



February 6, 2012

City Council
City of Moses Lake
PO Box 1579
Moses Lake, WA 98837

Dear City Council Members,

Thank you so much for allowing us to host our first annual Basin BBQ Bash last year on September 24th. We had so much positive feedback from the community and the participants that we would like to make it into a two day event this year, September 22 and 23rd. It is a BBQ Competition in connection with the Pacific Northwest BBQ Association (PNWBA). There will be about 25 teams competing for a \$5,000 purse and points that allow them to compete at national events. The public will be invited to attend and can purchase tickets to sample the BBQ from the some of the teams.

We are requesting:

1. permission to close Third Avenue from Alder Street and the 200 and 300 blocks of S Ash Street from Saturday, September 22nd, from 8 am – Sunday, September 23rd at 6 pm.
 - a. We would not close any of the cross streets except Ash Street.
 - b. We would keep a fire lane available in the 100 E and 100 W blocks of Third Ave as per conversations with Chief Tom Taylor and Chief Dean Mitchell.
2. permission to close Third Avenue from Beech Street to Cedar Street from 8 am – 6 pm daily but not overnight.
3. permission to use Sinkiuse Square both days for the purpose of entertainment and judging. I have checked with the Park and Recreation calendar and this date is available.
4. permission to allow a non-profit group to host a beer garden in the 300 block of Ash Street for the public as we did last year.
5. permission to allow the discharge of grey water into the City sewer system.
6. that the team members be allowed to stay in self-contained vehicles overnight in the Surf 'n Slide parking lot as this is close in proximity to their cooking set up on Third Avenue.

Thank you very much for your consideration.

Have a GREAT day!

Marianne Kirwan
Executive Director



February 9, 2012

TO: City Manager for Council Consideration

FROM: Municipal Services Director

SUBJECT: Ordinance - Create Chapter 13.05 - Wastewater Regulations - 2nd Reading

Attached is an ordinance that creates Moses Lake Municipal Code 13.05, entitled "Wastewater Regulations", and deletes Moses Lake Municipal "Code 13.04, entitled "Sewer Regulations". Staff proposes to re-codify Chapter 13.04 since a large portion has been reorganized. The purpose of the changes is to update the nomenclature, and streamline the verbiage to make this chapter more efficient for the public and staff.

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

Respectfully submitted



Gary Harer, PE/PLS
Municipal Services Director

GH:jt

ORDINANCE NO. 2642

AN ORDINANCE CREATING CHAPTER 13.05 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "WASTEWATER REGULATIONS"

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

Section 1. Chapter 13.04 of the Moses Lake Municipal Code entitled "Sewer Regulations" is deleted in its entirety.

Section 2. Chapter 13.05 of the Moses Lake Municipal Code entitled "Wastewater Regulations" is created as follows:

13.05.010 Purpose: The purpose of this chapter is to set forth uniform requirements for discharges into the City of Moses Lake's POTW and to enable the City to protect public health in conformity with all applicable local, state and federal laws.

13.05.020 Abbreviations: The following abbreviations, when used in this Chapter, shall have the designated meaning:

- A. BOD Biochemical Oxygen Demand.
- B. FOG Fats, Oil, and Grease.
- C. mg/L Milligrams per liter, generally interchangeable with parts per million in water treatment calculations.
- D. POTW Publicly Owned Treatment Works.
- E. TDS Total Dissolved Solids.
- F. TSS Total Suspended Solids.

13.05.030 Definitions: Unless the context specifically indicates otherwise, the meaning of terms used in the chapter shall be as provided in this section:

- A. "BOD" means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures during five (5) days at 20° Celsius, usually expressed as a concentration of mg/L.
- B. "Building Sewer" means the sewer service line beginning two feet from the edge of the building and ending at the POTW's sewer main.
- C. "Dangerous Waste" is defined in WAC 173-303-040.
- D. "Domestic Wastewater" means water that carries human wastes, including toilet, kitchen, bath, and laundry wastes.
- E. "FOG" means polar and non-polar fats, oil, and grease that originate from animals, vegetables, petroleum, nonbiodegradable cutting oil, and mineral oil.
- F. "Forcemain" means a sanitary sewer main that is pressurized by a POTW lift station, or a sanitary sewer main that is pressurized by commercial or industrial users.
- G. "Garbage" means solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

- H. "Industrial User" means a person that discharges industrial wastewater to the POTW.
- I. "Industrial Wastewater" means water or liquid that carries waste from industrial or commercial businesses. Apartment buildings containing three or more dwellings are considered a commercial business.
- J. "Interference" means a discharge alone or in conjunction with discharges by other sources that inhibits or disrupts the POTW, or the POTW's treatment operation, or biosolids processes, or that causes a violation of any requirement of the City's state waste discharge permit.
- K. "May" means permissive as allowed by the City Manager, City Council, Municipal Services Director, or the Department of Ecology.
- L. "Medical Waste" means isolation wastes, infectious agents, blood, blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.
- M. "Municipal Services Director" is the director who is responsible to the City Manager for management of the Public Works and Engineering Divisions, the supervision of departmental employees, and for the effective administration, construction, and development of public works, engineering, and related public facilities. The Municipal Services Director may designate representatives to assist in the performance of these duties.
- N. "Natural Outlet" means any outlet into a watercourse, pond, ditch, lake, or other body of surface water or groundwater.
- O. "Owner" means any part owner, joint owner, tenant in common, joint tenant, tenant by the entirety, of the whole, or a part of such building or land.
- P. "Pass Through" means a discharge that exits the POTW into waters of the United States in quantities or concentrations, alone or in conjunction with a discharge or discharges from other sources that creates a violation of any requirement of the City's state waste discharge permit.
- Q. "Person" means any individual, firm, company, association, society, corporation, or group.
- R. "pH" means a measurement of the acidity or alkalinity of a solution, expressed in standard units.
- S. "POTW" means the city owned system of gravity mains, force mains, pump stations, and wastewater treatment plants that convey and treat wastewater.
- T. "Pretreatment Standards" means general discharge prohibitions, City's specific limitations on discharge, State standards, or the National Categorical Pretreatment Standards for any specific pollutant, whichever standard is most stringent.
- U. "Pretreatment" means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in industrial wastewater prior to or in lieu of introducing such pollutants into the POTW. This reduction, elimination, or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means. Diluting the concentration of the pollutants is only allowed by an applicable pretreatment standard.
- V. "Stormwater" means precipitation, groundwater, surface water, roof runoff, or subsurface drainage.
- W. "Shall" means a mandatory requirement.

- X. "Significant Industrial User" means an industrial or commercial user that meets one or more of the following criteria:
1. Subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N.
 2. Discharges an average of 25,000 gallons per day or more of industrial wastewater to the POTW.
 3. Discharges industrial wastewater that exceeds 5 percent of the average dry weather hydraulic or organic capacity of the POTW treatment plant.
 4. The Department of Ecology determines that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating pretreatment standards or requirements in accordance with 40 CFR.8(f)(6).
- Y. "Slug Discharge" means any discharge at a flow rate or concentration that could cause a violation of this chapter, and any discharge not of a routine, regular, or episodic nature.
- Z. "Total Dissolved Solids" means the portion of total solids in water or wastewater that passes through a specific filter.
- AA. "Total Suspended Solids" means the portion of total solids that are floating or suspended in water, or wastewater; and that are removable by laboratory filtering.
- BB. "User" means a person that is responsible for discharging wastewater to the POTW.
- CC. "Wastewater" means domestic wastewater or industrial wastewater.
- DD. "Waste Discharge Permit" means a permit required for every significant industrial user granting the privilege of discharging their industrial wastewater into the POTW.

13.05.040 Discharge of Wastewater into Natural Outlets: It is unlawful to discharge wastewater into any natural outlet.

13.05.050 Use of Privies and Septic Tanks: Except as permitted by the Grant County Health District, it is unlawful to construct any privy, privy vault, septic tank, cesspool, or other facility intended to be used for the disposal of wastewater.

13.05.060 Private Wastewater Systems:

- A. Septic tanks and alternative onsite disposal systems are prohibited for new subdivisions, except in heavy industrial zones where sewer treatment systems and onsite disposal systems may be allowed by City Council.
- B. Wastewater systems including mains, manholes, lift stations and their appurtenances located in private streets, binding site plans and on private property shall be privately owned.
- C. The construction plans for the installation of privately owned wastewater systems that discharge to the POTW shall be in compliance with the requirements of the Street and Utility Construction Standards, and shall be approved by the Municipal Services Director prior to construction. Furthermore, the Municipal Services Director will observe the installation of the wastewater system. The engineer of record shall inspect and direct the contractor to assure that the installation complies with the approved plans and specifications.

13.05.070 Prohibited Wastes: Except as provided in this chapter, no person shall discharge wastewater to the POTW that contains the following characteristics:

- A. A Temperature greater than 104°F.
- B. A FOG concentration greater than 100 mg/L.
- C. Substances that can solidify or become discernibly viscous at temperatures greater than 32°F.
- D. Pollutants that could create a fire or explosive hazard in the POTW, alone or by interaction, including waste streams with a closed-cup flashpoint of less than 140°F using the test methods specified in 40 CFR 261.21, 40 CFR 403.5(b)(1), or are capable of creating a public nuisance per WAC 173-216-060(2)(b)(ii).
- E. Solids or viscous substances that could cause an obstruction, pass through, or any other interference with the operation of the POTW.
- F. A pH less than 6.0 or greater than 11.0.
- G. Corrosive properties capable of causing damage or that are hazardous to POTW structures, equipment, or maintenance personnel.
- H. Dangerous wastes.
- I. Toxic or poisonous substances in sufficient quantity to interfere with any POTW processes, or constitute a hazard to humans, animals or the receiving waters of the POTW.
- J. Noxious or malodorous gases or substances capable of creating a public nuisance.
- K. A five (5) day BOD concentration greater than three hundred (300) mg/L.
- L. A TSS concentration greater than three hundred and fifty (350) mg/L.
- M. Unacceptable amounts of TDS that could cause an interference with the normal operation of the POTW. Limitations for TDS will be set after the Department of Ecology and the City review the engineering reports from the prospective discharger, and investigate alternatives to reduce TDS in the wastewater.
- N. A greater color than 15 color units.
- O. Stormwater.
- P. High volumes of wastewater with a low BOD per volume ratio that could adversely affect the treatment plants' process capabilities.
- Q. Swimming pool water.

13.05.080 Dangerous Wastes: The owner shall notify the Municipal Services Director, and the Department of Ecology, Eastern Region Dangerous Waste Unit, upon discovery of a discharge of dangerous waste to the POTW. The notification shall include the following:

- A. The contact person with phone number.
- B. The location and time.
- C. The name of the dangerous waste as set forth in Chapter 173-303 WAC.

- D. The dangerous waste number.
 - E. The type of discharge (continuous, batch, or other).
- 13.05.090 Significant Industrial Users: All significant industrial users shall obtain a waste discharge permit from the Department of Ecology and from the City prior to discharging industrial wastewater to the POTW.
- 13.05.100 Control Manholes: The Municipal Services Director may require an industrial user to install a suitable control manhole on the building sewer to facilitate observation, sampling, and measurement of the wastewater. Such manhole shall be accessible, safely located, and constructed in accordance with plans approved by the Municipal Services Director. The manhole shall be installed by the industrial user at the industrial user's expense, shall be maintained by the industrial user, and shall be safe and accessible at all times.
- 13.05.110 Tests and Analyses: All measurements, tests, and analyses of the characteristics of wastewater shall be performed in accordance with the Standard Methods for the Examination of Water and Wastewater by a Department of Ecology accredited laboratory. The samples shall be taken at the control manhole, when installed. When a specific control manhole is not required, the sample location shall be taken at the nearest downstream manhole in the POTW. When requested by the Municipal Services Director, a user shall submit information on the nature and characteristic of its wastewater to assure full compliance with this chapter. Samples taken to meet the requirements of this chapter shall be representative of the volume and nature of the test parameters, including representative sampling of any unusual discharge or discharge condition. All costs associated with testing and analyses shall be borne by the user.
- 13.05.120 Waste Discharge Permit: Statements contained in this chapter shall not be construed as preventing any waste discharge permit between the City Council, Department of Ecology, and an industrial user, whereby the wastewater of unusual strength or character may be approved by the City Council and the Department of Ecology for treatment, which may be subject to conditions.
- 13.05.130 Discharge to the POTW Without Physical Connection: Approval to discharge wastewater to the POTW without a physical connection to the POTW may be granted by the City Council provided the discharge shall not have any deleterious or damaging effects on the health and welfare of the City's residents, and that the discharge will be in the City's best interests. No wastewater shall be discharged in such a manner until the user receives a letter from the City stating that the City Council approved the request. Approval letters should include the following information:
- A. The payment rate.
 - B. The limitations on the quantity and quality of the wastewater.
 - C. A statement that "the approval is terminable by the City Council within thirty (30) days of written notice by the City to the user."
 - D. The location and method that the wastewater is allowed to be discharged to the POTW.
 - E. The periodic testing requirements of the wastewater.
- 13.05.140 Connection to the POTW Outside of the Corporate Limits: No connection shall be allowed unless authorized by the City Council. The authorization to discharge wastewater to the POTW shall include the requirement of the property owner to execute an extraterritorial utility extension agreement upon forms prepared by the City, unless the City Council enters into the record a finding that the property owner is incapable of executing such an agreement, as distinguished from the property owner's reluctance to execute the agreement. As a condition of approval, all building sewers and mains are subject to review and approval by the Municipal Services Director.

13.05.150 Requirement to Connect to the POTW: The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purpose, situated within two hundred feet (200') of the POTW, is required at the owner's expense to connect such facilities directly to the POTW within six (6) months after the date of official notice to do so. Provided that, the connection shall not be required if the cost of making the connection, including system development charges, exceeds ten thousand dollars (\$10,000). The owner shall submit a detailed cost estimate to the Municipal Services Director for review. The determination of the cost of making the connection shall be made by the Municipal Services Director. The owner can appeal the decision to the City Council within ten (10) days of the decision of the Municipal Services Director. The decision of the City Council shall be final. Furthermore, if the owner is not required to make a connection because of cost, at such time as the septic system fails, either the tank or the drain field, the connection to the City's sewer system shall be required and made.

13.05.160 Wastewater Industrial User Survey: When requested by the City, owners of all commercial and industrial facilities that discharge or plan to discharge wastewater to the POTW shall complete a Wastewater Industrial User Survey on forms supplied by the City. The Wastewater Supervisor shall determine if the Industrial User Survey form is complete.

13.05.170 Permit Requirements:

- A. A Street and Utility Construction Permit is required and shall be obtained before uncovering, connecting to, opening into, altering, or disturbing any municipal improvement.
- B. A waste discharge permit is required and shall be obtained from the City and the Department of Ecology before a significant industrial user discharges wastewater into the POTW.
- C. A plumbing permit is required and shall be obtained before a building sewer is installed, except for building sewers that are installed outside of the City's corporate limits.

13.05.180 Discharge to the POTW: The following items are required to be completed, when applicable, prior to discharging to the POTW:

A. Application forms:

- 1. Utility Service Request – Engineering Division.
- 2. Request for Utility Service – Finance Department.

B. Fees are paid:

- 1. Utility service charge – Finance Department.
- 2. System development charges listed in MLMC 3.62 – Engineering Division.
- 3. Private reimbursement fees – Engineering Division.
- 4. Reimbursement fees listed in MLMC 13.08 – Engineering Division.
- 5. Waste Discharge Permit fees listed in MLMC 3.54 – Operations Division.

C. The wastewater improvements that are being dedicated to the City have been completed and accepted by the City.

D. An extraterritorial agreement is recorded at the Grant County Auditor's Office.

E. The waste discharge permits are approved by the City and the Department of Ecology.

- F. A Wastewater Industrial User Survey has been submitted to the Wastewater Division Supervisor that is deemed to be complete.

13.05.190 Building Sewers: All costs and expenses incident to the installation and connection to the POTW shall be borne by the owner. The property owner shall indemnify the City from loss or damage that is directly or indirectly occasioned by the connection of the building sewer to the POTW.

New buildings may only connect to existing building sewers when the building sewer meets all requirements of this chapter and the Washington State adopted International Building Code.

13.05.200 Separate Building Sewers: A separate and independent building sewer shall be provided for every building and subdivided lot, each with separate connection to the POTW, with the following exceptions:

- A. When separate buildings are an integral part of a single business or industry and are located on the same lot.
- B. When separate buildings are under the same ownership and located on the same lot.
- C. When buildings are located within a binding site plan and the buildings are connected to a private sewer main.
- D. When buildings are located within a planned development district zone and the buildings are connected to a private sewer main.

13.05.210 Connection to Force Mains: The Municipal Service Director may allow property owners to connect to a POTW force main. A valve shall be installed on the property owner's service line at the tee on the city-owned main. Furthermore, all wastewater that contains solids must pass through a septic tank prior to being pumped into the POTW's force main.

13.05.220 Sewer Main Grades: All new sewer mains shall be installed at the minimum grade per the current edition of the Department of Ecology's publication Criteria for Sewage Design (Orange Book). The Municipal Services Director may approve a steeper grade if the gravity sewer service to future developments will not be impacted.

13.05.230 Community Street and Utility Standards: Construction for the installation and repairs of municipal and privately owned wastewater systems that discharge to the POTW shall meet the requirements of the Community Street and Utility Standards.

13.05.240 Ownership: The limits of ownership for mains and building sewers that are located within the City's right-of-way and municipal easements are defined below.

- A. City-Owned Mains: The City shall have ownership of the sewer mains and appurtenances, provided that they have been accepted by the City Council.
- B. Privately Owned Mains: Property owners shall retain ownership for sewer mains and appurtenances that only serve their property. The property owner's sewer main shall include all its pipe and appurtenances up to the point of connection to a city-owned sewer main, including the wye, tee, or other connecting device to a city-owned sewer main, but does not include the manhole that is installed on a city-owned sewer main; and where a valve is installed to a tee on a city-owned pressure sewer main, the City shall own the tee and valve, and the owner shall retain ownership of all pipe and appurtenances upstream of the city-owned valve.
- C. Gravity Building Sewers: Property owners shall retain ownership for gravity building sewers, up to and including the wye, tee, or other connecting appurtenance on a city-owned sewer main.

- D. Pressurized Building Sewers: Property owners shall retain ownership for pressurized building sewers up to and including the wye, tee, or other connecting device to a city-owned sewer main; except that, if a valve is installed to a tee on a city-owned sewer main, the City shall own the tee and valve and the owner shall retain ownership of all pipe and appurtenances upstream of the city-owned valve.

13.05.250 Notice to Cease Violation: Any person found to be violating any provision of this chapter shall be served by the City with a Notice of Violation and Order to Correct or Cease Activity as provided in Chapter 1.20 issued by the Municipal Services Director. The offender shall permanently cease all violations within the period of time stated in such notice.

13.05.260 Penalties for Continued Violation: Failure or refusal to comply with the Notice and Order provided in this chapter shall constitute grounds for discontinuing water and sewer service to the premises until the Municipal Services Director determines that such requirements have been satisfactorily met.

13.05.270 Liability for Expense or Damage:

- A. Damage resulting from an accident or from unauthorized or improper use of the POTW shall become an obligation against the person causing such damage.
- B. Additionally, any person violating any of the provisions of this chapter shall become liable to the City for any expense, loss, or damage occasioned to the City by reason of such violation. The City shall be compensated for such loss within thirty (30) days of notification to the violator of the costs. If not satisfied by that time, the costs shall be filed as a lien against the property.

Section 3. This ordinance shall take effect and be in force five (5) days after its passage and publication of its summary as provided by law.

Adopted by the City Council and signed by its Mayor on February 14, 2012.

Bill Ecret, Mayor

ATTEST:

Ronald R. Cone, Finance Director

APPROVED AS TO FORM:

Katherine L. Kenison, City Attorney

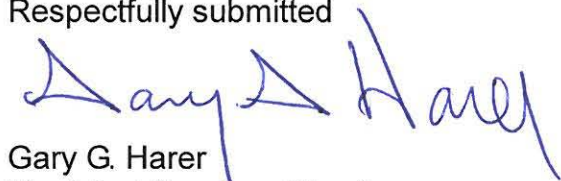
February 1, 2012

TO: City Manager for Council Consideration
FROM: Gary G. Harer, Municipal Services Director
SUBJECT: Ordinance - Recreational Vehicle Parks - 1st Reading

Attached is an ordinance that updates Moses Lake Municipal Code Chapter 18.71, Recreational Vehicle Parks, which references the new Chapter 13.05, Wastewater Regulations.

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

Respectfully submitted



Gary G. Harer
Municipal Services Director

GGH:jt

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 18.71 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "RECREATIONAL VEHICLE PARKS"

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

Section 1. Chapter 18.71 of the Moses Lake Municipal Code entitled "Recreational Vehicle Parks" is amended as follows:

18.71.060 Recreational Vehicle Park Development: A recreational vehicle park shall be developed according to the requirements of this chapter and upon:

- A. Planning Commission approval of a conditional use permit per Chapter 18.51 of the Moses Lake Municipal Code entitled "Conditional and Unmentioned Uses."
- B. Planning Commission site plan approval per Moses Lake Municipal Code Chapter 18.49 entitled "Site Plans," in conformance with applicable requirements in this chapter.
- C. Binding site plan application, review, and approval according to Chapter 17.18 of the Moses Lake Municipal Code entitled "Binding Site Plan."
- D. Conformance with the City of Moses Lake Shorelines Management Master Plan, the Shoreline Management Act of 1971 (Chapter 90.58 RCW), and Shoreline Management Permit and Enforcement Procedures (Chapter 173-27 WAC), if within shoreline management jurisdiction
- E. Compliance with Title 16 of the Moses Lake Municipal Code entitled "Buildings and Construction," particularly Appendix E of the State Plumbing Code entitled "Manufactured/Mobile Home Parks and Recreational Vehicle Parks," Chapter ~~13.05~~ ~~13.04~~ of Moses Lake Municipal Code entitled "~~Sewer~~ Wastewater Regulations," Chapter 13.08 of Moses Lake Municipal Code entitled "Water and Sewer Connections," and all other relevant development codes, standards, and ordinances.
- F. Conformance with Moses Lake Municipal Code Chapters 19.03 and 19.06 regarding the protection and conservation of resource lands and critical areas, including wetlands.
- G. Consistency with the City of Moses Lake Comprehensive Plan.

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 February 14, 2011.

Bill J. Ecret, Mayor

ATTEST:

Ronald R. Cone, Finance Director

APPROVED AS TO FORM:

Katherine L. Kenison, City Attorney

February 1, 2012

TO: City Manager
For City Council Consideration

FROM: Municipal Services Director

SUBJECT: **Resolution - Adopt NACTO Urban - Bikeway Design Guide**

The attached resolution adopts the National Association of City Transportation Officials (NACTO) Urban Bikeway Design as a guide. This document offers many examples for marking and constructing bike lanes and sharrows, and other methods to enhance the usage of alternate transportation systems.

This request is presented for Council consideration.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Gary Harer". The signature is stylized with a large "G" and "H".

Gary Harer, PE/PLS
Municipal Services Director

RESOLUTION NO. 3276

**A RESOLUTION ACCEPTING THE NATIONAL ASSOCIATION OF CITY
TRANSPORTATION OFFICIALS (NACTO) URBAN BIKEWAY DESIGN GUIDE**

Recitals:

1. The purpose of the National Association of City Transportation Officials (NACTO) Urban Bikeway Design Guide is to provide cities with the state of the art practice solutions that can help create complete streets that are safe and enjoyable for bicyclists.
2. The NACTO Urban Bikeway Design Guide offers alternative designs that are unique for urban street bikeways.
3. The City of Moses Lake strives to add bikeways to its transportation system.

Resolved:

1. The City of Moses Lake adopts the NACTO Urban Bikeway Design Guide as a guide for future bikeways in the City.

ADOPTED by the City Council on February 14th, 2012.

Bill Ecret, Mayor

ATTEST:

Ronald R. Cone, Finance Director

November 4, 2011

TO: Planning Commission

SUBJECT: NACTO Urban Bikeway Design Guide

The Moses Lake Trails Planning Team is requesting that the Planning Commission recommend to the City Council that the NACTO Urban Bikeway Design Guide be adopted as a reference for the construction and development of urban bikeways within the city limits of Moses Lake.

Background Information

Trails Planning Team

In 2001, the City of Moses Lake was selected to pilot a program promoting physical activity and good nutrition to prevent obesity and chronic diseases that are associated with obesity. "Healthy Communities- Moses Lake" was formed with assistance from the National Center for Disease Control, Washington State Department of Health, National Park Service, and the University of Washington. The Trails Planning Team (TPT) was formed as a result of the Healthy Communities Project.

TPT is a working partnership of citizen volunteers, City of Moses Lake staff, community groups and agencies that meets monthly and is committed to the goal of fulfilling the TPT vision- to create "A network of linked paths that are used throughout the greater Moses Lake area for exercise, recreation, transportation, and tourism to promote healthier lifestyles for the community.

NACTO Urban Bikeway Design Guide

NACTO stands for National Association of City Transportation Officials. The NACTO guide is based on the experience of the best cycling cities in the world. The designs were developed by cities for cities, since unique urban streets require innovative solutions.

To create the Guide, the authors of the NACTO conducted an extensive worldwide literature search from design guidelines and real-life experience. They have worked closely with urban bikeway planning professionals from NACTO member cities, as well as traffic engineers, planners, and academics with deep experience in urban bikeway applications.

The NACTO guide will be updated regularly and have an extensive website that will include engineered drawings, three-dimensional renderings and images of the various design treatments, as well as a discussion area where professionals can exchange information.

Purpose

The purpose of the NACTO Urban Bikeway Design Guide is to provide cities with state-of-the-practice solutions that can help create complete streets that are safe and enjoyable for bicyclists. The NACTO Urban Bikeway Design Guide is intended to help practitioners make good decisions about urban bikeway design. The treatments outlined in the Guide are based on real-life experience in the world's most bicycle friendly cities and have been selected because of their utility in helping cities meet their goals related to bicycle transportation.

Research has shown again and again that the number one reason people do not ride bicycles is because they are afraid to be in the roadway on a bicycle. They fall into a category that is sometimes referred to as "interested but concerned". They are generally not afraid of other cyclists, or pedestrians, or of injuring themselves in a bicycle-only crash. When they say they are "afraid" it is a fear of people driving automobiles. Riding a bicycle should not require bravery. Yet, all too often, this is the perception among cyclist and non-cyclist alike. The NACTO guide provides proven treatments and solutions to decrease the fear and increase the safety of cyclists.

Comprehensive Plan Goals

1. Goal 1: The City's transportation system should promote mobility for Moses Lake's citizens and workers by providing a range of transportation alternatives. The transportation system should emphasize facilities and services which support and encourage transit, ride sharing, bicycling, and walking as alternatives to the use of the automobile.
2. Goal 9: The City shall promote the use of bicycle and pedestrian transportation as viable alternatives to motorized transportation.

Staff Recommendation: Staff recommends that the Planning Commission approve the request from the Trails Planning Team.

Action: The Planning Commission should consider this request and approve, conditionally approve, or deny it.

Respectfully Submitted

Daniel Leavitt
Assistant Planner

February 9, 2012

TO: City Manager
For Council Consideration

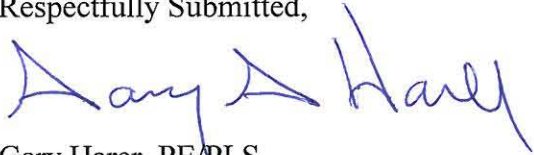
FROM: Municipal Services Director

RE: **Request To Call For Bids**
Floating Boat Dock

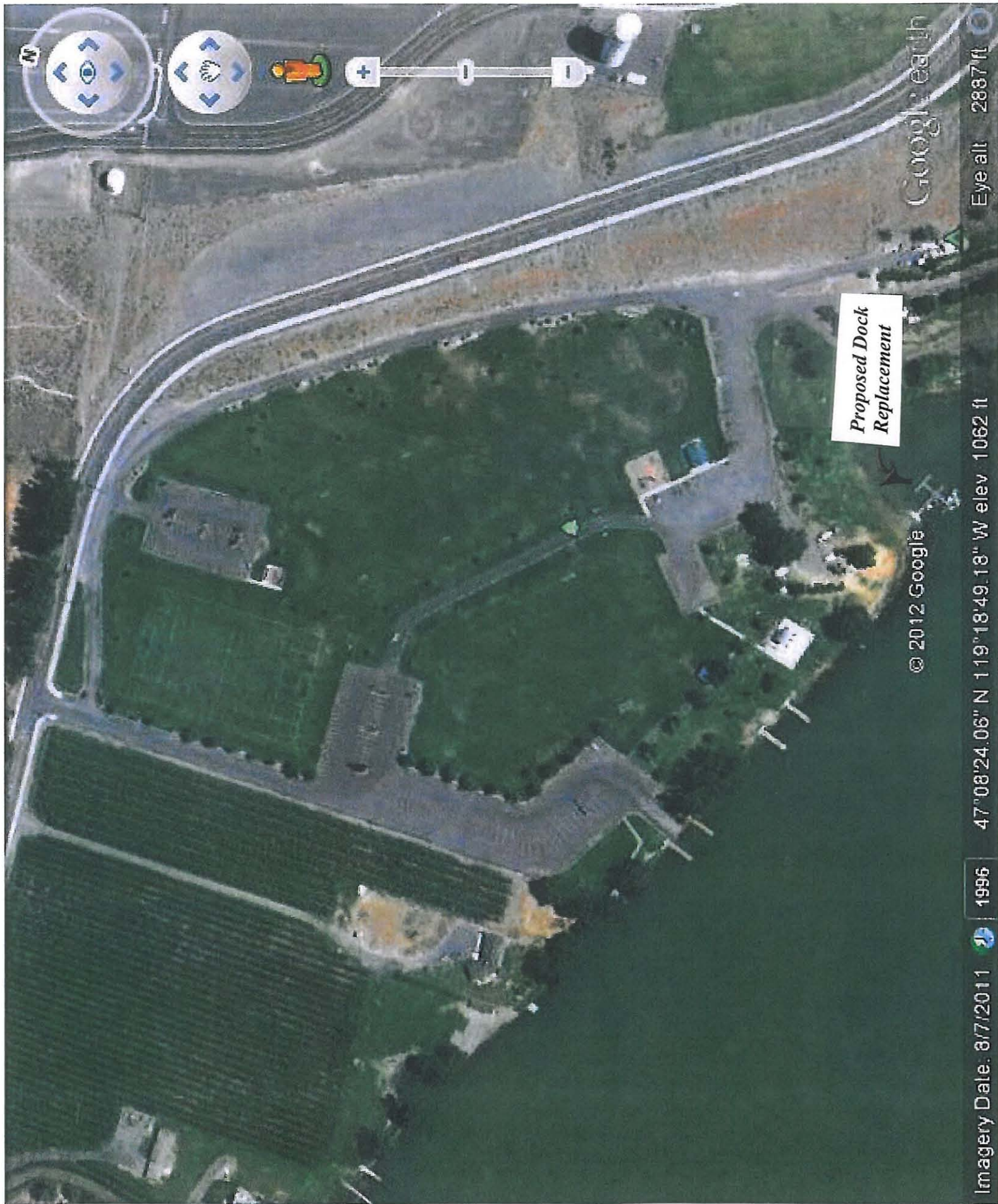
Staff has completed the specifications to purchase a floating boat dock system to replace the one in Cascade Valley Park that is near the camping sites. The estimated cost is \$60,000.

Staff is requesting authorization to advertise this purchase for bids.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Gary A. Harer".

Gary Harer, PE/PLS
Municipal Services Director



Proposed Dock Replacement

© 2012 Google

Google Earth

Imagery Date: 8/7/2011 1996 47°08'24.06" N 119°18'49.18" W elev 1062 ft

Eye alt 2887 ft



February 6, 2012

Honorable Mayor and
Moses Lake City Council

Dear Council Members

Attached is a proposed 2012 Municipal Services Agreement presented by the Grant County Economic Development Council. In this agreement the Council asks the City to pay \$40,000, which is the same as in 2011.

The proposed agreement is presented for the Council's consideration.

Respectfully submitted



Joseph K. Gavinski
City Manager

JKG:jt

Grant County Economic Development Council

2012 MUNICIPAL SERVICES AGREEMENT

THIS AGREEMENT, made and entered into this day by and between the **City of Moses Lake**, a municipal corporation hereinafter referred to as the “**MUNICIPALITY**”, and **Grant County Economic Development Council**, hereinafter referred to as the “**AGENCY**”.

THEREFORE, it is hereby covenanted and agreed as follows:

WHEREAS, the **MUNICIPALITY** desires to have certain services performed as hereinafter set forth requiring specialized skills and other supported capabilities; and

WHEREAS, the **AGENCY** represents that it is qualified and possesses sufficient skills and the necessary capabilities, including technical and professional expertise where required, to perform the services set forth in this contract;

NOW THEREFORE, in consideration of the terms, conditions, covenants and performance contained herein, the parties hereto agree as follows:

I. SERVICES

The **AGENCY** shall provide the **MUNICIPALITY** improved coordination and effectiveness of federal, state, local and other program services and actions affecting the local economy by facilitating the planning, development and sponsorship of educational workshops and seminars aimed at assisting and improving operations and finances of existing business, agriculture and local governments. The **AGENCY** shall provide research and consultation services as necessary and as they are able to aid the **MUNICIPALITY** in the planning and development of new and expanded programs, services, facilities, utilities and properties.

The **AGENCY** shall provide consultation and assistance as necessary and as they are able in developing proposals for prospective commercial and industrial clients. The **AGENCY** shall also provide a comprehensive marketing package, including brochures, web page, targeted advertising and direct mail programs aimed at highlighting agriculture, commerce and industry, energy resources, education, recreation, tourism, and the quality-of-life in Grant County.

II. REPORTING REQUIREMENTS

The **AGENCY** shall submit periodic reports as required by the **MUNICIPALITY**, which shall include, but not be limited to, a fiscal year revenue and expenditure report, and final annual evaluation report.

III. DURATION OF AGREEMENT

The terms of this Agreement and the performance of the **AGENCY** shall commence upon execution of this Agreement and terminate **December 31, 2012**. The Agreement

may be extended or terminated upon mutual agreement between the parties hereto and pursuant to the terms and conditions of this Agreement.

IV. COMPENSATION AND METHOD OF PAYMENT

The **MUNICIPALITY** shall reimburse the **AGENCY** for the services performed under this Agreement in the amount of **\$40,000.00**, payable within sixty (60) days of invoicing.

V. NOTICES

Written notices to each party shall be sent to the following addresses: Grant County Economic Development Council, 6594 Patton Boulevard Northeast, Moses Lake, WA 98837, and to the City of Moses Lake, PO Box 1579, Moses Lake, WA 98837.

VI. ESTABLISHMENT AND MAINTENANCE OF RECORDS

The **AGENCY** agrees to maintain books and records, and document accounting procedures, which accurately reflect all direct and indirect costs, related to the performance of this Agreement. The **AGENCY** shall retain all books, records, documents, and other material relevant to this Agreement for three (3) years after its expiration.

The **AGENCY** agrees that the **MUNICIPALITY**, or its designated agent, shall have full access and right to examine any of said materials at all reasonable times during said period. The **AGENCY** agrees to the established guidelines requiring that a "Single Audit" be conducted for federal funds received in excess of \$25,000.00

VII. COMPLIANCE WITH LAWS

The **AGENCY**, in performance of this Agreement, agrees to comply with all applicable federal, state and local laws or ordinances, including standards for licensing, certification, and operation of facilities, programs, and accreditation, and licensing of individuals and any other standards or criteria as described in this Agreement to assure quality of services.

VIII. NON-DISCRIMINATION IN EMPLOYMENT

The **AGENCY** agrees that it shall not discriminate against any employee or applicant on the grounds of race, creed, color, religion, national origin, sex, marital status, age, or the presence of any sensory, mental or physical handicap; provided that the prohibition against discrimination in employment because of handicap shall not apply if the particular disability prevents the proper performance of the particular worker involved.

The **AGENCY** shall insure that applicants are employed and that employees are treated during employment without discrimination because of their race, creed, color, religion, national origin, sex, marital status, age, or the presence of any sensory, mental or physical handicap. Such action shall include but not be limited to: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation and programs for training including apprenticeships.

The **AGENCY** shall take such action with respect to this contract as may be required to ensure full compliance with Chapter 49.60 RCW and applicable federal laws and regulation.

IX. NON-DISCRIMINATION IN CLIENT SERVICES

A. The **AGENCY** shall not discriminate, on the grounds of race, creed, color, religion, national origin, sex, marital status, age, or the presence of any sensory, mental or physical disability:

- (1) Deny any individual any services or other benefits provided this Agreement;
- (2) Provide any services or other benefits to any individual which are different, or are provided in a different manner, from those provided to others under this Agreement;
- (3) Subject an individual to segregation or separate treatment in a manner related to his/her receipt of any services or other benefits provided under this Agreement;
- (4) Deny any individual an opportunity to participate in any program provided by this Agreement through the provision of services or otherwise, or will afford him/her opportunity to do so, which is different from that afforded to others under this Agreement;
- (5) The **AGENCY**, in determining (a) the types of services or other benefits to be provided, or (b) the class of individuals to whom, or the situation in which, such services or other benefits will be provided, or (c) the class of individuals to be afforded an opportunity to participate in any services or other benefits, will not utilize criteria or methods of administration which have the discrimination because of race, creed, color, religion, national origin, sex, marital status, age, or the presence of any sensory, mental or physical handicap or have the effect of defeating or substantially impairing accomplishment of the objective of this Agreement, with respect to individuals of a particular race, creed, color, religion, national origin, sex, marital status, age, or the presence of any sensory, mental or physical handicap.

B. The **AGENCY** shall take affirmative action to ensure that its facilities and programs are accessible to people with sensory, mental, or physical handicaps.

X. INDEMNIFICATION/HOLD HARMLESS

All services to be rendered or performed under this Agreement shall be performed or rendered entirely at the **AGENCY'S** own risk and the **AGENCY** expressly agrees to indemnify and hold harmless the **MUNICIPALITY** and all of its officers, agents, employees, or otherwise, from any and all liability, loss, or damage that they may suffer as a result of claims, demands, actions, or damages to any and all persons or property, costs or judgments against the **MUNICIPALITY** which result from, arise out of, or are

in any way connected with the services to be performed by the **AGENCY** under this Agreement.

XI. TERMINATION

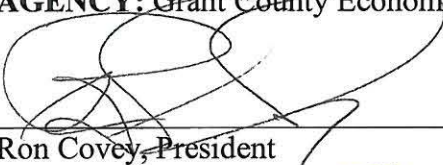
If the **AGENCY** fails to comply with the terms and conditions of the Agreement, the **MUNICIPALITY** may pursue such remedies as are legally available including, but not limited to, the suspension or termination of this Agreement.

XII. ENTIRE AGREEMENT

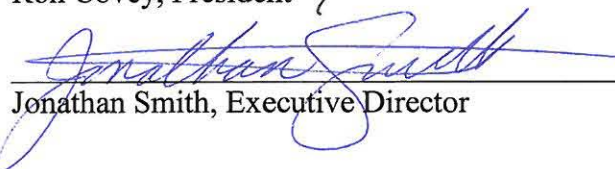
The parties agree that this Agreement is the complete expression of the terms hereto and any oral representatives or understandings not incorporated herein are excluded. Further, any modification of this Agreement shall be in writing and signed by both parties.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement executed this
27th Day of January, 2012.

AGENCY: Grant County Economic Development Council



Ron Covey, President



Jonathan Smith, Executive Director

IN WITNESS WHEREOF, the parties hereto have caused this Agreement executed this
____ Day of _____, _____.

MUNICIPALITY: City of Moses Lake

February 7, 2012

TO: City Manager
For City Council Consideration

FROM: Municipal Services Director

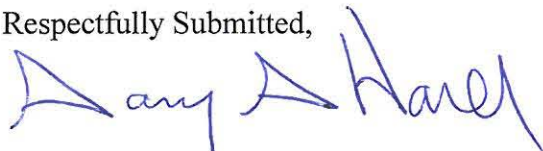
SUBJECT: **Request to Connect to City Utilities
Port of Moses Lake**

Patrick Jones, Port of Moses Lake' Executive Director, requests permission to connect to the City's water and sewer systems to serve a 12,000 square foot warehouse that is proposed to be constructed at 6592 22nd Avenue, without annexing the property to the City. The city's water and systems have adequate capacity. This parcel is within one-half mile of the city limits, and within the City of Moses Lake's UGA. According to Resolution No. 2513 Section 3.B., the City Council must determine that it is impractical for the property owner to annex this property before approving his request.

If approved, the property owners will be required to sign an extraterritorial agreement.

This request is presented for Council consideration.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Gary Harer". The signature is stylized with a large "G" and "H".

Gary Harer, PE/PLS
Municipal Services Director



GRANT COUNTY INTERNATIONAL AIRPORT
Foreign Trade Zone #203

7810 Andrews St. N.E., Suite 200
Moses Lake, WA, USA 98837-3204

PHONE 509-762-5363

FAX 509-762-2713

E-MAIL info@portofmoseslake.com

WEB SITE www.portofmoseslake.com

February 1, 2012

Mr. Gary Harer
Director of Municipal Services
CITY OF MOSES LAKE
P.O. Box 1579
Moses Lake, WA 98837

Dear Mr. Harer:

The Port of Moses Lake is in the process of constructing a new cross dock warehouse facility located at 6592 22nd Avenue NE, at the Grant County International Airport. The 12,500 square foot building will not require a fire suppression system. The Port is requesting either a one (1) or a one and one half (1.5) inch water line to connect to the existing six inch water line and a four inch sewer line to connect to the existing ten inch sewer line. Both water and sewer lines will be connecting to the City of Moses Lake's existing municipal system with no new construction required.

With the Port connecting to city services, we understand the requirement for an Extraterritorial Agreement between our two municipalities. This letter is initiating this agreement. If you have any question, please call our office.

Sincerely,

Patrick Jones
Executive Director

RECEIVED

FEB 03 2012

**MUNICIPAL SERVICES DEPT.
ENGINEERING
CITY OF MOSES LAKE**

"Your Partner For Progress"

Commissioners: MICHAEL B. CONLEY – DAVID "KENT" JONES – STROUD W. KUNKLE • Executive Director: PATRICK JONES

ADDRESS AND ZONING MAP 2011

STREET STREET NAME
 LOTS
 NEW PARCELS



0 80 160

Feet

COUNTY
INFO UPDATED
MAY 20, 2011



PARCEL:
OWNER:
ADDRESS:
NOTES:

DRAWN: BKP
 Last Ordinance: 2607

February 7, 2012

TO: City Manager
For City Council Consideration

FROM: Municipal Services Director

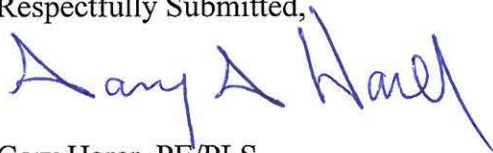
SUBJECT: **Request to Connect to City Utilities**
2165 Westshore Drive

Dick Deane requests permission to connect to the City's water and sewer systems to serve a residential home located at 2165 Westshore Drive without annexing the property to the City. The city's water and systems have adequate capacity. This parcel is within one-half mile of the city limits, and within the City of Moses Lake's UGA. According to Resolution No. 2513 Section 3.B., the City Council must determine that it is impractical for the property owner to annex this property before approving his request.

If approved, the property owners will be required to sign an extraterritorial agreement.

This request is presented for Council consideration.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Gary A Harer". The signature is written in a cursive style with a large initial "G" and "H".

Gary Harer, PE/PLS
Municipal Services Director

RECEIVED

February 6, 2012

FEB 07 2012

MUNICIPAL SERVICES DEPT.
ENGINEERING
CITY OF MOSES LAKE

Gary Harer, Municipal Services Director
City of Moses Lake
P O Box 1579
Moses Lake, WA 98837

Re: Residence located at 2165 Westshore Dr., Moses Lake, WA 98837

Legal Description: S100' of Tract 55 State Orchard Tract Replat. 59 AC (cale) Parcel Number 14[77100]
Grant County

Dear Mr. Harer:

This past summer/fall (2011) my original home as a child which was built in 1946 and is presently a rental started experiencing septic tank problems. I have for several years planned to request permission from the city to connect when conditions changed. I have made arrangements with Mr. Eldin Broughton of "Broughton Construction" to manage the project. He has successfully accomplished this task several times on Westshore Drive in the past couple of years.

Based upon this information, I am requesting permission to connect to the force sewer main that runs directly in front of the lot at 2165 Westshore, Moses Lake, WA. I am also requesting permission to connect to the city water line that also runs directly in front of the property at a later date. I am willing to sign the extra territorial utility extension agreement for both water and sewer when requested by the city to do so.

Sincerely,

A handwritten signature in blue ink that reads "Sidney Richard Deane". The signature is written in a cursive, flowing style.

Sidney Richard (Dick) Deane

ADDRESS AND ZONING MAP 2011

STREET STREET NAME




COUNTY INFO UPDATED MAY 20, 2011

0 240 480
 Feet



DRAWN: BKP
 Last Ordinance: 2607

PARCEL:
 OWNER:
 ADDRESS:
 NOTES:



February 7, 2012

TO: Council Members
FROM: Mayor Ecret
SUBJECT: Appointment - Airport Commission

Richard Pearce was the City's ex officio member on the Airport Commission. Since Mr. Pearce chose not to run for re-election, another Council member will be needed to serve as the ex officio member on the Airport Commission.

Please let me know by Monday, February 13 if you would be interested in serving as the ex officio member on the Airport Commission. The appointment will be made at the February 14 Council meeting.

jt



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Northwest Regional Office
911 N.E. 11th Avenue
Portland, Oregon 97232-4169



JAN 27 2012

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

The Honorable Bill Ecret
Mayor
City of Moses Lake
Post Office Box 1579
Moses Lake, Washington 98837

Dear Mayor Ecret:

This letter is to notify you that this Agency has under consideration an application for acquisition of an off-reservation, 6.0-acre tract and 1.0-acre tract by the United States of America to be held in trust for the use and benefit of the Confederated Tribes of the Colville Reservation. The Tribes' proposed use of the tract is for a Tribal Trails Travel Plaza. The legal descriptions of the tracts are:

Parcel No. 1: Tax Parcel No. 90384000:

Tract 65, Battery Orchard Tracts, according to the plat thereof recorded in Acreage plats, Page 31, records of Grant County, Washington, lying South of Wanapum Drive, excepting that portion conveyed to the State of Washington by deed recorded August 28, 1995, under Auditor's File No. 950829028.

Parcel No. 2: Tax Parcel No. 90383010

Tract 64, Battery Orchard Tracts, according to the plat thereof recorded in Acreage plats, Page 31, records of Grant County, Washington, lying South of Wanapum Drive, excepting that portion conveyed to the State of Washington by deed recorded August 28, 1995, under Auditor's File No. 950829028.

The determination to acquire or not to acquire this property in trust will be made in the exercise of the Secretary of the Interior's discretionary authority. To assist the Secretary in the exercise of that discretion, and pursuant to regulations in Title 25, Code of Federal Regulations, Section 151.11, (a copy of which is enclosed), we invite your comments on the proposed acquisition. In particular, information on the following is requested:

- (1) The annual amount of property taxes currently levied on the property.
- (2) Any special assessments, and amounts thereof, which are currently assessed

against the property.

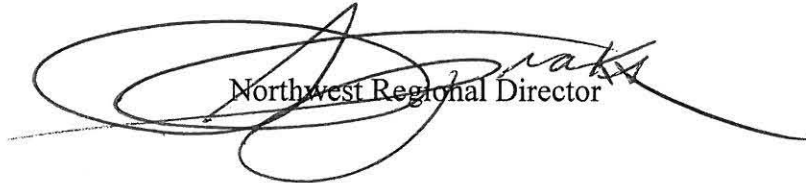
- (3) Any governmental services which are currently provided to the property by your jurisdiction.

Please address the information and comments to the Regional Director, Bureau of Indian Affairs, Northwest Regional Office, 911 Northeast 11th Avenue, Portland, Oregon 97232-4169. Any comments received within 30 days of the date of receipt of this letter at the above address will be considered.

Your comments will be made available to the applicant. You will be notified of the decision to approve or deny the application.

A copy of the application, excluding any documentation exempted under the Freedom of Information Act, is available for review at the address above. Please contact Mr. Greg Argel, Realty Officer, at telephone number (503) 231-6787, to make an appointment to review the application.

Sincerely,


Northwest Regional Director

Enclosure

Titles and Records Offices are designated as Certifying Officers for this purpose. When a copy or reproduction of a title document is authenticated by the official seal and certified by a Manager, Land Titles and Records Office, the copy or reproduction shall be admitted into evidence the same as the original from which it was made. The fees for furnishing such certified copies are established by a uniform fee schedule applicable to all constituent units of the Department of the Interior and published in 43 CFR part 2, appendix A.

§ 150.11 Disclosure of land records, title documents, and title reports.

(a) The usefulness of a Land Titles and Records Office depends in large measure on the ability of the public to consult the records contained therein. It is therefore, the policy of the Bureau of Indian Affairs to allow access to land records and title documents unless such access would violate the Privacy Act, 5 U.S.C. 552a or other law restricting access to such records, or there are strong policy grounds for denying access where such access is not required by the Freedom of Information Act, 5 U.S.C. 552. It shall be the policy of the Bureau of Indian Affairs that, unless specifically authorized, monetary considerations will not be disclosed insofar as leases of tribal land are concerned.

(b) Before disclosing information concerning any living individual, the Manager, Land Titles and Records Office, shall consult 5 U.S.C. 552a(b) and the notice of routine users then in effect to determine whether the information may be released without the written consent of the person to whom it pertains.

PART 151—LAND ACQUISITIONS

Sec.

- 151.1 Purpose and scope.
- 151.2 Definitions.
- 151.3 Land acquisition policy.
- 151.4 Acquisitions in trust of lands owned in fee by an Indian.
- 151.5 Trust acquisitions in Oklahoma under section 5 of the I.R.A.
- 151.6 Exchanges.
- 151.7 Acquisition of fractional interests.
- 151.8 Tribal consent for nonmember acquisitions.

- 151.9 Requests for approval of acquisitions.
- 151.10 On-reservation acquisitions.
- 151.11 Off-reservation acquisitions.
- 151.12 Action on requests.
- 151.13 Title examination.
- 151.14 Formalization of acceptance.
- 151.15 Information collection.

AUTHORITY: R.S. 161: 5 U.S.C. 301. Interpret or apply 46 Stat. 1106, as amended; 46 Stat. 1471, as amended; 48 Stat. 985, as amended; 49 Stat. 1967, as amended, 53 Stat. 1129; 63 Stat. 605; 69 Stat. 392, as amended; 70 Stat. 290, as amended; 70 Stat. 626; 75 Stat. 505; 77 Stat. 349; 78 Stat. 389; 78 Stat. 747; 82 Stat. 174, as amended, 82 Stat. 884; 84 Stat. 120; 84 Stat. 1874; 86 Stat. 216; 86 Stat. 530; 86 Stat. 744; 88 Stat. 78; 88 Stat. 81; 88 Stat. 1716; 88 Stat. 2203; 88 Stat. 2207; 25 U.S.C. 2, 9, 409a, 450h, 451, 464, 465, 487, 488, 489, 501, 502, 573, 574, 576, 608, 608a, 610, 610a, 622, 624, 640d-10, 1466, 1495, and other authorizing acts.

CROSS REFERENCE: For regulations pertaining to: The inheritance of interests in trust or restricted land, see parts 15, 16, and 17 of this title and 43 CFR part 4; the purchase of lands under the BIA Loan Guaranty, Insurance and Interest Subsidy program, see part 103 of this title; the exchange and partition of trust or restricted lands, see part 152 of this title; land acquisitions authorized by the Indian Self-Determination and Education Assistance Act, see parts 900 and 276 of this title; the acquisition of allotments on the public domain or in national forests, see 43 CFR part 2530; the acquisition of Native allotments and Native townsite lots in Alaska, see 43 CFR parts 2561 and 2564; the acquisition of lands by Indians with funds borrowed from the Farmers Home Administration, see 7 CFR part 1823, subpart N; the acquisition of land by purchase or exchange for members of the Osage Tribe not having certificates of competency, see §§ 117.8 and 158.54 of this title.

SOURCE: 45 FR 62036, Sept. 18, 1980, unless otherwise noted. Redesignated at 47 FR 13327, Mar. 30, 1982.

§ 151.1 Purpose and scope.

These regulations set forth the authorities, policy, and procedures governing the acquisition of land by the United States in trust status for individual Indians and tribes. Acquisition of land by individual Indians and tribes in fee simple status is not covered by these regulations even though such land may, by operation of law, be held in restricted status following acquisition. Acquisition of land in trust status by inheritance or escheat is not covered by these regulations. These regulations do not cover the acquisition of

land in trust status in the State of Alaska, except acquisitions for the Metlakatla Indian Community of the Annette Island Reserve or its members.

§ 151.2 Definitions.

(a) *Secretary* means the Secretary of the Interior or authorized representative.

(b) *Tribe* means any Indian tribe, band, nation, pueblo, community, rancheria, colony, or other group of Indians, including the Metlakatla Indian Community of the Annette Island Reserve, which is recognized by the Secretary as eligible for the special programs and services from the Bureau of Indian Affairs. For purposes of acquisitions made under the authority of 25 U.S.C. 488 and 489, or other statutory authority which specifically authorizes trust acquisitions for such corporations, "Tribe" also means a corporation chartered under section 17 of the Act of June 18, 1934 (48 Stat. 988; 25 U.S.C. 477) or section 3 of the Act of June 26, 1936 (49 Stat. 1967; 25 U.S.C. 503).

(c) *Individual Indian* means:

(1) Any person who is an enrolled member of a tribe;

(2) Any person who is a descendent of such a member and said descendant was, on June 1, 1934, physically residing on a federally recognized Indian reservation;

(3) Any other person possessing a total of one-half or more degree Indian blood of a tribe;

(4) For purposes of acquisitions outside of the State of Alaska, *Individual Indian* also means a person who meets the qualifications of paragraph (c)(1), (2), or (3) of this section where "Tribe" includes any Alaska Native Village or Alaska Native Group which is recognized by the Secretary as eligible for the special programs and services from the Bureau of Indian Affairs.

(d) *Trust land* or *land in trust status* means land the title to which is held in trust by the United States for an individual Indian or a tribe.

(e) *Restricted land* or *land in restricted status* means land the title to which is held by an individual Indian or a tribe and which can only be alienated or encumbered by the owner with the approval of the Secretary because of limitations

contained in the conveyance instrument pursuant to Federal law or because of a Federal law directly imposing such limitations.

(f) Unless another definition is required by the act of Congress authorizing a particular trust acquisition, *Indian reservation* means that area of land over which the tribe is recognized by the United States as having governmental jurisdiction, except that, in the State of Oklahoma or where there has been a final judicial determination that a reservation has been disestablished or diminished, *Indian reservation* means that area of land constituting the former reservation of the tribe as defined by the Secretary.

(g) *Land* means real property or any interest therein.

(h) *Tribal consolidation area* means a specific area of land with respect to which the tribe has prepared, and the Secretary has approved, a plan for the acquisition of land in trust status for the tribe.

[45 FR 62036, Sept. 18, 1980, as amended at 60 FR 32879, June 23, 1995]

§ 151.3 Land acquisition policy.

Land not held in trust or restricted status may only be acquired for an individual Indian or a tribe in trust status when such acquisition is authorized by an act of Congress. No acquisition of land in trust status, including a transfer of land already held in trust or restricted status, shall be valid unless the acquisition is approved by the Secretary.

(a) Subject to the provisions contained in the acts of Congress which authorize land acquisitions, land may be acquired for a tribe in trust status:

(1) When the property is located within the exterior boundaries of the tribe's reservation or adjacent thereto, or within a tribal consolidation area; or

(2) When the tribe already owns an interest in the land; or

(3) When the Secretary determines that the acquisition of the land is necessary to facilitate tribal self-determination, economic development, or Indian housing.

(b) Subject to the provisions contained in the acts of Congress which authorize land acquisitions or holding

and in trust or restricted status, land may be acquired for an individual Indian in trust status:

- (1) When the land is located within the exterior boundaries of an Indian reservation, or adjacent thereto; or
- (2) When the land is already in trust or restricted status.

§ 151.4 Acquisitions in trust of lands owned in fee by an Indian.

Unrestricted land owned by an individual Indian or a tribe may be conveyed into trust status, including a conveyance to trust for the owner, subject to the provisions of this part.

§ 151.5 Trust acquisitions in Oklahoma under section 5 of the I.R.A.

In addition to acquisitions for tribes which did not reject the provisions of the Indian Reorganization Act and their members, land may be acquired in trust status for an individual Indian or a tribe in the State of Oklahoma under section 5 of the Act of June 18, 1934 (48 Stat. 985; 25 U.S.C. 465), if such acquisition comes within the terms of this part. This authority is in addition to all other statutory authority for such an acquisition.

§ 151.6 Exchanges.

An individual Indian or tribe may acquire land in trust status by exchange if the acquisition comes within the terms of this part. The disposal aspects of an exchange are governed by part 152 of this title.

§ 151.7 Acquisition of fractional interests.

Acquisition of a fractional land interest by an individual Indian or a tribe in trust status can be approved by the Secretary only if:

- (a) The buyer already owns a fractional interest in the same parcel of land; or
- (b) The interest being acquired by the buyer is in fee status; or
- (c) The buyer offers to purchase the remaining undivided trust or restricted interests in the parcel at not less than their fair market value; or
- (d) There is a specific law which grants to the particular buyer the right to purchase an undivided interest or interests in trust or restricted land

without offering to purchase all of such interests; or

- (e) The owner of a majority of the remaining trust or restricted interests in the parcel consent in writing to the acquisition by the buyer.

§ 151.8 Tribal consent for nonmember acquisitions.

An individual Indian or tribe may acquire land in trust status on a reservation other than its own only when the governing body of the tribe having jurisdiction over such reservation consents in writing to the acquisition; provided, that such consent shall not be required if the individual Indian or the tribe already owns an undivided trust or restricted interest in the parcel of land to be acquired.

§ 151.9 Requests for approval of acquisitions.

An individual Indian or tribe desiring to acquire land in trust status shall file a written request for approval of such acquisition with the Secretary. The request need not be in any special form but shall set out the identity of the parties, a description of the land to be acquired, and other information which would show that the acquisition comes within the terms of this part.

§ 151.10 On-reservation acquisitions.

Upon receipt of a written request to have lands taken in trust, the Secretary will notify the state and local governments having regulatory jurisdiction over the land to be acquired, unless the acquisition is mandated by legislation. The notice will inform the state or local government that each will be given 30 days in which to provide written comments as to the acquisition's potential impacts on regulatory jurisdiction, real property taxes and special assessments. If the state or local government responds within a 30-day period, a copy of the comments will be provided to the applicant, who will be given a reasonable time in which to reply and/or request that the Secretary issue a decision. The Secretary will consider the following criteria in evaluating requests for the acquisition of land in trust status when

the land is located within or contiguous to an Indian reservation, and the acquisition is not mandated:

(a) The existence of statutory authority for the acquisition and any limitations contained in such authority;

(b) The need of the individual Indian or the tribe for additional land;

(c) The purposes for which the land will be used;

(d) If the land is to be acquired for an individual Indian, the amount of trust or restricted land already owned by or for that individual and the degree to which he needs assistance in handling his affairs;

(e) If the land to be acquired is in unrestricted fee status, the impact on the State and its political subdivisions resulting from the removal of the land from the tax rolls;

(f) Jurisdictional problems and potential conflicts of land use which may arise; and

(g) If the land to be acquired is in fee status, whether the Bureau of Indian Affairs is equipped to discharge the additional responsibilities resulting from the acquisition of the land in trust status.

(h) The extent to which the applicant has provided information that allows the Secretary to comply with 516 DM 6, appendix 4, National Environmental Policy Act Revised Implementing Procedures, and 602 DM 2, Land Acquisitions: Hazardous Substances Determinations. (For copies, write to the Department of the Interior, Bureau of Indian Affairs, Branch of Environmental Services, 1849 C Street NW., Room 4525 MIB, Washington, DC 20240.)

[45 FR 62036, Sept. 18, 1980, as amended at 60 FR 32879, June 23, 1995]

§151.11 Off-reservation acquisitions.

The Secretary shall consider the following requirements in evaluating tribal requests for the acquisition of lands in trust status, when the land is located outside of and noncontiguous to the tribe's reservation, and the acquisition is not mandated:

(a) The criteria listed in §151.10 (a) through (c) and (e) through (h);

(b) The location of the land relative to state boundaries, and its distance from the boundaries of the tribe's res-

ervation, shall be considered as follows: as the distance between the tribe's reservation and the land to be acquired increases, the Secretary shall give greater scrutiny to the tribe's justification of anticipated benefits from the acquisition. The Secretary shall give greater weight to the concerns raised pursuant to paragraph (d) of this section.

(c) Where land is being acquired for business purposes, the tribe shall provide a plan which specifies the anticipated economic benefits associated with the proposed use.

(d) Contact with state and local governments pursuant to §151.10 (e) and (f) shall be completed as follows: Upon receipt of a tribe's written request to have lands taken in trust, the Secretary shall notify the state and local governments having regulatory jurisdiction over the land to be acquired. The notice shall inform the state and local government that each will be given 30 days in which to provide written comment as to the acquisition's potential impacts on regulatory jurisdiction, real property taxes and special assessments.

[60 FR 32879, June 23, 1995, as amended at 60 FR 48894, Sept. 21, 1995]

§151.12 Action on requests.

(a) The Secretary shall review all requests and shall promptly notify the applicant in writing of his decision. The Secretary may request any additional information or justification he considers necessary to enable him to reach a decision. If the Secretary determines that the request should be denied, he shall advise the applicant of that fact and the reasons therefor in writing and notify him of the right to appeal pursuant to part 2 of this title.

(b) Following completion of the Title Examination provided in §151.13 of this part and the exhaustion of any administrative remedies, the Secretary shall publish in the FEDERAL REGISTER, or in a newspaper of general circulation serving the affected area a notice of his/her decision to take land into trust under this part. The notice will state that a final agency determination to take land in trust has been made and that the Secretary shall acquire title in the name of the United States no

sooner than 30 days after the notice is published.

15 FR 62036, Sept. 18, 1980. Redesignated at 50 FR 32879, June 23, 1995, as amended at 61 FR 18083, Apr. 24, 1996]

151.13 Title examination.

If the Secretary determines that he will approve a request for the acquisition of land from unrestricted fee status to trust status, he shall acquire, or require the applicant to furnish, title evidence meeting the *Standards For The Preparation of Title Evidence In Land Acquisitions by the United States*, issued by the U.S. Department of Justice. After having the title evidence examined, the Secretary shall notify the applicant of any liens, encumbrances, or infirmities which may exist. The Secretary may require the elimination of any such liens, encumbrances, or infirmities prior to taking final approval action on the acquisition and he shall require elimination prior to such approval if the liens, encumbrances, or infirmities make title to the land unmarketable.

45 FR 62036, Sept. 18, 1980. Redesignated at 50 FR 32879, June 23, 1995]

151.14 Formalization of acceptance.

Formal acceptance of land in trust status shall be accomplished by the issuance or approval of an instrument of conveyance by the Secretary as is appropriate in the circumstances.

45 FR 62036, Sept. 18, 1980. Redesignated at 50 FR 32879, June 23, 1995]

151.15 Information collection.

(a) The information collection requirements contained in §§ 151.9; 151.10; 151.11(c), and 151.13 have been approved by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.* and assigned clearance number 1076-0100. This information is being collected to acquire land into trust on behalf of the Indian tribes and individuals, and will be used to assist the Secretary in making a determination. Response to this request is required to obtain a benefit.

(b) Public reporting for this information collection is estimated to average 4 hours per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the information

collection. Direct comments regarding the burden estimate or any other aspect of this information collection to the Bureau of Indian Affairs, Information Collection Clearance Officer, Room 337-SIB, 18th and C Streets, NW., Washington, DC 20240; and the Office of Information and Regulatory Affairs [Project 1076-0100], Office of Management and Budget, Washington, DC 20502.

[60 FR 32879, June 23, 1995; 64 FR 13895, Mar. 23, 1999]

PART 152—ISSUANCE OF PATENTS IN FEE, CERTIFICATES OF COMPETENCY, REMOVAL OF RESTRICTIONS, AND SALE OF CERTAIN INDIAN LANDS

Sec.

152.1 Definitions.

152.2 Withholding action on application.

ISSUING PATENTS IN FEE, CERTIFICATES OF COMPETENCY OR ORDERS REMOVING RESTRICTIONS

152.3 Information regarding status of applications for removal of Federal supervision over Indian lands.

152.4 Application for patent in fee.

152.5 Issuance of patent in fee.

152.6 Issuance of patents in fee to non-Indians and Indians with whom a special relationship does not exist.

152.7 Application for certificate of competency.

152.8 Issuance of certificate of competency.

152.9 Certificates of competency to certain Osage adults.

152.10 Application for orders removing restrictions, except Five Civilized Tribes.

152.11 Issuance of orders removing restrictions, except Five Civilized Tribes.

152.12 Removal of restrictions, Five Civilized Tribes, after application under authority other than section 2(a) of the Act of August 11, 1955.

152.13 Removal of restrictions, Five Civilized Tribes, after application under section 2(a) of the Act of August 11, 1955.

152.14 Removal of restrictions, Five Civilized Tribes, without application.

152.15 Judicial review of removal of restrictions, Five Civilized Tribes, without application.

152.16 Effect of order removing restrictions, Five Civilized Tribes.

**BUREAU OF INDIAN AFFAIRS
NORTHWEST REGIONAL OFFICE**



**Facsimile
TRANSMITTAL**

February 2, 2012

**TO: Gil Alvarado
City of Moses Lake**

Fax No: (509) 764-3758

**FROM: Greg Argel, Realty Officer
NWRO, BIA**

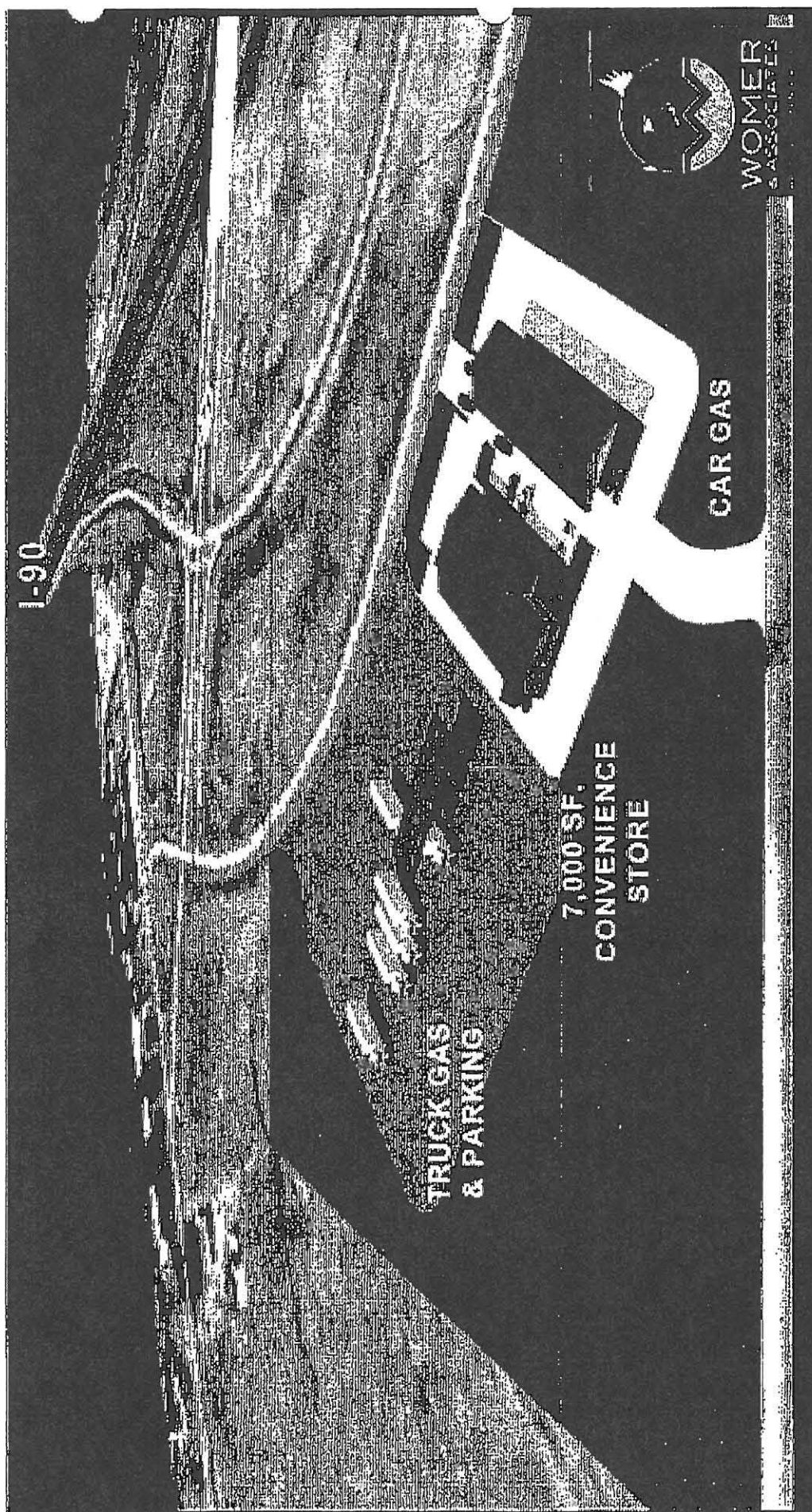
**Tel No. (503) 231-6787
Fax Number (503) 231-6715**

Subject: Colville Tribes -- Fee to Trust Application Moses Lake Property

3 Pages with this transmittal

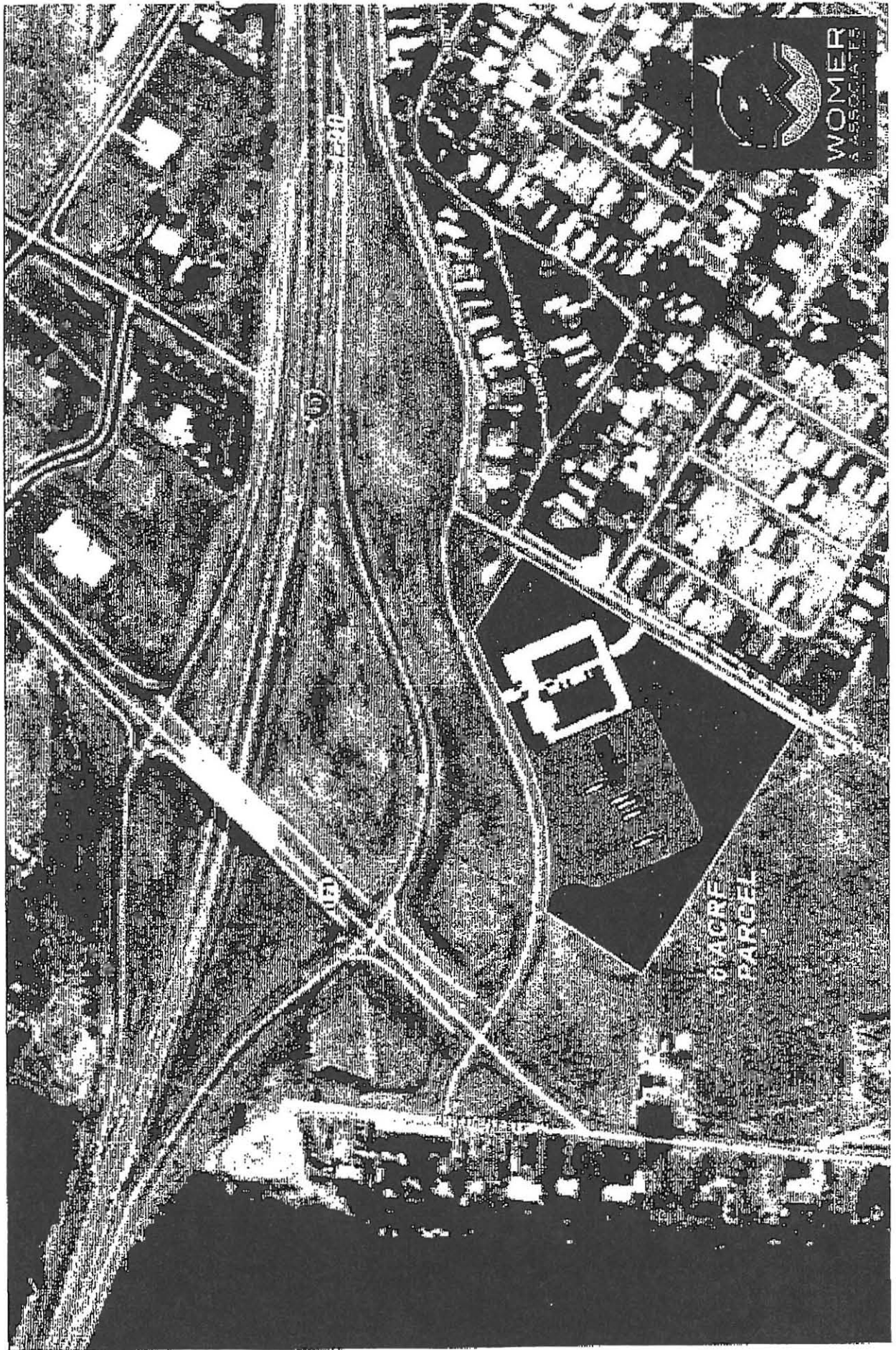
Attachments

Conceptual site Plan
MOSES LAKE
Tribal Trails Travel Plaza





Conceptual site Plan
MOSES LAKE
Tribal Trails Travel Plaza



Indian Lands in Wisconsin

All of the federally recognized tribes in Wisconsin, except the Ho-Chunk Nation, have a reservation, that is, land that the United States has set aside out of the public domain for the use of a tribe (for example, by treaty, executive order, statute, or U.S. Secretary of Interior proclamation). The Ho-Chunk Nation does not have a consolidated reservation but has trust lands in 11 counties; a few of these trust lands have reservation status. As discussed below, reservation and trust land are not synonymous: not all land on a reservation is trust land; not all trust land is on a reservation.

As discussed below, for purposes of determining civil, criminal, and civil regulatory jurisdiction, the ownership and location of land may be pertinent.

Trust Land Versus Fee Land

Congress provided that the Secretary of Interior has authority to hold and acquire land in trust for the benefit of American Indians and tribes. Trust land refers to land the title to which is held by the United States in trust for a tribe or individual American Indian. Trust land cannot be sold without the prior approval of the Secretary of Interior. Federal law provides that trust land is exempt from taxation by state and local government. In contrast, fee land (sometimes referred to as fee simple land or fee-patented land) refers to land the title to which is held by the owner. In general, an owner of fee land may freely alienate it, for example, by selling it. In general, fee land is subject to taxation by state and local government.³

Another category of land tenure unique to American Indians is restricted fee land in which the tribe or tribal member holds the title in fee subject to a federal patent that restricts alienation. For most purposes, such land is treated the same as trust land.

If a tribe or American Indian purchases land and holds the title in fee simple, the tribe or American Indian may, but is not required to, petition the Secretary to take the land in trust, and the Secretary may or may not agree to do so. Unlike a tribe, which may apply to have any land that the tribe owns held in trust, an American Indian may do so only with respect to land owned by the American Indian that is on or adjacent to a reservation or land that is already in trust or restricted status. Federal regulations promulgated by the BIA set forth the procedure and criteria used by the Secretary to make a decision as to whether to take land in trust.

General Background

Each tribe and reservation has a unique history. However, many reservations in the United States were greatly affected by the General Allotment Act of 1887 (also known as the Dawes Act) or by similar federal legislation allotting tribal land. On the affected reservations, the Dawes Act provided for a certain number of acres to be allotted to each tribal member to be held in trust for a certain period of time, after which a fee patent would be issued. Because property taxes generally had to be paid once it became fee land, many sales resulted when a tribal member could not pay property taxes or, in some cases, because a tribal member wanted to sell the land for other reasons. Many such allotted lands were then purchased by non-Indians. The Dawes Act also provided for the disposition of all "surplus" lands remaining after allotment so that the land could be used for non-Indian settlement. In the United States, it is estimated that the 138 million acres of land held by tribes and American Indians in 1887 had declined to about 48 million acres in 1934 when the allotment era ended with passage of the federal Indian Reorganization Act. Among other things, the Indian Reorganization Act prohibited further allotments and continued the trust status of lands then remaining in trust.

Land Tenure on Reservations

However, not all reservations or all lands on a reservation were allotted, and the trust status of all allotments did not expire. Moreover, tribes and individual American Indians may own or purchase fee land on a reservation which they may either hold

February 14, 2012



United States Department of the Interior
Bureau of Indian Affairs
Northwest Regional Office
911 N. E. 11th Avenue
Portland, OR 97232-4169

DRAFT

RE: Application for Acquisition of Off-Reservation Property by the USA to be Held in Trust for the Confederated Tribes of the Colville Reservation

Dear Regional Director

The City of Moses Lake received your letter dated January 27, 2012 inviting comment with regard to the application for acquisition of off-reservation land by the USA. to be held in trust for the use and benefit of the Confederated Tribes of the Colville Reservation. The Tribes' proposed use of the property is for a truck stop. The City subsequently received additional materials after a request was made by the City which provides the basis for the comments in this letter.

The City offers its comments pursuant to 25 CFR 151.110 which states that the local government can provide written comments as to an acquisition's potential impacts on regulatory jurisdiction, real property taxes, and special assessments.

Parcel 1, Tax Parcel #90384000 is approximately 1 acre in size, is currently zoned by the City of Moses Lake as R-3, which is Multi-family Residential, and is bounded by Lakeshore Drive and Wanapum Drive. See enclosed map for reference.

Parcel 2, Tax Parcel #90383010 is approximately 6 acres in size, is currently zoned by the City of Moses Lake as General Commercial and is bounded by Wanapum Drive and Wapato Drive. See enclosed map for reference.

Both parcels have substantial boundaries adjacent to currently platted and, in some cases, developed and occupied residential properties. See enclosed map for reference.

Both parcels are undeveloped and currently carry low property assessments as a result. However, it is understood by newspaper accounts and available public records that the properties were sold for an amount in excess of \$1,000,000. The assessed value should be adjusted to the sales price which should bring the assessed value in the future to over \$1,000,000. The City of Moses Lake assesses its properties at approximately \$3 per \$1,000. At an anticipated \$1,000,000 assessment, the properties would provide approximately, in an undeveloped state, \$3,000 in property tax receipts to the City of Moses Lake.

There are no special assessments against the property.

Both parcels are adjacent to streets essentially designed for residential use. The streets were not designed to carry voluminous, heavy semi-tractor and trailer truck traffic which would be anticipated to be generated by the development of a truck stop. Furthermore, the City of Moses Lake's

municipally owned streets adjacent to the ingress and egress from I-90 were not designed for voluminous heavy semi-tractor and trailer truck traffic.

As stated previously, the properties are adjacent to residential properties, some of which are currently developed and occupied. The development of a truck stop may negatively impact the value of the adjacent residential properties and negatively impact the owner's use of those residential properties. See enclosed map for reference.

The City of Moses Lake currently provides the usual array of municipal services to the properties. This includes police services, fire inspection and suppression services, ambulance service, and street construction and maintenance services. The City also provides, in the area, water, sewer and refuse collection services. Also, property taxes support the Parks and Recreation Department of the City of Moses Lake.

The City does not understand the need for the United States government to hold these parcels in trust for the Tribes. This is relatively small acreage inside the city limits of the City in an area adjacent to residential property and served by the City. This is not property in a rural setting without neighbors. It is property in the middle of a municipality providing the usual urban services to its residents.

The City does not understand why this property shouldn't be held as fee interest property by the Tribes and developed according to the City's rules and standards, subject to the laws of the City of Moses Lake.

For information's sake, the City does not allow the sale and discharge of fireworks within the City of Moses Lake as an example. Also, the City taxes all property within the City of Moses Lake at the same rate and uses those taxes to provide the services to its citizens.

The City believes the property should not be acquired by the United States government as property held in trust for the Confederated Tribes of the Colville Reservation but should simply remain as property held in fee by the Tribes and developed just as any other property inside the City of Moses Lake.

Very truly yours

Bill J. Ecret, Mayor

Dick Deane, Deputy Mayor

Jon Lane, Council Member

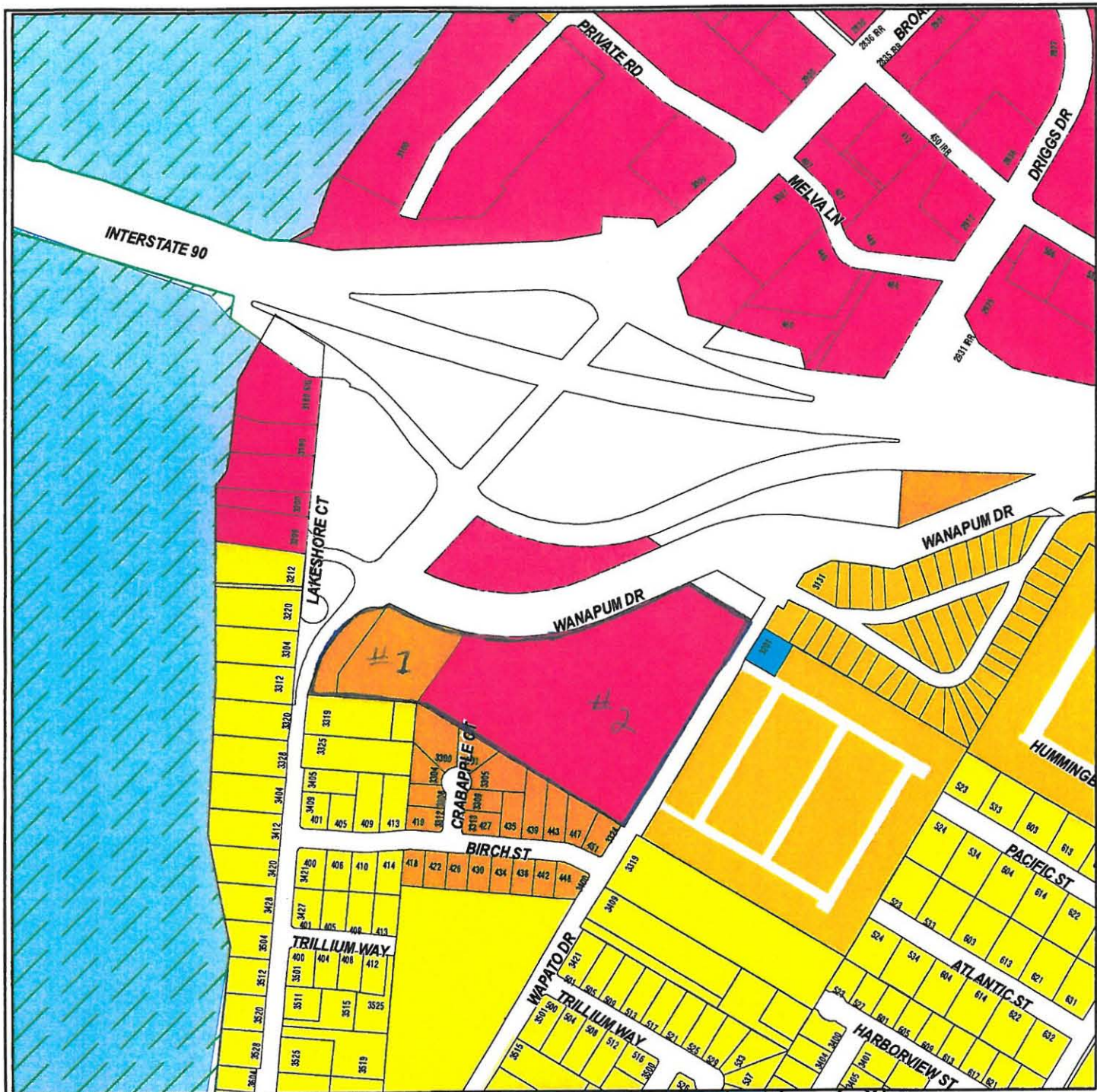
Brent Reese, Council Member

Dr. David Curnel, Council Member

Karen Liebrecht, Council Member

Jason Avila, Council Member

DRAFT



Legend

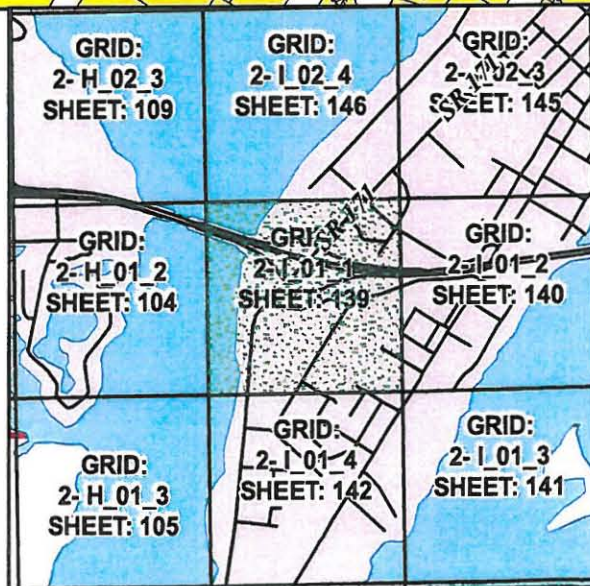
ZONING 2011

- AGRICULTURE
- BUSINESS PARK
- CENTRAL BUSINESS DIST
- GENERAL COMMERCIAL
- CONSERVATION
- HEAVY INDUSTRIAL
- LIGHT INDUSTRIAL
- LIGHT IND-ORD 2216
- ML IND PARK
- MUNICIPAL AIRPORT
- PUBLIC
- PLANNED DEV DIST
- SINGLE FAMILY RES
- SINGLE/TWO FAMILY RES
- MULTI FAMILY RES

- LAKE
- LOTS
- GC AIRPORT
- CITY LIMITS



0 400
Feet



CITY OF MOSES LAKE ZONING MAP 2011

SHEET NUMBER:

139

GRID NUMBER:

2-I_01_1

C:\GIS\planning\ZONING BOOK.mxd

DATE: FEBRUARY 02, 2010



Draft

2012 City of Moses Lake Council & Staff Workshop/Retreat

February 24 – 25, 2012 – ATEC/Hardin Room – BBCC
Retreat Agenda

Friday, February 24

1:00pm – 5:00pm

Financial Overview & Review

Future Revenue Review

Wellness Program

2% Reduction in Medical Insurance Costs

Partial use of funds

Washington Surveying and Rating Bureau

Protection Class Rating - Fire

Reservoir/ Cell Tower

Rental Agreements

Saturday, February 25

9:00am – 11:00am

City Property Ownership

Library Expansion Presentation

Trails and Paths Team Presentation

11:00am–12:00pm

Port of Moses Lake

12:00pm – 1:00pm

Lunch



2012 City of Moses Lake Council & Staff Workshop/Retreat

February 24 – 25, 2012 – ATEC/Hardin Room – BBCC
Retreat Agenda

Saturday, February 25

1:00pm-5:00pm

Park Issues / Projects

- McCosh Park Path / Farmer's Market
- Downtown Flower Pots
- Dano Park – Cul de Sac
- Penn St. Property

Fire Department

Volunteer Program

Senior Center and Boys & Girls Club

Water System Review

Funding Requests

Wastewater System Review

Water Conservation Program

Property Maintenance Standards

Draft Ordinance

Council Priorities, Goals and Wishes

7:30 pm

Dinner

Michael's on the Lake

December 16, 2011

TO: City Manager for Council Consideration

FROM: Community Development Director



SUBJECT: January 2012 Building Activity Report

Please see the attached building activity report for the month of January 2012. Also included is the building activity for the 2012 year to date. The following are highlights of the attached report:

1. Building permits revenue generated for the month of January: \$1,656
2. Building permits revenue generated for the year to date: \$1,656
3. Building permits estimated valuation for the month of January: \$5,950
4. Building permits estimated valuation for the year to date: \$5,950

For the purpose of comparing January 2012 building activity numbers to January 2011 and January 2010 and building activity numbers, the following 2011 and 2010 highlights are provided:

2011

5. Building permits revenue generated for the month of January: \$22,460
6. Building permits revenue generated for the year to date: \$22,460
7. Building permits estimated valuation for the month of January: \$3,639,577
8. Building permits estimated valuation for the year to date: \$3,639,577

2010

9. Building permits revenue generated for the month of January: \$14,901
10. Building permits revenue generated for the year to date: \$14,901
11. Building permits estimated valuation for the month of January: \$860,670
12. Building permits estimated valuation for the year to date: \$860,670

February 1, 2012

TO: Community Development Director

FROM: Planning and Building Technician

KW

SUBJECT: January Building Activity Report

Attached is the January 2012 building permit statistics for your information. January 2011 and 2010 is attached for comparison.

Please call me at Extension #3756 with any questions.

cc: City Manager
Building Official
Municipal Services Director
County Assessor
File

RUN BY: kwoodworth

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

DATE: WED, FEB 1, 2012, 8:49 AM

DESCRIPTION	# OF PERMITS ISSUED 01/2012	# OF PERMITS ISSUED YTD 01/31/2012	ESTIMATED VALUATION 01/2012	ESTIMATED VALUATION YTD 01/31/2012
A437 NONRESIDENTIAL ADD AND	1	1	200	200
M329 STRUCTURES OTHER THAN B	2	2	5,750	5,750
M801 MECHANICAL COMMERCIAL	1	1	0	0
M802 MECHANICAL RESIDENTIAL	1	1	0	0
M902 PLUMBING RESIDENTIAL	1	1	0	0
PERMIT TOTALS:	6	6	5,950	5,950

RUN BY: kwoodworth

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

DATE: TUE, FEB 1, 2011, 8:20 AM

DESCRIPTION	# OF PERMITS ISSUED 01/2011	# OF PERMITS ISSUED YTD 01/31/2011	ESTIMATED VALUATION 01/2011	ESTIMATED VALUATION YTD 01/31/2011
A434 RESIDENTIAL ADD AND ALT	1	1	19,542	19,542
A437 NONRESIDENTIAL ADD AND	2	2	2,700	2,700
C319 CHURCHES & OTHER RELIGI	1	1	395,000	395,000
C320 INDUSTRIAL	1	1	1,915,200	1,915,200
C327 STORES & CUSTOMER SERVI	1	1	717,060	717,060
C328 OTHER NONRESIDENTIAL BU	1	1	584,475	584,475
M329 STRUCTURES OTHER THAN B	3	3	5,600	5,600
M801 MECHANICAL COMMERCIAL	1	1	0	0
M802 MECHANICAL RESIDENTIAL	1	1	0	0
M901 PLUMBING COMMERICAL	2	2	0	0
M902 PLUMBING RESIDENTIAL	2	2	0	0
R101 SINGLE FAMILY-DETACHED	2	2	0	0
PERMIT TOTALS:	18	18	3,639,577	3,639,577

CITY OF MOSES LAKE
BUILDING DEPARTMENT

RUN BY: kwoodworth

ISSUED BUILDING PERMIT STATISTICS
FROM: 01/01/2010 TO: 01/31/2010

DATE: MON, FEB 1, 2010, 8:42 AM

DESCRIPTION	# OF PERMITS ISSUED 01/2010	# OF PERMITS ISSUED YTD 01/31/2010	ESTIMATED VALUATION 01/2010	ESTIMATED VALUATION YTD 01/31/2010
A437 NONRESIDENTIAL ADD AND	6	6	64,000	64,000
M329 STRUCTURES OTHER THAN B	2	2	24,800	24,800
M801 MECHANICAL COMMERCIAL	1	1		
M802 MECHANICAL RESIDENTIAL	1	1		
M901 PLUMBING COMMERICAL	1	1		
M902 PLUMBING RESIDENTIAL	1	1		
R101 SINGLE FAMILY-DETACHED	2	2		
R102 SINGLE-FAMILY ATTACHED	7	7	771,870	771,870
PERMIT TOTALS:	21	21	860,670	860,670

CITY OF MOSES LAKE
BUILDING DEPARTMENT

RUN BY: kwoodworth

MONTHLY BUILDING PERMIT APPLICATIONS
FROM: 01/01/2012 TO: 01/31/2012

DATE: 02/01/2012

PERMIT NUMBER	PERMIT TYPE	ESTIMATED VALUATION	REVIEW-FEES CHARGED	STATE-FEES CHARGED	PERMIT FEES CHARGED	APPLICATION DATE
20120001	M802		.00	.00	34.00	01/05/2012
20120002	A434	10,000	.00	4.50	187.75	01/09/2012
20120003	A437		.00	4.50	.00	01/12/2012
20120004	A437	200	.00	4.50	30.00	01/23/2012
20120005	M902		.00	.00	35.00	01/26/2012
20120006	M329	800	.00	4.50	39.15	01/30/2012
REPORT TOTALS:		11,000	.00	18.00	325.90	
TOTAL FEES CHARGED:				343.90		

RUN BY: kwoodworth

APPLICATION STATUS
FROM: 01/01/2012 TO: 01/31/2012

DATE: 02/01/2012

PERMIT NUMBER	PERMIT TYPE	SERVICE ADDRESS	APPLICATION DATE	ISSUE DATE
20120001	M802	520 BALSAM ST	01/05/2012	01/05/2012
20120002	A434	537 DUNE RD	01/09/2012	/ /
20120003	A437	1790 KITTELSON RD	01/12/2012	/ /
20120004	A437	302 BROADWAY AVE	01/23/2012	01/23/2012
20120005	M902	1213 ALDERWOOD DR	01/26/2012	01/26/2012
20120006	M329	1035 STRATFORD RD #	01/30/2012	/ /

Building Permit Fees

		2012													Over	
		YTD	January	February	March	April	May	June	July	August	September	October	November	December	Budget	(Under)
000-004-32210-000-1000-0000-00	Build., Struct. & Equip.	1,130.40	1,130.40												275,000.00	(273,869.60)
000-004-34583-000-1000-0000-00	Plan Checking Fees	35.36	35.36												85,000.00	(84,964.64)
Total		1,165.76	1,165.76												360,000.00	(358,834.24)

		2011												Budget	Over (Under)	
		YTD	January	February	March	April	May	June	July	August	September	October	November	December	Budget	Over (Under)
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	80,000.00	(6,900.97)	
Total		295,213.93	22,460.91	24,310.24	36,419.19	28,557.01	19,137.84	48,645.41	16,879.42	16,396.28	26,711.99	28,538.66	11,068.73	16,088.25	380,000.00	(84,786.07)

		2010													Budget	Over (Under)
		YTD	January	February	March	April	May	June	July	August	September	October	November	December	Budget	Over (Under)
000-004-32210-000-1000-0000-00	Build., Struct. & Equip.	214,377.83	12,352.95	11,049.25	28,405.72	21,463.65	45,332.40	10,790.20	10,432.00	14,357.81	37,170.75	8,479.20	9,347.15	5,196.75	400,000.00	(185,622.17)
000-004-34583-000-1000-0000-00	Plan Checking Fees	93,460.15	2,548.66	13,336.67	7,382.80	4,183.06	7,637.78	3,561.36	3,933.07	9,186.40	18,136.33	4,834.38	13,381.62	5,338.02	150,000.00	(56,539.85)
Total		307,837.98	14,901.61	24,385.92	35,788.52	25,646.71	52,970.18	14,351.56	14,365.07	23,544.21	55,307.08	13,313.58	22,728.77	10,534.77	550,000.00	(242,162.02)

February 1, 2012

TO: City Manager

FROM: Assistant Finance Director



SUBJECT: Investment Report

Attached is the Investment Report for the month of January, 2012.

cc: Finance Director
Accounting Division Manager

Investment Report
January, 2012

Investment With	Investment Type	Amount	Interest Rate	Purchase Date	Maturity Date	Interest Earned
Investments Outstanding						
Total Outstanding:		\$0.00				
Investment Maturities						
Grant County Invest Pool	Invest Acct	9,098,364.46	2.87	12/01/11	12/301/11	22,245.06
Wa. State Invest Pool	Invest Acct	8,553,199.85	0.13	12/01/11	12/301/11	882.91
Total Maturities:		17,651,564.31				
Investment Purchases						
Grant County Invest Pool	Invest Acct	9,120,609.52	2.50	01/01/12	01/31/12	
Wa. State Invest Pool	Invest Acct	9,071,091.82	0.16	01/01/12	01/31/12	
Total Purchases:		18,191,701.34				
Investment Totals						
Beginning Balance *		17,651,564.31				
Total Maturities		17,651,564.31				
Total Purchases		18,191,701.34				
Ending Balance *		18,191,701.34			Monthly Interest Earned	23,127.97
* Beginning Balance = Total Outstanding +Total Maturities						
*Ending Balance = Beginning Balance - Total Maturities +Total Purchases						



February 1, 2012

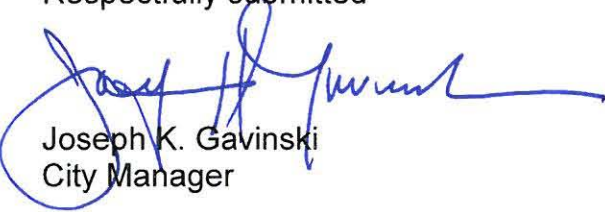
Honorable Mayor and
Moses Lake City Council

Dear Council Members

Attached is sales tax information for November 2011 sales which the City received on January 31, 2011. This report indicates the City received \$403,504.15. The \$403,504.15 in receipts for November compares with November 2010 receipts of \$367,830.83. For the year, the 2011 receipts are approximately 10% above the 2010 receipts for the same period.

Also provided is the transient rental income report for income the City received on January 31, 2012. This report indicates January 2012 income (for November sales) of \$25,073.90. This compares with \$39,728.66 for the same period in 2011. For the year, transient rental income receipts are approximately 37% lower than the 2011 receipts for the same period.

Respectfully submitted




Joseph K. Gavinski
City Manager

JKG:jt

January 30, 2012

TO: City Manager

FROM: Assistant Finance Director 

SUBJECT: Sales Tax Receipts

Attached is the Sales Tax Receipts - Monthly Report for January, 2012.

cc: Finance Director
Parks & Recreation Director

Sales Tax Receipts - Monthly

Month Received	Sales Period	2008	2009	2010	2011	2012	YTD Change
Jan	Nov	408,717.83	423,485.93	373,688.80	367,830.83	403,504.15	10%
Feb	Dec	469,332.60	575,401.82	560,731.77	488,453.72		
Mar	Jan	367,342.57	363,518.70	276,352.86	324,247.20		
Apr	Feb	385,196.04	346,570.37	330,932.86	368,305.65		
May	Mar	495,704.60	425,086.28	402,951.97	456,738.86		
June	Apr	432,257.32	428,915.48	384,565.04	439,396.45		
July	May	522,411.98	421,462.37	380,216.47	431,750.56		
Aug	June	564,229.35	470,623.43	456,372.87	453,961.67		
Sept	July	527,800.54	409,860.53	407,935.17	411,796.14		
Oct	Aug	506,697.78	406,419.10	390,800.44	446,905.90		
Nov	Sept	509,888.34	447,607.52	438,011.36	411,689.43		
Dec	Oct	475,693.08	378,139.72	394,167.42	406,648.97		
Totals		5,665,272.03	5,097,091.25	4,796,727.03	5,007,725.38	403,504.15	

January 31, 2012

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

Attached are the Transient Rental Income reports for January, 2012.

cc: Finance Director
Parks & Recreation Director

TRANSIENT RENTAL INCOME - MONTHLY TOTAL RECEIVED

MONTH RECEIVED	SALES PERIOD	2009	2010	2011	2012	YTD Change
JAN	NOV	48,677.30	24,816.04	39,728.66	25,073.90	-37%
FEB	DEC	26,992.76	20,136.24	25,155.98		
MAR	JAN	31,765.70	27,491.94	30,274.86		
APRIL	FEB	29,104.60	27,550.16	35,015.70		
MAY	MAR	35,279.84	40,994.90	31,217.30		
JUNE	APRIL	57,063.10	37,657.72	43,150.52		
JULY	MAY	45,202.58	52,719.70	65,576.42		
AUGUST	JUNE	62,361.10	58,321.18	57,975.95		
SEPT	JULY	62,393.64	62,545.06	55,399.42		
OCT	AUGUST	58,102.10	61,950.36	62,457.58		
NOV	SEPT	48,046.92	46,504.36	56,261.04		
DEC	OCT	31,418.10	30,765.44	37,670.80		
TOTALS		536,407.74	491,453.10	539,884.23	25,073.90	