



Agenda
City Council Regular Meeting
Monday, August 2, 2021
Richland City Hall ~ 625 Swift Boulevard
[Zoom](#) - Public Telephone Access: (206) 337-9723 or (253) 215-8782
Meeting ID No. 505 625 7380

This meeting will accommodate virtual and in-person attendance. Those desiring to participate virtually are encouraged to join the meeting via Zoom using the information provided. If you are a virtual participant wishing to provide telephonic comments for the Public Hearing and/or Public Comment portion of the meeting, please register [here](#) by 4:00 p.m. on the day of the meeting. Only those virtual participants who register by the 4:00 p.m. deadline will be permitted to speak during the meeting. Individuals attending in-person may offer comments during the Public Comment and/or Public Hearing portions of the meeting at Richland City Hall. Fully vaccinated meeting participants and attendees need not be masked. The meeting will be broadcast live at <https://www.ci.richland.wa.us> and on CityView Channel 192.

City Council Special Meeting

Welcome and Roll Call

Pledge of Allegiance

Approval of Agenda: (Approved by Motion)

Presentations:

1. Retirement of Ryan Nielsen
 - Ryan Lukson, Mayor
2. New Hires & Retirements
 - Cathleen Koch, Administrative Services Director

Public Hearing: Please limit public hearing comments to 3 minutes. Comments must speak only to the item for which the hearing is convened. Records intended for Council consideration must be given to the City Clerk by 4:00 p.m. the day of the meeting for distribution.

3. Proposed Amendment to the 2021 Budget in the Equipment Replacement Fund, Community Development Block Grant Fund, Solid Waste Fund, Streets Capital Fund and Capital Improvements Fund, Ordinance No. 20-21
 - Brandon Allen, Finance Director

Public Comments: Please limit public comments to 2 minutes. The public comment period is not an opportunity for dialogue with councilmembers, or for posing questions with the expectation of an immediate answer. Many questions require an opportunity for information-gathering and deliberation. For this reason, Council will accept comments, but will not directly respond to comments, questions or concerns during public comment. Records intended for Council consideration must be given to the City Clerk by 4:00 p.m. the day of the meeting for distribution.

Consent Calendar: Approved by single vote; Councilmembers may transfer individual items to Items of Business for deliberation before voting.

Minutes:

4. Approval of the July 20, 2021 City Council Regular Meeting Minutes and July 27, 2021 City Council Workshop Meeting Minutes
 - Heather Kintzley, City Attorney

Ordinances - First Reading:

5. Ordinance No. 19-21, amending Richland Municipal Code Title 3: Finance to add a new Chapter 3.09 entitled Donations and Acceptance of Interests in Real Property
 - Heather Kintzley, City Attorney
6. Ordinance No. 20-21, Amending 2021 Budget in the General Fund, Equipment Replacement Fund, Community Development Block Grant Fund, Solid Waste Fund, Streets Capital Fund and Capital Improvements Fund
 - Brandon Allen, Finance Director

Ordinances - Second Reading & Passage:

7. Ordinance No. 15-21, Amending Richland Municipal Code Sections 23.22.030 and 23.22.040 related to Commercial Use Districts
 - Kerwin Jensen, Development Services Director
8. Ordinance No. 18-21, Amending the 2021 Budget to Include the 2020 Budget Carryovers
 - Brandon Allen, Finance Director

Resolutions - Adoption:

9. Resolution No. 96-21, Authorizing the Submittal of Grant Applications to the Transportation Improvement Board
 - Pete Rogalsky, Public Works Director
10. Resolution No. 97-21, Approving a Purchase and Sale Agreement with Matson Development, LLC
 - Kerwin Jensen, Development Services Director
11. Resolution No. 98-21, Accepting a Firehouse Subs Public Safety Foundation Grant for External Automated Defibrillators
 - Tom Huntington, Fire Chief

Items - Approval: None.

Items of Business: None.

Reports and Comments:

1. City Manager
2. City Council
3. Mayor

Adjournment

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COUNCIL AGENDA ITEM COVERSHEET

Council Date: 8/2/2021

Agenda Category: Presentations

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Retirement of Ryan Nielsen

Department:
City Council

Ordinance/Resolution Number:

Document Type:
Presentation

Recommended Motion:

None.

Summary:

Mayor Lukson will recognize the retirement of Fire & Emergency Services Captain/Paramedic Ryan Nielsen, who retired after 31 years with the City of Richland.

Fiscal Impact:

None.

Attachments:



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 8/2/2021

Agenda Category: Presentations

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

New Hires & Retirements

Department:

Administrative Services

Ordinance/Resolution Number:

Document Type:

Presentation

Recommended Motion:

None.

Summary:

Newly hired employees and those retiring are invited to attend the first meeting each month to be introduced to Council.

Fiscal Impact:

None.

Attachments:



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 8/2/2021

Agenda Category: Public Hearing

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Proposed Amendment to the 2021 Budget in the Equipment Replacement Fund, Community Development Block Grant Fund, Solid Waste Fund, Streets Capital Fund and Capital Improvements Fund, Ordinance No. 20-21

Department:

Administrative Services

Ordinance/Resolution Number:

20-21

Document Type:

Public Hearing Item

Recommended Motion:

None.

Summary:

State law requires that a public hearing be held before appropriating unappropriated fund balance.

Please see the staff report accompanying Ordinance No. 20-21 for more information.

Fiscal Impact:

None.

Attachments:



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 8/2/2021

Agenda Category: Minutes

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Approval of the July 20, 2021 City Council Regular Meeting Minutes and July 27, 2021 City Council Workshop Meeting Minutes

Department:
City Attorney

Ordinance/Resolution Number:

Document Type:
Minutes

Recommended Motion:

Approve the minutes of the July 20, 2021 City Council Regular Meeting Minutes and July 27, 2021 City Council Workshop Meeting Minutes

Summary:

Draft minutes from the July 20, 2021 City Council Regular Meeting and July 27, 2021 City Council Workshop Meeting are presented for Council's consideration and approval.

Fiscal Impact: None.

Attachments:

1. Draft July 20, 2021 City Council Regular Meeting Minutes
2. Draft July 27, 2021 City Council Regular Workshop Meeting Minutes



MINUTES

RICHLAND CITY COUNCIL REGULAR MEETING

Tuesday, July 20, 2021

Richland City Hall ~ 625 Swift Boulevard

Zoom - Public Telephone Access: (206) 337-9723 or (253) 215-8782

Meeting ID No. 505 625 7380

City Council Regular Meeting - 6:00 p.m.

Mayor Lukson called the Council meeting to order at 6:00 p.m. The meeting was a hybrid of in-person and online attendance via Zoom.

Welcome and Roll Call

Mayor Lukson welcomed those in the audience and those attending remotely.

Attendance: Mayor Lukson, Mayor Pro Tem Kent, and Councilmembers Alvarez, Boring, Christensen, and Lemley were present. Councilmember Thompson was absent.

COUNCILMEMBER CHRISTENSEN MOVED AND MAYOR PRO TEM KENT SECONDED THE MOTION TO EXCUSE COUNCILMEMBER THOMPSON. MOTION CARRIED 6-0.

Also present were Interim City Manager Amundson, City Attorney Kintzley, Chief of Police Bruce, Public Works Director Rogalsky, Development Services Director Jensen, Administrative Services Director Koch, Finance Director Allen, Energy Services Director Whitney, and Parks & Public Facilities Director Schiessl.

Pledge of Allegiance

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

Approval of Agenda

COUNCILMEMBER LEMLEY MOVED AND COUNCILMEMBER BORING SECONDED THE MOTION TO APPROVE THE AGENDA AS PUBLISHED. MOTION CARRIED 6-0.

Presentations

1. Horn Rapids Real Estate Appraisals

Development Services Director Kerwin Jensen presented on the history of land prices in the Horn Rapids Industrial Park. Staff recommended Council adopt an updated resolution reflecting updated pricing in the Horn Rapids area. More details are available in Development Services Director Jensen's PowerPoint presentation.

Councilmember Christensen encouraged Council to adopt an updated resolution reflecting updated pricing at a future council meeting. Councilmember Alvarez and Councilmember Boring recommended swift acceptance of updated appraisals to stay

aligned with market value of properties. Mayor Lukson concurred.

2 Richland Public Library Board of Trustees Annual Presentation

Parks & Public Facilities Director Joe Schiessl introduced Richland Public Library Board Chair Kurt Maier to provide the 2020 annual Library Board of Trustees presentation required by state law. Chair Maier discussed programming and library use through 2020, especially in light of COVID-19. Digital circulation continues to increase, and cardholders continue to be added (residents and non-residents). Curbside pick-up was hugely successful during the pandemic, and volunteers continue to donate their time to the success of the Richland Public Library. More details are available in Chair Maier's PowerPoint presentation.

Mayor Pro Tem Kent complimented Chair Maier, the current Richland Public Library Board of Trustees, and Acting Library Manager Theresa Barnaby for their hard work and dedication to the Richland Public Library. Councilmember Alvarez asked whether volunteers were returning to the Library now that COVID-19 restrictions have eased. Acting Library Manager Barnaby confirmed that the RPL volunteers are as amazing as ever, and continue to support the Library.

Public Hearing

City Attorney Kintzley read the public hearing and public comment procedures.

3. Proposed Amendment to the 2021 Budget to Include the 2020 Budget Carryovers, Ordinance No. 18-21

Finance Director Brandon Allen provided an overview of the proposed amendment to the 2021 Budget, including 2020 carryovers valued at approximately \$69,000,000. Budget carryover is an annual process necessary to carry funds encumbered in the previous year over to the current year to allow completion of in-progress projects. The COVID-19 pandemic created a higher-than-usual carryover from 2020 to 2021 since many projects were delayed during 2020.

Mayor Lukson opened and closed the public hearing at 6:36 p.m. No public testimony was offered.

4. Proposed Surplus of a Portion of 606 Jadwin Avenue, Resolution No. 90-21

Development Services Director Jensen provided an overview of the proposed surplus action for 606 Jadwin Avenue. The purpose of the surplus and sale of 625 square feet of property on a vacant city lot is to alleviate a long-standing encroachment by the Richland Players Theater. If approved, the parties will negotiate a sale price for the Richland Players to acquire the small 8-foot strip of land, and a boundary line adjustment will correct the encroachment.

Mayor Lukson opened and closed the public hearing at 6:38 p.m. No public testimony

was offered.

5. Proposed Relinquishment of Certain Portions of a Utility Easement lying within 1349 Haupt Avenue, Resolution No. 93-21

Public Works Director Pete Rogalsky presented an overview of the relinquishment request made by property owners of 1349 Haupt Avenue. The utilities protected by the existing easement have been relocated, and for this reason the easement is no longer needed. State law requires a public hearing before conveyance of any property originally acquired for utility purposes, including easements.

Mayor Lukson opened and closed the public hearing at 6:39 p.m. No public testimony was offered.

Public Comments

No in-person public comments were received from the public during the meeting.

Telephonic testimony was received from the following individuals:

- Maureen Anderson – 202 Barth Avenue, Richland, WA: Ms. Anderson stated her support for the IBEW line crews and encouraged City Council to provide a comparable wage during labor negotiations.
- Colleen Somes – 562 Sedgwick Place, Richland, WA: Ms. Somes stated her support for the IBEW line crews and encouraged City Council to provide a comparable wage during labor negotiations.

Written comments from the following individuals were read into the record by City Attorney Kintzley and are summarized as follows:

- Jeremy Morgan – 1527 Desert Springs Avenue, Richland, WA: Mr. Morgan stated his support for the IBEW line crews and encouraged City Council to provide a comparable wage during labor negotiations.
- Erik Patchett – 4707 Jodie Street, Richland, WA: Mr. Patchett stated his support for the IBEW line crews and encouraged City Council to provide a comparable wage during labor negotiations.
- Connie Pattison – 419 George Washington Way, Richland, WA: Ms. Pattison stated her support for the IBEW line crews and encouraged City Council to provide a comparable wage during labor negotiations.
- Khaylia Ruiz – 1521 Alder Avenue, Unit A, Richland, WA: Ms. Ruiz stated her support for the IBEW line crews and encouraged City Council to provide a comparable wage during labor negotiations.

- Aoife Santos – 1488 Oxford Avenue, Richland, WA: Ms. Santos stated her support for the IBEW line crews and encouraged City Council to provide a comparable wage during labor negotiations.
- Tiffany Suarez – 680 Big Sky Drive, Richland, WA: Ms. Suarez stated her support for the IBEW line crews and encouraged City Council to provide a comparable wage during labor negotiations.
- Pamela Thornton – 100 Timmerman Drive, Richland, WA: Ms. Thornton stated her support for the IBEW line crews and encouraged City Council to provide a comparable wage during labor negotiations.

Immediately following public comment, Mayor Lukson read a prepared statement related to IBEW negotiations.

Consent Calendar

City Attorney Kintzley read the Consent Calendar. Councilmember Boring pulled Item No. 11 from the Consent Calendar. Item No. 11 was moved to Item No. 3 under Items of Business on the same agenda.

COUNCILMEMBER CHRISTENSEN MOVED AND MAYOR PRO TEM KENT SECONDED THE MOTION TO APPROVE THE CONSENT CALENDAR AS AMENDED. THOSE IN FAVOR ON ROLL CALL VOTE: MAYOR LUKSON, MAYOR PRO TEM KENT, AND COUNCILMEMBERS ALVAREZ, BORING, CHRISTENSEN AND LEMLEY. THOSE OPPOSED: NONE. THE MOTION CARRIED 6-0.

Minutes

6. Approval of the July 6, 2021 Richland City Council Regular Meeting Minutes

Ordinances - First Reading

7. Ordinance No. 15-21, Amending Richland Municipal Code Sections 23.22.030 and 23.22.040 related to Commercial Use Districts
8. Ordinance No. 18-21, Amending the 2021 Budget to Include the 2020 Budget Carryovers

Ordinances - Second Reading & Passage

None.

Resolutions – Adoption

9. Resolution No. 85-21, Approving a Purchase and Sale Agreement with Logan Properties, LLC

10. Resolution No. 86-21, Approving the Final Plat of BMS 4-Plexes
11. Resolution No. 87-21, Approving a Purchase and Sale Agreement with Columbia Basin College for Property Located at 840 Northgate Drive (**Note: RESOLUTION NO. 87-21 WAS PULLED BY COUNCILMEMBER BORING AND RELOCATED TO ITEMS OF BUSINESS AS ITEM NO. 3)**)
12. Resolution No. 88-21, Approving a Fifth Amendment to Contract No. 230-15 with Shannon & Wilson
13. Resolution No. 89-21, Authorizing a Financial Consulting Services Agreement with PFM Financial Advisors LLC
14. Resolution No. 90-21, Declaring Certain Real Property Located at 606 Jadwin Avenue Surplus to the City's Needs
15. Resolution No. 92-21, Authorizing a Street Construction Latecomer Agreement with Nor Am Investment, LLC for Bella Coola Lane
16. Resolution No. 93-21, Relinquishing Certain Portions of a Utility Easement lying within 1349 Haupt Avenue
17. Resolution No. 94-21, Authorizing a Third Amendment to the Professional Services Agreement with Bell Brown & Rio, PLLC

Items - Approval

None.

Expenditures - Approval

Expenditures from June 1, 2021 to June 30, 2021 for \$28,924,314.97 including Travel Check Nos. 19997-19998, Accounts Payable Check Nos. 290506- 291331, Accounts Payable Wire Nos. 8587-8645, Payroll Wires & ACH Nos. 12143-12187, Payroll Direct Deposit & Check Nos. 179811-180937 and Pension Check Nos. 5861-5887.

Items of Business

1. Resolution No. 91-21, Authorizing the 2021 Byrne Justice Grant Interlocal Agreement

Chief of Police John Bruce provided an overview of the FY 2021 Edward Byrne Memorial Justice Assistance Grant (JAG) Program award for the Tri-Cities region. The City of Kennewick is the designated applicant on behalf of Kennewick, Richland and Benton County, and \$13,870 has been awarded for the 2021 fiscal year. \$7,968 will be awarded to the City of Richland after execution of the proposed interlocal agreement. The funds will be used to purchase bicycles for patrol and ballistic shields for visors.

Councilmember Christensen inquired as to why this item was listed as an Item of Business since it appeared straightforward and noncontroversial. Mayor Lukson briefly explained his conflict of interest arising from his employment with Benton County and the legal review he gave to this same agreement. To ensure that Mayor Lukson did not participate in the vote, the matter was required to be placed on Items of Business.

COUNCILMEMBER CHRISTENSEN MOVED AND COUNCILMEMBER BORING SECONDED THE MOTION TO ADOPT RESOLUTION NO. 91-21, AUTHORIZING THE 2021 BYRNE JUSTICE GRANT INTERLOCAL AGREEMENT. MOTION CARRIED 5-0. MAYOR LUKSON ABSTAINED.

2. Resolution No. 95-21, Accepting a Request for Annexation of 300.1 Acres in North Richland (U.S. Department of Energy)

Development Services Director Jensen presenting on the proposed U.S. Department of Energy annexation. The property is generally located north of the intersection of Horn Rapids Road and George Washington Way, east of Stevens Drive, west of the Columbia River, with the northern boundary being the south fence line of the 300 Area. This item reflects the proponents' meeting with Council to discuss the proposed annexation as required by state law. Council is authorized to accept, reject, or modify the annexation proposal. No modifications were raised or discussed by Council.

COUNCILMEMBER CHRISTENSEN MOVED AND COUNCILMEMBER ALVAREZ SECONDED THE MOTION TO ADOPT RESOLUTION NO. 95-21, ACCEPTING A REQUEST FOR ANNEXATION OF 300.1 ACRES IN NORTH RICHLAND (U.S. DEPARTMENT OF ENERGY). THE MOTION PASSED 6-0.

3. Resolution No. 87-21, Approving a Purchase and Sale Agreement with Columbia Basin College for Property Located at 840 Northgate Drive (**Note: FORMERLY ITEM NO. 11 ON THE CONSENT CALENDAR**)

Councilmember Boring recommended holding onto the property to use for a homeless shelter or drug treatment facility in the wake of *Blake v. State of Washington*. Development Services Director Jensen gave a brief overview of the location of the property, and its previous use as a city facility housing Development Services, Energy Services, and Public Works. Development Services Director Jensen also referenced the existing restrictive covenants that limit the use of the property to public non-commercial use.

Councilmember Christensen appreciated Councilmember Boring's suggestion, and shared that this particular property is not suitable for the support services described by Councilmember Boring based on the age of the building and the extensive cost to rehabilitate the facility. Mayor Pro Tem Kent agreed with Councilmember Christensen's statements.

COUNCILMEMBER CHRISTENSEN MOVED AND MAYOR PRO TEM KENT SECONDED THE MOTION TO ADOPT RESOLUTION NO. 87-21, APPROVING A

PURCHASE AND SALE AGREEMENT WITH COLUMBIA BASIN COLLEGE FOR PROPERTY LOCATED AT 840 NORTHGATE DRIVE. THE MOTION PASSED 5-1.

Reports and Comments

City Manager

Interim City Manager Amundson shared the draft agenda for the July 27, 2021 workshop, and reminded Council that the first regular meeting in August will be held on Monday, August 2, 2021 to accommodate National Night Out. Interim City Manager Amundson also reminded the public and Council of the many ways to enjoy the parks and other city programming.

City Council

Councilmember Boring and Councilmember Alvarez had no comments. Councilmember Lemley shared his opinion on the possible loss of 16% of revenue from Ben Franklin Transit to support a drug treatment and/or mental health facility. Councilmember Lemley encouraged City Council to decide, as a body, what its position is on the proposal to strip funding from Ben Franklin Transit. Interim City Manager Amundson advised that the topic could possibly be added to the July 2021 workshop agenda.

Councilmember Christensen spoke about the City of Battle Ground's recent resolution in opposition to a state income tax. Councilmember Christensen would like Council to consider a similar local resolution to make a statement in favor of economic development, and queried Council's interest. No comments were offered for or against the suggestion.

Mayor Pro Tem Kent spoke about interesting community conversations related to space exploration, and encouraged everyone to be educated on the topic. Mayor Pro Tem Kent then favorably commented on a recent park tour organized by Parks & Public Facilities Director Schiessl for the Parks & Recreation Commission. Numerous interesting sites were visited, including Howard Amon Park, Leslie Groves Park, the BMX facility, and certain portions of the shelterbelt. Mayor Pro Tem Kent also shared about the well-attended ribbon-cutting at Tri-Cities Cider House. Mayor Pro Tem closed her comments by reminding everyone to stay safe and shop local.

Mayor

Mayor Lukson shared that local COVID-19 numbers have been climbing, and vaccination rates for those under age 40 are very low. Mayor Lukson encouraged everyone to get vaccinated, or to talk to a medical professional for advice about vaccination. There is a real possibility of being shut down again by Governor Inslee if the delta variant spreads and numbers continue to climb.

Adjournment

Mayor Lukson adjourned the meeting at 7:30 p.m.

APPROVED:

Ryan Lukson, Mayor

ATTEST:

Jennifer Rogers, City Clerk

DATE APPROVED:

DATE PUBLISHED:

DRAFT



MINUTES

RICHLAND CITY COUNCIL REGULAR WORKSHOP MEETING

Tuesday, July 27, 2021 – 625 Swift Boulevard

Zoom - Public Telephone Access: (206) 337-9723 or (253) 215-8782

Meeting ID No. 505 625 7380

City Council Regular Workshop - 6:00 p.m.

Councilmember Christensen called the City Council workshop meeting to order at 6:00 p.m. The meeting accommodated both virtual and in-person participation and was held in Council Chambers at Richland City Hall.

Attendance: Councilmembers Alvarez, Boring, Christensen and Lemley were present. Mayor Lukson, Mayor Pro Tem Kent, and Councilmember Thompson were absent. Councilmember Christensen chaired the meeting.

Also attending were Interim City Manager Amundson, Fire Chief Huntington, City Attorney Kintzley, Energy Services Director Whitney, and Public Works Director Rogalsky.

Agenda Items

1. North Horn Rapids Transmission Planning & Scheduling

Using PowerPoint, Energy Services Director Clint Whitney gave a presentation discussing transmission planning and scheduling to bring electric utility infrastructure to the north Horn Rapids area. Energy Services Director Whitney discussed anticipated areas of residential and commercial electrical services demand growth (Queensgate, Badger Mountain South, future development of Department of Natural Resources (DNR) land), and identified additional “spot load” locations in Horn Rapids and the recently transferred 1641 acre site from the federal government. Energy Services Director Whitney identified challenges associated with the provision of power, including timing challenges with developers, transmission capacity constraints, and generation capacity constraints. Council engaged in a question and answer session with Energy Services Director Whitney.

2. South Thayer Drive Property Surplus

Using PowerPoint, Public Works Director Pete Rogalsky presented on a proposed surplus action affecting property at the south end of Thayer Drive. The proposed surplus action has already been presented to the Richland Planning Commission and the Economic Development Committee, where it received favorable recommendations. Public Works Director Rogalsky shared that there is public interest in purchase of the parcel, and that any proceeds from sale of the land is required, by deed restriction, to go to benefit city streets. The purpose of the presentation was to give Council a general overview of the surplus action that was to appear before them at a future council meeting. The consensus was for staff to move forward with formal surplus of the property.

3. Transportation Grant Opportunities

Using PowerPoint, Public Works Director Pete Rogalsky provided an overview of transportation grant opportunities available to the City of Richland. The Washington State Department of Transportation (WSDOT) provides various grant opportunities designed to address different transportation issues. Public Works Director Rogalsky identified the City's high priority projects as:

- SR-240/Aaron Drive
- Downtown Connectivity Improvements
- South George Washington Way Intersection Improvements
- Vantage Highway Pathway – Phase 2
- Center Parkway North Extension
- Center Parkway South Extension
- Island View to Vista Field Trail System

Staff is prepared to recommend projects well-suited for currently available grant opportunities, namely the Downtown Connectivity Improvements project and the Marcus Whitman Sidewalk Improvements project, at the August 2, 2021 city council meeting. Council engaged in a question and answer session with Public Works Director Rogalsky.

Adjournment

Councilmember Christensen adjourned the meeting at 6:57 p.m.

APPROVED:

ATTEST:

Ryan Lukson, Mayor

Jennifer Rogers, City Clerk

DATE APPROVED:

DATE PUBLISHED:



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 8/2/2021

Agenda Category: Ordinances - First Reading

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Ordinance No. 19-21, amending Richland Municipal Code Title 3: Finance to add a new Chapter 3.09 entitled Donations and Acceptance of Interests in Real Property

Department:
City Attorney

Ordinance/Resolution Number:
19-21

Document Type:
Ordinance

Recommended Motion:

Give first reading, by title only, to Ordinance No. 19-21, amending Richland Municipal Code Title 3: Finance to add Chapter 3.09 entitled Donations and Acceptance of Interests in Real Property.

Summary:

The City has need, from time to time, to update the Richland Municipal Code to improve efficiency and remedy ambiguities. Ordinance No. 19-21 proposes to add a new chapter to RMC Title 3 to establish thresholds for accepting donations of tangible and real property gifted to the City.

On occasion, citizens desire to make donations to the City of Richland. Donations to the City typically come in the form of cash, property, or equipment, and may be conditional or unconditional. The default rule under state law is that all donations approved by the City, regardless of value, be formally accepted by City Council by ordinance. However, City Council may, through ordinance, delegate authority to the City Manager for acceptance of certain restricted and unrestricted donations. This approach will increase efficiency, and is consistent with other delegated authority and thresholds established by City Council for the City Manager for purchasing and contract execution.

Several cities in Washington have codified a threshold for acceptance of donations. The content of Ordinance No. 19-21 is modeled after the City of Anacortes.

Staff recommends approval of Ordinance No. 19-21 for first reading, by title only.

Fiscal Impact: None.

Attachments:

- I. Ordinance No. 19-21

ORDINANCE NO. 19-21

AN ORDINANCE of the City of Richland amending Richland Municipal Code Title 3: Finance, adding Chapter 3.09 entitled Donations and Acceptance of Interests in Real Property.

WHEREAS, RCW 35.21.100 provides that every city and town by ordinance may accept any money or property donated, devised, or bequeathed to it and carry out the terms of the donation, devise, or bequest, if within the powers granted by law. If no terms or conditions are attached to the donation, devise, or bequest, the city or town may expend or use it for any municipal purpose; and

WHEREAS, a delegation of authority from City Council to the City Manager for acceptance of certain restricted and unrestricted donations will increase efficiency, and is consistent with other thresholds established for purchasing and execution of certain agreements; and

WHEREAS, many jurisdictions place limits on the size or type of gift a city official can accept without City Council approval, especially gifts of real property; and

WHEREAS, certain donations could subject the City to potential liability or future costs or responsibilities, and therefore should only be accepted if those factors are analyzed and addressed; and

WHEREAS, while it is reasonable to allow the City Manager to accept limited donations on behalf of the City, acceptance of larger donations and those involving real property require action by the City Council.

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

Section 1. Title 3 of the Richland Municipal Code is hereby amended to add a new Chapter 3.09 entitled Donations and Acceptance of Interests in Real Property.

Title 3 FINANCE

Chapters:

- 3.04 Purchasing**
- 3.06 Sale or Lease of City Real Property**
- 3.08 Disposition of City-Owned Personal Property**
- 3.09 Donations and Acceptance of Interests in Real Property**
- 3.10 Latecomer Agreements**
- 3.12 Local Improvements**
- 3.16 Contractors' Bonds**

- 3.20 Depositories
- 3.24 Funds
- 3.26 Utility Deposit System
- 3.27 Utility Budget Payment Plan
- 3.28 Utility Services Liens
- 3.29 Utility Low Income Program
- 3.30 Utility Billing and Collection
- 3.31 Acquisition of Public Utility Easements
- 3.32 Rewards for Information
- 3.34 Drug Investigation Fund for Seizure Proceeds
- 3.35 Disposition of Forfeited or Abandoned Firearms

Chapter 3.09

DONATIONS AND ACCEPTANCE OF INTERESTS IN REAL PROPERTY

Sections:

3.09.010 Purpose

3.09.020 Definitions

3.09.030 Donations of Money and Personal

3.09.040 Acceptance of ownership of or interest in real property.

3.09.050 Acknowledgment of donations and transparency.

3.09.010 Purpose.

Consistent with RCW 35.21.100, which provides that the city council may accept donations of money or property by ordinance, this chapter delegates city council authority to the city manager to accept such donations in circumstances with minimal risk and long-term obligation, and reserves the city council's authority in all other circumstances.

3.09.020 Definitions.

A. "Donation" means any money or personal property that is donated, devised, or bequeathed to the city.

B. "Restricted donation" means a donation that is given with any restriction or condition on the use of the money or property.

C. "Unrestricted donation" means a donation that is given without restriction or condition.

3.09.030 Donations of money and personal property.

A. Unrestricted donations.

1. The city manager is authorized to accept unrestricted donations valued at twenty thousand dollars or less per donor, per calendar year.

2. The finance director must deposit accepted unrestricted donations of money into the general fund.

B. Restricted donations.

1. The city manager is authorized to accept restricted donations valued at ten thousand dollars or less per donor, per calendar year, that support an established city program, including, but not limited to: recreation programs, park facilities, library materials, public art, and maintenance of city facilities.

2. All other restricted donations may only be accepted by action of the city council.

3. The finance director must deposit restricted donations of money into the fund most appropriate to carry out the restrictions or conditions of the donation.

4. The city must make best efforts to use or dispose of any money or personal property in accordance with the donor's restrictions or conditions.

5. Restrictions or conditions on a donation are not binding upon the city unless accepted in writing by the respective receiving authority (city manager or city council).

3.09.040 Acceptance of ownership of or interest in real property.

A. The city may accept ownership of or an interest in real property, including a lease or other instrument transferring anything less than a fee simple interest, only if approved by action of the city council, such as by ordinance or council-approved contract, or as a condition of plat approval.

B. No other action by any city employee or agent may constitute the city's acceptance of any interest in real property.

3.09.050 Acknowledgment of donations and transparency.

A. For each donation, the finance director will communicate to the donor a written acknowledgment of acceptance and appreciation on behalf of the city.

B. The finance director will maintain a continuous list of all donations accepted by the city, and will submit to the city council at the end of each year a list of all donations accepted by the city during the previous calendar year.

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

Section 3. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 4. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the ____ day of August, 2021.

Ryan Lukson, Mayor

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

Date Published: _____



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 8/2/2021

Agenda Category: Ordinances - First Reading

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Ordinance No. 20-21, Amending 2021 Budget in the General Fund, Equipment Replacement Fund, Community Development Block Grant Fund, Solid Waste Fund, Streets Capital Fund and Capital Improvements Fund

Department:
Public Works

Ordinance/Resolution Number:
20-21

Document Type:
Ordinance

Recommended Motion:

Give first reading, by title only, to Ordinance No. 20-21, amending the 2021 Budget in the General Fund, Equipment Replacement Fund, Community Development Block Grant Fund, Solid Waste Fund, Streets Capital Fund and Capital Improvements Fund.

Summary:

The Public Works Department has need to amend the 2021 Budget to support several different activities. First, the Solid Waste operation is required to conduct environmental monitoring and reporting about the landfill on a quarterly basis. Due to a process error, the 2021 Budget was finalized with no funding provided for this purpose. The City has executed contracts to complete this work and seeks to establish a budget to support the work. In addition, the City recently awarded construction contracts for three (3) street safety improvements, all funded by Washington State Department of Transportation (WSDOT) grants. WSDOT increased the amount of the grant awards in response to the City's bid results, necessitating an adjustment to the budget to enable paying the full costs of the projects from grant funds.

By Resolution No. 92-21, City Council recently authorized a street latecomer agreement with Nor Am Investment, LLC. The 2021 Budget did not include an appropriation to support latecomer payments from traffic impact fee revenue. A budget increase is needed to enable the reimbursement payments authorized under the agreement with Nor Am Investment, LLC. Traffic impact fees collected through this program are sufficient to cover the Nor Am Investment, LLC latecomer agreement.

The Citywide Sidewalk Repairs and ADA Accessibility Improvement Program was awarded \$199,000 in Community Development Block Grant (CDBG) funds to make ADA accessibility improvements in central Richland. This was \$79,000 more than is included in the 2021 Budget, necessitating a budget increase to enable spending these funds. The scope of improvements included the sidewalk access ramps at the intersection of Stevens Drive and Long Avenue. During engineering design, staff determined that the current intersection geometry would best support the accessibility improvements if it were modified to a more standard geometry. The intersection modification is not eligible for CDBG funding and requires additional funds from the Capital Improvement Fund to complete.

Finally, the 2021 Budget included funds to replace the City's pavement striping truck by retaining and reequipping the current truck chassis. Because striping is particularly hard on the vehicle's chassis, this approach has been determined to be unworkable. Instead, an entirely new truck is required. To avoid a prolonged procurement lead time, staff recommends an increase to the 2021 Budget, funded by General Fund reserves, to keep this purchase on schedule for a 2022 delivery. Staff recommends approval of Ordinance No. 20-21 for first reading, by title only.

Fiscal Impact:

The total increase in appropriation to the 2021 Budget is \$2,479,562, of which \$820,562 is funded by additional revenues or fund transfers.

Attachments:

I. Ordinance No. 20-21

ORDINANCE NO. 20-21

AN ORDINANCE of the City of Richland amending the 2021 Budget to provide for additional appropriations in the City's General Fund, Equipment Replacement Fund, Community Development Block Grant Fund, Solid Waste Fund, Streets Capital Fund and Capital Improvements Fund, and declaring that a public emergency exists in the City's General Fund, Capital Improvements Fund, Community Development Block Grant Fund, and Solid Waste Fund.

WHEREAS, on November 17, 2020, Richland City Council approved Ordinance No. 46-20 approving the 2021 Budget; and

WHEREAS, the City's current street striping equipment is reaching its end of life; and

WHEREAS, the adopted Fleet Replacement Budget included funding to replace the City's pavement striping equipment on the existing truck chassis; and

WHEREAS, a staff survey of vendors revealed this is not a viable approach to this equipment need; and

WHEREAS, additional funding of \$200,000 is needed to replace both the truck chassis and the striping equipment; and

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

WHEREAS, due to error, no funds were appropriated in the 2021 Budget for Solid Waste Disposal expert services. This budget line is used for groundwater monitoring, sampling and reporting, lab services and bird management, all required to meet the City's solid waste permit provisions; and

WHEREAS, sufficient unappropriated funds are available in the Solid Waste Fund to support the requested budget adjustment of \$160,000; and

WHEREAS, the 2021 Capital Improvement Plan identifies \$120,000 in Community Development Block Grant (CDBG) funds for construction of the Citywide Sidewalk Repair and ADA Accessibility Program. The actual CDBG award was \$199,000, necessitating adjustment to the budget of \$79,000; and

WHEREAS, the City's ADA Accessibility Program includes improvements to the intersection of Long Street and Stevens Drive; and

WHEREAS, the current intersection geometry at Long Street and Stevens Drive creates undesirable traffic behavior and an undesirable pedestrian crossing route which can both be mitigated by changing the intersection geometry to current standards; and

WHEREAS, the awarded 2021 CDBG funds must be supplemented to accomplish the additional improvements needed at the intersection of Long Street and Stevens Drive; and

WHEREAS, sufficient unappropriated funds are available in the Capital Improvement Fund to support the requested budget increase of \$120,000 needed to improve the intersection of Long Street and Stevens Drive; and

WHEREAS, based on WSDOT notification of grant funding availability, the City recently awarded construction contracts for several WSDOT-funded street safety improvement projects, including the Traffic Signal Systemic Safety Upgrades, the McMurray Rapid Flash Beacon Project, and the Van Giesen/Thayer Intersection Improvements; and

WHEREAS, now that funding agreements to secure the additional funds have been executed, these funds, in the amount of \$421,562, need to be reflected in the City's 2021 Budget; and

WHEREAS, the City currently manages eight (8) street latecomer agreements with land developers; and

WHEREAS, the street latecomer agreements use a percentage of incoming traffic impact fee revenue, generated by development activity subject to Chapter 12.03 RMC, to reimburse developers for previously completed construction of collector street improvements; and

WHEREAS, by Resolution No. 92-21, City Council approved a street latecomer agreement with Nor Am Investment, LLC for construction of Bella Coola Lane; and

WHEREAS, the reimbursement required by the latecomer agreement with Nor Am Investment, LLC exceeds existing budget authority for the reimbursement program; and

WHEREAS, Nor Am Investment, LLC's request for a latecomer agreement was unknown to the City during 2021 Budget preparation, and the reimbursement amount of \$1,100,000 is therefore not accounted for in the 2021 Budget; and

WHEREAS, a sufficient balance of collected traffic impact fees is available to support the required reimbursement amount; and

WHEREAS, on August 2, 2021, a public hearing was held pursuant to RCW 35.33.091 regarding the increase in appropriations from beginning fund balance in the

General Fund, Capital Improvement Fund, Community Development Block Grant Fund, and Solid Waste 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 2021 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, Capital Improvement Fund, Community Development Block Grant Fund, and Solid Waste Fund.

Section 3. Amendment of the 2021 Budget. The 2021 Budget is hereby amended to provide additional appropriations in the General Fund, Equipment Replacement Fund, Solid Waste Fund, Streets Capital Fund and Capital Improvement Fund from unappropriated fund balance as follows:

General Fund

Current Appropriation: \$69,410,971
Increase in Appropriation: \$ 200,000
Amended Appropriation: \$69,610,971

Equipment Replacement Fund

Current Appropriation: \$ 6,431,599
Increase in Appropriation: \$ 200,000
Amended Appropriation: \$ 6,631,599

Community Development Block Grant Fund

Current Appropriation: \$ 785,494
Increase in Appropriation: \$ 79,000
Amended Appropriation: \$ 864,494

Solid Waste Fund

Current Appropriation: \$17,296,956
Increase in Appropriation: \$ 160,000
Amended Appropriation: \$17,456,956

Streets Capital Fund

Current Appropriation: \$28,026,850
Increase in Appropriation: \$ 1,720,562
Amended Appropriation: \$29,747,412

Capital Improvement Fund

Current Appropriation: \$ 5,255,337

Increase in Appropriation: \$ 120,000

Amended Appropriation: \$ 5,375,337

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 August, 2021.

Ryan Lukson, Mayor

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

Date Published: _____



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 8/2/2021

Agenda Category: Ordinances - Second Reading & Passage

Core Focus Area 1 - Promote Financial Stability & Operational Effectiveness

Core Focus Area 3 - Increase Economic Vitality

Subject:

Ordinance No. 15-21, Amending Richland Municipal Code Sections 23.22.030 and 23.22.040 related to Commercial Use Districts

Department:

Development Services

Ordinance/Resolution Number:

15-21

Document Type:

Ordinance

Recommended Motion:

Give second reading and pass Ordinance No. 15-21, amending Richland Municipal Code Sections 23.22.030 and 23.22.040 related to commercial use districts.

Summary:

The City of Richland planning staff is proposing a text amendment to RMC 23.22.030 Commercial Use Districts Permitted Land Uses and RMC 23.22.040 Site Requirements and Development Standards for Commercial Use Districts. The proposed amendment addresses the following: (1) adds public parks as a permitted use in the Waterfront zoning district; and (2) increases the maximum density of multi-family dwellings from 1 unit per 1,500 square feet to 1 unit per 1,000 square feet.

The Waterfront use district (WF) is an appropriate zoning district to allow public parks. In addition, the proposed increase to the maximum multifamily density allows for projects to accommodate the increasing demand for various types and sizes of housing.

The Planning Commission conducted a public hearing on the proposed amendment on May 26, 2021 and unanimously voted to recommend approval.

Staff recommends approval of Ordinance No. 15-21 for second reading and passage.

Fiscal Impact:

None.

Attachments:

1. Ordinance No. 15-21
2. CA2021-102 Full Staff Report

ORDINANCE NO. 15-21

AN ORDINANCE of the City of Richland amending Richland Municipal Code Sections 23.22.030 and 23.22.040 related to commercial use districts.

WHEREAS, the City has need, from time to time, to update the Richland Municipal Code (RMC) to accommodate anticipated development; and

WHEREAS, the City anticipates the future development of a city park on a tract of land currently located in the City's Waterfront (WF) district; and

WHEREAS, public parks are not currently permitted as a matter of right in the City's Waterfront district; and

WHEREAS, amendment to the City's land use tables to add public parks in the Waterfront district is necessary to accommodate future development of a city park in the Columbia Point development.

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

Section 1. Richland Municipal Code Section 23.22.030, entitled Commercial use district permitted land uses, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 07-19, is hereby amended as follows:

23.22.030 Commercial 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	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Agricultural Uses								
Raising Crops, Trees, Vineyards								P
Automotive, Marine and Heavy Equipment								
Automotive Repair – Major				P				
Automotive Repair – Minor		P	P	P	S			
Automotive Repair – Specialty Shop		S	P	P	S			
Automobile Service Station		P ¹	P ¹	P ¹	S ¹			
Auto Part Sales		P	P	P	S			
Boat Building				P				
Bottling Plants				P				P ²⁸
Car Wash – Automatic or Self-Service		P ²	P ²	P ²	S ²			
Equipment Rentals			P	P				
Farm Equipment and Supplies Sales				P				
Fuel Station/Mini Mart	S	P	P	P	P			
Heavy Equipment Sales and Repair				P				
Manufactured Home Sales Lot				P				
Marinas						P	P	
Marine Equipment Rentals				P		P	P	
Marine Gas Sales						A	A	
Marine Repair				P		P	P	
Towing, Vehicle Impound Lots				S ³				
Truck Rentals			P	P				
Truck Stop – Diesel Fuel Sales			S	P				
Truck Terminal				P				
Vehicle Leasing/Renting			P ⁴	P	S ⁴			
Vehicle Sales			P ⁴	P	S ⁴			
Warehousing, Wholesale Use				P				
Business and Personal Services								
Animal Shelter				S ⁵				
Automatic Teller Machines	P	P	P	P	P	P		P

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Commercial Kennel				P ⁵				
Contractors' Offices		P	P	P	P			
Funeral Establishments			P	P				
General Service Businesses	A	P	P	P	P	P		
Health/Fitness Facility	A	P	P	P	P	A	P	
Health/Fitness Center			P	P	P		P	
Health Spa		P	P	P	P	P		P
Hospital/Clinic – Large Animal				S ⁵				
Hospital/Clinic – Small Animal			S ⁵	P ⁵	P			
Laundry/Dry Cleaning, Com.				P	P ²⁹			
Laundry/Dry Cleaning, Neighborhood		P	P	P	P			
Laundry/Dry Cleaning, Retail	P	P	P	P	P	P		
Laundry – Self-Service		P	P	P	P			
Mini-Warehouse				P ⁶				
Mailing Service	P	P	P	P	P	P		
Personal Loan Business	P	P	P	P	P			
Personal Services Businesses	A	P	P	P	P	P		
Photo Processing, Copying and Printing Services	P	P	P	P	P	P		
Telemarketing Services	P		P	P	P			
Video Rental Store		P	P	P	P	P		P
Food Service								
Cafeterias	A		A	A	A	A	A	
Delicatessen	P	P	P	P	P	P	P	P
Drinking Establishments		P ⁷	P	P	P	P	P	P
Micro-Brewery			P	P	P	P	P	P
Portable Food Vendors ²⁶	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁸
Restaurants/Drive-Through		S ⁸	P ⁸	P ⁸	S ^{8, 9}	S ^{8, 9}		
Restaurants/Lounge		P ⁷	P	P	P	P	P	P
Restaurants/Sit Down	A	P	P	P	P	P	P	P
Restaurants/Take Out		P	P	P	P	P		P
Restaurants with Entertainment/Dancing Facilities		P ⁷	P	P	P	P	P	P

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Vehicle-Based Food Service		P ³⁰	P ³⁰	P ³⁰	P ³⁰	P ³⁰		
Wineries – Tasting Room		P ⁷	P	P	P	P	P	P
Industrial/Manufacturing Uses								
Laundry and Cleaning Plants				P				P ²⁸
Light Manufacturing Uses				P				P ²⁸
Warehousing and Distribution Facilities				P				P ²⁸
Wholesale Facilities and Operations				P				P ²⁸
Wineries – Production				P				P
Office Uses								
Financial Institutions	P	P/S ²²	P	P	P/S ²²	P		
Medical, Dental and Other Clinics	P	P	P	P	P	P		
Newspaper Offices and Printing Works			P	P	P			
Office – Consulting Services	P	P	P	P	P	P		P ²⁸
Office – Corporate	P		P	P	P	P		P ²⁸
Office – General	P	P	P	P	P	P		P ²⁸
Office – Research and Development	P		P	P	P			P ²⁸
Radio and Television Studios			P	P	P			
Schools, Commercial	P		P	P	P	P		
Schools, Trade			P	P	P			P ²⁸
Travel Agencies	P	P	P	P	P	P		
Public/Quasi-Public Uses								
Churches	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P	P ¹⁰		
Clubs or Fraternal Societies	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰		
Cultural Institutions	P ¹⁰	P ¹⁰	P ¹⁰		P ¹⁰	P ¹⁰		P ¹⁰
General Park O&M Activities	P	P	P	P	P	P	P	P
Hospitals	P		P	P	P			
Homeless Shelter				P				
Passive Open Space Use	P	P	P	P	P	P	P	P
Power Transmission and Irrigation Waste way Easements and Utility Uses	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Public Agency Buildings	P	P	P	P	P	P	P	
Public Agency Facilities	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹
Public Campgrounds				S			S	
Public Parks	P	P	P	P	P	<u>P</u>	P	P
Schools	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²		
Schools, Alternative	P ¹³	P ¹³	P ¹³	P ¹³	P ¹³			
Special Events Including Concerts, Tournaments and Competitions, Fairs, Festivals and Similar Public Gatherings	P	P	P	P	P	P	P	P
Trail Head Facilities	P	P	P	P	P	P	P	P
Trails for Equestrian, Pedestrian, or Non-motorized Vehicle Use	P	P	P	P	P	P	P	P
Recreational Uses								
Art Galleries			P	P	P	P	P	P
Arcades		P	P	P	P	P	P	
Boat Mooring Facilities						P	P	
Cinema, Indoor			P	P	P	P	P	
Cinema, Drive-In			P	P				
Commercial Recreation, Indoor		S ⁷	P	P	P	P	P	
Commercial Recreation, Outdoor			P	P		P	P	
House Banked Card Rooms				P ¹⁴	P ¹⁴	P ¹⁴	P ¹⁴	
Recreational Vehicle Campgrounds				S ¹⁵			S ¹⁵	
Recreational Vehicle Parks				S ¹⁶			S ¹⁶	
Stable, Public				S ¹⁷				
Theater		P ⁷	P	P	P	P	P	P
Residential Uses								
Accessory Dwelling Unit		A	A	A	A	A		A
Apartment, Condominium (3 or more units)	P		P ¹⁸		P	P		
Assisted Living Facility	P		P		P ¹⁸	P		
Bed and Breakfast	P	P	P	P	P	P	P	P
Day Care Center	P ¹⁹	P ¹⁹	P ¹⁹	P ¹⁹	P ¹⁹	P ¹⁹		

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Dormitories, Fraternities, and Sororities	P				P	P		
Dwelling, One-Family Attached						P ²⁵		
Dwelling, Two-Family Detached						P		
Dwelling Units for a Resident Watchman or Custodian				A				P ²⁸
Family Day Care Home	P ¹⁹					P ¹⁹		
Houseboats						P	P	
Hotels or Motels	P		P	P	P	P	P	P
Nursing or Rest Home	P		P		P ¹⁸	P		
Recreational Club	A				A	A		
Senior Housing	P				P ¹⁸	P		
Temporary Residence	P ²⁰	P ²⁰	P ²⁰	P ²⁰	P ²⁰	P ²⁰		P
Retail Uses								
Adult Use Establishments				P ²¹				
Apparel and Accessory Stores		P	P	P	P	P		P
Auto Parts Supply Store		P	P	P	P			
Books, Stationery and Art Supply Stores	A	P	P	P	P	P		P
Building, Hardware, Garden Supply Stores		P	P	P	P			
Department Store			P	P	P			
Drug Store/Pharmacy	A	P/S ²²	P	P	P	P		
Electronic Equipment Stores		P	P	P	P	P		
Food Stores		P	P	P	P	P		
Florist		P	P	P	P	P		P
Furniture, Home Furnishings and Appliance Stores		P	P	P	P			
Landscaping Material Sales			A	P				
Lumberyards				P				
Nursery, Plant				P				P
Office Supply Store	A	P	P	P	P	P		
Outdoor Sales				P				
Parking Lot or Structure	P	P	P	P	A	P		P
Pawn Shop				P				

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Pet Shop and Pet Supply Stores		P	P	P	P			
Retail Hay, Grain and Feed Stores				P				
Secondhand Store			P	P	P	P		
Specialty Retail Stores		P	P	P	P	P		P
Miscellaneous Uses								
Bus Station				P	P			
Bus Terminal				P	P			
Bus Transfer Station	P		P	P	P		P	
Cemetery	P		P	P				
Community Festivals and Street Fairs	P	P	P	P	P	P	P	P
Convention Center	P		P	P	P	P	P	
Macro-Antennas	P	P	P	P	P	P	P	P
Monopole			S ²³	P/S ²³	S ²³			
On-Site Hazardous Waste Treatment and Storage	A	A	A	A	A	A	A	A
Outdoor Storage		A ²⁴	A ²⁴	P ²⁴				
Storage in an Enclosed Building	A	A	A	A	A	A	A	A ²⁸

1. RMC 23.42.280
2. RMC 23.42.270
3. RMC 23.42.320
4. RMC 23.42.330
5. RMC 23.42.040
6. RMC 23.42.170
7. RMC 23.42.053
8. RMC 23.42.047
9. RMC 23.42.055
10. RMC 23.42.050
11. RMC 23.42.200
12. RMC 23.42.250
13. RMC 23.42.260
14. RMC 23.42.100
15. RMC 23.42.230
16. RMC 23.42.220
17. RMC 23.42.190
18. Use permitted on upper stories of multi-story buildings, if main floor is used for commercial or office uses.
19. RMC 23.42.080
20. RMC 23.42.110
21. RMC 23.42.030
22. Use permitted, requires special use permit with drive-through window.
23. Chapter 23.62 RMC

24. RMC 23.42.180
25. RMC 23.18.025
26. See definition, RMC 23.06.780
27. RMC 23.42.185
28. Activities permitted only when directly related to and/or conducted in support of winery operations.
29. Within the central business district (CBD), existing commercial laundry/dry cleaning uses, established and operating at the time the CBD district was established, are allowed as a permitted use. All use of the land and/or buildings necessary and incidental to that of the commercial laundry/dry cleaning use, and existing at the effective date of the CBD district, may be continued. Commercial laundry/dry cleaning uses not established and operating at the time the CBD district was established are prohibited.
30. RMC 23.42.325

Section 2. Richland Municipal Code Section 23.22.040, entitled Site requirements and development standards for commercial use districts, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 32-11, is hereby amended as follows:

23.22.040 Site requirements and development standards for commercial use districts.

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

Standard	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Minimum Lot Area	None	None	None	None	None	None	None	None
Maximum Density – Multifamily Dwellings (units/square feet)	1:1,500	N/A	N/A	N/A	None	1:1,500 <u>1:1,000</u>	N/A	N/A
Minimum Lot Width – One-Family Attached Dwellings	N/A	N/A	N/A	N/A	N/A	30 feet	N/A	N/A
Minimum Front Yard Setback ¹⁴	20 feet	45 feet ¹	0 feet ²	0 feet ²	CBD, Parkway, Uptown Districts: 0 feet min. – 20 feet max. ^{3, 11, 13} Medical District: 0 feet min.	Note 4,5	Note 4	20 feet
Minimum Side Yard Setback	0 feet ⁶	0 feet ⁷	None	None	0 feet ^{6,8}	0 feet ^{5,9}	0 feet	0 feet ^{6,8}
Minimum Rear Yard Setback	0 feet ^{6,8}	0 feet ⁷	None	None	0 feet ^{6,8}	0 feet ^{5,8,10}	0 feet	0 feet ^{6,8}
Maximum Building Height ¹⁴	55 feet	30 feet	80 feet	80 feet	CBD – 110 feet	35/55 feet ¹²	35/55 feet ¹²	35 feet

Standard	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
					Medical – 140 feet Parkway – 50 feet Uptown – 50 feet			
Minimum Dwelling Unit Size (in square feet, excluding porches, decks, balconies and basements)	500 feet	N/A	N/A	N/A	N/A	500 feet	N/A	N/A

1. Each lot shall have a front yard 45 feet deep or equal to the front yards of existing buildings in the same C-1 district and within the same block.
2. No setback required if street right-of-way is at least 80 feet in width. Otherwise, a minimum setback of 40 feet from street centerline is required.
3. Unless a greater setback is required by Chapter 12.11 RMC, Intersection Sight Distance.
4. Front and Side Street. No building shall be closer than 40 feet to the centerline of a public right-of-way. The setback area shall incorporate pedestrian amenities such as increased sidewalk width, street furniture, landscaped area, public art features, or similar features.
5. In the case of attached one-family dwelling units, setback requirements shall be as established for attached dwelling units in the medium-density residential small lot (R-2S) zoning district. Refer to RMC 23.18.040.
6. In any commercial limited business (C-LB), central business (CBD) or in any commercial winery (CW) zoning district that directly abuts a single-family zoning district, the following buffer, setback and building height regulations shall apply to all structures:
 - a. Within the commercial limited business (C-LB), the central business district (CBD) and the commercial winery (CW) districts, 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 12,000, R-1-10 – single-family residential 10,000, 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.
 - b. Buildings that are within 50 feet of any property that is zoned for single-family residential use in commercial limited business (C-LB) and the commercial winery (CW) districts and buildings that are within 50 feet of any property that is zoned for and currently developed with a single-family residential use in the central business district (CBD) (as defined in footnote (6)(a)) 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 C-LB, CW and CBD zoning districts, respectively.
 - c. 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, or currently zoned for and developed with a single-family residential use in the CBD district. 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.
 - d. In the C-LB and CW districts, a 20-foot setback shall be provided for any side yard that adjoins a street.

7. Side yard and rear yard setbacks are not required except for lots adjoining a residential development, residential district, or a street. Lots adjoining either a residential development or residential district shall maintain a minimum 15-foot setback. Lots adjoining a street shall maintain a minimum 20-foot setback. Required side or rear yards shall be landscaped or covered with a hard surface, or a combination of both. No accessory buildings or structures shall be located in such yards unless otherwise permitted by this title.
8. No minimum required, except parking shall be set back a minimum of five feet to accommodate required landscape screening as required under RMC 23.54.140.
9. Side Yard. No minimum, except parking shall be set back a minimum of five feet, and buildings used exclusively for residences shall maintain at least one foot of side yard for each three feet or portion thereof of building height. Side yards adjoining a residential district shall maintain setbacks equivalent to the adjacent residential district.
10. No minimum, except parking shall be set back a minimum of five feet. Rear yards adjoining a residential district shall maintain setbacks equivalent to the adjacent residential district.
11. Commercial developments such as community shopping centers or retail centers over 40,000 square feet in size and typically focused around a major tenant, such as a supermarket grocery, department store or discount store, and supported with smaller "ancillary" retail shops and services located in multiple building configurations, are permitted front and street side maximum setback flexibility for the largest building. Maximum setback standards on any other new buildings may be adjusted by the planning commission as part of the alternative design review as set forth in the performance standards and special requirements of RMC 23.22.020(E)(9).
12. All buildings that are located in both the waterfront (WF) district and that fall within the jurisdictional limits of the Shoreline Management Act shall comply with the height limitations established in the Richland shoreline master program (RMC Title 26). Buildings in the WF district that are not subject to the Richland shoreline master program shall not exceed a height of 35 feet; unless the planning commission authorizes an increase in building height to a maximum height of 55 feet, based upon a review of the structure and a finding that the proposed building is aesthetically pleasing in relation to buildings and other features in the vicinity and that the building is located a sufficient distance from the Columbia River to avoid creating a visual barrier.
13. Physical additions to existing nonconforming structures are not subject to the maximum front yard setback requirements.
14. The medical, uptown and parkway districts of the CBD zoning district are established as shown by Plates 23.22.040(1), (2) and (3).

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PLATE NO. 1 - 23.22.040

PLATE 1



CBD - MEDICAL DISTRICT

PLATE NO. 2 - 23.22.040

PLATE 2



CBD - UPTOWN DISTRICT

PLATE NO. 3 - 23.22.040

PLATE 3



CBD - THE PARKWAY DISTRICT

Section 3. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 4. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 5. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 2nd day of August, 2021.

Ryan Lukson, Mayor

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

Date Published: August 8, 2021

STAFF REPORT

TO: PLANNING COMMISSION
FILE NO.: CA2021-102

PREPARED BY: MIKE STEVENS
MEETING DATE: MAY 26, 2021

GENERAL INFORMATION:

APPLICANT: CITY OF RICHLAND CA2021-102

REQUEST: TEXT AMENDMENT TO RMC SECTION 23.22.030 – COMMERCIAL USE DISTRICTS PERMITTED LAND USES AND TO RMC SECTION 23.22.040 – SITE REQUIREMENTS AND DEVELOPMENT STANDARDS FOR COMMERCIAL USE DISTRICTS.

LOCATION: CITYWIDE

REASON FOR REQUEST

The City of Richland planning staff is proposing a text amendment to RMC section 23.22.030, “Commercial use districts permitted land uses” and to RMC 23.22.040, “Site requirements and development standards for commercial use districts.” If approved, the proposed amendment: (1) adds public parks as a permitted use to the Waterfront zoning district; and (2) increases the maximum density of multifamily dwellings, from 1 unit per 1,500 square feet to 1 unit per 1,000 square feet.

Staff contends that the Waterfront use district (WF) is an appropriate zoning district to allow public parks. In addition, the proposed increase to the maximum multifamily density allows for projects to accommodate the increasing demand for various types and sizes of housing.

ANALYSIS

Part 1 - Addition of Public Parks:

The Waterfront use district (WF) is an appropriate zoning district to allow public parks as RMC 23.22.010 states that the purpose of the WF district is to allow mixed uses that are consistent with waterfront development, including marinas, boat docking facilities, hotel/motels, offices, other commercial, apartment, and multifamily uses. The WF district is designed for land on and near the river shoreline. Other permitted uses in this zone are uses with similar impacts such as special events including fairs and festivals, and commercial recreation. Additionally, public parks can be used along with and to complement existing permitted uses in the WF use such as boat mooring facilities, trail head facilities, and trails for equestrian, pedestrian, or nonmotorized use. Public parks

are a currently a permitted use in seven of the eight commercial use zoning districts in the city, leaving WF as the only commercial use zone that does not permit public parks (not even with an approved special use permit).

The goals and policies of the City's Comprehensive Plan further support the addition of parks to the permitted uses in the WF zone, emphasizing public access for enjoyment of shorelines and natural areas, encouraging efficient use and location of public facilities including parks, and recognizing the value that parks have as major attractors.

Moreover, the WF zone is the only implementing zone of the Comprehensive Plan's land use designation of Waterfront. Currently, to site a park on any parcel that is zoned WF it would be necessary to processes Comprehensive Plan amendment and an associated rezone to other designations.

Likewise, the proposed amendment also furthers goals and policies found in the City's Shoreline Master Program (SMP), aligns with the "Waterfront Use Environment" designation that applies to many properties which the city has zoned WF. In the SMP, the Waterfront Use Environment includes public parks as a permitted use and prioritizes public access to shorelines.

Part 2 - Maximum Density Increase:

It is suitable to change the WF zone to accommodate a higher density of residential development. Per RMC 23.22.010, the WF zoning classification "encourages mixed [use and] special commercial and high-density residential uses to accommodate a variety of lifestyles and housing opportunities." Increasing the maximum density could accommodate a greater variety of housing opportunities.

High-density areas are increasingly sought after and come with many benefits related to economic development, efficiency, and sustainability objectives. The WF zone designation is given to land primary near or along the river shore, a limited area in the City. This proposed code amendment increases the opportunities for residential development near this unique asset.

The goals and policies found in the City's Comprehensive Plan supports a higher density in the WF zone, such as providing a range of housing densities and types to establishing land uses that are sustainable which create a livable and vibrant community.

The SMP's Waterfront Use Environment's purpose includes high-density residential uses to accommodate a variety of lifestyles and housing opportunities. Increasing the maximum density can promote a variety of housing opportunities and allows for more residential units with access to the waterfront.

Applicable Comprehensive Plan Goals:

- Housing Element (HE) Goal 1: Provide a range of housing densities, sizes, and types for all income and age groups of the Richland community
- Natural Environment (NE) Goal 1: Promote the protection, conservation, and restoration of natural areas, shorelines, and critical areas as unique assets to the community, and provide public access for enjoyment of such facilities based on the ability of the resource to support the use.
- Land Use Element (LU) – *Public Facilities* Goal 7: Encourage efficient use and location of public facilities such as transit centers, utility facilities, schools, parks, and other public uses.
- LU Goal 2: Establish land uses that are sustainable and create a livable and vibrant community.
- Capital Facilities Element (CF) – *Parks, Recreation and Open Space* Goal 4: Provide an integrated system of parks, recreation facilities, trails, and open spaces as an asset consistent with the Parks, Trails, Open Space, and Facilities Master Plan that enhances the community's quality of life.
- CF– *Parks, Recreation and Open Space* Goal 6: Identify, prioritize, and preserve unique natural habitat, ecologically critical areas, shorelines, and significant landforms and develop public recreational activities appropriate to these resources.
- Economic Development Element (ED) Goal 6: Encourage vibrant mixed-use areas in Tri-Cities as destinations to live, work, and visit.
- ED Goal 7: Recognize parks, natural areas, and a built environment with quality design for the value they offer as major attractions.

PUBLIC NOTICE/ COMMENTS

Staff provided notice of the proposed amendment to local and state agencies on May 5, 2021. Notice was also published in the Tri-Cities Herald, posted at official posting places and on the city's official website as required by city code. Staff provided notice to the Washington State Dept. of Commerce and other state agencies as required by RCW 36.70A.

No substantive comments were received from the public and/or governmental entities as of the date the staff report was prepared.

SEPA

The proposal is subject to environmental review. The City of Richland issued a Determination of Non-Significance (DNS) for the proposal on April 6, 2021 (filed under SEPA register No. 202101754). The end of the public comment period was April 20, 2021. There were no appeals of the DNS.

FINDINGS OF FACT

1. The City of Richland planning staff has proposed amendments to Richland Municipal Code section 23.22.030 to allow public parks as a permitted use in the Waterfront use zone; and Richland Municipal Code section 23.22.040 to increase the maximum residential density in the Waterfront use zone to 1:1,000 units/square feet.
2. The WF zone is an appropriate zone to permit public parks.
3. The WF zone is suitable for a higher maximum density for multifamily dwellings.
4. The amendment is consistent with the goals and policies of the Comprehensive Plan.
5. Over time the need for permitted uses and development standards change within the City of Richland as it develops and changes.
6. Notice of the proposed amendment was provided to local and state agencies. Notice was also published in the Tri-Cities Herald, posted at the official posting places and on the city's official website. Notice was provided to the Washington State Dept. of Commerce and other state agencies as required by RCW 36.70A.
7. No substantive comments regarding the proposed code amendment were received.
8. The Washington State Department of Commerce received the 60-day Notice of Intent to Adopt Amendment and granted expedited review.
9. The City issued a SEPA Threshold Determination of Non-Significance on April 6, 2021. The end of the public comment period was April 20, 2021, and no substantive comments were received.

CONCLUSIONS OF LAW

1. The Planning Commission has jurisdiction to hold an open record public hearing and issue a recommendation on the proposed ordinance amendment to the City Council.

2. The proposed code amendment is consistent with the goals and policies of the City's Comprehensive Plan.

RECOMMENDATION

Staff recommends the Planning Commission concur with the findings and conclusions set forth in Staff Report (CA2021-102) and recommend to the City Council adoption of the proposed code amendments to RMC 23.22.030 and RMC 23.22.040.

ALTERNATIVES

1. Recommend approval of the amendments as proposed;
2. Recommend approval of the amendments, as modified by the Planning Commission.
3. Recommend denial of the amendments;

RECOMMENDED MOTION

I move that the Planning Commission recommend approval of the proposed amendments to RMC Section 23.22.020 and RMC 23.22.040 (Exhibit 2) based upon the Findings of Fact and Conclusions of Law.

EXHIBITS

1. Application Materials
2. Draft Code Amendment
3. SEPA DNS & SEPA Checklist
4. Department of Commerce Notice
5. Public Notice



Code Amendment Application

Note: A Pre-Application meeting is required prior to submittal of an application.

APPLICANT

☒ Contact Person

Company: City of Richland

UBI#: N/A

Contact: Joe Jacobs

Address: 625 Swift Blvd., Richland WA 99352

Phone: 509-942-7725

Email: jjacobs@ci.richland.wa.us

DESCRIPTION OF PROPOSED AMENDMENT

- 1) Amend Water Front (WF) zone to include Parks as an allowable use.
- 2) Increase the multifamily density from 1:1500 to 1:1000.

APPLICATION MUST INCLUDE:

1. Completed application and filing fee
2. SEPA Checklist (if necessary)
3. Other information as determined by the Administrator

ANSWER THE FOLLOWING AS COMPLETELY AS POSSIBLE:

Section(s) of code proposed to be amended (include code citation):

23.22.030 Commercial use districts permitted land uses. Public/Quasi-Public Uses:

>Add "Parks" as a permitted use.

23.22.040 Site requirements and development standards for commercial use districts. Maximum Density - Multifamily Dwellings (units/square feet).

>Change WF from 1:1,500 to 1:1,000 units/square feet.

Summary of requested code amendment(s):

- 1) Amend Water Front (WF) zone to include Parks as an allowable use.
- 2) Increase the multifamily density from 1:1500 to 1:1000 units/square feet.

Reason(s) for code amendment(s):

The city intends to build a park on land within the WF zone .

The increased density is consistent with current and proposed density in vicinity.

Is the proposed amendment consistent with the applicable provisions of the Comprehensive Plan? Is a Comprehensive Plan amendment necessary to implement the proposed amendment?

This amendment is consistent with the applicable provisions of the comprehensive plan.

Does the proposed amendment bear a substantial relation to the public health, safety, welfare and protection of the environment? Please explain:

This amendment will not affect public safety and welfare or negatively impact the environment.

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I have read and examined this permit application. The information provided in this application contains no misstatement of fact.
2. I am an owner(s), authorized agent(s) of an owner(s), or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW, or I am exempt from the requirements of Chapter 18.27 RCW.

Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

Applicant Printed Name: Joe Jacobs

esigned via SeamllessDocx.com

Joe Jacobs

Applicant Signature:

Key: f6c4428d37ed916f8fe294ba9e70764b

Date February 10, 2021

Chapter 23.22

COMMERCIAL ZONING DISTRICTS

23.22.030 Commercial 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	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Agricultural Uses								
Raising Crops, Trees, Vineyards								P
Automotive, Marine and Heavy Equipment								
Automotive Repair – Major				P				
Automotive Repair – Minor		P	P	P	S			
Automotive Repair – Specialty Shop		S	P	P	S			
Automobile Service Station		P ¹	P ¹	P ¹	S ¹			
Auto Part Sales		P	P	P	S			
Boat Building				P				
Bottling Plants				P				P ²⁸
Car Wash – Automatic or Self-Service		P ²	P ²	P ²	S ²			
Equipment Rentals			P	P				
Farm Equipment and Supplies Sales				P				
Fuel Station/Mini Mart	S	P	P	P	P			
Heavy Equipment Sales and Repair				P				
Manufactured Home Sales Lot				P				
Marinas						P	P	
Marine Equipment Rentals				P		P	P	
Marine Gas Sales						A	A	

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Marine Repair				P		P	P	
Towing, Vehicle Impound Lots				S ³				
Truck Rentals			P	P				
Truck Stop – Diesel Fuel Sales			S	P				
Truck Terminal				P				
Vehicle Leasing/Renting			P ⁴	P	S ⁴			
Vehicle Sales			P ⁴	P	S ⁴			
Warehousing, Wholesale Use				P				
Business and Personal Services								
Animal Shelter				S ⁵				
Automatic Teller Machines	P	P	P	P	P	P		P
Commercial Kennel				P ⁵				
Contractors' Offices		P	P	P	P			
Funeral Establishments			P	P				
General Service Businesses	A	P	P	P	P	P		
Health/Fitness Facility	A	P	P	P	P	A	P	
Health/Fitness Center			P	P	P		P	
Health Spa		P	P	P	P	P		P
Hospital/Clinic – Large Animal				S ⁵				
Hospital/Clinic – Small Animal			S ⁵	P ⁵	P			
Laundry/Dry Cleaning, Com.				P	P ²⁹			
Laundry/Dry Cleaning, Neighborhood		P	P	P	P			
Laundry/Dry Cleaning, Retail	P	P	P	P	P	P		
Laundry – Self-Service		P	P	P	P			
Mini-Warehouse				P ⁶				
Mailing Service	P	P	P	P	P	P		
Personal Loan Business	P	P	P	P	P			
Personal Services Businesses	A	P	P	P	P	P		
Photo Processing, Copying and Printing Services	P	P	P	P	P	P		
Telemarketing Services	P		P	P	P			
Video Rental Store		P	P	P	P	P		P
Food Service								
Cafeterias	A		A	A	A	A	A	

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Delicatessen	P	P	P	P	P	P	P	P
Drinking Establishments		P ⁷	P	P	P	P	P	P
Micro-Brewery			P	P	P	P	P	P
Portable Food Vendors ²⁶	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁸
Restaurants/Drive-Through		S ⁸	P ⁸	P ⁸	S ^{8, 9}	S ^{8, 9}		
Restaurants/Lounge		P ⁷	P	P	P	P	P	P
Restaurants/Sit Down	A	P	P	P	P	P	P	P
Restaurants/Take Out		P	P	P	P	P		P
Restaurants with Entertainment/Dancing Facilities		P ⁷	P	P	P	P	P	P
Vehicle-Based Food Service		P ³⁰	P ³⁰	P ³⁰	P ³⁰	P ³⁰		
Wineries – Tasting Room		P ⁷	P	P	P	P	P	P
Industrial/Manufacturing Uses								
Laundry and Cleaning Plants				P				P ²⁸
Light Manufacturing Uses				P				P ²⁸
Warehousing and Distribution Facilities				P				P ²⁸
Wholesale Facilities and Operations				P				P ²⁸
Wineries – Production				P				P
Office Uses								
Financial Institutions	P	P/S ²²	P	P	P/S ²²	P		
Medical, Dental and Other Clinics	P	P	P	P	P	P		
Newspaper Offices and Printing Works			P	P	P			
Office – Consulting Services	P	P	P	P	P	P		P ²⁸
Office – Corporate	P		P	P	P	P		P ²⁸
Office – General	P	P	P	P	P	P		P ²⁸
Office – Research and Development	P		P	P	P			P ²⁸
Radio and Television Studios			P	P	P			
Schools, Commercial	P		P	P	P	P		
Schools, Trade			P	P	P			P ²⁸
Travel Agencies	P	P	P	P	P	P		
Public/Quasi-Public Uses								
Churches	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P	P ¹⁰		
Clubs or Fraternal Societies	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰		
Cultural Institutions	P ¹⁰	P ¹⁰	P ¹⁰		P ¹⁰	P ¹⁰		P ¹⁰

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
General Park O&M Activities	P	P	P	P	P	P	P	P
Hospitals	P		P	P	P			
Homeless Shelter				P				
Passive Open Space Use	P	P	P	P	P	P	P	P
Power Transmission and Irrigation Waste way Easements and Utility Uses	p ¹¹	p ¹¹	p ¹¹	p ¹¹	p ¹¹	p ¹¹	p ¹¹	p ¹¹
Public Agency Buildings	P	P	P	P	P	P	P	
Public Agency Facilities	p ¹¹	p ¹¹	p ¹¹	p ¹¹	p ¹¹	p ¹¹	p ¹¹	p ¹¹
Public Campgrounds				S			S	
Public Parks	P	P	P	P	P	P	P	P
Schools	p ¹²	p ¹²	p ¹²	p ¹²	p ¹²	p ¹²		
Schools, Alternative	p ¹³	p ¹³	p ¹³	p ¹³	p ¹³			
Special Events Including Concerts, Tournaments and Competitions, Fairs, Festivals and Similar Public Gatherings	P	P	P	P	P	P	P	P
Trail Head Facilities	P	P	P	P	P	P	P	P
Trails for Equestrian, Pedestrian, or Non-motorized Vehicle Use	P	P	P	P	P	P	P	P
Recreational Uses								
Art Galleries			P	P	P	P	P	P
Arcades		P	P	P	P	P	P	
Boat Mooring Facilities						P	P	
Cinema, Indoor			P	P	P	P	P	
Cinema, Drive-In			P	P				
Commercial Recreation, Indoor		S ⁷	P	P	P	P	P	
Commercial Recreation, Outdoor			P	P		P	P	
House Banked Card Rooms				p ¹⁴	p ¹⁴	p ¹⁴	p ¹⁴	
Recreational Vehicle Campgrounds				S ¹⁵			S ¹⁵	
Recreational Vehicle Parks				S ¹⁶			S ¹⁶	
Stable, Public				S ¹⁷				
Theater		p ⁷	P	P	P	P	P	P
Residential Uses								
Accessory Dwelling Unit		A	A	A	A	A		A
Apartment, Condominium (3 or more units)	P		p ¹⁸		P	P		
Assisted Living Facility	P		P		p ¹⁸	P		
Bed and Breakfast	P	P	P	P	P	P	P	P

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Day Care Center	p ¹⁹	p ¹⁹	p ¹⁹	p ¹⁹	p ¹⁹	p ¹⁹		
Dormitories, Fraternities, and Sororities	P				P	P		
Dwelling, One-Family Attached						p ²⁵		
Dwelling, Two-Family Detached						P		
Dwelling Units for a Resident Watchman or Custodian				A				p ²⁸
Family Day Care Home	p ¹⁹					p ¹⁹		
Houseboats						P	P	
Hotels or Motels	P		P	P	P	P	P	P
Nursing or Rest Home	P		P		p ¹⁸	P		
Recreational Club	A				A	A		
Senior Housing	P				p ¹⁸	P		
Temporary Residence	p ²⁰	p ²⁰	p ²⁰	p ²⁰	p ²⁰	p ²⁰		P
Retail Uses								
Adult Use Establishments				p ²¹				
Apparel and Accessory Stores		P	P	P	P	P		P
Auto Parts Supply Store		P	P	P	P			
Books, Stationery and Art Supply Stores	A	P	P	P	P	P		P
Building, Hardware, Garden Supply Stores		P	P	P	P			
Department Store			P	P	P			
Drug Store/Pharmacy	A	P/S ²²	P	P	P	P		
Electronic Equipment Stores		P	P	P	P	P		
Food Stores		P	P	P	P	P		
Florist		P	P	P	P	P		P
Furniture, Home Furnishings and Appliance Stores		P	P	P	P			
Landscaping Material Sales			A	P				
Lumberyards				P				
Nursery, Plant				P				P
Office Supply Store	A	P	P	P	P	P		
Outdoor Sales				P				
Parking Lot or Structure	P	P	P	P	A	P		P
Pawn Shop				P				
Pet Shop and Pet Supply Stores		P	P	P	P			

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Retail Hay, Grain and Feed Stores				P				
Secondhand Store			P	P	P	P		
Specialty Retail Stores		P	P	P	P	P		P
Miscellaneous Uses								
Bus Station				P	P			
Bus Terminal				P	P			
Bus Transfer Station	P		P	P	P		P	
Cemetery	P		P	P				
Community Festivals and Street Fairs	P	P	P	P	P	P	P	P
Convention Center	P		P	P	P	P	P	
Macro-Antennas	P	P	P	P	P	P	P	P
Monopole			S ²³	P/S ²³	S ²³			
On-Site Hazardous Waste Treatment and Storage	A	A	A	A	A	A	A	A
Outdoor Storage		A ²⁴	A ²⁴	P ²⁴				
Storage in an Enclosed Building	A	A	A	A	A	A	A	A ²⁸

1. RMC 23.42.280
 2. RMC 23.42.270
 3. RMC 23.42.320
 4. RMC 23.42.330
 5. RMC 23.42.040
 6. RMC 23.42.170
 7. RMC 23.42.053
 8. RMC 23.42.047
 9. RMC 23.42.055
 10. RMC 23.42.050
 11. RMC 23.42.200
 12. RMC 23.42.250
 13. RMC 23.42.260
 14. RMC 23.42.100
 15. RMC 23.42.230
 16. RMC 23.42.220
 17. RMC 23.42.190
 18. Use permitted on upper stories of multi-story buildings, if main floor is used for commercial or office uses.
 19. RMC 23.42.080
 20. RMC 23.42.110
 21. RMC 23.42.030
 22. Use permitted, requires special use permit with drive-through window.
 23. Chapter 23.62 RMC
 24. RMC 23.42.180
 25. RMC 23.18.025
 26. See definition, RMC 23.06.780
 27. RMC 23.42.185
 28. Activities permitted only when directly related to and/or conducted in support of winery operations.
 29. Within the central business district (CBD), existing commercial laundry/dry cleaning uses, established and operating at the time the CBD district was established, are allowed as a permitted use. All use of the land and/or buildings necessary and incidental to that of the commercial laundry/dry cleaning use, and existing at the effective date of the CBD district, may be continued. Commercial laundry/dry cleaning uses not established and operating at the time the CBD district was established are prohibited.
 30. RMC 23.42.325
- [Ord. 28-05 § 1.02; Ord. 15-07; Ord. 04-09; Ord. 07-10 § 1.02; amended during 2011 recodification; Ord. 32-11 § 5; Ord. 48-17 § 2; Ord. 07-19 § 6].

23.22.040 Site requirements and development standards for commercial use districts.

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

Standard	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Minimum Lot Area	None	None	None	None	None	None	None	None
Maximum Density – Multifamily Dwellings (units/square feet)	1:1,500	N/A	N/A	N/A	None	1:1,500 <u>1:1,000</u>	N/A	N/A
Minimum Lot Width – One-Family Attached Dwellings	N/A	N/A	N/A	N/A	N/A	30 feet	N/A	N/A
Minimum Front Yard Setback ¹⁴	20 feet	45 feet ¹	0 feet ²	0 feet ²	CBD, Parkway, Uptown Districts: 0 feet min. – 20 feet max. ^{3, 11, 13} Medical District: 0 feet min.	Note 4,5	Note 4	20 feet
Minimum Side Yard Setback	0 feet ⁶	0 feet ⁷	None	None	0 feet ^{6,8}	0 feet ^{5,9}	0 feet	0 feet ^{6,8}
Minimum Rear Yard Setback	0 feet ^{6,8}	0 feet ⁷	None	None	0 feet ^{6,8}	0 feet ^{5,8,10}	0 feet	0 feet ^{6,8}
Maximum Building Height ¹⁴	55 feet	30 feet	80 feet	80 feet	CBD – 110 feet Medical – 140 feet Parkway – 50 feet Uptown – 50 feet	35/55 feet ¹²	35/55 feet ¹²	35 feet
Minimum Dwelling Unit Size (in square feet, excluding porches, decks, balconies and basements)	500 feet	N/A	N/A	N/A	500 feet	500 feet	N/A	N/A

- Each lot shall have a front yard 45 feet deep or equal to the front yards of existing buildings in the same C-1 district and within the same block.
- No setback required if street right-of-way is at least 80 feet in width. Otherwise, a minimum setback of 40 feet from street centerline is required.
- Unless a greater setback is required by Chapter 12.11 RMC, Intersection Sight Distance.
- Front and Side Street. No building shall be closer than 40 feet to the centerline of a public right-of-way. The setback area shall incorporate pedestrian amenities such as increased sidewalk width, street furniture, landscaped area, public art features, or similar features.
- In the case of attached one-family dwelling units, setback requirements shall be as established for attached dwelling units in the medium-density residential small lot (R-2S) zoning district. Refer to RMC 23.18.040.
- In any commercial limited business (C-LB), central business (CBD) or in any commercial winery (CW) zoning district that directly abuts a single-family zoning district, the following buffer, setback and building height regulations shall apply to all structures:
 - Within the commercial limited business (C-LB), the central business district (CBD) and the commercial winery (CW) districts, 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 12,000, R-1-10 – single-family residential 10,000, 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.
 - Buildings that are within 50 feet of any property that is zoned for single-family residential use in commercial limited business (C-LB) and the commercial winery (CW) districts and buildings that are within 50 feet of any property that is zoned for and currently developed with a single-family residential use in the central business district (CBD) (as defined in footnote (6)(a)) 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 C-LB, CW and CBD zoning districts, respectively.
 - 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, or currently zoned for and developed with a single-family residential use in the CBD district. 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.
 - In the C-LB and CW districts, a 20-foot setback shall be provided for any side yard that adjoins a street.
- Side yard and rear yard setbacks are not required except for lots adjoining a residential development, residential district, or a street. Lots adjoining either a residential development or residential district shall maintain a minimum 15-foot setback. Lots adjoining a street shall maintain a minimum 20-foot setback. Required side or rear yards shall be landscaped or covered with a hard surface, or a combination of both. No accessory buildings or structures shall be located in such yards unless otherwise permitted by this title.
- No minimum required, except parking shall be set back a minimum of five feet to accommodate required landscape screening as required under RMC 23.54.140.

9. Side Yard. No minimum, except parking shall be set back a minimum of five feet, and buildings used exclusively for residences shall maintain at least one foot of side yard for each three feet or portion thereof of building height. Side yards adjoining a residential district shall maintain setbacks equivalent to the adjacent residential district.
10. No minimum, except parking shall be set back a minimum of five feet. Rear yards adjoining a residential district shall maintain setbacks equivalent to the adjacent residential district.
11. Commercial developments such as community shopping centers or retail centers over 40,000 square feet in size and typically focused around a major tenant, such as a supermarket grocery, department store or discount store, and supported with smaller “ancillary” retail shops and services located in multiple building configurations, are permitted front and street side maximum setback flexibility for the largest building. Maximum setback standards on any other new buildings may be adjusted by the planning commission as part of the alternative design review as set forth in the performance standards and special requirements of RMC 23.22.020(E)(9).
12. All buildings that are located in both the waterfront (WF) district and that fall within the jurisdictional limits of the Shoreline Management Act shall comply with the height limitations established in the Richland shoreline master program (RMC Title 26). Buildings in the WF district that are not subject to the Richland shoreline master program shall not exceed a height of 35 feet; unless the planning commission authorizes an increase in building height to a maximum height of 55 feet, based upon a review of the structure and a finding that the proposed building is aesthetically pleasing in relation to buildings and other features in the vicinity and that the building is located a sufficient distance from the Columbia River to avoid creating a visual barrier.
13. Physical additions to existing nonconforming structures are not subject to the maximum front yard setback requirements.
14. The medical, uptown and parkway districts of the CBD zoning district are established as shown by Plates 23.22.040(1), (2) and (3).

PLATE NO. 1 - 23.22.040

PLATE 1



CBD - MEDICAL DISTRICT

PLATE NO. 2 - 23.22.040

PLATE 2



CBD - UPTOWN DISTRICT

PLATE NO. 3 - 23.22.040

PLATE 3



CBD - THE PARKWAY DISTRICT

[Ord. 28-05 § 1.02; Ord. 04-09; Ord. 07-10 § 1.03; amended during 2011 recodification; Ord. 32-11 § 6].

Exhibit 2

ORDINANCE NO. XXX-21

AN ORDINANCE of the City of Richland amending Richland Municipal Code Section 23.22.030 related to commercial use district permitted land uses and Richland Municipal Code Section 23.22.040 related to site requirements and development standards for commercial use districts.

WHEREAS, the City has need, from time to time, to update the Richland Municipal Code (RMC) to accommodate anticipated development; and

WHEREAS, the City anticipates the future development of a city park on a tract of land currently located in the City's Waterfront (WF) district; and

WHEREAS, public parks are not currently permitted as a matter of right in the City's Waterfront district; and

WHEREAS, amendment to the City's land use tables to add public parks in the Waterfront district is necessary to accommodate future development of a city park in the Columbia Point development.

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

Section 1. Richland Municipal Code Section 23.22.030, entitled Commercial use district permitted land uses, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 07-19, is hereby amended as follows:

23.22.030 Commercial 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	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Agricultural Uses								
Raising Crops, Trees, Vineyards								P
Automotive, Marine and Heavy Equipment								
Automotive Repair – Major				P				
Automotive Repair – Minor		P	P	P	S			
Automotive Repair – Specialty Shop		S	P	P	S			
Automobile Service Station		P ¹	P ¹	P ¹	S ¹			
Auto Part Sales		P	P	P	S			
Boat Building				P				
Bottling Plants				P				P ²⁸
Car Wash – Automatic or Self-Service		P ²	P ²	P ²	S ²			
Equipment Rentals			P	P				
Farm Equipment and Supplies Sales				P				
Fuel Station/Mini Mart	S	P	P	P	P			
Heavy Equipment Sales and Repair				P				
Manufactured Home Sales Lot				P				
Marinas						P	P	
Marine Equipment Rentals				P		P	P	
Marine Gas Sales						A	A	
Marine Repair				P		P	P	
Towing, Vehicle Impound Lots				S ³				
Truck Rentals			P	P				
Truck Stop – Diesel Fuel Sales			S	P				
Truck Terminal				P				
Vehicle Leasing/Renting			P ⁴	P	S ⁴			
Vehicle Sales			P ⁴	P	S ⁴			
Warehousing, Wholesale Use				P				
Business and Personal Services								

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Animal Shelter				S ⁵				
Automatic Teller Machines	P	P	P	P	P	P		P
Commercial Kennel				P ⁵				
Contractors' Offices		P	P	P	P			
Funeral Establishments			P	P				
General Service Businesses	A	P	P	P	P	P		
Health/Fitness Facility	A	P	P	P	P	A	P	
Health/Fitness Center			P	P	P		P	
Health Spa		P	P	P	P	P		P
Hospital/Clinic – Large Animal				S ⁵				
Hospital/Clinic – Small Animal			S ⁵	P ⁵	P			
Laundry/Dry Cleaning, Com.				P	P ²⁹			
Laundry/Dry Cleaning, Neighborhood		P	P	P	P			
Laundry/Dry Cleaning, Retail	P	P	P	P	P	P		
Laundry – Self-Service		P	P	P	P			
Mini-Warehouse				P ⁶				
Mailing Service	P	P	P	P	P	P		
Personal Loan Business	P	P	P	P	P			
Personal Services Businesses	A	P	P	P	P	P		
Photo Processing, Copying and Printing Services	P	P	P	P	P	P		
Telemarketing Services	P		P	P	P			
Video Rental Store		P	P	P	P	P		P
Food Service								
Cafeterias	A		A	A	A	A	A	
Delicatessen	P	P	P	P	P	P	P	P
Drinking Establishments		P ⁷	P	P	P	P	P	P
Micro-Brewery			P	P	P	P	P	P
Portable Food Vendors ²⁶	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁸
Restaurants/Drive-Through		S ⁸	P ⁸	P ⁸	S ^{8, 9}	S ^{8, 9}		
Restaurants/Lounge		P ⁷	P	P	P	P	P	P
Restaurants/Sit Down	A	P	P	P	P	P	P	P
Restaurants/Take Out		P	P	P	P	P		P

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Restaurants with Entertainment/Dancing Facilities		P ⁷	P	P	P	P	P	P
Vehicle-Based Food Service		P ³⁰	P ³⁰	P ³⁰	P ³⁰	P ³⁰		
Wineries – Tasting Room		P ⁷	P	P	P	P	P	P
Industrial/Manufacturing Uses								
Laundry and Cleaning Plants				P				P ²⁸
Light Manufacturing Uses				P				P ²⁸
Warehousing and Distribution Facilities				P				P ²⁸
Wholesale Facilities and Operations				P				P ²⁸
Wineries – Production				P				P
Office Uses								
Financial Institutions	P	P/S ²²	P	P	P/S ²²	P		
Medical, Dental and Other Clinics	P	P	P	P	P	P		
Newspaper Offices and Printing Works			P	P	P			
Office – Consulting Services	P	P	P	P	P	P		P ²⁸
Office – Corporate	P		P	P	P	P		P ²⁸
Office – General	P	P	P	P	P	P		P ²⁸
Office – Research and Development	P		P	P	P			P ²⁸
Radio and Television Studios			P	P	P			
Schools, Commercial	P		P	P	P	P		
Schools, Trade			P	P	P			P ²⁸
Travel Agencies	P	P	P	P	P	P		
Public/Quasi-Public Uses								
Churches	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P	P ¹⁰		
Clubs or Fraternal Societies	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰		
Cultural Institutions	P ¹⁰	P ¹⁰	P ¹⁰		P ¹⁰	P ¹⁰		P ¹⁰
General Park O&M Activities	P	P	P	P	P	P	P	P
Hospitals	P		P	P	P			
Homeless Shelter				P				
Passive Open Space Use	P	P	P	P	P	P	P	P

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Power Transmission and Irrigation Waste way Easements and Utility Uses	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹
Public Agency Buildings	P	P	P	P	P	P	P	
Public Agency Facilities	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹
Public Campgrounds				S			S	
Public Parks	P	P	P	P	P	P	P	P
Schools	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²		
Schools, Alternative	P ¹³	P ¹³	P ¹³	P ¹³	P ¹³			
Special Events Including Concerts, Tournaments and Competitions, Fairs, Festivals and Similar Public Gatherings	P	P	P	P	P	P	P	P
Trail Head Facilities	P	P	P	P	P	P	P	P
Trails for Equestrian, Pedestrian, or Non-motorized Vehicle Use	P	P	P	P	P	P	P	P
Recreational Uses								
Art Galleries			P	P	P	P	P	P
Arcades		P	P	P	P	P	P	
Boat Mooring Facilities						P	P	
Cinema, Indoor			P	P	P	P	P	
Cinema, Drive-In			P	P				
Commercial Recreation, Indoor		S ⁷	P	P	P	P	P	
Commercial Recreation, Outdoor			P	P		P	P	
House Banked Card Rooms				P ¹⁴	P ¹⁴	P ¹⁴	P ¹⁴	
Recreational Vehicle Campgrounds				S ¹⁵			S ¹⁵	
Recreational Vehicle Parks				S ¹⁶			S ¹⁶	
Stable, Public				S ¹⁷				
Theater		P ⁷	P	P	P	P	P	P
Residential Uses								
Accessory Dwelling Unit		A	A	A	A	A		A
Apartment, Condominium (3 or more units)	P		P ¹⁸		P	P		
Assisted Living Facility	P		P		P ¹⁸	P		
Bed and Breakfast	P	P	P	P	P	P	P	P

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Day Care Center	P ¹⁹	P ¹⁹	P ¹⁹	P ¹⁹	P ¹⁹	P ¹⁹		
Dormitories, Fraternities, and Sororities	P				P	P		
Dwelling, One-Family Attached						P ²⁵		
Dwelling, Two-Family Detached						P		
Dwelling Units for a Resident Watchman or Custodian				A				P ²⁸
Family Day Care Home	P ¹⁹					P ¹⁹		
Houseboats						P	P	
Hotels or Motels	P		P	P	P	P	P	P
Nursing or Rest Home	P		P		P ¹⁸	P		
Recreational Club	A				A	A		
Senior Housing	P				P ¹⁸	P		
Temporary Residence	P ²⁰	P ²⁰	P ²⁰	P ²⁰	P ²⁰	P ²⁰		P
Retail Uses								
Adult Use Establishments				P ²¹				
Apparel and Accessory Stores		P	P	P	P	P		P
Auto Parts Supply Store		P	P	P	P			
Books, Stationery and Art Supply Stores	A	P	P	P	P	P		P
Building, Hardware, Garden Supply Stores		P	P	P	P			
Department Store			P	P	P			
Drug Store/Pharmacy	A	P/S ²²	P	P	P	P		
Electronic Equipment Stores		P	P	P	P	P		
Food Stores		P	P	P	P	P		
Florist		P	P	P	P	P		P
Furniture, Home Furnishings and Appliance Stores		P	P	P	P			
Landscaping Material Sales			A	P				
Lumberyards				P				
Nursery, Plant				P				P
Office Supply Store	A	P	P	P	P	P		
Outdoor Sales				P				
Parking Lot or Structure	P	P	P	P	A	P		P

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Pawn Shop				P				
Pet Shop and Pet Supply Stores		P	P	P	P			
Retail Hay, Grain and Feed Stores				P				
Secondhand Store			P	P	P	P		
Specialty Retail Stores		P	P	P	P	P		P
Miscellaneous Uses								
Bus Station				P	P			
Bus Terminal				P	P			
Bus Transfer Station	P		P	P	P		P	
Cemetery	P		P	P				
Community Festivals and Street Fairs	P	P	P	P	P	P	P	P
Convention Center	P		P	P	P	P	P	
Macro-Antennas	P	P	P	P	P	P	P	P
Monopole			S ²³	P/S ²³	S ²³			
On-Site Hazardous Waste Treatment and Storage	A	A	A	A	A	A	A	A
Outdoor Storage		A ²⁴	A ²⁴	P ²⁴				
Storage in an Enclosed Building	A	A	A	A	A	A	A	A ²⁸

1. RMC 23.42.280
2. RMC 23.42.270
3. RMC 23.42.320
4. RMC 23.42.330
5. RMC 23.42.040
6. RMC 23.42.170
7. RMC 23.42.053
8. RMC 23.42.047
9. RMC 23.42.055
10. RMC 23.42.050
11. RMC 23.42.200
12. RMC 23.42.250
13. RMC 23.42.260
14. RMC 23.42.100
15. RMC 23.42.230
16. RMC 23.42.220
17. RMC 23.42.190
18. Use permitted on upper stories of multi-story buildings, if main floor is used for commercial or office uses.
19. RMC 23.42.080
20. RMC 23.42.110
21. RMC 23.42.030

22. Use permitted, requires special use permit with drive-through window.
23. Chapter 23.62 RMC
24. RMC 23.42.180
25. RMC 23.18.025
26. See definition, RMC 23.06.780
27. RMC 23.42.185
28. Activities permitted only when directly related to and/or conducted in support of winery operations.
29. Within the central business district (CBD), existing commercial laundry/dry cleaning uses, established and operating at the time the CBD district was established, are allowed as a permitted use. All use of the land and/or buildings necessary and incidental to that of the commercial laundry/dry cleaning use, and existing at the effective date of the CBD district, may be continued. Commercial laundry/dry cleaning uses not established and operating at the time the CBD district was established are prohibited.
30. RMC 23.42.325

Section 2. Richland Municipal Code Section 23.22.040, entitled Site requirements and development standards for commercial use districts, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 32-11, is hereby amended as follows:

23.22.040 Site requirements and development standards for commercial use districts.

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

Standard	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Minimum Lot Area	None	None	None	None	None	None	None	None
Maximum Density – Multifamily Dwellings (units/square feet)	1:1,500	N/A	N/A	N/A	None	1:1,500 <u>1:1,000</u>	N/A	N/A
Minimum Lot Width – One-Family Attached Dwellings	N/A	N/A	N/A	N/A	N/A	30 feet	N/A	N/A
Minimum Front Yard Setback ¹⁴	20 feet	45 feet ¹	0 feet ²	0 feet ²	CBD, Parkway, Uptown Districts: 0 feet min. – 20 feet max. ^{3, 11, 13} Medical District: 0 feet min.	Note 4,5	Note 4	20 feet
Minimum Side Yard Setback	0 feet ⁶	0 feet ⁷	None	None	0 feet ^{6,8}	0 feet ^{5,9}	0 feet	0 feet ^{6,8}
Minimum Rear Yard Setback	0 feet ^{6,8}	0 feet ⁷	None	None	0 feet ^{6,8}	0 feet ^{5,8,10}	0 feet	0 feet ^{6,8}

Standard	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Maximum Building Height ¹⁴	55 feet	30 feet	80 feet	80 feet	CBD – 110 feet Medical – 140 feet Parkway – 50 feet Uptown – 50 feet	35/55 feet ¹²	35/55 feet ¹²	35 feet
Minimum Dwelling Unit Size (in square feet, excluding porches, decks, balconies and basements)	500 feet	N/A	N/A	N/A	500 feet	500 feet	N/A	N/A

1. Each lot shall have a front yard 45 feet deep or equal to the front yards of existing buildings in the same C-1 district and within the same block.
2. No setback required if street right-of-way is at least 80 feet in width. Otherwise, a minimum setback of 40 feet from street centerline is required.
3. Unless a greater setback is required by Chapter 12.11 RMC, Intersection Sight Distance.
4. Front and Side Street. No building shall be closer than 40 feet to the centerline of a public right-of-way. The setback area shall incorporate pedestrian amenities such as increased sidewalk width, street furniture, landscaped area, public art features, or similar features.
5. In the case of attached one-family dwelling units, setback requirements shall be as established for attached dwelling units in the medium-density residential small lot (R-2S) zoning district. Refer to RMC 23.18.040.
6. In any commercial limited business (C-LB), central business (CBD) or in any commercial winery (CW) zoning district that directly abuts a single-family zoning district, the following buffer, setback and building height regulations shall apply to all structures:
 - a. Within the commercial limited business (C-LB), the central business district (CBD) and the commercial winery (CW) districts, 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 12,000, R-1-10 – single-family residential 10,000, 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.
 - b. Buildings that are within 50 feet of any property that is zoned for single-family residential use in commercial limited business (C-LB) and the commercial winery (CW) districts and buildings that are within 50 feet of any property that is zoned for and currently developed with a single-family residential use in the central business district (CBD) (as defined in footnote (6)(a)) 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 C-LB, CW and CBD zoning districts, respectively.
 - c. 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, or currently zoned for and developed with a single-family residential use in the CBD district. 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.
 - d. In the C-LB and CW districts, a 20-foot setback shall be provided for any side yard that adjoins a street.
7. Side yard and rear yard setbacks are not required except for lots adjoining a residential development, residential district, or a street. Lots adjoining either a residential development or residential district shall maintain a minimum 15-foot setback. Lots adjoining a street shall maintain a minimum 20-foot setback.

Required side or rear yards shall be landscaped or covered with a hard surface, or a combination of both. No accessory buildings or structures shall be located in such yards unless otherwise permitted by this title.

8. No minimum required, except parking shall be set back a minimum of five feet to accommodate required landscape screening as required under RMC 23.54.140.

9. Side Yard. No minimum, except parking shall be set back a minimum of five feet, and buildings used exclusively for residences shall maintain at least one foot of side yard for each three feet or portion thereof of building height. Side yards adjoining a residential district shall maintain setbacks equivalent to the adjacent residential district.

10. No minimum, except parking shall be set back a minimum of five feet. Rear yards adjoining a residential district shall maintain setbacks equivalent to the adjacent residential district.

11. Commercial developments such as community shopping centers or retail centers over 40,000 square feet in size and typically focused around a major tenant, such as a supermarket grocery, department store or discount store, and supported with smaller “ancillary” retail shops and services located in multiple building configurations, are permitted front and street side maximum setback flexibility for the largest building. Maximum setback standards on any other new buildings may be adjusted by the planning commission as part of the alternative design review as set forth in the performance standards and special requirements of RMC 23.22.020(E)(9).

12. All buildings that are located in both the waterfront (WF) district and that fall within the jurisdictional limits of the Shoreline Management Act shall comply with the height limitations established in the Richland shoreline master program (RMC Title 26). Buildings in the WF district that are not subject to the Richland shoreline master program shall not exceed a height of 35 feet; unless the planning commission authorizes an increase in building height to a maximum height of 55 feet, based upon a review of the structure and a finding that the proposed building is aesthetically pleasing in relation to buildings and other features in the vicinity and that the building is located a sufficient distance from the Columbia River to avoid creating a visual barrier.

13. Physical additions to existing nonconforming structures are not subject to the maximum front yard setback requirements.

14. The medical, uptown and parkway districts of the CBD zoning district are established as shown by Plates 23.22.040(1), (2) and (3).

PLATE NO. 1 - 23.22.040

PLATE 1



CBD - MEDICAL DISTRICT

PLATE NO. 2 - 23.22.040

PLATE 2



CBD - UPTOWN DISTRICT

PLATE NO. 3 - 23.22.040

PLATE 3



CBD - THE PARKWAY DISTRICT

Section 3. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 4. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 5. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the ____ day of _____, 2021.

Ryan Lukson, Mayor

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

Date Published: _____

Exhibit 3



File No. EA2021-110

CITY OF RICHLAND **Determination of Non-Significance**

Description of Proposal: The City of Richland is proposing a text amendment to RMC Chapter 23.22 related to the Waterfront zoning district. The proposed amendment adds public parks as a permitted use and increases the maximum density of multifamily dwellings from 1 unit per 1,500 square feet to 1 unit per 1,000 square feet.

Proponent: City of Richland

Location of Proposal: City-Wide.

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.

() 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: Mike Stevens

Position/Title: Planning Manager

Address: 625 Swift Blvd., MS #35, Richland, WA 99352

Date: April 6, 2021

Signature 

SEPA ENVIRONMENTAL CHECKLIST

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 [\[HELP\]](#)

1. Name of proposed project, if applicable:

Code amendment application

2. Name of applicant:

City of Richland

3. Address and phone number of applicant and contact person:

625 Swift Blvd., Richland, WA, 99352

Contact person: Joe Jacobs 509-942-7725

4. Date checklist prepared:

February 11, 2021

5. Agency requesting checklist:

City of Richland

6. Proposed timing or schedule (including phasing, if applicable):

Code amendment process to begin as soon a practical

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

N/A

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

N/A

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.

N/A

10. List any government approvals or permits that will be needed for your proposal, if known.

None

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)

Modification to the Richland Municipal Code to allow parks in the waterfront district and increase the multifamily residential density.

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.

This code amendment affects all properties zoned Waterfont (WF).

B. Environmental Elements [\[HELP\]](#)

1. Earth [\[help\]](#)

a. General description of the site:

Flat

b. What is the steepest slope on the site (approximate percent slope)?

1%

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.

No agricultural significance. 1 to 2 inches of topsoil on top of sandy gravel deposits.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

None

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. None

None

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

N/A

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

N/A

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

N/A

2. Air [\[help\]](#)

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. None

N/A

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

N?A

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

N/A

3. Water [\[help\]](#)

a. Surface Water: [\[help\]](#)

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.

The WF zone is in close proximity to the Columbia River.

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.

N/A

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.

N/A

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

N/A

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

N/A

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.

N/A

b. Ground Water: [\[help\]](#)

- 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.

N/A

- 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.

N/A

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.

N/A

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

N/A

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

N/A

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

None needed

4. Plants [\[help\]](#)

- a. Check the types of vegetation found on the site:

N/A

- b. What kind and amount of vegetation will be removed or altered?

N/A

- c. List threatened and endangered species known to be on or near the site.

N/A

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

N/A

- e. List all noxious weeds and invasive species known to be on or near the site.

N/A

5. Animals [\[help\]](#)

- 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.

Honey Badger Easter Eggs

b. List any threatened and endangered species known to be on or near the site.

N/A

c. Is the site part of a migration route? If so, explain.

N/A

d. Proposed measures to preserve or enhance wildlife, if any:

N/A

e. List any invasive animal species known to be on or near the site.

In N/A

6. Energy and Natural Resources [\[help\]](#)

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.

N/A

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

N/A

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:

N/A

7. Environmental Health [\[help\]](#)

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.

None

- 1) Describe any known or possible contamination at the site from present or past uses.
- 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.
- 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.
- 4) Describe special emergency services that might be required.
- 5) Proposed measures to reduce or control environmental health hazards, if any:

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

N/A

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.

N/A

3) Proposed measures to reduce or control noise impacts, if any:

N/A

8. Land and Shoreline Use [\[help\]](#)

- 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.

N/A

- 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?

N/A

- 1) 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:

N/A

- c. Describe any structures on the site.

N/A

- d. Will any structures be demolished? If so, what?

N/A

- e. What is the current zoning classification of the site?

N/A

- f. What is the current comprehensive plan designation of the site?

N/A

- g. If applicable, what is the current shoreline master program designation of the site?

N/A

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

N/A

- i. Approximately how many people would reside or work in the completed project?

N/A

- j. Approximately how many people would the completed project displace?

N/A

- k. Proposed measures to avoid or reduce displacement impacts, if any:

N/A

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

N/A

- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

N/A

9. Housing [\[help\]](#)

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

N/A

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

N/A

c. Proposed measures to reduce or control housing impacts, if any:

N/A

10. Aesthetics [\[help\]](#)

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

N/A

b. What views in the immediate vicinity would be altered or obstructed?

N/A

b. Proposed measures to reduce or control aesthetic impacts, if any:

N/A

11. Light and Glare [\[help\]](#)

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

N/A

b. Could light or glare from the finished project be a safety hazard or interfere with views?

N/A

c. What existing off-site sources of light or glare may affect your proposal?

N/A

d. Proposed measures to reduce or control light and glare impacts, if any:

N/A

12. Recreation [\[help\]](#)

a. What designated and informal recreational opportunities are in the immediate vicinity?

N/A

b. Would the proposed project displace any existing recreational uses? If so, describe.

N/A

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 [\[help\]](#)

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? If so, specifically describe.

N/A

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.

N/A

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 [\[help\]](#)

- 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.

N/A

- 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?

N/A

- 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

- 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).

N/A

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

N/A

- 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?

N/A

- 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.

N/A

- h. Proposed measures to reduce or control transportation impacts, if any:

N/A

15. Public Services [\[help\]](#)

- 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.

N/A

- b. Proposed measures to reduce or control direct impacts on public services, if any.

N/A

16. Utilities [\[help\]](#)

- a. Circle utilities currently available at the site:

N/A

- 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.

N/A

C. Signature [\[HELP\]](#)

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: _____



Name of signee: Joe Jacobs

Position and Agency/Organization: Economic Development Manager, City of Richland, WA

Date Submitted: 2/11/2021

D. Supplemental sheet for nonproject actions [\[HELP\]](#)

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

N/A

Proposed measures to avoid or reduce such increases are:

N/A

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

N/A

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

N/A

3. How would the proposal be likely to deplete energy or natural resources?

N/A

Proposed measures to protect or conserve energy and natural resources are:

N/A

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

N/A

Proposed measures to protect such resources or to avoid or reduce impacts are:

N/A

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

N/A

Proposed measures to avoid or reduce shoreline and land use impacts are:

N/A

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

N/A

Proposed measures to reduce or respond to such demand(s) are:

N/A

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

N/A



Department of Commerce

Notice of Intent to Adopt Amendment / Notice of Adoption Cover Sheet

Pursuant to RCW 36.70A.106, the following jurisdiction provides the following required state agency notice.

1. Jurisdiction Name:	City of Richland – Development Services Dept.
2. Select Submittal Type: Select the Type of Submittal listed. (Select One Only)	☐ 60-Day Notice of Intent to Adopt Amendment. ☒ Request of Expedited Review / Notice of Intent to Adopt Amendment. ☐ Supplemental Submittal for existing Notice of Intent to Adopt Amendment. ☐ Notice of Final Adoption of Amendment.
3. Amendment Type: Select Type of Amendment listed. (Select One Only)	☐ Comprehensive Plan Amendment. ☒ Development Regulation Amendment. ☐ Critical Areas Ordinance Amendment. ☐ Combined Comprehensive and Development Regulation Amendments. ☐ Countywide Planning Policy.
4. Description Enter a brief description of the amendment. Begin your description with “Proposed” or “Adopted”, based on the type of Amendment you are submitting. Examples: <i>“Proposed comprehensive plan amendment for the GMA periodic update.”</i> or <i>“Adopted Ordinance 123, adoption amendment to the sign code.”</i> (Maximum 400 characters).	Proposed amendment to RMC to two sections of Chapter 23.22 related to the Waterfront zoning district. The proposed amendment adds public parks as a permitted use and increases the maximum density of multifamily dwellings, from 1:1,500 units/square feet to 1:1,000 units/square feet (RMC sections 23.22.030 & 23.22.040).



Department of Commerce

5. Is this action part of your 8-year periodic update required under RCW 36.70A.130 of the Growth Management Act (GMA)?	☐ Yes ☒ No
6. Proposed Dates: Enter the anticipated public hearing date(s) for your Planning Commission/Planning Board or for your Council/Commission.	Planning Commission: May 26, 2021 City Council: June 15, 2021 Proposed / Date of Adoption: June / July 2021
7. Contact Information:	
A. Prefix/Salutation: (Examples: "Mr.", "Ms.", or "The Honorable" (elected official))	Mr.
B. Name:	Mike Stevens
C. Title:	Planning Manager
D. Email:	mstevens@ci.richland.wa.us
E. Work Phone:	(509)942-7596
F. Cell/Mobile Phone: (optional)	
Consultant Information:	
G. Is this person a consultant?	☐ Yes
H. Consulting Firm name?	
8. Would you like Commerce to contact you for Technical Assistance regarding this submitted amendment?	☐ Yes

REQUIRED: Attach or include a copy of the proposed amendment text or document(s). We do not accept a website hyperlink requiring us to retrieve external documents. Jurisdictions must submit the actual document(s) to Commerce. If you experience difficulty, please email the reviewteam@commerce.wa.gov

Questions? Call the review team at (509) 725-3066.



STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

05/05/2021

Mr. Mike Stevens
Planning Manager
City of Richland
505 Swift Boulevard
Post Office Box 190
Richland, WA 99352

Sent Via Electronic Mail

Re: City of Richland--2021-S-2636--Request for Expedited Review / Notice of Intent to Adopt Amendment

Dear Mr. Stevens:

Thank you for sending the Washington State Department of Commerce (Commerce) the Request for Expedited Review / Notice of Intent to Adopt Amendment as required under [RCW 36.70A.106](#). We received your submittal with the following description.

Proposed amendment to RMC to two sections of Chapter 23.22 related to the Waterfront zoning district. The proposed amendment adds public parks as a permitted use and increases the maximum density of multifamily dwellings, from 1:1,500 units/square feet to 1:1,000 units/square feet (RMC sections 23.22.030 & 23.22.040).

We received your submittal on 05/05/2021 and processed it with the Submittal ID 2021-S-2636. Please keep this letter as documentation that you have met this procedural requirement. Your 60-day notice period ends on 07/04/2021.

You requested expedited review under [RCW 36.70A.106\(3\)\(b\)](#). We have forwarded a copy of this notice to other state agencies for expedited review and comment. If one or more state agencies indicate that they will be commenting, then Commerce will deny expedited review and the standard 60-day review period (from date received) will apply. Commerce will notify you by e-mail regarding of approval or denial of your expedited review request. If approved for expedited review, then final adoption may occur no earlier than fifteen calendar days after the original date of receipt by Commerce.

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call William Simpson, (509) 280-3602.

Sincerely,

Stevens, Mike

From: COM GMU Review Team <reviewteam@commerce.wa.gov>
Sent: Wednesday, May 19, 2021 7:20 AM
To: Stevens, Mike
Subject: City of Richland - Expedited Review Request Granted for Submittal ID: 2021-S-2636

Dear Mr. Stevens,

Your request for an Expedited Review has been granted for: Proposed amendment to RMC to two sections of Chapter 23.22 related to the Waterfront zoning district. The proposed amendment adds public parks as a permitted use and increases the maximum density of multifamily dwellings, from 1:1,500 units/square feet to 1:1,000 units/square feet (RMC sections 23.22.030.

As of receipt of this email, you have met the Growth Management notice to state agency requirements in RCW 36.70A.106 for this submittal. Please keep this email as confirmation.

If you have any questions, please contact William Simpson at (509) 280-3602 or by email at william.simpson@commerce.wa.gov.

~~~ ONLINE TRACKING SYSTEM AVAILABLE ~~~~

Log into our new PlanView system at <https://secureaccess.wa.gov/com/planview> where you can keep up with this submittal status, reprint communications and update your contact information.

Don't have a user account? Reply to this email to request one and attach a completed PlanView User Request Form.

Have questions about using PlanView? Use the PlanView User Manual for assistance at <https://www.commerce.wa.gov/serving-communities/growth-management/washington-department-of-commerce-growth-management-submitting-materials/>.

Sincerely,

Review Team  
Growth Management Services

## Exhibit 5



### **CITY OF RICHLAND NOTICE VIRTUAL PUBLIC HEARING (CA2021-102 & EA2021-110)**

Notice is hereby given that pursuant to RMC Section 19.20, the Richland Planning Commission will conduct a virtual public hearing and review of application CA2021-102 at 6:00 p.m., May 26, 2021. All interested parties are invited to attend and present testimony at the virtual public hearing. Those individuals wishing to speak at the public hearing will need to register by 4:00 p.m. on the date of the hearing by visiting the City of Richland's website [www.ci.richland.wa.us](http://www.ci.richland.wa.us).

**Project Description:** The City is proposing a text amendment to Richland Municipal Code (RMC) Chapter 23.22, related to the Waterfront zoning district. The proposed amendment adds public parks as a permitted use and increases the maximum density of multifamily dwellings, from 1 unit per 1,500 square feet to 1 unit per 1,000 square feet.

**Environmental Review:** The proposal is subject to environmental review. The City reviewed the proposed project for probable adverse environmental impacts under the State Environmental Policy Act (SEPA). The City issued a determination of non-significance on April 6, 2021, and the comment period concluded on April 20, 2021. There were no appeals of the SEPA determination. The environmental checklist and related file information are available to the public and can be viewed in the Development Services Division Office or City of Richland website [www.ci.richland.wa.us](http://www.ci.richland.wa.us).

**Public Comments:** Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Mike Stevens, Planning Manager, 625 Swift Blvd., MS-35, Richland, WA 99352. Comments may also be faxed to (509) 942-7764 or emailed to [mstevens@ci.richland.wa.us](mailto:mstevens@ci.richland.wa.us). Written comments should be received no later than 5:00 p.m. on Wednesday, May 19, 2021 to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing.

Copies of the staff report and recommendation will be available on the City of Richland website [www.ci.richland.wa.us](http://www.ci.richland.wa.us) beginning Friday, May 21, 2021.



Beaufort Gazette  
Belleville News-Democrat  
Bellingham Herald  
Bradenton Herald  
Centre Daily Times  
Charlotte Observer  
Columbus Ledger-Enquirer  
Fresno Bee

The Herald - Rock Hill  
Herald Sun - Durham  
Idaho Statesman  
Island Packet  
Kansas City Star  
Lexington Herald-Leader  
Merced Sun-Star  
Miami Herald

el Nuevo Herald - Miami  
Modesto Bee  
Raleigh News & Observer  
The Olympian  
Sacramento Bee  
Fort Worth Star-Telegram  
The State - Columbia  
Sun Herald - Biloxi

Sun News - Myrtle Beach  
The News Tribune Tacoma  
The Telegraph - Macon  
San Luis Obispo Tribune  
Tri-City Herald  
Wichita Eagle

## AFFIDAVIT OF PUBLICATION

| Account # | Order Number | Identification              | Order PO | Amount   | Cols | Depth |
|-----------|--------------|-----------------------------|----------|----------|------|-------|
| 36823     | 59849        | Print Legal Ad - IPL0022528 |          | \$158.21 | 2    | 3.21  |

Attention: Jana Duncan

CITY OF RICHLAND/LEGALS

625 SWIFT BLVD. MS-11

RICHLAND, WA 99352

### CITY OF RICHLAND NOTICE OF APPLICATION, VIRTUAL PUBLIC HEARING, AND OPTIONAL DNS

Notice is hereby given that the City of Richland is proposing a text amendment to Richland Municipal Code (RMC) Chapter 23.22, related to the Water-front zoning district. The proposed amendment adds public parks as a permitted use and increases the maximum density of multifamily dwellings from 1 unit per 1,500 square feet to 1 unit per 1,000 square feet. Pursuant to RMC Chapter 19.20, the Richland Planning Commission will conduct a virtual public hearing and review of application CA2021-102 on **Wednesday, May 26, 2021 at 6:00 p.m.** All interested parties are invited to attend and present testimony at the virtual public hearing. Those individuals wishing to speak at the public hearing will need to register by 4:00 p.m. on the date of the hearing by visiting the City of Richland's website at [www.ci.richland.wa.us](http://www.ci.richland.wa.us). **Environmental Review:** The proposal is subject to environmental review. The City reviewed the proposed project (EA2021-110) for probable adverse environmental impacts under the State Environmental Policy Act (SEPA). The City issued a determination of non-significance on April 6, 2021, and the comment period concluded on April 20, 2021. There were no appeals of the SEPA determination. The environmental checklist and related file information are available to the public and can be viewed on the City's website at [www.ci.richland.wa.us](http://www.ci.richland.wa.us). Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Mike Stevens, Planning Manager, 625 Swift Blvd., MS-35, Richland, WA 99352. Comments may also be faxed to (509) 942-7764 or emailed to [mstevens@ci.richland.wa.us](mailto:mstevens@ci.richland.wa.us). Written comments should be received no later than 5:00 p.m. on Wednesday, May 19, 2021 to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing. Copies of the staff report and recommendation will be available on the City of Richland's website at [www.ci.richland.wa.us](http://www.ci.richland.wa.us) beginning Friday, May 21, 2021. IPL0022528  
May 9 2021

COUNTY OF BENTON)

SS

STATE OF WASHINGTON)

Islamae Brown, being duly sworn, deposes and says, I am the Legals Clerk of The Tri-City Herald, a daily newspaper. That said newspaper is a local newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published continually as a daily newspaper in Benton County, Washington. That the attached is a true copy as it was printed in the regular and entire issue of the Tri-City Herald and not in a supplement thereof, ran 1 time(s) commencing on 05/09/2021, and ending on 05/09/2021 and that said newspaper was regularly distributed to its subscribers during all of this period.

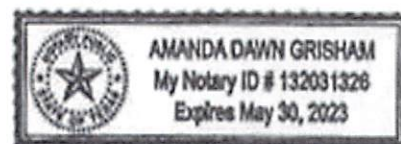
*Islamae Brown*

(Signature of Legals Clerk)

Sworn to and subscribed before me this 10th day of May in the year of 2021

*Amanda Grisham*

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.  
Legal document please do not destroy!



## COUNCIL AGENDA ITEM COVERSHEET

Council Date: 8/2/2021

Agenda Category: Ordinances - Second Reading & Passage

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

**Subject:**

Ordinance No. 18-21, Amending the 2021 Budget to Include the 2020 Budget Carryovers

**Department:**

Administrative Services

**Ordinance/Resolution Number:**

18-21

**Document Type:**

Ordinance

**Recommended Motion:**

Give second reading and pass Ordinance No. 18-21, approving the identified carryovers and new revenues, and authorizing staff to make the necessary budget adjustments to appropriate \$66,774,494 into the 2021 Budget as provided therein.

**Summary:**

All appropriations in any current operating fund lapse at the end of each fiscal year. At this time, it is necessary to carry over unexpended appropriations from the prior fiscal year to the current fiscal year for the following: 1) goods and services which had not yet been received by the end of 2020, but were encumbered and committed during that year; 2) uncompleted improvements in progress, including capital improvement and business license reserve projects; and 3) grant-related expenditures at the end of the year. RCW 35.33.151 expressly allows for this action.

Ordinance No. 18-21 amends the 2021 Budget to increase appropriations in the funds listed in the ordinance for the proposed carryovers. The proposed 2020 Budget carryover total of \$66,774,494 includes previously approved capital improvement projects (CIP), grant-funded programs, and encumbered goods and services not yet received at year end. The carryover ordinance also authorizes the appropriation of certain earned revenues not previously budgeted. The amount of carryovers has been updated from the first reading.

The sources of funds for the 2020 carryovers include unrealized grants, loans, and contributions of \$19,932,833 and fund balance of \$46,841,661.

A public hearing was held on July 20, 2021 in compliance with state law. Staff recommends approval of Ordinance No. 18-21 for second reading and passage.

**Fiscal Impact:**

The total increase in appropriations to the 2021 Budget is \$66,774,494. This includes carryover of \$54,473,048 in approved CIP projects, \$3,193,224 in other grant-funded programs, and \$9,108,222 in encumbered goods and services.

**Attachments:**

1. Ordinance No. 18-21
2. 2020 Appropriation Carryovers

## ORDINANCE NO. 18-21

AN ORDINANCE of the City of Richland amending the 2021 Budget to provide for additional appropriations from the carryover of prior year budget to complete certain uncompleted capital projects and encumbered purchases of goods and services and certain revenues not previously appropriated, and declaring that a public emergency exists in various City Funds.

WHEREAS, on November 17, 2020, the Richland City Council passed Ordinance No. 46-20 approving the 2021 Budget, including the 2021-2026 Capital Improvement Plan (CIP); and

WHEREAS, it is necessary to carry over unexpended appropriations from the prior fiscal year to the current fiscal year for goods and services which had not yet been received by the end of the year, but were encumbered and committed in the prior year; and for uncompleted improvements in progress, including capital improvement and business license reserve projects, and grant-related expenditures at the end of the year; and

WHEREAS, RCW 35.33.151 provides for carryover of appropriations to the following year for payment of uncompleted programs and improvements in progress or on orders subsequently filled or claims subsequently billed for goods or services not completed by the end of the fiscal year; and

WHEREAS, this funding appropriation enables completion of unfinished capital improvement projects and payment of encumbered goods and services not received by year end; and

WHEREAS, pursuant to RCW 35.33.091, a duly noticed public hearing was held on July 20, 2021 regarding the increase in appropriations from beginning fund balance and new revenue as listed in Section 3 of this Ordinance.

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 2021 Budget was approved. The increased appropriations contained within this Ordinance total \$66,774,494 of which \$66,774,494 was previously appropriated in the prior fiscal year's final budget. These appropriations are necessary for completion of approved projects and purchases, and are identified by fund in Section 3 of this ordinance.

Section 2. Declaration of Public Emergency. Due to circumstances described above, Richland City Council declares that a public emergency exists in the City's Funds described in Section 3 of this Ordinance.

Section 3. Amendment of the 2021 Budget. The 2021 Budget is hereby amended to provide for additional appropriations. The sources of funds contained in this Ordinance included unrealized grants, loans and contributions in the amount of \$19,932,833, and fund balance in the amount of \$46,841,661. These balances are identified for each fund in the following table:

| CHANGES IN APPROPRIATION FROM 2020 CARRYOVERS |                              |                      |                                     |                                    |                                 |                          |                              |
|-----------------------------------------------|------------------------------|----------------------|-------------------------------------|------------------------------------|---------------------------------|--------------------------|------------------------------|
| FUND #                                        | FUND NAME                    | SOURCES OF FUNDS     |                                     |                                    | USES OF FUNDS                   |                          |                              |
|                                               |                              | CARRYOVER REVENUE    | CARRYOVER APPROPRIATED FUND BALANCE | TOTAL INCREASE IN SOURCES OF FUNDS | CURRENT APPROVED APPROPRIATIONS | CHANGE IN APPROPRIATIONS | TOTAL AMENDED APPROPRIATIONS |
| 001                                           | General                      | \$ -                 | \$ 3,068,286                        | \$ 3,068,286                       | \$ 64,908,825                   | \$ 3,068,286             | \$ 67,977,111                |
| 101                                           | Streets                      | -                    | 169,495                             | 169,495                            | 3,543,501                       | 169,495                  | 3,712,996                    |
| 112                                           | Industrial Development       | -                    | 1,733,082                           | 1,733,082                          | 6,856,020                       | 1,733,082                | 8,589,102                    |
| 117                                           | Public Safety Sales Tax      | 284,553              | 4,850                               | 289,403                            | 2,478,360                       | 289,403                  | 2,767,763                    |
| 150                                           | Hotel/Motel Fund             |                      | 180,269                             | 180,269                            | 931,700                         | 180,269                  | 1,111,969                    |
| 153                                           | Community Dev. Block Grant   | 204,932              | 210,618                             | 415,550                            | 470,207                         | 415,550                  | 885,757                      |
| 154                                           | HOME                         | 1,337,713            | 1,204,335                           | 2,542,048                          | 895,349                         | 2,542,048                | 3,437,397                    |
| 301                                           | Streets Capital Construction | 12,367,367           | 1,008,666                           | 13,376,033                         | 14,650,817                      | 13,376,033               | 28,026,850                   |
| 317                                           | Fire Station 75 Construction | -                    | 3,565,364                           | 3,565,364                          | 231,399                         | 3,565,364                | 3,796,763                    |
| 318                                           | Fire Station 73 Construction | -                    | 3,966,278                           | 3,966,278                          | 8,601                           | 3,966,278                | 3,974,879                    |
| 380                                           | Park Project Construction    | 2,105,269            | 4,479,971                           | 6,585,240                          | 3,775,000                       | 6,585,240                | 10,360,240                   |
| 385                                           | General Government Const.    | -                    | 224,649                             | 224,649                            | 642,500                         | 224,649                  | 867,149                      |
| 401                                           | Electric Utility             | -                    | 4,335,152                           | 4,335,152                          | 85,480,660                      | 4,335,152                | 89,815,812                   |
| 402                                           | Water Utility                | 452,177              | 11,912,807                          | 12,364,984                         | 16,772,595                      | 12,364,984               | 29,137,579                   |
| 403                                           | Wastewater Utility           | -                    | 4,639,755                           | 4,639,755                          | 16,791,546                      | 4,639,755                | 21,431,301                   |
| 404                                           | Solid Waste Utility          | -                    | 3,961,889                           | 3,961,889                          | 13,335,067                      | 3,961,889                | 17,296,956                   |
| 405                                           | Storm Water Utility          | 3,180,822            | 165,433                             | 3,346,255                          | 2,604,669                       | 3,346,255                | 5,950,924                    |
| 408                                           | Broadband Utility            | -                    | 341,213                             | 341,213                            | 471,598                         | 341,213                  | 812,811                      |
| 502                                           | Equipment Maintenance        | -                    | 3,113                               | 3,113                              | 4,414,592                       | 3,113                    | 4,417,705                    |
| 503                                           | Equipment Replacement        | -                    | 1,666,436                           | 1,666,436                          | 4,765,163                       | 1,666,436                | 6,431,599                    |
|                                               | <b>Total</b>                 | <b>\$ 19,932,833</b> | <b>\$ 46,841,661</b>                | <b>\$ 66,774,494</b>               | <b>\$ 244,028,169</b>           | <b>\$ 66,774,494</b>     | <b>\$ 310,802,663</b>        |

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 2<sup>nd</sup> day of August, 2021.

\_\_\_\_\_  
Ryan Lukson, Mayor

Attest:

Approved as to form:

\_\_\_\_\_  
Jennifer Rogers, City Clerk

\_\_\_\_\_  
Heather Kintzley, City Attorney

Date Published: August 8, 2021

**2020 Carryovers - Encumbered, Expanded and Special Programs**

| Expenditure<br>Org                        | Object | Vendor                                       | Description                                               | PO #     | Amount           |
|-------------------------------------------|--------|----------------------------------------------|-----------------------------------------------------------|----------|------------------|
| F1222000                                  | 2201   | SEA WESTERN INC                              | UNIFORM/CLOTHING ALLOWANCE                                | 22000894 | 26,499           |
| F1222000                                  | 2201   | SEA WESTERN INC                              | UNIFORM/CLOTHING ALLOWANCE                                | 22000959 | 3,910            |
| F1222000                                  | 2201   | SEA WESTERN INC                              | UNIFORM/CLOTHING ALLOWANCE                                | 22001105 | 16,197           |
| F1222000                                  | 2201   | SEA WESTERN INC                              | UNIFORM/CLOTHING ALLOWANCE                                | 22001120 | 2,700            |
| F1222000                                  | 2201   | 911 Supply LLC                               | UNIFORM/CLOTHING ALLOWANCE                                | 22001130 | 1,619            |
| F1222000                                  | 3515   | COMMUNICATIONS INTERNATIONAL INC.            | COMMUNICATION EQUIPMENT                                   | 22001016 | 174,856          |
| F1222000                                  | 3515   | Communications International                 | COMMUNICATION EQUIPMENT                                   | 22001035 | 782              |
| F1224500                                  | 4117   | International Public Safety                  | EXPERT SERVICES                                           | 22000738 | 5,433            |
| IT188400                                  | 3583   |                                              | SOFTWARE-LICENSING & UPGRADES - Microsoft Office 365      |          | 210,000          |
| IT188500                                  | 4117   |                                              | OTHER PROFESSIONAL SERVICES - Cybersecurity Analysis Plan |          | 120,000          |
| IT188900                                  | 4117   | Tyler Technologies                           | EXPERT SERVICES                                           |          | 1,850,268        |
| K1710100                                  | 3102   | INTERWEST TECHNOLOGY SYSTEMS INC             | OPERATING SUPPLIES & MATERIALS                            | 22000899 | 270              |
| K1710100                                  | 3102   | ENVISIONWARE INC                             | OPERATING SUPPLIES & MATERIALS                            | 22001010 | 5,678            |
| K1710100                                  | 4117   | AHBL                                         | EXPERT SERVICES                                           | 25040    | 25,250           |
| K1710100                                  | 4117   | INTERWEST TECHNOLOGY SYSTEMS INC             | EXPERT SERVICES                                           | 22001165 | 2,309            |
| K2710200                                  | 3501   | Lifetime Products                            | SMALL TOOLS AND EQUIPMENT                                 | 22001151 | 7,761            |
| K3188700                                  | 3582   | INTERWEST TECHNOLOGY SYSTEMS INC             | DATA PROCESSING HARDWARE                                  | 22000899 | 8,323            |
| K3768010                                  | 4814   | Premier Landscaping                          | REPAIR & MAINT PKS FACILITIES                             | 22000808 | 2,090            |
| K3768010                                  | 4814   | PLAYCORE WISCONSIN INC                       | REPAIR & MAINT PKS FACILITIES                             | 22000995 | 47,642           |
| K8722100                                  | 4117   |                                              | EXPERT SERVICES - Library Strategic Plan                  |          | 40,000           |
| L1188700                                  | 3583   | Lexipol LLC                                  | SOFTWARE-LICENSING & UPGRADES                             | 22001126 | 43,847           |
| L1211000                                  | 4117   | CI Technologies                              | EXPERT SERVICES                                           | 22001117 | 12,310           |
| L1214000                                  | 3118   | San Diego Police Equip                       | AMMUNITION                                                | 22000626 | 9,207            |
| <b>Total General Fund</b>                 |        |                                              |                                                           |          | <b>2,616,949</b> |
| T1429000                                  | 4117   | Souheil                                      | EXPERT SERVICES                                           | 22000307 | 20,640           |
| T1429000                                  | 4117   | WILDLANDS INC                                | EXPERT SERVICES                                           | 22000398 | 6,362            |
| T1429000                                  | 4117   | Dowl                                         | EXPERT SERVICES                                           | 22000426 | 44,103           |
| T1429000                                  | 4117   | Koman Holding                                | EXPERT SERVICES                                           | 22000547 | 1,890            |
| T1426600                                  | 6414   | 2020 Expanded Program - Snow Removal Storage | MACHINERY & EQUIP > \$5000                                |          | 96,500           |
| <b>Total Streets Fund</b>                 |        |                                              |                                                           |          | <b>169,495</b>   |
| D5593000                                  | 4117   | KOSMONT & ASSOCIATES, INC                    | EXPERT SERVICES                                           | 22000389 | 40,000           |
| D5593000                                  | 4117   | WILDLANDS INC                                | EXPERT SERVICES                                           | 22000395 | 26,663           |
| <b>Total Industrial Development Fund</b>  |        |                                              |                                                           |          | <b>66,663</b>    |
| L2188700                                  | 3583   | CI Technologies                              | SOFTWARE-LICENSING & UPGRADES                             | 22001117 | 4,850            |
| <b>Total Public Safety Sales Tax Fund</b> |        |                                              |                                                           |          | <b>4,850</b>     |
| E0458800                                  | 4117   | Magnum Power                                 | EXPERT SERVICES                                           | 21900096 | 6,554            |
| E0258000                                  | 4117   | Futura Systems Inc                           | EXPERT SERVICES                                           | 22000105 | 1,200            |
| E0592300                                  | 4117   | Financial Consulting Solutions               | EXPERT SERVICES                                           | 22000108 | 32,697           |
| E0590840                                  | 4117   | Efficiency Solutions LLC                     | EXPERT SERVICES                                           | 22000184 | 15,040           |
| E0592300                                  | 4117   | Efficiency Solutions LLC                     | EXPERT SERVICES                                           | 22000192 | 1,376            |
| E0490200                                  | 4117   | E Source Companies                           | EXPERT SERVICES                                           | 22000199 | 725,943          |
| E0593000                                  | 4117   | GDS Associates                               | EXPERT SERVICES                                           | 22000219 | 20,049           |
| E0236290                                  | 4117   | Electric Power Systems                       | EXPERT SERVICES                                           | 22000308 | 183,668          |
| E0436200                                  | 4117   | 3AC Engineering PC                           | EXPERT SERVICES                                           | 22000768 | 34,000           |
| E0436290                                  | 6214   | Virginia Transformer Corp                    | NON STOCK PURCHASES                                       | 22000910 | 710,046          |
| E0439700                                  | 6214   | ITRON Inc                                    | NON STOCK PURCHASES                                       | 22000943 | 793,094          |
| E0439800                                  | 4117   | ITRON Inc                                    | EXPERT SERVICES                                           | 22000943 | 546,706          |
| 40100                                     | 141100 | General Pacific Inc                          | Inventory Merchandise                                     | 22000994 | 562,798          |
| E0436290                                  | 6214   | Myers Power Products Inc                     | NON STOCK PURCHASES                                       | 22001039 | 664,173          |
| E0258000                                  | 3583   | Imperious Technology Inc                     | SOFTWARE-LICENSING & UPGRADES                             | 22001055 | 6,299            |
| E0439700                                  | 6214   | Cerium Networks Inc                          | NON STOCK PURCHASES                                       | 22001107 | 31,509           |
| <b>Total Electric Fund</b>                |        |                                              |                                                           |          | <b>4,335,152</b> |
| W3348000                                  | 4117   | RH2 Engineering                              | EXPERT SERVICES                                           | 22000787 | 23,187           |
| W3188700                                  | 3583   | Allmax Software                              | SOFTWARE-LICENSING & UPGRADES                             | 22001020 | 11,403           |
| <b>Total Water Fund</b>                   |        |                                              |                                                           |          | <b>34,590</b>    |
| S2013500                                  | 4117   | MURRAYSMITH, INC                             | EXPERT SERVICES                                           | 22000538 | 9,446            |
| S3188700                                  | 3583   | Allmax Software                              | SOFTWARE-LICENSING & UPGRADES                             | 22001020 | 19,005           |
| <b>Total Wastewater Fund</b>              |        |                                              |                                                           |          | <b>28,451</b>    |
| G4378200                                  | 4117   | Parametrix Inc                               | EXPERT SERVICES                                           | 22000264 | 19,670           |
| G4378200                                  | 4117   | Test America                                 | EXPERT SERVICES                                           | 22000265 | 16,847           |
| G4378200                                  | 4117   | Parametrix Inc                               | EXPERT SERVICES                                           | 22000741 | 132,398          |
| <b>Total Solid Waste Fund</b>             |        |                                              |                                                           |          | <b>168,915</b>   |
| R2013100                                  | 4911   | Boyd's Tree                                  | OUTSIDE SERVICES PROVIDED                                 | 22001068 | 4,767            |
| R2013100                                  | 4911   | Frontier Fence                               | OUTSIDE SERVICES PROVIDED                                 | 22001134 | 8,840            |

| Expenditure Org | Object | Vendor                        | Description                                     | PO #     | Amount              |
|-----------------|--------|-------------------------------|-------------------------------------------------|----------|---------------------|
| A4486800        | 3411   | Solid Waste Systems           | <b>Total Stormwater Fund</b>                    | 22001008 | <b>13,607</b>       |
|                 |        |                               | OTHER SUP & MATERIAL-RESALE                     |          | 3,113               |
|                 |        |                               | <b>Total Equip Maintenance Fund</b>             |          | <b>3,113</b>        |
| A5941810        | 6405   | Atlantic Machinery            | VEHICLES/VEH                                    | 21186    | 1,301               |
| A5941810        | 6405   | Corwin of Pasco               | VEHICLES/VEH                                    | 22000057 | 63,012              |
| A5941810        | 6405   | Hughes Fire Equipment         | VEHICLES/VEH                                    | 22000145 | 661,861             |
| A5941810        | 6405   | Dobbs Heavy Duty Holdings LLC | VEHICLES/VEH                                    | 22000245 | 310,462             |
| A5941810        | 6405   | Dobbs Heavy Duty Holdings LLC | VEHICLES/VEH                                    | 22000246 | 310,462             |
| A5941810        | 6405   | Municipal Emergency Services  | VEHICLES/VEH                                    | 22000858 | 7,790               |
| A5941810        | 6405   | Corwin of Pasco               | VEHICLES/VEH                                    | 22000946 | 35,194              |
| A5941810        | 6405   | LN Curtis                     | VEHICLES/VEH                                    | 22001002 | 27,438              |
| A5941810        | 6405   | LN Curtis                     | VEHICLES/VEH                                    | 22001065 | 8,615               |
| A5941810        | 6405   | Titam Truck                   | VEHICLES/VEH                                    | 22001103 | 232,275             |
| A5941810        | 6405   | Zoll Medical                  |                                                 | 22001139 | 8,028               |
|                 |        |                               | <b>Total Equip Replacement Fund</b>             |          | <b>1,666,436</b>    |
|                 |        |                               | <b>Total Encumbered/Miscellaneous Carryover</b> |          | <b>\$ 9,108,222</b> |

#### 2020 Carryovers - CIP Capital Projects

| Expenditure Org | Object | Vendor | Description                                                    | PO # | Amount            |
|-----------------|--------|--------|----------------------------------------------------------------|------|-------------------|
| M1189000        | 6103   |        | CIP - PR190005 - GSA PARKING ACQUISITION & IMPROVE             |      | 400,000           |
|                 |        |        | <b>Total General Fund</b>                                      |      | <b>400,000</b>    |
| T2953010        | 6311   |        | CIP - MN170004 - ECON DEV ROAD PROJECTS - HENDERSON LOOP       |      | 1,324,154         |
| T2953010        | 6368   |        | CIP - MN170004 - ECON DEV ROAD PROJECTS - CLUBHOUSE LANE       |      | (178,952)         |
| T2955010        | 6408   |        | CIP - MN190002 - ECON DEV ROAD PROJECTS - FIRST STREET         |      | 521,217           |
|                 |        |        | <b>Total Industrial Development Fund</b>                       |      | <b>1,666,419</b>  |
|                 | 5528   |        | CIP - COLUMBIA PLAYFIELD IMPROVEMENTS                          |      | 75,000            |
|                 |        |        | CIP - JOHN DAM PLAZA                                           |      | 20,269            |
|                 |        |        | CIP - CITY READER BOARD                                        |      | 85,000            |
|                 |        |        | <b>Total Hotel/Motel Fund</b>                                  |      | <b>180,269</b>    |
|                 | 5502   |        | CIP - CDBG FUNDED RAPID FLASH BEACONS, CURBS, WHEELCHAIR RAMPS |      | 100,263           |
|                 |        |        | <b>Total CDBG Fund</b>                                         |      | <b>100,263</b>    |
| T2953010        | 6311   |        | CIP - MN170004 - ECON DEV ROAD PROJECTS - HENDERSON LOOP       |      | 1,324,154         |
| T2953010        | 6368   |        | CIP - MN170004 - ECON DEV ROAD PROJECTS - CLUBHOUSE LANE       |      | (178,952)         |
| T2955010        | 6408   |        | CIP - MN190002 - ECON DEV ROAD PROJECTS - FIRST STREET         |      | 521,217           |
| T2955010        | 6302   |        | CIP - TR130001 - DUPORTAIL BRIDGE                              |      | 4,431,634         |
| T2955010        | 6413   |        | CIP - TR180008 - SR240 FLYOVER AT AARON DRIVE                  |      | 798,259           |
| T2953010        | 6369   |        | CIP - TR130002 - CENTER PARKWAY - NORTH-GAGE TO TAPT           |      | 328,676           |
| T2953010        | 6331   |        | CIP - TR140016 - COL PARK TRAIL IMPROVE EAST                   |      | 3,468,869         |
| T2953010        | 6388   |        | CIP - TR130011 - SOUTH GWW INTERSECTION IMPROVEMENTS           |      | 298,837           |
| T2953010        | 6395   |        | CIP - TR140017 - STEPTOE/TAPTEAL IMPROVEMENTS                  |      | 20,933            |
| T2953010        | 6322   |        | CIP - TR140019 - CENTER PKY WEST LESLIE TO CLEARWATER CREEK    |      | 112,441           |
| T2956200        | 6403   |        | CIP - TR140020 - VANTAGE HIGHWAY PATHWAY PHASE 2               |      | 199,500           |
| T2953010        | 6403   |        | CIP - TR190004 - DUPORTAIL CORRIDOR INTERSECTION IMP           |      | 116,724           |
| T2953010        | 6326   |        | CIP - TR160002 - SWIFT BLVD IMPROVEMENTS                       |      | 495,437           |
| T2953010        | 6318   |        | CIP - TR160005 - SOUTH RICHLAND COLLECTOR STREETS              |      | 63,672            |
| T2953010        | 6394   |        | CIP - TR170002 - PAVEMENT PRES GWW RESURFACE                   |      | 464,120           |
| T2953010        | 6367   |        | CIP - TR180001 - VAN GIESEN/THAYER IMPROVEMENTS                |      | 26,028            |
| T2953010        | 6367   |        | CIP - TR190007 - VAN GIESEN/SR240 INTERSECT IMPROVE            |      | 75,000            |
| T2956400        | 6310   |        | CIP - TR180002 - MCMURRAY RAPID FLASH BEACONS                  |      | 40,450            |
| T2956400        | 6310   |        | CIP - TR130004 - CDBG FUNDED RAPID FLASH BEACONS               |      | 82,748            |
| T2956100        | 6391   |        | CIP - TR130004 - CDBG FUNDED CURBS AND WHEELCHAIR RAMPS        |      | 17,515            |
| T2956400        | 6319   |        | CIP - TR190001 - TRAFFIC SIGNAL SYSTEM SAFETY UPGRADES         |      | 569,895           |
| T2956400        | 6409   |        | CIP - TR180006 - ISLAND VIEW TO VISTA FIELD TRAIL              |      | 98,876            |
|                 |        |        | <b>Total Streets Capital Construction Fund</b>                 |      | <b>13,376,033</b> |
| MG942210        | 6403   |        | CIP - MN170003 - PUBLIC SAFETY FACILITY-FIRE STN 75            |      | 3,565,364         |
|                 |        |        | <b>Total Fire Station 75 Construction Fund</b>                 |      | <b>3,565,364</b>  |
| ML942210        | 6403   |        | CIP - MN130005 - PUBLIC SAFETY FACILITY-FS 73 REPLACE          |      | 3,966,278         |
|                 |        |        | <b>Total Fire Station 73 Construction Fund</b>                 |      | <b>3,966,278</b>  |
| K5947610        | 6209   |        | CIP - WF140011 - HOWARD AMON PARK IMPROVEMENTS                 |      | 929,881           |
| K5947610        | 6312   |        | CIP - PR170004 - RIVERS TO RIDGES TRAIL BADGER MT              |      | 2,000,445         |
| K5947610        | 6335   |        | CIP - PARKS & NEIGHBORHOOD SAFETY PROGRAM                      |      | 101,239           |
| K5947610        | 6403   |        | CIP - HOWARD AMON PARK                                         |      | 14,871            |

| Expenditure Org | Object | Vendor | Description                                           | PO # | Amount               |
|-----------------|--------|--------|-------------------------------------------------------|------|----------------------|
| K5947610        | 6403   |        | CIP - PR130001 - BADGER MOUNTAIN PARK IMPROVEMENTS    |      | 489,887              |
| K5947610        | 6403   |        | CIP - PR130005 - WEST VILLAGE PARK @ BADGER MTN SOUTH |      | 550,000              |
| K5947610        | 6403   |        | CIP - PR130007 - DROLLINGER PARK AMENITIES            |      | 2,689                |
| K5947610        | 6403   |        | CIP - PR160003 - HORN RAPIDS INFIELD & FENCE RENEWAL  |      | 42,067               |
| K5947610        | 6403   |        | CIP - PR170001 - TRAILHEAD PARK REPLACEMENT STEPS BY  |      | 10,994               |
| K5947610        | 6403   |        | CIP - PR190001 - HANFORD LEGACY PARK                  |      | 100,000              |
| K5947610        | 6403   |        | CIP - PR190003 - CITY VIEW PARK LAND ACQUISITION      |      | 50,000               |
| K5947610        | 6403   |        | CIP - WF140007 - COLUMBIA PLAYFIELD IMPROVEMENTS      |      | 114,329              |
| K5947610        | 6403   |        | CIP - WF140008 - JOHN DAM PLAZA                       |      | 245,269              |
| K5947610        | 6403   |        | CIP - WF140010 - SHORELINE DEFERRED MAINTENANCE       |      | 310,279              |
| K5947610        | 6403   |        | CIP - WF140012 - WAYFINDING SIGNAGE & GATEWAY ENTRAN  |      | 601,254              |
| K5947610        | 6403   |        | CIP - WF150015 - COL PT MARINA PARK ENHANCEMENTS      |      | 856,079              |
| K5947610        | 6403   |        | CIP - WF170001 - GEORGE PROUT POOL RENEWAL            |      | 80,957               |
| K5947610        | 6403   |        | CIP - WF180001 - CITY READER BOARD                    |      | 85,000               |
|                 |        |        | <b>Total Park Project Construction Fund</b>           |      | <b>6,585,240</b>     |
| MH941810        | 6335   |        | CIP - MN170005 - ACCESS CONTROL & SECURITY CAMERA RP  |      | 63,161               |
| MH941820        | 6403   |        | CIP - WF140003 - SWIFT CORRIDOR: CITY HALL REPLACEMT  |      | 161,488              |
|                 |        |        | <b>Total General Govt Construction Fund</b>           |      | <b>224,649</b>       |
| W1943410        | 6403   |        | CIP - LORAYNE J WATER IMPROVEMENTS                    |      | 402,177              |
| W1943410        | 6403   |        | CIP - WA130002 - DISTRIBUTION R&R                     |      | 1,631,294            |
| W1943410        | 6403   |        | CIP - WA130003 - IRRIGATION CAP IMPROVEMENT           |      | 315,932              |
| W1943410        | 6403   |        | CIP - WA130007 - WATER TREATMENT EQUIPMENT UPGRADES   |      | 569,126              |
| W1943410        | 6403   |        | CIP - WA130008 - YAKIMA RIVER CROSSING PIPELINE REPL  |      | 315,440              |
| W1943410        | 6403   |        | CIP - WA150010 - CHIEF JOSEPH MIDDLE SCHOOL IRRIG     |      | 149,563              |
| W1943410        | 6403   |        | CIP - WA160001 - AUTOMATIC METER READING SYSTEM       |      | 5,429,003            |
| W1943410        | 6403   |        | CIP - WA160002 - COLUMBIA RIVER INTAKE SCREEN UPGRAD  |      | 3,107,859            |
| W1943410        | 6403   |        | CIP - WA160006 - ISLAND VIEW SUPPLY REDUNDANCY PROJE  |      | 410,000              |
|                 |        |        | <b>Total Water Fund</b>                               |      | <b>12,330,394</b>    |
| S1943510        | 6403   |        | CIP - WW130001 - COLLECTION SYSTEM RENEW & REPLACEME  |      | 849,352              |
| S1943510        | 6403   |        | CIP - WW130003 - INFLUENT UPGRADES                    |      | 522,753              |
| S1943510        | 6403   |        | CIP - WW130006 - WASTEWATER TREATMENT FAC R&R         |      | 3,239,199            |
|                 |        |        | <b>Total Wastewater Fund</b>                          |      | <b>4,611,304</b>     |
| G1943710        | 6403   |        | CIP - SW130002 - DISPOSAL CAPACITY IMPROVEMENTS       |      | 3,439,738            |
| G1943710        | 6403   |        | CIP - SW130003 - LANDFILL CLOSURE PHASE 2             |      | 225,000              |
| G1943710        | 6403   |        | CIP - SW160001 - SOLID WASTE FACILITY IMPROVEMENTS    |      | 21,709               |
| G1943710        | 6403   |        | CIP - SW180001 - COMPOST PROCESSING IMPROVEMENTS      |      | (18,473)             |
| G1943710        | 6403   |        | CIP - SW190001 - COMPRESSED NAT GAS FUEL CONVERSIONS  |      | 125,000              |
|                 |        |        | <b>Total Solid Waste Fund</b>                         |      | <b>3,792,974</b>     |
| R1943110        | 6403   |        | CIP - ST130001 - STORMWATER REHABILITATION & REPLACE  |      | 139,064              |
| R1943110        | 6403   |        | CIP - ST130006 - WATER QUALITY RETROFIT PROGRAM       |      | 207,762              |
| R1943110        | 6403   |        | CIP - TR140016 - COL PARK TRAIL IMPROVE EAST          |      | 600,826              |
| R1943110        | 6403   |        | CIP - ST170001 - COL PARK TRAIL EAST STORM            |      | 2,384,996            |
|                 |        |        | <b>Total Stormwater Fund</b>                          |      | <b>3,332,648</b>     |
| N1013200        | 6421   |        | CIP - MN160001 - FIBER OPTIC INFRASTRUCTURE           |      | 341,213              |
|                 |        |        | <b>Total Broadband Fund</b>                           |      | <b>341,213</b>       |
|                 |        |        | <b>Total CIP/Capital Project Carryover</b>            |      | <b>\$ 54,473,048</b> |

#### 2020 Carryovers - Non-CIP Grant-Funded

| Expenditure Org | Object | Vendor | Description                                               | PO # | Amount         |
|-----------------|--------|--------|-----------------------------------------------------------|------|----------------|
| L1214000        | 4117   |        | Transferred from Police Training Reserve                  |      | 7,481          |
| L1212100        | 3119   |        | Federal ICAC Seizure Funds -Seattle PD                    |      | 34,388         |
| L1211000        | 4117   |        | Passed thur WA Assoc Chief & Sheriffs                     |      | 9,467          |
|                 |        |        | <b>Total General Fund Grant Carryover</b>                 |      | <b>51,336</b>  |
| L2212350        | 4117   |        | ICAC Wellness Program                                     |      | 9,303          |
| L2212350        | 6403   |        | ICAC Task Force Forensic Van                              |      | 275,250        |
|                 |        |        | <b>Total Public Safety Sales Tax Fund Grant Carryover</b> |      | <b>284,553</b> |
| D7587110        | 4995   |        | O/O Rehab - program income                                |      | 110,355        |
| D7593200        | 1101   |        | CDBG CV Admin - COVID Admin                               |      | 4,467          |
| D7593250        | 4925   |        | CDBG Project-CV                                           |      | 44,511         |
| D7587100        | 4925   |        | Small Business Stabilization                              |      | 110,000        |
| D7970000        | 5502   |        | Transfer to streets                                       |      | 20,639         |
| D7587110        | 4997   |        | Unallocated Expenses                                      |      | 25,315         |
|                 |        |        | <b>Total CDGB Fund Grant Carryover</b>                    |      | <b>315,287</b> |

| Expenditure<br>Org | Object | Vendor | Description                                    | PO # | Amount               |
|--------------------|--------|--------|------------------------------------------------|------|----------------------|
| D8587110           | 4985   |        | Program Income-Richland                        |      | 74,573               |
| D8587110           | 4987   |        | Program Income-Pasco                           |      | 68,022               |
| D8587110           | 4861   |        | TBRA - Richland                                |      | 298,432              |
| D8587110           | 4862   |        | TBRA - Kennewick                               |      | 286,583              |
| D8587110           | 4863   |        | TBRA - Pasco                                   |      | 385,766              |
| D8587110           | 4864   |        | TBRA - Admin                                   |      | 63,331               |
| D8587110           | 4865   |        | MICRO HOME PROJECT                             |      | 850,000              |
| D8587110           | 4988   |        | Entitlement-Richland                           |      | 81,488               |
| D8587110           | 4989   |        | Entitlement-Kennewick                          |      | 140,500              |
| D8587110           | 4991   |        | Entitlement-Pasco                              |      | 177,801              |
| D8587020           | 5200   |        | Richland Unallocated Admin                     |      | 59,861               |
| D8587020           | 5202   |        | Pasco Unallocated AD                           |      | 7,235                |
| D8587020           | 5203   |        | Kennewick Unallocated AD                       |      | 48,456               |
|                    |        |        | <b>Total HOME Fund Grant Carryover</b>         |      | <b>2,542,048</b>     |
|                    |        |        | <b>Total Grant Carryover</b>                   |      | <b>\$ 3,193,224</b>  |
|                    |        |        | <b>2020 Encumbered/Miscellaneous Carryover</b> |      | <b>\$ 9,108,222</b>  |
|                    |        |        | <b>2020 CIP/Capital Project Carryover</b>      |      | <b>\$ 54,473,048</b> |
|                    |        |        | <b>2020 Grant Carryover</b>                    |      | <b>\$ 3,193,224</b>  |
|                    |        |        | <b>Total 2020 Carryover</b>                    |      | <b>\$ 66,774,494</b> |



## COUNCIL AGENDA ITEM COVERSHEET

Council Date: 8/2/2021

Agenda Category: Resolutions - Adoption

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

**Subject:**

Resolution No. 96-21, Authorizing the Submittal of a Grant Applications to the Transportation Improvement Board

Department:  
Public Works

Ordinance/Resolution Number:  
96-21

Document Type:  
Resolution

**Recommended Motion:**

Adopt Resolution No. 96-21, authorizing submission of grant applications to the Washington State Transportation Improvement Board for the Downtown Connectivity Improvements project and the Marcus Whitman School Walking Routes Improvements project.

**Summary:**

With the exception of maintenance and preservation projects, the vast majority of street improvement projects are made feasible by the acquisition of grant funds. The Washington State Transportation Improvement Board (TIB) is a state agency funded to create and administer grant programs that support local government street improvement projects. For communities in Richland's population category, the TIB typically offers an annual opportunity to apply for projects in two program categories: Arterial Street Improvement Projects and Sidewalk Projects. The TIB is accepting applications until August 13, 2001 for both programs.

After review of the 2022 - 2027 Transportation Improvement Program, the TIB's Arterial Streets Improvement Program criteria, and the state of project development, staff recommends that the City complete an application for the Downtown Connectivity Improvements project. If funded, the grant would be a key contribution to enabling completion of phase I of this transformative project. Staff's recommended approach is to seek maximum points by pledging to provide matching funds in excess of the minimum required. Budgeting for the matching funds will be part of the 2022 budget preparation process.

Additionally, staff has considered the many gaps in sidewalks in the City, and recommends that the City complete an application for the Marcus Whitman Walking Route Improvements project. This school site, and its walking routes, have been the subject of previous Safe Routes to School grant applications, none of which were successful. The TIB program criteria are somewhat different than the Safe Routes to School program, and staff recommends seeking to fund this improvement through a TIB grant.

TIB announcements will be made in mid-November. Staff recommends adoption of Resolution No. 96-21.

**Fiscal Impact:**

If the applications are funded, matching funds will be required. For the Downtown Connectivity Improvements, the matching funds obligation would exceed \$2,000,000 over the next two (2) years. The majority of these funds are yet to be budgeted, and would likely come from the Capital Improvement Fund. For the Marcus Whitman School Walking Route Improvements, the City's matching funds obligation would not exceed \$100,000, which would most likely come from the Capital Improvement Fund.

**Attachments:**

- I. Resolution No. 96-21

## RESOLUTION NO. 96-21

A RESOLUTION of the City of Richland authorizing grant applications to the Washington State Transportation Improvement Board's Urban Arterial Program and Urban Sidewalk Program.

WHEREAS, the Washington State Transportation Improvement Board (TIB) offers grant programs that enable municipalities to make costly improvements to their transportation systems; and

WHEREAS, the TIB has issued a Call for Projects for its 2021 Urban Arterial Program and its Urban Sidewalk Program (the "Programs"); and

WHEREAS, the purpose of the Urban Arterial Program is to fund projects in the areas of safety, growth and development, mobility, and physical condition; and

WHEREAS, local matching funds are required, with additional rating points available for committing more than the minimum required match; and

WHEREAS, the Downtown Connectivity Improvements Project is an eligible project, the features of which align closely with the TIB's policy goals; and

WHEREAS, the purpose of the Urban Sidewalk Program is to fund projects in the areas of safety, access and system connectivity, and with the intention of addressing system continuity; and

WHEREAS, segments of the Richland School District designated walk routes for Marcus Whitman Elementary School do not presently have sidewalks available for students using this route to access the school; and

WHEREAS, if funded, these projects will improve the City's street system and advance the City of Richland's Complete Streets Policy implementation; and

WHEREAS, the City's best interests are served by obtaining TIB grant funds for these projects to make them financially feasible.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that staff is authorized to submit grant applications to the Washington State Transportation Improvement Board Urban Arterial Program and Urban Sidewalk Program for the Downtown Connectivity Improvements and Marcus Whitman Elementary School Walking Route Improvements projects.

BE IT FURTHER RESOLVED that a matching funds commitment is authorized for each grant application that will maximize the points earned according to the TIB's scoring matrix.

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 2<sup>nd</sup> day of August, 2021.

\_\_\_\_\_  
Ryan Lukson, Mayor

Attest:

Approved as to form:

\_\_\_\_\_  
Jennifer Rogers, City Clerk

\_\_\_\_\_  
Heather Kintzley, City Attorney



## COUNCIL AGENDA ITEM COVERSHEET

Council Date: 8/2/2021

Agenda Category: Resolutions - Adoption

Core Focus Area 3 - Increase Economic Vitality

**Subject:**

Resolution No. 97-21, Approving a Purchase and Sale Agreement with Matson Development, LLC

**Department:**

Development Services

**Ordinance/Resolution Number:**

97-21

**Document Type:**

Resolution

**Recommended Motion:**

Adopt Resolution No. 97-21, authorizing the City Manager to sign and execute a purchase and sale agreement with Matson Development, LLC for the purchase of five acres in the Horn Rapids Business Center.

**Summary:**

Matson Development, LLC (Travis Matson) is proposing to purchase a five-acre parcel of land in the Horn Rapids Business Center located along the south side of Logan Street. This particular land transaction involves property immediately adjacent to a five-acre parcel approved to be sold to Logan Properties, LLC (Calvin Matson) at the July 20, 2021 City Council meeting. The developer proposes to construct a 25,000 square-foot light industrial building with warehousing and office space, plus additional buildings in a later phase.

A letter of intent (LOI) was submitted by Matson Development on July 7, 2021. The purchase price is \$2.35 per square foot for the five-acre property, amounting to estimated gross proceeds of \$511,830. The purchase price is consistent with the City of Richland's Resolution No. 158-18, which established pricing within the Horn Rapids Business Center in November 2018 and has yet to be superseded.

The City will retain a repurchase right if building plans have not been submitted to the City within eight (8) months of closing, or if construction of buildings has not commenced within eighteen (18) months of closing.

The proposed purchase was reviewed by the Economic Development Committee (EDC) at its July 26, 2021 meeting. The EDC recommended approval.

Staff recommends adoption of Resolution No. 97-21.

**Fiscal Impact:**

The purchase price is \$2.35 per square foot for the 5-acre lot, totaling estimated gross proceeds of \$511,830. A portion of the proceeds will be distributed to the City's Utility Fund to recover costs for construction of HRBC utilities in 1988 as follows:

-Electric Fund (\$0.044 per square foot): \$9,583.20

-Water Fund (\$0.079 per square foot): \$17,206.20

-Sewer Fund (\$0.029 per square foot): \$6,316.20

**Attachments:**

1. Resolution No. 97-21
2. Proposed Purchase and Sale Agreement - Matson Development, LLC
3. Matson Development, LLC - Letter of Intent
4. Site Map

RESOLUTION NO. 97-21

A RESOLUTION of the City of Richland authorizing a Purchase and Sale Agreement by and between the City of Richland and Matson Development, LLC.

WHEREAS, the City of Richland is the owner of five (5) acres of City-owned surplus property located along the south side of Logan Street in the Horn Rapids Business Center; and

WHEREAS, pursuant to Chapter 3.06 of the Richland Municipal Code, the City of Richland has full authority to negotiate the sale of surplus property in the best interests of the City; and

WHEREAS, the aforesaid City-owned property is available for sale; and

WHEREAS, pursuant to Resolution No. 158-18, adopted by City Council on November 20, 2018, the five (5) acres is available for sale at \$2.35 per square foot, amounting to a total price of \$511,830; and

WHEREAS, at its July 26, 2021 meeting, the Economic Development Committee (EDC) favorably recommended sale of the five (5) acres of City-owned surplus property in the Horn Rapids Business Center; and

WHEREAS, Matson Development, LLC has agreed to purchase the property for the stated price.

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 Purchase and Sale Agreement and all other related documents necessary to complete the sale of property to Matson Development, LLC as identified herein.

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 2<sup>nd</sup> day of August, 2021.

\_\_\_\_\_  
Ryan Lukson, Mayor

Attest:

Approved as to form:

\_\_\_\_\_  
Jennifer Rogers, City Clerk

\_\_\_\_\_  
Heather Kintzley, City Attorney

## **AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY**

*Re: 2509 Logan Street*

This Agreement for Purchase and Sale of Real Property (the “Agreement”) is made and entered into between the **CITY OF RICHLAND**, a Washington municipal corporation (“Seller”), and **MATSON DEVELOPMENT, LLC** a Washington limited liability company (“Purchaser”). The Effective Date of this Agreement shall be determined pursuant to the terms of Section 3.1 herein.

1. Purchase and Sale of Property. Seller agrees to sell and Purchaser agrees to purchase, on the terms hereafter stated, the unimproved real property, located at 2509 Logan Street, City of Richland, Benton County, Washington which is legally described in **Exhibit A** attached hereto (hereinafter referred to as the “Property”).

1.1. Laws and Rights. Purchaser acknowledges and agrees that the sale and conveyance of the Property to be made pursuant to this Agreement shall be subject to any and all applicable federal, state and local laws, orders, rules and regulations, and any and all outstanding rights of record or which are open and obvious on the ground.

1.2. Timing of Conveyance. The Property shall be conveyed to Purchaser at Closing by a Statutory Warranty Deed (“Deed”) subject to the Exceptions accepted or deemed accepted by Purchaser pursuant to Section 4.1 below and the Repurchase Right set forth in Section 11.13 below.

2. Purchase Price. The total purchase price for the Property shall be **Five Hundred Eleven Thousand Eight Hundred Thirty** dollars and no cents (**\$511,830.00**) (the “Purchase Price”). The Purchase Price shall be paid by Purchaser to Seller in the form of all cash to be deposited in an escrow account with First American Title Insurance Company (the “Title Company”) at Closing (as defined in Section 6 below).

2.1. Earnest Money Deposit. As consideration for Seller’s execution and delivery of this Agreement, Purchaser will deposit with the Title Company a certified or cashier’s check or wire transfer in the amount of **Ten Thousand** dollars and no cents (**\$10,000.00**) within five (5) business days of the Effective Date (as defined in Section 3.1 below) (the “Earnest Money Deposit”). The Earnest Money Deposit shall be credited against the Purchase Price at Closing. Purchaser shall be entitled to direct the Title Company to place the Earnest Money Deposit in an interest bearing account of Purchaser’s choice. The Earnest Money Deposit will be returned if Purchaser terminates this Agreement during the Due Diligence Period (as defined in Section 5 below) or as otherwise expressly provided in this Agreement. However, should Purchaser default or terminate this Agreement at any time following the expiration or waiver of the Due Diligence Period, (a) the Earnest Money Deposit shall be disbursed to Seller pursuant to Section 9 herein, but only after any outstanding obligations for Title Company services as specified in 4.1 have been deducted and paid from the Earnest Money Deposit; (b) the escrow shall be canceled; and (c) neither party shall have any rights or responsibilities to the other except as otherwise expressly provided herein.

3. Conditions Precedent to Sale. This Agreement is made and executed by the parties hereto subject to the following conditions precedent:

3.1. City Approval. The execution and delivery of this Agreement by Seller is contingent upon approval of this Agreement by the City Council of the City of Richland in its sole discretion. In the event the Richland City Council does not approve this Agreement, this Agreement shall immediately terminate and be without any further force and effect, and without further obligation of either party to the other.

3.2. Executed Contract. The “Effective Date” of this Agreement is the date upon which both parties have signed this Agreement. If this Agreement is signed on different days, the “Effective Date” of this Agreement is the date of the last signing party. Notwithstanding the foregoing, Purchaser and Seller must sign this Agreement within fifteen (15) business days of approval from the City Council of the City of Richland. If signatures are not obtained from both parties within fifteen (15) business days, this Agreement shall automatically terminate and be without any further force and effect, and without further obligation of either party to the other.

#### 4. Title Matters.

4.1. Preliminary Title Report; Title Review. Within five (5) business days after the Effective Date, Purchaser, at its sole cost and expense, shall order from the Title Company a preliminary title commitment for the Property, and copies of all documents referred to therein (the “Preliminary Commitment”), and upon receipt, furnish same to Seller.

(a) Purchaser shall have fifteen (15) days after receipt of the Preliminary Commitment and Survey to advise Seller in writing of any encumbrances, restrictions, easements or other matters contained in the Preliminary Commitment or on the Survey (the “Exceptions”) to which Purchaser objects. All Exceptions to which Purchaser does not object in writing within the fifteen (15) day period shall be deemed accepted by Purchaser.

(b) If Purchaser objects to any Exceptions within the fifteen (15) day period, Seller shall advise Purchaser in writing within five (5) days of receipt of Purchaser’s written objections (i) which Exceptions Seller will remove at Closing, (ii) which Exceptions the Title Company has agreed to insure around in the title policy to be issued at Closing (together with the proposed form of endorsement) and (iii) which Exceptions will not be removed or insured around.

(c) Within ten (10) days of receipt of Seller’s response to Purchaser’s written objections, and assuming Seller has not agreed to remove all exceptions to which Purchaser objects, Purchaser shall notify Seller in writing of Purchaser’s election to either (i) terminate this Agreement, in which event the Earnest Money Deposit shall be returned to Purchaser, or (ii) waive its objections to the Exceptions the Title Company has agreed to insure around and the Exceptions Seller will not remove or insure around, in which event such Exceptions shall be deemed accepted by Purchaser.

4.2. Title Insurance. Seller shall cause the Title Company to be prepared to deliver to Purchaser at Closing an Owner’s ALTA Standard Coverage policy of title insurance issued by Title Company in the face amount of the Purchase Price, dated the date of Closing, insuring Purchaser’s title subject to no exceptions other than the standard printed exceptions and the Exceptions deemed accepted by Purchaser pursuant to Section 4.1 above. The policy of title

insurance shall also include such endorsements as Purchaser or Purchaser's Lender may reasonably request.

5. Due Diligence. Purchaser is granted a due diligence period until and including sixty (60) days after receipt of the Preliminary Commitment described in Section 4.1 above (the "Due Diligence Period"). Said Due Diligence Period may be extended an additional thirty (30) days upon written mutual agreement by both Purchaser and Seller. Purchaser may conduct, at its own expense, a full review of legal, title, environmental, archaeological and any other related issues subject to the terms of this Section 5. If the results of said review are unsatisfactory in Purchaser's sole discretion, Purchaser may, at its option, elect to terminate this Agreement by giving Seller written notice of termination prior to the end of the Due Diligence Period (the "Due Diligence Termination Notice"). In the event of termination by Purchaser under this section, this Agreement shall immediately terminate and be without any further force and effect, the Earnest Money Deposit shall be returned to Purchaser pursuant to Section 2.1; and neither party shall have any rights or responsibilities to the other except as otherwise expressly provided herein. If Purchaser fails to provide a Due Diligence Termination Notice to Seller on or before the expiration of the Due Diligence Period, the due diligence contingency set forth under this Section 5 shall be deemed waived by Purchaser, and this Agreement shall continue in full force and effect.

5.1. Reasonableness Required. All inspections of the Property shall occur at reasonable times agreed upon by Seller and Purchaser and shall be conducted so as not to unreasonably interfere with the use of the Property by Seller. Purchaser shall not do any invasive testing, sampling or drilling at the Property without first obtaining Seller's prior written consent (which may be conditioned or denied in Seller's sole and absolute discretion). Purchaser shall promptly restore the Property to substantially the same condition which existed prior to any such investigations, tests, surveys and other analyses, at Purchaser's sole cost and expense. Seller shall be entitled to have a representative present at all times while Purchaser or its representatives or agents are physically on the Property. Purchaser hereby agrees that it shall carry, and shall cause all representatives and agents of Purchaser entering the Property on behalf of Purchaser in furtherance of the right of access granted under this Agreement to carry, commercial general liability insurance with limits of not less than One Million and No/100 Dollars (\$1,000,000) combined single limit and providing that such coverages are primary and naming Seller as an additional insured. Prior to any entry onto the Property by Purchaser or its agents, employees, consultants or representatives, Purchaser shall provide to Seller certificates evidencing such insurance coverage. Purchaser agrees to indemnify and hold Seller harmless of and from any claim for damages or injuries arising from Purchaser's inspections of the Property; such obligations shall survive Closing or any termination of this Agreement.

6. Closing. Closing shall occur in the office of the Title Company on or before the date that is sixty (60) days after the expiration or waiver of the Due Diligence Period. Purchaser and Seller shall deposit in escrow with Title Company all instruments and documents reasonably necessary to complete the transaction in accordance with this Agreement, including, but not limited to, the Deed. As used herein, "Closing" or "date of Closing" means the date on which all appropriate documents are recorded and the proceeds of sale are available for disbursement to Seller.

6.1. Closing Costs; Prorations. At Closing, Seller shall pay (i) the premium for the standard coverage policy of title insurance and the endorsements required to insure around the Exceptions the Title Company agreed to insure around in accordance with Section 4 above, (ii) deed or real property transfer taxes, and (iii) one-half of Title Company's escrow fees and charges. Purchaser shall pay (i) the costs of the extended coverage portion of the policy of title insurance and any title insurance endorsements required by Purchaser (other than the costs of the title insurance endorsements to be provided by Seller pursuant to the first sentence of this Section 6.1), and (ii) one-half of Title Company's escrow fees and charges. Real property taxes, assessments, surface water management charges, utilities and other expenses of the Property shall be prorated as of the date of Closing with Purchaser bearing the costs of the date of Closing. All other closing costs shall be paid and allocated in accordance with the custom in the county in which the Property is located. Each party shall be responsible for its own legal, accounting and consultant fees.

7. Covenants, Representations and Warranties.

7.1. Seller's Covenants. Seller hereby covenants and agrees as follows:

(a) From the Effective Date through the Closing Date, Seller shall not make any material alterations to the Property or to any of the licenses, permits, legal classifications or other governmental regulations relating to the Property, nor enter into any leases or agreements pertaining to the Property which are not terminable, without penalty, on 30 days' notice, without Purchaser's prior written consent.

(b) From the Effective Date through the Closing Date, Seller shall not voluntarily cause to be recorded any encumbrance, lien, deed of trust, or easement against the title to the Property without Purchaser's prior consent.

(c) From the Effective Date through the Closing Date, Seller will operate and maintain the Property in a manner consistent with Seller's past practices relative to the Property and so as not to cause waste to the Property.

7.2. Seller's Representations and Warranties. Seller hereby makes the following representations and warranties to Purchaser, each of which shall be true on the Effective Date and on the date of Closing. Seller shall immediately provide Purchaser with written notice of any event which would make any representation or warranty set forth below materially incorrect or untrue, and upon receipt of such notice, Purchaser may elect to terminate this Agreement. Upon Purchaser's election to terminate, this Agreement shall be without any further force and effect, and without further obligation of either part to the other. If this Agreement is terminated under this section, the Earnest Money Deposit shall be returned to Purchaser.

(a) Seller has full power and authority to enter into and carry out the terms and provisions of this Agreement and to execute and deliver all documents which are contemplated by this Agreement, and all actions of Seller necessary to confer such authority upon the persons executing this Agreement and such other documents will have been, or will be, taken.

(b) Seller has not received any written notice from any governmental authorities or regulatory agencies that eminent domain proceedings for the condemnation of the Property are pending or threatened.

(c) Seller has not received any written notice of pending or threatened investigation, litigation or other proceeding before a local governmental body or regulatory agency which would materially and adversely affect the Property.

(d) Seller has not received any written notice from any governmental authority or regulatory agency that Seller's use of the Property is presently in violation of any applicable zoning, land use or other law, order, ordinance or regulation affecting the Property.

(e) To Seller's knowledge, no special or general assessments have been levied against the Property except those disclosed in the Preliminary Title Report, and Seller has not received written notice that any such assessments are threatened.

(f) Seller is not a "foreign person" for purposes of Section 1445 of the Internal Revenue Code.

(g) Seller is a Washington municipal corporation, duly formed and organized, validly existing and in good standing under the laws of the State of Washington.

7.3. Purchaser's Representations. Purchaser hereby makes the following representations to Seller, each of which shall be true on the Effective Date hereof and on the date of Closing.

(a) Purchaser has full power and authority to enter into and carry out the terms and provisions of this Agreement, and to execute and deliver all documents which are contemplated by this Agreement, and all actions of Purchaser necessary to confer such authority upon the persons executing this Purchase Agreement and such other documents have been, or will be, taken.

(b) As of the Effective Date and as of the date of Closing, neither Purchaser nor, to Purchaser's knowledge, any of its affiliates, nor any of their respective partners, members, shareholders or other equity owners, and none of their respective employees, officers, directors, representative or agents, is a person or entity with whom U.S. persons or entities are restricted from doing business under regulations of OFAC (including those named on OFAC's Specially Designated and Blocked Persons List) or under any statute, executive order (including the September 24, 2001, Executive Order Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit or Support Terrorism) or other governmental action ("OFAC").

(c) Purchaser represents that it has sufficient funds to close this transaction.

(d) Purchaser further represents that the Property will be developed with a minimum of a 25,000 square feet of a multi-tenant steel building in Phase 1 of the project, with an additional two buildings in Phase 2. Any deviation from this intended use must be authorized by

the Seller in writing or be subject to Seller's Right to Repurchase as set forth in Section 11.13 below. This Agreement does not alleviate the Purchaser from obtaining the necessary approvals, authorizations or permits required for development of the Property for said use, nor shall this Agreement be construed as granting such approval.

(e) Purchaser acknowledges that pole buildings are prohibited in the Horn Rapids Commercial Plaza and agrees that Purchaser will not build pole buildings on the Property.

## 8. Casualty and Condemnation.

8.1. Material Casualty or Condemnation. If prior to the Closing Date: (i) the Property shall sustain damage caused by casualty which would cost ten thousand dollars (\$10,000) or more to repair or replace; or (ii) if a taking or condemnation of any portion of the Property has occurred, or is threatened, which would materially affect the value of the Property, either Purchaser or Seller may, at its option, terminate this Agreement by written notice to the other party given within two (2) business days after notice of such event. If prior to the Closing Date neither party provides said termination notice within such two (2) business day period, the Closing shall take place as provided herein with a credit against the Purchase Price in an amount equal to any insurance proceeds or condemnation awards actually collected by Seller and an assignment to Purchaser at Closing of all Seller's interest in and to any insurance proceeds or condemnation awards which may be due but unpaid to Seller on account of such occurrence.

8.2. Immaterial Casualty or Condemnation. If prior to Closing Date, the Property shall sustain damage caused by casualty which is not described in Section 8.1, or a taking or condemnation has occurred, or is threatened, which is not described in Section 8.1, neither Purchaser nor Seller shall have the right to terminate this Agreement. Closing shall take place as provided herein with a credit against the Purchase Price equal to (i) the cost to repair that portion of the Property so damaged by insured casualty, or (ii) an amount equal to the anticipated condemnation award, as applicable. At Closing, Purchaser shall assign to Seller all rights or interest in and to any insurance proceeds or condemnation awards which may be due on account of any such occurrence.

9. Purchaser's Remedies. If Seller fails without legal excuse to complete the sale of the Property in accordance with the terms of this Agreement, Purchaser may elect one of the following remedies (Purchaser hereby waiving any and all other remedies): (a) specific performance of this Agreement (provided an action thereon is commenced with thirty (30) days of Seller's failure to perform), or (b) terminate this Agreement and receive a refund of the Earnest Money Deposit.

10. Liquidated Damages. IN THE EVENT OF DEFAULT BY PURCHASER IN THE PERFORMANCE OF ITS OBLIGATIONS HEREUNDER, SELLER SHALL HAVE THE RIGHT TO TERMINATE THIS AGREEMENT FORTHWITH AND WITHOUT FURTHER OBLIGATION TO PURCHASER, AND TO KEEP THE EARNEST MONEY DEPOSIT AS LIQUIDATED DAMAGES. PURCHASER AGREES THAT IT IS DIFFICULT TO ASSESS THE AMOUNT OF DAMAGES INCURRED BY THE SELLER IN THE EVENT OF A DEFAULT BY THE PURCHASER. AS OF THE ENTRY OF THIS CONTRACT, THE

AMOUNT OF THE EARNEST MONEY DEPOSIT IS A REASONABLE ESTIMATE OF THE DAMAGES.

11. Miscellaneous.

11.1. Finder's Fee. Purchaser and Seller each agree that a real estate finder's fee ("Real Estate Compensation") is not due to each other or to any third party. Each party hereby agrees to indemnify and defend the other against and hold the other harmless from and against any and all loss, damage, liability or expense, including costs and reasonable attorney's fees, resulting from any claims for Real Estate Compensation by any person or entity other than provided herein. The provisions of this section shall survive the closing.

11.2. Time of the Essence. Time is of the essence of every provision of this Agreement.

11.3. Notices. Whenever any party hereto shall desire to give or serve upon the other any notice, demand, request or other communication, each such notice, demand, request or other communication shall be in writing and shall be given or served upon the other party by personal delivery (including delivery by written electronic transmission) or by certified, registered or Express United States Mail, or Federal Express or other commercial courier, postage prepaid, addressed as follows:

**If to Seller:** City of Richland  
Attn: Economic Development Office  
625 Swift Blvd., MS-18  
Richland, Washington 99352  
Phone: (509) 942-7583

**If to Purchaser:** Matson Development, LLC  
ATTN: Travis Matson  
253 Jackrabbit Lane  
Kennewick, Washington 99338  
509.727.2584  
[travis@ddtririvers.com](mailto:travis@ddtririvers.com)

Any such notice, demand, request or other communication shall be deemed to have been received upon the earlier of personal delivery thereof or two (2) business days after having been mailed as provided above, as the case may be.

11.4. Assignments and Successors. Purchaser may not assign this Agreement without Seller's written consent. Any assignment made without Seller's consent is null and void, and does not relieve the Purchaser of any liability or obligation hereunder.

11.5. Captions. Paragraph titles or captions contained herein are inserted as a matter of convenience and for reference, and in no way define, limit, extend or describe the scope of this Agreement.

11.6. Exhibits. All exhibits attached hereto shall be incorporated herein by reference as if set out herein in full.

11.7. Binding Effect. Regardless of which party prepared or communicated this Agreement, this Agreement shall be of binding effect between Purchaser and Seller only upon its execution by an authorized representative of each such party.

11.8. Construction. The parties acknowledge that each party and its counsel have reviewed and revised this Agreement, and that the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Purchase and Sale Agreement or any amendment or exhibits hereto.

11.9. Counterparts. Execution of this Agreement and any amendment or other document related to this Agreement may be by electronic signature and in any number of counterpart originals, including by portable document format (.pdf), each of which shall be deemed to constitute an original agreement, and all of which shall constitute one whole agreement.

11.10. Time. Any extension of time granted for the performance of any duty under this Agreement shall not be considered as an extension of time for the performance of any other duty under this Agreement. As used in this Agreement, "business day" refers to any day which is not a Saturday, Sunday or a holiday in the State of Washington. In the event the time for performance of any obligation hereunder shall fall on a Saturday, Sunday or a holiday, such time for performance shall be extended to the next business day.

11.11. Merger. The delivery of the Deed and any other documents and instruments by Seller and the acceptance and recordation thereof by Purchaser shall effect a merger, and be deemed the full performance and discharge of every obligation on the part of Purchaser and Seller to be performed hereunder, except those clauses, covenants, warranties and indemnifications specifically provided herein to survive the Closing.

11.12. Governing Law. This Agreement shall be governed by, and construed in accordance with, the laws of the State of Washington. The parties agree that Benton County is the appropriate venue for filing of any civil action arising out of this Agreement, and both parties expressly agree to submit to personal jurisdiction in Benton County Superior Court.

11.13. Right to Repurchase. This Property is being sold to Purchaser in anticipation of development with a minimum of a 25,000 square feet of a multi-tenant steel building in Phase 1 of the project, with an additional two buildings in Phase 2, subject to the following:

(a) If Purchaser fails to submit an application to Seller for approval of building plans within eight (8) months of Closing, Seller reserves the right to reclaim title to the Property through repurchase.

(b) If Purchaser fails to initiate construction of structures, as authorized by the issuance of a building permit, within eighteen (18) months of Closing, Seller reserves the right to reclaim title to the Property through repurchase.

(c) The rights of Seller set forth in Sections 11.13(a) and (b) are referred to in this Agreement as the “Right to Repurchase.”

(d) Seller shall reclaim the Property by refunding, without interest, the original Purchase Price identified herein for the Property.

(e) Purchaser and Seller shall each pay for one half of the closing costs related to Seller’s repurchase of the Property. Other than closing costs, Seller will not assume any liability for expenses incurred by Purchaser in conducting this transaction. Purchaser agrees to re-convey fee title to Seller within sixty (60) days of receipt of notification of Seller’s election to exercise its Right to Repurchase.

(f) This Right to Repurchase is exclusive to Seller and shall be exercised at Seller’s sole discretion. This Right to Repurchase shall survive thirty-sixty months (36) months after Closing or until such time as building commences, whichever is earlier.

(g) Seller shall be under no obligation to exercise this Right to Repurchase. Purchaser agrees that Seller must grant approval to any resale of the Property by Purchaser to any third party within the thirty-six (36) month Right to Repurchase period, which shall be given in Seller’s sole discretion. This Right to Repurchase right shall survive Closing and the delivery of the Deed.

(h) Seller and Purchaser agree to execute a Memorandum of Repurchase Right to evidence Seller’s Right to Repurchase, which Memorandum may be recorded by Seller in the real property records of Benton County, Washington.

*[Signature Page to Follow]*

IN WITNESS WHEREOF, Purchaser has executed this Agreement on the date shown below its signature, and Seller has accepted on the date shown below its signature.

**CITY OF RICHLAND – SELLER**

**MATSON DEVELOPMENT, LLC –  
PURCHASER**

\_\_\_\_\_  
By: Jon Amundson, ICMA-CM  
Its: Interim City Manager

\_\_\_\_\_  
By: Travis Matson  
Its: Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

APPROVED AS TO FORM:

\_\_\_\_\_  
By: Heather Kintzley, City Attorney

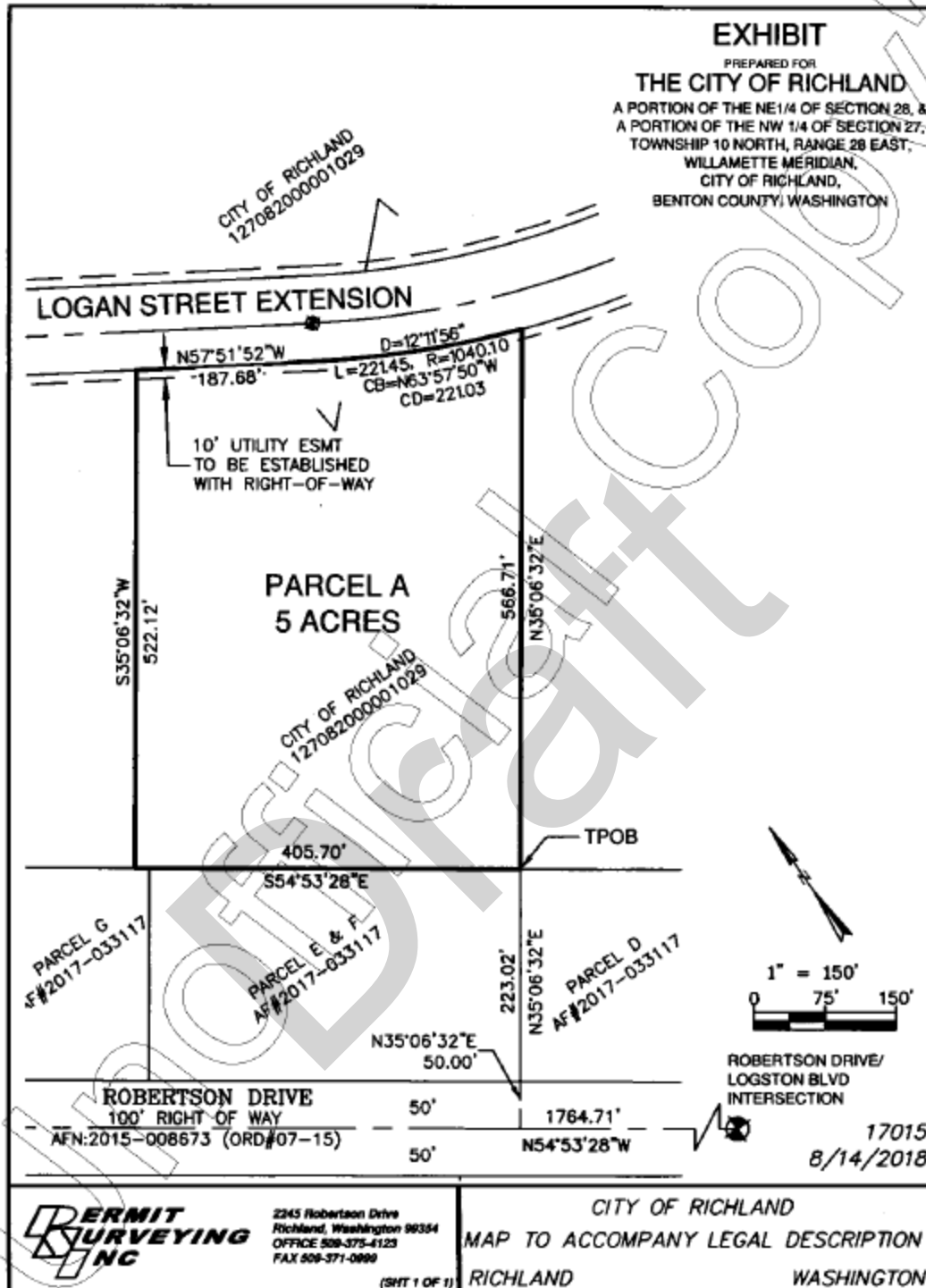
**Exhibit A**  
**Legal Description**

A PORTION OF BINDING SITE PLAN 2056, ACCORDING TO THE SURVEY THEREOF RECORDED IN VOLUME 1 OF SURVEYS, PAGE 2056, UNDER AUDITOR'S FILE NO. 1995- 018807, RECORDS OF BENTON COUNTY, WASHINGTON AND A PORTION LYING OUTSIDE THE LIMITS OF SAID SURVEY SITUATED IN THE NORTHWEST QUARTER OF SECTION 27 AND THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 10NORTH, RANGE 28 EAST WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE INTERSECTION OF A PUBLIC ROAD KNOWN AS LOGSTON BOULEVARD AND ROBERTSON DRIVE, AS DEPICTED ON RECORD OF SURVEY 4575, AS RECORDED IN VOL. 1 OF SURVEYS, PAGE 4575, UNDER AUDITOR'S FILE NUMBER 2015-003647, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE NORTH 54°53'28"WEST ALONG THE CENTERLINE OF SAID ROBERTSON DRIVE FOR A DISTANCE OF 1764.71FEET; THENCE NORTH 35°06'32"EAST AT RIGHT ANGLES FOR A DISTANCE OF 50.00FEET TO THE NORTHERLY RIGHT-OF-WAY MARGIN OF SAID ROBERTSON DRIVE; THENCE CONTINUING NORTH 35°06'32" EAST FOR A DISTANCE OF 223.02FEET TO THE NORTHEASTERLY CORNER OF PARCEL "F" AS DEPICTED ON RECORD OF SURVEY 4756 AS RECORDED IN VOL. 1 OF SURVEYS, PAGE 4756, UNDER AUDITOR'S FILE NUMBER 2016-019344, RECORDS OF BENTON COUNTY, WASHINGTON AND THE TRUE POINT OF BEGINNING.

THENCE CONTINUING NORTH 35°06'32" EAST FOR A DISTANCE OF 566.71FEET TO THE SOUTHERLY RIGHT-OF-WAY MARGIN OF LOGAN STREET EXTENSION (FUTURE) AND A POINT ON A CURVE TO THE RIGHT; THENCE ALONG THE SOUTHERLY MARGIN THEREOF AND SAID CURVE THROUGH A CENTRAL ANGLE OF 12°11'56"HAVING A RADIUS OF 1040.10FEET, AN ARC LENGTH OF 221.45FEET, A CHORD BEARING NORTH 63°57'50"WEST AND A CHORD DISTANCE OF 221.03FEET; THENCE NORTH 57°51'52"WEST FOR A DISTANCE OF 187.68FEET; THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 35°06'32"WEST FOR A DISTANCE OF 522.12FEET TO A POINT ON THE NORTH LINE OF PARCEL "G" OF SAID RECORD OF SURVEY 4756; THENCE SOUTH 54°53'28"EAST ALONG THE NORTH LINE THEREOF FOR A DISTANCE OF 405.70FEET TO THE NORTHEASTERLY CORNER OF SAID PARCEL "F" AND THE TRUE POINT OF BEGINNING.

CONTAINS ~5.00 ACRES



# COMMERCIAL PURCHASE LETTER OF INTENT

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## RE: Intent to Purchase Commercial Property

This commercial purchase letter of intent (the "Letter of Intent") represents the basic terms for an agreement between the Buyer and Seller. After this Letter of Intent has been made, a formal agreement may be constructed to the benefit of the Parties involved.

**I. The Buyer:** \_\_\_\_\_ (the "Buyer").

**II. The Seller:** \_\_\_\_\_ (the "Seller").

**III. Property Address:** \_\_\_\_\_ (the "Property").

Additional Description: \_\_\_\_\_.

**IV. Purchase Price:** The Buyer shall purchase the Property for \_\_\_\_\_ Dollars (\$\_\_\_\_\_) (the "Purchase Price").

**V. Purchase Terms:** Payment of the Purchase Price shall be made in the following manner:

\_\_\_\_\_.

**VI. Bank Financing:** The Buyer has made it known that their ability to purchase the Property is  
☐ conditional ☐ not conditional on their ability to obtain financing.

If the purchase is conditional on financing, it shall be under the following terms:

\_\_\_\_\_.

**VII. Closing:** The Closing shall occur on \_\_\_\_\_, 20\_\_\_\_, or earlier by mutual agreement (the "Closing"). Any extension to the Closing must be agreed upon in writing by the Buyer and Seller.

**VIII. Closing Costs:** All costs associated with the Closing shall be the responsibility of  
☐ the Buyer ☐ the Seller ☐ both Parties bearing their own expenses.

**IX. Possession:** Possession of the Property shall be given on \_\_\_\_\_, 20\_\_\_\_, or earlier by mutual agreement (the "Possession"). Any extension to the Possession must be agreed upon in writing by the Buyer and Seller.

**X. Property Inspection:** After a binding Purchase Agreement has been made, the Buyer shall hold the right to have the condition of the Property inspected by a person of their choosing. The inspection shall occur no later than \_\_\_\_ days after a Purchase Agreement has been made.

After the Property has been inspected, the Buyer shall have an additional \_\_\_\_ days to report any new disclosures to the Seller in writing. If the Buyer and Seller cannot reach a mutual agreement within \_\_\_\_ days after delivery of the written disclosures, the Purchase Agreement shall be terminated with any earnest money being returned to the Buyer.

**XI. Binding Effect:** This Letter of Intent shall be considered: (Initial and Check)

\_\_\_\_ - ☐ **Binding** – Therefore, the Parties acknowledge that remedies at law will be inadequate for any breach of this Letter of Intent and consequently agree that this Letter of Intent shall be enforceable by specific performance. The remedy of specific performance shall be cumulative of all of the rights at law or in equity of the Parties under this Letter of Intent.

\_\_\_\_ - ☐ **Non-Binding** – Therefore, the Parties acknowledge that this Letter of Intent is not enforceable by any Party. The terms outlined herein are solely for the purposes of reaching an agreement in the future, of which the Buyer and Seller are not bound.

**XII. Standstill Agreement:** Following the execution of this Letter of Intent, and until the Closing, the Seller shall not engage in negotiations for the sale of the Property with any other party unless either the Buyer and Seller agree in writing to terminate this Letter of Intent, or the Buyer and Seller fail to sign a Purchase Agreement by \_\_\_\_\_, 20\_\_\_\_.

**XIII. Additional Provisions:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**XIV. Currency:** All mentions of currency or the usage of the “\$” icon shall be known as referring to the US Dollar.

**XV. Governing Law:** This Letter of Intent shall be governed under the laws of the State of \_\_\_\_\_.

**XVI. Acceptance:** If you are agreeable to the aforementioned terms, please sign and return a duplicate copy of this Letter of Intent by no later than \_\_\_\_\_, 20\_\_\_\_.

**BUYER**

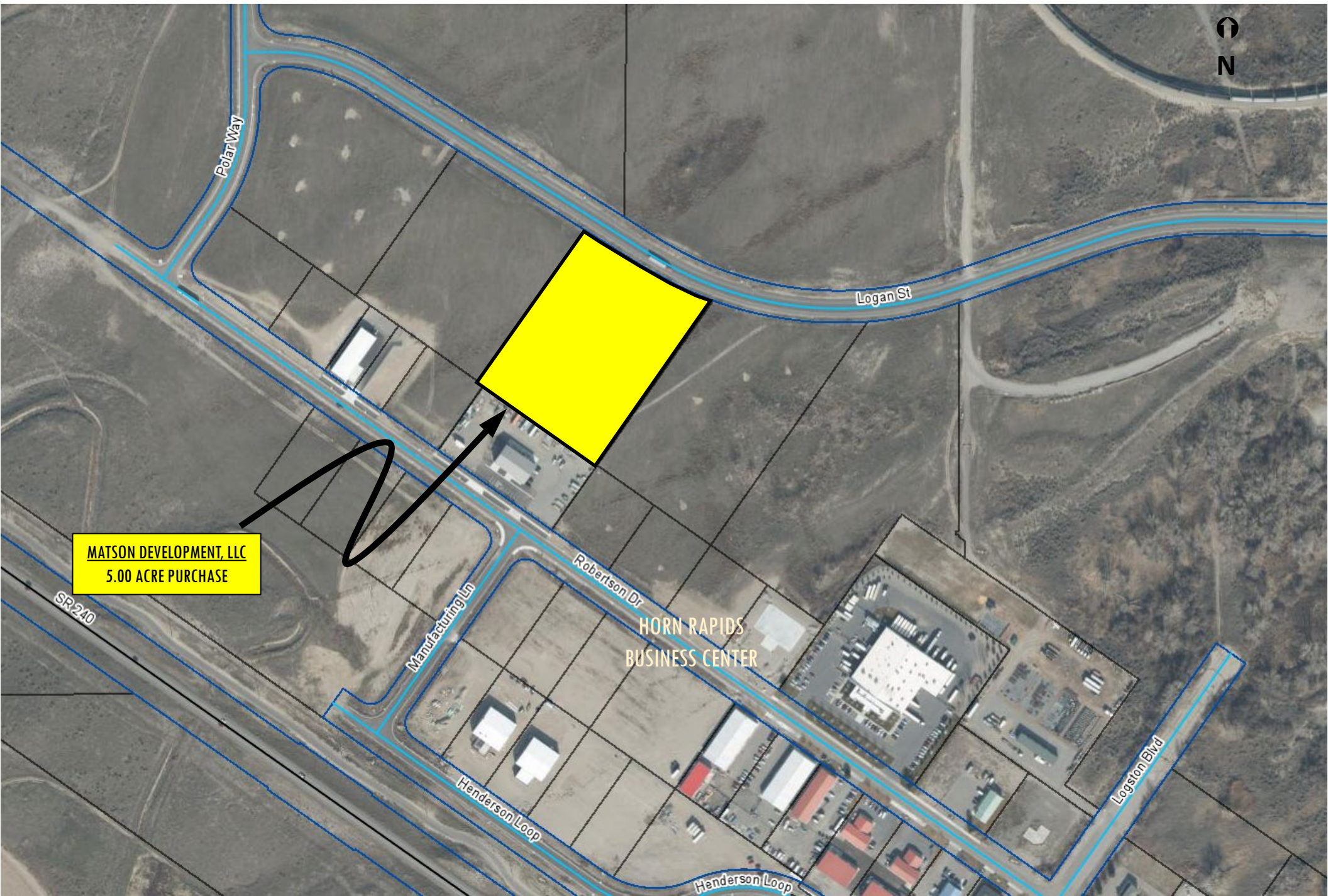
Buyer's Signature  \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_

**SELLER**

Seller's Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_



**MATSON DEVELOPMENT, LLC**  
**5.00 ACRE PURCHASE**

Logan St

Robertson Dr

HORN RAPIDS  
BUSINESS CENTER

Logston Blvd

Manufacturing Ln

Henderson Loop

Henderson Loop

SR-240

Polar Way



## COUNCIL AGENDA ITEM COVERSHEET

Council Date: 8/2/2021

Agenda Category: Resolutions - Adoption

Core Focus Area 1 - Promote Financial Stability & Operational Effectiveness

Core Focus Area 6 - Enhance Neighborhood & Community Safety

**Subject:**

Resolution No. 98-21, Accepting a Firehouse Subs Public Safety Foundation Grant for External Automated Defibrillators

**Department:**

Fire & Emergency Services

**Ordinance/Resolution Number:**

98-21

**Document Type:**

Resolution

**Recommended Motion:**

Adopt Resolution No. 98-21, authorizing the City Manager to execute a grant agreement accepting a Firehouse Subs Public Safety Foundation grant for automated external defibrillators in furtherance of the City's Heart Safe Richland initiative.

**Summary:**

The Firehouse Subs Public Safety Foundation ("Foundation") provides funding to impact the lifesaving capabilities of first responders and public safety organizations and their communities. One of the Foundation's main funding areas is to provide first responders with lifesaving equipment such as extrication tools, thermal imaging cameras, bulletproof vests, and automated external defibrillators (AEDs), among other similar items.

In order to continue developing a robust Heart Safe Richland program and further increase cardiac survivability, Richland's Fire & Emergency Services Department has a need for additional AEDs. New AEDs will be placed in all staff vehicles, where there currently are none, or where existing devices are nearing end-of-life. Additional unit purchases will be used for the AED Loaner Program, as well as for strategic placement throughout Richland to promote public access for use in cardiac emergencies.

On March 2, 2021, Richland City Council approved the City's application to the Foundation for grant funding. Staff was recently notified that the City's grant funding request was approved to purchase fourteen (14) AEDs and accessories for a total not to exceed \$24,990. Through Resolution No. 98-21, the City will accept the grant funds to purchase the approved AEDs and place them in service as outlined.

Staff recommends adoption of Resolution No. 98-21.

**Fiscal Impact:**

The Foundation's grant requires no matching funds, which reduces the budget impact to the City for the purchase of these items.

**Attachments:**

1. Resolution No. 98-21
2. Firehouse Subs Grant Agreement

RESOLUTION NO. 98-21

A RESOLUTION of the City of Richland authorizing acceptance of a Firehouse Subs Public Safety Foundation grant to purchase automated external defibrillators.

WHEREAS, the purchase of additional automated external defibrillators (AEDs) as part of the Heart Safe Richland initiative is an integral part of improving cardiac arrest survivability in the community; and

WHEREAS, the Firehouse Subs Public Safety Foundation ("Foundation") provides grant funding opportunities for purchasing lifesaving equipment for public safety organizations and their communities; and

WHEREAS, on March 2, 2021, by adoption of Resolution No. 24-21, Richland City Council authorized application to the Foundation for grant funding; and

WHEREAS, the City's grant application was approved by the Foundation in the amount of \$24,990 for purchase of AEDs; and

WHEREAS, the Foundation's grant requires no matching funds, thereby reducing the impact to the City's budget for the purchase of these lifesaving items.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City Manager is authorized to accept the grant award and execute all necessary related documents.

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 2<sup>nd</sup> day of August, 2021.

\_\_\_\_\_  
Ryan Lukson, Mayor

Attest:

Approved as to form:

\_\_\_\_\_  
Jennifer Rogers, City Clerk

\_\_\_\_\_  
Heather Kintzley, City Attorney



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**Firehouse Subs Public Safety Foundation, Inc.**

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12735 Gran Bay Pkwy., Suite 150, Jacksonville, Florida 32258

**MEMO OF UNDERSTANDING- FUNDING AGREEMENT**

**July 23, 2021**

Failure to adhere to the requirements of this Funding Agreement will jeopardize your grant award.

*All purchases must match the quantities and equipment approved in the original grant request and approved quote.*

**Firehouse Subs Public Safety Foundation Responsibilities**

- Firehouse Subs Public Safety Foundation will award funding to **City of Richland, Richland, WA** for **\$22,330.00** to be used toward the direct purchase of **14 CPR/AED Rescue Kits; 14 Zoll AED 3 AEDs & Accessories.**

**City of Richland Responsibilities**

1. An ACH transfer will be remitted to the organization name as stated in this memo of understanding and **must** match the EIN number submitted on the grant request and bank account information listed on the ACH Authorization. If there is a change in either information, you must submit a W-9.
2. **Confirm Receipt of ACH Transfer** by emailing [procurementfoundation@firehousesubs.com](mailto:procurementfoundation@firehousesubs.com)
3. **Purchase** the equipment on Approved Quote #QUO028701 from Coro Medical
4. **Verify Purchase** by providing Firehouse Subs Public Safety Foundation with one of the following:
  - o Copies of paid invoices, verifying your organization's name as the customer and matching the vendor quote(s)
  - OR**
  - o A copy of the cleared check(s), verifying the payee and payment amount matches the vendor quote(s)
5. **Confirm Receipt of Equipment** by providing Firehouse Subs Public Safety Foundation with ALL SIGNED and DATED packing slips
6. In the event that the purchased equipment costs less than the dollar amount awarded, all excess funds must be returned to Firehouse Subs Public Safety Foundation
  - o Email [procurementfoundation@firehousesubs.com](mailto:procurementfoundation@firehousesubs.com) with notification of excess funds within 30 days of purchase
  - o Return Excess Funds within 90 days of purchase to Firehouse Subs Public Safety Foundation, Attention: Gina Brown, 12735 Gran Bay Parkway, Suite 150, Jacksonville, FL 32258
7. If purchases exceed funding, **City of Richland** is responsible for the additional amount

**VERY IMPORTANT: Deadline for submitted documentation is December 31, 2021.**

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Firehouse Subs Public Safety Foundation

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Date

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City of Richland Representative

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Date

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City of Richland Representative Name (Print)

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Date