



Agenda
City Council Regular Meeting
Tuesday, July 17, 2018
City Hall Council Chamber | 505 Swift Boulevard

City Council Pre-Meeting Workshop - 7:00 p.m. (Discussion Only – Annex Building)

Agenda Item:

1. Executive Session Per RCW 42.30.110 (1) (ii): Discuss Current or Potential Litigation With Legal Counsel (15 minutes)
 - Heather Kintzley, City Attorney
2. Discuss Meeting Agenda Items (15 minutes)
 - City Councilmembers

City Council Regular Meeting - 7:30 p.m. (City Hall Council Chamber)

Welcome and Roll Call

Pledge of Allegiance

Approval of Agenda: (Approved by Motion)

Presentations:

3. Community Development Department Update (15 Minutes)
 - Kerwin Jensen, Community Development Director
4. CityView Video: Richland Public Library Feature (5 minutes)
 - Leslie Campbell Hime, Library Manager

Public Hearing: (Please Limit Public Hearing Comments to 3 Minutes) Note: Records intended for Council consideration must be given to the City Clerk.

5. Proposed Amendment to the 2018 Budget to Increase Legal Fees - Ordinance No. 41-18
 - Heather Kintzley, City Attorney

Public Comments: (Please Limit Public Comments to 2 Minutes) Note: Records intended for Council consideration must be given to the City Clerk.

Consent Calendar: (Approved by single vote or Council may pull items and transfer to Items of Business)

Minutes:

6. Approve the City Council Meeting Minutes from June 26 and July 3, 2018
 - Heather Kintzley, City Attorney

Ordinances - First Reading:

7. Ordinance No. 39-18, Amending Chapter 2.20 of the Richland Municipal Code related to the Code Enforcement Board
 - Heather Kintzley, City Attorney
8. Ordinance No. 40-19, Amending Chapter 2.11 of the Richland Municipal Code related to the Americans with Disabilities Citizens Review Committee
 - Heather Kintzley, City Attorney
9. Ordinance No. 41-18, Amending the 2018 Budget to Increase Legal Fees
 - Heather Kintzley, City Attorney
10. Ordinance No. 42-18, Amending the 2018 Budget to Provide Additional Appropriations in the Community Development Block Grant, HOME, Streets Capital Construction and Parks Project Construction Funds
 - Kerwin Jensen, Community Development Director
11. Ordinance No. 43-18, Repealing Richland Municipal Code Chapter 2.19 related to Management of the Municipal Parking Areas
 - Heather Kintzley, City Attorney

Ordinances - Second Reading/Passage:

12. Ordinance No. 35-18, Amending Title 23 of the Richland Municipal Code related to a Zoning change on 1.1 Acres from Suburban Agriculture (SAG) to Single-Family Residential (R-1-12)
 - Kerwin Jensen, Community Development Director
13. Ordinance No. 36-18, Amending Chapter 12.03 of the Richland Municipal Code related to Road Impact Fees
 - Pete Rogalsky, Public Works Director
14. Ordinance No. 37-18, Amending the 2018 Budget to Provide Additional Appropriations in the General Fund and General Government Construction Fund in support of the Swift Corridor: City Hall Project
 - Joe Schiessl, Parks and Public Facilities Director
15. Ordinance No. 38-18, Amending the 2018 Budget to Provide Additional Appropriations in the Street Capital Construction Fund, Capital Improvement Fund and General Fund in Support of Swift Boulevard Improvements and Steptoe / Tapteal Intersection Improvements
 - Pete Rogalsky, Public Works Director

Resolutions – Adoption:

16. Resolution No. 108-18, Authorizing a Consultant Agreement with RH2 Engineering, Inc. for the Columbia River Intake Screen Upgrade
 - Pete Rogalsky, Public Works Director
17. Resolution No. 111-18, Approving the Preliminary Plat of Cobb Hill
 - Kerwin Jensen, Community Development Director
18. Resolution No. 112-18, Adopting the Strategic Leadership Plan 6 Core Focus Areas
 - Cindy Reents, City Manager

Expenditures - Approval:

19. Expenditures from June 25- July 6, 2018 for \$10,196,160.52 including Check Nos. 258753-259288, Wire Nos. 6966-6993, Payroll Check Nos. 135275-135856, and Payroll Wire/ACH Nos. 10507-10525
- Cathleen Koch, Administrative Services Director

Items of Business:

20. Appeal of Special Use Permit SUP2018-100 - US Cellular (Closed Record)
- Kerwin Jensen, Community Development Director

Reports and Comments:

1. City Manager
2. City Council
3. Mayor

Adjournment

City Council Meetings are broadcast live on CityView Channel 192 and online at CI.RICHLAND.WA.US/CITYVIEWTV

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COUNCIL AGENDA ITEM COVERSHEET

Council Date: 07/17/2018

Agenda Category: Agenda Item

Key Element:

Subject:

Executive Session Per RCW 42.30.110 (1) (ii): Discuss Current or Potential Litigation With Legal Counsel (15 minutes)

Department:
City Attorney

Ordinance/Resolution Number:

Document Type:
Executive Session Item

Recommended Motion:

Summary:

Fiscal Impact:

Attachments:



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 07/17/2018

Agenda Category: Presentations

Key Element:

Subject:

Community Development Department Update (15 Minutes)

Department:

Community Development Services

Ordinance/Resolution Number:

Document Type:

Presentation

Recommended Motion:

Summary:

Fiscal Impact:

Attachments:



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 07/17/2018

Agenda Category: Presentations

Key Element:

Subject:

CityView Video: Richland Public Library Feature (5 minutes)

Department:

Assistant City Manager

Ordinance/Resolution Number:

Document Type:

Presentation

Recommended Motion:

Summary:

CityView Video: Richland Public Library Feature

Fiscal Impact:

Attachments:



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 07/17/2018

Agenda Category: Public Hearing

Key Element: Key I - Financial Stability & Operational Effectiveness

Subject:

Proposed Amendment to the 2018 Budget to Increase Legal Fees - Ordinance No. 41-18

Department:

City Attorney

Ordinance/Resolution Number:

Document Type:

Public Hearing Item

Recommended Motion:

Summary:

State law requires a public hearing before increasing appropriations from beginning fund balance in the General Fund. Tonight's hearing satisfies the requirements of RCW 35.33.091.

Fiscal Impact:

Attachments:



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 07/17/2018

Agenda Category: Minutes

Key Element: Key I - Financial Stability & Operational Effectiveness

Subject:

Approve the City Council Meeting Minutes from June 26 and July 3, 2018

Department:

City Attorney

Ordinance/Resolution Number:

Document Type:

Minutes

Recommended Motion:

Approve the City Council Meeting Minutes from June 26 and July 3, 2018

Summary:

None

Fiscal Impact:

None.

Attachments:

1. Draft June 26, 2018 Council Meeting Minutes
2. Draft July 3, 2018 Council Meeting Minutes



MINUTES

RICHLAND CITY COUNCIL WORKSHOP MEETING

Richland City Hall ~ 505 Swift Boulevard

Tuesday, June 26, 2018

City Council Workshop - 6:00 p.m.

Mayor Thompson called the Council workshop to order at 6:00 p.m. in the Council Chamber at City Hall.

Attendance:

Mayor Thompson, Mayor Pro Tem Christensen, Councilmembers Alvarez, Lemley and Lukson were present.

Also present were City Manager Reents, Assistant City Manager Amundson, City Attorney Kintzley, Administrative Services Director Koch, Finance Director Allen, Energy Services Director Whitney, Public Works Director Rogalsky, Fire and Emergency Services Director Huntington, Community Development Director Jensen and City Clerk Hopkins.

Agenda Items

1. Review of 2019 Budget Process and Comprehensive Annual Financial Report (CAFR)

Ms. Koch said in accordance with Washington State law (RCW 35.33.075), the final budget passed by Council must be a balanced budget. She reviewed the budget calendar and gave details of the 2019 budget process.

Mr. Allen said the City follows the Generally Accepted Accounting Principles (GAAP) and must prepare a Comprehensive Annual Financial Report (CAFR) by the end of May each year for the prior fiscal/calendar year. The 2017 CAFR is currently in draft form because it is not considered complete until the State Auditors have conducted their audit of the City's financial statements and rendered an opinion that will be included with the CAFR. He gave highlights of the CAFR and details of the CAFR process.

Councilmembers had a question and answer period with Ms. Koch and Mr. Allen regarding the 2019 budget and the CAFR.

2. 1100/1200 Jadwin Avenue Update and Proposal

Mr. Jensen said staff is seeking input from Council on the new property owners' proposal to purchase the ground lease held by the City, as well as, subdivide the property located at 1100 & 1200 Jadwin Avenue. He gave details of the proposal, the existing buildings, the property, and the owners proposed plan to develop the site.

Councilmembers had a question and answer period with Mr. Jensen regarding the proposal. Council advised Mr. Jensen to continue to move forward with the proposal at this time.

3. Local Revitalization Financing Program (LRF) Status Update

Mr. Jensen provided Council with a brief history of the Local Revitalization Financing Program and gave an update on the program's current status. He gave details on the current participants in the programs.

4. Transportation Planning (30 minutes)

Mr. Rogalsky gave a detailed update on the long range transportation planning that included: planning hierarchy; current planning projects; street maps; employment congestion projections; the Transition2040 study; the north/south capacity study; WSDOT and Richland study coordination; and traffic study context and conclusions.

Councilmembers had a question and answer period with Mr. Rogalsky and Ms. Reents on the transportation planning.

5. Strategic Plan Update (30 minutes)

Ms. Reents reviewed the strategic plan development and explained the new report format. She continued by explaining how the strategic plan interacts with the budget. She said staff will continue refining the draft Strategic Plan.

Council had a question and answer period with Ms. Reents.

Adjournment

Mayor Thompson adjourned the workshop at 7:41 p.m.

Respectfully Submitted,

Marcia Hopkins, City Clerk

FORM APPROVED:

Robert J. Thompson, Mayor

DATE APPROVED:

DATE PUBLISHED:



MINUTES
RICHLAND CITY COUNCIL REGULAR MEETING
Richland City Hall ~ 505 Swift Boulevard
Tuesday, July 3, 2018

City Council Pre-Meeting Workshop - 7:00 p.m.

Mayor Thompson called the pre-meeting workshop to order at 7:00 p.m. in the City Manager's Conference Room in the City Hall Annex building.

Attendance:

Mayor Thompson, Councilmembers Lemley, Lukson and Anderson were present.

Also present were City Manager Reents, Assistant City Manager Amundson, City Attorney Kintzley, Administrative Services Director Koch, Public Works Director Rogalsky, Community Development Director Jensen, Energy Services Director Whitney and City Clerk Hopkins.

Agenda Items:

1. Horn Rapids Solar Storage and Training Project Update

Mr. Whitney gave a brief update on the Horn Rapids Solar Storage and Training Project.

2. Discuss Meeting Agenda Items

Council and staff briefly reviewed the proposed agenda scheduled for the regular meeting.

Ms. Reents discussed the current candidates for the open positions on the Richland Public Facilities District Board and suggested it was time for the Council to interview the candidates and make an appointment. She also gave a brief update on the progress of the Strategic Goals.

City Council Regular Meeting - 7:30 p.m.

Mayor Thompson called the Council meeting to order at 7:30 p.m. in the Council Chamber at City Hall.

Welcome and Roll Call

Mayor Thompson welcomed those in the audience and expressed appreciation for their attendance.

Attendance: Mayor Thompson, Councilmembers Lemley, Lukson and Anderson were present.

COUNCILMEMBER LUKSON MOVED AND MAYOR THOMPSON SECONDED THE MOTION TO EXCUSE MAYOR PRO TEM CHRISTENSEN AND COUNCILMEMBERS KENT AND ALVAREZ. THE MOTION CARRIED 4-0.

Also present were City Manager Reents, Assistant City Manager Amundson, City Attorney Kintzley, Administrative Services Director Koch, Public Works Director Rogalsky, Fire and Emergency Services Director Huntington, Community Development Director Jensen, Parks and Public Facilities Director Schiessl, Energy Services Director Whitney, Interim Police Chief Taylor and City Clerk Hopkins.

Pledge of Allegiance

Mayor Thompson led the Council and audience in the recitation of the Pledge of Allegiance.

Approval of Agenda

COUNCILMEMBER LUKSON MOVED AND COUNCILMEMBER LEMLEY SECONDED A MOTION TO APPROVE THE AGENDA AS PUBLISHED. THE MOTION CARRIED MOTION 4-0.

Presentations

3. New Hire/Retirements

Ms. Jubb said Jack Arnold, Civil Engineer II, with 11-years of service retired.

She introduced the new hires: Gary Trump, Library Page; Dallas Lara, Emergency Communications Dispatcher; Joshua Parker, Emergency Communications Dispatcher; and Rachel Wyant, Emergency Communications Dispatcher.

4. Queensgate Roundabout Art Presentation (5 minutes)

Arts Commission Chair Jeff Kissel gave a presentation on the two roundabouts planned for the Queensgate Drive Improvement Project that will include public artwork. The Richland Arts Commission (RAC) has been working with the firm Rhiza A+D and recently presented conceptual ideas to Council. The artist and RAC have incorporated feedback into the designs and will present the final proposal to Council.

Council had a question and answer period with Mr. Kissel on the art pieces for the roundabouts.

Public Hearing

City Clerk Hopkins read the Public Hearing and Public Comments procedures.

5. Proposed 2018 Budget Adjustment in the General Fund in Support of the Swift Corridor: City Hall Project - Ordinance No. 37-18

Mr. Schiessl said the new City Hall building is on schedule and within budget. He gave details on two funding sources for the project: the Business License Reserve Fund; and the Charter Communications settlement agreement, that need to be added to the

budget by approving Ordinance No. 37-18.

Mayor Thompson opened the public hearing at 7:47 p.m. and closed the public hearing at 7:47:15 p.m. as there were no comments.

6. Proposed 2018 Budget Amendment in the Street Capital Construction Fund, Capital Improvement Fund and General Fund in support of Swift Boulevard Improvements - Ordinance No. 38-18

Mr. Rogalsky gave details on two street improvement projects and the Swift Boulevard Improvements project that will be partially funded by the Street Capital Construction Fund, Capital Improvement Fund and General Fund.

Mayor Thompson opened the public hearing at 7:50 p.m. and closed the public hearing at 7:50:15 p.m. as there were no public comments.

Council had a question and answer period with Mr. Rogalsky on the topic.

Public Comments

There were no public comments.

Consent Calendar

City Clerk Hopkins read the Consent Calendar.

MAYOR THOMPSON MOVED AND COUNCILMEMBER LUKSON SECONDED THE MOTION TO APPROVE THE CONSENT AGENDA AS PUBLISHED. THE MOTION CARRIED 4 -0.

Minutes

7. Approve the City Council Meeting Minutes from June 19, 2018

Ordinances - First Reading

8. Ordinance No. 36-18, Amending Chapter 12.03 of the Richland Municipal Code related to Road Impact Fees
9. Ordinance No. 37-18, Amending the 2018 Budget to Provide Additional Appropriations in the General Fund in Support of the Swift Corridor: City Hall Project
10. Ordinance No. 38-18, Amending the 2018 Budget to Provide Additional Appropriations in the Street Capital Construction Fund, Capital Improvement Fund and General Fund in Support of Swift Boulevard Improvements and Steptoe /Tapeal Intersection Improvements

Ordinances - Second Reading/Passage

11. Ordinance No. 31-18, Authorizing the Vacation of a Portion of Logston Boulevard Right-of-Way
12. Ordinance No. 33-18, Amending Richland Municipal Code Section 9.04.070 related to Reckless Endangerment

Resolutions – Adoption

13. Resolution No. 04-18, Authorizing a Purchase and Sale Agreement with River Trails Club, LLC for Acquisition of an Easement related to the Duportail Bridge Project
14. Resolution No. 90-18, Approving the Final Plat of White Bluffs Phase 5
15. Resolution No. 102-18, Accepting a Donation of Training Equipment for the Fire & Emergency Services Department and Expressing Appreciation
16. Resolution No. 103-18, Authorizing a Change Order to Contract No. 112-18 for the 2018 Crack Sealing and Pavement Marking Removal Project
17. Resolution No. 104-18, Authorizing a Rural County Capital Fund Disbursement Agreement in Support of Swift Boulevard Improvements
18. Resolution No. 105-18, Consenting to Assignment and Assumption of the Shilo Inn Ground Lease
19. Resolution No. 107-18, Approving 2018 Park Partnership Program Funding Allocations

Items for Approval

Expenditures - Approval

20. Expenditures from June 11, 2018 - June 22, 2018 for \$8,652,112.79 including Check Nos. 258401-258752, Wire Nos. 6949-6965, Payroll Check Nos. 134732-135274, and Payroll Wire/ACH Nos. 10485-10506

Items of Business

21. Ordinance No. 35-18, Amending RMC Title 23 to change the Zoning on 1.1 Acres from Suburban Agriculture (SAG) to Single-Family Residential (R-1-12)

Mr. Jensen said the owners of 1209 Country Ridge Drive, Rigoberto & Lylian Rangle, petitioned to convert the zoning of their home site from Suburban Agriculture (SAG) to Single-Family Residential (R-1-12) to allow their 1.1-acre parcel to be subdivided, with the ultimate goal of constructing a home on the additional parcel fronting Country Court.

Following the May 3, 2018 public hearing, the Hearing Examiner issued a report recommending that the rezone be approved subject to the execution of a proper Property Use and Development Agreement (PUDA) further restricting the property from being divided into more than two (2) lots, since R-1-12 zoning would potentially allow for the creation of three (3) lots. Additionally, the Hearing Examiner encourages Council to approve of this rezone as it will not serve as precedent for any future rezone or platting decision that might be inconsistent with long-standing City development standards that require full curb, gutter and sidewalks as part of residential development.

COUNCILMEMBER LEMLEY MOVED COUNCILMEMBER ANDERSON SECONDED THE MOTION TO APPROVE FIRST READING OF ORDINANCE NO. 35-18. THE MOTION CARRIED 4-0.

Reports and Comments

City Manager

Ms. Reents hoped on behalf of Interim Police Chief Taylor and Fire Chief Huntington that the citizens have a safe 4th of July celebration.

City Council

Councilmembers encouraged citizens to have a safe and legal 4th of July celebration.

Mayor

Mayor Thompson reflected on the meaning of the 4th of July holiday.

Adjournment

Mayor Thompson adjourned the meeting at 8:03 p.m.

Respectfully Submitted,

Marcia Hopkins, City Clerk

FORM APPROVED:

Robert J. Thompson, Mayor

DATE APPROVED:

DATE PUBLISHED:



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 07/17/2018

Agenda Category: Ordinances - First Reading

Key Element: Key I - Financial Stability & Operational Effectiveness

Subject:

Ordinance No. 39-18, Amending Chapter 2.20 of the Richland Municipal Code related to the Code Enforcement Board

Department:
City Attorney

Ordinance/Resolution Number:
39-18

Document Type:
Ordinance

Recommended Motion:

Give first reading, by title only, to Ordinance No. 39-18, amending Chapter 2.20 of the Richland Municipal Code related to the Code Enforcement Board.

Summary:

The City has need, from time to time, to update the Richland Municipal Code to bring it into alignment with current practices and to eliminate conflict and ambiguity. Over time, disparate regulations have been codified for the City's various boards, commissions and committees which make consistent and clear administration difficult. On May 15, 2018, Council approved Ordinance No. 21-18, which amended RMC 2.04.110 to lend consistency to the overall administration of the City's boards, commissions and committees, and to bring the Richland Municipal Code into alignment with current practices. However, in the process of adopting Ordinance No. 21-18, the City created temporary conflicts in existing individual board, commission and committee code sections that now require amendment. This action is housekeeping in nature.

Proposed Ordinance No. 39-18 eliminates the conflicts currently existing between revised RMC 2.04.110 and Chapter 2.20 RMC. In addition, some minor edits are proposed to create a consistent format that will be used in each individual board, commission and committee chapter under the RMC.

Staff recommends approval of Ordinance No. 39-18 for first reading, by title only.

Fiscal Impact:

None.

Attachments:

- I. Ordinance No. 39-18

ORDINANCE NO. 39-18

AN ORDINANCE of the City of Richland amending Chapter 2.20 of the Richland Municipal Code related to the Code Enforcement Board.

WHEREAS, the City has need, from time to time, to update the Richland Municipal Code to bring it into alignment with current practices and to eliminate conflict and ambiguity; and

WHEREAS, over time, disparate regulations have been codified for the City's various boards, commissions and committees which make consistent and clear administration difficult; and

WHEREAS, on May 15, 2018, Council approved Ordinance No. 21-18, which amended RMC 2.04.110 to lend consistency to the overall administration of the City's boards, commissions and committees, and to bring the Richland Municipal Code into alignment with current practices; and

WHEREAS, in the process of adopting Ordinance No. 21-18, the City created temporary conflicts in existing individual board, commission and committee code sections that now require amendment; and

WHEREAS, an element of the City's strategic plan is to ensure that proper foundational authorities are in place to allow for successful government.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Richland Municipal Code Chapter 2.20, entitled Code Enforcement Board, as first enacted by Ordinance No. 05-10, and last amended by Ordinance No. 29-15, is hereby amended as follows:

Chapter 2.20 CODE ENFORCEMENT BOARD

Sections:

2.20.050 Purpose.

2.20.010 Code enforcement board created~~ion~~; membership.

~~2.20.020 Membership.~~

~~2.20.030 Removal—Vacancies.~~

2.20.040 Meetings, ~~officers, records, and quorum.~~

2.20.050 ~~Powers and d~~uties.

2.20.060 Severability. ~~Expenditures—Budget.~~

~~2.20.070 Staff assistance.~~

2.20.050 Purpose.

The purpose and intent of this chapter is to establish an impartial board of citizen members serving in a quasi-judicial capacity to hear appeals and render decisions regarding civil violations of the Richland Municipal Code.

2.20.010 Code enforcement board creation; membership.

There is created a code enforcement board ~~(hereinafter referred to as the "board")~~ for the city of Richland (hereinafter "board"). ~~The board shall hear appeals and render decisions regarding civil violations of the Richland Municipal Code.~~ The board shall be composed of five (5) voting members appointed by city council pursuant to RMC 2.04.110. Members shall serve staggered two-year terms and until their successors are appointed and confirmed.

2.20.020 Membership.

~~The board shall be composed of five voting members appointed by city council. All members of the board shall be residents of the city of Richland, both at the time of their appointment and for the full term of their appointment. Selection of members shall follow established procedures as set forth in RMC 2.04.120. Members shall serve staggered two-year terms and until their successors are appointed and confirmed. No person shall serve more than four terms or eight consecutive years. In the instance of an appointment to fill a vacancy for an unexpired term, a full term shall be considered a period in excess of one year.~~

2.20.030 Removal – Vacancies.

~~The board may, by majority vote, recommend to the city council removal of an appointed member upon such grounds as may be deemed appropriate. The city council, by majority vote, may remove any appointed member of the committee and declare the position vacant. Vacancies created by removal of office, resignation, change in residency outside of the city of Richland or for any other reason, other than by expiration of term, shall be filled for any unexpired term in the manner used for regular appointments.~~

2.20.040 Meetings, officers, records, and quorum.

~~The board shall elect its own chairperson and vice-chairperson and create and fill such other offices as it may determine it requires. The committee~~ board ~~shall hold regular meetings at a time to be determined at the first meeting of each year. Workshops and special meetings may be called by the board at the board's discretion. All meetings shall be open to the public and a specific time period will be provided on the agenda to receive public comments. It shall adopt rules for transaction of business and shall keep a record of its meetings, resolutions, transactions, findings and determinations, which record shall be open to public inspection. All quasi-judicial hearings held by the board shall be audio-recorded.~~

~~Any three members of the board shall constitute a quorum for the transaction of business. An agenda shall be prepared and distributed prior to each meeting, which sets forth a specified time period during which individual items of business shall be discussed. The time period may be extended, but only by a vote of a majority of board members present.~~

~~Board action requires three affirmative votes of those present at any regular or special meeting.~~

2.20.050 ~~Powers and d~~Duties.

The code enforcement board's ~~express mission and purpose~~ shall perform the following duties include the following:

- A. Conduct hearings on civil violations of the Richland Municipal Code;
- B. Determine whether the city has established by a preponderance of the evidence that a civil violation of the Richland Municipal Code has occurred;
- C. Assess monetary penalties in instances where it has been determined that civil violations of the Richland Municipal Code have occurred;
- D. Adopt rules of procedure for hearings concerning civil violations of the Richland Municipal Code;
- E. Conduct hearings on appeal of any notice of civil trespass issued pursuant to Chapter 2.34 RMC;
- ~~F. Act in an advisory capacity to the city council, city manager and staff in matters relating to code enforcement and civil violations;~~
- FG. Perform such other duties and provide such additional information, assistance and advice to the city council as the city council may request or direct.

2.20.060 Severability. ~~Expenditures — Budget.~~

~~The expenditures of the committee, exclusive of donations, shall be limited to appropriations. All services requiring appropriations shall be submitted through the budget of the police services department.~~ If any one or more sections, subsections or sentences of this chapter are held to be unconstitutional or invalid, such decision shall not affect the validity to the remaining portions of this chapter and the same shall remain in full force and effect.

~~2.20.070 Staff assistance.~~

~~The staff of the various departments within the city, as assigned by the city manager, shall provide staff assistance and shall also serve to facilitate communications by the code enforcement board to the city council.~~

Section 2. This ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the _____ day of _____, 2018.

ROBERT J. THOMPSON
Mayor

ATTEST:

APPROVED AS TO FORM:

MARCIA HOPKINS, City Clerk

HEATHER KINTZLEY, City Attorney

Date Published: _____



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 07/17/2018

Agenda Category: Ordinances - First Reading

Key Element: Key I - Financial Stability & Operational Effectiveness

Subject:

Ordinance No. 40-19, Amending Chapter 2.11 of the Richland Municipal Code related to the Americans with Disabilities Citizens Review Committee

Department:

City Attorney

Ordinance/Resolution Number:

40-18

Document Type:

Ordinance

Recommended Motion:

Give first reading, by title only, to Ordinance No. 40-18, amending Chapter 2.11 of the Richland Municipal Code related to the Americans with Disabilities Citizen Review Committee.

Summary:

The City has need, from time to time, to update the Richland Municipal Code to bring it into alignment with current practices and to eliminate conflict and ambiguity. Over time, disparate regulations have been codified for the City's various boards, commissions and committees which make consistent and clear administration difficult. On May 15, 2018, Council approved Ordinance No. 21-18, which amended RMC 2.04.110 to lend consistency to the overall administration of the City's boards, commissions and committees, and to bring the Richland Municipal Code into alignment with current practices. However, in the process of adopting Ordinance No. 21-18, the City created temporary conflicts in existing individual board, commission and committee code sections that now require amendment. This action is housekeeping in nature.

Proposed Ordinance No. 40-18 eliminates the conflicts currently existing between revised RMC 2.04.110 and Chapter 2.11 RMC. In addition, some minor edits are proposed to create a consistent format that will be used in each individual board, commission and committee chapter under the RMC.

Staff recommends approval of Ordinance No. 40-18 for first reading, by title only.

Fiscal Impact:

None.

Attachments:

- I. Ordinance No. 40-18

ORDINANCE NO. 40-18

AN ORDINANCE of the City of Richland amending Chapter 2.11 of the Richland Municipal Code related to the Americans with Disabilities Citizens Review Committee.

WHEREAS, the City has need, from time to time, to update the Richland Municipal Code to bring it into alignment with current practices and to eliminate conflict and ambiguity; and

WHEREAS, over time, disparate regulations have been codified for the City's various boards, commissions and committees which make consistent and clear administration difficult; and

WHEREAS, on May 15, 2018, Council approved Ordinance No. 21-18, which amended RMC 2.04.110 to lend consistency to the overall administration of the City's boards, commissions and committees, and to bring the Richland Municipal Code into alignment with current practices; and

WHEREAS, in the process of adopting Ordinance No. 21-18, the City created temporary conflicts in existing individual board, commission and committee code sections that now require amendment; and

WHEREAS, an element of the City's strategic plan is to ensure that proper foundational authorities are in place to allow for successful government.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Richland Municipal Code Chapter 2.11, entitled Americans with Disabilities Citizens Review Committee, as first enacted by Ordinance No. 49-93, and last amended by Ordinance No. 40-98, is hereby amended as follows:

Chapter 2.11

AMERICANS WITH DISABILITIES CITIZENS REVIEW COMMITTEE

Sections:

2.11.005 Purpose.

2.11.010 Americans with Disabilities Act citizens review committee created;
membership.

~~**2.11.020 Removal—Vacancies.**~~

~~**2.11.030 Meetings, officers, records, and quorum.**~~

~~**2.11.040 Duties of the committee.**~~

~~**2.11.050 Severability. Expenditures—Budget.**~~

~~**2.11.060 Staff assistance.**~~

2.11.005 Purpose.

The purpose and intent of this chapter is to establish and make available a citizens committee to review those complaints pertaining to the Americans with Disabilities Act as implemented and administered by the city of Richland. The [Americans with Disabilities Act](#) citizens review committee will provide a hearing, listen to and formulate a decision based upon information provided in the hearing. The decision shall be made in writing with a copy of the decision provided to the complainant and a copy provided to the city's Americans with Disabilities Act coordinator. This decision, upon a written appeal by the complainant, will be forwarded to the Richland city council. The city council will be responsible to issue a final written decision [on appeal](#).

2.11.010 Americans with Disabilities Act citizens review committee created; [membership](#).

There is created within the city of Richland an Americans with Disabilities Act citizens review committee. The committee will be composed of five [\(5\)](#) members appointed by the city council [pursuant to RMC 2.04.110](#). Members shall serve staggered three-year terms and until their successors are appointed and confirmed. ~~Two of the five members shall be citizens of Richland. The other three members may be selected from outside of the city limits.~~

~~The members of the committee shall be selected without regard to political affiliation and shall serve without compensation.~~ Persons with disabilities or persons working with persons with disabilities will be encouraged to join the committee to provide a balanced perspective to decision-making concerning these issues. ~~Selection of members shall follow established procedures as set forth in RMC 2.04.120.~~ Elected officials, the disabled community, business or nonprofit sectors, education and the health/medical profession shall be considered for membership on this committee.

~~2.11.020 Removal – Vacancies.~~

~~The committee, by majority vote, may recommend to the city council removal of an appointed member upon such grounds as may be deemed appropriate by the committee. The city council, by majority vote, may remove any appointed member of the committee and declare the position vacant. Unexcused absences from any two consecutive meetings shall be grounds for removal. Vacancies shall be filled in the manner used for regular appointments to the committee.~~

2.11.030 Meetings, ~~officers, records, and quorum.~~

~~A. The committee shall elect its own chairperson and vice chairperson and create and fill such other offices it may determine it requires. The committee shall meet initially for the purpose of establishing its operating procedures. It will then meet only at such time as an appeal is filed from a decision made by the Americans with Disabilities Act coordinator. A record shall be kept of its meetings, findings and determinations, which records shall be open to public inspection.~~

~~B. Three members of the committee shall constitute a quorum for the provision of a hearing. A member not present at the time of the hearing shall not participate in a decision unless the member reads and reviews all of the record made at such a hearing.~~

2.11.040 Duties ~~of the committee.~~

The committee shall perform the following duties:

A. The committee shall serve as a hearing board for complaints regarding implementation and administration of the Americans with Disabilities Act for the city of Richland. All such hearings shall be open to the public following publication of a notice for such hearing in the legal newspaper for the city of Richland. Notice shall be given to the complainant at least five (5) business days prior to the hearing.

B. The committee shall hear only those complaints which pertain specifically to policies, equipment, property and responsibilities of the city of Richland and only those complaints that have been first addressed by and responded to by the Americans with Disabilities Act coordinator. No appeal for a hearing will proceed until the coordinator issues a written determination to a written and filed complaint.

C. The committee shall maintain a written log of activities in which it is involved and shall report , upon invitation, to the city council in written format ~~annually~~ of its involvement on behalf of the city.

D. All hearings shall be recorded and a written transcript shall be maintained by ~~in the files of the city's coordinator of the~~ Americans with Disabilities Act coordinator.

E. A written decision shall be issued within thirty (30) calendar days from the date the committee ~~receives~~ holds a hearing on a complaint.

F. The complainant may appeal the committee's decision. Any such appeal must be submitted to the city clerk's office within thirty (30) calendar days of the date of mailing of the committee's decision to the complainant. If a timely appeal is filed, it will be placed on the next available regular or special city council agenda for council consideration. The committee will provide the city council with all records relevant to the matter on appeal. The city council's decision on the appeal shall be final and not subject to further appeal.
~~Within 30 days of the date of mailing of the decision of the committee to the complainant, an appeal of the committee's decision must be filed with the city clerk for placing the appeal on the next available regular or special city council agenda.~~

2.11.050 Severability. Expenditures — Budget.

~~The expenditures of the committee shall be limited to appropriations made to the budget line item for implementation and administration of the Americans with Disabilities Act. The services and facilities of the city of Richland shall be utilized by the committee in performing its duties unless specific services are authorized by the city council. If any one or more sections, subsections or sentences of this chapter are held to be unconstitutional~~

or invalid, such decision shall not affect the validity to the remaining portions of this chapter and the same shall remain in full force and effect.

~~2.11.060 Staff assistance.~~

~~The city's coordinator shall provide staff assistance to the committee and shall serve to facilitate communications by the committee to the city council.~~

Section 2. This ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the _____ day of _____, 2018.

ROBERT J. THOMPSON
Mayor

ATTEST:

APPROVED AS TO FORM:

MARCIA HOPKINS, City Clerk

HEATHER KINTZLEY, City Attorney

Date Published: _____



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 07/17/2018

Agenda Category: Ordinances - First Reading

Key Element: Key I - Financial Stability & Operational Effectiveness

Subject:

Ordinance No. 41-18, Amending the 2018 Budget to Increase Legal Fees

Department:
City Attorney

Ordinance/Resolution Number:
41-18

Document Type:
Ordinance

Recommended Motion:

Give first reading, by title only, to Ordinance No.41-18, amending the 2018 budget to increase legal fees.

Summary:

City staff has determined that the services of outside legal counsel with specialized expertise are needed to support the City Attorney's Office in litigating three (3) specific unanticipated cases filed after budget preparation for 2018 was complete. Due to the timing and the unanticipated nature of the litigation, no funds were appropriated in the General Fund for legal fees related to this litigation. Council has been briefed on all three matters in executive session.

Based on credible estimates and the history of legal fees spent to date, Staff estimates that \$138,000 in additional funding is required to pay the legal expenses on the three cases through 2018. Sufficient unappropriated funds are available to support the required budget adjustment.

Pursuant to RCW 35.33.091, a public hearing was held on July 17, 2018 regarding the requested increase in appropriations from beginning fund balance in the General Fund. In the absence of any compelling public testimony to the contrary, Staff recommends approval of Ordinance No. 41-18 for first reading, by title only.

Fiscal Impact:

Ordinance No. 41-18 will appropriate \$138,000 from unappropriated general fund balance, bringing the new General Fund appropriation for 2018 to \$64,190,240.

Attachments:

- I. Ordinance No. 41-18

ORDINANCE NO.41-18

AN ORDINANCE of the City of Richland amending the 2018 Budget to provide for additional appropriations for legal expenses and declaring that a public emergency exists in the City's General Fund.

WHEREAS, on November 21, 2017, the Richland City Council approved Ordinance No. 49-17 approving the 2018 Budget; and

WHEREAS, City staff has determined that the services of outside legal counsel with specialized expertise are needed to support the City Attorney's Office in litigating three (3) specific unanticipated cases brought against the City after budget preparation for 2018 was complete; and

WHEREAS, \$138,000 in funding is required to pay the legal expenses relating to this three separate cases; and

WHEREAS, due to the timing and the unanticipated nature of the litigation, no funds were appropriated in the General Fund for legal fees related to this litigation; and

WHEREAS, sufficient unappropriated funds are available in the General Fund to support the required budget adjustment; and

WHEREAS, pursuant to RCW 35.33.091, a public hearing was held on July 17, 2018 regarding the increase in appropriations from beginning fund balance in the General Fund.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Facts Constituting Emergency. The expenses contained within this ordinance were not anticipated when the 2018 budget was approved.

Section 2. Declaration of Public Emergency. Due to circumstances described above, the City Council declares that a public emergency exists in the General Fund.

Section 3. Amendment of the 2018 Budget. The 2018 Budget is hereby amended to provide additional appropriations in the General Fund from unappropriated fund balance as follows:

General Fund

Current Appropriation:	\$ 64,052,240
Increase in Appropriation:	\$ <u>138,000</u>
Amended Appropriation:	\$ <u>64,190,240</u>

Section 4. This ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the _____ day of _____, 2018.

ROBERT J. THOMPSON
Mayor

ATTEST:

APPROVED AS TO FORM:

MARCIA HOPKINS, City Clerk

HEATHER KINTZLEY, City Attorney

Date Published: _____



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 07/17/2018

Agenda Category: Ordinances - First Reading

Key Element: Key 1 - Financial Stability & Operational Effectiveness

Key 6 - Community Amenities

Subject:

Ordinance No. 42-18, Amending the 2018 Budget to Provide Additional Appropriations in the Community Development Block Grant, HOME, Streets Capital Construction and Parks Project Construction Funds

Department:

Community Development Services

Ordinance/Resolution Number:

42-18

Document Type:

Ordinance

Recommended Motion:

Give first reading, by title only, to Ordinance No. 42-18, amending the 2018 Budget to provide for additional appropriations in the City's Community Development Block Grant, HOME, Streets Capital Construction and Parks Project Construction Funds.

Summary:

On May 1, 2018, the U.S. Department of Housing and Urban Development (HUD) notified the City of 2018 grant award amounts for CDBG and HOME. The 2018 budget included estimates of the CDBG and HOME grant awards from HUD that are lower than the actual award.

Additionally, insufficient funds were appropriated in the Streets Capital Construction Fund, Parks Project Construction Fund, CDBG Fund and HOME Fund to complete the projects approved with the 2018 grant awards.

The increased appropriations for the Streets Capital Construction Fund will cover approved ADA projects, including the installation of new pedestrian audible signals.

The increased appropriations for the Parks Construction Fund will cover approved improvements at Goethals Park.

This ordinance appropriates the additional HUD funds to support the completion of approved projects.

Fiscal Impact:

The proposed ordinance will add \$276,159 to expense appropriations for the CDBG and HOME funds, which funding will come from HUD. The proposed ordinance also increases expense appropriations for the Streets Capital Construction fund by \$127,650 and the Parks Project Construction Fund by \$75,000, which funding will come from CDBG grants.

Attachments:

1. Ordinance No. 42-18
2. HUD award Letter

ORDINANCE NO. 42-18

AN ORDINANCE of the City of Richland amending the 2018 Budget to provide for additional appropriations in the City's Community Development Block Grant, HOME, Streets Capital Construction and Parks Project Construction Funds from HUD grant awards.

WHEREAS, on November 21, 2017, the Richland City Council approved Ordinance No. 49-17 adopting the 2018 Annual Budget; and

WHEREAS, the 2018 budget included estimates of the CDBG and HOME grant awards to be received; and

WHEREAS, on May 1, 2018, the U.S. Department of HUD notified the City of the actual 2018 grant award amounts for CDBG of \$306,966 and HOME of \$698,293; and

WHEREAS, insufficient funds were appropriated in the Streets Capital Construction, Parks Project Construction, CDBG Fund and HOME Funds to complete the projects approved with the 2018 grant awards.

NOW, THEREFORE, BE IT ORDAINED the City of Richland as follows:

Section 1. Amendment of the 2018 Budget. The 2018 Budget is hereby amended to provide for additional appropriations in the following funds from CDBG and HOME grant funding:

Community Development Block Grant Fund

Current Appropriation:	\$ 727,802
Increase in Appropriation:	<u>51,766</u>
Amended Appropriation:	<u>\$ 779,568</u>

HOME Fund

Current Appropriation:	\$ 1,466,096
Increase in Appropriation:	<u>224,393</u>
Amended Appropriation:	<u>\$ 1,690,489</u>

Streets Capital Construction Fund

Current Appropriation:	\$30,978,695
Increase in Appropriation:	<u>127,650</u>
Amended Appropriation:	<u>\$31,106,345</u>

Parks Project Construction Fund

Current Appropriation:	\$ 4,607,304
Increase in Appropriation:	<u>75,000</u>
Amended Appropriation:	<u>\$ 4,682,304</u>

Section 2. This ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

PASSED by the City Council of the City of Richland, at a regular meeting on the _____ day of _____, 2018.

ROBERT J. THOMPSON
Mayor

ATTEST:

APPROVED AS TO FORM:

MARCIA HOPKINS, City Clerk

HEATHER KINTZLEY, City Attorney

Date Published: _____



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

ASSISTANT SECRETARY FOR
COMMUNITY PLANNING AND DEVELOPMENT

RECEIVED
City Manager's Office

May 1, 2018

MAY 16 2018

City of Richland
Washington



The Honorable Robert Thompson
Mayor of Richland
505 Swift Boulevard
Richland, WA 99352

Dear Mayor Thompson:

I am pleased to inform you of your jurisdiction's Fiscal Year (FY) 2018 allocations for the Office of Community Planning and Development's (CPD) formula programs, which provide funding for housing, community and economic development activities, and assistance for low and moderate-income persons and special needs populations across the country. President Donald J. Trump signed Public Law 115-141 on March 23, 2018, which includes FY 2018 funding for these programs. Your jurisdiction's FY 2018 available amounts are:

Community Development Block Grant (CDBG)	\$306,966
HOME Investment Partnerships (HOME)	\$698,293
Housing Opportunities for Persons With AIDS (HOPWA)	\$ 0
Emergency Solutions Grants (ESG)	\$ 0
Housing Trust Fund (HTF)	\$ 0

This letter highlights several important points related to these programs. We remind grantees that CPD seeks to develop viable communities by promoting integrated approaches that provide quality, affordable housing, a stable living environment, expand economic opportunities for low and moderate-income and special needs populations including people living with HIV/AIDS. The primary means towards this end is the development of partnerships among all levels of government and the private sector, including both for-profit and non-profit organizations.

The Department continues to emphasize the importance of effective performance measurements in all its formula grant programs. Proper reporting in the Integrated Disbursement and Information System (IDIS) is critical to ensuring grantees are complying with program requirements and policies; providing demographic and income information about the persons that benefited from a community's activities; and allowing HUD to monitor grantees. Your ongoing attention to ensuring complete and accurate reporting of performance measurement data continues to be an invaluable resource with regards to the impact of these formula grant programs.

To strengthen controls for the effective use of these formula funds, HUD urges grantees to continually evaluate policies and procedures governing implementation of these programs and to make adjustments as necessary. As a former local official who implemented CPD programs, I understand the benefit this funding brings to the local level as well as the management responsibilities that come with these Federal dollars. Only with constant analysis of how these critical funds are being used can we expect to fulfill our stewardships. The CPD team is prepared to assist you and your staff in achieving these goals through a wide range of training and technical assistance opportunities.

CPD is looking forward to working with you to promote simple steps that will enhance the performance of these critical programs and successfully meet the challenges that our communities face. If you or any member of your staff have questions, please contact your local CPD Field Office Director.

Sincerely,

A handwritten signature in black ink, appearing to read 'Neal J. Rackleff', written in a cursive style.

Neal J. Rackleff
Assistant Secretary



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 07/17/2018

Agenda Category: Ordinances - First Reading

Key Element: Key I - Financial Stability & Operational Effectiveness

Subject:

Ordinance No. 43-18, Repealing Richland Municipal Code Chapter 2.19 related to Management of the Municipal Parking Areas

Department:

City Attorney

Ordinance/Resolution Number:

43-18

Document Type:

Ordinance

Recommended Motion:

Give first reading, by title only, to Ordinance No. 43-18, repealing Richland Municipal Code Chapter 2.19 related to management of the municipal parking areas.

Summary:

On May 16, 1994, Richland City Council passed Ordinance No. 26-94, authorizing creation of the Central Business District Parking Committee ("Committee"). The Committee was intended to be a standing committee consisting of merchants and/or property owners adjacent to the Uptown and Downtown (i.e., The Parkway) parking areas tasked with reviewing requests for use of the City's newly-acquired parking facilities. The Committee contemplated by Ordinance No. 26-94 was never fully impaneled, with City records indicating that only two (2) appointments to the Committee were made, occurring over twenty years ago in March of 1995.

Creation of the Uptown Business Improvement District (UBID) in 2003 and the Downtown Business Improvement District (DBID) in 2007 rendered the Central Business District Parking Committee obsolete. The UBID and DBID are fulfilling the City's needs and expectations related to parking and other issues associated with use of the City's parking lots at both the Uptown and The Parkway. Further, there are no other municipal parking lots with similar characteristics to those at The Parkway and the Uptown that would benefit from the work of the Central Business District Parking Committee.

In conjunction with an overall effort to streamline administration of the City's various boards, commissions and committees, the City is undertaking a housekeeping action to repeal the 1994 Central Business District Parking Committee. Staff recommends approval of Ordinance No. 43-18 for first reading, by title only, repealing Chapter 2.19 RMC.

Fiscal Impact:

None.

Attachments:

- I. Ordinance No. 43-18

ORDINANCE NO. 43-18

AN ORDINANCE of the City of Richland repealing Richland Municipal Code Chapter 2.19 related to management of the municipal parking areas.

WHEREAS, on May 16, 1994, Richland City Council passed Ordinance No. 26-94, authorizing creation of the Central Business District Parking Committee, which was intended to be a standing committee consisting of merchants and/or property owners adjacent to the Uptown and Downtown (i.e., The Parkway) parking areas tasked with reviewing requests for use of the City's newly-acquired parking facilities; and

WHEREAS, the parking committee contemplated by Ordinance No. 26-94 was never fully impaneled, with City records indicating that only two (2) appointments to the committee were made, occurring over twenty years ago in March of 1995; and

WHEREAS, City Council adopted Ordinance No. 29-03 on July 1, 2003 to create the Uptown Business Improvement District (UBID). Since that time, the UBID has fulfilled the City's needs and expectations with regard to parking issues concerning the Uptown, thereby rendering the Central Business District Parking Committee obsolete as it relates to the Uptown; and

WHEREAS, City Council adopted Ordinance No. 03-07 on February 6, 2007 to create the Downtown Business Improvement District (DBID). Since that time, the DBID has fulfilled the City's needs and expectations with regard to parking issues concerning The Parkway, thereby rendering the Central Business District Parking Committee obsolete as it relates to The Parkway; and

WHEREAS, there are no other municipal parking lots with similar characteristics to those at The Parkway and the Uptown that would benefit from the work of the Central Business District Parking Committee; and

WHEREAS, the City has need, from to time, to amend the Richland Municipal Code to bring the code into alignment with current practices and to eliminate conflicts and ambiguities; and

WHEREAS, in conjunction with an overall effort to streamline administration of the City's various boards, commissions and committees, the City is undertaking this housekeeping action to repeal the 1994 Central Business District Parking Committee.

NOW THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. RMC Chapter 2.19, entitled Management of the Municipal Parking Areas, enacted by Ordinance No. 26-94 and last amended by Ordinance No. 31-03 and the 2011 recodification, shall be amended to read as follows:

Chapter 2.19
MANAGEMENT OF THE MUNICIPAL PARKING AREAS

Sections:

~~2.19.005 Purpose.~~

~~2.19.010 Central business district parking committee created.~~

~~2.19.020 Removal – Vacancies.~~

~~2.19.030 Meetings, officers, records, and quorum.~~

~~2.19.040 Duties of the committee.~~

~~2.19.050 Expenditures – Budget.~~

~~2.19.060 Staff assistance.~~

~~2.19.005 Purpose.~~

~~The purpose and intent of this chapter is to establish and make available a standing committee consisting of merchants and/or owners of property in the uptown and downtown parking areas to review those requests for use of facilities submitted to the committee. The committee will develop criteria, regulations, insurance and liability requirements and code of conduct for the users who are approved to use the uptown and downtown parking areas during the calendar year. Fees shall be established based upon criteria established by the committee and administered by the city of Richland. The committee will provide the function of formulating and recommending to the deputy city manager for community and development services a decision to accept or deny an application for use of the facility. A primary consideration shall be the impact such use may have on businesses currently located in the uptown and downtown parking areas. The recommendation to the deputy city manager for community and development services shall be made in writing within five days of the meeting to review the application. The decision will be forwarded to community and development services group in order to be communicated to the applicant. It is understood that this is a recommendation only and the ultimate determination on use shall remain with the city.~~

~~2.19.010 Central business district parking committee created.~~

~~There is created within the city of Richland the central business district parking committee. The committee will be composed of five merchants or owners appointed by the city council. To qualify for service on the committee, the member must either own or operate a business in the Uptown Shopping Center or own property in the Uptown Shopping Center. In the event that the city acquires ownership of the downtown shopping area parking lots, eligibility for membership will also be extended to those who operate businesses or own property in the downtown shopping area and the size of the committee~~

~~will be expanded to seven persons. Members shall serve staggered two-year terms and until their successors are appointed and confirmed.~~

~~The members of the committee shall be selected by the city council without regard to political affiliation and shall serve without compensation. The committee shall consist of the current president of the uptown merchants association, the first past president of that association and one member of the association with a demonstrated interest in increasing business activity in the uptown business area.~~

~~Additionally, the current president of the uptown property owners' association and another interested property owner will constitute the membership of this committee. If the ownership for the downtown parking areas are acquired and the membership of the committee increases, the committee shall also include the current president of the downtown merchants association and one other member of the association with a demonstrated interest in increasing business activity in the downtown business area. Efforts shall be made to include members on the committee who are available in the community so as to make the process efficient and allow for timely review and response to applicants. Selection of members shall follow established procedures as set forth in RMC 2.04.120. The city of Richland will be represented at the review meetings by a member of the community development staff for early involvement and to prepare for smooth administration and communication.~~

~~2.19.020 Removal – Vacancies.~~

~~The committee may, by majority vote, recommend to the city council the removal of an appointed member upon such grounds as may be deemed appropriate by the committee. The city council, by majority vote, may remove any appointed member of the committee and declare the position vacant. Unexcused absences from any two consecutive meetings shall be grounds for removal. Vacancies shall be filled in the manner used for regular appointments to the committee.~~

~~2.19.030 Meetings, officers, records, and quorum.~~

~~A. The committee shall elect its own chairperson and vice-chairperson and create and fill such other offices it may determine it requires. The committee shall meet initially for the purpose of establishing its operating procedures. It will then meet only at such time as an application has been received by the city for use of municipally owned property in the central business district. A written record shall be kept of its meetings and the recommendations it makes to the city.~~

~~B. Three members of the committee shall constitute a quorum for the decision to make a recommendation to the city.~~

~~2.19.040 Duties of the committee.~~

~~The committee shall perform the following duties:~~

~~A. The committee shall serve as a representative of central business district interests in reviewing and recommending to the community and development services group the calendar of uses for the municipally owned parking area.~~

~~B. The committee shall maintain a written log of activities in which it is involved and shall report to the city council in written format annually of its involvement on behalf of the city.~~

~~2.19.050 Expenditures – Budget.~~

~~The expenditures of the committee shall be limited to city of Richland staff involvement. The committee itself shall not receive any funding by the city of Richland and members shall serve as volunteers without compensation. There shall be no additional services or facilities provided by the city of Richland.~~

~~2.19.060 Staff assistance.~~

~~The city's community and development services group shall provide staff liaison assistance to the committee and shall serve to facilitate communications by the committee to the city council and to applicants for use of the parking area. The community and development services group will be responsible for coordinating the activities of other municipal departments involved in parking area maintenance and financing as they relate to the committee's deliberations.~~

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the _____ day of _____, 2018.

ROBERT J. THOMPSON
Mayor

ATTEST:

APPROVED AS TO FORM:

MARCIA HOPKINS, City Clerk

HEATHER KINTZLEY, City Attorney

Date Published: _____



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 07/17/2018

Agenda Category: Ordinances - Second Reading/Passage

Key Element: Key I - Financial Stability & Operational Effectiveness

Subject:

Ordinance No. 35-18, Amending Title 23 of the Richland Municipal Code related to a Zoning change on 1.1 Acres from Suburban Agriculture (SAG) to Single-Family Residential (R-1-12)

Department:

Community Development Services

Ordinance/Resolution Number:

35-18

Document Type:

Ordinance

Recommended Motion:

Give second reading and pass Ordinance No. 35-18, amending Title 23: Zoning Regulations of the Richland Municipal Code and the Official Zoning Map of the City so as to change the zoning on 1.1 acres from Suburban Agriculture (SAG) to Single-Family Residential (R-1-12).

Summary:

The owners of 1209 Country Ridge Drive, Rigoberto & Lylian Rangle, petitioned to convert the zoning of their home site from Suburban Agriculture (SAG) to Single-Family Residential (R-1-12) to allow their 1.1-acre parcel to be subdivided, with the ultimate goal of constructing a home on the additional parcel fronting Country Court.

The SAG zone restricts lots from being subdivided below one (1) acre in area. During early discussions with Mr. Rangle, staff identified several existing lots in the same subdivision, under the same SAG zoning, approximately one-half acre in area. However, under the SAG zoning, staff could not allow Mr. Rangle to create another lot. Considering the existing half-acre lots in the neighborhood, staff found it reasonable to suggest rezoning the site.

Following the May 3, 2018 public hearing, the Hearing Examiner issued a report recommending that the rezone be approved subject to the execution of a proper Property Use and Development Agreement (PUDA) further restricting the property from being divided into more than two (2) lots, since R-1-12 zoning would potentially allow for the creation of three (3) lots. Additionally, staff directs Council's attention to the first paragraph on page 2, where the Hearing Examiner encourages Council to enter a finding that approval of this rezone will not serve as precedent for any future rezone or platting decision that might be inconsistent with long-standing city development standards that require full curb, gutter, and sidewalks as part of residential development. Staff agrees with this approach and included this finding in proposed Ordinance No. 35-18.

Staff recommends approval of Ordinance No. 35-18.

Fiscal Impact:

Rezone approval would allow for the construction of one (1) additional single-family home, thereby adding to the City's tax base and placing additional demand on City utility services.

Attachments:

1. Ordinance No. 35-18
2. Staff Report - 1209 Country Ridge Dr
3. Rangel, Rezone Recommendation to City Council, June 2018

WHEN RECORDED RETURN TO:

Richland City Clerk's Office
505 Swift Boulevard, MS-05
Richland, WA 99352

ORDINANCE NO. 35-18

AN ORDINANCE of the City of Richland amending Title 23: Zoning Regulations of the Richland Municipal Code and the Official Zoning Map of the City so as to change the zoning on 1.1 acres from Suburban Agriculture (SAG) to Single-Family Residential (R-1-12); said property being located at the northeast corner of the intersection of Country Ridge Drive and Country Court, and adopting the findings and conclusions of the Hearing Examiner as the findings and conclusions of the Richland City Council.

WHEREAS, on May 3, 2018, the Richland Hearing Examiner held a properly advertised public hearing to consider a petition from Rigoberto and Lylian Rangel to change the zoning of the property hereafter described; and

WHEREAS, the Richland Hearing Examiner issued a written decision recommending approval of the requested rezone; and

WHEREAS, petitioners Rigoberto and Lylian Rangel will execute, upon Council approval, a Property Development and Use Agreement (PUDA) regarding said property as a condition of approval; and

WHEREAS, the Richland City Council has considered the record created at the May 3, 2018 public hearing, and has considered the written recommendation of the Richland Hearing Examiner.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Richland as follows:

Section 1. It is hereby found, as an exercise of the City's police power, that the best land use classification for the land described below is Single-Family Residential (R-1-12) when consideration is given to the interest of the general public.

Section 2. Said property, depicted on **Exhibit A**, is more particularly described as follows:

*COUNTY HOME ESTATES, BLOCK 1, LOT 2: SUBJECT TO
EASEMENTS AND RESTRICTIONS OF RECORD.*

Section 3. Such land is rezoned from Suburban Agriculture (SAG) to Single-Family Residential (R-1-12) subject to the land use limitations of the Property Use and Development Agreement substantially in the form of **Exhibit B**, attached hereto.

Section 4. Title 23 of the City of Richland Municipal Code and the Official Zoning Map of the City, as adopted by Section 23.08.040 of said Title, are amended by amending Sectional Map No. 17, which is one of a series of maps constituting said Official Zoning Map, as shown on the attached **Exhibit C** and bearing the number and date of passage of this ordinance, and by this reference made a part of this ordinance and of the Official Zoning Map of the City.

Section 5. The findings and conclusions of the Hearing Examiner, as provided in his June 14, 2018 report, are hereby adopted as the findings and conclusions of the Richland City Council, with the additional finding that approval of the rezone shall not serve as a precedent for any future rezone or platting decision that might be inconsistent with long-standing city development standards that require full curb, gutter, and sidewalks as part of any residential development.

Section 6. The City Clerk is directed to file with the Auditor of Benton County, Washington, a copy of this ordinance and the attached amended zoning map, duly certified by the Clerk as a true copy.

Section 7. This ordinance shall take effect on the day following the date of its publication in the official newspaper of the City of Richland.

PASSED by the City Council of the City of Richland, at a regular meeting on the 17th day of July, 2018.

ROBERT J. THOMPSON
Mayor

ATTEST:

APPROVED AS TO FORM:

MARCIA HOPKINS
City Clerk

HEATHER KINTZLEY
City Attorney

Date Published: July 22, 2018

Exhibit A to Ordinance No. 35-18

Map of Rezone Area

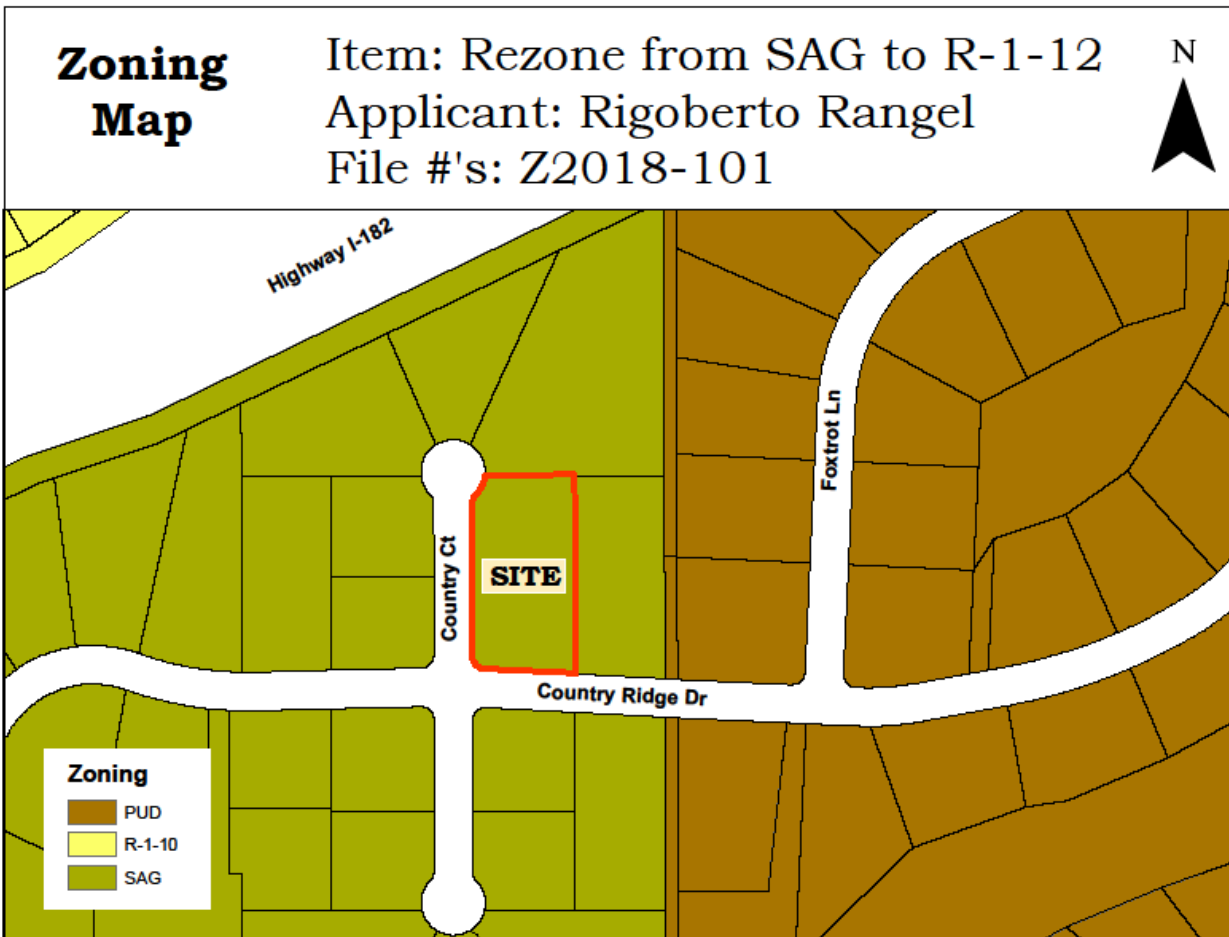


Exhibit B to Ordinance No. 35-18

PROPERTY USE AND DEVELOPMENT AGREEMENT

THIS AGREEMENT made and entered into this ____ day of _____, 2018, by and between the CITY OF RICHLAND and Rigoberto Rangel & Lylian Rangel (Petitioners).

W-I-T-N-E-S-S-E-T-H:

WHEREAS, the City of Richland is currently entertaining an application by Rigoberto Rangel & Lylian Rangel, husband and wife, ("Petitioners") for a change of zone covering a 1.1-acre site, being Benton County Tax Parcel # 1-21983020001002 located at property address 1209 Country Ridge Drive ("Property") and more particularly described as:

Lot 2, Block 1, Country Home Estates

NOW, THEREFORE, if the subject Property is rezoned from SAG – Suburban Agriculture to R-1-12 – Single-Family Residential, Petitioners for themselves and for and on behalf of their heirs, successors and assigns, covenants and agrees as follows:

- 1) In addition to the provisions of the R-1-12 zone, the minimum parcel size shall be no less than 0.4 acres in size.

This agreement shall be placed on record and the terms and conditions thereof shall be a covenant running with the land and included in each deed and real estate contract executed by Petitioners with respect to the subject Property or any part thereof. The City of Richland shall be deemed a beneficiary of this covenant without regard to whether it owns any land or interest therein in the locality of the subject Property and shall have the right to enforce this covenant in any court of competent jurisdiction.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands the day and year first above written.

CITY OF RICHLAND

Cynthia D. Reents, ICMA-CM
City Manager

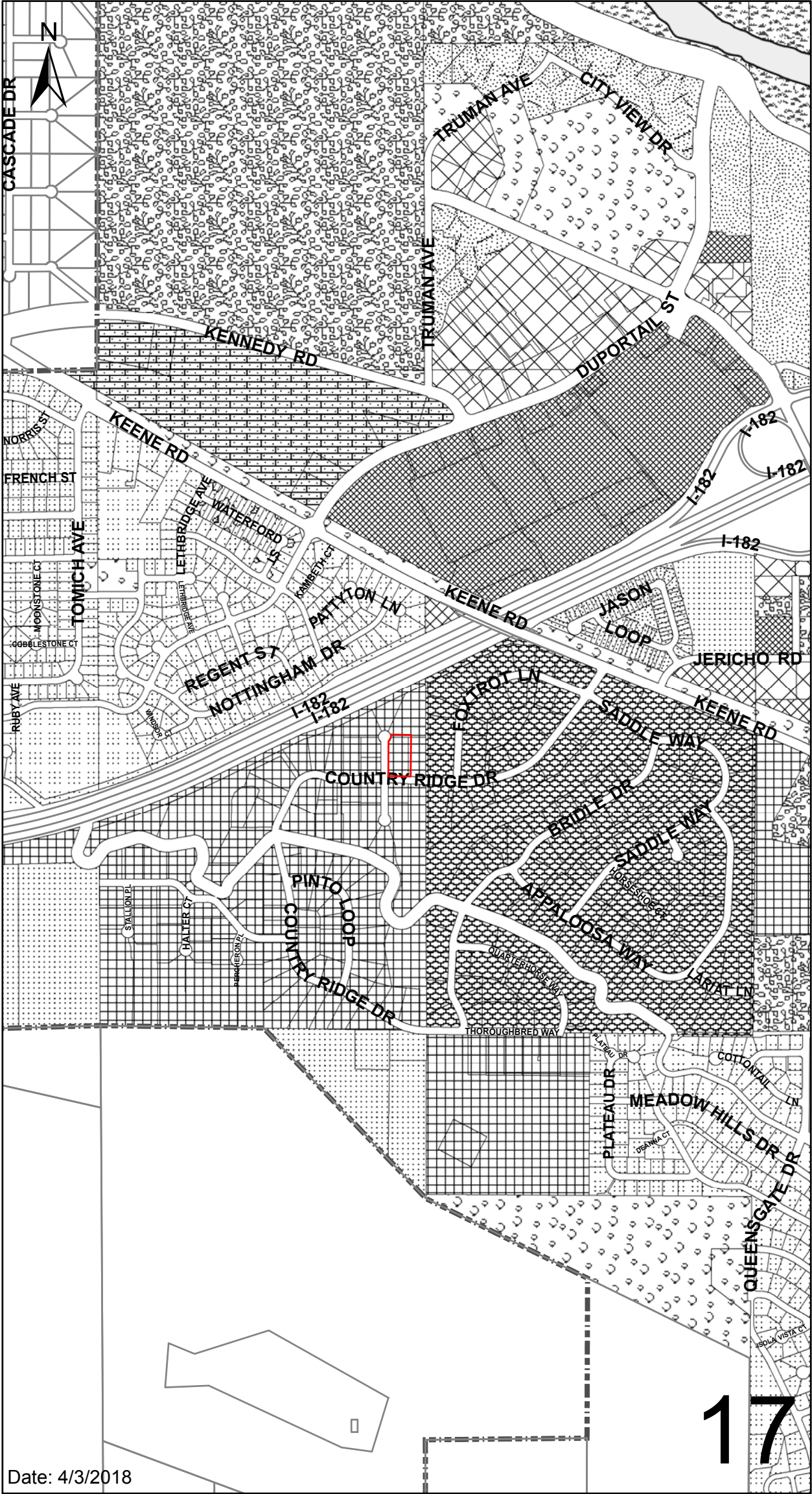
PETITIONERS

Rigoberto Rangel
Petitioner

Lylia Rangel
Petitioner

APPROVED AS TO FORM:

Heather Kintzley
City Attorney



**CITY OF RICHLAND DEVELOPMENT SERVICES DIVISION
STAFF REPORT TO THE HEARING EXAMINER**

GENERAL INFORMATION:

PROPOSAL NAME: Country Ridge Rezone

LOCATION: 1209 Country Ridge Drive

APPLICANTS: Rigoberto & Lylian Rangle

FILE NO.: Z2018-101

DESCRIPTION: Request to change zoning on 1.1 acres from SAG (Suburban Agriculture) to R-1-12 (Single-Family Residential)

PROJECT TYPE: Type 3 Site-specific rezone

HEARING DATE: May 3, 2018

REPORT BY: Shane O'Neill, Interim Planning Administrator

RECOMMENDED
ACTION: Approval

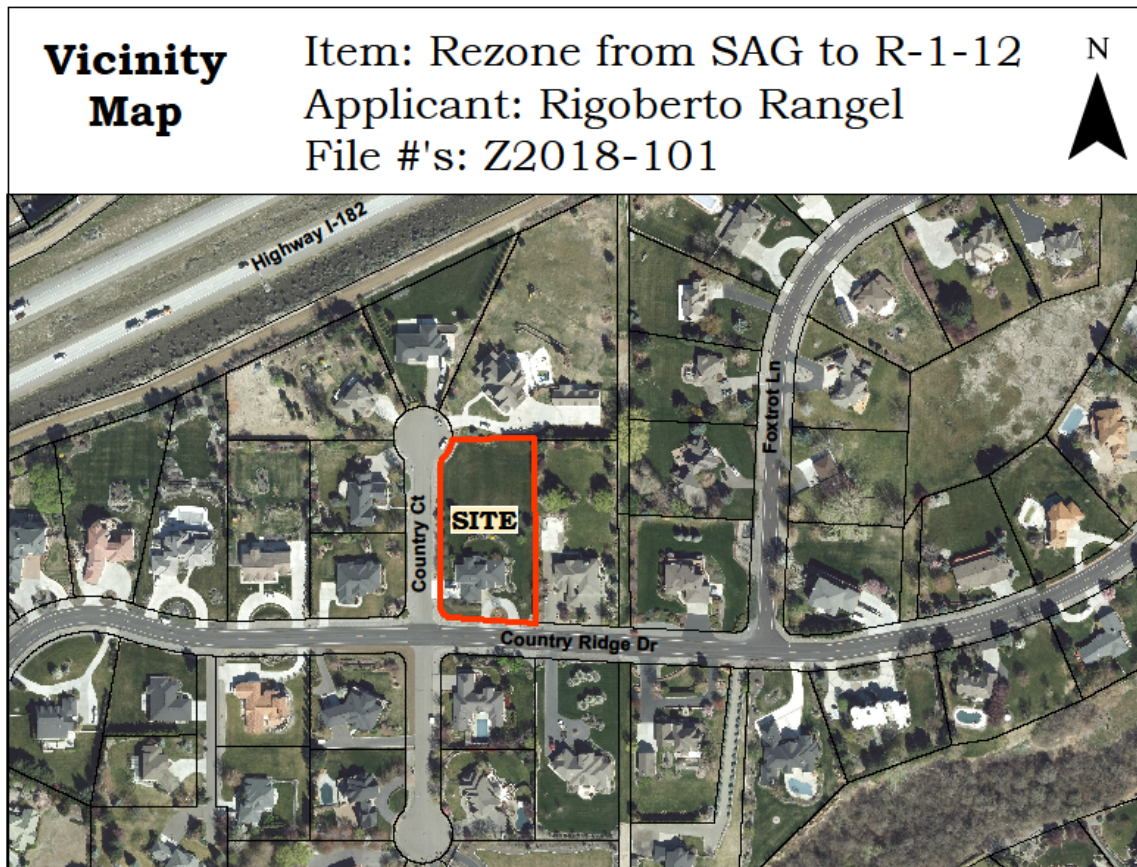


Figure 1 - Vicinity Map

DESCRIPTION OF PROPOSAL

The owners of 1209 Country Ridge Drive, Mr. & Mrs. Rangle, have filed an application with the Planning Department to convert the zoning of their property from SAG (Suburban Agriculture) to R-1-12 (Single Family Residential).

The underlying purpose of this request is to provide the property owners with the opportunity to subdivide their parcel in a manner consistent with the surrounding neighborhood. The application is attached herein as Exhibit 1. A conceptual future plat layout is included as Exhibit 8.

Currently, the subject parcel is approximately one-acre in land area. The existing Suburban Agriculture zoning imposes a one-acre minimum lot size. Noteworthy here is the fact that several of the surrounding properties belonging to the same plat of Country Home Estates (Exhibit 5) are platted at about one-half-acre in size by way of original platting and two subsequent short plats (Exhibits 6 & 7). Noticing the neighboring properties in the same neighborhood are smaller and

after being disallowed to subdivide by the City Planning Department due to zoning requirements, the property owners filed their rezone application.

SITE DESCRIPTION & ADJACENT LAND USES

Lying immediately west of the Country Ridge residential neighborhood and south of the Highway I-182 corridor, the subject parcel belongs to the 15-lot plat of Country Home Estates in south Richland which is situated near the westerly fringe of Richland's city limits. The site is comprised of a single tax parcel containing one single-family home located in the southerly portion of the parcel; leaving over a half-acre expanse of open yard to the north of the residence.

The site is entirely surrounded by fully-developed single-family residential neighborhoods. Both the Country Home Estates and the Country Ridge plats are characterized by having generally larger lots and privately managed open spaces.

An aerial photo of the site in Figure 1 above and ground level site photos taken by city staff are provided in Exhibit 11.

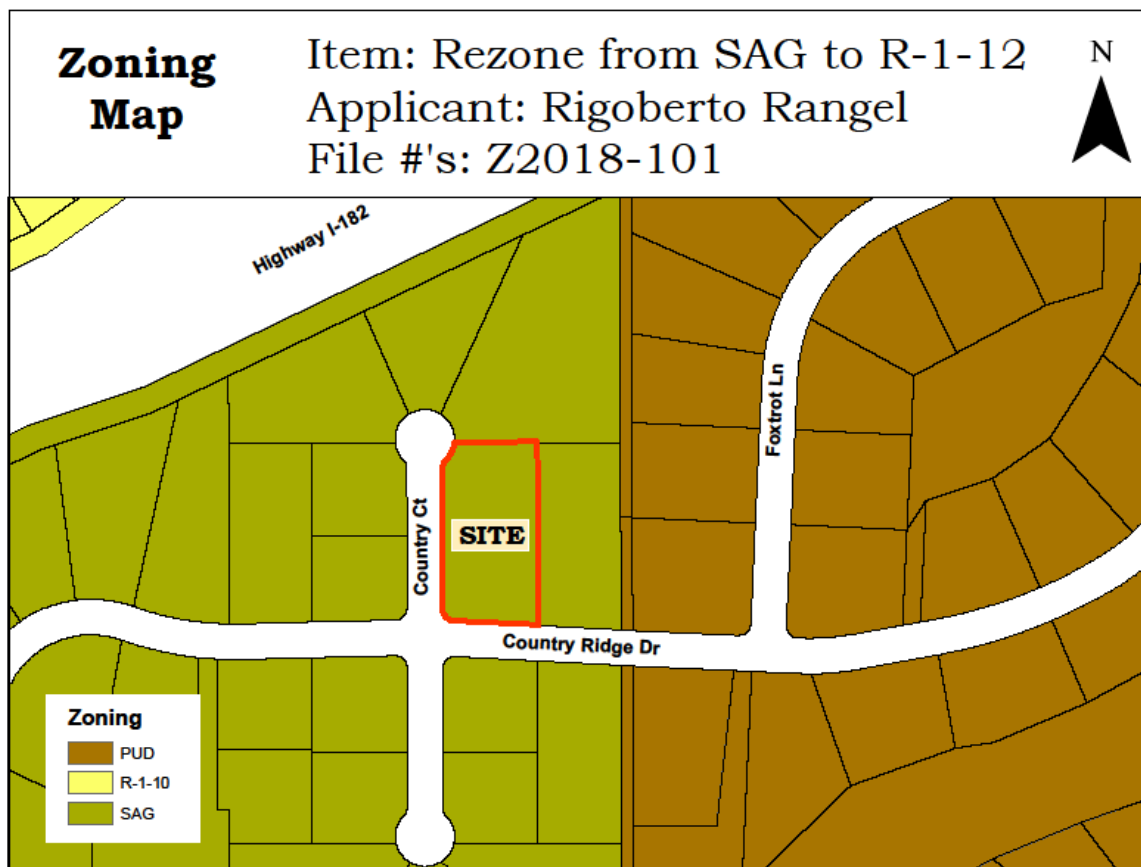


Figure 2 – Zoning Map

ZONING

As illustrated in the Zoning Map, Figure 2 above, the site is zoned Suburban Agriculture. The SAG zone is intended to provide for residential areas, rural in nature, with sufficiently large lots to allow for the maintenance of certain animals and farm crops, while at the same time establishing and maintaining a living environment of high standards for residential uses. Application of the SAG zone is intended for those portions of the community designated low-density (0-5 dwelling units per acre) residential in the Comprehensive Plan.

The requested R-1-12 zoning classification offers the lowest residential density in the city, providing protection against hazards, objectionable influences, building congestion and lack of light, air and privacy. The R-1-12 zone is intended to be applied to portions of the city that are designated low-density residential (0-5 dwelling units per acre) under the City's Comprehensive Plan.

There are some differences in the dimensional requirements associated with the existing and proposed zone, as shown in the following table:

Zoning	Existing SAG	Proposed R-1-12
STANDARD	REQUIRED/ALLOWED	REQUIRED/ALLOWED
Min. Lot Area	1-acre	10,000 sq. ft.
Max. Lot Coverage	None	None
Building Setbacks		
Front	25 ft.	20 ft.
Side(s)	10 ft.	10 ft.
Rear	25 ft.	25 ft.
Building Height	30 ft.	30 ft.

Table 1 – Comparison of C-1 & C-LB Dimensional Standards

PUBLIC NOTICE

Application Date:	February 9, 2018
Notice of Application & Hearing Mailed:	April 3, 2018
Notice of Application & Hearing Published:	April 9, 2018
Notice of Application & Hearing Posted:	March 20, 2018
Public Hearing:	May 3, 2018

Notice of application and notice of hearing was provided through posting of the property, mailing of notice to property owners within 300 feet of the site and publication in the *Tri-City Herald* newspaper. Copies of the notices and affidavits

are included in Exhibit 4. As of the date of this report one comment stating no contest to the application was received from the public.

UTILITY AVAILABILITY

Eight-inch sewer and water mains extend along the south lines of both lots in Country Ridge Drive. Both of these utilities are adequately sized to serve the additional homes which may be constructed as a result of rezoning the site. Likewise, underground municipal electrical power passes by the site in Country Ridge Drive, serving the site and the surrounding neighborhoods. City utility billing records indicate that 1209 Country Ridge Drive does not receive municipal sewer service but that it does benefit from municipal potable water service connections.

This property not being connected to sewer service means that it contains a septic system in the large yard. If the rezone is granted, when it comes time to prepare a new lot for building, the existing septic systems would have to be excavated, filled and tested for the appropriate soil compaction ratings suitable for building pads. Septic system abandonment is generally viewed as beneficial to ground water quality, a pertinent point for anyone in the vicinity relying on well water.

TRANSPORTATION

1209 Country Ridge Drive is a corner lot bordered by both Country Ridge Drive and Country Court, both local access roads. Access to the site comes by way of Keene Road, a principal arterial approximately a half-mile to the east.

The Country Ridge and Country Home Estates residential neighborhoods lack curbs, gutters and sidewalks. This characteristic of the vicinity was granted by way of platting and not through any codified exemption linked to zoning. That is to point out that after converting the zoning to R-1-12 any subsequent development would also not be required to install sidewalk infrastructure along the frontage. This development style would maintain consistency with the existing vicinity.

SEPA

No environmental review was conducted as part of this rezone application, based on the categorical exemption in WAC 197-11-800(6) (c) which provides for exemptions under the following circumstances:

Where an exempt project requires a rezone, the rezone is exempt only if:

- (i) The project is in an urban growth area in a city or county planning under RCW 36.70A.040;*
- (ii) The proposed rezone is consistent with and does not require an amendment to the comprehensive plan; and*
- (iii) The applicable comprehensive plan was previously subjected to environmental review and analysis through an EIS under the requirements of this chapter prior to adoption; and the EIS adequately addressed the environmental impacts of the rezone.*

In this case, the proposed project is located with the City and within Richland's urban growth area; the proposed action is consistent with the City's comprehensive plan; and the City's comprehensive plan was analyzed through the preparation of an environmental impact statement at the time of the plan's initial adoption in 1997.

The following Land Use Map illustrates the City's Comprehensive Plan Low-Density Residential Land Use Designation of the site. As shown in the Existing Zoning section above (page 4) the R-1-12 zoning classification is intended to be applied to portions of the city that are designated low-density residential under the city of Richland Comprehensive Plan.

COMPREHENSIVE PLAN

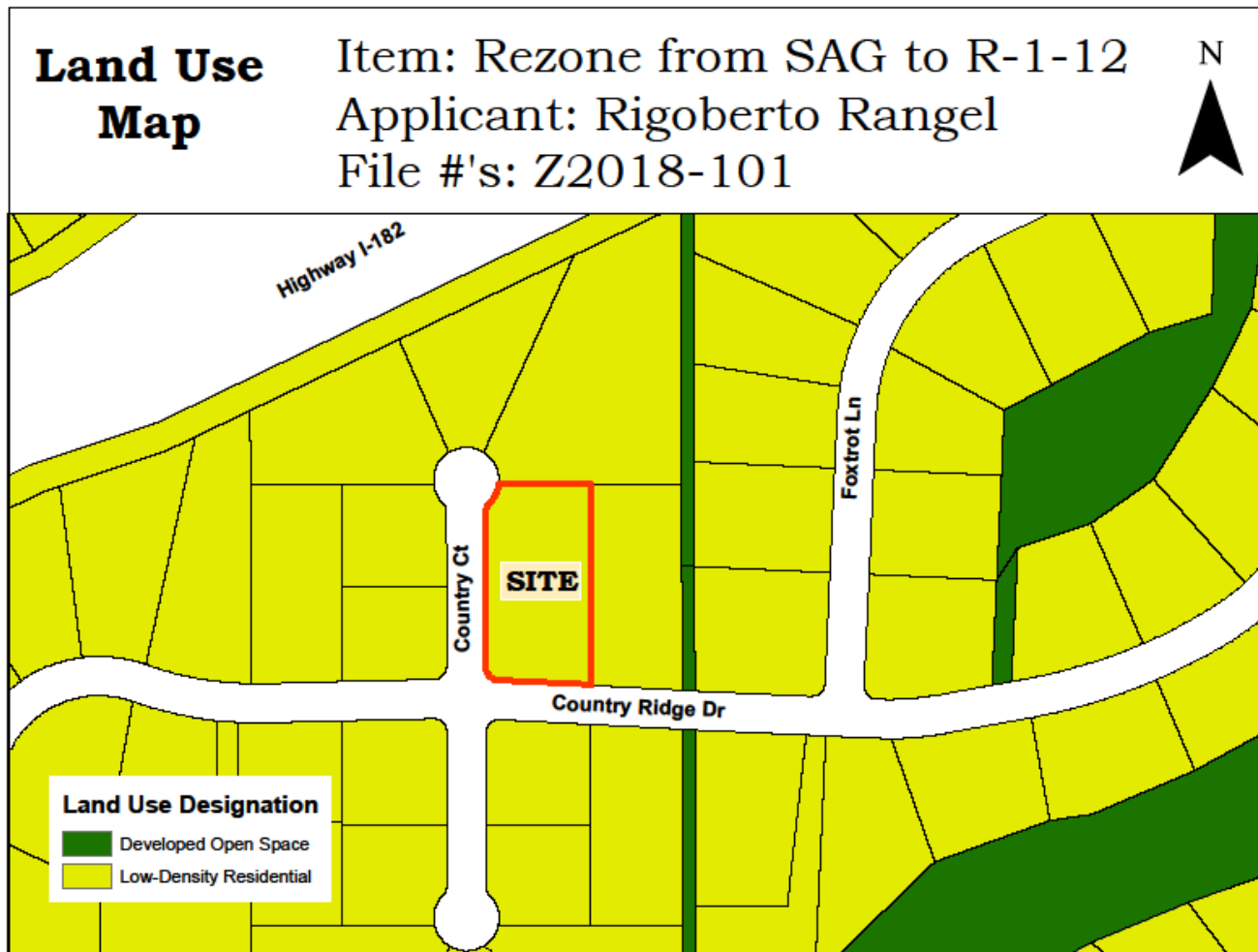


Figure 3 – Comprehensive Plan Map

The City's Comprehensive Land Use Plan contains the following goal and policy statements relating to housing:

Land Use Goal 4: The City will establish a broad range of residential land use designations to accommodate a variety of lifestyles and housing opportunities.

Policy 1 – The City will provide a balanced distribution of residential uses and densities throughout the urban growth area.

Policy 2 – The City will encourage residential densification through its land use regulations.

Policy 3 – The City will encourage innovative and non-traditional residential development through expanded use of planned unit developments, density bonuses and multi-use developments.

Policy 4 – The City will encourage conservation of lands identified as “recreation Resource Conservation Area” in the City’s Parks, Recreation Facilities and Open Space Master Plan, by allowing developers to increase densities on adjacent lands. Such projects should occur as Planned Unit Developments.

ANALYSIS

This application is two-faced in terms of ensuring consistency with the surrounding vicinity. On one-hand the application proposes to create an isolated pocket to R-1-12 zoning amongst SAG and PUD zones. On the other hand, the result of the rezone would be the potential for a new lot to be created in a way that is generally consistent with parcels belonging to the plat Country Home Estates. In particular, there are several lots on Country Court currently about one-half-acre in size.

The creation of a new lot would not be a detriment to the character of the surrounding neighborhoods. A new parcel would benefit from fairly direct access by way of Keene Avenue which is less than a half of one mile to the east. There are 19 homes fronting Country Ridge Drive between the site and Keene Road.

In terms of development standards, the difference between the SAG and R-1-12 zones is minimal with the primary difference being a five-foot minimum front setback reduction if R-1-12 zoning is granted. The SAG zone requires a 25-foot minimum front setback and the R-1-12 zone requires a 20-foot minimum front yard setback. Side and rear setbacks are identical between the zones.

One of the most noteworthy zoning related changes resulting from the rezone would be the loss of agricultural rights offered by SAG zoning (Exhibit 3 SAG Zone). The SAG zone allows for limited agricultural uses such as allowing on-site produce sales and the keeping of large and small livestock. In this case the rezone would reduce the potential for impacts on adjoining properties created by introducing livestock into a residential neighborhood.

The City’s comprehensive plan designates the site as suitable for low-density residential land uses and the R-1-12 district offers the lowest residential development opportunities outside of the agricultural zoning districts.

As a note regarding this application, the original application (Exhibit 1) involved two properties, 1205 & 1209 Country Ridge Drive. On April 11th, the owner of 1205 Country Ridge Drive, Sandra McCombs, submitted to the Planning

Department, a letter requesting to withdraw from the rezoning process. That letter is included as Exhibit 10. This explains the discrepancy between the site boundary shown on the public notice and the site boundary shown on the maps included in the body of this report.

FINDINGS AND CONCLUSIONS

Staff has completed its review of the request for a change in zoning (Z2018-101) and recommends approval of the request based on the following findings of fact:

1. The site is comprised of one tax parcel 1.1-acres in size. Tax parcel #1-21983020001002 addressed 1209 Country Ridge Drive;
2. 1209 Country Ridge Drive is a corner lot that fronts Country Ridge Drive for a distance of 87.08 feet and Country Court for a distance of 237.29;
3. 1209 Country Ridge Drive is 48,069 square feet (1.1 acres) in area;
4. 1209 Country Ridge Drive was originally platted in 1997 as part of the plat of Country Home Estates;
5. Country Home Estates contains ten (10) other lots approximately one half acre in size. Six of the ten lots belong to the original Plat and the remaining four lots are the product of two subsequent short plats;
6. The City of Richland Comprehensive Plan designates the subject site as suitable for low-density residential land uses;
7. The City of Richland Comprehensive Plan describes low-density residential land uses as single-family residential uses with an average density of 3.5 dwelling units per acre. This equates to an average lot size of 12,4465 square feet;
8. The Country Home Estates is bordered by Highway I-182 to the north;
9. The project is exempt from the provisions of the State Environmental Policy Act, as identified in WAC 197-11-800(6) (c).
10. Based on the above findings and conclusions, approval of the zone change request would be in the best interest of the community of Richland.

EXHIBIT LIST

1. Application Form
2. Public Notices and Affidavits
3. Agriculture Zoning – Chapter 22.14 of the Richland Municipal Code
4. Residential Zoning – Chapter 22.18 of the Richland Municipal Code
5. Plat of Country Home Estates
6. Short Plat #2342
7. Short Plat #2343
8. Conceptual future plat diagram
9. Public Comments
10. Letter of Withdrawal
11. Site Photos

Exhibit 1

Planning & Development Services Division • Current Planning Section
840 Northgate Drive • Richland, WA 99352
General Information: 509/942-7794 • Fax: 509/942-7764

22016-101

Petition for Change of Zoning District Classification

Application is hereby made to the City of Richland for a change of zone, pursuant to Section 23.82.190 of the City of Richland Municipal Code.

The following required information must be typed or printed legibly in the appropriate spaces.

SECTION I – APPLICANT INFORMATION			
Applicant's Name: Rigoberto Rangel			
Address: 1209 Country Ridge Dr.			
City: Kennewick		State: WA	Zip: 99352
Phone: 509-539-7120	Fax: N/A	Other and/or e-mail address: RIGO@TRICITIESENGINEERING.COM	
Please check under what capacity you are filing:			
☒ Recorded owner of the property as of 6/17		☐ Purchasing under contract as of	
☐ The lessee as of		☐ The authorized agent of any of the foregoing, duly authorized in writing (written authorization must be attached to application).	
SECTION II – PROPERTY LOCATION AND GENERAL DESCRIPTION			
Street address(es) of property for which the zone change is requested, if applicable:			
1209 Country Rdige Dr. Richland & 1205 Country Ridge Dr. Richland			
Relationship to adjacent streets (i.e., west of Main Street between 1 st Avenue and 2 nd Avenue):			
North of Country Rdige Dr. East of Country Ct. West of Fox Trot Ln.			
General description of development status (i.e., vacant, agricultural, buildings, or miscellaneous improvement): 2 homes on lots.			
Size of petition area 2.1 acres acres and square feet			
SECTION III - CHANGE OF ZONE REQUEST			
A change of zone from SAG		To R-1-10 R-1-12	
is requested for the property described in Section II of this application.			
SECTION IV – JUSTIFICATION			
State the reason(s) for the requested change of zone:			
As R-1-10, the lots in the future can be split into 1/2 acre lots.			

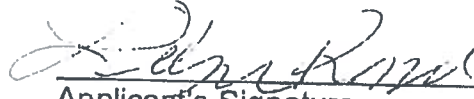
} Continued

I DECLARE UNDER PENALTY OF THE PERJURY LAWS THAT THE INFORMATION I HAVE PROVIDED ON THIS FORM/APPLICATION IS TRUE, CORRECT AND COMPLETE.

DATED THIS 17 DAY OF January, 2018.


Applicant's Signature Rigoberto Rangel

1209 Country Ridge Dr.
Address
Richland WA 99382
City, State, Zip
(509) 539-7120
Phone


Applicant's Signature Cydian Rangel

1209 Country Ridge Dr.
Address
Richland, WA 99352
City, State, Zip
509-539-5348
Phone

FOR OFFICE USE ONLY

Date accepted for filing 2.9.18


City Official's Signature

Items enclosed: Filing fee and Title Insurance
Company Ownership Report showing all property
Owners of Record within 300-feet.

AND AS AMENDED ON 3.20.18 ⁵⁰⁰

I DECLARE UNDER PENALTY OF THE PERJURY LAWS THAT THE INFORMATION I HAVE PROVIDED ON THIS FORM/APPLICATION IS TRUE, CORRECT AND COMPLETE.

DATED THIS 8 DAY OF Feb, 20 18



Applicant's Signature

1205 Country Ridge Dr
Address Richland WA, 99352

~~1205 Country Ridge Dr~~
City, State, Zip

509 396-3037
Phone



Applicant's Signature

1205 Country Ridge Dr
Address

Richland WA 99352
City, State, Zip

509 396-3037
Phone

FOR OFFICE USE ONLY

Date accepted for filing 2.9.18



City Official's Signature

Items enclosed: Filing fee and Title Insurance
Company Ownership Report showing all property
Owners of Record within 300-feet.

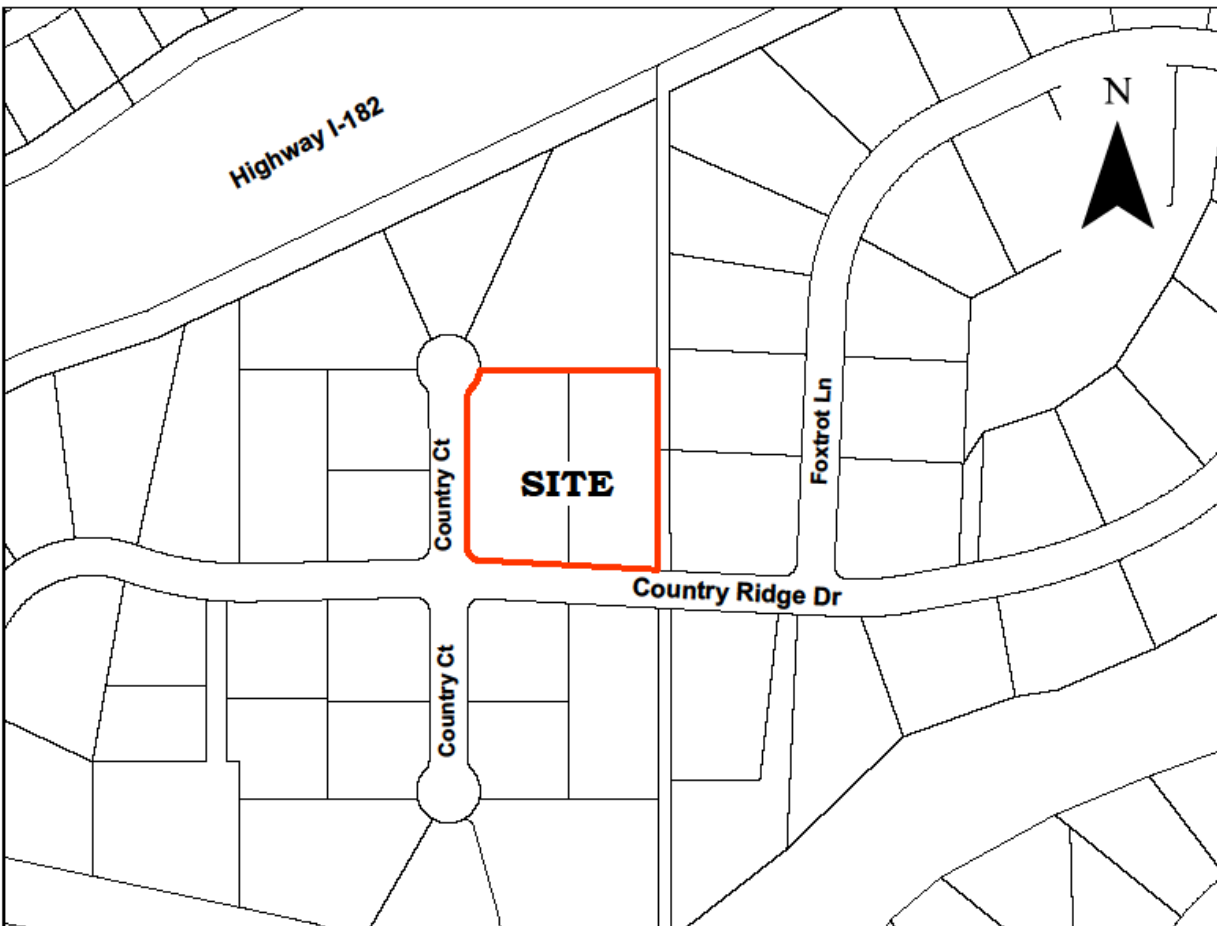
AND AS AMENDED ON 3.20.18 SD

**CITY OF RICHLAND
NOTICE OF APPLICATION & PUBLIC HEARING
(Z2018-101)**

Notice is hereby given that Rigoberto & Lylian Rangle and Roger & Sandra McCombs have applied to rezone a 2-acre site generally located at the northeast corner of Country Ridge Drive and Country Court, from SAG (Suburban Agriculture) to R-1-12 (Single-Family Residential).

A public hearing on the proposed rezone will be held before the Hearing Examiner on Thursday, **May 3, 2018** at 6:00 pm in the Council Chambers, 505 Swift Blvd., Richland WA 99352.

Any person desiring more information, to express views or to be notified of any decisions pertaining to these application should notify Shane O'Neill, Senior Planner, 840 Northgate Drive, Richland, WA 99352. Phone 509-942-7587, soneill@ci.richland.wa.us.



AFFIDAVIT OF POSTING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, **Shane O'Neill**, who, being first duly sworn upon oath deposes and says:

1. I am an employee in the Planning & Development Department for the City of Richland.

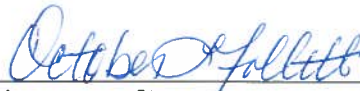
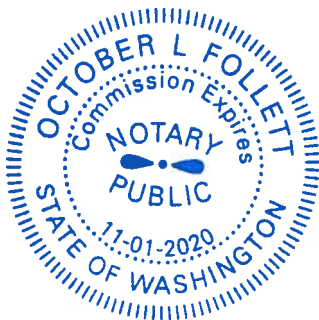
2. On the 20th day of March, 2018, I posted the attached NOTICE OF PUBLIC HEARING, File Number's Z2018-101 at the following location:

1209 Country Ridge Drive, generally occupying the northeast corner of the intersection of Country Ridge Drive and Country Court in Richland, WA.



Print Name: Shane O'Neill

SIGNED AND SWORN to before me this 9th day of April, 2018 by SHANE O'NEILL.



Signature of Notary



Printed Name

Notary Public in and for the State of Washington,

Residing in Benton County

My appointment expires: 11-1-2020

AFFIDAVIT OF MAILING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, Kathy Anderson, who, being first duly sworn upon oath deposes and says:

1. I am an employee in the Planning & Development Department for the City of Richland.
2. On the 3rd day of April, 2018, I mailed a copy of the attached NOTICE OF APPLICATION, AND PUBLIC HEARING (Z2018-101) to the attached list of individuals via regular USPS on the date indicated above. The Notice application to rezone a 2-acre site generally located at the northeast corner of Country Ridge Drive and Country Court, from SAG (Suburban Agriculture) to R-1-12 (Single-Family Residential). The Public Hearing will take place May 3, 2018.


Signed Name: Kathy Anderson

SIGNED AND SWORN to before me this 3rd day of April, 20 18 by
Kathy Anderson.



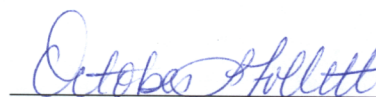

Notary Public in and for the State of Washington,
Residing at Benton County
My appointment expires: 11-1-2020
October L. Follett
Printed Name

Exhibit 3

Chapter 23.14 AGRICULTURAL ZONING DISTRICTS

Sections:

- [23.14.010](#) Purpose of agricultural use districts.
- [23.14.020](#) Agricultural performance standards and special requirements.
- [23.14.030](#) Agricultural use districts permitted land uses.
- [23.14.040](#) Site requirements for agricultural use districts.
- [23.14.050](#) Parking standards for agriculture use districts.

23.14.010 Purpose of agricultural use districts.

A. The agricultural use district (AG) is a primary zone classification permitting essentially open land uses such as grazing lands or pasture, agriculture, and development of part-time small tract farming and other compatible uses of an open nature such as a cemetery, park, and recreational or similar uses on land which has favorable

combinations of slope, climate, availability of water, or soil conditions. This zoning classification is intended to be applied to some portions of the city that are designated as agriculture or as urban reserve under the city of Richland comprehensive plan.

B. The suburban agricultural use district (SAG) is a zone classification providing for residential areas, rural in nature, with sufficiently large lots to allow for the maintenance of certain animals and farm crops, while at the same time establishing and maintaining a living environment of high standards for residential uses. This zoning classification is intended to be applied to some portions of the city that are designated low-density residential (zero to five dwellings per acre) under the city of Richland comprehensive plan. [Ord. 28-05 § 1.02].

[23.14.020 Agricultural performance standards and special requirements.](#)

A. The following standards relate to the raising and keeping of livestock in an AG district:

1. A permitted structure, pen or building in which livestock is kept shall be located not less than 25 feet from any lot line and not less than 40 feet from any one-family dwelling;
2. A pasture, including perimeter fencing, shall be located not less than 15 feet from any one-family dwelling located on the same lot;
3. Uses, structures and buildings shall comply with the applicable yard and area requirements of RMC [23.38.010](#) through [23.38.090](#).

B. The following standards relate to the agricultural activities permitted in the SAG district:

1. Limited agricultural uses such as orchards, vineyards, vegetable gardens, field crops and pastures;
2. Sale of products grown on the premises;
3. Limited raising or keeping of large livestock as follows:
 - a. Horses, ponies, mules, donkeys, burros, and similar animals;
 - b. Dairy cattle, beef cattle, buffalo and similar animals;
 - c. Sheep, goats, and similar animals;
 - d. A maximum of two animal units (one animal unit equals approximately 1,000 pounds of animal weight) may be kept per one acre gross pasture area. Gross pasture area is that portion of a lot

which is fenced and used solely for the grazing and keeping of large livestock. The following are examples of animal unit usages:

- i. One horse and one cow per gross pasture acre;
 - ii. Two cows or two horses per gross pasture acre;
 - iii. Ten sheep or 10 goats per gross pasture acre;
 - iv. Eight sheep and two goats per gross pasture acre;
- e. If any additional animal(s) born on the premises causes the maximum allowable number of animals to be exceeded, adjustments must be made to bring the total number of animals into compliance with this chapter within the corresponding time limits specified below:
- i. Horses and similar animals: one year from date of birth;
 - ii. Cattle and similar animals: one year from date of birth;
 - iii. Sheep, goats, and similar animals: six months from date of birth;
- f. If any additional animal(s) are acquired by any means other than by birth, and cause the maximum allowable number of animals to be exceeded, adjustments must be made to bring the total number of animals into compliance with this chapter within 90 days after placement of the additional animal(s) on the premises. In addition, a fence must be constructed prior to the acquisition of any large livestock to ensure containment of the livestock on the premises;

4. Limited raising or keeping of small livestock as follows:

- a. Rabbits and similar animals;
- b. Chickens, ducks, geese, turkeys, and other similar fowl.

A maximum of 12 animals or fowl, as defined above, may be raised or kept per one acre gross lot area.

In addition, a shed, coop, hutch, or similar containment structure must be constructed prior to the acquisition of any small livestock to ensure containment of the livestock on the premises.

Standings under roofed stable must be made of material and which provides for proper drainage so as not to create offensive odors, fly or insect breeding, or other nuisances.

Manure must be collected at least once a week and shall be disposed of in one or more of the following manners:

- i. Placement of manure in a fly-proof container with periodic removal of manure from the lot;
- ii. Adequate burying of the manure;
- iii. Removal of manure from the lot.

Fences, pens, corrals or similar enclosures must be of sufficient height and strength to retain animals.

Any structures used for the keeping of livestock shall be set back a minimum of 50 feet from any property line. [Ord. 28-05 § 1.02].

23.14.030 Agricultural use districts permitted land uses.

In the following chart, land use classifications are listed on the vertical axis. Zoning districts are listed on the horizontal axis.

A. If the symbol “P” appears in the box at the intersection of the column and row, the use is permitted, subject to the general requirements and performance standards required in that zoning district.

B. If the symbol “S” appears in the box at the intersection of the column and row, the use is permitted subject to the special use permit provisions contained in Chapter [23.46](#) RMC.

C. If the symbol “A” appears in the box at the intersection of the column and the row, the use is permitted as an accessory use, subject to the general requirements and performance standards required in the zoning district.

D. If a number appears in the box at the intersection of the column and the row, the use is subject to the general conditions and special provisions indicated in the corresponding note.

E. If no symbol appears in the box at the intersection of the column and the row, the use is prohibited in that zoning district.

Land Use	AG	SAG
Agriculture		
Agricultural Use	P	P
Business and Personal Services		
Animal Shelter	S ¹	
Commercial Kennel	S ¹	
Hospital Clinic – Large Animal	S ¹	
Hospital Clinic – Small Animal	S ¹	
Industrial Uses		
Excavating, Processing, Removal of Topsoils, Sand, Gravel, Rock or Similar Natural Deposits	S ²	
Public Uses		
Churches	P ³	P ³
Clubs or Fraternal Societies	P ³	P ³
Cultural Institutions	P ³	P ³
General Park Maintenance and Operations	P	P
Golf Courses	P	P
Passive Open Space Uses	P	P
Power Transmission and Irrigation Wasteway Easements and Utility Uses	P ⁴	P ⁴

Land Use	AG	SAG
Public Agency Buildings	P ⁴	P ⁴
Public Agency Facilities	P ⁴	P ⁴
Public Parks	P	P
Schools	P ⁵	P ⁵
Special Events Including Concerts, Tournaments, and Competitions, Fairs, Festivals and Similar Public Gatherings	P	P
Trail Head Facilities	P	P
Trail for Equestrian, Pedestrian or Nonmotorized Vehicle Use	P	P
Recreational Uses		
Commercial Recreation, Outdoor	S ⁶	
Recreational Vehicle Campgrounds	S ⁷	
Stable, Public	S ⁸	
Retail Uses		
Landscaping Material Sales	S ⁹	
Nursery, Plant	S ⁹	
Parking Lot	A	A
Residential Uses		
Accessory Apartments	A ¹⁰	A ¹⁰

Land Use	AG	SAG
Adult Family Home	P	P
Bed and Breakfast	S ¹¹	S ¹¹
Day Care Center	S ¹²	S ¹²
Designated Manufactured Home	P ¹³	P ¹³
Dwelling, One-Family Detached	P ¹³	P ¹³
Family Day Care Home	A ¹²	A ¹²
Home Occupations	A ¹⁴	A ¹⁴
Private Swimming Pools	A ¹⁵	A ¹⁵
Recreational Club	P ¹⁶	P ¹⁶
Rental of Rooms to Not More Than Four Persons Other Than the Family Occupying the Single-Family Dwelling	A	A
Miscellaneous Uses		
Cemetery	P	
Micro- and Macro-Antennas	P	P
Raising Crops, Trees or Vineyards	P	P

1. RMC [23.42.040](#)
2. RMC [23.42.070](#)
3. RMC [23.42.050](#)

4. RMC [23.42.200](#)
5. RMC [23.42.250](#)
6. RMC [23.42.175](#)
7. RMC [23.42.230](#)
8. RMC [23.42.190](#)
9. RMC [23.42.105](#)
10. RMC [23.42.020](#)
11. RMC [23.42.045](#)
12. RMC [23.42.080](#)
13. RMC [23.18.025](#)
14. RMC [23.42.090](#)
15. RMC [23.42.300](#)
16. RMC [23.42.210](#)

[Ord. 28-05 § 1.02; amended during 2011 recodification].

23.14.040 Site requirements for agricultural use districts.

In the following chart, development standards are listed on the vertical axis. Zoning districts are listed on the horizontal axis. If a number appears in the box at the intersection of the column and row, that number represents the dimensional standard that applies to that zoning district.

Standard	AG	SAG
Minimum Lot Area Requirement	5 acres	43,560 square ft.
Minimum Lot Width	None	145 feet

Standard	AG	SAG
Minimum Lot Depth	None	145 feet
Minimum Street Frontage	None	40 feet
Minimum Front Yard Setback	25 feet	20 feet
Minimum Side Yard Setback	10 feet	10 feet
Minimum Rear Yard Setback	25 feet	25 feet ¹
Maximum Lot Coverage ²	None	20%
Maximum Building Height – Main Building	30 feet	30 feet
Maximum Building Height – Accessory Buildings	24 feet	24 feet

¹. Main structures shall be set back a minimum of 25 feet and accessory structures shall meet the requirements of RMC [23.38.020](#) except that structures intended for the keeping of livestock shall meet the setback requirements of 50 feet as established in RMC [23.14.020](#)(B)(4)(iii).

². Lot coverage includes all buildings, including accessory buildings or structures on any lot in a residential district, exclusive of patios without roof coverings or patios with only open lattice or similar type roof construction.

[Ord. 28-05 § 1.02; Ord. 04-09; amended during 2011 recodification].

[23.14.050](#) Parking standards for agriculture use districts.

Off-street parking space shall be provided in all agricultural zones in compliance with the requirements of Chapter [23.54](#) RMC. [Ord. 28-05 § 1.02].

Chapter 23.18 RESIDENTIAL ZONING DISTRICTS

Sections:

- [23.18.010](#) Purpose of residential use districts.
- [23.18.020](#) Residential performance standards and special requirements.
- [23.18.025](#) Single-family residential design standards.

[23.18.030](#) Residential use districts permitted land uses.

[23.18.040](#) Site requirements for residential use districts.

[23.18.050](#) Parking standards for residential use districts.

[23.18.010 Purpose of residential use districts.](#)

Five residential zone classifications permit a variety of housing and population densities without conflict.

Protection is provided against hazards, objectionable influences, traffic, building congestion and lack of light, air and privacy. Certain essential and compatible public service installations are permitted in residential use districts.

A. The single-family residential – 12,000 (R-1-12) is a residential zone classification requiring the lowest density of population within the city, providing protection against hazards, objectionable influences, building congestion and lack of light, air and privacy. Certain essential and compatible public service facilities and institutions are permitted in this district. This zoning classification is intended to be applied to some portions of the city that are designated low-density residential (zero to five dwellings per acre) under the city of Richland comprehensive plan.

B. The single-family residential – 10,000 (R-1-10) is a residential zone classification requiring a low density of population, providing protection against hazards, objectionable influences, building congestion, and lack of light, air, and privacy. Certain essential and compatible public service facilities and institutions are permitted in this district. This zoning classification is intended to be applied to some portions of the city that are designated low-density residential (zero to five dwellings per acre) under the city of Richland comprehensive plan.

C. The medium-density residential (R-2) is a residential zone classification permitting a higher density of population including the establishment of duplex dwellings and providing for these single-and two-family residences a high degree of protection from hazards, objectionable influences, building congestion and lack of light, air and privacy. Certain essential and compatible public service facilities and institutions are permitted in this district. This zoning classification is intended to be applied to some portions of the city that are designated medium-density residential (5.1 to 10 dwellings per acre) under the city of Richland comprehensive plan.

D. The medium-density residential small lot (R-2S) is a residential zone classification permitting a higher density of population, encouraging small lot development conducive to energy conservation and to other factors contributing to the production of affordable housing, and including the establishment of duplex dwellings and providing for these one- and two-family residences a high degree of protection from hazards, objectionable influences, building congestion and lack of light, air and privacy. Certain essential and compatible public service facilities and institutions are permitted in this district. This zoning classification is intended to be applied

to some portions of the city that are designated medium-density residential (5.1 to 10 dwellings per acre) under the city of Richland comprehensive plan.

E. The multiple-family residential use district (R-3) is a residential zone classification allowing for the location of multiple-family dwellings, duplexes and attached and detached one-family dwellings and providing a high degree of protection for such uses and adjacent low-density residential development. This classification shall be designed to give protection from hazards, objectionable influences, building congestion, and lack of light, air, and privacy. Certain essential and compatible public service facilities and installations are permitted in this district. This zoning classification is intended to be applied to some portions of the city that are designated high-density residential (10.1 or more dwellings per acre) under the city of Richland comprehensive plan. [Ord. 28-05 § 1.02].

[23.18.020 Residential performance standards and special requirements.](#)

A. High-Density Residential Small Lot Special Requirements. In order to assure consistency with the purpose of the R-2S district, as stated in RMC [23.18.010](#)(D), and further to avoid potential negative and undesirable effects that may result from the higher density of development afforded in an R-2S zone, the following special requirements and provisions shall apply:

1. Any application for reclassification of land to R-2S shall be accompanied by an application for preliminary plat approval submitted in accordance with RMC [24.12.010](#). In addition, the following information shall be submitted with the application for preliminary plat:
 - a. A street landscaping plan showing the location and type of landscaping proposed;
 - b. Information showing the location, dimensions and character of recreational facilities and/or open space, including paths and trails; and
 - c. Utilization of curvilinear, cul-de-sac and/or loop streets or other appropriate design solutions to assist in modulating the interface of the residential buildings with the streets.
2. The planning commission and city council may, in keeping with the intent of this section, impose requirements and conditions on the approval of the preliminary plat or zoning reclassification as deemed appropriate. These conditions may include, but are not limited to, architectural design parameters, screening and buffering treatments, and supplemental open space and/or recreational facility requirements. Compliance with these conditions shall be demonstrated precedent to final plat and/or building permit approval as appropriate.

3. A combined front yard setback configuration and street-facing residential architectural elevation may be repeated continuously on no more than five lots before a different combination must be utilized. Regardless of the street facing architectural elevation, a front yard setback configuration may be repeated on no more than 10 lots before a different setback configuration must be utilized. The administrative official may approve variations to this requirement which, in his judgment, accomplish the intent of avoiding a monotonous interface of the residential buildings with the streets, or are necessary due to constraints or unique characteristics of the site. This requirement shall be satisfied at the time of building permit application.

B. Multiple-Family Residential Use District Special Requirements. In any multifamily residential (R-3) zoning district that directly abuts a single-family zoning district, the following buffer, setback and building height regulations shall apply to all multifamily residential structures:

1. Buildings shall maintain at least a 35-foot setback from any property that is zoned for single-family residential use. Single-family residential zones include R-1-12 – single-family residential, R-1-10 – single-family residential, R-2 – medium-density residential, R-2S – medium-density residential small lot or any residential planned unit development that is comprised of single-family detached dwellings.

2. Buildings that are within 50 feet of any property that is zoned for single-family residential use (as defined in subsection (B)(1) of this section) shall not exceed 30 feet in height. Beyond the area 50 feet from any property that is zoned for single-family residential use, building height may be increased at the rate of one foot in building height for each additional one foot of setback from property that is zoned for single-family residential use to the maximum building height allowed in the multifamily zoning district.

3. A six-foot-high fence that provides a visual screen shall be constructed adjacent to any property line that adjoins property that is zoned for single-family residential use. Additionally, a 10-foot landscape strip shall be provided adjacent to the fence. This landscape strip may be used to satisfy the landscaping requirements established for the landscaping of parking facilities as identified in RMC [23.54.140](#).

4. Recreational vehicle parks are permitted in the multifamily residential district (R-3) subject to the issuance of a special use permit meeting the requirements of RMC [23.42.220](#) and [23.42.240](#). Further, applicants must demonstrate that their proposed recreational vehicle parks are immediately adjacent to a state highway and that appropriate provisions are put in place to protect adjacent land uses. [Ord. 28-05 § 1.02].

23.18.025 Single-family residential design standards.

Any one-family attached dwelling, one-family detached dwelling or designated manufactured home shall meet the following minimum requirements:

A. All dwellings shall be placed on permanent foundations.

B. At the time of construction, all new single-family dwellings shall be new, not having been previously titled to a retail purchaser and not meeting the definition of a “used mobile home” as defined in RCW [82.45.032\(2\)](#).

[Ord. 28-05 § 1.02].

23.18.030 Residential use districts permitted land uses.

In the following chart, land use classifications are listed on the vertical axis. Zoning districts are listed on the horizontal axis.

A. If the symbol “P” appears in the box at the intersection of the column and row, the use is permitted, subject to the general requirements and performance standards required in that zoning district.

B. If the symbol “S” appears in the box at the intersection of the column and row, the use is permitted subject to the special use permit provisions contained in Chapter [23.46](#) RMC.

C. If the symbol “A” appears in the box at the intersection of the column and the row, the use is permitted as an accessory use, subject to the general requirements and performance standards required in the zoning district.

D. If a number appears in the box at the intersection of the column and the row, the use is subject to the general conditions and special provisions indicated in the corresponding note.

E. If no symbol appears in the box at the intersection of the column and the row, the use is prohibited in that zoning district.

Land Use	R-1-12	R-1-10	R-2	R-2S	R-3
Residential Uses					
Accessory Apartments	A ¹	A ¹	A ¹	A ¹	A ¹
Accessory Buildings ¹⁴	A	A	A	A	A
Adult Family Home	P	P	P	P	P

Land Use	R-1-12	R-1-10	R-2	R-2S	R-3
Apartment/Condominium (3 or More Units)					P
Assisted Living Facility					P
Bed and Breakfast	S ²	S ²	S ²	S ²	P
Day Care Center	S ³	S ³	S ³	S ³	P ³
Designated Manufactured Home	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴
Dormitories, Fraternities and Sororities					P
Dwelling, One-Family Attached			P ⁴	P ⁴	P ⁴
Dwelling, One-Family Detached	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴
Dwelling, Two-Family Detached			P	P	P
Home Occupations	A ⁵	A ⁵	A ⁵	A ⁵	A ⁵
Family Day Care Home	A ³	A ³	A ³	A ³	A ³
Manufactured Home Park			S ⁶	S ⁶	S ⁶
Playground Developed in Conjunction with School, Park or Community Clubhouse	P	P	P	P	P
Nursing or Rest Home					P
Rental of Rooms to Not More Than Four Persons Other Than the Family Occupying the Single-Family Dwelling	A	A	A	A	A
Private Swimming Pools	A ⁷	A ⁷	A ⁷	A ⁷	A ⁷

Land Use	R-1-12	R-1-10	R-2	R-2S	R-3
Recreational Club	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸
Senior Housing					P
Public/Quasi-Public Uses					
Churches	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹
Clubs or Fraternal Societies	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹
Cultural Institutions	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹
General Park Operations and Maintenance Activities	P	P	P	P	P
Golf Courses	P	P	P	P	P
Power Transmission and Irrigation Wasteway Easements and Utility Uses	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰
Public Agency Buildings	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰
Public Agency Facilities	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰
Public Parks	P	P	P	P	P
Schools	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹
Special Events Including Concerts, Tournaments and Competitions, Fairs, Festivals and Similar Public Gatherings	P	P	P	P	P
Trail Head Facilities	P	P	P	P	P
Miscellaneous Uses					
Micro- and Macro-Antennas	P	P	P	P	P

Land Use	R-1-12	R-1-10	R-2	R-2S	R-3
Parking Lots	P	P	P	P	P
Raising Crops, Trees, Vineyards	P	P	P	P	P
Recreational Vehicle Parks					S ^{12,13}

1. RMC [23.42.020](#)
2. RMC [23.42.045](#)
3. RMC [23.42.080](#)
4. RMC [23.18.025](#)
5. RMC [23.42.090](#)
6. RMC [23.42.140](#)
7. RMC [23.42.300](#)
8. RMC [23.42.210](#)
9. RMC [23.42.050](#)
10. RMC [23.42.200](#)
11. RMC [23.42.250](#)
12. RMC [23.42.220](#)
13. RMC [23.18.020](#)(B)(4)
14. Accessory buildings and structures are subject to RMC [23.38.020](#) – 23.38.070

[Ord. 28-05 § 1.02; Ord. 04-09].

23.18.040 Site requirements for residential use districts.

In the following chart, development standards are listed on the vertical axis. Zoning districts are listed on the horizontal axis. If a number appears in the box at the intersection of the column and row, that number represents the dimensional standard that applies to that zoning district.

Standard	R-1-12	R-1-10	R-2	R-2S	R-3
Minimum Lot Area Requirement – One-Family Detached Dwelling	10,000 feet ¹	8,000 feet	6,000 feet	4,000 feet	4,000 feet
Minimum Lot Area Requirement – Two-Family Detached Dwelling	N/A	N/A	10,000 feet	7,000 feet	7,000 feet
Minimum Lot Area Requirement – One-Family Attached Dwellings	N/A	N/A	N/A	3,000 feet	3,000 feet
Maximum Density – Multifamily Dwellings (Units/Square Foot)	N/A	N/A	N/A	N/A	1:3,000
Minimum Lot Width – One-Family Detached Dwelling	90 feet	70 feet	50 feet	42 feet	42 feet
Minimum Lot Width – Two-Family Detached Dwelling	N/A	N/A	70 feet	64 feet	64 feet
Minimum Lot Width – One-Family Attached Dwellings	N/A	N/A	N/A	30 feet	30 feet
Average Lot Size Requirement ²	12,000	10,000	None	None	None
Minimum Front Yard Setback ³	20 feet	20 feet	20 feet	15 feet/18 feet ⁴	20 feet ^{6,10}
Minimum Side Yard Setback	10 feet	10 feet	6 feet	6 feet ⁵	^{6,10}

Standard	R-1-12	R-1-10	R-2	R-2S	R-3
Minimum Alley/Private Access Easement Setback	6 feet	6 feet	6 feet	6 feet	6 feet
Minimum Rear Yard Setback	25 feet	25 feet	25 feet	20 feet/3 feet ⁷	25 feet ^{6,10}
Maximum Lot Coverage ⁸	40%	40%	40%	50%	33%/45% ^{9,10}
Maximum Building Height – Main Building	30 feet	30 feet	30 feet	30 feet	40 feet ¹⁰
Maximum Building Height – Detached Accessory Buildings ¹¹	16 feet	16 feet	16 feet	16 feet	16 feet

1. The minimum lot size in existing residential neighborhoods shall be based on the mean average lot size of existing platted R-1-12 lots within a radius of 500 feet of the property proposed for subdivision. However, in no case shall the minimum lot requirement exceed 12,000 square feet, nor be less than 10,000 square feet.
2. Minimum average lot area per subdivision, exclusive of the area of streets and lots designated for nonresidential uses. In calculating average lot size, at least 35 percent of all lots shall be larger than the average lot size requirement.
3. Front yard setbacks are required from all street rights-of-way adjoining a lot as shown in the table above, except as follows:
 - a. In single-family residence districts and in R-2 and R-3 districts where more than 50 percent of the normal or average-size lots in a block fronting on one side of the street are developed with existing buildings, other than accessory buildings, with front yard setbacks less than that required for the district, a new single-family or duplex dwelling shall adopt a minimum front yard setback dimension which is the average of the setbacks of the buildings on the two adjoining lots, existing prior to July 22, 1960, but in no case shall this dimension be less than 15 feet nor need it exceed 30 feet.
 - b. Residential Districts. In any R district, or any combination therewith, on any corner lot where there is provided a side yard along the interior side lot line at least equal in width to the minimum depth of the rear yard required for the district, the main building may encroach upon the required rear yard up to a line where the remaining rear yard is no less in depth than the minimum width of the side yard required for the district. No accessory buildings may be located

in said side yard, except a patio shelter enclosed on no more than two sides by walls or other enclosures and in conformity with the other provisions of this title.

c. The flanking frontage or nonaddress front yard of a corner lot may reduce the front yard setback of said frontage to 15 feet; see diagram below.

4. Front yards shall not be less than 15 feet in front of living areas, up to a maximum of 55 percent of the front lot line, and not less than 18 feet in front of all other areas.

5. Detached one-family or detached two-family dwellings shall have two side yards with each side yard having a width of not less than six feet. A nonattached side of an attached one-family dwelling shall have a side yard having a width of not less than six feet.

6. For multiple-family dwellings and other allowable uses other than one-family attached and one-family and two-family detached dwellings, front yards shall be 20 feet, side yards shall be equal to one foot of side yard for each three feet or portion thereof of building height, and rear yards shall be 25 feet, except as required by RMC [23.18.020](#)(B) when multifamily development is located adjacent to a single-family residential zoning district or development.

7. Rear yards shall be not less than 20 feet in back of living areas and three feet in back of garages or carports up to a maximum of 60 percent of the rear lot line for the garage or carport portion of the rear yard.

8. Lot coverage includes all buildings, including accessory buildings or structures on any lot in a residential district, exclusive of patios without roof coverings or patios with only open lattice or similar type roof construction.

9. Buildings in an R-3 district shall cover not more than 33 percent of the area of the lot except one-family attached dwellings, which may cover up to 45 percent of the area of the lot.

10. Setbacks, building heights, and lot coverage requirements for one-family attached, one-family detached and two-family detached dwellings in the R-3 zoning district shall be the same as those set forth for development in the R-2S zoning district.

11. Detached accessory structures built pursuant to the setback provisions of RMC [23.38.020](#) are limited to one story.

Exhibit 8



ONeill, Shane

From: Lydia McMillin <lydmcmillin@gmail.com>
Sent: Wednesday, April 11, 2018 2:17 PM
To: O'Neill, Shane
Subject: Re: Z2018-101 Rezone

Thank you. I can see no reason to object to the rezoning.
Lydia

On Wed, Apr 11, 2018 at 1:35 PM, O'Neill, Shane <soneill@ci.richland.wa.us> wrote:

Lydia,

To start I should point out that the McCombs' have withdrawn their application and now the subject site is limited to 1209 Country Ridge Dr only. Basically the current Suburban Agriculture (SAG) zoning imposes a one acre minimum lot size while there are 10 lots in Country Home Estates at about 1/2 –acre. The owner of 1209 Country Ridge Dr would like the opportunity to divide his parcel in half so that what is currently the rear yard may be developed with a single-family home.

Shane O'Neill

Interim Planning Manager

942-7587

From: Lydia McMillin [mailto:lydmcmillin@gmail.com]
Sent: Wednesday, April 11, 2018 1:13 PM
To: O'Neill, Shane <soneill@ci.richland.wa.us>
Subject: Z2018-101 Rezone

Shane,

What does rezoning from SAG to R-1-12 mean? This is regarding the property on Country Ridge.

I live across the street and am concerned they will want to put as many houses on the property as they can.

Thank you for clarifying,

Lydia McMillin

April 11, 2018

City of Richland

Dear Shane O'Neill,

We decline to go through with rezoning
of Z2018-101. An wish to have our names
removed. Due to some bad Health issues.
We feel it is too much to deal with and want
to leave it as is.

Thank you

Roger



Sandra

Sandra McCombs

1205 Country Ridge Dr

Richland WA 99352

C.C. Rigoberto + Lillian Rangle

Looking North

SITE



Looking East

SITE



Looking South



Looking West



**BEFORE THE HEARING EXAMINER
FOR THE CITY OF RICHLAND**

Regarding the Application to **Rezone** a
large residential lot, with an existing
home on about 1.1 acres, at 1209
Country Ridge Drive, from SAG
(Suburban Agricultural) to R-1-12
(Single-Family Residential), submitted
by the property owner

File No. Z2018-101

**FINDINGS OF FACT,
CONCLUSIONS AND
RECOMMENDATION**

RIGOBERTO AND LYLIAN RANGEL,
Applicant,

I. SUMMARY OF RECOMMENDATION.

The requested rezone is generally consistent with the land use designation assigned for the property in the City's Comprehensive Plan, which identifies the site as suitable for "low-density residential." Under the city's zoning code, the R-1-12 zone is the lowest density residential zone permitted in the City of Richland. *Staff Report.*

A complicating factor is something that arises when property owners pursue development opportunities beyond those that were originally authorized by the subdivision that created their lot. Here, the existing lot is just over one-acre in size, and a large home already occupies the southern portion of the lot. The existing SAG zone for the area requires lots to be at least one-acre, although there are several lots in the subdivision that are about ½ acre in size, as the result of subdivision and short-plat approvals granted in the late 1990's, shortly after the original plat was recorded. The underlying subdivision is completely inconsistent with city codes and development standards for residential development, because it does not have curbs, gutters, or sidewalks. This special circumstance appears to have been based, in large part, on the belief that large lots, with fewer homes, and privately-managed open-spaces, generates lower demand for sidewalks

**FINDINGS OF FACT, CONCLUSIONS AND
RECOMMENDATION RE: RANGEL REZONE
APPLICATION, FILE NO. Z2018-101**

**GARY N. MCLEAN
HEARING EXAMINER FOR THE CITY OF RICHLAND**

CITY HALL – 505 SWIFT BOULEVARD
RICHLAND, WASHINGTON 99352

1 and other public improvements. Several recent plat applications in other areas of the city
2 have directed attention to the Country Ridge and Country Home Estates subdivisions, the
3 site of the lot in question, trying to avoid including public improvements on their, usually
4 much-more-dense, subdivision proposals. This circumstance is worth consideration here,
5 because the pending rezone is for the express purpose of enabling the applicant to short-plat
6 the existing lot, to create two buildable lots. If the Council approves this rezone, it should
7 include a finding that such approval should not serve as a precedent for any future rezone or
8 platting decision that might be inconsistent with long-standing city development standards
9 that require full curb, gutter, and sidewalks as part of any residential development. The
10 only basis to approve this application is if the Council finds that one additional lot will not
11 adversely contribute to traffic or pedestrian demand in the existing neighborhood, among
12 other things; and, an appropriate Property Use and Development Agreement, in a form as
13 approved by the City Attorney, should be required to ensure that the rezone cannot be used
14 as a basis to divide the property into more than 2 lots total.

9 In any event, the council would be well within its authority to deny the requested
10 rezone, if it concludes that prior mistakes do not justify making the same mistake again,
11 and/or that property owners purchase lots subject to conditions and expectations of the
12 subdivision where they reside, and that concessions given when subdivisions were
13 originally approved may render subsequent attempts to divide property inconsistent with
14 the public interest – in other words, the neighborhood was built with minimal public
15 infrastructure, with the understanding that very few homes would be included in the plat,
16 and each subsequent re-division of land only increases the number of lots and homes served
17 by a sub-standard system.

15 After public notices provided in accord with law for this pending Rezone
16 application, there was no opposition, and no special environmental mitigation appears
17 warranted. Staff recommends approval. Accordingly, the undersigned Examiner
18 recommends APPROVAL by the Richland City Council, although there are plenty of
19 reasons to deny this application.

19 II. BACKGROUND and APPLICABLE LAW.

20 In this matter, the Hearing Examiner has jurisdiction to conduct an open record
21 public hearing on the site-specific rezone application at issue, and is directed to issue a
22 written recommendation for consideration and final action by the Richland City Council.
23 See Richland Municipal Code (RMC) 19.20.010(C)(2)(identifies “site-specific rezone” as a
24 Type III permit application); RMC 19.20.030(jurisdiction to conduct public hearing, issue
25 recommendation); RMC 19.25.110(authority for Examiner actions, including conditions of
26 approval on applications or appeals); and RCW 35A.63.170(state statute regarding hearing
examiner system).

FINDINGS OF FACT, CONCLUSIONS AND
RECOMMENDATION RE: RANGEL REZONE
APPLICATION, FILE NO. Z2018-101

GARY N. MCLEAN
HEARING EXAMINER FOR THE CITY OF RICHLAND
CITY HALL – 505 SWIFT BOULEVARD
RICHLAND, WASHINGTON 99352

1 The applicant bears the burden of proof to show that its application conforms to the
2 relevant elements of the city's development regulations and comprehensive plan, and that
3 any significant adverse environmental impacts have been adequately addressed. RMC
4 19.60.060. And, because a site-specific rezone application is a Type III matter, the City's
5 code mandates that a concurrency review must be undertaken to determine the
6 transportation impacts (if any) that could be created by the proposed action. RMC
7 19.50.010(C).

8 Finally, Washington Courts apply three basic rules when reviewing appeals of
9 rezoning applications: (1) there is no presumption favoring the rezoning request; (2) the
10 proponent of a rezoning must demonstrate that there has been a change of circumstances since
11 the original zoning, PROVIDED if a proposed rezoning implements the policies of a
12 comprehensive plan, a showing of changed circumstances is usually not required¹; and (3)
13 the rezoning must have a substantial relationship to the public health, safety, morals, or
14 general welfare. *Woods v. Kittitas County*, 162 Wn.2d 597 (2007), citing *Citizens for Mount*
15 *Vernon*, 133 Wn.2d 861, at 875 (1997); *Parkridge v. City of Seattle*, 89 Wn.2d 454, 462
16 (1978).

17 III. QUESTIONS PRESENTED.

18 For purposes of the pending rezoning application, the central questions presented are:

19 A. Whether the requested rezoning implements policies of the City's Comprehensive
20 Plan, and/or whether there has been a change of circumstances since the original SAG
21 (Suburban Agricultural) zoning was adopted for the site?

22 Short Answer: Yes, the requested rezoning is to R-1-12, a low-density residential
23 zone, and the Comprehensive Plan identifies the site as suitable for low-density uses.

24 B. Whether the rezoning bears a substantial relationship to the public health, safety,
25 morals, or general welfare?

26 Short Answer: Yes, subject to a property use and development agreement that
would ensure the site cannot be divided into more than two lots.

¹ *Save Our Rural Env't v. Snohomish County*, 99 Wn.2d 363, 370-71 (1983); *Henderson v. Kittitas County*, 124 Wn. App. 747, 754 (Div. III, 2004); *Bjarnson v. Kitsap County*, 78 Wn. App. 840, 846 (Div. III, 1995).

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IV. RECORD.

Exhibits entered into evidence as part of the record, and an audio recording of the public hearing, are maintained by the City of Richland, and may be examined or reviewed by contacting the City Clerk's Office.

Hearing Testimony: The following individual(s) presented testimony under oath at the duly noticed public hearing for the underlying application, held on May 3, 2018:

1. Shane O'Neill, Interim Development Services Manager and Senior Planner for the City of Richland; and
2. Rigoberto Rangel, the applicant, appeared at the hearing, and expressed his support for the Staff recommendation of approval.

Exhibits: The Development Services Division Staff Report, including a recommendation of approval, was provided to the Examiner in the week before the hearing. The Staff Report, and the following Exhibits, were all accepted into the Record in their entirety without modification:

1. Application Form;
2. Public Notices and Affidavits;
3. Copy of RMC Chapter 23.14, Agriculture Zoning provisions;
4. Copy of RMC Chapter 23.18, Residential Zoning provisions;
5. Plat of Country Home Estates, site of lot that is the subject of this rezone request;
6. Short Plat No. 2342;
7. Short Plat No. 2343;
8. Applicant's conceptual future short-plat drawing;
9. Public Comments;
10. Letter of Withdrawal, from owner of adjoining property who initially joined in rezone request for her property as well;
11. Site Photos; and
12. Post-hearing exhibits – Proposed Property Use and Development Agreement, with email communications between Staff and Applicant confirming terms [NOTE: the item includes a typo, listing the existing zone as PUD, not SAG, which should be corrected on any final document considered by the City Council], received and reviewed by the Examiner in late May.

No one submitted any written comments opposing the pending rezone application.

1 The Examiner has visited the road network and vicinity of the proposed rezone on
2 several occasions, as part of considering requests for deviations from standard city sidewalk
3 requirements for proposals in other portions of the city. The Examiner is fully advised on
4 matters at issue herein, including without limitation applicable law, application materials,
5 and relevant comprehensive plan provisions.

6 **V. FINDINGS OF FACT.**

7 Based upon the record, the undersigned Examiner issues the following Findings of
8 Fact.

9 ***Application, Public Notice, and Review***

10 1. The applicant(s), the Rangel's, have only owned the subject property since June of
11 last year. (*Ex. 1, Application, front page*). They submitted the pending rezone application
12 in January of this year. *Id.* If approved, the applicants' property would change from SAG
13 (Suburban Agricultural) to R-1-12 (Single-Family Residential).

14 2. The Rangel's property is located in the Country Home Estates subdivision,
15 originally approved in 1997 as a 15-lot plat with unusually large lots for the city, with
16 privately-managed open-spaces, and without standard curbs, gutters or sidewalks normally
17 required for all residential development in the City of Richland. The application includes
18 the following notation as "Justification" for the requested rezone: "...lots in the future can
19 be split into ½ acre lots". (*Ex. 1*).

20 3. Following receipt, City staff complied with all applicable public notice requirements
21 for the rezone application and the public hearing held for the matter, including posting of
22 the property, mailing of notices to property owners within 300 feet of the site and
23 publication in the Tri-City Herald newspaper. *Staff Report, Page 4, and Exhibit 2, public*
24 *notice documentation.*

25 4. Because staff deemed the application to be consistent with the City's
26 Comprehensive Plan, which now designates the rezone site as suitable for low-density land
uses, and the City's plan was analyzed in an environmental impact statement at the time of
its adoption, and the site is located within an urban growth area, the pending application is
categorically exempt from SEPA review as provided in WAC 197-11-800(6)(c). *Staff*
Report, page 6.

1 5. Although notices were duly published, posted and mailed as required by law, no one
2 provided any written comments opposing the pending application. *Staff Report, page 6;*
3 *Testimony of Mr. O'Neill.*

4 ***Site location, transportation concurrency.***

5 6. The rezone site is just over a one-acre residential lot, with an existing large home
6 situated on the southern part of the property. The site address is 1209 Country Ridge Drive
7 in the City of Richland.

8 7. Here, the applicant's proposed rezone appears as though it will have no material
9 impact on capacity provided by the existing local street system that serves the property, if
10 future land division is expressly limited to prevent more than two lots on the site.

11 ***Summary of Public Hearing.***

12 8. At the public hearing, Mr. O'Neill made a brief presentation regarding the
13 application, the site, and his recommendation of approval, as explained in the Staff Report.
14 Mr. O'Neill answered questions from the Examiner, and indicated his willingness to work
15 with Mr. Rangel to generate a proposed Property Use and Development Agreement that
16 would limit future division of the rezoned parcel to create just one additional lot.

17 9. Mr. Rangel appeared at the hearing, and had no questions or concerns regarding the
18 Staff Report. Mr. Rangel explained that he only wants to create one additional lot out of his
19 large 1.1-acre property, and that he would not oppose a legal limit to this effect. No
20 members of the general public were in attendance at the public hearing, and no one
21 submitted any written comments opposing the pending rezone application. One
22 neighborhood resident submitted a written comment, explaining that she could see no
23 reason to object to the rezone. (Ex. 9). The Examiner held the record open after the public
24 hearing to allow time for staff and the applicant to generate a proposed property use and
25 development agreement. The Examiner received and reviewed such item in late May, and
26 has included a draft agreement as part of *Exhibit 12*.

21 ***Public services and utilities are generally adequate and available to serve the site.***

22 10. As part of the review process, City staff confirms that adequate utilities, including
23 without limitation water, power, and transportation infrastructure, are in place and/or
24 readily available to serve the parcel that is at issue in this matter. (*Staff Report, page 5;*
25 *Testimony of Mr. O'Neill*). If the rezone was intended to create more than two lots from the

existing lot, the Examiner does not believe it would be credible to find that the existing pedestrian infrastructure is adequate for such action, because there are no sidewalks in the neighborhood.

Surrounding uses and zones.

11. As noted in the Staff Report, the entire subdivision where this lot is located in now zoned SAG, requiring at least one acre per residential unit. For reasons not explained in legislative or administrative history, several lots in the subdivision are about ½ acre in size, and the large-lot plat does not have curbs, gutters and sidewalks, normally required for residential subdivisions in the City of Richland. All lots in the Country Home Estates plat are already fully developed with one large home on each site, whether the lots are one acre or half-acre in size. Nothing in the City's comprehensive plan, development standards, or conditions of approval included as part of the original Country Home Estates, provides any legal or credible basis for lot-owners to expect or insist on rezones to carve up their large lots. In fact, there are compelling reasons why re-division of land should be prevented where subdivisions were initially approved, based on assumptions that unusually large-lots, with very low density, somehow justify special treatment and deviations from standard city curb, gutter and sidewalk requirements. And, Washington case law is very clear, that local governments are not legally required to repeat previous oversights, mistakes, or errors in the application (or lack of enforcement) of a particular code or policy.

Consistency with City Codes and Comprehensive Plan.

12. The rezone application is generally consistent with the City's Comprehensive Plan and zoning codes, as the lot is designated in the Comprehensive Plan as appropriate for low-density uses, and the requested rezone is to the residential zoning classification with the lowest permitted density, R-1-12. At the hearing, and in post-hearing submittals, the applicant indicated his willingness to accept an appropriate Property Use and Development Agreement that would effectively prevent future short-plats that would result in more than one more additional lot on the rezoned parcel.

13. Based on the record, the Examiner finds and concludes that the requested rezone from SAG to R-1-12 is not different from or inconsistent with existing land uses located on or zoning designations assigned to surrounding properties in the area, so long as a Property Use and Development Agreement is recorded to prevent division of the parcel into more than two total lots. Without such condition, the rezone should be denied.

1 ***General findings.***

2 14. The Development Services' Staff Report includes additional analysis and
3 explanations that establish how the underlying application generally satisfies provisions of
4 applicable law and is consistent with the city's Comprehensive Plan and zoning regulations.
5 Those parts of the Staff Report that are consistent with this Recommendation are
6 incorporated herein by reference as Findings of the undersigned-hearing examiner, noting
7 the Examiner differs with Staff that anything in prior plat approvals or this requested rezone
8 is an automatic waiver of existing city codes, and that the review process and approval
9 criteria for a Deviation found in RMC 24.24.040 must be followed as part of any
10 subsequent short plat application, and the result of such deviation request should not be pre-
11 determined.

12 15. Any factual matters set forth in the foregoing or following sections of this
13 Recommendation are hereby adopted by the Hearing Examiner as findings of fact, and
14 incorporated into this section as such.

15 **VI. CONCLUSIONS.**

16 Based upon the record, and the Findings set forth above, the Examiner issues the
17 following Conclusions:

18 1. The applicant is seeking a rezone to a zone that is fully consistent with the low-
19 density residential designation assigned in the City's Comprehensive Plan. *Findings; Staff
20 Report.*

21 2. If future division of the subject property is prohibited or limited to the creation of no
22 more than one additional lot on the parcel that is the subject or this requested rezone, then
23 the rezoned site will not be materially detrimental to uses or property in the immediate
24 vicinity of the subject property. To ensure that this limitation applies moving forward, a
25 Property Use and Development Agreement should be adopted in connection with the
26 requested rezone.

3. While the pending rezone application is categorically exempt from formal SEPA
review, the record demonstrates that the potential for adverse impacts is very unlikely, if
future short plats will be limited to the creation of one additional lot on the rezoned site.
And, despite the ample public notice issued for the application, no one spoke or submitted
any written comments opposing the pending rezone request.

1 4. As required by RMC 19.50.010(C), the record includes staff assurances that the
2 transportation system is sufficient to accommodate the type of development envisioned
3 with the proposed rezone.

4 5. If an appropriate Property Use and Development Agreement is required as part of
5 this matter, the applicants can demonstrate that the rezone application merits approval,
6 meeting their burden of proof imposed by RMC 19.60.060.

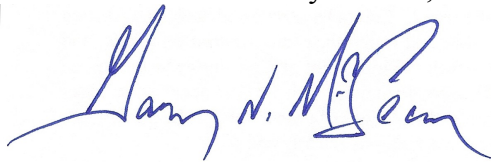
7 6. Approval of this rezone will not and does not constitute, nor does it imply any
8 expectation of, approval of any permit or subsequent reviews that may be required for
9 development or other regulated activities on the site of the subject rezone, specifically
10 including but not limited to any future short plat and/or deviation application.

11 7. Any finding or other statement contained in this Recommendation that is deemed to
12 be a Conclusion is hereby adopted as such and incorporated by reference.

13 VII. RECOMMENDATION.

14 Based upon the preceding Findings and Conclusions, the Hearing Examiner
15 recommends that the Rangel's application to rezone their 1.1 acre lot, located at 1209
16 Country Ridge Drive, from SAG to R-1-12, should be **APPROVED**, subject to the terms of
17 an appropriate Property Use and Development Agreement limiting any future short-plat to
18 create no more than one additional lot on the parcel, substantially in a form as approved by
19 the City Attorney.

20 ISSUED this 14th Day of June, 2018

21 

22 _____
23 Gary N. McLean
24 Hearing Examiner



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 07/17/2018

Agenda Category: Ordinances - Second Reading/Passage

Key Element: Key I - Financial Stability & Operational Effectiveness

Subject:

Ordinance No. 36-18, Amending Chapter 12.03 of the Richland Municipal Code related to Road Impact Fees

Department:
Public Works

Ordinance/Resolution Number:
36-18

Document Type:
Ordinance

Recommended Motion:

Give second reading and pass Ordinance No. 36-18, amending Chapter 12.03 of the Richland Municipal Code related to road impact fees.

Summary:

Richland Municipal Code (RMC) Chapter 12.03 describes a traffic impact fee program applicable to sections of south Richland. RMC 12.03.140 provides that changes to the City's impact fees will be reviewed and approved by City Council via ordinance. Staff monitors the program and periodically recommends formal review. Staff's most recent review indicates that construction costs and land values for right-of-way acquisition have significantly increased since the last impact fee update adopted in 2012. In addition, several projects that are listed in the municipal code have been completed. Therefore, an update to the project list is appropriate.

City staff, while administering land development projects within the Badger Mountain South subarea, came to the conclusion that extending the City's impact fee program into this area was desirable. Staff and the Badger Mountain South project owner have collaborated to establish the fee applicable to this development area.

City staff and its consultant have updated the analysis of required projects and associated costs, and have prepared a rate study which serves as the basis for the new fee rates recommended in proposed Ordinance No. 36-18. Impact fees imposed by this ordinance will be used for public streets and roads that reasonably relate to, and will provide benefit for, new development in the identified impact fee zones. The assessed impact fees will be collected as part of new land development actions and spent for public streets and roads that are listed within the municipal code.

In addition to coordination with the Badger Mountain South project owner, staff completed an outreach program through the Tri-Cities Homebuilders Association.

First reading was given on July 3, 2018 with no exceptions taken. Staff recommends approval of Ordinance No. 36-18.

Fiscal Impact:

The proposed increases in impact fees will increase revenues to the City. The amount of annual revenue for the past five years has averaged \$229,000, with wide variations in revenue based on the amount and type of assessed development. Staff estimates that annual revenues may increase approximately \$100,000 on average under the proposed rate increases.

Attachments:

- I. Ordinance No. 36-18

ORDINANCE NO. 36-18

AN ORDINANCE of the City of Richland amending Chapter 12.03 of the Richland Municipal Code related to Road Impact Fees.

WHEREAS, on November 1, 2004, Richland City Council adopted Ordinance No. 39-04, creating Richland Municipal Code (RMC) Chapter 12.03 – Road Impact Fees; and

WHEREAS, RMC Section 12.03.140 provides that changes to the City's impact fees will be reviewed and approved by City Council via ordinance; and

WHEREAS, construction costs for roadway projects and land values for right-of-way acquisition in South Richland have significantly increased since the last impact fee update adopted by Ordinance No. 41-12; and

WHEREAS, in addition to updated impact fees, City staff recommend that the boundary of the area within the City covered by road impact fees be expanded to include the Badger Mountain South (BMS) Development; and

WHEREAS, the Badger Mountain South Development Agreement provides for adoption of a traffic impact fee after consultation with the project proponents; and

WHEREAS, City staff and the Badger Mountain South project owner have collaborated to establish the fee applicable to the Badger Mountain South area; and

WHEREAS, City staff and its consultant have updated the analysis of required projects and associated costs, and prepared a rate study which serves as the basis for the actions taken by City Council; and

WHEREAS, impact fees assessed pursuant to Chapter 82.02 RCW must be based upon a showing that new development creates additional demand and need for public streets and roads, that the impact fees do not exceed a proportionate share of the costs of such additional public streets and roads, and that the impact fees are spent for public streets and roads that are reasonably related to the new development; and

WHEREAS, Richland City Council has determined that the impact fees imposed by this ordinance do not make up for deficiencies in public streets and roads serving existing developments, and are not used for maintenance or operation; and

WHEREAS, impact fees imposed by this ordinance will be used for public streets and roads that are reasonably related to, and will provide benefit for, new development; and

WHEREAS, impact fees may be collected and spent for public streets and roads that are included within the municipal code.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Richland Municipal Code (RMC) Chapter 12.03, entitled Road Impact Fees, as enacted by Ordinance No. 39-04 and last modified by Ordinance No. 41-16, is hereby amended to read as follows:

Chapter 12.03 ROAD IMPACT FEES

Sections:

- 12.03.010 Authority and purpose.**
- 12.03.020 Definitions.**
- 12.03.030 Imposition of transportation impact fees.**
- 12.03.040 Calculation of impact fees.**
- 12.03.060 Credits.**
- 12.03.070 Applicability.**
- 12.03.080 Time of payment of impact fees.**
- 12.03.085 Deferral of impact fee payment.**
- 12.03.090 Adjustments.**
- 12.03.100 Establishment of impact fee account.**
- 12.03.120 Refunds.**
- 12.03.130 City use of collected funds.**
- 12.03.140 Plan and fee update.**
- 12.03.150 Appeals.**
- 12.03.160 Existing authority unimpaired.**
- 12.03.170 Relationship to SEPA.**
- 12.03.180 Relationship to concurrency.**
- 12.03.190 Project list.**
- 12.03.200 Options for implementation.**
- 12.03.220 Grant funds.**

12.03.010 Authority and purpose.

The South Richland traffic impact fee program has been developed pursuant to the city of Richland police powers, the Growth Management Act as codified in Chapter 36.70A RCW, the enabling authority in Chapter 82.02 RCW, Chapter 58.17 RCW relating to platting and subdivisions and the State Environmental Policy Act (SEPA), Chapter 43.21C RCW.

The purpose of the traffic impact fee program is to:

A. Develop a program consistent with Richland's comprehensive plan, the six-year transportation improvement program (TIP) and the capital improvement ~~facilities~~ plan (CIEP), for joint public and private financing of transportation improvements necessitated in whole or in part by development within the program boundary;

B. Ensure adequate levels of transportation and traffic service consistent with the level of transportation service identified in the comprehensive plan and this title;

C. Create a mechanism to charge and collect fees to ensure that all new development bears its proportionate share of the capital costs of off-site transportation facilities directly necessitated by new development; and

D. Ensure fair collection and administration of such transportation impact fees.

The provisions of the South Richland traffic impact fee program shall be liberally construed to effectively carry out its purpose in the interests of the public health, safety and welfare.

12.03.020 Definitions.

For the purposes of this chapter the following terms, phrases and words shall have the meaning given herein.

“Developer” means an individual, group of individuals, partnership, corporation, association, municipal corporation, state agency, or other person undertaking development and their successors and assigns.

“Development” means the subdivision or short platting of land or the construction or expansion of commercial, industrial, public, or any other nonresidential building, building space, or land that generates additional vehicular trips.

“Development permit” means a building permit, special use or other city-issued permit required to develop property that will generate additional vehicular trips.

“Equivalent single-family residential unit” means a unit of development that generates 10 vehicle trips per day as defined by the latest edition of the ITE Trip Generation Manual.

“Fair market value” means the price that a property will bring in a competitive and open market under all conditions of a fair sale, the buyer and seller each prudently knowledgeable, and assuming the price is not affected by undue stimulus, measured at the time of the dedication to local government of land or improved transportation facilities.

“Off-site transportation improvements” means those transportation capital improvements designated in the comprehensive plan or capital **improvement facilities** plan adopted by the city that serve the transportation needs of more than one development and that are located outside the boundary of the permitted project.

“Traffic impact zone” means an identified traffic shed boundary as depicted on the official plan map with similar travel patterns that will benefit from a group of planned improvement projects.

“Transportation impact fee” means a monetary charge imposed on new development for the purpose of mitigating off-site transportation impacts that are a direct result of the proposed development.

12.03.030 Imposition of transportation impact fees.

Transportation impact fees imposed in this program:

- A. Shall only be imposed for system improvements that are reasonably related to the new development;
- B. Shall not exceed a proportionate share of the costs of system improvements that are reasonably related to the new development;
- C. May be collected and spent only for system improvements, which are provided for in the transportation element of the capital ~~improvement~~ ~~facilities~~ plan and comprehensive land use plan;
- D. Shall not be imposed to mitigate the same off-site transportation facility impacts that are mitigated pursuant to the State Environmental Policy Act (SEPA) or any other law;
- E. Shall not be used to correct existing transportation system deficiencies as of the date of adoption of this plan; and
- F. Shall be collected only once for each development, unless changes or modifications to the development are proposed which result in greater direct impacts on transportation facilities than were considered when the development was first approved.

12.03.040 Calculation of impact fees.

The method of calculating the transportation impact fees in this program incorporates, among other things, the following:

- A. The cost of public streets and roads necessitated by new development;
- B. An adjustment to the costs of the public streets and roadways for past or future SEPA mitigation payments made by previous development to pay for particular system improvements that were prorated to the particular system improvement;
- C. The availability of other means of funding public street and roadway improvements; and
- D. The methods by which public street and roadway improvements were financed.

Each single-family residence unit in Traffic Impact Zone 1 shall be subject to a fee amounting to \$~~1,533.56~~ 1,991.25. Each single-family residence unit in Traffic Impact Zone 2 shall be subject to a fee amounting to \$~~474.57~~ 854.81. Each single-family residential unit in Traffic Impact Zone 3 shall be subject to a fee amounting to \$2,229.09.

Fees for commercial, industrial, and/or multifamily developments will be calculated based on their peak hour trip generation rates as determined by the city engineer applying the latest version of the ITE Trip Generation Manual. Pass-by and internally captured trips will be deducted from the total trip generation in determining new development trips. As an example, a commercial building in Traffic Impact Zone 2 generating 150 trips with 50 being pass-by and/or internally captured trips resulting in 100 new peak hour trips will have an impact fee of \$~~47,457~~ 85,481.

12.03.060 Credits.

A credit, not to exceed the impact fee otherwise payable, shall be provided for the fair market value of any dedication of land for, improvement to, or new construction of any system improvements provided by the developer, to facilities that are identified in the financing plan. The determination of "value" shall be consistent with the assumptions and methodology used by the city in estimating the capital improvement costs. For land dedications, the value of land dedicated after January 1, 2018 shall be four dollars and fifty cents per square foot (\$4.50/sq ft). For land dedications dedicated before January 1, 2018, the value shall be established based on a determination of fair market value at the time of dedication.

12.03.070 Applicability.

The requirements of the South Richland traffic impact fee program apply to all development activity in the city of Richland as depicted on the map titled Exhibit A that is attached here to ~~Ordinance No. 41-12 codified in this section~~. Unincorporated areas within the boundary will not be used in the fee calculations and once annexed into the city will be assigned to the appropriate fee area and shall participate in the program prior to approval of any development proposal.

12.03.080 Time of payment of impact fees.

All new development within the program boundary shall pay a transportation impact fee in accordance with the provisions of this plan at the time that the applicable development permit is ready for issuance; except that permit applications for detached or attached single-family residences may defer impact fee payment, as authorized under RMC 12.03.085. The fee paid shall be the amount in effect as of the date of the permit issuance.

The impact fee amount shall be set as of the date of the development permit application. No development permit shall be issued until the impact fee is paid, except as authorized under RMC 12.03.085.

A developer may obtain a preliminary determination of the impact fee before application for a development permit.

Impact fees may be paid under protest in order to obtain a permit or other approval of development activity.

12.03.085 Deferral of impact fee payment.

Impact fees required for a detached or attached single-family residence shall be paid either prior to the issuance of a building permit for a single-family residence or, if the applicant chooses, the impact fee can be deferred until the time that the city approves the final building inspection for the single-family residence. If an applicant chooses to defer payment of an impact fee, the following process shall be followed:

A. The amount of the impact fee shall be determined at the time the applicant applies for deferral of the impact fee.

B. The applicant shall grant a deferred impact fee lien against the property in favor of the city of Richland in the amount of the deferred impact fee. The deferred impact fee lien shall include the legal description of the property, the county assessor tax parcel number, and the property address on a form approved by the city and containing the signatures of all owners of the property.

C. The deferred impact fee lien shall be recorded by the city. The applicant shall be responsible for providing all recording fees for the deferred impact fee lien.

D. Once the impact fee has been paid, the city shall execute a release of deferred impact fee lien. The applicant shall be responsible for recording the release of deferred impact fee lien.

The city shall not approve the final inspection or issue a certificate of occupancy for any building until the impact fee has been paid in full.

12.03.090 Adjustments.

The amount of fee to be imposed on a particular development may be adjusted by the public works director giving consideration to studies and other data available to the director or submitted by the developer demonstrating to the satisfaction of the director that an adjustment should be made in order to carry out the purposes of this chapter.

12.03.100 Establishment of impact fee account.

Impact fee receipts for the South Richland traffic impact fee program shall be earmarked specifically and retained in special interest-bearing accounts. Separate accounts shall be established and maintained for each traffic impact zone. All interest shall be retained in the account and expended for the purpose or purposes for which the impact fees were imposed.

12.03.120 Refunds.

A developer may request and shall receive a refund when the developer does not proceed with the development activity for which transportation impact fees were paid, and the developer shows that no impact has resulted.

The owner must submit a request for a refund to the city in writing within one year of the date the right to claim the refund arises. Any transportation impact fees that are not

expended or encumbered within the time limitations established, and for which no application for a refund has been made within this one-year period, shall be retained and expended on any project identified in the South Richland traffic impact fee program.

In the event that transportation impact fees must be refunded for any reason, they shall be refunded with interest earned to the owners as they appear of record with the Benton County assessor at the time of refund.

When the city seeks to terminate any or all impact fee requirements, all unexpended or unencumbered funds shall be refunded pursuant to this section. Upon the finding that any or all fee requirements are to be terminated, the city shall place notice of such termination and the availability of refunds in a newspaper of general circulation at least two times and shall notify all potential claimants by first class mail to the last known address of claimants. Claimants shall request refunds as in this section. All funds available for refund shall be retained for a period of one year. At the end of one year, any remaining funds shall be retained by the city, but must be expended on projects identified within the South Richland traffic impact fee program. This notice requirement shall not apply if there are no unexpended or unencumbered balances within an account or accounts being terminated.

12.03.130 City use of collected funds.

The city will establish a separate account for each traffic impact zone in the South Richland traffic impact fee program into which developer contributions will be deposited. The only eligible costs that would be allowed to draw upon these funds would be for right-of-way acquisition, design engineering, construction, construction management and inspection, or reimbursement of funds expended on approved improvements within the plan area boundaries. Eligible expenditures would be prioritized based on:

- A. Right-of-way acquisition for a project to reduce the traffic load on a street at or over capacity as defined in the municipal code.
- B. Construction costs for a project to reduce the traffic load on a street at or over capacity as defined in the municipal code.
- C. Right-of-way acquisition for a project projected to reduce the traffic load on a street projected to exceed the code capacity based on approved preliminary plats.
- D. Construction costs for an approved improvement that will reduce the traffic load on a collector street projected to exceed the code capacity based on approved preliminary plats.
- E. Reimbursement of private developer construction costs for an approved street improvement included in an approved latecomer agreement.
- F. Reimbursement of private developer right-of-way acquisition costs for an approved street improvement included in an approved latecomer agreement.

Transportation impact fees shall be expended or encumbered for a permissible use within six years of receipt, unless there exists an extraordinary or compelling reason for fees to be held longer than six years. The public works director may recommend to the council that the city hold fees beyond six years in cases where extraordinary or compelling reasons exist. Such reasons shall be identified in written findings by the council.

The finance director shall prepare an annual report on the transportation impact fee account showing the source and amount of all monies collected, earned or received and projects that were financed in whole or in part by transportation impact fees.

The city council will approve expenditures of South Richland traffic impact fee program funds in accordance with the above priorities.

12.03.140 Plan and fee update.

This plan may be updated annually to evaluate the consistency of development density assumption, estimated project costs and adjust for awarded grant funding, if any. Plan updates that result in a change in impact fees will be reviewed by city council. Impact fee changes will only occur through an ordinance requiring council action.

12.03.150 Appeals.

A developer may appeal the amount of an impact fee determined by the city. The appeal shall be submitted in writing to the public works director. No appeal shall be permitted until the impact fees at issue have been paid.

A. The developer shall bear the burden of proving:

1. That the city committed an error in calculating the developer's proportionate share, as determined by an individual fee calculation; or
2. That the fee was based upon incorrect data.

Appeals regarding the impact fees imposed on any development activity shall only be filed by the fee payer of the property where such development activity will occur.

B. The fee payer must first file the appeal and request a review regarding impact fees as provided herein:

1. The request shall be in writing stating the specific reasons for the appeal;
2. The appeal and request for review shall be filed no later than 14 calendar days after the fee payer pays the impact fees at issue;
3. The public works director shall issue a determination in writing within 14 calendar days after the receipt of the appeal;
4. The developer may appeal the public works director's determination to the city council.

12.03.160 Existing authority unimpaired.

Nothing in this chapter shall preclude the city from requiring the applicant for a building permit, or certificate of occupancy if no building permit is required, to mitigate adverse environmental impacts of a specific development pursuant to the State Environmental Policy Act, Chapter 43.21C RCW, based on the environmental documents accompanying the underlying development approval process, and/or Chapter 58.17 RCW, governing

plats and subdivisions; provided, that the exercise of this authority is consistent with the provisions of RCW 82.02.050(1)(c).

12.03.170 Relationship to SEPA.

All development shall be subject to environmental review pursuant to SEPA and other applicable city ordinances and regulations.

Payment of the impact fee shall constitute satisfactory mitigation of those traffic impacts related to the specific improvements identified on the project list.

Further mitigation in addition to the impact fee shall be required for identified adverse impacts appropriate for mitigation pursuant to SEPA that are not mitigated by an impact fee.

Nothing in this chapter shall be construed to limit the city's authority to deny development permits when a proposal would result in significant adverse traffic impacts identified in an environmental impact statement and reasonable mitigation measures are insufficient to mitigate the identified impact.

12.03.180 Relationship to concurrency.

Development proposals that are submitted in general conformance with the assumptions made for land uses and scale/density will be deemed to meet the concurrency requirements of the Growth Management Act by paying the appropriate transportation impact fee. A development proposal not meeting such may require additional review and studies to determine concurrency.

12.03.190 Project list.

The improvements included in the traffic impact fee program are:

A. Traffic Impact Zone 1.

- [A. Queensgate Dr. \(Phase 1\) – Keene Road to Shockley](#)
- [B. Queensgate Dr./Keene Road Intersection Improvements](#)
- [C. Shockley Rd – Keene Rd to Columbia Park Trail](#)
- [D. Center Parkway Extension – Leslie Road to Clearwater Creek](#)
- [E. Center Parkway/Leslie Road Intersection Improvements](#)
- [F. Leslie Road/Columbia Park Trail Intersection Improvements](#)
- [G. Leslie Road/Reata Road Intersection Improvements](#)
- [H. Road B-C - Corvina St to Queensgate](#)
- [I. Queensgate Drive \(Phase 2\) – Westcliffe Heights to City Limits](#)
- [J. Gage Blvd. – Morency Dr. to Queensgate](#)
- [K. Gage Blvd./Queensgate Blvd/Road B-C Intersection Improvements](#)
- [L. Center Parkway Ext. - Steptoe St to West side of Clearwater Creek](#)
- [M. Bellerive Drive - Claybell Park to Center Parkway](#)
- ~~1. Queensgate Drive — Keene Road to the Shockley Road.~~
- ~~2. Queensgate Drive/Keene Road signal improvements (fourth leg system only).~~
- ~~3. Heritage Hills Drive — Sundance Ridge to Keene Road.~~

- ~~4. Gage Boulevard—Morency Drive to Queensgate Drive.~~
- ~~5. Westcliffe Boulevard—Purple Sage to KID Canal.~~
- ~~6. Englewood Street—Keene Road to existing Englewood.~~
- ~~7. Gala Way—Melissa Street to KID Canal.~~
- ~~8. Melissa Street—Sequoia to Gala Way.~~
- ~~9. Unnamed street—Heritage Hills Drive to Columbia Park Trail.~~
- ~~10. Queensgate Drive (Phase 2)—Alla Vista to Rachel Road.~~
- ~~11. Rachel Road extension—Leslie Road to Steptoe Street (extended).~~
- ~~12. Bellerive Drive extension—Broadmoor Street to Rachel Road (extended).~~
- ~~13. Badger Mountain Parkway—Queensgate Drive to Badger South.~~
- ~~14. Rachel Road/Leslie Road Intersection Improvements (signal).~~
- ~~15. Leslie Road/Columbia Park Trail Intersection Improvements (signal).~~

B. Traffic Impact Zone 2.

- [A. Queensgate & Eastbound I-182 Ramps Improvements](#)
- [B. Queensgate & Westbound I-182 Ramps Improvements](#)
- [C. Queensgate & Duportail Intersection Improvements](#)
- [D. Duportail/Kennedy Intersection Improvements](#)
- [E. Duportail/Driveway Intersection Improvements](#)
- [F. Duportail/Keene Intersection Improvements](#)
- [G. Queensgate Drive - Truman Ave to City Limits](#)
- ~~1. Queensgate and Columbia Park Trail intersection improvements.~~
- ~~2. Queensgate and Eastbound I-182 ramps improvements.~~
- ~~3. Queensgate and Westbound I-182 ramps improvements.~~
- ~~4. Queensgate and Duportail intersection improvements.~~

C. Traffic Impact Zone 3.

- [A. Trowbridge Blvd - Dallas Rd to Ava Way \(half road constructed\)](#)
- [B. Trowbridge Blvd - Ava Way to Road B-C](#)
- [C. Ava Way - Extension to Trowbridge Blvd.](#)
- [D. Dallas Rd Widening \(4-lanes\)](#)
- [E. Bella Coola Lane - Trowbridge Blvd to Road B-C](#)
- [F. Road B-C - Reata Rd to Trowbridge Blvd](#)
- [G. Road B-C - Trowbridge Blvd to Corvina St.](#)
- [H. Road B-C/Trowbridge Intersection Improvements](#)
- [I. Dallas Rd/Trowbridge Blvd Intersection Improvements](#)
- [J. Dallas Rd/Ava Way Intersection Improvements](#)
- [K. Trowbridge/Ava Way Intersection Improvements](#)
- [L. Trowbridge/Bella Coola Lane Intersection Improvements](#)
- [M. Dallas Rd/I-82 EB Ramps Intersection Improvements](#)
- [N. Dallas Rd/I-82 WB Ramps Intersection Improvements](#)

12.03.200 Options for implementation.

A. As defined in the South Richland traffic impact fee program, the impact fee will be designed to accomplish the following scope of work:

1. Right-of-way acquisition.

2. Traffic signal and intersection improvements.
3. Street improvements including asphalt pavement, Rural road section improvements (32-foot-wide asphalt pavement only). ~~C~~urb, gutter, sidewalk, street lighting, and storm drainage. Roadside landscaping is excluded from the impact fee scope of work. In Zones 1 and 2, pavement width beyond thirty-two (32) feet, curb, gutter, sidewalk, street lighting and storm drainage are excluded from the fee-covered scope of work and ~~would~~ remain the responsibility of the underlying property owner.

B. Improvement costs are divided into two elements:

1. Right-of-way acquisition; and
2. Design and construction of City-standard of 32-foot-wide-rural-collector street section, ~~with traffic signal improvements, but excluding including~~ storm drain system, street lights, curb, gutter, ~~and~~ sidewalks, and listed intersection improvements. Roadside landscaping is excluded from the impact fee scope of work. In Zones 1 and 2, pavement width beyond thirty-two (32) feet, curb, gutter, sidewalk, street lighting and storm drainage are excluded from the fee-covered scope of work and remain the responsibility of the underlying property owner.

12.03.220 Grant funds.

Grant funds acquired for identified improvements in the program will be applied to the public share of the project, if any, and then to the new development share and may result in a reassessment of required plan funding, with properties developing after the grant was acquired benefiting from lower per-trip costs.

Section 2. This ordinance shall take effect the day following its publication in the official newspaper of the City of Richland, and shall apply to all new building permit applications received on or after August 1, 2018.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 17th day of July, 2018.

ROBERT J. THOMPSON
Mayor

ATTEST:

APPROVED AS TO FORM:

MARCIA HOPKINS, City Clerk

HEATHER KINTZLEY, City Attorney

Date Published: July 22, 2018



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 07/17/2018

Agenda Category: Ordinances - Second Reading/Passage

Key Element: Key 1 - Financial Stability & Operational Effectiveness; Key 2 - Infrastructure & Facilities

Subject:

Ordinance No. 37-18, Amending the 2018 Budget to Provide Additional Appropriations in the General Fund and General Government Construction Fund in support of the Swift Corridor: City Hall Project

Department:

Parks & Public Facilities

Ordinance/Resolution Number:

37-18

Document Type:

Ordinance

Recommended Motion:

Give second reading and pass Ordinance No. 37-18, amending the 2018 budget to provide additional appropriations in the General Fund and General Government Construction Fund in support of the Swift Corridor: City Hall project, and amending the 2018-2023 Capital Improvement Plan to reflect the budget adjustments.

Summary:

On September 20, 2016, as part of the City's initiative to revitalize the Swift Blvd. neighborhood, Council authorized a design build contract for the Swift Corridor: City Hall project with an overall budget of \$18,513,065. On April 18, 2017, Council authorized a budget adjustment that increased the overall project budget by \$109,991 (0.59%) to \$18,623,056. This increase represented enhanced technology, security, project scope, and building demolition costs.

On July 5, 2016, Council authorized a settlement agreement with Charter Communications that included \$133,000 of PEG funds earmarked for the Swift Corridor: City Hall project. Per the settlement agreement, the PEG dollars are to be used specifically for relocating CityView TV to the new City Hall. The funds are currently unbudgeted, and are managed in the Cable Reserve Fund. If approved, proposed Ordinance No. 37-18 will budget the funds into the Swift Corridor: City Hall project budget.

On April 17, 2018, Council authorized \$50,000 from the Business License Reserve Fund (BLRF) to be used for public art in the Swift Corridor: City Hall project. The funds are currently unbudgeted, and are managed in the BLRF. If approved, proposed Ordinance No. 37-18 will budget the funds into the Swift Corridor: City Hall project.

The adopted 2018 Swift Corridor: City Hall CIP project includes a \$17,209,000 expense identified as "design build" that represents the maximum expense allowed for the construction contract's Guaranteed Maximum Price (GMP) plus approved change orders. The additional revenues addressed in Ordinance No. 37-18 increase this "design build" maximum expense allowed by \$183,000 (\$133,000 + \$50,000) to \$17,392,000 to reflect the additional public art and cable communications project scope of work. The total project cost is \$18,806,056.

Updates have been made to the 2nd reading to include language regarding transfers needed to the General Government Construction Fund as part of the amendment.

Fiscal Impact:

\$133,000 from the Cable Reserve Fund and \$50,000 from the Business License Reserve fund are available to be budgeted into the Swift Corridor: City Hall CIP for CityView TV and public art expenses related to the project. The total project cost is \$18,806,056.

Attachments:

1. Ordinance No. 37-17
2. Swift Corridor: City Hall CIP Revised

ORDINANCE NO. 37-18

AN ORDINANCE of the City of Richland amending the 2018 Budget to provide for additional appropriations in the City's General Fund and General Government Construction Fund, declaring that a public emergency exists in the City's General Fund, and amending the 2018-2023 Capital Improvement Plan.

WHEREAS, on September 20, 2016, Richland City Council approved Resolution No. 190-16, authorizing a design build contract to complete the Swift Corridor: City Hall CIP project with an overall project budget of \$18,513,065; and

WHEREAS, on April 18, 2017, Richland City Council approved Ordinance No. 12-17, authorizing a budget amendment to the adopted 2017 Swift Corridor: City Hall CIP project consisting of the following changes to both expenses and revenues: a reduction of bond proceed revenue (-\$1,200,000); a reduction of land acquisition expenses (-\$492,579); an increase in building cost (+\$709,000); a reduction of engineering services (-\$106,430); an addition of Industrial Development Funds (+\$308,000); an addition of General Funds (+\$225,000); an addition of Utility Occupation Tax (+\$600,991); and an addition of Broadband Utility Funds (+\$176,000) to align actual bond proceeds and new revenue with unanticipated project elements including technology, building demolition and security, and increasing the overall project budget from \$18,513,065 to \$18,623,056 (+\$109,991); and

WHEREAS, on November 21, 2017, Richland City Council approved Ordinance No. 49-17 approving the 2018 Budget; and

WHEREAS, on April 17, 2018, Richland City Council approved Resolution No. 70-18, authorizing the use of \$50,000 of Business License Reserve Funds for public art in the Swift Corridor: City Hall CIP project; and

WHEREAS, on July, 5, 2016, Richland City Council approved Resolution No. 141-16, authorizing a settlement agreement with Falcon Video Communications d/b/a Charter Communications that includes \$133,000 of PEG Capital Funds to be used for cable communication equipment and labor in the Swift Corridor: City Hall CIP project; and

WHEREAS, the adopted 2018 Swift Corridor: City Hall CIP project includes a \$17,209,000 expense identified as "design build" that represents the maximum expense allowed for the construction contract's Guaranteed Maximum Price (GMP) plus approved change orders, and the additional revenues herein increase this "design build" maximum expense allowed to \$17,392,000 to reflect the additional public art and cable communications project scope of work; and

WHEREAS, no funds were appropriated in the General Fund or the General Government Construction Fund for cable communications and public art in the Swift

Corridor: City Hall CIP project; and

WHEREAS, sufficient unappropriated funds are available in the General Fund to support the required budget adjustment; and

WHEREAS, on July 3, 2018, a duly advertised public hearing was held pursuant to RCW 35.33.091 regarding the increase in appropriations from beginning fund balance in the General Fund.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Facts Constituting Emergency. The expenses contained within this ordinance were not anticipated when the 2018 budget was approved.

Section 2. Declaration of Public Emergency. Due to circumstances described above, the City Council declares that a public emergency exists in the General Fund.

Section 3. Amendment of the 2018 Budget. The 2018 Budget is hereby amended to provide additional appropriations in the General Fund from unappropriated fund balance, and in the General Government Construction Fund from an interfund transfer as follows:

General Fund

Current Appropriation:	\$63,869,240
Increase in Appropriation:	<u>\$ 183,000</u>
Amended Appropriation:	<u>\$64,052,240</u>

General Government Construction Fund

Current Appropriation:	\$17,780,860
Increase in Appropriation:	<u>\$ 183,000</u>
Amended Appropriation:	<u>\$17,963,860</u>

Section 4. The City of Richland's 2018-2023 Capital Improvement Plan is amended to reflect the budget adjustments contained herein.

Section 5. This ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 17th day of July, 2018.

ROBERT J. THOMPSON
Mayor

ATTEST:

APPROVED AS TO FORM:

MARCIA HOPKINS, City Clerk

HEATHER KINTZLEY, City Attorney

Date Published: July 22, 2018.

Swift Corridor: City Hall Replacement

Type of Project Waterfront		Partnership Project?	NO	Waterfront Project?	YES	Project # WF140003
Key # 4	Goal # 2	Strategic Leadership Plan Project?		Yes		
PROJECT NAME: Swift Corridor: City Hall Replacement						
PROJECT ADMINISTRATION: Parks & Public Facilities						
PROJECT LOCATION: 625 Swift Boulevard						
PROJECT TIMELINE: 06/2011 - 12/2019						
RESPONSE TO *GMA LEVEL OF SERVICE? NO						

PROJECT DESCRIPTION

The Swift Corridor project is a multi-year, long-range economic development and infrastructure investment in the Central Business District. This project phase will replace three aging city buildings (Development Services, Administrative Annex and City Hall) into one approximately 44,000 square foot multi-story structure in an effort to increase efficiencies and avoid costly building modifications for ADA accessibility and other major system upgrades. The facility will be located on 1.8 acres purchased in 2017 on the northern portion of the federally owned parking lot at the southwest corner of Swift Boulevard and Jadwin Avenue. The existing City Hall site will be cleared for economic development purposes consistent with the City's waterfront vision. Average annual debt service of approximately \$895,500 will begin in 2020 with interest only payments starting in 2017, and will be funded with savings resulting from the retirement of City Shops debt and a portion of the electric utility occupation tax.

PROJECT ASSUMPTIONS

3.5% interest on a 30-year general obligation bond, with interest only payments during the construction period, repaid from the authorized 2016 increase in electric utility occupation tax to the General Fund and retirement of the City Shops debt funded by Real Estate Excise Tax. Washington State design-build project delivery authority will be utilized. The existing City Hall and Administrative Annex Building will be demolished to create an approximately 1.5 acre site for economic development purposes. A reconfiguration of the federal parking lot and city led parking lot management will be necessary. The Development Services Building will be excess to the City's needs.

BENEFITS

Municipal efficiency and improved access to local government by combining three facilities into one. Avoidance of costly ADA and major system upgrades to each of the three facilities and opportunities for economic development at the current location of Richland City Hall.

PROJECT COST ESTIMATE	Total Estimated Project Cost	Project Costs To-Date 12/31/16	Authorized Budget Remaining in 2017	2018	2019	2020	2021	2022	2023
PROJECT PLANNING INCL DEBT ISSUANCE	377,203	377,203							
REMODEL UB AREA&SWIFT/JADWIN SIGNL	104,079	104,079							
DESIGN BUILD	17,392,000	792,579	16,416,421	183,000					
LAND ACQUISITION	592,344	592,344							
OTHER ENG. SERVICES	340,430		340,430						
	-								
	-								
TOTAL	\$ 18,806,056	\$ 1,866,205	\$ 16,756,851	\$ 183,000	\$ -	\$ -	\$ -	\$ -	\$ -
RECOMMENDED FUNDING SOURCES	Total Estimated Project Revenues	Project Revenue To-Date 12/31/16	Authorized Budget Remaining in 2017	2018	2019	2020	2021	2022	2023
GENERAL FUND - FACILITY RESERVES	430,000	205,000	225,000						
LAND SALE (SWIFT & GWW)	111,205	111,205							
INDUSTRIAL DEVELOPMENT FUND	308,000		308,000						
LTGO 98 FUND	550,000	550,000							
CAPITAL IMPRVMT FUND (REET 1ST 1/4%)	463,200	250,000	213,200						
LIBRARY CONST FUND (ADDED PARKING)	250,000	250,000							
BOND PROCEEDS	15,000,000		15,000,000						
UTILITY OCCUPATION TAX INCREASES	1,334,651	500,000	834,651						
GRANT FUNDS (SECURED)-STREET & BLRF	176,000		176,000						
BUSINESS LICENSE RESERVE-STREET IMPRV	50,000			50,000					
CABLE COMMUNICATIONS RESERVE	133,000			133,000					
TOTAL	\$ 18,806,056	\$ 1,866,205	\$ 16,756,851	\$ 183,000	\$ -	\$ -	\$ -	\$ -	\$ -
OPERATING & MAINTENANCE COSTS (IMPACTS)	Total Estimated Project Operating & Maint. Costs			2018	2019	2020	2021	2022	2023
DEBT SERVICE (REET)	2,558,400			426,400	426,400	426,400	426,400	426,400	426,400
DEBT SERVICE (UTILITY TAX)	2,230,750			175,500	175,500	470,500	471,650	467,500	470,100
	-								
TOTAL	\$ 4,789,150			\$ 601,900	\$ 601,900	\$ 896,900	\$ 898,050	\$ 893,900	\$ 896,500



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 07/17/2018

Agenda Category: Ordinances - Second Reading/Passage

Key Element: Key I - Financial Stability & Operational Effectiveness

Subject:

Ordinance No. 38-18, Amending the 2018 Budget to Provide Additional Appropriations in the Street Capital Construction Fund, Capital Improvement Fund and General Fund in Support of Swift Boulevard Improvements and Steptoe / Tapteal Intersection Improvements

Department:
Public Works

Ordinance/Resolution Number:
38-18

Document Type:
Ordinance

Recommended Motion:

Give second reading and pass Ordinance No. 38-18, amending the 2018 budget to provide additional appropriations in the Street Capital Construction Fund, Capital Improvement Fund and General Fund in support of Swift Boulevard Improvements and Steptoe / Tapteal Intersection Improvements, and amending the 2018-2023 Capital Improvement Plan to reflect the budget adjustments.

Summary:

The City's Swift Corridor Strategy is a high profile investment in the City's downtown / waterfront area. The City Hall building and site development is well underway and is scheduled for completion in mid-2019. A complimentary element of the strategy involves upgrading Swift Boulevard with features supporting the City's vision for an active downtown.

The 2018 Capital Improvement Plan (CIP) included a project cost estimate and funding program based on preliminary estimates. During project development, the scope of work was expanded to include traffic signal upgrades and enhanced pedestrian crossings, adding costs to the project. The funding program has also changed because the primary funding source, Benton County's Rural County Capital Fund, has less capacity available than was estimated. The Benton County Commissioners authorized an agreement committing \$500,000 to this project at their July 10 meeting. These changes to the project cost and funding require a budget amendment to enable the project to proceed in support of next year's opening of City Hall.

On July 10, 2018, the City received only one (1) bid for the Swift Boulevard Improvements project. The bid was far above the engineer's estimate and the proposed project budget. Staff recommends that Council reject the bid. Staff will reevaluate the project design with the goal of delivering a successful contract in late 2018 for early 2019 construction.

The CIP also includes a project to improve the intersection of Steptoe Street and Tapteal Drive. Staff proposes to advance this project using funds from the City's Capital Improvement Fund. The \$75,000 request will be used to perform engineering work for the intersection and at-grade railroad crossing improvements. Staff believes the project, if completed, will contribute to the City's economic development goals.

Fiscal Impact:

The proposed ordinance would add \$940,000 to expense appropriations, with \$700,000 coming from the Capital Improvement Fund and \$240,000 coming from the General Fund. Current reserves in the General Fund and Capital Improvement Fund are sufficient to cover the proposed adjustments.

Attachments:

1. Ordinance No. 38-18
2. Swift Blvd Improvements - CIP Update
3. Steptoe-Tapteal Intersection Improvements - CIP Update

ORDINANCE NO. 38-18

AN ORDINANCE of the City of Richland amending the 2018 Budget to provide for additional appropriations and declaring that a public emergency exists in the City's Street Capital Construction Fund, Capital Improvement Fund and General Fund, and amending the 2018-2023 Capital Improvement Plan.

WHEREAS, on November 21, 2017, the Richland City Council approved Ordinance No. 49-17 approving the 2018 Budget; and

WHEREAS, the 2018 – 2023 Capital Improvement Plan (CIP) includes two (2) street improvement projects. One project is titled Swift Boulevard Improvements, and the other is titled Steptoe Street / Tapteal Drive Intersection Improvements; and

WHEREAS, the 2018 – 2023 Capital Improvement Plan showed both projects being funded by grant funds that were not yet secured at the time of CIP adoption; and

WHEREAS, staff recommends that both projects proceed and that adjustments be made to the planned funding program; and

WHEREAS, on February 20, 2018, City Council passed Resolution No. 24-18, authorizing the City Manager to sign and execute Business License Reserve Fund (BLRF) funding agreements, including an agreement providing \$40,000 to the Swift Boulevard Improvements project; and

WHEREAS, the Business License Reserve Fund is embedded in the General Fund, so these funds will be appropriated from the General Fund; and

WHEREAS, sufficient unappropriated funds are available in the General Fund and the Capital Improvement Fund to support the recommended budget adjustment; and

WHEREAS, on July 3, 2018, a duly advertised public hearing was held pursuant to RCW 35.33.091 regarding the increase in appropriations from beginning fund balance in the General Fund and Capital Improvement Fund.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Facts Constituting Emergency. The expenses contained within this ordinance were not anticipated when the 2018 budget was approved.

Section 2. Declaration of Public Emergency. Due to circumstances described above, the City Council declares that a public emergency exists in the Street Capital Construction Fund, the Capital Improvement Fund, and the General Fund.

Section 3. Amendment of the 2018 Budget. The 2018 Budget is hereby amended to provide additional appropriations in the Street Capital Construction Fund, Capital Improvement Fund and General Fund from unappropriated fund balance as follows:

Street Capital Construction Fund

Current Appropriation: \$ 30,038,695
Increase in Appropriation: \$ 940,000
Amended Appropriation: \$ 30,978,695

Capital Improvement Fund

Current Appropriation: \$ 3,225,144
Increase in Appropriation: \$ 700,000
Amended Appropriation: \$ 3,925,144

General Fund

Current Appropriation: \$ 63,812,240
Increase in Appropriation: \$ 240,000
Amended Appropriation: \$ 64,052,240

Section 4. The City of Richland's 2018-2023 Capital Improvement Plan is amended to reflect the budget adjustments contained herein.

Section 5. This ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 17th day of July, 2018.

ROBERT J. THOMPSON
Mayor

ATTEST:

APPROVED AS TO FORM:

MARCIA HOPKINS, City Clerk

HEATHER KINTZLEY, City Attorney

Date Published: July 22, 2018

Swift Boulevard Improvements

Type of Project Transportation		Partnership Project?	YES	Project # TR160002
Key # 2	Goal # 1	Strategic Leadership Plan Project? Yes		
PROJECT NAME: Swift Boulevard Improvements				Revised by Council July 3, 2018
PROJECT ADMINISTRATION: Public Works Administration and Engineering				
PROJECT LOCATION: Swift Blvd. from Stevens Drive to George Washington Way				
PROJECT TIMELINE: 2018				
RESPONSE TO *GMA LEVEL OF SERVICE? NO				

PROJECT DESCRIPTION

Construct street improvements to reflect City-wide Transportation Plan elements and 2012 Swift Corridor master planning concept. Reconstruct pavement surface, widen sidewalks, add on-street parking, add bike lanes, add enhanced pedestrian crossings, update street lights, street trees and upgrade traffic signals. Install widened sidewalks on the west side of Jadwin Avenue between Swift Boulevard and Mansfield Street.

PROJECT ASSUMPTIONS

The project requires acquisition of small right of way parcels at intersections and successful application for Benton County Rural Capital Funds. The project design will be based on the 2012 Swift Corridor planning process, but may be updated to support changes in development plans along the corridor. One such change is the placement of the Kadlec parking structure.

BENEFITS

The project will update Swift Boulevard to support increased pedestrian and bicycle use in downtown. These features and the addition of on-street parking where appropriate will contribute to the vision of downtown as an active, vibrant area and will attract private investment to several opportunity sites.

PROJECT COST ESTIMATE	Total Estimated Project Cost	Project Costs To-Date 12/31/16	Authorized Budget Remaining in 2017	2018	2019	2020	2021	2022	2023
DESIGN	90,000			90,000					
CONSTRUCTION MANAGEMENT	90,000			90,000					
CONSTRUCTION	1,300,000			1,300,000					
10% CONTINGENCY	145,000			145,000					
OTHER ENG. SRCES (ROW ACQUISITION)	20,000			20,000					
	-								
TOTAL	\$ 1,645,000	\$ -	\$ -	\$ 1,645,000	\$ -	\$ -	\$ -	\$ -	\$ -
RECOMMENDED FUNDING SOURCES	Total Estimated Project Revenues	Project Revenue To-Date 12/31/16	Authorized Budget Remaining in 2017	2018	2019	2020	2021	2022	2023
BENTON COUNTY RURAL DEVELOPMENT FUNDS	500,000			500,000					
RE EXCISE TAX 2ND 1/4	905,000			905,000					
GENERAL FUND	200,000			200,000					
BUSINESS LICENSE RESERVE FUND	40,000			40,000					
	-								
TOTAL	\$ 1,645,000	\$ -	\$ -	\$ 1,645,000	\$ -	\$ -	\$ -	\$ -	\$ -
OPERATING & MAINTENANCE COSTS (IMPACTS)	Total Estimated Project Operating & Maint. Costs			2018	2019	2020	2021	2022	2023
	-								
	-								
	-								
TOTAL	\$ -	-	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

FOR FINANCE STAFF USE ONLY ALL 2018 PROJECTS MUST HAVE CODING AND IDENTIFIED AS CAPITAL/MAINTENANCE		
DESCRIPTION	2018	CODING
CAPITAL ITEM	PENDING	PENDING
TOTAL	\$ -	TOTAL MUST EQUAL PROJECT COSTS FOR 2018 ABOVE

Step toe Street / Tap teal Drive Intersection Improvements

Type of Project Transportation		Partnership Project? NO	Project # TR140017
Key # 2	Goal # 1	Strategic Leadership Plan Project? No	
PROJECT NAME: Step toe Street / Tap teal Drive Intersection Improvements		Revised by Council July 3, 2018	
PROJECT ADMINISTRATION: Public Works Administration and Engineering			
PROJECT LOCATION: Step toe Street & Tap teal Drive Intersection			
PROJECT TIMELINE: 2018 - 2019			
RESPONSE TO *GMA LEVEL OF SERVICE? NO			

PROJECT DESCRIPTION

Realign Tap teal Drive and Step toe Street intersection by constructing a new traffic signal controlled intersection. Also includes sidewalks, a fully signalized and gated at-grade railroad crossing and storm drainage.

PROJECT ASSUMPTIONS

This project will advance as the demand for commercial development in the Tap teal Business Park dictates, which at present is high. The 2016 pre-design study concluded with a design concept supported by the Cities of Richland and Kennewick, the Port of Benton, and all three operating railroads. The selected improvement will require a crossing modification order from the Washington Utilities and Transportation Commission and acquisition of easement rights from the Port of Benton and Tri-City Railroad. Project construction funding is at yet unsecured, but could come from a combination of grant funds and private development funds.

BENEFITS

The project would enhance transportation safety and efficiency at this intersection that is likely to be quite busy as nearby property develops. Improving the intersection and at-grade railroad crossing will facilitate highest and best use development of the nearby properties. Such development would improve the City's financial standing by increasing revenues generated by business.

PROJECT COST ESTIMATE	Total Estimated Project Cost	Project Costs To-Date 12/31/16	Authorized Budget Remaining in 2017	2018	2019	2020	2021	2022	2023
PRE-DESIGN STUDY	80,000	80,000							
DESIGN	175,000			75,000	100,000				
CONSTRUCTION MANAGEMENT	75,000				75,000				
CONSTRUCTION	1,400,000				1,400,000				
10% CONTINGENCY	140,000				140,000				
OTHER ENG. SRCES (ROW ACQUISITION)	50,000				50,000				
	-								
TOTAL	\$ 1,920,000	\$ 80,000	\$ -	\$ 75,000	\$ 1,765,000	\$ -	\$ -	\$ -	\$ -
RECOMMENDED FUNDING SOURCES	Total Estimated Project Revenues	Project Revenue To-Date 12/31/16	Authorized Budget Remaining in 2017	2018	2019	2020	2021	2022	2023
WSDOT GRANT (UNSECURED)	1,765,000				1,765,000				
RE EXCISE TAX 1ST 1/4%	115,000	40,000		75,000					
PRIVATE PARTNER	40,000	40,000							
	-								
	-								
TOTAL	\$ 1,920,000	\$ 80,000	\$ -	\$ 75,000	\$ 1,765,000	\$ -	\$ -	\$ -	\$ -
OPERATING & MAINTENANCE COSTS (IMPACTS)	Total Estimated Project Operating & Maint. Costs			2018	2019	2020	2021	2022	2023
	-								
	-								
	-								
	-								
TOTAL	\$ -	-	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

FOR FINANCE STAFF USE ONLY ALL 2018 PROJECTS MUST HAVE CODING AND IDENTIFIED AS CAPITAL/MAINTENANCE		
DESCRIPTION	2018	CODING
CAPITAL ITEM	PENDING	PENDING
TOTAL	\$ -	TOTAL MUST EQUAL PROJECT COSTS FOR 2018 ABOVE



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 07/17/2018

Agenda Category: Resolutions – Adoption

Key Element: Key 2 - Infrastructure & Facilities

Subject:

Resolution No. 108-18, Authorizing a Consultant Agreement with RH2 Engineering, Inc. for the Columbia River Intake Screen Upgrade

Department:
Public Works

Ordinance/Resolution Number:
108-18

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 108-18, authorizing the City Manager to sign and execute an agreement with RH2 Engineering, Inc. for engineering and permitting of the Columbia River Intake Screen Upgrade project.

Summary:

In July of 2013, the U.S. Army Corps of Engineers notified the City that the easement allowing the City's water intake structure to occupy Corps property had expired. The Corps invited the City to seek renewal of the easement, which staff promptly did. Since that time, the Corps has worked to implement the City's requested easement renewal. In November 2015, the U.S. Army Corps of Engineers published an environmental assessment needed to support easement renewals for many public and private water intake facilities in the McNary Reservoir Pool on the Columbia River. The assessment concluded that easement renewal should be conditioned on upgrades to existing screen systems to meet the current National Marine Fisheries Service (NMFS) screening criteria. The City's Columbia River / Snyder Street intake was included in the assessment as a facility requiring upgraded screens. The easement renewal process is not yet complete, but the City's obligation to upgrade its screens is assured.

The 2018 - 2023 Capital Improvement Plan (CIP) includes a project titled Columbia River Intake Screen Upgrade, and current budget appropriations cover preliminary design and permitting for new screens.

Following the City's purchasing department guidelines, staff completed a Request for Qualification (RFQ) process. Of the five (5) submittals received in response to the RFQ, RH2 Engineering Inc. was determined to be the most qualified firm. Scope and budget were negotiated with RH2 Engineering, to include a preliminary design for permitting purposes and all permitting required for eventual construction. Final design and specifications for a bidding contract will be negotiated in a second phase of work.

Staff recommends approval Resolution No. 108-18.

Fiscal Impact: The total cost of the proposed contract is \$118,355. The 2018 - 2023 CIP appropriated \$200,000 to support this work.

Attachments:

1. Resolution No. 108-18
2. Columbia River Intake Screen Upgrade - RH2 Engineering

RESOLUTION NO. 108-18

A RESOLUTION of the City of Richland authorizing a consultant agreement with RH2 Engineering, Inc. for the Columbia River Intake Screen Upgrade project.

WHEREAS, the 2018 – 2023 Capital Improvement Plan (CIP) includes a project titled Columbia River Intake Screen Upgrade; and

WHEREAS, the City's primary drinking water source is the Snyder Street Intake on the Columbia River; and

WHEREAS, the Snyder Street Intake is located on U.S. Army Corps of Engineers property and is authorized by a license from the Corps; and

WHEREAS, the Corps license must be renewed to remain valid; and

WHEREAS, the Corps requires compliance with current screen criteria by 2020 as part of its site license renewal process; and

WHEREAS, to achieve compliance by 2020, engineering and permitting should begin in 2018; and

WHEREAS, in compliance with the City's purchasing policies, a competitive Request for Qualifications (RFQ) process has been initiated; and

WHEREAS, the City received five (5) responses to the RFQ, with RH2 Engineering, Inc. determined to be the most qualified firm to complete the engineering and permitting for the new screening system; and

WHEREAS, RH2 Engineering, Inc. has negotiated a scope of work and budget with the City; and

WHEREAS, City staff recommends approval of the proposed contract to complete the engineering design needs of the project at a reasonable cost.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City Manager is authorized to sign and execute a consultant agreement with RH2 Engineering, Inc. to complete engineering and permitting of the Columbia River Intake Screen Upgrade project.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 17th day of July, 2018.

ROBERT J. THOMPSON
Mayor

ATTEST:

APPROVED AS TO FORM:

MARCIA HOPKINS, City Clerk

HEATHER KINTZLEY, City Attorney



AGREEMENT BETWEEN CITY AND CONSULTANT

THIS AGREEMENT, entered into this ____ day of July, 2018 by and between the City of Richland, 505 Swift Blvd., Richland, Washington, (hereinafter referred to as the "City"), and RH2 Engineering, Inc., 114 Columbia Point Drive, Ste. C, Richland, WA (hereinafter referred to as the "Consultant").

WITNESSETH:

1) SCOPE OF WORK

- a) The Consultant shall furnish all services, labor and related equipment necessary to conduct and complete the work as designated in this Agreement. The Consultant shall provide preliminary design and permitting assistance services for the Columbia River Intake Screen Upgrade project.
- b) The following exhibit(s) are attached hereto and made a part of this Agreement:
 - (i) Exhibit A – Scope of Work
 - (ii) Exhibit B – Fee Estimate
- c) This Agreement consists of this Agreement, the above referenced Exhibit(s) and other documents listed below. These form the entire Agreement between the parties, and are fully integrated into this Agreement as if stated or repeated herein. In the event of a conflict between documents, the order of precedence will be the order listed below. An enumeration of the Agreement documents is set forth below:
 - (i) City of Richland Agreement No. _____
 - (ii) Exhibit A: Scope of Work
 - (iii) Exhibit B: Fee Estimate
 - (iv) City Richland RFQ 18-0060
 - (v) Exhibit B: RFQ 18-0060 proposal response submitted by RH2 Engineering, Inc. dated May 8, 2018

2) GENERAL REQUIREMENTS

- a) The Consultant shall attend status, progress, and coordination meetings with the designated City of Richland representatives, or such federal, community, state, city or county officials, groups or individuals as may be requested by the City. If additional meetings are requested, the City will provide the Consultant sufficient notice prior to those meetings requiring Consultant participation.
- b) The Consultant shall prepare a monthly progress report if requested, in a form approved by the City, that will outline in written and/or graphical form the various phases and the order of performance of the work in sufficient details so that the progress of the work can easily be evaluated.

3) TIME FOR BEGINNING AND COMPLETION

The Consultant shall not begin any work under the terms of this Agreement until authorized in writing by the City. Consultant agrees to use best efforts to complete all work described under this Agreement by July 31, 2020.

4) PAYMENT

- a) For services rendered under this Agreement, the City shall pay the Consultant an amount not to exceed One Hundred Eighteen Thousand Three Hundred Fifty Five Dollars (\$118,355.00). Payment shall be made on a "time and materials" basis. Payment as identified in this section shall be full compensation for all work performed or services rendered, and for all labor, materials, supplies, equipment, and incidentals necessary to complete the work specified in Exhibit A – Scope of Work.
- b) Invoices not in dispute by the City will be paid net thirty (30) days and shall reference the contract number and/or purchase order applicable to the work. The invoice shall provide sufficient detail on the work being billed and include detailed receipts for any invoices.
- c) Partial payments to cover the percentage of work completed may be requested by the Consultant. These payments shall not be more than one (1) per month.
- d) Pre-approved travel, meals and lodging will be reimbursed at cost and only when consultant travels at least 150 miles per one way trip. Reimbursable expenses are limited to the following: coach airfare, ground transportation (taxi, shuttle, car rental), hotel accommodations at the government rate, personal or company vehicle use at the then-current federal mileage rate, and meals at the current federal per-diem meal allowance or up to the current federal per-diem with detailed receipts, no alcohol, and a 20% maximum gratuity.
- e) Reimbursement for extra services/reimbursable expenses are not authorized under this Agreement unless detailed in the Scope of Work or agreed upon in writing as a modification to this Agreement.
- f) The Consultant will allow access to the City, the State of Washington, the Federal Grantor Agency, the Comptroller General of the United States, or any of their duly authorized representatives to any books, documents, papers, and records which are directly pertinent to the specific contract for the purpose of making audit, examination, excerpts, and transcriptions. Unless otherwise provided, said records must be retained for three years from the date of receipt of final payment. If any litigation, claim, or audit arising out of, in connection with, or relating to this contract is initiated before the expiration of the three-year period, the records shall be retained until such litigation, claim, or audit involving the records is completed.

5) INDEPENDENT CONTRACTOR

The Consultant, and any and all employees of the Consultant or other persons engaged in the performance of any work or services required of the Consultant under this Agreement, are independent contractors and shall not be considered employees of the City. Any and all claims that arise at any time under any Workers' Compensation Act on behalf of said employees or other persons while so engaged, and any and all claims made by a third party as a consequence of any act or omission on the part of the Consultant's employees or other

persons engaged in any of the work or services required to be provided herein, shall be the sole obligation and responsibility of the Consultant.

6) OWNERSHIP OF DOCUMENTS

Any and all data, analyses, documents, photographs, plans, designs, drawings, specifications, surveys, films, documents, reports and other work products created, prepared, produced, constructed, assembled, made, performed, or otherwise produced by the Consultant or Consultant's subcontractors for delivery to the City pursuant to this Agreement shall become the sole and absolute property of the City upon completion of the services and payment in full of all payment due to the Consultant of the fees set forth in this Agreement. Such property shall constitute "work made for hire" as defined by the U.S. Copyright Act of 1976, 17 U.S.C. § 101, and the ownership of the copyright and any other intellectual property rights in such property shall vest in the City at the time of its creation. Ownership of the intellectual property includes the right to copyright, patent, and register, and the ability to transfer these rights. Material which the Consultant uses to perform this Agreement but is not created, prepared, constructed, assembled, made, performed or otherwise produced for or paid for by the City is owned by the Consultant and is not "work made for hire" within the terms of this Agreement.

The City may make or permit to be made any modifications to the plans and specifications without the prior written authorization of the Consultant. The City agrees to waive any claim against the Consultant arising from any unauthorized reuse of the plans and specifications, and to indemnify and hold the Consultant harmless from any claim, liability or cost arising or allegedly arising out of any reuse of the plans and specifications by the City or its agent not authorized by the Consultant.

7) TERMINATION

- a) This Agreement may be terminated by either party upon thirty (30) days' written notice. In the event this Agreement is terminated by the Consultant, the City shall be entitled to reimbursement of costs occasioned by such termination by the Consultant. In the event the City terminates this Agreement, the City shall pay the Consultant for the work performed, which shall be an amount equal to the percentage of completion of the work as mutually agreed between the City and the Consultant.
- b) If any work covered by this Agreement shall be suspended or abandoned by the City before the Consultant has completed the assigned work, the Consultant shall be paid an amount equal to the costs incurred up to the date of termination or suspension as mutually agreed upon between the City and the Consultant.

8) AVAILABILITY OF RECORDS FOR PUBLIC INSPECTION

- a) As a public contract, all records prepared, generated or used by Consultant or its agents, employees and subcontractors relating to this Agreement and associated work (hereinafter "public records") may be subject to disclosure under the Washington State Public Record Act, Chapter 42.56 RCW.
- b) Contractor shall maintain and retain all such public records in a manner that is readily accessible for a minimum term of no less than three (3) years following completion of the contract work. City shall have the right to timely review all such public records upon request. Contractor shall provide copies of any public records requested by City within 30 days of City's request. If City requests that copies of public records be provided to City in an electronic format, said records shall be provided at no cost to City. If paper

copies are requested by City, City shall pay \$.10 per page. Payment for paper copies shall be rendered to Consultant within 20 days of receipt.

- c) All records subject to a public disclosure request will be provided to a requester unless exempted from disclosure by law. The City's decision to exempt or redact any public record shall be based only upon valid exemptions that apply to the City. City will not refrain from disclosing any record under an exemption that may be personal to Consultant. In the event Consultant objects to release of any public record under this Agreement, Consultant may seek judicial approval to prevent such disclosure at its sole expense. City shall neither aid nor interfere with Consultant's request for an injunction to prevent disclosure of any public record under this Agreement.
- d) Consultant shall insert this provision in all contracts with subcontractors or agents providing services relating to this Agreement.

9) DISPUTE RESOLUTION

- a) The City and the Consultant agree to negotiate in good faith for a period of thirty (30) days from the date of notice of all disputes between them prior to exercising their rights under this Agreement, or under law.
- b) All disputes between the City and the Consultant not resolved by negotiation between the parties may be arbitrated only by mutual agreement of the City and the Consultant. If not mutually agreed to resolve the claim by arbitration, the claim will be resolved by legal action.

10) DEBARMENT CERTIFICATION

The Consultant certifies that neither the Consultant nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in this contract by any federal or state department or agency. Further, the Consultant agrees not to enter into any arrangements or contracts related to completion of the work contemplated under this Agreement with any party that is on the "General Service Administration List of Parties Excluded from Federal Procurement or Non-procurement Programs" which can be found at:

www.sam.gov and

<http://www.lni.wa.gov/TradesLicensing/PrevWage/AwardingAgencies/default.asp>

11) VENUE, APPLICABLE LAW AND PERSONAL JURISDICTION

In the event that either party deems it necessary to initiate a legal action to enforce any right or obligation under this Agreement, the parties agree that any such action shall be initiated in the Superior Court of the State of Washington situated in Benton County. The parties agree that all questions shall be resolved by application of Washington law, and that the parties to such action shall have the right of appeal from such decision of the Superior Court in accordance with the laws of the State of Washington. The Consultant hereby consents to the personal jurisdiction of the Superior Court of the State of Washington situated in Benton County.

12) ATTORNEY'S FEES

The parties agree that should legal action be necessary to enforce any of the provisions of this Agreement, that the substantially prevailing party will be awarded its reasonable attorney's fees and costs in action, including costs and attorney's fees on appeal if appeal is taken.

13) INSURANCE

The Consultant shall procure and maintain for the duration of the Agreement insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, or employees.

- a) No Limitation. Consultant's maintenance of insurance as required by this Agreement shall not be construed to limit the liability of the Consultant to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.
- b) Minimum Scope of Insurance. Consultant shall obtain insurance of the types described below:
 - 1. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage.
 - 2. Commercial General Liability insurance shall be as least as broad as ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, stop-gap independent contractors and personal injury and advertising injury. The City shall be named as an insured under the Consultant's Commercial General Liability insurance policy with respect to the work performed for the City using an additional insured endorsement at least as broad as ISO CG 20 26.
 - 3. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.
 - 4. Professional Liability insurance appropriate to the Consultant's profession.
- c) Minimum Amounts of Insurance. Consultant shall maintain the following insurance limits:
 - 1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.
 - 2. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate.
 - 3. Professional Liability insurance shall be written with limits no less than \$1,000,000 per claim and \$1,000,000 policy aggregate limit.
- d) Other Insurance Provisions. The Consultant's Automobile Liability and Commercial General Liability insurance policies are to contain, or be endorsed to contain that they shall be primary insurance with respect to the City. Any insurance, self-insurance, or self-insured pool coverage maintained by the City shall be excess of the Consultant's insurance and shall not contribute with it.
- e) Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

- f) Verification of Coverage. Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to, the additional insured endorsement, evidencing the insurance requirements of the Consultant before commencement of the work.
- g) Notice of Cancellation. The Consultant shall provide the City with written notice of any policy cancellation within two (2) business days of Consultant's receipt of such notice.
- h) Failure to Maintain Insurance. Failure on the part of the Consultant to maintain the insurance as required shall constitute a material breach of contract, upon which the City may, after giving five (5) business days' notice to the Consultant to correct the breach, immediately terminate the contract or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand, or at the sole discretion of the City, offset against funds due the Consultant from the City.
- i) Public Entity Full Availability of Consultant Limits. If the Consultant maintains higher insurance limits than the minimum shown above, the City shall be insured for the full available limits of the Commercial General and Excess or Umbrella liability maintained by the Consultant, irrespective of whether such limits maintained by the Consultant are greater than those required by this contract or whether any certificate of insurance furnished to the City evidences limits of liability lower than those maintained by the Consultant.

14) INDEMNIFICATION / HOLD HARMLESS

- a) Consultant shall defend, indemnify, and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the willful or negligent acts, or alleged willful or alleged negligent acts, errors or omissions of the Consultant or the Consultant's employees or agents in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.
- b) Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees, and volunteers, the Consultant's liability, including the duty and cost to defend, shall be only to the extent of the Consultant's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Consultant's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

15) STANDARD OF CARE

The professional services will be furnished in accordance with the care and skill ordinarily used by members of the same profession practicing under similar conditions at the same time and in the same locality.

16) SUCCESSORS OR ASSIGNS

All of the terms, conditions and provisions hereof shall inure to the benefit of and be binding upon the parties hereto, and their respective successors and assigns; provided, however, that no assignment of the Agreement shall be made without written consent of the parties to the Agreement.

17) NOTICES

Any notices required under this Agreement will be in writing, addressed to the appropriate party at the address which appears below (as modified in writing from time to time by such party), and given by electronic submission, by facsimile personally, by registered or certified mail, return receipt requested, or by nationally recognized overnight courier service. All notices shall be effective upon the date sent.

Purchasing Manager
City of Richland
505 Swift Blvd., MS-11
Richland, WA 99352
Email: purchasing@ci.richland.wa.us
Phone: (509) 942-7710
Fax: (509) 942-7397

Contact Name: Paul Cross
Name of Firm: RH2 Engineering, Inc.
Address: 114 Columbia Point Drive, Ste. C
Address: Richland, WA 99352
Email: pcross@rh2.com
Phone Number: 509-886-6767
Fax Number: —

18) EQUAL OPPORTUNITY AGREEMENT

The Consultant agrees that s/he will not discriminate against any employee or job applicants for work under this Agreement for reasons of race, sex, nationality, religious creed, or sexual orientation.

19) PARTIAL INVALIDITY

Any provision of this Agreement which is found to be invalid or unenforceable shall be ineffective to the extent of such invalidity or unenforceability, and the invalidity or unenforceability of such provision shall not affect the validity or enforceability of the remaining provisions hereof.

20) AMENDMENTS

All amendments must be in writing and be approved and signed by both parties.

21) CHANGE IN LAW

The parties hereto agree that in the event legislation is enacted or regulations are promulgated, or a decision of court is rendered, or any interpretive policy or opinion of any governmental agency charged with the enforcement of any such law or regulation is published that affects or may affect the legality of this Agreement or any part thereof or that materially and adversely affects the ability of either party to perform its obligations or receive the benefits intended hereunder ("Adverse Change in Law"), then within fourteen (14) days following written notice by either party to the other party of such adverse change in law, the parties shall meet to negotiate in good faith an amendment which will carry out the original intention of the parties to the extent possible. If, despite good faith attempts, the parties cannot reach agreement upon an amendment within sixty (60) days after commencing negotiation, then this Agreement may be terminated by either party as of the earlier of: (i) the effective date of the adverse change in law, or (ii) the expiration of a period of sixty (60) days following written notice of termination provided by one party to the other.

22) CONFIDENTIALITY

In the course of performing under this Agreement, Consultant, including its employees, agents or representatives, may receive, be exposed to, or acquire confidential information. Confidential information may include, but is not limited to, patient information, contract terms, sensitive employee information, or proprietary data in any form, whether written, oral, or contained in any computer database or computer readable form. Consultant shall: i) not disclose or sell confidential information except as permitted by this Agreement; (ii) only permit use of such confidential information by employees, agents and representatives having a need to know in connection with performance under this Agreement; and (iii) advise each of its employees, agents, and representatives of their obligations to keep such information confidential.

23) CHANGES OF WORK

- a) When required to do so, and without any additional compensation, the Consultant shall make such changes and revisions in the completed work of this Agreement as necessary to correct or revise any errors, omissions, or other deficiencies in the design, drawings, specifications, reports, and other similar documents which the Consultant is responsible for preparing or furnishing under this Agreement.
- b) Should the City find it desirable for its own purposes to have previously satisfactorily completed work or parts thereof changed or revised, the Consultant shall make such revisions as directed by the City. This work shall be considered as Extra Work and will be paid for as herein provided under Section 22, Extra Work.

24) EXTRA WORK

The City may desire to have the Consultant perform work or render additional services within the general scope of this Agreement. Such work shall be considered as extra work and will be specified in a written supplement to this Agreement which will set forth the nature of the scope, schedule for additional work, additional fees and the method of payment. Work under a supplemental Agreement shall not proceed until authorized in writing by the City.

(Signature page to follow)

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

CITY OF RICHLAND, WASHINGTON

RH2 ENGINEERING, INC.

CYNTHIA D. REENTS, ICMA-CM
City Manager

Signature

ATTEST:

Printed Name

MARCIA HOPKINS, City Clerk

Title

APPROVED AS TO FORM:

HEATHER D. KINTZLEY, City Attorney

EXHIBIT A
Scope of Work
City of Richland
Columbia River Intake Screen Upgrade

July 2018

Background

The U.S. Army Corps of Engineers (USACE), Walla Walla District, published an environmental assessment in November 2015 regarding water intake facilities in the McNary and Ice Harbor Reservoirs. The City of Richland's (City) existing Columbia River Intake facility, originally constructed in 1963 and equipped with screens that do not meet the current National Marine Fisheries Service (NMFS) screen criteria for fry protection, was identified as requiring screen upgrades prior to 2020 to receive a renewed easement for the intake facility. Based on the current NMFS screen criteria and the cross-sectional area of the intake facility's two traveling belt screens, the capacity of the facility will be reduced to approximately 10 to 15 million gallons per day (MGD). The pumping capacity of the City's existing Columbia River Intake pumps is approximately 90 MGD.

RH2 Engineering, Inc., (RH2) has prepared this Scope of Work and associated Fee Estimate to provide the preliminary design and permitting assistance, which comprises Phase 1 of this project. Subsequent phases of this project, including detailed design, services during bidding, and services during construction, may be mutually negotiated in future contract amendments.

Task 1 – Project Management Services

Objective: Manage RH2's project team and maintain frequent client communications, including phone calls and emails, in addition to progress meetings.

Approach:

- 1.1 Provide direction, coordination, and oversight to the RH2 project team. Organize, manage, and coordinate technical disciplines as described herein, and implement quality assurance and quality control (QA/QC) to perform this Scope of Work in close coordination with City staff.
- 1.2 Create, maintain, and update a project work plan and schedule. Monitor, modify, and update the project schedule throughout the preliminary design phase on a monthly basis to determine the potential impacts of proposed changes. Adjust the schedule to reflect the current status of the project and revisions made to this Scope of Work.
- 1.3 Prepare monthly invoices and budget status summaries.
- 1.4 Prepare and attend coordination meetings with City staff. Prepare meeting minutes. *A total of two (2) meetings are assumed for this Scope of Work in addition to the other milestone and review meetings mentioned in this Scope of Work.*

Assumptions:

- *Project management services provided within this task are inclusive of the services necessary to complete Phase 1 of this project. Additional project management services will be included in subsequent phases of this project.*

Provided by City:

- Attendance at two (2) project coordination meetings.

RH2 Deliverables:

- Project work plan and schedule in electronic PDF.
- Monthly invoices and budget status summaries.
- Attendance at two (2) coordination meetings and meeting minutes in electronic PDF.

Task 2 – Bathymetric Survey

Objective: Acquire up-to-date survey data in the site vicinity for design purposes. Subcontract with Rogers Surveying Inc. (Rogers) of Richland, Washington, to survey the Columbia River bathymetry near the project site. Evaluate survey limits. Coordinate with the surveyor for survey standards and AutoCAD format, and review survey.

Approach:

- 2.1 Review existing river bathymetry as published by the National Oceanic and Atmospheric Administration and identify necessary extents of a bathymetric survey.
- 2.2 Subcontract and coordinate with Rogers for bathymetric survey work within the extents identified in subtask 2.1.
- 2.3 Coordinate the bathymetric survey with the City and Rogers.
- 2.4 Review and revise land and bathymetric survey data for the intake screening design.

Assumptions:

- *The City will provide a topographic (land) survey in the site vicinity as needed for the preliminary design.*
- *Horizontal datum will be NAD83/91 based upon existing City control. Vertical datum will be based on NAVD 88 based upon benchmarks set by the City.*

Provided by the City:

- Topographic survey data consistent with RH2 survey standards and in AutoCAD format.
- Three (3) new control points on land for Rogers to incorporate into the bathymetric survey.
- Site access for Rogers during the bathymetric survey.

RH2 Deliverables:

- Electronic copies of the AutoCAD® survey files (AutoCAD® and PDF).

Task 3 – Preliminary Design

Objective: Identify preliminary screen sizes and five (5) screening configuration alternatives for City review, including preparation of 30-percent plans for two (2) of the highest rated five (5) screening

configuration alternatives. Upon identification of a preferred screening configuration alternative, prepare 60-percent plans of the selected alternative for submittal to permitting and regulatory agencies.

Approach:

- 3.1 Prepare for and attend a kickoff meeting with City operation and engineering staff to identify the City's preferences for screening configurations, screen depths, screen cleaning mechanisms, and general operational configuration. Prepare and distribute meeting minutes after the kickoff meeting.
- 3.2 Attend one (1) on-site meeting with the City to view the site and existing facility.
- 3.3 Calculate existing traveling screen capacity based on NMFS requirements.
- 3.4 Calculate the maximum screening capacity based on NMFS requirements using active screens within the existing structure forebay.
- 3.5 Format base map received from City and Rogers survey, and create base map layout sheets.
- 3.6 Identify and analyze up to five (5) screening configuration alternatives with differing screen types, screen depths, screen geometries, and screen cleaning mechanisms. Prepare a preliminary conceptual drawing and/or rendering to present each configuration alternative, and identify order-of-magnitude construction cost estimates for each alternative. *At least one (1) conceptual drawing or rendering will be prepared for each screening alternative.*
- 3.7 Prepare a technical memorandum documenting the strengths and weaknesses of up to five (5) initial screening configuration alternatives.
- 3.8 Meet with City operation and engineering staff to discuss the alternatives considered for inclusion in Subtask 3.6, to discuss the strengths and weaknesses of each alternative, and to identify up to two (2) alternatives to be analyzed in additional detail.
- 3.9 Perform initial coordination with screen manufacturers for two (2) screening alternatives.
- 3.10 Review available electrical capacities within the facility and prepare one-line diagrams and preliminary power plans identifying proposed electrical equipment and existing electrical equipment modifications for two (2) screening alternatives.
- 3.11 Prepare 30-percent design drawings and/or renderings presenting two (2) screening alternatives. *Design drawings will include an existing site utility plan, a proposed utility plan and profile for each screening alternative, and at least one (1) conceptual rendering for each screening alternative.*
- 3.12 Prepare conceptual-level construction cost estimates for two (2) screening alternatives.
- 3.13 Develop design criteria and appurtenance checklists for two (2) screening alternatives.
- 3.14 Perform in-house QA/QC review of two (2) screening alternatives.
- 3.15 Meet with City operation and engineering staff to discuss both screening alternatives and determine the preferred alternative. Prepare and distribute meeting minutes.
- 3.16 Prepare a technical memorandum documenting the two (2) screening alternatives and the selection of the preferred alternative.
- 3.17 Update 30-percent design drawings and renderings of the preferred alternative to 60-percent design level for inclusion in permitting and regulatory agency review correspondence. *Updated*

drawings will include additional details for the proposed improvements and construction activities within the Columbia River as they are known at this phase of the design. A cover sheet and general construction notes will also be prepared and included in the permitting and regulatory agency review version of the design plans.

Provided by City:

- Attendance at kickoff meeting and site visit. Site and facility access for site visit.
- Land survey in AutoCAD format, including survey of ordinary high water level (OHWL), site survey, and a legal description of the project site.
- Intake facility record drawings.
- Attendance at screening alternatives meeting.
- Review comments for five (5) initial screening alternatives and identification of two (2) alternatives for additional consideration.
- Review comments for two (2) screening alternatives and identification of the preferred alternative.

RH2 Deliverables:

- Attendance at kickoff meeting and meeting minutes in electronic PDF.
- Attendance at site visit.
- Conceptual design drawings and/or renderings, and order-of-magnitude cost estimates for five (5) initial screening alternatives and the City's selection of the preferred alternative in electronic PDF. in electronic PDF.
- Technical memorandum documenting the strengths and weaknesses of up to five (5) initial screening configuration alternatives and the City's identification of two (2) alternatives for additional consideration.
- 30-percent design drawings and conceptual-level cost estimates for two (2) screening alternatives in electronic PDF.
- Design criteria and appurtenance checklists for two (2) screening alternatives in electronic PDF.
- Attendance at screening alternatives meeting and meeting minutes in electronic PDF.
- Technical memorandum documenting the two (2) screening alternatives and the City's selection of the preferred alternative in electronic PDF.
- Agency review design plans in electronic PDF.

Task 4 – Permitting

Objective: Coordinate with the applicable regulatory agencies about the project, design of improvements, and required permits. Perform an environmental site investigation to characterize environmental conditions at the project site and meet with regulatory staff. Prepare permit applications and supporting

documentation. Submit permit applications and facilitate permit reviews and approvals by responding to regulatory agency information requests, as needed.

- 4.1 Contact local, state, and federal regulatory agencies with jurisdiction over this project. It is anticipated the following agencies will be contacted and consulted for this project: City of Richland, Washington Department of Fish and Wildlife (WDFW), Washington State Department of Natural Resources (WDNR), Washington State Department of Ecology (Ecology), USACE, U.S. Fish and Wildlife Service (USFWS), and NMFS. Review project components and discuss anticipated agency concerns and permitting requirements. Coordinate and attend an on-site pre-application meeting with agency staff. *It is assumed that the pre-application meeting can be combined with site investigations, detailed in subtask 4.2.*
- 4.2 Perform an environmental site investigation to characterize environmental conditions in the project vicinity. Stake and flag the ordinary high water line (OHWL) along the Columbia River banks in the project vicinity during the site investigations. *It is assumed that the field-flagged OHWL will be collected by the City's site survey following RH2 staking.* Site investigations also will address the data needs (e.g., documentation of existing site conditions, fish/wildlife habitat, etc.) and requirements of the City's Critical Areas Ordinance (CAO) and Shoreline Master Program. *Based on a preliminary review, RH2 anticipates that critical areas for this project include the Columbia River and shoreline.*
- 4.3 Prepare a State Environmental Policy Act (SEPA) Checklist. Prior coordination with the City will be conducted to determine submittal needs and publication requirements. *It is assumed the City will submit the SEPA Checklist to the City's Planning Department following preparation.*
- 4.4 Prepare CAO compliance documentation. Prior coordination with the City will be conducted on this element to determine the level of documentation needed. RH2 anticipates that a critical areas report will be necessary, addressing the fish/wildlife habitat surrounding the project site and anticipated project impacts. *The project may qualify as an exempt activity from the City's CAO since it will replace components of an existing facility to meet regulatory requirements; however, coordination with the City is needed for this element. RH2 has included CAO report preparation conservatively; if it is determined an exemption can be obtained instead, the level of effort required to prepare CAO compliance documents is expected to be reduced.* Coordinate with the City for submittal of CAO compliance documentation to the City's Planning Department following preparation.
- 4.5 Prepare Shoreline Substantial Development Permit (SSDP) application and supporting materials (e.g., drawings, plans, project narrative, etc.). *The project may qualify for exemption as repair/replacement per Richland Municipal Code (RMC) 26.50.020.B.3.c.; however, coordination with the City is needed for this element. RH2 has included SSDP preparation conservatively; if it is determined an exemption can be obtained instead, the level of effort required to prepare shoreline compliance documents is expected to be reduced.* Coordinate with the City for submittal of the SSDP to the City's Planning Department following preparation.
- 4.6 Complete an online application for Hydraulic Project Approval (HPA) through WDFW. *This application is anticipated to be prepared concurrently with WDNR, USACE, and Ecology Joint Aquatic Resources Permit Application (JARPA) efforts, detailed in subtasks 4.7 through 4.10.* Coordinate with the WDFW area habitat biologist prior to and following permit submittal to address questions and concerns, and facilitate timely permit approvals.

- 4.7 Coordinate with WDNR to determine the need for an Aquatic Use Authorization, and prepare the application (JARPA attachment) and documentation, as needed. In addition to the permit application, this process includes an application fee, and WDNR-specific survey and legal description of the aquatic bedlands proposed for lease. *If needed, it is assumed the survey and legal description will be prepared by the survey subconsultant as an amendment to this Scope of Work.*
- 4.8 Coordinate with Ecology regarding Section 401 approval for the project. *It is assumed the project will not require individual Section 401 approval from Ecology; therefore, this task is limited to providing copies of state and federal permit applications to Ecology.*
- 4.9 Prepare and submit JARPA and supporting documentation to USACE to facilitate Section 404/10 Permit compliance. *Supporting documentation is anticipated to include USACE-specialized 8.5-inch by 11-inch drawings, predesign plans, critical areas compliance, and the Biological Evaluation (BE), prepared in subtask 4.10.* The Section 404/10 permit is anticipated to be processed by USACE as a Nationwide Permit, as opposed to an Individual Permit; however, this determination will be made by USACE upon receipt of the permit submittal. Facilitate permit review and approvals with USACE.
- 4.10 Prepare and submit a BE to accompany the Section 404/10 permit application package. The BE will be used by USACE to facilitate Endangered Species Act (ESA) consultation with the USFWS and NMFS, collectively referred to as the Services. Facilitate BE review and requests for additional information, as needed, from the Services and USACE.

Assumptions:

- *The City will pay all permit application fees, postage, etc.*
- *The City will be the permit applicant for all permits, with RH2 acting as the City's authorized agent.*
- *RH2 will prepare and submit State and federal permit applications on behalf of the City. It is assumed local permit applications will be submitted directly by City staff to the City's Planning Department.*
- *The pre-application meeting with agency staff will be coordinated to occur either at the project site or at RH2's Richland Office.*
- *RH2 understands that the project involves a modification of the existing structure and anticipates a SEPA determination, CAO compliance, and a SSDP will be required. RH2 assumes that the City will act as the lead agency for these elements, including handling determination and publication. RH2 will work with the City to determine this prior to initiation of these components.*
- *RH2 will scope a Building Permit for proposed structure improvements with the final design amendment.*
- *A Construction Stormwater General Permit (CSGP) through Ecology's National Pollutant Discharge Elimination System (NPDES) Program will not be required as the project will not involve soil disturbance of 1 acre or more.*
- *Section 401 compliance (administered by Ecology) is achieved through the Section 404/10 Nationwide Permit process; however, if the project is processed as an Individual USACE Permit, Section 401 must be obtained from Ecology. Individual Section 401 approval is not anticipated to*

be necessary and has not been included in this Scope of Work. If this becomes necessary, RH2 will prepare an amendment.

- *Floodplain development permitting is not required for this project.*
- *If a site-specific survey is needed by WDNR, beyond the survey proposed for the project, RH2 will work with Rogers and/or the City surveyor to modify this Scope of Work accordingly.*
- *A cultural resources survey will not be required by USACE for the Section 404/10 Permit, as most of the work will occur within an existing structure or underwater. If cultural resources compliance becomes necessary, RH2 will prepare an amendment to this Scope of Work.*

Provided by the City:

- Payment of all permit application fees.
- Land survey in AutoCAD format, including survey of OHWL, site survey, and a legal description of the project site.
- Attendance at pre-application agency site meeting and coordination with City Planning Staff for this purpose.
- Review and comment on draft permit applications prior to submittal.
- City Planning Department submittal of SEPA, CAO, SSDP, or other local environmental permits.
- Determination and publication elements of permit applications.

RH2 Deliverables:

- Attendance at and meeting minutes for pre-application meeting.
- Delineation and staking of the Columbia River OHWL at the Columbia River Intake. Field map of stake locations to be provided to the City for surveyor coordination.
- Two (2) paper and one (1) PDF copy of the SEPA package.
- Two (2) paper and one (1) PDF copy of the SSDP package.
- Two (2) paper and one (1) PDF copy of the Critical Areas Report.
- Two (2) paper and one (1) PDF copy of the HPA submittal package.
- Three (3) paper and one (1) PDF copy of the JARPA application package, including Aquatic Use Authorization, Section 404/10, BE, and supporting plans/drawings/documents.
- Records of all agency correspondence (electronic copies).

Future Project Tasks

Task 5 – Detailed Design (Future Phase)

Task 6 – Services During Bidding (Future Phase)

Task 7 – Services During Construction (Future Phase)

The scope for the effort required for these phases can be better determined between RH2 and the City after several of the tasks described within this Scope of Work have been completed.

Project Schedule

RH2 will proceed within one (1) week of receipt of the requested data and an executed contract. RH2 proposes the following project schedule, which assumes no delays or impacts that are outside of RH2 control.

- Task 1 – Project Management Services
 - Ongoing throughout project.
- Task 2 – Bathymetric Survey
 - City installation of control points for inclusion in bathymetric survey within one (1) week of receipt of the executed contract.
 - Bathymetric survey will be scheduled with Rogers within one (1) week of receipt of the executed contract.
 - Bathymetric survey will be completed within three (3) weeks of receipt of the executed contract.
- Task 3 – Preliminary Design
 - Begin within one (1) week following the completion of the bathymetric survey.
 - Meet with City to discuss screening alternatives within six (6) weeks of the completion of the bathymetric survey.
- Task 4 – Permitting
 - Begin after Task 3 efforts are underway and preferred alternative is identified.
 - Permit documents are anticipated to be prepared within ten (10) weeks of initial Task 4 efforts.
 - Permit approvals will require varying review times, with the Section 404/10 and ESA approvals requiring the longest lead time, estimated at four (4) to six (6) months following submittals.

EXHIBIT B

City of Richland

Columbia River Intake Screen Upgrade

Fee Estimate

Description Classification		Total Hours	Total Labor	Total Subconsultant	Total Expense	Total Cost
Task 1	Project Management Services	30	\$ 5,786	\$ -	\$ 231	\$ 6,017
Task 2	Bathymetric Survey	12	\$ 2,072	\$ 5,175	\$ 244	\$ 7,491
Task 3	Preliminary Design	294	\$ 50,678	\$ -	\$ 5,642	\$ 56,320
Task 4	Permitting	293	\$ 45,423	\$ -	\$ 3,104	\$ 48,527
PROJECT TOTAL		629	\$ 103,959	\$ 5,175	\$ 9,221	\$ 118,355



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 07/17/2018

Agenda Category: Resolutions – Adoption

Key Element:

Subject:

Resolution No. III-18, Approving the Preliminary Plat of Cobb Hill

Department:

Community Development Services

Ordinance/Resolution Number:

III-18

Document Type:

Resolution

Recommended Motion:

Adopt Resolution No. III-18, approving the preliminary plat of Cobb Hill subject to the conditions contained in Technical Advisory Committee Report S2018-100 as modified by the Hearing Examiner's Recommendation dated June 25, 2018, adopting the written findings and conclusions of the Hearing Examiner as the findings and conclusions of City Council, and directing staff to publish notice of Council's decision.

Summary:

The owner of 1611 Gala Way, Cherese Anderson, filed a preliminary plat application to subdivide her 5.7-acre home site into eight single-family residential lots forming the plat of Cobb Hill. The site currently contains one single-family home which would occupy Lot 1 of the platted area. Seven (7) new lots would potentially become available for home construction as a result of plat approval.

On May 3, 2018, the Richland Hearing Examiner conducted a public hearing to consider the proposed preliminary plat of Cobb Hill. On June 25, 2018, City staff received the Hearing Examiner's report, which recommends Council approve the preliminary plat subject to two (2) modified conditions proffered by the Hearing Examiner.

Generally, the two (2) modified conditions require: 1) extension and dedication of Penny Lane as public right-of-way to serve the new lots, constructed to city standard infrastructure improvements including curb, gutter and sidewalk (as opposed to being designed as a privately held access easement); and 2) a supplemental geotechnical report providing recommendations as to appropriate stormwater management solutions protecting adjacent properties from potential adverse impacts caused by development of the plat.

The Hearing Examiner's modified conditions are consistent with his previous decisions to remand the preliminary plat of Columbia Development Plat based on his finding that the Richland Municipal Code lacks sufficient authority to allow plats to be served exclusively by private easements / roadways.

Staff recommends approval of Resolution No. III-18, which incorporates the modifications proffered by the Richland Hearing Examiner.

Fiscal Impact:

Plat approval would create seven new lots available for the construction of seven new homes contributing to the City's tax base

Attachments:

1. Resolution No. III-18
2. Staff Report - Cobb Hill
3. Pre-Plat of Cobb Hill (S2018-100)

RESOLUTION NO. 111-18

A RESOLUTION of the City of Richland approving the preliminary plat of Cobb Hill subject to the conditions contained in Technical Advisory Committee Report S2018-10 as modified by the Hearing Examiner's Recommendation dated June 25, 2018, adopting the written findings and conclusions of the Hearing Examiner as the findings and conclusions of the Richland City Council, and directing staff to provide notice of Council's decision.

WHEREAS, on May 3, 2018, the Richland Hearing Examiner held an open record public hearing to consider the preliminary plat application of Cobb Hill, submitted by Cherese Anderson; and

WHEREAS, the Hearing Examiner recommended that City Council approve the preliminary plat of Cobb Hill subject to the conditions contained in Technical Advisory Committee Report S2018-100 as modified by the Hearing Examiner's June 25, 2018 recommendation containing modified conditions of approval; and

WHEREAS, the City Council has reviewed the record created by the Hearing Examiner.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland as follows:

Section 1. The preliminary plat of Cobb Hill, attached hereto as **Exhibit A**, is hereby approved subject to the conditions of approval contained in Technical Advisory Committee Report S2018-100, attached hereto and incorporated herein as **Exhibit B**, as modified by the Hearing Examiner's June 25, 2018 recommendation containing modified conditions of approval, attached hereto and incorporated herein as **Exhibit C**.

Section 2. The written findings and conclusions identified in the Hearing Examiner's Report dated June 25, 2018, attached hereto as **Exhibit C**, are incorporated herein by reference and are adopted as the written findings and conclusions of the City Council.

Section 3. City staff is hereby directed to provide notice of this decision to parties of record in accordance with Title 19 of the Richland Municipal Code.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 17th day of July, 2018.

ROBERT J. THOMPSON
Mayor

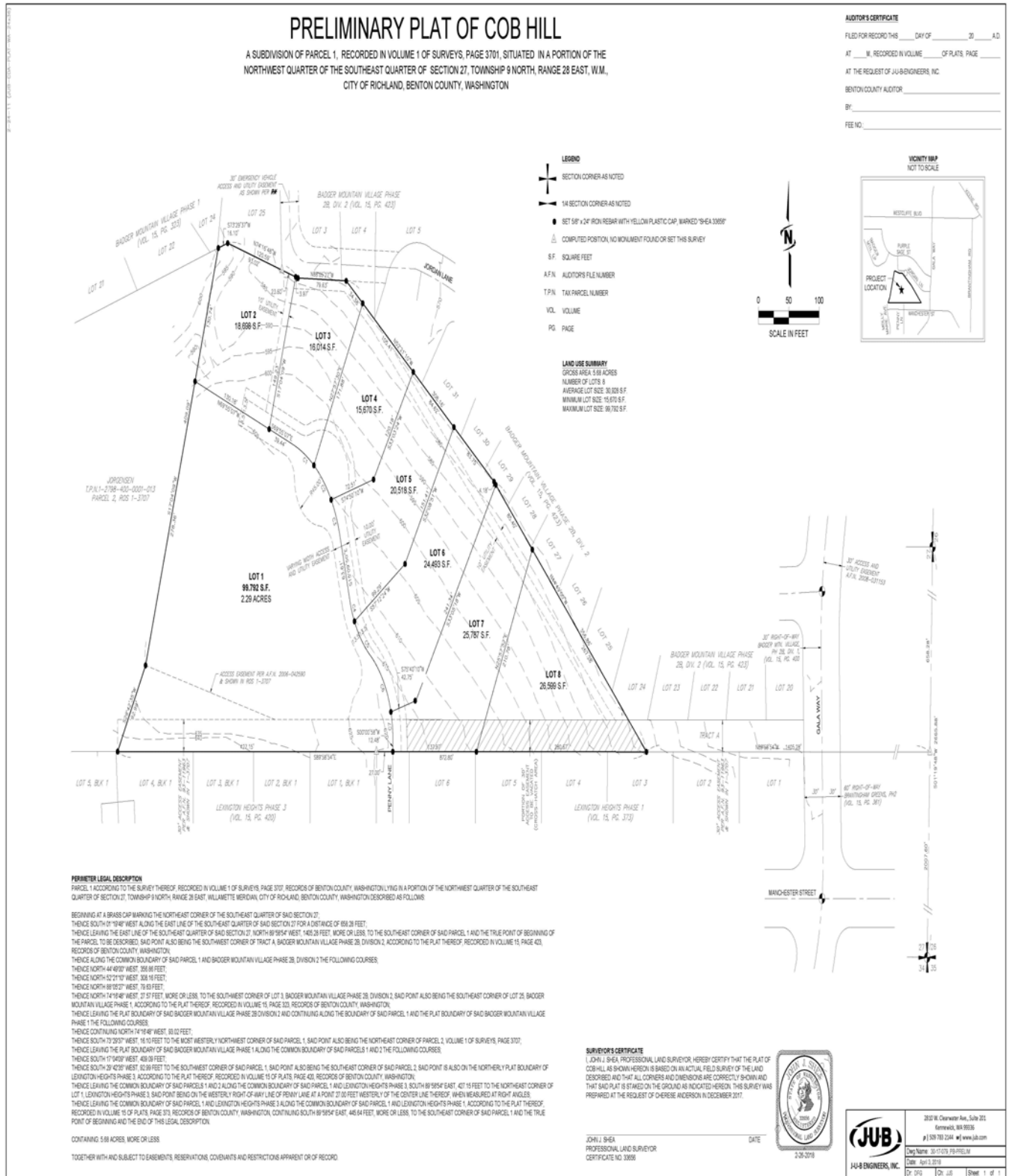
ATTEST:

APPROVED AS TO FORM:

MARCIA HOPKINS, City Clerk

HEATHER KINTZLEY, City Attorney

Exhibit A



**RICHLAND HEARING EXAMINER
TECHNICAL ADVISORY COMMITTEE REPORT
March 5, 2018**

APPLICANT: CHERESE ANDERSON

REQUEST: PRELIMINARY PLAT APPROVAL TO SUBDIVIDE 5.7 ACRES INTO 8
RESIDENTIAL LOTS, (THE PLAT OF COBB HILL)

LOCATION: WEST OF GALA WAY, SW OF THE PLAT OF BADGER MTN. VILLAGE

ENGINEER: J-U-B ENGINEERS, INC.

TECHNICAL ADVISORY COMMITTEE RECOMMENDATIONS

The Technical Advisory Committee conducted a review of the request and recommends that if the preliminary plat is approved, such approval be subject to the following conditions:

General Conditions:

1. All final plans for public improvements shall be submitted prior to pre-con on a 24" x 36" hardcopy format and also electronically in .dwg format compatible with the City's standard CAD software. Addendums are not allowed, all information shall be supplied in the specified 24 x 36 (and electronic) format. When construction of the infrastructure has been substantially completed, the applicant shall provide paper, mylar and electronic record drawings in accordance with the City's "Record Drawing Requirements". The electronic as-built record drawings shall be submitted in a AutoCAD format compatible with the City's standard CAD software. Electronic copies of the construction plans are required prior to the pre-con meeting, along with the multiple sets of paper drawings. The mylar record drawings (including street lights) shall be submitted and approved by the City before the final punchlist inspection will be performed. All final punchlist items shall be completed or financially guaranteed prior to recording of the final plat.
2. Any and all necessary permits that may be required by jurisdictional entities outside of the City of Richland shall be the responsibility of the developer to obtain.
3. A copy of the construction drawings shall be submitted for review to the appropriate jurisdictions by the developer and his engineer. All required comments / conditions from all appropriate reviewing jurisdictions (e.g.: Benton County, any appropriate irrigation districts, other utilities, etc.) shall be incorporated into one comprehensive set of drawings and resubmitted (if necessary) for final permit review and issuance.
4. Any work within the public right-of-way or easements or involving public infrastructure will require the applicant to obtain a right-of-way permit prior to construction, per RMC Chapter 12.08. A plan review and inspection fee in the amount equal to 5% of the construction costs of the work within the right-of-way or easement will be collected at the time the permit is issued. A stamped, itemized Engineers estimate (Opinion of probable cost) and a copy of the material submittals shall be submitted along with the final plan submittal.

Exhibit B

5. When the construction is substantially complete a paper set of "record drawings" shall be prepared by a licensed surveyor and include all changes and deviations. Please reference the Public Works document "RECORD DRAWING REQUIREMENTS & PROCEDURES" for a complete description of the record drawing process. After approval by the City of the paper copy, a mylar copy of the record drawings shall be submitted along with a CAD copy of them. The electronic as-built record drawings shall be submitted in a AutoCAD format compatible with the City's standard CAD software. All final punchlist items shall be completed or financially guaranteed prior to recording of the final plat.
6. Public utility infrastructure located on private property will require recording of a City standard form easement prior to acceptance of the infrastructure and release of the final plat. The City requires preparation of the easement legal description by the developer two weeks prior to the scheduled date of plat acceptance. Once received, the City will prepare the easement document and provide it to the developer. The developer shall record the easement at the Benton County Assessor and return a recorded original document to the City prior to application for plat acceptance.
7. A pre-construction conference will be required prior to the start of any work within the public right-of-way or easement. Contact the Public Works Engineering Division at 942-7500 to schedule a pre-construction conference.
8. Site plan drawings which involve the construction of public infrastructure shall be drawn on a standard 24" x 36" drawing format to a scale which shall not be less than 1"= 40'.
9. All plan sheets involving construction of public infrastructure shall have the stamp of a current Washington State licensed professional engineer.
10. All construction plan sheets shall include the note "CALL TWO WORKING DAYS BEFORE YOU DIG 1-800-424-5555 (or "811")." Or: <http://www.call811.com/>
11. An irrigation source and distribution system, entirely separate from the City's domestic water system, shall be provided for this development. *Construction plans will not be accepted for review until adequate and viable proof of an irrigation source is made available by the developer.* The designing Engineer shall submit plans for the proposed irrigation system to the Irrigation District with jurisdiction over the property at the same time that they are submitted to the City for construction review. Plans shall be reviewed and accepted by said irrigation district prior to issuance of a Right-of-Way permit by the City. Easements shall be provided on the final plat for this system where needed.
12. A copy of the preliminary plat shall be supplied to the Post Office and all locations of future mailbox clusters approved prior to final platting.

Design Standards:

13. Public improvement design shall follow the following general format:
 - A. All materials and workmanship shall be in conformance with the latest revision of the City of Richland Standard Specifications and Details and the current edition of the State of Washington Standard Specifications for Road, Bridge, and Municipal Construction. Please confirm that you have the latest set of standard specs and details by visiting the City's web page.
 - B. Sanitary sewer shall be aligned on the north and west side of street centerlines.
 - C. Storm sewer shall be aligned on the south and east side of street centerlines.
 - D. Any sewer or storm manholes that are installed outside of public Right of Way shall have an acceptable 12-foot wide gravel access road (minimum) provided from a public street for maintenance vehicles.

Exhibit B

- E. 10-foot horizontal spacing shall be maintained between domestic water and sanitary sewer mainlines and service lines.
 - F. Water lines shall be aligned on the south and east side of street centerlines.
 - G. Watermains larger than 8-inches in diameter shall be ductile iron.
 - H. Watermains installed outside of the City Right of Way or in very rocky native material, shall be ductile iron and may need restrained joints.
 - I. Fire hydrant location shall be reviewed and approved by the City Fire Marshal.
 - J. Sewer mains over 15-feet deep shall be constructed out of SDR26 PVC or C900 PVC. The entire main from manhole to manhole shall be the same material. Private sewer service lines over 15-feet deep shall also be constructed of the same material, then transition to regular sewer piping above 15-feet.
 - K. Water valves and manholes installed on private property shall be placed so as to avoid parked cars whenever feasible.
 - L. All utilities shall be extended to the adjacent property (properties) at the time of construction.
 - M. The minimum centerline finish grade shall be no less than 0.30 % and the maximum centerline finish grade shall be no more than 10.0 % for local streets.
 - N. The minimum centerline radius for local streets shall be 100-feet.
 - O. A overall, composite utility plan shall be included in the submitted plan set if the project is phased. This comprehensive utility plan benefits all departments and maintenance groups involved in the review and inspection of the project.
 - P. A detailed grading plan shall be included in the submitted plan set.
 - Q. For public utilities not located within public street rights-of-way the applicant shall provide maintenance access acceptable to the City and the applicant shall provide an exclusive 10-foot wide public utility easement (minimum) to be conveyed to the City of Richland.
 - R. Final design of the public improvements shall be approved at the time of the City's issuance of a Right-of-way Construction Permit for the proposed construction.
 - S. All public improvements shall comply with the State of Washington and City of Richland requirements, standards and codes.
 - T. All cul-de-sacs shall have a minimum radius of 45-feet to the face of curb to allow for adequate turning radius of fire trucks and solid waste collection vehicles.
 - U. Curb returns at minor intersections shall have a minimum radius of 25-feet. Curb returns at major intersections should have minimum radius of 30-feet but should be evaluated on a case by case basis.
 - V. All public streets shall meet design requirements for sight distance (horizontal, vertical and intersectional).
 - W. The final engineered construction plans shall identify locations for irrigation system, street lighting, gas service, power lines, telephone lines, cable television lines, street trees and mail boxes. All electrical appurtenances such as transformers, vaults, conduit routes, and street lights (including their circuit) need to be shown in the plan view.
 - X. Construction plans shall provide or reference all standard drawings or special details that will be necessary to construct all public improvements which will be owned, operated, maintained by the City or used by the general public (Commercial Driveway, Curb, Gutter, Sidewalk, Water, Sewer, Storm, Street and Street lighting etc.).
 - Y. The contractor shall be responsible for any and all public infrastructure construction deficiencies for a period of one year from the date of the letter of acceptance by the City of Richland.
14. If the project will be built in phases the applicant shall submit a master plan for the sanitary sewer, domestic water, storm drainage, electrical, street lighting and irrigation system for the entire project prior to submitting plans for the first phase to assure constructability of the entire project. This includes the location and size of any storm retention ponds that may be required to handle runoff.

Exhibit B

15. If the City Fire Marshal requires a secondary emergency vehicle access, it shall be included in the construction plan set and be designed to the following standards:
- A. 2-inches compacted gravel, minimum (temp. SEVA only).
 - B. 2% cross-slope, maximum.
 - C. 5% slope, maximum. Any access road steeper than 5% shall be paved or be approved by the Fire Marshal.
 - D. Be 20-feet in width.
 - E. Have radii that are accommodating with those needed for City Fire apparatus.

Secondary emergency vehicles accesses (SEVA's) shall be 20-feet wide, as noted. Longer secondary accesses can be built to 12-feet wide with the approval of the City of Richland Fire Marshal, however turn-outs are required at a spacing acceptable to the Fire Dept. Temporary SEVA's shall be constructed with 2-inches of compacted gravel, at a minimum. Permanent SEVA's shall be paved with 2-inches of asphalt over 4-inches of gravel, at a minimum.

16. SURVEY MONUMENT DESTRUCTION:

All permanent survey monuments existing on the project site shall be protected. If any monuments are destroyed by the proposed construction, the applicant shall retain a professional land surveyor to replace the monuments and file a copy of the record survey with the City.

- A. No survey monument shall be removed or destroyed (*the physical disturbance or covering of a monument such that the survey point is no longer visible or readily accessible*) before a permit is obtained from the Department of Natural Resources (DNR). WAC 332-120-030(2) states "It shall be the responsibility of the governmental agency or others performing construction work or other activity (including road or street resurfacing projects) to adequately search the records and the physical area of the proposed construction work or other activity for the purpose of locating and referencing any known or existing survey monuments." (RCW 58.09.130).
- B. Any person, corporation, association, department, or subdivision of the state, county or municipality responsible for an activity that may cause a survey monument to be removed or destroyed shall be responsible for ensuring that the original survey point is perpetuated. (WAC 332-120-030(2)).
- C. Survey monuments are those monuments marking local control points, geodetic control points, and land boundary survey corners. (WAC 332-120-030(3)).

When a monument must be removed during an activity that might disturb or destroy it, a licensed Engineer or Land Surveyor must complete, sign, seal and file a permit with the DNR.

It shall be the responsibility of the designing Engineer to identify the affected monuments on the project plans and include a construction note directing them to the DNR permit.

Traffic & Streets:

17. The original proposed private driveway ("Tract A") out to Gala Way would allow from 10-13 lots to eventually use that private driveway intersection onto Gala Way as their sole access. This would essentially create an undesirable third street intersection on a short block that is also adjacent to an elementary school. Penny Lane shall therefore be extended into the proposed preliminary plat and terminate in a standard cul-de-sac. This Penny Lane extension could either be a City standard public right-of-way or a privately owned & maintained roadway. If Penny Lane is extended as a public right-of-way, it could be the City standard single-frontage roadway (a 27-foot wide street in a 40-foot ROW which allows for parking on one side). A private roadway 27-feet wide would allow for parking on one side.

Exhibit B

18. Tract A may only be utilized as a driveway serving Lot 8.
19. The access easement for the existing home to the west shall be regraded and maintained as a driveway onto the Penny Lane extension.
20. The "Cobb Hill" preliminary plat lies within the boundary of the South Richland Collector Street Financing Plan (RMC 12.03). This plat shall therefore be subject to the fees administered by the finance plan for any phase submitted for approval. Since this property is included within the Financing Plan, it is exempt from the SEPA-related traffic study requirement (TIA).
21. The vision-clearance triangle needs to be shown on all corner lots on both the construction plans and the final plat document, in accordance with RMC Chapter 12.11.020. If the intersection is in a curve, it will have to be evaluated per AASHTO guidelines. This information may need to be designed by the engineer of record and supplied to the surveyor of record for inclusion into the final plat document.
22. All proposed public Right of Ways that are narrower than 54-feet shall have parking restricted, as per City standards. Street signs indicating restricted parking shall be installed prior to final platting at the developers expense. The restricted parking areas shall be indicated on the construction plans and the final plat.
23. Any private roadways narrower than 34-feet shall have parking restricted on one side, and any roads 27-feet or narrower shall have parking restricted on both sides. Street signs indicating restricted parking shall be installed prior to final platting at the developers expense.
24. All private roads shall be constructed to provide for adequate fire truck & solid waste collection truck access & turnaround movements.
25. Sidewalks shall be installed along all public Right of Way frontages that building lots do not front on during construction of those phases (e.g., storm drainage ponds, parks, etc.).
26. If the project is to be constructed in phases, all dead-end streets longer than 150-feet that will be continued later need to have temporary turn-arounds built at the end of them. The radius of these turn-arounds shall be 45-feet minimum, and shall be constructed of 2-inches of compacted top course gravel for slopes less than 5%, or of 2-inches of asphalt atop 2-inches of gravel for slopes greater than 5%. If the temporary turn around is not located within the final plat an easement with a 50-foot radius will be required.

Domestic Water:

27. The proposed preliminary plat is located within the Tapteal 2 water pressure zone. The closest Tapteal 2 water main is located in Jordan Lane to the North, Penny Lane to the South, Molly Marie Ave. to the West and Gala Way to the East. The water main stubs in Jordan Lane and Penny Lane shall be connected to each other as part of the construction of this project. Looping of these two water main stubs together will provide redundancy, improve fire flows and also prevent stagnation.
28. A 10-foot wide exclusive water easement shall be provided over the watermain where it is outside of the public Right of Way.
29. The developer will be required to demonstrate that all phases are capable of delivering adequate fire flows prior to construction plans being accepted for review. This may require looping of the watermain from off-site locations, or oversizing of the main where needed.

Exhibit B

30. The fire hydrant layout shall be approved by the City Fire Marshal.

Sanitary Sewer:

31. The closest sanitary sewer available for this development is located in Jordan Lane to the north. It shall be the responsibility of the developer to extend a sewer main to this property to serve sanitary sewer at the time of plat construction.
32. A 10-foot wide exclusive sanitary sewer easement shall be provided for any sewer main that is outside of the public Right-of-Way. Wider easements are required for mains that are buried deeper than 10-feet. If any manholes are located outside of the public Right-of-Way, maintenance truck access to said structure may be required.
33. Sanitary sewer shall be extended to the adjoining properties adjacent to the plat.

Storm Water:

34. This project may require coverage under the Washington State General NPDES Permit for Construction projects. The Developer shall be responsible for compliance with the permit conditions. The City has adopted revised standards affecting the construction of new stormwater facilities in order to comply with conditions of its NPDES General Stormwater Permit program. This project, and each phase thereof, shall comply with the requirements of the City's stormwater program in place at the time each phase is engineered. The project will require detailed erosion control plans.
35. All storm drainage systems shall be designed following the core elements defined in the latest edition of the Stormwater Management Manual for Eastern Washington. The Hydrologic Analysis and Design shall be completed based on the following criteria: Washington, Region 2, Benton County; SCS Type 1A – 24 Hour storm for storm volume. The applicant's design shall provide runoff protection to downstream property owners.
36. The flow-rate of the public storm drainage system shall be designed using the 2-Year, 3-Hour short duration Eastern Washington storm for pipe and inlet sizing using SCS or Santa Barbara method; no modifying or adding time of concentration; no surcharge allowed. Calculations shall be stamped by a registered professional engineer and shall include a profile of the system showing the hydraulic grade line. The calculations should include a 50-foot wide strip behind each right of way line to represent drainage from private property into the City system. Of that area, 50% shall be considered pervious and 50% impervious. Calculations shall include a profile for the design showing the hydraulic grade line for the system. Passing the storm downhill to an existing system will require a downstream storm system capable of accepting the water without being overwhelmed.
37. All construction projects that don't meet the exemption requirements outlined in Richland Municipal Code, Section 16.06 shall comply with the requirements of the Washington State Department of Ecology issued Eastern Washington NPDES Phase II Municipal Stormwater Permit. All construction activities subject to this title shall be required to comply with the standards and requirements set forth in the Stormwater Management Manual for Eastern Washington (SWMMEW) and prepare a Stormwater Site Plan. In addition a Stormwater Pollution Prevention Plan (SWPPP) or submission of a completed erosivity waiver certification is required at the time of plan submittal.

Exhibit B

38. If any existing storm drainage or ground water seepage drains onto the proposed site, said storm drainage shall be considered an existing condition, and it shall be the responsibility of the property developer to design a system to contain or treat and release the off-site storm drainage.
39. Prior to or concurrent with the submittal of the first phase the developer shall provide a Geotechnical report including the percolation rate of the soils in the area of any storm retention ponds. If the project constructs a storm retention pond then the engineer will need to demonstrate that the pond will drain itself within 24 hours after the end of a storm event, and not have standing water in it longer than that. Engineering solutions are available for retention ponds that do not perk within 24 hours.
40. As per RMC chapter 24.20.070 and the City of Richland's Comprehensive Stormwater Management Plan, the storm drainage system installed as part of this plat may need to be oversized in order to handle the additional flow from future developments in the vicinity.
41. Stormwater collection pipes shall be extended to the adjoining properties adjacent to the plat.
42. If the storm drain pond slopes are greater than 25% or deeper than 4-feet, then a 6-foot fence will be required around the perimeter of the pond with a minimum 12-foot wide gate for maintenance vehicles. A maintenance road from the public Right of Way to the bottom of the pond is also needed (2-inches of compacted gravel, minimum). The City's maintenance of the pond in the future will consist of trimming weeds to maintain compliance with fire and nuisance codes, and maintaining the pond for functionality.
43. The developer shall be responsible for landscaping the storm pond and for its maintenance through the one-year infrastructure warranty period. At a minimum the landscaping plan should be consistent with the City's intended maintenance standard as described above. If the developer wishes for the pond to be landscaped and visually appealing, then the homeowners association should be considered for maintenance responsibilities. This will require an irrigation meter and sprinkler system (including a power source), and responsibility for maintaining the landscaping.
44. The developer of record shall maintain the public storm drainage system for one year from the date of final acceptance by The City of Richland (as determined by the issuance of the "Letter of Final Acceptance"). Said developer shall also thoroughly clean the entire system, including structures, pipelines and basins prior to the City warranty inspection, conducted 11 months after the Letter of Final Acceptance.

Final Platting / Project Acceptance Requirements:

45. When the construction is substantially complete a paper set of "record drawings" shall be prepared by a licensed surveyor and include all changes and deviations. Please reference the Public Works document "RECORD DRAWING REQUIREMENTS & PROCEDURES" for a complete description of the record drawing process. After approval by the City of the paper copy, a mylar copy of the record drawings shall be submitted along with a CAD copy of them. The electronic as-built record drawings shall be submitted in a AutoCAD format compatible with the City's standard CAD software. All final punchlist items shall be completed or financially guaranteed prior to recording of the final plat.
46. Public utility infrastructure located on private property will require recording of a City standard form easement prior to acceptance of the infrastructure and release of a certificate of occupancy. The City requires preparation of the easement legal description by the developer two weeks prior to the scheduled date of final acceptance. Off-site ("third party") easements for City infrastructure are the responsibility of the developer to obtain. Once received, the City will prepare the easement

Exhibit B

document and provide it to the developer. The developer shall record the easement at the Benton County Assessor and return a recorded original document to the City prior to application for final occupancy.

47. Any off-site easements or permits necessary for this project shall be obtained and secured by the applicant and supplied to the City at the time of plat construction and prior to final plat acceptance by the City.
48. Ten-foot wide public utility easements will be required on the final plat along both sides of all Right-of-Ways within the proposed plat.
49. The vision-clearance triangle needs to be shown on all corner lots on the final plat document, in accordance with RMC Chapter 12.11.020. If the intersection is in a curve, it will have to be evaluated per AASHTO guidelines. This information may need to be designed by the engineer of record and supplied to the surveyor of record for inclusion into the final plat document.
50. The final plat shall include notes identifying all common areas including the private streets and tracts and acknowledging the ownership and maintenance responsibility by the homeowners association. A note shall be added to the face of the final plat that states: *"The private roads are for the use and benefit of the homeowners that abut said roads, and are to be maintained by said owners. The City of Richland accepts no maintenance responsibility for said roads"*.
51. A note shall be added to the face of the plat that states: *"The private drives within this plat are fire lanes and parking is restricted. The required no-parking signs shall be installed by the developer where applicable."* Any private roads narrower than 34-feet shall have parking restricted on one side, and any roads 27-feet or narrower shall have parking restricted on both sides. Street signs indicating restricted parking shall be installed prior to final platting at the developers expense. The restricted parking areas shall be indicated on the final plats.
52. The intended use and ownership of all tracts within the plat shall be noted on the final plat.
53. Property with an unpaid L.I.D. assessment towards it must be paid in full or segregated per Richland Municipal Code 3.12.095.
54. Any restricted parking areas shall be indicated on the final plats.



Exhibit C to Resolution No. 111-18

**BEFORE THE HEARING EXAMINER
FOR THE
CITY OF RICHLAND**

**RECOMMENDATION OF APPROVAL
RE: APPLICATION FOR THE PRELIMINARY PLAT OF COBB HILL**

FILE NUMBER: S2018-100

APPLICANT: CHERESE ANDERSON

APPLICATION: TO SUBDIVIDE 5.7 ACRES INTO 8 SINGLE FAMILY RESIDENTIAL LOTS

SITE DESCRIPTION: ALMOST 6 ACRE SITE, WITH A LARGE HOME IN THE SOUTHWEST PORTION OF THE PARCEL, WEST OF GALA WAY, NOW ADDRESSED AS 1611 GALA WAY, ROUGHLY SHAPED LIKE A TRIANGLE, BETWEEN THE BACKYARDS OF HOMES ABUTTING JORDAN LANE TO THE NORTHEAST, BACKYARDS OF HOMES ABUTTING MANCHESTER STREET TO THE SOUTH, AND A LARGE PARCEL TO THE WEST/NORTHWEST WITH A SINGLE HOME ON THE SITE. THE PROPOSED PLAT WILL BE SERVED BY AN EXTENSION OF PENNY LANE FROM THE SOUTH AND MODIFY AN EXISTING PAVED ROADWAY THAT INTERSECTS WITH GALA WAY INTO A DRIVEWAY THAT ONLY SERVES PROPOSED LOT NO. 8, THUS ELIMINATING AN UNDESIRABLE THIRD STREET INTERSECTION ALONG GALA ON A SHORT BLOCK THAT IS ADJACENT TO AN ELEMENTARY SCHOOL.

PARCEL NUMBER: BENTON COUNTY ASSESSOR PARCEL NO. 127984000001012

REVIEW PROCESS: TYPE III, PRELIMINARY PLAT,
HEARING EXAMINER RECOMMENDATION TO CITY COUNCIL

RECOMMENDATION: *APPROVAL – SUBJECT TO CONDITIONS.*

DATE: JUNE 25, 2018

I. CONTENTS OF RECORD.

Exhibits: Staff Report. City of Richland Development Services Division Staff Report and recommendation of approval, subject to conditions, to the Hearing Examiner regarding “Cobb Hill” Preliminary Plat, File No. S2018-100, dated May 3, 2018;

1. Application;
2. Preliminary Plat site plan;
3. Public Notice and affidavits confirming same;
4. SEPA Environmental Checklist, signed by the applicant’s engineer on February 26, 2018;
5. SEPA Determination of Non-Significance (DNS);
6. Agency comments;
7. Public comments, including item 7a, from Ms. Kaspar, re: KID system incidents impacting Jordan Lane residents;
8. Technical Advisory Committee Report, dated March 5, 2018;
9. Site Photos;
10. Copy of the Plat of Badger Mountain Village Phase 2B;
11. Short memo, submitted by Kerwin Jensen at hearing, noting 3 conditions of approval, including grading permit and geotech report and potential geo-technical requirements for footings and site slopes;
12. Jorgenson (neighbor to west) access issue documents, Auditor File #93-11963 (referenced by applicant’s engineer during the hearing, researched and provided by Mr. O’Neill after the hearing), and Auditor File #94-20319 (researched and provided by Mr. O’Neill after the hearing); and
13. Geotechnical Report from applicant’s engineer, dated September 21, 2017.

*Exhibits 12 and 13 were forwarded after the hearing, as requested at the public hearing, received by the Examiner on May 9th. The applicant’s representative submitted the records, and/or had no comment to add after Staff provided an opportunity to do so.

Testimony/Comments: The following persons were sworn and provided testimony under oath at the open-record hearing:

1. Shane O’Neill, Senior Planner and Interim Planning Administrator for the City of Richland;
2. Kerwin Jensen, Community Development Director for the City of Richland;
3. Eric Ferguson, P.E., Applicant’s civil engineer and hearing representative;
4. Marjorie Kaspar, local resident, lives downhill from the proposed development site, submitted item 7a at the hearing, re: KID irrigation system failures, flooding caused by KID accidents in vicinity, soil problems;

5. Bruce Jorgenson, owner of large parcel and home to the west of the proposed plat;
6. Julie West, P.E. Transportation & Development Manager; and
7. Sharon Scully, local resident, lives at 521 Jordon, one of lowest elevation lots abutting proposed plat, expressed concerns about drainage, particularly as it might affect properties along the lowest points below the proposed development area.

II. ISSUES PRESENTED.

1. Whether substantial evidence demonstrates that the applicant has met her burden of proof to satisfy the criteria for preliminary plat approval?

Short Answer: Yes, subject to appropriate conditions of approval, including a supplemental geotechnical report to be used in connection with engineering and grading permit reviews, and development in compliance with applicable city regulations, generally requiring the Penny Lane extension to be a new internal public street meeting city requirements for curb, gutter and sidewalk.

III. FINDINGS OF FACT.

1. Any statements in previous or following sections of this document that are deemed findings of fact are hereby adopted as such and incorporated by this reference.
2. Cherese Anderson, the owner of the parcel at issue, submitted the underlying application to subdivide her 5.7-acre property on or about January 30, 2018. (*Exhibit 1, Preliminary Plat Application cover page; Staff Report, page 6*).
3. The Staff Report explains that the proposed subdivision would divide about 5.7 acres into a development site with 8 single family residential lots known as the Cobb Hill Preliminary Plat, which will be served by City utilities.
4. There is no credible dispute that the current proposal would not comply with current city codes and policies, in that the preliminary design seeks to utilize a private internal street that will terminate at a cul-de-sac situated in the proposed plat, all without sidewalks and other improvements normally required in new subdivisions and short plats. The Examiner raised his issue at the public hearing, and staff and the applicant's engineer generally acknowledged that there is ample room on the parcel to modify the design prior to final plat approval, to include sidewalks on the side of the road serving new homes in the plat.
5. The Staff Report and application materials show the total plat acreage is about 5.7 acres. There is no dispute that the proposed plat, proposing a net density of about 1.4 units per acre, is well within applicable density limits for the property, which is zoned (Single Family, Low-Density Residential) R-1-10. The average lot size would be over 30,000 sq.ft. (43,560sq.ft. = 1

acre). Clearly, there is ample room in the plat to redesign the layout so that it will comply with applicable city codes. (*Staff Report, page 12; and Exhibit 2, Preliminary Plat Site Plan*).

SEPA Compliance.

6. *Exhibit 5* is the SEPA DNS issued for the application. (*Staff Report, pages 7 and 8, re: SEPA discussion; Ex. 5*). No one appealed the DNS, though there were questions about whether it should have been issued. Because it was not appealed, it stands as issued. Modifications required as part of recommended conditions of approval will only serve to reduce potential impacts by mandating compliance with existing city development regulations, meaning there is no basis or need to revise or update the DNS issued for his application.

Public Hearing.

7. The open-record public hearing for the application was first noticed and scheduled to occur on March 12, 2018. On that evening, the matter was continued to a future agenda, because the applicant needed additional time to revise the plat design based on comments from Public Works staff. The applicant was prepared to go forward on the May 3rd hearing agenda, at which time the undersigned Examiner conducted an open-record pre-decision public hearing for the application, and all persons wishing to provide comments were heard, providing testimony under oath. City staff, Applicant representatives and interested citizens appeared at the hearing or submitted written comments regarding the proposed plat. The Examiner visited the site of the proposed project and public roads leading to and from the vicinity of the proposed plat, on the day of the hearing, and on previous occasions as part of other project reviews in the vicinity. The Examiner held the record open until mid-May to provide Staff and the applicant time to submit items requested at the hearing. Those items are included as Exhibits 12 and 13.

8. Mr. O'Neill noted that most public comments expressed concerns about drainage from the new plat, as the site slopes quite a bit from higher elevations where new homes will be constructed, down to neighboring lots that already have homes built on them, abutting Jordan Lane. Responding to the Examiner's question, he confirmed that the project site has ample space available for sidewalks along the proposed new internal street that will serve the new lots, i.e. the extension of Penny Lane, from the south. Finally, he directed attention to proposed condition of approval number 35, which addresses stormwater issues, and expressly mandates that "applicant's design shall provide runoff protection to downstream property owners." *Exhibit 8, TAC Report, at page 6, recommended Stormwater conditions*. Mr. Jensen offered a short memo from staff, focusing on 3 conditions that will apply as the project moves forward, including 'addressing' requirements and, of particular interest to most people who commented on the pending application, a condition that a grading permit will be required as part of plat development activities, and that a geotech report and potential geo-technical requirements for footings and site slopes may apply.

9. Eric Ferguson, P.E., with JUB Engineers, Inc., appeared at the hearing as the applicant's designated representative. Mr. Ferguson expressed support for the Staff Report's

recommendations, and noted that the existing paved drive leading from Gala into the existing parcel (Tract A) will be modified as part of plat development to serve as a private drive for Lot 8, hopefully eliminating concerns from Public Works staff that it could become an undesirable third intersection used by new lots in the plat along the short block between Jordan and Manchester that is also adjacent to the existing Orchard Elementary School. (*See Transportation comments in Staff Report, at page 7; Ex. 8, TAC Report, at page 4, item 17*).

10. Marjorie Kaspar, a local resident and licensed landscape architect in Washington, Oregon and California, who lives downhill from the proposed plat, testified at the hearing and expressed her concerns with ongoing drainage problems for homes along Jordan Lane, accidents/failures in the Kennewick Irrigation District lines that run in the area (which have caused local flooding), and requested conditions intended to protect an “existing unreinforced concrete wall constructed by Hayden Homes with 6’ – 12’ of Jordan property, typically, behind [such] wall.” *Ex. 7a, presented by Ms. Kaspar at the hearing*. Ms. Kaspar testified that the area has experienced two breaks in the KID lines just this year, which broke six times last year. Ms. Scully lives along Jordan Lane, and concurred with Ms. Kaspar’s drainage and retaining wall concerns, particularly for properties at the lowest-end of the down-sloping parcel addressed in this plat application. Mr. Jorgenson, who owns the parcel to the west of the proposed plat, objected to the application, and expressed his concern that changes in his access might make it difficult for large vehicles to turn into his property using the new Penny Lane extension.

11. In response to public comments, Julie West, P.E., Transportation and Development Manager for the City, testified that the Penny Lane extension has been designed (and will be subject to review and approval at final engineering phase) with adequate space for large trucks and vehicles to maneuver/turn in and out of the access point leading to Mr. Jorgenson’s property. Mr. Ferguson explained that the plat development activities will include a restriction on the use of heavy equipment near the retaining wall on Jordan Lane properties, located downhill from where most site-development work will occur.

No Deviation Request, so proposed plat must comply with city codes.

12. Although the applicant’s proposed design omits sidewalks on the extension of Penny Lane, an existing street located to the south of the Cobb Hill plat that includes sidewalks, as required by city codes, the pending application does not include any application for a deviation from standard city design standards, as set forth in RMC 24.24.040. On this basis alone, the proposed plat design must be revised to conform with city codes. Without a formal Deviation request, neither staff or the Examiner has authority to recommend approval of any plat that does not comply with otherwise applicable development regulations for proposed new subdivisions.

13. Further, the Examiner takes official notice of previous sworn testimony in connection with other plat applications in the city by the City’s Public Works Director regarding the increased demand for pedestrian facilities presented by new residential developments, similar to the pending plat application. He explained that professional engineering studies show how pedestrians are typically willing to walk up to a ½ mile. The Examiner notes that Washington’s subdivision statute expressly mandates “*sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school...*” RCW 58.17.110(2). The

Richland Municipal Code includes language consistent with the state statute, at RMC 24.12.053, where it explains, among other things, that: *“The hearing examiner shall not recommend approval of any preliminary plat application, unless the approval is accompanied by written findings that: A. The preliminary plat conforms to the requirements of this title; and B. Appropriate provisions are made for the public health, safety and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school.”* All of these considerations fully support the need for sidewalks along the extension of Penny Lane where it will abut proposed new homes.

14. The applicant offered no credible or compelling evidence that would justify a proposed plat design that ignores standard city subdivision requirements for new public internal streets with curbs, gutters, sidewalks and the like. *See RMC 24.16.020, captioned “Streets – Relation to adjoining street systems,”* which reads *“The layout of streets shall provide for the continuation of principal streets existing in adjoining subdivisions or of their proper projection when adjoining property is not subdivided. The layout shall also provide for future projection of streets into areas which presently are not subdivided.”* Penny Lane already exists to the immediate south of the proposed Cobb Hill plat as a public street, with sidewalks, and its logical extension will extend into the new plat and serve new homes on newly created lots.

15. The City’s Comprehensive Plan includes strategies to encourage future pedestrian projects, including “Coordination of land use approval process[es] to provide sidewalks and links to existing sidewalks” and Transportation Element Goal 6, which includes the following policy statements: “Policy 3 - The City will encourage sidewalks, improved shoulders, or off-street trails within new developments to accommodate internal circulation;” and “Policy 4 - The City will encourage new development to be pedestrian friendly[.]”

16. Special conditions and circumstances ***do not exist*** which are peculiar to the land involved and which are not applicable to other lands in the same area. Instead, all properties that are located within the City of Richland are normally required to install curbs, gutters and sidewalks on new streets when they are part of a new residential subdivision or project. *See RMC 12.10.035.*

17. The City’s sidewalk requirements do not deprive the applicant of any rights and a deviation from such requirements is not necessary for the reasonable and acceptable development of the property. An 8-lot subdivision with a complete curb, gutter and sidewalk design is fully consistent with city regulations, development patterns throughout the city for new subdivisions, and the market for many new homes throughout the tri-cities area. (See City Subdivision and Development Regulations, Comprehensive Plan Policies, all designed to protect and promote the public health, safety and welfare; Site Visits throughout the project area, the City of Richland, and the design of Penny Lane, which will extend into the new plat).

18. If conditioned to require sidewalks, the proposed plat will be consistent with the intent and purpose of the comprehensive plan and Title 24 RMC (the City’s subdivision and platting

requirements), including without limitation those that are intended to “ensure that public health and safety are adequately provided”. As the Public Works Director explained under oath at a recent the public hearing for another plat application, the absence of sidewalks does not provide for the same degree of pedestrian safety as a route that does provide sidewalks. Even with anticipated low traffic volumes in the new plat, the Examiner finds that the proposed plat design, with no trails or open spaces, and no sidewalks, would nullify City of Richland codes and policies that expressly encourage sidewalks, improved shoulders, or off-street trails within new developments to accommodate internal circulation. Sidewalks are even more critical in the proposed subdivision, which is located very near Orchard Elementary School, making the new homes highly desirable to families with children who might attend the school and walk to and from the school and surrounding play areas.

Concerns about drainage and KID system failures.

19. Public comments about problems caused by recurring breaks in KID-irrigation lines running on or near the parcel addressed in this plat application were not rebutted, and should be taken very seriously by KID officials and city staff moving forward. If the irrigation district needs to undertake some extensive repair or replacement work to correct the ongoing problems with lines that appear to keep failing, it may be wise to coordinate such work with any grading or site-development work associated with the plat, so as to minimize inconvenience or impacts on neighboring properties, like those along Jordan Lane.

20. The Examiner and City Council are without legal authority to impose a condition on the applicant that would require the applicant to bear the full cost of correcting alleged existing deficiencies with soils and/or the retaining wall structure running in the backyards of homes on Jordan Lane. The applicant can only be required to pay costs roughly proportional to impacts generated by her project and KID should pay to correct any problems of its own creation or neglect. In any event, the proposed plat should be conditioned to mandate a supplement to the geotechnical report that focuses on protective measures/construction limitations/setbacks or similar conditions warranted to protect neighboring properties from potential adverse impacts caused by allegedly poor soils or poorly compacted materials and/or stormwater drainage coming from the new Cobb Hill plat or construction activities associated with same. The report may take into account the final stormwater system design for the project, which is required to provide full on-site treatment and detention, consistent with city development standards. *Staff Report, page 9.*

As conditioned, the proposed plat complies with city development regulations.

21. If conditioned as noted above and designed to comply with city development regulations, the new plat will achieve consistency with the Comprehensive Plan. RMC 24.04.020 explains that the purpose of the City’s platting and subdivision codes is “*in furtherance of the comprehensive plan of the city*” and that such regulations contained in the city’s platting and subdivision codes “*are necessary for the protection and preservation of the public health, safety, morals and the general welfare, and are designed, among other things, to encourage the most appropriate use of land throughout the municipality; to lessen traffic congestion and accidents; to secure safety from fire; to provide adequate light and air; to prevent overcrowding of land; to*

avoid undue concentration of population; to promote the coordinated development of unbuilt areas; to secure an appropriate allotment of land area in new developments for all the requirements of community life; to conserve and restore natural beauty and other natural resources; and to facilitate the adequate provision of transportation, water, sewerage and other public uses and requirements.” The effect of this provision boils down to this: compliance with the City’s Comprehensive Plan can be established, or at least partially established, through compliance with the city’s platting and subdivision regulations found in Title 24 of the Richland Municipal Code.

22. In this matter, substantial evidence in the record clearly establishes that the proposed plat can easily be conditioned to include sidewalks and other improvements that are normally required by applicable city codes and policies.

23. Based on all evidence, exhibits and testimony in the record, the undersigned Examiner specifically finds that the proposed plat application, if conditioned and modified to include the Penny Lane extension into the plat as an internal public street with curbs, gutters and sidewalks, as normally required by applicable city development regulations, should be approved.

24. Without curbs, gutters and sidewalks, the proposed plat would fail to make provisions for the considerations detailed in applicable law, including without limitation RMC 24.12.050, .053 and 19.60.095.

Proposed plat will provide public benefits.

25. The applicant’s submittals established that some aspects of the new subdivision will provide a public benefit, including without limitation, new housing inventory and options fulfilling the city’s goals and policies set forth in the Comprehensive Plan, construction of a new road extension with sidewalks to serve the new plat and promote connectivity and pedestrian safety, and other features that will serve to promote health benefits of a walkable, connected and pedestrian-friendly community.

Substantial evidence demonstrates the proposed project, as conditioned, satisfies approval criteria.

26. The record contains substantial evidence to demonstrate that, as conditioned, the proposed plat makes appropriate provisions for:

- A. The public health, safety, and general welfare: *See Staff Report; all Findings; Exhibits 2 and 8.*
- B. Open Spaces: *Staff Report, page 9, describing parks and fields within a mile of the new plat; See discussion in item H.*
- C. Drainage Ways: the project will be consistent with all applicable standards for stormwater system design, including without limitation the Department of Ecology Stormwater Management Manual for Eastern Washington. *Staff Report,*

page 9; Ex. 8, TAC Report, pages 6 – 7, recommended Storm Water conditions, numbered 34-44.

- D. Streets or roads, alleys, other public ways: the proposed plat has been reviewed by the City for compliance with applicable street system design requirements, and if conditioned to comply with city codes by building the Penny Lane extension as a city right of way with sidewalks and other standard features, can be deemed consistent with all applicable city standards for city roads, streets, driveways, access, circulation, transportation concurrency and the like. *Staff Report; Exhibit 2, site plans; Exhibits 8, Technical Advisory Committee report and proposed conditions, particularly pages 4 and 5.*
- E. Transit stops: To the extent transit stops are or may be located nearby to serve residents of the proposed plat, or Richland residents generally, the subdivision design, access and internal circulation patterns, as conditioned, are appropriate to allow for pedestrians and vehicles to access arterials and other routes that could direct users to existing or future transit stops and facilities. The proposed plat is within the Ben Franklin Transit service area, and BFT Bus Route No. 123 runs along Keene Road, which is approximately ½ mile from the new plat. The transit agency did not provide any comments or feedback for consideration as part of the record in this matter. *Staff Report, page 9.*
- F. Potable water supplies: The new subdivision will receive its domestic water supply from the City of Richland. *Ex. 4, SEPA Checklist, page 10, re: Utilities. Ex. 8, TAC Report, pages 5, 6, recommended Domestic Water conditions 27-30.*
- G. Sanitary system: The City's sewer system will serve the proposed plat. *Ex. 4, SEPA Checklist, page 10, re: Utilities; Staff Report, at page 7; Ex. 8, TAC Report, page 6, recommended Sanitary Sewer conditions 31-33.*
- H. Parks and recreation, playgrounds, schools: The Staff Report explains that the proposed new plat is within ½ mile of the 41.5 acre Badger Mountain Park. Orchard Elementary School is located directly east of the proposed plat, across Gala.
- I. Planning features to assure safe walking conditions for students: As conditioned, the proposed plat will include sidewalks along Penny Lane where it abuts new lots, which will appropriately provide safe walking routes and conditions for school children.

27. Except as modified in this Recommendation, all Findings, and statements of fact contained in the Staff Report and TAC Report, are incorporated herein by reference as Findings of the undersigned hearing examiner,¹ specifically noting that comments favoring private streets

¹ For purposes of brevity, only certain Findings from the Department's Recommendation are highlighted for discussion in this Recommendation, and others are summarized, but any mention or omission of particular findings should not be viewed to diminish their full meaning and effect, except as modified herein.

and no public dedications as part of this application are contrary to city codes and are not in the public interest.

28. Based on all evidence, exhibits and testimony in the record, the undersigned Examiner specifically finds that the proposed plat, as conditioned below, makes appropriate provisions for the considerations detailed in applicable law, including without limitation RMC 24.12.050, .053, and 19.60.095, and that the public use and interest will be served by the proposed plat and associated dedications and improvements.

IV. CONCLUSIONS OF LAW.

1. Under applicable provisions of the Richland Municipal Code (RMC), a preliminary plat² application is first subject to review and approval by city staff with respect to the engineering elements of said plat, then the Hearing Examiner is responsible for conducting an open record public hearing followed by a recommendation to the City Council. A preliminary plat application is a Type III procedure. RMC 19.20.010(C)(1).

2. As explained in RMC 24.12.050(A), the hearing examiner shall consider any preliminary plat application and shall conduct an open record public hearing in accordance with Chapter 19.60 RMC. After the public hearing and review of materials in the record, the hearing examiner shall determine whether the preliminary plat is in accordance with the comprehensive plan and other applicable code requirements and shall either make a recommendation for approval or disapproval to the city council.

3. The same provision of the city's code (RMC 24.12.050) provides that any recommendation for approval of the preliminary plat shall not be given by the hearing examiner without the prior review and approval of the city manager or her designee with respect to the engineering elements of said plat including the following:

1. Adequacy of proposed street, alley, right-of-way, easement, lighting, fire protection, drainage, and utility provisions;

2. Adequacy and accuracy of land survey data;

3. The submittal by the applicant of a plan for the construction of a system of street lights within the area proposed for platting, including a timetable for installation; provided, that in no event shall such a plan be approved that provides for the dedication of such a system of lighting to the city later than the occupancy of any of the dwellings within the subdivision.

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² In this Recommendation and exhibits included in the Record, preliminary plat and preliminary subdivision mean the same thing, and use of one term should be read to apply to the other to the extent anyone views the terms to have distinct meanings, which for the purposes of this Recommendation, they do not.

Approval Criteria for Preliminary Plat Application.

4. The City's decision criteria for preliminary plat approval are substantially similar to state subdivision mandates found in RCW 58.17.110(2)³ and reads as follows:

Richland Municipal Code 24.12.053 Preliminary plat – Required findings.

The hearing examiner shall not recommend approval of any preliminary plat application, unless the approval is accompanied by written findings that:

A. The preliminary plat conforms to the requirements of this title;

B. Appropriate provisions are made for the public health, safety and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school;

C. The public use and interest will be served by the platting of such subdivision and dedication; and

D. The application is consistent with the requirements of RMC 19.60.095 (addresses transportation concurrency considerations).

5. And, RMC 19.60.095 mandates the following additional findings:

19.60.095 Required findings.

No development application for a Type II or Type III permit shall be approved by the city of Richland unless the decision to approve the permit application is supported by the following findings and conclusions:

A. The development application is consistent with the adopted comprehensive plan and meets the requirements and intent of the Richland Municipal Code.

B. Impacts of the development have been appropriately identified and mitigated under Chapter [22.09](#) RMC.

C. The development application is beneficial to the public health, safety and welfare and is in the public interest.

³ “A proposed subdivision and dedication shall not be approved unless the city, town, or county legislative body makes written findings that: (a) Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) the public use and interest will be served by the platting of such subdivision and dedication. If it finds that the proposed subdivision and dedication make such appropriate provisions and that the public use and interest will be served, then the legislative body shall approve the proposed subdivision and dedication. [.]” RCW 58.17.110(2).

D. The development does not lower the level of service of transportation facilities below the level of service D, as identified in the comprehensive plan; provided, that if a development application is projected to decrease the level of service lower than level of service D, the development may still be approved if improvements or strategies to raise the level of service above the minimum level of service are made concurrent with development. For the purposes of this section, “concurrent with development” means that required improvements or strategies are in place at the time of occupancy of the project, or a financial commitment is in place to complete the required improvements within six years of approval of the development.

E. Any conditions attached to a project approval are as a direct result of the impacts of the development proposal and are reasonably needed to mitigate the impacts of the development proposal.

Burden of Proof.

6. The burden of proof rests with the applicant, and any decision to approve or deny a preliminary plat or any request for deviation must be supported by evidence that is substantial when viewed in light of the whole record. RCW 36.70C.130(1)(c); and RMC 19.60.060. The application must be supported by proof that it conforms to the applicable elements of the city’s development regulations, comprehensive plan and that any significant adverse environmental impacts have been adequately addressed. RMC 19.60.060.

New residential streets must include curbs, gutters and sidewalks.

7. RMC 12.10.035, captioned “Sidewalks for new or improved streets”, provides as follows: “Whenever any street is constructed or improved in any area of the city zoned residential or commercial, whether such construction be by local improvement or otherwise, as a part of such construction or improvement there shall be included therein, on both sides of any such street that may abut on previously developed property, sidewalks, curbs, and gutters constructed in conformity with requirements of this chapter” [...]. The pending application is for a property located in a residential zone. It does not involve any site challenges or other compelling reason that would justify a deviation from such requirements.

As conditioned, the proposed plat meets applicable approval criteria.

8. Based on the Findings as summarized above, the undersigned examiner concludes that the proposed plat, as conditioned below, conforms to all applicable zoning and land use requirements and appropriately mitigates adverse environmental impacts. Upon reaching such findings and conclusions as noted above, the preliminary plat meets the standards necessary to obtain approval by the City.

9. The proposed conditions of approval as set forth in the Technical Advisory Committee Report included in the Record as Exhibit 8, as modified by this Recommendation, are reasonable, supported by the evidence, and capable of accomplishment.

10. Any Finding or other statements in previous or following sections of this document that are deemed Conclusions of Law are hereby adopted as such and incorporated by this reference.

**V. RECOMMENDATION and
MODIFIED CONDITIONS of APPROVAL.**

Based upon the preceding Findings of Fact and Conclusions of Law, evidence presented through the course of the open record hearing, all materials contained in the contents of the record, and the Examiner's site visit, **the undersigned Examiner recommends that the City Council APPROVE the *Preliminary Plat of Cobb Hill* application**, subject to all Conditions of Approval contained in the City's Technical Advisory Committee Report, as modified below:

A. Penny Lane shall be extended into the proposed plat, generally in the configuration depicted in Exhibit 2, provided the roadway shall be dedicated as a public street and constructed to include curbs, gutters and sidewalks, consistent with city street development standards, substantially similar to the existing roadway and sidewalk prism on existing portions of Penny Lane located immediately south of the Cobb Lane plat;

B. Prior to final engineering or grading permit approval, whichever comes first, the applicant shall submit a supplemental geotechnical or other appropriate expert consultant report for review and approval by the Public Works Director or his designee, which focuses on the need (or not) for additional protective measures, construction limitations, setbacks, or other appropriate conditions intended to protect adjacent properties from potential adverse impacts caused by allegedly poor soils or poorly compacted materials and/or stormwater drainage coming from the new Cobb Hill plat or construction activities associated with same. The report may take into account the final stormwater system design for the project, which is required to provide full on-site treatment and detention, consistent with city development standards. Any conditions recommended as part of such report shall be included as conditions of approval for the plat; and

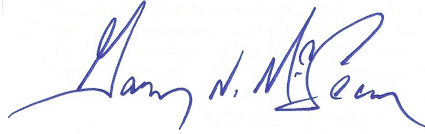
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C. The City staff shall invite the Kennewick Irrigation District to review its irrigation lines on or near the proposed plat to determine if remediation work is warranted by the District based on evidence contained in the Record for this matter, and encourage the District to coordinate any significant repair or similar work with potential site development activities associated with the Cobb Hill plat in order to minimize disruption and inconvenience experienced by neighboring residents.

Recommendation issued: June 25, 2018

A handwritten signature in blue ink, appearing to read "Gary N. McLean", is written over a light blue rectangular background.

Gary N. McLean
Hearing Examiner for the City of Richland

**CITY OF RICHLAND DEVELOPMENT SERVICES DIVISION
STAFF REPORT TO THE HEARING EXAMINER**

GENERAL INFORMATION:

PROPOSAL NAME: Cobb Hill - Preliminary Plat

LOCATION: 1161 Gala Way, generally located on the west side of Gala Way approximately 100 feet south of the intersection of Jordan Lane and Gala Way

APPLICANT: Cherese Anderson

FILE NO.: S2018-100

DESCRIPTION: Request to subdivide 5.7 acre site into 8 residential lots

PROJECT TYPE: Type III Preliminary Plat

HEARING DATE: May 3, 2018

REPORT BY: Shane O'Neill, Interim Planning Administrator

RECOMMENDED
ACTION: Approval subject to completion of proposed conditions

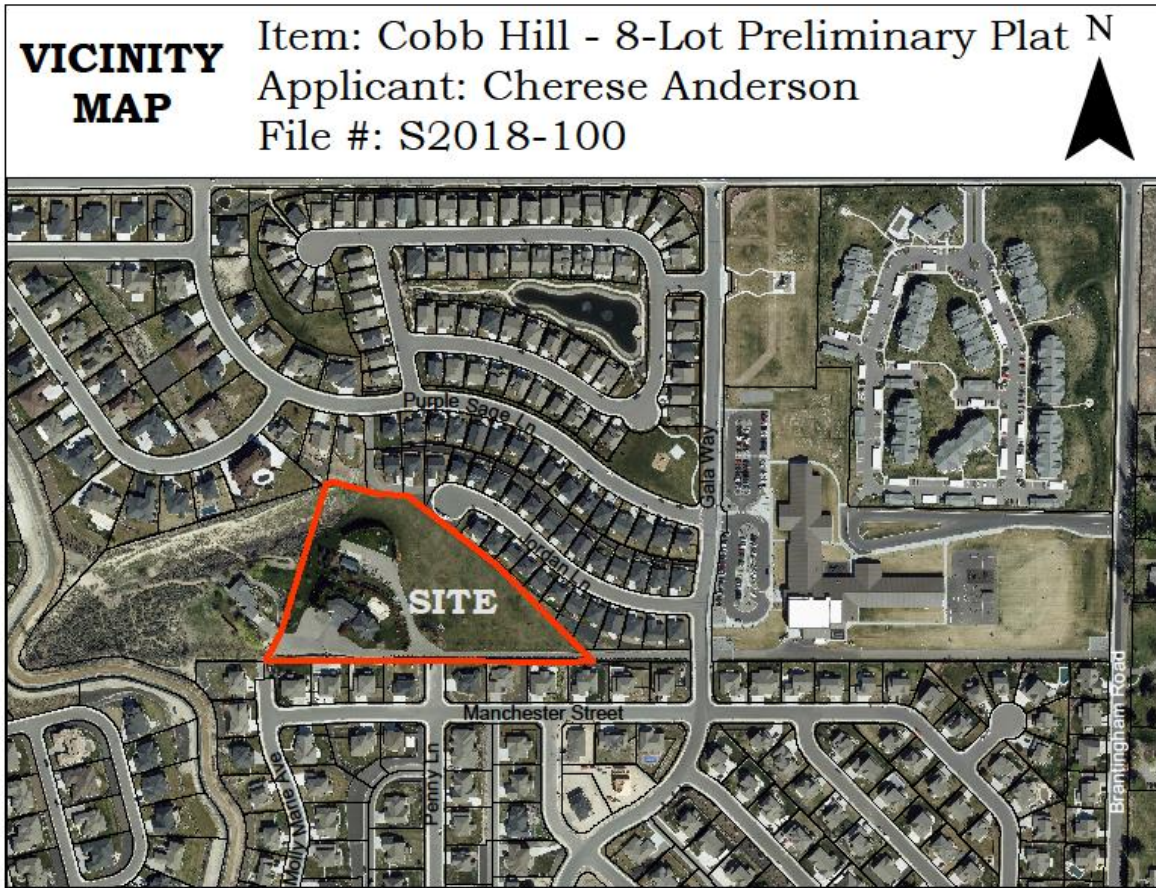


Figure 1 - Vicinity Map

DESCRIPTION OF PROPOSAL

Cherese Anderson has filed a preliminary plat application (Exhibit 1) to divide approximately 5.7 acres into 8 single family residential lots with an average lot area of 33,055 square feet (0.75 acres), known as the plat of Cobb Hill (Exhibit 2). Lot 8 is the only future lot proposed to be served by the existing private roadway and access easement, lots 1-7 will be served by a northerly extension of Penny Lane in the form of a private roadway. The smallest lot is proposed to be 15,708 square feet (0.36 acres) and the largest lot, containing an existing home, is 112,790 square feet (2.6 acres)

This plat site contains an existing 5,500 square-foot single-family home which currently gains access to Gala Way via a 30-foot access easement provided by the plat of Badger Mountain Village Phase 2B (Exhibit 10). Through this plat, access to the existing home would be revised to connect with the private extension of Penny Lane.

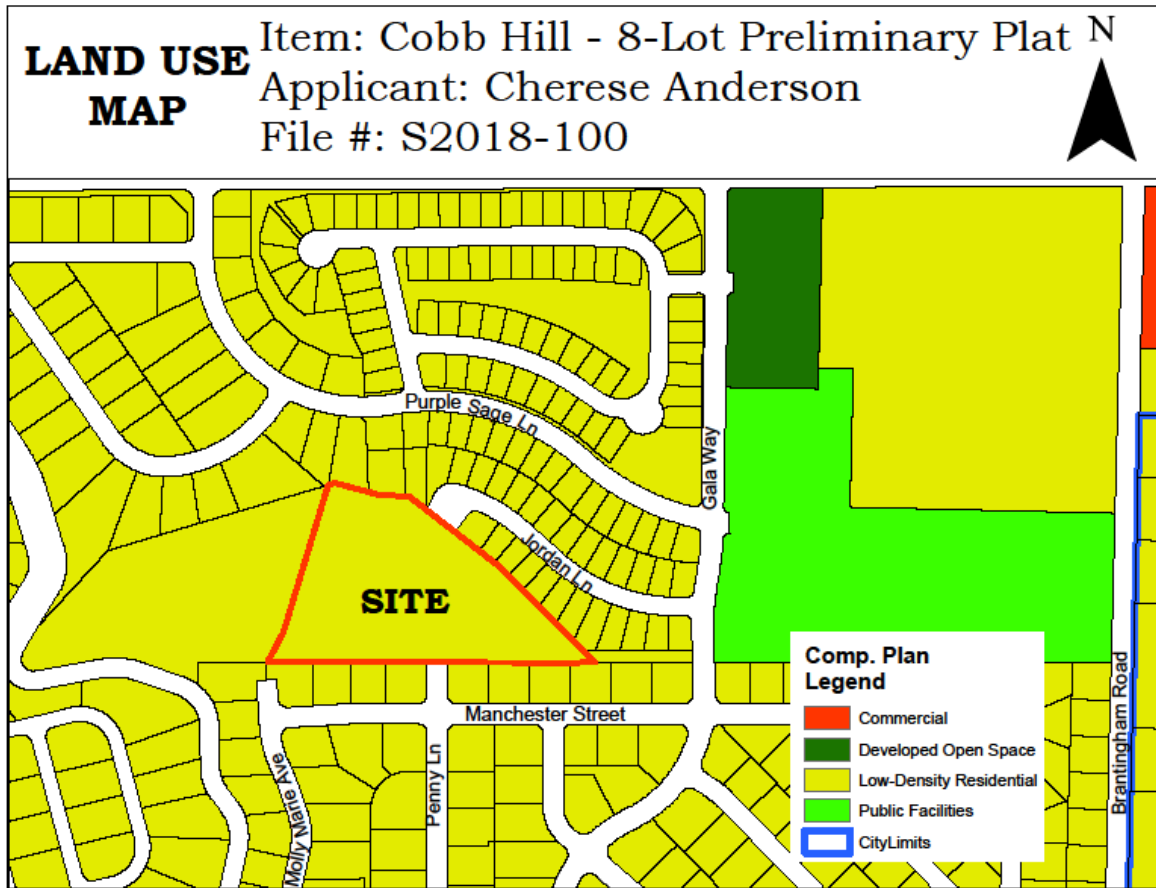


Figure 2 – Comprehensive Plan Map

COMPREHENSIVE PLAN

Richland's Comprehensive Plan assigns a low-density residential land use designation to the site. The low-density residential designation allows for a residential density range of between 0 – 5 dwelling units per acre equating to an average density of 3.5 units per acre. The plat of Cobb Hill proposes an overall density of 1.4 units/acre which is also the net density due to the plats' use of a private road. The proposed density is within the allowable range provided by the low-density residential land use designation.

GOALS & POLICIES

The following Comprehensive Plan land use goals and policies are found to be in general support of the proposed preliminary plat:

Land Use Goal 1: Plan for growth within the urban growth area and promote compatible land use.

Policy 2 – Facilitate planned growth and infill developments within the City.
Land Use Goal 2: Establish land uses that are sustainable and create a live-able and vibrant community.

Policy 1– Maintain a variety of land use designations to accommodate appropriate residential uses that will take advantage of the existing infrastructure network.

Land Use Goal 3: Maintain a broad range of residential land use designations to accommodate a variety of lifestyles and housing opportunities.

Policy 1: Distribute residential uses and densities throughout the urban growth area consistent with the City's vision.

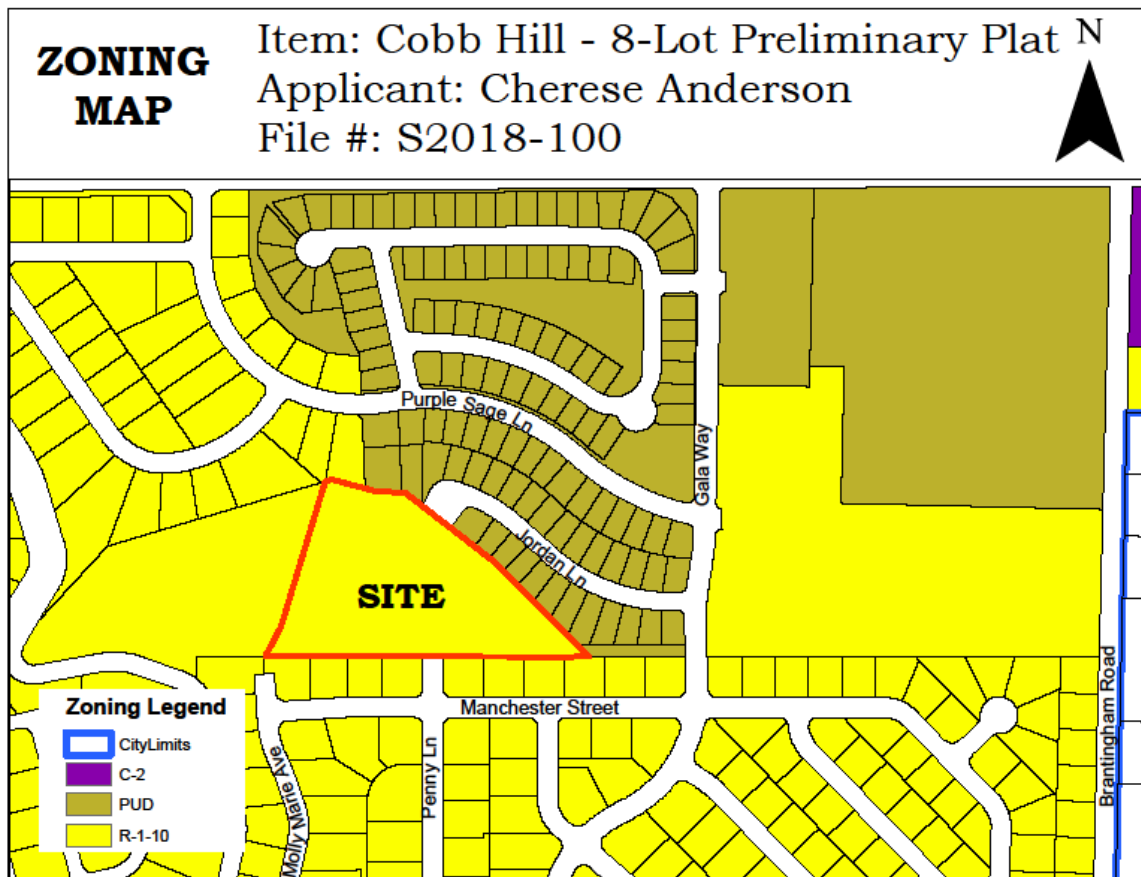


Figure 3 – Zoning Map

ZONING

The site is currently assigned R-1-10 (Low-Density Residential) zoning which allows development of residential densities up to 5.4 dwelling units per acre. Under R-1-10 zoning the proposed residential density of 1.4 units/acre, is compliant. Sites within the immediate vicinity are zoned both R-1-10 & residential planned unit development (PUD). Ordinance 32-05 (Exhibit 11) established

zoning regulations for the Planned Unit Development of Badger Mountain Village Phase 2B which is notably an age restricted community containing some assisted living facility homes. Staff questions the enforcement of the age restriction in current practice but that detail is immaterial to the decision at hand.

Land Uses and Dimensional Standards

The following R-1-10 standards apply to the proposed plat:

Uses Permitted:	Single Family Homes (detached)
Front yard setback:	20 feet minimum
Side yard setback:	10 feet minimum
Rear yard setback:	25 feet minimum
Maximum building height:	30 feet

SITE DESCRIPTION & ADJACENT LAND USES

The subject preliminary plat site lies on the west side of Gala Way approximately 100 feet south of Jordan Lane. Approaching the site from Gala Way, once on the private driveway there is a gradual gain in elevation which continues until reaching the existing home site where the topography levels. Based on City topography records the land within the parcel boundaries experiences a vertical difference of approximately 83-feet.

The site is bordered along the northeast property line by an existing single-family neighborhood belonging to the plat of Badger Mountain Village Phase 2B which in terms of elevation, is downhill from the buildable area of the proposed lots. These homes would share a rear yard with newly created lots as proposed. The rear yard of eight (8) single-family homes in that subdivision abut the plat site. Then, traveling counterclockwise, the Jordan Lane cul-de-sac right-of-way borders the plat site for an approximate distance of 100 feet. The plat does not propose any transportation communication with Jordan Lane. Proceeding northwesterly, the site is bordered by a private access road crossing two lots with single-family homes also belonging to Badger Mountain Village Phase 2B. West of said private road the site is bordered by the rear yard of a single-family home belonging to Badger Mountain Village Phase 1. Along the full length of the westerly property line(s) lies a 5.4-acre parcel of land containing one single-family home accessed exclusively by way of the same easement (AF#2006-042590) serving 1611 Gala Way. This adjacent 5.4-acre parcel is outside of the plat boundary. Lastly, the south property line of the plat site is shared with the rear yard of eight single-family homes belonging to the plats of Lexington Heights Phases 1 & 2; this is where the Penny Lane right-of-way connects to the plat site. In summary, the plat site is surrounded by single-family homes exclusively.

Vegetation on-site is comprised of an expansive lawn with other common landscaping trees and shrubs.

CRITERIA FOR PRELIMINARY PLAT APPROVAL

Section 24.12.053 of the RMC sets forth the criteria that must be met before a preliminary plat application can be approved. It states:

The hearing examiner shall not recommend approval of any preliminary plat application, unless the approval is accompanied by written findings that:

- A. The preliminary plat conforms to the requirements of this title (Title 24 Plats and Subdivisions);
- B. Appropriate provisions are made for the public health, safety and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features which assure safe walking conditions for students who only walk to and from school;
- C. The public use and interest will be served by the platting of such subdivision and dedication; and
- D. The application is consistent with the requirements of RMC 19.60.095

RMC Section 24.12.050 designates the Hearing Examiner as the hearing body responsible for conducting the review of preliminary plat applications.

PUBLIC NOTICE

Application Date:	January 30, 2018
Notice of Hearing Mailed:	April 3, 2018
Notice of Hearing Posted:	March 28, 2018
Notice of Hearing Published:	April 9, 2018
Public Hearing:	May 3, 2018

A combined notice of application, public hearing and SEPA determination was provided by mailing notices to property owners within 300 feet. Public hearing notices were distributed through posting of the property, mailing of notice to property owners within 300 feet of the site and publication in the *Tri-City Herald* newspaper. Copies of the notices and affidavits are included in Exhibit 3.

UTILITY AVAILABILITY

Site specific development conditions contained in the attached TAC report (Exhibit 8) address extension of off-site utilities to the site and construction of private on-site utilities.

SEWER

The closest sanitary sewer available for this development is located in Jordan Lane to the north. It shall be the responsibility of the developer to extend a sewer main to this property to serve sanitary sewer at the time of plat construction.

WATER

The proposed preliminary plat is located within the Tapteal 2 water pressure zone. The closest Tapteal 2 water main is located in Jordan Lane to the North, Penny Lane to the South, Molly Marie Ave. to the West and Gala Way to the East. The water main stubs in Jordan Lane and Penny Lane shall be connected to each other as part of the construction of this project. Looping of these two water main stubs together will provide redundancy, improve fire flows and also prevent stagnation.

TRANSPORTATION

Technical Advisory Committee report (Exhibit 8) contains development and platting conditions as set forth by the City Public Works Department. In the TAC report condition #17 reads:

“The original proposed private driveway (“Tract A”) out to Gala Way would allow from 10-13 lots to eventually use that private driveway intersection onto Gala Way as their sole access. This would essentially create an undesirable third street intersection on a short block that is also adjacent to an elementary school. Penny Lane shall therefore be extended into the proposed preliminary plat and terminate in a standard cul-de-sac. This Penny Lane extension could either be a City standard public right-of-way or a privately owned and maintained roadway. If Penny Lane is extended as a public right-of-way, it could be the City standard single-frontage roadway (a 27-foot wide street in a 40-foot ROW which allows for parking on one side). A private roadway 27-feet wide would allow for parking on one side.”

Based on this requirement to route primary access from Penny Lane instead of relying on the existing “Tract A” access serving the existing home, the applicant had to completely redesign the plat layout from the original proposal advertised for the March 12 hearing. As also stated in TAC report condition #18 “Tract A” may only be utilized as a driveway for Lot 8. The applicant was amenable to these substantive requirements; their response is illustrated in the current draft of the proposed preliminary plat (Exhibit 2).

SEPA

Included in this pre-plat application submittal was a SEPA checklist addressing potential impacts of site development (Exhibit 4). On February 26, 2018 staff issued a Determination of Non-Significance (DNS) (Exhibit 5). The comment

period for the DNS expired on the date of the hearing, March 12, 2018. No comments were submitted to the city in response to the DNS (EA2018-107).

Considering the revised plat design does not change the number of lots being created and approximately adheres to the originally proposed lot sizes, staff does not view the revision as significantly different or more impactful. For that reason the original environmental review documentation will carry over to the plat design analyzed herein.

AGENCY COMMENTS

A variety of public agencies and City departments were given an opportunity to comment on the proposal. Comments from the Richland Public Works and Energy Services Departments have been incorporated into the TAC Report (Exhibit 8). In response to said noticing, city staff received a comment letter from Kennewick Irrigation District relative to the installation of an irrigation system serving the plat. That letter has been forwarded to the applicants' engineer and is included in the appendices of this report as Exhibit 6. Irrigation system permitting will occur directly between the applicant and the irrigation district.

PUBLIC COMMENTS

Owners of all properties within 300-feet of the plat site were directly notified of the project by way of USPS mailing. Public comments received by the City relative to this application are included in this report as Exhibit 7.

TECHNICAL ADVISORY COMMITTEE RECOMMENDATIONS

City staff has prepared a list of recommended conditions for the application contained in the Technical Advisory Committee (TAC) Report (Exhibit 8). Notably, condition #17 in particular resulted in the plat being completely reconfigured from the original.

ANALYSIS

The criteria approval of a preliminary plat application (RMC 24.12.053) are reprinted here, with a summary of how the application complies with the standard:

- A. The preliminary plat conforms to the requirements of this title (RMC Title 24);*
The City's subdivision regulations set forth specific requirements for the filing of an application, how notice of the application is to be provided and requires that the Hearing Examiner conduct a public hearing and make recommendation to the City Council. These steps have been followed to date. Staff has reviewed the plat survey provided against the provisions of RMC 24.12.010 thru 24.12.040 and finds the plat to be compliant.

B. Appropriate provisions are made for the public health, safety and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features which assure safe walking conditions for students who only walk to and from school;

A single private roadway serving the plat will be designed to City right-of-way construction standards. Municipal utility extensions (sewer, water and electrical power) are planned to serve the plat within a private access and utility easements. In cases such as this, municipal utilities will remain under city ownership and maintenance responsibility but the road surface will be the responsibility of the homeowners served by the road. Building permits for homes within the plat will be subject to payment of park fees to contribute to development of open spaces and parks in the vicinity.

The Orchard Elementary School site boundary lies directly across Gala Way from the plat site. Sidewalks currently border both sides of Gala Way between the plat site and Westcliffe Blvd. to the north.

Additionally, the following points address criteria B:

- Keene Road is part of the Benton-Franklin Transit bus route #123. Keene Road lies approximately ½-mile from the plat site.
- The larger 41.5-acre Badger Mountain Park is located less than one mile from the proposed plat site. Badger Mountain Park contains outdoor sports fields and courts able to serve recreational needs of the broader surrounding vicinity.
- The plat would be served by City domestic water and sewer lines currently existing within Gala Way. Water and sewer lines have capacity to provide for the proposed project.
- The plat would be served by Richland Energy Services electrical power by way of service line extension.
- In accordance with City development standards, storm water drainage must be retained and managed on-site. Site drainage will rely on storm water drainage facilities designed and constructed for the plat.
- Richland School District was given the opportunity to comment. Following their review of the proposed preliminary plat the District provided no response which generally indicates they have no specific concerns or requirements relative to the plat.

C. The public use and interest will be served by the platting of such subdivision and dedication;

The proposed project is consistent with the Comprehensive Plan, in terms of the proposed density of the plat. Because the plat proposes no dedications the city will experience relief from routine maintenance costs supported by the city and taxpayers. Provision of several new housing units will contribute

to meeting the currently high housing demand and will assist in fulfilling goals of the Growth Management Act (GMA) by furthering residential infill within the existing urban growth boundary. Adopted by the State Legislature in 1990 the GMA strongly encourages urban infill before expanding growth boundaries to limit urban sprawl which is viewed as a negative impact. Promoting urban development consistent the goals of the GMA is an action generally viewed by planning professionals as furthering public interest.

D. The application is consistent with the requirements of RMC 19.60.095, which states:

19.60.095 Required Findings.

No development application for a Type II or Type III permit shall be approved by the City of Richland unless the decision to approve the permit application is supported by the following findings and conclusions:

A. The development application is consistent with the adopted Comprehensive Plan and meets the requirements and intent of the Richland Municipal Code.

The proposed plat is consistent with the intent of city Zoning (R-1-10) and the low-density residential land use designation assigned to the site in the city's Comprehensive Plan.

B. Impacts of the development have been appropriately identified and mitigated under Chapter 22.09 RMC.

Impact fees for traffic and parks infrastructure improvements will be charged to the development at the building permit stage in the development process. 19. The "Cobb Hill" preliminary plat lies within the boundary of the South Richland Collector Street Financing Plan (RMC 12.03). This plat shall therefore be subject to the fees administered by the finance plan for any phase submitted for approval. Since this property is included within the Financing Plan, it is exempt from the SEPA-related traffic study requirement (TIA).

Chapter 22.09 is the City's adoption of the State Environmental Policy Act provisions. The applicants filed an environmental checklist for which the City issued and distributed a Determination of Non-Significance which completed the SEPA review process. The City has not imposed additional mitigation measures beyond of the payment of standard impact fees for new homes.

- C. The development application is beneficial to the public health, safety and welfare and is in the public interest.*

Planning staff views the proposal a beneficial to the public at large based on its consistency with the Comprehensive Plan and City Zoning. Appropriate infrastructure meeting city standards is planned and will be required by the city to ensure the development will not be a detriment to public health, safety and welfare.

- D. The development does not lower the level of service of transportation facilities below the level of service D, as identified in the Comprehensive Plan; provided, that if a development application is projected to decrease the level of service lower than level of service D, the development may still be approved if improvements or strategies to raise the level of service above the minimum level of service are made concurrent with development. For the purposes of this section, "concurrent with development" means that required improvements or strategies are in place at the time of occupancy of the project, or a financial commitment is in place to complete the required improvements within six years of approval of the development.*

The Cobb Hill preliminary plat lies within the boundary of the South Richland Collector Street Financing Plan (RMC 12.03). This plat shall therefore be subject to the fees administered by the finance plan for any phase submitted for approval. Because the project lies within the impact fee area, traffic studies are not required to prove level of service or identify mitigation. The fee becomes the mitigation; thereby fulfilling concurrency requirements. Since this property is included within the Financing Plan, it is exempt from the SEPA-related traffic study requirement (TIA). The project would add 7 new residential lots which would be accessed from a newly constructed private access roadway leading from Penny Lane into the subdivision.

- E. Any conditions attached to a project approval are as a direct result of the impacts of the development proposal and are reasonably needed to mitigate the impacts of the development proposal.*

Development conditions contained in the TAC Report (Exhibit 8) are intended to mitigate potential impacts of the development. No unique mitigation measures are being imposed as a direct result of the SEPA review and determination process. The conditions of approval recommended for this project are as a direct result of imposing City development standards as contained in City Code and are directly related to the development proposal. All such conditions are iterated in the TAC report.

FINDINGS AND CONCLUSIONS

Staff has completed its review of the preliminary plat application for the Cobb Hill preliminary plat (S2018-100) and recommends approval of the request subject to conformance with the conditions of approval included in the attached Technical Advisory Committee Report (Exhibit 8) based on the following findings:

Findings of Fact:

1. The plat conforms to the low-density residential land use designation assigned to the site by the Comprehensive Plan in that said land use allows for residential development of 0-5 dwelling units per acre and the plat proposes 1.4 dwelling units per acre;
2. The proposed preliminary plat consists of 8 lots averaging 33,055 square feet in area, representing a net density of 1.4 units per acre which falls well below the maximum allowable density;
3. Gala Way is classified as an arterial collector roadway in the City's Comprehensive Plan;
4. The Cobb Hill preliminary plat lies within the boundary of the South Richland Collector Street Financing Plan (RMC 12.03). This plat shall therefore be subject to the fees administered by the finance plan for any phase submitted for approval. Since this property is included within the Financing Plan, it is exempt from the SEPA-related traffic study requirement (TIA).

Conclusion of Law:

The proposed preliminary plat is consistent with and would provide for development of the subject property in conformance with the density and type of land use envisioned in the land use and transportation elements of the adopted Comprehensive Plan.

Findings of Fact:

5. The site is currently zoned R-1-10 (Single-Family Residential);
6. R-1-10 zoning imposes a minimum average lot size requirement of 10,000 square feet. The plat of Cobb Hill proposes an 30,940 square foot average lots size which exceed the minimum land area requirement;
7. All lots proposed lots exceed the 8,000 square foot minimum lot size requirement of the R-1-10 zone;
8. All lot frontage dimensions exceed the 70-foot minimum imposed by the R-1-10 zone.

Conclusion of Law:

The lots within the proposed subdivision are consistent with the provisions of the City's residential zoning regulations.

Findings of Fact:

9. Section 24.12.053 of the RMC sets forth standards for review of preliminary plats which require the Hearing Examiner to consider whether appropriate provisions are made for the public health, safety and general welfare and for such open spaces, drainage ways, streets or roads, alleys other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features which assure safe walking conditions for students who only walk to and from school;
10. Lots within the proposed preliminary plat do not connect directly with any public right-of-way therefore no right-of-way improvements will be required.
11. Public domestic water, sewer, irrigation water and electrical power lines will be extended to each new lot from within the proposed private access easement;
12. The proposed improvements serving the platted area are generally consistent with the City's development standards.
13. Building permits for homes within the plat will be assessed parks fees to contribute to the development of open spaces needed in the vicinity of the plat as determined by the City of Richland Parks and Public Facilities Department;
14. City staff and other utility providers reviewed the project and have recommended specific conditions of approval as set forth in the Technical Advisory Committee report.

Conclusion of Law:

As conditioned, the proposed preliminary plat makes appropriate provisions for the public health, safety and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school.

Findings of Fact:

15. A SEPA checklist was provided with the plat application analyzing the site's capacity for residential development. Based on information included in the checklist city staff issued a Determination of Non-Significance on February 26, 2018.
16. Project application and public hearing notice was distributed and advertised in conformance with requirements set forth in RMC 24.12.040.

Conclusion of Law:

Pursuant to Chapters 22.09 and 22.10 of the RMC, the procedures required under the State Environmental Policy Act and the City's Sensitive Areas Ordinance have been completed.

Findings of Fact:

17. RMC 19.60.095(D) requires that development not lower the level of service standard for transportation facilities below a level of service D.
18. The proposed project would add 7 single-family lots that would have direct access onto private roadways proposed in the plat and to Gala Way;
19. According to the ITE Trip Generation Manual 9th edition, a single-family home is projected to generate an average of 9.5 vehicle trips per day; equating to approximately 76 vehicle trips per day being generated from an 8-lot plat.
20. The Cobb Hill preliminary plat lies within the boundary of the South Richland Collector Street Financing Plan (RMC 12.03). This plat shall therefore be subject to the fees administered by the finance plan for any phase submitted for approval. Since this property is included within the Financing Plan, it is exempt from the SEPA-related traffic study requirement (TIA).

Conclusion of Law:

The proposed project would not result in a decline of transportation service levels within the area surrounding the project and so is consistent with the provisions of RMC 19.60.095.

Overall Conclusion:

Based on the above findings and conclusions, approval of the proposed preliminary plat of Cobb Hill subject to the recommended conditions listed in the Technical Advisory Committee Report is warranted because the project conforms to the City's adopted land use plan and zoning regulations; has followed the required State Environmental Policy Act procedures; and is consistent with the requirements of the City's subdivision regulations.

EXHIBIT LIST

1. Application
2. Preliminary Plat Map
3. Public Notice & Affidavits
4. Environmental Checklist
5. Determination of Non-Significance
6. Agency Comments
7. Public Comments
8. Technical Advisory Committee Report
9. Site Photos
10. The Plat of Badger Mountain Village Phase 2B
11. PUD Zoning Ordinance 32-05



Exhibit 1

Development & Permit Services Division • Current Planning Section
840 Northgate Dr. • Richland, WA 99352
General Information: 509/942-7794 • Fax: 509/942-7764
www.ci.richland.wa.gov

PRELIMINARY PLAT APPLICATION

Applicant's Section			
Applicant or Sponsor Darral Moore - JUB Engineers, Inc.			
Address 2810 W. Clearwater Ave, Ste 201		City Kennewick	State WA Zip 99336
Phone Number 509-783-2144	Fax Number		Other
Proposed Subdivision Name Cob Hill		Legal Description Parcel 1 of ROS 3707	
Average Size Lots 30,831 s.f.		Proposed Number of Tracts None	
Average Lot Size (Residential Lots) 30,831 s.f.		Area in Acres 5.68 Acres	
Proposed Number of Lots 8		Proposed Number of Blocks 1	
Name of Surveyor Platting Subdivision John Shea - JUB Engineers, Inc.			
Address 2810 W. Clearwater Ave, Ste 201		City Kennewick	State WA Zip 99336
Phone Number 509-783-2144	Fax Number		Other

I DECLARE UNDER THE PENALTY OF THE PERJURY LAWS THAT THE INFORMATION I HAVE PROVIDED ON THIS FORM/APPLICATION IS TRUE, CORRECT AND COMPLETE.

Applicant's Signature

Date

OFFICE USE ONLY

Filed on

1.30.2018

Signature

Case File No.

52018-100

Date of HEARING EXAMINER

Hearing

3.12.2018

Attach:

1. 6 Full-Size Copies + the .pdf file
2. 11" x 17" Reduction
3. Ownership Report from Title Company listing all Owners within 300-feet.

PRELIMINARY PLAT OF COB HILL

A SUBDIVISION OF PARCEL 1, RECORDED IN VOLUME 1 OF SURVEYS, PAGE 3701, SITUATED IN A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., CITY OF RICHLAND, BENTON COUNTY, WASHINGTON

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____ 20 _____ A.D.

AT _____ M., RECORDED IN VOLUME _____ OF PLATS, PAGE _____

AT THE REQUEST OF J-U-B-ENGINEERS, INC.

BENTON COUNTY AUDITOR _____

BY: _____

FEE NO.: _____

LEGEND

SECTION CORNER-AS NOTED

1/4 SECTION CORNER-AS NOTED

● SET 5/8" x 24" IRON REBAR WITH YELLOW PLASTIC CAP, MARKED "SHEA 33656"

△ COMPUTED POSITION, NO MONUMENT FOUND OR SET THIS SURVEY

S.F. SQUARE FEET

A.F.N. AUDITOR'S FILE NUMBER

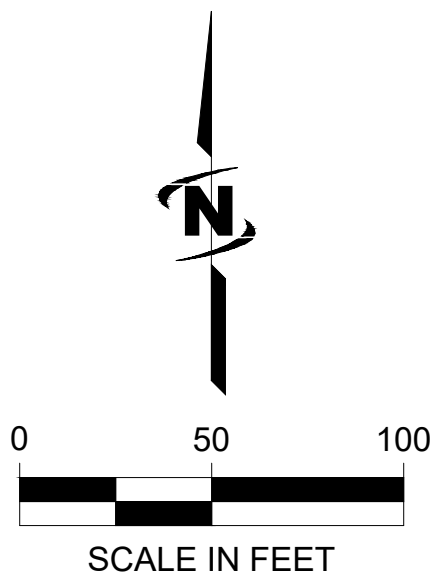
T.P.N. TAX PARCEL NUMBER

VOL. VOLUME

PG. PAGE

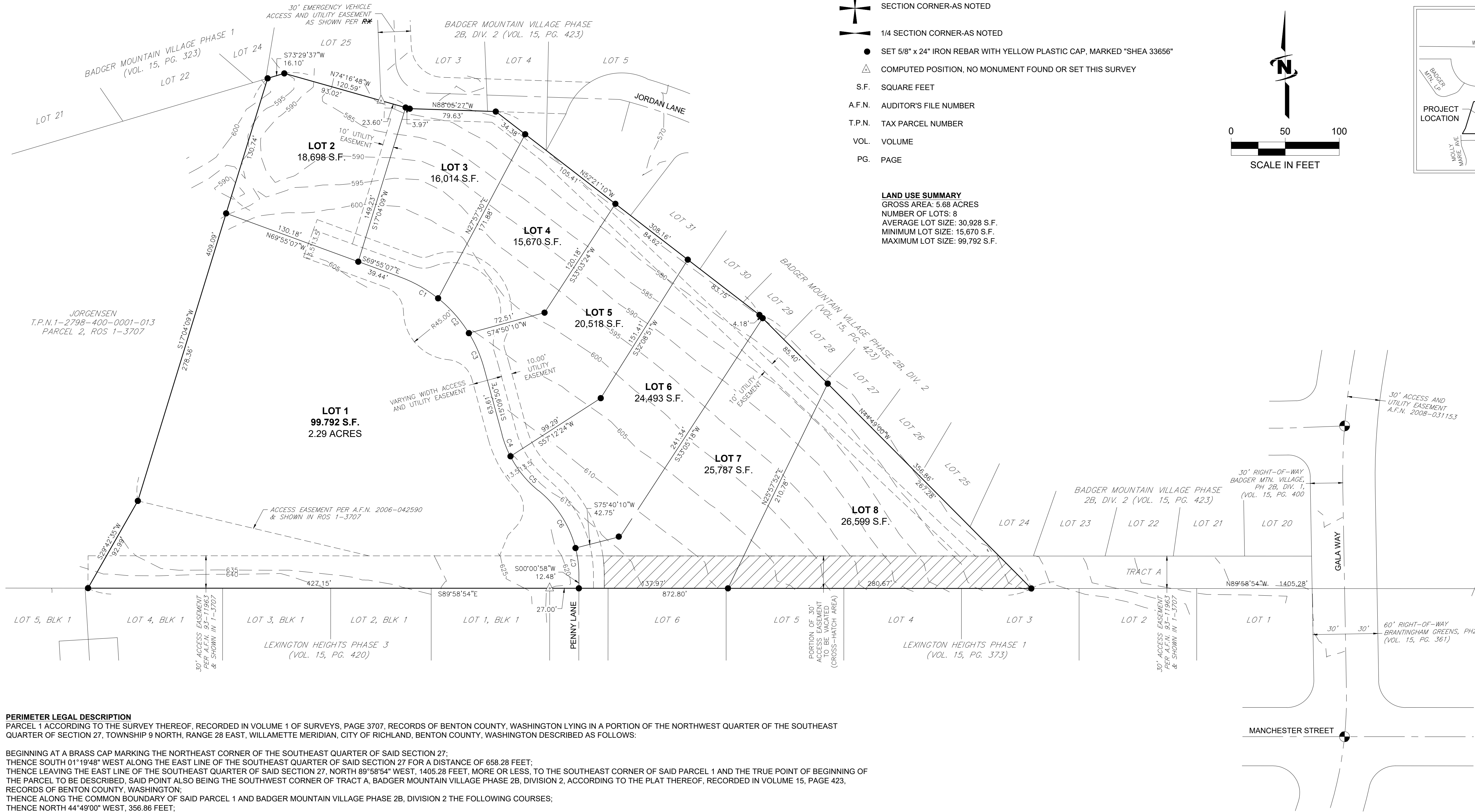
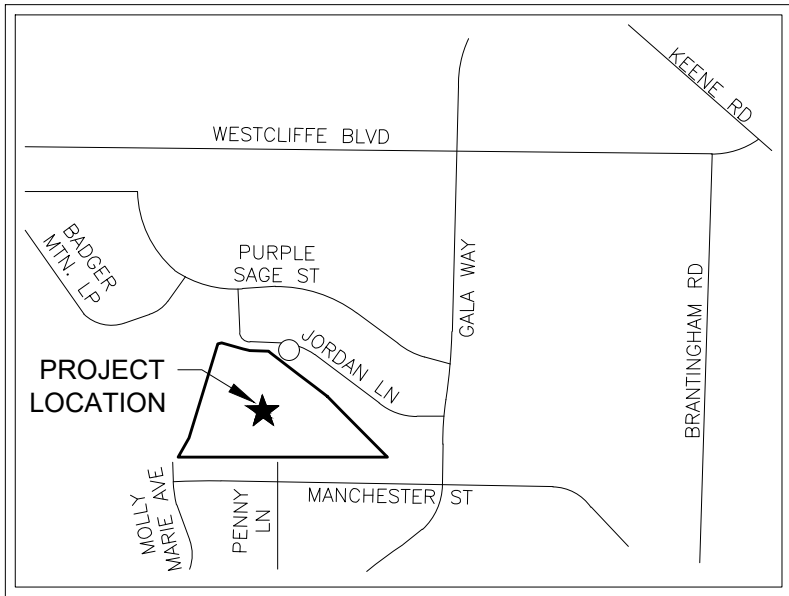
LAND USE SUMMARY

GROSS AREA: 5.68 ACRES
NUMBER OF LOTS: 8
AVERAGE LOT SIZE: 30,928 S.F.
MINIMUM LOT SIZE: 15,670 S.F.
MAXIMUM LOT SIZE: 99,792 S.F.



VICINITY MAP

NOT TO SCALE



PERIMETER LEGAL DESCRIPTION

PARCEL 1 ACCORDING TO THE SURVEY THEREOF, RECORDED IN VOLUME 1 OF SURVEYS, PAGE 3707, RECORDS OF BENTON COUNTY, WASHINGTON LYING IN A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:

BEGINNING AT A BRASS CAP MARKING THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 27;
THENCE SOUTH 01°19'48" WEST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 27 FOR A DISTANCE OF 658.28 FEET;
THENCE LEAVING THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 27, NORTH 89°58'54" WEST, 1405.28 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF SAID PARCEL 1 AND THE TRUE POINT OF BEGINNING OF THE PARCEL TO BE DESCRIBED, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF TRACT A, BADGER MOUNTAIN VILLAGE PHASE 2B, DIVISION 2, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 15, PAGE 423, RECORDS OF BENTON COUNTY, WASHINGTON;
THENCE ALONG THE COMMON BOUNDARY OF SAID PARCEL 1 AND BADGER MOUNTAIN VILLAGE PHASE 2B, DIVISION 2 THE FOLLOWING COURSES;
THENCE NORTH 44°49'00" WEST, 356.86 FEET;
THENCE NORTH 52°21'10" WEST, 308.16 FEET;
THENCE NORTH 88°05'27" WEST, 79.63 FEET;
THENCE NORTH 74°16'48" WEST, 27.57 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF LOT 3, BADGER MOUNTAIN VILLAGE PHASE 2B, DIVISION 2, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 25, BADGER MOUNTAIN VILLAGE PHASE 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 15, PAGE 323, RECORDS OF BENTON COUNTY, WASHINGTON;
THENCE LEAVING THE PLAT BOUNDARY OF SAID BADGER MOUNTAIN VILLAGE PHASE 2B DIVISION 2 AND CONTINUING ALONG THE BOUNDARY OF SAID PARCEL 1 AND THE PLAT BOUNDARY OF SAID BADGER MOUNTAIN VILLAGE PHASE 1 THE FOLLOWING COURSES;
THENCE CONTINUING NORTH 74°16'48" WEST, 93.02 FEET;
THENCE SOUTH 73°29'37" WEST, 16.10 FEET TO THE MOST WESTERLY NORTHWEST CORNER OF SAID PARCEL 1, SAID POINT ALSO BEING THE NORTHEAST CORNER OF PARCEL 2, VOLUME 1 OF SURVEYS, PAGE 3707;
THENCE LEAVING THE PLAT BOUNDARY OF SAID BADGER MOUNTAIN VILLAGE PHASE 1 ALONG THE COMMON BOUNDARY OF SAID PARCELS 1 AND 2 THE FOLLOWING COURSES;
THENCE SOUTH 17°04'09" WEST, 409.09 FEET;
THENCE SOUTH 29°42'35" WEST, 92.99 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 1, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SAID PARCEL 2, SAID POINT IS ALSO ON THE NORTHERLY PLAT BOUNDARY OF LEXINGTON HEIGHTS PHASE 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 15 OF PLATS, PAGE 420, RECORDS OF BENTON COUNTY, WASHINGTON;
THENCE LEAVING THE COMMON BOUNDARY OF SAID PARCELS 1 AND 2 ALONG THE COMMON BOUNDARY OF SAID PARCEL 1 AND LEXINGTON HEIGHTS PHASE 3, SOUTH 89°58'54" EAST, 427.15 FEET TO THE NORTHEAST CORNER OF LOT 1, LEXINGTON HEIGHTS PHASE 3, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF PENNY LANE AT A POINT 27.00 FEET WESTERLY OF THE CENTER LINE THEREOF, WHEN MEASURED AT RIGHT ANGLES;
THENCE LEAVING THE COMMON BOUNDARY OF SAID PARCEL 1 AND LEXINGTON HEIGHTS PHASE 3 ALONG THE COMMON BOUNDARY OF SAID PARCEL 1 AND LEXINGTON HEIGHTS PHASE 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 15 OF PLATS, PAGE 373, RECORDS OF BENTON COUNTY, WASHINGTON, CONTINUING SOUTH 89°58'54" EAST, 445.64 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF SAID PARCEL 1 AND THE TRUE POINT OF BEGINNING AND THE END OF THIS LEGAL DESCRIPTION.

CONTAINING: 5.68 ACRES, MORE OR LESS.

TOGETHER WITH AND SUBJECT TO EASEMENTS, RESERVATIONS, COVENANTS AND RESTRICTIONS APPARENT OR OF RECORD.

SURVEYOR'S CERTIFICATE

I, JOHN J. SHEA, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE PLAT OF COB HILL AS SHOWN HEREON IS BASED ON AN ACTUAL FIELD SURVEY OF THE LAND DESCRIBED AND THAT ALL CORNERS AND DIMENSIONS ARE CORRECTLY SHOWN AND THAT SAID PLAT IS STAKED ON THE GROUND AS INDICATED HEREON. THIS SURVEY WAS PREPARED AT THE REQUEST OF CHERESE ANDERSON IN DECEMBER 2017.

JOHN J. SHEA
PROFESSIONAL LAND SURVEYOR
CERTIFICATE NO. 33656

DATE



JUB
J-U-B ENGINEERS, INC.

2810 W. Clearwater Ave., Suite 201

Kennewick, WA 99336

p | 509 783 2144 w | www.jub.com

Dwg Name: 30-17-079_PB-PRELIM

Date: April 3, 2018

Dr: DFG

Ch: JJS

Sheet 1 of 1



CITY OF RICHLAND NOTICE OF APPLICATION, ENVIRONMENTAL DETERMINATION AND PUBLIC HEARING (S2018-100 & EA2018-107)

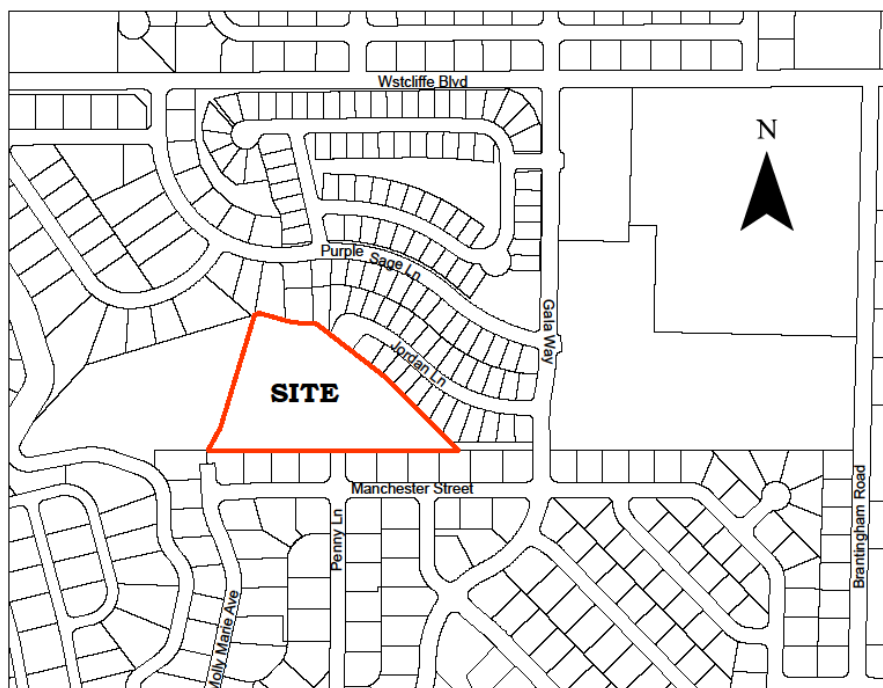
Notice is hereby given that Cherese Anderson on January 30, 2018, filed an application for preliminary plat approval to subdivide 5.7 acre site into 8 residential lots (Preliminary Plat of Cobb Hill). The proposed plat site is located on the west side of Gala Way, approximately 100 feet south of the intersection of Gala Way and Jordan Lane. The proposed plat would have an average lot size of 30,948 square feet.

Notice is also given that the City of Richland has issued a Determination of Non-Significance (DNS). An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency, including geotechnical and critical areas reports. This information is available to the public on request. This DNS is issued under WAC 197-11-350; the lead agency will not act on this proposal until **Monday, March 12.**

The Richland Hearings Examiner, on **Monday, March 12, 2018**, will conduct a public hearing and review of the application at 6:00 p.m. in the Richland City Hall Council Chambers, 505 Swift Boulevard. All interested parties are invited to attend and present testimony at the public hearing.

Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Shane O'Neill, Senior Planner, 840 Northgate Drive, Richland, WA 99352. Comments may also be faxed to (509) 942-7764 or emailed to soneill@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Wednesday, March 7, 2018 to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing.

The application will be reviewed in accordance with the regulations in RMC Title 19 Development Regulations Administration and Tile 24 Plats and Subdivisions. Appeal procedures of decisions related to the above referenced application are set forth in RMC Chapter 19.70. Contact the Richland Planning Division at the above referenced address with questions related to the available appeal process.



1
2 **AFFIDAVIT OF POSTING**

3
4 STATE OF WASHINGTON)
5 COUNTY OF BENTON) ss.
6)

7 COMES NOW, **Shane O'Neill**, who, being first duly sworn upon oath deposes and says:

8 1. I am an employee in the Planning & Development Department for the City of Richland.

9 2. On the 26th day of February, 2018, I posted the attached NOTICE OF PUBLIC
10 HEARING, File Number S2018-100 at the following location:

11 On west side of Gala Way approximately 100 feet south of the intersection of Gala Way and Jordan
12 Lane.

13 

14 Print Name: Shane O'Neill

15 SIGNED AND SWORN to before me this 26th day of February, 2018 by SHANE O'NEILL.

16 

17 Signature of Notary

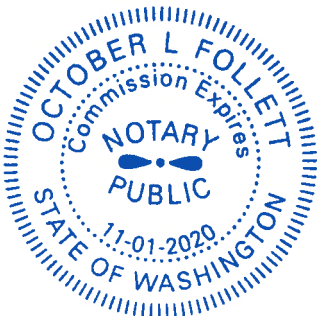
18 

19 Printed Name

20 Notary Public in and for the State of Washington,

21 Residing in Benton County

22 My appointment expires: 11-1-2020

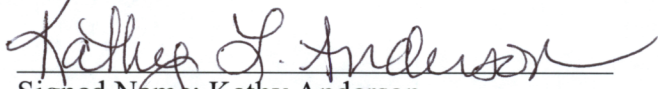


AFFIDAVIT OF MAILING

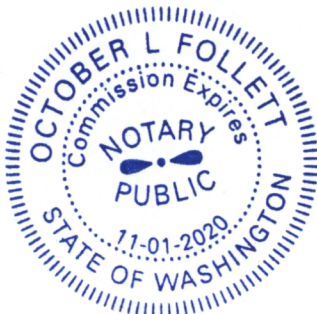
STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

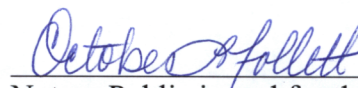
COMES NOW, Kathy Anderson, who, being first duly sworn upon oath deposes and says:

1. I am an employee in the Planning & Development Department for the City of Richland.
2. On the 27th day of February, 2018, I mailed a copy of the attached NOTICE OF APPLICATION, ENVIRONMENTAL DETERMINATION AND PUBLIC HEARING (S2018-100 & EA2018-107) to the attached list of individuals via regular USPS on the date indicated above. The Notice application for preliminary plat approval to subdivide 5.7 acre site into 8 residential lots (Preliminary Plat of Cobb Hill). The proposed plat site is located on the west side of Gala Way, approximately 100 feet south of the intersection of Gala Way and Jordan Lane. The Public Hearing will take place March 12, 2018. The City has also issued a Determination of Non-Significance for the project.


Signed Name: Kathy Anderson

SIGNED AND SWORN to before me this 27 day of February, 20 18 by
Kathy Anderson.




Notary Public in and for the State of Washington,
Residing at Benton County
My appointment expires: 11-1-2020
October L. Follett
Printed Name



Richland
www.ci.richland.wa.us

Exhibit 4

Development Permitting Division
840 Northgate Drive
Richland, WA 99352
Telephone 509-942-7794

SEPA ENVIRONMENTAL CHECKLIST **UPDATED 2014**

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements—that do not contribute meaningfully to the analysis of the proposal.

A. BACKGROUND

1. Name of proposed project, if applicable: Cob Hill
2. Name of applicant: Cherese Anderson
3. Applicant contact information:
Address: 1611 Gala Way
Richland, WA 99352
Phone #: 509-392-9047
email address: _____
4. Date checklist prepared: 1-26-2018
5. Agency requesting checklist: City of Richland
6. Proposed timing or schedule (including phasing, if applicable):
Summer 2018
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
No
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. None to the applicant's knowledge
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.
None to the applicant's knowledge
10. List any government approvals or permits that will be needed for your proposal, if known.
N/A.
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Construct 7 residential single family homes and install water, sewer, electrical, and communication utilities.
12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

1611 Gala Way. The vacant space behind and to the side of the existing house will be used to construct the 7 homes.

...location cont'd:

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

b. What is the steepest slope on the site (approximate percent slope)? _____ 20% %

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. Fine sandy loam

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. None to the applicant's knowledge

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. No fill is expected to be imported. Site grading will be balanced.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. Erosion could occur during construction, appropriate BMPs will be used to prevent erosion.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? Approximately 60%

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: Silt fencing during construction, vegetation for long term.

2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. Vehicle emissions during construction.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. None to the applicant's knowledge.

c. Proposed measures to reduce or control emissions or other impacts to air, if any: Construction will be limited to normal business hours.

3. Water

a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

There is no surface water in the vicinity. The site was visually inspected and found no wetlands to be present at the site either.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

No fill or dredge material will be used for this project.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No per FEMA Flood Map 5355330015E

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No discharge to surface waters from this project.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No, the development will be on City water.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

No waste materials will be discharge to ground water for this project.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Water runoff will include stormwater. Stormwater will be discharged to swales and subsurface facilities.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

No

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

Stormwater will be collected and disposed of onsite

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

Stormwater will be collected and disposed of onsite

4. Plants

a. Check the types of vegetation found on the site:

☐ deciduous tree: alder, maple, aspen, other

☐ evergreen tree: fir, cedar, pine, other

☒ shrubs

☒ grass

☐ pasture

☐ crop or grain

☐ Orchards, vineyards or other permanent crops.

☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

☐ water plants: water lily, eelgrass, milfoil, other

☐ other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

Grass will be removed and 7 homes and an access roadway will be constructed.

c. List threatened and endangered species known to be on or near the site.

None to the applicants knowledge.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Yards of the homes will be grassed.

e. List all noxious weeds and invasive species known to be on or near the site.

None to the applicants knowledge.

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include:

birds: hawk, heron, eagle, songbirds, other: _____

mammals: deer, bear, elk, beaver, other: RHODENTS

fish: bass, salmon, trout, herring, shellfish, other _____

None to the applicants knowledge.

SEO
2-26-16

b. List any threatened and endangered species known to be on or near the site.

None to the applicants knowledge.

c. Is the site part of a migration route? If so, explain.

Yes, Richland is within the Pacific Flyway.

d. Proposed measures to preserve or enhance wildlife, if any:

None.

e. List any invasive animal species known to be on or near the site.

None to the applicants knowledge.

6. Energy and natural resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

electric

b. Would your project affect the potential use of solar energy by adjacent properties?

If so, generally describe.

No, homes will be built to approximately same height as neighboring properties

c. What kinds of energy conservation features are included in the plans of this proposal?

List other proposed measures to reduce or control energy impacts, if any:

Adherence to residential construction energy code.

7. Environmental health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal?

If so, describe. There is an existing septic tank on site.

1) Describe any known or possible contamination at the site from present or past uses.

None to the applicant's knowledge

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

None to the applicant's knowledge

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Oil/diesel for construction equipment

4) Describe special emergency services that might be required.

N/A.

5) Proposed measures to reduce or control environmental health hazards, if any: N/A.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

General traffic

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Short term - construction noise. Long term - general traffic

- 3) Proposed measures to reduce or control noise impacts, if any:
Construction will be limited to normal working hours.

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Land is currently grassed and part of a residences property. Proposed use will be additional homes on the property.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? No farmlands or forests have been located at the site and none will be located on the site as part of this proposal.

- i) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: No farmlands or forests have been located at the site and none will be located on the site as part of this proposal.

- b. Describe any structures on the site.

There is an existing residential home on site which will remain.

- d. Will any structures be demolished? If so, what? No structures will be demolished.

- e. What is the current zoning classification of the site? R-1-10 Single Family Residential.

- f. What is the current comprehensive plan designation of the site?
Low density residential.

- g. If applicable, what is the current shoreline master program designation of the site?
Not applicable

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.
Not to the applicants knowledge.

- i. Approximately how many people would reside or work in the completed project?
7 single family homes.

- j. Approximately how many people would the completed project displace?
None.

- k. Proposed measures to avoid or reduce displacement impacts, if any: None.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: The proposal is consistent with current zoning and land use plans.
- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: Not applicable.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. 7 single family middle income homes
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. None.
- c. Proposed measures to reduce or control housing impacts, if any: None.

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? Two story homes.
- b. What views in the immediate vicinity would be altered or obstructed?
None. Homes will be of similar construction and height as surrounding homes.
- c. Proposed measures to reduce or control aesthetic impacts, if any:
None. Homes will be of similar construction and height as surrounding homes.

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?
Residential homes lighting.
- b. Could light or glare from the finished project be a safety hazard or interfere with views?
No. Homes will be of similar construction and height as surrounding homes.
- c. What existing off-site sources of light or glare may affect your proposal?
None. Homes will be of similar construction and height as surrounding homes.
- d. Proposed measures to reduce or control light and glare impacts, if any:
None.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?
Badger mountain community park is about 1/2 mile away and Badger mountain trailhead is also about 1/2 mile away.
- b. Would the proposed project displace any existing recreational uses? If so, describe.
No.
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:
N/A

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

No.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

No.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. N/A.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. N/A.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

Site will be located off Gala Way on the west side of Keene Road.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

The nearest bus stop is approximately 1/2 mile away on Keene Road.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

~~N/A~~ 2 PARKING STALLS / DWELLING UNIT = 14 PARKING STALLS

DEO
2.26.18

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

A shared paved access road will be constructed.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. No.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Minimal vehicle trips per day, 7 new single family homes.

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. No.

h. Proposed measures to reduce or control transportation impacts, if any:

None.

15. Public services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

Yes, for 7 single family homes.

b. Proposed measures to reduce or control direct impacts on public services, if any.

None.

16. Utilities

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other _____

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

The City of Richland will provide power, water, sewer, and refuse service.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Eric E. Ferguson

Name of signee: Eric Ferguson

Position and Agency/Organization: Civil Engineer JUB

Date Submitted: _____

Community & Economic Development Department

This application was reviewed by the Planning Division of the Community & Economic Development Department. Any comments or changes made by the Department are entered in the body of the checklist and contain initials of the reviewer.

[Signature] 2.26.18
Reviewer Signature Date

D. supplemental sheet for nonproject actions

Exhibit 5



File No. EA2018-107

CITY OF RICHLAND **Determination of Non-Significance**

Description of Proposal: A preliminary plat subdividing a 5.7 acre site into 8 residential lots to allow construction of 7 new single-family homes

Proponent: Cherese Anderson

Location of Proposal: 1161 Gala Way; generally located approximately 100 feet south of the intersection of Gala Way and Jordan Lane, Richland, WA

Lead Agency: City of Richland

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

() There is no comment for the DNS.

(**X**) This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for fourteen days from the date of issuance, which is February 26, 2018. Public comments must be submitted by **March 12, 2018**.

() This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

Responsible Official: Shane O'Neill

Position/Title: Senior Planner

Address: P.O. Box 190, Richland, WA 99352

Date: February 26, 2018

Signature  _____

Exhibit 6



2015 South Ely Street
Kennewick, WA 99337
Customer Service 509-586-9111
Business 509-586-6012
FAX 509-586-7663
www.kid.org

February 12, 2018

Shane O'Neill
City of Richland
Development Services
840 Northgate Dr.
Richland, WA 99352

Subject: KID Comments S2018-100 – Cob Hill - Wet

Dear Mr. O'Neill:

This letter provides Kennewick Irrigation District (KID) review comments on Preliminary Plat S2018-100 for Cob Hill. **These comments/conditions of approval are preliminary and subject to change pending KID Board Action on February 20, 2018, at which time an updated letter will be provided to the City of Richland.** This preliminary plat is generally located west of Gala Way and south of Purple Sage St., in Richland, WA. and includes the following parcel:

- 1-2798-400-0001-012 (5.56 irrigable acres)

The property identified on the proposed preliminary plat is located within the KID boundaries. The property within this preliminary plat is classified as irrigable land and consist of **5.56 irrigable acres**. KID provides the following comments as a condition of approval by the legislative authority for R.C.W. 58.17.310:

- 1) The following are KID easement requirements:
 - a. Dedicate to KID an irrigation easement 10 feet in width via a recorded deed to match any irrigation system components, centered on an irrigation pipe line.
 - b. Dedicate to KID an irrigation easement 10 feet in width, five (5) feet in width if adjacent to a utility easement, along the road frontage of all lots.
- 2) The property owner or developer is required to install an irrigation system that conforms to the most recent edition of the KID Standard Specifications pursuant to Resolution 86-15-A. This includes providing distribution pipelines adequate to provide individual pressurized irrigation services to each lot within the preliminary plat. This system will be dedicated to the KID upon completion, at the time of final plat.
 - a. Please note, it is recommended that the land owner or developer meet with KID to discuss options that satisfy this requirement, which may include one of the following:
 - i. The installation of completed irrigation facilities, which include the installation of irrigation piping and services and other irrigation appurtenances, to provide pressurized irrigation water to the project.

- b. Please note, as an alternative to immediate construction the owner may choose to delay installation of the irrigation system by entering into a facilities installation agreement with the KID. The owner must provide the KID with an irrigation system design that conforms to the most recent addition of the KID standard specifications. This irrigation system may be bonded and delayed up to five years. The facility installation agreement charge is \$350.00. The owner must establish an approved bonding mechanism with the KID in an amount approved by KID.
- 3) The property owner or developer is required to submit an irrigation plan designed by a professional engineer for review and approval by the KID. The plan may be hand drawn or computer drafted. The plan shall be accurate and to a scale not to exceed one (1) inch = 50 feet. This is a vital step of the approval process. After approval of the plan, completion of all the facilities is required prior to KID signature on the Final Plat. Please contact me at 586-9111 for more information regarding this irrigation plan.
 - a. In addition, this plan shall ensure all reasonable measures are taken to protect any easements, ROW's, and facilities. In the event any KID facilities are damaged during construction, the damage must be fully repaired to KID's then-existing standards.
 - b. For each phase of the Project, KID review and approval of construction and grading plans is required to allow KID to assure all reasonable measures to protect any easements and ROW's. Such review and approval will be coordinated as part of the City's review and Final Plat approval process.
 - c. No permanent structures are allowed within the KID's ROW.
- 4) The KID must inspect any new irrigation system installations or modifications. The property owner or developer shall contact the KID to arrange an inspection at least 48 hours in advance of the desired inspection date.
- 5) Prior to approval of each phase, the current year's assessment must be paid. If the final plat is submitted for review after May 31st of a given year or submitted for review prior to May 31st but not submitted for final approval prior to June 15th, the next year's estimated assessment (125% of the current year's assessment) must be paid prior to plat approval.
- 6) Prior to approval of the first phase, the United States Bureau of Reclamation (USBR) construction loan for **all parcels** owned by the property owner within the boundaries of the KID must be paid and all other USBR requirements associated with this payout must be completed.
- 7) The Review and Inspection fees in place at the time of each review request must be paid. At the time of application the review fees are as follows:
 - a. A Preliminary Plat review fee of \$825.00 which must be paid prior to scheduling for final plat approval at a KID Board meeting for the first phase.
 - b. For each Phase, an inspection fee \$350 for the first 20 lots/tracts plus \$25 per lot/tract after 20 lots/tracts.
 - c. Final Plat review fee for each phase of \$225.00.

- 8) Per KID Policy 4.17, "Irrigable Land Recalibration Principles," as land within the boundaries of the KID is subdivided or developed; KID will remove the irrigation water allocation from the impermeable surfaces, such as streets, from the plats.
- 9) In order to receive KID irrigation water delivery, a Watermaster (or point of contact) for the subdivision must be appointed. This water master can be appointed by the Home Owners Association (or similar organization) officers, or must be elected from among the property owners within the boundary of this proposed subdivision. If no HOA (or similar organization) is organized, than an election method similar to the attached document is required.
- 10) Prior to approval of each phase, an electronic file (AutoCAD 2004 format) and hard copy (6-mil mylar, sealed by a professional engineer) of construction as-builts must be provided to KID.
- 11) All subdivisions of land are required to be approved by the KID Board of Directors during a KID Board Meeting. KID Board Meetings are regularly scheduled on the first and third Tuesdays of each month. All conditions must be completed prior to submittal to KID for final approval. The submittal for final approval must be received by KID a minimum of two weeks prior to a regularly scheduled Board Meeting in order to be considered at that meeting.
- 12) Conditions Related to Design, Grading, and Construction
 - a. Provisions should be made to allow canal, flood waters and irrigation return flows from up gradient water users to drain through existing drainage paths.
 - b. For each phase of the Project, KID review and approval of construction plans is required to allow KID to assure all reasonable measures to protect any easements and ROWs. Such review and approval will be coordinated as part of the City's review and Final Plat approval process.
- 13) Conditions Related to Residential Use, The Applicant Shall:
 - a. Include the potential failure of KID system components in its public offering statement for the plat pursuant to RCW 58.19.055(1)(r), which requires a public offering statement to include "[a] list of any physical hazards known to the developer which particularly affect the development or the immediate vicinity in which the developer is located and which are not readily ascertainable by the purchaser"; and
- 14) Future review, KID reserves the following rights regarding future review of the plat:
 - a. KID reserves the right to provide review comments under RCW 58.17.330(1) and RCW 58.17.330(2) in response to future design submittals by the Applicant prior to final plat approval. The scope of these reviews will be limited to Phases that are adjacent to the District's Rights of Way. KID review of construction plans will be consistent with the City of Kennewick's plan review timelines.
 - b. KID reserves the right to review and comment on the Applicant's plat line revisions for potential additional revisions to protect KID system components for Phases that are adjacent to KID's easements or ROWs.

- c. KID reserves the right to review and comment on the Applicant's CC&Rs to evaluate whether they should include any terms regarding protection of KID system components after construction and fencing requirements.
- d. KID reserves the right to submit additional comments during the City's review process under the State Environmental Policy Act (SEPA).
- e. All subdivisions of land are required to be approved by the KID Board of Directors.

Please provide notice to KID of any Public meeting or hearing where this project will be an agenda item. If you have any questions regarding these comments, please contact me at the address/phone number listed below.

Sincerely,

A handwritten signature in blue ink, appearing to read 'B. Woodard', with a stylized flourish at the end.

Ben Woodard, P.E.
Assistant Engineering Manager

Enc: Sample Water Master Information

C: LB\correspondence\File: [27-09-28]

Sample Watermaster Election Process

That the Water Users are deemed to agree as a condition of water delivery as follows::

- i. The LID participants will elect a Watermaster from among themselves, as follows:
 - a. Election of First Watermaster. The first Watermaster shall be elected prior to April 1, 2011, and shall be elected as described in paragraph d. below.
 - b. Resignation of Watermaster. If the Watermaster resigns, the parties shall meet at a place and time designated by the resigning Watermaster in a written notice and elect a new Watermaster, or if the Watermaster does not designate a time and a place for such a meeting, the parties shall meet at a time and a place first designated in writing by two of the parties hereto to elect a new Watermaster.
 - c. Death or Incapacity of Watermaster. If the Watermaster dies or becomes incapacitated, the parties shall meet at a time and a place first designated in writing by two of the parties hereto to elect a new Watermaster.
 - d. Elections and Replacement of Watermaster. The Watermaster shall be assigned by the elected members of the Royal Ann Estates Homeowner Association Board of Directors. If the Homeowner's Association defaults or stops functioning, the Watermaster shall be elected by and may be replaced by a sixty percent (60%) majority of the Water Users participating in the LID at an election called for by a majority of the properties that are subject hereto. Each property shall have one (1) vote. If more than one person owns a property, the owners of the property shall designate in writing the person who shall have the right to vote for that property. If the owners of the property cannot agree on the person who shall vote for the property, that property shall have no vote in the election. The owners' properties which are calling for an election or replacement of a new Watermaster shall give or cause the other parties to be given a written notice stating the place and time of the election. Any notice required under this paragraph, which notice shall be mailed by U.S. Mail as certified mail to the common address identified above for the property not more than thirty days and not less than ten days

prior to the election. Any election held hereunder shall be held in Benton County, Washington, between 6:00 p.m. and 9:00 p.m.

- ii. Powers and Duties of Watermaster. The Watermaster shall have the power and it shall be his or her duty to take all actions reasonably necessary to fulfill the purposes of this agreement, including but not limited to:
 - a. Provide a primary point of contact for KID to communicate system problems, outages, schedules, drought mitigation measures, etc.
 - b. Assist KID in providing the LID participants information regarding system problems, outages, water schedules, drought mitigation measures, etc.
- iii. Qualified Immunity of Watermaster from Liability. The Watermaster shall not be liable for any damages caused to the parcels or persons subject hereto so long as the Watermaster acts in good faith.
- iv. No water delivery unless a Watermaster is performing duties. If at any time a Watermaster no longer is performing his/her duties, as outlined above, for more than 30 days, KID will stop water delivery to the participants of the LID until a new Watermaster has been elected.
- v. Alternate Watermaster. An alternate Watermaster may be elected in the same manner as described above for the Watermaster. This alternate Watermaster can function as Watermaster for a limited time, not to exceed 60 days, in case of the elected Watermaster being unavailable.

Exhibit 6



STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

March 7, 2018

Shane O'Neill
City of Richland
PO Box 190
Richland, WA 99352

Re: EA2018-107

Dear Mr. O'Neill:

Thank you for the opportunity to comment on the determination of nonsignificance for the subdivision of 5.7 acres into 8 residential lots, proposed by Cherese Anderson. We have reviewed the documents and have the following comments.

WATER QUALITY

Project with Potential to Discharge Off-Site

The NPDES Construction Stormwater General Permit from the Washington State Department of Ecology is required if there is a potential for stormwater discharge from a construction site with disturbed ground. This permit requires that the SEPA checklist fully disclose anticipated activities including building, road construction and utility placements. Obtaining a permit is a minimum of a 38 day process and may take up to 60 days if the original SEPA does not disclose all proposed activities.

The permit requires that Stormwater Pollution Prevention Plan (Erosion Sediment Control Plan) is prepared and implemented for all permitted construction sites. These control measures must be able to prevent soil from being carried into surface water (this includes storm drains) by stormwater runoff. Permit coverage and erosion control measures must be in place prior to any clearing, grading or construction.

More information on the stormwater program may be found on Ecology's stormwater website at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/>. Please submit an application or contact **Lloyd Stevens, Jr.** at the Dept. of Ecology, (509) 574-3991, with questions about this permit.

WATER RESOURCES

If you plan to use water for dust suppression at your site, be sure that you have a legal right. A water right permit is required for all surface water diversions and withdrawals for any water from a well that will exceed 5,000 gallons per day. (Chapter 90.03 RCW Surface Water Code and



Mr. O'Neill
March 7, 2018
Page 2

Chapter 90.44 RCW Regulation of Public Ground Waters) If in doubt, check with the Department of Ecology, Water Resources Program. Temporary permits may be obtainable in a short time-period. The concern of Water Resources is for existing water rights. In some instances water may need to be obtained from a different area and hauled in or from an existing water right holder.

If you have any questions or would like to respond to these Water Resources comments, please contact **Jolee Ramos** at (509) 454-4173 or email at jolee.ramos@ecy.wa.gov.

Sincerely,



Gwen Clear
Environmental Review Coordinator
Central Regional Office
(509) 575-2012
crosepacoordinator@ecy.wa.gov

Exhibit 7

ONeill, Shane

From: thekooiker@gmail.com
Sent: Thursday, March 1, 2018 6:49 PM
To: ONeill, Shane
Subject: S2018-100 & EA2018-107

Shane

Is the preliminary plat map showing the street connection for the proposed development of Cobb Hill available electronically from the City?

I am concerned that the driveway currently being used to access the two homes in that area off Gala will be used as an access point for the new lots.

I am also concerned that the storm water runoff and sprinkler failures will cause flooding of the homes on Jordan Lane south side. There are a number of homes with retaining walls built that back up to the proposed development.

We have had a problem this past summer with the property having sprinkler line failures and flooding the back yards and Jordan lane.

I would like to review the plat map.

Curtis Kooiker
509-528-8033

ONeill, Shane

From: lynnmoate@aol.com
Sent: Tuesday, March 6, 2018 9:12 AM
To: ONeill, Shane
Subject: Cobb Hill

I own and live at 541 Jordan Lane and have concerns regarding the development of Cobb Hill and drainage from storm water and irrigation. I have lived here for 5-1/2 years and have had issues with malfunctioning sprinklers owned by Ms. Anderson. Fortunately I have been home when the problems occurred and Cherese has been "Johnnie on the Spot" in addressing the malfunctioning sprinklers.

I do not have problem with Cherese's decision to sell and have her land developed. I only want to make sure there is proper drainage so my property won't be flooded and/or the rock wall destroyed.

Thank you for your consideration of my concerns.

Lynn Moate
541 Jordan Lane
Richland WA
509-308-0700

O'Neill, Shane

From: Tamas Varga <varga.tamas72@gmail.com>
Sent: Saturday, March 3, 2018 7:55 PM
To: O'Neill, Shane
Subject: Jordan Ln, Envir. Determin.& Public Hearing

Dear Mr. Shane O'Neill,

This message is to express my views on the application by Cherese Anderson to subdivide the site on the W side of Gala Way, on Jordan Lane (S2018-100 & EA2018-107).

I live at 562 Jordan Lane since the street was opened and Hayden Homes started building houses there (moved in June, 2012). Since the selling point for my lot was exactly the green slope leading up to the pine trees, thinking that no homes would be built on that slope, I am naturally in opposition to the idea of subdividing it and filling it with homes. I know that the disappearance of the green hilly area will cause the value of my property drop.

However, I do not want to selfishly focus on this point. Instead, please let me make a few points that I believe must be considered before making a decision on the approval.

- Jordan Lane is a crowded street relative to the whole neighborhood around it. As I am sure you know, Jordan lane is composed of small lots, sizes not created before on the mountain. The density of the homes is already great. There is not much green, soil erosion is a problem, and view up and down on Badger is already limited.

- If another 8 residencies are built, there will be a need for either a new road parallel to Jordan, or one branching off from Jordan Lane somewhere (probably at the current turnaround). Jordan Lane is a cul de sac. As there is no through-traffic, there will be a significant increase of cars both traveling and parking. Jordan Lane is already full of cars as it often seems to me.

- If construction starts, there will be heavy traffic, dust, noise for months, even a year, in this crowded neighborhood. Many people may just give up and move away from there. This will increase the number of sales, houses for sale, and houses for rent. None of these are good for the integrity and safety of any neighborhood. I already had a strange couple of neighbors since my original neighbor left the area and decided to rent out their house. Conflicts are more likely under such circumstances. New people tend to dislike and resist the strict HOA rules that are in place on Jordan Lane.

- The preliminary plat in question is a slope, a real hillside. Making the area appropriate for building homes will require extra groundwork that will both create an enormous amount of dirt, dust, noise, and will destroy a natural area so rare in our neighborhood.

- Having lived on Jordan Lane for over 5.5 years, I know for certain that the ground is not very stable, prone to erosion, which already created problems in the ditch between Jordan and Purple Sage. Water coming down from the mountain from more homes will make the erosion issue worse, and may make having a lawn around the homes impossible. As Badger does not have natural trees and grass, the neighborhood may become a desert again, as it was before homes were built there. Blowing dust is still an issue even after many neighborhoods were built and people have green landscaped areas.

- In general, I would say, people on Jordan Lane are not upper class. Middle class working people, who are unable to afford the \$350-400K (and above) homes on Badger. Making their investment worth even less while destroying their original idea of a now finished neighborhood does not seem fair.

Thank you very much for your consideration to incorporate these point into your staff report.
I would like to be notified of any decisions pertaining to the above application.

Kind regards,

Tamas Varga
562 Jordan Ln
(509) 396-9895

ONeill, Shane

From: Linda Edwards <plapper@frontier.com>
Sent: Wednesday, March 7, 2018 11:43 AM
To: O'Neill, Shane
Cc: 'lynnmoate'; 'Matthew Gebarowski'; 'Marjorie Kaspar'; 'roboshell'
Subject: Cobb Hill Development (S2018-100 & EA2018-17)

City of Richland
Richland Planning Division
840 Northgate Drive
Richland, WA 99352

Dear Mr. O'Neill,

I am writing to you on behalf of the Board of Directors of Badger Mountain Village Homeowners Association, which represents 158 homes due north of the proposed Cobb Hill Development mentioned in the City of Richland's Notice of Application, Environmental Determination, and Public Hearing.

Firstly, we would like to make it clear that we are not opposed to the development of Ms. Anderson's land as indicated in the pre-plat map. Ms. Anderson has been a good neighbor to our Jordan Lane homeowners.

However, we are greatly concerned that the Determination of Non-Significance (MDNS) has been issued without consideration for the drainage that will occur onto the properties of the adjoining Jordan Lane properties with the development of these eight (8) additional lots. Additional landscaping and irrigation systems will undoubtedly occur on these eight lots after they are sold.

To understand our concern, one only has to look at the topography of Cobb Hill and the extraordinary lengths that Hayden Homes, the original developer of the Jordan Lane homes, went to in order to develop the Jordan Lane homes. The homes on the south side of Jordan Lane that adjoin the proposed Cobb Hill Development were cut out of the side of Cobb Hill and, thusly, had to have large (& tall) retaining walls in order to create a flat building lot. In addition, because of the severe slope of the hill, the homes on the north side of Jordan Lane have a 10 foot slope and storm drainage easement which is supposed to (but does not) catch the flow of water from the lots and make it flow from west to east.

We are duly concerned that further development up-slope from the Jordan Lane homes will worsen the existing drainage problems. I am certain that there is a solution that will solve this problem, but this solution may not be implemented if the determination has already been made

that this development will not have any significant impact. We are requesting that the City of Richland ensure that the run-off from these eight lots are channeled to a city-installed drain line.

We are asking that the Planning Division specifically address our concerns in writing and that we be informed of the decisions relating to the development of Cobb Hill. Also, we are asking that the Environmental Checklist and geotechnical and critical reports be made available to us.

Sincerely,

L. Edwards

Linda Edwards, President
On Behalf of the BMV HOA Board of Directors

plapper@frontier.com
509-371-1619

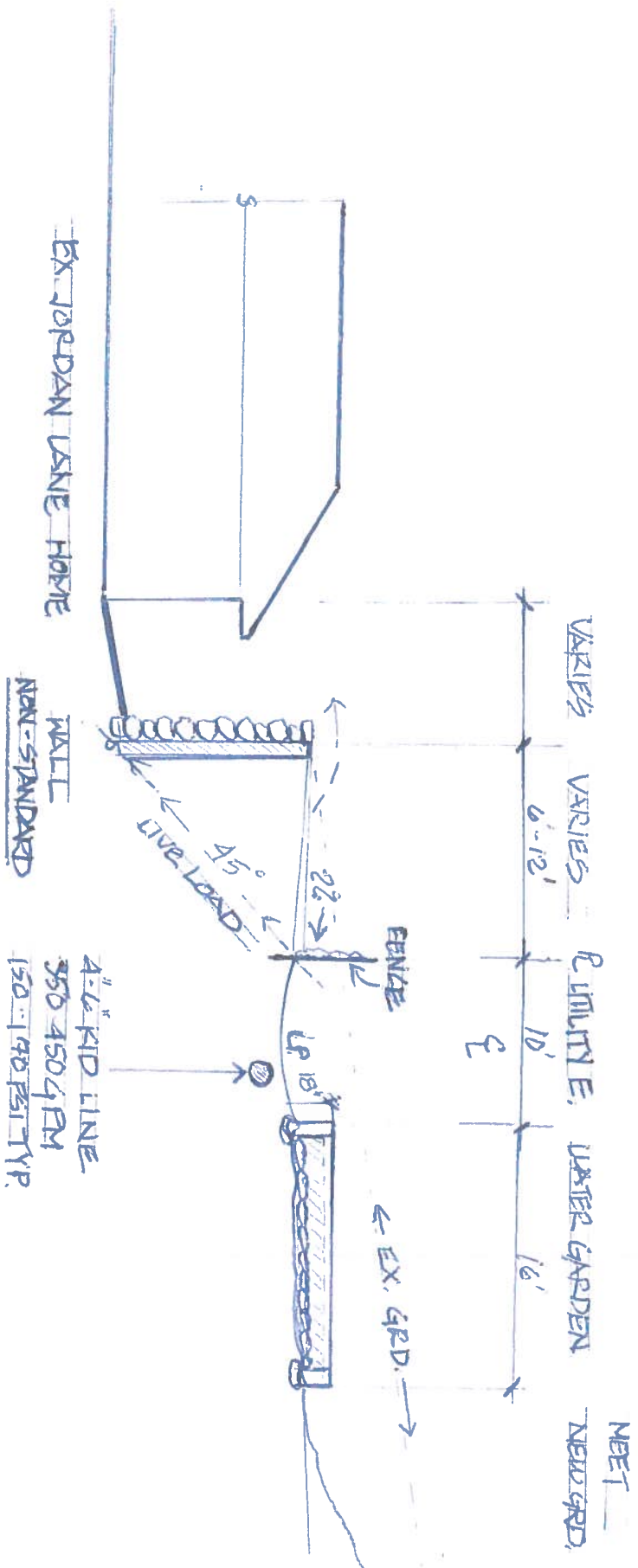
Cobb Hill Projected Storm Water and Irrigation Runoff

1. The square footage of the Cobb Hill Lots varies from Lot 2 at 19,000 s.f. to 27,000 s.f. for Lot 8.
2. Allowing for a minimum of 1" of rainfall at .25%* absorption, and a 3,000 s.f. non-permeable house and paving, all the water will move downhill toward the Jordan Lane property lines.
Therefore:

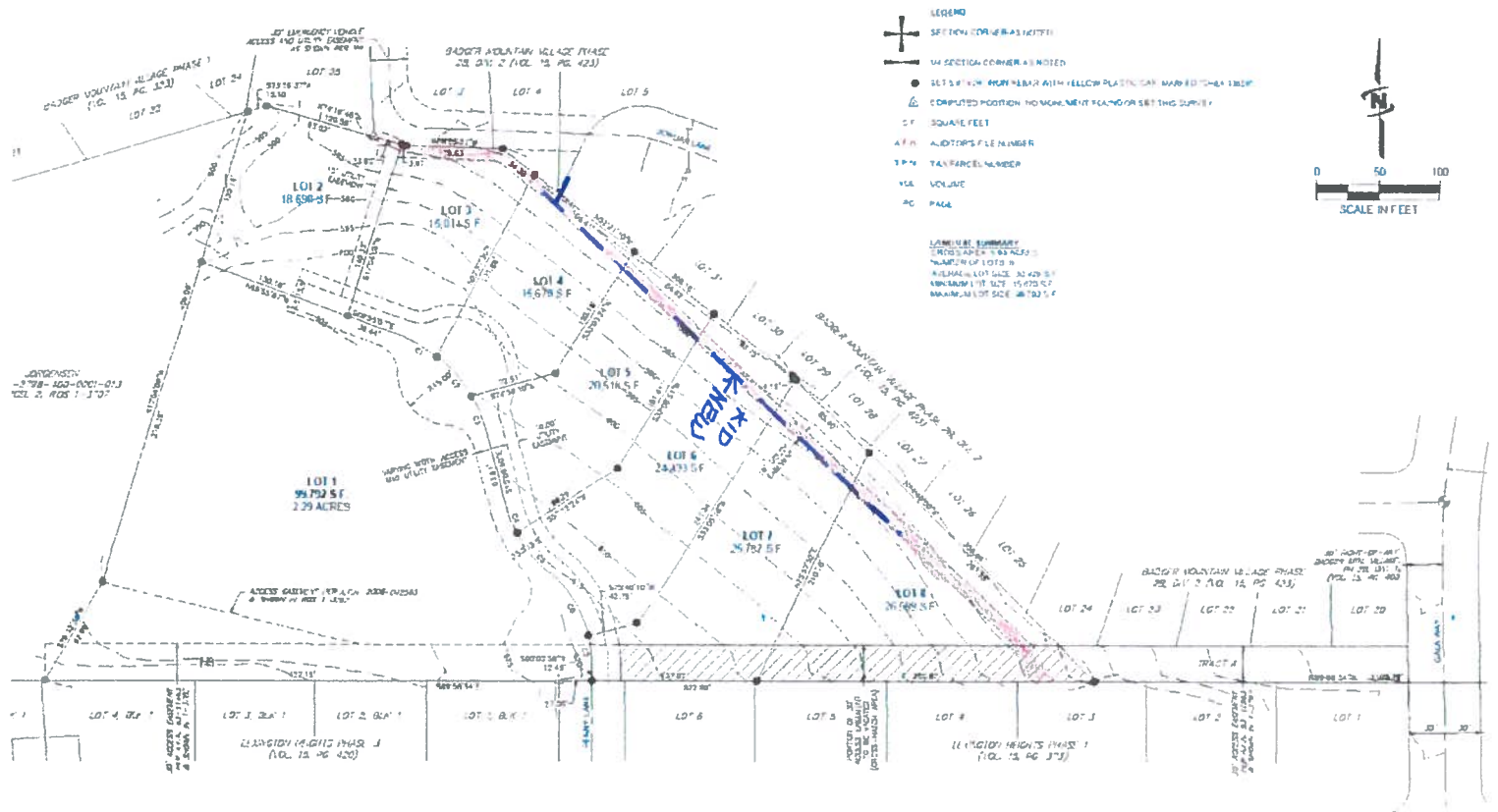
a. Lot #2 - 16,000 sf X .75" X 1" =	12,000 ci
Roof & Pvg. 3,000sf X 1" =	<u>3,000 ci</u>
Total	15,000 ci/ 12" = 1,250 cubic feet retaining = 90' X 16'
b. Lot #8 - 24,000 sf X .75" X 1" =	18,000 ci
Roof & Pvg. 3,000sf X 1" =	<u>3,000 ci</u>
Total	21,000ci/ 12" = 1,750 cubic feet retaining = 120' X 16'
	18" High Curb, 1' deep retaining
3. A proposed water retaining structure, or "water garden" should be constructed above the utility easement to contain this water. 18" curb lined with heavy duty geotextile and cobbles for at total of 16' by 90-120' per area of the lots as drawn. Water from storms and irrigation can all be directed to this area by site grading. The approximately 2 cubic yards water will be infiltrated harmlessly over time on its own site instead of flash flooding down into the narrow Jordan Lane homes. This is most efficiently done by the developer and inspected by the City,
4. Set back: Jordan Lane has an Existing Unreinforced Concrete Wall constructed by Hayden Homes with 6'-12' of Jordan property, typically, behind that wall. We want this property fenced off protecting the existing wall and homes below from any heavy equipment 'live loads': one-foot setback per one foot of height of wall. 12' wall = 12' setback. This will protect the wall and homes below from water and grading accidents, creating a south facing neutral slope not to exceed 2 percent, South.
5. The 10-foot Utility Easement, has proved historically to be an area where utility trenches settle rapidly over time and where KID Spills occur frequently. Therefore, we ask that the Utility Easement double as a swale and low point to catch excess water from KID blow-outs and water garden overflows. This will create a 2% return slope on the Jordan Lane side, and emergency swale structure in the KID Utility Easement, and retaining water on the Cobb Hill Property. The up-hill homeowner is unaware of these rainfall or irrigation blow out events, then discovers too late that the maintenance and repair is inaccessible,
6. The Water Garden structure should logically be located and inspected by the City above the Utility Easement, and constructed **before** any possible water spills occur by the homebuilders. After our experience with Hayden Homes, we prefer our storm water protection installed first with easy access by City Inspectors and heavy equipment.

MARJORIE R. KASPAR,
LANDSCAPE ARCHITECT
509-619-0769
Envision Your Eden
552 LAKEROSE LOOP CELL 818-322
RICHLAND, WA 99352 MARJORIE.KASPAR@FARM
WASHINGTON #1216, OREGON
CALIFORNIA #3246

PROPOSED SECTION @ PL SCALE 1"=10'



A SUBDIVISION OF PARCEL 1, RECORDED IN VOLUME 1 OF SURVEYS, PAGE 3701, SITUATED IN A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 9 NORTH, RANGE 28 EAST, 7M CITY OF RICHLAND, BENTON COUNTY, WASHINGTON.



(400-0001-012)

SEE SHEET 2

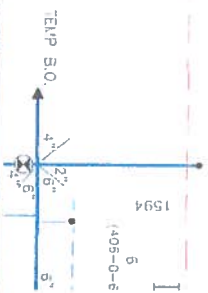
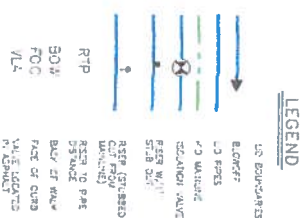
1466
MOUNTAIN LOOP

33
23-0-81

MOUNTAIN

LOOP

BADK



(PARCEL NUMBERS BEGIN WITH 2799-)

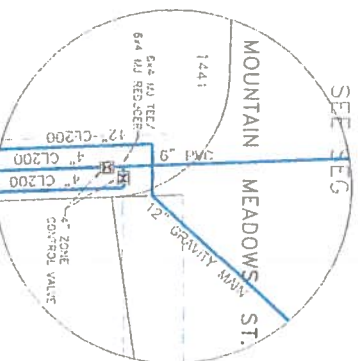
KENNEDICK EDUCATION DISTRICT
12 W. KENNEDICK AVE.
EDMONTON, WASHINGTON 99356
(509) 586-9111
WWW.KID.ORG

**PSA 191
BADGER MOUNTAIN
VILLAGE**

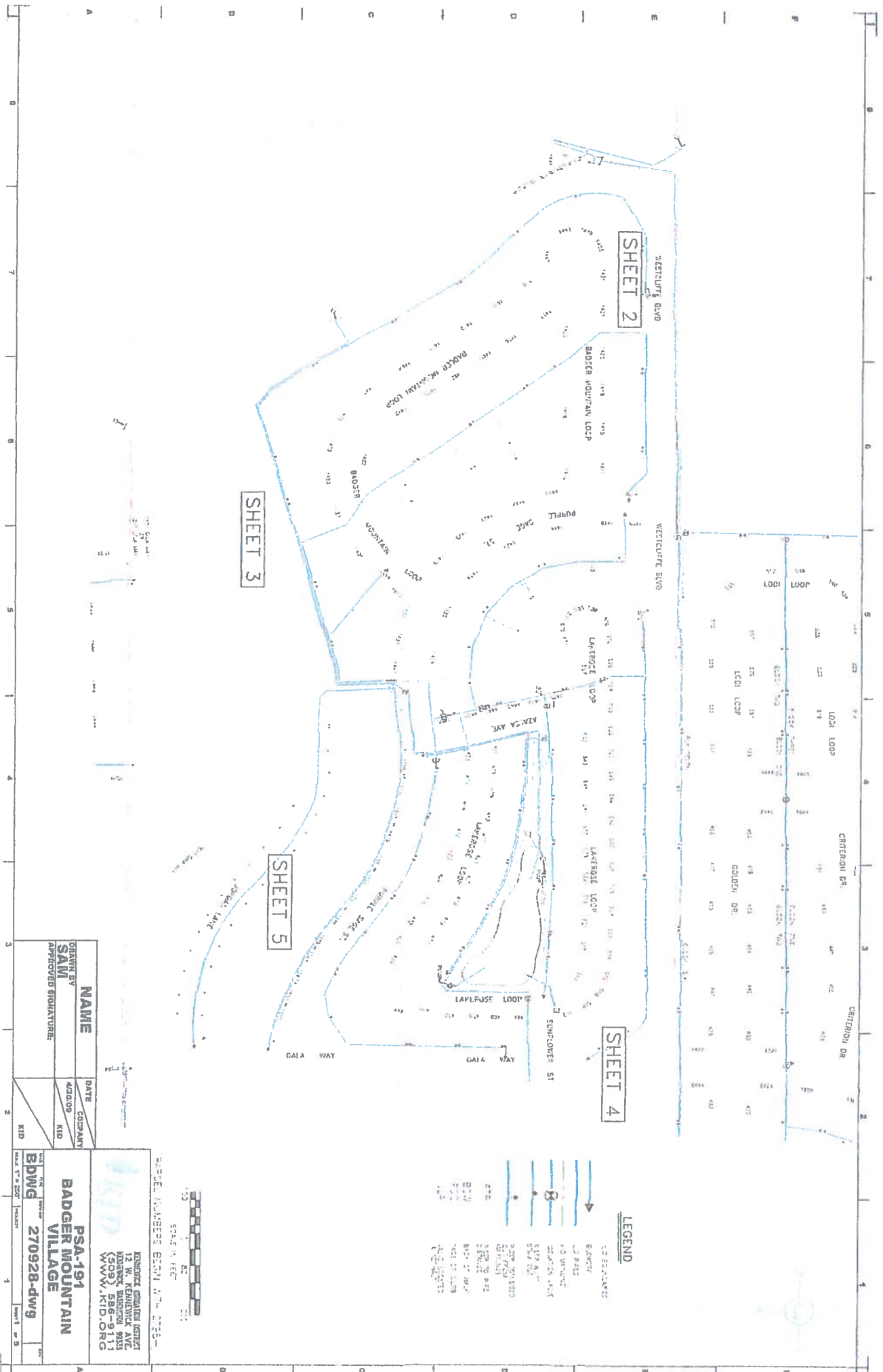
270928.dwg

Angle	sin	cos	tan	cot	sec	csc
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10°	0.1736	0.9848	0.1763	0.5646	1.0154	1.0471
20°	0.3420	0.9397	0.3640	0.2747	1.0355	1.0642
30°	0.5000	0.8660	0.5774	0.1736	1.1547	1.1547
40°	0.6428	0.7660	0.8391	0.1192	1.3054	1.2598
50°	0.7660	0.6428	1.1918	0.0845	1.5557	1.3054
60°	0.8660	0.5000	1.7321	0.0577	2.0000	1.1547
70°	0.9397	0.3420	2.7475	0.0364	2.9238	1.0642
80°	0.9848	0.1736	5.7446	0.0173	3.8568	1.0471
90°	1.0000	0.0000	∞	0.0000	∞	1.0000

1



100



(S2018-100 – Cobb Hill Preliminary Plat)

**RICHLAND HEARING EXAMINER
TECHNICAL ADVISORY COMMITTEE REPORT
March 5, 2018**

APPLICANT: CHERESE ANDERSON

REQUEST: PRELIMINARY PLAT APPROVAL TO SUBDIVIDE 5.7 ACRES INTO 8
RESIDENTIAL LOTS, (THE PLAT OF COBB HILL)

LOCATION: WEST OF GALA WAY, SW OF THE PLAT OF BADGER MTN. VILLAGE

ENGINEER: J-U-B ENGINEERS, INC.

TECHNICAL ADVISORY COMMITTEE RECOMMENDATIONS

The Technical Advisory Committee conducted a review of the request and recommends that if the preliminary plat is approved, such approval be subject to the following conditions:

General Conditions:

1. All final plans for public improvements shall be submitted prior to pre-con on a 24" x 36" hardcopy format and also electronically in .dwg format compatible with the City's standard CAD software. Addendums are not allowed, all information shall be supplied in the specified 24 x 36 (and electronic) format. When construction of the infrastructure has been substantially completed, the applicant shall provide paper, mylar and electronic record drawings in accordance with the City's "Record Drawing Requirements". The electronic as-built record drawings shall be submitted in a AutoCAD format compatible with the City's standard CAD software. Electronic copies of the construction plans are required prior to the pre-con meeting, along with the multiple sets of paper drawings. The mylar record drawings (including street lights) shall be submitted and approved by the City before the final punchlist inspection will be performed. All final punchlist items shall be completed or financially guaranteed prior to recording of the final plat.
2. Any and all necessary permits that may be required by jurisdictional entities outside of the City of Richland shall be the responsibility of the developer to obtain.
3. A copy of the construction drawings shall be submitted for review to the appropriate jurisdictions by the developer and his engineer. All required comments / conditions from all appropriate reviewing jurisdictions (e.g.: Benton County, any appropriate irrigation districts, other utilities, etc.) shall be incorporated into one comprehensive set of drawings and resubmitted (if necessary) for final permit review and issuance.
4. Any work within the public right-of-way or easements or involving public infrastructure will require the applicant to obtain a right-of-way permit prior to construction, per RMC Chapter 12.08. A plan review and inspection fee in the amount equal to 5% of the construction costs of the work within the right-of-way or easement will be collected at the time the permit is issued. A stamped, itemized Engineers estimate (Opinion of probable cost) and a copy of the material submittals shall be submitted along with the final plan submittal.

5. When the construction is substantially complete a paper set of "record drawings" shall be prepared by a licensed surveyor and include all changes and deviations. Please reference the Public Works document "RECORD DRAWING REQUIREMENTS & PROCEDURES" for a complete description of the record drawing process. After approval by the City of the paper copy, a mylar copy of the record drawings shall be submitted along with a CAD copy of them. The electronic as-built record drawings shall be submitted in a AutoCAD format compatible with the City's standard CAD software. All final punchlist items shall be completed or financially guaranteed prior to recording of the final plat.
6. Public utility infrastructure located on private property will require recording of a City standard form easement prior to acceptance of the infrastructure and release of the final plat. The City requires preparation of the easement legal description by the developer two weeks prior to the scheduled date of plat acceptance. Once received, the City will prepare the easement document and provide it to the developer. The developer shall record the easement at the Benton County Assessor and return a recorded original document to the City prior to application for plat acceptance.
7. A pre-construction conference will be required prior to the start of any work within the public right-of-way or easement. Contact the Public Works Engineering Division at 942-7500 to schedule a pre-construction conference.
8. Site plan drawings which involve the construction of public infrastructure shall be drawn on a standard 24" x 36" drawing format to a scale which shall not be less than 1"= 40'.
9. All plan sheets involving construction of public infrastructure shall have the stamp of a current Washington State licensed professional engineer.
10. All construction plan sheets shall include the note "CALL TWO WORKING DAYS BEFORE YOU DIG 1-800-424-5555 (or "811")." Or: <http://www.call811.com/>
11. An irrigation source and distribution system, entirely separate from the City's domestic water system, shall be provided for this development. *Construction plans will not be accepted for review until adequate and viable proof of an irrigation source is made available by the developer.* The designing Engineer shall submit plans for the proposed irrigation system to the Irrigation District with jurisdiction over the property at the same time that they are submitted to the City for construction review. Plans shall be reviewed and accepted by said irrigation district prior to issuance of a Right-of-Way permit by the City. Easements shall be provided on the final plat for this system where needed.
12. A copy of the preliminary plat shall be supplied to the Post Office and all locations of future mailbox clusters approved prior to final platting.

Design Standards:

13. Public improvement design shall follow the following general format:
 - A. All materials and workmanship shall be in conformance with the latest revision of the City of Richland Standard Specifications and Details and the current edition of the State of Washington Standard Specifications for Road, Bridge, and Municipal Construction. Please confirm that you have the latest set of standard specs and details by visiting the City's web page.
 - B. Sanitary sewer shall be aligned on the north and west side of street centerlines.
 - C. Storm sewer shall be aligned on the south and east side of street centerlines.
 - D. Any sewer or storm manholes that are installed outside of public Right of Way shall have an acceptable 12-foot wide gravel access road (minimum) provided from a public street for maintenance vehicles.

- E. 10-foot horizontal spacing shall be maintained between domestic water and sanitary sewer mainlines and service lines.
 - F. Water lines shall be aligned on the south and east side of street centerlines.
 - G. Watermains larger than 8-inches in diameter shall be ductile iron.
 - H. Watermains installed outside of the City Right of Way or in very rocky native material, shall be ductile iron and may need restrained joints.
 - I. Fire hydrant location shall be reviewed and approved by the City Fire Marshal.
 - J. Sewer mains over 15-feet deep shall be constructed out of SDR26 PVC or C900 PVC. The entire main from manhole to manhole shall be the same material. Private sewer service lines over 15-feet deep shall also be constructed of the same material, then transition to regular sewer piping above 15-feet.
 - K. Water valves and manholes installed on private property shall be placed so as to avoid parked cars whenever feasible.
 - L. All utilities shall be extended to the adjacent property (properties) at the time of construction.
 - M. The minimum centerline finish grade shall be no less than 0.30 % and the maximum centerline finish grade shall be no more than 10.0 % for local streets.
 - N. The minimum centerline radius for local streets shall be 100-feet.
 - O. A overall, composite utility plan shall be included in the submitted plan set if the project is phased. This comprehensive utility plan benefits all departments and maintenance groups involved in the review and inspection of the project.
 - P. A detailed grading plan shall be included in the submitted plan set.
 - Q. For public utilities not located within public street rights-of-way the applicant shall provide maintenance access acceptable to the City and the applicant shall provide an exclusive 10-foot wide public utility easement (minimum) to be conveyed to the City of Richland.
 - R. Final design of the public improvements shall be approved at the time of the City's issuance of a Right-of-way Construction Permit for the proposed construction.
 - S. All public improvements shall comply with the State of Washington and City of Richland requirements, standards and codes.
 - T. All cul-de-sacs shall have a minimum radius of 45-feet to the face of curb to allow for adequate turning radius of fire trucks and solid waste collection vehicles.
 - U. Curb returns at minor intersections shall have a minimum radius of 25-feet. Curb returns at major intersections should have minimum radius of 30-feet but should be evaluated on a case by case basis.
 - V. All public streets shall meet design requirements for sight distance (horizontal, vertical and intersectional).
 - W. The final engineered construction plans shall identify locations for irrigation system, street lighting, gas service, power lines, telephone lines, cable television lines, street trees and mail boxes. All electrical appurtenances such as transformers, vaults, conduit routes, and street lights (including their circuit) need to be shown in the plan view.
 - X. Construction plans shall provide or reference all standard drawings or special details that will be necessary to construct all public improvements which will be owned, operated, maintained by the City or used by the general public (Commercial Driveway, Curb, Gutter, Sidewalk, Water, Sewer, Storm, Street and Street lighting etc.).
 - Y. The contractor shall be responsible for any and all public infrastructure construction deficiencies for a period of one year from the date of the letter of acceptance by the City of Richland.
14. If the project will be built in phases the applicant shall submit a master plan for the sanitary sewer, domestic water, storm drainage, electrical, street lighting and irrigation system for the entire project prior to submitting plans for the first phase to assure constructability of the entire project. This includes the location and size of any storm retention ponds that may be required to handle runoff.

15. If the City Fire Marshal requires a secondary emergency vehicle access, it shall be included in the construction plan set and be designed to the following standards:
- A. 2-inches compacted gravel, minimum (temp. SEVA only).
 - B. 2% cross-slope, maximum.
 - C. 5% slope, maximum. Any access road steeper than 5% shall be paved or be approved by the Fire Marshal.
 - D. Be 20-feet in width.
 - E. Have radii that are accommodating with those needed for City Fire apparatus.

Secondary emergency vehicles accesses (SEVA's) shall be 20-feet wide, as noted. Longer secondary accesses can be built to 12-feet wide with the approval of the City of Richland Fire Marshal, however turn-outs are required at a spacing acceptable to the Fire Dept. Temporary SEVA's shall be constructed with 2-inches of compacted gravel, at a minimum. Permanent SEVA's shall be paved with 2-inches of asphalt over 4-inches of gravel, at a minimum.

16. SURVEY MONUMENT DESTRUCTION:

All permanent survey monuments existing on the project site shall be protected. If any monuments are destroyed by the proposed construction, the applicant shall retain a professional land surveyor to replace the monuments and file a copy of the record survey with the City.

- A. No survey monument shall be removed or destroyed (*the physical disturbance or covering of a monument such that the survey point is no longer visible or readily accessible*) before a permit is obtained from the Department of Natural Resources (DNR). WAC 332-120-030(2) states "It shall be the responsibility of the governmental agency or others performing construction work or other activity (including road or street resurfacing projects) to adequately search the records and the physical area of the proposed construction work or other activity for the purpose of locating and referencing any known or existing survey monuments." (RCW 58.09.130).
- B. Any person, corporation, association, department, or subdivision of the state, county or municipality responsible for an activity that may cause a survey monument to be removed or destroyed shall be responsible for ensuring that the original survey point is perpetuated. (WAC 332-120-030(2)).
- C. Survey monuments are those monuments marking local control points, geodetic control points, and land boundary survey corners. (WAC 332-120-030(3)).

When a monument must be removed during an activity that might disturb or destroy it, a licensed Engineer or Land Surveyor must complete, sign, seal and file a permit with the DNR.

It shall be the responsibility of the designing Engineer to identify the affected monuments on the project plans and include a construction note directing them to the DNR permit.

Traffic & Streets:

17. The original proposed private driveway ("Tract A") out to Gala Way would allow from 10-13 lots to eventually use that private driveway intersection onto Gala Way as their sole access. This would essentially create an undesirable third street intersection on a short block that is also adjacent to an elementary school. Penny Lane shall therefore be extended into the proposed preliminary plat and terminate in a standard cul-de-sac. This Penny Lane extension could either be a City standard public right-of-way or a privately owned & maintained roadway. If Penny Lane is extended as a public right-of-way, it could be the City standard single-frontage roadway (a 27-foot wide street in a 40-foot ROW which allows for parking on one side). A private roadway 27-feet wide would allow for parking on one side.

18. Tract A may only be utilized as a driveway serving Lot 8.
19. The access easement for the existing home to the west shall be regraded and maintained as a driveway onto the Penny Lane extension.
20. The "Cobb Hill" preliminary plat lies within the boundary of the South Richland Collector Street Financing Plan (RMC 12.03). This plat shall therefore be subject to the fees administered by the finance plan for any phase submitted for approval. Since this property is included within the Financing Plan, it is exempt from the SEPA-related traffic study requirement (TIA).
21. The vision-clearance triangle needs to be shown on all corner lots on both the construction plans and the final plat document, in accordance with RMC Chapter 12.11.020. If the intersection is in a curve, it will have to be evaluated per AASHTO guidelines. This information may need to be designed by the engineer of record and supplied to the surveyor of record for inclusion into the final plat document.
22. All proposed public Right of Ways that are narrower than 54-feet shall have parking restricted, as per City standards. Street signs indicating restricted parking shall be installed prior to final platting at the developers expense. The restricted parking areas shall be indicated on the construction plans and the final plat.
23. Any private roadways narrower than 34-feet shall have parking restricted on one side, and any roads 27-feet or narrower shall have parking restricted on both sides. Street signs indicating restricted parking shall be installed prior to final platting at the developers expense.
24. All private roads shall be constructed to provide for adequate fire truck & solid waste collection truck access & turnaround movements.
25. Sidewalks shall be installed along all public Right of Way frontages that building lots do not front on during construction of those phases (e.g., storm drainage ponds, parks, etc.).
26. If the project is to be constructed in phases, all dead-end streets longer than 150-feet that will be continued later need to have temporary turn-arounds built at the end of them. The radius of these turn-arounds shall be 45-feet minimum, and shall be constructed of 2-inches of compacted top course gravel for slopes less than 5%, or of 2-inches of asphalt atop 2-inches of gravel for slopes greater than 5%. If the temporary turn around is not located within the final plat an easement with a 50-foot radius will be required.

Domestic Water:

27. The proposed preliminary plat is located within the Tapteal 2 water pressure zone. The closest Tapteal 2 water main is located in Jordan Lane to the North, Penny Lane to the South, Molly Marie Ave. to the West and Gala Way to the East. The water main stubs in Jordan Lane and Penny Lane shall be connected to each other as part of the construction of this project. Looping of these two water main stubs together will provide redundancy, improve fire flows and also prevent stagnation.
28. A 10-foot wide exclusive water easement shall be provided over the watermain where it is outside of the public Right of Way.
29. The developer will be required to demonstrate that all phases are capable of delivering adequate fire flows prior to construction plans being accepted for review. This may require looping of the watermain from off-site locations, or oversizing of the main where needed.

30. The fire hydrant layout shall be approved by the City Fire Marshal.

Sanitary Sewer:

31. The closest sanitary sewer available for this development is located in Jordan Lane to the north. It shall be the responsibility of the developer to extend a sewer main to this property to serve sanitary sewer at the time of plat construction.
32. A 10-foot wide exclusive sanitary sewer easement shall be provided for any sewer main that is outside of the public Right-of-Way. Wider easements are required for mains that are buried deeper than 10-feet. If any manholes are located outside of the public Right-of-Way, maintenance truck access to said structure may be required.
33. Sanitary sewer shall be extended to the adjoining properties adjacent to the plat.

Storm Water:

34. This project may require coverage under the Washington State General NPDES Permit for Construction projects. The Developer shall be responsible for compliance with the permit conditions. The City has adopted revised standards affecting the construction of new stormwater facilities in order to comply with conditions of its NPDES General Stormwater Permit program. This project, and each phase thereof, shall comply with the requirements of the City's stormwater program in place at the time each phase is engineered. The project will require detailed erosion control plans.
35. All storm drainage systems shall be designed following the core elements defined in the latest edition of the Stormwater Management Manual for Eastern Washington. The Hydrologic Analysis and Design shall be completed based on the following criteria: Washington, Region 2, Benton County; SCS Type 1A – 24 Hour storm for storm volume. The applicant's design shall provide runoff protection to downstream property owners.
36. The flow-rate of the public storm drainage system shall be designed using the 2-Year, 3-Hour short duration Eastern Washington storm for pipe and inlet sizing using SCS or Santa Barbara method; no modifying or adding time of concentration; no surcharge allowed. Calculations shall be stamped by a registered professional engineer and shall include a profile of the system showing the hydraulic grade line. The calculations should include a 50-foot wide strip behind each right of way line to represent drainage from private property into the City system. Of that area, 50% shall be considered pervious and 50% impervious. Calculations shall include a profile for the design showing the hydraulic grade line for the system. Passing the storm downhill to an existing system will require a downstream storm system capable of accepting the water without being overwhelmed.
37. All construction projects that don't meet the exemption requirements outlined in Richland Municipal Code, Section 16.06 shall comply with the requirements of the Washington State Department of Ecology issued Eastern Washington NPDES Phase II Municipal Stormwater Permit. All construction activities subject to this title shall be required to comply with the standards and requirements set forth in the Stormwater Management Manual for Eastern Washington (SWMMEW) and prepare a Stormwater Site Plan. In addition a Stormwater Pollution Prevention Plan (SWPPP) or submission of a completed erosivity waiver certification is required at the time of plan submittal.

38. If any existing storm drainage or ground water seepage drains onto the proposed site, said storm drainage shall be considered an existing condition, and it shall be the responsibility of the property developer to design a system to contain or treat and release the off-site storm drainage.
39. Prior to or concurrent with the submittal of the first phase the developer shall provide a Geotechnical report including the percolation rate of the soils in the area of any storm retention ponds. If the project constructs a storm retention pond then the engineer will need to demonstrate that the pond will drain itself within 24 hours after the end of a storm event, and not have standing water in it longer than that. Engineering solutions are available for retention ponds that do not perk within 24 hours.
40. As per RMC chapter 24.20.070 and the City of Richland's Comprehensive Stormwater Management Plan, the storm drainage system installed as part of this plat may need to be oversized in order to handle the additional flow from future developments in the vicinity.
41. Stormwater collection pipes shall be extended to the adjoining properties adjacent to the plat.
42. If the storm drain pond slopes are greater than 25% or deeper than 4-feet, then a 6-foot fence will be required around the perimeter of the pond with a minimum 12-foot wide gate for maintenance vehicles. A maintenance road from the public Right of Way to the bottom of the pond is also needed (2-inches of compacted gravel, minimum). The City's maintenance of the pond in the future will consist of trimming weeds to maintain compliance with fire and nuisance codes, and maintaining the pond for functionality.
43. The developer shall be responsible for landscaping the storm pond and for its maintenance through the one-year infrastructure warranty period. At a minimum the landscaping plan should be consistent with the City's intended maintenance standard as described above. If the developer wishes for the pond to be landscaped and visually appealing, then the homeowners association should be considered for maintenance responsibilities. This will require an irrigation meter and sprinkler system (including a power source), and responsibility for maintaining the landscaping.
44. The developer of record shall maintain the public storm drainage system for one year from the date of final acceptance by The City of Richland (as determined by the issuance of the "Letter of Final Acceptance"). Said developer shall also thoroughly clean the entire system, including structures, pipelines and basins prior to the City warranty inspection, conducted 11 months after the Letter of Final Acceptance.

Final Platting / Project Acceptance Requirements:

45. When the construction is substantially complete a paper set of "record drawings" shall be prepared by a licensed surveyor and include all changes and deviations. Please reference the Public Works document "RECORD DRAWING REQUIREMENTS & PROCEDURES" for a complete description of the record drawing process. After approval by the City of the paper copy, a mylar copy of the record drawings shall be submitted along with a CAD copy of them. The electronic as-built record drawings shall be submitted in a AutoCAD format compatible with the City's standard CAD software. All final punchlist items shall be completed or financially guaranteed prior to recording of the final plat.
46. Public utility infrastructure located on private property will require recording of a City standard form easement prior to acceptance of the infrastructure and release of a certificate of occupancy. The City requires preparation of the easement legal description by the developer two weeks prior to the scheduled date of final acceptance. Off-site ("third party") easements for City infrastructure are the responsibility of the developer to obtain. Once received, the City will prepare the easement

document and provide it to the developer. The developer shall record the easement at the Benton County Assessor and return a recorded original document to the City prior to application for final occupancy.

47. Any off-site easements or permits necessary for this project shall be obtained and secured by the applicant and supplied to the City at the time of plat construction and prior to final plat acceptance by the City.
48. Ten-foot wide public utility easements will be required on the final plat along both sides of all Right-of-Ways within the proposed plat.
49. The vision-clearance triangle needs to be shown on all corner lots on the final plat document, in accordance with RMC Chapter 12.11.020. If the intersection is in a curve, it will have to be evaluated per AASHTO guidelines. This information may need to be designed by the engineer of record and supplied to the surveyor of record for inclusion into the final plat document.
50. The final plat shall include notes identifying all common areas including the private streets and tracts and acknowledging the ownership and maintenance responsibility by the homeowners association. A note shall be added to the face of the final plat that states: *"The private roads are for the use and benefit of the homeowners that abut said roads, and are to be maintained by said owners. The City of Richland accepts no maintenance responsibility for said roads"*.
51. A note shall be added to the face of the plat that states: *"The private drives within this plat are fire lanes and parking is restricted. The required no-parking signs shall be installed by the developer where applicable."* Any private roads narrower than 34-feet shall have parking restricted on one side, and any roads 27-feet or narrower shall have parking restricted on both sides. Street signs indicating restricted parking shall be installed prior to final platting at the developers expense. The restricted parking areas shall be indicated on the final plats.
52. The intended use and ownership of all tracts within the plat shall be noted on the final plat.
53. Property with an unpaid L.I.D. assessment towards it must be paid in full or segregated per Richland Municipal Code 3.12.095.
54. Any restricted parking areas shall be indicated on the final plats.

Looking West
Plat Access



Looking East



Looking East

SITE



Looking South



Looking West



Looking Northwest

SITE



Looking North

SITE



BADGER MOUNTAIN VILLAGE PHASE 2B, DIVISION 1

IN A PORTION OF THE SE 1/4 OF THE SW 1/4
OF THE NE 1/4 & N 1/2 OF THE SE 1/4
OF SECTION 27, T9N, R28E, WM,
CITY OF RICHLAND
BENTON COUNTY, WASHINGTON

FOUND & HELD UNITED
STATES BUREAU OF
RECLAMATION BRASS CAP
IN MONUMENT CASE
(VISITED 07-09-2010)

* BASIS OF BEARINGS
NORTH 02°11'33" EAST ALONG
THE EAST LINE OF THE
SOUTHEAST QUARTER OF
SECTION 27 AS SHOWN



LEGEND

- INDICATES FOUND AND HELD 3" BRASS CAP IN CONCRETE WITH CASE AND COVER STAMPED: "SHEA 33656", AS SET IN BADGER MOUNTAIN VILLAGE PHASE 2A (VOL. 15, PG. 347)
 - ⊙ INDICATES SET 5/8" x 24" IRON REBAR WITH YPC STAMPED: "SHEA 33656" IN THIS SURVEY
 - INDICATES FOUND AND HELD 5/8" IRON REBAR WITH Y.P.C. STAMPED "WORLEY 13352" (ROS 1-1675) UNLESS NOTED OTHERWISE
 - ⊙ INDICATES FOUND AND HELD 5/8" IRON REBAR WITH Y.P.C. STAMPED "SHEA 33656" AS SET IN BADGER MOUNTAIN VILLAGE PHASES 1 & 2A (VOL. 15, PG. 323 & 347) AND BRANTINGHAM GREENS PHASES 2 (VOL. 15, PG. 361)
 - ✱ INDICATES FOUND AND HELD 5/8" IRON REBAR WITH Y.P.C. STAMPED "SHEA 33656" AS SET IN BADGER MOUNTAIN VILLAGE PHASES 1 & 2A (VOL. 15, PG. 323 & 347) AND BRANTINGHAM GREENS PHASES 2 (VOL. 15, PG. 361)
 - INDICATES CALCULATED POSITION ONLY, NO MONUMENT FOUND OR SET IN THIS SURVEY
- | AF# | AUDITOR'S FILE NUMBER | PG | PAGE |
|------|------------------------------------|-----|--------------------|
| C1 | CURVE ANNOTATION, SEE CURVE TABLE | REC | RECORDED DATE |
| ESMT | EASEMENT | ROS | RECORD OF SURVEY |
| FND | FOUND | R/W | RIGHT-OF-WAY |
| IR | IRON REBAR | SF | SQUARE FEET |
| IRR | IRRIGATION | VOL | VOLUME |
| L1 | LINE ANNOTATION, SEE LINE TABLE | YPC | YELLOW PLASTIC CAP |
| () | RECORD DATA PER SURVEY REFERENCE 1 | | |

SURVEY REFERENCE

- R1) RECORD OF SURVEY, VOLUME 1, PAGE 3454
- R2) RECORD OF SURVEY, VOLUME 1, PAGE 1675
- R3) BRANTINGHAM GREENS PHASE 1, VOLUME 15, PAGE 315
- R4) BRANTINGHAM GREENS PHASE 2, VOLUME 15, PAGE 361
- R5) BADGER MOUNTAIN VILLAGE PHASE 2A, VOLUME 15, PAGE 347
- R6) BADGER MOUNTAIN VILLAGE PHASE 1, VOLUME 15, PAGE 323
- R7) LEXINGTON HEIGHTS PHASE 1, VOLUME 145, PAGE 373
- R8) RECORD OF SURVEY, VOLUME 1, PAGE 4121

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 7 DAY OF DECEMBER, 2010.
AT 12 MINUTES PAST 2:00 P AND RECORDED IN VOLUME 15 OF PLATS, PAGE 0400
AT THE REQUEST OF HDJ DESIGN GROUP, PLLC.

BENTON COUNTY AUDITOR Brenda Chilton

DEPUTY BENTON COUNTY AUDITOR by: Lorene Poe

INDEX NO. N/A, FEE NO. 2010-036129

FOUND & HELD UNITED
STATES BUREAU OF
RECLAMATION BRASS CAP
(VISITED 07-16-2010)



6115 Burden Blvd, Suite E
Pasco, WA 99301-8930
509/547-5119
306/895-3488
509/547-5129 fax

Internet: www.hdjdesigngroup.com

CLIENT: HAYDEN HOMES LLC	PROJECT NO: 3122-00
SURVEYOR: JOHN J. SHEA	DATE: 10-11-2010
CALC BY: DAS	DRAWN BY: DAS
SECTION: 27	TOWNSHIP: 9 NORTH
CITY: RICHLAND	COUNTY: BENTON
	RANGE: 28 EAST
	SHEET <u>2</u> OF <u>2</u>

EASEMENT & RIGHT-OF-WAY NOTES

- 10.00-FOOT PUBLIC UTILITY EASEMENT GRANTED WITH THIS PLAT.
- 5.00-FOOT IRRIGATION EASEMENT GRANTED WITH THIS PLAT. NO FENCING SHALL BE INSTALLED ALONG LOT 1'S WEST PROPERTY LINE A DISTANCE OF 45.00-FOOT SOUTH FROM THE FACE OF CURB WITHIN THE IRRIGATION EASEMENT UNLESS WRITTEN APPROVAL FROM THE K.I.D IS GIVEN.
- 1.00-FOOT NO ACCESS/SCREENING EASEMENT GRANTED WITH THIS PLAT ALONG DEDICATED PORTION OF GALA WAY.
- 25.00-FOOT IRRIGATION EASEMENT GRANTED WITH THIS PLAT.
- 5.00-FOOT IRRIGATION EASEMENT GRANTED WITH THIS PLAT.

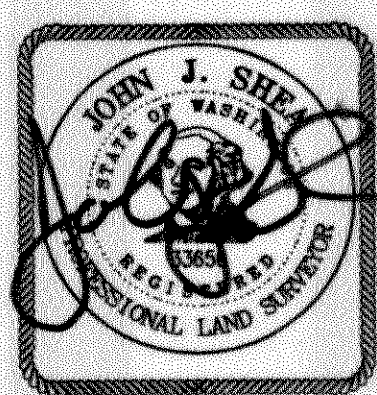
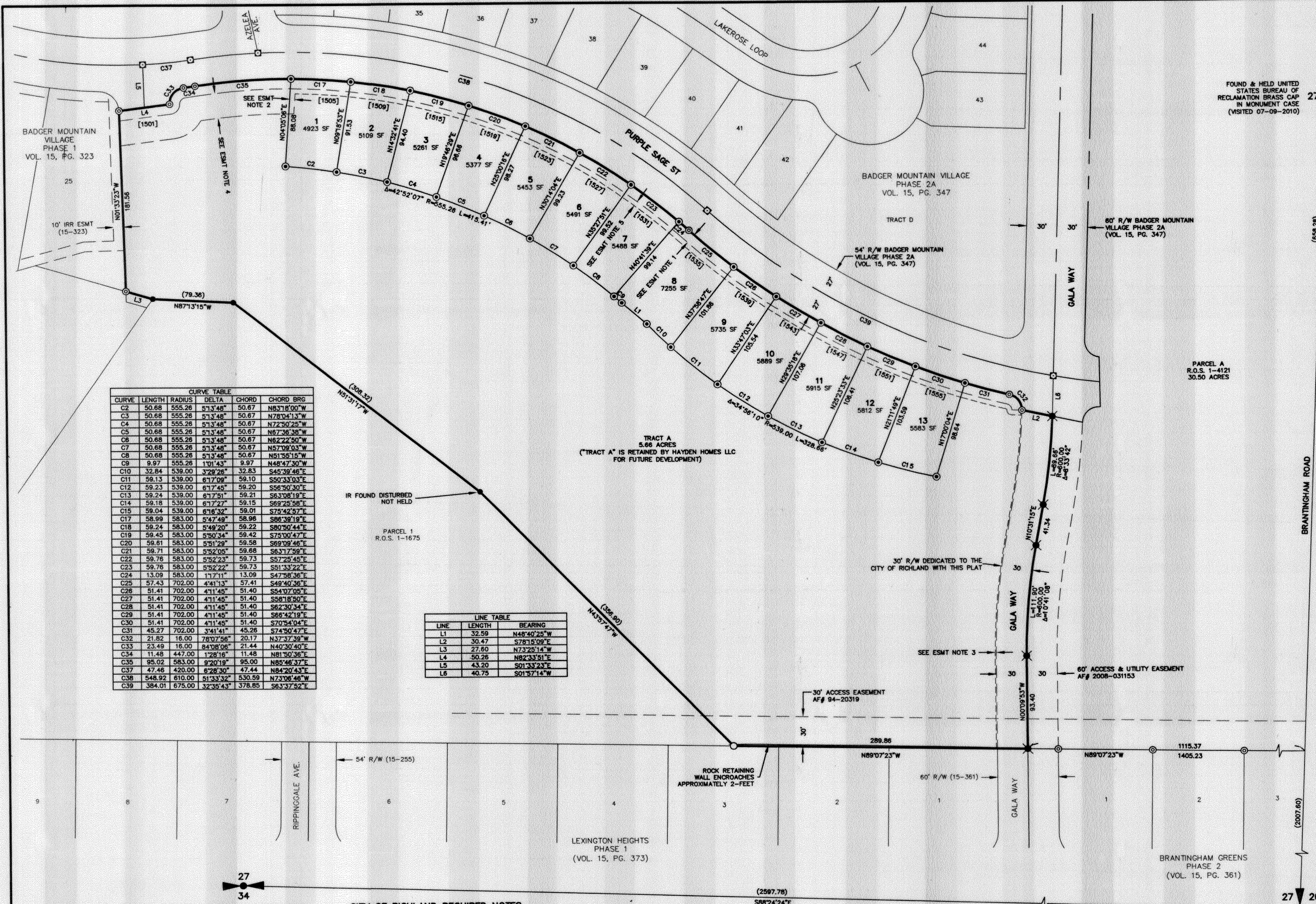
HDJ DESIGN GROUP PLLC MAKES NO WARRANTIES AS TO MATTERS OF UNWRITTEN TITLE SUCH AS ADVERSE POSSESSION, ACQUIESCENCE, ESTOPPEL, ETC.

CITY OF RICHLAND REQUIRED NOTES

- "GALA WAY" IS AN ARTERIAL COLLECTOR STREET, AS IDENTIFIED IN THE CITY'S STREET FUNCTIONAL CLASSIFICATION MAP.
- ADDRESS NUMBERS [NOTED IN BRACKETS] ARE SUBJECT TO CHANGE BY THE CITY OF RICHLAND AT THE TIME OF BUILDING PERMIT ISSUANCE. ZIP CODE: 99352
- TRACT "A" IS RETAINED BY HAYDEN HOMES, LLC FOR FUTURE DEVELOPMENT
- SIDEWALKS & PEDESTRIAN PATHWAYS FRONTING COMMON AREAS SHALL BE THE RESPONSIBILITY OF THE HOMEOWNER'S ASSOCIATION TO MAINTAIN.
- THIS PLAT LIES WITHIN THE BOUNDARY OF THE "SOUTH RICHLAND COLLECTOR STREET FINANCING PLAN". FEES SHALL BE PAID AS REQUIRED BY RICHLAND MUNICIPAL CODE CHAPTER 12.03 BY THE PROPERTY OWNER AT THE TIME OF THE BUILDING PERMIT ISSUANCE FOR THE CONSTRUCTION OF A HOME ON ANY LOT WITHIN THIS SUBDIVISION.
- ALL LANDSCAPED AREAS WITHIN THE PUBLIC RIGHT-OF-WAY SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS TO MAINTAIN.

SURVEYORS NOTE

ALL DISTANCES SHOWN BETWEEN FOUND MONUMENTS HEREON ARE RECORD DISTANCES AS SHOWN IN RECORD SURVEYS & PLATS (SEE SURVEY REFERENCE)



09-14-2010

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND A PORTION OF THE NORTH-HALF OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: BEGINNING AT A UNITED STATES BUREAU OF RECLAMATION BRASS CAP MARKING THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 27 AS SHOWN IN VOLUME 1 OF SURVEYS, PAGE 3454, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE SOUTH 02°11'33" WEST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 27 FOR A DISTANCE OF 658.28 FEET; THENCE LEAVING THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 27, NORTH 89°07'23" WEST, 1115.37 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 89°07'23" WEST, 289.86 FEET TO THE MOST EASTERLY SOUTHEAST CORNER OF PARCEL 1 AS SHOWN IN VOLUME 1 OF SURVEYS, PAGE 1675, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE ALONG THE BOUNDARY OF SAID PARCEL 1 THE FOLLOWING COURSES: THENCE NORTH 43°57'47" WEST, 356.90 FEET; THENCE NORTH 51°31'17" WEST, 308.32 FEET; THENCE NORTH 87°13'15" WEST, 79.36 FEET TO THE MOST NORTHERLY NORTHWEST CORNER OF SAID PARCEL 1 SAID POINT ALSO BEING THE MOST EASTERLY NORTHEAST CORNER OF PARCEL 2 (1-1675); THENCE LEAVING THE BOUNDARY OF SAID PARCEL 1, NORTH 73°25'14" WEST, 27.60 FEET TO THE SOUTHWEST CORNER OF LOT 25, BADGER MOUNTAIN VILLAGE PHASE 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 15 OF PLATS, PAGE 323, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE LEAVING THE BOUNDARY OF SAID PARCEL 2, NORTH 01°33'23" WEST, 181.56 FEET TO THE NORTHEAST CORNER OF SAID LOT 25, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF LUPINE STREET AS SHOWN IN BADGER MOUNTAIN VILLAGE PHASE 2A, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 15 OF PLATS, PAGE 347, RECORDS OF BENTON COUNTY, WASHINGTON, SAID POINT ALSO BEING 25.00 FEET WESTERLY OF THE CENTER LINE THEREOF, WHEN MEASURED AT RIGHT ANGLES; THENCE LEAVING THE EAST LINE OF SAID LOT 25 AND THE WESTERLY RIGHT-OF-WAY LINE OF SAID LUPINE STREET, NORTH 82°33'51" EAST, 50.26 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SAID LUPINE STREET AS SHOWN IN SAID BADGER MOUNTAIN VILLAGE PHASE 2A, SAID POINT BEING 25.00 FEET EASTERLY OF THE CENTER LINE THEREOF, WHEN MEASURED AT RIGHT ANGLES; THENCE LEAVING THE EASTERLY RIGHT-OF-WAY LINE OF SAID LUPINE STREET, NORTHEASTERLY, ALONG THE ARC OF A 16.00-FOOT RADIUS, NON-TANGENT CURVE TO THE RIGHT (THE RADIUS OF WHICH BEARS NORTH 88°26'37" EAST), THROUGH A CENTRAL ANGLE OF 84°08'06" FOR AN ARC DISTANCE OF 23.49 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF PURPLE SAGE STREET AS SHOWN IN SAID BADGER MOUNTAIN VILLAGE PHASE 2A, SAID POINT BEING 27.00 FEET SOUTHERLY OF THE CENTER LINE THEREOF, WHEN MEASURED AT RIGHT ANGLES; THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF PURPLE SAGE STREET THE FOLLOWING COURSES: THENCE NORTHEASTERLY, ALONG THE ARC OF A 447.00-FOOT RADIUS, REVERSE CURVE TO THE LEFT (THE RADIUS OF WHICH BEARS NORTH 07°25'16" WEST), THROUGH A CENTRAL ANGLE OF 01°28'16" FOR AN ARC DISTANCE OF 11.48 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF A 583.00-FOOT RADIUS, REVERSE CURVE TO THE RIGHT (THE RADIUS OF WHICH BEARS SOUTH 08°53'32" EAST), THROUGH A CENTRAL ANGLE OF 51°33'32" FOR AN ARC DISTANCE OF 524.63 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF A 702.00-FOOT RADIUS, REVERSE CURVE TO THE LEFT (THE RADIUS OF WHICH BEARS NORTH 42°40'00" EAST), THROUGH A CENTRAL ANGLE OF 29°21'37" FOR AN ARC DISTANCE OF 359.73 FEET; THENCE LEAVING THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID PURPLE SAGE STREET, SOUTHEASTERLY, ALONG THE ARC OF A 16.00-FOOT RADIUS, REVERSE CURVE TO THE RIGHT (THE RADIUS OF WHICH BEARS SOUTH 13°18'23" WEST), THROUGH A CENTRAL ANGLE OF 78°07'56" FOR AN ARC DISTANCE OF 21.82 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID GALA WAY, SAID POINT BEING 30.00 FEET WESTERLY OF THE CENTER LINE THEREOF, WHEN MEASURED AT RIGHT ANGLES; THENCE LEAVING THE WESTERLY RIGHT-OF-WAY LINE OF SAID GALA WAY, SOUTH 78°15'09" EAST, 30.47 FEET; THENCE SOUTHWESTERLY, ALONG THE ARC OF A 600.00-FOOT RADIUS, NON-TANGENT CURVE TO THE RIGHT (THE RADIUS OF WHICH BEARS NORTH 88°02'27" WEST), THROUGH A CENTRAL ANGLE OF 08°33'42" FOR AN ARC DISTANCE OF 89.66 FEET; THENCE SOUTH 10°31'15" WEST, 41.34 FEET; THENCE SOUTHERLY, ALONG THE ARC OF A 600.00-FOOT RADIUS, TANGENT CURVE TO THE LEFT (THE RADIUS OF WHICH BEARS SOUTH 79°28'45" EAST), THROUGH A CENTRAL ANGLE OF 10°41'08" FOR AN ARC DISTANCE OF 111.90 FEET; THENCE SOUTH 00°09'53" EAST, 93.40 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING: 7.56 ACRES, MORE OR LESS, ALSO TOGETHER WITH AND SUBJECT TO EASEMENTS, RESERVATIONS, COVENANTS AND RESTRICTIONS APPARENT OR OF RECORD.

CITY OF RICHLAND REQUIRED NOTES

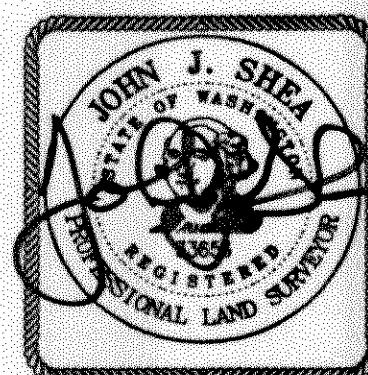
- "GALA WAY" IS AN ARTERIAL COLLECTOR STREET, AS IDENTIFIED IN THE CITY'S STREET FUNCTIONAL CLASSIFICATION MAP.
- ADDRESS NUMBERS [NOTED IN BRACKETS] ARE SUBJECT TO CHANGE BY THE CITY OF RICHLAND AT THE TIME OF BUILDING PERMIT ISSUANCE. ZIP CODE: 99352
- TRACT "A" IS RETAINED BY HAYDEN HOMES, LLC FOR FUTURE DEVELOPMENT
- SIDEWALKS & PEDESTRIAN PATHWAYS FRONTING COMMON AREAS SHALL BE THE RESPONSIBILITY OF THE HOMEOWNER'S ASSOCIATION TO MAINTAIN.
- THIS PLAT LIES WITHIN THE BOUNDARY OF THE "SOUTH RICHLAND COLLECTOR STREET FINANCING PLAN". FEES SHALL BE PAID AS REQUIRED BY RICHLAND MUNICIPAL CODE CHAPTER 12.03 BY THE PROPERTY OWNER AT THE TIME OF THE BUILDING PERMIT ISSUANCE FOR THE CONSTRUCTION OF A HOME ON ANY LOT WITHIN THIS SUBDIVISION.
- ALL LANDSCAPED AREAS WITHIN THE PUBLIC RIGHT-OF-WAY SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS TO MAINTAIN.

SURVEYOR'S CERTIFICATE

I JOHN J. SHEA, REGISTERED AS A PROFESSIONAL LAND SURVEYOR BY THE STATE OF WASHINGTON HEREBY CERTIFY THAT THE PLAT OF BADGER MOUNTAIN VILLAGE PHASE 2B, DIVISION 1, IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS ACTUALLY SURVEYED AND DESCRIBED HEREIN AND LOCATED IN A PORTION OF SECTION 27, T9N, R28E, WM. THE SURVEY WAS CONDUCTED BY ME OR UNDER MY DIRECT SUPERVISION. I HEREBY CERTIFY THAT THE DISTANCES, COURSES AND ANGLES SHOWN HEREON ARE CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF AND THAT MONUMENTS HAVE BEEN SET ON THE GROUND AS DEPICTED ON THIS SURVEY.

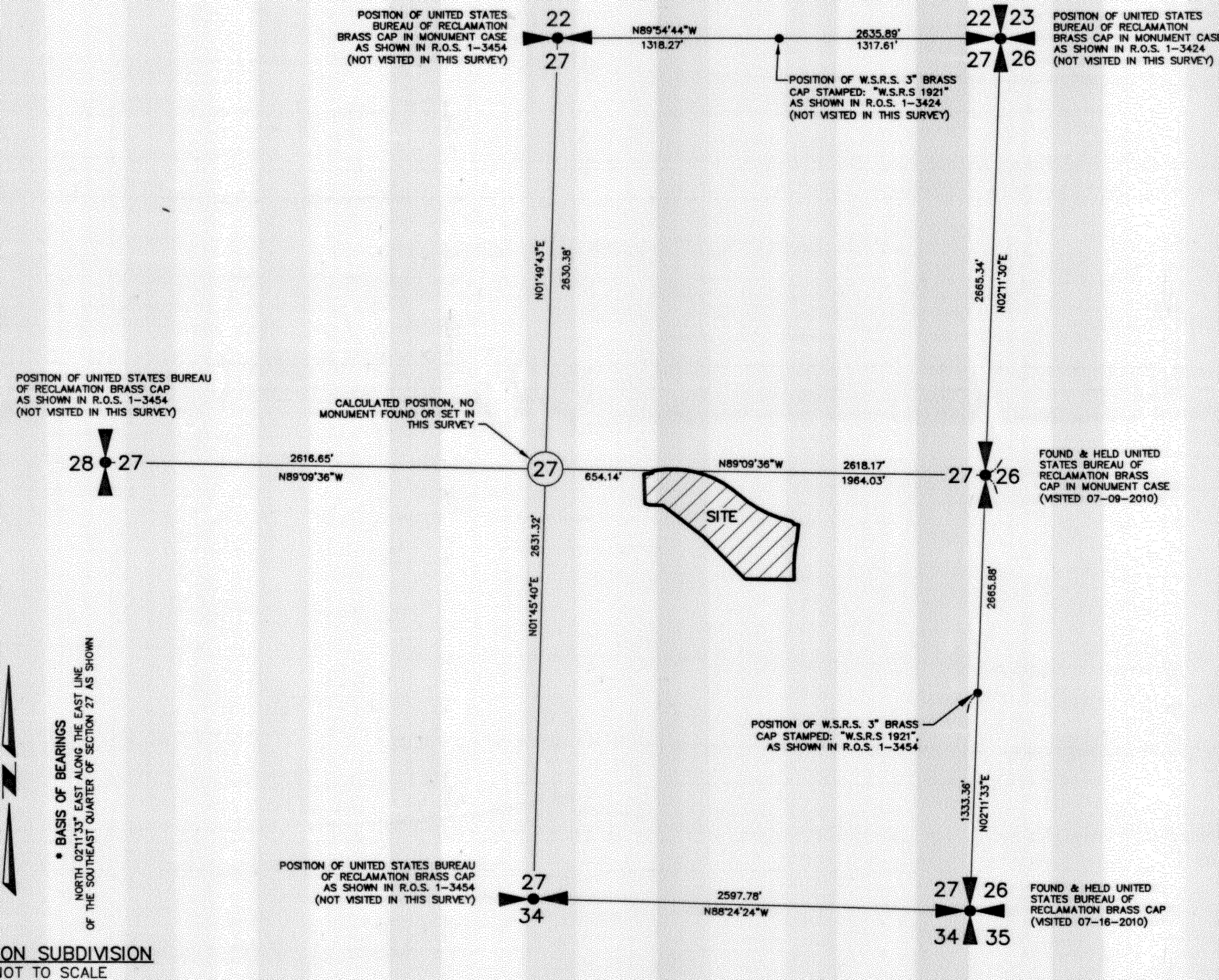
JOHN J. SHEA
PROFESSIONAL LAND SURVEYOR No. 33656

09-14-2010
DATE



09-14-2010

HJD DESIGN GROUP PLLC MAKES NO WARRANTIES AS TO MATTERS OF UNWRITTEN TITLE SUCH AS ADVERSE POSSESSION, ACQUESCENCE, ESTOPPLE, ETC.



DEDICATION

WE, THE UNDERSIGNED, WASHINGTON TRUST BANK, A WASHINGTON CORPORATION, HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE TRACT OF LAND DESCRIBED HEREON AND THAT WE HAVE CAUSED SAID LAND TO BE SURVEYED AND PLATTED INTO LOTS AND TRACTS AS SHOWN HEREON AND THAT ALL STREETS, ROAD RIGHT-OF-WAY AND UTILITY EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED TO THE PUBLIC AND THAT THIS SUBDIVISION SHALL HEREAFTER BE KNOWN AND DESIGNATED BY THE NAME "BADGER MOUNTAIN VILLAGE PHASE 2B, DIVISION 1".

Connie Bischoff
WASHINGTON TRUST BANK
BY _____, MEMBER
DATE 9-16-10

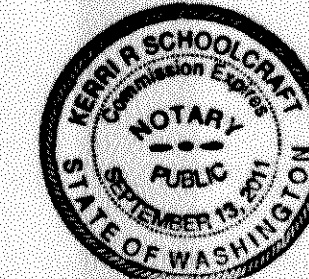
ACKNOWLEDGMENT

STATE OF Washington

COUNTY OF Spokane

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT Connie Bischoff AS A MEMBER OF WASHINGTON TRUST BANK HAS SIGNED THIS PLAT, ON OATH STATED THAT THEY ARE AUTHORIZED TO EXECUTE THIS PLAT AND ACKNOWLEDGED IT AS THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED ON THIS PLAT.

Keri R. Schoenert
NOTARY PUBLIC
MY APPOINTMENT EXPIRES 9-13-11
RESIDING Spokane



BADGER MOUNTAIN VILLAGE PHASE 2B, DIVISION 1

IN A PORTION OF THE SE 1/4 OF THE SW 1/4
OF THE NE 1/4 & N 1/2 OF THE SE 1/4
OF SECTION 27, T9N, R28E, WM,
CITY OF RICHLAND
BENTON COUNTY, WASHINGTON

TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT THE TAXES ON THE LAND DESCRIBED HEREON HAVE BEEN PAID TO AND INCLUDING THE YEAR 2011 AND 2011 ADVANCE TAXES.

Deane A. Davidson by Tai Atkinson 12/07/10
BENTON COUNTY TREASURER DATE

Barbara W. Dwyer by Tracy Peterson 12/01/2010
BENTON COUNTY ASSESSOR DATE
1-298-400-0001-022 all

APPROVALS

THE ANNEXED PLAT IS HEREBY APPROVED BY AND FOR THE CITY OF RICHLAND, COUNTY OF BENTON, STATE OF WASHINGTON.

City Manager Debra C. Barlow 11/29/2010
DATE

City Clerk Debra C. Barlow 11/29/10
DATE

City Engineer Debra C. Barlow 11/29/2010
DATE

Chairman, City Planning Commission Debra C. Barlow 11/29/2010
DATE

I HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN IS LOCATED WITHIN THE BOUNDARIES OF THE KENNEWICK IRRIGATION DISTRICT, THAT THE IRRIGATION EASEMENTS SHOWN ON THIS PLAT, "BADGER MOUNTAIN VILLAGE PHASE 2B, DIVISION 1" ARE ADEQUATE TO SERVE ALL LOTS SHOWN HEREON. I FURTHER CERTIFY THAT THOSE LOTS WHICH ARE ENTITLED TO IRRIGATION WATER UNDER THE OPERATING RULES AND REGULATIONS OF THE DISTRICT HAVE SATISFIED THE REQUIREMENTS OF ROW 58.17.310 AND THAT ALL ASSESSMENTS HAVE BEEN PAID THROUGH THE YEAR 2010 A.D.

Kennewick Irrigation District Kennewick Irrigation District 10-19-10
DATE

DEDICATION

WE, THE UNDERSIGNED, JHD3, LLC, A OREGON LIMITED LIABILITY COMPANY, HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE TRACT OF LAND DESCRIBED HEREON AND THAT WE HAVE CAUSED SAID LAND TO BE SURVEYED AND PLATTED INTO LOTS AND TRACTS AS SHOWN HEREON AND THAT ALL STREETS, ROAD RIGHT-OF-WAY AND UTILITY EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED TO THE PUBLIC AND THAT THIS SUBDIVISION SHALL HEREAFTER BE KNOWN AND DESIGNATED BY THE NAME "BADGER MOUNTAIN VILLAGE PHASE 2B, DIVISION 1".

JHD3 LLC. 9-15-2010
DATE

BY Dennis Murphy, MEMBER

ACKNOWLEDGMENT

STATE OF Oregon

COUNTY OF Deschutes

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT Dennis Murphy AS A MEMBER OF JHD3 LLC, HAS SIGNED THIS PLAT, ON OATH STATED THAT HE IS AUTHORIZED TO EXECUTE THIS PLAT AND ACKNOWLEDGED IT AS THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED ON THIS PLAT.

Tammy Hartz 9-15-2010
NOTARY PUBLIC DATE

MY APPOINTMENT EXPIRES March 23, 2012

RESIDING Bend, OR

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 1 DAY OF DECEMBER, 2010.
AT 12 MINUTES PAST 2:00 P AND RECORDED IN VOLUME 15 OF PLATS, PAGE 0400
AT THE REQUEST OF HDJ DESIGN GROUP, PLLC.

BENTON COUNTY AUDITOR Brenda Chilton

DEPUTY BENTON COUNTY AUDITOR by: Lorene Roe

INDEX NO. N/A, FEE NO. 2010-036129



6115 Burden Blvd, Suite E
Pasco, WA 99301-8930
509/547-5119
309/695-5488
509/547-5129 fax

Internet: www.hjdgroup.com

CLIENT: HAYDEN HOMES LLC		PROJECT NO.: 3122-00
SURVEYOR: JOHN J. SHEA		DATE: 09-14-2010
CALC BY: DAS	DRAWN BY: DAS	CHECKED BY: JJS
SECTION: 27	TOWNSHIP: 9 NORTH	RANGE: 28 EAST
CITY: RICHLAND	COUNTY: BENTON	SHEET 1 OF 2

WHEN RECORDED RETURN TO:

Richland City Clerk's Office
505 Swift Boulevard
Richland, WA 99352

Exhibit 11

ORDINANCE NO. 32-05

AN ORDINANCE of the City of Richland relating to land use, zoning classifications and districts and amending the Official Zoning Map of the City by amending Sectional Map Nos. 60 and 61 so as to change the zoning designation of approximate 60-acres from Medium Density Single Family Residential (R-1M) to Planned Unit Development (PUD), to allow for development of an age restricted retirement community, located south of the Plat of Applewood Estates, west of Brantingham Road and east of the Kennewick Irrigation District canal, and north of the recently approved Plat of Cherry Blossom Meadows, contingent upon the recording of a properly executed, delivered and accepted Property Use and Development Agreement. [Badger Mountain Investments, LLC]

WHEREAS, on August 24, 2005, the Richland Planning Commission held a properly advertised public hearing to consider a petition to change the zoning of the property hereafter described, said petitioners also filing a SEPA checklist indicating the expected environmental impact anticipated by such zone change; and

WHEREAS, the Richland Planning Commission took action at the August 24, 2005, meeting recommending approval of the requested rezone subject to several conditions; and

WHEREAS, the City staff, prior to the Planning Commission's consideration and City Council's consideration of such proposed zone change, reviewed said SEPA

checklist, assessed the environmental impact expected therefrom and issued a Determination of Non-Significance (EA20-05) dated August 18, 2005; and

WHEREAS, the Richland City Council has considered the recommendations and all reports submitted to it and all arguments made to it at the public hearing.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF RICHLAND:

Section 1.01 It is hereby found, as an exercise of the City's police power, that the best land use classification for the land described below is Planned Unit Development (PUD), to allow for development of an age restricted retirement community, when consideration is given to the interest of the general public.

Section 1.02 Contingent upon the recording, as in Section 1.04 hereof, and within 90 days of the passage of this ordinance, of a properly executed, delivered and accepted "Property Use and Development Agreement" substantially in the form attached hereto as Exhibit A by the petitioner for rezone of the property (Badger Mountain Investments, LLC), restricting the use and development of such property and in order to provide for Planned Unit Development (PUD) zoning of the approximate 60 acres located south of the Plat of Applewood Estates, West of Brantingham Road, East of the Kennewick Irrigation District Canal and North of the recently approved Plat of Cherry Blossom Meadows, and more particularly described as follows:

A PARCEL OF LAND LOCATED IN A PORTION OF THE EAST HALF OF SECTION 27, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT A UNITED STATES BUREAU OF RECLAMATION CONCRETE MONUMENT WITH A BRASS CAP MARKING THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 27 AS SHOWN IN VOLUME 1 OF SURVEYS, PAGE 3454, RECORDS OF THE BENTON COUNTY AUDITOR;

THENCE NORTH 89°09'36" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27 FOR A DISTANCE OF 30.01 FEET TO THE **TRUE POINT OF BEGINNING**, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF BRANTINGHAM ROAD, SAID POINT ALSO BEING 30.00 FEET WESTERLY



THENCE NORTH 89°09'36" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27 FOR A DISTANCE OF 30.01 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF BRANTINGHAM ROAD, SAID POINT ALSO BEING 30.00 FEET WESTERLY OF THE CENTERLINE OF SAID BRANTINGHAM ROAD WHEN MEASURED AT RIGHT ANGLES;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID BRANTINGHAM ROAD, NORTH 02°11'30" EAST, 606.21 FEET TO THE NORTHEAST CORNER OF "PARCEL 2" (VOL. 1, PG. 3454) SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THAT CERTAIN ROAD RIGHT-OF-WAY AS DESCRIBED IN AUDITOR'S FILE NO. 2005-005967, RECORDS OF THE BENTON COUNTY AUDITOR, SAID POINT ALSO BEING 30.00 FEET SOUTHERLY OF THE CENTERLINE OF SAID ROAD RIGHT-OF-WAY WHEN MEASURED AT RIGHT ANGLES;

THENCE LEAVING THE WESTERLY RIGHT-OF-WAY LINE OF BRANTINGHAM ROAD AND FOLLOWING SAID SOUTHERLY RIGHT-OF-WAY LINE, NORTH 89°20'57" WEST, 2319.86 FEET TO THE COMMON CORNER BETWEEN "PARCEL 1 & 2" (VOL. 1, PG. 3454);

THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE AND FOLLOWING THE COMMON BOUNDARY LINE BETWEEN PARCEL 1 & 2 (VOL. 1, PG. 3454) THE FOLLOWING COURSES;

THENCE SOUTH 00°41'16" WEST, 176.87 FEET;

THENCE SOUTH 10°22'41" EAST, 88.84 FEET;

THENCE SOUTH 29°17'29" EAST, 89.09 FEET;

THENCE SOUTH 47°04'53" EAST, 89.09 FEET;

THENCE SOUTH 64°52'17" EAST, 89.09 FEET;

THENCE SOUTH 82°39'41" EAST, 89.09 FEET;

THENCE SOUTH 01°33'23" EAST, 356.70 FEET TO THE COMMON CORNER OF SAID "PARCEL 1 & 2 (VOL. 1, PG. 3454);

THENCE LEAVING THE COMMON BOUNDARY LINE BETWEEN "PARCEL 1 & 2 (VOL. 1, PG. 3454) SOUTH 89°07'23" EAST, 1375.24 FEET TO THE SOUTHEAST CORNER OF SAID "PARCEL 2" (VOL. 1, PG. 3454) SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF BRANTINGHAM ROAD, SAID POINT ALSO BEING 30.00 FEET WESTERLY OF THE CENTERLINE OF SAID BRANTINGHAM ROAD WHEN MEASURED AT RIGHT ANGLES;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID BRANTINGHAM ROAD, NORTH 02°11'33" EAST, 658.26 FEET TO THE TRUE POINT OF BEGINNING.

ALSO TOGETHER WITH AND SUBJECT TO EASEMENTS, RESERVATIONS, COVENANTS AND RESTRICTIONS APPARENT OR OF RECORD.

Such land is rezone from Medium Density Single Family Residential (R1-M) to Planned Unit Development (PUD) to allow for development of an age restricted retirement community.

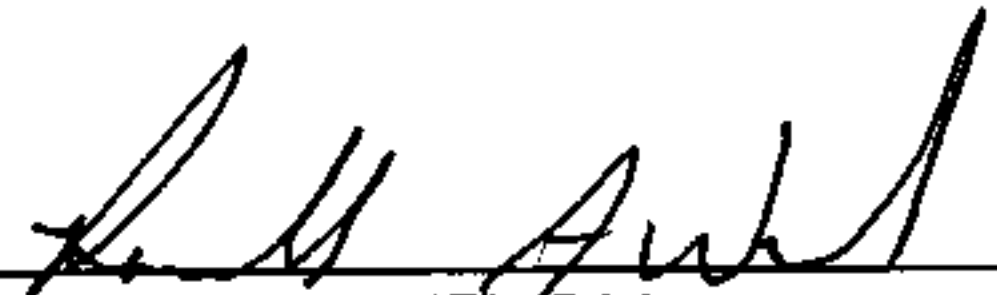
Section 1.03 Title 23 of the City of Richland Municipal Code and the Official Zoning Map of the City as adopted by Section 23.08.040 of said title, are amended by amending Sectional Map Nos. 60 and 61 which are two of a series of maps constituting said Official Zoning Map, as shown on the attached Sectional Map Nos. 60 and 61 bearing the number and date of passage of this ordinance and by this reference made a part of this ordinance and of the Official Zoning Map of the City.

Section 1.04 Upon receipt of a properly executed "Property Use and Development Agreement," as contemplated in Section 1.02 hereof, the City Manager is authorized to accept the same for and on behalf of the City, and upon such acceptance is authorized and directed to indicate such acceptance thereon, and, to cause said agreement to be recorded in the records of the Benton County Auditor, and to file said recorded agreement with the City Clerk.

Section 1.05 The City Clerk is directed to file with the Auditor of Benton County, Washington a copy of this ordinance and the attached amended Section Map Nos. 60 and 61, duly certified by the Clerk as a true copy.

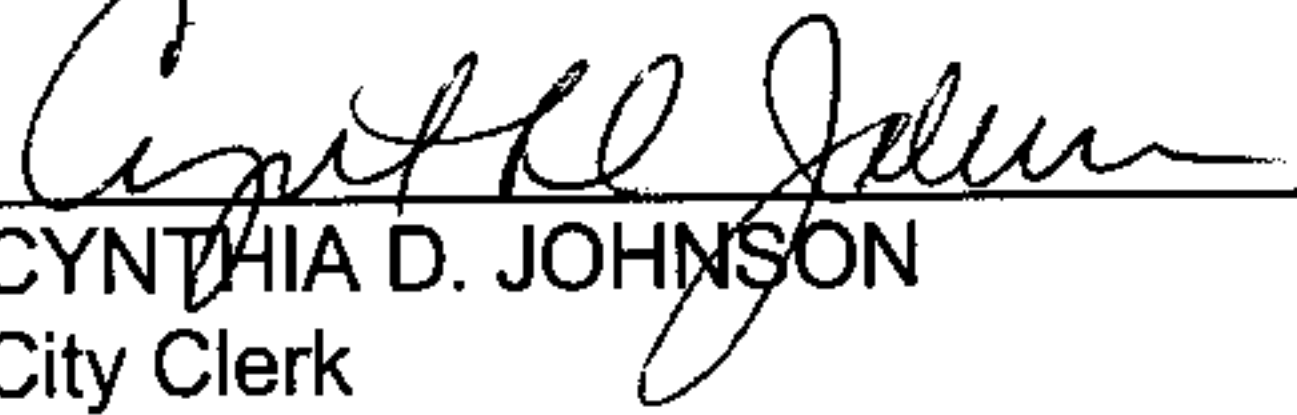
Section 1.06 This ordinance shall take effect on the day following the date of its publication in the official newspaper of the City.

PASSED by the City Council of the City of Richland on this 4th day of October,
2005.



ROBERT A. WELCH
Mayor

ATTEST:



CYNTHIA D. JOHNSON
City Clerk

APPROVED AS TO FORM:



THOMAS O. LAMPSON
City Attorney

Date Published: October 9, 2005



EXHIBIT A

PROPERTY USE AND DEVELOPMENT AGREEMENT

THIS AGREEMENT made and entered into this 8 day of November, 2005, by and between the CITY OF RICHLAND and Ron Ziebart, Badger Mountain Village II (Petitioner).

W-I-T-N-E-S-S-E-T-H:

WHEREAS, the City of Richland is currently entertaining an application by Ron Ziebart, Badger Mountain Village II (hereinafter "Petitioner") for a change of zone covering a 60-acre parcel located in Benton County, Washington (hereinafter "Property") and more particularly described in Ordinance No. 32-05.

NOW, THEREFORE, it is agreed that if the subject Property is rezoned from Medium Density Single Family Residential (R1-M) to Planned Unit Development (PUD) to allow for development of an age restricted retirement community pursuant to said application, Petitioner for himself and for and on behalf of his heirs, successors and assigns, covenants and agrees as follows:

1. Final PUD plans shall be submitted for approval in accordance with Richland Municipal Code (RMC) Section 23.74.244. All development and use shall be in substantial compliance with the final PUD development plan.
2. Concurrent with final Planned Unit Development (PUD) plan submittals, applicant shall submit drafts of Covenants, Conditions and Restrictions that among other items makes provision for ongoing ownership and maintenance of all common open space, landscaping and parking facilities within the boundaries of the PUD.
3. Development shall be limited to a maximum of 320 dwelling units, a 45 unit assisted living facility, community services center and open space and recreational facilities as generally shown on the preliminary PUD plan submittal of Badger Mountain Village II, prepared by LRS Architects, Inc., (11 sheets including cover sheet dated 06/20/05) and in accordance with subsequent City approved final PUD plans that are submitted in accordance with Richland Municipal Code Section 23.74.244.
4. Setbacks, building height and percentage of lot coverage for the proposed development parcels shall be as shown on the table on Sheet A1.1 of the preliminary PUD plans described in Condition #3 above, with the exception that

Parcel 2C Tract C shall reflect a side yard setback of both 6-feet as shown and 0-feet for the attached zero lot line side of the buildings.

5. Final PUD plans shall include detailed landscape plans as required by RMC Section 23.70.244. Plans shall include the specific design of the proposed 6-foot to 8-foot high privacy wall that will be constructed adjacent to the Brantingham Road right of way. Said wall shall be of masonry or concrete construction materials unless otherwise approved by the Planning Commission during review of the final PUD plans.
6. Permitted retail sales and service uses shall be limited to those allowed in the Neighborhood Retail Business (C-1) zoning district, Richland Municipal Code (RMC) Chapter 23.32 and shall be primarily for those residing within the boundaries of the proposed PUD.
7. Park fees as required by Richland Municipal Code (RMC) Chapter 22.12 shall be paid prior to issuance of building permits for dwelling units within the PUD boundaries. This condition shall not preclude the applicant from requesting full or partial credit pursuant to the requirements of RMC Section 22.12.070 for provision of private recreational land and facilities within the boundaries of the PUD.

This agreement shall be placed of record and the terms and conditions thereof shall be a covenant running with the land and included in each deed and real estate contract executed by Petitioners with respect to the subject Property or any part thereof. The City of Richland shall be deemed a beneficiary of this covenant without regard to whether it owns any land or interest therein in the locality of the subject Property and shall have the right to enforce this covenant in any court of competent jurisdiction.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands the day and year first above written.

CITY OF RICHLAND


JOHN C. DARRINGTON
City Manager


RON ZIEBART
BADGER MOUNTAIN INVESTMENTS LLC
Petitioner

APPROVED AS TO FORM:

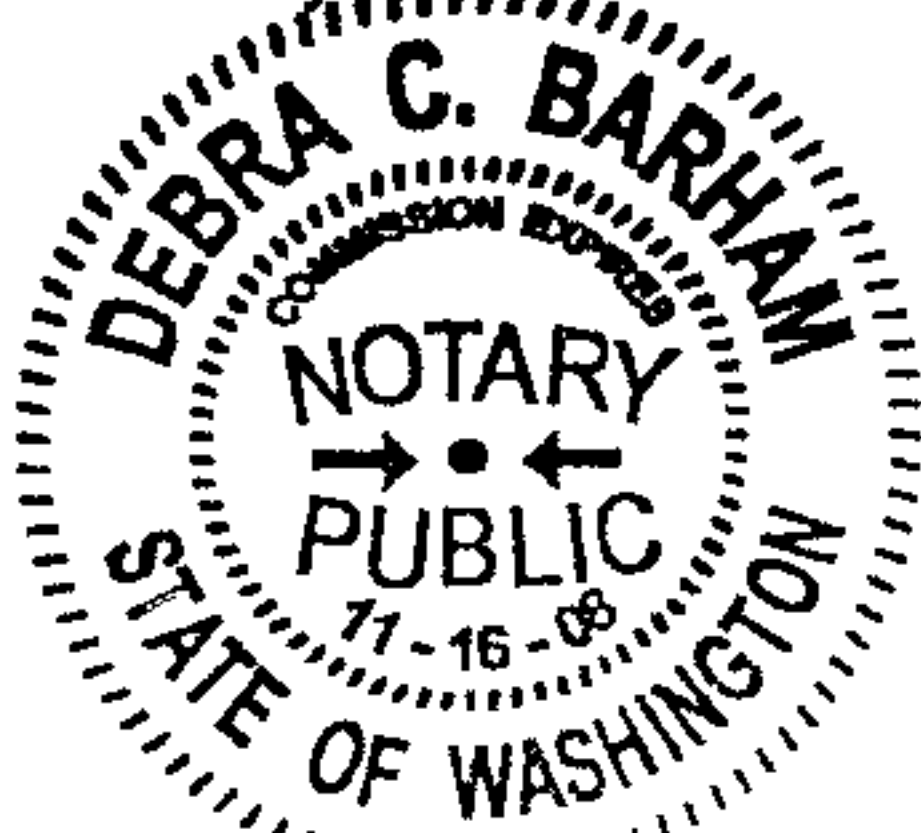

THOMAS O. LAMPSON
City Attorney

STATE OF WASHINGTON)

County of Benton)

On this 8 day of November, 2005 before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared JOHN C. DARRINGTON to me known to be the City Manager of City of Richland, the corporation that executed the foregoing instrument, and acknowledged the said Instrument to be the free and voluntary act and deed of the said corporation, for the uses and purposes therein mentioned and on oath stated that he is authorized to execute the said instrument.

Witness my hand and official seal hereto affixed the day and year first above written.



Debra C. Barham
NOTARY PUBLIC in and for the State of
Washington, residing at: Benton County
My Commission Expires: 11-16-08

STATE OF WASHINGTON)

County of Benton)

On this 8 day of November, 2005, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Ron Ziebart to me known to be the person who executed the foregoing instrument and acknowledged the said instrument to be his free and voluntary act and deed for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute the said instrument.

Witness my hand and official seal hereto affixed the day and year first above written.



Susan E. Loucks
NOTARY PUBLIC in and for the State of
Washington, residing at: Clark County
My Commission Expires: 1-15-09



SCOTT BARHAM

ORD

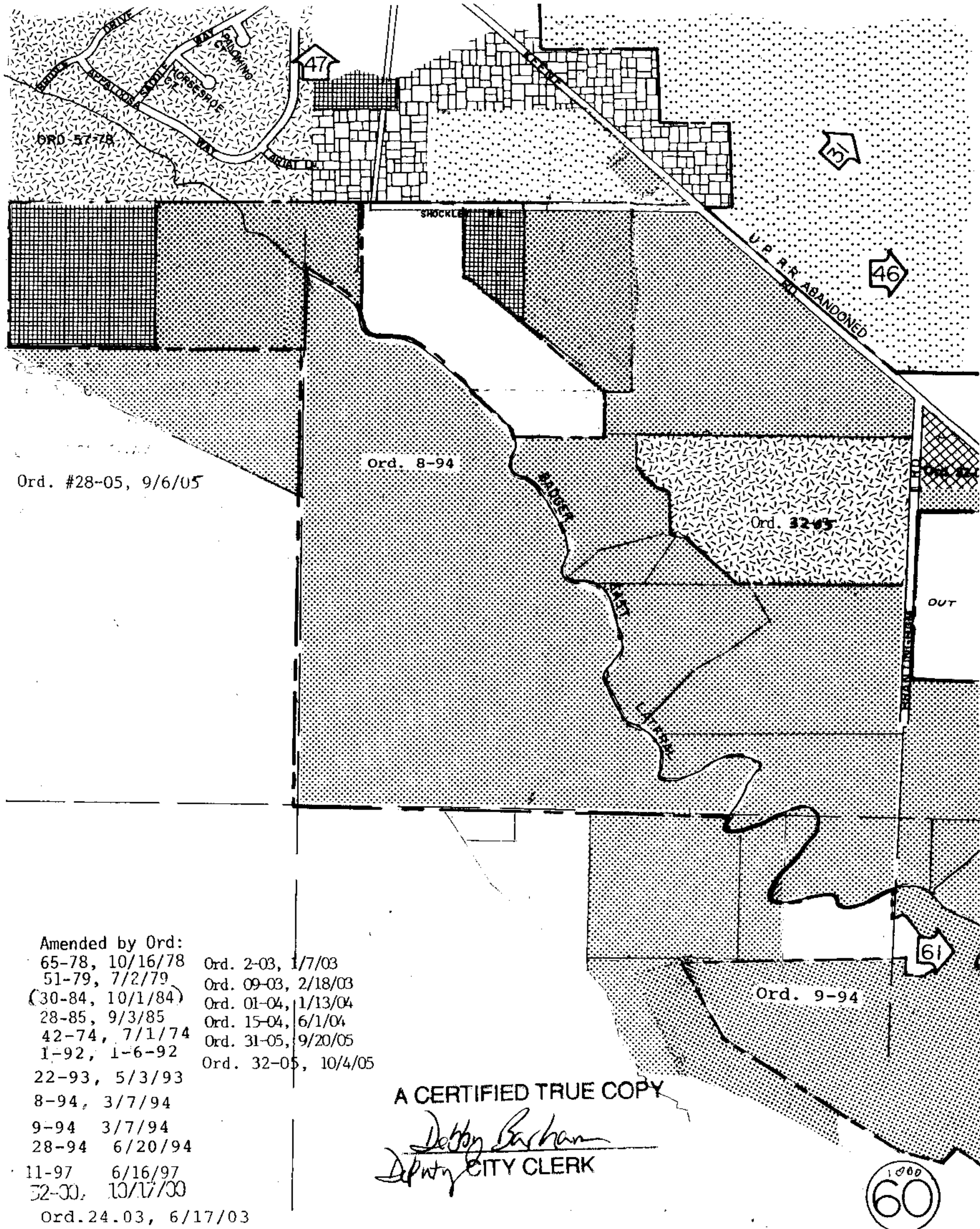
41.00

2005-039680

Pg: 9 of 10

11/16/2005 01:08P

Benton County



Ord. #28-05, 9/6/05

Amended by Ord:
65-78, 10/16/78
51-79, 7/2/79
(30-84, 10/1/84)
28-85, 9/3/85
42-74, 7/1/74
1-92, 1-6-92
22-93, 5/3/93
8-94, 3/7/94
9-94 3/7/94
28-94 6/20/94
11-97 6/16/97
32-00, 10/17/00
Ord. 24-03, 6/17/03

Ord. 2-03, 1/7/03
Ord. 09-03, 2/18/03
Ord. 01-04, 1/13/04
Ord. 15-04, 6/1/04
Ord. 31-05, 9/20/05
Ord. 32-05, 10/4/05

A CERTIFIED TRUE COPY

Debby Barham
Deputy CITY CLERK

60



ORD

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Benton County

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~~Deputy Clerk~~
CITY CLERK

Ord. 49-03, 12/3/03
Ord. 09-04, 4/6/04
Ord. 15-04, 6/1/04
Ord. #28-05, 9/6/05
Ord. 32-05, 10/4/05

Ord. 32-05, 10/4/05

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Ord. 32-05

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2-94

ORD 45-93

ORD 20-95

ORD 45-93

Ord. 9-94

Amended by Ord.

65-78. 10/16/78

37-79, 5/7/79

70-79, 9/4/79

51-79, 7/2/79

28-85, 9/3/85

21-91 5/20/91

43-92 11/2/92

45-93 10/4/93

9-94 3/7/94

8-94 3/7/94

18-78 5/1/78

2-94 2/7/94

20-95 6/5/95

Ord. 10-99, 3/2/99

Ord. 15-99 04/20/99

Ord. 41-99 8/3/99

2nd. 32-00, 10/17/00

Ord. 33-01, 10/16/01

Ord. 2-03, 1/7/03

6

PRELIMINARY PLAT OF COB HILL

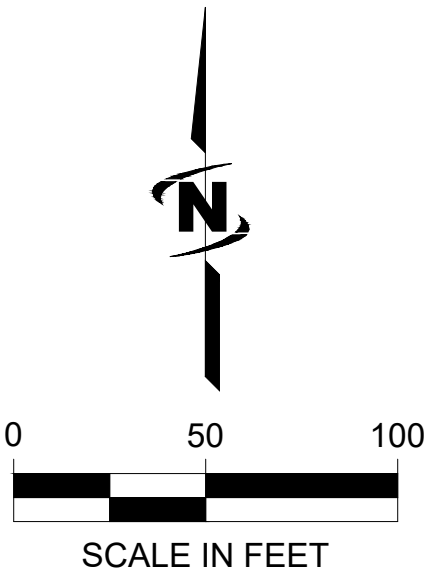
A SUBDIVISION OF PARCEL 1, RECORDED IN VOLUME 1 OF SURVEYS, PAGE 3701, SITUATED IN A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., CITY OF RICHLAND, BENTON COUNTY, WASHINGTON

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____ 20 _____ A.D.
AT _____ M., RECORDED IN VOLUME _____ OF PLATS, PAGE _____
AT THE REQUEST OF J-U-B-ENGINEERS, INC.
BENTON COUNTY AUDITOR _____
BY: _____
FEE NO.: _____

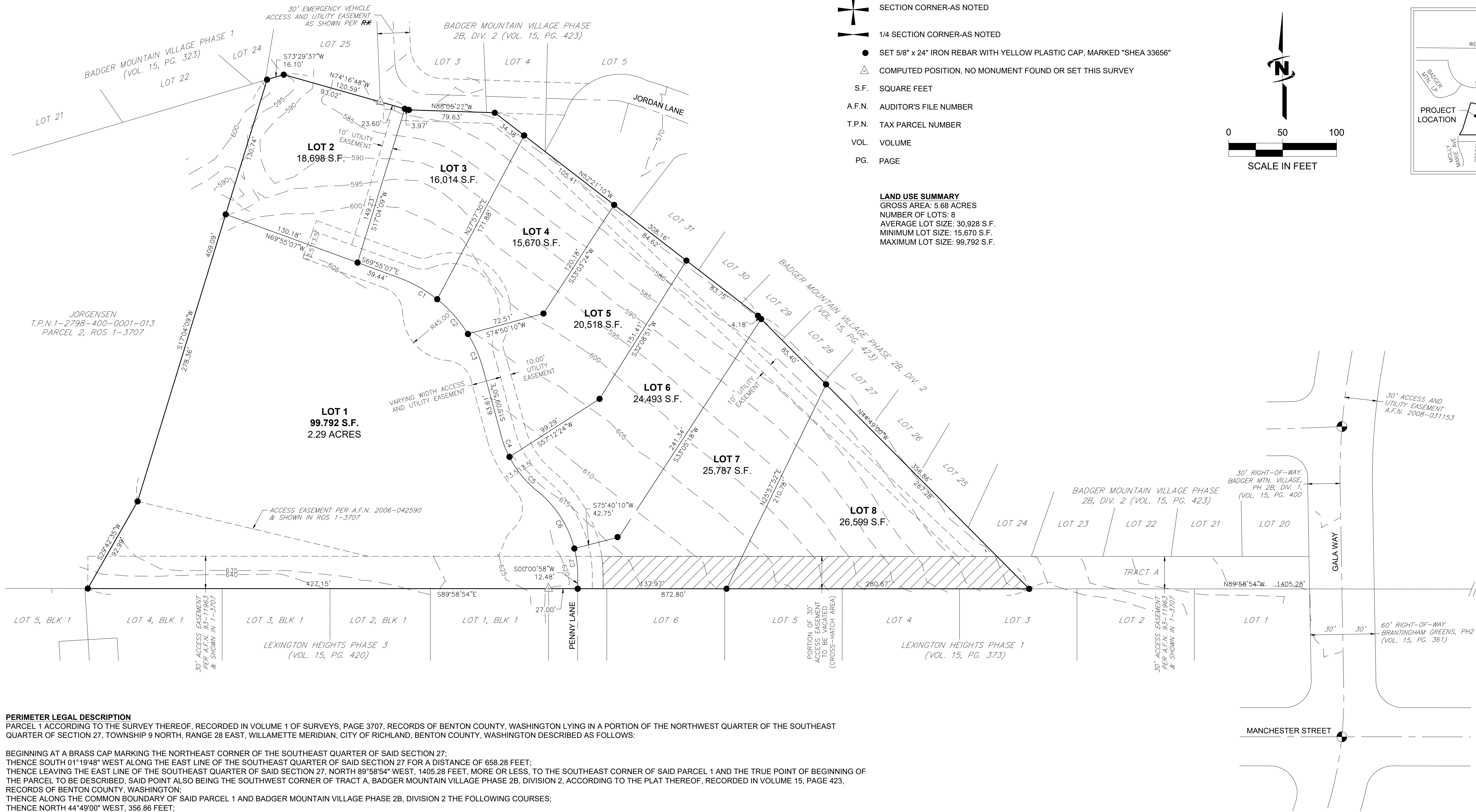
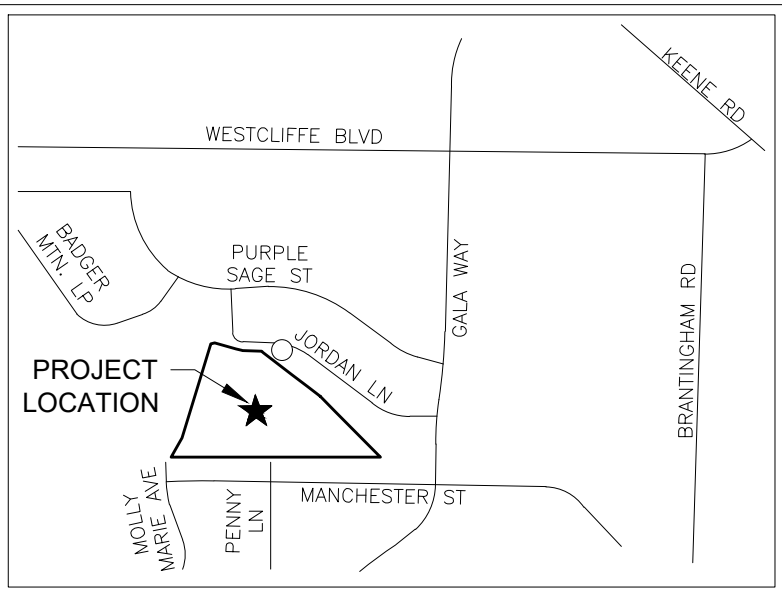
- LEGEND**
- SECTION CORNER-AS NOTED
 - 1/4 SECTION CORNER-AS NOTED
 - SET 5/8" x 24" IRON REBAR WITH YELLOW PLASTIC CAP, MARKED "SHEA 33656"
 - COMPUTED POSITION, NO MONUMENT FOUND OR SET THIS SURVEY
 - S.F. SQUARE FEET
 - A.F.N. AUDITOR'S FILE NUMBER
 - T.P.N. TAX PARCEL NUMBER
 - VOL. VOLUME
 - PG. PAGE

LAND USE SUMMARY
GROSS AREA: 5.68 ACRES
NUMBER OF LOTS: 8
AVERAGE LOT SIZE: 30,928 S.F.
MINIMUM LOT SIZE: 15,670 S.F.
MAXIMUM LOT SIZE: 99,792 S.F.



VICINITY MAP

NOT TO SCALE



PERIMETER LEGAL DESCRIPTION

PARCEL 1 ACCORDING TO THE SURVEY THEREOF, RECORDED IN VOLUME 1 OF SURVEYS, PAGE 3707, RECORDS OF BENTON COUNTY, WASHINGTON LYING IN A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:

BEGINNING AT A BRASS CAP MARKING THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 27;
THENCE SOUTH 01°19'48" WEST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 27 FOR A DISTANCE OF 658.28 FEET;
THENCE LEAVING THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 27, NORTH 89°58'54" WEST, 1405.28 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF SAID PARCEL 1 AND THE TRUE POINT OF BEGINNING OF THE PARCEL TO BE DESCRIBED, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF TRACT A, BADGER MOUNTAIN VILLAGE PHASE 2B, DIVISION 2, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 15, PAGE 423, RECORDS OF BENTON COUNTY, WASHINGTON;
THENCE ALONG THE COMMON BOUNDARY OF SAID PARCEL 1 AND BADGER MOUNTAIN VILLAGE PHASE 2B, DIVISION 2 THE FOLLOWING COURSES;
THENCE NORTH 44°49'00" WEST, 356.86 FEET;
THENCE NORTH 52°21'10" WEST, 308.16 FEET;
THENCE NORTH 88°05'27" WEST, 79.63 FEET;
THENCE NORTH 74°16'48" WEST, 27.57 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF LOT 3, BADGER MOUNTAIN VILLAGE PHASE 2B, DIVISION 2, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 25, BADGER MOUNTAIN VILLAGE PHASE 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 15, PAGE 323, RECORDS OF BENTON COUNTY, WASHINGTON;
THENCE LEAVING THE PLAT BOUNDARY OF SAID BADGER MOUNTAIN VILLAGE PHASE 2B DIVISION 2 AND CONTINUING ALONG THE BOUNDARY OF SAID PARCEL 1 AND THE PLAT BOUNDARY OF SAID BADGER MOUNTAIN VILLAGE PHASE 1 THE FOLLOWING COURSES;
THENCE CONTINUING NORTH 74°16'48" WEST, 93.02 FEET;
THENCE SOUTH 73°29'37" WEST, 16.10 FEET TO THE MOST WESTERLY NORTHWEST CORNER OF SAID PARCEL 1, SAID POINT ALSO BEING THE NORTHEAST CORNER OF PARCEL 2, VOLUME 1 OF SURVEYS, PAGE 3707;
THENCE LEAVING THE PLAT BOUNDARY OF SAID BADGER MOUNTAIN VILLAGE PHASE 1 ALONG THE COMMON BOUNDARY OF SAID PARCELS 1 AND 2 THE FOLLOWING COURSES;
THENCE SOUTH 17°04'09" WEST, 409.09 FEET;
THENCE SOUTH 29°42'35" WEST, 92.99 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 1, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SAID PARCEL 2, SAID POINT IS ALSO ON THE NORTHERLY PLAT BOUNDARY OF LEXINGTON HEIGHTS PHASE 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 15 OF PLATS, PAGE 420, RECORDS OF BENTON COUNTY, WASHINGTON;
THENCE LEAVING THE COMMON BOUNDARY OF SAID PARCELS 1 AND 2 ALONG THE COMMON BOUNDARY OF SAID PARCEL 1 AND LEXINGTON HEIGHTS PHASE 3, SOUTH 89°58'54" EAST, 427.15 FEET TO THE NORTHEAST CORNER OF LOT 1, LEXINGTON HEIGHTS PHASE 3, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF PENNY LANE AT A POINT 27.00 FEET WESTERLY OF THE CENTER LINE THEREOF, WHEN MEASURED AT RIGHT ANGLES;
THENCE LEAVING THE COMMON BOUNDARY OF SAID PARCEL 1 AND LEXINGTON HEIGHTS PHASE 3 ALONG THE COMMON BOUNDARY OF SAID PARCEL 1 AND LEXINGTON HEIGHTS PHASE 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 15 OF PLATS, PAGE 373, RECORDS OF BENTON COUNTY, WASHINGTON, CONTINUING SOUTH 89°58'54" EAST, 445.64 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF SAID PARCEL 1 AND THE TRUE POINT OF BEGINNING AND THE END OF THIS LEGAL DESCRIPTION.

CONTAINING: 5.68 ACRES, MORE OR LESS.

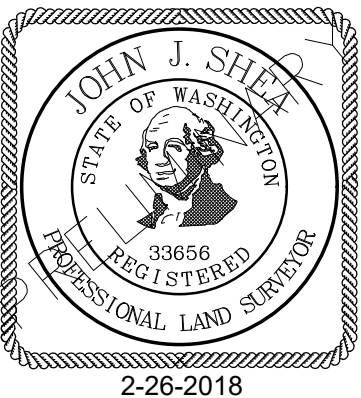
TOGETHER WITH AND SUBJECT TO EASEMENTS, RESERVATIONS, COVENANTS AND RESTRICTIONS APPARENT OR OF RECORD.

SURVEYOR'S CERTIFICATE

I, JOHN J. SHEA, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE PLAT OF COB HILL AS SHOWN HEREON IS BASED ON AN ACTUAL FIELD SURVEY OF THE LAND DESCRIBED AND THAT ALL CORNERS AND DIMENSIONS ARE CORRECTLY SHOWN AND THAT SAID PLAT IS STAKED ON THE GROUND AS INDICATED HEREON. THIS SURVEY WAS PREPARED AT THE REQUEST OF CHERESE ANDERSON IN DECEMBER 2017.

JOHN J. SHEA
PROFESSIONAL LAND SURVEYOR
CERTIFICATE NO. 33656

DATE



JUB
J-U-B ENGINEERS, INC.

2810 W. Clearwater Ave., Suite 201
Kennewick, WA 99336
p | 509 783 2144 w | www.jub.com
Dwg Name: 30-17-079_PB-PRELIM
Date: April 3, 2018
Dr: DFG Ch: JJS Sheet 1 of 1



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 07/17/2018

Agenda Category: Resolutions – Adoption

Key Element: Key I - Financial Stability & Operational Effectiveness

Subject:

Resolution No. 112-18, Adopting the Strategic Leadership Plan 6 Core Focus Areas

Department:
City Manager

Ordinance/Resolution Number:
112-18

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 112-18, adopting the Strategic Leadership Plan 6 Core Focus Areas.

Summary:

The Strategic Leadership Plan is a tool utilized to communicate Council's priorities, support staff in identifying and achieving desired outcomes, and provide transparency to citizens about the City's short and long term goals. Through consultant efforts and multiple meetings with Council, the City Manager and Department Heads, the Strategic Leadership Plan 6 Core Focus Areas, Core Strategies, objectives and outcomes have been developed.

Council reviewed the attached plan at its June workshop with positive feedback. At its July 3, 2018 meeting, Council provided no further changes and requested a confirming resolution.

The proposed Strategic Leadership Plan provides organizational clarity and guiding principles while maintaining adaptability with elements that can be updated to address change.

The proposed 6 Core Focus Areas replace the Seven Keys to Success and will serve as the City's guiding principles. This change will be reflected in staff reports, budget documents and in all communication and marketing materials.

The Strategic Leadership Plan will be regularly updated to reflect progress indicators and will be reviewed by Council annually for direction and input. Success will be measured by the achievement of desired outcomes.

Staff recommends approval of Resolution No. 112-18 adopting the Strategic Leadership Plan 6 Core Focus Areas.

Fiscal Impact:

No fiscal impact.

Attachments:

1. Resolution No. 112-18
2. Proposed Strategic Leadership Plan - One-Page Summary
3. Proposed Strategic Leadership Plan

RESOLUTION NO. 112-18

A RESOLUTION of the City of Richland adopting the Strategic Leadership Plan 6 Core Focus Areas.

WHEREAS, the City of Richland regularly reviews and updates its Strategic Leadership Plan; and

WHEREAS, City Council, the City Manager and the Department Heads worked diligently to plan and prepare an update to the City's existing Strategic Leadership Plan which outlined goals for 2013-2017; and

WHEREAS, through this collaborative effort, a new Strategic Leadership Plan has been developed that affirms the City of Richland's commitment to planning for the future and establishing priorities through the 6 Core Focus Areas; and

WHEREAS, the Strategic Leadership Plan 6 Core Focus Areas are guiding principles in establishing core strategies and objectives that result in planning and actions that align with the City's Mission, Vision and Values; and

WHEREAS, the Strategic Leadership Plan will communicate Council's priorities, support staff in achieving desired outcomes, and provide transparency to citizens about the City's short and long term goals.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that City Council adopts the Strategic Leadership Plan 6 Core Focus Areas.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 17th day of July, 2018.

ROBERT J. THOMPSON
Mayor

ATTEST:

APPROVED AS TO FORM:

MARCIA HOPKINS, City Clerk

HEATHER KINTZLEY, City Attorney



STRATEGIC LEADERSHIP PLAN

6 CORE FOCUS AREAS

1. PROMOTE FINANCIAL STABILITY & OPERATIONAL EFFECTIVENESS
2. MANAGE & MAINTAIN INFRASTRUCTURE & FACILITIES
3. INCREASE ECONOMIC VITALITY

4. MANAGE OUR NATURAL RESOURCES
5. MAXIMIZE COMMUNITY AMENITIES
6. ENHANCE NEIGHBORHOODS & COMMUNITY SAFETY

CORE FOCUS

SHORT-TERM ACTIONS

LONG-TERM ACTIONS

OUTCOMES



- ◆ Complete implementation of financial management system
- ◆ Maximize efficiencies in customer service/permitting in the new City Hall
- ◆ Establish a comprehensive professional development program

- ◆ Implement biennial budget planning process
- ◆ Continue to assess and invest in technology to ensure highest efficiencies within the organization
- ◆ Develop funding strategy for long-term critical infrastructure 2025 and beyond

- ◆ Enhanced fiscal health
- ◆ Increase/maintain public trust and confidence
- ◆ Increased productivity
- ◆ Increased use of technology solutions



- ◆ Transition into new City Hall
- ◆ Complete large capital projects Duportail Bridge/Queensgate Drive
- ◆ Implement asset management program to maximize facility lifecycle

- ◆ Continue implementation of a sustainable pavement preservation program
- ◆ Track and acquire key properties for long-term needs

- ◆ Continue to successfully meet demand of infrastructure and facilities needs



- ◆ Plan and improve more pedestrian-friendly downtown/waterfront
- ◆ Implement Swift Corridor Plan
- ◆ Enhance industrial areas with LRF or other funding programs

- ◆ Implement the 1341-Acre Master Plan in north Richland
- ◆ Partner with Port of Benton to develop Columbia Point South

- ◆ Robust, walkable downtown along waterfront
- ◆ Economic growth



- ◆ Evaluate ownership of public lands (corps land transfer)
- ◆ Enhance the electric utility conservation program to strategically identify highest priorities

- ◆ Respond to increased usage of electric vehicles
- ◆ Respond to community demand for recycling and waste reduction programs

- ◆ Increased public awareness of sustaining resources
- ◆ Balanced private and public interests in conservation and preservation of sensitive areas



- ◆ Increase recreational opportunities and programming with emphasis on waterfront
- ◆ Implement regional wayfinding signage plan
- ◆ Initiate a feasibility study for multi-purpose sports fields with Visit TRI-CITIES

- ◆ Pursue opportunities to increase sports tourism
- ◆ Implement parks/trail/facility master plans

- ◆ Recognized regionally for programs and recreation
- ◆ Enhanced quality of life
- ◆ Increased sports tourism



- ◆ Improve identified areas through proactive code enforcement
- ◆ Integrate regional dispatch services

- ◆ Improve wayfinding in parks/trails to identify emergency dispatching location accuracy
- ◆ Implement comprehensive records and jail management system

- ◆ Increased collaboration with Police/Fire/dispatch
- ◆ Increased crime prevention and community pride

STRATEGIC LEADERSHIP PLAN 6 CORE FOCUS AREAS



CORE FOCUS:

PROMOTE FINANCIAL STABILITY & OPERATIONAL EFFECTIVENESS

Core Strategy

The City of Richland effectively manages financial resources. Our staff deliver excellent services at the most reasonable cost. We ensure that Richland residents receive great value for their tax dollars, and that City programs, services, and capital projects benefit the community as a whole. We recognize our citizens demand accountability and adaptability. Richland is a leader in encouraging collaborative, community-wide efforts that contribute to our City's financial stability and sustainable growth. We strive for public trust and confidence.

Objective: Preserve and enhance fiscal health and wellness.

Actions

- ◆ Continued utilization of priority-based budgeting philosophy
- ◆ Implement a biennial budget planning process
- ◆ Implement an ongoing strategic planning cycle
- ◆ Develop and implement a process to communicate Council's strategic vision to all boards and commissions
- ◆ Leverage the City's bond rating and utilize fiscally responsible financial management practices
- ◆ Develop a strategy to plan and fund long-term critical infrastructure 2025 and beyond
- ◆ Evaluate Fire and Emergency Services fee structures
- ◆ Develop strategies to ensure the City's ability to prepare, respond, and recover from large-scale emergencies and natural disasters
- ◆ Ensure that foundational policies and municipal code are regularly evaluated
- ◆ Maximize efficiencies in customer service including utility billing, permitting and program assistance in the new City Hall

Objective: Increase use of technology to facilitate enhanced public access to information and improved customer service.

Actions

- ◆ Develop strategy to support reliable high-speed internet service throughout the community
- ◆ Invest in technology to support efficiency of the City's workforce to provide greater productivity, safety, and customer service in City operations
- ◆ Continued integration of financial technology platforms to provide enhanced customer service transactions and increased transparency
- ◆ Develop a new wholesale energy power policy
- ◆ Promote the City's energy goals through Mid-Columbia Energy Initiative

Objective: Promote leadership growth and development.

Actions

- ◆ Ensure quality service delivery by leveraging knowledge of professional staff
- ◆ Establish a comprehensive professional development program to develop and enhance the City's workforce
- ◆ Identify opportunities for succession planning
- ◆ Attract and retain top talent to meet the demands of the evolving community

Outcomes

- Enhanced fiscal health
- Increased public trust and confidence
- Increased productivity
- Increased use of technology solutions

Progress Indicators

- ✓
- ✓





CORE FOCUS:

MANAGE & MAINTAIN INFRASTRUCTURE & FACILITIES

Core Strategy

The City of Richland is a full-service City that operates and maintains a broad range of facilities and infrastructure, including several utilities, critical to meeting community needs. Richland anticipates facility and infrastructure needs as our population grows and changes.

Objective: Plan and provide facilities and infrastructure essential to community growth.

Actions

- ◆ Develop a comprehensive Public Safety Facility Deployment Plan
- ◆ Develop a strategy to address Fire and EMS services to the 1341 acres in north Richland
- ◆ Evaluate impacts of closure of the 300 Area Fire & EMS station and potential support of under-protected areas of the current Hanford site
- ◆ Track and acquire key properties for long-term critical infrastructure, economic development, and facility needs
- ◆ Address traffic congestion
- ◆ Update and implement utility system plans to ensure population growth and demand needs are met
- ◆ Complete Horn Rapids Landfill expansion and facility replacement

Objective: Maximize existing facilities and infrastructure through sustainable maintenance programs.

Actions

- ◆ Implement LED streetlight retrofit citywide
- ◆ Develop a comprehensive Electric Underground Plan
- ◆ Implement an asset management program to maximize facility and infrastructure lifecycle
- ◆ Continue implementation of a sustainable pavement preservation program

Outcomes

- Continue to successfully meet demand of infrastructure and facilities needs.

Progress Indicators

✓

✓

STRATEGIC LEADERSHIP PLAN

6 CORE FOCUS AREAS



CORE FOCUS:

INCREASE ECONOMIC VITALITY

Core Strategy

The City of Richland is economically competitive, resilient, and attractive to private and public enterprises. These factors enhance the City's economic vitality and ability to withstand the ups and downs of an economic cycle. To remain vital, Richland targets areas of economic growth, diversification of its capital, and works to attract and retain talent. Richland identifies opportunities to collaborate with regional organizations, neighboring cities, ports, other private entities and the private sector to enhance the strength of our community.

Objective: Improve the economic health of the community through a targeted investment in Richland's Waterfront District.

Actions

- ◆ Encourage greater residential densities in and around the Waterfront District
- ◆ Increase office and commercial demand within the core of downtown Richland
- ◆ Improve streets to enhance walkability in the core downtown area
- ◆ Increase tourism opportunities relate to new or expanded facilities and business ventures
- ◆ Partner with the Port of Benton to develop Columbia Point South
- ◆ Evaluate the economic development opportunities for the Uptown parking lot

Objective: Encourage primary sector employment and enhance the tax base in Richland through targeted investments.

Actions

- ◆ Continue to market the Horn Rapids Industrial Park
- ◆ Implement the 1341-Acre Master Plan in north Richland
- ◆ Continue working with the Tri-Cities Research District in attracting research-related opportunities in north Richland
- ◆ Explore opportunities for economic development in the Island View neighborhood
- ◆ Implement the Columbia Park Master Plan
- ◆ Capitalize on opportunities to assist with the development of vacant properties in the area of Steptoe and Tapteal
- ◆ Enhance our industrial areas through Local Revitalization Funding programs or other state programs
- ◆ Work with Richland's port districts to target economic development throughout Richland
- ◆ Continue implementation of the Swift Corridor Plan

Outcomes

- Economic growth
- Robust, walkable downtown along waterfront

Progress Indicators

✓

✓



CORE FOCUS:

MANAGE OUR NATURAL RESOURCES

Core Strategy

The City of Richland develops strategies to identify and conserve the significant natural resources that provide citizens an exceptional quality of life while balancing the realities of accommodating a growing community.

Objective: Balance private and public interests in the preservation of identified natural and environmentally sensitive areas.

Actions

- ◆ Consider properties to improve park and recreation facilities in natural areas
- ◆ Participate in regional evaluation of the opportunities and challenges of obtaining ownership of public lands (i.e. TRIDEC proposed Corps land transfer)

Objective: Evaluate the provision of economically viable services that contribute to sustainable environmental stewardship.

Actions

- ◆ Enhance the electric utility conservation program to strategically identify highest priorities
- ◆ Respond to the emergence of electric vehicles
- ◆ Respond to community demand for recycling and waste reduction programs
- ◆ Implement renewable energy power generation in compliance with the state Energy Independence Act
- ◆ Advance stormwater outfall water quality retrofit program

Outcomes

- Increased public awareness of sustaining resources
- Balanced private and public interests in conservation and preservation of sensitive areas
- Reduction of stormwater conveyed pollutant loading to the rivers

Progress Indicators

✓

✓



STRATEGIC LEADERSHIP PLAN

6 CORE FOCUS AREAS



CORE FOCUS:

MAXIMIZE COMMUNITY AMENITIES

Core Strategy

The City of Richland recognizes its citizens' deep affinity for their city, especially the robust community amenities. The City strives to enhance the quality of life through the enhancement and introduction of unique community amenities.

Objective: Create gateways, streetscapes, and public art features to enhance and beautify the City.

Actions

- ◆ Implement the regional wayfinding signage plan in coordination with our partners
- ◆ Update and implement the Public Art Master Plan
- ◆ Continue to seek private partnerships for artistic projects
- ◆ Include streetscape elements on road projects, when appropriate

Objective: Provide and maintain park and recreation facilities to meet the needs of our community.

Actions

- ◆ Provide quality programming in parks to attract residents and visitors
- ◆ Implements Parks, Trail, Facility and Open Space Master Plan
- ◆ Plan for the development of community gathering places
- ◆ Create park master plans
- ◆ Facilitate park safety and user accountability through an enhances Park Ranger Program

Objective: Expand opportunities for sports tourism.

Actions

- ◆ Promote existing facilities for sports tournaments
- ◆ Initiate a feasibility study to evaluate a business case for multi-purpose sports fields in coordination with Visit TRI-CITIES

Outcomes

- Recognized regionally for programs and recreation
- Enhanced quality of life
- Increased sports tourism

Progress indicators

✓

✓



STRATEGIC LEADERSHIP PLAN

6 CORE FOCUS AREAS



CORE FOCUS:

ENHANCE NEIGHBORHOODS & COMMUNITY SAFETY

Core Strategy

The City of Richland values the safety of our neighborhoods and community. We work to enhance the sense of community pride through prevention of neighborhood deterioration. The City provides a safe and connected transportation network for residents to access cultural, entertainment and employment opportunities located throughout the City.

Objective: Prevent and reduce blight of neighborhoods and commercial property.

Actions

- ◆ Improve identified areas through proactive code enforcement

Objective: Enhance livability and connectivity of neighborhoods.

Actions

- ◆ Ensure minimum life safety standards through a residential rental property inspection program
- ◆ Develop a network of pedestrian and bicycle facilities linking neighborhoods with trail and park amenities

Objective: Increase safety and enhance prevention activities in neighborhoods, retail and industrial business districts.

Actions

- ◆ Conduct a regional analysis of upgrades to the traffic signal pre-emption system for emergency vehicle response
- ◆ Develop a comprehensive Fire and EMS community and risk profile
- ◆ Develop a comprehensive wildland and fire fuel mitigation and management plan for the Yakima Delta, Leslie Canyon and river corridors
- ◆ Initiate a proactive educational campaign to improve cardiac and stroke survivability, reduce targeted call-types, and improve overall community resilience
- ◆ Improve wayfinding in City parks and trail systems to improve emergency location accuracy
- ◆ Evaluate the sustainability of the current Fire and EMS emergency radio system
- ◆ Evaluate Police and Fire deployment plans
- ◆ Integrate regional dispatch services
- ◆ Implement a comprehensive records and jail management system

Objective: Increase collaboration with Police, Fire, and dispatch.

Actions

- ◆ Integration of police and fire response to active shooter and other critical situations.

Outcomes

- Increased crime prevention and community pride
- Increased collaboration with Police, Fire and dispatch
- Increased neighborhood connectivity
- Increased timeliness for law enforcement and emergency medical response

Progress indicators

✓

✓





COUNCIL AGENDA ITEM COVERSHEET

Council Date: 07/17/2018

Agenda Category: Expenditures - Approval

Key Element: Key I - Financial Stability & Operational Effectiveness

Subject:

Expenditures from June 25- July 6, 2018 for \$10,196,160.52 including Check Nos. 258753-259288, Wire Nos. 6966-6993, Payroll Check Nos. 135275-135856, and Payroll Wire/ACH Nos. 10507-10525

Department:

Administrative Services

Ordinance/Resolution Number:

Document Type:

Expenditures

Recommended Motion:

Approve the expenditures from June 25, 2018, to July 6, 2018 in the amount of \$10,196,160.52.

Summary:

Breakdown of Expenditures:

Check Nos.	258753-259288	3,346,525.88
Wire Nos.	6966-6993	4,484,261.04
Payroll Check Nos.	135275-135856	21,396.95
Payroll Wires/ACH	10507-10525	2,343,976.65
TOTAL		\$10,196,160.52

Fiscal Impact:

Yes

Total Disbursements: \$10,196,160.52. Disbursements (wire transfers) include \$2,973,169.00 for purchase power.

Attachments:

1. Wire Transfers
2. Voucher Listing Report

VOUCHER LISTING REPORT
SUMMARY OF WIRE TRANSFERS
JUNE 25 - JULY 6, 2018

Payee	Wire Description	Amount
Claim Wires - Wire No. 6966 to 6993		
AW Rehn Insurance	Fire Health Reimbursement Account	20,934.75
Bonneville Power Administration	Purchase Power	2,973,169.00
CIGNA Health/Matrix/QBE/VSP	Insurance Claims	263,680.94
Department of Licensing	Firearms Online Pmt for Concealed Licenses	347.00
Discovery Benefits	Section 125	7,266.47
LEOFF Trust	Fire Health Premiums	86,472.47
Leone & Keeble	Contract C16-292 - Pay Estimate	1,129,918.89
Payment Processing, Inc.	Landfill Merchant Service Fees	2,471.52
	Total Claim Wire Transfers	\$ 4,484,261.04
Payroll Wires & Direct Deposits (ACH) - Wire No. 10507 to 10525		
Payroll Wires *see description below	Total Payroll Wire Transfers & Deposits	\$ 2,343,976.65
Total Claim & Payroll Wires/ACH		\$ 6,828,237.69

*Payroll Wires - transactions represent; employee payroll, payment of benefits, payroll taxes and other related payroll benefits.



City Of Richland

VL-1 Voucher Listing

From: 6/25/2018 To: 7/6/2018

Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
FUND 001 GENERAL FUND					
Division: 000 UNASSIGNED					
BANK OF AMERICA		18050058171	259084	BANK ANALYSIS FEES	\$3,812.17
BENTON COUNTY TREASURER		0518BC	258767	CRIME VICTIMS COMP BCDC-MAY 18	\$648.12
DAVIS, DEANNA		18-259 DAVIS	258956	EM Management Advisory Grou	\$225.42
GRANITE CONSTRUCTION COMPANY	P059043	C93-18/PMT 1	258980	RETAINAGE	(\$3,639.75)
WASHINGTON STATE PATROL		I18008120	259064	BACKGROUND CHECKS-MAY 2018	\$396.00
WASHINGTON STATE TREASURER		0518WS	258862	FINES & FORFEITURES BC-MAY 18	\$36,841.83
UNASSIGNED TOTAL ****					\$38,283.79
Division: 001 CITY COUNCIL					
FIRST NIGHT TRI CITIES INC		19	258972	SPONSORSHIP-FIRST NIGHT TC2019	\$3,500.00
CITY COUNCIL TOTAL ****					\$3,500.00
Division: 101 CITY CLERK					
CODE PUBLISHING INC		60394	258776	WEB UPDATE 6/11/18	\$186.36
OFFICE DEPOT		146543173001	258830	NOTARY STAMP MARCIA HOPKINS	\$49.95
CITY CLERK TOTAL ****					\$236.31
Division: 102 CITY ATTORNEY					
BENTON COUNTY TREASURER		MAY 2018	259214	DISTRICT COURT/OPD-MAY 2018	\$61,560.92
COLUMBIA SAFETY LLC		2018-91-	259103	CPR/AED/CPR/FIRST AID TRAINING	\$910.00
OGDEN MURPHY WALLACE, PLLC		813273-	259158	WIRELESS CODE	\$810.00
SENNER, ERIC		18-258 SENNER	259036	18-258 WCIA RISK MGR FORUM	\$18.00
THOMSON REUTERS-WEST		838294570-	259196	INFORMATION CHARGES-MAY 2018	\$2,215.32
XEROX CORPORATION		093448037	258873	MX4-344681 BASE/PRINTS- MAY	\$57.91
CITY ATTORNEY TOTAL ****					\$65,572.15
Division: 110 ASSISTANT CITY MANAGER					
XEROX CORPORATION		093448037	258873	MX4-344681 BASE/PRINTS- MAY	\$57.04
				MX4-344681 BASE/PRINTS- MAY	\$236.69
ASSISTANT CITY MANAGER TOTAL ****					\$293.73
Division: 111 COMMUNICATIONS & MARKETING					
MID COLUMBIA ENGINEERING INC	P058675	ST009878	258822	ANISA GARCIA, PRINTER/MAIL CLE	\$544.93
	P058675	ST009891		ANISA GARCIA, PRINTER/MAIL CLE	\$372.60
	P058675	ST009906	259148	ANISA GARCIA, PRINTER/MAIL CLE	\$693.97
	P058675	ST009915	259258	ANISA GARCIA, PRINTER/MAIL CLE	\$745.20
PITNEY BOWES INC		3306271643-	259166	2ST QTR 2018 LEASE-PB SENDPRO	\$8,348.40
XEROX CORPORATION		093448056	258873	BG2-946472 BASE/PRINTS-MAY	\$218.42
				BG2-946472 BASE/PRINTS-MAY	\$384.40
		093448057		B35-458536 BASE/PRINTS-MAY	\$140.31
		093448058		XU6-476287 BASE/PRINTS-MAY	\$425.01
				XU6-476287 BASE/PRINTS-MAY	\$4,110.57



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Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
COMMUNICATIONS & MARKETING TOTAL****					\$15,983.81
Division: 112 CABLE COMMUNICATIONS					
SWAGIT PRODUCTIONS LLC	P059242	10877	258852	YOUTUBE LIVE INTEGRATION FOR	\$525.00
CABLE COMMUNICATIONS TOTAL ****					\$525.00
Division: 113 HANFORD COMMUNITIES					
LUNDGREN, REGINA E		RCH-SB-579	258819	SPEAKERS BUREAU - MAY	\$200.00
XEROX CORPORATION		093448037	258873	MX4-344681 BASE/PRINTS- MAY	\$57.91
HANFORD COMMUNITIES TOTAL ****					\$257.91
Division: 120 FIRE					
BASIN DEPARTMENT STORE INC		323124	259085	REBACK DAYBOOT (SABIN)	\$173.75
CALLBACK STAFFING SOLUTIONS LLC		008771	259093	STAFFING CALLBACK SRVCS-JUNE	\$216.13
D&D TELECOMMUNICATION PROPERTIES LLC		485	259110	PERRY MONUMENT RD RENT-JUL	\$782.87
FRONTIER		06/18 2530045365	258797	SILVER CLOUD PHONE LINE	\$66.67
IMAGETREND INC	P058554	111841	258807	Software Licensing Agreement f	\$5,780.62
	P058554			Software Licensing Agreement f	\$1,272.89
RICHLAND ACE HARDWARE		215752	259173	PAPER KY TGS	\$8.24
		215836		HEX NUT	\$1.08
		62587		FASTENERS	\$5.17
		62708		HOSE/COUPLER/TRUFUEL	\$29.28
SEA WESTERN INC	P059161	206096	258844	HAIX MISSOULA WILDLAND	\$1,694.16
	P059058	206308		HAIX FIRE HUNTER XTREME 14"	\$396.39
	P059266	206398	259272	MSA FIREHAWK RIT SYSTEM	\$3,252.57
	P059314	206596		BLOWHARD FAN MODEL #BH-20 COMP	\$3,963.90
UNITED PARCEL SERVICE	S017978	000986641268	259283	GROUND PKG TO PACIFIC ELECTRON	\$4.31
FIRE TOTAL ****					\$17,648.03
Division: 130 POLICE					
101 CLEANERS		05/18-9427360	259072	UNIFORM LAUNDRY SRVCS-MAY	\$216.14
BICKFORD, JEFF		120717	259216	REIMB TUITION 2018	\$375.00
CARPER, CRISTI		18-293 CARPER	258936	18-293 RMS SITE VISIT	\$46.00
CASCADE NATURAL GAS CORP		06/18-75997100005	259221	NAT GAS 871 GW WAY 5/17-6/15	\$77.38
CITY OF PASCO		2018-00000013	259225	COP-ANIMAL CONTROL SERV-JUN	\$21,599.25
DAY WIRELESS SYSTEMS		463846	258958	RADIO REPAIR	\$70.60
DOMESTIC VIOLENCE SERVICES		25088	258962	DOMESTIC VIOLENCE SRVCS-MAY 18	\$888.50
EAGLE PRINTING & GRAPHIC DESIGN INC		48160	259232	SCREEN PRINT SERVICE	\$75.48
		48161		PATROL POLOS	\$445.17
GLASEN, HEIDI		18-280 GLASEN	258978	18-280 EVIDENCE DISPOSAL	\$18.00
JCRISP, LLC		106	259251	HTC KEYNOTE AND 2 SESSIONS	\$4,606.38
LARSEN GUNSMITHING & FIREARMS	P059142	9443	259254	SAFARILAND 6378RDS-832-131 -	\$79.28
	P059142			SAFARILAND 6360-9301-132 - DUT	\$124.35
	P059142			SAFARILAND 6378-8301-411 - PAD	\$102.08



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LN CURTIS & SONS	P058926	INV189867	258818	1X5NAMEBK BLA STITCH - BLA VEL	\$15.15
	P058926			SHIPPING	\$21.72
	P058926			DN6313PROTECH CUSTOM - OREGON	\$217.15
	P058926			SCA-SM02-3A SAFARI CUSTOM - SU	\$841.65
MEL'S INTER-CITY TOWING		16761	259257	TOW CHARGE	\$90.14
MOON SECURITY SERVICES INC		931478	259260	RPD RANGE MONITORING	\$59.90
RINGOLD EMBROIDERY		480	259180	EMBROIDERED POLOS	\$73.85
RIVER CITY TOWING INC		16340	259270	TOW CHARGE	\$48.87
		16341	259181	TOW CHARGE	\$48.87
		16344		TOW CHARGE	\$48.87
		16346		TOW CHARGE	\$48.87
		16349	259270	TOW CHARGE	\$48.87
		16401		TOW CHARGE	\$48.87
		16403		TOW CHARGE PLUS MILEAGE	\$112.67
SAN DIEGO POLICE EQUIPMENT CO	P059267	633037	259034	FED-LE223T3 FEDERAL TACTICAL	\$240.54
	P059267			FREIGHT	\$13.03
SNIPERCRAFT, INC		2018 ADV SKIL	259273	KOE-ADV SKILLS/TACTICS	\$625.00
SOUND UNIFORM GROUP LLC	P059277	201806B017	259041	EMBNTAG - EMBROIDERED NAME TAG	\$8.00
	P059277			SHIPPING	\$18.50
	P059277			TAX	\$43.30
	P059277			ZIP PKTS - ZIPPER SIDE ENTRY	\$12.00
	P059277			JMP93DN - WINTER WEIGHT JUMPSU	\$395.00
	P059277			TASER POCKET - X-26P - PLUS	\$45.00
	P059277			UAZIPS - UNDERARM ZIPPERS W/VE	\$25.00
	P058901	201806B042	258847	EMBNTAG - EMBROIDERED NAME TAG	\$8.69
	P058901			ZIP PKTS - ZIPPER SIDE ENTRY	\$13.03
	P058901			ESTIMATED SHIPPING	\$20.09
	P058901			JMP93DN - WINTER WEIGHT JUMPSU	\$428.97
	P058901			UAZIPS - UNDERARM ZIPPERS W VE	\$27.15
	P058901			TASER POCKET - X-26 P - KANE	\$48.87
	P058581	201806B043	259041	FREIGHT - HEID	\$20.09
	P058581			EMBNTAG/I - EMBROIDERED NAME T	\$8.69
	P058581			ZIPAPKT/I - SIDE ZIPPERS AT 'A	\$13.03
	P058581			UAZIPS/I - UNDERARMS ZIPPERS @	\$27.15
	P058581			TASERPKT/I - TASER POCKET WITH	\$48.87
	P058581			JMP93LTDJN/I - JUMPSUIT,	\$407.25
	P059279	201806B060		UAZIPS - UNDERARM ZIPPERS W/VE	\$27.15
	P059279			SHIPPING	\$20.09
	P059279			JMP93LTDN - SUMMER WEIGHT JUMP	\$407.25
	P059279			ZIPA PKTS - ZIPPER SIDE ENTRY	\$13.03
	P059279			EMBNTAG - EMBROIDERED NAME TAG	\$8.69



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Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
SOUND UNIFORM GROUP LLC	P059279	201806B060	259041	PRTPANREFL - REFLECTIVE PRINT	\$19.55
SUPPORT, ADVOCACY AND RESOURCE CENTER		1	259190	HUMAN TRAFFICKING CONF	\$1,119.96
		66		HUMAN TRAFFICKING CONF	\$3,977.36
THE ABY MFG GROUP INC DBA	P059097	0135971-IN	258854	FREIGHT	\$16.00
	P059097			PACKAGING AND HANDLING FEES	\$4.50
	P059097			154R-14648-1 - RICHLAND PD 154	\$95.00
TRANS UNION RISK & ALTERNATIVE DATA		06/18-204527	259200	RPD RECORDS SEARCH-MAY	\$119.46
TREASURE VALLEY COFFEE CO		102008	259201	RPD COFFEE DELIVERY	\$78.25
WASHINGTON STATE PATROL		118008120	259064	BACKGROUND CHECKS-MAY 2018	\$128.00
XEROX CORPORATION		093448045	258873	LX5-691308 BASE/PRINTS-MAY	\$238.25
		093448046		LX5-691344 BASE/PRINTS-MAY	\$264.70
		093448047		LX5-694258 BASE/PRINTS-MAY	\$202.23
		093448048		MX4-345491 BASE/PRINTS-MAY	\$418.37
		093448049		MX4-345537 BASE/PRINTS-MAY	\$213.16
POLICE TOTAL ****					\$40,317.31
Division: 210 ADMINISTRATIVE SERVICES					
FINANCIAL CONSULTING SOLUTION GROUP	S017773	2798-21806030	259123	FIRE SERVICES PNNL RATE ANALYS	\$1,680.00
ADMINISTRATIVE SERVICES TOTAL ****					\$1,680.00
Division: 211 FINANCE					
COLUMBIA INDUSTRIES SUPPORT LLC		0065897	259102	ON SITE SHREDDING WO #109093	\$35.18
GARDA CL NORTHWEST INC		10396452	259125	ARMORED CAR SRVCS MAY 2018	\$457.16
JETPAY PAYMENT SERVICES, FL, LLC		2019949	259137	MERCHANT SRVC CHRGS MAY 18	\$32,739.19
PARADISE BOTTLED WATER CO		05/18-FINANCE	259163	BOTTLED WATER SRVC 05/18	\$54.35
				BOTTLED WATER SRVC 05/18	\$54.35
STATE AUDITOR'S OFFICE		L125611	259189	AUDIT SERVICES-MAY 2018	\$19,185.68
FINANCE TOTAL ****					\$52,525.91
Division: 212 PURCHASING					
CANON FINANCIAL SERVICES, INC	S017910	18756224	258935	COPIER LEASE & USAGE CHARGES	\$48.63
	S017910			COPIER LEASE & USAGE CHARGES	\$194.50
UFP WA LLC #406 dba NEPA PALLET AND CONTAINER	S017933	4060014224	259060	FREIGHT	\$500.00
	S017933			APPLE BINS 48" X 45"	\$2,400.00
XEROX CORPORATION		093448042	258873	MX4-340609 BASE/PRINTS-MAY-IT	\$232.00
		093448052		MX4-354245 BASE/PRINTS-MAY-HR	\$236.70
PURCHASING TOTAL ****					\$3,611.83
Division: 213 INFORMATION TECHNOLOGY					
CANON FINANCIAL SERVICES, INC		18756223	259095	CANON-IRC5550I-XLG04987-JUN	\$118.68
CASELLE INC	P058690	88271	259222	Animal License Software Monthl	\$169.33
CERIUM NETWORKS INC	P058936	1069699	258774	TAX	\$844.18
	P058936			Cerium add call back to UB que	\$9,816.00



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Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
CERIUM NETWORKS INC	P059031	I069722	258940	CISCO 3504 WIRELESS CONTROLLER	\$20,462.21
	P058904	I069939	258774	SHIPPING	\$168.89
	P058904			Data center Cisco core replace	\$55,692.69
COLUMBIA INDUSTRIES SUPPORT LLC		0066013	258780	ON SITE SHREDDING WO #0107744	\$27.50
DESPAIN & ASSOCIATES INC	P059261	112113	258788	SUBSCRIPTION & SUPPORT, IBM 12	\$1,403.79
EXPRESS EMPLOYMENT PROFESSIONALS	S017914	20699534	259120	JENSEN TROUTMAN, ERP DATA ENTR	\$1,302.56
	S017914	20763978	259234	GUADALUPE GALVAN, ERP DATA ENT	\$814.10
	S017914			JENSEN TROUTMAN, ERP DATA ENTR	\$930.40
SOURCECODE NORTH AMERICA INC	P059348	INVSCNA2761	259042	TECHNICAL SUPPORT AND MAINTENA	\$8,289.58
SP MARKETPLACE	P059327	5905	258848	ANNUAL SUBSCRIPTION LICENSE RE	\$1,350.00
TECH POWER SOLUTIONS INC	P059289	54641	259279	3 - HYPER-V SERVERS EASY INST	\$154.59
TRI CITIES BATTERY & AUTO REPAIR	P059311	125483	259056	UPS BATTERY AT 300 BLDG, INVOI	\$97.18
TYLER TECHNOLOGIES, INC	S017614	045-209882	259059	ESTIMATED TRAVEL	\$3,747.92
		045-211088		ESTIMATED TRAVEL	\$8,106.90
		045-213370		CREDIT-ESTIMATED TRAVEL	(\$8,106.90)
	S017614	045-215320		IMPLEMENTATION COSTS (AS MODUL	\$5,418.75
	S017614			ESTIMATED TRAVEL	\$1,604.40
	S017614	045-216014		IMPLEMENTATION COSTS (AS MODUL	\$2,167.50
	S017614			ESTIMATED TRAVEL	\$1,159.87
	S017614	045-216607		IMPLEMENTATION COSTS (AS MODUL	\$3,251.25
	S017614			ESTIMATED TRAVEL	\$2,626.15
	S017614	045-217396		ESTIMATED TRAVEL	\$2,563.74
	S017614			IMPLEMENTATION COSTS (AS MODUL	\$3,251.25
	S017614	045-222528		IMPLEMENTATION COSTS (AS MODUL	\$4,430.62
	S017614			ESTIMATED TRAVEL	\$2,918.78
	S017614	045-226964		ESTIMATED TRAVEL	\$6,113.47
	S017614			IMPLEMENTATION COSTS (AS MODUL	\$3,251.25
	S017614	045-227795		ESTIMATED TRAVEL	\$3,643.57
	S017614			IMPLEMENTATION COSTS (AS MODUL	\$3,251.25
UNITED PARCEL SERVICE	S017967	000986641258	258860	GROUND PKG TO TECHPOWER FOR IT	\$3.93
INFORMATION TECHNOLOGY TOTAL ****					\$151,045.38
Division:	220	HUMAN RESOURCES			
CABOT DOW ASSOCIATES INC		MAY 2018	258934	MAY CONSULTING-IUOE/SEWTG	\$1,650.00
CANON FINANCIAL SERVICES, INC		18756223	259095	CANON-IRC5550I-XLG04987-JUN	\$6.76
		18756225		CANON-IRC55501-XLG04984-JUN	\$325.17
		18756226	259220	CANON-PAPERDECK-XLG04987-JUN	\$28.00
EMPLOYMENT SCREENING SERVICES, INC		39904041194	259115	BACKGROUND/REFERENCE CHECKS	\$124.50
		39908141563		BACKGROUND/REFERENCE CHECKS	\$58.00
ON SCENE MEDICAL SERVICES, P.C.		1083	259159	PRE EMP PHYSICALS/VACCINES	\$600.00
SOCIETY FOR HUMAN RESOURCE MANAGEMENT		9007541425	259186	MEMBERSHIP DUES-RACHELL PARKER	\$209.00
		9007541785		MEMBERSHIP DUES - ALLISON JUBB	\$209.00



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THE WESLEY GROUP	P058920	21340	259195	AMENDMENT #1 EXTEND NEGOTIATIO	\$4,000.00
HUMAN RESOURCES TOTAL ****					\$7,210.43
Division:	300	COMMUNITY & DEVELOPMENT SERVICE			
XEROX CORPORATION		093448038	258873	MX4-343179 BASE/PRINTS-MAY	\$357.14
		093448040		LX5-692207 BASE/PRINTS-MAY	\$77.55
COMMUNITY & DEVELOPMENT SERVICE TOTAL ****					\$434.69
Division:	301	DEVELOPMENT SERVICES			
WATER SOLUTIONS INC		18677	259065	3 WTR MACHINES - JUNE 2018	\$39.63
				3 WTR MACHINES - JUNE 2018	\$16.29
DEVELOPMENT SERVICES TOTAL ****					\$55.92
Division:	303	LIBRARY			
FRONTIER	S017953	06/18 5099433152	258797	TELEPHONE CHARGE 6/4/18 - 7/3/	\$379.23
MIDWEST TAPE		96149260	258823	DIGITAL DATABASES	\$3,150.04
OCLC INC		0000603206	258829	CATALOGING SRVCS - MAY	\$1,059.92
XEROX CORPORATION		093447966	258873	7HB-469027 BASE ONLY-MAY	\$10.86
		093448060		LX5-692917 BASE/PRINTS-MAY	\$328.89
		093448061		LX5-692917 BASE/PRINTS-MAY	\$177.01
		093448062		LX5-692943 BASE/PRINTS-MAY	\$153.11
		093448063		LX5-692946 BASE/PRINTS-JUNE	\$317.47
LIBRARY TOTAL ****					\$5,576.53
Division:	331	PARKS & REC - RECREATION			
BENTON FRANKLIN HEALTH DISTRICT		201800058	258928	JUN 18-JUN 19 AQUATIC LICENSE	\$307.00
CITY OF RICHLAND		18-267 JACKSON	258942	18-267 WCIA TRAINING	\$296.36
COLUMBIA FITNESS		M451	258779	PREVENTATIVE MAINTENANCE	\$103.17
DICKERSON'S PIANO SERVICE		29015	258789	TUNE PIANO AT RCC	\$119.00
GLOWING SUN		MAY 2018	258799	SHOTOKAN KARATE CLASSES	\$193.20
HEALTHY FEET LLC		SUMMER 2018	258802	FOOT CARE CLASSES-MAY	\$1,380.00
MASON, PATTI L		MAY 2018	258820	FITNESS CLASSES - MAY	\$411.87
MID COLUMBIA ENGINEERING INC	P059131	ST009883	258822	Parks and Recreation Aides:	\$375.80
	P059131			Parks and Recreation Aides:	\$283.80
	P059145	ST009885		Pool Managers, Lifeguard and	\$47.08
	P058883	ST009894		JOHHNY FLEMING, INSTRUCTOR	\$116.76
	P058883	ST009895		SHARON VAN HOUTD, INSTRUCTOR	\$116.76
	P059131	ST009897		Parks and Recreation Aides:	\$560.56
	P059131			Parks and Recreation Aides:	\$75.76
	P059145	ST009898		Pool Managers, Lifeguard and	\$482.57
	P059131	ST009902	259148	Parks and Recreation Aides:	\$15.52
	P059131	ST009910		Parks and Recreation Aides:	\$636.32
	P059145	ST009911		Parks and Recreation Aides:	\$423.72



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MID COLUMBIA ENGINEERING INC	P059131	ST009919	259258	Parks and Recreation Aides:	\$764.36
	P059145	ST009920		Pool Managers, Lifeguard and	\$599.73
	P059145			Parks and Recreation Aides:	\$318.33
NATIONAL AQUATIC & CHILDCARE CERTIFICATIONS		302-A	259156	TRAVEL EXPENSES-WSI INSTRUCTOR	\$1,775.97
PEACEFUL PATHWAY		SPRING 2018	258835	PRESCHOOL CLASS #6817/6803	\$2,514.40
RICHLAND ACE HARDWARE		215822	259173	KEY SCHLAGE	\$2.60
		62647		FIRST AID/GLOVES	\$62.71
		62660		KEYS	\$5.19
XEROX CORPORATION		093448036	258873	MX4-322135 BASE/PRINTS-MAY	\$231.35
				MX4-322135 BASE/PRINTS-MAY	\$143.18
PARKS & REC - RECREATION TOTAL ****					\$12,363.07
Division:	335	PARKS & REC - PARKS&FACILITIES			
ABM JANITORIAL NORTHWEST		12485335	258921	JANITORIAL SRVCS-JUNE	\$2,406.15
				JANITORIAL SRVCS-JUNE	\$590.30
				JANITORIAL SRVCS-JUNE	\$3,255.03
				JANITORIAL SRVCS-JUNE	\$2,793.83
		12496261	258756	SCRUB/POLISH JOHN DAM STAGE	\$1,922.43
ACI MECHANICAL & HVAC SALES		180832-01	258757	FILTER BOX	\$209.60
AIREFCO INC		3988115	258758	COMPRESSORS - SHOPS	\$1,250.36
		3999789	259076	FILTERS	\$95.55
ALL DOORS INC		62535	258759	REPAIR KITCHEN ROLLUP-RCC	\$526.91
		62609		REPAIR MAIN DOOR RCC	\$325.80
BEAVER BARK & ROCK		887968	258766	GRAVEL	\$40.16
		889861	259211	SOIL	\$43.40
		889893		GRAVEL	\$80.32
		890023		SOIL	\$43.40
		C1840	258766	7-31-16 CREDIT	(\$0.36)
		C2166		11-2-17 CREDIT	(\$16.46)
BENTON COUNTY SHERIFF'S OFFICE		05/18 WORKCREW II	259213	WORK CREW II-MAY 2018	\$25,224.59
BENTON FRANKLIN POWER VAC INC	S017971	7442	259215	DUCT CLEANING AT FIRE STATION	\$843.82
BUILDERS HARDWARE & SUPPLY CO INC	P059300	S3641983.001	258933	100 SHOPS BUILDING READER W/KE	\$745.91
	P059300			7/10/18 DISCOUNT	(\$6.87)
CASCADE NATURAL GAS CORP		06/18 51897100007	258771	NAT GAS 1005 SWIFT 05/17-6/18	\$1,258.16
		06/18 61897100006		NAT GAS 955 NRTHGT 05/16-06/18	\$208.78
		06/18 73638100005		NAT GAS 500 AMON 05/17-06/18	\$55.23
		06/18 75226321539	259097	NAT GAS 2710 DUPRT 05/14-6/13	\$81.65
		06/18 80577100003	258771	NAT GAS 200 BLDG 05/16-6/14	\$10.85
		06/18 90577100002		NAT GAS BLDG 300 05/16-6/14	\$253.15
		06/18 96738100005		505 SWIFT 05/17-06/15	\$10.85
CASCADE RECREATION INC	P059180	8155	258937	FREIGHT	\$417.02



City Of Richland

VL-1 Voucher Listing

From: 6/25/2018 To: 7/6/2018

Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
CASCADE RECREATION INC	P059180	8155	258937	SLIDING TILE PANEL, PAUL LIDDE	\$2,492.37
	P059180			TRAIN ENGINE PANEL WITH WHEEL,	\$893.78
	P059180			INTERIOR HUB LADDER, PAUL LIDD	\$1,783.21
	P059180			PILOT PANEL WITH WINDOW, MCMUR	\$1,156.59
CITY OF RICHLAND		05/2018-24	258775	#24 LANDFILL FEES	\$2,282.04
COFFEY REFRIGERATION		78974	258777	SERVICE CALL FREEZER	\$425.98
		79457		SERVICE CALL - NOTHING WRNG	\$184.62
COMPLETE CLEANING SYSTEMS		76150	259104	STRIP & SEAL WAREHOUSE FLOOR	\$1,355.00
CONSOLIDATED ELECTRICAL DISTRIBUTORS INC		3627-591589	259228	LAMPS	\$73.87
		3627-594045		1G RCP COVER/BOX/RECPT	\$31.07
CONSOLIDATED SUPPLY CO		S8772834.001	258783	3" ADJUSTABLE FLANGE	\$131.06
CONTINENTAL DOOR CO, LLC		19354	259106	COMM SVC EYE SET TO REPAIR BAD	\$516.80
DEPARTMENT OF LABOR & INDUSTRIES		298501	258787	BOILER VESSEL INSPECTION	\$209.70
		298511		BOILER VESSEL INSPECTION	\$326.20
		299166	259231	VESSEL INSPECTIONS	\$154.60
EWING IRRIGATION PRODUCTS INC		5455739	258793	MOUND CLAY	\$210.53
		5455740		SOLENOID	\$56.52
		5474365		SPORTLINE CHALK	\$440.05
		5474366		IRRIGATION PARTS	\$214.07
		5500620	258970	IRRIGATION PARTS	\$44.09
		5521021	259233	IRRIGATION PARTS	\$206.58
		5531357		IRRIGATION PARTS	\$326.66
		5541603		MOUND CLAY/RAPID DRY	\$446.09
		5556217		MOUND CLAY	\$52.64
		5586852		MOUND CLAY	\$576.45
		5596823		IRRIGATION PARTS	\$216.46
		5596824		IRRIGATION PARTS	\$55.82
FERGUSON ENTERPRISES INC		6276167	259235	IRRIGATION PARTS	\$18.76
		6286586		IRRIGATION PARTS	\$553.91
		6290014		PLUMBING PARTS	\$122.36
		6294168	259121	FAUCET REPAIR KITS	\$329.34
		6301725		POOL PARTS	\$495.57
G & R AG PRODUCTS INC		2180865-01	258973	REPAIR PARTS/SPRAY EQUIPMENT	\$22.45
GENSCO INC		848116958	259239	VAN TOOLS	\$132.52
GRAINGER	S017954	9812456789	258979	STEM KIT ITEM #46234847	\$491.52
	S017954	9816456322		MOVING HARNESS ITEM #32TL82	\$50.57
	S017954	9817430722		FLEXIBLE DUCT CONNECT ITEM #6E	\$369.55
	S017954	9817697148		WASH BOTTLE ITEM #6FAV7	\$13.25
	S017954	9819340853		WASH BOTTLE ITEM #6FAV8	\$18.85
	S017954	9819857013		WASH BOTTLE ITEM #6FAV7	(\$13.25)
GRANITE CONSTRUCTION COMPANY	P059043	C93-18/PMT 1	258980	CONSTRUCT SHELTERBELT TRAIL SW	\$79,055.37



City Of Richland

VL-1 Voucher Listing

From: 6/25/2018 To: 7/6/2018

Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
GTP INVESTMENTS LLC	P058743	405241071	259243	BADGER MTN LEASE FOR CITYY CEL	\$312.50
HD FOWLER COMPANY INC		14844544	259127	IRRIGATION PARTS/FILTER	\$524.62
		14850905	259244	IRRIGATION SCREEN/CONTROLLER	\$3,740.08
		14850907		IRRIGATION SCREEN/CONTROLLER	\$4,448.36
HERC RENTALS INC		30052868-001	258985	DIAMOND BLADE	\$61.58
INTERLINE BRANDS INC DBA	S017917	441369964	258811	HAND SANITIZER REFILL, 1200 ML	\$306.06
	S017917			HAND SANITIZER DISPENSER,	\$0.00
	S017945	444017677	259248	HAND SANITIZER DISPENSER,	\$0.00
	S017945			HAND SANITIZER REFILL, 1200 ML	\$612.11
IRRIGATION SPECIALISTS INC		1247246-01	259133	PVC	\$74.59
KENNEWICK INDUSTRIAL & ELECTRICAL SUPPLY		403582	258998	VALVE/IRRIGATION PARTS	\$134.69
		405052	259253	2" VALVE	\$111.38
		408335		IRRIGATION PARTS	\$333.72
		408512		IRRIGATION PARTS	\$230.22
MIGHTY JOHNS PORTABLE TOILET & SEPTIC		43230	259150	GOETHALS PARK	\$88.00
		43231		LYNWOOD PARK	\$88.00
MILLER PAINT COMPANY INC		30825233	259259	FIELD PAINT	\$78.08
		30829289		GRAFFITI PAINT-I82 BRIDGE	\$203.03
MOON SECURITY SERVICES INC		931190	259153	BASIC FIRE MONITOR LIBRARY	\$36.00
		931967		ST#74 CELL GSM FIRE B/U	\$50.00
		932355		BASIC FIRE MONITOR CREST	\$59.00
		933872	259260	BASIC FIRE MONITORING	\$36.00
				BASIC FIRE MONITORING	\$33.00
OXARC INC		30360818	258831	CO2	\$134.18
		30370335	259263	CO2	\$82.64
		30371411		CO2	\$161.92
		30381580		CO2	\$336.33
		60160380	258831	CYLINDER RENTAL- MAY	\$143.81
		60160383		CYLINDER RENTAL-MAY	\$105.79
PAINTMASTER SERVICES INC	P058769	2018-74 RETAINAGE	258832	PAINT INTERIOR, EXTERIOR OF PO	\$1,978.00
	P058769			CO #1 PAINTING OF EPOXY FLOOR	\$6,385.68
POOL CARE PRODUCTS INC		135899	259267	ALGAE EATER	\$276.93
		136756		ACID	\$38.01
		136799		WADER POOL CHEMICALS	\$22.81
PRO CUT CONCRETE CUTTING		0671-18P	259170	CORE DRILL	\$543.00
RICHLAND ACE HARDWARE		215748	259028	5/16 DEEP SOCKET	\$8.24
		215749		DRILL BIT/GLOVES	\$34.71
		215763	259173	PVC PARTS 3/8" RATCHET	\$23.88
				PVC PARTS 3/8" RATCHET	\$110.73
		215804		FERTILIZER	\$43.42
		215805		HEX KEY SET	\$21.71



City Of Richland

VL-1 Voucher Listing

From: 6/25/2018 To: 7/6/2018

Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
RICHLAND ACE HARDWARE		215810	259173	MULCH	\$130.06
		215811		PVC PARTS/CEMENT	\$24.95
		215814		ELBOW/COUPLER	\$4.42
		215823		MULCH	\$292.57
		215824		TOOL/GLOVES/PAINT SUPPLIES	\$10.71
				TOOL/GLOVES/PAINT SUPPLIES	\$26.68
		215825		PAINT	\$26.05
		215831		DRINKING FOUNTAIN REPAIR PARTS	\$53.15
		215849	259269	IRRIGATION PARTS	\$39.06
		62370	258842	WADING POOL PARTS	\$69.10
		62405		BUSHING NIPPLE	\$22.55
		62406		SAWZAL BLADES	\$28.23
		62416		IRRIGATION PARTS	\$68.66
		62419		UNION NIPPLES	\$29.72
		62433		IRRIGATION PARTS	\$27.74
		62435		IRRIGATION PARTS	\$10.81
		62438		WHEELBARROW/FORK MANURE/MULTID	\$134.61
		62443		FERTILIZER	\$16.16
		62446		DRANO CAPS	\$19.41
		62449		PRIMER BRUSH CONTAINER	\$18.65
		62469	259028	UTILITY KNIFE/BLADE DISPENSER	\$23.87
		62485		PAINT FOR CHAMNA	\$36.91
		62489	259173	STEP LADDER	\$97.73
		62509		LANDSCAPE ADHESIVE	\$7.59
		62510	259028	IRRIGATION PARTS	\$35.81
		62511		SCRAPERS/COUPLER	\$6.48
				SCRAPERS/COUPLER	\$6.49
		62512		SNAIL KILLER/PVC PIPE	\$4.34
				SNAIL KILLER/PVC PIPE	\$10.41
		62513		FASTENERS/GLOVES	\$10.85
				FASTENERS/GLOVES	\$6.17
		62525	259173	LOCK LUBE/SCREWDRIVER SET	\$8.67
		62537		CONCRETE/VELCRO	\$9.97
		62575		PAINT	\$36.91
		62578		GLOVES	\$30.26
		62624		SPRAY PAINT FOR GRAFFITI	\$9.32
		62626		FERTILIZER	\$108.55
		62631		MULCH	\$119.22
		62638		BAKING SODA	\$1.73
		62639		DRILL BIT	\$49.91
		62645		ROLLER COVER/FASTENERS	\$30.33



City Of Richland

VL-1 Voucher Listing

From: 6/25/2018 To: 7/6/2018

Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount	
RICHLAND ACE HARDWARE		62648	259173	FASTENERS	\$19.09	
		62668		WATER HEATER ELEMENT	\$14.11	
		62700		CONTAINERS/GRIND WHEELS	\$12.55	
		62710		PAINT SUPPLIES-STURGEON COVE	\$28.18	
		62744		BIT SET	\$24.92	
		62747		CLAMP	\$63.25	
SCHINDLER ELEVATOR CORPORATION		8104804993	259271	YRLY PREV MAINT 6/2018-5/2019	\$6,926.12	
SPRAGUE PEST SOLUTIONS		3536552	259043	JUNE MONTHLY SERVICE-FS 2	\$103.17	
		3536554	259276	JUNE 2018 MONTHLY SERVICE-FS 4	\$103.17	
STEEBER'S LOCK SERVICE		144899	259277	CYLINDER KEYED/SPACER	\$40.18	
STONEMAN ELECTRIC SUPPLY		S102423566.001	259278	LIGHTS/BALAST	\$42.02	
SUNBELT RENTALS INC		79114295-0001	258851	AERATOR	\$174.14	
THE DRAIN SURGEON		38825	259193	SNAKE JANITOR CLOSET-CITY HALL	\$157.47	
THE PERSONAL TOUCH CLEANING INC		81512	258855	JANITOR SERVICES-BLDG 100-MAY	\$3,106.37	
		81513		JANITOR SERVICES-BLDG 200-MAY	\$990.57	
		81514		JANITOR SERVICES-BLDG 300-MAY	\$797.36	
		81515		JANITOR SERVICES-RCC-MAY	\$4,719.74	
		81516		JANITOR SERVICES-LIBRARY-MAY	\$5,050.49	
WILBUR ELLIS COMPANY	S017905	11767472	259069	FERROMECH AC	\$398.02	
	S017905			FOUNDATION TURF HERBICIDE	\$1,710.45	
		11838515	258871	SURFLAN/MILESTONE/PENDULUM	\$56.93	
		11862144	259069	HEADWAY	\$912.07	
		11911783	259288	WG PHOS FEE 5FE	\$26.06	
PARKS & REC - PARKS&FACILITIES TOTAL****					\$188,387.23	
Division:	338	PARKS & REC - PROJECT ADMIN				
CANON FINANCIAL SERVICES, INC		18756223	259095	CANON-IRC5550I-XLG04987-JUN	\$74.99	
MID COLUMBIA ENGINEERING INC	P059291	ST009881	258822	SEASONAL PARK RANGERS 2018	\$1,728.00	
	P059291	ST009896		SEASONAL PARK RANGERS 2018	\$2,614.40	
	P059291	ST009908	259148	SEASONAL PARK RANGERS 2018	\$2,603.60	
	P059291	ST009918	259258	SEASONAL PARK RANGERS 2018	\$2,614.40	
PARKS & REC - PROJECT ADMIN TOTAL****					\$9,635.39	
Division:	900	NON-DEPARTMENTAL				
723 THE PARKWAY,LLC		17-06 APR 2018	258920	CIP REIMB CONTRACT 74-18	\$10,000.00	
ARBAUGH & ASSOCIATES INC		1676	258763	ARBAUGH CONTRACT FEES-MAY 18	\$1,559.12	
NON-DEPARTMENTAL TOTAL****					\$11,559.12	
GENERAL FUND Total ***					\$626,703.54	
FUND	101	CITY STREETS				
Division:	401	STREETS MAINTENANCE				
3M		S017938	TP31606	258919	HIGH INTENSITY GRADE PRISMATIC	\$400.73



City Of Richland

VL-1 Voucher Listing

From: 6/25/2018 To: 7/6/2018

Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
AAA CONCRETE, INC	P059329	95	259074	5.5 SACK MIXED CONCRETE, INV:	\$119.46
	P059329			5.5 SACK MIXED CONCRETE, INV:	\$238.92
ADVANCED SIGNAL & CONTRACTING LLC	P058698	2643	258922	CO #3 - FRA INSPECTION PREP &	\$851.22
	P058698	2660		2018 RAILROAD CROSSING INSPECT	\$320.00
	P058698			CO #2 - RELAY TESTING-REQUIRED	\$343.40
BC SALES CO INC		417120	259086	BOOTS (BLASDEL)	\$184.57
BEAVER BARK & ROCK		892124	259087	CONCRETE	\$192.57
				CONCRETE	\$48.14
CANON FINANCIAL SERVICES, INC		18756223	259095	CANON-IRC5550I-XLG04987-JUN	\$12.19
CONCRETE SPECIAL TIES INC		36130	258946	FLOATS	\$68.31
GTP INVESTMENTS LLC	P058743	405241071	259243	BADGER MTN LEASE FOR CITYY CEL	\$200.00
HERC RENTALS INC		30082200-001	258985	LIQUID PROPANE	\$47.08
INLAND ASPHALT CO	P059298	2618826	258989	HMA 64-28 25 MODIFIED, INV	\$119.46
	P059298			HMA 64-28 25 MODIFIED, INV	\$188.15
	P059298	2623758		HMA 64-28 MOD, INV #2623758 6	\$149.92
	P059298			HMA 64-28 MOD, INV #2623758 6	\$149.33
PRECISE MRM LLC	P059349	IN200-1017198	259268	5MB FLAT DATA PLAN US WITH NAF	\$1,800.00
RICHLAND ACE HARDWARE		215747	259173	WEDGES	\$32.50
		62491		BLOCK ANCHOR	\$30.30
		62596		FASTENERS	\$15.10
		62597		DRILL BITS	\$36.88
UNITED PARCEL SERVICE	S017978	000986641268	259283	GROUND PKG TO ECONOLITE FOR RA	\$20.69
	S017978			GROUNG PKG TO WIRELESS TECH FO	\$4.60
WESTERN CONCRETE ACCESSORIES		27680	258866	BLUE STEEL POOL TROWEL	\$85.09
		27728	259204	FLOAT HOOK DETECT WARN SYSTEM	\$299.00
		27749		SAFETY CAPS/TOOL BAG/STRING	\$86.75
STREETS MAINTENANCE TOTAL ****					\$6,044.36
CITY STREETS Total ***					\$6,044.36
FUND 112	INDUSTRIAL DEVELOPMENT FUND				
Division:	305	ECONOMIC DEVELOPMENT			
ARBAUGH & ASSOCIATES INC		1676	258763	ARBAUGH CONTRACT FEES-MAY 18	\$159.09
ECONOMIC DEVELOPMENT TOTAL ****					\$159.09
Division:	306	ECONOMIC DEVELOPMENT PROJECTS			
PORT OF BENTON		0044392-IN	258839	C173-16 MSTRPLAN	\$49,820.50
ECONOMIC DEVELOPMENT PROJECTS TOTAL ****					\$49,820.50
INDUSTRIAL DEVELOPMENT FUND Total ***					\$49,979.59

FUND 117 **CRIMINAL JUSTICE SALES TAX**



City Of Richland

VL-1 Voucher Listing

From: 6/25/2018 To: 7/6/2018

Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
Division: 131 CJST POLICE ACTIVITY					
CITY OF RICHLAND		18-242 BICKFORD	259226	18-242 ICAC CONFERENCE-HIS	\$350.64
LARSEN GUNSMITHING & FIREARMS	P059287	9438	258816	KO1-SB	\$244.35
	P059287			RB-1	\$206.34
	P059287			FREIGHT	\$59.73
	P059287			KO1PC 50 PER BOX	\$879.66
LEE, CHRISTOPHER		062018	259003	REIMB FBI NA MEMBERSHIP DUE	\$305.00
NATIONAL ASSN OF SCHOOL RESOURCE		22760WA	259261	BASIC SRO COURSE-CROUCH	\$495.00
NORTH AMERICAN RESCUE LLC	P059248	IN309583	258826	30-0109 HEMOSTATIC BANDAGE, CO	\$101.94
	P059248			30-0001 - TOURNIQUET, COMBAT	\$66.33
	P059248			FREIGHT	\$10.00
PORTABLE COMPUTER SYSTEMS, INC	P059148	54953	259169	PCS MOBILE GETACS FOR POLICE F	\$532.14
CJST POLICE ACTIVITY TOTAL ****					\$3,251.13
CRIMINAL JUSTICE SALES TAX Total ***					\$3,251.13
FUND 150 HOTEL/MOTEL FUND					
Division: 307 HOTEL/MOTEL TAX					
TRI CITIES VISITOR & CONVENTION BUREAU		156399	259057	TCVCB MONTHLY DUES-MAY 18	\$19,134.14
WHITE BLUFFS QUILT MUSEUM		JUNE 2018	259287	C35-18 QLT MUSEUM HOT/MOT FUND	\$1,151.46
HOTEL/MOTEL TAX TOTAL ****					\$20,285.60
HOTEL/MOTEL FUND Total ***					\$20,285.60
FUND 226 SPECIAL ASSESSMENT DEBT SERVIC					
Division: 000					
MARKEL, CHERI B		LID190OVERPMT	259256	OVERPAYMENT ON LID 190.016864	\$591.30
UNASSIGNED TOTAL ****					\$591.30
SPECIAL ASSESSMENT DEBT SERVIC Total ***					\$591.30
FUND 301 STREETS CAPITAL CONSTRUCTION					
Division: 402 ARTERIAL STREETS					
AAA CONCRETE, INC	P059297	79	258754	5.5 SACK MIXED CONCRETE, INV:	\$597.30
	P059329	85	259074	5.5 SACK MIXED CONCRETE, INV:	\$477.84
	P059329			MASTIC, INV: 85 5/31/18	\$4.89
	P059329	95		5.5 SACK MIXED CONCRETE, INV:	\$716.76
	P059329			5.5 SACK MIXED CONCRETE, INV:	\$477.84
	P059329			5.5 SACK MIXED CONCRETE, INV:	\$238.92
	P059329			SHORT LOAD CHARGE, INV: 95 6/	\$108.60
	P059329			STAND-BY TIME, INV: 126 6/5/1	\$101.65
	P059329			5.5 SACK MIXED CONCRETE, INV:	\$477.84
ABADAN INC		AR22438	258755	SLURRY SEAL CONTRACT PRINT	\$248.26



City Of Richland

VL-1 Voucher Listing

From: 6/25/2018 To: 7/6/2018

Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
ABADAN INC		AR24316	258755	DIGITAL COPIES - HENDERSON LP	\$285.27
		AR24317		COLOR COPYING - HENERSON LP	\$202.00
ALPINE PRODUCTS INC	S017962	TM-176880	259210	PRICE ADJUSTMENT ON BEADS	(\$0.27)
	S017962			FREIGHT	\$456.84
	S017962			REFLECTIVE GLASS BEADS, TYPE A	\$976.10
	S017962			STREET MARKING PAINT, WHITE WA	\$1,998.24
	S017962			STREET MARKING PAINT, YELLOW W	\$1,998.24
BERGER ABAM ENGINEERS INC	S054546	322361	258929	CO #4 - CONSTRUCTION SUPPORT	\$30,788.79
ERICCSSEN, DAVID		061418	258792	1080 MEADOW HILLS-REIMB-SIDE	\$461.55
GERARD, ROBIN		051018	258798	1515 MCPHERSON-REIMB-SIDEWALK	\$75.28
IMT INC	P059084	9711	258808	DUPORTAIL BRIDGE - 2018 MATERI	\$2,322.25
RICHLAND ACE HARDWARE		215850	259173	DISTD H20/GRSE/GUN/BLDE	\$50.54
		215853		TAPE MOUNT	\$21.68
		62580		PIPE/COUPLERS/ELBOS/BOND	\$55.10
		62610		PIPE/COUPLERS/ELBOWS/BOND	\$57.50
		62678	259028	RISER CUT OFF	\$1.08
		62701	259173	CAULK GUN DRIPLESS	\$37.70
		62712		TAPE MOUNT	\$37.93

ARTERIAL STREETS TOTAL ****

\$43,275.72

STREETS CAPITAL CONSTRUCTION Total ***

\$43,275.72

FUND 380

PARK PROJECT CONSTRUCTION

Division:

337

PARKS & REC PROJECTS

AHBL, INC	P059081	107827	259075	PROVIDE ENGINEERING SERVICES F	\$4,496.25
AMERICAN WHEEL SPECIALIST, INC		5794	259078	POWDER COAT VOLLEYBALL SIGN	\$285.00
BEDROCK SPECIALTY STONE PRODUCTS	P058878	47929	259088	PURCHASE AND DELIVER BOULDER F	\$5,292.62
	P058878			PURCHASE AND DELIVER BOULDER F	\$4,206.62
	P058878			PURCHASE AND DELIVER BOULDER F	\$5,292.62
	P058878			PURCHASE AND DELIVER BOULDER F	\$4,206.62
HARRINGTON'S TROPHIES		78227	258801	PARK BENCH PLAQUE	\$29.00
PREMIER LANDSCAPING & DESIGN	P059108	CO-1603452C/PMT 4	259023	REPLASTER GP POOL CONTRACT 66-	\$263.89
	P059108			C/O #1 - REPLACE TILE, ADD	\$736.11
	P059108			RETAINAGE	(\$46.04)
RICHLAND ACE HARDWARE		62537	259173	CONCRETE/VELCRO	\$20.83
SUNBELT RENTALS INC		79244429-0001	258851	AERATOR	\$174.14

PARKS & REC PROJECTS TOTAL ****

\$24,957.66

PARK PROJECT CONSTRUCTION Total ***

\$24,957.66

FUND 385

GENERAL GOVT CONSTRUCTION

Division:

000



City Of Richland

VL-1 Voucher Listing

From: 6/25/2018 To: 7/6/2018

Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
LEONE & KEEBLE INC	P057361	16-292 #15	6980	RETAINAGE	(\$54,532.77)
		16-292 ESCROW #15	258817	11027513-RICHLAND CITY HALL	\$54,532.77
UNASSIGNED TOTAL****					\$0.00
Division:	900	NON-DEPARTMENTAL			
GPI	P059080	GPI180248	259241	PROVIDE GEOTECHNICAL SERVICES	\$2,253.00
HILL INTERNATIONAL INC	P056666	0000024	258987	DESIGN-BUILD OVERSIGHT SERVICE	\$3,502.44
KING COUNTY DIRECTORS ASN PURCHASING DEPT DBA	P059132	300288669	259001	REROOF CITY SHOPS BUILDING 100	\$456,100.87
LEONE & KEEBLE INC	P057361	16-292 #15	6980	NEW CITY HALL DESIGN BUILD	\$1,184,451.66
NON-DEPARTMENTAL TOTAL****					\$1,646,307.97
GENERAL GOVT CONSTRUCTION Total ***					\$1,646,307.97
FUND	401	ELECTRIC UTILITY FUND			
Division:	000				
ANIXTER INC	P058935	3832785-03	258923	BOLT,THIMBLEYE STRAIGHT 5/8X14	\$259.55
	P058949	3870141-05	259079	PADLOCK EQUIPMENT FARGO GM-322	\$1,296.68
CONSOLIDATED ELECTRICAL DISTRIBUTORS INC	P059025	3870175-01	258761	ROPE PULL LINE, POLYPROP, 200#	\$207.86
	P059178	3627-592618	258782	SEALANT POLYCEL 100 EXPANDING	\$194.18
	P059178			CLAMP, PIPE 1IN EMT OR RIGID,	\$92.31
	P059178			UNISTRUT BRACKET 24"	\$1,353.05
	P059178			CLAMP, PIPE 3IN RIGID UNISTRUT	\$163.99
	P059178			ADJUST FOR TAX	(\$0.01)
	P059290	3627-593790	259228	UNISTRUT, SHALLOW, PIERCED	\$279.32
	P059290			CORD BODY STRAIGHT, 15A 125V,	\$103.17
	P059290			CONDUIT RIGID, 2IN	\$335.57
	P059290			NUT, SPRING 3/8-16 STEEL CITY	\$1,433.52
GENERAL PACIFIC INC	P059290			CORD GRIP .250-.375 RANGE 1/2"	\$49.75
	P059232	1308186	259238	SLEEVE INSULATED, 1/0-1/0,	\$44.53
	P059232			SLEEVE INSULATED #6-#4,	\$44.53
	P059232			SLEEVE, SERVICE #4-250,	\$35.62
	P059232			SLEEVE,INSULATED, #6 STRANDED,	\$47.78
	P059232			SLEEVE #2 TRIPLEX NEUTRAL, #4	\$43.44
	P059234	1308187	258975	BRACKET CONDUIT RISER, 15",	\$2,733.30
	P059234			POLE GAINS PLASTIC, PATTON	\$141.18
	P059234			GUY GUARD PLASTIC, YELLOW,	\$503.90
	P059010	1309093	259238	PEDESTAL DEADFRNT, FG, FOR V11	\$3,128.11
GRAYBAR ELECTRIC CO INC	P059183	9304357525	258982	CONN, CT UTILCO PED 4-500,	\$252.56
	P059183	9304688932	259242	TERMINAL, XFMR 6 COND 350-12,	\$3,875.20
H2 PRE-CAST INC	P059196	139029	258983	VAULT COVER V11/V13, 36 X 36	\$8,688.00
	P059196			VAULT,V11,56x56x42 BASE,UFER	\$6,841.80
PACIFIC STRAPPING INC	P059333	32414	259264	CABLE PULLING TAPE	\$1,319.49



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Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
PACIFIC STRAPPING INC	P059333	32414	259264	FREIGHT	\$95.57
PERMIT REFUND		2018.000020	259250	1509 NACHES/SCOPE CHANGED	\$5,101.23
PLASTIC DESIGN TECHNOLOGY INC	P058934	7462	259265	METER,DISCONNECT SLEEVE	\$462.00
	P058934			FREIGHT	\$26.64
WESCO DISTRIBUTION INC	P059146	861714	258865	WASHER, SQUARE CURVED, 11/16	\$117.29
	P059146			PIN, FORGED STEEL, 6 1/2 SHANK	\$1,143.02
	P059146			BOLT, MACHINE 5/8 X 12,JOSLYN	\$304.08
	P059146			WASHER DOUBLE COIL SPRING 5/8"	\$154.76
	P059146			BOLT, CARRIAGE 1/2 X 7, JOSLYN	\$159.64
	P059146			BOLT, MACHINE 5/8 X 10, JOSLYN	\$167.79
	P059146			ADJUST TAX	(\$0.01)
	P059032	863571	259202	CUTOUT/ARRESTER BRACKET 48"L	\$1,664.30
	P059213	863573	258865	CLAMP, HOTLINE BRONZE HUBBELL	\$396.39
	P059213	866851	259286	CLAMP AL HOT LINE 4/0-336 ACSR	\$556.85
	P059213			CLAMP DEADEND, AUTO 336-477	\$427.34
	P059032	868529		CUTOUT/ARRESTER BRACKET 15"L	\$603.77
	P059213	868530		CLAMP DEADEAD, BOLTED, 2/0-556	\$397.80
WILBERT PRECAST, INC	P058951	1076598	258870	BASE, PRECAST LIGHT POLE, 40FT	\$642.37
	P058951			BASE, PRECAST LIGHT POLE, 30FT	\$1,281.48
	P058951			ADJUST FOR TAX	\$0.01
TOTAL ****					\$47,170.70
Division:	501	BUSINESS SERVICES			
ARBAUGH & ASSOCIATES INC		1676	258763	ARBAUGH CONTRACT FEES-MAY 18	\$890.92
BUNCH, KAYLEE		18-299 BUNCH	259219	18-299 NATIONAL SEMINARS TR	\$27.90
CABLE HUSTON BENEDICT HAAGENSEN & LLOYD LLP	P059257	383397	259092	LEGAL CONSULTING ON NEOEN PROJ	\$850.00
CANON FINANCIAL SERVICES, INC		18756223	259095	CANON-IRC5550I-XLG04987-JUN	\$122.36
DAILY JOURNAL OF COMMERCE	S017963	3337795	259111	ADVANCED METERING INSTRUCTURE	\$184.00
PUBLIC POWER COUNCIL INC		2018H10	259024	HEALTHINESS NEWS 7/18-6/19	\$366.00
SENGER, DAWN M		061818	259035	REIMB LUNCH MEETING EXPENSE	\$11.00
UNITED PARCEL SERVICE	S017967	000986641258	258860	WEIGHT CORRECTION FOR PKG TO	\$2.40
WATER SOLUTIONS INC		18677	259065	3 WTR MACHINES - JUNE 2018	\$30.97
XEROX CORPORATION	P058645	093448043	259070	XEROX LEASES FOR 2018: WORK CE	\$244.40
	P058645	093448044		XEROX LEASES FOR 2018: WORK CE	\$355.32
BUSINESS SERVICES TOTAL ****					\$3,085.27
Division:	502	ELECTRICAL ENGINEERING			
ABADAN INC		AR24311	259208	SCANNING	\$109.96
COMMONWEALTH ASSOCIATES INC	P058238	0053841	258781	TASK 3: MATERIAL STANDARDS	\$15,389.25
	P058238	0053843		TASK 4: FACILITY INSPECTIONS A	\$247.21
	P058238	0053844		TASK 5: JOINT USE POLE ATTACHM	\$3,679.50
	P058238	0053845		TASK 7: BENCHMARKING UNIT COST	\$1,156.50



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Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
DNV GL	P059223	870010026236	258790	SYNERGI ELECTRIC ANNUAL RENEWA	\$5,224.24
EN POINTE TECHNOLOGIES SALES LLC	P059154	93289630	259116	MICROSOFT ACCESS LICENSE, SKU	\$103.46
ENERGY NORTHWEST	P059331	EV00011	258968	EVITA - EV CHARGING STATION	\$5,000.00
FUTURA SYSTEMS, INC	P058865	20379	259124	STAKING SOFTWARE AND DATA	\$57,508.71
ELECTRICAL ENGINEERING TOTAL ****					\$88,418.83
Division:	503	POWER OPERATIONS			
BEAVER BARK & ROCK		884253	258766	TREE COUP 2020 HARRIS	\$80.00
BENTON PUD	P058659	1698	258768	SAFETY TRAINING PER CONTRACT	\$8,625.00
BLUE TARP FINANCIAL INC	S017937	40492834	258769	WORK SHARP KNIFE & TOOL SHARPE	\$75.97
BOYD'S TREE SERVICE LLC	P058846	6255	258931	TREE PRUNING AND VEGETATION MG	\$7,853.59
	P058846	6279		TREE PRUNING AND VEGETATION MG	\$7,978.48
	P058846	6284		TREE PRUNING AND VEGETATION MG	\$7,579.56
	P058846	6319	259218	TREE PRUNING AND VEGETATION MG	\$7,811.96
FASTENAL COMPANY		WARIC75416	258794	TAPER PIPE TAPS	\$59.64
GRAINGER	S017954	9811068502	258979	BATTERY ITEM #45PD89	\$476.21
HJ ARNETT INDUSTRIES LLC	S017925	INV55128	258804	FREIGHT	\$12.82
	S017925			SAW SCABBARD, HASTINGS #A30007	\$22.50
	S017925			UNIVERSAL PRUNING SAW, HASTING	\$36.00
	S017935	INV55433	259128	NEW GLOVES LOW VOLTAGE:	\$145.72
	S017935			NEW GLOVES LOW VOLTAGE YELLOW:	\$582.88
	S017935			GLOVE ACCEPTANCE TEST - LOW	\$334.85
	S017935			GLOVE ACCEPTANCE TEST - HIGH	\$325.80
	S017935			NEW GLOVE ACCEPTANCE TEST	\$153.85
	S017935			NEW GLOVE LOW VOLTAGE YB	\$1,160.70
	S017935			NEW GLOVE LOW VOLTAGE BLUE	\$57.96
	S017935			FREIGHT	\$95.44
IRON HORSE VAC LLC		3799	258812	SOIL SMPL 2400 COL CTR BLVD	\$461.56
KELLEY'S TELE-COMMUNICATIONS INC	P058682	022406012018	259252	AFTER HOURS EMERGENCY CALL SVC	\$316.90
ON SCENE MEDICAL SERVICES, P.C.		1083	259159	PRE EMP PHYSICALS/VACCINES	\$110.00
PARADISE BOTTLED WATER CO	P058678	0518-POWER OPS	259163	2018 BOTTLED WTR-POWER OPERATI	\$58.74
TYNDALE ENTERPRISES INC	P058683	1496556	259282	FIRE RETARDANT CLOTHING-2018	\$2,160.17
WESCO DISTRIBUTION INC	S017916	10088845	258803	FREIGHT	\$11.88
	S017916			REPL TOP STRAPS ITEM #BS85N	\$49.38
	S017916			REPL BOTTOM STRAPS/RING	\$59.84
	S017916	10089375		CLIMBER PADS FOR BD14	\$120.78
	S017916			FREIGHT	\$14.91
	S017921	10090524	258986	FREIGHT	\$28.07
	S017921			BLANKET SLING, 10 X 10 5000LB	\$603.08
POWER OPERATIONS TOTAL ****					\$47,464.24
Division:	504	SYSTEMS DIVISION			



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Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
BLUE TARP FINANCIAL INC	S017959	40592153	259217	GIFT CARD	(\$220.00)
	S017959			DRILL BIT SET 20 PC ITEM #4208	\$243.22
BLUEROOM	P058679	2695746	259090	2018 POL SERVICE-1032 UNIVERSI	\$81.00
ELECTRIC POWER SYSTEMS INC	P057572	015158	258965	LESLIE RD SUBSTATION DESIGN AN	\$6,902.50
ENERGY NORTHWEST	P057784	O&M00636	258968	EW16007 THAYER STAFF SUPPORT -	\$1,223.75
	P057784			C49136 SNYDER SUB ADDTN PROJEC	\$1,223.75
	P057784			C59127 LESLIE RD SUB PROJECT	\$1,223.73
	P057784			C59133 SYSTEM IMPROVEMENT RELA	\$1,223.75
GENERAL PACIFIC INC	S017751	1307617	259238	JMVI VAC-RUPTER INTERRUPTER	\$26,165.00
NORTH COAST ELECTRIC COMPANY		S8620073.001	258827	CONDUIT COUPLINGS	\$154.48
OXARC INC	P058677	60160382	259161	RENTAL MULTIPLE GAS CYLINDERS	\$66.39
PLATT ELECTRIC SUPPLY		R408139	258837	STRANDED COPPER WIRE	\$709.64
RICHLAND NAPA		410846	258843	TIRE TIE SEAL	\$13.78
STONEWAY ELECTRIC SUPPLY		S102400797.001	258850	STEEL CONDUIT/CHANNEL	\$804.27
	S017940	S102416270.001	259278	INSULATION PIERCING #ILSCO	\$149.78
UTILIWORKS CONSULTING LLC	P056517	5262	258861	SMART GRID PROJECT PHASE 2,	\$5,500.00
SYSTEMS DIVISION TOTAL ****					\$45,465.04
Division:	505	ENERGY POLICY MGMT			
AIR TIGHT REMODELING		170-577	259209	309 CASEY-REBATE-WINDOWS	\$350.07
		170-578		307 CASEY-REBATE-WINDOWS	\$231.00
APOLLO SHEET METAL INC		18050247-	259080	2019 FAIRWAY-REBATE HP	\$1,000.00
CITY OF RICHLAND		201920	259100	1210 CEDAR-REBATE-HP	\$1,000.00
		222860		2409 TINKLE-REBATE-HP	\$1,000.00
		50580		1208 DAVENPORT-REBATE-HP	\$1,000.00
		631400	258943	2141 HAMILTON-REBATE-HP	\$1,000.00
		740540	259100	1448 AMON-REBATE-HP	\$1,000.00
		782680-	258943	454 GREENBROOK-REBATE-HP	\$1,000.00
CROOK, JOHN		17ES11540FY180034	258952	723 THE PKWY-REBATE-COMM LIGHT	\$3,080.00
DAYCO HEATING & AIR	P059158	68160	259230	WEATHERWISE LOAN: WOLLAM, 1208	\$11,041.36
		68177		905 CEDAR-REBATE-HP	\$1,000.00
	P059206	69020		WEATHERWISE LOAN: DALING, 2409	\$10,058.53
	P059244	69036		WEATHERWISE LOAN: NUNN, 1448 A	\$17,438.99
	P059293	69088	258785	WEATHERWISE LOAN: HOUSTON, 454	\$9,169.10
DELTA HEATING & COOLING INC		25204	258960	200 ADAMS-REBATE-HP	\$1,000.00
	P059078	25495	258786	WEATHERWISE LOAN: WALLET, 1110	\$4,026.80
EFFICIENCY SOLUTIONS LLC	P058402	5-18 58402	258963	LOAD FORECAST AND INTEGRATED	\$2,407.50
ENERGY INCENTIVES INC	P058717	CORAPRIL2018	258966	RESIDENTIAL ENERGY EFFICIENCY	\$2,340.00
	P058717	CORMARCH2018		RESIDENTIAL ENERGY EFFICIENCY	\$2,245.00
	P058717	CORMAY2018		RESIDENTIAL ENERGY EFFICIENCY	\$1,560.00
ENERGY NORTHWEST		17ES11540FY180031	258967	350 HILLS-REBATE-COMM LIGHT	\$6,400.00
		17ES11540FY180037	259117	3000 GW WAY-REBATE-LIGHTING	\$2,314.00



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Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
GARRETT ELECTRIC		17ES11540FY180033	258974	1131 AARON-REBATE-COMM LIGHT	\$7,647.50
GLASS NOOK INC		79962	259240	2422 MARK-REBATE-WINDOWS	\$597.07
IWI INC		105210	259134	147 PATTON-REBATE-INSULATION	\$262.26
JACOBS & RHODES INC		39048	259135	405 SNYDER-REBATE-HP	\$1,000.00
	P059292	39068		WEATHERWISE LOAN: MENARD, 1210	\$12,537.87
		39145	259249	1311 TUNIS-REBATE-HP	\$1,000.00
		39161		2213 ENTERPRISE-REBATE-HP	\$1,000.00
	P059243	39167	258814	WEATHERWISE LOAN: SZABO, 2141	\$14,275.47
		39182	259249	1005 COUNTRY-REBATE-HP	\$1,000.00
JADWIN PROFESSIONAL BUILDING, LLC		ES11540FY20180035	259136	1955 JADWIN-REBATE-LIGHTING	\$8,849.40
		ES11540FY20180036		1933 JADWIN-REBATE-LIGHTING	\$10,225.00
LEIDOS ENGINEERING, LLC		ES11540FY20180038	259143	2801 DUPORTAIL-REBATE-LIGHTING	\$1,309.00
M CAMPBELL & COMPANY INC		183012	259144	661 LYNNWOOD-REBATE-HP	\$1,000.00
		183416		2329 FERNDAL-REBATE-HP	\$1,000.00
		186656		1632 ALDER-REBATE-HP	\$1,000.00
		187410		1515 DESERT SPRINGS-REBATE-HP	\$1,000.00
		192582		1703 PUTNUM-REBATE-HP	\$800.00
NW INTERGOVERNMENTAL ENERGY SUPPLY	P056589	447	258828	RENEWABLE POWER STRATEGIES	\$2,590.00
PERFECTION GLASS		9993664435-	259164	1518 MAHAN-REBATE-WINDOWS	\$395.91
		9993666413		2332 EASTON-REBATE-WINDOW	\$948.00
TOTAL ENERGY MANAGEMENT INC		58366WWR-	259199	1009 ELM-REBATE-HP	\$1,000.00
		58453WWR	259280	220 GOETHALS-REBATE-HP	\$1,000.00
TRANS UNION LLC		05802120	258858	CREDIT REPORTS-MAY	\$63.27
ENERGY POLICY MGMT TOTAL ****					\$152,163.10
Division:	506	TECHNICAL SERVICES			
GTP INVESTMENTS LLC	P058743	405241071	259243	BADGER MTN LEASE FOR CITYY CEL	\$625.00
PLATT ELECTRIC SUPPLY		R482947	259167	SCREW DRIVER BIT	\$4.94
TECHNICAL SERVICES TOTAL ****					\$629.94
ELECTRIC UTILITY FUND Total ***					\$384,397.12
FUND	402	WATER UTILITY FUND			
Division:	000				
CORE & MAIN LP	P059222	I966849	258949	VALVE CURB STOP, 1-1/4" FIPT,	\$119.54
	P059222			ADJUST PRICE	\$0.11
	P059222			ELBOW CTS PACK JOINT, 1-1/2"	\$536.07
	P059222			ELBOW CTS PACK JOINT, 2"	\$1,621.90
	P059222			ADJUST TAX	(\$0.01)
	P059222			COUP MIP X CTS PACK JOINT, 2"	\$1,037.87
	P059222			COUP MIP X GALV PKJNT, 2"	\$200.33
	P059222			COUP MIP X CTS PACK JNT 1-1/2"	\$357.25



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CORE & MAIN LP	P059222	I966849	258949	ANGLE VALVE 1", METER X FIP,	\$262.86
	P059222			COUP FIP X CTS PACK JOINT, 2"	\$204.02
	P059222	J011687	259107	VALVE CURB STOP 1-1/4" CTS	\$579.27
	P059222			VALVE CORP STOP 2" MIP X CTS	\$1,294.99
	P059222			ANGLE METER COUPLING, 1" METER	\$2,648.97
	P059222			ADJUST TAX	\$0.01
UNASSIGNED TOTAL ****					\$8,863.18
Division:	411	WATER ADMINISTRATION			
ARBAUGH & ASSOCIATES INC		1676	258763	ARBAUGH CONTRACT FEES-MAY 18	\$572.74
RH2 ENGINEERING INC	P058955	70521	259027	2018 WATER SYSTEM MODELING (1S	\$3,529.82
WATER ADMINISTRATION TOTAL ****					\$4,102.56
Division:	412	WATER OPERATIONS			
BENTON FRANKLIN HEALTH DISTRICT		9719	259089	WATER SAMPLES	\$2,520.00
CANON FINANCIAL SERVICES, INC		18756223	259095	CANON-IRC5550I-XLG04987-JUN	\$1.88
CASCADE NATURAL GAS CORP		06/18-28638100009	259221	NAT GAS 110 SAINT 5/17-6/15/18	\$10.85
CONSOLIDATED ELECTRICAL DISTRIBUTORS INC		3627-593447	258948	LED STRIPS	\$84.49
		3627-593722		LED LIN FLOURESCENT	\$84.49
CORRECT EQUIPMENT INC	S017960	37517	259229	CHLORINATION TABLETS, 55LB PAI	\$5,755.20
	S017960			FREIGHT	\$292.00
ENERGY NORTHWEST		ENV03528	259118	WATER SAMPLES	\$780.00
FERGUSON ENTERPRISES INC		6257886	258795	TEF TAPE	\$19.77
FIELD INSTRUMENTS & CONTROLS INC		167333	259236	SCIENTIFIC PROCAL CALB KIT	\$637.19
GRAINGER	S017954	9805304277	258979	ADAPTER, MALE ITEM #4HN11	\$43.94
	S017954	9819751729		FOOT PUMP ITEM #23UE20	\$141.50
GTP INVESTMENTS LLC	P058743	405241071	259243	BADGER MTN LEASE FOR CITYY CEL	\$525.00
MEASUREMENT TECHNOLOGIES INC	S017927	2261	259146	NO-CHLOR, CALCIUM THIOSULFATE	\$1,509.54
PLATT ELECTRIC SUPPLY		R523831	259167	SLUDGE PUMP ELECTRICAL	\$28.67
RANCH AND HOME INC		50074193	259025	PALLET WATER SOFTENER SALT	\$265.54
RICHLAND ACE HARDWARE		62667	259028	PHOTO BATTERY	\$15.19
STONEWAY ELECTRIC SUPPLY		S102413277.001	259045	CABLE/CORD CONN	\$42.64
		S102418661.001	258850	15A 120/277V DCRTS SW/GFCI PLT	\$6.07
TACOMA SCREW PRODUCTS INC		22213033	258853	STEEL THREAD ROD	\$16.81
XEROX CORPORATION		093448064	258873	LX5-693082 BASE/PRINTS-MAY	\$138.32
WATER OPERATIONS TOTAL ****					\$12,919.09
Division:	413	WATER MAINTENANCE			
AMERICAN ROCK PRODUCTS INC	P059328	336085	259077	7/10/18 DISCOUNT	(\$0.81)
	P059328			5/8" TOP COURSE, INV: 336085	\$88.02
	P059328	336086		5/8" TOP COURSE, INV: 336086	\$575.24
	P059328			7/10/18 DISCOUNT	(\$5.29)
CANON FINANCIAL SERVICES, INC		18756223	259095	CANON-IRC5550I-XLG04987-JUN	\$22.36



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Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
CENTRAL HOSE & FITTINGS INC		C011404	258773	SWVL M 2 1/2" FNST X 3" M	\$302.76
GRAINGER	S017954	9813004570	258979	MOTOR ITEM #4VAG1	\$220.22
TRI CITY LUMBER CO		1806-006629	259281	ROOF SHAKES-LYNNWOOD LP	\$232.91
WATER MAINTENANCE TOTAL ****					\$1,435.41
WATER UTILITY FUND Total ***					\$27,320.24
FUND 403	WASTEWATER UTILITY FUND				
Division:	421	SEWER CAPITAL PROJECTS			
GRAY & OSBORNE INC	P057512	17006.00-15	258981	WWTF INFLUENT UPGRADES - DESIG	\$10,314.07
	P057512	17006.00-8		AMD #1 CONSTRUCTION MANAGEMENT	\$10,554.86
SEWER CAPITAL PROJECTS TOTAL ****					\$20,868.93
Division:	422	SEWER OPERATIONS			
ABM JANITORIAL NORTHWEST		12485335	258921	JANITORIAL SRVCS-JUNE	\$966.83
CASCADE NATURAL GAS CORP		06/18-51317347154	258771	NAT GAS 1943 CPTRL 5/16-6/15	\$12.55
CITY OF RICHLAND		05/2018-38	258775	#38 GRIT DISP/HAULING	\$119.51
COLUMBIA ELECTRIC SUPPLY	P059307	5858-412013	259227	PLC AC OUTPUT MODULE, ALLEN	\$1,719.57
EWING IRRIGATION PRODUCTS INC		5541602	259233	IRRIGATION PARTS	\$797.97
GRAINGER	S017954	9815200630	258979	BOILER PRESSURE RELIEF ITEM #2	\$152.80
	S017954	9815200648		SAFETY RELIEF ITEM #6KJ76	\$256.61
GTP INVESTMENTS LLC	P058743	405241071	259243	BADGER MTN LEASE FOR CITYY CEL	\$525.00
MIDWEST LABORATORIES INC	P059346	896283	259149	COR LANDFILL COMPOST FACILITY	\$275.00
	P059346			SHIPPING FOR 2018-05-03 - 1 FE	\$20.00
MOON SECURITY SERVICES INC		931800	259153	WWTP-BASIC MONITORING	\$54.87
PARADISE BOTTLED WATER CO		05/18-WASTEWATER	258834	BOTTLED WATER-MAY	\$102.93
PASCO MACHINE COMPANY INC		87181	259020	REPAIR HYDROMATIC LV4B PUMP	\$1,590.41
		88413		CREDIT-REPAIR HYDROMATIC LV4B	(\$1,590.41)
	P059205	90007		REPAIR WWTF PUMP - WEMCO PUMP	\$3,105.18
RICHLAND ACE HARDWARE		62527	259173	MOUSE TRAPS SOLIDS AND SATLAB	\$13.00
SOLENIIS LLC	S017943	131318212	259274	POLYMER, PRAESTOL K295FL, IN 2	\$6,068.13
STONEWAY ELECTRIC SUPPLY		S102417158.001	259045	DUCT SEAL COMPOUND	\$8.08
TACOMA SCREW PRODUCTS INC		22213036	259191	RAGS (200/BX)	\$137.51
UNITED PARCEL SERVICE	S017967	000986641258	258860	NDA PKG TO ALS FOR WWTP OPS	\$51.50
XEROX CORPORATION		093448009	258873	MX4-749822 BASE/PRINTS-MAY	\$267.87
SEWER OPERATIONS TOTAL ****					\$14,654.91
Division:	423	SEWER MAINTENANCE			
INFOR PUBLIC SECTOR INC	P059363	P-4742-US06A	259131	INFOR HANSEN MAINTENANCE RENEW	\$2,515.22
MOON SECURITY SERVICES INC		931800	259153	WWTP-BASIC MONITORING	\$54.87
RICHLAND ACE HARDWARE		62357	258842	TAPE VEH 3255	\$9.97
		62477	259028	SS CLAMPS/WATERFRONT LS	\$12.53
SEWER MAINTENANCE TOTAL ****					\$2,592.59



City Of Richland

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From: 6/25/2018 To: 7/6/2018

Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
WASTEWATER UTILITY FUND Total ***					\$38,116.43
FUND 404	SOLID WASTE UTILITY FUND				
Division:	430	CAPITAL PROJECTS			
PARAMETRIX INC	P056302	02132	259019	LANDFILL CONTAMINATION ASSESSM	\$1,699.82
CAPITAL PROJECTS TOTAL ****					\$1,699.82
Division:	432	SOLID WASTE COLLECTION			
GTP INVESTMENTS LLC	P058743	405241071	259243	BADGER MTN LEASE FOR CITYY CEL	\$312.50
SPRAGUE PEST SOLUTIONS		3537616	259043	JUNE MONTHLY SVCS-SW	\$61.90
SOLID WASTE COLLECTION TOTAL ****					\$374.40
Division:	433	SOLID WASTE DISPOSAL			
ABM JANITORIAL NORTHWEST		12485335	258921	JANITORIAL SRVCS-JUNE	\$1,168.26
COYOTE RIDGE CORRECTIONS CENTER		CRCC1805.590	258951	WORK CREW MAY 2018	\$303.96
MONARCH MACHINE & TOOL CO INC		F196516	258824	IR 3/4 IMPACT GUN	\$434.39
MOON SECURITY SERVICES INC		933872	259260	BASIC FIRE MONITORING	\$33.00
ON SCENE MEDICAL SERVICES, P.C.		1083	259159	PRE EMP PHYSICALS/VACCINES	\$220.00
ORRCO		410114	259016	USED OIL TESTING/PICK-UP/HAUL	\$350.00
		410342		USED OIL TESTING/PICK-UP/HAUL	\$290.00
PARADISE BOTTLED WATER CO		05/18-LANDFILL	258834	BOTTLED WATER-MAY	\$184.88
PARAMETRIX INC	P059068	02169	259019	2018 LANDFILL MONITORING,SAMPL	\$6,102.26
XEROX CORPORATION		093448011	258873	LX5-694777 BASE/PRINTS-MAY	\$246.61
SOLID WASTE DISPOSAL TOTAL ****					\$9,333.36
SOLID WASTE UTILITY FUND Total ***					\$11,407.58
FUND 405	STORMWATER UTILITY FUND				
Division:	441	STORMWATER			
ABADAN INC		AR23400	259208	SW FLYER NOT OF VIOL PRINT/CUT	\$12.32
AMERICAN ROCK PRODUCTS INC	P059347	334603	259077	7/10/18 DISCOUNT	(\$3.77)
	P059347			HAUL CHARGE, GRAVEL PER TON -	\$145.49
	P059347			5/8-INCH TOP COURSE - ITEM #23	\$264.05
	P059347	334638		7/10/18 DISCOUNT	(\$1.20)
	P059347			5/8-INCH TOP COURSE - ITEM #23	\$130.80
	P059347	335312		5/8-INCH TOP COURSE - ITEM #23	\$144.96
	P059347			7/10/18 DISCOUNT	(\$1.33)
CITY OF RICHLAND		05/2018-17	258775	#17 DROP BOX/STREET SWEEPINGS	\$450.00
CORE & MAIN LP		I967699	259107	PVC PIPE & CPLGS 71 WORDROP	\$423.22
		J050974		PRICE ADJ CPLGS 71 WORDROP	(\$27.95)
INFOR PUBLIC SECTOR INC	P059363	P-4742-US06A	259131	INFOR HANSEN MAINTENANCE RENEW	\$2,515.22
RICHLAND ACE HARDWARE		62494	259173	SHEET STEEL - 71 WORDROP	\$36.90
		62538		NO SPILL GAS CAN - 71 WORDROP	\$36.91



City Of Richland

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From: 6/25/2018 To: 7/6/2018

Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
WESTERN SYSTEMS & FABRICATION INC	P059253	23450	258869	FREIGHT	\$16.82
	P059253			10143-16-16 1-IN MALE CRIMP	\$515.55
STORMWATER TOTAL ****					\$4,657.99
STORMWATER UTILITY FUND Total ***					\$4,657.99
FUND 406	GOLF COURSE FUND				
Division:	336	GOLF COURSE			
WAVE DESIGN GROUP, LLC	P059054	2108	258864	ARCHITECTURAL SERVICES FOR GOL	\$4,642.50
GOLF COURSE TOTAL ****					\$4,642.50
GOLF COURSE FUND Total ***					\$4,642.50
FUND 407	MEDICAL SERVICES FUND				
Division:	121	AMBULANCE			
CALLBACK STAFFING SOLUTIONS LLC		008771	259093	STAFFING CALLBACK SRVCS-JUNE	\$98.24
DAWSON, JENNIFER		061818	258957	REIMB PARAMEDIC FINAL TESTS	\$545.00
IMAGETREND INC	P058554	111841	258807	Software Licensing Agreement f	\$2,121.49
PHYSIO-CONTROL INC		418160950	259165	CARRYING CASE LIFEPAK 15	\$440.00
SEA WESTERN INC	P059161	206096	258844	SHIPPING	\$86.74
	P059161			HAIX AIRPOWER R2 EMS/STATION B	\$543.00
	P059161			HAIX STRETCHING FEE	\$16.29
	P059266	206398	259272	SHIPPING	\$11.02
	P059266	206471		HAIX AIRPOWER R2 EMS STATION B	\$271.50
	P059266			SHIPPING	\$20.47
	P059058	206501		HAIX AIRPOWER R2 EMS/STATION B	\$814.50
SMITH, JOSHUA		061418	259039	REIMB PARAMEDIC FINAL TESTS	\$125.00
STERICYCLE INC		3004285416	258849	BIO WASTE DISPOSAL FEE	\$71.15
WALLING, JON		061818	259063	REIMB PARAMEDIC FINAL TESTS	\$545.00
AMBULANCE TOTAL ****					\$5,709.40
MEDICAL SERVICES FUND Total ***					\$5,709.40
FUND 408	BROADBAND FUND				
Division:	460	BROADBAND ADMINISTRATION			
HANFORD AREA ECONOMIC INVESTEMENT FUND		58-01-01/PYMT 8	258800	C120-13 FIBER LOAN 58-01-01	\$1,510.58
				C120-13 FIBER LOAN 58-01-01	\$14,434.08
POCKETINET COMMUNICATIONS INC	P058875	251355	259266	FIBER EXTENSION - JMAC RESOURC	\$4,045.35
BROADBAND ADMINISTRATION TOTAL ****					\$19,990.01
BROADBAND FUND Total ***					\$19,990.01
FUND 501	CENTRAL STORES FUND				
Division:	000				



City Of Richland

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From: 6/25/2018 To: 7/6/2018

Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
CONSOLIDATED ELECTRICAL DISTRIBUTORS INC	P059221	3627-593140	259228	LAMP, FLR 86W, 96" DC T8	\$393.68
	P059221			LAMP, FLR, 32W, 48" BIPIN T8	\$343.72
	P059221			FLASHLIGHT POCKET AAA BATTERY	\$188.96
	P059221			FREIGHT	\$95.35
	P059221			LAMP, FLR, 26W,5" 4 PIN PLUGIN	\$69.72
	P059221			LAMP, FLR 32W 6" 4 PIN PLUGIN	\$69.72
	P059221			LAMP, FLR 9W,6" 2PIN PLUGIN	\$28.45
	P059221			LAMP, FLR, 36W 4 PIN, 16"	\$64.62
	P059221	3627-593607		FREIGHT	\$15.17
	P059221			LAMP, FLR,COMPACT, 75W EQUIVAL	\$260.77
CROWN PAPER & JANITORIAL SUPPLY INC	P059231	244429	259109	WIPES, 1/4 FOLD, POLY WRAPPED	\$1,054.29
	P059231			TOWEL, ROLL, REINFORCED, WHITE	\$3,817.94
DESIGNER DECAL INC	P059199	61013	258961	DECAL CITY 2.5" X 3", MEDIUM,	\$260.64
	P059199			FREIGHT	\$12.65
	P059199			DECAL CITY 1.25 X 1.375, SMALL	\$54.30
GRAINGER	S017954	9817697130	258979	BURN GEL ITEM #48ZE51	\$188.38
HORIZON DISTRIBUTION INC	P059175	145204	258988	GAS CAN, OSHA 5 GALLON SAFETY,	\$171.20
	P059175	145412		BROOM, CORN, LARGE HEAVY DUTY	\$26.72
	P059175	146345		SHACKLE, 5/16 SCREW PIN, 1 TON	\$12.00
INSIGHT DISTRIBUTING INC	P059198	146806	259246	DARK SAFETY GLASSES, NEMESIS	\$559.46
	P059147	0319395-IN	258810	BAG PLASTIC 55 GAL 21"X15"X60"	\$5,553.37
	P059147			BAG PLASTIC 30 GAL 20"X13"X40"	\$2,488.24
	P059147			BAG PLASTIC 7.5 GAL 15"X9"X24"	\$1,893.98
INTERLINE BRANDS INC DBA	P059160	441369956	258811	HAND SANITIZER,4 FL OZ SQUEEZE	\$243.70
NORCO INC	P059220	23946673	259013	GLOVES, COWHIDE, SMALL,	\$599.47
	P059220	24035320	259262	ADJUST TAX	\$0.01
	P059220			GLOVES GOATSKIN, LARGE, PEARL,	\$884.35
	P059220			GLOVES GOATSKIN, MEDIUM, PEARL	\$884.35
	P059220			GLOVES GOATSKIN,X-LARGE,PEARL,	\$884.35
	P059220			GLOVES, GOATSKIN, SMALL, PEARL	\$884.35
	P059220				\$884.35
THE SUPPLY CO LLC	P059115	00428057	259049	SOAP, HAND LOTION, PINK, 1 GAL	\$432.01
UNASSIGNED TOTAL ****					\$22,435.92
CENTRAL STORES FUND Total ***					\$22,435.92

FUND 502

EQUIPMENT MAINTENANCE FUND

Division:

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EQUIPMENT MAINTENANCE

A & E TOWING LLC	3172	258753	TOW CHRGE VEH 7137 WO 50572	\$217.20
A L COMPRESSED GASES INC	1826345	259073	PELLETS VEH 6585 WO 50504	\$36.92
	1826464		PELLETS VEH 6585 WO 50504	\$92.31
ALTEC INDUSTRIES INC	10959885	258760	HYD TB ASSEM VEH 3325 WO 50599	\$72.13
APPLIED INDUSTRIAL TECH INC	7013483204	258762	LOVEJOY VEH 3291 WO 50646	\$36.27



City Of Richland

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Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
AUTOZONE		3733261734	258765	ENERGY SUSP END LINK ST	\$27.14
		3733263471	258925	DSL EXHST FL VEH 3331 WO 50693	\$21.70
		3733263513		BATTERY VEH 6538 WO 50546	\$143.10
		3733263528		ENGY SUS END LK ST VEH 1382	(\$27.14)
		3733271291	259081	SHOP SUPPLY	\$51.87
		3733271293		WIPER VEH 2413 WO 50820	\$39.88
		3733271501		GEAR OIL VEH 2362 WO 50792	\$99.63
		3733272265		BRAKES VEH 3319 WO 50810	\$330.26
		37332736665	258925	SHOP TOOLS 5022145486803501	\$383.33
		3733273677	259081	SHOP SUPPLY	\$145.40
		3733274407		SHOP SUPPLY	(\$20.62)
		3733274408		SHOP SUPPLY	\$12.48
		3733276723	258925	PWR OUTLET VEH 3238 WO 50863	\$139.63
		3733276737		POWER STER VEH 2382 WO 50861	\$168.37
		3733276844	259081	BRAKE CLNER VEH 3319 WO 50810	\$32.45
		3733276981	258925	FUEL CAP VEH 3317 WO 50865	\$21.38
		3733277644	259081	WIPER VEH 3275 WO 50534	\$9.75
B AND B TRAILERS LLC	2936		259082	JACK VEH 3288 WO 50848	\$309.51
BLUE TARP FINANCIAL INC	40428829		258769	DMP TARP ROL VEH 4142 WO 50635	\$233.48
BUSH CAR WASH	5327		258770	VEHICLE WASHES-MAY	\$126.05
CENTRAL HOSE & FITTINGS INC	CO11927		259098	HOSE VEH 3230 WO 50815	\$198.85
	CO10992		258773	HYDULIC HOSE VEH 7143 WO 50672	\$285.99
	CO11065			FORSS-MJ VEH 7123 WO 50612	\$10.40
	CO11068			SHOP SUPPLY	\$195.53
	CO11360		258939	COUPLING VEH 7130 WO 50735	\$66.44
CLUSTER FIX LLC	576616		258944	SPDOTR RPR VEH 3203 WO 50501	\$140.09
COLEMAN OIL COMPANY	0473883-IN		258778	LANDFILL DIESEL DYED	\$5,252.05
CONNELL OIL INC	0221976-IN		258947	SYN OIL VEH 5042 WO 50748	\$304.76
	0222833-IN		259105	OIL VEH 3315 WO 50817	\$457.15
	C203237-IN		258947	LUBE PRODUCTS	\$1,149.20
CORWIN OF PASCO LLC	419205		258950	SOR KIT VEH 2502 WO 50702	\$103.17
	419206			SOR KIT VEH 2503 WO 50703	\$103.17
	419853			SOR WIRE VEH 2502 WO 50702	\$261.45
	419979			SOR WIRE VEH 2503 WO 50703	\$160.55
	420005			MODULE VEH 2502 WO 50703	\$112.71
	420006			MODULE VEH 2502 WO 50702	\$112.71
	420010			SOR CONSOLE VEH 2502 WO 50702	\$294.68
	420058			SOR CONSOLE VEH 2503 WO 50703	\$294.68
	420060			SWITCH VEH 2503 WO 50703	\$41.77
	420104			CAP ASY VEH 3317 WO 50865	\$15.49
	009-1072		258953	WASH SEAL VEH 7145 WO 50849	\$32.09
CUMMINS, INC					



City Of Richland

VL-1 Voucher Listing

From: 6/25/2018 To: 7/6/2018

Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
CUMMINS, INC		009-84-	258953	INJECTOR CORE CREDIT VEH 3333	(\$339.37)
		009-841		SPEC VEH 6609/6615 WO 50447 +	\$460.09
		009-892		INJECTOR VEH 3335 WO 50756	\$1,784.85
		009-938		INJECTOR WO CORE CREDIT	(\$339.37)
E H WACHS COMPANY		INV149776	259113	ENGINE VEH 3286 WO 50645	\$2,398.28
FASTENAL COMPANY		WARIC75679	258794	METAL KIT VEH 3339 WO 50615	\$50.67
		WARIC75701		SHOP SUPPLY	\$328.41
FINAL TOUCH UPHOLSTERY		0032069	258796	SEAT UPHOL VEH 3304 WO 50619	\$597.30
		0032070		TARP REPAIR VEH 3320 WO 50701	\$233.49
GENUINE AUTO GLASS OF TRI CITIES LLC		630330	259126	WINDSHLD REP VEH 2417 WO 50838	\$32.58
HD INDUSTRIES INC		26939	258984	COUPLING VEH 3247 WO 50751	\$458.46
HOTSY OF SPOKANE		23973	258805	400 GAL CARBON-ATE PLUS SOAP	\$2,063.40
I.T.E.C. INC		70281	258806	CANOPY VEH 2360 WO 50699	\$2,888.94
		70282		TOOLBOX VEH 2394 WO 50700	\$397.49
		70323	259130	PA KIT VEH 2394 WO 50803	\$159.05
JIM'S PACIFIC GARAGES INC		X100125147	258996	SHOCKS VEH 3321 WO 50678	\$151.76
		X100125147:01		HOOD/SHOCKS VEH 3321 WO 50678	\$253.33
		X100126650	259138	SAIL RUB VEH 3304 WO 50814	\$60.56
KENWORTH SALES COMPANY		PASIN2851714	258815	GOVERNOR VEH 3311 WO 50621	\$31.23
		PASIN2868881	258999	BRAKE KIT VEH 3312 WO 50630	\$463.11
LOURDES HEALTH WELLNESS		79204	259255	PHYSICAL-DOT-TOYOOKA	\$76.00
M & M BOLT COMPANY LLC		326962	259005	MACH BUSNG VEH 3336 WO 505580	\$28.51
MCCURLEY CHEVROLET		470260	259008	DETAIL VEH 3403 WO 50762	\$285.62
		945551	258821	LINK VEH 1382 WO 50602	\$52.41
		945642	259008	SCCG146A VEH 3304 WO 50791	\$252.88
		946249		LAMP VEH 2364 WO 50753	\$87.05
		946349		HEADLAMP VEH 3278 WO 50719	\$481.71
		946384	259145	WHEEL VEH 2349 WO 50831	\$234.13
		946391	259008	PADS VEH 3278 WO 50723	\$150.68
		946429	259145	SPEAKER VEH 2387 WO 50779	\$28.26
		946437		GASKET VEH 3276 WO 50797	\$139.50
		946475		SEAL VEH 2362 WO 50792	\$12.33
		946540		FILTER VEH 2413 WO 50820	\$74.04
		946589		FILTER VEH 3319 WO 50810	\$66.40
		946869		CAP VEH 2382 WO 50861	\$84.87
		946960		HOSE VEH 2272 WO 50875	\$59.15
		CM946349	259008	RETURN PAD KIT VEH 3278	(\$133.80)
		CM946349A		RET OVRHD LMP VEH 3278 WO50719	(\$298.65)
MOBILE FLEET SERVICE INC		1281560005	259010	FUEL/AIR FTR VEH 3342 WO 50763	\$199.35
		1281660072		ROD END VEH 3212 WO 50862	\$387.63
		1281700040	259151	SWITCH VEH 3222 WO 50842	\$48.96



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From: 6/25/2018 To: 7/6/2018

Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
MONARCH MACHINE & TOOL CO INC		A196647	259011	REPAIR VAC VEH 3291 WO 50646	\$308.42
		A196721		BPE PIPE VEH 4142 WO 50635	\$9.95
		A196724		HOOKS VEH 4142 WO 50635	\$33.47
		A196738		HR PLATE VEH 7092 WO 50755	\$400.56
		A196881	259152	PLATE VEH 3247 WO 50751	\$48.13
		A196909	259011	ALM FLT BAR VEH 2503 WO 50703	\$206.43
		F196596	258824	MOTR MNT VEH 3312 WO 50630	\$146.84
		F196698	259011	S40 BPE 6' VEH 4143 WO 50636	\$9.23
MPH INDUSTRIES INC		6004488	258825	RMTE ENF WRL VEH 9500 WO 50698	\$828.81
NORCO INC		23961309	259157	SHOP SUPPLY	\$91.39
		24010265	259013	SHOP TOOLS	\$12.55
		30360967	258831	AMRX BRKT BX VEH 7145 WO 50586	\$54.17
OXARC INC		30371935	259017	DRY ICE VEH 6585 WO 50504	\$66.46
		30373469	259161	BRACKET VEH 2502 WO 50702	\$135.48
		60160381	258831	SHOP SUPPLY	\$158.47
		10968972	258833	V-BELT VEH 7148 WO 50594	\$104.73
		10973525		FILTERS VEH 7157 WO 50704	\$307.88
PAPE' MATERIAL HANDLING		10973542		FILTERS VEH 7157 WO 50706	\$488.61
		10995043	259018	GRADER EGE VEH 9072 WO 50755	\$397.10
		10995050	259162	DURA MAX VEH 7092 WO 50819	\$227.40
		11010444	259018	WINDOW VEH 7109 WO 50857	\$263.02
		CI-000066698	258836	FREIGHT VEH 7143 WO 50694	\$3,600.00
PETERSON PACIFIC CORP		50074170	259171	AUTOMOTIVE	\$21.70
RANCH AND HOME INC		50074174		AUTOMOTIVE	(\$21.70)
		50074175		PORT FUL TK VEH 3286 WO 50645	\$82.50
		P73606	258841	GRS MULCH VEH 6595 WO 50531	\$360.23
RDO EQUIPMENT CO		P73953		ARM VEH 6594 WO 50637	\$202.84
		P74195	259026	OIL/FILTER VEH 6595 WO 50532	\$190.31
		P74627		MOWER BLADE VEH 6589 WO 50550	\$166.42
		P74628		DUST BOWL VEH 6594 WO 50712	\$65.38
		P74743		MULCH KIT OW RETURNED ITEM	(\$354.43)
		P75331	259172	PINS VEH 6594 WO 50712	\$38.81
		P75772		REAR AXLE VEH 6594	\$3,923.13
		P75825		REAR AXLE VEH 6594	(\$3,923.13)
		P75826		REAR AXLE VEH 6594 WO 50712	\$3,923.13
		215821	259173	BLOWER VEH 3247 WO 50751	\$271.45
RICHLAND ACE HARDWARE		413977	259177	POST 12K VEH 4168 WO 50858	\$76.01
RICHLAND NAPA		413979		FILTER VEH 2380 WO 50854	\$14.65
		413984		FILTER VEH 2360 WO 50859	\$14.91
		413988		BRK CLN VEH 7145 WO 50849	\$24.44
		413989		FILTER VEH 7145 WO 50851	\$103.04



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From: 6/25/2018 To: 7/6/2018

Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
RICHLAND NAPA		413990	259177	BATTERY VEH 2460 WO 50856	\$175.63
		413994		FILTER VEH CREDIT WO CREDIT	(\$23.28)
		413997		BELT VEH 6420 WO 50879	\$153.21
		414005		CIR BRK VEH 3238 WO 50863	\$37.83
		414009		NUT COVER VEH 2360 WO 50860	\$8.18
		414011		BATTERY VEH 3238 WO 50863	\$98.67
		414055		GROMMET VEH 4142 WO 50867	\$2.32
		414056		BRK CLN VEH 7152 WO 414056	\$24.44
		414057		SOLENOID VEH 2460 WO 50856	\$82.94
		414058		BATTERY VEH 2407 WO 50866	\$138.44
		414075		SOLENOID VEH WARRANTY WO 50	(\$64.35)
		414078		BATT CLEANER VEH 2406 WO 50	\$16.26
		414090		FILTER VEH 6606 WO 50868	\$22.47
		414099		FILTER VEH 3222 WO 50842	\$10.73
		414103		CONN VEH 2272 WO 50875	\$17.57
		414105		D-EARTH VEH 3341 WO 50877	\$146.77
		414106		BELT VEH 2272 WO 50875	\$43.13
		414119		SILCONE VEH 3315 WO 50817	\$36.16
		414126		FLX SOC VEH 7145 WO 50849	\$17.42
		414142		BATTERY VEH 4143 WO 50876	\$98.67
		414154		BRK CLN VEH 2382 WO 50861	\$30.92
		414157		BATTERY VEH 3142 WO 50850	\$472.87
		414158		BATTERY VEH 3279 WO 50872	\$472.87
		414166		BIT VEH 3222 WO 50846	\$6.30
		414192		WIPERS VEH 5043 WO 50882	\$25.87
		414216		BRK CLN VEH 3315 WO 50817	\$48.87
		414222		GREASE VEH SHOP WO SUPPLIES	\$35.64
		414244		BRK CLN VEH 3284 WO 50884	\$16.29
		414247		MISC VEH SHOP WO SUPPLIES	\$44.67
		414249		BLO MOTOR VEH 1382 WO 50887	\$168.41
		414258		SCOTSEAL VEH 3222 WO 50842	\$102.32
		414297		BRAKES VEH 2447 WO 50889	\$206.67
		414304		HYD FIL VEH 5047 WO 50251	(\$29.25)
		414309		ROTORS VEH 2447 WO 50889	\$217.68
		414467		BOLT VEH 2459 WO 50832	\$17.40
		414488		STARTER VEH 2364 WO 50905	\$183.98
		414511		BRK CLN VEH 3222 WO 50842	\$84.66
		414512		FILTER VEH 3315 WO 50914	\$21.65
		414526		PAINT VEH 2459 WO 50832	\$14.38
RMT EQUIPMENT	P01115		259030	FN SHROUD VEH 7137 WO 50572	\$804.64
	P01138			TNK RECOV VEH 7137 WO 50572	\$191.63



City Of Richland

VL-1 Voucher Listing

From: 6/25/2018 To: 7/6/2018

Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
RWC INTERNATIONAL LTD		46583Y	259183	7" ROUND D VEH 5042 WO 50822	\$389.41
		CM44985Y		CORE CREDIT VEH 3142 WO CREDIT	(\$219.11)
SNAP ON INDUSTRIAL		ARV/36313574	258845	SHOP TOOLS	\$59.33
		ARV/36408328	259185	SHOP TOOLS	\$245.70
SOLID WASTE SYSTEMS INC		0105866-IN	259040	CLAMP VEH 3338 WO 50182	\$187.75
SPECIAL ASPHALT PRODUCTS INC		INVC077375	259187	VALVE VEH 6585 WO 50504	\$394.79
TACOMA SCREW PRODUCTS INC		22211781	258853	HVY DTY PIPE WRNCH	\$40.88
		22212185		POWER BIT VEH 5041 WO 50675	\$84.09
		22212602	259046	SCRPER/CHSEL VEH 6585 WO 50504	\$38.95
		22212610		STEEL SCREWS VEH 7152 WO 50677	\$25.34
		22212662		SHOP SUPPLY	\$0.00
		22212749		SHOP SUPPLY	\$202.19
		22212761		SOCKET VEH 3301 WO 50752	\$54.86
		22212774		SHOP SUPPLY	\$207.10
		22213362	259191	DRILL SET VEH 2448 WO 50818	\$250.83
		22213481	259046	SHOP SUPPLY	\$1,038.15
THE FAB SHOP LLC		28556	259048	HYD FILTER VEH 3321 WO 50678	\$139.08
		28577	259194	CRANE RMTE VEH 3286 WO 50645	\$996.06
TIRE FACTORY INC		03-129650	258856	TIRES VEH 7145 WO 50682	\$562.27
		03-129844		TIRES VEH 3312 WO 50692	\$1,461.71
		03-129866		WHEEL SWITCH VEH 3285 WO 50691	\$95.57
		03-129921		TIRES VEH 3187 WO 50614	\$470.08
		03-129922		ALIGNMNT VEH 1382 WO 50602	\$103.66
		03-129937		FLAT REPAIR VEH 3222 WO 50676	\$182.99
		03-129938	259051	WHEEL SWITCH VEH 3283 WO 50788	\$95.57
		03-129939	259197	REPAIR VEH 6594 WO 50712	\$34.87
		03-129953	258856	TIRES VEH 3286 WO 50645	\$676.30
		03-129975	259197	TIRES VEH 2502 WO 50702	\$390.53
		03-129976		TIRES VEH 2503 WO 50703	\$390.53
		03-129985	259051	TIRES VEH 1205 WO 50743	\$858.65
		03-130029		REPAIR VEH 4129 WO 50742	\$146.50
		03-130031		TIRE SWAP VEH 3432 WO 50714	\$10.81
		03-130067		FLAT REPAIR VEH 7141 WO 50793	\$223.64
		03-130081	259197	TIRES VEH 6594 WO 50712	\$117.95
		03-130093	259051	TIRES VEH 3335 WO 50756	\$1,659.87
		03-130094		WHEEL SWITCH VEH 3320 WO 50789	\$95.57
		03-130095		WHEEL CHANGE VEH 3342 WO 50607	\$95.57
		03-130138		TIRES VEH 3337 WO 50798	\$3,101.29
		03-130196	259197	TIRES VEH 2412 WO 50658	\$635.49
		03-130197		FLAT REPR VEH 7146 WO 50836	\$119.46
		03-130200		SERVICE CALL VEH 7122 WO 50528	\$397.54



City Of Richland

VL-1 Voucher Listing

From: 6/25/2018 To: 7/6/2018

Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
TIRE FACTORY INC		03-130203	259197	RPR TUBLS VEH 7152 WO 50834	\$47.78
		03-130205		TIRES VEH 4121 WO 50837	\$363.05
		03-130299		LIGHT REPAIR VEH 2395 WO 50864	\$22.75
		03-130302	259051	SERVICE CALL VEH 6000 WO 50811	\$138.47
		03-130327	259197	FLAT REPAIR VEH 7146 WO 50878	\$59.73
		03-130329		WHEEL SWITCH VEH 3285 WO 50853	\$162.90
TITAN TRUCK EQUIPMENT		1207182	259052	UNDERBED BOX VEH 2503 WO 50703	\$727.62
		1208267		LOCK CORE VEH 2503 WO 50703	\$60.95
TOM DENCHEL FORD		59309	258857	BOOSTER ASY VEH 3323 WO 50462	\$246.03
		59369	259054	WETHER TECH VEH 2502 WO 50399	\$112.55
		59376		NUT WHEEL VEH 2461 WO 50705	\$10.86
		59378		KIT - TPMS VEH 2432 WO 50714	\$68.11
		59387		WETHER TEC VEH 2503 WO 50703	\$112.55
		59400	259198	BOLT VEH 2470 WO 50811	\$6.52
		59404	259054	ELEMENT VEH 5043 WO 50685	\$121.53
		59443	259198	AERIAL VEH 2430 WO 50809	\$13.86
		59468		STANCHION VEH 2430 WO 50809	\$50.26
		59480		GASKET VEH 2448 WO 50818	\$36.23
		59489	259054	SCREWS VEH 2470 WO 50811	\$3.48
		59490	259198	NUT VEN 2448 WO 50818	\$3.95
		125281	259055	BATTERY VEH 3306 WO 50680	\$75.44
		06 259454	258859	FITTING VEH 7141 WO 50578	\$35.92
TRI CITIES BATTERY & AUTO REPAIR TRUCKPRO HOLDING CORPORATION		06 259789	259058	BEARING KIT VEH 4109 WO 50626	\$46.99
UNITED PARCEL SERVICE	S017967	000986641258	258860	GROUND PKG TO FEDERAL SIGNAL F	\$12.02
	S017967			GROUND PKG TO MATCO TOOLS FOR	\$4.00
US LINEN & UNIFORM		2155499	259061	UNIFORM SERVICES	\$80.82
		2159272		UNIFORM SERVICES	\$80.82
		2163119		UNIFORM SERVICES	\$80.82
		2166881		UNIFORM SERVICES	\$80.82
		2170666		UNIFORM SERVICES	\$80.82
WATTS, BRENNAN		062718	259285	REIMB CDL TEST	\$35.00
WEST COAST OFF ROAD		25969	259066	TOOL BOX VEH 2502 WO 50702	\$2,557.08
		25970		TOOL BOX VEH 2503 WO 50703	\$2,557.08
WESTERN PETERBILT INC		H293885	258867	AIR DRYER VEH 3311 WO 50621	\$578.83
		H293889		CTR EL BUS VEH 3285 WO 50620	\$368.14
		H293925		VALVE BALL VEH 3240 WO 50673	\$65.33
		H293936		HD BRK DRUM VEH 3312 WO 50630	\$229.34
		H294025	259067	BUSHING VEH 3312 WO 50630	\$35.16
		H294090		BRAKE DRUM VEH 3312 WO 50630	\$229.34
		H294242		FILTER VEH 3333 WO 50731	\$41.26
		H294243		FILTER VEH 3335 WO 50730	\$41.26



City Of Richland

VL-1 Voucher Listing

From: 6/25/2018 To: 7/6/2018

Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
WESTERN PETERBILT INC		H294244	259067	FILTER VEH 3337 WO 50727	\$41.26
		H294297		AIR DRYER VEH 3315 WO 50780	\$624.86
		H294392	259205	FUEL SEPTR VEH 5047 WO 50251	\$76.44
		H294542		MUDFLAP VEH 7092 WO 50819	\$21.05
		H294566	259067	SHAFT AXLE VEH 3315 WO 50817	\$401.35
		H294784	259205	CARRIER VEH 3315 WO 50817	\$2,700.30
		H294785		CORE VEH 3315 WO 50817	\$2,865.42
		H294796		GASKET VEH 3315 WO 50817	\$105.30
WESTERN STATES EQUIPMENT COMPANY		IN000664153	258868	COUPLING VEH 3240 WO 50575	\$26.89
		IN000665559		GRN CMENT CN VEH 3203 WO 50501	\$9.70
		IN000665568		ORING VEH 7123 WO 50612	\$90.30
		IN000666784		GASKET VEH 7123 WO 50612	\$22.24
		IN000666788		COVER VEH 7123 WO 50612	\$589.55
		IN000667917		RESISTOR VEH 7138 WO 50475	\$41.71
		IN000669338		BOLT FLTR VEH 7123 WO 50612	\$534.66
		IN000669370		EXTENDER VEH 7131 WO 50674	\$23.04
		IN000670777		COUPLING VEH 7141 WO 50578	\$16.97
		IN000670822		COUPLING VEH 3341 WO 50628	\$28.37
WESTERN SYSTEMS & FABRICATION INC		23423	258869	PKR CYL REBD VEH 3296 WO 50644	\$3,474.66
		23429		HOSES VEH 3291 WO 50646	\$1,326.46
		23430		BELT ASSY VEH 3335 WO 50647	\$163.84
		23471	259068	SFTY VS CAB VEH 3312 WO 50630	\$63.06
		23490		SFTY VS CAB VEH 3212 WO 50630	\$117.83
		23587		BLT ASS GRP VEH 3285 WO 50487	\$88.50
		23592		BLT ASSY GRP VEH 3285 WO 50853	\$88.50
XEROX CORPORATION		093448054	258873	LX5-691298 BASE/PRINTS-MAY	\$177.20

EQUIPMENT MAINTENANCE TOTAL ****

\$83,473.92

EQUIPMENT MAINTENANCE FUND Total ***

\$83,473.92

FUND 503

EQUIPMENT REPLACEMENT FUND

Division:

215

EQUIPMENT REPLACEMENT

CORWIN OF PASCO LLC

P058694

313571

258784

SALES TAX @ 8.6%

\$1,920.64

P058694

ONE (1) NEW 2018 FORD ESCAPE A

\$22,333.00

P058693

313717

ONE NEW 2018 FORD F250 3/4 TON

\$29,263.00

P058693

SALES TAX @ 8.6%

\$2,516.62

P058692

313725

SALES TAX @ 8.6%

\$2,516.62

P058692

ONE NEW 2018 FORD F250 3/4 TON

\$29,263.00

EQUIPMENT REPLACEMENT TOTAL ****

\$87,812.88

EQUIPMENT REPLACEMENT FUND Total ***

\$87,812.88

FUND 505

PUBLIC WORKS ADMIN & ENGINEER



City Of Richland

VL-1 Voucher Listing

From: 6/25/2018 To: 7/6/2018

Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
Division: 450 PW ADMIN & ENGINEERING					
ABADAN INC		AR23020	258755	ASBUILTS	\$57.67
BENTON COUNTY AUDITOR		0004966-P	258927	BC IMAGES	\$25.00
CDW GOVERNMENT INC	P059219	MWT5802	258772	ADOBE ACROBAT PRO 2017 LICENSE	\$341.95
IMT INC	P059100	9694	258808	MATERIALS TESTING-PRIVATE	\$822.00
	P059100	9718		MATERIALS TESTING-PRIVATE	\$1,831.50
	P059100	9727		MATERIALS TESTING-PRIVATE	\$1,214.00
	P059100	9734		MATERIALS TESTING-PRIVATE	\$2,299.00
	P059100	9748		MATERIALS TESTING-PRIVATE	\$1,275.00
PENWELL, DAN		062018	259022	REIMB EXCISE TAX	\$40.00
PRINT PLUS/PSS RUBBER STAMPS		91240	258840	NOTARY STAMP-T. BOSHART	\$49.41
RICHLAND ACE HARDWARE		62629	259173	FASTENERS	\$5.74
SOLID WASTE ASN OF NORTH AMERICA		2019-86864	259275	SWANA 2019 DUES-ROGALSKY	\$212.00
WATER SOLUTIONS INC		18677	259065	3 WTR MACHINES - JUNE 2018	\$76.01
XEROX CORPORATION		093448039	258873	LX5-690835 BASE/PRINTS-MAY	\$174.38
		093448040		LX5-692207 BASE/PRINTS-MAY	\$77.55
		093448041		MX4-343197 BASE/PRINTS-MAY	\$385.07
YAKIMA VALLEY COLLEGE	P059258	B784-SPR QTR	259071	FLAGGER TRAINING REGISTRATION	\$45.00
PW ADMIN & ENGINEERING TOTAL ****					\$8,931.28
PUBLIC WORKS ADMIN & ENGINEER Total ***					\$8,931.28
FUND 520 HEALTH CARE/BENEFITS PLAN					
Division: 222 EMPLOYEE BENEFIT PROGRAM					
MERCER (US) INC		102210003692	259147	CONSULTING SERVICES-MAY	\$7,083.33
ZENITH ADMINISTRATORS		1043	259207	POST CONT TERM AUDIT-MAR	\$7,625.00
EMPLOYEE BENEFIT PROGRAM TOTAL ****					\$14,708.33
HEALTH CARE/BENEFITS PLAN Total ***					\$14,708.33
FUND 611 FIREMAN'S PENSION					
Division: 216 FIRE PENSION					
BAKER, MARSHALL R		JULY 2018	259083	MEDICARE PREMIUM/BAKER	\$129.00
BENTON COUNTY FIRE DIST 1		2018-26	259212	FIRE PENSION JUNE 2018	\$712.00
BOWLS, DAVID		0511-052118	258879	NON COVERED MEDICAL	\$400.00
		JULY 2018	259091	MEDICARE PREMIUM/BOWLS	\$104.90
CANFIELD, HARRY R			259094	MEDICARE PREMIUM/CANFIELD	\$119.00
CARRICK, HENRY		063018 AL	258883	NON COVERED ASSISTED LIVING	\$6,500.00
		JULY 2018	259096	MEDICARE PREMIUM/CARRICK	\$134.00
CHALET DENTAL		043018DS	258885	NON COVERED DENTAL	\$1,500.00
CITY OF RICHLAND		18-201 HOPKINS	259226	18-201 WSLEA CONFERENCE	\$695.51
CLARK, FRANK M		JULY 2018	259101	MEDICARE PREMIUM/CLARK	\$104.90



City Of Richland

VL-1 Voucher Listing

From: 6/25/2018 To: 7/6/2018

Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
DOWNS, DANNY		JULY 2018	259112	MEDICARE PREMIUM/DOWNS	\$134.00
ELIASON, CURTIS		050318	258893	MEDICAL TRIP TO UW	\$503.99
		JULY 2018	259114	MEDICARE PREMIUM/ELIASON	\$134.00
ESTY, RAYMOND J			259119	MEDICARE PREMIUM/ESTY	\$120.00
FAMILY FIRST DENTAL		041918NJ	258894	NON COVERED DENTAL	\$51.00
FERRIANS, ALLEN LARRY		JULY 2018	259122	MEDICARE PREMIUM/FERRIANS	\$130.00
HEARING HEALTHCARE ASSOCIATES		060818JK	258896	NON COVERED MEDICAL	\$5,000.00
HOPKINS, MARCIA		18-201 HOPKINS-	259245	18-201 WSLEA CONFERENCE	\$106.74
HOUCHIN, EARL		JULY 2018	259129	MEDICARE PREMIUM/HOUCHIN	\$118.00
JOHNSON, NEILS E			259139	MEDICARE PREMIUM/JOHNSON	\$110.00
JONES, HAROLD			259140	MEDICARE PREMIUM/JONES	\$123.00
KEYS, JACK D			259141	MEDICARE PREMIUM/KEYS	\$134.00
LAHTI, ROGER P			259142	MEDICARE PREMIUM/LAHTI	\$104.90
MIDTOWN DENTAL CLINIC PS INC		053018MO	258902	NON COVERED DENTAL	\$463.00
MULROY, JAMES P		JUNE 2018	258905	MEDICARE PREMIUM/MULROY	\$134.00
MURRAY, DAVID		JULY 2018	259154	MEDICARE PREMIUM/MURRAY	\$110.00
MYERS, EDWARD A			259155	MEDICARE PREMIUM/MYERS	\$119.00
OWEN, MICHAEL			259160	MEDICARE PREMIUM/OWEN	\$110.00
POLLARD, JAMES			259168	MEDICARE PREMIUM/POLLARD	\$104.90
RODGERS, GARY H		JUNE 2018	258907	MEDICARE PREMIUM/RODGERS	\$134.00
RONEY, LARRY		JULY 2018	259182	MEDICARE PREMIUM/RONEY	\$113.00
SIEMENS, DONALD			259184	MEDICARE PREMIUM/SIEMENS	\$125.00
TRI CITY ORTHOPAEDIC CLINIC PSC		082217RL	258915	NON COVERED MEDICAL	\$65.13
WEST, ROYAL		JULY 2018	259203	MEDICARE PREMIUM/WEST	\$116.00
WILLIAMSON, CRAIG E			259206	MEDICARE PREMIUM/WILLIAMSON	\$108.00
FIRE PENSION TOTAL ****					\$18,870.97
FIREMAN'S PENSION Total ***					\$18,870.97
FUND 612	POLICEMEN'S PENSION				
Division:	217	POLICE PENSION			
ANDERS, PETER		JUNE 2018	258875	MEDICARE PREMIUM/ANDERS	\$121.00
BATES, LAURIE VERN JR			258876	MEDICARE PREMIUM/BATES	\$129.00
BEDEN, LARRY			258877	MEDICARE PREMIUM/BEDEN	\$129.00
BOLSTAD, BARRY			258878	MEDICARE PREMIUM/BOLSTAD	\$134.00
BRUNSON, DALE A			258880	MEDICARE PREMIUM/BRUNSON	\$111.00
BUSH, LEE			258881	MEDICARE PREMIUM/BUSH	\$116.00
		JUNE 2018 AL		NON COVERED ASSISTED LIVING	\$6,970.00
CALVERT, JANNET L O.D.		042017DB	258882	NON COVERED VISION	\$45.00
CASE, MIKE		051618	258884	NON COVERED RX	\$43.32
		052218		NON COVERED RX	\$160.00
		052918		NON COVERED RX	\$28.99



City Of Richland

VL-1 Voucher Listing

From: 6/25/2018 To: 7/6/2018

Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
CASE, MIKE		JUN-AUG 2018	258884	MEDICARE PREMIUM/CASE	\$402.00
CLEAVENGER, MICHAEL		JUNE 2018	258886	MEDICARE PREMIUM/CLEAVENGER	\$134.00
CLEAVENGER, WILL J		050418	258887	NON COVERED DENTAL	\$304.40
		JUNE 2018		MEDICARE PREMIUM/CLEAVENGER	\$120.00
CLEMENTS, JOHN M			258888	MEDICARE PREMIUM/CLEMENTS	\$118.00
COUCH, LARRY			258889	MEDICARE PREMIUM/COUCH	\$133.00
DEMYER, JAMES J			258890	MEDICARE PREMIUM/DEMYER	\$134.00
DRIVER, DOUGLAS D			258891	MEDICARE PREMIUM/DRIVER	\$134.00
DUCHEMIN, ROGER			258892	MEDICARE PREMIUM/DUCHEMIN	\$127.00
GANLEY, JOHN M			258895	MEDICARE PREMIUM/GANLEY	\$119.00
HIGGINS, FRED C			258897	MEDICARE PREMIUM/HIGGINS	\$111.00
IMPLANT & PERIODONTAL ASSOC. NW	050118		258898	NON COVERED DENTAL	\$94.00
LARSON, SCOTT K	JUNE 2018		258899	MEDICARE PREMIUM/LARSON	\$134.00
LEWIS, DAVID L	013118		258900	NON COVERED MEDICAL	\$40.00
	JUNE 2018			MEDICARE PREMIUM/LEWIS	\$109.00
MATHESON, HAN & GIESA PLLC	032818LB		258901	NON COVERED DENTAL	\$181.04
MOORE, ROBERT	JUNE 2018		258903	MEDICARE PREMIUM/MOORE	\$114.00
MORGAN, JEFFREY DMD	050818RW		258904	NON COVERED DENTAL	\$384.70
OPTICAL ACCENTS	051818DB		258906	NON COVERED VISION	\$182.50
RX PHARMACY	0306-043018RT		258908	NON COVERED RX	\$52.45
	031518WC			NON COVERED RX	\$61.66
	041618JC			NON COVERED RX	\$429.70
SMITH, H MATT M.D., P.S.	120517FH		258909	NON COVERED MEDICAL	\$74.50
SNYDER, RONALD K DDS	041318		258910	NON COVERED DENTAL	\$111.00
SPARKS, DAVID W	JUNE 2018		258911	MEDICARE PREMIUM/SPARKS	\$118.00
TAYLOR, RANDAL L			258912	MEDICARE PREMIUM/TAYLOR	\$134.00
THOMAS, GERALD D			258913	MEDICARE PREMIUM/THOMAS	\$118.00
TRI CITIES COMMUNITY HEALTH	012318RW		258914	NON COVERED MEDICAL	\$66.94
TURNER, ROY	JUNE 2018		258916	MEDICARE PREMIUM/TURNER	\$127.00
WILMOTH, ROD			258917	MEDICARE PREMIUM/WILMOTH	\$132.00
ZIMMERMAN, GERALD			258918	MEDICARE PREMIUM/ZIMMERMAN	\$118.00

POLICE PENSION TOTAL ****

\$12,606.20

POLICEMEN'S PENSION Total ***

\$12,606.20

FUND 641

SOUTHEAST COMMUNICATIONS CTR

Division:

600

SECOMM OPERATIONS GENERAL

CENTURYLINK	0618 509-624-3863	259223	GENERAL 06/16-07/16/18	\$7.32
CHARTER COMMUNICATIONS	07/18 0706114	259224	CABLE SERVICE 06/30-07/29/18	\$29.86
CITY OF RICHLAND	4780084	258941	BCES UTILITY SRVC 05/01-06/01	\$2,333.72
COLEMAN OIL COMPANY	0474497-IN	258945	GENERATOR REFILL	\$154.59
CORPORATE TRANSLATION SERVICES INC	126819	259108	TRANSLATION SRVCS-MAY 2018	\$156.78



City Of Richland

VL-1 Voucher Listing

From: 6/25/2018 To: 7/6/2018

Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
EN POINTE TECHNOLOGIES SALES LLC	P059282	93302315	259116	MICROSOFT LICENSES FOR FRANKLI	\$4,490.37
FRONTIER		07/18 2061881060	259237	GENERAL 06/19-07/18/18	\$206.85
INSEEGO NORTH AMERICA, LLC	P059124	30160662	258809	TAX	\$34.82
	P059124			NETMOTION MOBILITY - UNIVERSAL	\$370.50
	P059124			1 YR MAINTENANCE #FW9207	\$34.46
INTERGRAPH CORPORATION	P059226	P180000718	259132	OFML DEVELOPMENT AND IMPLEMENT	\$12,979.00
MOTOROLA SOLUTIONS INC	P058600	41251785	259012	MOTOROLA MCC7500 CONSOLES FOR	\$83,679.56
	P058389	41252375		NICE TELEPHONY EXPANSION PROJE	\$13,948.50
ON SCENE MEDICAL SERVICES, P.C.		1080	259015	PRE EMP-PHYSICALS PARKER/SWEEN	\$117.50
				PRE EMP-PHYSICALS PARKER/SWEEN	\$235.00
POCKETINET COMMUNICATIONS INC		247244	258838	WIRELESS TRNSPRT/INTERNET-JULY	\$268.28
SPRAGUE PEST SOLUTIONS		3522778/3522779	259188	MAY 2018 MONTHLY SERVICE	\$92.21
VANGUARD CLEANING SYSTEM OF INLAND NW		48689	259284	BCES JANITORIAL SRVCS-JUNE	\$375.00
WASHINGTON STATE PATROL		00066858	259064	ACCESS USER FEE 4/1-6/30/18	\$2,700.00
WATER SOLUTIONS INC		18712	258863	WATER FILTRATION 6/7-7/6/18	\$33.67
SECOMM OPERATIONS GENERAL TOTAL ****					\$122,247.99
Division:	601	E911 OPERATIONS			
CENTURYLINK	P059319	100858670	259099	2018 INTRADO MAINTENANCE -	\$3,879.77
	P059319			ADJUST TAX	(\$0.01)
CORPORATE TRANSLATION SERVICES INC		126747	259108	TRANSLATION SRVCS-MAY 2018	\$263.92
ENTERPRISE RENT A CAR		17493083	258791	18-157 PROVENCHER	\$156.45
				18-264 HUSA	\$126.34
				18-229 LETTRICK	\$84.23
				18-268 LETTRICK	\$51.92
				18-207 HARTER	\$70.15
ON SCENE MEDICAL SERVICES, P.C.		1080	259015	PRE EMP-PHYSICALS PARKER/SWEEN	\$117.50
POCKETINET COMMUNICATIONS INC		247244	258838	WIRELESS TRNSPRT/INTERNET-JULY	\$268.27
E911 OPERATIONS TOTAL ****					\$5,018.54
SOUTHEAST COMMUNICATIONS CTR Total ***					\$127,266.53
FUND	643	EMERGENCY MANAGEMENT			
Division:	620	STATE / LOCAL ASSISTANCE			
CHARTER COMMUNICATIONS		07/18 0706114	259224	CABLE SERVICE 06/30-07/29/18	\$29.86
CITY OF RICHLAND		18-259 DAVIS	258942	18-259 EM MGMT ADVISORY MT	\$225.42
COLEMAN OIL COMPANY		0474497-IN	258945	GENERATOR REFILL	\$23.19
DAVIS, DEANNA		18-259 DAVIS	258956	18-259 EM MGMT ADVISORY MT	\$16.39
POCKETINET COMMUNICATIONS INC		247244	258838	WIRELESS TRNSPRT/INTERNET-JULY	\$76.65
SPRAGUE PEST SOLUTIONS		3522778/3522779	259188	MAY 2018 MONTHLY SERVICE	\$23.05
VANGUARD CLEANING SYSTEM OF INLAND NW		48689	259284	BCES JANITORIAL SRVCS-JUNE	\$62.50
STATE / LOCAL ASSISTANCE TOTAL ****					\$457.06



City Of Richland

VL-1 Voucher Listing

From: 6/25/2018 To: 7/6/2018

Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
Division: 621	RADIOLOGICAL EMGCY PREPAREDNES				
ARROW TECH INC	P059156	23748	258764	SHIPPING	\$25.00
	P059156			DRDCAL-100 - - DIRECT-READING	\$1,875.00
CHARTER COMMUNICATIONS		07/18 0706114	259224	CABLE SERVICE 06/30-07/29/18	\$29.87
CITY OF RICHLAND		4780084	258941	BCES UTILITY SRVC 05/01-06/01	\$1,555.81
COLEMAN OIL COMPANY		0474497-IN	258945	GENERATOR REFILL	\$61.83
HP INC	P059285	60146087	259247	HP 8GB DDR4-2400-DIMM	\$1,433.52
J JESUS VERA ACEVEDO	P059270	H687242	258813	OFFICE MASTER YES SERIES ERGAN	\$310.04
SPRAGUE PEST SOLUTIONS		3522778/3522779	259188	MAY 2018 MONTHLY SERVICE	\$23.05
TECH POWER SOLUTIONS INC	P059330	54675	259192	HP INC: HP PROMO PRODESKTOP 60	\$10,295.28
VANGUARD CLEANING SYSTEM OF INLAND NW		48689	259284	BCES JANITORIAL SRVCS-JUNE	\$62.50
WATER SOLUTIONS INC		18712	258863	WATER FILTRATION 6/7-7/6/18	\$11.22
WINSOME DESIGN INC		9479	258872	DESIGN/PRINT CODE RED BROCHURE	\$218.81
RADIOLOGICAL EMGCY PREPAREDNES TOTAL ****					\$15,901.93
Division: 622	DOE EMERGENCY PREPAREDNESS				
CHARTER COMMUNICATIONS		07/18 0706114	259224	CABLE SERVICE 06/30-07/29/18	\$29.86
COLEMAN OIL COMPANY		0474497-IN	258945	GENERATOR REFILL	\$23.19
POCKETINET COMMUNICATIONS INC		247244	258838	WIRELESS TRNSPRT/INTERNET-JULY	\$76.65
SPRAGUE PEST SOLUTIONS		3522778/3522779	259188	MAY 2018 MONTHLY SERVICE	\$23.05
VANGUARD CLEANING SYSTEM OF INLAND NW		48689	259284	BCES JANITORIAL SRVCS-JUNE	\$62.50
WATER SOLUTIONS INC		18712	258863	WATER FILTRATION 6/7-7/6/18	\$11.22
DOE EMERGENCY PREPAREDNESS TOTAL ****					\$226.47
Division: 623	JURISIDICITION				
CHARTER COMMUNICATIONS		07/18 0706114	259224	CABLE SERVICE 06/30-07/29/18	\$29.86
COLEMAN OIL COMPANY		0474497-IN	258945	GENERATOR REFILL	\$46.37
POCKETINET COMMUNICATIONS INC		247244	258838	WIRELESS TRNSPRT/INTERNET-JULY	\$76.65
SPRAGUE PEST SOLUTIONS		3522778/3522779	259188	MAY 2018 MONTHLY SERVICE	\$23.05
VANGUARD CLEANING SYSTEM OF INLAND NW		48689	259284	BCES JANITORIAL SRVCS-JUNE	\$62.50
WATER SOLUTIONS INC		18712	258863	WATER FILTRATION 6/7-7/6/18	\$11.22
JURISIDICITION TOTAL ****					\$249.65
Division: 628	PRE-DISASTER MITIGATION GRANT				
CITY OF RICHLAND		18-252 FERRIS	258942	18-252 G0318 MITIGATION WOR	\$128.00
NORTHWEST MANAGEMENT, INC.		10684	259014	40% CONTR COMP HMPG	\$15,800.00
PRE-DISASTER MITIGATION GRANT TOTAL ****					\$15,928.00
EMERGENCY MANAGEMENT Total ***					\$32,763.11
FUND 803	UTILITY BILL CLEARING FUND				
Division: 000					



City Of Richland

VL-1 Voucher Listing

From: 6/25/2018 To: 7/6/2018

Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
ADVANCED UTILITY ACCOUNTS PAYABLE INVOICES		CISPAY15332	259029	Customer Refund	\$74.75
		CISPAY15333	258926	Customer Refund	\$63.21
				Customer Refund	\$4,983.39
				Customer Refund	\$11,200.43
		CISPAY15334	258959	Customer Refund	\$18.44
		CISPAY15335	259032	Customer Refund	\$120.00
		CISPAY15336	259004	Customer Refund	\$6.62
		CISPAY15338	259031	Customer Refund	\$35.15
		CISPAY15339	259002	Customer Refund	\$8.55
		CISPAY15340	258997	Customer Refund	\$9.95
		CISPAY15341	259053	Customer Refund	\$12.22
		CISPAY15342	258930	Customer Refund	\$14.82
		CISPAY15343	258992	Customer Refund	\$135.02
		CISPAY15344	258964	Customer Refund	\$10.27
		CISPAY15345	258991	Customer Refund	\$128.80
		CISPAY15346	259062	Customer Refund	\$98.56
		CISPAY15347	259000	Customer Refund	\$182.74
		CISPAY15348	259050	Customer Refund	\$264.65
		CISPAY15349	258994	Customer Refund	\$292.00
		CISPAY15350	259038	Customer Refund	\$1.47
		CISPAY15351	258932	Customer Refund	\$17.38
		CISPAY15352	258976	Customer Refund	\$94.66
		CISPAY15353	259009	Customer Refund	\$21.52
		CISPAY15354	258924	Customer Refund	\$4.87
		CISPAY15355	258969	Customer Refund	\$38.14
		CISPAY15356	259006	Customer Refund	\$91.08
		CISPAY15357	258990	Customer Refund	\$71.00
		CISPAY15358	259033	Customer Refund	\$177.37
		CISPAY15359	258955	Customer Refund	\$20.00
		CISPAY15360	259047	Customer Refund	\$37.86
		CISPAY15361	258977	Customer Refund	\$101.64
		CISPAY15362	259021	Customer Refund	\$71.68
		CISPAY15363	258954	Customer Refund	\$120.80
		CISPAY15364	259044	Customer Refund	\$6.05
		CISPAY15365	259007	Customer Refund	\$902.53
		CISPAY15366	258995	Customer Refund	\$55.89
		CISPAY15367	258993	Customer Refund	\$175.05
		CISPAY15368	258971	Customer Refund	\$88.22
		CISPAY15369	259037	Customer Refund	\$86.82
		CISPAY15370	258938	Customer Refund	\$175.00



Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
UNASSIGNED TOTAL ****					\$20,018.60
UTILITY BILL CLEARING FUND Total ***					\$20,018.60



City Of Richland

VL-1 Voucher Listing

From: 6/25/2018 To: 7/6/2018

Vendor	P.O. Number	Invoice Number	Check #	Purpose of Purchase	Invoice Amount
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Invoice Total: ****

\$3,346,525.88

Number of Invoices

Amount

Vouchers In Richland	288	\$203,659.47
Vouchers In Tri Cities	193	\$395,149.52
Vouchers In WA	269	\$2,064,286.17
Vouchers Outside WA	526	\$683,430.72
Vouchers Final Total.....	1276	\$3,346,525.88

Ob ject Category	Title	Total	Percentage
1	SALARIES	\$4,583.55	0.14%
2	BENEFITS	\$55,871.75	1.67%
3	SUPPLIES	\$252,375.92	7.54%
4	OTHER SERVICES & CHARGES	\$853,901.94	25.52%
5	INTERGOVERNMENTAL SERVICES	\$87,674.01	2.62%
6	CAPITAL PROJECTS	\$1,301,971.97	38.91%
	MACHINERY & EQUIPMENT	\$636,813.30	19.03%
7	DEBT SERVICE PRINCIPAL	\$14,434.08	0.43%
8	INTEREST	\$1,510.58	0.05%
	REFUNDS	\$20,018.60	0.6%
9	INTERFUND SERVICES	\$25.29	0%
	INVENTORY PURCHASES	\$117,344.89	3.51%
	Total	\$3,346,525.88	



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 07/17/2018

Agenda Category: Items of Business

Key Element: Key 2 - Infrastructure and Facilities

Subject:

Appeal of Special Use Permit SUP2018-100 - US Cellular (Closed Record)

Department:

Community Development Services

Ordinance/Resolution Number:

N/A

Document Type:

General Business Item

Recommended Motion:

After consideration of the record, Council may affirm, reverse or modify, in whole or in part, the Hearing Examiner's decision approving a Special Use Permit to construct an 80-foot wireless communications facility (monopole), with associated ground equipment, on a portion of the Meadow Springs Country Club golf course, located in the Parks and Public Facilities (PPF) zone. Council's decision must be supported by the RMC and applicable state and federal law.

Summary:

The Hearing Examiner held a public hearing on March 12, 2018 to consider an application for a Special Use Permit to construct a new 80-foot wireless communications facility (monopole) designed to resemble a pine tree, with associated ground equipment, on a portion of the Meadow Springs Country Club golf course and located in the Parks and Public Facilities (PPF) zoning district. The subject property is addressed as 700 Country Club Road, and the monopole is proposed to be located immediately south of the Bellerive Drive/Country Club Road intersection.

Pursuant to RMC 23.62.060(B), monopoles between 80 feet and 150 feet in height may be permitted in the PPF zone subject to the issuance of a Special Use Permit meeting the criteria of RMC 23.62.070. The applicant is requesting an 80-foot tall monopole that reaches an overall height of 85 feet including the accessory appurtenances that will be used to disguise the facility as a pine tree (e.g. faux tree branches).

The application states that the facility is required in order to provide quality and consistent LTE (4G Long-Term Evolution) coverage in the City of Richland in the area between Clearwater Avenue, Keene Road, and Gage Boulevard.

Staff recommended conditional approval of the application to the Hearing Examiner. Upon conducting a public hearing and reviewing all submitted materials, the Hearing Examiner held that the applicant met its burden of proof, and approved the application with conditions as stated in the Hearing Examiner's Findings of Fact, Conclusions of Law, and Decision.

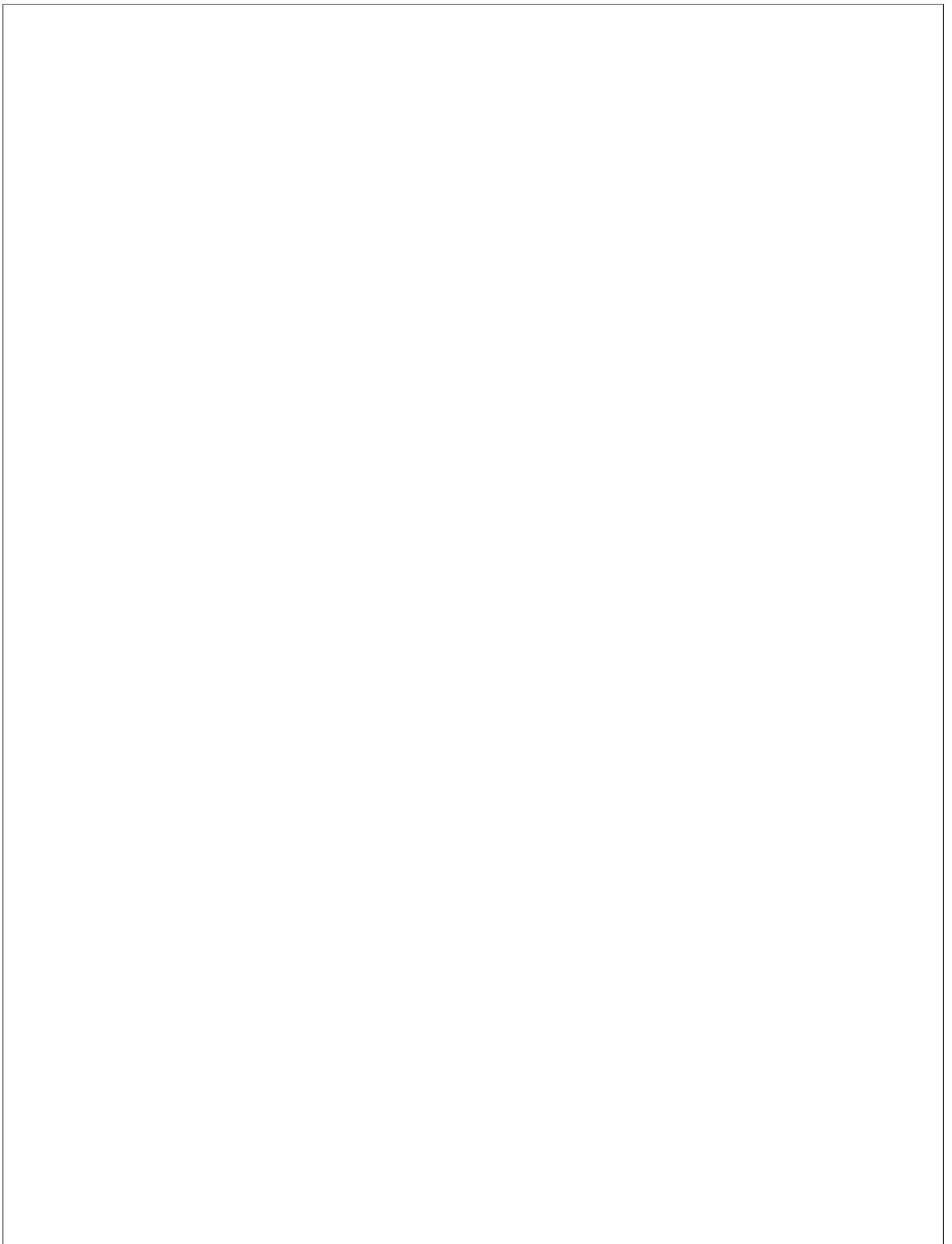
A timely appeal was filed on June 11, 2018 by Theresa Long. On appeal, Council shall consider the record built before the Hearing Examiner, and take testimony only from those who appeared at the public hearing on March 12, 2018. Council has the authority to affirm, reverse or modify, in whole or in part, the order of the Hearing Examiner so long as such action conforms to applicable local, state and federal law.

Fiscal Impact:

None

Attachments:

1. SUP2018-100 Appeal
2. U.S. Cellular Special Use Permit Decision
3. Combined Supplemental Information



June 7, 2018

RECEIVED
JUN 07 2018
Planning &
Development Services

Appellant Name: Theresa J. Long

Appellant Address: 2026 Weiskopf Court, Richland, WA 99352

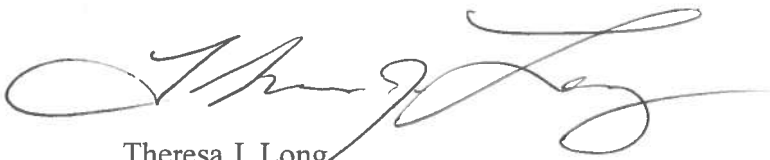
Application that is the subject of this appeal: Special Use Permit (SUP 2018-100)

This letter is a formal appeal to the decision of Special Use Permit (SUP 2018-100) to allow for the construction of an 80-foot tall wireless communication facility on the property located at 700 Country Club Road, at the southwest corner of the intersection of Country Club Road and Bellerive Drive in Richland, WA.

Grounds for appeal: Eighty percent of the residents that were notified and who would be directly affected by this Special Use Permit signed a petition against this permit being granted. Given the evidence presented to the examiner on the grounds of reduction in property for those residents living in the area and the damage to the aesthetics of the community we feel that those things were not taken into consideration with the granting of this permit. There was plenty of evidence including court cases and lawsuits that have been won (see document sent to Shane O'Neill, Richland City Planner on March 5, 2018, letter attached) across the nation showing that indeed Cell Towers placed directly in residential neighborhoods does cause a reduction in property value and damages the Aesthetics of the community. Secondly, there is plenty of commercial property in the area where the Cell Tower could be placed where it would not have the negative impact this location will have. Thirdly, the Country Club has other areas that are not as close to residents that they could let US Cellular place their Cell Tower. The PowerPoint entered into record supports this grounds for appeal. Fourth, the existing cell tower was damaged by wind in January 2018 and the panels are still not replaced (see attached photo), what proof is there that this will not happen in high winds to the fake pine tree. The problem of golf balls ricocheting off the surrounding walls of the proposed tower were not addressed as well.

Relief Sought: The relief sought is that US Cellular not be granted the Special Use Permit.

I have written and read this appeal and believe that the contents are true.



Theresa J. Long
509-845-2128

RECEIVED

1

JUN 07 2018

Planning &
Development Services

TO: Richland City Council, Richland, Washington

FROM: South Richland, Meadow Springs Residents and a Group of Tri-City Concerned Citizens.

DATE: February 28, 2017 **RE:** Decrease in Property Values, Blight to Aesthetics and Potential Negative Long-Term Health Effects to Neighborhoods in the Vicinity of the Cell Towers.

This memo documents our points about decreases in property values in the vicinity of cellular antennas, the **blight that these towers have on the aesthetics of our neighborhoods** and the **potential negative long-term health effects** of residents living near cell towers:

It is increasingly recognized and documented that putting cell antennas and towers near business or residential properties is just bad business. For residential owners, it means **decreased property values, decrease in aesthetics of the area**. For local property businesses (realtors and brokers) representing and listing these properties, it creates **decreased income**. For city governments, it results in **decreased revenue (property taxes)**. Additionally, the placement of this tower is **not in keeping with the plan of Meadow Springs Country Club and Golf Course**, they are a Country Club, not a communication provider and it is also **not in keeping with the plan of the neighborhood** that was planned around the Country Club.

Residents and property owners are justifiably concerned about the 2nd cell tower being proposed in the middle of our neighborhood. In fact, there is a 3rd tower less than ½ mile away on the corner of Gage and Steptoe behind Rite Aid.

Who would want to live or work right next to one, or under one – let alone with one right outside your window in your direct view that used to be beautiful? This proposed tower will be located on a busy thoroughfare that we in the neighborhood will have to drive, run or walk past each day (not only will the tower change the view but the access road will add to the decrease in aesthetics of the neighborhood). There is also

the disappointment to people who purchased their dream home, only to have an unwanted cell antenna/tower installed just outside their window. This tower will negatively affect our property values.

Studies find that people don't want to live next to them not just because of health concerns, but also due to aesthetics and public safety reasons, i.e., cell towers/antennas become eyesores, obstructing or tarnishing cherished or historic views, and in some areas, can attract crime, are potential noise nuisances, and create fire and fall hazards.

While the Telecommunications Act of 1996 states that health concerns will not impact, decisions regarding location of cellular antennas, which really should be looked at again for long-term effects, Congress is unable to dictate the marketplace that responds to such installations. It can be argued that installing these antennas ***constitutes a taking of property without due process.***

Here is a selection of studies and articles supporting the above statements:

1. The National Institute for Science, Law and Public Policy's survey "Neighborhood Cell Towers and Antennas—Do They Impact a Property's Desirability?" completed by 1,000 respondents as of June 28, 2014, found the following:
(<https://www.businesswire.com/news/home/20140703005726/en/Survey-National-Institute-Science-Law-Public-Policy>)

- 94% said a nearby cell tower or group of antennas would negatively impact interest in a property or the price they would be willing to pay for it.
- 94% said a cell tower or group of antennas on top of, or attached to, an apartment building would negatively impact interest in the apartment building or the price they would be willing to pay for it. • 95% said they would opt to buy or rent a property that had zero antennas on the building over a

comparable property that had several antennas on the building. •79% said under no circumstances would they ever purchase or rent a property within a few blocks of a

cell tower or antennas. • 88% said that under no circumstances would they ever purchase or rent a property with a cell tower

or group of antennas on top of, or attached to, the apartment building. 2. “Cell Towers Are Sprouting in Unlikely Places,” The New York Times, January 9, 2000 (fears that

property values could drop between 5 and 40 percent because of neighboring cell towers).

3. A New York Times news story, "A Pushback Against Cell Towers," published in the paper's Real Estate section, on August 27, 2010, found that property values will decrease 4 to 10%, depending on

the nearness and size of a cellular installation. “Homeowners have given voice to concerns that proximity to a monopole or antenna may not be just aesthetically unpleasing but also harmful to property values. Many also perceive health risks in proximity to radio frequency radiation emissions, . . .” Tina Canaris, an associate broker and a co-owner of RE/MAX Hearthstone in Merrick, N.Y., said, “You can see a buyer’s dismay over the sight of a cell tower near a home just by their expression, even if they don’t say anything.”

http://www.nytimes.com/2010/08/29/realestate/29Lizo.html?_r=1&ref=realestate .

4. The Appraisal Institute, the largest global professional membership organization for appraisers with 91 chapters throughout the world, has spotlighted the issue of cell towers/antennas and the fair market value of a home and educated its members that such an installation should, in fact, cause a decrease in home value. It concluded that "media attention to the potential health hazards of [cellular phone towers and antennas] has spread concerns among the public, resulting in increased resistance"

to sites near those towers. The percentage of decrease moves toward the higher range the closer the property is to the cellular antenna.”

(<http://www.aacoacts.org/property-values/>)

5. A market transaction-based regression study in Christchurch, N.Z. included 4283 property sales in four suburbs that occurred between 1986 and 2002 (approximately 1000 sales per suburb). The sales data that occurred before a CPBS was built were compared to sales data after a CPBS (Cell Phone Base Station, i.e., antenna) was built to determine any variance in price, “If purchasing or renting a property near a CPBS, over a third (38%) of the control group respondents would reduce price of their property by more than 20%.” Bond, S.G., Beamish, K. (2005). “Cellular Phone Towers: Perceived Impact on Residents and Property Values”, Pacific Rim Property Research Journal, vol. 11, no. 2, pp. 158-177. Also: Sandy Bond and Karen Beamish, "Residents' Perceptions Towards Living Near Cell Phone Towers" presented to the Twentieth American Real Estate Society Conference, April 20-24, 2004, Captiva Island, Florida.

6. Case studies were performed in four suburbs of Christchurch, New Zealand where a cellular base station had been established. Survey data was collected on people's perceptions about the impact of the base station on their property value and, most importantly, that data was combined with actual housing price changes over time in the two suburbs studied where towers were built in 2000, the effect of a tower on home prices was a decrease of between 20.7% and 21%. Bond, S.G. and Wang, K. (2005). "The Impact of Cell Phone Towers on House Prices in Residential Neighborhoods", The Appraisal Journal (Summer 2005) Volume LXXIII, No.3, pp.256-277;
http://goliath.ecnext.com/coms2/gi_0199-5011857/The-impact-of-cell-phone.html

7. This 2004 study in Christchurch, N.Z., involved analysis of the residential transaction data for a total of ten suburbs: five suburbs with CPBSs located in them and five control suburbs without CPBSs. “The effect of proximity to a CPBS reduces price by 15%, on average. This

effect reduces with distance from the CPBS and is negligible after 1000 feet.” Bond, S.G. and Xue, J., “Cell Phone Tower Proximity Impacts on House Prices: A New Zealand Case Study”, European Real Estate Society and International Real Estate Society Conference, June 15-18, 2005, Dublin, Ireland.

8. 27 Burbank, CA real estate professionals in December 2009, signed a petition/statement offering their professional opinion that a proposed T-Mobile cell tower at Brace Canyon Park would negatively impact the surrounding homes, stating: "It is our professional opinion that cell towers decrease the value of homes in the area tremendously. Peer reviewed research also concurs that cell sites do indeed cause a decrease in home value. “, Higher property values mean more tax revenue for the city, which helps improve our city."

Steve Hovakimian, Burbank, California real estate broker, and the publisher of “Home by Design” monthly real estate magazine, stated that he has seen properties near cell towers lose up to 10% of their value due to proximity of the cell tower. . . So even if they try to disguise them as tacky fake metal pine trees, as a real estate professional you’re required by the California Association of Realtors that sellers and licensees must disclose material facts that affect the value or desirability of a property including conditions that are known outside and surrounding areas."

<http://sites.google.com/site/nocelltowerinourneighborhood/home/decreased-real-estate-value/burbank-real-estate-professionals-statement>

9. Windsor Hills/View Park, CA, 2009: Residents opposing a T-Mobile antenna in their neighborhood received several letters from local real estate companies, appraisers, homeowner associations, and resident organizations in their community confirming that real estate values would decrease with a cell phone antenna in their neighborhood, which must be disclosed to buyers according to the California Association of Realtors as a “known condition” that “affects the value or desirability of the property.” To see copies of these letters, see “Report from Los Angeles County Regional Planning Commission regarding CUP Case

No. 200700020-(2)," from L.A. County Board of Supervisors September 16, 2009, Meeting documents, Los Angeles County website at:

<http://file.lacounty.gov/bos/supdocs/48444.pdf>

10. A Houston jury awarded \$1.2 million to a couple in 1999 because a 100-foot-tall cell tower was determined to have lessened the value of their property and caused them mental anguish: Nissimov, R., "GTE Wireless Loses Lawsuit over Cell-Phone Tower," Houston Chronicle, February 23, 1999, Section A, page 11. (Property values depreciated by about 10 percent because of the tower.)

11. In 2001 the assessed values of sixteen residential properties located in Colwood, British Columbia were reduced by BC Assessment by an average of 7.2% (approx. \$9,500 each) due to the aesthetic impacts of a broadcasting antenna tower installation. Facsimile from Dave Hitchcock, area assessor, BC Assessment (February 23, 2001) Re: Radio Transmissions and Towers, Triangle Mountain, Colwood, 2001 Assessment Reductions Due to Proximity to Transmission Towers; provided by the Colwood Transmission Towers Citizens Committee at a meeting held on 21 August 2003 in Colwood, BC.

12. Glendale, CA: During the January 7, 2009 Glendale City Council, public hearing about a proposed T- mobile cell tower in a residential neighborhood, local real estate professional Addora Beall described how a Spanish home in the Verdugo Woodlands, listed for 1 million dollars, sold for \$25,000 less because of a power pole across the street.

"Perception is everything," said Ms. Beall stated. "It the public perceives it to be a problem, then it is a problem. It really does affect property values." See Glendale City Council meeting, January 7, 2009, video of Addora Beall comments @ 2:35:24: u

http://glendale.granicus.com/MediaPlayer.php?view_id=12&clip_id=1227

13. "Tower Opponents Ring Up a Victory," by Phil Brozynski, in the Barrington [Illinois] Courier- Review, February 15, 1999, 5, reporting how the Cuba Township assessor reduced the value of 12 homes

following the construction of a cell tower in Lake County, IL.

<http://spot.colorado.edu/~maziara/appeal&attachments/Newton-43-LoweredPropertyValuation/>

14. Santa Cruz, CA: This is a story about how a preschool closed because of a cell tower installed on its grounds; "Santa Cruz Preschool Closes Citing Cell Tower Radiation," Santa Cruz Sentinel, May 17, 2006; Source, EMFacts website:

<http://www.emfacts.com/weblog/?p=466>

15 This British article reports that a new cell-phone antenna/tower/mast "will knock between 15 and 25 per cent off the value of a house, depending on how close it is and the size of the structure. "Melfyn Williams, chairman of the National Association of Estate Agents, said in some cases a mast could see a home reduce in value by between 5 and 10 per cent. . . . "Campaigners are considering legal action to seek compensation for the loss in value of their properties or to get the masts removed. Last week, seven householders in Swindon won sums of between £10,000 and £20,000 each from their local council after it mistakenly allowed a mast to be erected in the middle of their residential street, causing their properties to crash in value."

The Observer (U.K.), "Phone masts blight house sales: Health fears are alarming buyers as masts spread across Britain to meet rising demand for mobiles," Sunday May 25, 2003 or:

<http://www.guardian.co.uk/money/2003/may/25/houseprices.uknews>

Almost any prospective property buyer would take the existence of a nearby cellular antenna cluster into account. Nevada City government should do what it can to protect its citizens' investments in their homes, businesses, and land — which includes having rules against unwanted intrusions by cell phone towers and antennas.

<https://nevadacity.municipalcms.com/files/documents/CellComment4-DecreaseinPropertyValues-group1324024730081716PM.pdf>

Visual Pollution:

Notre Dame Journal of Law, ethics & Public Policy—“Cell Phone Towers as Visual Pollution” Volume 23, issue 2, Symposium on the Environment

<https://scholarship.law.nd.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1105&context=ndjlepp>

Court Cases:

1. The U.S. Ninth Circuit Court of Appeals in October 2009 sided with the City of Palos Verdes Estates and its residents' right to oppose a wireless tower based on aesthetics: http://la.curbed.com/archives/2009/10/fake_trees_will_not_grow_in_pve.php and <http://www.latimes.com/news/local/la-me-ugly-telecoms26-2009oct26,0,5439620.story>

2. In some cases, regulators have denied an application to build a tower as a result of the anticipated diminution of property values. Courts have upheld some of these decisions. For example, in *AT&T Wireless v. City of Virginia Beach*, 979 F. Supp. 416, (E. D. Va. 1997) modified, 153 F. 3d 423 (4th Cir. 1998) the U. S Court of Appeals upheld the city's denial of a tower. It noted that the city's action rested on the traditional basis of zoning in seeking to preserve a neighborhood's character and avoid blight. In *Cellular Tel. Co. v. Zoning Bd. of Adjustment of the Borough of Ho-Ho-Kus*, 24 F. Supp. 2d 359, 364 (D. N. J. 1998), a federal district court upheld a denial of a tower that the municipality had determined would reduce the value of neighboring properties. Similarly, in *Sprint Spectrum v. Willoth*, 176 F. 3d 630, 639 (2d Cir. 1999), the U. S. Court of Appeals upheld a New York town's rejection of a tower proposal, which was partially based on their anticipated effects on property values. (OLR memo 99-R-0655 describes this case in greater detail.) <https://www.cga.ct.gov/2002/olrdata/et/rpt/2002-R-0018.htm>

3. United States Court of Appeals for the Sixth Circuit No 11-1568

OPINION _____

BOGGS, Circuit Judge. T-Mobile proposed to build a cellular tower in an area of West Bloomfield Township, Michigan, that had a gap in coverage. The Township denied T-Mobile's application. T-Mobile brought suit, alleging that the denial of the application violated the Telecommunications Act, 47 U.S.C. § 332 et seq. The district court granted partial summary judgment in favor of T-Mobile, and the Township appealed. There are three issues on appeal. First, whether the Township's denial of T-Mobile's application to install a cellular tower was supported by substantial evidence, as required by 47 U.S.C. § 332(c)(7)(B)(iii). Second, whether the Township's denial of T-Mobile's application had the effect of prohibiting T-Mobile from providing wireless services and thus violated 47 U.S.C. § 332(c)(7)(B)(i)(II). This issue, which has led to a split among the circuits, presents a case of first impression for this circuit. Finally, whether the district court should have granted summary judgment in favor of the Township on Count III of the complaint because the Township had discretion to grant or deny a special land use application under Mich. Comp. Laws § 125.3504. We affirm the judgment of the district court. <http://www.opn.ca6.uscourts.gov/opinions.pdf/12a0275p-06.pdf>

4. 8th Circuit affirms cell tower rejection on aesthetic grounds.

Keeping in mind that the substantial evidence standard is “essentially deferential,” MetroPCS, 400 F.3d at 725 (internal quotation omitted), we conclude that the Commission had before it substantial evidence on the record as a whole that the tower's scale, its proximity to residences, and the surrounding environment made approval inappropriate in view of the considerations outlined in the Zoning Order. A reasonable mind could find adequate evidence in the record grounded in the specifics of the case to support the

Commission's legitimate concerns about aesthetics.

<http://caselaw.findlaw.com/us-8th-circuit/1237327.html>

In Conclusion:

Should the Richland City Council deny the permit it must be written such a way to be upheld should an appeal come up. See the following:

SUPREME COURT OF THE UNITED STATES

T-MOBILE SOUTH, LLC v. CITY OF ROSWELL, GEORGIA

https://www.supremecourt.gov/opinions/14pdf/13-975_8n6a.pdf

We will be attending the March 12, 2018 Richland City Council Meeting and bringing a petition that request that the Richland City Council not pass the Special Use Permit (SUP 2018-100) to allow for the construction of an 80-foot tall wireless communication facility on the property located at 700 Country Club Road, at the southwest corner of the intersection of Country Club Road and Bellerive Drive in Richland, WA.

Should you need or desire to respond to this memo our designated contact person is listed below (this memo will be sent from her email trigirl59@gmail.com)

Designated Contact Person:

Theresa Long (Concerned Resident, Richland, WA)

2026 Weiskopf Court

Richland, WA 99352

509-845-2128



**BEFORE THE HEARING EXAMINER
FOR THE CITY OF RICHLAND**

Regarding an Application for a Special
Use Permit to construct a new 80-foot
tall wireless communications facility
(monopole) designed to resemble a pine
tree, with associated ground equipment,
on a portion of the Meadow Springs
Country Club golf course, located in the
PPF (Parks and Public Facilities) Zone,
submitted by

US CELLULAR,

Applicant,

*(The site is located in the southwest corner of the Bellerive
Drive and Country Club intersection, 700 Country Club
Road, in the City of Richland)*

File No. SUP 2018-100

**FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND DECISION**

I. SUMMARY OF DECISION.

The applicant met its burden of proof to demonstrate that its Special Use Permit application to construct a new 80-foot tall wireless communications facility (monopole) designed to resemble a pine tree, with associated ground equipment on a portion of the Meadow Springs Country Club golf course, located in the PPF (Parks and Public Facilities) Zone, merits approval.

II. BACKGROUND and APPLICABLE LAW.

In this matter, the Hearing Examiner has jurisdiction to conduct an open record public hearing and issue a Decision regarding the pending application for a Special Use Permit authorizing a monopole in a PPF (Parks and Public Facilities) zoning district. *See*

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TOWER) ON PROPERTY IN THE PPF ZONE –
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1 RMC 23.46.025(A)(6) and RMC 23.46.060.

2 The applicant bears the burden of proof to show that its application conforms to the
3 relevant elements of the city's development regulations and comprehensive plan, and that
4 any significant adverse environmental impacts have been adequately addressed. RMC
5 19.60.060.

6 Chapter 23.62 RMC is designated as the City of Richland's "wireless
7 communications facilities chapter," the purpose of which is "to minimize the unsightly
8 characteristics associated with wireless communications facilities and to provide for a wide
9 range of locations and options for wireless communications providers and to encourage
10 creative approaches in locating wireless communications facilities, which will blend in with
11 the surroundings of such facilities." RMC 23.62.010.

12 The pending application for a Special Use Permit flows from the requirement for
13 such permit as explained in RMC 23.62.060(B)¹, which reads as follows:

14 **RMC 23.62.060 Permitted zones for monopoles and lattice towers.**

15 B. Monopoles between 80 feet and 150 feet in height are considered a permitted use in the
16 business research park (B-RP), medium industrial (I-M), and heavy manufacturing (M-2)
17 zoning districts. Monopoles between 80 feet and 150 feet in height may be permitted in the
18 parks and public facilities (PPF), general business (C-3) and business commerce (B-C)
19 zoning districts subject to issuance of a special use permit as set forth in RMC 23.62.070.
20 (emphasis added).

21 Specific Development Standards apply to all monopole towers in the City of
22 Richland, whether they are permitted outright or when a special use permit it required.
23 Those standards are found at RMC 23.62.050, and read as follows:

24 **RMC 23.62.050 Development standards for monopoles and lattice towers.**

25 A. All monopoles and lattice towers exceeding 60 feet in height shall be designed to
26 accommodate two or more wireless communications facilities.

B. Macrofacilities are the largest wireless communications facilities allowed on a monopole
or lattice tower. Antennas not exceeding 15 feet in height which extend above the wireless
communications support structure shall not be calculated as part of the height of the wireless

27 ¹ As mentioned in written materials that are included in the Record, a Special Use Permit is also required for
28 any monopole that is up to 80-feet in height in the PPF Zone, so a shorter pole would have to meet the same
29 general special use permit requirements. See RMC 23.62.060(A).

communications support structure.

C. On monopoles, antennas and antenna arrays together with any associated antenna mount shall be designed utilizing the narrowest dimensions possible, and in no instance shall they extend further, as measured horizontally, from the centerline of the monopole than a distance of 15 feet.

D. On lattice towers, antennas and antenna arrays together with any associated mounts shall extend no further, as measured horizontally, than 15 feet from the portion of the lattice tower to which the antennas are mounted.

E. Co-location on an existing support structure shall be permitted.

F. The shelter or cabinet, if necessary, used to house radio electronics equipment and the associated cabling connecting the equipment or cabinet to the monopole or lattice tower shall be concealed, camouflaged or underground.

G. When a monopole or lattice tower is adjacent to a suburban agricultural (SAG), single-family residential – 12,000 (R-1-12), single-family residential – 10,000 (R-1-10), medium-density residential (R-2), medium-density residential small lot (R-2S) or multiple-family residential (R-3) zoning district, the wireless communications support structure must be set back a distance equal to twice the height of the wireless communications support structure from the nearest residential lot line.

H. All monopoles and lattice towers shall be lighted and painted, if necessary, in accordance with Federal Aviation Administration regulations.

RMC 23.46.040 specifies the hearing process and criteria that must be satisfied by an applicant to obtain a Special Use Permit, and reads as follows:

23.46.040 Hearings – Findings – Conditions.

The hearing body shall conduct an open record public hearing on an application for special use permit as required by RMC Title 19 for a Type III permit application.

A. Any person may appear at the public hearing in person, or by agent or attorney.

B. The hearing body shall make a finding that it is empowered under the section of this code described in the application to consider the application for the special use permit.

C. The hearing body shall approve, approve with conditions or deny an application for a special use permit based on findings of fact with respect to the following criteria:

1. The size and dimensions of the site provide adequate area for the proposed use;
2. The physical conditions of the site, including size, shape, topography, and

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drainage, are suitable for the proposed development;

3. All required public facilities necessary to serve the project have adequate capacity to serve the proposed project;

4. The applicable requirements of this zoning regulation (RMC Title 23), the city comprehensive plan, the city sensitive area regulations (RMC Title 20), the city shoreline management regulations (RMC Title 26) and the city sign regulations (RMC Title 27) have been met; and

5. Identified impacts on adjacent properties, surrounding uses and public facilities have been adequately mitigated.

D. The hearing body may impose conditions on the approval of a special use permit in addition to or above and beyond those required elsewhere in this title, which are found necessary to ensure the use is compatible with the public interest. These conditions may include, but are not limited to, the following:

1. Limiting the hours, days, place and/or manner of operation;

2. Requiring design features which minimize environmental impacts such as noise, vibration, air pollution, glare, odor and/or dust;

3. Requiring additional setback areas, lot area and/or lot depth or width;

4. Limiting the building height, size or lot coverage, and/or location on the site;

5. Designating the size, number, location and/or design or vehicle access points;

6. Requiring street right-of-way dedication and/or street improvement;

7. Requiring additional landscaping, berms and/or screening of the proposed use and/or its parking or loading areas and designating the required size, height, type and/or location of fencing and landscaping materials;

8. Limiting the number, size, location, height and/or lighting of signs.

E. Violation of any conditions, requirements, and safeguards, when made a part of the terms under which the special use permit is granted, shall be deemed a violation of this code and punishable under RMC 23.70.270.

F. The hearing body may prescribe a time limit within which the action for which the special use permit is required shall be begun and/or completed. Failure to begin and/or complete such action within the time limit set shall void the special use permit. The time limits may be extended by the hearing body for good cause shown. In the event that no specific time limit to begin or complete a special use permit is identified, then the special use permit shall remain valid for a period of two years from the date that the permit was issued. The hearing body may authorize issuance of a special use permit for a specified

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probationary period of time, at the termination of which the applicant must resubmit a new application in accordance with the provisions of RMC 23.46.020.

Finally, RMC 23.62.070 mandates the following, additional, and specific review criteria for monopoles such as that proposed in this matter:

RMC 23.62.070 Special use permit criteria for monopoles and lattice towers.

Requests for special use permits shall be considered in accordance with the provisions of Chapter 23.46 RMC. In addition to the provisions of Chapter 23.46 RMC, the following specific criteria shall be met before a special use permit can be granted:

A. Visual Impact.

1. Antennas may not extend more than 15 feet above their supporting structure, monopole, lattice tower, building or other structure.
2. Site location and development shall preserve the pre-existing character of the surrounding buildings and land uses and zone district to the extent consistent with the function of the communications equipment. Wireless communications towers shall be integrated through location and design to blend in with the existing characteristics of the site to the extent practical. Existing on-site vegetation shall be preserved or improved, and disturbance of the existing topography shall be minimized, unless such disturbance would result in less visual impact of the site to the surrounding area.
3. Accessory equipment facilities used to house or contain wireless communications equipment should be located within buildings when possible. When they cannot be located in buildings, equipment shelters or cabinets shall be screened and landscaped.
4. All monopoles and lattice type facilities shall be screened with trees, shrubs and landscaping planted in sufficient depth to form an effective and actual sight barrier within five years. Said landscaping shall have a minimum mature height of eight feet.

B. Noise. No equipment shall be operated so as to produce noise in levels above 45 dBA as measured from the nearest property line on which the attached wireless communications facility is located.

C. Availability of Suitable Existing Towers or Other Structures. Applications for a special use permit shall reasonably demonstrate that alternatives such as lower structures that are permitted without special use permit or other existing support structures are not capable of accommodating the applicant's needs. Evidence and information shall be submitted to establish the following:

1. Permitted shorter support structures are not of sufficient height to meet the applicant's engineering requirements.
2. No existing support structures are located within the geographic area required to meet the applicant's engineering requirements.

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1 3. Existing support structures do not have sufficient structural strength to support the
2 proposed antenna and related equipment.

3 4. The applicant's antenna would cause electromagnetic interference with antennas on
4 the existing support structures, or the antenna on the existing support structures would
5 cause interference with the applicant's proposed antenna.

6 5. The fees, costs, or contractual provisions required in order to share or adapt an
7 existing support structure for sharing are unreasonable. Costs exceeding new tower
8 development are presumed to be unreasonable.

9 6. The applicant demonstrates that there are other limiting factors that render existing
10 towers and structures unsuitable.

11 **III. QUESTION PRESENTED.**

12 Whether the application for a Special Use Permit satisfies the approval criteria set
13 forth in applicable city codes and regulations, particularly RMC 23.46.040(C) and the
14 specific requirements for wireless communications facilities found in Chapter 23.62 RMC?

15 Short Answer: Yes, subject to specific conditions of approval.

16 **IV. RECORD AND EXHIBITS.**

17 Exhibits entered into evidence as part of the record, and an audio recording of the
18 public hearing, are maintained by the City of Richland, and may be examined or reviewed
19 by contacting the City Clerk's Office.

20 **Hearing Testimony:** The following individuals presented testimony under oath at
21 the duly noticed public hearing for the underlying application, held on March 12, 2018:

22 1. Shane O'Neill, Interim Development Service Manager for the City of
23 Richland. Mr. O'Neill summarized the Staff Report, suggested conditions,
24 and his recommendation of approval. He answered questions posed by the
25 Examiner, and provided responses to questions and comments made by
26 those who testified or submitted written comments as part of the record.

2. Mark Fickes, applicant's attorney, provided details regarding the application,

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1 his summary of applicable federal telecommunications statutes and
2 regulations that apply to this sort of project; issues that might be preempted
3 by such laws; the types of comments that do not provide a basis to deny or
4 condition the application; how co-location is not possible given that the
5 existing tower in the vicinity is full, and another is too far removed to
6 service the same area intended to be covered by the proposed new tower;
7 how the new tower has been designed to mitigate aesthetic concerns; and
8 responses to questions and comments made by those who testified during the
9 public hearing. Mr. Fickes requested and was granted the opportunity to
10 submit post-hearing materials, detailing supplemental legal authorities
11 relevant to this application, and responding to any materials that Mr.
12 Vosburgh was given time to submit after the public hearing. Copies of Mr.
13 Vosburgh's materials are included as part of Exhibit 5, with other written
14 public comments, and Mr. Fickes' package of post-hearing materials are
15 included in the Record as Exhibit No. 9.

- 16
- 17 3. Dan McKinney, for the applicant, US Cellular, testified regarding the merits
18 of the application, focusing on gaps in coverage, and bad service coverage,
19 that can be corrected with the new proposed tower; confirming that the
20 existing tower owned by SBA is full with no opportunities for co-location,
21 and that the proposed new tower will be designed to allow for co-location of
22 devices owned by other providers, thus reducing demand for more towers as
23 service needs continue to grow; and he provided information and answers
24 responding to public comments made at the hearing.
- 25 4. Teresa Long, local resident, opposes the application, explained that she
26 spoke on behalf of many of her neighbors in the area, provided a short slide
presentation to explain her concerns, generally focused on aesthetics, views
from surrounding homes, effects on property values, and concerns about
impacts on towers caused by high winds experienced in the area, noting that
the existing SBA tower has had panels torn off in high wind events. Ms.
Long spoke a second time, after others concluded their remarks, and
emphasized the need to fully consider co-location options, and other
locations for the facility.
5. Lee Terrass, local resident, noted that she plans to sell her father's house
which is located near the proposed tower, if it is constructed, because she is
concerned that it could negatively impact property values in the area; offered
her opinion that this is not the right place for the proposed facility, and that
the wall surrounding equipment will be the source of ricocheting golf balls.

24 **FINDINGS OF FACT, CONCLUSIONS AND**
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6. Robert Vosburgh, local resident, expressed his general concerns that this project does not meet applicable regulatory requirements, and was provided an opportunity to submit materials supporting his comments after the hearing, which have been included as part of the other written public comments in Exhibit 5. The applicant was given the opportunity to respond in writing to Mr. Vosburgh's materials, and that information is included as part of Exhibit 9, the applicant's post-hearing response materials;
7. Dan Haas, local resident, alleged that this matter is a "takings issue," and that the project provides no public benefit; he expressed general concerns with the cumulative effects associated with the project, arguing that the existing [SBA] tower should be expanded instead of permitting the new tower to be built.
8. John Peterson, local resident, explained that he lives near the existing "flag-pole" cell tower, that high winds tend to make the existing tower generate clangs and other noises, and alleged that the golf-course operators are bad landlords, because they have not promptly required the existing tower owner [SBA] to make needed repairs when their facility is damaged by winds and the like.
9. Chris Coluzzi, local resident, generally questioned cell coverage issues raised by the applicant, suggested that other alternative locations should be used, and that the design of any monopole should include appropriate consideration of wind-loads that will be presented at this location.
10. Tom Ambalam, local resident, explained that he can see the site from his home, that he agrees with comments made by his neighbors, that the applicant did not adequately consider co-location or re location, and that the problems are caused by poor planning, because gaps in coverage should not have been left after previous poles and facilities were developed in the area.

After the Public Comment portion of the hearing closed, Mr. Fickes coordinated the applicant's response. He explained that the application is not a popularity contest, and that petitions are not a basis to deny the permit; that the application fully complies with applicable city codes; that property values are not a factor to be considered in reviewing the application; that co-location is not possible in this instance, and that the applicant has no burden to find other private properties where the facility can be located, as this proposal is

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on a site that meets city code requirements for approval.

The applicant's permit consultant, Mr. McKinney, addressed some comments about panels on the existing SBA tower, noting that the US Cellular tower would not include any panels like those that have blown off the other tower; that the block-walls proposed to surround the ground equipment are entirely consistent with the type of materials already used by the landlord/golf course on other their other buildings, and that landscaping will reach up to 8 feet in a few years, mitigating potential aesthetic impacts expressed in some comments. Mr. McKinney directed attention to Exhibit 1(G), the applicant's MPE Compliance certification, confirming that the proposal meets applicable FCC guidelines; and Exhibit 1(D), where the applicant's RF Engineer confirms and explains that other nearby facilities have already been modified, are full, and/or even if they were extended, they would not help fill the gaps addressed by the proposed new tower. Mr. McKinney explained that a landlord/private property owner has discretion to decide which portions of their land will be available for the project, and that he spoke with the golf club agent and engineers, to explore some alternate sites on the golf course property, but even if the tower and support facilities were moved to another part of the golf course, he argued that it would simply shift allegations of potential impacts raised by people in comments for this application to different people.

Mr. O'Neill explained that the Staff Report should be modified to conform with applicable code language on some topics, and as copy of the amended Report is included as part of the record, noting that modifications were as explained by Mr. O'Neill at the public hearing.

On request of the applicant, the Examiner held the Record open until late March, to allow Mr. Fickes to submit supplemental legal authorities addressing issues raised in the hearing process for the proposed wireless communications facility. Those materials were transmitted to the attention of the Examiner and are included as part of the Record, as Exhibit 9.

Exhibits: The Development Services Division Staff Report, including a recommendation of approval, was provided to the Examiner in the week before the hearing. The Staff Report, as amended at the public hearing, and the following Exhibits, were all accepted into the Record in their entirety without modification:

1. Application materials with attachments:
 - A. Special Use Permit Application;
 - B. Cover letter;

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1 C. Project Narrative, RF Justification, and explanation of compliance with
2 applicable provisions of the RMC;
3 D. Statement of Need;
4 E. Preliminary Construction, Design and Site Layout Plans;
5 F. Photo Simulations;
6 G. MPE Compliance checklist;
7 H. FAA and FCC Regulatory Compliance Opinion Letter;

- 5 2. Public Notices, and materials confirming same;
6 3. SEPA Checklist;
7 4. SEPA Determination of Non-Significance;
8 5. Public Comments;
9 6. Applicant's vicinity coverage maps, before and after proposed tower;
10 7. Photo Locations, before and after, showing how tower will not be visible from
11 various locations due to topography and tree coverage (may be duplicate of 1F);
12 8. PowerPoint slides presented by Ms. Long, during her hearing testimony,
13 petitions, other written materials from Ms. Long not already part of Ex. 5;
14 9. Letter and Legal Memorandum provided by applicant's attorney, Mr. Fickes,
15 dated March 22, 2018, providing supplemental legal authority as permitted at
16 the public hearing – also includes *RADIO FREQUENCY EXPOSURE POST-*
17 *INSTALLATION FCC COMPLIANCE ASSESSMENT*, dated March 16, 2018, responding
18 to post-hearing materials provided by Mr. Vosburgh, which concludes that
worst-case RF power density levels are BELOW the MPE for General
Population/Uncontrolled Environments in accessible areas, and confirms that all
FCC safety regulations regarding RF signals are satisfied by US Cellular at the
proposed site, even when the nearby SBA tower is considered. The Assessment
Report confirms the conclusion in the application materials at Exhibit 1(G), that,
after construction, the US Cellular site will be well below the FCC Maximum
Permissible Emissions. Contrary to Mr. Vosburgh's comments, the Assessment
Report demonstrates that the power and output from the proposed US Cellular
facility will be far below applicable FCC limits.

19 The Examiner visited the road network and vicinity of the proposed Special Use
20 Permit after the public hearing, and is fully advised on matters at issue herein, including
21 without limitation applicable law, application materials, and relevant codes.

22 V. FINDINGS OF FACT.

23 Based upon the record, the undersigned Examiner issues the following Findings of
24 Fact.

25 FINDINGS OF FACT, CONCLUSIONS AND
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1 ***Jurisdiction***

2 1. As required by RMC 23.46.040(B), the Examiner expressly finds that he is
3 empowered by RMC 23.46.025(A)(6), RMC 23.46.060 and RMC 19.20.030 to consider US
4 Cellular's application for a special use permit to construct an 80-foot tall wireless
5 communications facility (monopole tower) on a portion of private property located in the
PPF (Parks and Public Facilities) zoning district.

6 ***Application, Public Notice, and Review***

7 2. On or about January 3, 2018, US Cellular submitted its application for a Special Use
8 Permit ("SUP") needed to locate a proposed 80-foot monopole tower on a portion of a PPF
9 Zoned property located in the City of Richland. *Staff Report, page 1; Exhibit 1A.* Staff
10 determined the application materials to be complete on or about January 10th, when Staff
issued, posted, and mailed a Notice of Application, Public Hearing and Environmental
Determination. *Staff Report; Exhibit 2.*

11 3. Mr. O'Neill serves as the City's designated SEPA Responsible Official. As part of
12 the SUP review, the applicant filed a completed SEPA Checklist disclosing various project
13 features that could impact aspects of the surrounding environment. *Exhibit 3.* Mr. O'Neill
14 reviewed the completed checklist and issued a Determination of Non-Significance for the
underlying SUP application. *Exhibit 4, DNS.* No one appealed the DNS issued for the
pending proposal.

15 ***Proposal description.***

16 4. The Special Use Permit addressed in this decision would authorize the applicant, US
17 Cellular, to locate and construct an 80-foot tall monopole tower featuring "faux pine
18 branches," intended to camouflage/mitigate the appearance of the structure. The
19 application materials refer to the tower as a "monopine" structure. The proposed tower has
20 been designed to accommodate additional wireless users in the future, encouraging
collocation opportunities and reducing demand for additional towers in this part of
Richland. *Ex. 1C; Staff Report.*

21 5. Along with the monopine tower, the project includes ground equipment supporting
22 the new communications facility, which will be screened by an 8-foot tall CMU block wall
with perimeter landscape plantings.

23 6. The tower will be located on a portion of the Meadow Springs Country Club golf

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course, in the southwest corner of the intersection of Bellerive Drive and Country Club Road.

7. The application materials and testimony of applicant's witnesses credibly explained how the new monopine tower site is necessary to enable US Cellular to provide quality and consistent LTE coverage in the City of Richland, particularly the targeted coverage area located between Clearwater Avenue, Keene Road and Gage Boulevard. *Ex. 1D; Testimony of Mr. McKinney*. The applicant explained that current coverage in the area is poor, due to topography and the lack of any other site in the immediate vicinity that could provide adequate signal penetration. *Id.* The new site is designed to provide customer coverage to residential users who currently have poor or no service, especially indoors, in the targeted coverage area. *Id. at page 2.*

8. No one opposing the application presented credible rebuttal evidence that shows how the proposed project fails to meet any of the applicable approval criteria. Without limitation, no one presented sufficient evidence or controlling legal authority to show that co-location opportunities are available at the existing SBA tower or nearby or that RF levels will exceed FCC safety guidelines. Instead, opposition focused on speculation about property values, personal opinions that the project is incompatible with the surrounding neighborhood, and/or will be an ugly structure within view of surrounding homes, and speculative remarks about the potential adverse health impacts associated with cell towers like that proposed in this matter.

Application satisfies approval criteria

9. Despite opposition from neighboring home owners, which centered primarily on speculation about potential impacts brought on by the proposed new facility – most of which are not within the jurisdiction of the Examiner to consider in reviewing this application – the record includes substantial, un rebutted evidence that includes design plans, certifications from industry consultants and engineers, testimony by the applicants' attorney and permit consultant, a site and design analysis summarized in the application materials and the Staff Report, a comprehensive *RADIO FREQUENCY EXPOSURE POST-INSTALLATION FCC COMPLIANCE ASSESSMENT*, dated March 16, 2018 (responding to post-hearing materials provided by Mr. Vosburgh, which concludes that worst-case RF power density levels are BELOW the MPE for General Population/Uncontrolled Environments in accessible areas, and confirms that all FCC safety regulations regarding RF signals are satisfied by US Cellular at the proposed site, even when the nearby SBA tower is considered), and other materials, which establish that the proposed wireless communications monopole satisfies all applicable approval criteria contained in city codes.

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1 *(See un rebutted Proposal Narrative and Justification summary, Ex. 1C, explaining how site*
2 *selection is appropriate; that colocation on existing site is not available [on SBA tower];*
3 *statement explaining need for tower height; and that the new tower will be designed to*
allow for future collocation of other users, signed by Aditya Khanolkar, RF Engineer for
US Cellular; and Ex. 9, part of which includes the recent RF Compliance Assessment).

4 10. In this matter, substantial evidence in the record demonstrates how the application
5 meets the City's zoning and specific development regulations applicable to wireless
6 communications facilities.

7 11. While comments by local residents were well-organized, thoughtful, and sincere,
8 they failed to present evidence or legal authority that would serve as a basis to deny the
9 requested permit. In fact, the Examiner and all other local government authorities are
10 expressly prohibited to regulate the placement, construction, and modification of wireless
11 communications facilities on the basis of alleged environmental/safety/health effects of
12 radio frequency emissions to the extent such facilities comply with applicable FCC
13 regulations. 47 U.S.C. Sec. 331(c)(7)(B)(iv). And, the city's code does not include
14 potential impacts on property values as a basis to deny the requested permit. Conditions of
15 approval have been included to appropriately address aesthetic, safety and design
16 considerations.

17 12. The Examiner finds and concludes that the applicant's post-hearing memorandum
18 summarizing relevant testimony and controlling legal authority is persuasive and fully
19 supported by substantial evidence in the record. Any statements of fact or conclusions in
20 the applicant's post-hearing memo, included in the record as part of Exhibit 9, including
21 without limitation those that are based on controlling statutes and caselaw, are adopted as
22 findings of fact supporting this Decision.

23 13. Any factual matters set forth in the foregoing or following sections of this Decision
24 are hereby adopted by the Hearing Examiner as findings of fact, and incorporated into this
25 section as such.

26 14. Based on the record, the applicant demonstrated its special use permit application
merits approval, meeting its burden of proof imposed by RMC 19.60.060.

15. Approval of this special use permit will not and does not constitute, nor does it
imply any expectation of, approval of any administrative permit or subsequent reviews that
may be required for construction or other activities on the site of the special use permit.

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VI. CONCLUSIONS OF LAW and DISCUSSION.

1. Based on substantial evidence in the Record, and all findings set forth above, the Examiner concludes that the applicant has met its burden to demonstrate that the pending application for a special use permit, as conditioned, meets all applicable review and approval criteria, including without limitation those found in RMC Chapter 23.62 and 23.46.040.

2. No one appealed the SEPA DNS issued for this project, so there is no basis to exercise substantive SEPA authority to order mitigation measures beyond those already identified in the Staff Report and application materials.

3. It is clear from the testimony at the open record hearing that the overwhelming majority of residents that took part in the hearing oppose the project. But "[c]ommunity displeasure cannot be the basis of a permit denial." *Maranatha Mining v. Pierce County*, 59 Wn. App. 795, 804 (1990). Instead, a hearing examiner's land use decisions must be based on substantial evidence in the record. *See, e.g., Christianson v. Snohomish Health District*, 133 Wn.2d 647,653 (1997). Here, the record establishes that the Applicant provided sufficient evidence establishing compliance with all local approval criteria, including the following items: (1) the need for an 80-foot monopole in this location to address a significant service deficiency in a large part of the city; (2) that co-location opportunities are not available and expansion of existing facilities cannot solve the problem due to unique topographic characteristics in the area; (3) that the requested facility has been designed to look like a pine tree, so as to significantly mitigate the sterile, stark appearance commonly seen with many other communication towers, presenting the least intrusive appearance on the residential setting of the community; and (4) that the proposal will not cause interference with other wireless communication facilities in the area and is in compliance with applicable FCC regulations regarding RF emissions.

4. No one offered expert or qualified consultant reports or testimony that would serve to rebut or question the credibility or reliability of information and evidence provided in the application materials. And, as noted in the applicant's post-hearing memo, most of the opposition testimony focused on issues that are not within the Examiner's authority to consider or address. For instance, speculative comments about potential losses in property values do not serve as a basis to condition or deny a project that is shown to comply with all applicable zoning and development regulations. And, federal law prohibits consideration of alleged health impacts of facilities shown to comply with applicable FCC regulations.

5. As conditioned, the proposed "monopine" tower facility merits approval.

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6. Any findings or other portions of this Decision that are deemed conclusions of law are hereby adopted as such and included in this section.

VII. CONDITIONS OF APPROVAL.

Based on the record and authority specifically granted under applicable city codes, including without limitation RMC 23.46.040(D), the Examiner hereby imposes the following conditions on the approval for the pending special use permit in addition to or above and beyond those required elsewhere in the city's municipal code, specifically finding that such conditions are necessary to ensure the proposed use is compatible with the public interest:

1. Construction pursuant to the special use permit shall be completed within 2 years of the date of issuance of the special use permit notice of decision;
2. The project shall be developed in substantial conformance with the site development plans on-file, particularly those submitted with the special use permit application included in the Record as Exhibit 1E. The cellular support structure shall be no closer than 165-feet from the boundaries of Benton County tax parcels 1-36981030019001 & 1-36981020010001;
3. The proposed support structure housing ground equipment, if painted, shall be a brown or green color of hues and tones resembling a naturally occurring pine tree. If the structure will not be painted, the galvanized steel silver color is permitted;
4. Consistent with applicable city codes, the future addition of antennas is permitted as shown on the development plans;
5. Signage shall be limited to safety signs or those mandated by other government entities. No other signs are permitted on the telecommunications facility;
6. The five-foot landscaping buffer surrounding the block equipment enclosure as shown on sheet Z-2 of Exhibit 1E, shall be maintained in a live and healthy condition;
7. No advertising is permitted at the telecommunications facility;
8. Future alterations to the wireless facility shall be reviewed by the Planning Department for general consistency with the special use permit;
9. As provided in RMC 23.62.070B, no equipment shall be operated so as to produce

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noise in levels above 45 dBA as measured from the nearest property line on which the wireless communications facility is located. If this should occur, due to operations of any onsite generator or other equipment, the Development Services Manager shall have authority to impose sound mitigation requirements that will ensure compliance with city noise standards;

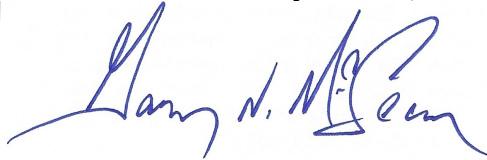
10. The applicant shall provide the City of Richland Planning Department with 24-hour contact information for maintenance related matters to be kept in the master file and provided to the public upon request. Said maintenance contact information shall be dually posted on the exterior of the ground-level equipment enclosure or gate; and

11. Consistent with RMC 23.62.100, the wireless communications facility authorized by this permit, including all supporting structures and equipment, shall be removed by the facility owner within six months of the date it ceases to be operational or if the facility falls into disrepair.

VIII. DECISION.

Based upon the preceding Findings, Conclusions and Conditions of Approval, the US Cellular Special Use Permit application to locate and construct a new 80-foot tall monopole ("monopine") tower with associated ground equipment and support structure, is hereby APPROVED, as conditioned herein. Consistent with RMC 23.46.060, this Decision authorizes the City's administrative official to issue a special use permit, subject to the applicant's compliance with the above-referenced Conditions of Approval.

ISSUED this 6th Day of June, 2018



Gary N. McLean
Hearing Examiner

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Opportunity to Appeal

As provided in RMC 23.46.070, this Decision shall be final unless written notice of appeal to the city council, together with such fees as are required by RMC 19.80.020 is filed with the city clerk within 10 days from the date of this Decision. Such appeal shall be consistent with the requirements set forth in Chapter 19.70 RMC for appeal of decisions on Type II permit applications. The city council shall review the official record of the special use permit application, including the notice of appeal, and shall consider testimony pertinent to the official record. If new evidence is received that is not part of the official record, the city council shall not use the new evidence as a basis of reversing a decision, but instead shall remand the application to the hearing body for reconsideration. The city council may, so long as such action is in conformity with the terms of this code, reverse or affirm, wholly or in part, or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision or determination as the city council deems appropriate.

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AMENDED STAFF REPORT

TO: HEARING EXAMINER
FILE NO.: SUP2018-100

PREPARED BY: SHANE O'NEILL
MEETING DATE: MARCH 12, 2018

GENERAL INFORMATION:

APPLICANT: USCOC OF RICHLAND "US CELLULAR" c/o WIRELESS SITE TECHNOLOGY LLC

REQUEST: AUTHORIZATION TO CONSTRUCT AN 80-FOOT TALL MONOPOLE WITH ASSOCIATED GROUND EQUIPMENT AND ENCLOSURE.

LOCATION: 700 COUNTRY CLUB ROAD

REASON FOR REQUEST

On January 3, 2018, USCOC of Richland, "US Cellular", hereafter referred to as the "Applicant" filed a Special Use Permit application (Planning Master File #SUP2018-100) requesting approval to locate a wireless communications facility in the Parks and Public Facilities zoning district. The Applicant is requesting to construct an 80-foot tall wireless communications facility (monopole) designed to resemble a pine tree for the purpose of camouflaging, with associated ground supporting equipment screened from view by an 8-foot tall block wall further treated with perimeter landscape plantings on the easterly portion of a site containing the driving range belonging to the Meadow Springs Country Club golf course. The exact location identified to contain the tower occupies the southwest corner of the intersection of Bellerive Drive and Country Club Road.

Pursuant to RMC 23.62.060(B) monopoles between 80 feet and 150 feet in height may be permitted in the PPF zone subject to issuance of a special use permit meeting the criteria of RMC 23.62.070. The applicant is requesting an 80-foot monopole that reaches a height of 85 feet including the accessory appurtenances that will be used to disguise the facility as a pine tree (e.g. faux tree branches). The application submittals (exhibit x) include a proposal narrative together with coverage map and renditions of the monopole and ground-level equipment enclosure.

The application states that the facility is required in order to provide quality and consistent LTE (4G Long-Term Evolution) coverage in the City of Richland in the area between Clearwater Ave., Keene Road and Gage Blvd. as illustrated in the cellular provider existing coverage map (Exhibit 1D).

SITE DESCRIPTION

LAND AREA: A 14.5-acre irregularly shaped parcel

ZONING: PPF, Parks & Public Facilities

CURRENT USE: Private golf course driving range

EXISTING

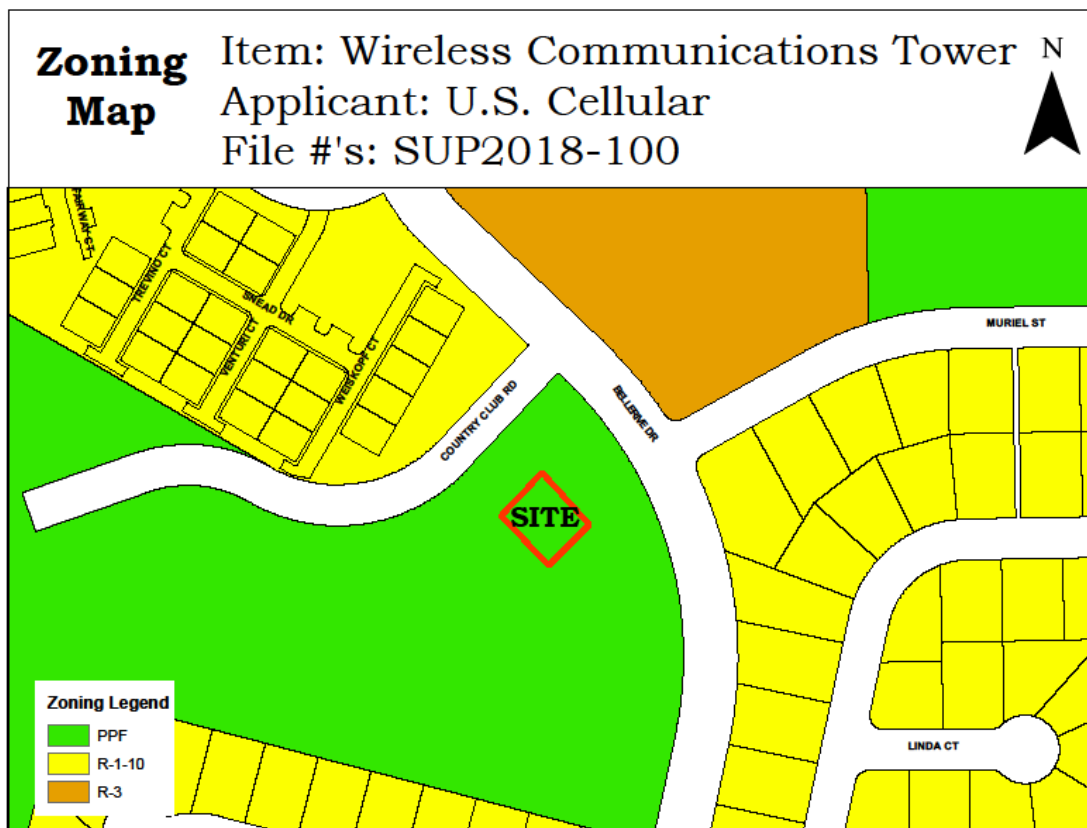
IMPROVEMENTS: One 14,584 square foot country club facility, asphalt parking areas, landscaped open space designed for playing golf, tennis courts, one eighty-foot tall cellular

monopole and a 2,000 square foot storage garage also housing cell tower mechanical equipment

ACCESS: The site is partially bound to the north by Country Club Road and fully bound to the east by Bellerive Drive, both public rights-of-way. Patrons of the country club access the site from Country Club Road by way of Bellerive Drive.

SURROUNDING ZONING

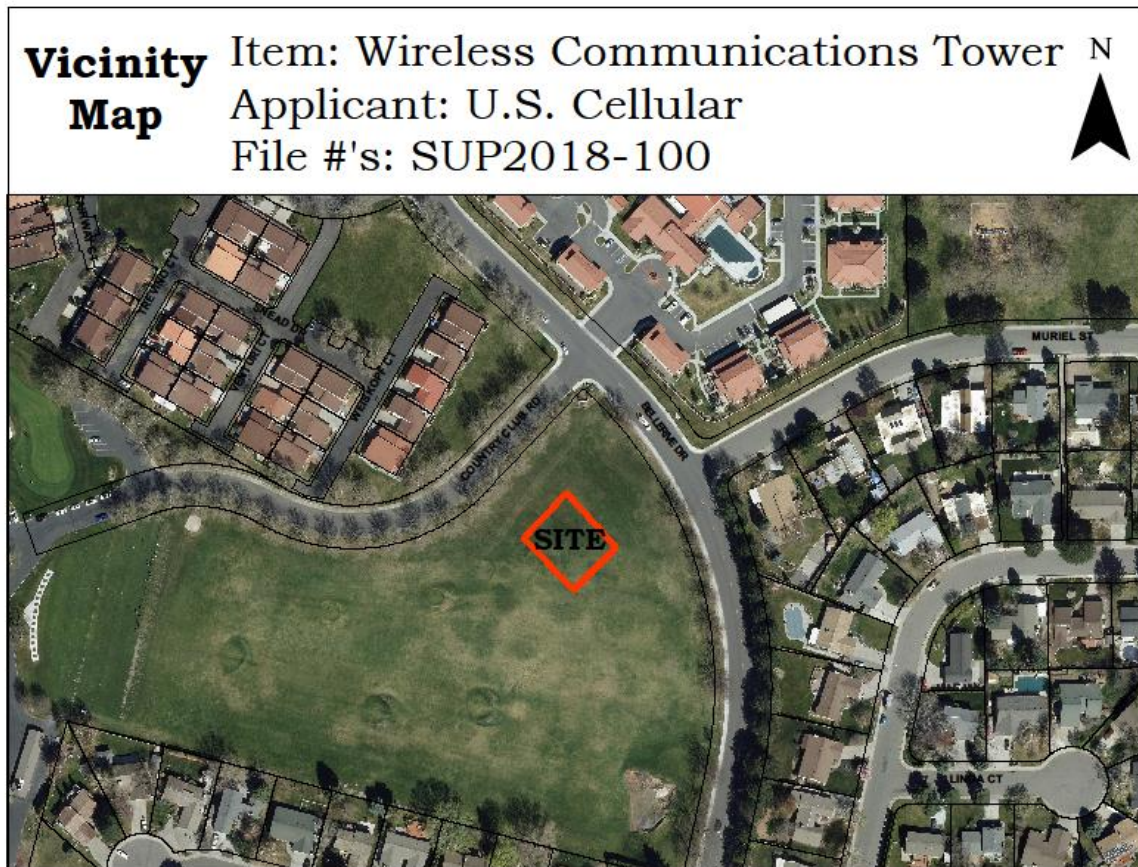
NORTH: R-3 (Multiple Family Residential)
EAST: R-1-10 (Single Family Residential)
SOUTH: R-1-10 (Single Family Residential)
WEST: PPF (Parks & Public Facilities)



SURROUNDING LAND USES

The following surrounding land uses are described relative to the exact location proposed to contain the cellular tower on the larger 14.5-acre site.

NORTH: Multi-family residential apartments
EAST: Single-family homes
SOUTH: Single-family homes
WEST: Attached townhomes



ANALYSIS

Chapter 23.62 of Richland's municipal code imposes special use permit approval prior to locating wireless communication monopoles in the Parks and Public Facilities zone. Specifically, Section 23.62.060(B) reads:

Permitted zones for monopoles and lattice towers.

B. Monopoles between 80 feet and 150 feet in height are considered a permitted use in the business research park (B-RP), medium industrial (I-M), and heavy manufacturing (M-2) zoning districts. Monopoles between 80 feet and 150 feet in height may be permitted in the parks and public facilities (PPF), general business (C-3) and business commerce (B-C) zoning districts subject to issuance of a special use permit as set forth in RMC 23.62.070

Further, Richland Municipal Code section 23.62.050 provides development standards for monopoles applicable in cases where either the wireless facility is permitted outright or when a special use permit is required. Those development standards are as follows:

23.62.050 Development standards for monopoles and lattice towers

A. All monopoles and lattice towers exceeding 60 feet in height shall be designed to accommodate two or more wireless communications facilities.

B. Macrofacilities are the largest wireless communications facilities allowed on a monopole or lattice tower. Antennas not exceeding 15 feet in height which extend above the wireless communications support structure shall not be calculated as part of the height of the wireless communications support structure.

C. On monopoles, antennas and antenna arrays together with any associated antenna mount shall be designed utilizing the narrowest dimensions possible, and in no instance shall they extend further, as measured horizontally, from the centerline of the monopole than a distance of 15 feet.

D. On lattice towers, antennas and antenna arrays together with any associated mounts shall extend no further, as measured horizontally, than 15 feet from the portion of the lattice tower to which the antennas are mounted.

E. Co-location on an existing support structure shall be permitted.

F. The shelter or cabinet, if necessary, used to house radio electronics equipment and the associated cabling connecting the equipment or cabinet to the monopole or lattice tower shall be concealed, camouflaged or underground.

G. When a monopole or lattice tower is adjacent to a suburban agricultural (SAG), single-family residential – 12,000 (R-1-12), single-family residential – 10,000 (R-1-10), medium-density residential (R-2), medium-density residential small lot (R-2S) or multiple-family residential (R-3) zoning district, the wireless communications support structure must be set back a distance equal to twice the height of the wireless communications support structure from the nearest residential lot line.

H. All monopoles and lattice towers shall be lighted and painted, if necessary, in accordance with Federal Aviation Administration regulations.

Special use permit review criteria specific to monopoles as set forth in RMC 23.62.070 are as follows:

23.62.070 Special use permit criteria for monopoles and lattice towers

Requests for special use permits shall be considered in accordance with the provisions of Chapter 23.46 RMC. In addition to the provisions of Chapter 23.46 RMC, the following specific criteria shall be met before a special use permit can be granted:

A. Visual Impact.

1. Antennas may not extend more than 15 feet above their supporting structure, monopole, lattice tower, building or other structure.

2. Site location and development shall preserve the pre-existing character of the surrounding buildings and land uses and zone district to the extent

consistent with the function of the communications equipment. Wireless communications towers shall be integrated through location and design to blend in with the existing characteristics of the site to the extent practical. Existing on-site vegetation shall be preserved or improved, and disturbance of the existing topography shall be minimized, unless such disturbance would result in less visual impact of the site to the surrounding area.

3. Accessory equipment facilities used to house or contain wireless communications equipment should be located within buildings when possible. When they cannot be located in buildings, equipment shelters or cabinets shall be screened and landscaped.

4. All monopoles and lattice type facilities shall be screened with trees, shrubs and landscaping planted in sufficient depth to form an effective and actual sight barrier within five years. Said landscaping shall have a minimum mature height of eight feet.

B. Noise. No equipment shall be operated so as to produce noise in levels above 45 dBa as measured from the nearest property line on which the attached wireless communications facility is located.

C. Availability of Suitable Existing Towers or Other Structures. Applications for a special use permit shall reasonably demonstrate that alternatives such as lower structures that are permitted without special use permit or other existing support structures are not capable of accommodating the applicant's needs. Evidence and information shall be submitted to establish the following:

1. Permitted shorter support structures are not of sufficient height to meet the applicant's engineering requirements.

2. No existing support structures are located within the geographic area required to meet the applicant's engineering requirements.

3. Existing support structures do not have sufficient structural strength to support the proposed antenna and related equipment.

4. The applicant's antenna would cause electromagnetic interference with antennas on the existing support structures, or the antenna on the existing support structures would cause interference with the applicant's proposed antenna.

5. The fees, costs, or contractual provisions required in order to share or adapt an existing support structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.

6. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.

Additionally, RMC 23.46.040 sets forth the necessary finding in approving special use permits generally. Criteria for those findings are as follows:

C. The hearing body shall approve, approve with conditions or deny an application for a special use permit based on findings of fact with respect to the following criteria:

- 1. The size and dimensions of the site provide adequate area for the proposed use;*
- 2. The physical conditions of the site, including size, shape, topography, and drainage, are suitable for the proposed development;*
- 3. All required public facilities necessary to serve the project have adequate capacity to serve the proposed project;*
- 4. The applicable requirements of this zoning regulation (RMC Title [23](#)), the city comprehensive plan, the city sensitive area regulations (RMC Title [20](#)), the city shoreline management regulations (RMC Title [26](#)) and the city sign regulations (RMC Title [27](#)) have been met; and*
- 5. Identified impacts on adjacent properties, surrounding uses and public facilities have been adequately mitigated.*

D. The hearing body may impose conditions on the approval of a special use permit in addition to or above and beyond those required elsewhere in this title, which are found necessary to ensure the use is compatible with the public interest. These conditions may include, but are not limited to, the following:

- 1. Limiting the hours, days, place and/or manner of operation;*
- 2. Requiring design features which minimize environmental impacts such as noise, vibration, air pollution, glare, odor and/or dust;*
- 3. Requiring additional setback areas, lot area and/or lot depth or width;*
- 4. Limiting the building height, size or lot coverage, and/or location on the site;*
- 5. Designating the size, number, location and/or design or vehicle access points;*
- 6. Requiring street right-of-way dedication and/or street improvement;*
- 7. Requiring additional landscaping, berms and/or screening of the proposed use and/or its parking or loading areas and designating the required size, height, type and/or location of fencing and landscaping materials;*
- 8. Limiting the number, size, location, height and/or lighting of signs.*

The applicant has provided written responses to applicable land use/zoning codes included as Exhibit 1C. Staff has reviewed the applicant's responses and finds them to be reasonably adequate and reflected in the development proposal material submitted with the application.

FINDINGS AND CONCLUSIONS

Staff has completed their review of the application for special use permit approval (SUP2018-100) and subject to the recommended conditions of approval submits that:

1. The Comprehensive Plan designates the subject site as Developed Open Space.
2. The site is zone Parks & Public Facilities (PPF).
3. The site is approximately 14.5-acres in size.
4. The site currently contains a golf course country club also offering other recreational amenities.
5. Pursuant to RMC Section 23.62.060(B) Monopoles between 80 and 150 feet in height may be permitted in the PPF zoning district subject to the issuance of a special use permit.
6. The Hearing Examiner is empowered to consider the request for special use permit pursuant to RMC Section 23.46.025(A)(6).
7. RMC Chapter 23.46 sets forth the procedural and legal provisions for review of requests for special use permits.
8. In granting special use permits for cellular monopoles the review criteria found in RMC Chapters 23.46 and RMC Section 23.62 must be met and reflected in the development proposal. Staff finds the proposed cellular facility as detailed in Exhibits 1A-H to comply with all applicable criteria.
9. The proposed monopole support structure is designed to support two or more additional antennas for other wireless providers.
10. In keeping with RMC 23.62.050(G), the cellular facility support structure is located twice the height of the monopole from surrounding and adjacent residential properties.
11. The supporting equipment placed at ground-level will be enclosed by a 35'x35' block wall to be further screened from public view by a live vegetative barrier, see Exhibit 1E.
12. Physical camouflaging will be implemented in order to preserve the pre-existing character of the surrounding buildings and land uses. The monopole will be designed to appear as a pine tree.
13. The application purports that the existing cellular facility on-site is at full capacity; not allowing for further co-location of US Cellular antennae.

14. The application materials propose a development design and layout addressing the potential impacts of the cellular facility and therefore meet the intent of additional conditions available through RMC 23.46(D).
15. Submittals included in the application substantially address the lack of alternative solutions for providing cellular coverage to the targeted geographic service area.
16. As required by State law and City Code, the applicant has submitted a State Environmental Policy Act (SEPA) environmental checklist (Exhibit 3).
17. The City reviewed the submitted checklist and considered the proposal in light of the submitted information and determined that approval of the request to construct the monopole would not have significant adverse environmental impacts. A Determination of Non-Significance (DNS) was issued on February 2, 2018 (Exhibit 4).
18. The application submittal includes a letter from the Federal Aviation Administration which approved the proposed tower without any required marking or lighting such as a beacon or strobe light (Exhibit 1H).
19. Based on the above findings and conclusions, approval of the request for a special use permit would be in the best interest of the community of Richland.

RECOMMENDATION

Staff recommends that the Planning Commission concur with the findings and conclusions set forth in Staff Report (SUP2018-100) and approve the request for special use permit to allow for construction of an 80-foot tall monopole wireless communications support structure in a PPF zoning district subject to the following conditions:

1. Construction pursuant to the special use permit shall be completed within 2 years of the date of issuance of the special use permit notice of decision, and
2. Construction shall be as shown on the development plans submitted with the special use permit application included in this staff report as exhibit 1E. The cellular support structure shall be no closer than 165-feet from the parcel boundaries of Benton County tax parcel #'s: 1-36981030019001 & 1-36981020010001; and
3. The proposed support structure, if painted, shall be a brown or green color of hues and tones resembling a naturally occurring pine tree. If the structure will not be painted and the galvanized steel silver color is permitted; and
4. The future addition of antennas is permitted as shown on the development plans; and

5. Signage shall be limited to safety signs or those mandated by other government entities. No other signs are permitted on the telecommunications facility; and
6. The five-foot landscaping buffer surrounding the block equipment enclosure as shown on sheet Z-2 of Exhibit 1E, shall be maintained in a live and healthy condition; and
7. No advertising is permitted at the telecommunications facility; and
8. Future alterations to the wireless facility shall be reviewed by the Planning Department for general consistency with the special use permit; and
9. The development must provide for sound mitigation of the generator(s) and other noise generating devices if during the operation of the tower, noise levels above forty-five (45) dBa as measured from the nearest property line are identified as being created by the facilities operation; and
10. The applicant shall provide the City of Richland Planning Department with 24-hour contact information for maintenance related matters to be kept in the master file and provided to the public upon request. Said maintenance contact information shall be dually posted on the exterior of the ground-level equipment enclosure or gate; and
11. The wireless communications facility shall be removed by the facility owner within six (6) months of the date it ceased to be operational or if the facility falls into disrepair.

EXHIBITS

1. Application with Sub-Attachments
 - A. Special Use Permit Application
 - B. Cover Letter
 - C. Narrative, RF Justification and responses to applicable RMC regulations
 - D. Statement of Need
 - E. Preliminary Construction, Design and Site Layout Plans
 - F. Photo Simulations
 - G. MPE Compliance Checklist
 - H. FAA & FCC Compliance Opinion Letter
2. Notices & Affidavits
3. SEPA Checklist
4. SEPA Determination of Non-Significance
5. Public Comments

HALVERSON | NORTHWEST

LAW GROUP

March 22, 2018

via e-mail - soneill@ci.richland.wa.us

Shane O'Neill
Senior Planner
Community & Development Services
505 Swift Blvd.
MS#35
Richland, WA 99352

RE: Our client/Applicant: USCOC of Richland, Inc. a/k/a U.S. Cellular
Matter: Submission of Supplemental Legal Memorandum

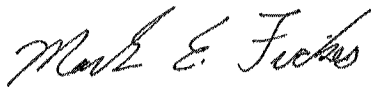
Dear Shane:

Attached to this letter is the supplemental legal memorandum of U.S. Cellular requested by the Examiner. The legal memorandum includes citations to the legal authorities discussed at the hearing and confirmation that the site once constructed complies with all FCC emissions requirements. Please ensure that this legal memorandum is made part of the official record and presented to the Examiner.

If you have any questions, please feel free to contact me. We look forward to the Examiner's decision, hopefully within 10 days. Your help in processing the application has been appreciated.

Very truly yours,

Halverson | Northwest Law Group P.C.



Mark E. Fickes

MEF/jk
Enc.

cc: Dan MacKinney w/enc.

Raymond G. Alexander
Jeremy M. Burke
J. Jay Carroll
Alan D. Campbell++
Paul C. Dempsey**
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9 **BEFORE THE HEARING EXAMINER IN AND FOR THE**
10 **CITY OF RICHLAND, WASHINGTON**
11

12
13 In Re the Matter of the Special Use Permit
14 Application of USCOC of Richland, Inc.,
15 a/k/a U.S. Cellular

FILE NO. SUP2018-100

16 To Site a Wireless Telecommunications
17 Facility on Meadow Springs Golf Course
18 (Zoned PPF), Richland, Washington
19

MEMORANDUM OF U.S.
CELLULAR IN SUPPORT OF
SPECIAL USE PERMIT

20
21 **I. BACKGROUND FACTS**

22 USCOC of Richland, Inc. ("U.S. Cellular") has applied for a Special Use Permit
23 in order to construct a wireless telecommunication facility on property owned by the
24 Meadow Springs Golf Course, zoned Parks & Public Facilities (PPF) under the City of
25 Richland zoning ordinance. Such facilities are allowed with a Special Use Permit
26 under the relevant provisions of the Richland Municipal Code, including RMC 23.46
27 *et. seq.* and the specific siting criteria under RMC 23.62 *et. seq.*
28

29 The tower proposed by U.S. Cellular is an 80-foot monopine tower
30 camouflaged to look like a pine tree in order to help blend the facility into the
31 surrounding area. The City already had approved a similar facility on the golf course
32 property not far from the proposed site which the City Planning Staff and U.S. Cellular
33 demonstrated was full and unavailable for co-location. At the hearing, U.S. Cellular
34 presented facts and evidence that the new site was needed to fill demonstrated
35 coverage gaps in the area, that zoning and topography limited alternatives and that

1 the proposed site as mitigated met all specific and general criteria set forth in the
2 Richland Municipal Code.

3 Richland Planning Staff at the hearing and in a written recommendation
4 confirmed that U.S. Cellular's application meets all siting criteria in the Richland
5 Municipal Code, and in its recommended Findings and Conclusions recommended
6 approval with conditions. As authorized by the Examiner, following the hearing,
7 Richland Planning Staff amended its Staff Report to clarify its Findings and
8 Recommendation to among other items (i) clarify that setbacks are measured from
9 the tower to adjoining property lines (Finding 10, Recommendation 2); (ii) that the
10 tower may be painted brown or green to resemble a tree (Recommendation 3); and
11 (iii) adding a new condition that U.S. Cellular provide contact information for
12 maintenance issues. The Applicant, U.S. Cellular accepts and concurs with the
13 amended Staff Report and requests that the Examiner issue a decision approving its
14 Special Use Permit consistent with Staff's Findings and Recommendation.
15

16
17 During the hearing, U.S. Cellular and its representatives presented evidence
18 and arguments supporting its position that a Special Use Permit for its wireless
19 telecommunication facility be approved. The presentation included citations to state
20 and federal authority setting forth legal standards which the Examiner and City of
21 Richland are required to consider when evaluating permits for wireless
22 telecommunications facilities. The Examiner expressly held the record open to allow
23 U.S. Cellular, through legal counsel, to present this Memorandum which will be
24 considered as part of the official record.
25

26 U.S. Cellular respectfully submits this Memorandum in support of its application
27 consistent with the Examiner's request.
28

29 **II. ARGUMENT**

30 **A. U.S. Cellular's Application Meets all of the Requirements for a Special Use** 31 **Permit under the Richland Zoning Ordinance.**

32 Under the provisions of the Richland Zoning Ordinance, the construction of
33 U.S. Cellular's communication tower is allowed with a Special Use Permit in the PPF
34 zone. RMC 23.62.060. In its application and at the open record hearing, U.S. Cellular
35 presented substantial evidence to confirm that it's site met all the specific and general

1 criteria set forth in the Richland Zoning Ordinance, including the specific development
2 criteria in RMC 23.62.050-23.62.070, as well as the general criteria in RMC
3 23.46.040(C). As far as cell tower sites go, this is one of the most significantly
4 mitigated sites ever proposed in the City, structured to reduce actual or perceived
5 impacts which includes (i) making the tower only 80-feet high, the minimum amount
6 necessary to fill coverage gaps while allowing the co-location required by the City; (ii)
7 camouflaging the entire tower to make it look like a pine tree (a/k/a a "monopine"), and
8 showing detailed color photo simulations to show what the monopine facility will look
9 like; (iii) constructing a retaining wall to house its equipment consistent with other
10 retaining walls on the golf course and residential property in the area, and screening
11 the wall itself with natural vegetation; and (4) constructing the access driveway from
12 Bellerive Drive with lattice-type stone which will allow natural grass to grow upon full
13 buildout. The City Planning Staff accepted U.S. Cellular's mitigation measures and
14 agrees that any identified impacts on adjacent properties were adequately mitigated
15 consistent with RMC 23.46.040(C)(5).
16
17

18 At the hearing, council for U.S. Cellular reviewed and cited legal principles
19 which must guide the Examiner and City in evaluating Special Use Permits for wireless
20 telecommunications facilities. State law cases cited and applied to the pending
21 Application are set forth below.
22

23 As indicated in U.S. Cellular's application and materials presented, it stands
24 ready and willing to meet any reasonable requirements of the City in siting and
25 constructing its wireless telecommunications facility. Washington case law regarding
26 Special or Conditional Use Permits is clear that it is improper to deny a permit to an
27 applicant that has demonstrated a willingness to mitigate and remedy any legitimate
28 problem. *Maranatha Mining v. Pierce County*, 59 Wn. App. 795, 805, 801 P.2d 985
29 (1990). U.S. Cellular's tower and equipment enclosure is located and designed to
30 minimize compatibility concerns. Planning Staff and the Applicant believe that the
31 current site as configured and located adequately balances any minimal aesthetic
32 impacts on the surrounding community, with its demonstrated need to provide and
33 improve cellular coverage to Richland residents.
34
35

1 Where a zoning ordinance provides general standards for evaluating
2 compatibility or compliance with the zoning ordinance, the burden of legal or factual
3 incompatibility is on the decision-making body (or project opponents), which must
4 show incompatibility by "substantial evidence" in the record. See, *Sunderland Family*
5 *Treatment Services v. City of Pasco*, 127 Wn.2d 782, 797, 903 P.2d 986, 994 (1995).
6 *Sunderland, Maranatha Mining* and their progeny also stand for the simple proposition
7 that community displeasure or general neighborhood opposition alone cannot provide
8 the sole basis for denying a permit application that otherwise meets permit criteria.
9 *Maranatha Mining*, 59 Wn. App. at 804; *Sunderland*, 127 Wn.2d at 797, *Kiewit Constr.*
10 *Group, Inc. v. Clark County*, 83 Wn. App. 133, 142-43, 920 P.2d 1207 (1996). This is
11 especially true if the neighborhood opposition is based on unsubstantiated or
12 inappropriate concerns.
13

14 At the hearing, seven members of the community spoke in opposition to U.S.
15 Cellular's Application and a few (2-5) submitted written comments. As is common in
16 cell tower siting hearings, the neighbors' comments fell into three general areas: (i)
17 general statements that the site is incompatible with or will be ugly in the area; (ii)
18 unsupported conclusions that the site will decrease property values; and (iii) as will be
19 outlined further below, legally impermissible and factually inaccurate statements that
20 an FCC compliant cell tower facility could have adverse health impacts. While the
21 neighbors' comments certainly need to be considered, they need to be evaluated in
22 light of the legal frame work set forth above. The neighbors' comments or written
23 submittals simply do not rise to the level of substantial evidence that would be needed
24 to justify a denial of U.S. Cellular's properly mitigated site. U.S. Cellular mitigated
25 aesthetic concerns to the full extent possible by volunteering the minimum size
26 monopine facility necessary to meets City requirements and provided photo
27 simulations to show what the site would look like. Roads in the area are lined with
28 trees and none of the neighbors' properties are unobstructed view lots. The
29 neighbors' unsupported conclusions that property values will be diminished based on
30 aesthetics or health impacts do not warrant a denial. No competent appraisal
31 testimony was provided and internet citations to studies outside the State of
32 Washington for much larger, unmitigated sites provide no probative evidence on
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1 property values. To the extent that property value impacts are based on impermissible
2 consideration of health impacts (see, Ms. Long's statement that "perception is reality"),
3 they simply cannot be considered. See, e.g. *Seattle MSA Limited Partnership v. San*
4 *Juan County*, 88 F.Supp.2d 1128, 1131 (1997); See also, Telecommunication Act of
5 1996, 47 U.S.C. §332(c)(7)(B)(iv). Finally, federal law regarding siting of wireless
6 telecommunications facilities expressly prohibits local land use authorities from
7 considering the adverse health impacts of FCC licensed telecommunications facilities.
8 The residents' statements to the contrary or reference to internet studies simply
9 cannot be considered, and to do otherwise would constitute reversible error under
10 federal law.
11

12 **B. Approval of U.S. Cellular's Special Use Permit Application is Encouraged**
13 **by Federal Law.**

14 The Federal Communications Commission ("FCC") regulates the cellular
15 telecommunications industry in the United States. U.S. Cellular holds an FCC license
16 for an area which includes the City of Richland, Washington and surrounding areas.
17 Under federal regulations, U.S. Cellular must satisfy minimum clarity and service
18 requirements throughout its license area or risk non-renewal of its license. 47 C.F.R.
19 20.203. On February 8, 1996, the Telecommunications Act of 1996 (the "Telecom
20 Act") became federal law. 47 U.S.C. §332(c)(7)(B). The central purpose of the
21 Telecom Act was to provide for a pro-competitive, deregulatory national policy
22 framework designed to accelerate and encourage private sector deployment of
23 advanced telecommunications technologies and services to all Americans. For the
24 Examiner's convenience, an FCC Fact Sheet and summary of Section 704 of the
25 Telecom Act is attached to this Memorandum as **Exhibit A**.
26

27 To accomplish its objectives, Section 704 of the Telecom Act contained four
28 specific provisions designed to insure that local jurisdictions, through the adoption of
29 overly restrictive zoning ordinances or unreasonable permit denials, do not limit the
30 reasonable expansion of needed technology. The specific provisions prevent local
31 land use regulations or decisions which (i) have the effect of "prohibiting the provision
32 of personal wireless services"; (ii) "unreasonably discriminate among providers of
33 wireless telecommunication services"; (iii) the Act expressly prohibit local
34
35

1 governments from considering or basing denials on alleged environmental or health
2 effects of cellular signals; and (iv) the Act requires all decisions of state and local
3 governments which deny a request to site wireless facilities to be "in writing and
4 supported by substantial evidence contained in a written record." 47 U.S.C.
5 §332(c)(7)(B). The Telecom Act also confers federal question jurisdiction for a
6 violation of its provisions and requires courts to hear cases presenting violations of
7 the Act on an expedited basis. 47 U.S.C. §332(c)(7)(B)(v). In broad summary, the
8 Act's provisions implement a strong federal policy to make cellular services and other
9 information technologies rapidly available to the American public, and limit local
10 jurisdiction authority to deny needed infrastructure unreasonably. *See, e.g., T-Mobile*
11 *South v. City of Roswell, Georgia*, 135 S.Ct. 808, 814, (2015) (citing *Rancho Palos*
12 *Verdes v. Abrams*, 544 U.S. 113, 115 (2005)).

14 In the present case and on this administrative record, a denial of U.S. Cellular's
15 permit application could not be supported under the Telecom Act. Generalized or
16 unsubstantiated concerns over aesthetic impacts or property values, especially
17 misplaced and impermissible concerns over health effects of widely used and
18 accepted cellular technology do not rise to the level of "substantial" or even competent
19 evidence under federal law cited above. A denial of U.S. Cellular's Special Use Permit
20 would run afoul of the Telecom Act in several ways. First, its decision could have the
21 effect of "prohibiting the provision of personal wireless services" if needed cell sites
22 for filling coverage gaps were presumed incompatible, or if the City elevated general
23 or unsubstantiated, health, safety and aesthetic concerns to deny needed coverage.
24 Second, a denial risks "unreasonably discriminating" between providers if U.S.
25 Cellular is not allowed the same opportunity to build its needed and better mitigated
26 cell site as one of its competitors (AT&T) only a few hundred yards away. Third,
27 neighborhood opposition seem to be significantly based on legally impermissible
28 health effects of cellular signals or in turn how such effects' (or perceived effects')
29 impacts on property values. Consideration of these matters is expressly prohibited
30 under the Telecom Act. Based on the administrative record developed to date, there
31 simply is no substantial evidence to support a denial.
32
33
34
35

1 At the public hearing on Monday, March 12, 2018, the Examiner closed the
2 public comment period but allowed one resident (a Mr. Robert Vosburgh) to submit
3 some general materials on FCC regulation of radio frequency and electromagnetic
4 fields. It appears this was provided to Planning Staff via e-mail on March 13, 2018.
5 The e-mail and attached bulletin simply sets forth general FCC policies on RF
6 exposure and includes categorical exclusions which would include U.S. Cellular's
7 pending cell site. The bulletin in no way contravenes the provisions of the Telecom
8 Act cited above, and does **not** allow the local land use jurisdictions (like the City of
9 Richland) to consider the unsubstantiated health impacts of cell tower signals.
10 Attached to this Memorandum as **Exhibit B** is a site-specific emissions study from
11 U.S. Cellular that confirms that all FCC safety regulations regarding RF signals are
12 met by U.S. Cellular at this site, even when the nearby SBA Communications site
13 operated by AT&T also is considered. The attached study confirms the conclusion in
14 Exhibit 1(G) of U.S. Cellular's application that after construction the site will be well
15 below the FCC Maximum Permissible Emissions (MPE). The power and output from
16 this site are simply way below FCC requirements. Mr. Vosburgh's materials did not
17 provide any probative evidence to justify a denial.
18
19

20 III. CONCLUSION

21 For the above-stated reasons, U.S. Cellular once again respectfully requests
22 that its Special Use Permit Application be approved by the City consistent with Planning
23 Staff's Findings and Recommendations.
24

25 Respectfully submitted this 22nd day of March, 2018.

26
27 HALVERSON NORTHWEST LAW GROUP
28 Attorneys of Applicant
29

30
31 By: Mark E. Fickes
32 Mark E. Fickes, WSBA #17427
33
34
35

EXHIBIT A



April 23, 1996

FEDERAL COMMUNICATIONS COMMISSION

FACT SHEET

Information provided by the Wireless Telecommunications Bureau

NEW NATIONAL WIRELESS TOWER SITING POLICIES

The Telecommunications Act of 1996 contains important provisions concerning the placement of towers and other facilities for use in providing personal wireless services. Most state and local communities have worked closely with cellular and other wireless service providers on such placement plans, but this new law establishes new responsibilities for communities and for the Federal Communications Commission (FCC). The rapid expansion in the wireless industry makes these issues even more important.

This fact sheet is intended to explain the new provisions and to help state and local governments as they deal with the complex issues of facilities siting in their local communities. At the end of this fact sheet, you will find names of contacts for additional information about this area and other issues before the FCC.

Section 704 of the Telecommunications Act of 1996 (the "1996 Act") governs federal, state and local government oversight of siting of "personal wireless service" facilities. The 1996 Act establishes a comprehensive framework for the exercise of jurisdiction by state and local zoning authorities over the construction, modification and placement of facilities such as towers for cellular, personal communications service (PCS), and specialized mobile radio (SMR) transmitters:

- The new law preserves local zoning authority, but clarifies when the exercise of local zoning authority may be preempted by the FCC.
- Section 704 prohibits any action that would discriminate between different providers of personal wireless services, such as cellular, wide-area SMR and broadband PCS. It also prohibits any action that would ban altogether the construction, modification or placement of these kinds of facilities in a particular area.
- The law also specifies procedures which must be followed for acting on a request to place these kinds of facilities, and provides for review in the courts or the FCC of any decision by a zoning authority that is inconsistent with Section 704.

- Finally, Section 704 requires the federal government to take steps to help licensees in spectrum-based services, such as PCS and cellular, get access to preferred sites for their facilities. Federal agencies and departments will work directly with licensees to make federal property available for this purpose, and the FCC is directed to work with the states to find ways for states to accommodate licensees who wish to erect towers on state property, or use state easements and rights-of-way.

The attachments to this fact sheet seek to provide information concerning tower siting for personal wireless communications services. They include a summary of the provisions of Section 704 of the 1996 Act, the actual text of Section 704, and a technical information summary that describes the cellular, wide-area SMR and broadband PCS technologies that underlie the majority of requests for new tower sites.

Questions about the Telecommunications Act of 1996 generally may be addressed to Sheryl Wilkerson in the FCC's Office of Legislative and Intergovernmental Affairs, 202-418-1902 (e-mail: swilkers@fcc.gov). Questions about tower siting, licensing issues or technical matters may be addressed to Steve Markendorff, Deputy Chief, Commercial Wireless Division in the Wireless Telecommunications Bureau, 202-418-0620, (e-mail: smarkend@fcc.gov).

This Fact Sheet is available on our fax-on-demand system. The telephone number for fax-on-demand is 202-418-2830. The Fact Sheet may also be found on the World Wide Web at <http://www.fcc.gov/wtb/wirehome.html>.

SUMMARY OF SECTION 704 OF THE TELECOMMUNICATIONS ACT OF 1996

The following is a summary of key provisions. The text of Section 704 is reproduced in its entirety as an attachment to this summary.

1. Local Zoning Authority Preserved

Section 704(a) of the 1996 Act amends Section 332(c) of the Communications Act ("Mobile Services") by adding a new paragraph (7). It preserves the authority of state and local governments over decisions regarding the placement, construction, and modification of personal wireless service facilities, except as provided in the new paragraph (7).

2. Exceptions

a. States and Localities May Not Take Discriminatory or Prohibiting Actions

Section 704(a) of the 1996 Act states that the regulation of the placement, construction, and modification of personal wireless service facilities by any State or local government or instrumentality thereof shall not unreasonably discriminate among providers of functionally equivalent services and shall not prohibit or have the effect of prohibiting the provision of personal wireless services. 47 U.S.C. §332(c)(7)(B)(i).

Review: Any person that is adversely affected by a state or local government's action or failure to act that is inconsistent with Section 332(c)(7) may seek expedited review in the courts. 47 U.S.C. §332(c)(7)(B)(v).

b. Procedures for Ruling on Requests to Place, Construct or Modify Personal Wireless Service Facilities

Section 704(a) also requires a State or local government to act upon a request for authorization to place, construct, or modify personal wireless service facilities within a reasonable time. Any decision to deny a request must be made in writing and be supported by substantial evidence contained in a written record. 47 U.S.C. §332(c)(7)(B)(ii), (iii).

c. Regulations Based On Environmental Effects of RF Emissions Preempted

Section 704(a) of the 1996 Act expressly preempts state and local government regulation of the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the FCC's regulations concerning such emissions. 47 U.S.C. §332(c)(7)(B)(iv).

Review: Parties may seek relief from the FCC if they are adversely affected by a state or local government's final action or failure to act that is inconsistent with this provision. 47 U.S.C. § 332(c)(7)(B)(v).

3. Federal Guidelines Concerning RF Emissions

Section 704(b) requires the FCC to prescribe and make effective new rules regarding the environmental effects of radio frequency emissions, which are under consideration in ET Docket 93-62, within 180 days of enactment of the 1996 Act.

NOTE: The pendency of this proceeding before the FCC does not affect the rules which currently are in effect governing the environmental effects of radio frequency emissions. Section 704(b) gives preemptive effect to these existing rules. See related attachments to the Fact Sheet.

4. Use of Federal or State Government Property

a. Federal Property

Section 704(c) of the 1996 Act requires the President (or his designee) to prescribe procedures by which the federal government may make available on a fair, reasonable and nondiscriminatory basis, property, rights-of-way and easements under their control, for the placement of new spectrum-based telecommunications services.

b. State Property

With respect to facilities siting on state property, Section 704(c) of the 1996 Act requires the FCC to provide technical support to States to encourage them to make property, rights-of-way and easements under their jurisdiction available for the placement of new spectrum-based telecommunications services.

NOTE: Information concerning technical support for tower siting which the FCC is making available to state and local governments is attached to the Fact Sheet.

5. Definitions

"Personal wireless services" include commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services. 47 U.S.C. §332(c)(7)(C)(i).

"Commercial mobile services" are defined in Section 332 of the Communications Act and the FCC's rules, and include cellular telephone services regulated under Part 22 of the FCC's rules, SMR services regulated under Part 90 of the FCC's rules, and PCS regulated under Part 24 of the FCC's rules. 47 C.F.R. §20.9.

"Unlicensed wireless services" are defined as the offering of telecommunications services using duly authorized devices which do not require individual licenses; direct-to-home satellite services are excluded from this definition. 47 U.S.C. §332(c)(7)(C)(iii).

COMPLETE TEXT OF SEC. 704 OF THE TELECOMMUNICATIONS ACT OF 1996**SEC. 704. FACILITIES SITING; RADIO FREQUENCY EMISSION STANDARDS.**

(a) NATIONAL WIRELESS TELECOMMUNICATIONS SITING POLICY- Section 332(c) (47 U.S.C. 332(c)) is amended by adding at the end the following new paragraph:

“(7) PRESERVATION OF LOCAL ZONING AUTHORITY-

“(A) GENERAL AUTHORITY- Except as provided in this paragraph, nothing in this Act shall limit or affect the authority of a State or local government or instrumentality thereof over decisions regarding the placement, construction, and modification of personal wireless service facilities.

“(B) LIMITATIONS-

“(i) The regulation of the placement, construction, and modification of personal wireless service facilities by any State or local government or instrumentality thereof--

“(I) shall not unreasonably discriminate among providers of functionally equivalent services; and

“(II) shall not prohibit or have the effect of prohibiting the provision of personal wireless services.

“(ii) A State or local government or instrumentality thereof shall act on any request for authorization to place, construct, or modify personal wireless service facilities within a reasonable period of time after the request is duly filed with such government or instrumentality, taking into account the nature and scope of such request.

“(iii) Any decision by a State or local government or place,

construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record.

“(iv) No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions.

“(v) Any person adversely affected by any final action or failure to act by a State or local government or any instrumentality thereof that is inconsistent with this subparagraph may, within 30 days after such action or failure to act, commence an action in any

court of competent jurisdiction. The court shall hear and decide such action on an expedited basis. Any person adversely affected by an act or failure to act by a State or local government or any instrumentality thereof that is inconsistent with clause (iv) may petition the Commission for relief.

(C) DEFINITIONS- For purposes of this paragraph--

(i) the term 'personal wireless services' means commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services;

(ii) the term 'personal wireless service facilities' means facilities for the provision of personal wireless services; and

(iii) the term 'unlicensed wireless service' means the offering of telecommunications services using duly authorized devices which do not require individual licenses, but does not mean the provision of direct-to-home satellite services (as defined in section 303(v)).'

(b) RADIO FREQUENCY EMISSIONS- Within 180 days after the enactment of this Act, the Commission shall complete action in ET Docket 93-62 to prescribe and make effective rules regarding the environmental effects of radio frequency emissions.

(c) AVAILABILITY OF PROPERTY- Within 180 days of the enactment of this Act, the President or his designee shall prescribe procedures by which Federal departments and agencies may make available on a fair, nondiscriminatory basis, property, rights-of-way, and easements under their control for the placement of new telecommunications services that are dependent, in whole or in part, upon the utilization of Federal spectrum rights for the transmission or reception of such services. These procedures may establish a presumption that requests for the use of property, rights-of-way, and easements by duly authorized providers should be granted absent unavoidable direct conflict with the department or agency's mission, or the current or planned use of the property, rights-of-way, and easements in question. Reasonable fees may be charged to providers of such telecommunications services for use of property, rights-of-way, and easements. The Commission shall provide technical support to States to encourage them to make property, rights-of-way, and easements under their jurisdiction available for such purposes.

TECHNICAL INFORMATION CONCERNING CELLULAR, SPECIALIZED MOBILE RADIO AND PERSONAL COMMUNICATIONS SERVICES

April 1996

Cellular Information

The FCC established rules and procedures for licensing cellular systems in the United States and its Possessions and Territories. These rules designated 306 Metropolitan Statistical Areas and 428 Rural Service Areas for a total of 734 cellular markets and spectrum was allocated to license 2 systems in each market. Cellular is allocated spectrum in the 824-849 and 869-894 MHz ranges. Cellular licensees are generally required to license only the tower locations that make up their outer service contour. Licensees desiring to add or modify any tower locations that are within an already approved and licensed service area do not have to submit an application for that location to be added to their cellular license, although they may need FCC approval if the antenna would constitute a major environmental action (See question 2, below) or would exceed the criteria specified in Part 17 of the FCC's Rules ("Construction, Marking and Lighting of Antenna Structures"). Part 17 includes criteria for determining when construction or placement of a tower would require prior notification to the Federal Aviation Administration (FAA). (See question 3, below.)

A cellular system operates by dividing a large geographical service area into cells and assigning the same frequencies to multiple, non-adjacent cells. This is known in the industry as frequency reuse. As a subscriber travels across the service area the call is transferred (handed-off) from one cell to another without noticeable interruption. All the cells in a cellular system are connected to a Mobile Telephone Switching Office (MTSO) by landline or microwave links. The MTSO controls the switching between the Public Switched Telephone Network (PSTN) and the cell site for all wireline-to-mobile and mobile-to-wireline calls.

Specialized Mobile Radio (SMR) Information

Specialized Mobile Radio (SMR) service licensees provide land mobile communications on a commercial (*i.e.*, for profit) or private basis. A traditional SMR system consists of one or more base station transmitters, one or more antennas and end user radio equipment which often consists of a mobile radio unit either provided by the end user or obtained from the SMR operator. The base station receives either telephone transmissions from end users or low power signals from end user mobile radios.

SMR systems operate in two distinct frequency ranges: 806-821/851-866 MHz (800 MHz) and 896-901/935-940 MHz (900 MHz): 800 MHz SMR services have been licensed by the FCC on a site-by-site basis, so that the SMR provider must approach the FCC and receive a license for each and every tower/base site. In the future the FCC will license this band on a wide-area market approach. 900 MHz SMR was originally licensed in 46 Designated Filing Areas (DFAs) comprised of only the top 50 markets in the country. The Commission is in the process of auctioning the remainder of the United States and its Possessions and Territories in the Rand McNally defined 51 Major Trading Areas.

PCS Information

Broadband PCS systems are very similar to the cellular systems but operate in a higher frequency band, in the 1850-1990 MHz range. One other difference is that the FCC used different market areas for licensing purposes. The FCC used the Rand McNally definitions for 51 Major Trading Areas (MTAs) and 493 Basic Trading Areas (BTAs). PCS was allocated spectrum for six Broadband PCS systems and 26 Narrowband systems. The six Broadband PCS systems will be licensed as follows: two Broadband PCS licenses will be issued for each of the 51 MTAs and four for each of the 493 BTAs. The 26 Narrowband systems will be licensed as follows: eleven Narrowband PCS licenses will be issued for nationwide systems, six for each of five regional areas, seven for each of the 51 MTAs and two for each of the 493 BTAs.

PCS licensees are issued a blanket license for their entire market area and are not required to submit applications to license individual cell sites unless construction of the facility would be a major environmental action or would require FAA notification. Major environmental actions are defined by the National Environmental Policy Act of 1969 that is discussed in question 2, below. Therefore, the FCC has no technical information on file concerning PCS base stations.

Frequently asked questions concerning tower siting for personal wireless services.

1. Do local zoning authorities have any authority to deny a request for tower siting?

Answer: Yes. The Telecommunications Act of 1996 specifically leaves in place the authority that local zoning authorities have over the placement of personal wireless facilities. It does prohibit the denial of facilities siting based on RF emissions if the licensee has complied with the FCC's regulations concerning RF emissions. It also requires that denials be based on a reasoned approach, and prohibits discrimination and outright bans on construction, placement and modification of personal wireless facilities.

2. What requirements do personal wireless communications licensees have to determine whether a site is in a flood plain? A historical sites must also comply with the National Environmental Policy Act of 1969 (NEPA), as well as other mandatory federal environmental statutes. The FCC's rules that implement the federal environmental statutory provisions are contained in sections 1.1301-1.1319. The FCC's environmental rules place the responsibility on each applicant to investigate all the potential environmental effects, and disclose any significant effects on the environment in an Environmental Assessment (EA), as outlined in section 1.1311, prior to constructing a tower. The applicant is required to consult section 1.1307 to determine if its proposed antenna structure will fall under any of the listed categories that may significantly affect the environment. If it does, the applicant must provide an EA prior to proceeding with the tower construction and, under section 1.1312, must await FCC approval before commencing any such construction even if FCC approval is not otherwise required for such construction. The FCC places all proposals that may significantly impact the environment on public notice for a period of 30 days, seeking any public comments on the proposed structures.

The categories set forth in section 1.1307 include:

Wilderness Area
 Wildlife Preserve
 Endangered Species
 Historical Site
 Indian Religious Site
 Flood Plain
 Wetlands
 High Intensity White Lights in Residential Neighborhoods
 Excessive Radiofrequency Radiation Exposure

3. Are there any FCC regulations that govern where towers can or cannot be placed?

Answer: The FCC mandates that personal wireless companies build out their systems so that adequate service is provided to the public. In addition, all antenna structures used for communications must be approved by the FCC in accordance with Part 17 of the FCC Rules. The FCC must determine if there is a reasonable possibility that the structure may constitute a menace to air navigation. The tower height and its proximity to an airport or flight path will be considered when making this determination. If such a determination is made the FCC will specify appropriate painting and lighting requirements. Thus, the FCC does not mandate where towers must be placed, but it may prohibit the placement of a tower in a particular location without adequate lighting and marking.

4. Does the FCC maintain any records on tower sites throughout the United States? How does the public get this information (if any)?

Answer: The FCC maintains a general tower database on the following structures: (1) any towers over 200 feet, (2) any towers over 20 feet on an existing structure (such as a building, water tower, etc.) and (3) towers that are close to airports that may cause potential hazards to air navigation. The FCC's licensing databases contain some base site information for Cellular and SMR systems. The general tower database and the Cellular and SMR data that may be on file with the FCC is available in three places:

(1) Cellular licensing information is available in the Public Reference Room of the Wireless Telecommunications Bureau's Commercial Wireless Division. The Public Reference Room is located on the fifth floor of 2025 M Street, NW, Washington, DC 20554, telephone (202)418-1350. On-line database searches of cellular licensing information along with queries of the FCC's general tower database can also be accomplished at the Public Reference Room.

(2) People who would like to obtain general tower information through an on-line public access database should call or write Interactive Systems, Inc., 1601 North Kent St., Suite 1103, Arlington, VA 22209, telephone 703-812-8270.

(3) The FCC does not duplicate these records, but has contracted with International Transcription Service, Inc. to provide this service. Requests for copies of information should be addressed to International Transcription Service, Inc. (ITS, Inc.), 2100 M St., NW, Suite 140, Washington, DC 20037, telephone 202-857-3800.

5. Why do Cellular and PCS providers require so many tower sites?

Answer: Low powered transmitters are an inherent characteristic of Cellular Radio and Broadband PCS. As these systems mature and more subscribers are added, the effective radiated power of the cell site transmitters is reduced so frequencies can be reused at closer intervals thereby increasing subscriber capacity. There are over 30 million mobile/portable cellular units and more than 22 thousand cell sites operating within the United States and its Possessions and Territories. PCS is just beginning to be offered around the country. Due to the fact that Broadband PCS is located in a higher frequency range, PCS operators will require more tower sites as they build their systems to provide coverage in their service areas as compared to existing Cellular carriers. Therefore, due to the nature of frequency reuse and the consumer demand for services, Cellular and PCS providers must build numerous base sites.

6. Can Cellular, SMR and PCS providers share tower structures?

Answer: Yes, it is technologically possible for these entities to share tower structures. However, there are limits to how many base station transmitters a single tower can hold and different tower structures have different limits. Moreover, these providers are competitors in a more and more competitive marketplace and may not be willing to share tower space with each other. Local zoning authorities may wish to retain a consulting engineer to evaluate the proposals submitted by wireless communications licensees. The consulting engineer may be able to determine if there is some flexibility as to the geographic location of the tower.

7. Is the Federal government helping to find ways to accommodate multiple licensees of personal wireless services?

Answer: Yes. The FCC has designated Steve Markendorff, Chief, Broadband Branch, Commercial Wireless Division, Wireless Telecommunications Bureau, FCC to ask and respond to questions concerning tower siting issues. His telephone number is 202-418-0620. Also, President Clinton issued an Executive Memorandum on August 10, 1995 directing the Administrator of General Services (GSA), in coordination with other Government departments and agencies, to develop procedures to facilitate appropriate access to Federal property for the siting of mobile services antennas. GSA recently released "Government-Wide Procedures for Placing Commercial Antennas," 61 Fed Reg 14,100 (March 29, 1996). For further information contact James Herbert, Office of Property Acquisition and Realty Services, Public Building Service, General Services Administration, 18th & F Streets, NW, Washington, DC 20405, telephone 202-501-0376.

8. Have any studies been completed on potential hazards of locating a tower/base site close to residential communities?

Answer: In connection with its responsibilities under NEPA, the FCC considers the potential effects of radiofrequency (RF) emissions from FCC-regulated transmitters on human health and safety. Since the FCC is not the expert agency in this area, it uses standards and guidelines developed by those with the appropriate expertise. For example, in the absence of a uniform federal standard on RF exposure, the FCC has relied since 1985 on the RF exposure guidelines issued in 1982 by the American National Standards Institute (ANSI C95.1-1982). In 1991, the Institute of Electrical and Electronic Engineers (IEEE) issued guidelines designed to replace the RF ANSI exposure guidelines. These guidelines (ANSI/IEEE C95.1-1992) were adopted by ANSI. The Telecommunications Act of 1996 mandates that the FCC complete its proceeding in ET Docket 93-62, in which it is considering updating the RF exposure guidelines, no later than early August 1996. Copies of this proceeding can be obtained from the International Transcription Service, Inc. (ITS), telephone 202-857-3800. Presently, RF emission requirements are contained in Section 1.1307(b) of the FCC's rules, 47 C.F.R. §1.1307(b), for all services. PCS has service specific RF emission provisions in Section 24.52 of the FCC's rules, 47 C.F.R. § 24.52.

Additional information concerning RF emission hazards can be obtained through a variety of sources:

- (1) Information concerning RF hazards can be obtained on the World Wide Web at <http://www.fcc.gov/oet/faqs>. RF safety questions are answered and further RF documents and information are contained under the Cellular Telephony Section.
- (2) OET Bulletins 56 and 65 concerning effects and potential RF hazards can be requested through the Radiofrequency Safety Program at 202-418-2464. Additionally, any specific questions concerning RF hazards can be answered by contacting the FCC at this phone number.

The FCC maintains a Communications and Crisis Management Center which is staffed 24 hours a day, seven days a week. In the event of an emergency, such as a radiofrequency hazard threatening public safety or health, you may call 202-632-6975. The watch officer who answers at that number can contact our compliance personnel in your area and dispatch them within a matter of hours.

EXHIBIT B

BELLERIVE - 347371

Radio Frequency (RF) Site Compliance Report



700 COUNTRY CLUB ROAD
RICHLAND, WA 99352
(BENTON COUNTY)



Radio Frequency Exposure Post-Installation FCC Compliance Assessment

Site Specific Information			
Site Name	BELLERIVE - 347371	Categorically Excluded?	No
Street Address	700 country club road		
City, State, Zip	Richland, WA 99352	5% Contributor	N/A
Multi-Licensee Facility	No	USCC's Max % MPE (Predictive - Occupational)	0.01% Occupational
Structure Type	Monopine	USCC's Max % MPE (Measured - Occupational)	N/A
Broadcast Equipment	No	Assessment Date	03/16/2018
# of Access Points		1	

Compliance Status	COMPLIANT AS DESIGNED
-------------------	-----------------------

☒	Worst-case RF power density levels are BELOW the MPE for General Population/Uncontrolled Environments in accessible areas.
☐	Worst-case RF power density levels are ABOVE the MPE for General Population/Uncontrolled Environments but BELOW the MPE for Occupational/Controlled environments.
☐	Worst-case RF power density levels are ABOVE the MPE for Occupational/Controlled Environments but BELOW 10x the MPE for Occupational/Controlled environments.
☐	Worst-case RF power density levels are ABOVE 10x the MPE for Occupational/Controlled environments.

Required Mitigation Based on Results of Predictive Modeling and Measurements					
	Guidelines	Notice	Caution	Warning	Barrier/Marker
Access Point	☒ [1]	☐ [#]	☐ [#]	☐ [#]	☐
Alpha	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐
Beta	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐
Gamma	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐

Additional Compliance Requirements(s):			
Consultant Legal Name	GCB Services	Phone/Fax	(703) 564-2297
Address	8201 Greensboro Drive, Suite 300, McLean, VA 22102		

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1. Summary

US Cellular has contracted with GCB Services, an independent consulting firm, to conduct a Radio Frequency Exposure Compliance Assessment of the **Post-Installation Assessment** of the **BELLERIVE - 347371** cell site. This report contains a detailed summary of the Radio Frequency environment as it relates to Federal Communications Commission (FCC) and Occupational Safety & Health Administration (OSHA) Rules and Regulations for all individuals.

This compliance assessment and report has been **prepared** and **reviewed** by:

	Preparer
Name	Gaurav Gupta
Title	RF Associate
Date	03/16/2018

	Reviewer
Name	Gyan Pandey
Title	RF Engineer
Date	03/16/2018

This report utilizes the following **for predictive modeling of the ambient RF environment**:

MPE Modeling Program: ROOFMASTER 10.0.3.20.15

Required Modeling Assumptions: 100% Duty Cycle and Maximum Total Power Output.

Additional Modeling Assumptions:

For this report, in the simulation we have shown the maximum RF energy density considering worst-case analysis by assuming that all antennas are operating at full power all times.

In OET-65, the Cylindrical Model is presented as an approach to determine the spatially averaged power density in the near field directly in front of an antenna. In order to implement this model in all directions, RoofMaster™ utilizes the antenna manufacturer horizontal pattern data. Additionally, RoofMaster™ incorporates factors that reduce the power density by the inverse square of horizontal and vertical distance beyond the near field region.

For areas on the rooftop where MPE levels are more than 20% occupational, reports show location of signage and barriers around restricted areas. These restricted areas should not be entered without taking proper steps towards reducing carrier power or tuning the site down. Personal accessing these restricted areas should carry a personal RF monitor.

For unknown antennas on the rooftop, GCB will use generic antennas listed as "Unknown". We will use max output power to model the site. Operating frequency information for unknown antenna will be selected such as to get per max antenna gain.

2. Site Characteristics

a. Access information

- No site visit was done. This report is for desktop study only.

All access points locked at time of assessment?
--

N/A

b. Structure

Description	The structure height is 80'. USCC antennas are at the height of 75' from ground level. This site has three sectors (ALPHA, BETA and GAMMA) mounted at Azimuth of 140°, 220° and 300° respectively.
Site Latitude (NAD 83)	46.222962°
Site Longitude (NAD 83)	-119.249879°
Structure Height (AGL)	80 Feet (Top of Pole)

c. Antenna Inventory

Ant #	Carrier	Frequency (MHz)	ERP (Watts)	Manufacturer	Model	(ft) X	(ft) Y	(ft) Z1	(ft) Z2	Gain (dBd)	Azimuth	HBW	Down tilt	Length(m)
1	US Cellular	LTE 700	743.65	KMW	ET-X-CW-45-19-IR-AT	7.8	3.9	75	0	15.9	140	47	0	2.43
1	US Cellular	LTE 850	826.46	KMW	ET-X-CW-45-19-IR-AT	7.8	3.9	75	0	16.9	140	43	0	2.43
2	US Cellular	LTE 700	743.65	KMW	ET-X-CW-45-19-IR-AT	1.5	5.6	75	0	15.9	220	47	0	2.43
2	US Cellular	LTE 850	826.46	KMW	ET-X-CW-45-19-IR-AT	1.5	5.6	75	0	16.9	220	43	0	2.43
3	US Cellular	LTE 700	743.65	Amphenol	HTXCW331821x000	2.6	0.9	75	0	14.35	300	42	0	2.1
3	US Cellular	LTE 850	826.46	Amphenol	HTXCW331821x000	2.6	0.9	75	0	15.35	300	33	0	2.1

Ground Level

Z1 height = 75 Feet

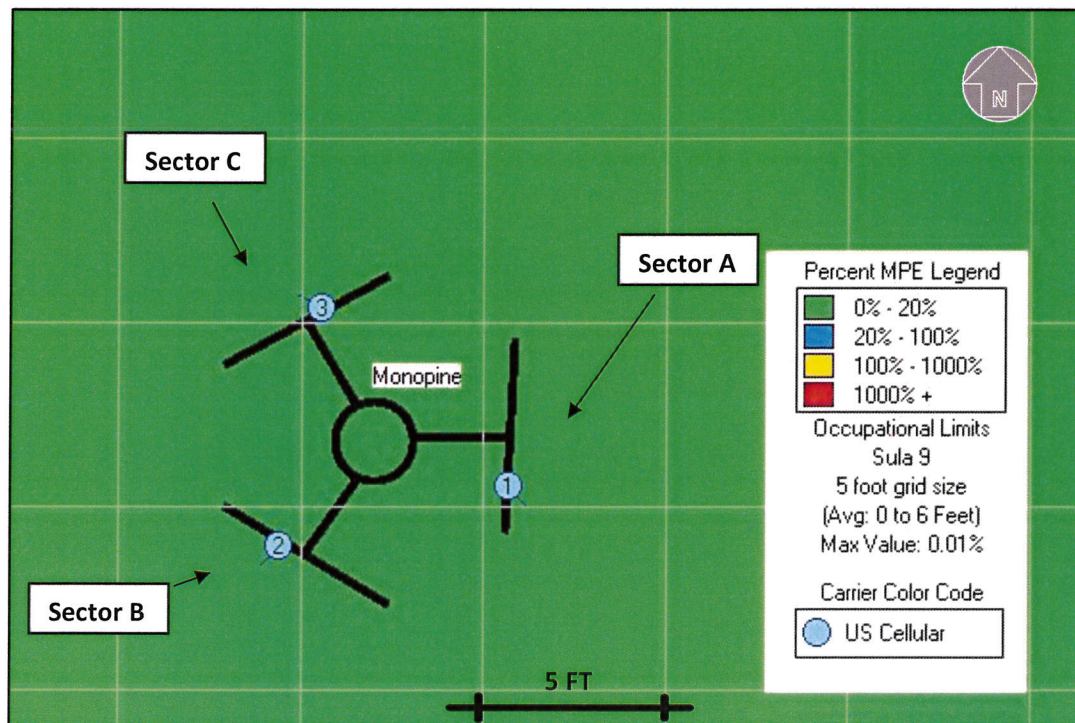
Antenna Level

Z2 height = 0 Feet

- The Centerline of the USCC antennas from ground level is 75 feet.
- Simulations were performed at ground level and antenna level.

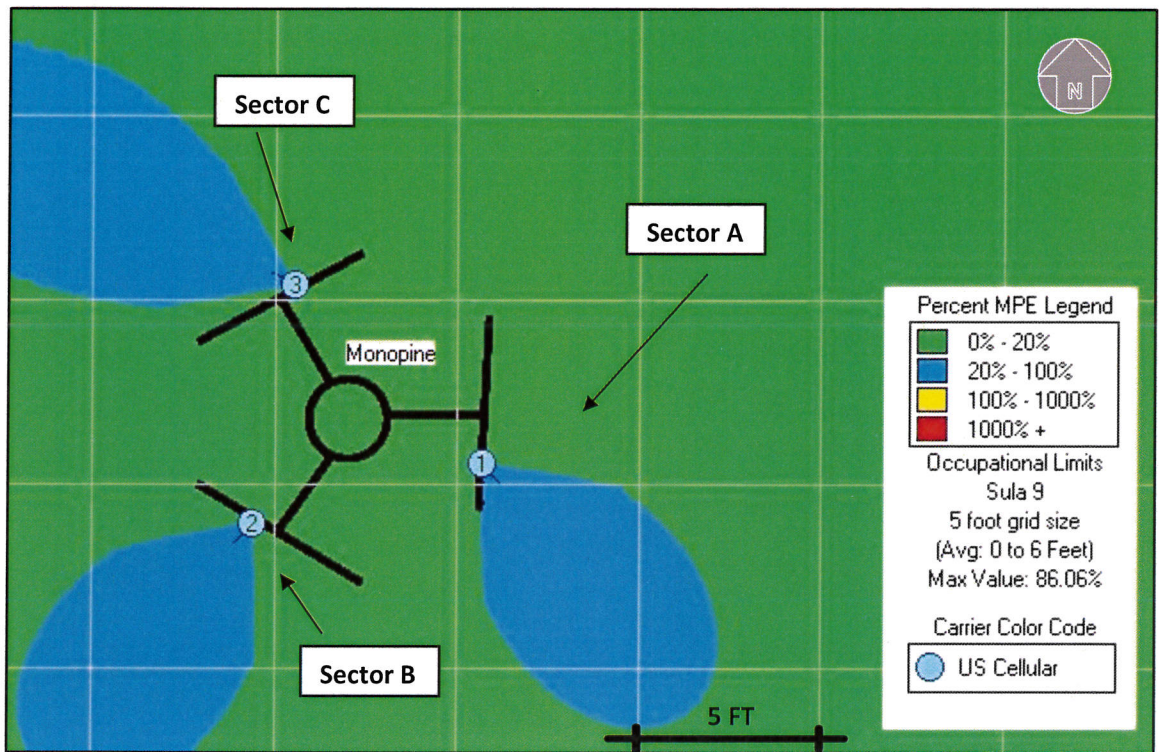
3. Theoretical Study

a. Predictive Model: All Transmitters at Ground Level



Maximum MPE% Predicted for this level is 0.01% of Occupational standard contribution of all existing transmitters.

b. Predictive Model: All Transmitters at Antenna Level



Maximum MPE% Predicted for this level is 86.06% of Occupational standard contribution of all existing transmitters.

4. Conclusion from theoretical analysis and field visit

a. Narrative

Description of MPE-Limit Exceeding Areas

Ground Level:-

Simulation result based on the worst-case conditions for all existing antennas at this level show MPE 0.01% of the Occupational limits.

No mitigation required.

Antenna level: -

Simulation result based on the worst-case conditions for all existing antennas at this level show MPE 86.06% of the Occupational limits.

No mitigation required.

Access gate: - Guideline is proposed at the access gate/point.

Sector A: - No action needed.

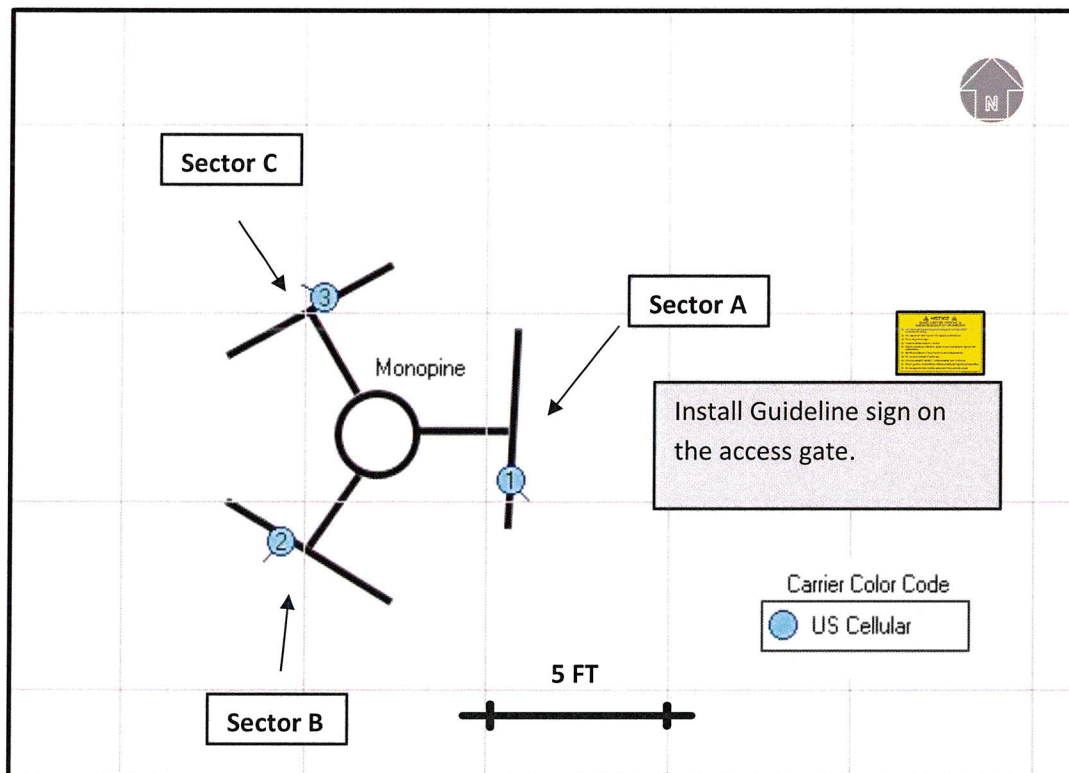
Sector B: - No action needed.

Sector C: - No action needed.

Note: There is an existing ATT tower at the distance of approximately 900 feet from the proposed US Cellular Tower. However, the emission from ATT antennas are of no concern at the foot of the US cellular tower due to the huge distance of 900 feet between these two structures.

Maximum permissible emission limits are normally only exceeded very close to an antenna. Hence another tower at the distance of 900feet from US Cellular proposed tower will not contribute to any emission on the ground close to proposed US Cellular tower.

b. Signage/Barrier Diagram



USCC Signage Details Before GCB Survey					
	Guidelines	Notice	Caution	Warning	Barrier/Marker
Access Point	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐
Alpha	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐
Beta	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐
Gamma	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐

USCC Signage Details After GCB Survey					
	Guidelines	Notice	Caution	Warning	Barrier/Marker
Access Point	☒ [1]	☐ [#]	☐ [#]	☐ [#]	☐
Alpha	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐
Beta	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐
Gamma	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐

Signage/Barrier Installation Detail

Access

Install Guideline sign on the access gate.

Sector A: - No action needed.

Sector B: - No action needed.

Sector C: - No action needed.

5. Appendix A: Survey Methodology

a. Survey Equipment Certification

Narda Safety Test Solutions GmbH
Sandwiesenstrasse 7 - 72793 Pfullingen - Germany
Phone: +49 7121 9732 0 - Fax: +49 7121 9732 790



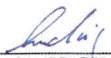
Calibration Certificate

Narda Safety Test Solutions hereby certifies that the object referenced to this certificate has been calibrated by qualified personnel using Narda's approved procedures. The calibration was carried out in accordance with a certified quality management system which conformed to ISO 9001.

OBJECT	Broadband Field Meter NBM-550
MANUFACTURER	Narda Safety Test Solutions GmbH
PART NUMBER (P/N)	2401/01B
SERIAL NUMBER (S/N)	G-0716
CUSTOMER	
CALIBRATION DATE (YYYY-MM-DD)	2016-09-19
RESULT ASSESSMENT	within specifications
AMBIENT CONDITIONS	Temperature: (23 ± 3) °C Relative humidity: (20 to 60) %
CALIBRATION PROCEDURE	2401-8700-00A

ISSUE DATE: 2016-09-21
(YYYY-MM-DD)

MANAGEMENT
SYSTEM



CALIBRATED BY
Ludwig



AUTHORIZED SIGNATORY



This calibration certificate may not be reproduced other than in full except with the permission of the issuing laboratory. Calibration certificates without signature are not valid.

Certified by DQS according
to ISO 9001:2008
(Reg.-No. 099379 QM08)

CERTIFICATE: NBM-550-G-0716-160919-4558

PAGE 1 OF 3

b. Survey Procedures

- GCB will use calibrated broadband or narrowband field measurements equipment
- The following procedure will be used
 - Equipment must be zeroed in areas with little to no RF emission before field measurements
 - All field measurements will be a spatial-average of discrete measurements from 0 to 6 feet above the nearest walking surface
 - Measurements will be taken at separation distances of 1 foot, 3 feet, and 6 feet in front of or near each existing USCC accessible antenna
 - If there are co-locators sector measurements will be taken
 - If spatially-averaged field measurements at a separation distance of 6 feet exceed the FCC's General Population MPE additional measurements will be taken until the general population MPE is no longer exceeded
 - Additional measurement locations will include the following locations
 - All access points
 - Near all existing radio cabinets
 - Near all equipment shelters
 - Should USC's on-air antennas be located on the top or side of a single family residence, field measurements will be taken on the inside of the residence and outlined in the RF emissions assessment report

6. Appendix B: RF Consultant Certifications

a. Preparer Certification

I, Gaurav Gupta, the preparer of this report, am fully aware of and familiar with the Rules and Regulations of both the Federal Communications Commissions (FCC) and the Occupational Safety and Health Administration (OSHA) with regard to Human Exposure to Radio Frequency Radiation. I am also fully aware of and familiar with the US Cellular Signage & Demarcation Policy. I have reviewed this Radio Frequency Exposure Assessment report and believe it to be both true and accurate to the best of my knowledge.

Gaurav Gupta

b. Reviewer Certification

I, Gyan Pandey, the reviewer and approved of this report, am fully aware of and familiar with the Rules and Regulations of both the Federal Communications Commissions (FCC) and the Occupational Safety and Health Administration (OSHA) with regard to Human Exposure to Radio Frequency Radiation. I am also fully aware of and familiar with the US Cellular Signage & Demarcation Policy. I have reviewed this Radio Frequency Exposure Assessment report and believe it to be both true and accurate to the best of my knowledge.

Gyan Pandey

7. Appendix C: Reference Information

a. FCC Rules & Regulations

The Federal Communications Commission (FCC) has established safety guidelines relating to RF exposure from cell sites. The FCC developed those standards, known as Maximum Permissible Exposure (MPE) limits, in consultation with numerous other federal agencies, including the Environmental Protection Agency, the Food and Drug Administration, and the Occupational Safety and Health Administration. The standards were developed by expert scientists and engineers after extensive reviews of the scientific literature related to RF biological effects. The FCC explains that its standards “incorporate prudent margins of safety.” The following represents explanations of the most applicable information:

Two Classifications for Exposure Limits

<u>Occupational</u> – Applies to situations in which persons are “exposed as a consequence of their <i>employment</i> ” and are “ <i>fully aware</i> of the potential for exposure and can <i>exercise control</i> over their exposure”.	<u>General Population</u> – Applies to situations in which persons are “exposed as a consequence of their employment <i>may not be made fully aware</i> of the potential for exposure or <i>cannot exercise control</i> over their exposure”. Generally speaking, those without significant and documented RF Safety & Awareness training would be in the General Population classification.
--	--

Environment Classification

<u>Controlled</u> – Applies to environments that are restricted or “controlled” in order to prevent access from members of the General Population classification.	<u>Uncontrolled</u> – Applies to environments that are unrestricted or “uncontrolled” that allow access from members of the General Population classification.
---	--

<i>Limits for Occupational/Controlled Exposure</i>		
Frequency	Power Density	Averaging Time
Range	(S)	E ² , H ² , or S
(MHz)	(mW/cm ²)	(minutes)
300-1500	f/300	6
1500-100,000	5	6
<i>Limits for General Population/Uncontrolled Exposure</i>		
Frequency	Power Density	Averaging Time
Range	(S)	E ² , H ² , or S
(MHz)	(mW/cm ²)	(minutes)
300-1500	f/1500	30
1500-100,000	1	30
<i>f = frequency in MHz</i>		

Significant Contribution to the RF Environment

Any carrier contributing an aggregate MPE percentage of 5 or more (to the applicable RF Environment Classification) is defined as a significant contributor. This means that if any area is determined to be out of compliance with FCC rules, all significant contributors are jointly responsible for correcting any deficiencies.

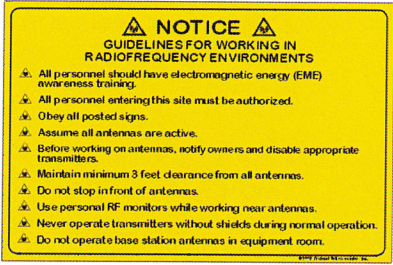
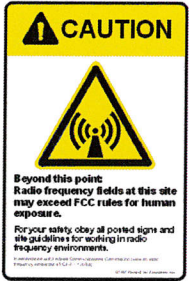
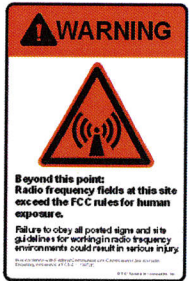
b. Occupational Safety and Health Administration (OSHA) Requirements

A formal adopter of FCC Standards, OSHA stipulates that those in the Occupational classification must complete training in the following: RF Safety, RF Awareness, and Utilization of Personal Protective Equipment. OSHA also provides options for Hazard Prevention and Control:

Hazard Prevention	Control
- Utilization of good equipment - Enact control of hazard areas - Limit exposures - Employ medical surveillance and accident response	- Employ Lockout/Tag out - Utilize personal alarms & protective clothing - Prevent access to hazardous locations - Develop or operate an administrative control program

c. RF Signage

Areas or portions of any transmitter site may be susceptible to high power densities that could cause personnel exposures in excess of the FCC guidelines. These areas must be demarcated by conspicuously posted signage that identifies the potential exposure. Signage MUST be viewable regardless of the viewer's position.

GUIDELINES	NOTICE	CAUTION	WARNING
This sign will inform anyone of the basic precautions to follow when entering an area with transmitting radiofrequency equipment.	This sign indicates that RF emissions may exceed the FCC General Population MPE limit.	This sign indicates that RF emissions may exceed the FCC Occupational MPE limit.	This sign indicates that RF emissions may exceed at least 10x the FCC Occupational MPE limit.
			

INFORMATION SIGN	
Information signs are used as a means to provide contact information for any questions or concerns. They will include specific cell site identification information and the US Cellular Network Operations Center phone number.	NOC INFORMATION SIGN

d. Physical Barriers

Physical barriers are control measures that require awareness and participation of personnel. Physical barriers are employed as an additional administration control to complement RF signage and physically demarcate an area in which RF exposure levels may exceed the FCC General Population limit.

e. Indicative Markers

Indicative markers are visible control measures that require awareness and participation of personnel, as they cannot physically prevent someone from entering an area of potential concern. Indicative markers are employed as an additional administration control to complement RF signage and visually demarcate an area in which RF exposure levels may exceed the FCC General Population limit. Example:

TO: Richland City Council, Richland, Washington

FROM: South Richland, Meadow Springs Residents and a Group of Tri-City Concerned Citizens.

DATE: February 28, 2017 **RE:** Decrease in Property Values, Blight to Aesthetics and Potential Negative Long-Term Health Effects to Neighborhoods in the Vicinity of the Cell Towers.

This memo documents our points about decreases in property values in the vicinity of cellular antennas, the **blight that these towers have on the aesthetics of our neighborhoods** and the **potential negative long-term health effects** of residents living near cell towers:

It is increasingly recognized and documented that putting cell antennas and towers near business or residential properties is just bad business. For residential owners, it means **decreased property values, decrease in aesthetics of the area**. For local property businesses (realtors and brokers) representing and listing these properties, it creates **decreased income**. For city governments, it results in **decreased revenue (property taxes)**. Additionally, the placement of this tower is **not in keeping with the plan of Meadow Springs Country Club and Golf Course**, they are a Country Club, not a communication provider and it is also **not in keeping with the plan of the neighborhood** that was planned around the Country Club.

Residents and property owners are justifiably concerned about the 2nd cell tower being proposed in the middle of our neighborhood. In fact, there is a 3rd tower less than ½ mile away on the corner of Gage and Steptoe behind Rite Aid.

Who would want to live or work right next to one, or under one – let alone with one right outside your window in your direct view that used to be beautiful? This proposed tower will be located on a busy thoroughfare that we in the neighborhood will have to drive, run or walk past each day (not only will the tower change the view but the access road will add to the decrease in aesthetics of the neighborhood). There is also

comparable property that had several antennas on the building. •79% said under no circumstances would they ever purchase or rent a property within a few blocks of a

cell tower or antennas. • 88% said that under no circumstances would they ever purchase or rent a property with a cell tower

or group of antennas on top of, or attached to, the apartment building. 2. "Cell Towers Are Sprouting in Unlikely Places," The New York Times, January 9, 2000 (fears that

property values could drop between 5 and 40 percent because of neighboring cell towers).

3. A New York Times news story, "A Pushback Against Cell Towers," published in the paper's Real Estate section, on August 27, 2010, found that property values will decrease 4 to 10%, depending on

the nearness and size of a cellular installation. "Homeowners have given voice to concerns that proximity to a monopole or antenna may not be just aesthetically unpleasing but also harmful to property values. Many also perceive health risks in proximity to radio frequency radiation emissions, . . ." Tina Canaris, an associate broker and a co-owner of RE/MAX Hearthstone in Merrick, N.Y., said, "You can see a buyer's dismay over the sight of a cell tower near a home just by their expression, even if they don't say anything."

http://www.nytimes.com/2010/08/29/realestate/29Lizo.html?_r=1&ref=realestate .

4. The Appraisal Institute, the largest global professional membership organization for appraisers with 91 chapters throughout the world, has spotlighted the issue of cell towers/antennas and the fair market value of a home and educated its members that such an installation should, in fact, cause a decrease in home value. It concluded that "media attention to the potential health hazards of [cellular phone towers and antennas] has spread concerns among the public, resulting in increased resistance"

effect reduces with distance from the CPBS and is negligible after 1000 feet.” Bond, S.G. and Xue, J., “Cell Phone Tower Proximity Impacts on House Prices: A New Zealand Case Study”, European Real Estate Society and International Real Estate Society Conference, June 15-18, 2005, Dublin, Ireland.

8. 27 Burbank, CA real estate professionals in December 2009, signed a petition/statement offering their professional opinion that a proposed T-Mobile cell tower at Brace Canyon Park would negatively impact the surrounding homes, stating: "It is our professional opinion that cell towers decrease the value of homes in the area tremendously. Peer reviewed research also concurs that cell sites do indeed cause a decrease in home value. “, Higher property values mean more tax revenue for the city, which helps improve our city."

Steve Hovakimian, Burbank, California real estate broker, and the publisher of “Home by Design” monthly real estate magazine, stated that he has seen properties near cell towers lose up to 10% of their value due to proximity of the cell tower. . . So even if they try to disguise them as tacky fake metal pine trees, as a real estate professional you’re required by the California Association of Realtors that sellers and licensees must disclose material facts that affect the value or desirability of a property including conditions that are known outside and surrounding areas."

<http://sites.google.com/site/nocelltowerinourneighborhood/home/decreased-real-estate-value/burbank-real-estate-professionals-statement>

9. Windsor Hills/View Park, CA, 2009: Residents opposing a T-Mobile antenna in their neighborhood received several letters from local real estate companies, appraisers, homeowner associations, and resident organizations in their community confirming that real estate values would decrease with a cell phone antenna in their neighborhood, which must be disclosed to buyers according to the California Association of Realtors as a “known condition” that “affects the value or desirability of the property.” To see copies of these letters, see “Report from Los Angeles County Regional Planning Commission regarding CUP Case

following the construction of a cell tower in Lake County, IL.
<http://spot.colorado.edu/~maziara/appeal&attachments/Newton-43-LoweredPropertyValuation/>

14. Santa Cruz, CA: This is a story about how a preschool closed because of a cell tower installed on its grounds; "Santa Cruz Preschool Closes Citing Cell Tower Radiation," Santa Cruz Sentinel, May 17, 2006; Source, EMFacts website:
<http://www.emfacts.com/weblog/?p=466>

15 This British article reports that a new cell-phone antenna/tower/mast "will knock between 15 and 25 per cent off the value of a house, depending on how close it is and the size of the structure. "Melfyn Williams, chairman of the National Association of Estate Agents, said in some cases a mast could see a home reduce in value by between 5 and 10 per cent. . . . "Campaigners are considering legal action to seek compensation for the loss in value of their properties or to get the masts removed. Last week, seven householders in Swindon won sums of between £10,000 and £20,000 each from their local council after it mistakenly allowed a mast to be erected in the middle of their residential street, causing their properties to crash in value."

The Observer (U.K.), "Phone masts blight house sales: Health fears are alarming buyers as masts spread across Britain to meet rising demand for mobiles," Sunday May 25, 2003 or:
<http://www.guardian.co.uk/money/2003/may/25/houseprices.uknews>

Almost any prospective property buyer would take the existence of a nearby cellular antenna cluster into account. Nevada City government should do what it can to protect its citizens' investments in their homes, businesses, and land — which includes having rules against unwanted intrusions by cell phone towers and antennas.
<https://nevadacity.municipalcms.com/files/documents/CellComment4-DecreaseinPropertyValues-group1324024730081716PM.pdf>

3. United States Court of Appeals for the Sixth Circuit No 11-1568

OPINION _____

Gap

BOGGS, Circuit Judge. T-Mobile proposed to build a cellular tower in an area of West Bloomfield Township, Michigan, that had a gap in coverage. The Township denied T-Mobile's application. T-Mobile brought suit, alleging that the denial of the application violated the Telecommunications Act, 47 U.S.C. § 332 et seq. The district court granted partial summary judgment in favor of T-Mobile, and the Township appealed. There are three issues on appeal. First, whether the Township's denial of T-Mobile's application to install a cellular tower was supported by substantial evidence, as required by 47 U.S.C. § 332(c)(7)(B)(iii). Second, whether the Township's denial of T-Mobile's application had the effect of prohibiting T-Mobile from providing wireless services and thus violated 47 U.S.C. § 332(c)(7)(B)(i)(II). This issue, which has led to a split among the circuits, presents a case of first impression for this circuit. Finally, whether the district court should have granted summary judgment in favor of the Township on Count III of the complaint because the Township had discretion to grant or deny a special land use application under Mich. Comp. Laws § 125.3504. We affirm the judgment of the district court.
<http://www.opn.ca6.uscourts.gov/opinions.pdf/12a0275p-06.pdf>

Aesthetics

4. **8th Circuit affirms cell tower rejection on aesthetic grounds.**

Keeping in mind that the substantial evidence standard is "essentially deferential," MetroPCS, 400 F.3d at 725 (internal quotation omitted), we conclude that the Commission had before it substantial evidence on the record as a whole that the tower's scale, its proximity to residences, and the surrounding environment made approval inappropriate in view of the considerations outlined in the Zoning Order. A reasonable mind could find adequate evidence in the record grounded in the specifics of the case to support the

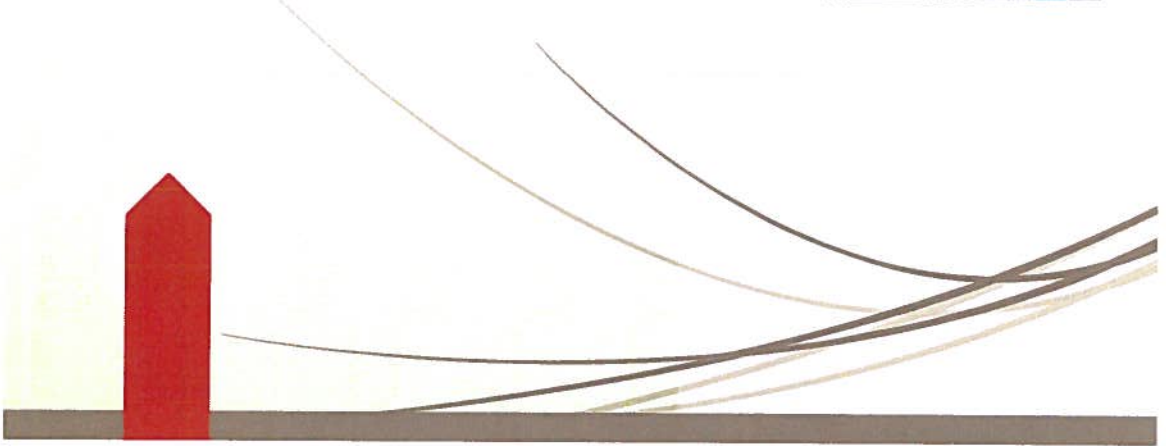
VOTE NO ON SPECIAL USE
PERMIT (SUP 2018-100)





PETITION TO DENY SUP 2018-100

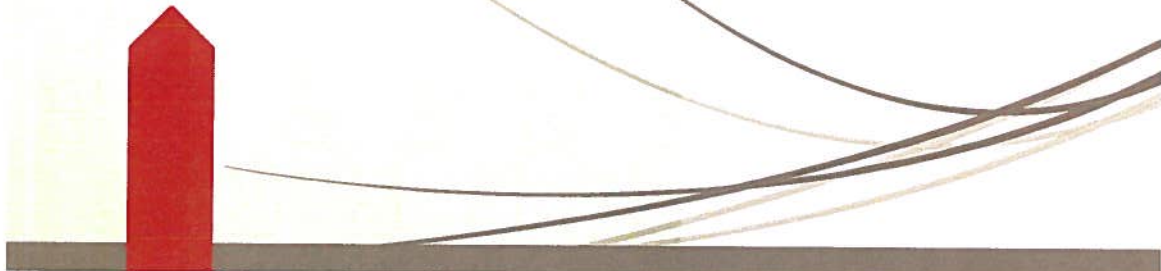
- We are presenting you with a petition this evening that has been signed by ⁷~~118~~ Richland City Residents –specifically residents that are directly impacted by the placement of the cell tower on the driving range at Meadow Springs Country Club
- Of 63 homes of the 84 homes that were notified (who reside within 300 feet of the proposed tower) who were able to be contacted. 80% of those homes do not want the cell tower located in the selected location. 18 residents that live in the new housing development “Heights at Meadow Springs” also signed the petition against the cell tower
- Many residents are not even being taken into consideration such as
 - Renters at the apartments directly adjacent to where the cell tower will reside (unable to solicit their signatures due to access and they are not property owners
 - Renters in Vintage apartments (unable to solicit their signatures due to access and they are not property owners)





Chapter 23.62.50

- Chapter 23.62.50 in the City Code that pertains to ~~the~~
- “When a monopole or lattice tower is adjacent to a suburban agricultural (SAG), single-family residential – 12,000 (R-1-12), single-family residential – 10,000 (R-1-10), medium-density residential (R-2), medium-density residential small lot (R-2S) or multiple-family residential (R-3) zoning district, the wireless communications support structure must be set back a distance equal to twice the height of the wireless communications support structure for the nearest residential lot line.
- This equates to 160-feet. Measurements taken show the following:
 - The 160 feet requirement overlaps on to the property owned by Meadow North Homeowners Association as measured from the center line of the stake.
 - The 160 foot requirement overlaps on to the property owned at 601 Muriel street, as measured from the center line of the stake.
 - The 160 foot requirement overlaps on to the property owned by Bellavista Apartments.



IMPACTS ON ADJACENT PROPERTIES

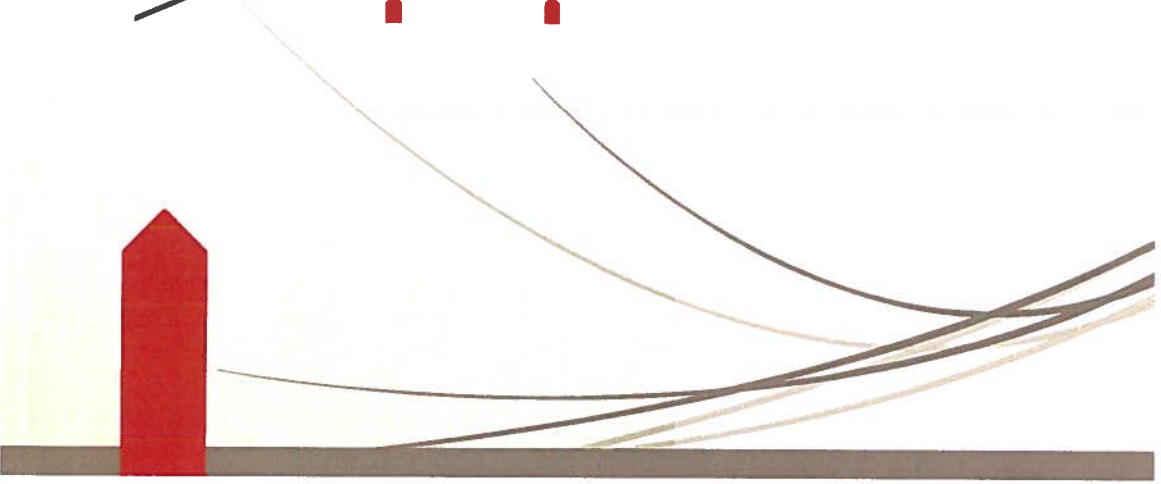
23.46.040

- Section C #5 IDENTIFIED IMPACTS ON ADJACENT PROPERTIES, SURROUNDING USES AND PUBLIC FACILITIES HAVE BEEN ADEQUATELY MITIGATED.
- The negative impacts on property values of surrounding homeowners has not been taken into consideration. Research that has been presented to the record with direct links to the research shows the following:
 - 94% of a 1,000 respondents to a survey felt that cell towers impact a properties desirability.
 - A Houston jury awarded \$1.2 Million to a couple in 1999 because a 100-foot-tall cell tower was determined to have lessened the value of their property and caused them mental anguish.
 - Regulators have denied an application to build a tower as a result of the anticipated diminution of property values.
- Additionally, with an 8-foot wall on the driving range it will put a large obstacle that golf balls will ricochet off of and cause damage to surrounding properties.
- This area is known for high winds. Flying debris from the cell tower will impact the homes during these storms.



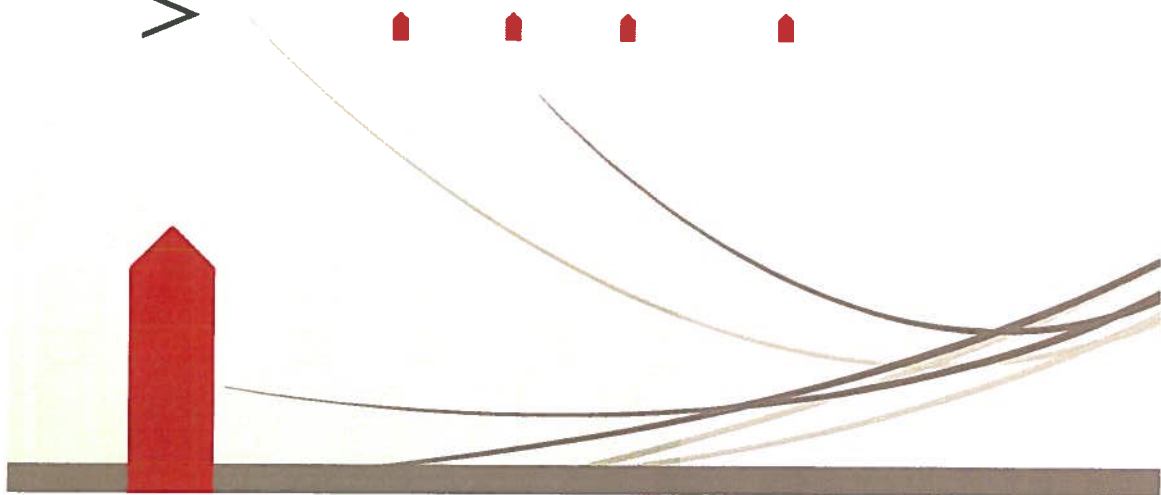
GAP IN COVERAGE & USE OF EXISTING EQUIPMENT

- We believe there is no gap in coverage – It may not be strong coverage but there is no gap:
- There is a cell tower right at the tennis court of the Meadow Springs Country Club
- There is a cell tower located at Gage and Steptoe (less than ½ mile away) and that tower was not mentioned in the application as a potential spot for US Cellular to use. Nor was there a copy of a permit provided for that tower.



VISUAL IMPACT Code 23.62.070

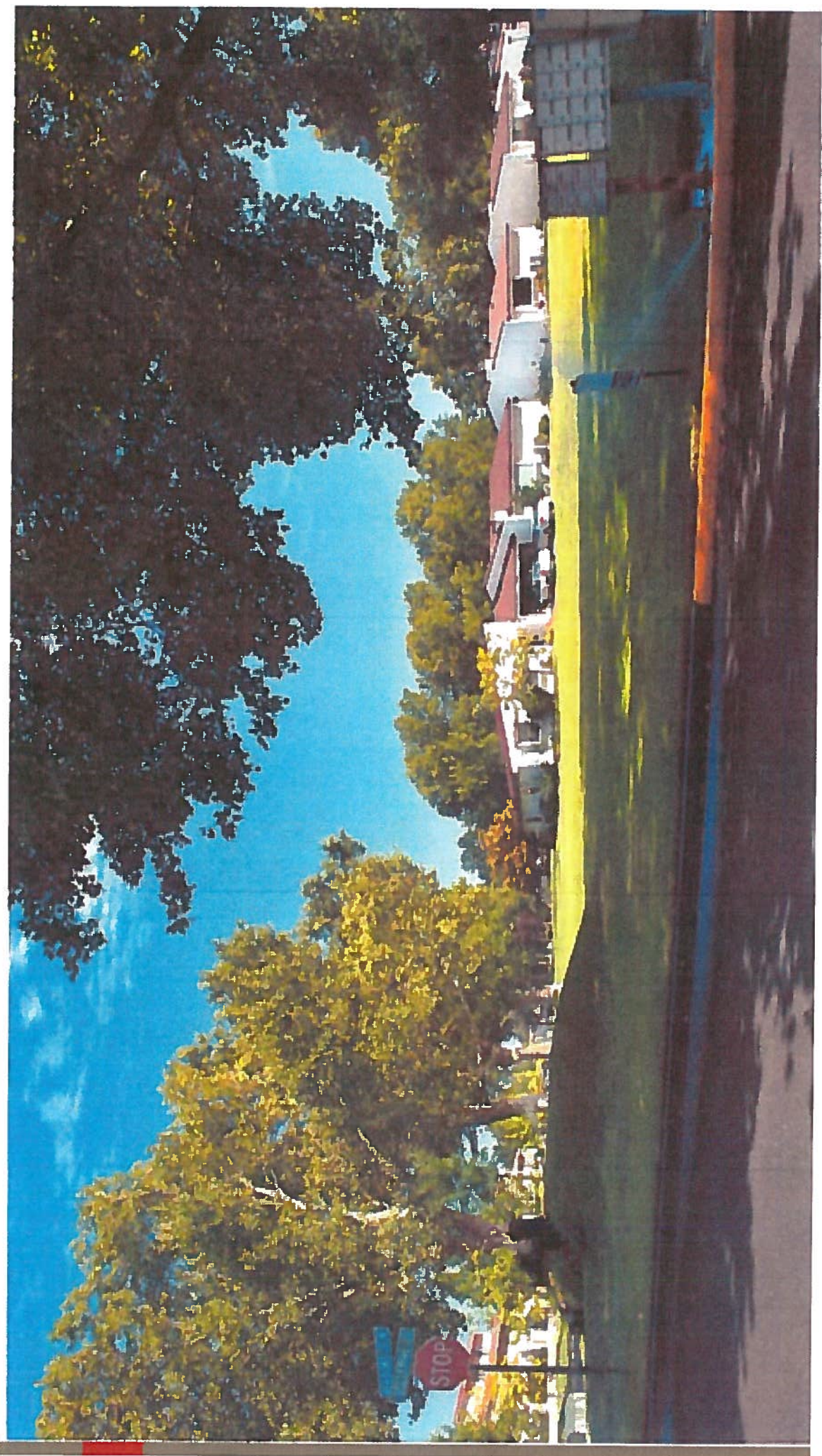
- According to Richland Municipal Code, Title 23 Zoning Regulations Chapter 23.62 Wireless Communications Facilities. The following specific criteria shall be met before a special use permit can be granted:
 - A. Visual Impact.
 - 2. Site location and development shall preserve the pre-existing character of the surrounding buildings and land uses and zone district to the extent consistent with the function of the communications equipment. Wireless communications towers shall be integrated through location and design to blend in with the existing characteristics of the site to the extent practical. Existing on-site vegetation shall be preserved or improved, and disturbance of the existing topography shall be minimized, unless such disturbance would result in less visual impact of the site to the surrounding area.

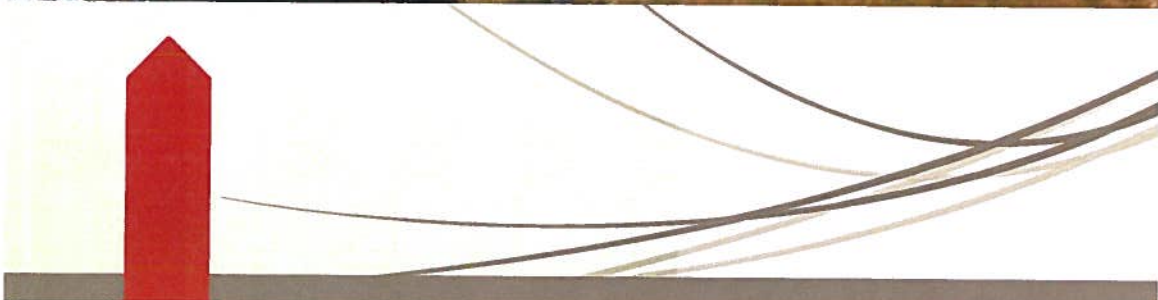


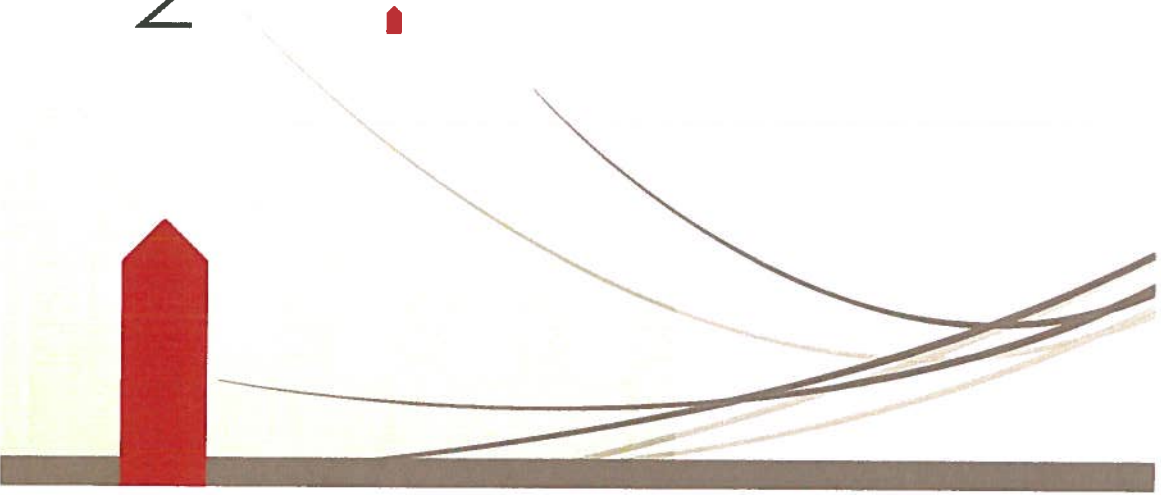
VISUAL IMPACT 23.62.070 CONTINUED

- The pictures provided on the application are misleading they do not show what it will look like from our living rooms, decks or patios.
- The aesthetics of the neighborhood will suffer as the tower is proposed to be on a main thorough fare where open green space currently exist.
- Neighborhood aesthetics will be destroyed by an industrial complex of 8-foot high walls, 35-feet wide along with an access road and an 80-foot tower.
- An 80-foot fake pine tree of that size would never grow in this area and it will stick out like a sore thumb.









NEGATIVE HEALTH EFFECTS

- Although the FCC does not require a specific health study with the application, based on their evaluation from 1996, In the past 20 years there have been significant studies done (those links have been submitted to the record) on the negative affect of RF waves. These studies have shown the following negative affects:
 - Headaches
 - Memory loss
 - Cardiovascular stress
 - Miscarriages
 - Cancer
 - And more



CONCLUSION

- First and foremost we would like to see this SUP denied, Based on the fact that 80% of residents/homes located in the 300 foot notification radius are against the installation of a cell tower in that location due to deterioration of the aesthetics of the neighborhood and will negatively affect property values, not mention potential health affects.
- Second, should this SUP be approved we are requesting that it be contingent upon providing an independent study in the Meadow Springs area on health affects and the affects on property values.
- A document was submitted to MR. O'Neill providing him with links to data that backs up why we are against placement of a cell tower in this spot and those links also contain law cases that have upheld our views.



Associations	Against Tower	For Tower	ilingSt	MailingZip
MEADOWS SOUTH ASSOCIATION,	MailingAddress1 2419 WHITWORTH AVE	RICHLAND	WA	99352
J P M MAIDMENT	453 CARNER CT W	RICHLAND	WA	99352-9618
LORNA HENDERSON	451 CARNER CT W	RICHLAND	WA	99352-9618
CARL E & JANE BEYER	2033 VENTURI CT	RICHLAND	WA	99352-9231
RANDAL STECKEL	2031 VENTURI CT	RICHLAND	WA	99352-9231
MICHELLE HULL	2031 VENTURI CT	RICHLAND	WA	99352-9231
DAVID W & CARAMITTA S MCMYLER, TRUSTEE	2025 VENTURI CT	RICHLAND	WA	99352-9231
GERALD & CORKY GREENFIELD	2017 MEADOWS DR N	RICHLAND	WA	99352-9224
MEADOW SPRINGS COUNTRY CLUB,	700 COUNTRY CLUB PL	RICHLAND	WA	99352-0000
TOWNFAIR INVESTORS LLC	PO BOX 1620	GRESHAM	OR	97124
STEPHEN R WEIL TRUSTEE	531 MEADOWS DR S	RICHLAND	WA	99352-8408
CHRISTOPHER L BRITTON	457 CARNER CT W	RICHLAND	WA	99352-6118
SUZANNE F MITCHELL	457 CARNER CT W	RICHLAND	WA	99352-6118
ALEXANDER G & JACQUELINE A MCCLAIN	455 CARNER CT W	RICHLAND	WA	99352-9618
JEREMY P M MAIDMENT	453 CARNER CT W	RICHLAND	WA	99352-9618
CHARLES K PARSONS	451 CARNER CT W	RICHLAND	WA	99352-9618
KYM DAVID	450 CARNER CT W	RICHLAND	WA	99352-9618
CHRIS J & CHERYL L NICKOLA	452 CARNER CT W	RICHLAND	WA	99352-9618
PAUL E & BEVERLY A HENDERSON	PO BOX 6421	KENNEWICK	WA	99336
DARWIN D & KATHRYN Y EDWARDS	456 CARNER CT W	RICHLAND	WA	99352-9618
SCOTT M & AMANDA B JOHNSON	525 MEADOWS DR S	RICHLAND	WA	99352-8408
JUANITA WARWICK	536 CARNER ST	RICHLAND	WA	99352-7601
GERALD D & DONNA HALE	538 CARNER ST	RICHLAND	WA	99352-7601
CLARK O & PAMELA ROMINE	533 CARNER ST	RICHLAND	WA	99352-7601
GERALDINE S BAUER	505 MEADOWS DR S	RICHLAND	WA	99352
DANIEL J & BETHANY A FAULKNER IV	36922 SE BRAEBURN ST	SNOQUALMIE	WA	98065-8956
THIRUCHITR & S AMBALAM	506 MEADOWS DR S	RICHLAND	WA	99352-7731
ALFRED H & TERU BIVENS TRUSTEES	508 MEADOWS DR S	RICHLAND	WA	99352-7731
ROMAR E & PAM J SWARNER	510 MEADOWS DR S	RICHLAND	WA	99352-7731
RONALD S & B JOANNE MCMURPHY	512 MEADOWS DR S	RICHLAND	WA	99352-7731
ANTHONY SAVINO	8200 W DESCHUTES AVE	KENNEWICK	WA	99336-1632
JAMES W & SHARON G BIXLER	516 MEADOWS DR S	RICHLAND	WA	99352-9612
KENNETH M & KAREN L QUIGLEY	518 MEADOWS DR S	RICHLAND	WA	99352-7731
JOHN F & TAMARA S PETERSON	520 MEADOWS DR S	RICHLAND	WA	99352-7731
MEADOW SPRINGS COUNTRY CLUB,	700 COUNTRY CLUB RD	RICHLAND	WA	99352
LYNN VAVRA	2024 WEISKOPF CT	RICHLAND	WA	99352
MILFORD TERRASS	1800 BELLERIVE DR APT 340	RICHLAND	WA	99352
KATHIE MANNING	2026 VENTURI CT	RICHLAND	WA	99352-9788
MEADOWS NORTH ASSOCIATION,	1907 MEADOWS DR N	RICHLAND	WA	99352

KEVIN MCCULLEN	500 MEADOWS DR S	RICHLAND	WA	99352	
JUDY CECIL	2028 VENTURI CT	RICHLAND	WA	99352-9788	
GERTRUDE FELDER	2030 VENTURI CT	RICHLAND	WA	99352-9788	
RICHARD A FREEMAN JR	504 MELISSA ST	RICHLAND	WA	99352	Out of town
CLIFFORD & TAMARA RIGSBEE	2026 TREVINO CT	RICHLAND	WA	99352-9785	
GREGG & COLLEEN CARROLL	16903 155TH PL SE	RENTON	WA	98058	
CONNIE M HILTY	2030 TREVINO CT	RICHLAND	WA	99352-9205	
HELEN BONHAM	2015 MEADOWS DR N	RICHLAND	WA	99352-9224	
RAY W & TRACY L HARNEY	1308 WESTGATE WAY	RICHLAND	WA	99352	
KEITH E & BILLIE H KER	2033 TREVINO CT	RICHLAND	WA	99352-9205	Vacant-for sale
KAHUNA, LLC	PO BOX 160	RICHLAND	WA	99352	
JAMES B & NANCY P EDGAR	2029 TREVINO CT	RICHLAND	WA	99352-9205	MSCC Club Member
LOIS LLOYD	2013 FAIRWAY DR	RICHLAND	WA	99352-9783	
DONALD DENO	2011 FAIRWAY DR	RICHLAND	WA	99352-9783	MSCC Club Member
CARLYLE E & H F CLARK	2009 FAIRWAY DR	RICHLAND	WA	99352-9783	
DAVID JONES	2021 FAIRWAY CT	RICHLAND	WA	99352-9784	
DAVID R & MADELON N HITTLE	2019 FAIRWAY CT	RICHLAND	WA	99352	
STEPHEN D & CAROLYN K HENAGER	2017 FAIRWAY CT	RICHLAND	WA	99352	
WANDA GIBBINS	530 MEADOWS DR S	RICHLAND	WA	99352-9612	
ALICIA HAMAR	532 MEADOWS DR S	RICHLAND	WA	99352-9612	
MATTHEW LOWE	532 MEADOWS DR S	RICHLAND	WA	99352-9612	Repeat
HOWARD & AUDREY Y COOPER	PO BOX 962	RICHLAND	WA	99352-0962	
W T HARRISON	2403 WHITWORTH AVE	RICHLAND	WA	99352-9613	
DANIEL H & ELIZABETH E KOSZCZEWSKI	509 MEADOWS DR S	RICHLAND	WA	99352-8407	
SHERI A NOLAND	511 MEADOWS DR S	RICHLAND	WA	99352-8407	
TOBI PETERSON	513 MEADOWS DR S	RICHLAND	WA	99352-8407	
MASON A & KARYN K MENDEL	515 MEADOWS DR S	RICHLAND	WA	99352	
MARCUS GOODMAN	2400 WHITWORTH AVE	RICHLAND	WA	99352-9613	
NORMAN L RUMMEL	2406 WHITWORTH AVE	RICHLAND	WA	99352	
JARED & KELLY ROSENKRANZ	500 MEADOWS DR S	RICHLAND	WA	99352	
KARL R & LISA K CHRISTENSEN	502 MEADOWS DR S	RICHLAND	WA	99352	
DAWNA EDWARDS	504 MEADOWS DR S	RICHLAND	WA	99352-7731	
PATRICIA ADAMS	2371 MICHAEL AVE	RICHLAND	WA	99352	
NICHOLAS L & SHARON A HILGERT	2030 WEISKOPF CT	RICHLAND	WA	99352	
REBA SUMNER	2028 WEISKOPF CT	RICHLAND	WA	99352-9789	
THERESA LONG	2026 WEISKOPF CT	RICHLAND	WA	99352	
RICHARD C HULSEMAN	2033 WEISKOPF CT	RICHLAND	WA	99352-9789	MSCC Club Member
ROBERT VOSBURGH TRUSTEE	2031 WEISKOPF CT	RICHLAND	WA	99352	
WILLIAM E & TAMMY NGUYEN MCCLUNG TRUSTEE	2029 WEISKOPF CT	RICHLAND	WA	99352	
ROGER LAWSON	2345 MICHAEL AVE	RICHLAND	WA	99352-6102	
VALERIE KIMBALL-LAWSON	2345 MICHAEL AVE	RICHLAND	WA	99352-6102	

DAVID R & BRANDY E TAYLOR	601 MEADOWS DR E	RICHLAND	WA	99352	
ALLETTA R & MICHAEL J LAFERRIERE	2405 MICHAEL AVE	RICHLAND	WA	99352-6101	
STEVEN A & HOLLY T DAVIS	602 MEADOWS DR E	RICHLAND	WA	99352-9797	
TERESA ESQUIVEL	2350 MICHAEL AVE	RICHLAND	WA	99352-6102	
RICHARD G & P G SLOCUM	602 LINDA CT	RICHLAND	WA	99352-9798	
ANDY L & JENNIFER L SORN	601 LINDA CT	RICHLAND	WA	99352	
THIEC CONG HOANG	600 MEADOWS DR E	RICHLAND	WA	99352-9272	
THUY BICH NGO	600 MEADOWS DR E	RICHLAND	WA	99352-9272	Repeat
RAY D & SYDNEY E SWAIN	2375 MICHAEL AVE	RICHLAND	WA	99352-6102	
JEANETTE A SQUIRES	2365 MICHAEL AVE	RICHLAND	WA	99352-6102	
JONATHAN & SABRINA OLSON	2361 MICHAEL AVE	RICHLAND	WA	99352-6102	
DAVID L & GAYLE F BURT	2351 MICHAEL AVE	RICHLAND	WA	99352-6102	Out of town
HEATHER E & JUSTIN LUKE RAY	2341 MICHAEL AVE	RICHLAND	WA	99352	
GREGORY P & PATRICIA L SKIRKO	605 MURIEL ST	RICHLAND	WA	99352-9790	
GARY & CONNIE RICHARDSON	603 MURIEL	RICHLAND	WA	99352	Out of town
DANNY R & HELEN J GREGORY	601 MURIEL ST	RICHLAND	WA	99352-9790	
97 Notified					
6 repeats					
5 Associations					
	84 Homes notified				
21 homes unable to get a hold of homeowners					
Out of 63 homeowners contacted 13 are for the tower					
Out of 63 homeowners contacted 50 are against the tower					
Using 84 total					

Petition to (City of Richland Council Members to Vote No on Special Use Permit (SUP 2018-100) & for Meadow Springs Country Club to not Lease Proposed Site to US Cellular

Petition summary and background	US Cellular is proposing to put an 80-foot-high cell phone tower on Meadow Springs Golf Course in Richland, WA, on the corner of Bellerive and Country Club Road. This petition is asking the City of Richland to not approve the Special Use Permit (SUP 2018-100) and additional to request Meadow Springs Country Club not lease the proposed location to US Cellular.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to vote no on approving the Special Use Permit (SUP 2018-100) to allow for the construction of an 80-foot tall wireless communication facility on the property located at 700 Country Club Road, at the southwest corner of the intersection of Country Club Road and Bellerive Drive in Richland, WA.

Printed Name	Signature	Address	Email and/or phone	Date
John Peterson		520 MEADOWS DR S.	509-992-6582	3-8-18
Mason Mendel		515 Meadows Dr S	509-393-9266	3-9-18
Shana Aselt		510 Meadows Dr S	509-554-3627	3-9-18
John John		505 Meadows Dr S	509-438-7825	3-11-18
Carissa Veitri		514 Meadows Drive S	509-389-4404	3-11-2018
Amy Johnson		525 Meadows Dr S	509 438 7790	3-11-18
Ken Guipley		518 Meadows Dr S	(509) 438-7083	3-11-18

Petition to (City of Richland Council Members to Vote No on Special Use Permit (SUP 2018-100) & for Meadow Springs Country Club to not lease proposed site to US Cellular, con't

Printed Name	Signature	Address	Email and/or phone	Date
JOHN L. AUSTIN	John L. Austin	200 ODESSA ST. 99352 RICHLAND, WA	johnl.austin@charter.net	02/04/18
ADRIAN BEGGMAN	Adrian Beggs	1409 Rimrock Ave Richland, WA 99352	adlytu@gmail.com	2-9-18
Laurie Ashford	Laurie Ashford	2003 Meadows Dr N Richland, WA 99352	laurieashford16@gmail.com	2/9/18
Roba Summer	Reba Summer	2008 Weiskopf Ct Richland, WA 99352		2/9/18
SHARON HIGIER	Sharon Higier	2030 Weiskopf Ct Richland, WA 99352		2/9/18
Robert O. Voshugh	Robert O. Voshugh	2031 Weiskopf Ct		2/9/18
NOLA CASTEN	Nola Casten	2031 Weiskopf Ct		2/9/18
WILLIAM McCLUNG	William McClung	2029 Weiskopf Ct		2-9-18
TAMMY McCLUNG	Tammy McClung	2029 Weiskopf Ct	wmcclung12@yahoo.com	2/9/18
DON SMITH	Don Smith	2100 Bellevue Apt 191	720-987-1194	2/10/18
Marge Smith	Marge Smith	2100 Bellevue Apt 191	720 318 1194	2/10/18
Karl Christensen	Karl Christensen	502 Meadows Dr S	karl.clab@hotmail.com	2/10/18
Keela Amba	Keela Amba	506 Meadows Dr S	AmbaKeela@gmail.com	2/10/18
Karyn Mendel	Karyn Mendel	515 Meadows Dr. S.	KKALYN44@hotmail.com	2/10/18
Tamara Peterson	Tamara Peterson	520 Meadows Dr S	tamispencer@gmail.com	2/10/18

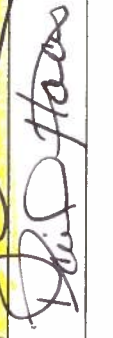
Petition to (City of Richland Council Members to Vote No on Special Use Permit (SUP 2018-100) & for Meadow Springs Country Club to not lease proposed site to US Cellular, due to health risks, aesthetic damage to the neighborhood and negative affect on property values. Con't.

Printed Name	Signature	Address	Email and/or phone	Date
Betsy Kosciuszko	Betsy Kosciuszko	509 meadows Dr. S.	danskid1@msn.com	3/5/18
NORM RUMMEL	<i>Norm Rummel</i>	2406 whitworth AVE	normrummel37@yahoo.com	
Helen Bonham	Helen Bonham	2015 Meadows Dr. N	helenydia@hotmail	3/5/18
Elmer Peterson	Elmer Peterson	2015 Meadows Dr. N		
PAUL SCHMITT	Paul Schmitt	429 PUMPER CT	521.5046	5 MAR '18
Kathie Monahan	Kathie Monahan	2026 Venturi Ct.	396-5840	
David F. Delgado	David F. Delgado	2031 Venturi Ct	(925) 914-9575	
Don Brindley	Don Brindley	2011 FAIRWAY DR	959 430-6538	3/5/18
Ami Gwathier	Ami Gwathier	2007 Fairway Dr.	ami@greenstruction.net	3/5/18
Dan Gregory	Dan Gregory	601 murier	h.gregory@frontier.com	03/06/18
Gregory Taylor	Gregory Taylor	601 Mariel	"	" 3/6/18
Jared Rosenbaum	Jared Rosenbaum	500 Meadows Drive S	jared.rosenbaum2018@gmail.com	3/6/18
Jeanette Aguirre	Jeanette Aguirre	9365 Michael	627-1580	March 8, 2018
MARTINA BUTLER	M. Butler	2100 BELLEVUE DR.	EMOGLITAUC@gmail.com	3/9/18
Brandy Taylor	Brandy Taylor	601 Meadows Dr. E	braven30@yahoo.com	3/9/18

Petition to City of Richland Council Members to Vote No on Special Use Permit (SUP 2018-100) & for Meadow Springs Country Club to not lease proposed site to US Cellular, con't

Petition to (City of Richland Council Members to Vote No on Special Use Permit (SUP 2018-100) & for Meadow Springs Country Club to not lease proposed site to US Cellular

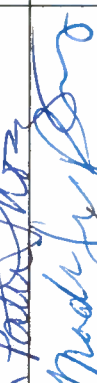
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Printed Name	Signature	Address	Email and/or phone	Date
Sabrina Olson		2361 Michael Ave	meawss22@gmail.com 509-572-6705	2/10
Jonathan Olson		2361 Michael Ave	osp14r2@gmail.com 509-391-6008	2/10/18
Daniel Haas		4101 Blalock Ct.	nanfordvino@yahoo.com	2/10/18
B. Spencer		535 Meadows Dr S	billspencer@charter.net	2/10/18
Kimberly Spencer		535 Meadows Dr S	kimberly-spencer@charter.net	2/10/18
Jane Beyer		2033 Venturie Ct	Janebeyer@mac.com	2/12/18
Judy Kelder		2030 Venturie Ct		2/12/18
Judy Cecil		2028 Venturie Ct		2/12/18
Connie Hilty		2030 Trevenio Ct	hiltyfem@charter.net	2/12/18

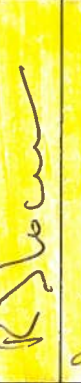
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Printed Name	Signature	Address	Email and/or phone	Date
Theresa J. Long		Richland, WA 2046 Weiskopf Ct	509-845-2128 trigirl59@gmail.com	02/01/18
Joyelyn Toth		Richland 2009 Turquoise	509-430-5107	02/01/18
Deanna Boyle		1909 W 2nd Pl Kennebec WA	509-438-7308	2/3/18
Patricia Thompson		28104 S. 95th ARSC	patth@windermerc	2/3/18
Madison Pomroy		2103 Concord St.	madesomp@windermerc.com	2/2/18
Kris Colosi		2507 Tiger Ln / Richland	DKCCOLOSI@AOL.COM	2/3/18
Carrie Wood		4601 Norma W Richland		2/2/18
C. Leigh Thomas		2022 Weiskopf Richland		2/3/18
Cindy Austin		99352 200 Odessa St.		2/4/2018

Petition to (City of Richland Council Members to Vote No on Special Use Permit (SUP 2018-100) & for Meadow Springs Country Club to not lease proposed site to US Cellular, due to health risks, aesthetic damage to the neighborhood and negative affect on property values. Con't.

Printed Name	Signature	Address	Email and/or phone	Date
Kathy Marks		460 Blalock Ct. Richland	303-597-6506	2/26/18
Rebecca Annamante		624 Meadows Dr. S. Richland WA	jbecki@rams.com	2/26/18
Lisa Christensen		502 Meadows Dr. S. Richland WA	lisa@hotmail.com	2/26/18
Meredith Fair		1905 Barber Place Richland WA 99352	meretair@charter.net	2/26/2018
Norma Holliday		511 Barber Ct. Richland WA 99352	509 629-5127	2-26-18
Carol Curry		owner - 2003 Meadows Dr North Richland	509 521-1100	2/28/18
Carol Sally Curry		owner - 578 Fairway Dr Richland WA	509 521-2206	2/28/18
Wm. WARS TAYLOR		2007 MEADOWS DRIVE NO.	509-628-2284	2/28/18
Thea Likens		1102 Sumons St	thealikens@gmail.com	2/28/18
Yn Swzaki		1650 Wawry Sq Richland WA	Dswzaki63@gmail.com	3/1/18
Chris Serrin		609 Marvel St	509-778-2155	3/1/18
Roger Lawson		2346 Michael Ave Richland WA 99352	509-628-3438	3/3/18
Valerie Lawson		2345 Michael Ave Richland WA 99352	509-628-3438	3/3/18
Lick Shoun		602 Under Ct Richland	509-627-2079	3/3/18
Sydney Swan		2375 Michael Av	509 460 3221	3/3/18

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Printed Name	Signature	Address	Email and/or phone	Date
Gregg Catzoul	<i>Gregg Catzoul</i>	2028 TREVINO CT. RICHLAND WA 99352	206 972 7203	3/1/18
Liphanie Sams	<i>Liphanie Sams</i>	2001 601 Linda Ct Richland, WA 99352	509-396-3294	3/4/18
Michael Latorre	<i>Michael Latorre</i>	2405 Michael Ave	de 971 236 2012	3/5/18
Shelly Trenchard	<i>Shelly Trenchard</i>	601 G.C. CT Richland, WA 99352	602 822 218	3/5/18
Holly Davis	<i>Holly T. Davis</i>	602 Meadows Dr. E.	509 521-3504	3/5/18
Marcus Goodman	<i>Marcus Goodman</i>	2400 WINTERBOTH AVE	509 308-6891	3/5/18
Kim Maldonado	<i>Kim Maldonado</i>	621 Meadows Dr. E	509-942-8702	3/5/18
Geena Hale	<i>Geena Hale</i>	530 CARRAN AVE RICHLAND WA 99352	509.627-6319	3-5-18
Guarito Warwick	<i>Guarito Warwick</i>	536 Gentry St Richland, WA	509-627-1875	3-5-18

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Printed Name	Signature	Address	Email and/or phone	Date
Dawn Edwards		504 Meadows Dr S	509-438-4620 dawnae7@gmail.com	3-3-18
SA Cunney		570 Fairway Dr	509 523 0674 cj.sally.cunney@charter.net	3-3-18
Tera Bivens		508 Meadows Dr. So		3-3-18
Sharon Bixler		516 MEADOWS DR S,		3-3-18
Lynne Edwards		456 Meadows Dr S		3-3-18
Chris Nickels		452 Corner Ct W		3-3-18
Alex Nkain		455 Corner Ct W		3-3-18
Tracy Steinert		748 Meadows Dr S.	tk+LSteinert@gmail.com	3-3-18
Tom Steinert		748 Meadows Dr S	" "	3-3-18

Petition to (City of Richland Council Members to Vote No on Special Use Permit (SUP 2018-100) & for Meadow Springs Country Club to not lease proposed site to US Cellular, due to health risks, aesthetic damage to the neighborhood and negative affect on property values. Con't.

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Printed Name	Signature	Address	Email and/or phone	Date
DUANE SMITH	<i>Duane Smith</i>	2547 TIGER LANE	423-319-0544	3/2/18
CHERYL SMITH	<i>Cheryl Smith</i>	2547 TIGER LANE	425-343-8457	3/2/18

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Printed Name	Signature	Address	Email and/or phone	Date
x DEBBIE BONGER	<i>Debie Bonger</i>	805 MEADOWS DR S RICHLAND	509 987 4277	3/30/18
x FERDINAND DABUNU	<i>Ferdinand Dabunu</i>	806 "	509 987 4279	3/3/18
x Connie M. Gilman	<i>Connie M. Gilman</i>	2512 Tiger Lane	609) 528-3338	3-5-18
Shirley Romine	<i>Shirley Romine</i>	533 Carver St	509 627-2432	3-5-18
CLARK ROUNE	<i>Clark Roun</i>	"	"	"
Brandy Shand	<i>Brandy Shand</i>	33 Meadows Dr S.	702-218-6749	3-5-18
x Ronald Cove	<i>Ronald Cove</i>	2450 Woods Drive	509-221-1468	3-5-18
x Klarissa Cove	<i>Klarissa Cove</i>	2450 Woods Drive	540-841-4444	3-5-18
● Maria Provenzano	<i>Maria Provenzano</i>	2341 Michael Ave.	509-205-5615	3/5/18
Steve Dobs	<i>Steve Dobs</i>	805 Symon's St.	509-654-0936	3/5/18
GREEN SKIRK	<i>Green Skirk</i>	605 NORRIS ST	509-531-0529	3/7/18

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Printed Name	Signature	Address	Email and/or phone	Date
Kim Smith	KE Smith	2656 Tiger Ln.	KESSMITH31@gmail.com	3/6/18
Angela Johnson	Angela Johnson	2456 Tiger Ln	ajohnson0918@gmail.com	3-6-18
Barbara Wise	Barbara Wise	2432 Tiger Lane	bkwise@icloud.com	3/6/18
James Alwise	James Alwise	2432 Tiger Lane	jamesalwise@me.com	3/6/18
J. Treasday	J. Treasday	2408 Tiger Ln	janiectreashday@gmail.com	✓
Don Stact	Don Stact	2404 Tiger Ln	dnstact@icloud.com	3/6/18
Laura Ray	Laura Ray	2408 Tiger Ln	lauraray99@hotmail.com	3/6/18
Todd Ray	Todd Ray	2400 Tiger LN	todd@dsreginc.com	3/6/18
Connie Olson	Connie Olson	2405 Tiger Ln	connie@bryon-connie.com	3/6/18

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Printed Name	Signature	Address	Email and/or phone	Date
Richard Kallisen		431 Palmer Ct	509 713 9302	3-11-18
Robert Taylor		431 Palmer Ct	509 713 9305	3-11-18
Lisa McKinney		427 Palmer	509-554-1231	3/11/18
Linda Springer		423 Palmer Ct	509-627-5602	3/11/18
Eddie Goss		425 Nicklaus Ct	509 530-391-4024	3/11/18
Dan Arnold		421 Nicklaus Ct	arnoldqx@gmail.com	3-11-18
Jeff Craig		600 Giblet Ct	628-9724	3/12/18
Tom Ambrose		506 Meadow Dr S	627-3611	3/12/18

Petition to (City of Richland Council Members to Vote No on Special Use Permit (SUP 2018-100) & for Meadow Springs Country Club to not lease proposed site to US Cellular, due to health risks, aesthetic damage to the neighborhood and negative affect on property values. Con't.

PLANS PREPARED FOR:

U.S. Cellular

8410 BRYN MAWR AVE., STE. 700
CHICAGO, IL 60631
CUSTOMER SERVICE
(888) 944-9400

PLANS PREPARED FOR:

WIRELESS SITE

TECHNOLOGY, LLC

WIRELESS SITE TECHNOLOGY, LLC
9323 N. GOVERNMENT WAY #220
HAYDEN, ID 83835
DAN MACKINNEY
(208) 699-0237

PROJECT INFORMATION:

347371

BELLERIVE

700 COUNTRY CLUB ROAD
RICHLAND, WA 99352
(BENTON COUNTY)

PLANS PREPARED BY:

TOWER ENGINEERING PROFESSIONALS

500 E. 84TH AVE. SUITE C10
THORNTON, CO 80229
OFFICE: (303) 566-9914
www.tepgroup.net

SEAL:

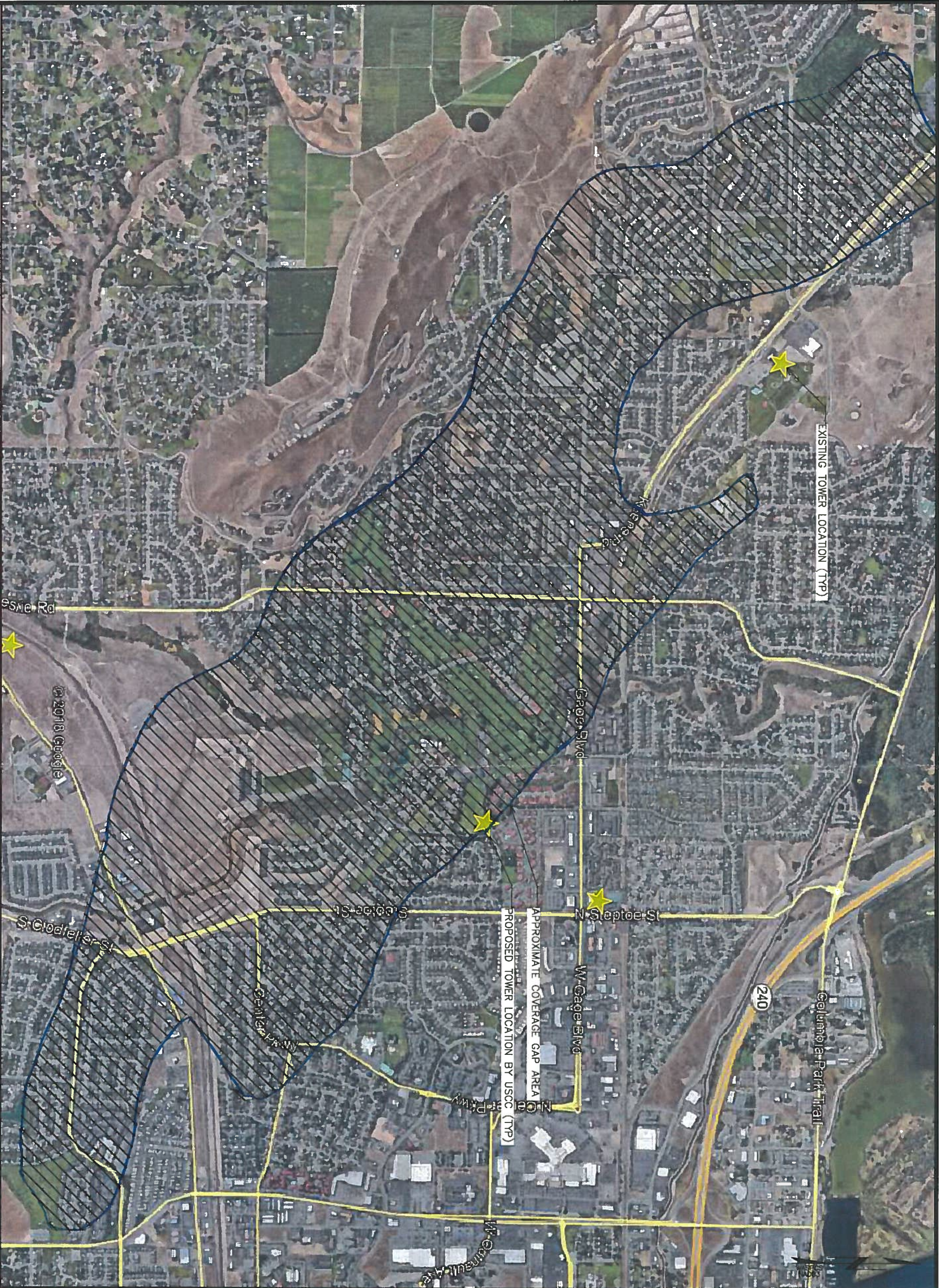
PRELIMINARY
DO NOT USE FOR
CONSTRUCTION

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REV	DATE	ISSUED FOR:
DRAWN BY:	CJV	CHECKED BY: ARB

SHEET TITLE:

VICINITY MAP

SHEET NUMBER:	REVISION:
M-1	0
TEP #78105.72747	



VICINITY MAP

SCALE: 1" = 1600'

NOTE:
PLOT SHOWN IS PROVIDED BY ADITYA KHANOLKAR, US CELLULAR RF ENGINEER.

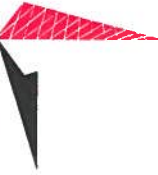
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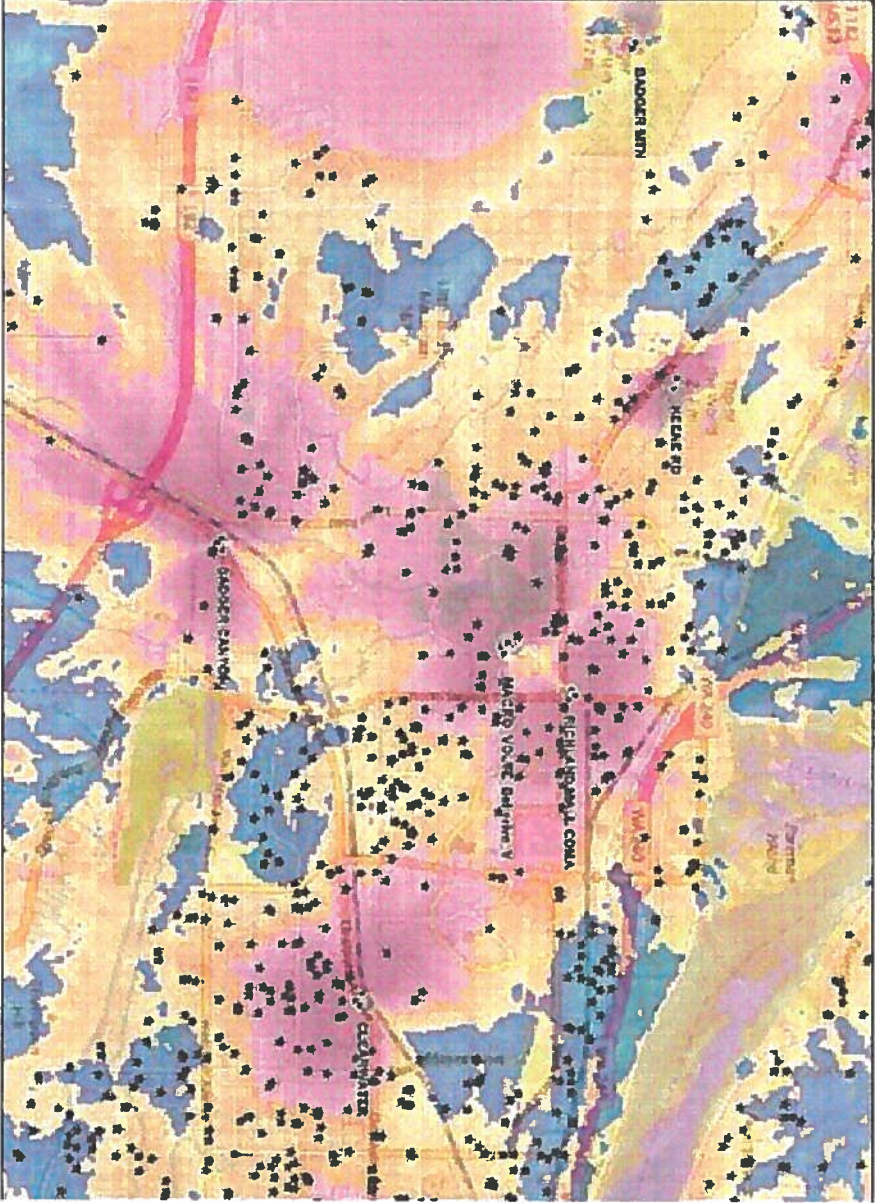
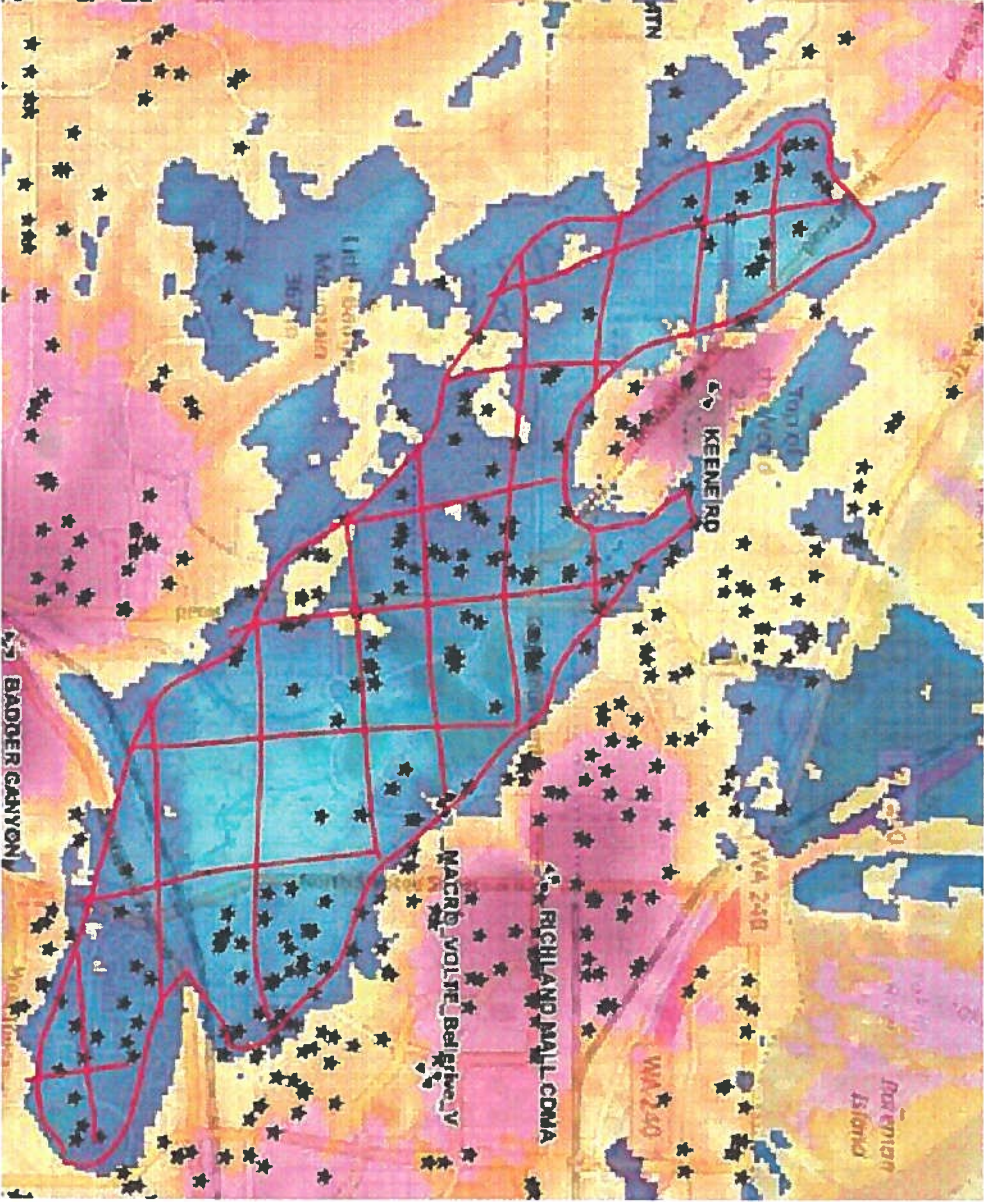
SEAL:

PRELIMINARY
DO NOT USE FOR CONSTRUCTION

0	03-07-18	PLOT SHEET
REV	DATE	ISSUED FOR:
DRAWN BY:	CJV	CHECKED BY: ARB

SHEET TITLE:
PLOT SHEET

SHEET NUMBER:	REVISION:
S-1	0
TEP #: 78105.72747	



CURRENT SIGNAL PLOT

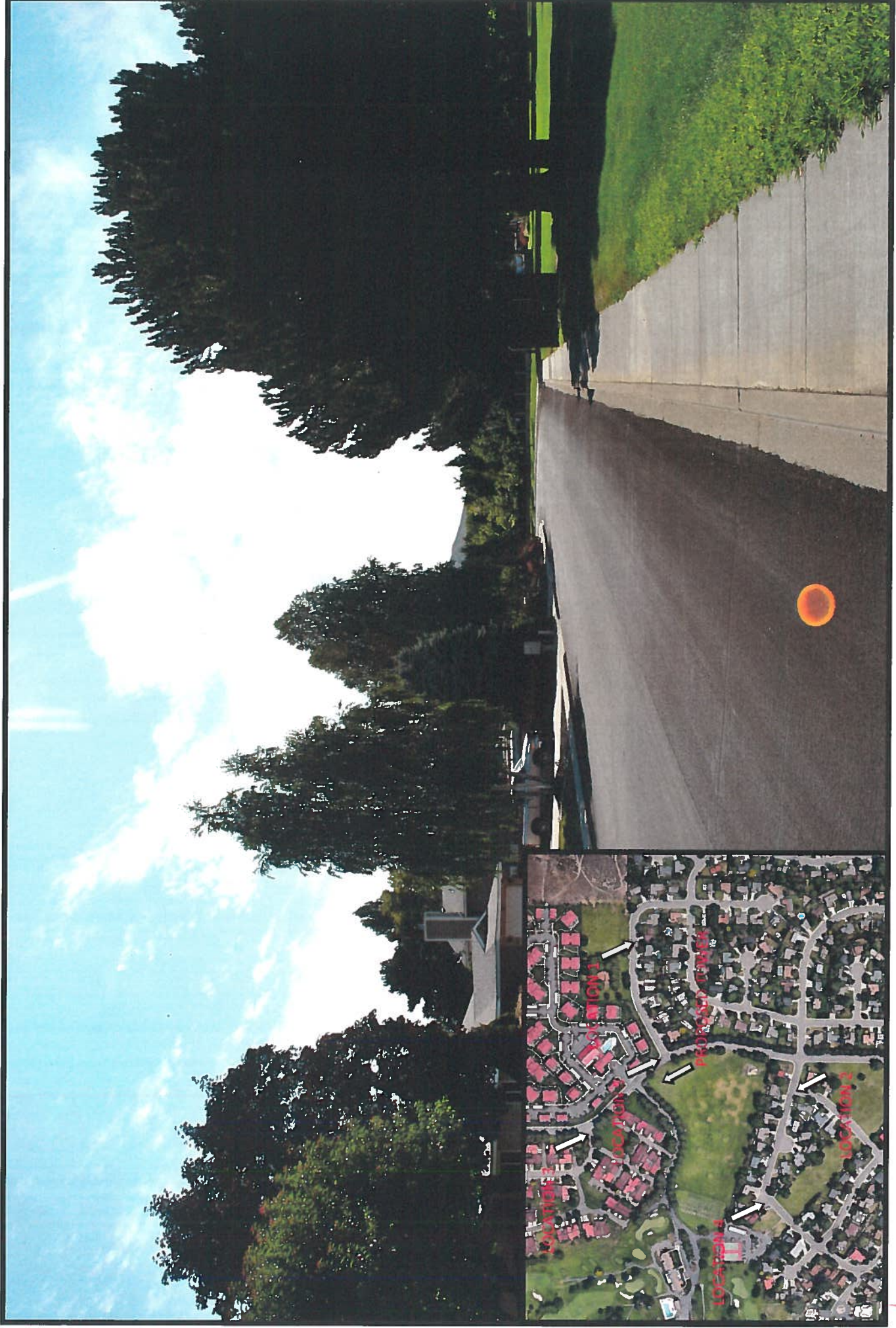
CURRENT PREDICTION PLOT WITH PROPOSED FACILITY

SCALE: N.T.S.

SCALE: N.T.S.

SITE NAME: 347371 BELLERIVE
SITE ADDRESS: BELLERIVE DRIVE, RICHLAND, WA 99352

PHOTO LOCATION 1 (BEFORE)



SITE NAME: 347371 BELLERIVE
SITE ADDRESS: BELLERIVE DRIVE, RICHLAND, WA 99352

PHOTO LOCATION 1 (AFTER)

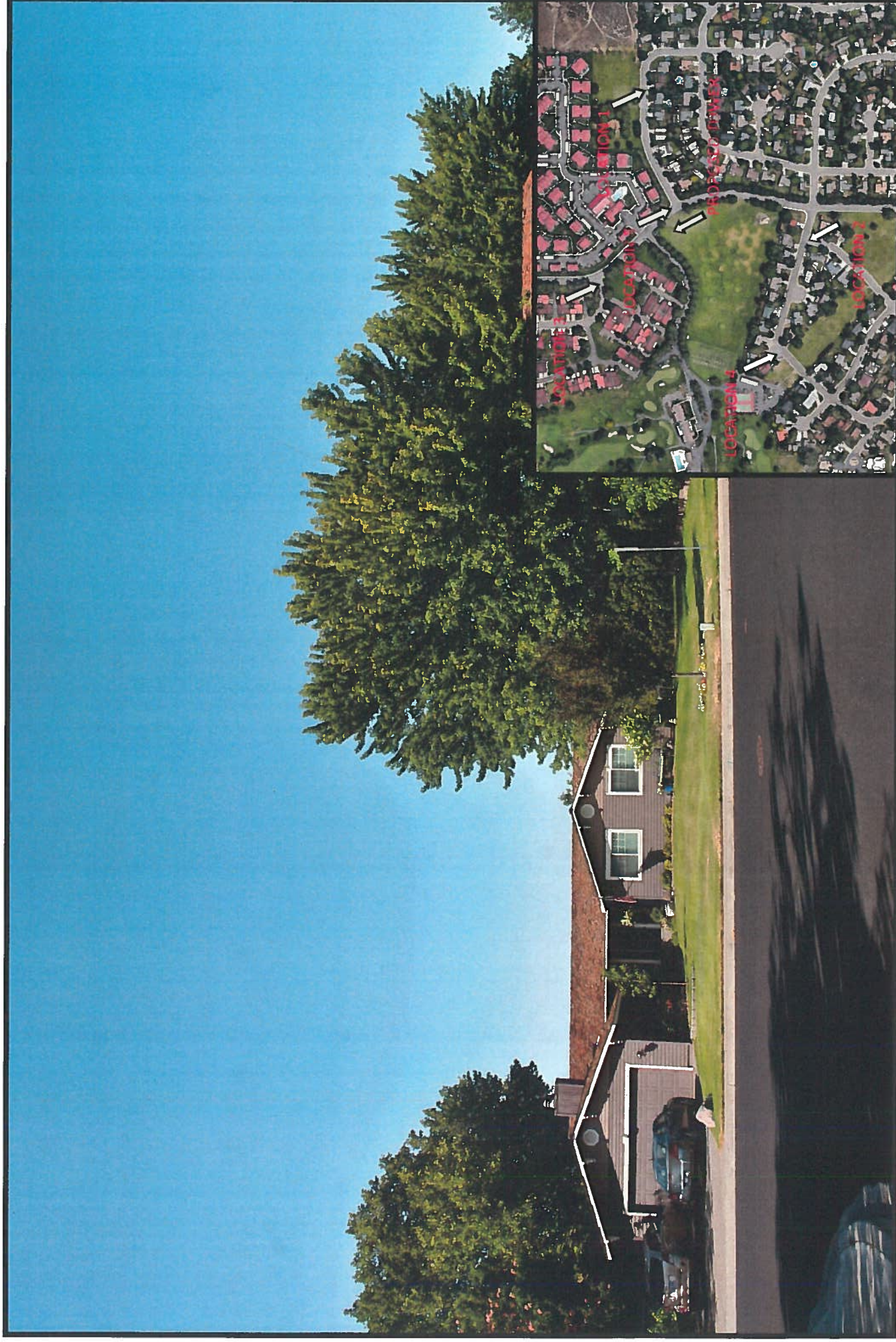
 **U.S. Cellular**
WIRELESS SITE
TECHNOLOGY, LLC



PHOTO RENDERING PROVIDED BY TOWER ENGINEERING PROFESSIONALS, INC.

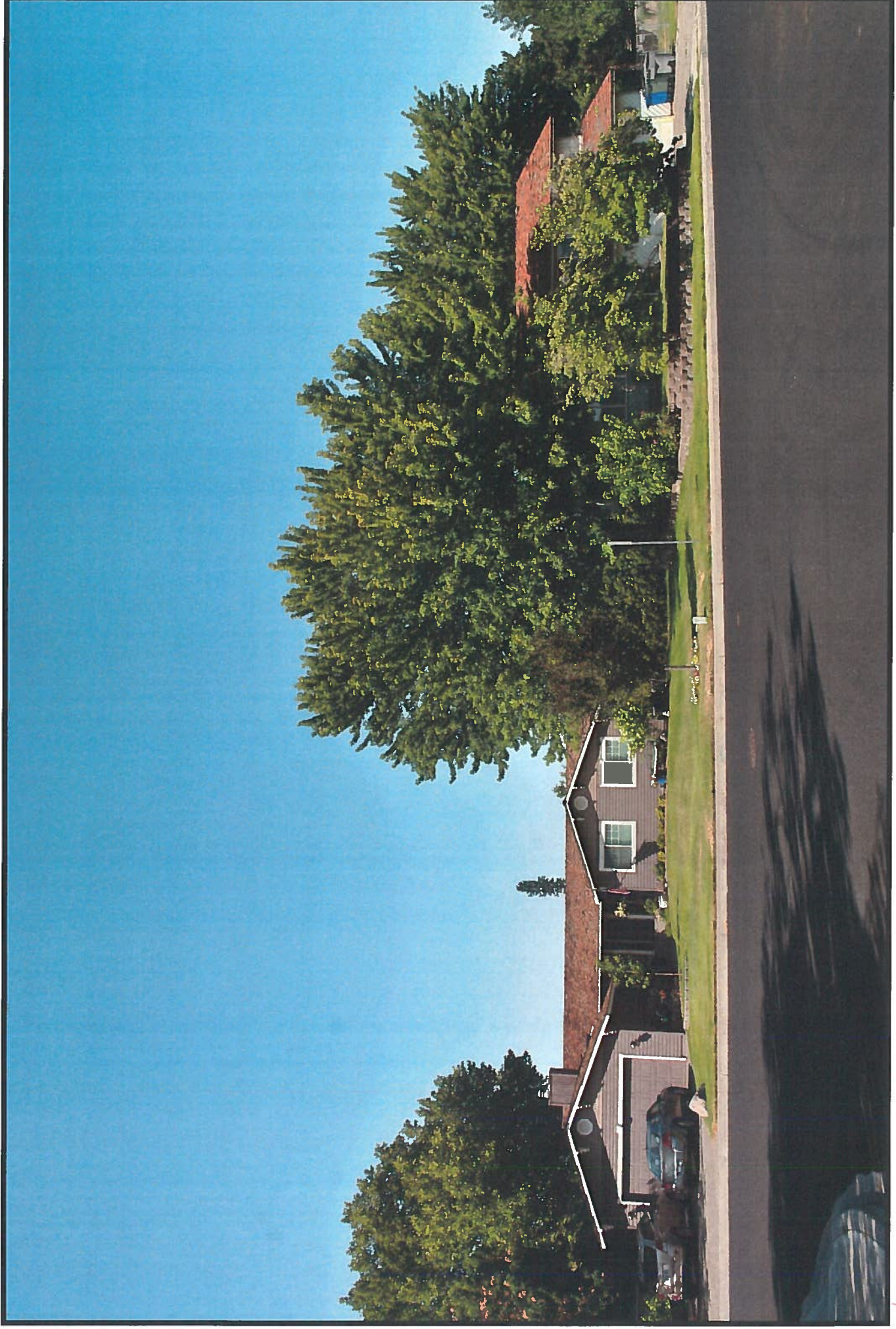
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SITE ADDRESS: BELLERIVE DRIVE, RICHLAND, WA 99352

PHOTO LOCATION 2 (BEFORE)



SITE NAME: 347371 BELLERIVE
SITE ADDRESS: BELLERIVE DRIVE, RICHLAND, WA 99352

PHOTO LOCATION 2 (AFTER)



SITE NAME: 347371 BELLERIVE
SITE ADDRESS: BELLERIVE DRIVE, RICHLAND, WA 99352

PHOTO LOCATION 3 (BEFORE)



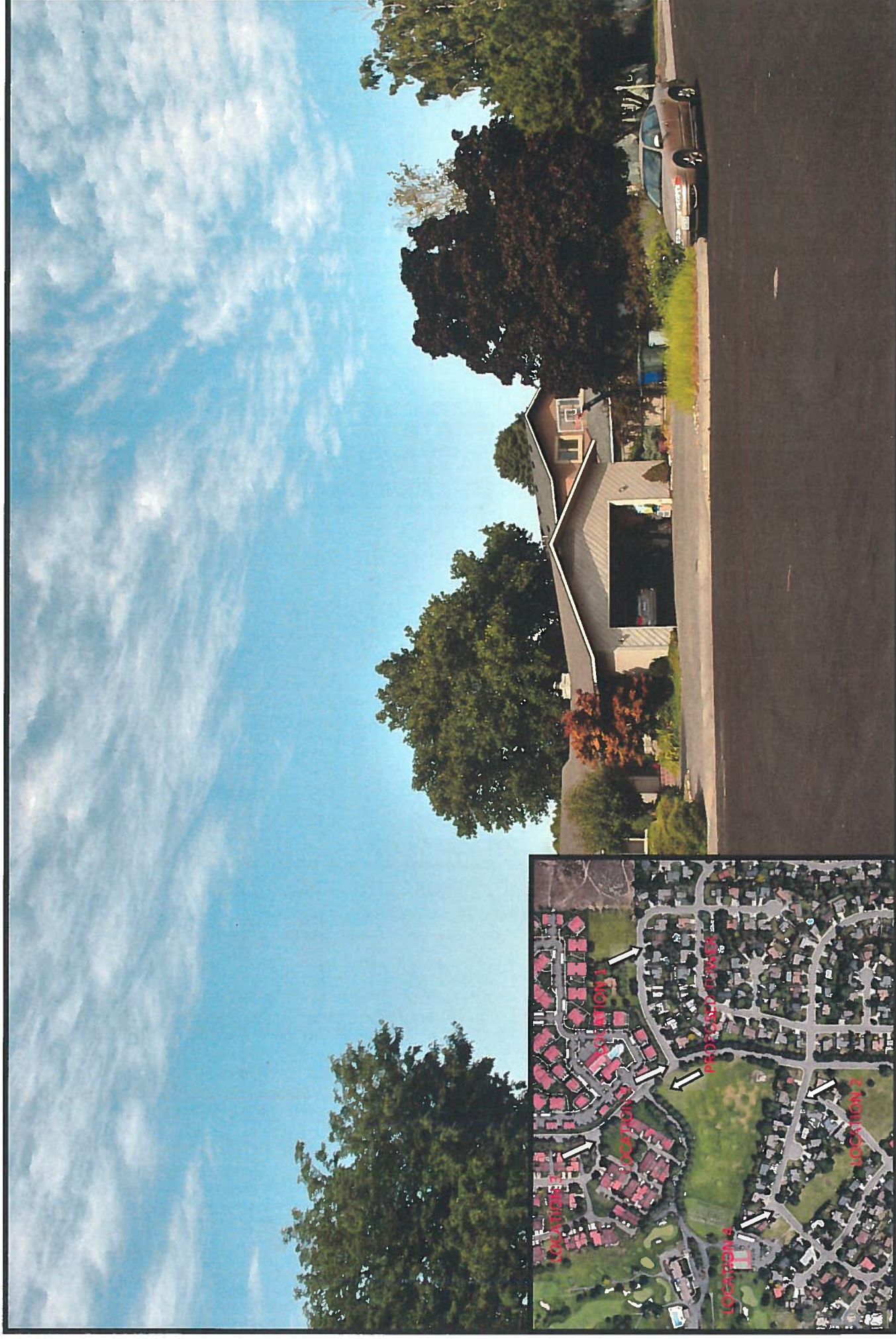
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PHOTO LOCATION 3 (AFTER)



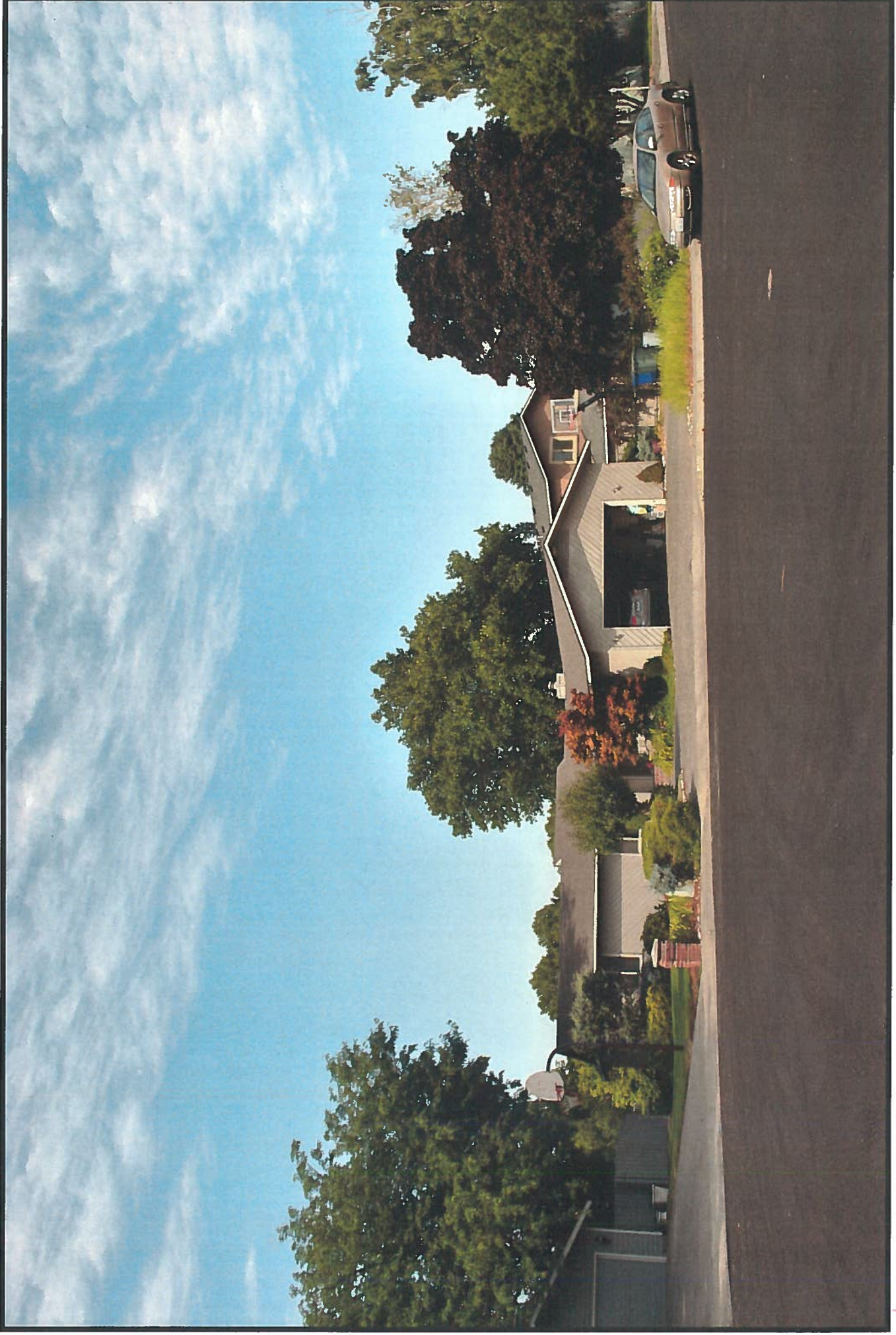
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SITE ADDRESS: BELLERIVE DRIVE, RICHLAND, WA 99352

PHOTO LOCATION 4 (BEFORE)



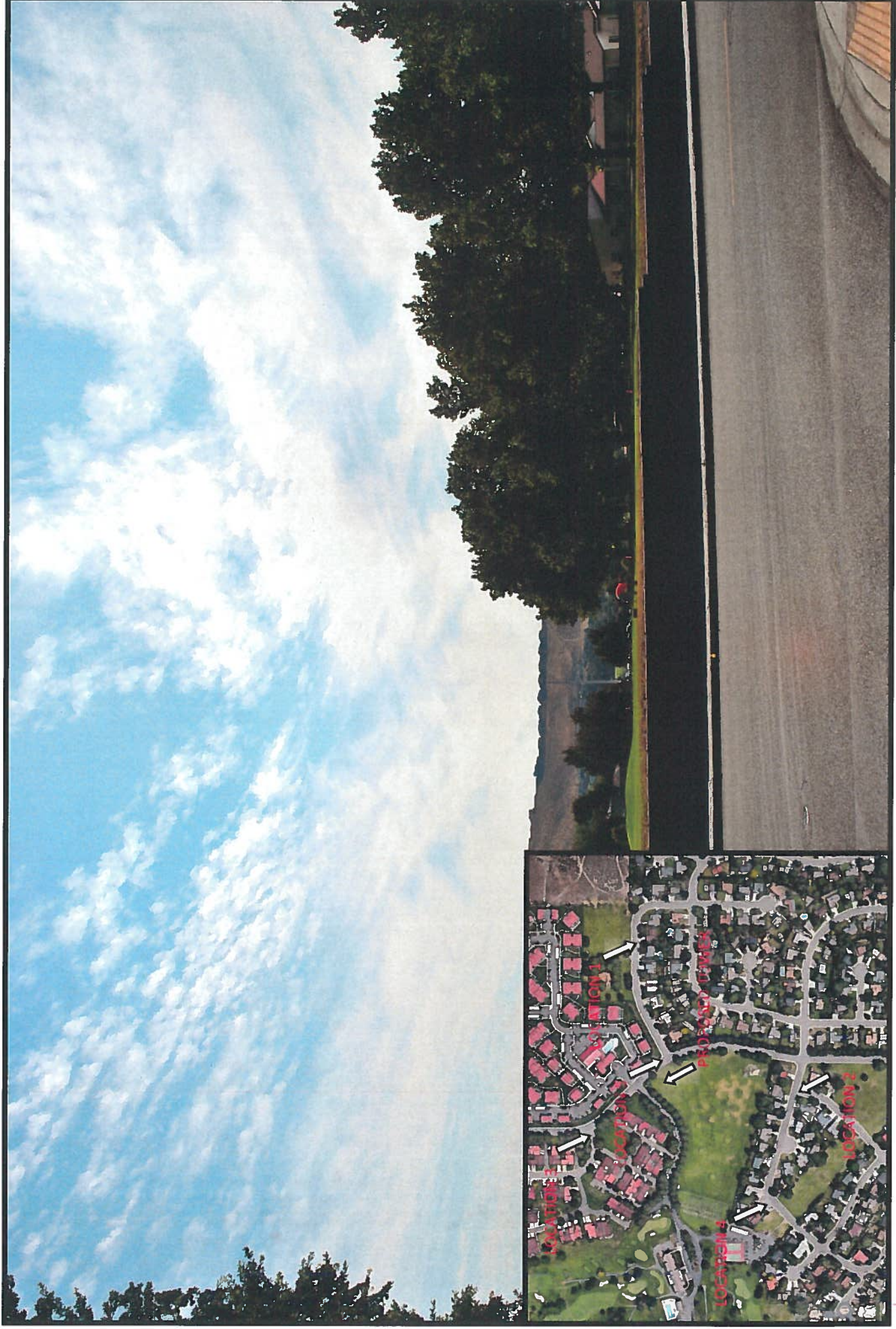
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SITE ADDRESS: BELLERIVE DRIVE, RICHLAND, WA 99352

PHOTO LOCATION 4 (AFTER)



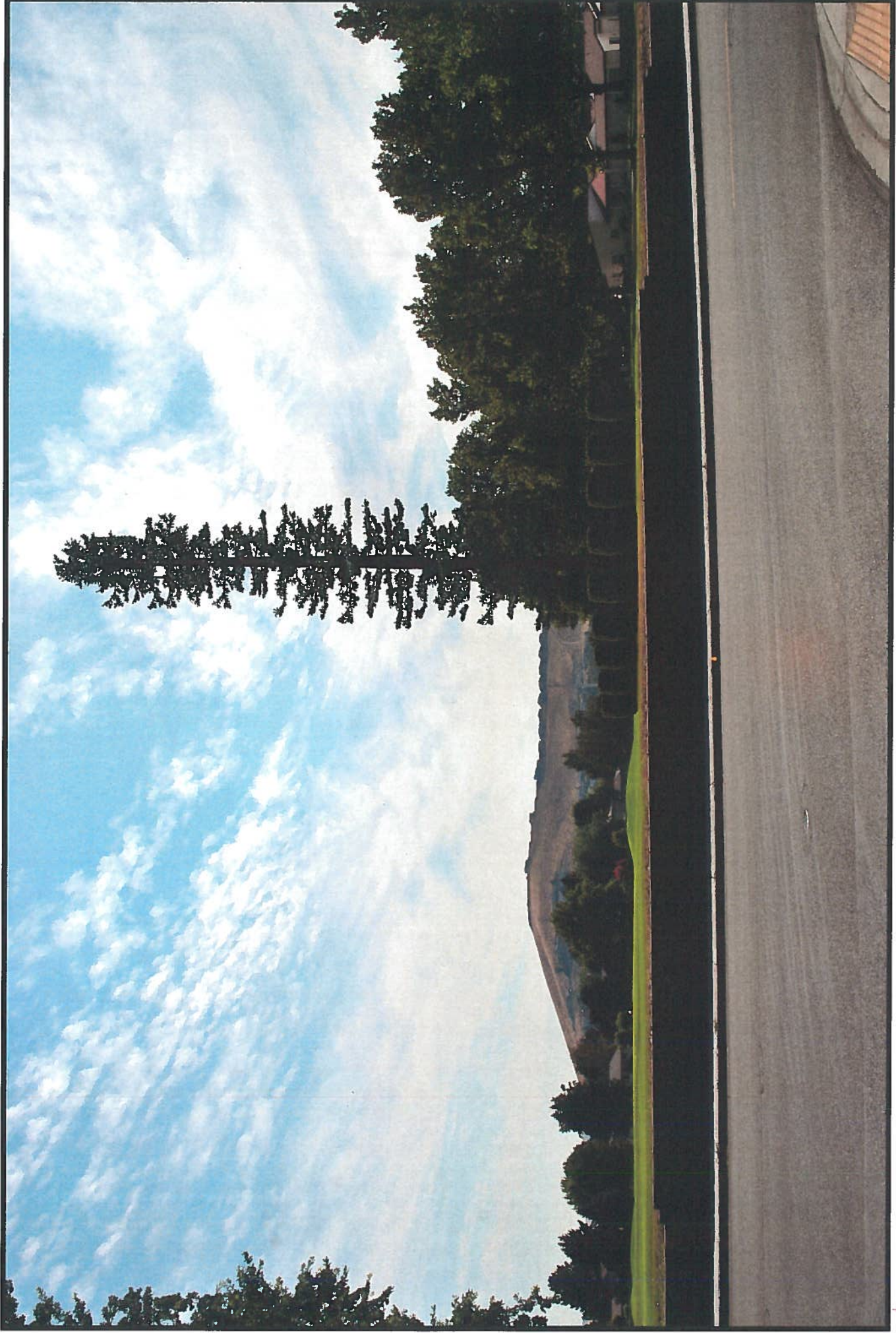
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SITE ADDRESS: BELLERIVE DRIVE, RICHLAND, WA 99352

PHOTO LOCATION 5 (BEFORE)



SITE NAME: 347371 BELLERIVE
SITE ADDRESS: BELLERIVE DRIVE, RICHLAND, WA 99352

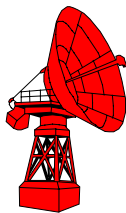
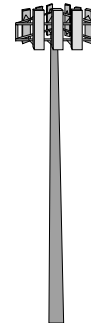
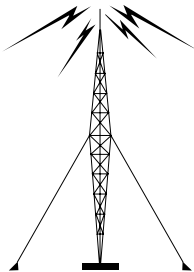
PHOTO LOCATION 5 (AFTER)





*Federal Communications Commission
Office of Engineering & Technology*

Questions and Answers about Biological Effects and Potential Hazards of Radiofrequency Electromagnetic Fields



OET BULLETIN 56
Fourth Edition

August 1999

***Questions and Answers about Biological
Effects and Potential Hazards of
Radiofrequency Electromagnetic Fields***



OET BULLETIN 56
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August 1999

Authors

**Robert F. Cleveland, Jr.
Jerry L. Ulcek**

**Office of Engineering and Technology
Federal Communications Commission
Washington, D.C. 20554**

INTRODUCTION

Many consumer and industrial products and applications make use of some form of electromagnetic energy. One type of electromagnetic energy that is of increasing importance worldwide is radiofrequency (or "RF") energy, including radio waves and microwaves, which is used for providing telecommunications, broadcast and other services. In the United States the Federal Communications Commission (FCC) authorizes or licenses most RF telecommunications services, facilities, and devices used by the public, industry and state and local governmental organizations. Because of its regulatory responsibilities in this area the FCC often receives inquiries concerning whether there are potential safety hazards due to human exposure to RF energy emitted by FCC-regulated transmitters. Heightened awareness of the expanding use of RF technology has led some people to speculate that "electromagnetic pollution" is causing significant risks to human health from environmental RF electromagnetic fields. This document is designed to provide factual information and to answer some of the most commonly asked questions related to this topic.¹

WHAT IS RADIOFREQUENCY ENERGY?

Radio waves and microwaves are forms of electromagnetic energy that are collectively described by the term "radiofrequency" or "RF." RF emissions and associated phenomena can be discussed in terms of "energy," "radiation" or "fields." Radiation is defined as the propagation of energy through space in the form of waves or particles. Electromagnetic "radiation" can best be described as waves of electric and magnetic energy moving together (i.e., radiating) through space as illustrated in **Figure 1**. These waves are generated by the movement of electrical charges such as in a conductive metal object or antenna. For example, the alternating movement of charge (i.e., the "current") in an antenna used by a radio or television broadcast station or in a cellular base station antenna generates electromagnetic waves that radiate away from the "transmit" antenna and are then intercepted by a "receive" antenna such as a rooftop TV antenna, car radio antenna or an antenna integrated into a hand-held device such as a cellular telephone. The term "electromagnetic field" is used to indicate the presence of electromagnetic energy at a given location. The RF field can be described in terms of the electric and/or magnetic field strength at that location.²

Like any wave-related phenomenon, electromagnetic energy can be characterized by a wavelength and a frequency. The wavelength (λ) is the distance covered by one complete

¹ Exposure to low-frequency electromagnetic fields generated by electric power transmission has also been the subject of public concern. However, because the FCC does not have regulatory authority with respect to power-line electromagnetic fields, this document only addresses questions related to **RF** exposure. Information about exposure due to electrical power transmission can be obtained from several sources, including the following Internet World Wide Web site: <http://www.niehs.nih.gov/emfrapid>

² The term "EMF" is often used to refer to electromagnetic fields, in general. It can be used to refer to either power-line frequency fields, radiofrequency electromagnetic fields or both.

electromagnetic wave cycle, as shown in **Figure 1**. The frequency is the number of electromagnetic waves passing a given point in one second. For example, a typical radio wave transmitted by an FM radio station has a wavelength of about three (3) meters and a frequency of about 100 million cycles (waves) per second or "100 MHz." One "hertz" (abbreviated "Hz") equals one cycle per second. Therefore, in this case, about 100 million RF electromagnetic waves would be transmitted to a given point every second.

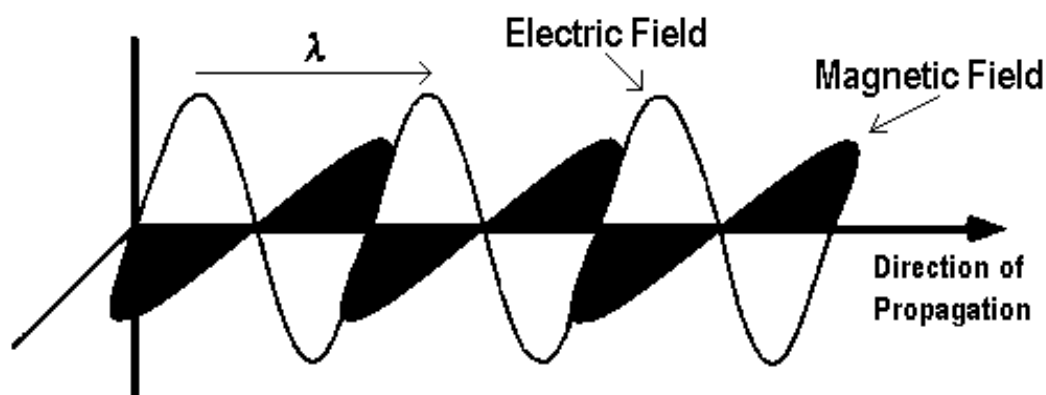


FIGURE 1. *Electromagnetic Wave*

Electromagnetic waves travel through space at the speed of light, and the wavelength and frequency of an electromagnetic wave are inversely related by a simple mathematical formula: frequency (f) times wavelength (λ) = the speed of light (c), or $f \times \lambda = c$. This simple equation can also be expressed as follows in terms of either frequency or wavelength:

$$f = \frac{c}{\lambda} \quad \text{or} \quad \lambda = \frac{c}{f}$$

Since the speed of light in a given medium or vacuum does not change, high-frequency electromagnetic waves have short wavelengths and low-frequency waves have long wavelengths. The electromagnetic "spectrum" (**Figure 2**) includes all the various forms of electromagnetic energy from extremely low frequency (ELF) energy, with very long wavelengths, to X-rays and gamma rays, which have very high frequencies and correspondingly short wavelengths. In between these extremes are radio waves, microwaves, infrared radiation, visible light, and ultraviolet radiation, in that order. The RF part of the electromagnetic spectrum is generally defined as that part of the spectrum where

electromagnetic waves have frequencies in the range of about 3 kilohertz to 300 gigahertz. One kilohertz (kHz) equals one thousand hertz, one megahertz (MHz) equals one million hertz, and one gigahertz (GHz) equals one billion hertz. Thus, when you tune your FM radio to 101.5, it means that your radio is receiving signals from a radio station emitting radio waves at a frequency of 101.5 million cycles (waves) per second, or 101.5 MHz.

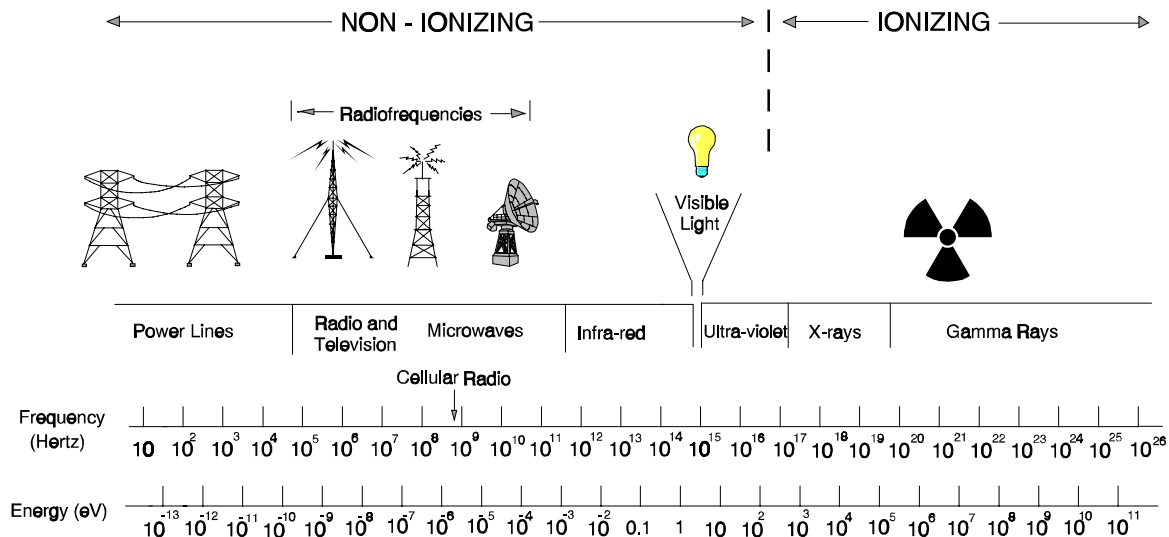


FIGURE 2. The Electromagnetic Spectrum

HOW DO WE USE RADIOFREQUENCY ENERGY?

Probably the most important use for RF energy is in providing telecommunications services to the public, industry and government. Radio and television broadcasting, cellular telephones, personal communications services (PCS), pagers, cordless telephones, business radio, radio communications for police and fire departments, amateur radio, microwave point-to-point radio links and satellite communications are just a few of the many applications of RF energy for telecommunications.

Microwave ovens and radar are examples of non-communications uses of RF energy. Also important are uses of RF energy in industrial heating and sealing where electronic devices generate RF radiation that rapidly heats the material being processed in the same way that a microwave oven cooks food. RF heaters and sealers have many uses in industry,

including molding plastic materials, gluing wood products, sealing items such as shoes and pocketbooks, and processing food products.

There are a number of medical applications of RF energy, including a technique called *diathermy*, that take advantage of the ability of RF energy to rapidly heat tissue below the body's surface. Tissue heating ("hyperthermia") can be beneficial in the therapeutic treatment of injured tissue and cancerous tumors (see References 17 & 18).

WHAT ARE MICROWAVES?

Microwaves are a specific category of radio waves that can be defined as radiofrequency radiation where frequencies range upward from several hundred megahertz (MHz) to several gigahertz (GHz). One of the most familiar and widespread uses of microwave energy is found in household microwave ovens, which operate at a frequency of 2450 MHz (2.45 GHz).

Microwaves are also widely used for telecommunications purposes such as for cellular radio, personal communications services (PCS), microwave point-to-point communication, transmission links between ground stations and orbiting satellites, and in certain broadcasting operations such as studio-to-transmitter (STL) and electronic news gathering (ENG) radio links. Microwave radar systems provide information on air traffic and weather and are extensively used in military and police applications. In the medical field microwave devices are used for a variety of therapeutic purposes including the selective heating of tumors as an adjunct to chemotherapy treatment (microwave hyperthermia).

Radiofrequency radiation, especially at microwave frequencies, efficiently transfers energy to water molecules. At high microwave intensities the resulting energetic water molecules can generate heat in water-rich materials such as most foods. The operation of microwave ovens is based on this principle. This efficient absorption of microwave energy via water molecules results in rapid heating throughout an object, thus allowing food to be cooked more quickly than in a conventional oven.

WHAT IS NON-IONIZING RADIATION?

As explained earlier, electromagnetic radiation is defined as the propagation of energy through space in the form of waves or particles. Some electromagnetic phenomena can be most easily described if the energy is considered as waves, while other phenomena are more readily explained by considering the energy as a flow of particles or "photons." This is known as the "wave-particle" duality of electromagnetic energy. The energy associated with a photon, the elemental unit of an electromagnetic wave, depends on its frequency (or

wavelength). The higher the frequency of an electromagnetic wave (and the shorter its corresponding wavelength), the greater will be the energy of a photon associated with it. The energy content of a photon is often expressed in terms of the unit "electron-volt" or "eV".

Photons associated with X-rays and gamma rays (which have very high electromagnetic frequencies) have a relatively large energy content. At the other end of the electromagnetic spectrum, photons associated with low-frequency waves (such as those at ELF frequencies) have many times less energy. In between these extremes ultraviolet radiation, visible light, infrared radiation, and RF energy (including microwaves) exhibit intermediate photon energy content. For comparison, the photon energies associated with high-energy X-rays are billions of times *more* energetic than the energy of a 1-GHz microwave photon. The photon energies associated with the various frequencies of the electromagnetic spectrum are shown in the lower scale of **Figure 2**.

Ionization is a process by which electrons are stripped from atoms and molecules. This process can produce molecular changes that can lead to damage in biological tissue, including effects on DNA, the genetic material. This process requires interaction with photons containing high energy levels, such as those of X-rays and gamma rays. A single quantum event (absorption of an X-ray or gamma-ray photon) can cause ionization and subsequent biological damage due to the high energy content of the photon, which would be in excess of 10 eV (considered to be the minimum photon energy capable of causing ionization). Therefore, X-rays and gamma rays are examples of *ionizing* radiation. Ionizing radiation is also associated with the generation of nuclear energy, where it is often simply referred to as "radiation."

The photon energies of RF electromagnetic waves are not great enough to cause the ionization of atoms and molecules and RF energy is, therefore, characterized as *non-ionizing* radiation, along with visible light, infrared radiation and other forms of electromagnetic radiation with relatively low frequencies. It is important that the terms "ionizing" and "non-ionizing" not be confused when discussing biological effects of electromagnetic radiation or energy, since the mechanisms of interaction with the human body are quite different.

HOW ARE RADIOFREQUENCY FIELDS MEASURED?

Because an RF electromagnetic field has both an electric and a magnetic component (electric field and magnetic field), it is often convenient to express the intensity of the RF field in terms of units specific for each component. The unit "volts per meter" (V/m) is often used to measure the strength ("field strength") of the electric field, and the unit "amperes per meter" (A/m) is often used to express the strength of the magnetic field.

Another commonly used unit for characterizing an RF electromagnetic field is "power density." Power density is most accurately used when the point of measurement is far enough

away from the RF emitter to be located in what is commonly referred to as the "far-field" zone of the radiation source, e.g., more than several wavelengths distance from a typical RF source. In the far field, the electric and magnetic fields are related to each other in a known way, and it is only necessary to measure one of these quantities in order to determine the other quantity or the power density. In closer proximity to an antenna, i.e., in the "near-field" zone, the physical relationships between the electric and magnetic components of the field are usually complex. In this case, it is necessary to determine both the electric and magnetic field strengths to fully characterize the RF environment. (Note: In some cases equipment used for making field measurements displays results in terms of "far-field equivalent" power density, even though the measurement is being taken in the near field.) At frequencies above about 300 MHz it is usually sufficient to measure only the electric field to characterize the RF environment if the measurement is not made too close to the RF emitter.

Power density is defined as power per unit area. For example, power density can be expressed in terms of milliwatts per square centimeter (mW/cm^2) or microwatts per square centimeter ($\mu\text{W}/\text{cm}^2$). One mW equals 0.001 watt of power, and one μW equals 0.000001 watt. With respect to frequencies in the microwave range and higher, power density is usually used to express intensity since exposures that might occur would likely be in the far-field. More details about the physics of RF fields and their analysis and measurement can be found in References 2, 3, 8, 21, 33, 34 and 35.

WHAT BIOLOGICAL EFFECTS CAN BE CAUSED BY RF ENERGY?

A biological effect occurs when a change can be measured in a biological system after the introduction of some type of stimuli. However, the observation of a biological effect, in and of itself, does not necessarily suggest the existence of a biological ***hazard***. A biological effect only becomes a safety hazard when it "causes detectable impairment of the health of the individual or of his or her offspring" (Reference 25).

There are many published reports in the scientific literature concerning possible biological effects resulting from animal or human exposure to RF energy. The following discussion only provides highlights of current knowledge, and it is not meant to be a complete review of the scientific literature in this complex field. A number of references are listed at the end of this document that provide further information and details concerning this topic and some recent research reports that have been published (References 1, 3, 6, 7, 9, 14, 15-19, 21, 25, 26, 28-31, 34, 36, 39-41, 47, 49 and 53).

Biological effects that result from heating of tissue by RF energy are often referred to as "thermal" effects. It has been known for many years that exposure to high levels of RF radiation can be harmful due to the ability of RF energy to heat biological tissue rapidly. This is the principle by which microwave ovens cook food, and exposure to very high RF power densities, i.e., on the order of $100 \text{ mW}/\text{cm}^2$ or more, can clearly result in heating of

biological tissue and an increase in body temperature. Tissue damage in humans could occur during exposure to high RF levels because of the body's inability to cope with or dissipate the excessive heat that could be generated. Under certain conditions, exposure to RF energy at power density levels of 1-10 mW/cm² and above can result in measurable heating of biological tissue (but not necessarily tissue damage). The extent of this heating would depend on several factors including radiation frequency; size, shape, and orientation of the exposed object; duration of exposure; environmental conditions; and efficiency of heat dissipation.

Two areas of the body, the eyes and the testes, are known to be particularly vulnerable to heating by RF energy because of the relative lack of available blood flow to dissipate the excessive heat load (blood circulation is one of the body's major mechanisms for coping with excessive heat). Laboratory experiments have shown that short-term exposure (e.g., 30 minutes to one hour) to very high levels of RF radiation (100-200 mW/cm²) can cause cataracts in rabbits. Temporary sterility, caused by such effects as changes in sperm count and in sperm motility, is possible after exposure of the testes to high-level RF radiation (or to other forms of energy that produce comparable increases in temperature).

Studies have shown that environmental levels of RF energy routinely encountered by the general public are *far below* levels necessary to produce significant heating and increased body temperature (References 32, 37, 45, 46, 48 and 54). However, there may be situations, particularly workplace environments near high-powered RF sources, where recommended limits for safe exposure of human beings to RF energy could be exceeded. In such cases, restrictive measures or actions may be necessary to ensure the safe use of RF energy.

In addition to intensity, the frequency of an RF electromagnetic wave can be important in determining how much energy is absorbed and, therefore, the potential for harm. The quantity used to characterize this absorption is called the "specific absorption rate" or "SAR," and it is usually expressed in units of watts per kilogram (W/kg) or milliwatts per gram (mW/g). In the far-field of a source of RF energy (e.g., several wavelengths distance from the source) whole-body absorption of RF energy by a standing human adult has been shown to occur at a maximum rate when the frequency of the RF radiation is between about 80 and 100 MHz, depending on the size, shape and height of the individual. In other words, the SAR is at a maximum under these conditions. Because of this "resonance" phenomenon, RF safety standards have taken account of the frequency dependence of whole-body human absorption, and the most restrictive limits on exposure are found in this frequency range (the very high frequency or "VHF" frequency range).

Although not commonly observed, a microwave "hearing" effect has been shown to occur under certain very specific conditions of frequency, signal modulation, and intensity where animals and humans may perceive an RF signal as a buzzing or clicking sound. Although a number of theories have been advanced to explain this effect, the most widely-accepted hypothesis is that the microwave signal produces thermoelastic pressure within the head that is perceived as sound by the auditory apparatus within the ear. This effect is not recognized as a health hazard, and the conditions under which it might occur

would rarely be encountered by members of the public. Therefore, this phenomenon should be of little concern to the general population. Furthermore, there is no evidence that it could be caused by telecommunications applications such as wireless or broadcast transmissions.

At relatively low levels of exposure to RF radiation, i.e., field intensities lower than those that would produce significant and measurable heating, the evidence for production of harmful biological effects is ambiguous and unproven. Such effects have sometimes been referred to as "non-thermal" effects. Several years ago publications began appearing in the scientific literature, largely overseas, reporting the observation of a wide range of low-level biological effects. However, in many of these cases further experimental research was unable to reproduce these effects. Furthermore, there has been no determination that such effects might indicate a human health hazard, particularly with regard to long-term exposure.

More recently, other scientific laboratories in North America, Europe and elsewhere have reported certain biological effects after exposure of animals ("*in vivo*") and animal tissue ("*in vitro*") to relatively low levels of RF radiation. These reported effects have included certain changes in the immune system, neurological effects, behavioral effects, evidence for a link between microwave exposure and the action of certain drugs and compounds, a "calcium efflux" effect in brain tissue (exposed under very specific conditions), and effects on DNA.

Some studies have also examined the possibility of a link between RF and microwave exposure and cancer. Results to date have been inconclusive. While some experimental data have suggested a possible link between exposure and tumor formation in animals exposed under certain specific conditions, the results have not been independently replicated. In fact, other studies have failed to find evidence for a causal link to cancer or any related condition. Further research is underway in several laboratories to help resolve this question.

In general, while the possibility of "non-thermal" biological effects may exist, whether or not such effects might indicate a human health hazard is not presently known. Further research is needed to determine the generality of such effects and their possible relevance, if any, to human health. In the meantime, standards-setting organizations and government agencies continue to monitor the latest experimental findings to confirm their validity and determine whether alterations in safety limits are needed in order to protect human health.

WHAT RESEARCH IS BEING DONE ON RF BIOLOGICAL EFFECTS?

For many years research into possible biological effects of RF energy has been carried out in government, academic and industrial laboratories all over the world, and such research is continuing. Past research has resulted in a very large number of scientific publications on this topic, some of which are listed in the reference section of this document. For many years the U.S. Government has sponsored research into the biological effects of RF energy. The majority of this work has been funded by the Department of Defense, due, in part, to the

extensive military interest in using RF equipment such as radar and other relatively high-powered radio transmitters for routine military operations. In addition, some U.S. civilian federal agencies responsible for health and safety, such as the Environmental Protection Agency (EPA) and the U.S. Food and Drug Administration (FDA), have sponsored and conducted research in this area in the past, although relatively little civilian-sector RF research is currently being funded by the U.S. Government. At the present time, much of the non-military research on biological effects of RF energy in the U.S. is being funded by industry organizations such as Motorola, Inc. In general, relatively more research is being carried out overseas, particularly in Europe.

In 1996, the World Health Organization (WHO) established a program (the International EMF Project) designed to review the scientific literature concerning biological effects of electromagnetic fields, identify gaps in knowledge about such effects, recommend research needs, and work towards international resolution of health concerns over the use of RF technology. (see Reference 40) The WHO and other organizations maintain Internet Web sites that contain additional information about their programs and about RF biological effects and research (see list of Web sites in **Table 3** of this bulletin). The FDA, the EPA and other federal agencies responsible for public health and safety are working with the WHO and other organizations to monitor developments and identify research needs related to RF biological effects. For example, in 1995 the EPA published the results of a conference it sponsored to assess the current state of knowledge of RF biological effects and to address future research needs in this area (Reference 53).

WHAT LEVELS ARE SAFE FOR EXPOSURE TO RF ENERGY?

Development of Exposure Guidelines

Exposure standards and guidelines have been developed by various organizations and countries over the past several decades. In North America and most of Europe exposure standards and guidelines have generally been based on exposure levels where effects considered harmful to humans occur. Safety factors are then incorporated to arrive at specific levels of exposure to provide sufficient protection for various segments of the population.

Not all standards and guidelines throughout the world have recommended the same limits for exposure. For example, some published exposure limits in Russia and some eastern European countries have been generally more restrictive than existing or proposed recommendations for exposure developed in North America and other parts of Europe. This discrepancy may be due, at least in part, to the possibility that these standards were based on exposure levels where it was believed no biological effects *of any type* would occur. This philosophy is inconsistent with the approach taken by most other standards-setting bodies which base limits on levels where recognized hazards may occur and then incorporate appropriate safety margins to ensure adequate protection.

In the United States, although the Federal Government has never itself developed RF exposure standards, the FCC has adopted and used recognized safety guidelines for evaluating RF environmental exposure since 1985. Federal health and safety agencies, such as the Environmental Protection Agency (EPA), the Food and Drug Administration (FDA), the National Institute for Occupational Safety and Health (NIOSH) and the Occupational Safety and Health Administration (OSHA) have also been actively involved in monitoring and investigating issues related to RF exposure. For example, the FDA has issued guidelines for safe RF emission levels from microwave ovens, and it continues to monitor exposure issues related to the use of certain RF devices such as cellular telephones. NIOSH conducts investigations and health hazard assessments related to occupational RF exposure.

In 1971, a federal RF radiation protection guide for workers was issued by OSHA based on the 1966 American National Standards Institute (ANSI) RF exposure standard. However, the OSHA regulation was later ruled to be advisory only and not enforceable. Presently, OSHA enforcement actions related to RF exposure of workers are undertaken using OSHA's "general duty clause," which relies on the use of widely-supported voluntary "consensus" standards such as those discussed below.³

U.S. federal, state and local governmental agencies and other organizations have generally relied on RF exposure standards developed by expert non-government organizations such as ANSI, the Institute of Electrical and Electronics Engineers (IEEE) and the National Council on Radiation Protection and Measurements (NCRP).⁴ For example, in 1966, 1974, and 1982, ANSI issued protection guides for RF exposure developed by committees of experts. These earlier ANSI standards recommended limits for exposure of the public that were the same as those recommended for exposure of workers.

In 1986, the NCRP issued exposure criteria for the workplace that were the same as the 1982 ANSI recommended levels, but the NCRP also recommended more restrictive limits for exposure of the general public. Therefore, the NCRP exposure criteria included **two** tiers of recommended limits, one for the general population and another for occupational exposure. In 1987, the ANSI committee on RF exposure standards (Standards Coordinating Committee 28) became a committee of the IEEE, and, in 1991, revised its earlier standard and issued its own two-tiered standard that had been developed over a period of several years.

³ For information about OSHA RF-related activities and RF protection programs for workers, see the OSHA Internet Web site (case sensitive): www.osha-slc.gov/SLTC/ (select subject: "radiofrequency radiation").

⁴ ANSI is a non-profit, privately funded, membership organization that coordinates development of voluntary national standards. The IEEE is a non-profit technical and professional engineering society. The NCRP is a non-profit corporation chartered by the U.S. Congress to develop information and recommendations concerning radiation protection. Several government agencies, including the FCC, and non-government organizations have established relationships with NCRP as "Collaborating Organizations."

The ANSI/IEEE standards have been widely used and cited and have served as the basis for similar standards in the United States and in other countries. Both the NCRP and ANSI/IEEE guidelines were developed by scientists and engineers with a great deal of experience and knowledge in the area of RF biological effects and related issues. These individuals spent a considerable amount of time evaluating published scientific studies relevant to establishing safe levels for human exposure to RF energy.

In addition to NCRP and ANSI/IEEE, other organizations and countries have issued exposure guidelines. For example, several European countries are basing guidelines on exposure criteria developed by the International Committee on Nonionizing Radiation Protection (ICNIRP, Reference 25). The ICNIRP guidelines are also derived from an SAR threshold of 4 W/kg (for adverse effects) and are similar to the 1992 ANSI/IEEE and NCRP recommendations with certain exceptions. For example, ICNIRP recommends somewhat different exposure levels in the lower and upper frequency ranges and for localized exposure due to such devices as hand-held cellular telephones. Many, but not all, countries have based exposure recommendations on the same general concepts and thresholds as those used by the NCRP, ANSI/IEEE and ICNIRP. Because of differences in international standards, the World Health Organization (WHO), as part of its EMF Project (discussed earlier), has initiated a program to try and develop an international framework for RF safety standards.

FCC Exposure Guidelines

In 1985, the FCC adopted the 1982 ANSI guidelines for purposes of evaluating exposure due to RF transmitters licensed and authorized by the FCC. This decision was in response to provisions of the National Environmental Policy Act of 1969 requiring all Federal Government agencies to evaluate the impact of their actions on the "quality of the human environment."⁵ In 1992, ANSI adopted the 1991 IEEE standard as an American National Standard (a revision of its 1982 standard) and designated it ANSI/IEEE C95.1-1992.⁶

In 1993, the FCC proposed to update its rules and adopt the new ANSI/IEEE guidelines. After a lengthy period to allow for the filing of comments and for deliberation the FCC decided, in 1996, to adopt a modified version of its original proposal.⁷ The FCC's

⁵ The National Environmental Policy Act of 1969, 42 USC Section 4321, *et seq.*

⁶ ANSI/IEEE C95.1-1992 (originally issued as IEEE C95.1-1991), "IEEE Standard for Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz," (Reference 3).

⁷ See *Report and Order* and *Second Memorandum Opinion and Order and Notice of Proposed Rulemaking*, ET Docket 93-62, (References 55 and 56). In 1997, the FCC released a technical bulletin entitled, "Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields," OET Bulletin 65 (Reference 57) that contains detailed information on methods for compliance with FCC guidelines. These documents can be accessed at the FCC's Web site: <http://www.fcc.gov/oet/rfsafety>.

action also fulfilled requirements of the Telecommunications Act of 1996 for adopting new RF exposure guidelines.⁸

The FCC considered a large number of comments submitted by industry, government agencies and the public. In particular, the FCC considered comments submitted by the EPA, FDA, NIOSH and OSHA, which have primary responsibility for health and safety in the Federal Government. The guidelines the FCC adopted were based on the recommendations of those agencies, and they have sent letters to the FCC supporting its decision and endorsing the FCC's guidelines as protective of public health.

In its 1996 Order, the FCC noted that research and analysis relating to RF safety and health is ongoing and changes in recommended exposure limits may occur in the future as knowledge increases in this field. In that regard, the FCC will continue to cooperate with industry and with expert agencies and organizations with responsibilities for health and safety in order to ensure that the FCC's guidelines continue to be appropriate and scientifically valid.

The FCC's guidelines are based on recommended exposure criteria issued by the NCRP and ANSI/IEEE. The NCRP exposure guidelines are similar to the ANSI/IEEE 1992 guidelines except for differences in recommended exposure levels at the lower frequencies and higher frequencies of the RF spectrum. Both ANSI/IEEE and NCRP recommend two different tiers of exposure limits. The NCRP designates one tier for occupational exposure and the other for exposure of the general population while ANSI/IEEE designates exposure tiers in terms of "environments," one for "controlled" environments and the other for "uncontrolled" environments. Over a broad range of frequencies, NCRP exposure limits for the public are generally one-fifth those for workers in terms of power density.⁹

The NCRP and ANSI/IEEE exposure criteria identify the same threshold level at which harmful biological effects may occur, and the values for Maximum Permissible Exposure (MPE) recommended for electric and magnetic field strength and power density in

⁸ The Telecommunications Act of 1996, enacted on February 8, 1996, required that: "Within 180 days after the enactment of this Act, the Commission shall complete action in ET Docket 93-62 to prescribe and make effective rules regarding the environmental effects of radio frequency emissions." See Section 704(b) of the Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996).

⁹ The FCC adopted limits for field strength and power density that are based on Sections 17.4.1 and 17.4.2, and the time-averaging provisions of Sections 17.4.1.1 and 17.4.3, of "Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields," NCRP Report No. 86, for frequencies between 300 kHz and 100 GHz (Reference 34). With the exception of limits on exposure to power density above 1500 MHz, and limits for exposure to lower frequency magnetic fields, these MPE limits are also based on the guidelines developed by the IEEE and adopted by ANSI. See Section 4.1 of ANSI/IEEE C95.1-1992, "Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz" (Reference 3).

both documents are based on this threshold level.¹⁰ In addition, both the ANSI/IEEE and NCRP guidelines are frequency dependent, based on findings (discussed earlier) that whole-body human absorption of RF energy varies with the frequency of the RF signal. The most restrictive limits on exposure are in the frequency range of 30-300 MHz where the human body absorbs RF energy most efficiently when exposed in the far field of an RF transmitting source. Although the ANSI/IEEE and NCRP guidelines differ at higher and lower frequencies, at frequencies used by the majority of FCC licensees the MPE limits are essentially the same regardless of whether ANSI/IEEE or NCRP guidelines are used.

Most radiofrequency safety limits are defined in terms of the electric and magnetic field strengths as well as in terms of power density. For lower frequencies, limits are more meaningfully expressed in terms of electric and magnetic field strength values, and the indicated power densities are actually "far-field equivalent" power density values. The latter are listed for comparison purposes and because some instrumentation used for measuring RF fields is calibrated in terms of far-field or plane-wave equivalent power density. At higher frequencies, and when one is actually in the "far field" of a radiation source, it is usually only necessary to evaluate power density. In the far field of an RF transmitter power density and field strength are related by standard mathematical equations.¹¹

The exposure limits adopted by the FCC in 1996 expressed in terms of electric and magnetic field strength and power density for transmitters operating at frequencies from 300 kHz to 100 GHz are shown in **Table 1**. The FCC also adopted limits for localized ("partial body") absorption in terms of SAR, shown in **Table 2**, that apply to certain portable transmitting devices such as hand-held cellular telephones.¹²

¹⁰ These exposure limits are based on criteria quantified in terms of specific absorption rate (SAR). SAR is a measure of the rate at which the body absorbs RF energy. Both the ANSI/IEEE and NCRP exposure criteria are based on a determination that potentially harmful biological effects can occur at an SAR level of 4 W/kg as averaged over the whole-body. Appropriate safety factors have been incorporated to arrive at limits for both whole-body exposure (0.4 W/kg for "controlled" or "occupational" exposure and 0.08 W/kg for "uncontrolled" or "general population" exposure, respectively) and for partial-body (localized SAR), such as might occur in the head of the user of a hand-held cellular telephone. The new MPE limits are more conservative in some cases than the limits specified by ANSI in 1982. However, these more conservative limits do not arise from a fundamental change in the SAR threshold for harm, but from a precautionary desire to add an additional margin of safety for exposure of the public or exposure in "uncontrolled" environments.

¹¹ See OET Bulletin 65 (Reference 57) for details.

¹² These guidelines are based on those recommended by ANSI/IEEE and NCRP. See Sections 4.2.1 and 4.2.2 of ANSI/IEEE C95.1-1992 and Section 17.4.5 of NCRP Report No. 86. For purposes of evaluation, the FCC has designated these devices as either "portable" or "mobile" depending on how they are to be used. Portable devices are normally those used within 20 centimeters of the body and must be evaluated with respect to SAR limits. Mobile devices are normally used 20 centimeters or more away from the body and can be evaluated in terms of either SAR or field intensity. Detailed information on FCC requirements for evaluating portable and mobile devices can be found in OET Bulletin 65 and in the FCC's Rules and Regulations, 47 CFR 2.1091 and 2.1093.

Time Averaging of Exposure

The NCRP and ANSI/IEEE exposure criteria and most other standards specify "***time-averaged***" MPE limits. This means that it is permissible to exceed the recommended limits for short periods of time as long as the ***average*** exposure (over the appropriate period specified) does not exceed the limit. For example, Table 1 shows that for a frequency of 100 MHz the recommended power density limit is 1 mW/cm² with an averaging time of six minutes (any six-minute period) for occupational/controlled exposure.

The time-averaging concept can be illustrated as follows for exposure in a workplace environment. The sum of the product (or products) of the actual exposure level(s) multiplied by the actual time(s) of exposure must not be greater than the allowed (average) exposure limit times the specified averaging time. Therefore, for 100 MHz, exposure at 2 mW/cm² would be permitted for three minutes in any six-minute period as long as during the remaining three minutes of the six-minute period the exposure was at or near "zero" level of exposure. Therefore, in this example:

$$(2 \text{ mW/cm}^2) \times (3 \text{ min.}) + (0 \text{ mW/cm}^2) \times (3 \text{ min.}) = (1 \text{ mW/cm}^2) \times (6 \text{ min.})$$

Of course, other combinations of power density and time are possible. It is *very important* to remember that time averaging of exposure is only necessary or relevant for situations where temporary exposures might occur that are *in excess of* the absolute limits for power density or field strength. These situations usually only occur in workplace environments where exposure can be monitored and controlled. For general population/uncontrolled exposures, say in a residential neighborhood, it is seldom possible to have sufficient information or control regarding how long people are exposed, and averaging of exposure over the designated time period (30 minutes) is normally not appropriate. For such public exposure situations, the MPE limits normally apply for continuous exposure. In other words, as long as the absolute limits are not exceeded, indefinite exposure is allowed.

Induced and Contact Currents

In addition to limits on field strength, power density and SAR, some standards for RF exposure have incorporated limits for currents induced in the human body by RF fields. For example, the 1992 ANSI/IEEE standard (Reference 3), includes specific restrictions that apply to "induced" and "contact" currents (the latter, which applies to "grasping" contact, is more related to shock and burn hazards). The limits on RF currents are based on experimental data showing that excessive SAR levels can be created in the body due to the presence of these currents. In its 1996 Order adopting new RF exposure guidelines the FCC declined to adopt limits on induced and contact currents due primarily to the difficulty of reliably determining compliance, either by prediction methods or by direct measurement. However, the FCC may reconsider this decision in the future because of the development of new instrumentation and analytical techniques that may be more reliable indicators of exposure.

Table 1. FCC Limits for Maximum Permissible Exposure (MPE)**(A) Limits for Occupational/Controlled Exposure**

Frequency Range (MHz)	Electric Field Strength (E) (V/m)	Magnetic Field Strength (H) (A/m)	Power Density (S) (mW/cm ²)	Averaging Time $ E ^2$, $ H ^2$ or S (minutes)
0.3-3.0	614	1.63	(100)*	6
3.0-30	1842/f	4.89/f	(900/f ²)*	6
30-300	61.4	0.163	1.0	6
300-1500	--	--	f/300	6
1500-100,000	--	--	5	6

(B) Limits for General Population/Uncontrolled Exposure

Frequency Range (MHz)	Electric Field Strength (E) (V/m)	Magnetic Field Strength (H) (A/m)	Power Density (S) (mW/cm ²)	Averaging Time $ E ^2$, $ H ^2$ or S (minutes)
0.3-1.34	614	1.63	(100)*	30
1.34-30	824/f	2.19/f	(180/f ²)*	30
30-300	27.5	0.073	0.2	30
300-1500	--	--	f/1500	30
1500-100,000	--	--	1.0	30

f = frequency in MHz

*Plane-wave equivalent power density

NOTE 1: Occupational/controlled limits apply in situations in which persons are exposed as a consequence of their employment provided those persons are fully aware of the potential for exposure and can exercise control over their exposure. Limits for occupational/controlled exposure also apply in situations when an individual is transient through a location where occupational/controlled limits apply provided he or she is made aware of the potential for exposure.

NOTE 2: General population/uncontrolled exposures apply in situations in which the general public may be exposed, or in which persons that are exposed as a consequence of their employment may not be fully aware of the potential for exposure or can not exercise control over their exposure.

Table 2. FCC Limits for Localized (Partial-body) Exposure

Specific Absorption Rate (SAR)	
Occupational/Controlled Exposure (100 kHz - 6 GHz)	General Uncontrolled/Exposure (100 kHz - 6 GHz)
< 0.4 W/kg whole-body ≤ 8 W/kg partial-body	< 0.08 W/kg whole-body ≤ 1.6 W/kg partial-body

WHY HAS THE FCC ADOPTED GUIDELINES FOR RF EXPOSURE?

The FCC authorizes and licenses devices, transmitters and facilities that generate RF and microwave radiation. It has jurisdiction over all transmitting services in the U.S. except those specifically operated by the Federal Government. However, the FCC's primary jurisdiction does not lie in the health and safety area, and it must rely on other agencies and organizations for guidance in these matters.

Under the National Environmental Policy Act of 1969 (NEPA), the FCC has certain responsibilities to consider whether its actions will "significantly affect the quality of the human environment." Therefore, FCC approval and licensing of transmitters and facilities must be evaluated for significant impact on the environment. Human exposure to RF radiation emitted by FCC-regulated transmitters is one of several factors that must be considered in such environmental evaluations.

Major RF transmitting facilities under the jurisdiction of the FCC, such as radio and television broadcast stations, satellite-earth stations, experimental radio stations and certain cellular, PCS and paging facilities are required to undergo routine evaluation for RF compliance whenever an application is submitted to the FCC for construction or modification of a transmitting facility or renewal of a license. Failure to comply with the FCC's RF exposure guidelines could lead to the preparation of a formal Environmental Assessment, possible Environmental Impact Statement and eventual rejection of an application. Technical

guidelines for evaluating compliance with the FCC RF safety requirements can be found in the FCC's OET Bulletin 65 (Reference 57).

Low-powered, intermittent, or inaccessible RF transmitters and facilities are normally "categorically excluded" from the requirement for ***routine*** evaluation for RF exposure. These exclusions are based on calculations and measurement data indicating that such transmitting stations or devices are unlikely to cause exposures in excess of the guidelines under normal conditions of use.¹³ The FCC's policies on RF exposure and categorical exclusion can be found in Section 1.1307(b) of the FCC's Rules and Regulations.¹⁴ It should be emphasized, however, that these exclusions are ***not*** exclusions from compliance, but, rather, only exclusions from routine evaluation. Furthermore, transmitters or facilities that are otherwise categorically excluded from evaluation may be required, on a case-by-case basis, to demonstrate compliance when evidence of potential non-compliance of the transmitter or facility is brought to the Commission's attention [see 47 CFR §1.1307(c) and (d)].

The FCC's policies with respect to environmental RF fields are designed to ensure that FCC-regulated transmitters do not expose the public or workers to levels of RF radiation that are considered by expert organizations to be potentially harmful. Therefore, if a transmitter and its associated antenna are regulated by the FCC, they must comply with provisions of the FCC's rules regarding human exposure to RF radiation. In its 1997 Order, the FCC adopted a provision that all transmitters regulated by the FCC, regardless of whether they are excluded from routine evaluation, are expected to be in compliance with the new guidelines on RF exposure by September 1, 2000 (Reference 56).

In the United States some local and state jurisdictions have also enacted rules and regulations pertaining to human exposure to RF energy. However, the Telecommunications Act of 1996 contained provisions relating to federal jurisdiction to regulate human exposure to RF emissions from certain transmitting devices.. In particular, Section 704 of the Act states that, "No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions." Further information on FCC policy with respect to facilities siting is available in a factsheet from the FCC's Wireless Telecommunications Bureau.¹⁵

¹³ The Council on Environmental Quality, which has oversight responsibility with regard to NEPA, permits federal agencies to categorically exclude certain actions from routine environmental processing when the potential for individual or cumulative environmental impact is judged to be negligible (40 CFR §§ 1507, 1508.4 and "Regulations for Implementing the Procedural Provisions of NEPA, 43 Fed. Reg. 55,978, 1978).

¹⁴ 47 Code of Federal Regulations 1.1307(b).

¹⁵ "Fact Sheet 2", September 17, 1997, entitled, "*National Wireless Facilities Siting Policies*," from the FCC's Wireless Telecommunications Bureau. This factsheet can be viewed and downloaded from the bureau's Internet World Wide Web Site: <http://www.fcc.gov/wtb/>.

ARE EMISSIONS FROM RADIO AND TELEVISION ANTENNAS SAFE?

Radio and television broadcast stations transmit their signals via RF electromagnetic waves. There are currently approximately 14,000 radio and TV stations on the air in the United States. Broadcast stations transmit at various RF frequencies, depending on the channel, ranging from about 550 kHz for AM radio up to about 800 MHz for some UHF television stations. Frequencies for FM radio and VHF television lie in between these two extremes. Operating powers ("effective radiated power") can be as little as a few hundred watts for some radio stations or up to millions of watts for certain television stations. Some of these signals can be a significant source of RF energy in the local environment, and the FCC requires that broadcast stations submit evidence of compliance with FCC RF guidelines.

The amount of RF energy to which the public or workers might be exposed as a result of broadcast antennas depends on several factors, including the type of station, design characteristics of the antenna being used, power transmitted to the antenna, height of the antenna and distance from the antenna. Since energy at some frequencies is absorbed by the human body more readily than energy at other frequencies, the frequency of the transmitted signal as well as its intensity is important. Calculations can be performed to predict what field intensity levels would exist at various distances from an antenna.

Public access to broadcasting antennas is normally restricted so that individuals cannot be exposed to high-level fields that might exist near antennas. Measurements made by the FCC, EPA and others have shown that ambient RF radiation levels in inhabited areas near broadcasting facilities are typically well below the exposure levels recommended by current standards and guidelines (References 32, 46, 48, 51, 52). There have been a few situations around the country where RF levels in publicly accessible areas have been found to be higher than those recommended by applicable safety standards (e.g., see Reference 50). But, in spite of the relatively high operating powers of many stations, such cases are unusual, and members of the general public are unlikely to be exposed to RF levels from broadcast towers that exceed FCC limits. Wherever such situations have arisen corrective measures have been undertaken to ensure that areas promptly come into compliance with the applicable guidelines.

In cases where exposure levels might pose a problem, there are various steps a broadcast station can take to ensure compliance with safety standards. For example, high-intensity areas could be posted and access to them could be restricted by fencing or other appropriate means. In some cases more drastic measures might have to be considered, such as re-designing an antenna, reducing power, or station relocation.

Antenna maintenance workers are occasionally required to climb antenna structures for such purposes as painting, repairs, or beacon replacement. Both the EPA and OSHA have reported that in these cases it is possible for a worker to be exposed to high levels of RF energy if work is performed on an active tower or in areas immediately surrounding a

radiating antenna (e.g., see Reference 42, 43, 45, and 51). Therefore, precautions should be taken to ensure that maintenance personnel are not exposed to unsafe RF fields. Such precautions could include temporarily lowering power levels while work is being performed, having work performed only when the station is not broadcasting, using auxiliary antennas while work is performed on the main antenna, and establishing work procedures that would specify the minimum distance that a worker should maintain from an energized antenna.

HOW SAFE ARE MICROWAVE AND SATELLITE ANTENNAS?

Point-to-Point Microwave Antennas

Point-to-point microwave antennas transmit and receive microwave signals across relatively short distances (from a few tenths of a mile to 30 miles or more). These antennas are usually rectangular or circular in shape and are normally found mounted on a supporting tower, on rooftops, sides of buildings or on similar structures that provide clear and unobstructed line-of-sight paths between both ends of a transmission path or link. These antennas have a variety of uses such as transmitting voice and data messages and serving as links between broadcast or cable-TV studios and transmitting antennas.

The RF signals from these antennas travel in a directed beam from a transmitting antenna to a receiving antenna, and dispersion of microwave energy outside of the relatively narrow beam is minimal or insignificant. In addition, these antennas transmit using very low power levels, usually on the order of a few watts or less. Measurements have shown that ground-level power densities due to microwave directional antennas are normally a thousand times or more below recommended safety limits. (e.g., see Reference 38) Moreover, as an added margin of safety, microwave tower sites are normally inaccessible to the general public. Significant exposures from these antennas could only occur in the unlikely event that an individual were to stand directly in front of and very close to an antenna for a period of time.

Satellite-Earth Stations

Ground-based antennas used for satellite-earth communications typically are parabolic "dish" antennas, some as large as 10 to 30 meters in diameter, that are used to transmit ("uplinks") or receive ("downlinks") microwave signals to or from satellites in orbit around the earth. The satellites receive the signals beamed up to them and, in turn, retransmit the signals back down to an earthbound receiving station. These signals allow delivery of a variety of communications services, including long distance telephone service. Some satellite-earth station antennas are used only to **receive** RF signals (i.e., just like a rooftop television antenna used at a residence), and, since they do not transmit, RF exposure is not an issue.

Since satellite-earth station antennas are directed toward satellites above the earth, transmitted beams point skyward at various angles of inclination, depending on the particular satellite being used. Because of the longer distances involved, power levels used to transmit these signals are relatively large when compared, for example, to those used by the microwave point-to-point antennas discussed above. However, as with microwave antennas, the beams used for transmitting earth-to-satellite signals are concentrated and highly directional, similar to the beam from a flashlight. In addition, public access would normally be restricted at station sites where exposure levels could approach or exceed safe limits.

Although many satellite-earth stations are "fixed" sites, portable uplink antennas are also used, e.g., for electronic news gathering. These antennas can be deployed in various locations. Therefore, precautions may be necessary, such as temporarily restricting access in the vicinity of the antenna, to avoid exposure to the main transmitted beam. In general, however, it is unlikely that a transmitting earth station antenna would routinely expose members of the public to potentially harmful levels of microwaves.

ARE CELLULAR AND PCS TOWERS AND ANTENNAS SAFE? WHAT ABOUT CAR PHONES AND HAND-HELD PHONES?

Base Stations

Cellular radio systems use frequencies between 800 and 900 megahertz (MHz). Transmitters in the Personal Communications Service (PCS) use frequencies in the range of 1850-1990 MHz. The antennas for cellular and PCS transmissions are typically located on towers, water tanks or other elevated structures including rooftops and the sides of buildings. The combination of antennas and associated electronic equipment is referred to as a cellular or PCS "base station" or "cell site." Typical heights for free-standing base station towers or structures are 50-200 feet. A cellular base station may utilize several "omni-directional" antennas that look like poles, 10 to 15 feet in length, although these types of antennas are becoming less common in urban areas.

In urban and suburban areas, cellular and PCS service providers now more commonly use "sector" antennas for their base stations. These antennas are rectangular panels, e.g., about 1 by 4 feet in dimension, typically mounted on a rooftop or other structure, but they are also mounted on towers or poles. The antennas are usually arranged in three groups of three each. One antenna in each group is used to transmit signals to mobile units (car phones or hand-held phones), and the other two antennas in each group are used to receive signals from mobile units.

The FCC authorizes cellular and PCS carriers in various service areas around the country. At a cell site, the total RF power that could be transmitted from each transmitting antenna at a cell site depends on the number of radio channels (transmitters) that have been

authorized and the power of each transmitter. Typically, for a cellular base station, a maximum of 21 channels per sector (depending on the system) could be used. Thus, for a typical cell site utilizing sector antennas, each of the three transmitting antennas could be connected to up to 21 transmitters for a total of 63 transmitters per site. When omnidirectional antennas are used, up to 96 transmitters could be implemented at a cell site, but this would be unusual. While a typical base station could have as many as 63 transmitters, not all of the transmitters would be expected to operate simultaneously thus reducing overall emission levels. For the case of PCS base stations, fewer transmitters are normally required due to the relatively greater number of base stations.

Although the FCC permits an **effective radiated power** (ERP) of up to 500 watts per channel (depending on the tower height), the majority of cellular base stations in urban and suburban areas operate at an ERP of 100 watts per channel or less. An ERP of 100 watts corresponds to an **actual** radiated power of about 5-10 watts, depending on the type of antenna used (ERP is not equivalent to the power that is radiated but, rather, is a quantity that takes into consideration transmitter power and antenna directivity). As the capacity of a system is expanded by dividing cells, i.e., adding additional base stations, lower ERPs are normally used. In urban areas, an ERP of 10 watts per channel (corresponding to a radiated power of 0.5 - 1 watt) or less is commonly used. For PCS base stations, even lower radiated power levels are normally used.

The signal from a cellular or PCS base station antenna is essentially directed toward the horizon in a relatively narrow pattern in the vertical plane. The radiation pattern for an omnidirectional antenna might be compared to a thin doughnut or pancake centered around the antenna while the pattern for a sector antenna is fan-shaped, like a wedge cut from a pie. As with all forms of electromagnetic energy, the power density from a cellular or PCS transmitter decreases rapidly (according to an inverse square law) as one moves away from the antenna. Consequently, normal ground-level exposure is much less than exposures that might be encountered if one were very close to the antenna and in its main transmitted beam.

Measurements made near typical cellular and PCS installations, especially those with tower-mounted antennas, have shown that ground-level power densities are well below limits recommended by RF/microwave safety standards (References 32, 37, and 45). For example, for a base-station transmitting frequency of 869 MHz the FCC's RF exposure guidelines recommend a Maximum Permissible Exposure level for the public ("general population/uncontrolled" exposure) of about 580 microwatts per square centimeter ($\mu\text{W}/\text{cm}^2$). This limit is many times greater than RF levels found near the base of typical cellular towers or in the vicinity of lower-powered cellular base station transmitters, such as might be mounted on rooftops or sides of buildings. Measurement data obtained from various sources have consistently indicated that "worst-case" ground-level power densities near typical cellular towers are on the order of $1 \mu\text{W}/\text{cm}^2$ or less (usually significantly less). Calculations corresponding to a "worst-case" situation (all transmitters operating simultaneously and continuously at the maximum licensed power) show that in order to be exposed to levels near the FCC's limits for cellular frequencies, an individual would essentially have to remain in

the main transmitting beam (at the height of the antenna) and within a few feet from the antenna. This makes it extremely unlikely that a member of the general public could be exposed to RF levels in excess of these guidelines due to cellular base station transmitters. For PCS base station transmitters, the same type of analysis holds, except that at the PCS transmitting frequencies (1850-1990 MHz) the FCC's exposure limits for the public are 1000 $\mu\text{W}/\text{cm}^2$. Therefore, there would typically be an even greater safety margin between actual public exposure levels and recognized safety limits.

When cellular and PCS antennas are mounted at rooftop locations it is possible that ambient RF levels greater than 1 $\mu\text{W}/\text{cm}^2$ could be present on the rooftop itself. However, exposures approaching or exceeding the safety guidelines are only likely to be encountered very close to or directly in front of the antennas. For sector-type antennas RF levels to the side and in back of these antennas are insignificant.

Even if RF levels were higher than desirable on a rooftop, appropriate restrictions could be placed on access. Factoring in the time-averaging aspects of safety standards could also be used to reduce potential exposure of workers who might have to access a rooftop for maintenance tasks or other reasons. The fact that rooftop cellular and PCS antennas usually operate at lower power levels than antennas on free-standing towers makes excessive exposure conditions on rooftops unlikely. In addition, the significant signal attenuation of a building's roof minimizes any chance for persons living or working within the building itself to be exposed to RF levels that could approach or exceed applicable safety limits.

Vehicle-Mounted Antennas

Vehicle-mounted antennas used for cellular communications normally operate at a power level of 3 watts or less. These cellular antennas are typically mounted on the roof, on the trunk, or on the rear window of a car or truck. Studies have shown that in order to be exposed to RF levels that approach the safety guidelines it would be necessary to remain very close to a vehicle-mounted cellular antenna for an extended period of time (Reference 20).

Studies have also indicated that exposure of vehicle occupants is reduced by the shielding effect of a vehicle's metal body. Some manufacturers of cellular systems have noted that proper installation of a vehicle-mounted antenna is an effective way to maximize this shielding effect and have recommended antenna installation either in the center of the roof or the center of the trunk. With respect to rear-window-mounted cellular antennas, a minimum separation distance of 30-60 cm (1 to 2 feet) has been suggested to minimize exposure to vehicle occupants that could result from antenna mismatch.

Therefore, properly installed, vehicle-mounted, personal wireless transceivers using up to 3 watts of power result in maximum exposure levels in or near the vehicle that are well below the FCC's safety limits. This assumes that the transmitting antenna is at least 15 cm

(about 6 inches) or more from vehicle occupants. Time-averaging of exposure (as appropriate) should result in even lower values when compared with safety guidelines.

Mobile and Portable Phones and Devices

The FCC's exposure guidelines, and the ANSI/IEEE and NCRP guidelines upon which they are based, specify limits for human exposure to RF emissions from hand-held RF devices in terms of *specific absorption rate (SAR)*. For exposure of the general public, e.g., exposure of the user of a cellular or PCS phone, the FCC limits RF absorption (in terms of SAR) to 1.6 watts/kg (W/kg), as averaged over one gram of tissue. Less restrictive limits, e.g., 2 W/kg averaged over 10 grams of tissue, are specified by guidelines used in some other countries (Reference 25).

Measurements and computational analysis of SAR in models of the human head and other studies of SAR distribution using hand-held cellular and PCS phones have shown that the 1.6 W/kg limit is unlikely to be exceeded under normal conditions of use (References 4, 16, 27). The same can be said for cordless telephones used in the home. Lower frequency (46-49 MHz) cordless telephones operate at very low power levels that could not result in exposure levels that even come close to the 1.6 W/kg level. Higher frequency cordless phones operating near 900 MHz (near the frequencies used for cellular telephones) operate with power levels similar to or less than those used for cell phones. They are also unlikely to exceed the SAR limits specified by the FCC under normal conditions of use.

In any case, compliance with the 1.6 W/kg safety limit must be demonstrated before FCC approval can be granted for marketing of a cellular or PCS phone. Testing of hand-held phones is normally done under conditions of maximum power usage. However, normal power usage is less since it depends on distance of the user from the base station transmitter. Therefore, typical exposure to a user would actually be expected to be less than that indicated by testing for compliance with the limit.

In recent years, publicity, speculation, and concern over claims of possible health effects due to RF emissions from hand-held wireless telephones prompted industry-sponsored groups to initiate research programs to investigate whether there is any risk to users of these devices. Organizations such as Wireless Technology Research (funded by the cellular radio service industry) and wireless equipment manufacturers, such as Motorola, Inc., have been investigating potential health effects from the use of hand-held cellular telephones and other wireless telecommunications devices.

In 1994, the U.S. General Accounting Office (GAO) issued a report that addressed the status of research on the safety of cellular telephones and encouraged U.S. Government agencies to work closely with industry to address wireless safety issues (Reference 59). In that regard, the Federal Government has been monitoring the results of ongoing research through an inter-agency working group led by the EPA and the FDA's Center for Devices and

Radiological Health. In a 1993 "Talk Paper," the FDA stated that it did not have enough information at that time to rule out the possibility of risk, but if such a risk exists, "it is probably small" (Reference 58). The FDA concluded that there is no proof that cellular telephones can be harmful, but if individuals remain concerned several precautionary actions could be taken, including limiting conversations on hand-held cellular telephones and making greater use of telephones with vehicle-mounted antennas where there is a greater separation distance between the user and the radiating antennas.

HOW SAFE ARE FIXED AND MOBILE RADIO TRANSMITTERS USED FOR PAGING AND "TWO-WAY" COMMUNICATIONS?

"Land-mobile" communications include a variety of communications systems which require the use of portable and mobile RF transmitting sources. These systems operate in narrow frequency bands between about 30 and 1000 MHz. Radio systems used by the police and fire departments, radio paging services and business radio are a few examples of these communications systems. They have the advantage of providing communications links between various fixed and mobile locations.

As with cellular and PCS communications, there are three types of RF transmitters associated with land-mobile systems: base-station transmitters, vehicle-mounted transmitters, and hand-held transmitters. The antennas used for these various transmitters are adapted for their specific purpose. For example, a base-station antenna must radiate its signal to a relatively large area, and, therefore, its transmitter generally has to use much higher power levels than a vehicle-mounted or hand-held radio transmitter.

Although these base-station antennas usually operate with higher power levels than other types of land-mobile antennas, they are normally inaccessible to the public since they must be mounted at significant heights above ground to provide for adequate signal coverage. Also, many of these antennas transmit only intermittently. For these reasons, such base-station antennas have generally not been of concern with regard to possible hazardous exposure of the public to RF radiation. However, studies at rooftop locations have indicated that high-powered paging antennas may increase the potential for exposure to workers or others with access to such sites, e.g., maintenance personnel (Reference 12). This could be a concern especially when multiple transmitters are present. In such cases, restriction of access or other corrective actions may be necessary.¹⁶

Transmitting power levels for vehicle-mounted land-mobile antennas are generally less than those used by base-station antennas but higher than those used for hand-held units. As with cellular transmitters, some manufacturers recommend that users and other nearby

¹⁶ Methods and techniques for controlling exposure are discussed in OET Bulletin 65 (Reference 57).

individuals maintain a minimum distance (e.g., 1 to 2 feet) from a vehicle-mounted antenna during transmission or mount the antenna in such a way as to provide maximum shielding for vehicle occupants. Studies have shown that this is probably a conservative precaution, particularly when the "duty factor" (percentage of time an antenna is actually radiating) is taken into account since safety standards are "time-averaged." Unlike cellular telephones, which transmit continuously throughout a call, two-way radios normally transmit only when the "press-to-talk" button is depressed. The extent of any possible exposure would also depend on the actual power level and frequency used by the vehicle-mounted antenna. In general, there is no evidence that there would be a safety hazard associated with exposure from vehicle-mounted, two-way antennas when the manufacturer's recommendations are followed.

Hand-held "two-way" portable radios such as walkie-talkies are low-powered devices used to transmit and receive messages over relatively short distances. Because of the relatively low power levels used (usually no more than a few watts) and, especially, because of the intermittency of transmissions (low duty factor) these radios would normally not be considered to cause hazardous exposures to users. As with vehicle-mounted mobile units, time averaging of exposure can normally be considered when evaluating two-way radios for compliance with safety limits, since these units are "push to talk.". Laboratory measurements have been made using hand-held radios operating at various frequencies to determine the amount of RF energy that might be absorbed in the head of a user. In general, the only real possibility of a potential hazard would occur in the unlikely event that the tip of the transmitting antenna were to be placed directly at the surface of the eye, contrary to manufacturers' recommended precautions, or if for some reason continuous exposure were possible over a significant period of time, which is unlikely. If hand-held radios are used properly there is no evidence that they could cause hazardous exposure to RF energy (References 5, 11, 13, and 27).

ARE RF EMISSIONS FROM AMATEUR RADIO STATIONS HARMFUL?

There are hundreds of thousands of amateur radio operators ("hams") worldwide. Amateur radio operators in the United States are licensed by the FCC. The Amateur Radio Service provides its members with the opportunity to communicate with persons all over the world and to provide valuable public service functions, such as making communications services available during disasters and emergencies. Like all FCC licensees, amateur radio operators are expected to comply with the FCC's guidelines for safe human exposure to RF fields. Under the FCC's rules, amateur operators can transmit with power levels of up to 1500 watts. However, most hams use considerably less power than this. Studies by the FCC and others have shown that most amateur radio transmitters would not normally expose persons to RF levels in excess of safety limits. This is primarily due to the relatively low operating powers used by most amateurs, the intermittent transmission characteristics typically used and the relative inaccessibility of most amateur antennas. As long as appropriate

distances are maintained from amateur antennas, exposure of nearby persons should be well below safety limits. This has been demonstrated by studies carried out by the FCC and others (Reference 54). If there were any opportunity for significant RF exposure, it would most likely apply to the amateur operator and his or her immediate household. To help ensure compliance of amateur radio facilities with RF exposure guidelines, both the FCC and American Radio Relay League (ARRL) have developed technical publications to assist operators in evaluating compliance of their stations (References 23 and 57).

CAN IMPLANTED ELECTRONIC CARDIAC PACEMAKERS BE AFFECTED BY NEARBY RF DEVICES SUCH AS MICROWAVE OVENS OR CELLULAR TELEPHONES?

Over the past several years there has been concern that signals from some RF devices could interfere with the operation of implanted electronic pacemakers and other medical devices. Because pacemakers are electronic devices, they could be susceptible to electromagnetic signals that could cause them to malfunction. Some allegations of such effects in the past involved emissions from microwave ovens. However, it has never been shown that signals from a microwave oven are strong enough to cause such interference.

The FDA requires pacemaker manufacturers to test their devices for susceptibility to electromagnetic interference (EMI) over a wide range of frequencies and to submit the results as a prerequisite for market approval. Electromagnetic shielding has been incorporated into the design of modern pacemakers to prevent RF signals from interfering with the electronic circuitry in the pacemaker. The potential for the "leads" of pacemakers to be susceptible to RF radiation has also been of some concern, but this does not appear to be a serious problem.

Recently there have been reports of possible interference to implanted cardiac pacemakers from digital RF devices such as cellular telephones. An industry-funded organization, Wireless Technology Research, LLC (WTR), working with the FDA, sponsored an investigation as to whether such interference could occur, and, if so, what corrective actions could be taken. The results of this study were published in 1997 (*see* Reference 24), and WTR and the FDA have made several recommendations to help ensure the safe use of wireless devices by patients with implanted pacemakers. One of the primary recommendations is that digital wireless phones be kept at least six inches from the pacemaker and that they not be placed directly over the pacemaker, such as in the breast pocket, when in the "on" position. Patients with pacemakers should consult their physician or the FDA if they believe that they may have a problem related to RF interference.

WHICH OTHER FEDERAL AGENCIES HAVE RESPONSIBILITIES RELATED TO POTENTIAL RF HEALTH EFFECTS?

Various agencies in the Federal Government have been involved in monitoring, researching or regulating issues related to human exposure to RF radiation. These agencies include the Food and Drug Administration (FDA), the Environmental Protection Agency (EPA), the Occupational Safety and Health Administration (OSHA), the National Institute for Occupational Safety and Health (NIOSH), the National Telecommunications and Information Administration (NTIA) and the Department of Defense (DOD).

By authority of the Radiation Control for Health and Safety Act of 1968, the Center for Devices and Radiological Health (CDRH) of the FDA develops performance standards for the emission of radiation from electronic products including X-ray equipment, other medical devices, television sets, microwave ovens, laser products and sunlamps. The CDRH established a product performance standard for microwave ovens in 1971 limiting the amount of RF leakage from ovens. However, the CDRH has not adopted performance standards for other RF-emitting products. The FDA is, however, the lead federal health agency in monitoring the latest research developments and advising other agencies with respect to the safety of RF-emitting products used by the public, such as cellular and PCS phones.

The FDA's microwave oven standard is an ***emission*** standard (as opposed to an ***exposure*** standard) that allows leakage (measured at five centimeters from the oven surface) of 1 mW/cm² at the time of manufacture and a maximum level of 5 mW/cm² during the lifetime of the oven.¹⁷ The standard also requires ovens to have two independent interlock systems that prevent the oven from generating microwaves the moment that the latch is released or the door of the oven is opened. The FDA has stated that ovens that meet its standards and are used according to the manufacturer's recommendations are safe for consumer and industrial use.

The EPA has, in the past, considered developing federal guidelines for public exposure to RF radiation. However, EPA activities related to RF safety and health are presently limited to advisory functions. For example, the EPA now chairs an Inter-agency Radiofrequency Working Group, which coordinates RF health-related activities among the various federal agencies with health or regulatory responsibilities in this area.

OSHA is responsible for protecting workers from exposure to hazardous chemical and physical agents. In 1971, OSHA issued a protection guide for exposure of workers to RF radiation [29 CFR 1910.97]. The guide, covering frequencies from 10 MHz to 100 GHz, stated that exposure of workers should not exceed a power density of ten milliwatts per square centimeter (10 mW/cm²) as averaged over any 6-minute period of the workday. However, this guide was later ruled to be only advisory and not mandatory. Moreover, it was

¹⁷ 21 Code of Federal Regulations 1030.10.

based on an earlier (1966) American National Standards Institute (ANSI) RF protection guide that has been superseded by revised versions in 1974, 1982 and 1992 (see previous discussion of standards). OSHA personnel have recently stated that OSHA uses the ANSI/IEEE 1992 guidelines for enforcement purposes under OSHA's "general duty clause" (see OSHA's Internet Web Site, listed in Table 3, for further information).

NIOSH is part of the U.S. Department of Health and Human Services. It conducts research and investigations into issues related to occupational exposure to chemical and physical agents. NIOSH has, in the past, undertaken to develop RF exposure guidelines for workers, but final guidelines were never adopted by the agency. NIOSH conducts safety-related RF studies through its Physical Agents Effects Branch.

The NTIA is an agency of the U.S. Department of Commerce and is responsible for authorizing Federal Government use of the RF electromagnetic spectrum. Like the FCC, the NTIA also has NEPA responsibilities and has considered adopting guidelines for evaluating RF exposure from U.S. Government transmitters such as radar and military facilities.

The Department of Defense (DOD) has conducted research on the biological effects of RF energy for a number of years. This research is now conducted primarily at the DOD facility at Brooks Air Force Base, Texas. In addition, the DOD uses the ANSI/IEEE 1992 standard as a guide for protecting military personnel from excessive exposure to RF electromagnetic fields.

WHERE CAN I OBTAIN INFORMATION ON RF EXPOSURE AND HEALTH EFFECTS?

Although relatively few offices or agencies within the Federal Government routinely deal with the issue of human exposure to RF fields, it is possible to obtain information and assistance on certain topics from the following federal agencies. Most of these agencies also have Internet Web sites.

FDA: For information about radiation from microwave ovens and other consumer and industrial products contact: Center for Devices and Radiological Health (CDRH), Food and Drug Administration, Rockville, MD 20857.

EPA: The Environmental Protection Agency's Office of Radiation and Indoor Air is responsible for monitoring potential health effects due to public exposure to RF fields. Contact: Environmental Protection Agency, Office of Radiation and Indoor Air, 401 M Street, S.W., Washington, D.C. 20460.

OSHA: The Occupational Safety and Health Administration's (OSHA) Health Response Team (1781 South 300 West, Salt Lake City, Utah 84165) has been involved in studies related to occupational exposure to RF radiation. OSHA also maintains an Internet World

Wide Web site that may be of interest. The URL (case sensitive) is: <http://www.osha-slc.gov/SLTC/> (select subject: radiofrequency radiation).

NIOSH: The National Institute for Occupational Safety and Health (NIOSH) monitors RF-related safety issues as they pertain to the workplace. Contact: NIOSH, Physical Agents Effects Branch, Mail Stop C-27, 4676 Columbia Parkway, Cincinnati, Ohio 45226. Toll-free number: 1-800-35-NIOSH (1-800-356-4674).

DOD: Questions regarding Department of Defense activities related to RF safety and its biological research program can be directed to the Radio Frequency Radiation Branch, Air Force Research Laboratory, Brooks Air Force Base, TX 78235.

FCC: Questions regarding potential RF hazards from FCC-regulated transmitters can be directed to the RF Safety Program, Office of Engineering and Technology, Technical Analysis Branch, Federal Communications Commission, 445 Twelfth Street, S.W., Washington, D.C. 20554. The telephone number for inquiries on RF safety issues is: 1-202-418-2464. Calls for routine information can also be directed to the FCC's toll-free number: 1-888-CALL-FCC (225-5322). Another source of information is the FCC's RF Safety Internet Web site (<http://www.fcc.gov/oet/rfsafety>) where FCC documents and notices can be viewed and downloaded. Questions can also be sent via e-mail to: rfsafety@fcc.gov.

In addition to government agencies, there are other sources of information and possible assistance regarding environmental RF energy. Some states also maintain non-ionizing radiation programs or, at least, some expertise in this field, usually in a department of public health or environmental control. The list of references at the end of this bulletin can be consulted for detailed information on specific topics, and **Table 3** provides a list of some relevant Internet Web sites.

TABLE 3. INTERNET WEB SITES FOR FURTHER INFORMATION

Note: All Internet addresses below preceded by "http://".

Also, some URL's may be case sensitive

American Radio Relay League: www.arrl.org

American National Standards Institute: www.ansi.org

Bioelectromagnetics Society: www.bioelectromagnetics.org

COST 244 (Europe): www.radio.fer.hr/cost244

DOD: www.brooks.af.mil/AFRL (select radiofrequency radiation)

European Bioelectromagnetics Association: www.ebea.org

Electromagnetic Energy Association: www.elecenergy.com

Federal Communications Commission: www.fcc.gov/oet/rfsafety

ICNIRP (Europe): www.icnirp.de

IEEE: www.ieee.org

IEEE Committee on Man & Radiation: www.seas.upenn.edu/~kfoster/comar.htm

International Microwave Power Institute: www.impi.org

Microwave News: www.microwavenews.com

J.Moulder, Med.Coll.of Wisc.: www.mcw.edu/gcrc/cop/cell-phone-health-FAQ/toc.html

National Council on Radiation Protection & Measurements: www.ncrp.com

NJ Dept Radiation Protection: www.state.nj.us/deplrpp (select non-ionizing radiation) **Richard Tell Associates:** www.radhaz.com

US OSHA: www.osha-slc.gov/SLTC (select subject: radiofrequency radiation)

Wireless Industry (CTIA): www.wow-com.com

Wireless Industry (PCIA): www.pcia.com

World Health Organization EMF Project: www.who.ch/peh-emf

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ONeill, Shane

From: Robert Vosburgh <rvosburgh@charter.net>
Sent: Tuesday, March 13, 2018 1:04 PM
To: ONeill, Shane
Cc: bob Vosburgh
Subject: FCC Document on RF limits
Attachments: oet56e4_fcc_rf safety.pdf

Dear Shane - Attached is the FCC document OET Bulletin 56: Questions and Answers about Biological Effects and Potential Hazards of Radiofrequency Electromagnetic Fields, August 1999. This is the document I referenced in my remarks to the hearing last nite. Please note Tables 1 and 2 for the applicable limits. Further, the paragraph on page 17 states, "...The FCC's policies on RF exposure and categorical exclusion can be found in Section 1.1307(b) of the FCC's Rules and Regulations. It should be **emphasized**, however, that these exclusions are not exclusions from compliance, but, rather, only exclusions from routine evaluation..." My points to the Hearing Examiner were:

- a. No calculations nor measurements were presented to ensure the limits would be met for routine evaluation.
- b. The proximity of the other Meadow Springs cell tower needs to be included in such calculations.
- c. The city, state, or federal government needs to monitor the output to ensure compliance.

The other point I tried to make is with the expanse of the golf course not bordering condos and homes, there is ample location for the cell tower to blend into the course "rough" without potential objection of home owners. Golfers would be transient and not exposed long term to the RF radiation.

Thank you for your attention and please include this email and attached document for the record and notify Theresa Long (509-845-2128) that you received it.

Robert (Bob) Vosburgh

2031 Weiskopf Ct.

509-627-2967