAS, Chapter 48.62 RCW provides that two or more local government entities may, by Interlocal agreement under Chapter 39.34 RCW, jointly self-insure health benefit plans and programs, and/or jointly hire risk management services for such plans or programs by any one or more of certain specified methods; and

WHEREAS, each local government entity that is a signatory hereto, as required by WAC 200-110-030, acts upon the authority of a resolution adopting this Agreement and the Health Care Program (defined below) created herein;

NOW, THEREFORE, for and in consideration of all of the mutual benefits, covenants and agreements contained herein, the parties hereto agree as follows:

## ARTICLE 1

### DEFINITIONS

The following are definitions of terms used in the Agreement. Unless indicated otherwise, other terms are defined where they are first used. Defined terms are capitalized when used in the defined context.

- 1.1 **Agreement** means this Interlocal Agreement entered into under the authority of Chapter 39.34 RCW and as required by RCW 48.62.031(2) between the Trust and Participating Employers.
- 1.2 **Association of Washington Cities** or **AWC** means the Association of Washington Cities, a not-for-profit membership association established pursuant to the laws of the state of Washington for the purpose of providing various services to and on behalf of its member cities.
- 1.3 **Association of Washington Cities Employee Benefit Trust** or the **Trust** means the trust and all property and money held by such entity, including all contract rights and records, established for the sole purpose of providing life, sick accident or other health and welfare benefits to Participating Employees, their covered dependents and other beneficiaries, and which is approved by the Internal Revenue Service as a VEBA.
- 1.4 **Employee Benefits Advisory Committee** or **EBAC** means the committee defined in Article V of the Trust Agreement that may be delegated responsibility by the Board of Trustees, including but not limited to: overseeing the operations of the Health Care Program, analyzing and developing annual premium levels and benefit coverage changes for recommendation to the Board of Trustees and performing other duties necessary to ensure that the needs of Participating Employers are met and the long-term financial health of the Health Care Program is maintained.
- 1.5 **Health Care Program** means the joint self-insurance program offering self-insured health benefit options through the HCP Account.
- 1.6 **HCP Account** means a designated account within the Trust and created by this Agreement, the Trust Agreement and Trust Health Care Program policies all under the authority of Chapter 48.62 RCW to provide self-insured health benefits to Participating Employees, their covered dependents and other beneficiaries and further described in Article 6.
- 1.7 **Non-City Entity** means any public agency, public corporation, intergovernmental agency or political subdivision, within the state of Washington that meets the requirements of Article IX, Section 1(c)(ii) and (iii) of the Trust Agreement for participation in the Health Care Program.
- 1.8 **Participating City** means any city or town within the state of Washington that meets the requirements of Article IX, Section 1(a) or Section 1(b) of the Trust Agreement.

- 1.9 **Participating Employee** means any individual employed by a Participating Employer and for whom the Participating Employer makes contributions to the Trust, and any individual who may have been so employed but is subsequently laid off, terminated, or retired.
- 1.10 **Participating Employer** means a Participating City or Non-City Entity that is also a party to this Agreement.
- 1.11 **Resolution** means the resolution adopted by each Participating City or Non-City Entity that authorizes the Health Care Program.
- 1.12 **State Risk Manager** or **Risk Manager** means the risk manager of the Risk Management Division within the Department of Enterprise Services.
- 1.13 **Stop Loss Insurance** or **Reinsurance** means a promise by an insurance company that it will cover losses of the Health Care Program over and above an agreed-upon individual or aggregated amount, which definition shall be modified by any changes to the definition of stop loss insurance in WAC 200-110-020.
- 1.14 **Third-Party Administrator** means the independent association, agency, entity or enterprise which, through a contractual agreement, provides one or more of the following ongoing services to the Health Care Program: pool management or administration services, claims administration services, risk management services, or services for the design, implementation, or termination of an individual or joint self-insurance program.
- 1.15 **Trust Agreement** means the Trust Agreement Governing the Trust amended and restated July 1, 2013, and any subsequent amendments thereto.
- 1.16 **Trustees** or **Board of Trustees** means the following individuals and their successors, who together, govern the Trust and the Health Care Program:
- 1.16.1 the AWC President and the AWC Vice President;
- 1.16.2 the EBAC Chair and the EBAC Vice Chair; and
- 1.16.3 an individual elected pursuant to the procedures in Article III, Section 5 of the Trust Agreement to serve as the trustee from one of the following regions:
- (a) North East Region (known as the "North East Region Trustee");
  - (b) North West Region (known as the "North West Region Trustee");
  - (c) South East Region (known as the "South East Region Trustee"); and
  - (d) South West Region (known as the "South West Region Trustee").

Individuals from Non-City Entities are not eligible to serve as Trustees.

## **ARTICLE 2**

### **PURPOSE**

This Agreement is entered into for the purpose of authorizing the Health Care Program created by the Trust to provide self-insured health benefits to Participating Employees, their covered dependents and other beneficiaries. The Health Care Program shall comply with the statutory provisions found in Chapters 48.62 and 39.34 RCW and the regulatory requirements contained in WAC 200-110 applicable to joint self-insurance programs.

## **ARTICLE 3**

### **PARTIES**

Each party to this Agreement certifies that it intends to participate in the Health Care Program. Participating Employers are signatories of this Agreement to become effective on a date to be mutually determined (the "Effective Date") and with such other Participating Cities and Non-City Entities as may later be added to and become signatories to this Agreement.

## **ARTICLE 4**

### **DURATION OF AGREEMENT**

- 4.1 This Agreement shall become effective on the Effective Date.
- 4.2 This Agreement shall have perpetual duration unless terminated as hereinafter provided.

## **ARTICLE 5**

### **MEMBERSHIP COMPOSITION**

The Health Care Program shall be open to Participating Cities and Non-City Entities. Participation in the Health Care Program is voluntary and not a requirement of AWC membership. The Board of Trustees shall provide for the reasonable admission of new Participating Cities and Non-City Entities.

## **ARTICLE 6**

### **HCP ACCOUNT**

- 6.1 All premium contributions by Participating Employers, Non-City Entities and Participating Employees for use in the Health Care Program are deposited into the HCP Account.
- 6.2 The HCP Account represents a pool of funds that is independent of all other Trust or AWC funds and independent of all other Participating Employer and Non-City Entity funds. The funds deposited into the HCP Account are held, managed and expended only for the Health Care Program and reasonable expenses, consistent with applicable state

and federal statutes and rules governing joint self-insurance programs and self-insurance programs generally.

- 6.3 The HCP Account is subject to audit by the State Auditor's Office.

## **ARTICLE 7**

### **TRUSTEE POWERS RELATED TO HEALTH CARE PROGRAM**

The Board of Trustees is provided with the powers and functions established under RCW 48.62.031 to accomplish the following:

- 7.1 Promote the economical and efficient means by which health benefits coverage is made available to Participating Employers and Non-City Entities and provided to Participating Employees, their covered dependents and other beneficiaries;
- 7.2 Protect the financial integrity of the Health Care Program through purchase of Stop Loss Insurance or Reinsurance in such form and amount as needed;
- 7.3 Contract for or otherwise provide risk management and loss control services;
- 7.4 Contract for or otherwise provide legal counsel for the defense of claims and other legal services;
- 7.5 Consult with the state insurance commissioner and the State Risk Manager;
- 7.6 Obligate the Participating Employers and Non-City Entities to pledge revenues or contribute money to secure the obligations or pay the expenses of the Health Care Program, including the establishment of a reserve or fund for coverage; and
- 7.7 Exercise all other powers and perform all other functions reasonably necessary to carry out the purposes of the Health Care Program, Chapter 48.62 RCW and Chapter 200-110 WAC.

## **ARTICLE 8**

### **ORGANIZATION OF HEALTH CARE PROGRAM**

- 8.1 The operations of the Health Care Program are managed by the Board of Trustees or its delegates. The Trustees or any delegates review and analyze Health Care Program-related matters and make operational decisions regarding premium contributions, reserves, plan options and benefits in compliance with Chapter 48.62 RCW.
- 8.2 The Board of Trustees has decision authority consistent with the Trust Agreement, Health Care Program policies, Chapter 48.62 RCW and Chapter 200-110 WAC.

## **ARTICLE 9**

### **RESPONSIBILITIES OF THE TRUSTEES**

- 9.1 The Board of Trustees shall discharge its responsibilities under this Agreement as follows:
  - 9.1.1 Provide for the efficient management and operation of the Health Care Program;
  - 9.1.2 Provide for health benefit coverage options for Participating Employees, their covered dependents and other beneficiaries;
  - 9.1.3 Determine the level of Stop Loss Insurance or Reinsurance coverage for claims expenses above the amounts deemed appropriate for self-insurance;
  - 9.1.4 Ensure that the Health Care Program meets required state and federal statutes and rules;
  - 9.1.5 Contract with vendors required to meet the responsibilities established by the Trust Agreement, Health Care Program policies, and applicable state and federal statutes and rules;
  - 9.1.6 Maintain the balance between meeting the Health Care Program needs of Participating Employers and the long-term financial integrity of the Health Care Program;
  - 9.1.7 Prepare an annual financial report on the operations of the Health Care Program; and
  - 9.1.8 Provide for other services deemed appropriate by the Board of Trustees to meet the purposes of this Agreement.
- 9.2 The Board of Trustees may delegate the responsibilities described in this Article 9 to the EBAC or other delegates at its complete discretion.

## **ARTICLE 10**

### **RESPONSIBILITIES OF THE PARTICIPATING EMPLOYERS**

In order to participate in the Health Care Program, Participating Employers shall:

- 10.1 Be a Participating City or Non-City Entity in good standing and comply with the requirements of admission or qualification as established by the Board of Trustees;
- 10.2 Adopt this Agreement by Resolution, agreeing to its terms and provisions;
- 10.3 Submit the Resolution and Agreement to the Trust;



- 10.4 Read the terms, conditions and representations set forth in the application agreement related to participation in the Health Care Program;
- 10.5 Designate an employee of the Participating Employer to be a contact person for all matters relating to the Participating Employer's participation in the Health Care Program;
- 10.6 Pay premiums for the Health Care Program to the Third-Party Administrator no later than the tenth day of the month in which the premium is due;
- 10.7 By formal action of the legislative body of the Participating Employer, approve policies and procedures necessary to secure protected health information ("PHI") in accordance with Chapter 70.02 RCW and the Health Insurance Portability and Accountability Act ("HIPAA") privacy and security rules, codified at 45 C.F.R. Parts 160-164;
- 10.8 Provide the Health Care Program with such information or assistance as is necessary for the Health Care Program to meet its responsibilities under this Agreement; and
- 10.9 Cooperate with and assist the Health Care Program and any insurer of Stop Loss Insurance or Reinsurance, in all matters relating to the administration and operation of the Health Care Program and all matters relating to this Agreement.
- 10.10 Comply with all bylaws, rules, regulations and policies adopted by the Board of Trustees relating to the Health Care Program.

## **ARTICLE 11**

### **RESERVE FUND INVESTMENT**

All reserve fund investments from the HCP Account shall be made in a manner that is consistent with RCW 48.62.111, Chapter 39.59 RCW, WAC 200-110-090 and the Health Care Program Investment Policy.

## **ARTICLE 12**

### **FINANCIAL RECORDS**

- 12.1 The Board of Trustees shall develop estimated revenue and expenditures to establish a budget for each fiscal year covering January 1 through December 31 annually. Actual Health Care Program revenues and expenditures shall be monitored monthly by the Board of Trustees and reported at its quarterly meetings.
- 12.2 The accounting records of the Health Care Program are maintained in accordance with methods prescribed by the State Auditor's office under the authority of Chapter 43.09 RCW. The Health Care Program also follows applicable accounting standards established by the Governmental Accounting Standards Board ("GASB"). Year-end financial reporting is done on an accrual basis and submitted to the Office of the State Auditor as required by Chapter 200-110 WAC. Once reviewed and approved by the



Office of the State Auditor the year-end financial report is transmitted to the Office of the State Risk Manager.

- 12.3 Financial records of the Health Care Program shall be subject to audit by the Office of the State Auditor. Year-end financial reports and audit results shall be made available to interested parties. The Health Care Program shall provide financial information as required by state statute and rule to the Office of the State Risk Manager.

### **ARTICLE 13**

#### **PARTICIPATING EMPLOYER TERMINATION AND WITHDRAWAL**

- 13.1 A Participating Employer must remain in good standing with the Trust and adhere to the requirements of this Agreement. In the event that a Participating Employer fails to be a Participating City or Non-City Entity in good standing, participation in the Health Care Program shall automatically terminate without notice as shall all health and welfare benefits provided through the Health Care Program.
- 13.2 The Board of Trustees may take action to terminate membership or deny membership in the Health Care Program where it determines that such termination or denial is in the best interest of the Health Care Program
- 13.3 When a Participating Employer's eligibility in the Health Care Program is affected due to merger or annexation, the affected Participating Employer may petition the Board of Trustees to remain in the Health Care Program.
- 13.4 A Participating Employer may only withdraw its participation in the Health Care Program at the end of the calendar year and must provide written notice to the Trust at least thirty-one (31) days in advance of the end of the calendar year (December 31st).
- 13.5 In the event of withdrawal or non-renewal, the Health Care Program will cover any of the Participating Employer's remaining outstanding Health Care Program claims expenses incurred prior to the Participating Employer's withdrawal from or non-renewal in the Health Care Program.
- 13.6 No Participating Employer, because of withdrawal or any other reason, has any right or interest in the HCP Account because of its nature as a rate stabilization fund. In the event any Participating Employer withdraws from the Health Care Program, its Participating Employees, their covered dependents and other beneficiaries and any Consolidated Omnibus Budget Reconciliation Act of 1985 as amended (COBRA) participants and contract personnel and dependents approved by the Board of Trustees, shall forfeit all right and interest to the HCP Account.

## **ARTICLE 14**

### **TERMINATION OF HEALTH CARE PROGRAM**

- 14.1 In the event the Health Care Program is terminated, the Board of Trustees shall distribute the remaining funds in the HCP Account to the Trust or any successor association authorized by Chapter 39.34 RCW for like purposes for use in any program with similar purposes.
- 14.2 Upon termination, this Agreement and the HCP Account shall continue for the purpose of paying remaining outstanding claims and expenses and fulfilling all other functions necessary to complete the business of the Health Care Program.

## **ARTICLE 15**

### **MEETINGS, NOTICES AND COMMUNICATIONS**

- 15.1 The Board of Trustees and the EBAC, if any responsibilities for Trust management have been delegated thereto, shall provide notice of their regular and special meetings and hold their meetings in accordance with Chapter 42.30, RCW Open Public Meetings Act.
- 15.2 Communications with Participating Employers may occur using mail, email or posting on the Health Care Program website. The website shall be partitioned to provide information for the general public and information specific to Participating Employers and their employees.
- 15.3 Communications may come directly from the Health Care Program, through the Third-Party Administrator or through another vendor on behalf of the Health Care Program.

## **ARTICLE 16**

### **AMENDMENTS TO INTERLOCAL AGREEMENT**

- 16.1 The Board of Trustees shall review and analyze any proposed amendment to this Agreement. An amendment may be proposed for review by any party to this Agreement.
- 16.2 The Board of Trustees upon its discretion may take action by resolution on any amendment at any regular meeting of the Board of Trustees.

## **ARTICLE 17**

### **PROHIBITION ON ASSIGNMENT**

- 17.1 No Participating Employer may assign any right or claim of interest it may have under this Agreement.

- 17.2 No creditor, assignee or third-party beneficiary of any employer shall have the right, claim or title to any party, share, interest, premium or asset of the Trust, HCP Account or the Health Care Program.

## **ARTICLE 18**

### **HEALTH CLAIM DISPUTES AND APPEALS**

In the event that a dispute arises over a health claim, the procedures, adjudication requirements and administrative remedies shall be found in the Health Care Program's plan document applicable to the Health Care Program covering the claimant.

## **ARTICLE 19**

### **PLAN ADMINISTRATION DISPUTES AND APPEALS**

- 19.1 In the event that a dispute arises between a Participating Employer and the Health Care Program, the Participating Employer shall document the circumstances causing the dispute and submit a written request for review of the disputed circumstances to the Board of Trustees. Upon review of such information, the Board of Trustees shall attempt to resolve the dispute.
- 19.2 If the Board of Trustees' resolution to the dispute is deemed unsatisfactory, then alternative dispute resolution through mediation or binding arbitration may be necessary.

## **ARTICLE 20**

### **ENFORCEMENT OF TERMS OF AGREEMENT**

- 20.1 The Board of Trustees may enforce the terms of this Agreement.
- 20.2 In the event legal action is initiated to enforce any term or provision of this Agreement against any present or previous Participating Employer, the prevailing party shall receive such reimbursement of costs as the court deems reasonable for attorneys' fees and costs related to the relevant legal action.

## **ARTICLE 21**

### **DEFAULT**

- 21.1 If any Participating Employer fails to perform any term or condition of this Agreement and such failure continues for a period of sixty (60) days after the Board of Trustees has given the Participating Employer written notice describing such failure, the Participating Employer shall be considered in default.
- 21.2 Upon default, the Board of Trustees may immediately cancel the Participating Employer's participation in the Health Care Program without additional notice or exercise some other remedy otherwise provided by law.

- 21.3 The rights and remedies of the Board of Trustees are cumulative in nature and pursuit of any particular remedy shall not be deemed an election of remedies or a waiver of any other remedies available hereunder or otherwise available by law.

## ARTICLE 22

### NO WAIVERS

No waiver or forbearance of a breach of any covenant, term, or condition of this Agreement shall be construed to be a waiver or forbearance of any other or subsequent breach of the same or of any other covenant, term or condition, and the acceptance of any performance hereunder, or the payment of any sum of money after the same has become due or at a time when any other default exists hereunder, shall not constitute a waiver or right to demand payment of all sums owing or a waiver of any other default then or thereafter existing.

## ARTICLE 23

### CONTRACT MANAGEMENT

The Health Care Program shall designate a person to whom the State Risk Manager shall forward legal process served upon the Risk Manager; **The AWC Chief Executive Officer** (designee or successor). **The Health Care Program Director** shall be responsible for and shall be the contact person for all communications regarding the performance of this Agreement.

## ARTICLE 24

### SEVERABILITY

If any provision of this Agreement or any provision of any document incorporated by reference shall be held invalid, such invalidity shall not affect the other provisions of this Agreement which can be given effect without the invalid provision, if such remainder conforms to the requirements of applicable law and the fundamental purpose of this Agreement, and to this end the provisions of this Agreement are declared to be severable.

## ARTICLE 25

### COUNTERPART COPIES

This Agreement may be signed in counterpart or duplicate copies and any signed counterpart or duplicate copy shall be equivalent to a signed original for all purposes.

## **ARTICLE 26**

### **HEADINGS**

The Article and Section headings in this Agreement are inserted for convenience only and are not intended to be used in the interpretation of the contents of the Articles and Sections they introduce.

## **ARTICLE 27**

### **AGREEMENT COMPLETE**

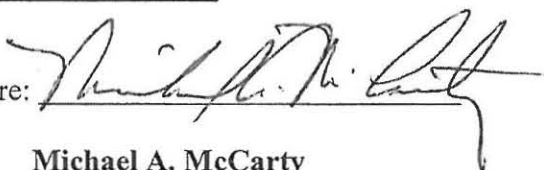
This Agreement and the documents referenced herein contains all the terms and conditions agreed to by the parties. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind the parties hereto.

**[Signature page follows]**

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement.

Association of Washington Cities  
Employee Benefit Trust

Participating Employer

Signature: 

Name: **Michael A. McCarty**

Title: Chief Executive Officer

Date: August 30, 2013

Signature: \_\_\_\_\_

Name (print): \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Effective Date: January 1, 2014

August 26, 2013

TO: City Manager for Council Consideration

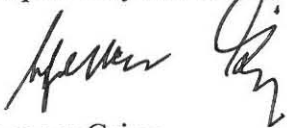
FROM: Parks and Recreation Director

SUBJECT: Donation of Funds from Nick Wallace of the Endeavour Soccer Academy

Attached for Council approval is a resolution accepting a donation from Nick Wallace of the Endeavour Soccer Academy in the amount of \$600.00. These monies are to be used by the Parks and Recreation Department to go towards the purchase of two 6'6" x 18' soccer goals to be installed at Dano Park.

The Moses Lake Parks and Recreation Department would like to thank Nick Wallace and the Endeavour Soccer Academy for their donation and continued support of recreation programs and facilities for Moses Lake citizens and visitors.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Spencer Grigg', written over a horizontal line.

Spencer Grigg  
Parks and Recreation Director

Attachment: Resolution

SG/ks

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION ACCEPTING A CASH DONATION OF \$600.00  
FROM NICK WALLACE OF THE ENDEAVOUR SOCCER  
ACADEMY

RECITALS:

1. Nick Wallace of the Endeavour Soccer Academy has donated six hundred dollars (\$600.00) to the City of Moses Lake to be used by the Parks and Recreation Department to purchase two (2) 6'6" x 18' soccer goals to be installed at Dano Park.

RESOLVED:

1. The \$600.00 donation is accepted.
2. The City of Moses Lake wishes to express its sincere appreciation to Nick Wallace and the Endeavour Soccer Academy.

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

\_\_\_\_\_  
Bill Ecret, Mayor

ATTEST:

\_\_\_\_\_  
Robert Taylor, Finance Director



September 4, 2013

TO: City Manager for Council Consideration  
FROM: Community Development Director  
SUBJECT: Resolution - Nuisance Abatement - Sicilia

Attached is a resolution providing for the abatement of nuisances at 1351 E. Oasis Circle, owned by Joseph and Stacie Sicilia. 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.

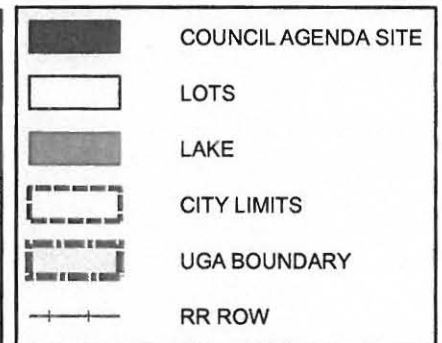
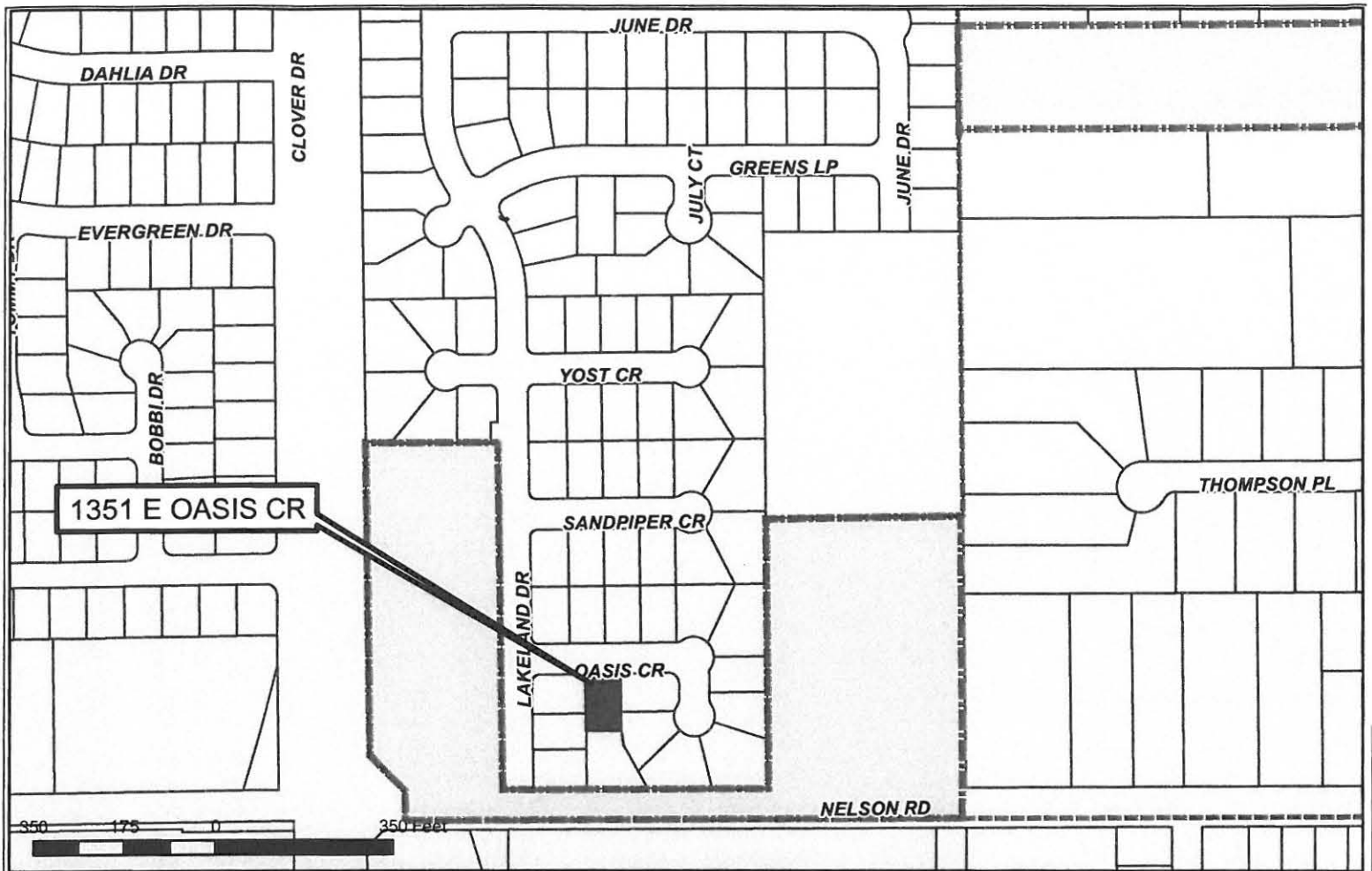
The resolution is attached for Council consideration.

Respectfully submitted



Gilbert Alvarado  
Community Development Director

GA:jt



**CITY OF MOSES LAKE**  
COMMUNITY DEVELOPMENT  
PLANNING DIVISION

Date: 8/23/2013

CMS

## RESOLUTION NO.

A RESOLUTION DETERMINING THAT JOSEPH R. AND STACIE L. SICILIA 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 1351 E. Oasis Circle (Lot 5, Lakeland Addition Division 1), Parcel 100720105, 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 owner of the subject property to be Joseph R. and Stacie L. Sicilia, 1351 E. Oasis Circle, Moses Lake, WA 98837.
2. Notice. On July 17, 2013, 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 August 22, 2013, the Code Enforcement Officer caused to be delivered to Joseph Sicilia a notice of the intent of the City Council to consider adoption of a resolution such as this at its meeting of September 10, 2013. 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 - 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.

4. Hearing. On September 10, 2013 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

EXHIBIT #2: Notice of Violation and Order to Correct or Cease Activity dated July 17, 2013 from the Code Enforcement Officer addressed to Joseph Sicilia, 1351 E. Oasis Circle, Moses Lake, WA 98837.

EXHIBIT #3: Pictures taken by Code Enforcement Officer of the property located at 1351 E. Oasis Circle, Moses Lake, Washington

EXHIBIT #4: Letter dated August 22, 2013, from the Code Enforcement Officer to Joseph Sicilia advising the property owner of the hearing regarding abatement of property, scheduled for September 10, 2013.

Resolved:

1. A public nuisance in violation of MLMC 8.14.030 exists on the subject property at 1351 E. Oasis Circle, Moses Lake, Washington. Joseph R. and Stacie L. Sicilia, 1351 E. Oasis Circle, 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 and grasses 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. Joseph R. and Stacie L. Sicilia, 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 and grasses must be cut down and/or removed from the site

5. City staff shall provide a status report to City Council on the progress of the record contract owner 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 September 10, 2013.

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Bill J. Ecret, Mayor

ATTEST:

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W. Robert Taylor, Finance Director



- 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.
- A.      The existence of any trash, dirt, filth, and carcass of any animal, waste shrubs, accumulation of lawn or yard trimmings or other offensive matter.
  - B.      Defective or overflowing septic or sewage systems, and the existence of any noxious, foul, or putrid liquid or substance which poses a health hazard or creates a noxious odor.
  - C.      Any man-caused pool of standing or stagnant water, except storm drainage systems, which serves as a breeding area for insects.
  - D.      Accumulation of garbage, decaying vegetation, manure, dead animals, or other noxious things in a street or alley, or on public or private property to an extent injurious to the public health as determined by the Health Officer.
  - E.      All other acts, failure to act, occupations, or use of property which is determined by the Health Officer to be a menace to the health of the public.
  - F.      All limbs of trees which are less than seven (7) feet above the surface of any public sidewalk, or twelve (12) feet above the surface of any street.
  - G.      All buildings, other structures, or portions thereof which have been damaged by fire, decay, neglect, or have otherwise deteriorated or become dilapidated so as to endanger the safety of the public.
  - H.      All explosives, flammable liquids, and other dangerous substances stored or used in any manner in violation of the State Fire Code.
  - I.      The keeping or harboring of any dog, fowl, or other animal which by frequent or habitual howling, yelping, barking, crowing, or in the making of other noises, annoys or disturbs the public, or the habitual allowing of dogs kept at any one address to run at large in violation of Chapter 6.05 of the Moses Lake Municipal Code entitled "Animal Control".
  - J.      Making or causing to be made by any means whatsoever any noise of any kind which is a violation of Chapters 8.28 of the Moses Lake Municipal Code entitled "Noise Control".
  - K.      The frequent, repetitive, or continuous sound made by any secured, unsecured, or deteriorated membrane or sheet metal, being moved by the wind or other source, which unreasonably interferes with the peace, comfort and repose of adjacent property owners or possessors.
  - L.      Dumping, throwing, placing, leaving or causing or permitting to be dumped, thrown, placed or left, any filth, paper, cans, glass, rubbish, trash garbage, grass trimmings, shrub trimming, and shrubbery of any kind, in or upon any street, alley, sidewalk, ditch, or public or private property of another in the city.
  - M.      The erecting, maintaining, using, placing, depositing, leaving or permitting to be or remain in or upon any private lot, building, structure or premises, or in or upon any street, alley, sidewalk, park, parkway or other public or private place in the city, any one or more of the following disorderly, disturbing, unsanitary, fly-producing, rat-harboring, disease-causing places, conditions or things:
    - 1.      Any putrid, unhealthy or unwholesome bones, meat, hides, skins, or whole or any part of any dead animal, fish or fowl, or waste parts of fish, vegetable or animal

matter in any quantity; but nothing herein shall prevent the temporary retention of waste in approved covered receptacles.

2. Any privies, vaults, cesspools, sumps, pits or like places which are not securely protected from flies and rats, or which are foul or malodorous.
  3. Any filthy, littered or trash-covered dwellings, cellars, house yards, barnyards, stable yards, factory yards, vacant areas in the rear of stores, vacant lots, houses, buildings or premises.
  4. Any animal manure in any quantity which is not securely protected from flies or weather conditions, or which is kept or handled in violation of any ordinance of the city.
  5. Any poison oak or poison ivy, Russian thistle or other noxious weeds, as defined by Chapter 8.22 of the Moses Lake Municipal Code entitled "Noxious Weed Control" whether growing or otherwise; but nothing herein shall prevent the temporary retention of such weeds in approved covered receptacles.
  6. Any bottles, cans, glass, ashes, small pieces of scrap iron, wire, metal articles, bric-a-brac, broken crockery, broken glass, broken plaster and all such trash, or abandoned material, unless it is kept in approved covered bins or galvanized iron receptacles.
  7. Any trash, litter, rags, accumulations or empty barrels, boxes, crates, packing cases, mattresses, bedding, excelsior, packing hay, straw or other packing material, lumber not neatly piled, scrap iron, tin or other metal not neatly piled, or anything whatsoever in which flies or rats may breed or multiply or which may be a fire hazard.
- N. The permitting to remain outside any dwelling, building, or other structure, or within any unoccupied or abandoned building, dwelling, or other structure, in a place accessible to children, any abandoned, unattended, or discarded ice chest, refrigerator or other airtight contained, which does not have the door, lid or other locking device removed.
- O. Any pit, hole, basin or excavation which is unguarded or dangerous to life or has been abandoned, or is no longer used for the purpose constructed, or is maintained contrary to statutes, ordinances, or regulations.
- P. Any well or storage tank permitted to remain on any public or private property without being securely closed or barring any entrance or trap door thereto, or without filling or capping any well.
- Q. The repair or abandonment of any automobile, truck, or other motor vehicle of any kind upon the public streets or alleys of the city.
- R. The keeping or permitting the existence of any bees or other insects, reptiles, rodents, fowl, or any other animals, domestic or wild, in any manner contrary to law, or which affect the safety of the public.
- S. The existence of any fence, other structure, or thing on private or public property abutting or fronting upon any public street, sidewalk, or place, which is sagging, leaning, fallen, decayed or is otherwise dilapidated and creating an unsafe condition.
- T. The existence of any vine, shrub, or plant growing on, around, or in front of any fire hydrant, utility pole, utility box, or any other appliance or facility provided for fire protection, public or private utility purposes in such a way as to obscure from view or impair access thereto.

- 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.
- V. The existence of any dead, diseased, infected, or dying tree, shrub, or other vegetation which may pose a danger to vegetation, crops, property, or persons.
- W. The existence of any accumulation of materials or objects in a location when the same endangers property, safety or constitutes a fire hazard.
- X. The depositing or burning or causing to be deposited or burned in any street, alley, sidewalk, parkway or other public place which is open to travel, of any hay, straw, paper, wood, boards, boxes, leaves, manure or other rubbish or material.
- Y. The storage or keeping on any premises for more than thirty days of any used or unused building materials as defined in Section 8.14.010 (F), whose retail cost new would exceed one hundred dollars, without a special permit from the building official; provided, that nothing herein shall:
1. Prohibit such storage without a permit when done in conjunction with a construction project for which a building permit has been issued and which is being prosecuted diligently to completion.
  2. Prohibit such storage without a permit upon the premises of a bona fide lumber yard, dealer in building materials or other commercial enterprise when the same is permitted under the zoning ordinance and other applicable laws.
  3. Make lawful any such storage or keeping when it is prohibited by other ordinances or laws.
- Z. The existence on any premises of any unused and abandoned trailer, house trailer, automobile, boat or other vehicle or major parts thereof.
- AA. The keeping or maintenance in any area on private property which is clearly visible from a public street, sidewalk, park or other public area any accumulation, collection or untidy storage of any of the following: old appliances or parts thereof; old iron, steel, aluminum or other metal; inoperable vehicles, vehicle parts, machinery or equipment; mattresses, bedding, clothing, rags or cloth; straw, packing materials, cardboard or paper, tin cans, wire, bottles, glass, cans, barrels, bins, boxes, containers, ashes, plaster or cement; or wood. This determination shall not apply to conditions completely enclosed within a building or fencing so as not to be visible from public property.
- BB. The keeping, permitting or harboring of any fowl, pigeons, rabbits, hooved or cloven footed animals, except for caged birds kept within a residence or business.



- CC. The depositing of any debris, vegetation, lawn clippings, lumber piles, wood piles, auto parts or bodies, garbage and the like, or storing of any material of any kind, provided that in residential zones that shall include garbage cans or refuse containers in the alleys of the city, except on garbage pickup day.
- DD. The existence of graffiti, which is defined as a defacing, damaging, or destructive inscription, figure or design painted, drawn or the like, on the exterior of any building, fence, gate, or other structures or on rocks, bridges, trees, or other real or personal property.
- EE. The locating of automobiles, trucks, recreational vehicles, trailers, boats, or any other vehicles, vessels, or the like for the purpose of advertising its sale on property located in any commercial or industrial zone not owned by the seller.
- FF. The permitting of any condition or situation where the soil has been disrupted, disturbed, or destabilized so as to allow blowing dust to exist.
- GG. The existence on any premise any unsecured, unused, or abandoned building or structures.
- HH. For any building the existence of any broken glass in windows or doors for more than thirty (30) days.
- II. Buildings or portions thereof that have faulty weather protection, such as openings in walls and roofs. Faulty weather protection shall include temporary weather barriers, such as tarps, plastic or similar material, left in place for more than thirty (30) days.
- JJ. Any building which has a window, door, or other exterior opening closed by extrinsic devices or some other manner, with material that has not been painted to match or compliment the buildings exterior or remains boarded up for more than sixty (60) days.
- KK. Any boarded up building that remains boarded up for more than ninety (90) days.
- LL. Permitting any violation of RCW 59.18.510 in any rental dwelling unit.
- MM. Criminal street gangs and any pattern of criminal street gang activity are each declared to be a public nuisance in violation of this chapter and other applicable code provisions, including but not limited to the Uniform Code for the Abatement of Dangerous Buildings and State Housing Code, subject to abatement through all available means. In addition thereto and without limitation, any pattern of criminal street gang activity upon, and the presence and use of property by, a criminal street gang, with the owner's knowledge or consent, constitutes a public nuisance and grounds for revocation of any permit or license regulating or authorizing the use of such property.



**CITY OF MOSES LAKE**  
**NOTICE OF VIOLATION AND ORDER TO CORRECT OR CEASE ACTIVITY**

**TO:** Joseph Sicilia  
1351 E Oasis Circle  
Moses Lake, WA 98837

**NOTICE OF VIOLATION**

**Provisions of the City of Moses Lake Code Violated:**

Moses Lake Municipal Code 8.14.030U

**Street Address of Violation:**

1351 E Oasis Circle, Moses Lake, WA 98837

**Brief Legal Description of Property Where Violation Exists:**

Lot 5 Lakeland Addition Division 1 100720105

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

**Action Necessary to Correct Violation:**

Weeds must be cut down and or removed from these areas.

**Time by Which Violation is to be Corrected or Activity Ceased**

The City is requiring these corrections listed on this Notice and Order be accomplished by

**Saturday, July, 27, 2013**

**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 the time specified shall incur a civil penalty of two hundred fifty dollars (\$250) per day up to a sum of five thousand dollars (\$5000), 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. [1.20.050(E)(1)].
2. If a penalty has been assessed pursuant to 1.20.050(E)(1), 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 TEN (10) DAYS, PURSUANT TO SECTION 20.03.050 OF THE MOSES LAKE CITY CODE AND BY PAYMENT OF AN \$800 FEE.

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

Dated this Wednesday, July 17, 2013



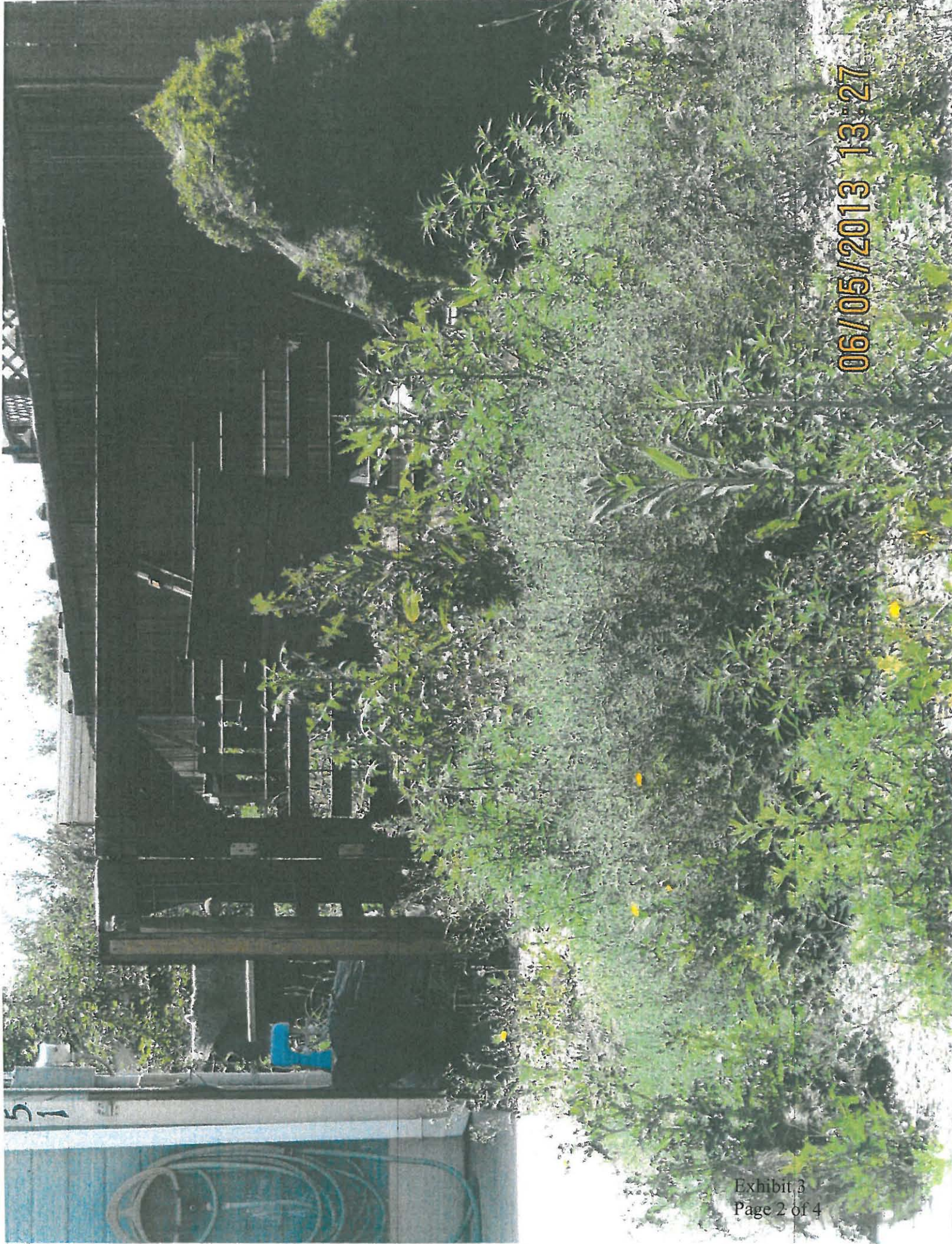
Brett Hollen  
Code Enforcement  
City of Moses Lake  
509-764-3748





06/05/2013 13:27





06/05/2013 13:27



08/19/2013 09:53



08/19/2013 09:54

August, 22, 2013

Joseph Sicilia  
1351 E Oasis Circle  
Moses Lake, WA 98837



Re: Hearing to Permit City Abatement of Nuisance

Property located at: 1351 E Oasis Circle, Parcel 100720105, Moses Lake, WA 98837

Via Regular Mail and Return Receipt Mail

Joseph Sicilia

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 5 Lakeland Addition Division 1.

This property is located at: 1351 E Oasis Circle, Parcel 100720105, Moses Lake, WA 98837

On Wednesday, July 17, 2013 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 August 21, 2013, the nuisance located on the subject property has not been corrected or removed.

Pursuant to Moses Lake Municipal Code (MLMC) 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, September 10, 2013 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 that 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,

Code Enforcement

cc: City Manager  
City Attorney  
Community Development Director

Exhibit 4



September 4, 2013

TO: City Manager for Council Consideration  
FROM: Community Development Director  
SUBJECT: Resolution - Nuisance Abatement - Weber

Attached is a resolution providing for the abatement of nuisances at 8692 Charles Road, owned by James Weber. 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.

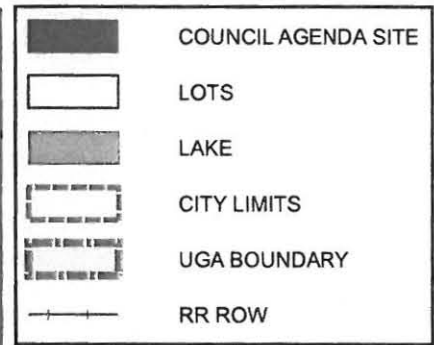
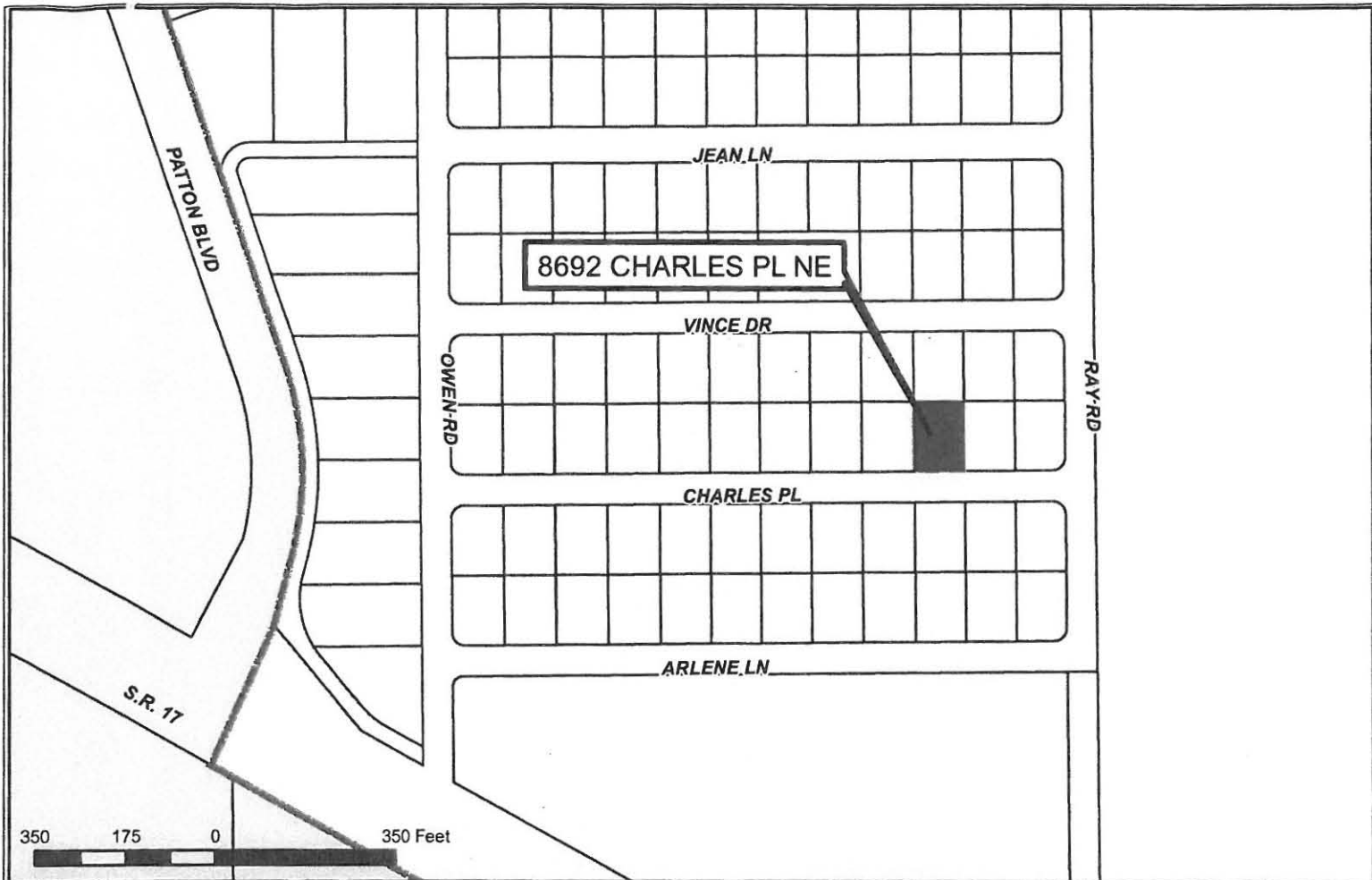
The resolution is attached for Council consideration.

Respectfully submitted



Gilbert Alvarado  
Community Development Director

GA;jt



**CITY OF MOSES LAKE**  
COMMUNITY DEVELOPMENT  
PLANNING DIVISION

Date: 8/23/2013 CMS

## RESOLUTION NO.

A RESOLUTION DETERMINING THAT JAMES D. WEBER IS THE OWNER 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 8692 NE Charles Road (Lot 15, Block 1, Gateway Estates Division #2 Replat), Parcel #091510215, 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 owner of the subject property to be James D. Weber, P. O. Box 502, Richland, WA 99352.
2. Notice. On July 10, 2013, 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 August 22, 2013, the Code Enforcement Officer caused to be delivered to James Weber a notice of the intent of the City Council to consider adoption of a resolution such as this at its meeting of September 10, 2013. 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 - 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.

4. Hearing. On September 10, 2013 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

EXHIBIT #2: Notice of Violation and Order to Correct or Cease Activity dated July 10, 2013 from the Code Enforcement Officer addressed to James Weber, P. O. Box 502 Richland, WA 99352.

EXHIBIT #3: Pictures taken by Code Enforcement Officer of the property located at 8692 NE Charles Road, Moses Lake, Washington

EXHIBIT #4: Letter dated August 22, 2013, from the Code Enforcement Officer to James Weber advising the property owner of the hearing regarding abatement of property, scheduled for September 10, 2013.

Resolved:

1. A public nuisance in violation of MLMC 8.14.030 exists on the subject property at 8692 NE Charles Road, Moses Lake, Washington. James Weber, P. O. Box 502, Richland, WA 99352 is the record contract owner of the subject property per the records of Grant County.
2. The public nuisance located upon the subject property consists of:
  - 2.1. Weeds and grasses 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. James Weber, the record contract owner, has 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 and grasses must be cut down and/or removed from the site

5. City staff shall provide a status report to City Council on the progress of the record contract owner 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 September 10, 2013.

---

Bill J. Ecret, Mayor

ATTEST:

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W. Robert Taylor, Finance Director

- 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.
- A.      The existence of any trash, dirt, filth, and carcass of any animal, waste shrubs, accumulation of lawn or yard trimmings or other offensive matter.
  - B.      Defective or overflowing septic or sewage systems, and the existence of any noxious, foul, or putrid liquid or substance which poses a health hazard or creates a noxious odor.
  - C.      Any man-caused pool of standing or stagnant water, except storm drainage systems, which serves as a breeding area for insects.
  - D.      Accumulation of garbage, decaying vegetation, manure, dead animals, or other noxious things in a street or alley, or on public or private property to an extent injurious to the public health as determined by the Health Officer.
  - E.      All other acts, failure to act, occupations, or use of property which is determined by the Health Officer to be a menace to the health of the public.
  - F.      All limbs of trees which are less than seven (7) feet above the surface of any public sidewalk, or twelve (12) feet above the surface of any street.
  - G.      All buildings, other structures, or portions thereof which have been damaged by fire, decay, neglect, or have otherwise deteriorated or become dilapidated so as to endanger the safety of the public.
  - H.      All explosives, flammable liquids, and other dangerous substances stored or used in any manner in violation of the State Fire Code.
  - I.      The keeping or harboring of any dog, fowl, or other animal which by frequent or habitual howling, yelping, barking, crowing, or in the making of other noises, annoys or disturbs the public, or the habitual allowing of dogs kept at any one address to run at large in violation of Chapter 6.05 of the Moses Lake Municipal Code entitled "Animal Control".
  - J.      Making or causing to be made by any means whatsoever any noise of any kind which is a violation of Chapters 8.28 of the Moses Lake Municipal Code entitled "Noise Control".
  - K.      The frequent, repetitive, or continuous sound made by any secured, unsecured, or deteriorated membrane or sheet metal, being moved by the wind or other source, which unreasonably interferes with the peace, comfort and repose of adjacent property owners or possessors.
  - L.      Dumping, throwing, placing, leaving or causing or permitting to be dumped, thrown, placed or left, any filth, paper, cans, glass, rubbish, trash garbage, grass trimmings, shrub trimming, and shrubbery of any kind, in or upon any street, alley, sidewalk, ditch, or public or private property of another in the city.
  - M.      The erecting, maintaining, using, placing, depositing, leaving or permitting to be or remain in or upon any private lot, building, structure or premises, or in or upon any street, alley, sidewalk, park, parkway or other public or private place in the city, any one or more of the following disorderly, disturbing, unsanitary, fly-producing, rat-harboring, disease-causing places, conditions or things:
    - 1.      Any putrid, unhealthy or unwholesome bones, meat, hides, skins, or whole or any part of any dead animal, fish or fowl, or waste parts of fish, vegetable or animal



matter in any quantity; but nothing herein shall prevent the temporary retention of waste in approved covered receptacles.

2. Any privies, vaults, cesspools, sumps, pits or like places which are not securely protected from flies and rats, or which are foul or malodorous.
  3. Any filthy, littered or trash-covered dwellings, cellars, house yards, barnyards, stable yards, factory yards, vacant areas in the rear of stores, vacant lots, houses, buildings or premises.
  4. Any animal manure in any quantity which is not securely protected from flies or weather conditions, or which is kept or handled in violation of any ordinance of the city.
  5. Any poison oak or poison ivy, Russian thistle or other noxious weeds, as defined by Chapter 8.22 of the Moses Lake Municipal Code entitled "Noxious Weed Control" whether growing or otherwise; but nothing herein shall prevent the temporary retention of such weeds in approved covered receptacles.
  6. Any bottles, cans, glass, ashes, small pieces of scrap iron, wire, metal articles, bric-a-brac, broken crockery, broken glass, broken plaster and all such trash, or abandoned material, unless it is kept in approved covered bins or galvanized iron receptacles.
  7. Any trash, litter, rags, accumulations or empty barrels, boxes, crates, packing cases, mattresses, bedding, excelsior, packing hay, straw or other packing material, lumber not neatly piled, scrap iron, tin or other metal not neatly piled, or anything whatsoever in which flies or rats may breed or multiply or which may be a fire hazard.
- N. The permitting to remain outside any dwelling, building, or other structure, or within any unoccupied or abandoned building, dwelling, or other structure, in a place accessible to children, any abandoned, unattended, or discarded ice chest, refrigerator or other airtight contained, which does not have the door, lid or other locking device removed.
- O. Any pit, hole, basin or excavation which is unguarded or dangerous to life or has been abandoned, or is no longer used for the purpose constructed, or is maintained contrary to statutes, ordinances, or regulations.
- P. Any well or storage tank permitted to remain on any public or private property without being securely closed or barring any entrance or trap door thereto, or without filling or capping any well.
- Q. The repair or abandonment of any automobile, truck, or other motor vehicle of any kind upon the public streets or alleys of the city.
- R. The keeping or permitting the existence of any bees or other insects, reptiles, rodents, fowl, or any other animals, domestic or wild, in any manner contrary to law, or which affect the safety of the public.
- S. The existence of any fence, other structure, or thing on private or public property abutting or fronting upon any public street, sidewalk, or place, which is sagging, leaning, fallen, decayed or is otherwise dilapidated and creating an unsafe condition.
- T. The existence of any vine, shrub, or plant growing on, around, or in front of any fire hydrant, utility pole, utility box, or any other appliance or facility provided for fire protection, public or private utility purposes in such a way as to obscure from view or impair access thereto.

- 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.
- V. The existence of any dead, diseased, infected, or dying tree, shrub, or other vegetation which may pose a danger to vegetation, crops, property, or persons.
- W. The existence of any accumulation of materials or objects in a location when the same endangers property, safety or constitutes a fire hazard.
- X. The depositing or burning or causing to be deposited or burned in any street, alley, sidewalk, parkway or other public place which is open to travel, of any hay, straw, paper, wood, boards, boxes, leaves, manure or other rubbish or material.
- Y. The storage or keeping on any premises for more than thirty days of any used or unused building materials as defined in Section 8.14.010 (F), whose retail cost new would exceed one hundred dollars, without a special permit from the building official; provided, that nothing herein shall:
  - 1. Prohibit such storage without a permit when done in conjunction with a construction project for which a building permit has been issued and which is being prosecuted diligently to completion.
  - 2. Prohibit such storage without a permit upon the premises of a bona fide lumber yard, dealer in building materials or other commercial enterprise when the same is permitted under the zoning ordinance and other applicable laws.
  - 3. Make lawful any such storage or keeping when it is prohibited by other ordinances or laws.
- Z. The existence on any premises of any unused and abandoned trailer, house trailer, automobile, boat or other vehicle or major parts thereof.
- AA. The keeping or maintenance in any area on private property which is clearly visible from a public street, sidewalk, park or other public area any accumulation, collection or untidy storage of any of the following: old appliances or parts thereof; old iron, steel, aluminum or other metal; inoperable vehicles, vehicle parts, machinery or equipment; mattresses, bedding, clothing, rags or cloth; straw, packing materials, cardboard or paper, tin cans, wire, bottles, glass, cans, barrels, bins, boxes, containers, ashes, plaster or cement; or wood. This determination shall not apply to conditions completely enclosed within a building or fencing so as not to be visible from public property.
- BB. The keeping, permitting or harboring of any fowl, pigeons, rabbits, hooved or cloven footed animals, except for caged birds kept within a residence or business.



- CC. The depositing of any debris, vegetation, lawn clippings, lumber piles, wood piles, auto parts or bodies, garbage and the like, or storing of any material of any kind, provided that in residential zones that shall include garbage cans or refuse containers in the alleys of the city, except on garbage pickup day.
- DD. The existence of graffiti, which is defined as a defacing, damaging, or destructive inscription, figure or design painted, drawn or the like, on the exterior of any building, fence, gate, or other structures or on rocks, bridges, trees, or other real or personal property.
- EE. The locating of automobiles, trucks, recreational vehicles, trailers, boats, or any other vehicles, vessels, or the like for the purpose of advertising its sale on property located in any commercial or industrial zone not owned by the seller.
- FF. The permitting of any condition or situation where the soil has been disrupted, disturbed, or destabilized so as to allow blowing dust to exist.
- GG. The existence on any premise any unsecured, unused, or abandoned building or structures.
- HH. For any building the existence of any broken glass in windows or doors for more than thirty (30) days.
- II. Buildings or portions thereof that have faulty weather protection, such as openings in walls and roofs. Faulty weather protection shall include temporary weather barriers, such as tarps, plastic or similar material, left in place for more than thirty (30) days.
- JJ. Any building which has a window, door, or other exterior opening closed by extrinsic devices or some other manner, with material that has not been painted to match or compliment the buildings exterior or remains boarded up for more than sixty (60) days.
- KK. Any boarded up building that remains boarded up for more than ninety (90) days.
- LL. Permitting any violation of RCW 59.18.510 in any rental dwelling unit.
- MM. Criminal street gangs and any pattern of criminal street gang activity are each declared to be a public nuisance in violation of this chapter and other applicable code provisions, including but not limited to the Uniform Code for the Abatement of Dangerous Buildings and State Housing Code, subject to abatement through all available means. In addition thereto and without limitation, any pattern of criminal street gang activity upon, and the presence and use of property by, a criminal street gang, with the owner's knowledge or consent, constitutes a public nuisance and grounds for revocation of any permit or license regulating or authorizing the use of such property.



**CITY OF MOSES LAKE**  
**NOTICE OF VIOLATION AND ORDER TO CORRECT OR CEASE ACTIVITY**

**TO:** James Weber  
PO Box 502  
Richland, Wa. 99352-0502

**NOTICE OF VIOLATION**

**Provisions of the City of Moses Lake Code Violated:**

Moses Lake Municipal Code 8.14.030U

**Street Address of Violation:**

8692 NE Charles Rd, Moses Lake, WA 98837

**Brief Legal Description of Property Where Violation Exists:**

Lot 15 BLK 1 Gateway Estates Div # 2 Replat 091510215

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

**Action Necessary to Correct Violation:**

Weeds and grasses must be cut down and or removed from the lot.

**Time by Which Violation is to be Corrected or Activity Ceased**

The City is requiring these corrections listed on this Notice and Order be accomplished by  
**Saturday, July, 20, 2013**

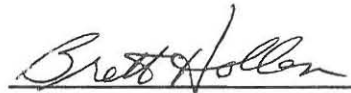
**YOU ARE FURTHER NOTIFIED THAT THE MOSES LAKE CITY CODE PROVIDES FOR THE FOLLOWING PENALTIES:**

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 the time specified shall incur a civil penalty of two hundred fifty dollars (\$250) per day up to a sum of five thousand dollars (\$5000), 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. [1.20.050(E)(1)].
2. If a penalty has been assessed pursuant to 1.20.050(E)(1), 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 TEN (10) DAYS, PURSUANT TO SECTION 20.03.050 OF THE MOSES LAKE CITY CODE AND BY PAYMENT OF AN \$800 FEE.

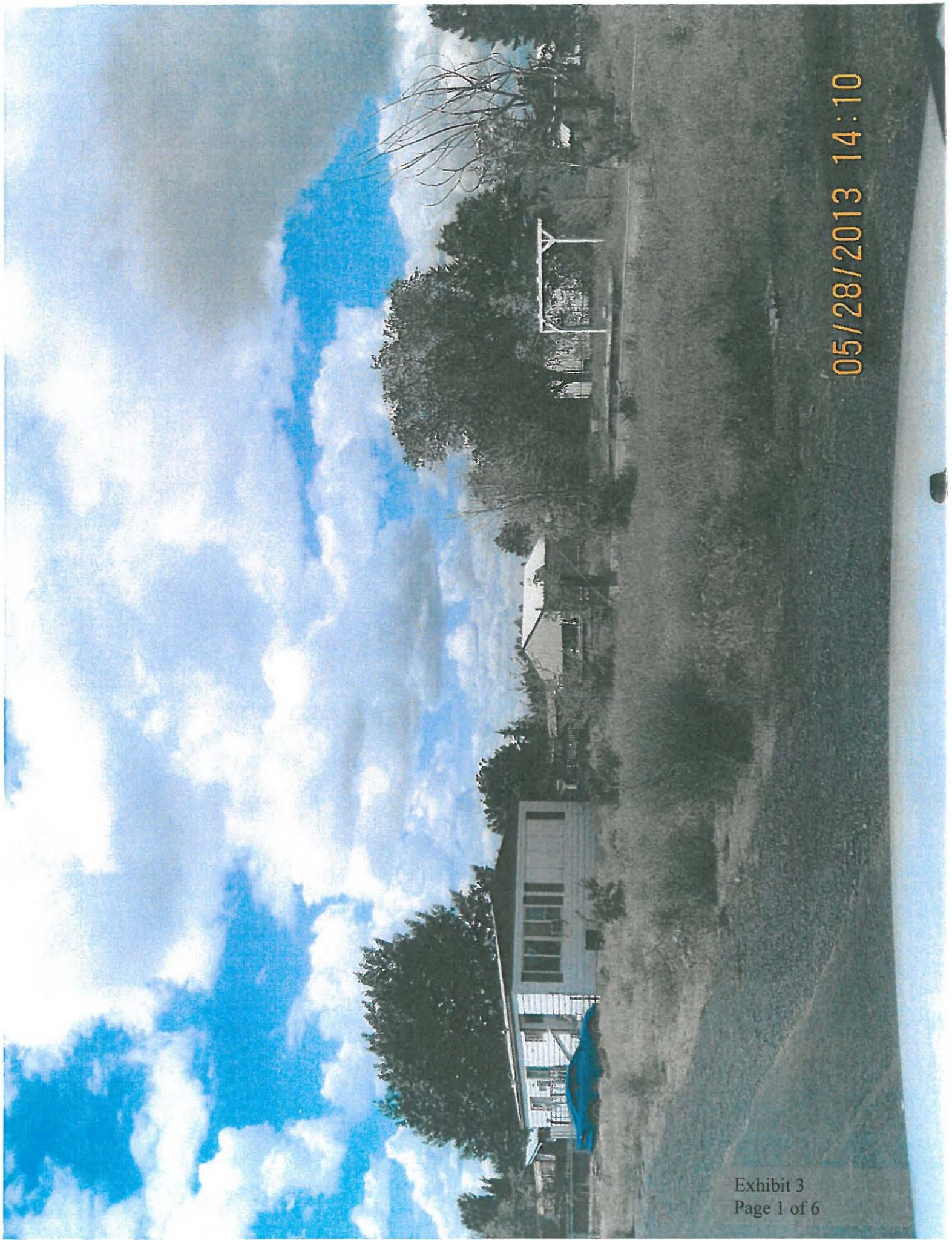
YOU ARE FURTHER NOTIFIED THAT IF THE AFOREMENTIONED VIOLATION IS NOT CORRECTED AS SPECIFIED HERIN THIS MATTER WILL BE REFERRED TO THE CITY ATTORNEY FOR CIVIL ENFORCEMENT BY INJUNCTION OR OTHER APROPRIATE ACTION.

Dated this Wednesday, July 10, 2013



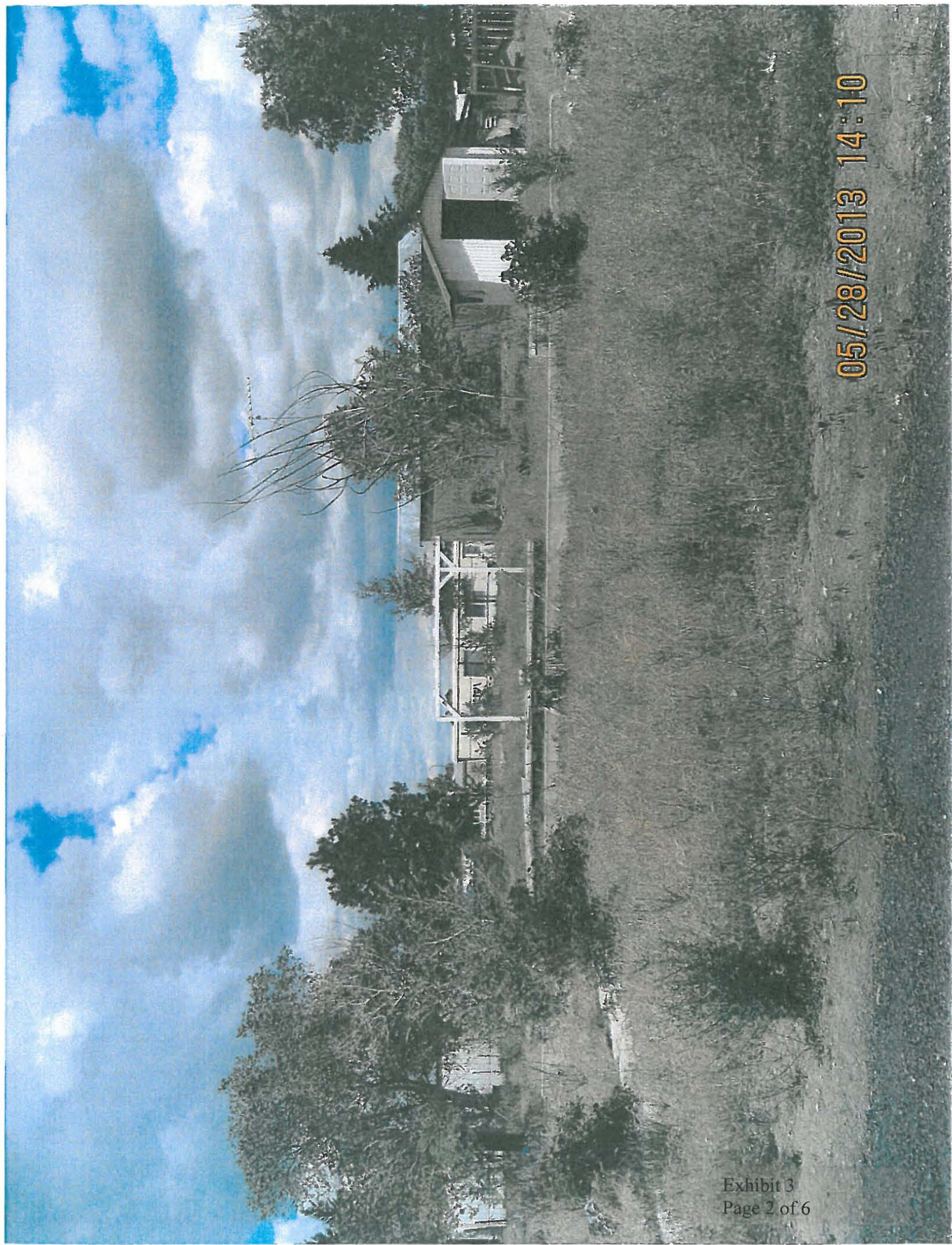
Brett Hollen  
Code Enforcement  
City of Moses Lake  
509-764-3748





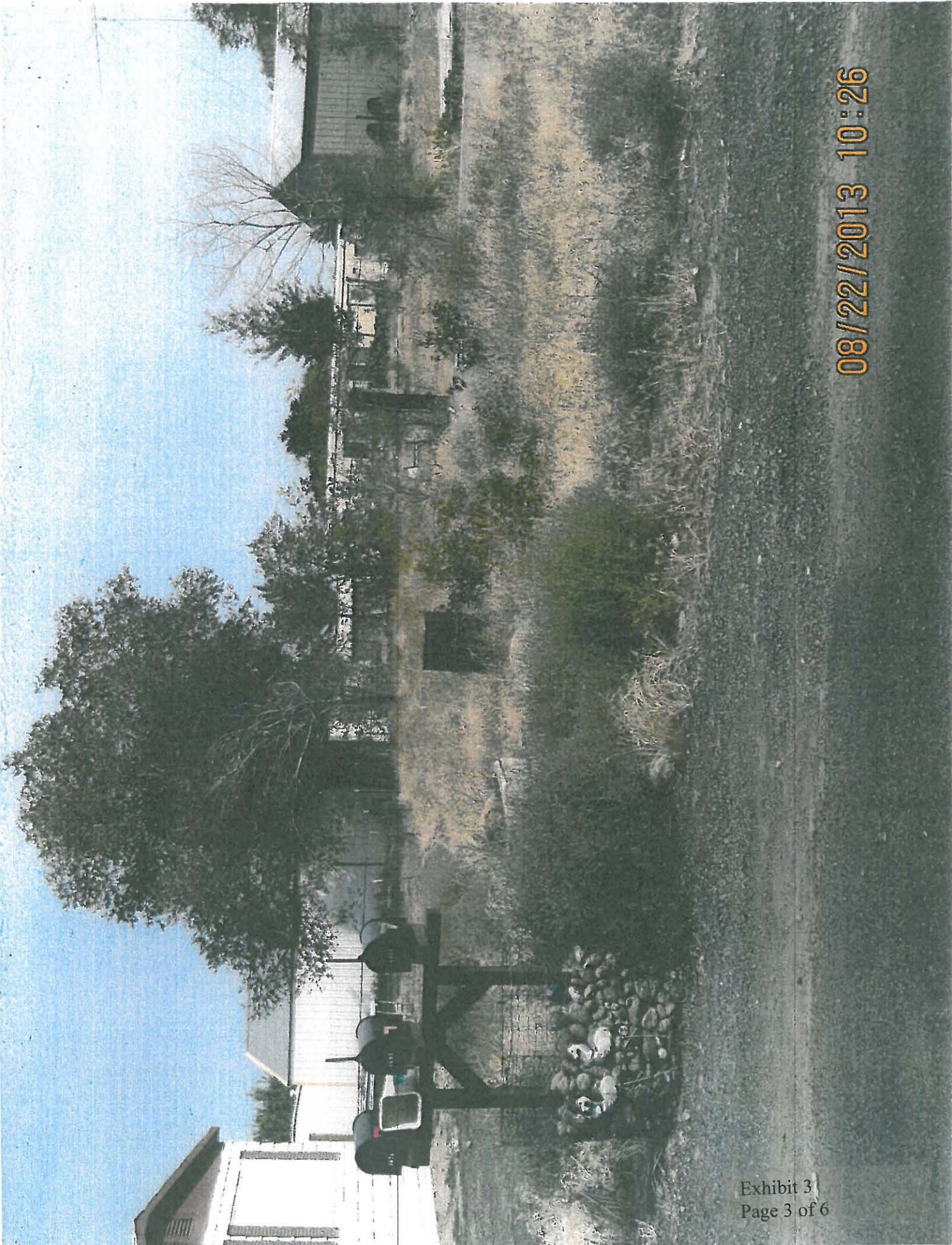
05/28/2013 14:10





05/28/2013 14:10





08/22/2013 10:26





08/22/2013 10:26



08/22/2013 10:27



08/22/2013 10:27



August, 22, 2013

James Weber  
PO Box 502  
Richland, Wa. 99352-0502



Re: Hearing to Permit City Abatement of Nuisance

Property located at: 8692 NE Charles Rd, Parcel 091510215, Moses Lake, WA 98837

Via Regular Mail and Return Receipt Mail

James Weber

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 15 BLK 1 Gateway Estates Div # 2 Replat.

This property is located at: 8692 NE Charles Rd, Parcel 091510215, Moses Lake, WA 98837

On Wednesday, July 10, 2013 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 September 10, 2013, the nuisance located on the subject property has not been corrected or removed.

Pursuant to Moses Lake Municipal Code (MLMC) 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, September 10, 2013 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 that 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,

Code Enforcement

cc: City Manager  
City Attorney  
Community Development Director

Exhibit 4



September 5, 2013

Honorable Mayor and  
Moses Lake City Council

Dear Council Members

The resolution establishing a Lodging Tax Advisory Committee and appointing members thereto stated that the City Council would review the membership of the Committee on an annual basis and make changes as appropriate.

Original members of the Advisory Committee were appointed by the Council in September 1997. Current members of the Committee are Debbie Doran-Martinez, Moses Lake Chamber of Commerce and Tourism Commission, Brenda Teals, Allied Arts and Friends of the Adam East Museum and Art Center, and Tourism Commission, and Laura Suesserman. Currently one position on the Committee is vacant. Mayor Ecret is the Chairman.

For your information, attached is a copy of Resolution #2065.

Upon review, if the City Council desires, changes can be made. On the other hand, the City Council can confirm the membership as it stands.

Respectfully submitted



Joseph K. Gavinski  
City Manager

JKG:jt

RESOLUTION NO. 2065

A RESOLUTION ESTABLISHING A LODGING TAX ADVISORY COMMITTEE AND APPOINTING MEMBERS THERETO

Recitals:

1. The City of Moses Lake currently levies a lodging tax pursuant to Chapter 67.28 RCW.
2. The State Legislature has passed SSB 5867, enacted as Chapter 452, Laws of 1997, which modifies or repeals some previous lodging tax authority but also adds new lodging tax authority.
3. SSB 5867 requires that, in cities with a population over 5,000, any new imposition of a lodging tax enacted under Chapter 67.28 RCW be first submitted for consideration to a lodging tax advisory committee not less than 45 days in advance of final action on the lodging tax by the city.
4. SSB 5867 was effective on July 27, 1997.
5. SSB 5867 replaces the current lodging tax authority with a new statutory scheme.
6. To insure continued authorization for the imposition of the lodging tax it is deemed to be in the best interests of the city that a lodging tax advisory committee be created and that a proposal be submitted to this committee regarding continuation of the lodging tax.

Resolved:

1. There is hereby created a City of Moses Lake Lodging Tax Advisory Committee to serve the functions prescribed in SSB 5867, which was enacted as Chapter 452, Laws of 1997.
2. The membership of the Lodging Tax Advisory Committee shall consist of five (5) members, appointed by the City Council. One member shall be an elected official of the city who shall serve as chair, two members shall be representatives of businesses required to collect the tax, and two members shall be persons involved in activities authorized to be funded by revenue received from the tax. The City Council will review the membership on an annual basis and make changes as appropriate. Vacancies on the committee shall be filled by the City Council.
3. The City Council shall submit to the Lodging Tax Advisory Committee, for its review and comment, proposals on:
  - a. The imposition of a tax under SSB 5867.
  - b. Any increase in the rate of such a tax.
  - c. Repeal of an exemption from such a tax.
  - d. A change in the use of the revenue received from such a tax.

The City Council shall submit such a proposal to the Committee at least forty-five (45) days before taking final action on any such proposal. Comments by the Committee should include an analysis of the extent to which the proposal will accommodate activities for tourists or increase tourism, and the extent to which the proposal will affect the long-range stability of the special fund created for the lodging tax revenues.

Adopted by the City Council on September 23, 1997.

ATTEST:

  
Finance Director

  
Mayor

September 3, 2013

TO: City Manager for Council Consideration

FROM: Finance Director

A handwritten signature in blue ink, appearing to be "J. Smith", is written over the "FROM:" line and extends slightly into the "TO:" line.

SUBJECT: August Ambulance (Cash) Report

Please find the attached Cash Ambulance Report for the month of August, 2013.

# AMBULANCE CASH OPERATION

	AUGUST	Y-T-D
REVENUE		
Collected on ALS/BLS/mileage	\$ 66,939.55	\$ 1,080,451.08
Utility charge	74,305.51	597,773.91
State grant		1,208.00
Reimbursement from police	297.38	
Reimbursement from police		1,448.01
Reimbursement from fire		92,405.18
total cash received from operations	\$ <u>141,542.44</u>	\$ <u>1,773,583.56</u>
EXPENDITURE		
labor	\$ 153,106.91	\$ 885,954.81
benfits	43,767.12	311,790.45
supplies	4,884.24	35,005.81
services/repairs	24,775.11	156,497.93
transfers	41,019.00	41,019.00
capital purchases		27,899.81
interest	4,211.92	5,726.82
transfers (now part of services above)		287,124.00
total expenditures	\$ <u>271,764.30</u>	\$ <u>1,751,018.63</u>
Net income (loss) before G.F. contribution	<u>(130,221.86)</u>	<u>22,564.93</u>
contribution from general fund	<u>22,982.00</u>	<u>183,854.00</u>
net income (loss)	\$ <u><u>(107,239.86)</u></u>	\$ <u><u>206,418.93</u></u>
Cash position		
Sterling	(106,450.23)	
US Bank	<u>67,070.55</u>	
	<u>(39,379.68)</u>	
change in cash from prior month	(401,999.44)	

September 5, 2013

TO: City Manager for Council Consideration

FROM: Community Development Director



SUBJECT: August Building Activity Report

Please see the attached building activity report for the month of August 2013. Also included is the building activity for the 2013 year to date. The following are highlights of the attached report:

- |    |   |              |
|----|---|--------------|
| 1. | Building permits revenue generated for the month of August:   | \$23,240     |
| 2. | Building permits revenue generated for the year to date:      | \$215,387    |
| 3. | Building permits estimated valuation for the month of August: | \$1,141,413  |
| 4. | Building permits estimated valuation for the year to date:    | \$25,309,185 |

For the purpose of comparing August 2013 building activity numbers to August 2012 and August 2011 building activity numbers, the following 2012 and 2011 highlights are provided:

## 2012

- |    |   |              |
|----|---|--------------|
| 5. | Building permits revenue generated for the month of August:   | \$80,089     |
| 6. | Building permits revenue generated for the year to date:      | \$230,424    |
| 7. | Building permits estimated valuation for the month of August: | \$14,088,891 |
| 8. | Building permits estimated valuation for the year to date:    | \$22,796,539 |

## 2011

- |     |   |              |
|-----|---|--------------|
| 9.  | Building permits revenue generated for the month of August:   | \$16,396     |
| 10. | Building permits revenue generated for the year to date:      | \$212,320    |
| 11. | Building permits estimated valuation for the month of August: | \$2,739,110  |
| 12. | Building permits estimated valuation for the year to date:    | \$21,096,200 |



September 3, 2013

TO: Community Development Director

FROM: Planning and Building Technician

KW

SUBJECT: August Building Activity Report

Attached is the August 2013 building permit statistics for your information. August 2012 and 2011 is attached for comparison.

Please call me at Extension #3756 with any questions.

cc: City Manager

Building Official

Municipal Services Director

County Assessor

File

CITY OF MOSES LAKE  
BUILDING DEPARTMENT

RUN BY: kwoodworth

ISSUED BUILDING PERMIT STATISTICS  
FROM: 08/01/2013 TO: 08/31/2013

DATE: TUE, SEP 3, 2013, 11:30 AM

DESCRIPTION	# OF PERMITS ISSUED 08/2013	# OF PERMITS ISSUED YTD 08/31/2013	ESTIMATED VALUATION 08/2013	ESTIMATED VALUATION YTD 08/31/2013
A434 RESIDENTIAL ADD AND ALT	4	23	27,874	284,359
A437 NONRESIDENTIAL ADD AND	4	31	5,600	465,124
C320 INDUSTRIAL	1	8	3,854	4,135,645
C323 HOSPITALS & INSTITUTION	0	1	0	442,000
C324 OFFICE, BANKS & PROFESS	0	2	0	250,000
C326 SCHOOLS & OTHER EDUCATI	0	2	0	7,896,096
C327 STORES & CUSTOMER SERVI	0	7	0	1,586,073
C328 OTHER NONRESIDENTIAL BU	1	1	17,581	17,581
C438 GARAGES & CARPORTS COMM	1	1	2,283	2,283
D102 DEMOLISH SFD ATTACHED	1	2	0	0
D324 DEMOLISH OFFICE,BANK,PR	1	1	0	0
D327 DEMOLISH STORES & CUSTO	0	1	0	0
D328 DEMOLISH OTHER NON-RESI	0	1	0	0
M329 STRUCTURES OTHER THAN B	8	61	11,250	587,188
M801 MECHANICAL COMMERCIAL	4	17	0	0
M802 MECHANICAL RESIDENTIAL	2	12	0	0
M901 PLUMBING COMMERICAL	4	8	0	0
M902 PLUMBING RESIDENTIAL	6	33	0	60
R101 SINGLE FAMILY-DETACHED	0	11	0	11,599
R102 SINGLE-FAMILY ATTACHED	7	45	1,072,971	7,712,189
R104 THREE & FOUR FAMILY BUI	0	4	0	1,918,988
PERMIT TOTALS:	44	272	1,141,413	25,309,185

CITY OF MOSES LAKE  
BUILDING DEPARTMENT

RUN BY: kwoodworth

ISSUED BUILDING PERMIT STATISTICS  
FROM: 08/01/2012 TO: 08/31/2012

DATE: TUE, SEP 4, 2012, 10:11 AM

DESCRIPTION	# OF PERMITS ISSUED 08/2012	# OF PERMITS ISSUED YTD 08/31/2012	ESTIMATED VALUATION 08/2012	ESTIMATED VALUATION YTD 08/31/2012
A434 RESIDENTIAL ADD AND ALT	3	24	21,150	233,881
A437 NONRESIDENTIAL ADD AND	3	15	410,000	524,456
C318 AMUSEMENT, SOCIAL & REC	0	3	0	19,422
C320 INDUSTRIAL	2	9	6,054,000	7,295,905
C321 PARKING GARAGES(BLDGS &	1	1	5,315,208	5,315,208
C325 PUBLIC WORKS & UTILITIE	0	2	0	290,000
C326 SCHOOLS & OTHER EDUCATI	1	1	73,030	73,030
C327 STORES & CUSTOMER SERVI	0	2	0	26,972
C328 OTHER NONRESIDENTIAL BU	0	3	0	49,701
D324 DEMOLISH OFFICE,BANK,PR	1	1	0	0
M329 STRUCTURES OTHER THAN B	3	37	28,000	116,520
M801 MECHANICAL COMMERCIAL	3	18	0	0
M802 MECHANICAL RESIDENTIAL	1	11	0	0
M901 PLUMBING COMMERICAL	2	8	0	0
M902 PLUMBING RESIDENTIAL	22	81	0	0
R101 SINGLE FAMILY-DETACHED	1	16	0	0
R102 SINGLE-FAMILY ATTACHED	11	52	2,187,503	8,806,430
R438 GARAGES & CARPORTS RESI	0	3	0	45,014
PERMIT TOTALS:	54	287	14,088,891	22,796,539

CITY OF MOSES LAKE  
BUILDING DEPARTMENT

RUN BY: kwoodworth

ISSUED BUILDING PERMIT STATISTICS  
FROM: 08/01/2011 TO: 08/31/2011

DATE: FRI, SEP 2, 2011, 9:36 AM

DESCRIPTION	# OF PERMITS ISSUED 08/2011	# OF PERMITS ISSUED YTD 08/31/2011	ESTIMATED VALUATION 08/2011	ESTIMATED VALUATION YTD 08/31/2011
A434 RESIDENTIAL ADD AND ALT	2	20	20,000	117,681
A437 NONRESIDENTIAL ADD AND	1	18	12,560	384,591
C319 CHURCHES & OTHER RELIGI	0	2	0	440,000
C320 INDUSTRIAL	0	8	0	9,006,188
C324 OFFICE, BANKS & PROFESS	0	1	0	343,204
C325 PUBLIC WORKS & UTILITIE	1	1	1,500,000	1,500,000
C327 STORES & CUSTOMER SERVI	3	4	755,483	1,472,543
C328 OTHER NONRESIDENTIAL BU	0	2	0	584,475
D101 DEMOLISH SFD - DETATCHE	0	1	0	0
D102 DEMOLISH SFD ATTACHED	0	1	0	0
D325 DEMOLISH PUB WORKS, UTI	3	3	0	0
M329 STRUCTURES OTHER THAN B	5	46	4,100	382,417
M801 MECHANICAL COMMERCIAL	2	13	0	0
M802 MECHANICAL RESIDENTIAL	2	9	0	0
M901 PLUMBING COMMERICAL	4	13	0	0
M902 PLUMBING RESIDENTIAL	11	37	0	1,300
R101 SINGLE FAMILY-DETACHED	1	10	0	2,997
R102 SINGLE-FAMILY ATTACHED	2	35	438,667	6,728,489
R438 GARAGES & CARPORTS RESI	1	6	8,300	132,315
PERMIT TOTALS:	38	230	2,739,110	21,096,200

CITY OF MOSES LAKE  
BUILDING DEPARTMENT

RUN BY: kwoodworth

MONTHLY BUILDING PERMIT APPLICATIONS  
FROM: 08/01/2013 TO: 08/31/2013

DATE: 09/03/2013

PERMIT NUMBER	PERMIT TYPE	ESTIMATED VALUATION	REVIEW-FEES CHARGED	STATE-FEES CHARGED	PERMIT FEES CHARGED	APPLICATION DATE
20130252	M901		.00	.00	20.00	08/01/2013
20130253	M801		.00	.00	44.50	08/01/2013
20130254	M802		.00	.00	44.50	08/01/2013
20130255	M901		.00	.00	154.00	08/02/2013
20130256	M902		.00	.00	27.00	08/05/2013
20130257	C320	3,854	67.43	4.50	103.75	08/05/2013
20130258	A437		.00	4.50	75.00	08/06/2013
20130259	M329	800	.00	4.50	39.15	08/06/2013
20130260	R102	221,300	1,094.24	4.50	1,916.95	08/06/2013
20130261	A434	22,974	240.33	4.50	369.75	08/07/2013
20130262	D324		.00	4.50	150.00	08/07/2013
20130263	M902		.00	.00	27.00	08/07/2013
20130264	M801		.00	.00	34.00	08/07/2013
20130265	M801		.00	.00	76.00	08/08/2013
20130266	M901		.00	.00	48.00	08/08/2013
20130267	M329	500	.00	4.50	30.00	08/08/2013
20130268	M329	2,400	.00	4.50	89.75	08/08/2013
20130269	M902		.00	.00	27.00	08/08/2013
20130270	M329	800	.00	4.50	39.15	08/08/2013
20130271	M329	37,000	337.31	4.50	518.95	08/13/2013
20130272	A434		.00	4.50	.00	08/13/2013
20130273	M801		.00	.00	65.50	08/06/2013
20130274	A434		.00	4.50	.00	08/04/2013
20130275	M329	2,500	.00	4.50	89.75	08/14/2013
20130276	M902		.00	.00	27.00	08/16/2013
20130277	M902		.00	.00	27.00	08/19/2013
20130278	M329	800	.00	4.50	39.15	08/19/2013
20130279	R102	185,258	150.00	4.50	1,730.85	08/19/2013
20130280	A437	5,000	.00	4.50	117.75	08/19/2013
20130281	R102	149,710	832.16	4.50	1,503.25	08/20/2013
20130282	M802		.00	.00	44.50	08/20/2013
20130283	R102	198,786	1,010.52	4.50	1,793.15	08/20/2013
20130284	M802		.00	.00	44.50	08/20/2013
20130285	M901		.00	.00	770.00	08/21/2013
20130286	R102	152,383	150.00	4.50	1,511.05	08/22/2013
20130289	M901		.00	.00	115.00	08/23/2013
20130290	M901		.00	.00	42.00	08/23/2013
20130291	M802		.00	.00	44.50	08/26/2013
20130292	M329		.00	.00	1,200.00	08/26/2013
20130293	R102	172,390	915.88	4.50	1,637.05	08/26/2013
20130294	R102	185,258	150.00	4.50	1,730.85	08/28/2013
20130295	M902		.00	.00	27.00	08/28/2013
20130296	R101		.00	.00	350.00	08/28/2013
20130297	R102	258,913	1,228.92	4.50	2,332.15	08/28/2013

DATE: 09/03/2013

PERMIT NUMBER	PERMIT TYPE	ESTIMATED VALUATION	REVIEW-FEES CHARGED	STATE-FEES CHARGED	PERMIT FEES CHARGED	APPLICATION DATE
=====						
REPORT TOTALS:		1,600,626	6,176.79	99.00	19,076.45	
=====						
TOTAL FEES CHARGED:				25,352.24		
*****						

CITY OF MOSES LAKE  
BUILDING DEPARTMENT

RUN BY: kwoodworth

APPLICATION STATUS  
FROM: 08/01/2013 TO: 08/31/2013

DATE: 09/03/2013

PERMIT NUMBER	PERMIT TYPE	SERVICE ADDRESS	APPLICATION DATE	ISSUE DATE
20130252	M901	800 STRATFORD RD	08/01/2013	/ /
20130253	M801	1328 HUNTER PL	08/01/2013	08/01/2013
20130254	M802	1211 ASHLEY WAY	08/01/2013	08/01/2013
20130255	M901	800 STRATFORD RD	08/02/2013	08/05/2013
20130256	M902	110 LINDEN AVE	08/05/2013	08/05/2013
20130257	C320	3322 RD N NE	08/05/2013	08/14/2013
20130258	A437	402 ASH ST	08/06/2013	08/06/2013
20130259	M329	1418 PIONEER WAY	08/06/2013	08/20/2013
20130260	R102	934 GARDEN DR	08/06/2013	/ /
20130261	A434	311 NORTSHORE DR	08/07/2013	08/15/2013
20130262	D324	940 BROADWAY AVE	08/07/2013	08/07/2013
20130263	M902	2020 SPRUCE ST	08/07/2013	08/07/2013
20130264	M801	313 FIG ST	08/07/2013	08/07/2013
20130265	M801	800 STRATFORD RD	08/08/2013	08/23/2013
20130266	M901	530 VALLEY RD	08/08/2013	08/14/2013
20130267	M329	530 VALLEY RD	08/08/2013	08/20/2013
20130268	M329	2224 BROADWAY AVE	08/08/2013	08/29/2013
20130269	M902	631 CRESTVIEW DR	08/08/2013	08/08/2013
20130270	M329	933 STRATFORD RD	08/08/2013	08/20/2013
20130271	M329	800 STRATFORD RD	08/13/2013	/ /
20130272	A434	531 BAYSIDE DR	08/13/2013	08/15/2013
20130273	M801	223 BROADWAY AVE	08/06/2013	08/13/2013
20130274	A434	1121 TOMMY DR	08/04/2013	08/13/2013
20130275	M329	313 FIG ST	08/14/2013	08/20/2013
20130276	M902	2903 LAKESIDE DR	08/16/2013	08/16/2013
20130277	M902	821 MACKIN LN	08/19/2013	08/19/2013
20130278	M329	530 VALLEY RD	08/19/2013	08/20/2013
20130279	R102	1323 DEBORAH ST	08/19/2013	08/22/2013
20130280	A437	416 WESTERN AVE	08/19/2013	08/28/2013
20130281	R102	1300 MARINA DR	08/20/2013	/ /
20130282	M802	305 KNOLLS VISTA DR	08/20/2013	08/21/2013
20130283	R102	4707 WARBLER ST	08/20/2013	09/03/2013
20130284	M802	318 TANGLEWOOD DR	08/20/2013	/ /
20130285	M901	7761 RANDOLPH RD N	08/21/2013	/ /
20130286	R102	801 WILDER ST	08/22/2013	08/26/2013
20130289	M901	800 STRATFORD RD	08/23/2013	08/23/2013
20130290	M901	7906 RANDOLPH RD	08/23/2013	08/23/2013
20130291	M802	1315 COLUMBIA DR	08/26/2013	/ /
20130292	M329	1005 STRATFORD RD	08/26/2013	/ /
20130293	R102	4720 TANAGER ST	08/26/2013	09/03/2013
20130294	R102	809 LAKELAND DR	08/28/2013	/ /
20130295	M902	1702 MONROE	08/28/2013	08/28/2013
20130296	R101	4727 OWENS RD #	08/28/2013	/ /
20130297	R102	1327 DEBORAH ST	08/28/2013	/ /



### Building Permit Fees

	YTD	January	February	March	April	May	June	July	2013					Budget	Over (Under)
									August	September	October	November	December		
000-004-32210-000-1000-0000-00 Build., Struct. & Equip.	164,719.81	12,421.85	5,378.95	27,659.65	21,085.32	31,956.56	15,794.73	35,913.25	14,509.50					230,000.00	-65,280.19
000-004-34583-000-1000-0000-00 Plan Checking Fees	50,667.44	3,774.24	2,593.90	4,757.01	7,081.98	4,353.01	14,338.40	5,038.31	8,730.59					75,000.00	-24,332.56
<b>Total</b>	<b>215,387.25</b>	<b>16,196.09</b>	<b>7,972.85</b>	<b>32,416.66</b>	<b>28,167.30</b>	<b>36,309.57</b>	<b>30,133.13</b>	<b>40,951.56</b>	<b>23,240.09</b>					<b>305,000.00</b>	<b>-89,612.75</b>

	YTD	January	February	March	April	May	June	July	2012					Budget	Over (Under)
									August	September	October	November	December		
000-004-32210-000-1000-0000-00 Build., Struct. & Equip.	319,218.25	1,130.40	8,233.40	18,798.95	11,101.35	22,155.50	23,465.15	24,658.90	70,791.95	32,467.18	65,593.64	29,309.75	11,512.08	275,000.00	44,218.25
000-004-34583-000-1000-0000-00 Plan Checking Fees	95,988.16	35.36	720.02	3,428.29	1,719.87	4,663.26	22,746.88	7,480.46	9,297.58	5,976.55	33,687.68	4,779.80	1,452.41	85,000.00	10,988.16
<b>Total</b>	<b>415,206.41</b>	<b>1,165.76</b>	<b>8,953.42</b>	<b>22,227.24</b>	<b>12,821.22</b>	<b>26,818.76</b>	<b>46,212.03</b>	<b>32,139.36</b>	<b>80,089.53</b>	<b>38,443.73</b>	<b>99,281.32</b>	<b>34,089.55</b>	<b>12,964.49</b>	<b>360,000.00</b>	<b>55,206.41</b>

	YTD	January	February	March	April	May	June	July	2011					Budget	Over (Under)
									August	September	October	November	December		
000-004-32210-000-1000-0000-00 Build., Struct. & Equip.	222,114.90	18,336.45	15,519.95	26,936.21	21,968.40	13,566.55	38,552.75	12,985.60	13,571.68	15,331.15	19,583.81	9,674.10	16,088.25	300,000.00	-77,885.10
000-004-34583-000-1000-0000-00 Plan Checking Fees	73,099.03	4,124.46	8,790.29	9,482.98	6,588.61	5,571.29	10,092.66	3,893.82	2,824.60	11,380.84	8,954.85	1,394.63	0.00	80,000.00	-6,900.97
<b>Total</b>	<b>295,213.93</b>	<b>22,460.91</b>	<b>24,310.24</b>	<b>36,419.19</b>	<b>28,557.01</b>	<b>19,137.84</b>	<b>48,645.41</b>	<b>16,879.42</b>	<b>16,396.28</b>	<b>26,711.99</b>	<b>28,538.66</b>	<b>11,068.73</b>	<b>16,088.25</b>	<b>380,000.00</b>	<b>-84,786.07</b>



September 3, 2013

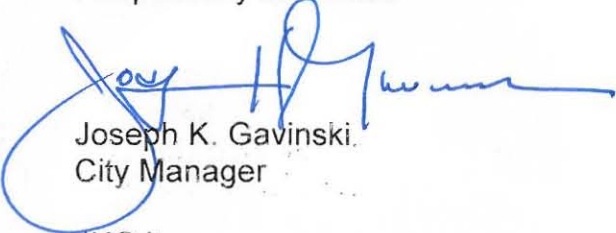
Honorable Mayor and  
Moses Lake City Council

Dear Council Members

Attached is sales tax information for June 2013 sales which the City received on August 31, 2013. This report indicates the City received \$460,309.61. The \$460,309.61 in receipts for August compares with August 2012 receipts of \$432,420.11. For the year, the 2013 receipts are approximately 9% higher than the 2012 receipts for the same period.

Also provided is the transient rental income report for income the City received on August 31, 2013. This report indicates August 2013 income (for June sales) of \$49,135.32. This compares with \$55,497.56 for the same period in 2012. For the year, transient rental income receipts are approximately 14% higher than the 2012 receipts for the same period.

Respectfully submitted




Joseph K. Gavinski  
City Manager

JKG:jt

August 29, 2013

TO: City Manager

FROM: Assistant Finance Director 

SUBJECT: Sales Tax Receipts


Attached is the Sales Tax Receipts - Monthly Report for August, 2013.

cc: Finance Director  
Parks & Recreation Director

# Sales Tax Receipts - Monthly

Month Received	Sales Period	2009	2010	2011	2012	2013	YTD Change
Jan	Nov	423,485.93	373,688.80	367,830.83	403,504.15	401,499.05	-0%
Feb	Dec	575,401.82	560,731.77	488,453.72	459,218.16	491,341.62	3%
Mar	Jan	363,518.70	276,352.86	324,247.20	331,644.01	373,707.66	6%
Apr	Feb	346,570.37	330,932.86	368,305.65	350,818.56	364,137.97	6%
May	Mar	425,086.28	402,951.97	456,738.86	405,657.25	475,345.89	8%
June	Apr	428,915.48	384,565.04	439,396.45	399,414.06	437,909.92	8%
July	May	421,462.37	380,216.47	431,750.56	419,629.64	478,822.77	9%
Aug	June	470,623.43	456,372.87	453,961.67	432,420.11	460,309.61	9%
Sept	July	409,860.53	407,935.17	411,796.14	407,813.31		
Oct	Aug	406,419.10	390,800.44	446,905.90	455,185.85		
Nov	Sept	447,607.52	438,011.36	411,689.43	422,198.39		
Dec	Oct	378,139.72	394,167.42	406,648.97	424,167.87		
Totals		5,097,091.25	4,796,727.03	5,007,725.38	4,911,671.36	3,483,074.49	

August 27, 2013

TO: City Manager  
FROM: Assistant Finance Director   
SUBJECT: Transient Rental Income Report

Attached are the Transient Rental Income reports for August, 2013.

cc: Finance Director  
Parks & Recreation Director



TRANSIENT RENTAL INCOME - MONTHLY TOTAL RECEIVED

MONTH RECEIVED	SALES PERIOD	2010	2011	2012	2013	YTD Change
JAN	NOV	24,816.04	39,728.66	25,073.90	37,239.62	49%
FEB	DEC	20,136.24	25,155.98	26,277.18	19,145.26	10%
MAR	JAN	27,491.94	30,274.86	28,091.94	32,692.16	12%
APRIL	FEB	27,550.16	35,015.70	22,286.68	22,967.86	10%
MAY	MAR	40,994.90	31,217.30	25,787.06	36,755.64	17%
JUNE	APRIL	37,657.72	43,150.52	35,334.86	38,830.04	15%
JULY	MAY	52,719.70	65,576.42	45,674.12	64,910.04	21%
AUGUST	JUNE	58,321.18	57,975.95	55,497.56	49,135.32	14%
SEPT	JULY	62,545.06	55,399.42	53,987.68		
OCT	AUGUST	61,950.36	62,457.58	57,117.62		
NOV	SEPT	46,504.36	48,256.58	46,866.78		
DEC	OCT	30,765.44	37,670.80	34,675.70		
TOTALS		491,453.10	531,879.77	456,671.08	301,675.94	