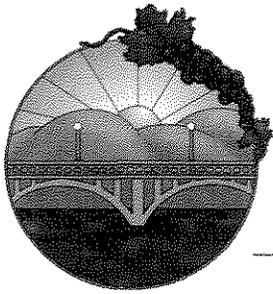


City of Prosser, WA
601 7th Street
Prosser, WA 99350

**CITY COUNCIL
WORK SESSION AGENDA
7:00 P.M.
TUESDAY, OCTOBER 7, 2014**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. MAYOR AND CITY COUNCIL REPORTS AND COMMENTS
 - a) Grant Writer Quarterly Report (*Sue Jetter, Grant Writer*)
 - b) Prosser Economic Development Association (PEDA) Quarterly Report (*Deb Heintz, Executive Director*)
5. PUBLIC HEARING
 - a.) 2015 Budget *Page 2*
 - ~ Open Public Hearing
 - ~ Receive Public Testimony
 - ~Close Public Hearing
6. DISCUSSION ITEMS
 - a.) E-Cigarette Ordinance (*Mayor*) *Page 3*
 - b.) Cost Recovery Direction (*Mayor*)
 - c.) 2015 Budget (*Regina Mauras, Finance Director*) (Document added to end of Packet) *Page 7*
7. ADD ON ITEMS
8. ADJOURNMENT



City of Prosser

City of Prosser, Washington
Public Hearing Notice
2015 Budget Hearings

Notice is hereby given by the undersigned City Clerk of the City of Prosser, Washington, that the Prosser City Council will conduct budget hearings on Tuesday, October 7, 2014 and Tuesday, October 28, 2014 at 7:00 p.m., or as soon thereafter as may be heard, for the purpose of receiving citizen comments and reviewing the proposed 2015 budget. The budget hearings will be held in the City Council Chambers, Prosser City Hall, 601 7th Street, Prosser, Washington.

All interested persons are encouraged to attend. No qualified individuals with a disability shall be excluded or denied the benefit of participation in the public hearing. If you require assistance to comment at the Public Hearing, please contact Prosser City Hall at (509) 786-2332 at least 7 days prior to the date of the Public Hearing to make arrangements.

Dated: September 23, 2014

A handwritten signature in cursive script that reads "Rachel M. Shaw".

Rachel Shaw, CMC
City Clerk

Publication Date: September 24 and October 1, 2014

ORDINANCE NO. 4158

AN ORDINANCE of the City of Pasco, Washington, Creating a New Chapter 6.10 "Smoking Regulations"; and Creating a New Section 9.48.245 "Smoking at or near Park Shelters, Playgrounds and Pools Prohibited"

WHEREAS, the voters of the State of Washington in 2005, by Initiative 901, directed smoking in public places be prohibited; and

WHEREAS, legislature in adopting the terms of Initiative 901, enacted Chapter 7.160 RCW prohibiting smoking in public places and in places of employment; and

WHEREAS, smoking consumption of tobacco products has been determined to be harmful to the health of not only the consumer, but those who may come in contact with second-hand smoke; and

WHEREAS, the Washington State legislature has further found that the protection of adolescent health requires a strong set of comprehensive health and law enforcement intervention, including prohibiting the purchase or possession of tobacco products by minors; and

WHEREAS, recent technology has broadened the use of harmful nicotine through e-cigarettes which converts liquid nicotine, which is a known neuro-toxin and highly addictive substance, into a chemically impregnated gas that is inhaled by the user simulating smoking, resulting in the discharge of nicotine impregnated gas; and

WHEREAS, to adequately provide a consistent policy for the regulation of the use of tobacco and nicotine-infused products, and for the health and safety of the citizens of the City of Pasco; **NOW, THEREFORE**,

THE CITY COUNCIL OF THE CITY OF PASCO, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. That a new Chapter 6.10 entitled "Smoking Regulations" of the Pasco Municipal Code, shall be and hereby is created and shall read as follows:

Chapter 6.10

SMOKING REGULATIONS

Sections:

- | | |
|----------|--|
| 6.10.010 | Smoking Prohibited in Public Places or Places of Employment. |
| 6.10.020 | Definitions. |
| 6.10.030 | Sale for Delivery to Minors. |
| 6.10.040 | Purchasing or Possession by a Minor Prohibited. |
| 6.10.050 | Required Signage. |
| 6.10.060 | Mechanical Sales of E-Cigarettes Restricted. |
| 6.10.070 | Penalties. |

6.10.010 SMOKING PROHIBITED IN PUBLIC PLACES OR PLACES OF EMPLOYMENT. No person may smoke in a public place or in any place of employment within the City.

6.10.020 DEFINITIONS. As used in this Chapter, the following terms have the meanings indicated.

A) "Electronic cigarette" or "e-cigarette" means an electronic device usually composed of a mouthpiece, a heating element or atomizer, a battery, and electronic circuits that provide a gas derived from liquid nicotine and/or other substances which is inhaled by the user simulating smoking. The term includes such devices, regardless of the details of the product appearance or marketed name, generally manufactured to resemble cigarettes, cigars, pipes, or other smoking devices.

B) "Liquid nicotine" means any liquid product composed either in whole or in part of nicotine, propylene glycol and/or other similar substances and manufactured for use with e-cigarettes or other devices to be converted into a gas for inhaling.

C) "Minor" means any person under eighteen (18) years of age.

D) "Person" means any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint stock association, limited liability company, limited partnerships, or other entity or business of any kind.

F) "Place of employment" means any area under the control of a public or private employer which employees are required to pass through during the course of employment, including, but not limited to entrances and exits to the places of employment, and including a presumptively reasonable minimum distance, as set forth in RCW 70.160.075, of twenty-five (25) feet from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited; work areas; restrooms; conference and classrooms; break rooms and cafeterias; and other common areas. A private residence or home-based business, unless used to promote licensed child care, foster care, adult care, or other similar social service care on the premises, is not a place of employment.

F) "Public place" means that portion of any building or vehicle used by and open to the public, regardless of whether the building or vehicle is owned in whole or in part by private persons or entities, the City of Pasco, or other public entity, and regardless of whether a fee is charged for admission, and includes a presumptively reasonable minimum distance, as set forth in RCW 70.160.075, of twenty-five (25) feet from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited. A public place does not include a private residence unless the private residence is used to provide licensed child care, foster care, adult care, or other similar social service care on the premises.

"Public places" include, but are not limited to schools, elevators, public conveyances or transportation facilities, museums, concert halls, theaters, auditoriums, exhibition halls, indoor sports arenas, hospitals, nursing homes, health care facilities or clinics, enclosed shopping centers, retail stores, retail service establishments, financial institutions, educational facilities, ticket areas, public hearing facilities, state legislative chambers and immediately adjacent hallways, public restrooms, libraries, restaurants, waiting areas, lobbies, bars, taverns, bowling

alleys, skating rinks, casinos, reception areas, and no less than seventy-five percent (75%) of the sleeping quarters within a hotel or motel that are rented to guests. A public place does not include a private residence. This chapter is not intended to restrict smoking in private facilities which are occasionally open to the public except upon the occasions when the facility is open to the public.

A) "Smoke" or "smoking" means the carrying or smoking of any kind of:

- 1) Lighted pipe, cigar, cigarette, or other lighted smoking equipment.
- 2) An electronic cigarette or e-cigarette, or other device that results in the discharge of a gas derived from liquid nicotine.

6.10.030 SALE FOR DELIVERY TO MINORS.

A) Every person who sells or gives, or permits to be sold or given, to any minor any cigar, cigarette, cigarette paper or wrapper, tobacco in any form, or electronic cigarette or other vapor product is guilty of a gross misdemeanor.

B) It shall be no defense to the prosecution for a violation of this section that the person acted, or was believed by the defendant to act, as agent or representative of another.

6.10.040 PURCHASING OR POSSESSION BY A MINOR PROHIBITED.

A) Any minor who purchases or attempts to purchase, possesses, or obtains or attempts to obtain cigarettes or tobacco products, or e-cigarettes, or their components, commits a class 3 civil infraction under Chapter 7.80 RCW, and is subject to a fine as set forth therein, or participation in up to four hours of community restitution, or both. The Court may also require participation in a smoking cessation program.

6.10.050 REQUIRED SIGNAGE.

A) Owners, or in the case of a leased or rented space, the lessee or other person in charge, of a place regulated under this Chapter, shall prohibit smoking in public places and places of employment and shall post signs prohibiting smoking as appropriate under this Chapter. Signs shall be posted conspicuously at each building entrance. In the case of retail stores and retail service establishments, signs shall be posted conspicuously at each entrance and in prominent locations throughout the place.

B) Any person selling, marketing, displaying, giving, or distributing tobacco products or e-cigarettes, or their components shall display a printed sign, posted so that it is clearly visible to anyone purchasing tobacco products, e-cigarettes, or their components. The sign must be in contrasting colors and at least 20-point type, and must read substantially as follows:

"IF YOU ARE UNDER 18, YOU COULD BE SUBJECT TO PENALTY FOR PURCHASING TOBACCO PRODUCTS, E-CIGARETTES, OR RELATED DEVICES OR THEIR COMPONENTS. THE SALE OF TOBACCO PRODUCTS, E-CIGARETTES, OR RELATED DEVICES OR THEIR COMPONENTS TO PERSONS UNDER THE AGE OF 18 IS STRICTLY PROHIBITED - PHOTO ID IS REQUIRED."

6.10.060 MECHANICAL SALES OF E-CIGARETTES RESTRICTED. No person shall sell or permit to be sold e-cigarettes, or their components, through any device that mechanically dispenses such products unless the device is located fully within premises from which minors are prohibited, and in a location not less than ten (10) feet from all entrances or exit ways to and from the premises.

6.10.070 PENALTIES.

A) Any person intentionally violating this Chapter by smoking in a public place or place of employment, or any person removing, defacing, or destroying a sign required by this Chapter, is subject to a civil fine of up to one hundred dollars (\$100.00).

B) Every person violating Section 6.10.030, is guilty of a gross misdemeanor.

C) Violation of any provision of this Chapter by a minor shall be a class 3 civil infraction under PMC 1.02. Violation of any provision of this Chapter other than as provided above, by anyone other than a minor, shall be a class 1 civil infraction. Each violation is a new and separate offense.

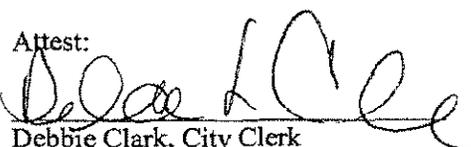
Section 2. That a new Section 9.48.245 entitled "Smoking in Parks Prohibited" of the Pasco Municipal Code shall be and hereby is created and shall read as follows:

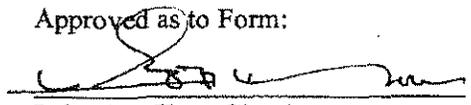
9.48.245 SMOKING AT OR NEAR PARK SHELTERS, PLAYGROUNDS AND POOLS PROHIBITED. Smoking, as defined by PMC 6.10.020 and tobacco use is prohibited at or within twenty five (25) feet of the perimeter of all park shelters, playgrounds (including water playgrounds) or swimming pools.

Section 3. This Ordinance shall take full force and effect five (5) days after its approval, passage and publication as required by law.

PASSED by the City Council of the City of Pasco, Washington, and approved as provided by law this 19 day of May, 2014.


Matt Watkins, Mayor

Attest:

Debbie Clark, City Clerk

Approved as to Form:

Leland B. Kerr, City Attorney



CITY OF PROSSER
Finance Department

2015 General Fund Summary
Discussion for October 7, 2014

GENERAL FUND	2014 ADOPTED BUDGET	2015 PROPOSED BUDGET	CHANGES
Revenues	\$4,573,932	\$4,701,072	\$127,001
Expenditures	\$4,549,479	\$4,669,030	\$119,551
Budgeted Surplus	\$ 24,453	\$ 32,042	

REVENUE CHANGES	2014 ADOPTED BUDGET	2015 PROPOSED BUDGET	CHANGES
Property Taxes	\$ 998,328	\$1,022,195	\$ 23,967
Sales Tax	\$1,050,000	\$1,185,853	\$135,853
Shoreline Grant	\$ 25,000	0	(\$25,000)

EXPENDITURE CHANGES	2014 ADOPTED BUDGET	2015 PROPOSED BUDGET	CHANGES
Salaries & Benefits	\$2,340,381	\$2,516,655	\$176,274
Maintenance & Operations	\$1,840,397	\$1,853,024	\$ 12,627
Other	\$368,700	\$299,349	(\$69,351)



2015 General Fund Summary
Discussion for October 7, 2014

CITY OF PROSSER
 Finance Department

Changes in Salaries & Benefits:

City Administrator (2 Months)	\$24,744
2% COLA	\$32,736
Non-Union Support Staff	\$21,578
New PT Front Office Support (Hired in 2014)	\$30,490
Police Department Overtime	\$14,904
Increase in Health Care Benefits	\$ 5,729
Increase in PERS	\$29,372
Increased Hours for Lifeguards	\$ 6,060
Vacation Buy Back Computation Adjustment	\$ 9,785

Changes in Maintenance & Operations:

City Administrator Search	\$20,000
Judicial/Legal Fees	\$10,000
Insurance	\$ 3,220
Training / Travel Finance Department	\$ 3,500
Custodial – Communications	(\$3,000)
Custodial – Repairs & Maintenance	(\$5,000)
IT – Various	(\$4,870)
Police – Various	\$ 6,259
Protective – Various	\$ 2,500
Planning – Shoreline	(\$25,000)
HDPA	\$ 5,000

Changes in “Other”

Capital Expenditure – Laserfishe	\$ 6,250
Transfer to CJ Fund – Last payment – 2013 Loan	(\$52,667)
Transfer to Street Fund	(\$15,000)



2015 General Fund Summary
Discussion for October 7, 2014

Department Manager Requests that are included in the General Fund Budget

Budget Requests	Description	Amount
City Administrator	(2 Months Salaries & Benefits)	\$24,744
City Administrator Search	Cost of looking for, interviewing & hiring new administrator	\$20,000
Repay Criminal Justice Fund	This is to repay City's matching portion of USDA police car grant. \$30,000 is designated to come out of "Fund Balance" and the balance is come out of Operations.	\$39,566
Non-Union Support Staff	A 10% Salary increase is given to Non-Union Employees to realign salaries closer to State-wide average. This also, re-aligns step increases accordingly.	\$21,578
Legal Services	Increasing the cost of legal services from \$90 to \$120. Rates have not been increased since 1995.	\$10,000
Asset Tracking System	Allows for electronic Tracking of Inventory & Assets	\$1,417
Laserfische	Supports the creation, maintenance & destruction of City Records.	\$6,250
2% COLA	A 2% COLA increase is considered for all employees.	\$32,736



Department Manager Requests **Cut** from the Budget

Budget Requests	Description	Amount
Staff Training – Finance	With increased rules and regulations, software updates, etc. Finance Staff requested an increase in Training & Travel. A Portion of that was allowed.	\$8,414
Security Camera Install	Update & add additional cameras at the Police Department and at EJ Miller Park. Will be funded out of PSST Funds in 2016.	\$9,000
Electric Vehicle Charging Station	Installation of an EV Station that will attract EV owners to plan trips to Prosser. The charging station would be installed at the Depot Parking lot.	\$5,000
Police Cars (2)	Purchase of these two vehicles would allow replacement of older vehicles. This will allow for vehicles to be changed out regularly.	\$93,000
IT Reserve Fund	To establish a Reserve Account for the Replacement of IT Items not accounted for in the operating budget.	\$10,000
Vehicle Replacement Reserve Fund	To establish a Reserve account for replacement of vehicles.	\$15,000
Street Fund	One time only transfer to assists in the Street Fund to cover one time only expenditures it is unable to cover	\$10,000
Chipper	This expense was to be shared 50/50 with Parks and Streets. We currently use the County’s chipper when it is available. \$40,000.	\$20,000
Part Time Employee	This position is to be shared with Parks/Streets. \$56,144	\$28,072
Life Insurance	The employees of Prosser are not offered Life Insurance. This would cover each employee up to their annually salary rounded up.	\$3,061



2015 General Fund Summary
Discussion for October 7, 2014

CITY OF PROSSER
 Finance Department

Debt Service: NO NEW DEBT TO BE ISSUED IN 2015

Loan	Completion Date	2015 Beginning Balance	Principal	Interest	2015 Ending Balance
Village Park LID	12/2032	\$22,423	\$915	\$785	\$21,508
Fire Station	12/2015	\$152,000	\$152,000	\$6,384	\$ 0
Pool	12/2035	\$1,645,000	\$50,000	\$77,463	\$1,595,000
Total General Fund Debt		\$1,819,423	\$202,915	\$84,632	\$1,616,508

Reserve Funds:

Name	2015 Beginning Balance	2015 Activity	2015 Ending Balance
Municipal Capital Improvements (REET) 1)	\$145,884	\$27,600	\$173,484
General Fund Reserve	\$233,916	\$ 6,500	\$240,416
City Facilities Reserve	\$ 24,805	\$ 500	\$ 25,305
Employee Benefits Security (LEOFF) 1)	\$ 27,408	\$ 400	\$ 27,908
Parks Reserve	\$ 5,000	0	\$ 5,000
Hotel/Motel 1)	\$ 50,144	(\$31,380)	\$ 18,764
Tourism Promotion Area (TPA) 1)	\$ 13,439	(\$ 2,400)	\$ 11,039
Public Safety Program Enhancement 1)	\$ 26,338	\$ 10,500	\$ 36,838
Drug Enforcement Fund	\$ 12,701	\$ 50	\$12,751
Police Investigation Funds	\$ 44,913	\$ 350	\$45,263
Criminal Justice Funds 1)	\$963,939	\$110,036	\$1,073,975
Public Safety Sales Tax (PSST) 1)	\$ 0	\$ 22,058	\$22,058

1) Required Segregation by Funding Source.