

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

CITY COUNCIL
REGULAR MEETING AGENDA
7:00 P.M.
TUESDAY, SEPTEMBER 9, 2014

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. CITIZEN PARTICIPATION
5. MAYOR AND CITY COUNCIL REPORTS AND COMMENTS
6. CLOSED RECORD DECISION HEARING

a.) 1401 Kinney Way Rezone

~ Open Public Hearing
~Close Public Hearing

7. COUNCIL ACTION

- a.) Consideration of ORDINANCE Rezoning Property Located at 1401 Kinney Way from Steep Slope Residential (SSR) and Residential Low Density (RL) to Residential Medium Density (RM) *Page 4*

RECOMMENDATION: Adopt ORDINANCE 14-_____ rezoning property located at 1401 Kinney Way from Steep Slope Residential (SSR) and Residential Low Density (RL) to Residential Medium Density (RM).

8. CONSENT AGENDA

- a. Approve Payment of Payroll Checks Nos. 600167 through 600207 in the Amount of \$45,867.42 and Direct Deposits in the Amount of \$104,260.06, for the Period Ending August 29, 2014 *Page 36*

The first Ordinance passed will be Ordinance 14-2904
The first Resolution passed will be Resolution 14-1464

- b. Approve Payment of Claim Checks Nos. 11156 through 11165 and 11167 through 11231, in the Amount of \$349,261.43 and Electronic Payments in the Amount of \$88,758.98, for the Period Ending September 9, 2014..... *Page 39*
- c. Accept Monthly Report by Prosser Economic Development Association for the Month of August 2014 and Authorize Payment for those Services in the Amount of \$2,166.66 and Authorize Payment in the Amount of \$1,416.67 for Grant Writer Services *Page 49*
- d. Approve Progress Bill No. 4 in the Amount of \$11,388.00 for work Performed by HLA, Inc., through July 31, 2014, for Preliminary Engineering and Design on the Old Island Empire Highway Improvements Project and Authorize the Mayor to Sign the Contract..... *Page 52*
- e. Approve Energy Services Authorization Agreement No. 2015-056(A), between the City of Prosser and Apollo Solutions Group, in the Amount of \$20,000.00 and Authorize the Mayor to Sign the Documents *Page 59*
- f. Approve the amended July 13, 2010 Meeting Minutes *Page 64*
- g. Approve the amended November 23, 2010 Meeting Minutes *Page 69*
- h. Approve the amended February 14, 2012 Meeting Minutes *Page 73*
- i. Approve the amended February 11, 2014 Meeting Minutes *Page 79*
- j. Approve July 1, 2014 Meeting Minutes *Page 82*
- k. Approve July 8, 2014 Meeting Minutes *Page 85*
- l. Approve July 22, 2014 Meeting Minutes *Page 89*

9. COUNCIL ACTION

- a.) **Approve Payment of Claim Check No. 11166 in the Amount of \$61,375.30, for the Period Ending September 9, 2014..... *Page 95***

RECOMMENDATION: Approve Payment of Claim Check No. 11166 in the Amount of \$61,375.30, for the Period Ending September 9, 2014.

- b.) **Consideration of Addendum No. 1 to Task Order No. 2013-01, between the City of Prosser and HLA, Inc., for the Zone 2.5 Water Supply Improvements Project – Telemetry System Improvements *Page 97***

*The first Ordinance passed will be Ordinance 14-2904
The first Resolution passed will be Resolution 14-1464*

RECOMMENDATION: Approve Addendum No. 1 to Task Order No. 2013-01, between the City of Prosser and HLA, Inc., for the Zone 2.5 Water Supply Improvements Project – Telemetry System Improvements, and authorize the Mayor to Sign the Documents.

- c.) **Consideration of Task Order No. 2014-01, between the City of Prosser and HLA, Inc., for the City’s Water System Plan Update Project in an Amount not to Exceed \$86,000.00 Page 112**

RECOMMENDATION: Approve Task Order No. 2014-01, between the City of Prosser and HLA, Inc., for the City’s Water System Plan Update Project in an amount not to exceed \$86,000.00, and authorize the Mayor to Sign the Documents.

10. COUNCIL DISCUSSION

- a.) **Discuss Proposed Ordinances Amending the 2014 Budget, Adopting Agreements, and Creating Several Project Funds..... Page 116**

11. ADD ON ITEMS

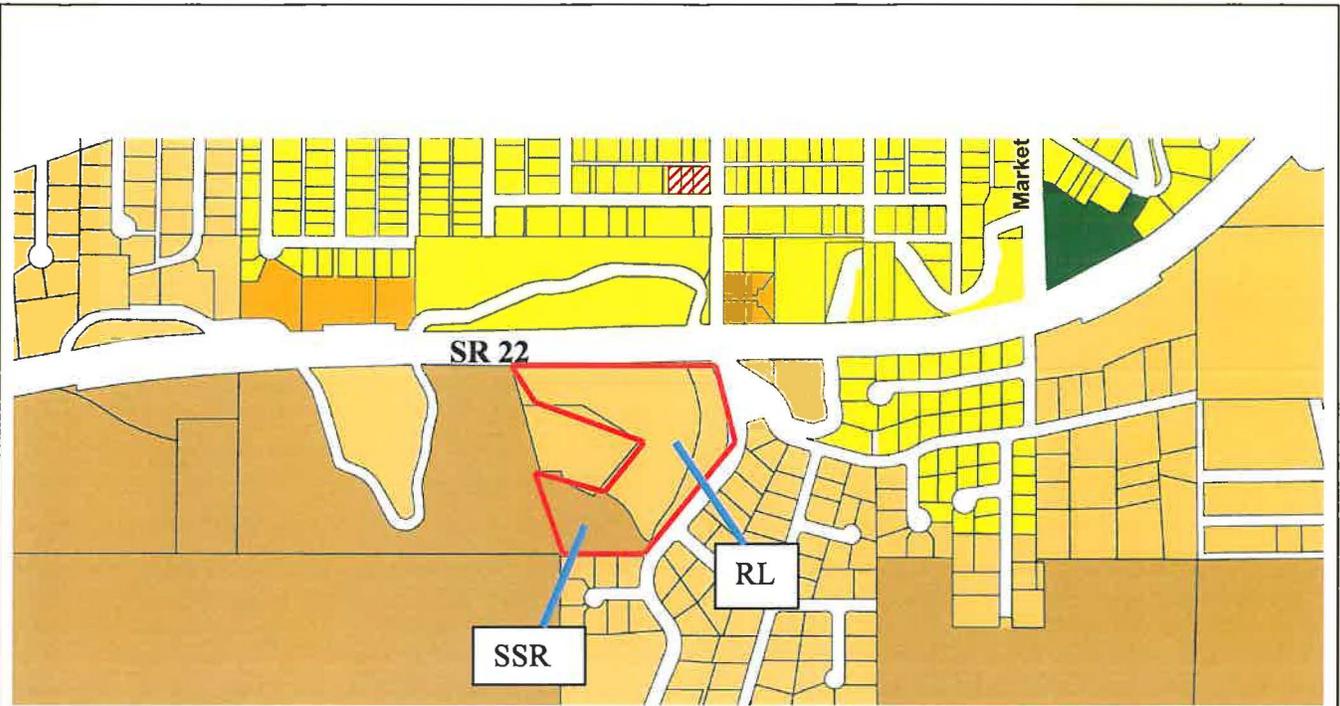
12. ADJOURNMENT

*The first Ordinance passed will be Ordinance 14-2904
The first Resolution passed will be Resolution 14-1464*

CITY OF PROSSER, WASHINGTON

AGENDA BILL

Agenda Title: Consideration of Proposed Ordinance Rezoning property located at 1401 Kinney Way from Steep Slope Residential (SSR) and Residential Low Density (RL) to Residential Medium Density (RM)		Meeting Date: September 9, 2014 Regular Meeting	
Department: Planning	Director: Steve Zetz	Contact Person: Steve Zetz	Phone Number: (509) 786-2332
Cost of Proposal: NA			Account Number:
Amount Budgeted: NA			Name and Fund#
Reviewed by Finance Department: <i>August</i>			
Attachments to Agenda Packet Item:			
<ol style="list-style-type: none"> 1. Public Hearing Notice 2. Application 3. SEPA Checklist 4. Letter from Engineer 5. MDNS 6. Comment Letters 7. Planning Commission Findings 8. Maps 9. Ordinance 14-_____ 			
Summary Statement:			
<p>Applicant has requested a rezone of property having the common address of 1401 Kinney Way. Currently the parcel has two zoning designations, Residential Low Density (RL) and Steep Slope Residential (SSR). Applicant has requested that the entire parcel be zoned Residential Medium Density (RM).</p>			



The proposed rezone is consistent with the Comprehensive Plan. A letter from an engineer has been submitted verifying that the portion zoned SSR is adequate for the rezone and potential development under Residential Medium.

Comment letters were submitted to the City. Comments were reviewed and a Mitigated Determination of Non-Significance was issued. The mitigation measure requires appropriate studies based on a development application to address environmental and safety concerns.

Hearing Type: Quasi-Judicial

This is a quasi-judicial hearing. This means that the hearing must not only be fair but appear to be fair. If you have had any ex parte contact with the applicant or anyone, other than City Staff, then you must disclose that contact and the nature of that contact. In the event that you have already made up your mind regarding the subject of this hearing and cannot rely on the evidence presented to make that decision, then you must disclose that fact. In the event that conflicts would prevent a quorum from making a decision in this matter, then, under the doctrine of necessity, you would be able to hear this matter notwithstanding any conflicts. Do you have any conflicts? Does any member of the public believe that any member has a conflict?

Consistent with or Comparison to:

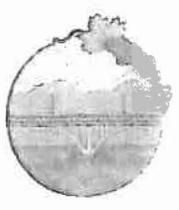
EXISTING ADOPTED OR PREVIOUS PLANS, POLICIES OR ACTIONS TAKEN BY THE COUNCIL

Recommended City Council Action/Suggested Motion:

Follow the Planning Commission recommendation and approve Ordinance 14-_____ Rezoning property located at 1401 Kinney Way from Steep Slope Residential (SSR) and Residential Low Density (RL) to Residential Medium Density (RM)

<u>Reviewed by Department Director:</u>  Date:	<u>Reviewed by City Attorney:</u>  Date: 8/27/14	<u>Approved by Mayor:</u> Acting CA  Date: 9/4/14
<u>Today's Date:</u> August 27, 2014	<u>Revision Number/Date:</u>	<u>File Name and Path:</u>

FILE COPY



City of Prosser NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN by the undersigned City Clerk of the City of Prosser, Washington, that the City Council will hold a Public Hearing on September 9, 2014 at 7:00 p.m., or as soon thereafter as possible, in the City Council Chambers, City Hall, 601 7th Street, Prosser, Washington, for the purpose of receiving public comment on a proposed rezone for property located at 1401 Kinney Way from Steep Slope Residential (SSR) and Residential Low Density (RL) to Residential Medium Density (RM). The City Hall Council Chambers is wheelchair accessible. American with Disabilities Act (ADA) accommodations are available upon request to the City Clerk at least 2 days in advance by calling (509) 786-2332.

All available information and related documents for the application may be viewed at the City Clerk's Office, located at Prosser City Hall, 601 7th Street, Prosser, Washington, between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday, excluding official holidays or may be viewed at www.cityofprosser.com.

The person(s) receiving this notice may request a copy of the final decision in this matter.

The final decisions may be appealed in accordance with the Land Use Petition Act (RCW 36.70C).

Dated: August 22, 2014

Rachel Shaw, CMC
City Clerk
City of Prosser

Published: Prosser Record Bulletin
Publish Date: August 27, 2014



\$1000 = Deposit

LAND USE ZONING & PERMIT APPLICATION CITY OF PROSSER, WASHINGTON

APPLICANT'S NAME Warden, Kerry

PROJECT NAME Sunset Hills

PARCEL INFORMATION (Include all parcel(s) information. Attach additional sheets, if necessary.)

Project Address: 1401 S. Kinney, Prosser, WA 99350
(Leave blank if not assigned)

Parcel Number (Property Tax Account Number) ~~786-001~~ 11841000025003

Legal Description: Section 11, Township 8 North, Range 24 East

PROPERTY OWNER INFORMATION

Name: Paul + Kerry Warden

Address: 1401 S. Kinney Way City: Prosser State: WA Zip: 99350

Phone: 509-303-0355, 786-001 Cell Phone: Same

Email: pwarden53@gmail.com (email will not be used for transmittal of official findings)

OWNERS AUTHORIZED AGENT:

Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Cell Phone: _____

Email: _____ (email will not be used for transmittal of official findings)

PROJECT INFORMATION

- | | |
|--|---|
| <input type="checkbox"/> Site Review | <input type="checkbox"/> Conditional Use (requires Conditional Use form LUA-S1) |
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Variance (requires Variance request form LUA-S2) |
| <input checked="" type="checkbox"/> Change of Zone | <input type="checkbox"/> Similar Use |
| <input type="checkbox"/> Accessory Dwelling Unit | <input type="checkbox"/> Encroachment |
| <input type="checkbox"/> Overlay Zone | <input type="checkbox"/> Adult Family Home |
| <input type="checkbox"/> Right-of-Way Use Permit | <input type="checkbox"/> Continuation and/or Minor Alteration of Non-Conforming Use |
| <input type="checkbox"/> Other | <input checked="" type="checkbox"/> SEPA |

PROJECT DESCRIPTION _____

City of Prosser
601 7th Street
Prosser WA 99350
(509) 786-2332

PLEASE ATTACH THE REQUIRED VICINITY MAP

ESTIMATED PROJECT VALUATION: \$ _____

CONTRACTOR INFORMATION

Company Name: Paul + Kerry Warden Email: kerrywarden@gmail.com
 Contact Person: Kerry Warden Contact Phone: 504 303-0355
 Address: 1401 S. Kinney Way City: Prosser State: VA Zip: 99350
 Contractor's Registration No.: None Expiration Date: _____

I, the undersigned, do hereby certify that, to the best of my knowledge, the information on this application and other submitted information is true and correct. In addition, I understand that acceptance of this application and fees does not constitute submittal of a valid application until so informed by the City. I have attached, enclosed, or submitted the applicable fees for this application.

Kerry Warden _____ Date _____ Paul Warden _____ Date _____
 Applicant Signature Owner Signature

If the property owner is other than an individual such as a corporation, partnership or agency, please provide proof of signatory authorization.

<p>SITE REVIEW <u>Application must include the following.</u></p> <ol style="list-style-type: none"> Critical Areas Worksheet Proof of Legal Lot Proof of ownership or authority 25 year Storm Water Calculations stamped by an engineer Site Plan Drawing which shows.... <ul style="list-style-type: none"> <input type="checkbox"/> All existing and proposed lot lines. <input type="checkbox"/> The location of all existing structures to remain and the location of all proposed structures. <input type="checkbox"/> The location of all utilities proposed to be used. <input type="checkbox"/> The proposed number and location of water meters. <input type="checkbox"/> The location of all solid waste receptacle areas. <input type="checkbox"/> The method of handling storm water removal. <input type="checkbox"/> All easements and right-of-ways. <input type="checkbox"/> All off-street parking and loading areas. <input type="checkbox"/> All driveway locations. <input type="checkbox"/> All landscaping, outdoor lighting and fencing.. <input type="checkbox"/> A north arrow. <input type="checkbox"/> Scale of drawing 	<p>Deposits are required at the time an application is submitted. You will still get a monthly bill for actual costs incurred. Your deposit will not be refunded until the project has closed.</p> <table> <tr><td>SITE REVIEW</td><td>\$500.00 Deposit</td></tr> <tr><td>VARIANCE</td><td>\$500.00 Deposit</td></tr> <tr><td>SITE REVIEW</td><td>\$500.00 Deposit</td></tr> <tr><td>SEPA</td><td>\$500.00 Deposit</td></tr> <tr><td>ANNEXATION</td><td>\$500.00 Deposit</td></tr> <tr><td>ZONE CHANGE</td><td>\$1000.00 Deposit</td></tr> <tr><td>CONDITIONAL USE</td><td>\$500.00 Deposit</td></tr> </table>	SITE REVIEW	\$500.00 Deposit	VARIANCE	\$500.00 Deposit	SITE REVIEW	\$500.00 Deposit	SEPA	\$500.00 Deposit	ANNEXATION	\$500.00 Deposit	ZONE CHANGE	\$1000.00 Deposit	CONDITIONAL USE	\$500.00 Deposit
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VARIANCE	\$500.00 Deposit														
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SEPA	\$500.00 Deposit														
ANNEXATION	\$500.00 Deposit														
ZONE CHANGE	\$1000.00 Deposit														
CONDITIONAL USE	\$500.00 Deposit														

CITY USE ONLY

RECEIVED BY _____ DATE _____

APPROVED BY _____ DATE _____

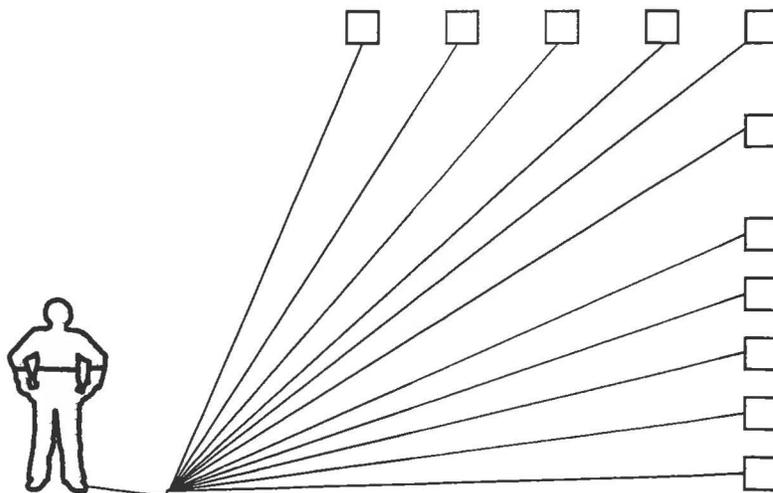
RETURNED BY _____ DATE _____

REASON FOR APPLICATION RETURN _____

CRITICAL AREAS WORKSHEET			
Is there any standing or running water on the surface of the property or on any adjacent property at any time during the year?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Does the site have steep slopes with little to no vegetation?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has any portion of the property or any adjacent property ever been identified as a wetland or swamp?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Does the site contain high percentages of silt and/or very fine sand?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are any willows, skunk cabbage, alders, cottonwoods, or cattails present on your property or adjacent properties?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Does the site contain ground water seepage or springs near the surface of the ground?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there any indications of any portion of the property or on any adjacent property of rockslides, earthflows, mudflows, landslides, or other slope failure?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Please indicate which line best represents the steepest slope found on your property. (Check appropriate slope percentage box and mark correct box on diagram). <input checked="" type="checkbox"/> 0%-5% <input type="checkbox"/> 5%-10% <input type="checkbox"/> 10%-15% <input type="checkbox"/> 15%-20% <input type="checkbox"/> 20%-25% <input type="checkbox"/> 25%+	
Are there any fish and wildlife habitat conservation areas on or adjacent to the property?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is the land development within an Aquifer Recharge Area?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Please describe the site conditions for any "yes" answers:			
Who prepared this information? <input checked="" type="checkbox"/> <u>Ken Ward</u>			

How to Determine the Slope of a Hillside

The slope is considered the vertical ↑ measure as it relates to the horizontal → measure. For example, if a slope has a rise of one foot over a four foot horizontal distance, the slope would be 1:4 or a 25% slope (1÷4).





New Parcels

1-1184-100-0025-003

1-1184-200-0011-002

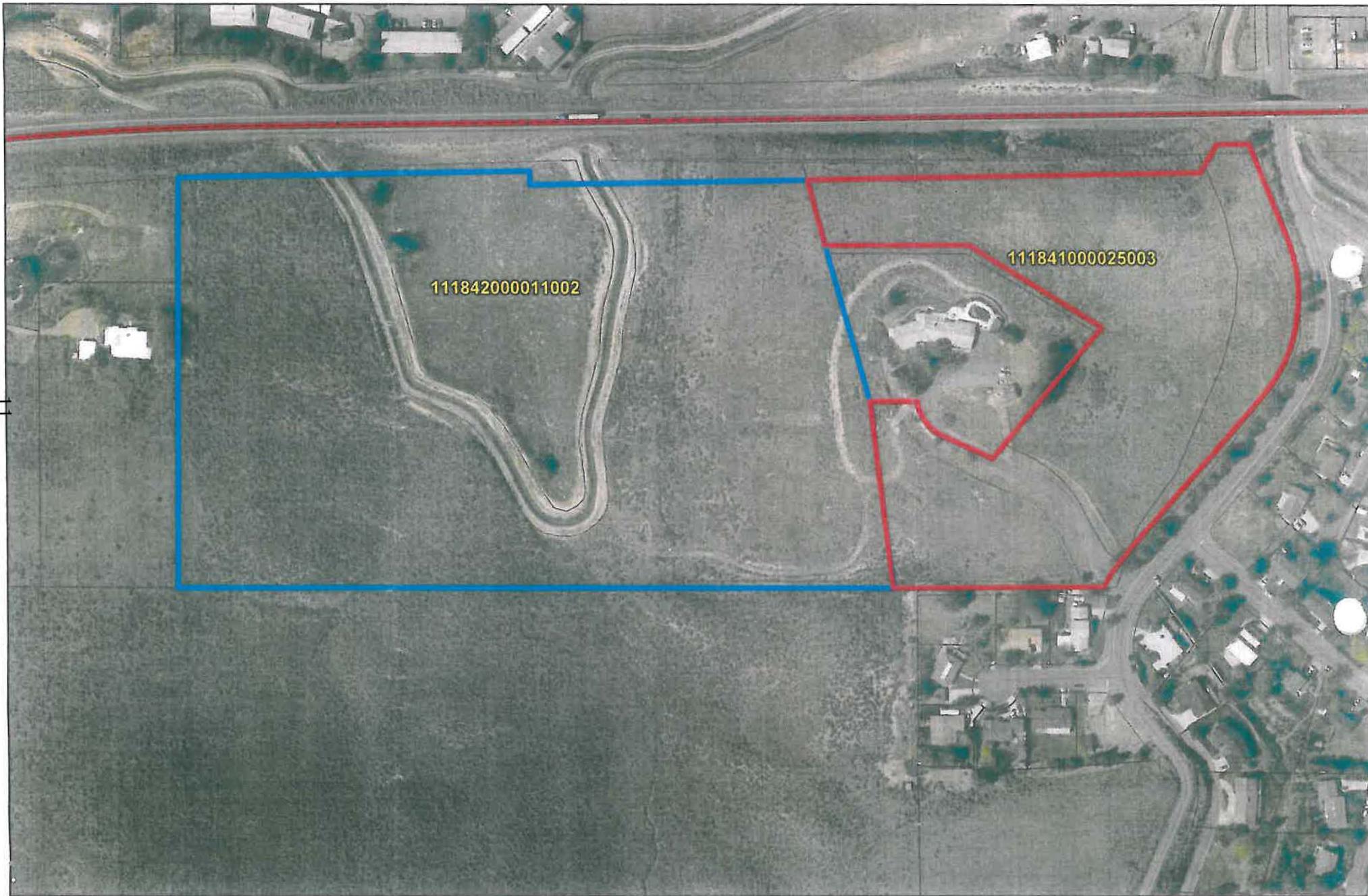
Original parcels not drawn correctly, this is how the finished parcels should look.

No Scale

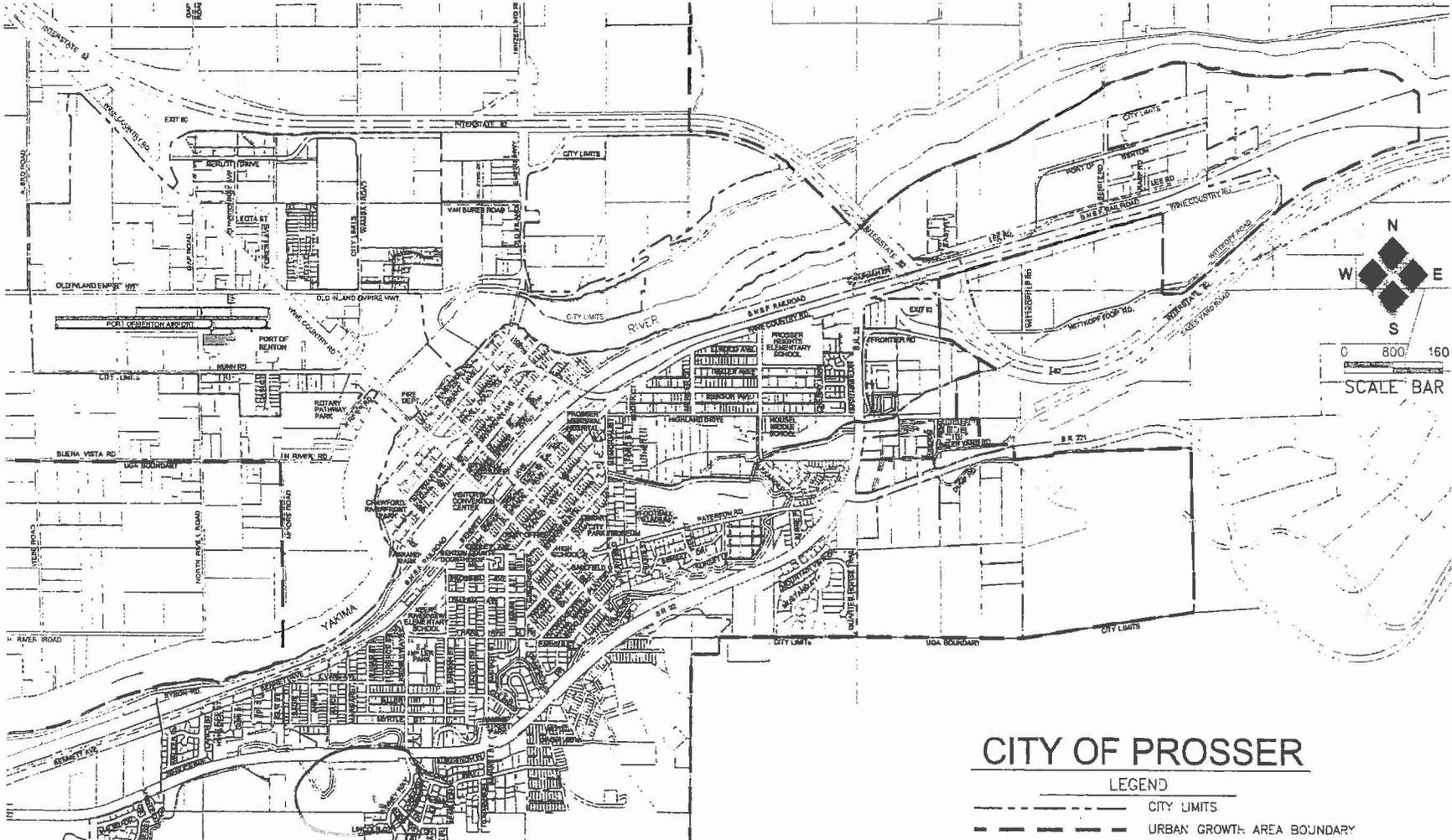
Printed on 3/27/2014

Ortho Flown: 2012

Benton County does not warrant, guarantee, or accept liability for accuracy, precisi- completeness of any information shown hereon or for any inferences made therefr use made of this information is solely at the risk of the user. Benton County makes warranty, expressed or implied, and any oral or written statement by any employee



City of Prosser Vicinity Map



Please circle the area of your proposed project

WAC 197-11-960 Environmental checklist.

ENVIRONMENTAL CHECKLIST

Purpose of checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

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.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable: *Sunset Hills - Warden Property*
2. Name of applicant: *Kerry Warden*
3. Address and phone number of applicant and contact person:
1401 S. Kinney Way, Prosser, WA 99350
509.303.0355 or 509.786.0071
4. Date checklist prepared: *4-29-2014*
5. Agency requesting checklist: *City of Prosser*
6. Proposed timing or schedule (including phasing, if applicable):
May-June 2014
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. *Yes. Plans to subdivide subject parcel and develop infrastructure + residential lots.*

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

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.

No

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

Application for zoning change to City of Prosser-Submitted

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.)

To change subject parcel from RL-Residential Low Density to RM-Residential Medium 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.

1401 S. Kinney Way, Prosser, WA Parcel #111841000025003

TO BE COMPLETED BY APPLICANT

EVALUATION FOR
AGENCY USE ONLY

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other

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

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

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

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

15. **Public services**

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

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

16. **Utilities**

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: *Kenny Warden, Paul Warden*

Date Submitted: *4-29-14*

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(do not 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?

At the time development, impacts will be identified and mitigated.

Proposed measures to avoid or reduce such increases are:

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

This proposal is a rezoning. There is an increase in potential density which may or may not occur. At time of development impacts

Proposed measures to protect or conserve plants, animals, fish, or marine life are: *would be identified.*

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

Would not deplete energy or natural resources

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

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?

The rezoning does not impact sensitive areas. At time of development impacts would be identified through the SEPA process.

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

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?

No affect on shorelines or land use policies

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

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

Because there is a potential increase in density the impacts would likely be reduced by decreasing sprawl + trip distance

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

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

This proposal is consistent with the Prosser Comprehensive Plan and Land Use designations.

City of Prosser Planning Department,

A segregation was done on Parcel #11184200001002 removing a flat portion of the property from that parcel. The main property remaining in the parcel became #11184200001003. Parcel #11184000025001 had a consolidation done to take in the flat portion of the property removed from parcel #11184200001002. The new parcel number is now 11184000025003.

The zoning of the parcel segregated is steep slope. The portion of property was added to a parcel zoned for Res Low. The section of property removed from the steep slope property needs to be rezoned to Residential Medium.

The topography of the area proposed is adequate to accommodate parcels of 7,500 square feet or more for the purpose of constructing single family dwelling units. There are no critical areas or slopes that are greater than 15%.

The proposed area is adequate to construct infrastructure necessary to accommodate the densities and uses of Residential Medium Density (RM) to include storm water retention, street lights, streets, curbing, sidewalk and utilities.

Kelby Johnson P.E.



EAP 2/10/12



**City of Prosser
Washington
Mitigated Determination of Non-significance (DNS).**

Description of proposal: Rezone

Proponent: Kerry Warden

Location of proposal: 1401 Kinney Way

Lead Agency: City of Prosser

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 period for this DNS.

This MDNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted by _____.

Responsible Official: Steve Zetz
Position/Title: City Planner
Address: 601 7th Street, Prosser, WA
Date: August 21, 2014

X  _____

You may appeal this determination to _____ by sending your written comments

Prosser City Hall, 601 7th Street, Prosser, WA. 99350 (509) 786-2332 no later than _____. You should be prepared to make specific factual objections. Contact Prosser City Hall to read or ask questions about the procedures for SEPA appeals.

There is no agency appeal



FILE COPY

**CITY OF PROSSER, WASHINGTON
MITIGATION MEASURES
PROJECT NAME: Rezone 1401 Kinney Way
Address: 1401 Kinney Way
Issued Date: August 21, 2014**

1. Any critical area issues present on or near the site would have to be evaluated and mitigated at the time of development.

This mitigation measure is necessary to ensure the safety of the traveling public and is necessary to meet the goals as stated in PMC 16.08.130(d)(1)(a)(b)(c)(d) and (f).

EFFECTIVE DATE: August 21, 2014

A handwritten signature in blue ink, appearing to read 'Steve Zetz', is written over a horizontal line.

Steve Zetz, City Planner
City of Prosser

The date 'August 21, 2014' is handwritten in blue ink over a horizontal line.

Date

**CITY OF PROSSER, WASHINGTON
601 7th Street Prosser WA 99350
(509)786-2332**



**Washington State
Department of Transportation**

Lynn Peterson
Secretary of Transportation

South Central Region
2809 Rudkin Road
Union Gap, WA 98903-1648
509-577-1600 / FAX: 509-577-1603
TTY: 1-800-833-6388
www.wsdot.wa.gov

July 29, 2014

RECEIVED
AUG 04 2014
CITY OF PROSSER

City of Prosser
601 7th Street
Prosser, WA 99350

Attention: Rachel Shaw, City Clerk

Subject: Kerry Warden Rezone
SR 22 milepost 34.1 right

We have reviewed the proposed rezone and have the following comments.

- The proposed rezone is adjacent to State Route 22 (SR 22), a partially-controlled limited access facility with a posted speed limit of 55 miles per hour. WSDOT has acquired all access rights to the highway. Private direct access is restricted solely to deeded approach and public at-grade intersections. No access to SR 22 via the subject property is allowed.
- Stormwater and surface runoff generated by the project must be retained and treated on site and not allowed to flow onto WSDOT right-of-way.

Thank you for the opportunity to review and comment on this proposal. If you have any questions regarding our comments, please contact Rick Holmstrom at (509) 577-1633.

Sincerely,

Paul Gonseth, P.E.
Planning Engineer

PG: rh/jjp

cc: File #2, SR 22
Tom Lenberg, Area 3 Maintenance Superintendent

July 29, 2014

Prosser City Clerk
Prosser City Hall
601 7th Street
Prosser, WA 99350

AUG 07 2014
CITY OF PROSSER

Re: File No.: **REZONE**
Parcel: **1-1184-100-0025-003**
Landowners: **Paul Warden and Kerry Warden**

Greetings:

This office has reviewed the proposed project. Sunnyside Valley Irrigation District (SVID) has the following comment:

1. SVID does not have facilities within the parcel for development.

Thank you for the opportunity to comment on this proposed project. If you have any questions, please feel free to contact Tinker Kouyian at (509) 837-6980 or Kouyiant@SVID.org.

Sincerely,



Ron C. Cowin, P.E.
Assistant Manager – Engineering

Allan Korvola
PO Box 906
Prosser, WA 99350-0906
August 5, 2014

RECEIVED
AUG 06 2014
CITY OF PROSSER

Prosser City Clerk
601 7th Street
Prosser, WA 99350

Re: Rezone Application of Kerry and Paul Warden, 1401 Kinney Way, Prosser, Parcel No.
111841000025003

I am taking this opportunity to express some comments on the proposed rezone. Hopefully some serious thought and consideration will be given to my comments, especially those concerning the northern boundary of the parcel encompassing the vertical land cut bordering SR 22.

If one is traveling west on SR 22, from the Market Street intersection until one passes the noted Parcel, the lay of the land is steep. If one is traveling east on SR 22, from where the SVID canal crosses SR 22 until one passes most of the noted Parcel, the lay of the land is steep.

I am aware that an engineer has stated that the designations of low and high can be averaged into medium. However, changing the designations to an average of the two cannot change the physical topography of the land. In fact, changing any designation of land does not alter the actual physical topography. A case in point is a statement made by Nikki Morgan, a Benton County Assessor, under oath in a legal hearing that our parcel "was totally flat". Her statement was accepted as legal fact when made; however, when we decided to place a combination carport/storage shed on this "flat land" we had to separate the two and change locations because her statement did not change the topography of our land and the location was not acceptable to Mr. Barry Morrow, Prosser Building Inspector, per required setbacks from the toe of a slope.

Our main concern is the northern boundary and attributes thereof. The northern boundary is almost entirely a vertical cut of land bordering SR 22. It ranges from a few feet in height at its boundary with Old Road 11 to approximately 55 feet at maximum height, with an average height of approximately 35 feet. In the 40 years that we have lived across from this boundary we have witnessed water sewage and dirt erosion on this vertical cut. Indications this sewage and erosion is evident to the naked eye.

It is possible that this boundary could be basically stable, if undisturbed, for another 40 years with only a minimum of water sewage and/or earth erosion. However, it is also possible that this could be the site of Prosser's mini-Oso Slide. The land between the northern boundary and the applicant's residential property is currently sagebrush and weeds. A few years back it was barren due to a fire. When the Taggares resided on the property, it was a watered pasture.

However, it is very possible that with installation of water, sewer and electrical services along with road construction, and other dozing, followed by building construction that the vertical slope could be weakened triggering a landslide. Should a slide occur it could cause property damage to others and would require expensive cleanup and repair of the hillside, SR 22 and more.

At the very least, any zoning change should require an agreement by present, and future owners, as well as present and future surveyors and engineers, contractors doing site preparation and finalization, contractors installing water, sewer and electrical services, dwelling contractors, and anyone else providing any services that they accept financial responsibility for any future landslides that may occur from subject property unto SR 22, or vicinity, for the northern boundary area of subject parcel.

In addition, due to the conditions involved it is recommended that the northern boundary portion remain a Steep Slope designation. This would include a strip approximately 150 feet in width starting with the west boundary and hence proceeding east approximately 750 feet to the original westerly boundary of Old Road 11 with the north boundary line being the existing boundary with SR 22, the south boundary and east boundary lines would be closure to these two lines in an approximate rectangular configuration.

There is no concern with the remainder of the parcel under consideration.

It is highly recommended that each member of the Planning Commission do a physical inspection of the northern boundary traveling west on SR 22 from Market Street to a point where the SVID canal goes under SR 22.

Respectfully submitted,


Allan Korvola, Ed.D.

BEFORE THE PLANNING COMMISSION
OF THE
CITY OF PROSSER, WASHINGTON

IN THE MATTER OF)
)
APPLICATION OF THE CITY OF PROSSER)
PLANNING COMMISSION:)
)
FOR THE RE-ZONING PUBLIC HEARING)
FOR PARCEL NUMBER 1-1184-100-0025-)
003 FROM STEEP SLOPE RESIDENTIAL)
(SSR)AND RESIDENTIAL LOW DENSITY)
(RL)TO RESIDENTIAL MEDIUM (RM))
DISTRICT (RM) TO COMMERCIAL GENERAL)
DISTRICT (CG).)
_____.)

Before the Planning Commission of the City of Prosser, Washington, in the matter of the request of Paul Warden and Kerry Warden, husband and wife, Applicant@ for the re-zoning of property, partially zoned Residential Low Density District (RM) and partially zoned Steep Slope Residential District (SSR) to Residential Medium Density District (RM).

FINDINGS OF FACT

1. The Applicant applied to amend the zoning map by application filed on April 2, 2014, with the City of Prosser, Washington, to have the following described real property having parcel number 1-1184-100-0025-003 situated in the City of Prosser, Benton County, Washington, zoned Residential Medium Density District (RM):

THAT PORTION OF THE SOUTH HALF OF THE NORTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 8 NORTH, RANGE 24 EAST, W.M. COUNTY OF BENTON, CITY OF PROSSER, WASHINGTON STATE, DESCRIBED AS FOLLOWS:
BEGINNING AT THE REBAR AND CAP "29279" MARKING THE CENTER OF SAID SECTION; THENCE 89° 17' 51" WEST 27.50 FEET; THENCE NORTH 5° 47' 16" WEST 336.38 FEET; THENCE

SOUTH 89° 39' 13" EAST 83.99 FEET TO THE POINT OF CURVATURE OF A NON TANGENT CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 85.00 FEET A CENTRAL ANGLE OF 56° 11' 48" AND A CHORD OF 80.07 FEET BEARING SOUTH 37° 06' 21" EAST; THENCE SOUTHEASTERLY ALONG SAID CURVE, A DISTANCE OF 83.37 FEET; THENCE SOUTH 65° 12' 15" EAST 93.91 FEET; THENCE NORTH 40° 28' 32" EAST 308.00 FEET; THENCE NORTH 57° 18' 48" WEST 279.08 FEET; THENCE NORTH 89° 24' 00" WEST 256.61 FEET; THENCE NORTH 14° 36' 28" WEST 120.71 FEET TO THE SOUTHERLY RIGHT OF WAY OF SR 22; THENCE NORTH 89° 34' 34" EAST 703.07 FEET; THENCE NORTH 30° 44' 25" EAST 19.46 FEET; THENCE NORTH 30° 44' 25" EAST 38.85 FEET; THENCE NORTH 89° 34' 20" EAST 57.40 FEET TO THE WESTERLY RIGHT OF WAY OF KINNEY WAY; THENCE SOUTH 21° 25' 20" EAST 93.00 FEET; THENCE SOUTH 21° 25' 20" EAST 82.80 FEET TO THE POINT OF CURVATURE OF A TANGENT CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 288.30 FEET AND A CENTRAL ANGLE OF 63° 25' 53" AND A CHORD OF 303.12 FEET BEARING SOUTH 10° 17' 29" WEST; THENCE SOUTH ALONG SAID CURVE, A DISTANCE OF 319.17 FEET; THENCE SOUTH 42° 00' 32" WEST 340.24 FEET; THENCE SOUTH 35° 50' 07" WEST 36.73 FEET TO THE POINT OF CURVATURE OF A NON TANGENT CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 215.00 FEET A CENTRAL ANGLE OF 16° 28' 33", AND A CHORD OF 61.61 FEET BEARING SOUTH 33° 38' 28" WEST; THENCE SOUTHWEST ALONG SAID CURVE, A DISTANCE OF 61.83 FEET; THENCE NORTH 89° 18' 00" WEST 351.12 FEET TO THE POINT OF BEGINNING; SUBJECT TO AND TOGETHER WITH EASEMENT A OF AF#2005-040521, 040525, & 040526, TOGETHER WITH AND SUBJECT TO AN EASEMENT FOR ACCESS AND UTILITY PURPOSES ALONG THE SOUTH FORTY FEET OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 11, FROM THE SOUTHEAST CORNER OF ABOVE DESCRIBED PARCEL TO KINNEY WAY A DISTANCE OF 380 FEET MORE OR LESS.

HAVING BENTON COUNTY TAX PARCEL NUMBER 1-1184-100-0025-003

2. The Benton County Assessor's records indicate that Applicant's Property is vested in Applicant's name.
3. The Applicant's Property is situated on Kinney Way and

consists of vacant land.

4. A portion of the Applicant's Property is zoned Residential Medium Density District (RM) and a portion of the Applicant's property is zoned Steep Slope Residential District (SSR).
5. The surrounding properties are zoned Residential Medium Density District (RM), Steep Slope Residential District (SSR), and Residential High Density District (RH).
6. The Comprehensive Plan designates the applicant's property as Low/Medium Residential which is defined by the Plan as follows:

Low/Medium Residential (LMR) - The LMR category includes lands for site constructed single-family residential uses with an average unit density of 4 dwelling units per acre. Actual densities may range up to 6 units per acre depending on the configuration of lots relative to existing rights of way. Clustering may be allowed in this designation in steep slope critical areas pursuant to Policy LD 1.5.

7. The portion of the property zoned Steep Slope Residential (SSR) is inconsistent with the Comprehensive Plan Designation.
8. Applicant has provided a letter from Kelby Johnson P.E. certifying that the parcel proposed to be rezoned Residential Medium Density District (RM) is adequate in shape and topography to permit the development of lots of 7,500 square feet.
9. Notice of the Application was published in the Prosser Record Bulletin on July 23, 2014, and posted in accordance with the

Prosser Municipal Code.

10. Notice of the public hearing was published in the Prosser Record Bulletin on July 23, 2014.
11. Prosser Municipal Code Section 18.09.030(A) provides as follows:

Unless otherwise specified, zone boundaries will follow section lines, subdivision lines, lot lines, centerlines of streets, alleys or railroad rights-of-way, or such lines as extended. Boundaries indicated as following shorelines will be construed as following such shoreline and, in the event of a change in the shoreline, will be construed as moving with the shoreline.

12. Defendant's application is a non-project site-specific rezone.
13. The following provided written material for the hearing: the City of Prosser, Kerry Warden, Paul Warden, the Washington State Department of Transportation, the Sunnyside Valley Irrigation District, and Alan Korvola.
14. The following provided oral testimony at the hearing: Kerry Warden.
15. The City issued its SEPA determination on August 21, 2014, containing a mitigation measure that the critical area issues present on or near the site would have to be evaluated and mitigated at the time of development.

CONCLUSIONS

1. This zone request is in keeping with the Comprehensive Plan of

the City of Prosser and corrects a prior inconsistency with the Comprehensive Plan for that portion currently designated Steep Slope Residential District (SSR).

2. The request for a zoning map amendment is consistent with the Comprehensive Plan and the development regulations of the City of Prosser.
3. Notice of this hearing was posted on the property, published in the City's Official Newspaper, and mailed to affected parties in accordance with the Prosser Municipal Code.
4. The change of zone from Residential Low Density District (RL) to Residential Medium Density District promotes the public necessity, convenience and general welfare.
5. The re-zoning of the Applicant's Property is consistent with the surrounding properties.
6. Since there is an inconsistency with the Comprehensive Plan Designation and the parcel should be zoned consistently as one zoning district, there has been a substantial change in conditions since the previous zoning decision.
7. All notices were provided in accordance with the Prosser Municipal Code.
8. Because Applicant's parcel has two zoning designations it is inconsistent with the intent of PMC 18.09.030(A).

RECOMMENDATION TO THE CITY COUNCIL

The Planning Commission recommends to the City Council that it amend the zoning map to change the zone for the property described above to Residential Medium Density District (RM).

THE PLANNING COMMISSION SO FINDS.

ADOPTED BY THE PLANNING COMMISSION on this 21st day of August, 2014.



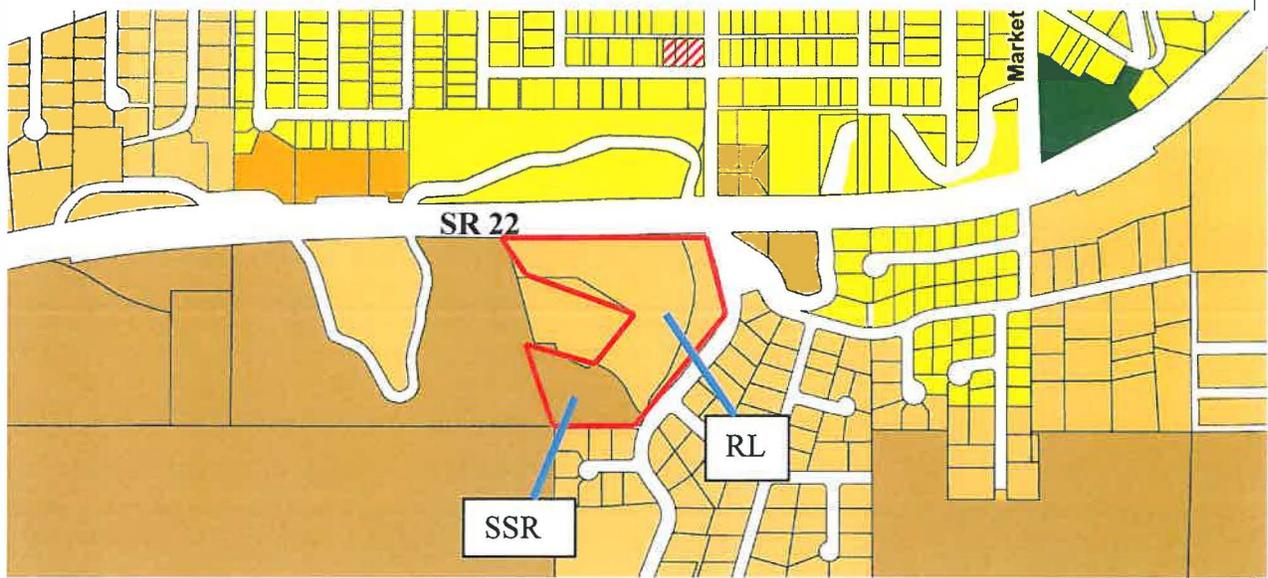
GLEND A SCHMIDT CHAIR OF THE
PROSSER PLANNING COMMISSION



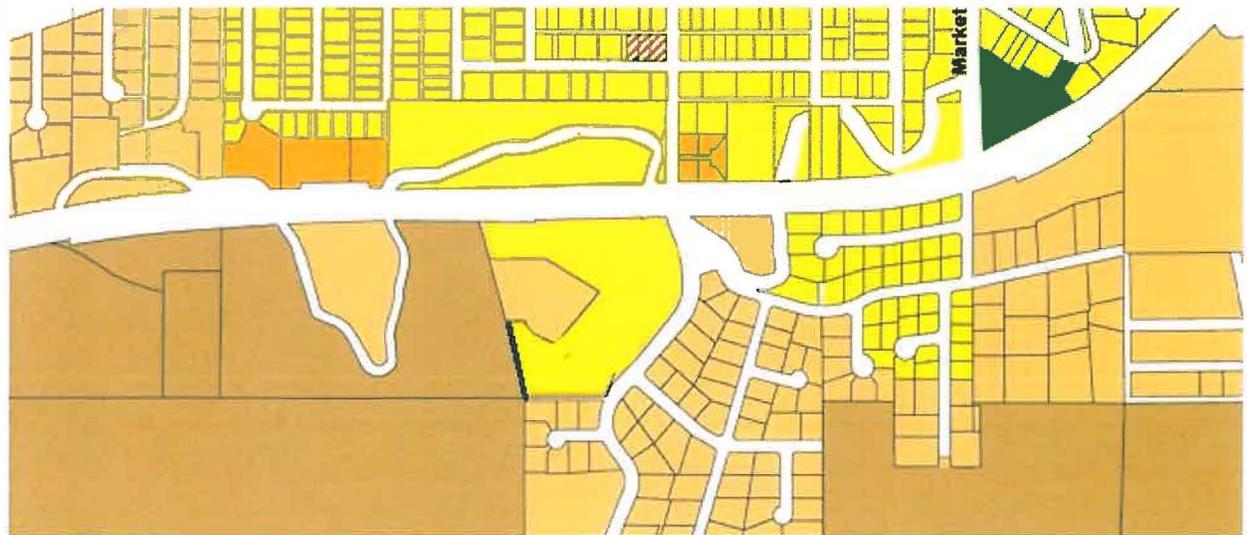
HOWARD SAXTON SECRETARY OF THE
PROSSER PLANNING COMMISSION

S:\PC\ZONE.WARDENRM.doc

Before



After



Property is currently undeveloped. Mitigation measure requires applicant to provide necessary studies based on the proposed development at the time of application.

**CITY OF PROSSER, WASHINGTON
ORDINANCE NO. 14-_____**

AN ORDINANCE AMENDING THE ZONING MAP FOR THE CITY OF PROSSER, WASHINGTON, BY ZONING CERTAIN PROPERTY DESCRIBED IN THIS ORDINANCE LOCATED WESTERLY OF KINNEY WAY AND SOUTHERLY OF SR 22 HAVING BENTON COUNTY TAX PARCEL NUMBER 1-1184-100-0025-003 TO RESIDENTIAL MEDIUM DENSITY DISTRICT (RM). THE ORDINANCE ALSO DECLARES THAT THIS ORDINANCE IS A MINOR ACTION AND HAS A NON-SIGNIFICANT EFFECT ON THE ENVIRONMENT. THE ORDINANCE ALSO SETS FORTH THE EFFECTIVE DATE OF THE ORDINANCE AND PROVIDES THAT ITS PROVISIONS ARE SEVERABLE FROM ONE ANOTHER AND PROVIDES FOR PUBLICATION BY SUMMARY.

**THE CITY COUNCIL OF THE CITY OF PROSSER, WASHINGTON, DO ORDAIN
AS FOLLOWS:**

Section 1. The Planning Commission has recommended to the City Council a classification change on the City of Prosser's zoning map to Residential Medium Density District (RM) the property hereinafter described in Section 3 hereof, pursuant to Title 18 of the Prosser Municipal Code.

Section 2. The findings adopted by the Planning Commission on August 21, 2014, on file with the City Clerk, are hereby adopted as the findings of the City Council.

The public will generally benefit from the zoning of the property to Residential Medium Density District (RM) and it is in the interest of the public health, safety, and general welfare of the residents of the City and is not for the benefit of private speculators.

Section 3. The real property described below and situated in the City of Prosser, County of Benton, State of Washington, is hereby zoned Residential Medium Density District (RM)

**THAT PORTION OF THE SOUTH HALF OF THE NORTHWEST QUARTER
AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF
SECTION 11, TOWNSHIP 8 NORTH, RANGE 24 EAST, W.M. COUNTY OF**

BENTON, CITY OF PROSSER, WASHINGTON STATE, DESCRIBED AS FOLLOWS:

BEGINNING AT THE REBAR AND CAP "29279" MARKING THE CENTER OF SAID SECTION; THENCE 89° 17' 51" WEST 27.50 FEET; THENCE NORTH 5° 47' 16" WEST 336.38 FEET; THENCE SOUTH 89° 39' 13" EAST 83.99 FEET TO THE POINT OF CURVATURE OF A NON TANGENT CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 85.00 FEET A CENTRAL ANGLE OF 56° 11' 48" AND A CHORD OF 80.07 FEET BEARING SOUTH 37° 06' 21" EAST; THENCE SOUTHEASTERLY ALONG SAID CURVE, A DISTANCE OF 83.37 FEET; THENCE SOUTH 65° 12' 15" EAST 93.91 FEET; THENCE NORTH 40° 28' 32" EAST 308.00 FEET; THENCE NORTH 57° 18' 48" WEST 279.08 FEET; THENCE NORTH 89° 24' 00" WEST 256.61 FEET; THENCE NORTH 14° 36' 28" WEST 120.71 FEET TO THE SOUTHERLY RIGHT OF WAY OF SR 22; THENCE NORTH 89° 34' 34" EAST 703.07 FEET; THENCE NORTH 30° 44' 25" EAST 19.46 FEET; THENCE NORTH 30° 44' 25" EAST 38.85 FEET; THENCE NORTH 89° 34' 20" EAST 57.40 FEET TO THE WESTERLY RIGHT OF WAY OF KINNEY WAY; THENCE SOUTH 21° 25' 20" EAST 93.00 FEET; THENCE SOUTH 21° 25' 20" EAST 82.80 FEET TO THE POINT OF CURVATURE OF A TANGENT CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 288.30 FEET AND A CENTRAL ANGLE OF 63° 25' 53" AND A CHORD OF 303.12 FEET BEARING SOUTH 10° 17' 29" WEST; THENCE SOUTH ALONG SAID CURVE, A DISTANCE OF 319.17 FEET; THENCE SOUTH 42° 00' 32" WEST 340.24 FEET; THENCE SOUTH 35° 50' 07" WEST 36.73 FEET TO THE POINT OF CURVATURE OF A NON TANGENT CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 215.00 FEET A CENTRAL ANGLE OF 16° 28' 33", AND A CHORD OF 61.61 FEET BEARING SOUTH 33° 38' 28" WEST; THENCE SOUTHWEST ALONG SAID CURVE, A DISTANCE OF 61.83 FEET; THENCE NORTH 89° 18' 00" WEST 351.12 FEET TO THE POINT OF BEGINNING; SUBJECT TO AND TOGETHER WITH EASEMENT A OF AF#2005-040521, 040525, & 040526, TOGETHER WITH AND SUBJECT TO AN EASEMENT FOR ACCESS AND UTILITY PURPOSES ALONG THE SOUTH FORTY FEET OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 11, FROM THE SOUTHEAST CORNER OF ABOVE DESCRIBED PARCEL TO KINNEY WAY A DISTANCE OF 380 FEET MORE OR LESS.

HAVING BENTON COUNTY TAX PARCEL NUMBER: 1-0184-100-0025-003.

Section 4. This ordinance has been determined to be a minor action and to have a non-significant, adverse effect on the environment. An Environmental Impact Statement is not required

under RCW 43.21C.030.

This ordinance is not an action requiring an environmental statement under WAC 197-11.

This decision is made upon a determination into the guidelines of WAC 197-11 and City Ordinances. This re-zone is in compliance with the Comprehensive Plan of the City.

Section 5. The zoning map of the City of Prosser is hereby amended to show the property described in Section 3 above as Residential Medium Density District (RM).

Section 6. SEVERABILITY. The provisions of this ordinance are hereby declared to be severable. If any section, subsection, sentence, clause, or phrase of this ordinance or its application to any person or circumstance is for any reason held to be invalid or unconstitutional, the remainder of this ordinance shall not as a result of said section, sentence, clause, or phrase be held unconstitutional or invalid.

Section 7. This ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

ADOPTED by the City Council and **APPROVED** by the Mayor, this _____ day of _____, 2014.

Randy Taylor, Mayor Pro-Tem

ATTEST:

Rachel Shaw, City Clerk

APPROVED AS TO FORM:

Howard Saxton, City Attorney

Date of Publication: _____

SUMMARY OF ORDINANCE NO. 14-_____

of the City of Prosser, Washington

On the ____ day of _____, 2014, the City of Prosser, Washington, passed Ordinance No. _____. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE AMENDING THE ZONING MAP FOR THE CITY OF PROSSER, WASHINGTON, BY ZONING CERTAIN PROPERTY DESCRIBED IN THIS ORDINANCE LOCATED WESTERLY OF KINNEY WAY AND SOUTHERLY OF SR 22 HAVING BENTON COUNTY TAX PARCEL NUMBER 1-1184-100-0025-003 TO RESIDENTIAL MEDIUM DENSITY DISTRICT (RM). THE ORDINANCE ALSO DECLARES THAT THIS ORDINANCE IS A MINOR ACTION AND HAS A NON-SIGNIFICANT EFFECT ON THE ENVIRONMENT. THE ORDINANCE ALSO SETS FORTH THE EFFECTIVE DATE OF THE ORDINANCE AND PROVIDES THAT ITS PROVISIONS ARE SEVERABLE FROM ONE ANOTHER AND PROVIDES FOR PUBLICATION BY SUMMARY.

The full text of this Ordinance will be mailed upon request.

DATED this ____ day of _____, 2014

RACHEL SHAW, CITY CLERK

CITY OF PROSSER, WASHINGTON

AGENDA BILL

Agenda Title: Approve payment of payroll check nos. 600167 through 600207 in the amount of \$45,867.42 and direct deposits in the amount of \$104,260.06 for the period ending August 29, 2014		Meeting Date: September 09, 2014 Regular Meeting	
Department: Finance	Director: Regina Mauras	Contact Person: Toni Yost	Phone Number: (509) 786-2332
Cost of Proposal: \$150,127.48		Account Number: Various	
Amount Budgeted: Various amounts in salaries, wages, and benefits.		Name and Fund# Various	
Reviewed by Finance Department: RM			
Attachments to Agenda Packet Item: 1. Payroll Check Register			
Summary Statement: Payroll check nos. 600167 through 600207 in the amount of \$45,867.42 and direct deposits in the amount of \$104,260.06 for the period ending August 29, 2014.			
Consistent with or Comparison to: EXISTING ADOPTED OR PREVIOUS PLANS, POLICIES OR ACTIONS TAKEN BY THE COUNCIL			
Recommended City Council Action/Suggested Motion: Approve payment payroll check nos. 600167 through 600207 in the amount of \$45,867.42 and direct deposits in the amount of \$104,260.06 for the period ending August 29, 2014			
Reviewed by Department Director: Regina Mauras Date: 9.4.2014	Reviewed by City Attorney: N/A Date:	Approved by Mayor: Acting CA [Signature] Date: 9/4/14	
Today's Date: September 4, 2014	Revision Number/Date:	File Name and Path:	

CHECK REGISTER

City Of Prosser
MCAG #: 0205

08/29/2014 To: 08/29/2014

Time: 12:15:27 Date: 08/27/2014
Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
4509	08/29/2014	Payroll	1	EFT		2,577.54	August Payroll
4512	08/29/2014	Payroll	1	EFT		1,736.73	August Payroll
4516	08/29/2014	Payroll	1	EFT		1,626.96	August Payroll
4517	08/29/2014	Payroll	1	EFT		3,872.12	August Payroll
4518	08/29/2014	Payroll	1	EFT		693.79	August Payroll
4519	08/29/2014	Payroll	1	EFT		2,548.52	August Payroll
4520	08/29/2014	Payroll	1	EFT		1,612.52	August Payroll
4525	08/29/2014	Payroll	1	EFT		254.77	August Payroll
4526	08/29/2014	Payroll	1	EFT		4,027.24	August Payroll
4527	08/29/2014	Payroll	1	EFT		3,175.86	August Payroll
4529	08/29/2014	Payroll	1	EFT		792.39	August Payroll
4530	08/29/2014	Payroll	1	EFT		1,015.46	August Payroll
4534	08/29/2014	Payroll	1	EFT		3,190.35	August Payroll
4535	08/29/2014	Payroll	1	EFT		4,599.27	August Payroll
4536	08/29/2014	Payroll	1	EFT		3,406.88	August Payroll
4537	08/29/2014	Payroll	1	EFT		202.58	August Payroll
4540	08/29/2014	Payroll	1	EFT		768.56	August Payroll
4541	08/29/2014	Payroll	1	EFT		349.51	August Payroll
4542	08/29/2014	Payroll	1	EFT		4,966.20	August Payroll
4547	08/29/2014	Payroll	1	EFT		2,809.51	August Payroll
4548	08/29/2014	Payroll	1	EFT		3,582.92	August Payroll
4549	08/29/2014	Payroll	1	EFT		555.84	August Payroll
4551	08/29/2014	Payroll	1	EFT		643.23	August Payroll
4553	08/29/2014	Payroll	1	EFT		2,230.00	August Payroll
4554	08/29/2014	Payroll	1	EFT		631.92	August Payroll
4555	08/29/2014	Payroll	1	EFT		3,359.78	August Payroll
4557	08/29/2014	Payroll	1	EFT		1,993.24	August Payroll
4558	08/29/2014	Payroll	1	EFT		5,330.27	August Payroll
4561	08/29/2014	Payroll	1	EFT		2,851.16	August Payroll
4563	08/29/2014	Payroll	1	EFT		3,389.30	August Payroll
4566	08/29/2014	Payroll	1	EFT		1,800.70	August Payroll
4568	08/29/2014	Payroll	1	EFT		2,995.03	August Payroll
4569	08/29/2014	Payroll	1	EFT		2,363.96	August Payroll
4571	08/29/2014	Payroll	1	EFT		1,963.59	August Payroll
4573	08/29/2014	Payroll	1	EFT		2,658.31	August Payroll
4575	08/29/2014	Payroll	1	EFT		920.46	August Payroll
4576	08/29/2014	Payroll	1	EFT		2,554.60	August Payroll
4579	08/29/2014	Payroll	1	EFT		2,390.39	August Payroll
4580	08/29/2014	Payroll	1	EFT		1,925.53	August Payroll
4582	08/29/2014	Payroll	1	EFT		61.70	August Payroll
4585	08/29/2014	Payroll	1	EFT		1,610.86	August Payroll
4586	08/29/2014	Payroll	1	EFT		3,404.12	August Payroll
4588	08/29/2014	Payroll	1	EFT		230.34	August Payroll
4589	08/29/2014	Payroll	1	EFT		4,049.44	August Payroll
4592	08/29/2014	Payroll	1	EFT		3,215.60	August Payroll
4593	08/29/2014	Payroll	1	EFT		2,767.29	August Payroll
4507	08/29/2014	Payroll	1	600167		799.02	August Payroll
4508	08/29/2014	Payroll	1	600168		435.56	August Payroll
4510	08/29/2014	Payroll	1	600169		230.34	August Payroll
4511	08/29/2014	Payroll	1	600170		828.70	August Payroll
4513	08/29/2014	Payroll	1	600171		2,362.69	August Payroll
4514	08/29/2014	Payroll	1	600172		3,848.90	August Payroll
4515	08/29/2014	Payroll	1	600173		184.70	August Payroll
4521	08/29/2014	Payroll	1	600174		1,215.87	August Payroll
4522	08/29/2014	Payroll	1	600175		277.60	August Payroll
4523	08/29/2014	Payroll	1	600176		443.16	August Payroll
4524	08/29/2014	Payroll	1	600177		332.79	August Payroll

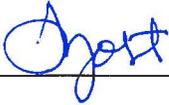
CHECK REGISTER

City Of Prosser
MCAG #: 0205

08/30/2014 To: 08/30/2014

Time: 12:37:38 Date: 08/28/2014
Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
4620	08/30/2014	Payroll	1	EFT		553.72	August Retro Pay
			001 General Fund			-79.61	
			407 Sewer Fund			633.33	
						<u>553.72</u>	Payroll:
							553.72



Signature



Date

CITY OF PROSSER, WASHINGTON

AGENDA BILL

Agenda Title: Approve payment of claim check nos. 11156 through 11165 and 11167 through 11231, in the amount of \$349,261.43 and Electronic Payments in the amount of \$88,758.98 for the period ending September 09, 2014.

Meeting Date:
September 09, 2014
Regular Meeting

Department:
Finance

Director:
Regina Mauras

Contact Person:
Toni Yost

Phone Number:
(509) 786-2332

Cost of Proposal:
\$438,020.41

Account Number:
See Attached

Amount Budgeted:
See 2014 budget for each item listed.

Name and Fund#
See Attached

Reviewed by Finance Department:

RM

Attachments to Agenda Packet Item:

1. Check Register # 11156 through 11165 and 11167 through 11231

Summary Statement:

Check Payments	Amount		
11156 through 11165	\$38,375.17		
11167 through 11231	\$310,886.26		
Electronic Payments	Amount		
Chase	\$633.59	Xpress Bill Pay	\$333.80
IRS Federal Taxes	\$55,249.96		
City of Prosser	\$31,645.41		
US Bank	\$896.22		

Consistent with or Comparison to:

City's policy to pay bills in a timely manner.

Recommended City Council Action/Suggested Motion:

Approve payment of 11156 through 11165 and 11167 through 11231, in the amount of \$349,261.43 and Electronic Payments in the amount of \$88,758.98 for the period ending September 09, 2014.

Reviewed by Department

Director:
Regina Maura
Date: *9.4.2014*

Reviewed by City Attorney:

Date: N/A

Approved by Mayor: *Acting CA*

Date: *9/4/14*

Today's Date:
September 4, 2014

Revision Number/Date:

File Name and Path:

CHECK REGISTER

City Of Prosser
MCAG #: 0205

08/29/2014 To: 08/29/2014

Time: 12:23:50 Date: 08/27/2014
Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
4599	08/29/2014	Payroll	1	EFT	Irs Federal Taxes	55,153.06	941 Deposit For 08/29/2014 - 08/29/2014
4600	08/29/2014	Payroll	1	11156	AFLAC	1,533.05	08/29/2014 To 08/31/2014 - AFLAC Pre-Tax; 08/29/2014 To 08/31/2014 - AFLAC Post-Tax
4601	08/29/2014	Payroll	1	11157	AWC Employment Ben Trust	850.75	08/29/2014 To 08/31/2014 - Vision
4602	08/29/2014	Payroll	1	11158	Icma Retirement Trust	762.97	08/29/2014 To 08/31/2014 - 401(R)
4603	08/29/2014	Payroll	1	11159	Kansas Payment Center	1,272.00	08/29/2014 To 08/31/2014 - Support Withholding
4604	08/29/2014	Payroll	1	11160	Opeiu	620.00	08/29/2014 To 08/31/2014 - Union Dues - OPEIU
4605	08/29/2014	Payroll	1	11161	Teamsters Legal Defense Fund	79.64	08/29/2014 To 08/31/2014 - Legal Defense Fund
4606	08/29/2014	Payroll	1	11162	Teamsters Local Union No 839	1,191.00	08/29/2014 To 08/31/2014 - Union Dues - Teamsters
4607	08/29/2014	Payroll	1	11163	WA Dept Retirement	28,908.36	08/29/2014 To 08/31/2014 - PERS; 08/29/2014 To 08/31/2014 - PERS 3; 08/29/2014 To 08/31/2014 - LEOFF 2; 08/29/2014 To 08/31/2014 - DRS - DCP
4608	08/29/2014	Payroll	1	11164	WA Dept Social & Health Serv	415.60	08/29/2014 To 08/31/2014 - DSHS
4609	08/29/2014	Payroll	1	11165	Western Conf Of Teamsters Pension Trust	2,741.80	08/29/2014 To 08/31/2014 - TPT
						81,537.22	
						2,161.50	
						4,873.57	
						4,890.15	
						65.79	
						93,528.23	Payroll: 93,528.23

Ajust

Signature

8/26/14

Date

CHECK REGISTER

City Of Prosser
MCAG #: 0205

08/29/2014 To: 08/31/2014

Time: 14:47:13 Date: 08/28/2014
Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
4622	08/29/2014	Payroll	1	EFT	Irs Federal Taxes	96.90	941 Deposit For 08/30/2014 - 08/30/2014
4623	08/29/2014	Payroll	1	11167	WA Dept Retirement	89.49	08/30/2014 To 08/30/2014 - PERS
						79.61	
						106.78	
						<u>186.39</u>	Payroll: 186.39



Signature

8/28/14

Date

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City Of Prosser
MCAG #: 0205

09/09/2014 To: 09/09/2014

Time: 09:41:51 Date: 09/04/2014
Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
4704	09/09/2014	Claims	1	EFT	Chase	633.59	UB Credit Card Payments; Non-UB Credit Card Payments
					001 - 514 30 49 000 - Miscellaneous	39.51	Non-UB Credit Card Payments
					403 - 534 80 49 000 - Miscellaneous	115.45	UB Credit Card Payments
					407 - 535 80 49 000 - Miscellaneous	115.46	UB Credit Card Payments
					448 - 537 80 49 000 - Miscellaneous	115.46	UB Credit Card Payments
					403 - 539 20 49 000 - Miscellaneous	115.45	UB Credit Card Payments
					001 - 576 20 49 001 - Miscellaneous	132.26	Non-UB Credit Card Payments
4705	09/09/2014	Claims	1	EFT	Prosser, City Of	31,645.41	Water Bill
					001 - 518 31 47 000 - Public Utility Services	502.31	Water Bill
					403 - 534 80 47 000 - Public Utility Services	1,503.39	Water Bill
					407 - 535 80 47 000 - Public Utility Services	11,567.11	Water Bill
					102 - 542 90 47 000 - Public Utility Services	2,846.41	Water Bill
					001 - 569 21 47 000 - Public Utility Services	637.65	Water Bill
					001 - 576 20 47 000 - Public Utility Services	2,747.16	Water Bill
					001 - 576 80 47 000 - Public Utility Services	11,841.38	Water Bill
4706	09/09/2014	Claims	1	EFT	US Bank Na	896.22	Credit Card Charges
					001 - 511 60 31 000 - Office & Operating Supplies	64.08	Prosser EDA Meeting
					001 - 511 60 43 000 - Travel	51.15	Fuel City Vehicle, Parking
					001 - 511 60 49 000 - Miscellaneous	90.00	Employee Appreciation Gift Cards
					001 - 558 60 49 000 - Miscellaneous	678.00	SEPA Training
					001 - 576 80 31 000 - Office & Operating Supplies	12.99	Wasp Spray
4707	09/09/2014	Claims	1	EFT	Xpress Billpay	333.80	Online Bill Payments
					001 - 514 30 49 000 - Miscellaneous	5.02	
					403 - 534 80 49 000 - Miscellaneous	78.44	
					407 - 535 80 49 000 - Miscellaneous	78.44	
					448 - 537 80 49 000 - Miscellaneous	80.11	
					403 - 539 20 49 000 - Miscellaneous	78.44	
					001 - 576 20 49 001 - Miscellaneous	13.35	
4708	09/09/2014	Claims	1	11168	Abadan Inc	80.74	Finance Printer Maintenance; Police Copy Machine; Water Plant Copier Maintenance; Waste Water Copy Machine Maintenance
					001 - 514 23 48 000 - Repairs & Maintenance	16.25	Finance Printer Maintenance
					001 - 514 23 48 000 - Repairs & Maintenance	26.04	Police Copy Machine
					403 - 534 80 48 000 - Repairs & Maintenance	26.27	Water Plant Copier Maintenance
					407 - 535 80 48 000 - Repairs & Maintenance	12.18	Waste Water Copy Machine Maintenance
4709	09/09/2014	Claims	1	11169	American Red Cross	70.00	Lifeguard Training
					001 - 576 20 49 001 - Miscellaneous	70.00	Lifeguard Training
4710	09/09/2014	Claims	1	11170	American Tree Trimmers	6,351.79	Emergency Tree Clean-up 9th & Meade
					102 - 542 70 41 102 - Professional Services	6,351.79	Emergency Tree Clean-up 9th & Meade
4711	09/09/2014	Claims	1	11171	Gilbert & Neda Arevalo	3.02	Refund inactive customer credit balance
					403 - 343 41 00 000 - Water Revenues	-3.02	
4712	09/09/2014	Claims	1	11172	Autozone	29.80	Battery Cable Lugs; AC Pro R134A Synthetic
					102 - 542 90 31 000 - Office & Operating Supplies	3.55	Battery Cable Lugs
					102 - 542 90 31 000 - Office & Operating Supplies	26.25	AC Pro R134A Synthetic
4713	09/09/2014	Claims	1	11173	BDI	66,516.79	Garbage Billing
					448 - 537 80 47 000 - Public Utility Services	66,516.79	Garbage Billing
4714	09/09/2014	Claims	1	11174	Benton Co Sheriff	76.59	Medical Supplies Cost Recovery-June
					001 - 523 60 51 000 - Intergov't Professional Servic	76.59	Medical Supplies Cost Recovery-June

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Time: 09:41:51 Date: 09/04/2014
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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
4715	09/09/2014	Claims	1	11175	Benton County Solid Waste	1,023.71	Solid Waste Interlocal
			448 - 537 80 51 000		- Intergov't Professional Servic	1,023.71	Solid Waste Interlocal
4716	09/09/2014	Claims	1	11176	Benton Franklin Counties	307.15	2% Liquor Profits
			001 - 566 00 51 000		- Intergov't Professional Servic	307.15	2% Liquor Profits
4717	09/09/2014	Claims	1	11177	Benton PUD	187.70	Electric Bil-6th St
			102 - 542 63 47 000		- Public Utility Services	187.70	Electric Bil-6th St
4718	09/09/2014	Claims	1	11178	Benton REA	1,380.11	Virtual Domain; Meter Reading-WCR; Meter Reading-Water Tower; IT Professional Services
			001 - 518 88 41 000		- Professional Services	601.53	
			001 - 518 88 42 000		- Communications	9.95	Virtual Domain
			403 - 534 80 47 000		- Public Utility Services	100.83	Meter Reading-Water Tower
			102 - 542 63 47 000		- Public Utility Services	667.80	Meter Reading-WCR
4719	09/09/2014	Claims	1	11179	Bleyhl Farm Service Inc	66.79	Oil
			407 - 535 80 31 000		- Office & Operating Supplies	66.79	Oil
4720	09/09/2014	Claims	1	11180	Blumenthal	216.34	Ear Piece Barrel Tube 3.5
			001 - 521 20 31 000		- Office & Operating Supplies	216.34	Ear Piece Barrel Tube 3.5
4721	09/09/2014	Claims	1	11181	Boys & Girls Clubs	6,250.00	Boys And Girls Club
			001 - 571 22 41 001		- Professional Services	6,250.00	
4722	09/09/2014	Claims	1	11182	Cascade Analytical	201.05	Fecal MPN A-1 Conversion; Fecal MPN A-1 Conversion, Enviro Mngmt Fee; Kjeldahl Total Nitrogen,; Fecal MPN A-1 Conversion, Total Percent Solids
			407 - 535 80 41 000		- Professional Services	52.33	Fecal MPN A-1 Conversion
			407 - 535 80 41 000		- Professional Services	52.33	Fecal MPN A-1 Conversion, Enviro Mngmt Fee
			407 - 535 80 41 000		- Professional Services	44.06	Kjeldahl Total Nitrogen,
			407 - 535 80 41 000		- Professional Services	52.33	Fecal MPN A-1 Conversion, Total Percent Solids
4723	09/09/2014	Claims	1	11183	Cascade Natural Gas Corp	2,256.21	Natural Gas; Natural Gas; Natural Gas; Natural Gas; Natural Gas; Natural Gas
			001 - 518 31 47 000		- Public Utility Services	14.39	Natural Gas
			407 - 535 80 47 000		- Public Utility Services	238.20	Natural Gas
			407 - 535 80 47 000		- Public Utility Services	10.60	Natural Gas
			102 - 542 90 47 000		- Public Utility Services	17.24	Natural Gas
			001 - 572 50 47 000		- Public Utility Services	10.60	Natural Gas
			001 - 576 20 47 000		- Public Utility Services	1,965.18	Natural Gas
4724	09/09/2014	Claims	1	11184	Catholic Charities Housing Svs	113.56	Refund Payment Made For Broken Meter Box Was Applied To Utility Account Not AR Invoice
			403 - 343 41 00 000		- Water Revenues	-113.56	Refund Payment Made For Broken Meter Box Was Applied To Utility Account Not AR Invoice
4725	09/09/2014	Claims	1	11185	Centurylink Communications Inc	125.84	Longdistance Telephone Bill
			001 - 518 31 42 000		- Communications	69.23	Longdistance Telephone Bill
			403 - 534 80 42 000		- Communications	16.83	Longdistance Telephone Bill
			407 - 535 80 42 000		- Communications	7.31	Longdistance Telephone Bill
			448 - 537 80 42 000		- Communications	6.37	Longdistance Telephone Bill
			403 - 539 20 42 000		- Communications	6.37	Longdistance Telephone Bill

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City Of Prosser
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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
			102 - 542 90 42 000		Communications	6.99	Longdistance Telephone Bill
			102 - 543 30 42 102		Communication	6.37	Longdistance Telephone Bill
			001 - 576 20 42 000		Communications	6.37	Longdistance Telephone Bill
4726	09/09/2014	Claims	1	11186	Charter Communications	130.00	City Hall High Speed Internet
			001 - 518 88 42 000		Communications	130.00	City Hall High Speed Internet
4727	09/09/2014	Claims	1	11187	Cities Insurance Assoc	67,566.22	Insurance Premium
			001 - 518 31 46 000		Insurance	18,261.11	Insurance Premium
			403 - 534 80 46 000		Insurance	13,811.03	Insurance Premium
			448 - 537 80 46 000		Insurance	21,338.10	Insurance Premium
			448 - 537 80 46 000		Insurance	35.50	Insurance Premium
			403 - 539 20 46 000		Insurance	554.68	Insurance Premium
			102 - 542 90 46 000		Insurance	1,583.35	Insurance Premium
			102 - 543 30 46 102		Insurance	3,073.55	Insurance Premium
			001 - 569 21 46 000		Insurance	756.92	Insurance Premium
			001 - 572 50 46 000		Insurance	128.58	Insurance Premium
			001 - 576 20 46 000		Insurance	2,077.93	Insurance Premium
			001 - 576 80 46 000		Insurance	5,945.47	Insurance Premium
4728	09/09/2014	Claims	1	11188	Code Publishing Co	140.93	PMC: Electronic Update
			001 - 514 30 41 000		Professional Services	84.58	PMC: Electronic Update
			403 - 534 80 41 000		Professional Services	11.27	PMC: Electronic Update
			407 - 535 80 41 000		Professional Services	11.27	PMC: Electronic Update
			448 - 537 80 41 000		Professional Services	11.27	PMC: Electronic Update
			403 - 539 20 41 000		Professional Services	11.27	PMC: Electronic Update
			102 - 542 90 41 000		Professional Services	11.27	PMC: Electronic Update
4729	09/09/2014	Claims	1	11189	Cook's True Value	345.41	Fasteners; S&D Cap, Solid S& D Pipe; Hex Bushing, Street Elbow; SS Clamp, PVC Pipe; Paste/Teflon, Galv Cap, Flint; Inter Breaker; Step Ladder; Electrical Wire, Diagonal Pliers; Galv Pipe, Galv Nipple;
			001 - 518 31 31 000		Office & Operating Supplies	2.79	Fasteners
			403 - 534 80 31 000		Office & Operating Supplies	87.51	Hex Bushing, Street Elbow
			403 - 534 80 31 000		Office & Operating Supplies	3.49	SS Clamp, PVC Pipe
			403 - 534 80 31 000		Office & Operating Supplies	41.14	Step Ladder
			403 - 534 80 31 000		Office & Operating Supplies	5.39	Tight Elbow
			407 - 535 80 31 000		Office & Operating Supplies	11.89	Fluo Paint
			403 - 539 20 31 000		Office & Operating Supplies	13.84	S&D Cap, Solid S& D Pipe
			403 - 539 20 31 000		Office & Operating Supplies	14.89	Electrical Wire, Diagonal Pliers
			403 - 539 20 31 000		Office & Operating Supplies	17.31	Galv Pipe, Galv Nipple
			403 - 539 20 31 000		Office & Operating Supplies	23.80	Flexible Coupling
			102 - 542 90 31 000		Office & Operating Supplies	17.31	Lysol Neutra Air Refill
			102 - 542 90 31 000		Office & Operating Supplies	2.53	Fasteners
			102 - 542 90 31 000		Office & Operating Supplies	14.07	Bar & Chain Oil
			102 - 542 90 31 000		Office & Operating Supplies	23.79	Twist Nozzle, Chenille Wash Mitt, Liquid Car Wash
			102 - 542 90 31 000		Office & Operating Supplies	23.72	Noble
			001 - 569 21 31 000		Office & Operating Supplies	9.50	Tamp Receptacle, PT Knife
			001 - 576 80 31 000		Office & Operating Supplies	19.24	Paste/Teflon, Galv Cap, Flint
			001 - 576 80 31 000		Office & Operating Supplies	11.90	Inter Breaker
			001 - 576 80 31 000		Office & Operating Supplies	1.30	Fasteners
4730	09/09/2014	Claims	1	11190	Denchel's Ford Country	450.46	Works Fuel Saver Package; Works Fuel Saver Package, Replace Windshield
			001 - 521 20 48 000		Repairs & Maintenance	72.89	Works Fuel Saver Package

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City Of Prosser
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Time: 09:41:51 Date: 09/04/2014
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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
			001 - 521 20 48 000		- Repairs & Maintenance	377.57	Works Fuel Saver Package, Replace Windshield
4731	09/09/2014	Claims	1	11191	For Rental LLC	67.73	Refund inactive customer credit balance
			403 - 343 41 00 000		- Water Revenues	-122.09	
			407 - 343 60 00 000		- Sewer Revenues	43.11	
			403 - 343 90 00 000		- Irrigation Fees & Charges	11.25	
4732	09/09/2014	Claims	1	11192	G C Systems	1,083.00	CLA-VAL Control Valves Yearly Inspection
			403 - 534 80 48 000		- Repairs & Maintenance	1,083.00	CLA-VAL Control Valves Yearly Inspection
4733	09/09/2014	Claims	1	11193	Grainger Inc	451.10	Wasp And Hornet Killer; Broom, Ear Plugs; Potable Water Supply Pump; Shop Towel Roll; Vertical Soap Dispenser
			403 - 534 80 31 000		- Office & Operating Supplies	103.27	Potable Water Supply Pump
			102 - 542 30 31 102		- Office & Operating Supplies	133.11	Broom, Ear Plugs
			102 - 542 90 31 000		- Office & Operating Supplies	99.54	Wasp And Hornet Killer
			102 - 542 90 31 000		- Office & Operating Supplies	35.42	Shop Towel Roll
			102 - 542 90 31 000		- Office & Operating Supplies	79.76	Vertical Soap Dispenser
4734	09/09/2014	Claims	1	11194	Grandview Lumber Co	25.09	Return Composte Decking; Deck Winchester Gray
			001 - 576 80 31 000		- Office & Operating Supplies	-50.17	Return Composte Decking
			001 - 576 80 31 000		- Office & Operating Supplies	75.26	Deck Winchester Gray
4735	09/09/2014	Claims	1	11195	Donna Hutchinson	190.00	Pool-Rental Refund
			001 - 347 30 00 000		- Activity Fees	-190.00	Pool-Rental Refund
4736	09/09/2014	Claims	1	11196	The Janitor's Closet	42.14	Can Liners
			001 - 518 31 31 000		- Office & Operating Supplies	42.14	Can Liners
4737	09/09/2014	Claims	1	11197	Kie Supply Corporation	129.48	Faucet Lav 1-Hole Metering
			001 - 576 80 31 000		- Office & Operating Supplies	129.48	Faucet Lav 1-Hole Metering
4738	09/09/2014	Claims	1	11198	Leaf	123.46	PD Copy Machine Lease
			001 - 514 23 45 000		- Operating Rentals & Leases	123.46	PD Copy Machine Lease
4739	09/09/2014	Claims	1	11199	The Markets LLC	120.38	Jumbo Muffins; Super Chill Water; Equaline Bandage; Candy For States Day Parade; Dry Ice; Super Chill Water; Super Chill Water; Roma Laundry Detergent
			001 - 511 60 31 000		- Office & Operating Supplies	8.48	Jumbo Muffins
			001 - 521 20 31 000		- Office & Operating Supplies	17.98	Candy For States Day Parade
			407 - 535 80 31 000		- Office & Operating Supplies	22.42	Super Chill Water
			407 - 535 80 31 000		- Office & Operating Supplies	3.30	Dry Ice
			407 - 535 80 31 000		- Office & Operating Supplies	13.90	Super Chill Water
			407 - 535 80 31 000		- Office & Operating Supplies	18.17	Super Chill Water
			407 - 535 80 31 000		- Office & Operating Supplies	29.00	Roma Laundry Detergent
			001 - 576 20 31 000		- Office & Operating Supplies	7.13	Equaline Bandage
4740	09/09/2014	Claims	1	11200	Salvador Mendoza Jr	282.73	Refund inactive customer credit balance; Refund inactive customer credit balance
			403 - 343 41 00 000		- Water Revenues	-96.84	
			403 - 343 41 00 000		- Water Revenues	-248.86	
			407 - 343 60 00 000		- Sewer Revenues	62.97	
4741	09/09/2014	Claims	1	11201	Mid-Columbia Library	14,869.91	Mid-Columbia Library
			001 - 572 20 51 000		- Intergov't Professional Servic	14,869.91	Mid-Columbia Library
4742	09/09/2014	Claims	1	11202	Moon Security	54.95	Basic Commercial Monitoring

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City Of Prosser
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Time: 09:41:51 Date: 09/04/2014
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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
			001 - 521 20 41 000		Professional Services	54.95	Basic Commercial Monitoring
4743	09/09/2014	Claims	1	11203	Carl Moore	50.00	Refund Rental Licnese Overpayment
			001 - 321 99 01 000		Rental License	-50.00	Refund Rental Licnese Overpayment
4744	09/09/2014	Claims	1	11204	National Barricade Of Spokane	1,240.02	Sign Posts
			102 - 542 64 31 000		Office & Operating Supplies	1,240.02	Sign Posts
4745	09/09/2014	Claims	1	11205	Northwest Sign Recycling	110.44	Hydrostripping
			102 - 542 64 31 000		Office & Operating Supplies	110.44	Hydrostripping
4746	09/09/2014	Claims	1	11206	Notary Public Program	30.00	Notary Public Appointment Renewal
			001 - 514 30 49 000		Miscellaneous	30.00	Notary Public Appointment Renewal
4747	09/09/2014	Claims	1	11207	OL Luther Co	508.37	Asphalt
			102 - 542 30 31 102		Office & Operating Supplies	508.37	Asphalt
4748	09/09/2014	Claims	1	11208	Office Depot	585.50	Permenant Marker; Folders; Printer Ink, Binders; Black Printer Ink; Laminating Pouch, Paper Towel
			001 - 514 23 31 000		Office & Operating Supplies	2.23	Permenant Marker
			001 - 514 23 31 000		Office & Operating Supplies	24.87	Folders
			001 - 514 23 31 000		Office & Operating Supplies	19.46	Printer Ink, Binders
			001 - 514 23 31 000		Office & Operating Supplies	8.64	Laminating Pouch, Paper Towel
			001 - 518 31 31 000		Office & Operating Supplies	32.48	Laminating Pouch, Paper Towel
			407 - 535 80 31 000		Office & Operating Supplies	428.55	Printer Ink, Binders
			407 - 535 80 31 000		Office & Operating Supplies	69.27	Black Printer Ink
4749	09/09/2014	Claims	1	11209	Brian M Ohler	92.90	Vinyl Lettering For UTI-1
			001 - 521 20 31 000		Office & Operating Supplies	92.90	Vinyl Lettering For UTI-1
4750	09/09/2014	Claims	1	11210	Oxarc	4,767.70	Calcium Hypochlorite; Sodium Hypochlorite; Sodium Hypochlorite; Sodium Hypochlorite
			403 - 534 80 31 000		Office & Operating Supplies	2,723.75	Sodium Hypochlorite
			001 - 576 20 31 000		Office & Operating Supplies	592.38	Calcium Hypochlorite
			001 - 576 20 31 000		Office & Operating Supplies	577.24	Sodium Hypochlorite
			001 - 576 20 31 000		Office & Operating Supplies	874.33	Sodium Hypochlorite
4751	09/09/2014	Claims	1	11211	Pentair Valves & Controls Us	3,781.25	Actuators For Filters
			403 - 594 34 64 000		Machinery & Equipment	3,736.35	
			403 - 594 34 64 000		Machinery & Equipment	44.90	
4752	09/09/2014	Claims	1	11212	William Charles Petross	32.46	Refund inactive customer credit balance
			403 - 343 41 00 000		Water Revenues	-76.21	
			407 - 343 60 00 000		Sewer Revenues	29.42	
			448 - 343 71 00 000		Garbage Service Charges	11.23	
			448 - 343 72 00 000		Refuse Tax Collection	0.70	
			448 - 343 74 00 000		Administrative Fee	1.40	
			448 - 359 90 00 000		Miscellaneous Penalties	1.00	
4753	09/09/2014	Claims	1	11213	Pitney Bowes Inc	162.45	Postage Meter Rental; Postage Meter Rental
			001 - 514 23 45 000		Operating Rentals & Leases	111.47	Postage Meter Rental
			403 - 534 80 45 000		Operating Rentals & Leases	10.05	Postage Meter Rental
			407 - 535 80 45 000		Operating Rentals & Leases	10.05	Postage Meter Rental
			448 - 537 80 45 000		Operating Rentals & Leases	10.05	Postage Meter Rental
			403 - 539 20 45 000		Operating Rentals & Leases	10.05	Postage Meter Rental
			102 - 542 90 45 000		Operating Rentals & Leases	10.05	Postage Meter Rental
			103 - 543 30 45 103		Rental & Lease	0.73	Postage Meter Rental

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
4754	09/09/2014	Claims	1	11214	Pocketinet Communications	398.00	Wide Area Network-Dedicated 3 Mbps
			001 - 518 88 42 000 - Communications			398.00	Wide Area Network-Dedicated 3 Mbps
4755	09/09/2014	Claims	1	11215	Pollard Water	877.18	Bacterial Supplement, High Grease
			407 - 535 80 31 000 - Office & Operating Supplies			877.18	Bacterial Supplement, High Grease
4756	09/09/2014	Claims	1	11216	Prosser Economic Development A	3,583.33	Contract For Services, Grant Writer Agreement
			001 - 558 70 41 000 - Professional Services			1,416.67	Grant Writer Services
			001 - 558 70 41 000 - Professional Services			2,166.66	PEDA: Contract For Services
4757	09/09/2014	Claims	1	11217	Prosser Fire Dist No 3	26,600.00	IPS: August 2014
			001 - 522 10 51 000 - Intergov't Professional Srvc-F			26,600.00	Intergovernmental Professional Services
4758	09/09/2014	Claims	1	11218	Prosser Napa	35.40	Presto Pin 3 16; Fuse; Aerosol Paint
			001 - 521 20 31 000 - Office & Operating Supplies			18.58	Aerosol Paint
			102 - 542 90 31 000 - Office & Operating Supplies			5.60	Presto Pin 3 16
			102 - 542 90 31 000 - Office & Operating Supplies			11.22	Fuse
4759	09/09/2014	Claims	1	11219	Prosser, City Of	500.00	Planning Deposit-SEPA
			403 - 534 80 49 000 - Miscellaneous			500.00	Planning Deposit-SEPA
4760	09/09/2014	Claims	1	11220	Prosser, City Of	90,901.43	Water Utility Tax; Waste Water Utility Tax; Garbage Utility Tax
			403 - 534 80 44 000 - External Taxes			44,029.59	Water Utility Tax
			407 - 535 80 44 000 - External Taxes			42,976.80	Waste Water Utility Tax
			448 - 537 80 44 000 - External Taxes			3,895.04	Garbage Utility Tax
4761	09/09/2014	Claims	1	11221	Quality Control Services	210.00	On Site Service Balance/Spectrophoto
			407 - 535 80 48 000 - Repairs & Maintenance			210.00	On Site Service Balance/Spectrophoto
4762	09/09/2014	Claims	1	11222	RLI Surety	75.00	Notary Renewal-Shaw
			001 - 514 30 49 000 - Miscellaneous			75.00	Notary Renewal-Shaw
4763	09/09/2014	Claims	1	11223	Rainwater Water Co	12.00	Water: Water
			407 - 535 80 31 000 - Office & Operating Supplies			6.00	Water
			407 - 535 80 31 000 - Office & Operating Supplies			6.00	Water
4764	09/09/2014	Claims	1	11224	Matthew B Shanafelt	278.76	Criminal Justice Training Center-Travel
			001 - 521 20 43 000 - Travel			278.76	Criminal Justice Training Center- Travel
4765	09/09/2014	Claims	1	11225	Rachel M Shaw	28.05	BCES Meeting
			001 - 514 30 43 000 - Travel			28.05	BCES Meeting
4766	09/09/2014	Claims	1	11226	Tolman Electric	133.21	Power Outage Generator Repair
			001 - 518 31 48 000 - Repairs & Maintenance			133.21	Power Outage Generator Repair
4767	09/09/2014	Claims	1	11227	Valley Publishing Co Inc	291.00	Notice, Ordinance Summary 14-2902; Notice 2015 Hotel/Motel Application For Funding; Notice Of Complete Application; Notice Of Public Hearing- Rezone; Public Hearing Notice-TBD; Notice Of Public Hearin
			001 - 514 30 41 000 - Professional Services			24.00	Notice, Ordinance Summary 14-2902
			001 - 514 30 41 000 - Professional Services			42.00	Notice 2015 Hotel/Motel Application For Funding
			001 - 514 30 41 000 - Professional Services			33.00	Notice Of Public Hearing-Moratorium
			001 - 514 30 41 000 - Professional Services			72.00	Notice Of Complete Application
			103 - 543 30 41 000 - Professional Service			27.00	Public Hearing Notice-TBD

CHECK REGISTER

City Of Prosser
MCAG #: 0205

09/09/2014 To: 09/09/2014

Time: 09:41:51 Date: 09/04/2014
Page: 7

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
			001 - 558 60 41 000 - Professional Services			60.00	Notice Of Complete Application
			001 - 558 60 41 000 - Professional Services			33.00	Notice Of Public Hearing- Rezone
4768	09/09/2014	Claims	1	11228	Verizon Wireless	706.68	PD Wireless Cell Phones; Police MDT Data
			001 - 518 31 42 000 - Communications			231.47	PD Wireless Cell Phones
			001 - 521 20 42 000 - Communications			143.82	PD Wireless Cell Phones
			001 - 521 20 42 000 - Communications			331.39	Police MDT Data
4769	09/09/2014	Claims	1	11229	Vine Tech Equipment	40.62	B Section Belt
			001 - 576 80 31 000 - Office & Operating Supplies			40.62	B Section Belt
4770	09/09/2014	Claims	1	11230	WA Dept Transportation Sc	651.56	Signal Maintenance- WCR & 6th; Signal Maintenance- WCR & North River
			102 - 542 64 51 000 - Intergov't Professional Servic			356.92	Signal Maintenance- WCR & 6th
			102 - 542 64 51 000 - Intergov't Professional Servic			294.64	Signal Maintenance- WCR & North River
4771	09/09/2014	Claims	1	11231	The Wesley Group	2,783.28	Labor Relations Consultation
			001 - 518 10 41 000 - Professional Services			2,783.28	Labor Relations Consultation
						107,128.39	
						17,748.78	
						27.73	
						69,527.38	
						56,855.44	
						93,018.07	
						<u> </u>	Claims:
						344,305.79	344,305.79
* Transaction Has Mixed Revenue And Expense Accounts						344,305.79	

[Handwritten Signature]

Signature

9/14/14

Date

CITY OF PROSSER, WASHINGTON

AGENDA BILL

Agenda Title: Accept Monthly Report by Prosser Economic Development Association for the month of August 2014 and authorize payment for those services in the amount of \$2,166.66 and authorize payment in the amount of \$1,416.67 for Grant Writer Services.		Meeting Date: September 09, 2014 Regular Meeting	
Department: Finance	Director: Regina Mauras	Contact Person: Toni Yost	Phone Number: (509) 786-2332
Cost of Proposal: \$3,583.33		Account Number: 001-558-519-70-41	
Amount Budgeted: \$42,000.00		Name and Fund# General Fund - Professional Services	
Reviewed by Finance Department: RM			
Attachments to Agenda Packet Item: 1. Invoice Number 2164 for August 2014 contracted service 2. PED A Monthly Report for July 2014			
Summary Statement: Check has been reviewed and approved by department heads, the Finance Director, and Mayor as necessary. Check no. 11216 has been generated for Council approval.			
Consistent with or Comparison to: City's policy to pay bills in a timely manner.			
Recommended City Council Action/Suggested Motion: Accept Monthly Report by Prosser Economic Development Association for the month of August 2014 and authorize payment for those services in the amount of \$2,166.66 and authorize payment in the amount of \$1,416.67 for Grant Writer Services			
Reviewed by Department Director: Regina Mauras Date: 9.4.2014	Reviewed by City Attorney: N/A Date:	Approved by Mayor: Acting CA S. P. C. Date: 9/4/14	
Today's Date: September 4, 2014	Revision Number/Date:	File Name and Path:	

Invoice

DATE	INVOICE #
8/31/2014	2164

BILL TO
CITY OF PROSSER 601 7th Street PROSSER WA 99350

001-558-70-41

DESCRIPTION	AMOUNT
CONTRACT FOR SERVICES - August 2014	2,166.66
GRANT WRITER AGREEMENT - August 2014	1,416.67
Total	
	\$3,583.33



Tour Port of Benton Properties

AGENDA

Thursday, June 5, 2014

- 9:00 a.m. Meet & Greet
Load Bus at Walter Clore Wine & Culinary Center
- 9:15-9:45am Tour Port Properties in Prosser
Walter Clore Wine & Culinary Center
Prosser Wine & Food Park
Vintner's Village I & II
Wamba Rd. Property
Chukar Cherries
Airport
- 9:45am-10:15 Next Stop: Benton City
Tour Properties
Break Time before Travel to Richland
- 10:15-10:45 Next Stop: Richland
Tour Properties
Triton Sail
Wine Science Center
TEC
Port of Benton Admin Offices
- 11:30 Next Stop: Prosser
- Noon Catered Lunch at Walter Clore Wine & Culinary Center

Event Ends at 1pm

CITY OF PROSSER, WASHINGTON

AGENDA BILL

Agenda Title: Approve Progress Bill No. 4 in the amount of \$11,388.00 for work performed by HLA, Inc., through July 31, 2014, for preliminary engineering and design on the Old Inland Empire Highway Improvements Project and authorize the Mayor to sign the documents.		Meeting Date: September 9, 2014 Regular Meeting	
Department: Public Works	Director: L.J. Da Corsi	Contact Person: L.J. Da Corsi	Phone Number: (509) 786-2332
Cost of Proposal: \$284,700.00 (Total) 11,388.00 (Bill No. 4)		Account Number:	
Amount Budgeted: N/A \$285,700 \$247,000 (STPUS) 38,567 (Local Match)		Name and Fund# #302	
Reviewed by Finance Department: 			
Attachments to Agenda Packet Item: <ol style="list-style-type: none"> 1. Local Programs Progress Billing Form - STPUS-B030(001) Progress Billing No. 4 2. Invoice 13093E-005 from HLA, Inc., to the City of Prosser in the amount of \$11,388.00, dated August 1, 2014 3. Project Costs To Date Sheet, dated August 13, 2014 			
Summary Statement: HLA, Inc., has performed work in connection with their contract for preliminary engineering and design of the Old Inland Empire Highway Improvements Project. The amount due, \$11,388.00, must have Council approval prior to this invoice being sent to WSDOT for processing and subsequent payment to HLA, Inc.			
Consistent with or Comparison to: Payment as per contractual agreements require City Council approval.			

Recommended City Council Action/Suggested Motion:

Approve Progress Bill No. 4 in the amount of \$11,388.00 for work performed by HLA, Inc., through July 31, 2014, for preliminary engineering and design on the Old Inland Empire Highway Improvements Project and authorize the Mayor to sign the documents.

<u>Reviewed by Department Director:</u>  Date: 9/4/14	<u>Reviewed by City Attorney:</u>  Date: 8/29/14	<u>Approved by Mayor:</u> Acting CA  Date: 9/4/14
<u>Today's Date:</u> 8/29/14	<u>Revision Number/Date:</u>	<u>File Name and Path:</u>



Huibregtse, Louman Associates, Inc.
 2803 River Road
 Yakima, WA 98902

City of Prosser
 601 Seventh St.
 Prosser, WA 99350

Invoice number 13093E-005
 Date 08/01/2014

Project **13093E Prosser - Old Inland Empire Highway Improvements**

Payment is Due within 30 Days of the Date of this Invoice.

FOR:

Professional Engineering and Land Surveying Services in connection with the Old Inland Empire Highway Improvements project, per your request, for services performed July 1 through July 31, 2014.

Description	Contract Amount	Percent Complete	Prior Billed	Total Billed	Current Billed
Design Plans, Specifications and Estimate	284,700.00	11.00	19,929.00	31,317.00	11,388.00
Total	284,700.00	11.00	19,929.00	31,317.00	11,388.00

Invoice total 11,388.00

HUIBREGTSE, LOUMAN ASSOCIATES, INC.

Jeffrey T. Louman, PE
 President

Rachel Shaw

From: Caroline Fitzsimmons [cfitzsimmons@hlcivil.com]
Sent: Thursday, August 28, 2014 7:50 AM
To: Rachel Shaw
Subject: FW: 13093 PR OIE Highway Improvements - STPUS-B030(001) - PROG BILL NO. 4
Attachments: 2014-08-14 STPUS-B030(001) Prog Bill 4.xls; 2014-08-14 13093 STP 4.pdf

Hello Rachel,
I don't see that you have processed this to Peggy??

From: Caroline Fitzsimmons
Sent: Thursday, August 14, 2014 9:59 AM
To: LJ Dacorsi
Cc: Rachel Shaw (rshaw@ci.prosser.wa.us); 'Toni Yost'; Regina Mauras; Dustin Posten
Subject: FW: 13093 PR OIE Highway Improvements - STPUS-B030(001) - PROG BILL NO. 4

L.J.,
Attached, please find Progress Bill No. 4 (including back-up) for your review, execution and submission to Peggy Allen, WSDOT Local Programs, for the project referenced above.

This Progress Billing includes the following items for reimbursement:

HLA Invoice, 13093E-005 (08/01/14)	\$ 11,388.00
Participation Rate - 86.5%	\$ <u>9,850.62</u>

If you find that this Progress Billing is acceptable, Peggy has requested that you print, sign, date and scan her the signed version, along with backup documentation, for her review and processing at: AllenPS@wsdot.wa.gov

Please include the following information when submitting each request to WSDOT, Peggy Allen:

"O.K. TO PAY":

1. Agency: City of Prosser
2. Project Title: OLD INLAND EMPIRE HIGHWAY IMPROVEMENTS
3. Federal Aid Project Number: STPUS-B030(001)
4. Local Agency Agreement Number: LA-8286
5. "Submission of this request for payment certifies that in accordance with the laws of the State of Washington and under the conditions of approval for the project identified above, actual costs claimed have been incurred and are eligible for the purposes specified; also, that no other claims have been presented to or a payment made by, the State of Washington for those costs claimed herein for reimbursement."

Please copy me on your email to Peggy.

Please let me know if you have any questions.

Have a great day!

Thank You,

Caroline Fitzsimmons

Huibregtse, Louman Associates, Inc.

2803 River Road Yakima, WA 98902 <<<<< **WE HAVE MOVED!**

Phone: (509)966-7000 | Fax: (509)965-3800

cfitzsimmons@hlcivil.com | www.hlcivil.com

City of Prosser
 601 7th Street
 Prosser, WA 99350
 Fed Tax ID No.: 91-6001268
 Agency Use:

Local Programs Progress Billing

Federal Aid Project: STPUS-B030(001)
 Agreement Number: LA-8286
 Last Supplement :
 Project Title: Old Inland Empire Highway Improvements

Progress Bill No: **4**
 Final Progress Bill? **No**
 Billing Period from: 7/1/2014
 through: 7/31/2014

	1	2	3	4	5	6	7	8
<u>PE</u>	Total Eligible This Period	Total Eligible To Date	Participation Rate	Amount Claimed This Period <i>Col 1 x Col 3</i>	Amount Claimed Prior Periods	Total Claimed To Date <i>Col 4 + Col 5</i>	Amount Authorized Per Agreement	Remaining Federal Funds <i>Col 7 - Col 6</i>
TA-5331				0.00		0.00		0.00
10 Consultant	11,388.00	31,317.00	86.5000%	9,850.62	17,238.59	27,089.21	246,235.00	219,145.79
<i>Total Preliminary Engineering</i>	11,388.00	31,317.00		9,850.62	17,238.59	27,089.21	246,235.00	219,145.79
<u>RW</u>				0.00		0.00		0.00
				0.00		0.00		0.00
<i>Total Right of Way</i>	0.00	0.00		0.00	0.00	0.00	0.00	0.00
<u>CN</u>				0.00	0.00	0.00	0.00	0.00
30 Contract	0.00	0.00	86.5000%	0.00	0.00	0.00	0.00	0.00
				0.00		0.00		0.00
				0.00		0.00		0.00
				0.00		0.00		0.00
<u>CE</u>				0.00	0.00	0.00	0.00	0.00
31 Consultant	0.00	0.00	86.5000%	0.00	0.00	0.00	0.00	0.00
				0.00		0.00		0.00
<i>Total Construction</i>	0.00	0.00		0.00	0.00	0.00	0.00	0.00
TOTAL PROJECT	11,388.00	31,317.00		9,850.62	17,238.59	27,089.21	246,235.00	219,145.79

58

Submission of this request for payment certifies that in accordance with the laws of the State of Washington and under the conditions of approval for the project identified above, actual costs claimed have been incurred and are eligible for the purposes specified; also, that no other claims have been presented to, or payment made by, the State of Washington for those costs claimed for reimbursement.

 Signee - Paul Warden Title Mayor Date

 Approved by Regional Local Programs Office Date

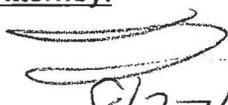
Return to Regional Local Programs Office

Revised 09/2008

CITY OF PROSSER, WASHINGTON

AGENDA BILL

<u>Agenda Title:</u> Approve Energy Services Authorization Agreement No.2015-056(A), between the City of Prosser and Apollo Solutions Group, in the amount of \$20,000.00 and authorize the Mayor to sign the contract.		<u>Meeting Date:</u> September 9, 2014 Regular Meeting	
<u>Department:</u> Public Works	<u>Director:</u> L.J. Da Corsi	<u>Contact Person:</u> L.J. Da Corsi	<u>Phone Number:</u> (509) 786-2332
<u>Cost of Proposal:</u> \$20,000		<u>Account Number:</u> 001-511-41	
<u>Amount Budgeted:</u>		<u>Name and Fund#</u>	
<u>Reviewed by Finance Department:</u> <i>Spert</i>			
<u>Attachments to Agenda Packet Item:</u> 1. 8/26/2014 Letter from DES, RE: Agreement No. 2015-056 A (1) 2. Energy Services Authorization No. 2015-056(A)			
<u>Summary Statement:</u> Apollo Sheet Metal, Inc. DBA Apollo Solutions Group, has been selected and approved by the City to perform a detailed Investment Grade Energy Audit. In order to continue with the project a formal agreement authorizing Apollo to proceed, and assuring compensation for their energy services, is necessary.			
<u>Consistent with or Comparison to:</u> EXISTING ADOPTED OR PREVIOUS PLANS, POLICIES OR ACTIONS TAKEN BY THE COUNCIL			
<u>Recommended City Council Action/Suggested Motion:</u> Approve Energy Services Authorization Agreement No.2015-056(A), between the City of Prosser and Apollo Solutions Group, in the amount of \$20,000.00 and authorize the Mayor to sign the contract.			

<u>Reviewed by Department Director:</u>  Date: 9/4/14	<u>Reviewed by City Attorney:</u>  Date: 8/27/14	<u>Approved by Mayor:</u> Acting CA  Date: 9/4/14
<u>Today's Date:</u> 8/26/14	<u>Revision Number/Date:</u>	<u>File Name and Path:</u>



STATE OF WASHINGTON
DEPARTMENT OF ENTERPRISE SERVICES

1500 Jefferson St. SE, Olympia, WA 98501
PO Box 41476, Olympia, WA 98504-1476

August 26, 2014

TO: L. J. DaCorsi, City of Prosser
FROM: Eddie Miller, Contracts Specialist, (360) 407-9363
RE: Agreement No. 2015-056 A (1)
Detailed Investment Grade Energy Audit and Energy Services Proposal
Apollo Sheet Metal, Inc. DBA Apollo Solutions Group
SUBJECT: Funding Approval

The Department of Enterprise Services, E&AS, requires funding approval for the above referenced contract document(s). The amount required is as follows:

Energy Audit and Energy Services Proposal \$ 20,000.00

In accordance with the provisions of RCW 43.88, the signature affixed below certifies to the Facilities Division, Engineering & Architectural Services that the above identified funds are appropriated, allotted or that funding will be obtained from other sources available to the using client/agency. The using/client agency bears the liability for any issues related to the funding for this project.

By _____ Date _____
Name / Title

Please sign and return this form to E&AS. If you have any questions, please call me.

2015056Aauthem

ENERGY SERVICES AUTHORIZATION NO. 2015-056 (A)
 Detailed Investment Grade Energy Audit & Energy Services Proposal
City of Prosser
 August 26, 2014
 MASTER ENERGY SERVICES AGREEMENT NO. 2013-133 C (3)

The Owner and the Energy Services Company (ESCO) named below do hereby enter into this Authorization under terms described in the following sections:

Authorization to Proceed
 Compensation for Energy Services

Project Conditions

I. AUTHORIZATION TO PROCEED:

Energy Services Company:

Apollo Sheet Metal, Inc. DBA
 Apollo Solutions Group
 1201 SW Columbia Drive
 Kennewick, WA 99336
 Telephone No. (503) 720-5690
 Fax No. (503) 688-8814
 E-Mail Address abanks@apollosm.com

Owner:

City of Prosser
 acting through the
 Department of Enterprise Services,
 Facilities Division,
 Engineering and Architectural Services
 PO Box 41476
 Olympia, WA 98504
 Telephone No. (360) 902-7272

By _____
 Name _____
 Title _____
 Date _____

By _____
 Name Roger Wigfield, P.E.
 Title Energy Program Manager
 Date _____

State of Washington Contractor's License No. APOLLSM187MK
 State of Washington Revenue Registration No. 600 443 607
 Federal Tax Identification No. 91-1178943
 MWBE Certification No. _____

II. COMPENSATION FOR ENERGY SERVICES:

Name of Facility	COMPENSATION
Energy Audit and Energy Services Proposal	\$ 20,000.00
Design	\$ 0.00
Construction Management	\$ 0.00
Overhead and Profit	\$ 0.00
Measurement and Verification – Year 1	\$ 0.00
Measurement and Verification – Years 2 through 3	\$ 0.00
Grand Total (plus WSST as applicable)	\$ 20,000.00

III. PROJECT CONDITIONS:

The Project Conditions contained in the Master Energy Services Agreement will be used unless specifically changed herein.

IV. SCOPE OF WORK:

Per the fee proposal dated July 31, 2014 conduct a Detailed Investment Grade Energy Audit of city lighting and well pumps, to identify cost effective energy conservation measures and present a written Energy Services Proposal, including all energy audit documentation. The ESCO shall prepare the final Energy Services Proposal, detailing the actual energy services and ESCO equipment to be provided, energy savings and cost guarantees, measurement and verification plans, and commissioning plans for the proposed measures. Measures will include items that save energy, water and other resources. The Cost Effectiveness Criteria for this project shall be as established in the Master Energy Services Agreement or as modified in Section III above.

V. SCHEDULE FOR COMPLETION

Final completion of the Energy Audit and Energy Services Proposal within 120 calendar days after Authorization to Proceed.

2015056Aauthem

**CITY OF PROSSER, WASHINGTON
601 7TH STREET
CITY COUNCIL CHAMBERS
CITY COUNCIL REGULAR MEETING
TUESDAY, JULY 13, 2010**

CALL TO ORDER

Mayor Pro Tem Taylor called the Regular Meeting of the Prosser City Council to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Council Members Becken, Chambers, Everett, Poteet, Rainer, and Troemel were present. Mayor Warden had requested an excused absence.

CITIZEN PARTICIPATION

Noemi Ortega provided Council with an update regarding the 2010 Census. The City of Prosser had a 79% participation rate in the Census. Ms. Ortega expressed appreciation for the City's assistance and presented a plaque of recognition. The Official Census Report was scheduled for publishing in March of 2011.

MAYOR AND CITY COUNCIL REPORTS AND COMMENTS (None)

REPORT FROM THE CITY ADMINISTRATOR

Proposed Library Remodel

Jessica Kovis, Branch Manager at the Prosser Library, discussed plans for a remodel of the Prosser Library building. It was estimated the Mid-Columbia Library District was to contribute approximately \$100,000 towards the project. Ms. Kovis stated the plans included new flooring, electrical components, and increased floor space for the public. City Administrator Charlie Bush stated \$12,000 was gifted to the City for library purposes. Those funds could be used for the remodel project. City Administrator Bush encouraged the Council to consider applying for a grant, not to exceed \$50,000, for the project. Ms. Kovis stated the timeline for the remodel was flexible depending on the availability of funds. Ms. Kovis introduced Kyle Cox, the Interim Director for the Mid-Columbia Library District.

Merlot/Gap/Wine Country Road Intersection

Ted Pooler, of Huibretgse, Louman and Associates, Inc. (HLA), provided the Council with design possibilities for the Merlot/Gap/Wine Country Road intersection. The State Department of Transportation (DOT) noted a signalized intersection was warranted. DOT asked HLA to look into roundabout options. Discussion included rights-of-way, high truck volume, and signal lights vs. roundabouts. The cost for improvements to the intersection was estimated to be \$1.8M to \$2.0M. The Transportation Improvement

Board (TIB) had limited funding to appropriate to such projects and the City would be required to provide a 10 percent match (\$190,000).

Mr. Pooler said Yakima would soon have a new roundabout installed for truck traffic and suggested that design be reviewed for consideration. The Council agreed to wait on this project.

Village Park Improvement Project

Building Inspector Barry Morrow stated construction was scheduled for November of 2010, with paving in the spring of 2011. The project was at 80% completion for platting, 100% completion in environmental areas, and 60% for design work.

Northwest Prosser Water System Improvement Project

Public Works Director L. J. DaCorsi stated the Northwest Prosser Water System Improvement project was at 12% completion.

Public Safety Building

Prosser Police Chief Pat McCullough stated the public safety building was still at 10% completion. Chief McCullough provided previous design work for the Council to review.

Major Capital Project Progress

City Administrator Bush stated a Capital Project Progress sheet was in the meeting packet for the Council's convenience.

BNSF Update

City Administrator Bush stated Burlington Northern Santa Fe informed the City they were increasing the cost of the lease of the Depot parking lot to over \$20,000 per year. Mr. Bush stated a meeting would be held with the lease partners to discuss implications of the increased cost.

PUBLIC HEARING

CONDUCT A PUBLIC HEARING FOR THE CITY OF PROSSER'S PROPOSED SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM 2011-2016

At 8:04 p.m., Mayor Pro Tem Taylor recessed the Regular Meeting of the Prosser City Council to conduct a public hearing for the City of Prosser's proposed Six-Year Transportation Improvement Program (STIP) 2011-2016. Public Works Director DaCorsi stated Wine Country Road was moved to number one on the STIP list, according to direction from Council at the July 6, 2010 Work Session. Mayor Pro Tem Taylor called for public comment with none being offered. The public hearing was closed and the Regular Meeting was reconvened at 8:05 p.m.

Council Member Becken was opposed to Wine Country Road being ranked as number one on the STIP.

CONSENT AGENDA

Mayor Pro Tem Taylor stated Consent Agenda Item “A” Check Number 65170 was voided and not included in the amount totals. A motion was made by Council Member Becken, seconded by Council Member Everett to approve Consent Agenda Items “B-G”. Motion passed 7 YES, 0 NO, 0 ABSENT.

- b. Accept Monthly Report by Prosser Economic Development Association for the Month of June 2010 and Authorize Payment for those Services in the Amount of \$2,166.66
- c. Accept Invoice for Operation of the Visitor Information Center and Reimbursable Tourism and Promotional Expenses for the Month of June 2010 and Authorize Payment for those Services in the Amount of \$5,000
- d. Accept Monthly Report by Alejandro “Alex” Santillanes for Gang Intervention Consulting for the Month of June 2010 and Authorize Payment for those Services in the Amount of \$2,250
- e. Confirming Appointments to the Prosser Planning Commission (Esther Leep, Marty Taylor, Sam Fitch – terms to expire June of 2013)
- f. Approve Meeting Minutes of June 22, 2010
- g. Approve Work Session Minutes of July 6, 2010

A motion was made by Council Member Becken, seconded by Council Member Everett to approve Consent Agenda Item “A” noting that Check Number 65170 in the amount of \$9,994 had been voided and was not included in the amount totals. Motion passed 7 YES, 0 NO, 0 ABSENT.

- a. Approve Payment of Claim Checks Nos. ~~65000- 65081~~ through ~~65080 65183~~ in the Amount of ~~\$252,473.06- \$364,835.73~~ and the IRS Federal Tax Wire in the Amount of ~~\$3,692.11- \$47,135.60~~, and Department of Revenue Electronic Payment in the Amount of \$13,280.16 for the Period Ending ~~June 22~~ July 13, 2010 (as amended)

ACTION ITEMS

RESOLUTION NO. 10-1328 SURPLUSING CITY OF PROSSER PROPERTY

A motion was made by Council Member Chambers, seconded by Council Member Rainer to adopt Resolution No. 10-1328 surplusizing City of Prosser property (library books). Motion passed 7 YES, 0 NO, 0 ABSENT.

REVIEW FUNDING OPTIONS FOR STREET STRIPING AND APPROVE TRANSFER OF \$18,000

Public Works Director DaCorsi stated there were available funds in the Arterial Street or Infrastructure Development Reserve to fund the street striping program, as Transportation Benefit District monies had not materialized as expected. A motion was made by Council Member Everett, seconded by Council Member Chambers to approve the transfer of \$18,000 from the Infrastructure Development Reserve Fund for the 2010 Street Striping Program. 7 YES, 0 NO, 0 ABSENT.

ORDINANCE NO. 10-2694 EXTENDING THE DUE DATE FOR JULY 2010 UTILITY BILLING STATEMENTS AND ALLOWING STAFF TO NOT PURSUE SHUT OFF PROCEDURES DUE TO A PROCESSING ERROR, AND DECLARING AN EMERGENCY ALLOWING THE IMMEDIATE IMPLEMENTATION OF THE ORDINANCE

Finance Director Koch stated an error occurred when processing shut off statements and arrangements were needed as incorrect information was sent to residents in regards to utility accounts. A motion was made by Council Member Rainer, seconded by Council Member Becken to adopt Ordinance No. 10-2694 extending the due date for the July 2010 utility billing statements and allowing staff to not pursue shut off procedures due to a processing error, and declaring an emergency allowing the immediate implementation of the ordinance. Motion passed 7 YES, 0 NO, 0 ABSENT.

EXECUTIVE SESSION

At 8:12 p.m., Mayor Pro Tem Taylor recessed the Regular Meeting of the Prosser City Council to conduct an executive session pursuant to RCW 42.30.140 (4)(a) collective bargaining sessions with employee organizations, including contract negotiations, grievance meetings, and discussions relating to the interpretation or application of a labor agreement. The session was expected to last for 10 minutes and was to include the Mayor Pro Tem and Council Members, City Attorney, City Administrator, City Clerk, and Finance Director. The Council took a brief at ease and the Executive Session began at 8:15 p.m.

At 8:25 p.m., City Clerk Sherry Biggs stated an additional 5 minutes was needed.

At 8:30 p.m., City Clerk Biggs stated an additional 5 minutes was needed.

At 8:35 p.m., City Clerk Biggs stated an additional 5 minutes was needed.

At 8:40 p.m., City Clerk Biggs stated an additional 5 minutes was needed.

At 8:45 p.m., Mayor Pro Tem Taylor reconvened the Regular Meeting of the City Council and stated no action had occurred in the Executive Session.

ADJOURNMENT

There being no further business before the City Council at this time, the Regular Meeting of the Prosser City Council was adjourned at 8:45 p.m.

Mayor Paul Warden

Attest:

| _____
City Clerk Sherry Biggs Rachel Shaw

**CITY OF PROSSER, WASHINGTON
601 7TH STREET
CITY COUNCIL CHAMBERS
CITY COUNCIL REGULAR MEETING
TUESDAY, NOVEMBER 23, 2010**

CALL TO ORDER

Mayor Warden called the Regular Meeting of the Prosser City Council to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Council Members Taylor, Becken, Chambers, Everett, Poteet, Rainer, and Troemel were present.

CITIZEN PARTICIPATION

George Wolcott, 107 Easy Street, asked the Council what the rationale was behind the proposed 2% salary increase for City personnel given there was no inflation nor had senior citizens received any social security advancements. City Administrator Charlie Bush stated the reason for the proposal was based on Council's position to keep non-represented employees in-line with the cost-of-living-allowance (COLA) given to union employees. 80% of the City's labor force is union and has negotiated a 2 – 4% COLA increase. Mr. Wolcott stated he did not agree with the proposed increase and wanted Council to know his position.

MAYOR AND CITY COUNCIL REPORTS AND COMMENTS

Council Member Everett stated that since the Regional Fire Authority (RFA) didn't pass, he felt that staff should bring back to Council the Benton County Fire District No. 3 Interlocal Agreement for consideration.

REPORT FROM THE CITY ADMINISTRATOR

Boys and Girls Club Program Update

City Administrator Charlie Bush pointed out to Council there was a Boys and Girls Club monthly program update in their Council packets.

Future Agenda Forecast

City Administrator Bush requested Council consider having two short City Council meetings and one Transportation Benefit District meeting for the month of December 2010. City Administrator Bush proposed conducting the December 7th Council and Transportation Benefit District meeting as well as the December 14th Council meeting, and cancel both the December 28, 2010 regular Council meeting and January 4, 2011 Work Session. Council agreed.

City Council Priorities, Gang Prevention and Police Patrol

City Administrator Bush stated the Police Department has not determined if the homicide that occurred over the weekend was gang related. In light of the unfortunate incident, he reminded Council their number one priority is gang prevention and their number two priority is police patrol. Efforts in the areas of Code Enforcement, recreation, graffiti paint-out, gang training for

officers, among others, has been an emphasis and those priorities are reflected upon in the current proposed budget.

2011 BUDGET HEARING

At 7:09 p.m., Mayor Warden recessed the Regular Meeting of the Prosser City Council to conduct a public hearing on the 2011 Budget. Mayor Warden called for public comment with none being offered. At 7:09 p.m., Mayor Warden closed the public hearing and reconvened the Regular Meeting of the Prosser City Council.

FINAL BUDGET HEARING

At 7:10 p.m., Mayor Warden recessed the Regular Meeting of the Prosser City Council to conduct a public hearing on the 2011 Final Budget. Mayor Warden called for public comment with none being offered. At 7:10 p.m., Mayor Warden closed the public hearing and reconvened the Regular Meeting of the Prosser City Council.

CONSENT AGENDA

A motion was made by Council Member Taylor, seconded by Council Member Everett to approve Consent Agenda Items “A and C”. Motion passed 7 YES, 0 NO, 0 ABSENT.

- a. Approve Payment of Claim Checks Nos. ~~65833~~– 65883 through 65947 in the Amount of \$295,995.11 and IRS Federal Tax Wire in the Amount of \$13,119.83 for the Period Ending November 23, 2010

- c. Approve Change Order No. 1 for the Black Walnut Tree Removal Project in the amount of \$6,861.89 including tax, and authorize the Mayor, or His Designee, to sign the Change Order Document

Council Member Becken noted on item “B”, under roll call, it appeared his named had been omitted. He requested an amendment to reflect he was absent from that meeting. A motion was made by Council Member Becken, seconded by Council Member Poteet to approve Consent Agenda Item “B”. Motion passed 7 YES, 0 NO, 0 ABSENT.

- b. Approve Meeting Minutes of September 28, 2010

COUNCIL ACTION

ORDINANCE NO. 10-2702 SETTING ANNUAL PROPERTY TAX LEVY FOR FISCAL YEAR 2011

A motion was made by Council Member Taylor, seconded by Council Member Everett to adopt Ordinance No. 10- 2702 setting the annual property tax levy for fiscal year 2011. Motion passed 6 YES, 1 NO (Chambers), 0 ABSENT.

ORDINANCE NO. 10-2703 INCREASING SALARIES FOR NON-UNION EMPLOYEES BY A COST OF LIVING ALLOWANCE IN THE AMOUNT OF 2% EFFECTIVE JANUARY 1, 2011

A motion was made by Council Member Taylor, seconded Council Member Everett to adopt Ordinance No. 10-2703 increasing salaries for non-union employees by a cost of living allowance in the amount of 2% effective January 1, 2011. Motion passed 7 YES, 0 NO, 0 ABSENT.

ORDINANCE NO. 10-2704 INCREASING WATER RATES 1%

A motion was made by Council Member Everett, seconded by Council Member Becken to adopt Ordinance No. 10-2704 increasing water rates 1% without a yearly CPI rate adjustment commencing on January 1, 2011. Motion passed 5 YES, 2 NO (Chambers, Taylor), 0 ABSENT.

ORDINANCE NO. 10-2705 ADOPTING A PUBLIC PARTICIPATION PLAN TO GUIDE THE PROCESS TO ADOPT AN AMENDMENT TO THE PROSSER COMPREHENSIVE PLAN

A motion was made by Council Member Taylor, seconded by Council Member Everett to adopt Ordinance No. 10-2705 adopting a Public Participation Plan to guide the process to adopt an amendment to the Prosser Comprehensive Plan and authorize the Mayor or his designee to sign the Ordinance. Motion passed 7 YES, 0 NO, 0 ABSENT.

ORDINANCE NO. 10- 2706 INCREASING IRRIGATION RATES 5%

A motion was made by Council Member Everett, seconded by Council Member Taylor to adopt Ordinance No. 10-2706 increasing irrigation rates 5% with no Consumer-Price-Index (CPI) increase and with amendments to Section 1 calculated rate at .002289 and Section 2 calculated rate at the square foot of .015855. Motion passed 7 YES, 0 NO, 0 ABSENT.

2011 BUDGET ORDINANCE NO. 10- 2707 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2011 AT THE FUND LEVEL AND AUTHORIZE POSITIONS AND SALARIES

A motion was made by Council Member Taylor, seconded by Council Member Rainer to adopt Ordinance No. 10-2707 for the fiscal year ending December 31, 2011 at the fund level and authorize positions and salaries as set forth in the 2011 Budget. Motion passed 7 YES, 0 NO, 0 ABSENT.

RESOLUTION NO. 10- 1339 SETTING A DATE AND TIME FOR A PUBLIC HEARING ON THE CREATION OF A LOCAL IMPROVEMENT DISTRICT (LID)

A motion was made by Council Member Everett, seconded by Council Member Taylor to adopt Resolution No. 10-1339 setting a date and time for a Public Hearing on the creation of a Local Improvement District (LID). Motion passed 7 YES, 0 NO, 0 ABSENT.

APPROVAL OF 2011 LEGISLATIVE AGENDA

A motion was made by Council Member Everett, seconded by Council Member Taylor to approve the 2011 Legislative Agenda. Motion passed 7 YES, 0 NO, 0 ABSENT.

ADJOURNMENT

There being no further business before the City Council at this time, the Regular Meeting of the Prosser City Council was adjourned at 8:11p.m.

Mayor Paul Warden

Attest:

City Clerk Rachel Shaw

**CITY OF PROSSER, WASHINGTON
601 7TH STREET
CITY COUNCIL CHAMBERS
CITY COUNCIL REGULAR MEETING
TUESDAY, FEBRUARY 14, 2012**

CALL TO ORDER

Mayor Pro Tem Taylor called the Regular Meeting of the Prosser City Council to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited by Hannah Merritt and Christopher Lane, Heights Elementary “Kids that Care” award recipients.

ROLL CALL

Council Members Rainer, Elder, Everett, Taylor, Troemel, Hamilton, and Becken were present. Mayor Warden requested an excused absence.

CITIZEN PARTICIPATION (None)

MAYOR AND CITY COUNCIL REPORTS AND COMMENTS

Council Member Rainer inquired about the status of the Water Tower project. Public Works Director L.J. DaCorsi advised the generator has been installed and it is currently in operation.

Council Member Rainer stated the crosswalk from the High School to the City Park playground is poorly lit and inquired whether the City could brighten the existing street lights. Public Works Director DaCorsi advised he would look into it.

Council Member Everett reported the Regional Fire Authority (RFA) Committee continues to review the RFA Plan and anticipate adoption and subsequent recommendation of approval to both the Benton County Fire District Board as well as the City Council. The RFA Plan will be brought forward for Council consideration at a future meeting.

Council Member Troemel reported the alley-way next to the Post Office is often times jammed with parked vehicles and expressed his concern that emergency vehicles would not be able to navigate through the blocked area. He inquired if the City could contact the Post Office and request the vehicles be moved. Council Member Becken stated the property Council Member Troemel was referring to is the Post Office’s private property and the reason the alley-way is blocked is to prevent drivers from using it for a short cut.

REPORT FROM THE CITY ADMINISTRATOR

Phase II Skate Park Expansion Project

City Administrator Charlie Bush introduced Josh Blankenship who is heading up the Phase II Skate Park Expansion Project. City Administrator Bush explained Mr. Blankenship and a group of interested individuals approached the City with the idea to expand the skate park. Mr.

Blankenship advised the group offered to raise funds and assist with the construction to keep the costs down if the City would partner with them and submit a matching funds grant application to the Recreation Conservation Office (RCO) for the project. City Administrator Bush explained if the Council is interested in exploring the project further, the grant application deadline is May 1st and advised the Council would need to pass a resolution at a future meeting. Council directed staff to prepare the grant application and supporting documents including the project design to bring back at a future meeting for Council consideration.

Council Prioritization

City Administrator Bush provided a handout of the results from the 2013 – 2014 Budget Prioritization Process exercise previously presented to Council. Council requested staff to reconfigure the handout and present an amended document at a future Council Work Session for further discussion.

Printed City Council Agendas

City Administrator Bush reported staff had received requests from some Council Members for printed copies of City Council meeting agendas and inquired whether it was the Council's consensus to revert back to printed copies. He explained the costs associated with doing so and advised it was not staff's recommendation. Council concurred due to the printing costs they prefer to continue to receive the City Council meeting agendas via Council iPads.

EXECUTIVE SESSION

At 7:19 p.m., Mayor Pro Tem Taylor recessed the Regular Meeting of the Prosser City Council to conduct an executive session pursuant to RCW 42.30.140(4)(a)(b) collective bargaining sessions with employee organizations, including contract negotiations, grievance meetings, and discussions relating to the interpretation or application of a labor agreement; or (b) that portion of a meeting during which the governing body is planning or adopting the strategy or position to be taken by the governing body during the course of any collective bargaining, professional negotiations, or grievance or mediation proceedings, or reviewing the proposals made in the negotiations or proceedings while in progress. The session was to include the Mayor and Council Members, City Administrator, Deputy City Administrator, City Clerk, Police Chief, City Attorney, Finance Manager, and Kevin Wesley. The executive session was also conducted pursuant RCW 42.30.110(1)(i) to discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency. This portion of the session included the Mayor and Council Members, City Administrator, Deputy City Administrator, City Clerk, and the City Attorney. The executive session was expected to last for a combined time period of 15 minutes.

At 7:34 p.m., City Clerk Shaw stated an additional 5 minutes was needed.

At 7:39 p.m., City Clerk Shaw stated an additional 2 minutes was needed.

At 7:43 p.m., Mayor Pro Tem Taylor reconvened the Regular Meeting of the City Council and stated no action had occurred in the executive session.

DISCUSSION ITEMS

Dispatch Update Discussion

City Administrator Bush presented Council with a Dispatch Analysis handout and provided an overview the information. There was discussion regarding on-going costs and potential net savings for the General Fund. City Administrator Bush advised it was staff's recommendation to continue the analysis and pursue obtaining a formal quote.

A motion was made by Council Member Everett, seconded by Council Member Rainer to direct staff to obtain a formal quote on dispatch services and BI-PIN conversion. Motion passed 7 YES, 0 NO, 0 ABSENT.

CONSENT AGENDA

Council Member Becken removed Item "B" from the Consent Agenda. A motion was made by Council Member Rainer, seconded by Council Member Everett to approve Consent Agenda Items "A, C – O". Motion passed 7 YES, 0 NO, 0 ABSENT.

- a. Approve Payment of Payroll Check Nos. 502165 through 502179 in the Amount of \$35,039.90 and Direct Deposits in the Amount of \$100,240.53 for the Period Ending January 31, 2012
- c. Approve Payment of Washington Trust Bank Claim Checks Nos. 1017 through 1018 in the Amount of \$164,150.53, for the Period Ending January 26, 2012
- d. Approve the December 2011 Financial Statement
- e. Accept Monthly Report by Prosser Economic Development Association for the Month of January 2012 and Authorize Payment for Those Services in the Amount of \$2,166.66
- f. Approve Meeting Minutes of January 3, 2012
- g. Confirm Appointments to Various Boards, Commissions, and Committees as Appointed by Mayor Warden or the City Council
- h. Approve Huibregtse Louman Associates, Inc. as the City of Prosser's Consulting City Engineer for Municipal Engineering Services and Authorize the Mayor to Sign the Contract
- i. Approve Final Progress Estimate No. 8 in the Amount of \$924.30, for Work Performed by T. Bailey Inc., through January 18, 2012, on the Northwest Prosser Reservoir Project, Move to Accept the Project as

Complete by Resolution No. 12-1377 and Authorize the Mayor to Sign the Resolution

- j. Approve the USDA Outlay Report and Draw Request for Reimbursement No. 9 in an Amount of \$77,050.76, for Costs Incurred on the Northwest Prosser Reservoir and Booster Pump Station Projects and Authorize the Mayor to Sign the Request Documents
- k. Approve the Transportation Improvement Board (TIB) Consultant Agreement between the city of Prosser and Huibregtse Louman Associates, Inc. for Engineering Design Services on the Sixth Street Expanded Pavement Preservation Project and Authorize the Mayor to Sign the Agreement
- l. Adopt Resolution No. 12-1378 Approving Two (2) Applications and Agreements with First Data to Provide for Credit and Debit Card Processing Services
- m. Authorize the Chief of Police to Sign the Letter of Participation Termination with the Benton County/Tri-Cities Regional Special Weapons and Tactics Team (SWAT)
- n. Approve Resolution No. 12-1379 approving the First Amendment to Agreement with Prosser Fire District No. 3
- o. Approve Resolution No. 12-1380 approving the First Amendment to Agreement with Benton County Fire District No. 5

Council Member Hamilton recused himself due to a conflict of interest. A motion was made by Council Member Everett, seconded by Council Member Becken to approve Consent Agenda Item "B". Motion passed 6 YES, 0 NO, 0 ABSENT, 1 ABSENTION (Hamilton).

- b. Approve Payment of Claim Check Nos. ~~68127-68277~~ through 68376 in the Amount of \$358,164.35, WTB Electronic Payment in the Amount of \$77,456.00, and IRS Federal Tax Wires in the Amount of \$43,788.10, for the Period Ending February 14, 2012

COUNCIL ACTION

RESOLUTION NO. 12-1381 APPROVING THE BENTON COUNTY BID AWARD TO COLUMBIA ASPHALT & GRAVEL, INC. FOR THE 2012 BITUMINOUS SURFACE TREATMENT PROJECT PURSUANT TO THE APPROVED INTERLOCAL AGREEMENT WITH BENTON COUNTY AND THE CITY OF PROSSER

Council Member Becken recused himself due to a conflict of interest. A motion was made by Council Member Everett, seconded by Council Member Rainer to approve Resolution No. 12-1381 approving the Benton County Bid Award to Columbia Asphalt & Gravel, Inc. for the 2012

Bituminous Surface Treatment Project pursuant to the approved Interlocal Agreement between Benton County and the City of Prosser and authorize the Mayor to sign the Resolution. Motion passed 6 YES, 0 NO, 0 ABSENT, 1 ABSENTION (Becken).

ORDINANCE NO. 12-2759 CHANGING THE PROSSER PLANNING COMMISSION MEETING DATE

A motion was made by Council Member Everett, seconded by Council Member Becken to approve Ordinance No. 12-2759 changing the Prosser Planning Commission Meeting Date. Motion passed 7 YES, 0 NO, 0 ABSENT.

ORDINANCE NO. 12-2760 CHANGING THE PROSSER BOARD OF ADJUSTMENT MEETING TIME

A motion was made by Council Member Everett, seconded by Council Member Rainer to approve Ordinance No. 12-2760 changing the Prosser Board of Adjustment Meeting Time. Motion passed 7 YES, 0 NO, 0 ABSENT.

ORDINANCE NO. 12-2761 APPROVING THE SIGN CODE

A motion was made by Council Member Rainer, seconded by Council Member Hamilton to approve Ordinance No. 12-2761 approving the Sign Code. Motion passed 7 YES, 0 NO, 0 ABSENT.

ADOPT ELEVEN (11) ORDINANCES ESTABLISHING ZONING CODE UPDATES

A motion was made by Council Member Rainer, seconded by Council Member Taylor to approve Ordinance No. 12-2762 establishing design review and minimum design standards for single-family dwellings and duplexes. Motion passed 4 YES, 3 NO (Everett, Hamilton, Becken), 0 ABSENT.

A motion was made by Council Member Everett, seconded by Council Member Rainer to approve Ordinance No. 12-2763 establishing Zoning Designations with the City of Prosser. Motion passed 7 YES, 0 NO, 0 ABSENT.

A motion was made by Council Member Rainer, seconded by Council Member Everett to approve Ordinance No. 12-2764 adopting development regulations for the Steep Slope Residential Zoning District (SSR). Motion passed 7 YES, 0 NO, 0 ABSENT.

A motion was made by Council Member Everett, seconded by Council Member Rainer to approve Ordinance No. 12-2765 establishing clustering policies for the land use designation of Steep Slope Residential (SSR). Motion passed 7 YES, 0 NO, 0 ABSENT.

A motion was made by Council Member Rainer, seconded by Council Member Elder to approve Ordinance No. 12-2766 establishing development regulations for the Urban Residential Zoning District (UR). Motion passed 7 YES, 0 NO, 0 ABSENT.

A motion was made by Council Member Everett, seconded by Council Member Elder to approve Ordinance No. 12-2767 amending the development regulations for Residential Rural Zoning District (RR). Motion passed 7 YES, 0 NO, 0 ABSENT.

A motion was made by Council Member Elder, seconded by Council Member Rainer to approve Ordinance No. 12-2768 amending the development regulations for Residential Low Density Zoning District (RL). Motion passed 7 YES, 0 NO, 0 ABSENT.

A motion was made by Council Member Everett, seconded by Council Member Hamilton to approve Ordinance No. 12-2769 amending the development regulations for Residential Medium Density Zoning District (RM). Motion passed 7 YES, 0 NO, 0 ABSENT.

A motion was made by Council Member Rainer, seconded by Council Member Elder to approve Ordinance No. 12-2770 amending the development regulations for Residential Manufactured Home Subdivision Zoning District (RMS). Motion passed 7 YES, 0 NO, 0 ABSENT.

A motion was made by Council Member Rainer, seconded by Council Member Everett to approve Ordinance No. 12-2771 amending the development regulations for Residential High Density Zoning District (RH). Motion passed 7 YES, 0 NO, 0 ABSENT.

A motion was made by Council Member Everett, seconded by Council Member Rainer to approve Ordinance No. 12-2772 adding a special provision to the development regulations for utilities. Motion passed 7 YES, 0 NO, 0 ABSENT.

ADJOURNMENT

There being no further business before the City Council at this time, the Regular Meeting of the Prosser City Council was adjourned at 8:21 p.m.

Mayor Paul Warden

Attest:

City Clerk Rachel Shaw

**CITY OF PROSSER, WASHINGTON
601 7TH STREET
CITY COUNCIL CHAMBERS
CITY COUNCIL REGULAR MEETING
TUESDAY, FEBRUARY 11, 2014**

CALL TO ORDER

Mayor Warden called the Regular Meeting of the Prosser City Council to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Prosser Heights Elementary “Kids that Care” award recipient Halsee Derrick.

ROLL CALL

Council Members Aubrey, Brumley, Everett, Taylor, Becken, and Elder were present. Council Member Hamilton requested an excused absence

Others in attendance were City Clerk Shaw, Finance Director Mauras, Police Chief Giles, Finance Manager Yost and City Attorney Saxton.

CITIZEN PARTICIPATION (None)

MAYOR AND COUNCIL REPORTS AND COMMENTS

Council Member Brumley expressed her gratitude to the Public Works staff for their hard work in keeping the streets clear of snow.

Council Member Brumley also reported she would be attending her first Prosser Economic Development Association (PEDA) meeting as the Mayor appointed representative.

Council Member Aubrey reported he attended a Chamber of Commerce retreat and stated the Chamber is in search of volunteers.

CONSENT AGENDA

A motion was made by Council Member Taylor, seconded by Council Member Everett to approve Consent Agenda Items “A – G.” Motion passed 6 YES, 0 NO, 1 ABSENT (Hamilton).

- a. Approve Payment of Payroll Checks Nos. 600005 through 600015 in the Amount of \$25,167.56 and Direct Deposits in the Amount of \$114,750.36 for the Period Ending January 31, 2014
- b. Approve Payment of Claim Checks Nos. 10089 through 10096, and 10098 through 10155 in the Amount of \$373,146.73, and Electronic Payments in the Amount of \$52,283.15, for the Period Ending February 11, 2014

- c. Approve Payment of Washington Trust Bank Claim Check Nos. 1043 through 1046 in the Amount of \$103,956.68, for the Period Ending February 11, 2014
- d. Reapprove the PEDA Grant Writer Agreement Extension Order for 2014 in the Amount of \$17,000
- e. Approve Contract between the City of Prosser and CK Home Comfort Systems for the Purpose of General HVAC Maintenance Services for City Facilities and Authorize the Mayor to Sign the Contract Documents
- f. Approve the January 7, 2014 Meeting Minutes
- g. Approve the January 14, 2014 Meeting Minutes

COUNCIL ACTION

APPROVE PAYMENT OF CLAIM CHECK NO. 10097 IN THE AMOUNT OF \$57,232.50 FOR THE PERIOD ENDING FEBRUARY 11, 2014

A motion was made by Council Member Taylor, seconded by Council Member Everett to approve payment of claim check no. 10097 in the amount of \$57,232.50 for the period ending February 11, 2014. Motion passed 6 YES, 0 NO, 1 ABSENT (Hamilton).

ADOPT RESOLUTION 14-1444 AUTHORIZING INVESTMENT OF CITY OF PROSSER MONIES IN THE LOCAL GOVERNMENT INVESTMENT POOL

A motion was made by Council Member Taylor, seconded by Council Member Brumley to adopt Resolution 14-1444, authorizing investment of the City of Prosser monies in the Local Government Investment Pool. Motion passed 6 YES, 0 NO, 1 ABSENT (Hamilton).

ORDINANCE 14-2867 DELEGATING AUTHORITY TO THE MAYOR TO PROMULGATE WRITTEN POLICIES AND PROCEDURES FOR USE OF CITY PARKS AND PARK FACILITIES, AND ESTABLISH FEES FOR SUCH PARK USAGE, REPEAL PROSSER MUNICIPAL CODE CHAGPTER 3.82 AND REPEAL ORDINANCE 03-2408 AND ADOPT ORDINANCE 14-2868 ESTABLISHING PARK RENTAL FEES

A motion was made by Council Member Taylor, seconded by Council Member Brumley to adopt Ordinance 14-2867, delegating authority to the Mayor to promulgate written policies and procedures for use of City parks and park facilities, and establish fees for such park usage, repeal PMC Chapter 3.82 and repeal Ordinance 03-2408. Motion passed 6 YES, 0 NO, 1 ABSENT (Hamilton).

A motion was made by Council Member Taylor, seconded by Council Member Everett to adopt Ordinance 14-2868, establishing Park Rental Fees. Motion passed 6 YES, 0 NO, 1 ABSENT (Hamilton).

ORDINANCE 14-2869 CLOSING THE PARKS AND RECREATION CAPITAL ACCOUNT (ALSO KNOWN AS THE PARKS AND RECREATION CAPITAL FUND), REPEALING PROSSER MUNICIPAL CODE CHAPTER 3.72 AND ORDINANCE 1554 (AN ORDINANCE THAT ESTABLISHED THE PARKS AND RECREATION CAPITAL ACCOUNT)

A motion was made by Council Member Taylor, seconded by Council Member Brumley to adopt Ordinance 14-2869, closing the Parks and Recreation Capital Account (Also Known as the Parks and Recreation Capital Fund), Repealing PMC Chapter 3.72 and Ordinance 1554 (an Ordinance that Established the Parks and Recreation Capital Account). Motion passed 6 YES, 0 NO, 1 ABSENT (Hamilton).

ORDINANCE 14-2870 REPEALING ORDINANCE 1383 AND 1560 AND CHAPTER 2.80 OF THE PROSSER MUNICIPAL CODE REGARDING HIRING AND EMPLOYMENT POLICIES

A motion was made by Council Member Taylor, seconded by Council Member Becken, repealing Ordinance 1383 and 1560 and Chapter 2.80 of the Prosser Municipal Code regarding hiring and employment policies. Motion passed 6 YES, 0 NO, 1 ABSENT (Hamilton).

ORDINANCE 14-2871 AMENDING THE 2014 BUDGET FOR FUND 409, UTILITY DEPOSITS

A motion was made by Council Member Everett, seconded by Council Member Brumley, repealing amending the 2014 Budget for Fund 409, Utility Deposits. Motion passed 6 YES, 0 NO, 1 ABSENT (Hamilton).

ADJOURNMENT

There being no further business before the City Council at this time, the Regular Meeting of the Prosser City Council was adjourned at 7:23 p.m.

Mayor Paul Warden

Attest:

City Clerk Rachel Shaw

**CITY OF PROSSER, WASHINGTON 601 7TH STREET
CITY COUNCIL CHAMBERS
CITY COUNCIL WORK SESSION
TUESDAY, JULY 1, 2014**

CALL TO ORDER

Mayor Warden called the Work Session of the Prosser City Council to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Council Members Aubrey, Taylor, Hamilton, Everett, Ward, Becken, and Elder were present.

Others in attendance were City Clerk Shaw, Finance Director Mauras, Police Chief Giles, and City Attorney Saxton.

MAYOR AND COUNCIL REPORTS AND COMMENTS

Oath of Office – Brianne Colvig, Reserve Officer

City Clerk Shaw administered the Oath of Office for Brianne Colvig, in the position of Reserve Police Officer.

Council Member Everett reported on the Regional Fire Authority progress and stated the Fire Board would be provided a document for Council's review by the end of the month.

Council Member Becken stated the Community Action Committee's office will begin its summer hours until September.

Council Member Elder said he wished Council would have had the opportunity to vote on the marijuana issue.

Council Member Hamilton echoed Council Member Elder's comments.

Mayor Warden reminded Council of the Council meetings and Friday Update reports provided by Mayor when the marijuana topic was previously discussed.

Council Member Hamilton said the Friday Updates was not an efficient tool to bring the topic before the entire voting body for discussion.

Council Member Ward said he concurred with Council Member Hamilton's comments and further added that the public should have been better informed as to the City's intent.

Boys and Girls Club Quarterly Report

Chris Cisneros, Interim Director, provided an overview of the Club's highlights over the quarter and discussed the status of the Executive Director recruitment.

Council Member Ward inquired as to the amount of kids on the waiting list for service.

Mr. Cisneros advised there are over four hundred on the waiting list due to the current size of the facility the Club is operating out of.

Mayor Warden thanked Mr. Cisneros for filling in as the Interim Director and commended him for the job he is doing.

Prosser Economic Development Association Quarterly Report

Deb Heintz, Executive Director, provided an overview of the quarterly highlights and discussed the upcoming events scheduled at the Clore Center and the Hanford tour. Mrs. Heintz stated a party has contact PEDDA who is interested in Vintner's Village Phase 2, and will be meeting with them to review their business model.

Grant Writer Quarterly Report

Sue Jetter, Grant Writer, provided an overview of the quarterly highlights and discussed the services provided including the preparation of the City Park Restroom Remodel Project grant application.

DISCUSSION ITEMS

Reserve Officer Pay

Police Chief Giles stated that staff is proposing Council consider authorizing pay for Reserve Officers at \$15.00 per hour, which in turn would offset the overtime budget.

Council directed staff to bring back a proposal at a future Council meeting for consideration.

Non-Union Salary Study Review

Finance Director Mauras referred to the salary study document provided to Council in dropbox and reviewed the four positions considered in the study. Ms. Mauras provided a review and comparison of the 2004 Salary Study the City conducted.

There was discussion regarding the different positions, duties, staff recommendations and the impact to the General Fund.

Council requested a couple of weeks to review the information provided and directed staff to bring the item back for consideration at a future City Council meeting.

[Clerk's Note: At 8:30 p.m., the City Council took a four (4) minutes recess.]

EXECUTIVE SESSION

At 8:34 p.m., Mayor Warden recessed the Work Session of the Prosser City Council to conduct an Executive Session pursuant to RCW 42.30.110(1)(i) to discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body,

or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency. The Executive Session was expected to last for 10 minutes and was to include Mayor and Council Members, City Clerk, Finance Director, and City Attorney.

At 8:44 p.m., Mayor Warden reconvened the Work Session of the Prosser City Council and stated no action occurred.

MAYOR AND COUNCIL REPORTS AND COMMENTS (cont.)

Mayor Warden reiterated the Council meetings when the topic of marijuana was discussed and identified five different updates when Council was briefed and informed on the item.

Council Member Hamilton stated this is a political matter that should have been discussed during Work Sessions or other Council meetings.

Council Member Everett said any Council Member can bring a topic to the City Clerk or Mayor and request that item be added to the agenda, it is the "Council's" meetings.

ADJOURNMENT

There being no further business before the City Council at this time, the Work Session of the Prosser City Council was adjourned at 8:56 p.m.

Mayor Paul Warden

Attest:

City Clerk Rachel Shaw

**CITY OF PROSSER, WASHINGTON
601 7TH STREET
CITY COUNCIL CHAMBERS
CITY COUNCIL REGULAR MEETING
TUESDAY, JULY 8, 2014**

CALL TO ORDER

Mayor Warden called the Regular Meeting of the Prosser City Council to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Council Members Aubrey, Taylor, Hamilton, Everett, Becken, and Elder were present. Council Member Ward requested an excused absence.

Others in attendance were City Clerk Shaw, Finance Director Mauras, Police Chief Giles, Public Works Director DaCorsi and City Attorney Saxton.

CITIZEN PARTICIPATION

John Hultberg, 172604 W Dogwood, expressed his concern with the business registration process and stated he approached the City several years ago with a proposal to open a hot dog stand and was denied. Mr. Hultberg stated he did not agree with the City allowing a pot store in town but denied him of a business registration for a less offensive hot dog stand.

Peggy Brown, 1323 Grant Ave., stated she wanted to clarify whether or not the City Council ever voted on the recreational marijuana item.

Mayor Warden replied no, there had not been a vote and further stated Council discussed the item at the April 22, 2014 City Council meeting and advised of how the City arrived at the decision.

Mrs. Brown stated her displeasure with the City's position and referenced the Attorney General's opinion letter issued by the State which stated individual cities had the authority to ban marijuana from their communities.

Dan Denchel, 325 Merlot Drive, said he wanted to publically come before the Council to apologize for his comments at the June 24, 2014 City Council meeting that were made toward Council and asked for their forgiveness. He further stated he misunderstood that the City had voted on allowing recreational marijuana in the community, and has since been advised otherwise.

MAYOR AND COUNCIL REPORTS AND COMMENTS

Council Member Elder provided a status update on the Regional Fire Authority (RFA) at the Fire Board.

Council Member Everett further stated that a joint resolution approving RFA and the ballot language would be coming forward for Council's consideration at the next City Council meeting.

Council Member Taylor said he felt that it was bad taste for a citizen to speak poorly of Mayor Warden by calling him an atheist out in the community and said his behavior was very unchristian like.

Public Works Director DaCorsi provided a handout to Council regarding a request to use 2014 budget funds for an equipment purchase. Mr. DaCorsi explained that during the 2014 budget discussions, Council authorized, by approval of the budget, the purchase of a Fox Sander for snow and ice control operations in the amount of \$15,000. The equipment ended up under budget at a quoted price of \$3,100, leaving approximately \$11,900. Staff requested Council approve the use of the remaining funds for the purchase of a conveyer unit that will assist the Public Works crews in road patching operations.

Council expressed their appreciation for the request and authorized the use of the funds as requested.

CONSENT AGENDA

A motion was made by Council Member Everett, seconded by Council Member Becken to approve Consent Agenda Items "A – D". Motion passed 6 YES, 0 NO, 1 ABSENT (Ward).

- a. Approve Payment of Payroll Checks Nos. 600075 through 600118 in the Amount of \$40,545.00 and Direct Deposits in the Amount of \$97,783.86, for the Period Ending June 30, 2014
- b. Approve Payment of Claim Checks Nos. 10836 through 10847, in the Amount of \$61,140.83 and Electronic Payments in the Amount of \$51,286.94, for the Period Ending June 30, 2014
- c. Approve Payment of Claim Checks Nos. 10849 through 10901, in the Amount of \$152,323.33 and Electronic Payments in the Amount of \$472.03, for the Period Ending July 8, 2014
- d. Approve the USDA Outlay Report and Draw Request No. 32 in an Amount of \$14,905.16, for Costs Associated with the Northwest Prosser Water and Sewer System Improvements Project (Contract Addendum No.2) and authorize the Mayor to Sign the Documents

COUNCIL ACTION

APPROVE PAYMENT OF CLAIM CHECK NO. 10848 IN THE AMOUNT OF \$59,925.20, FOR THE PERIOD ENDING JULY 8, 2014

Council Member Hamilton recused himself due to a conflict of interest. A motion was made by Council Member Everett, seconded by Council Member Elder to approve payment of claim check no. 10848 in the amount of \$59,925.20, for the period ending July 8, 2014. Motion passed 5 YES, 0 NO, 1 ABSENT (Ward), 1 ABSENTION (Hamilton).

CONSIDERATION OF HUIBREGTSE, LOUMAN ASSOCIATES, INC., AS THE CITY OF PROSSER'S ENGINEER FOR FHWA FUNDED PROJECTS (STP-OLD INLAND EMPIRE HIGHWAY-PHASE 2 IMPROVEMENTS & TAP - 7TH STREET ADA SIDEWALK RAMP IMPROVEMENTS)

A motion was made by Council Member Everett, seconded Council Member Becken to approve Huibregtse, Louman Associates, Inc., as the City of Prosser's Engineer for FHWA funded projects (STP-Old Inland Empire Highway-Phase 2 Improvements & TAP - 7th Street ADA Sidewalk Ramp Improvements). Motion passed 6 YES, 0 NO, 1 ABSENT (Ward).

ADD ON ITEMS

Vacation Accrual Modification, Police Unit

Mayor Warden provided Council a draft memo addressed to the Collective Bargaining Unit requesting the Union amend the vacation accrual portion of the contract as a letter of agreement.

Police Chief Giles explained by amending the contract, the department and staff will have the flexibility necessary to schedule vacation with reduced impact to officer safety and department budget.

There was discussion regarding the current practice and subsequent impacts to the department. Council authorized staff to submit the letter to the Union.

USDA Grant Opportunity

Mayor Warden provided Council a handout related to a grant opportunity the City had recently been made aware of that would fund the purchase of two police patrol vehicles and asked for Council's authorization to submit a grant application.

There was discussion regarding the City's portion of the contribution and the need for extra vehicles.

Chief Giles stated in the request to purchase vehicles would have been proposed during the 2015 Budget discussions however this grant opportunity is a larger savings that the City would otherwise not have been able to recognize.

Council directed staff to move forward with the grant process.

ADJOURNMENT

There being no further business before the City Council at this time, the Regular Meeting of the Prosser City Council was adjourned at 7:49 p.m.

Mayor Paul Warden

Attest:

City Clerk Rachel Shaw

**CITY OF PROSSER, WASHINGTON
601 7TH STREET
CITY COUNCIL CHAMBERS
CITY COUNCIL REGULAR MEETING
TUESDAY, JULY 22, 2014**

CALL TO ORDER

Mayor Warden called the Regular Meeting of the Prosser City Council to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Prosser Heights Elementary “Kids that Cares” award recipient Zihao Zhou.

ROLL CALL

Council Members Aubrey, Taylor, Hamilton, Everett, Ward, Becken, and Elder were present.

Others in attendance were City Clerk Shaw, Finance Director Mauras, Police Chief Giles, and City Attorney Saxton.

CITIZEN PARTICIPATION (None)

MAYOR AND COUNCIL REPORTS AND COMMENTS

Mayor Warden advised on Sunday, August 17, 2014, staff will hold the annual Employee Appreciation event at the Prosser Aquatic Center and the facility will be closed to the public from 5:00 p.m. – 8:00 p.m. Council is invited to attend.

Council Member Aubrey reported he went to the Wine and Art Walk event over the weekend and stated it was a nice event that was well attended.

Council Member Elder stated he attended the Fly In event at the Prosser Air Port and said it was a great event for the community.

Mayor Warden said the City received a letter from the Chamber of Commerce in support of the City Park Remodel Project.

Weekly Update Report

Mayor Warden stated there was a report in the Council packet regarding the weekly update for their review.

Police Department Quarterly Report

Police Chief Giles provided an overview of the highlights from the Second Quarter Police Department Report. Chief briefed Council on the overtime projections, crime statistics, and training opportunities for the officers.

Council Member Elder inquired if any of the officers had received specialized training related to driving while under the influence of marijuana.

Chief Giles advised that type of training is available to officers, however at this time no officers have been trained for that specific drug recognition.

Council Member Ward commended Chief Giles for his efforts with the Reserve Officer program which has resulted in the Department's overall reduction in overtime and said keeping overtime down helps with officer fatigue and stress.

Council Member Hamilton referred to the report on officer response time to false alarms and inquired what percentage of false alarms are repeat offenders.

Chief Giles stated approximately ninety-five percent are of the false alarms are from commercial wineries and about five percent is residential.

Council Member Taylor expressed his gratitude to the Police Department for the emphasis in patrol and stated it appears to be working well.

PUBLIC HEARINGS

POLICE PATROL VEHICLES

At 7:21 p.m., Mayor Warden recessed the Regular Meeting of the Prosser City Council to conduct a Public Hearing on a United States Department of Agriculture (USDA) Rural Development, fifty-five percent grant match for the purchase of two Police Patrol Vehicles. Mayor Warden called for public comment. With no comments being offered, Mayor Warden closed the Public Hearing and reconvened the Regular Meeting of the Prosser City Council at 7:22 p.m.

Mayor Warden provided Council a revised agenda bill and pointed out the agenda bill in the Council packet inaccurately reflected the cost of the proposal and the percentage of the match for the grant if awarded. The correct amount for the match is fifty-five percent and the cost of the proposal is \$44,600.00.

CITY PARK RESTROOM PROJECT

At 7:22 p.m., Mayor Warden recessed the Regular Meeting of the Prosser City Council to conduct a Public Hearing on a grant/loan application with United States Department of Agriculture (USDA) Rural Development, for the funding of the City Park Restroom Project. Mayor Warden called for public comment. With no comments being offered, Mayor Warden closed the Public Hearing and reconvened the Regular Meeting of the Prosser City Council at 7:22 p.m.

CONSENT AGENDA

A motion was made by Council Member Becken, seconded by Council Member Everett to approve Consent Agenda Items "A – I". Motion passed 7 YES, 0 NO, 0 ABSENT.

- a. Approve Payment of Washington Trust Bank Claim Checks Nos. 1052 through 1053 in the Amount of \$4,745.18, for the Period Ending July 22, 2014

- b. Approve Payment of Payroll Checks Nos. 600119 through 600121 in the Amount of \$2,173.87 and Direct Deposits in the Amount of \$12,137.98, for the Period Ending July 15, 2014
- c. Approve Payment of Claim Checks Nos. 10902 through 10903 and 10905 through 10992, in the Amount of \$234,636.18 and Electronic Payments in the Amount of \$31,856.77, for the Period Ending July 22, 2014
- d. Accept Monthly Report by Prosser Economic Development Association for the Month of June 2014 and Authorize Payment for those Services in the Amount of \$2,166.66 and Authorize Payment in the Amount of \$1,416.67 for Grant Writer Services
- e. Approve Drinking Water State Revolving Fund (DWSRF) Invoice Voucher Request No. 5 in the Amount of \$4,573.50 for the Zone 2.5 Water Supply Improvements Project and Authorize the Mayor to Sign the Documents
- f. Approve Progress Bill No. 3 in the Amount of \$11,388.00 for Work Performed by HLA, Inc., Through June 30, 2014, for Preliminary Engineering and Design on the Old Inland Empire Highway Improvements Project and Authorize the Mayor to Sign the Documents
- g. Review and Confirm the Appointment of Mayor Paul Warden and Council Member Don Aubrey, as the Alternate, to the Good Roads Committee, as Appointed by Mayor Warden
- h. Approve the June 3, 2014 Meeting Minutes
- i. Approve the June 10, 2014 Meeting Minutes

COUNCIL ACTION

APPROVE PAYMENT OF CLAIM CHECK NO. 10904 IN THE AMOUNT OF \$1,101.40, FOR THE PERIOD ENDING JULY 22, 2014

Council Member Hamilton recused himself due to a conflict of interest. A motion was made by Council Member Everett, seconded by Council Member Becken to approve payment of claim check no. 10904 in the amount of \$1,101.40, for the period ending July 22, 2014. Motion passed 6 YES, 0 NO, 0 ABSENT, 1 ABSENTION (Hamilton).

CONSIDERATION OF RESOLUTION NO. 14-1461 PROVIDING FOR THE SUBMISSION TO QUALIFIED ELECTORS AT AN ELECTION TO BE HELD ON NOVEMBER 4, 2014 OF A PROPOSITION CREATING THE PROSSER REGIONAL FIRE AUTHORITY AND APPROVING THE REGIONAL FIRE PROTECTION SERVICE AUTHORITY PLAN

Mayor Warden provided Council a Regional Fire Authority 2016 Estimated Impact Analysis handout prepared by Finance Director Mauras. Mayor explained the Financial Blueprint, or Appendix “G” of the Plan, did not get finalized prior to the Council packet deadline. However, the Fire Board including the RFA Committee reviewed a draft of the document at the last Board meeting. Additionally, Section 6 of the proposed Resolution provides Mayor and the Fire Chief/Secretary the authority to modify the text of the Plan.

Council directed Mayor to work with Chief Merritt to amend Appendix “G” and insert the document into the Plan prior to the County’s August 4, 2014 deadline to submit a ballot item for the November 4, 2014 general election.

A motion was made by Council Member Taylor, seconded Council Member Everett to adopt Resolution No. 14-1461 providing for the submission to qualified electors at an election to be held on November 4, 2014, of a Proposition creating the Prosser Regional Fire Authority and approving the Regional Fire Protection Service Authority Plan. Motion passed 7 YES, 0 NO, 0 ABSENT.

CONSIDERATION OF AN ORDINANCE ESTABLISHING PROSSER MUNICIPAL CODE CHAPTER 9.20.010 TO MAKE HAVING TWO OR MORE FALSE ALARMS IN A NINETY DAY PERIOD UNLAWFUL AND CONSIDERATION OF A RESOLUTION SETTING EMERGENCY RESPONSE REGISTRATION FEES AND A LATE PENALTY FOR LATE PAYMENT OF SUCH REGISTRATION

Council Member Taylor made a motion to adopt Ordinance No. 14-2899 establishing Prosser Municipal Code Chapter 9.20.010 to make having two or more false alarms in a ninety day period unlawful. Council Member Taylor then inquired why staff proposed a separate Resolution for the registration fee.

Mayor explained the Ordinance establishes the PMC while the Resolution sets the fee and late penalty for those who do not register their alarms with the City.

Council Member Taylor withdrew his motion.

Council Member Hamilton stated residential home owners should not be penalized for a commercial offender’s problem. If the false alarm issue is a “business” problem rather than a residential problem, then staff needs to identify and different solution.

City Attorney Saxton stated the purpose of the Ordinance is to establish a database of contact and emergency contact information for alarm owners. Currently the Police Department does not have that information. The proposed fee does not recover the costs.

Council Member Everett stated if the cost wasn't recovered then there should not be any fee.

Council Member Ward said the \$5.00 fee is a minimal charge for establishing a database.

Council Member Everett said he like the proposed Ordinance however, did not like the Resolution.

Council Member Aubrey said he did not like the annual registration fee and would prefer it to be a one-time cost.

Council Member Taylor said he liked the Ordinance and the Resolution as is without any changes to either.

Council Member Elder echoed Council Member Taylor's comments.

City Attorney Saxton said he would revise the Ordinance to change the registration fee to \$0 but keep the registration as a requirement. The amended Ordinance will be brought forward at the next City Council meeting for consideration.

CONSIDERATION OF AN ORDINANCE APPROVING POSITION DESCRIPTIONS FOR CERTAIN APPOINTED AND UN-APPOINTED POSITIONS

Council Member Taylor expressed his concern with the titles of the position descriptions appearing "top heavy" particularly if there are seven Finance Department employees and three of them are managers.

Finance Director Mauras provided an explanation of duties for each of the Finance Department staff.

Council Member Everett stated he agreed with Council Member Taylor's concerns.

Council Member Becken said he cannot tell what the proposed changes are and would like to see a red-lined version of the updated position descriptions.

Mayor Warden said staff would bring back the red-lined versions of the position descriptions for Council to consider at a future City Council meeting.

COUNCIL DISCUSSION

ADD ON ITEMS

Council Member Hamilton stated he would like Council to consider not allowing any more marijuana stores in Prosser and to ban any grow operations in city limits.

City Attorney Saxton said the Planning Commission will be meeting in August to discuss the grow operation regulations as well as setting the hours for the recreation marijuana store. Those items will be coming forward for Council consideration in September.

Council Member Everett said Council should consider enacting a moratorium prior to September, to ban grow operations in city limits.

Council directed staff to prepare an Ordinance enacting a moratorium until the Planning Commission has finished their discussions.

ADJOURNMENT

There being no further business before the City Council at this time, the Regular Meeting of the Prosser City Council was adjourned at 8:12 p.m.

Mayor Paul Warden

Attest:

City Clerk Rachel Shaw

CITY OF PROSSER, WASHINGTON
AGENDA BILL

Agenda Title: Approve payment of claim Check no. 11166 in the amount of \$61,375.30 for the period ending September 09, 2014.		Meeting Date: September 09, 2014 Regular Meeting	
Department: Finance	Director: Regina Mauras	Contact Person: Toni Yost	Phone Number: (509) 786-2332
Cost of Proposal: \$61,375.30		Account Number: See Attached	
Amount Budgeted: See 2014 budget for each item listed.		Name and Fund# See Attached	
Reviewed by Finance Department: RM			
Attachments to Agenda Packet Item: 1. Check Register # 11166			
Summary Statement: Approve payment of claim check no. 11166 in the amount of \$61,375.30 for the period ending September 09, 2014.			
Consistent with or Comparison to: City's policy to pay bills in a timely manner.			
Recommended City Council Action/Suggested Motion: Approve payment of claim Approve payment of claim check no. 11166 in the amount of \$61,375.30 for the period ending September 09, 2014.			
Reviewed by Department Director: Regina Mauras Date: 9-4-2014	Reviewed by City Attorney: N/A Date:	Approved by Mayor: Acting CA [Signature] Date: 9/4/14	
Today's Date:	Revision Number/Date:	File Name and Path:	

CHECK REGISTER

City Of Prosser
MCAG #: 0205

08/01/2014 To: 08/31/2014

Time: 12:26:02 Date: 08/27/2014
Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
4610	08/29/2014	Payroll	1	11166	Washington Teamsters Welfare	61,375.30	08/29/2014 To 08/31/2014 - WTWT
		001 General Fund				42,241.44	
		102 Street Fund				3,006.94	
		117 Employee Benefits Security				1,921.20	
		403 Water Fund				7,649.58	
		407 Sewer Fund				6,463.57	
		448 Garbage Fund				92.57	
						<u>61,375.30</u>	Payroll: 61,375.30



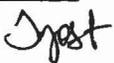
Signature



Date

CITY OF PROSSER, WASHINGTON

AGENDA BILL

Agenda Title: Approve Addendum No. 1 to Task Order No. 2013-1, between the City of Prosser and HLA, Inc., for the Zone 2.5 Water Supply Improvements Project - Telemetry System Improvements, and authorize the Mayor to sign the documents.		Meeting Date: September 9, 2014 Regular Meeting	
Department: Public Works	Director: L.J. Da Corsi	Contact Person: L.J. Da Corsi	Phone Number: (509) 786-2332
Cost of Proposal: \$890,315.00		Account Number: 420-594-34-41	
Amount Budgeted: Funding derived through an approved low interest loan from the Drinking Water State Revolving Fund (DWSRF)		Name and Fund# (420) Zone 2.5 Water Supply Improvements Fund	
Reviewed by Finance Department: 			
Attachments to Agenda Packet Item: <ol style="list-style-type: none"> 1. Addendum No. 1 Task Order 2013-01, signed 8/21/14 2. Letter from HLA, Inc., RE: Fee Summary, dated August 26, 2014 3. Exclusion/Debarment Investigation Results, dated 8/25/14 4. Agenda Bill approving Task Order No. 2013-01, which includes related attachments, dated November 12, 2013 			
Summary Statement: <p>Addendum No. 1 to Task Order No. 2013-01 is for the additional design, telemetry, programming, and construction engineering services to include remote telemetry monitoring at the two proposed pressure reducing valve (PRV) stations required in the Zone 2.5 Water Supply Improvements.</p> <p>The PRV's will reduce the amount of water pressure to safe, consistent operating levels for system users. Adding remote telemetry to these valves will provide continual electronic data information to the system terminal. In the event of valve malfunction or failure, an automatic dialer will alert the on-call person to respond to the alarm. This additional work will amount to \$32,000. Funding for the original scope of the project is through Drinking Water State Revolving Fund (DWSRF) loan monies.</p>			

<u>Consistent with or Comparison to:</u>		
EXISTING ADOPTED OR PREVIOUS PLANS, POLICIES OR ACTIONS TAKEN BY THE COUNCIL		
<u>Recommended City Council Action/Suggested Motion:</u>		
Approve Addendum No. 1 to Task Order No. 2013-1, between the City of Prosser and HLA, Inc., for the Zone 2.5 Water Supply Improvements Project - Telemetry System Improvements, and authorize the Mayor to sign the documents.		
<u>Reviewed by Department Director:</u>	<u>Reviewed by City Attorney:</u>	<u>Approved by Mayor:</u> Acting CA
 Date: 9/4/14	 Date: 8/28/14	 Date: 9/4/14
<u>Today's Date:</u>	<u>Revision Number/Date:</u>	<u>File Name and Path:</u>
8/25/14		

ADDENDUM NO. 1
TASK ORDER NO. 2013-1

REGARDING GENERAL AGREEMENT BETWEEN THE CITY OF PROSSER
AND
HUIBREGTSE, LOUMAN ASSOCIATES, INC.

PROJECT DESCRIPTION:

City of Prosser – Zone 2.5 Water Supply Improvements
HLA Project No. 13109E

The City of Prosser (CITY) has applied for and received 2013 Drinking Water State Revolving Fund (DWSRF) loan monies to make the following improvements to the potable water system (PROJECT):

Zone 3 to 2.5 Transmission Main: Construction of a new transmission main from the Zone 3 pressure system at the water treatment plant to the existing Zone 2.5 system in the Painted Hills neighborhood.

PRV Stations: Two pressure reducing valve (PRV) stations will be constructed to reduce pressure from Zone 3 to Zone 2.5, and also an emergency connection from Zone 2.5 to Zone 1.

Existing Zone 2.5 System Demolition: The existing Zone 2.5 duplex booster pump station and 147,000 gallon Painted Hills reservoir will be removed from service.

This addendum to Task Order No. 2013-1 is for additional design, telemetry, programming, and construction engineering services to include remote telemetry monitoring at the two proposed PRV stations.

SCOPE OF SERVICES:

Zone 2.5 Water Supply Improvements

The original scope of services shall remain as described in Task Order No. 2013-1. The professional engineering services for the additional scope of work shall include:

Phase 1 – Environmental Compliance

No additional environmental compliance work is required for the additional scope of work.

Phase 2 – Project Administration

No additional project administration work is required for the additional scope of work.

Phase 3 – Easement Acquisition Assistance

No additional easement acquisition work is required for the additional scope of work.

Phase 4 – Design and Final Plans and Specifications

The following scope of work will be completed by an electrical engineer sub-consultant and incorporated into the project design and final plans and specifications:

- A. Evaluate radio pathways for communications.
- B. Provide plan drawings and diagrams for new control panels and radio telemetry at two PRV stations.
- C. Prepare electrical specifications for new control panels and radio telemetry at two PRV stations.

Phase 5 – Services During Construction

The scope of work described in Task Order No. 2013-1 will be expanded to include additional inspection and review by an electrical engineer sub-consultant for the additional electrical and telemetry portion of work. The following additional scope of services will be added as well:

- A. Witness shop test of new telemetry panels.

Phase 6 – Telemetry System Improvements

This new phase is added which includes programming by an electrical engineer sub-consultant for the additional electrical and telemetry portion of work. The additional scope of services include:

- A. PLC programming to monitor flow meter and pressure switch information.
- B. PLC programming at Master PLC to add new sites and remove Painted Hills (Zone 2.5) sites.
- C. HMI and alarm dialer programming to show new information and add alarms to system and remove Painted Hills (Zone 2.5) sites.

Items to be Furnished and Responsibility of the CITY

As described in Task Order No. 2013-1

TIME OF PERFORMANCE:

The services called for under the Phase 1 through 5 shall be completed as described in Task Order No. 2013-1.

Phase 6 – Telemetry System Improvements

The specific schedule of programming services will be coordinated with the construction schedule and shall extend through construction contract completion. Should the Contractor be granted time extensions for telemetry related construction completion due to recognized delays, requested additional work, and/or change orders, engineering services beyond the contract working days shall be considered additional services.

FEE FOR SERVICES:

For the services furnished by the Engineer as described in this Task Order Addendum, the CITY agrees to pay the Engineer the fees as set forth herein. The maximum amounts listed below may be revised only by written agreement of both parties.

Phase 4 – Design and Final Plans and Specifications

All work for this phase shall be performed for an additional lump sum fee of \$13,400.00 including subconsultant time and expense. A summary of the total phase fee to date is below:

Phase 4 - Design and Final Plans and Specifications	
Task Order 2013-1	\$79,500.00
Addendum No. 1	\$13,400.00
New Maximum Amount	\$92,900.00

Phase 5 - Services During Construction

All work shall be performed on a time-spent basis in accordance with Exhibit A - Schedule of Hourly Rates attached to the General Services Agreement, plus reimbursement for direct non-salary expenses such as laboratory testing, reproduction expenses, out of town travel costs, and outside engineers, with an estimated additional amount of \$6,300.00. A summary of the total phase fee to date is below:

Phase 5 - Services During Construction	
Task Order 2013-1	\$86,200.00
Addendum No. 1	\$6,300.00
New Maximum Amount	\$92,500.00

Phase 6 – Telemetry System Improvements

All work shall be performed on a time-spent basis in accordance with Exhibit A - Schedule of Hourly Rates attached to the General Services Agreement, plus reimbursement for direct non-salary expenses such as laboratory testing, reproduction expenses, out of town travel costs, and outside engineers, with an estimated fee of \$12,300.00. A summary of the total phase fee to date is below:

Phase 6 - Telemetry System Improvements	
Task Order 2013-1	\$0.00
Addendum No. 1	\$12,300.00
New Maximum Amount	\$12,300.00

Additional Services

As described in Task Order No. 2013-1

Proposed: Jeffrey T. Louman
Huibregtse, Louman Associates, Inc.
Jeffrey T. Louman, PE, President

8/21/14
Date

Approved: _____
City of Prosser
Paul Warden, Mayor

Date



August 26, 2014

City of Prosser
 601 Seventh Street
 Prosser, WA 99350

Attn: L.J. DaCorsi
 Public Works Director

Re: City of Prosser
 Zone 2.5 Water Supply Improvements
 Addendum No. 1 to Task Order No. 2013-1 Additional Fee Summary
 HLA Project No. 13109

Dear L.J.:

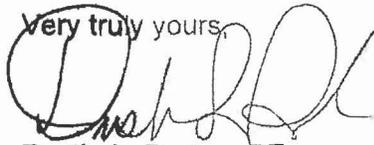
As requested, below is a budget summary of the proposed Addendum No. 1 for additional design, telemetry, programming, and construction engineering services to include remote telemetry monitoring at the two proposed PRV stations:

Zone 2.5 Water Supply Improvements Addendum No. 1 Summary	
Phase	Additional Fee
Phase 1 - Environmental Compliance	\$0.00
Phase 2 - Project Administration	\$0.00
Phase 3 - Easement Acquisition Assistance	\$0.00
Phase 4 - Design and Final Plans and Specifications	\$13,400.00
Phase 5 - Services During Construction	\$6,300.00
Phase 6 - Telemetry System Improvements	\$12,300.00
Total Addendum No. 1 Fee	\$32,000.00

Please reference Addendum No. 1 for additional information about the scope of work.

Should you have any questions regarding this summary or the addendum please contact me.

Very truly yours,



Dustin L. Posten, PE

DLP/sms

[View assistance for SAM.gov](#)

Search Results

Your search returned the following results...

Notice: This printed document represents only the first page of your SAM search results. More results may be available. To print your complete search results, you can download the PDF and print it.

Entity	HUIBREGTSE, LOUMAN ASSOCIATES, INC.	Status: Active	View Details
DUNS: 117352062	CAGE Code: 36NF7		
Has Active Exclusion?: No	DoDAAC:		
Expiration Date: 05/09/2015	Delinquent Federal Debt? No		

Glossary

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CITY OF PROSSER, WASHINGTON

AGENDA BILL

Agenda Title: Approve Task Order No. 2013-1 between the City of Prosser and Huibregtse Louman Associates, Inc., for the Zone 2.5 Water Supply Improvements and authorize the Mayor to sign the documents.		Meeting Date: November 12, 2013 Regular Meeting	
Department: Public Works	Director: L.J. Da Corsi	Contact Person: L.J. Da Corsi	Phone Number: (509) 786-2332
Cost of Proposal: Estimated Total Project Cost \$890,315.00 Loan Fee \$ 8,815.00		Account Number: 420-594-34-41	
Amount Budgeted: Funding derived through an approved low-interest loan from the Washington State Department of Health - Drinking Water State Revolving Fund (DWSRF) Loan Contract Number DM13-952-140		Name and Fund# (420) Zone 2.5 Water Supply Improvements Fund	
Reviewed by Finance Department: <i>R. Moura</i>			
Attachments to Agenda Packet Item: 1. TASK ORDER NO. 2013-1 2. Exhibit "A" - Schedule of Hourly Rates 2013 and 2014			
Summary Statement: The City of Prosser applied for and received 2013 Drinking Water State Revolving Fund (DWSRF) loan monies to construct 4,000 linear feet of new 12" water transmission main from the Water Treatment Plant on SR 22 to the Painted Hills Booster Station. Included in the project is the demolition of the Booster Station and retiring of service of the Painted Hills Reservoir which will no longer be necessary upon project completion. The total amount of loan monies to be received is \$890,315.00. (The funds originate from the U.S. Environmental Protection Agency and are appropriated by the Public Works Board from the Drinking Water Assistance Account (DWSRF).) This Agenda Bill is to approve TASK ORDER NO. 2013-1 agreement between the City of Prosser and the City's engineering consultant, HLA. The Task Order outlines the scope of professional engineering and surveying services to be performed by HLA, the time of performance, and the fees for services for this project.			

The time of performance for this project is 48 months from the Contract execution date to Project Completion date. Design is tentatively scheduled to begin in June 2014 and be completed in September 2014. Construction is tentatively scheduled to commence November 2014 and reach completion by August 2015. The cumulative maximum fee amount for services outlined in this Task Order is \$190,700.

Although HLA is the City's general engineering consultant, any engineering services outside of the original general services agreement must require a Task Order approved by the governing body.

Consistent with or Comparison to:

EXISTING ADOPTED OR PREVIOUS PLANS, POLICIES OR ACTIONS TAKEN BY THE COUNCIL

Recommended City Council Action/Suggested Motion:

Approve Task Order No. 2013-1 between the City of Prosser and Huibregtse Louman Associates, Inc., for the Zone 2.5 Water Supply Improvements and authorize the Mayor to sign the documents.

<p><u>Reviewed by Department Director:</u> <i>Not Available</i></p> <p>Date:</p>	<p><u>Reviewed by City Attorney:</u></p>  <p>Date: <i>10/28/13</i></p>	<p><u>Approved by Mayor:</u></p>  <p>Date: <i>11-8-13</i></p>
<p><u>Today's Date:</u></p> <p>October 25, 2013</p>	<p><u>Revision Number/Date:</u></p>	<p><u>File Name and Path:</u></p>

TASK ORDER NO. 2013-1

REGARDING GENERAL AGREEMENT BETWEEN THE CITY OF PROSSER
AND
HUIBREGTSE, LOUMAN ASSOCIATES, INC.

PROJECT DESCRIPTION:

City of Prosser – Zone 2.5 Water Supply Improvements
HLA Project No. 13109E

The City of Prosser (CITY) has applied for and received 2013 Drinking Water State Revolving Fund (DWSRF) loan monies to make the following improvements to the potable water system (PROJECT):

Zone 3 to 2.5 Transmission Main: Construction of a new transmission main from the Zone 3 pressure system at the water treatment plant to the existing Zone 2.5 system in the Painted Hills neighborhood.

PRV Stations: Two pressure reducing valve (PRV) stations will be constructed to reduce pressure from Zone 3 to Zone 2.5, and also an emergency connection from Zone 2.5 to Zone 1.

Existing Zone 2.5 System Demolition: The existing Zone 2.5 duplex booster pump station and 147,000 gallon Painted Hills reservoir will be removed from service.

SCOPE OF SERVICES:

Zone 2.5 Water Supply Improvements

At the direction of the City of Prosser (CITY), Huibregtse, Louman Associates, Inc. (HLA), shall provide professional engineering and surveying services for the Zone 2.5 Water Supply Improvements project (PROJECT). Huibregtse, Louman Associates, Inc., agrees to perform the following services:

Phase 1 – Environmental Compliance

- A. Assist CITY with State Environmental Review Process (SERP) requirements, including preparation of a SEPA checklist for transmittal to lead agency for review and action. An Environmental Impact Statement (EIS) is not anticipated to be required for this PROJECT. Should it be determined that an EIS must be prepared, it will be added as a separate and additional phase of work.
- B. Assist CITY with cultural review process (Section 106); including preparation of an Archaeological Resource Survey.

Phase 2 – Project Administration

- A. If applicable, assist CITY with financial and construction management requirements of funding agency.
- B. Assist the CITY with securing approval of such governmental authorities as have jurisdiction over design criteria applicable to the PROJECT.
- C. Monitor the Contractor's compliance with State and Federal labor standards.
- D. If applicable, assist CITY with funding agency reimbursement process.
- E. If applicable, assist CITY with funding agency project closeout process.

Phase 3 – Easement Acquisition Assistance

- A. Attend up to two (2) meetings with the CITY and property owners to discuss the proposed water transmission main alignment and necessary easements.

- B. Provide water transmission main easement exhibits and legal descriptions for the CITY and property owners to record with the County Assessor. It is estimated that up to five (5) easements will be needed.

Phase 4 – Design and Final Plans and Specifications

- A. Perform the field investigations necessary to design the identified improvements.
- B. Conduct a topographic survey of project area as required to complete design, plans, and specifications.
- C. Prepare preliminary design plans for review and discussion with CITY staff.
- D. On the basis of approved preliminary plans, perform the final design, and prepare complete Plans and Specifications for bid call on the proposed work, as authorized by the CITY.
- E. Furnish thirty (30) copies of the final Plans and Specifications for bidding. Answer and supply such information as is requested by prospective bidders.
- F. Prepare and issue addenda, if necessary.
- G. Prepare the Engineer's Estimate of construction cost.
- H. Attend bid opening and participate in the bid opening and evaluation process.
- I. Prepare tabulation of all bids received by the CITY and review bidder's qualifications.
- J. Make recommendation to the CITY of construction contract award to the lowest responsible bidder.

Phase 5 – Services During Construction

- A. Furnish a qualified resident engineer who shall make construction observations and be on the job site at all times that significant work is in progress, whose duty shall be to provide surveillance of project construction for substantial compliance with Plans and Specifications.
- B. Prepare and file progress reports on the PROJECT with the CITY and provide monthly progress estimates to the CITY.
- C. Consult and advise the CITY during construction and make a final report of the completed work.
- D. Monitor the Contractor's compliance with State labor standards.
- E. Review Contractor's submission of samples and shop drawings, where applicable.
- F. Recommend to the CITY progress payments for the Contractor.
- G. Prepare and submit proposed contract change orders when applicable.
- H. Prepare and furnish reproducible record drawings of all completed work from as-built drawings furnished by the Contractor.
- I. Participate in the 11th month warranty inspection and make recommendations to Contractor for warranty work that needs to be addressed.

Items to be Furnished and Responsibility of the CITY

The CITY will provide or perform the following:

1. Provide full information as to the CITY's requirements of the PROJECT.
2. The CITY shall assist the Engineer by placing at his disposal all available information pertinent to the site of the PROJECT including previous reports, drawings, plats, surveys, utility records, and any other data relative to design and construction of the PROJECT.
3. The CITY will examine all studies, reports, sketches, estimates, specifications, drawings, proposals, and other documents presented by the Engineer and render in writing, decisions pertaining thereto within a reasonable time so as not to delay the work of the Engineer.
4. Obtain approval of all governmental authorities having jurisdiction over the PROJECT and such approvals and consents from such other individuals or bodies as may be necessary for completion of the PROJECT.
5. Provide backhoe and operator for potholing of existing utilities to identify potential conflicts during the design phase.

TIME OF PERFORMANCE:

Zone 2.5 Water Supply Improvements

Phase 1 – Environmental Compliance

Environmental and cultural review and compliance information shall be prepared and submitted to the controlling authority/authorities within 90 calendar days after the date of authorization to proceed.

Phase 2 – Project Administration

Project administration services shall begin immediately upon notice of authorization to proceed and continue until all funding and labor compliance closeout requirements for the PROJECT have been satisfied.

Phase 3 – Easement Acquisition Assistance

Preliminary water transmission main easement exhibits will be provided within 60 calendar days after the date of approval. This will allow for the topographic survey and preliminary water transmission main alignment to be completed.

Phase 4 – Design and Final Plans and Specifications

Preliminary plans shall be provided for CITY review within 90 calendar days after the date of approval of the preliminary water transmission main alignment. Final plans, specifications, and estimates for all project elements shall be provided within 30 calendar days after the date of preliminary plan approval by the CITY.

Phase 5 - Services During Construction

Engineering services during construction shall begin upon construction contract award by the CITY and shall extend through construction contract completion. A maximum of 60 working days has been assumed for the construction of improvements. Should the Contractor be granted time extensions for construction completion due to recognized delays, requested additional work, and/or change orders, engineering services beyond the 60 working days shall be considered additional services.

FEE FOR SERVICES:

For the services furnished by the Engineer as described in this Task Order, the CITY agrees to pay the Engineer the fees as set forth herein. The maximum amounts listed below may be revised only by written agreement of both parties.

Zone 2.5 Water Supply Improvements

Phase 1 – Environmental Compliance

All work shall be performed on a time-spent basis in accordance with Exhibit A - Schedule of Hourly Rates attached to the General Services Agreement, plus reimbursement for direct non-salary expenses with an estimated maximum amount of \$10,000.00.

Phase 2 – Project Administration

All work shall be performed on a time-spent basis in accordance with Exhibit A - Schedule of Hourly Rates attached to the General Services Agreement, plus reimbursement for direct non-salary expenses with an estimated maximum amount of \$10,000.00.

Phase 3 – Easement Acquisition Assistance

All work shall be performed on a time-spent basis in accordance with Exhibit A - Schedule of Hourly Rates attached to the General Services Agreement, plus reimbursement for direct non-salary expenses with an estimated maximum amount of \$5,000.00.

Phase 4 – Design and Final Plans and Specifications

The lump sum fee of \$79,500.00.

Phase 5 - Services During Construction

All work shall be performed on a time-spent basis in accordance with Exhibit A - Schedule of Hourly Rates attached to the General Services Agreement, plus reimbursement for direct non-salary expenses such as laboratory testing, reproduction expenses, out of town travel costs, and outside engineers, with an estimated maximum amount of \$86,200.00.

Additional Services

Any additional work requested by the CITY shall be performed on a time spent basis in accordance with Exhibit A - Schedule of Hourly Rates attached to the General Services Agreement, plus reimbursement for direct non-salary expenses such as laboratory testing, reproduction expenses, out of town travel costs, and outside engineers.

Proposed:  10/21/13
Hulbregtse, Louman Associates, Inc. Date
Jeffrey T. Louman, PE, President

Approved: _____ 
City of Prosser Date
Paul Warden, Mayor

EXHIBIT "A"
SCHEDULE OF RATES
FOR
HUIBREGTSE, LOUMAN ASSOCIATES, INC.

(January 1, 2013, Through December 31, 2013)

Licensed Principal Engineer	\$170.00 per hour
Licensed Principal Land Surveyor	\$156.00 per hour
Licensed Professional Engineer	\$140.00 per hour
Licensed Professional Land Surveyor	\$128.00 per hour
Project Engineer	\$115.00 per hour
CAD Technician	\$101.00 per hour
Resident Engineer/Inspector	\$96.00 per hour
Surveyor	\$96.00 per hour
Senior Engineering Technician	\$96.00 per hour
Engineering Technician	\$67.00 per hour
Word Processing Technician	\$67.00 per hour
Surveyor on Two Man Crew	\$92.00 per hour
Surveyor on Three Man Crew	\$80.00 per hour
Vehicle Mileage	\$0.52 per mile
Global Positioning Survey System Fee	\$88.00 per hour

EXHIBIT "A"

SCHEDULE OF RATES

FOR

HUIBREGTSE, LOUMAN ASSOCIATES, INC.

(January 1, 2014, Through December 31, 2014)

Licensed Principal Engineer	\$176.00 per hour
Licensed Principal Land Surveyor	\$160.00 per hour
Licensed Professional Engineer	\$145.00 per hour
Licensed Professional Land Surveyor	\$132.00 per hour
Project Engineer	\$119.00 per hour
CAD Technician	\$104.00 per hour
Resident Engineer/Inspector	\$99.00 per hour
Surveyor	\$99.00 per hour
Senior Engineering Technician	\$99.00 per hour
Engineering Technician	\$70.00 per hour
Word Processing Technician	\$70.00 per hour
Surveyor on Two Man Crew	\$95.00 per hour
Surveyor on Three Man Crew	\$83.00 per hour
Vehicle Mileage	\$0.55 per mile
Global Positioning Survey System Fee	\$90.00 per hour

CITY OF PROSSER, WASHINGTON

AGENDA BILL

<p>Agenda Title: Approve Task Order No. 2014-01 between the City of Prosser and HLA, Inc., for the City's Water System Plan Update Project in an amount not to exceed \$86,000 and authorize the Mayor to sign the documents.</p>	<p>Meeting Date: September 9, 2014 Regular Meeting</p>
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Department:	Director:	Contact Person:	Phone Number:
Public Works	L.J. Da Corsi	L.J. Da Corsi	(509) 786-2332

<p>Cost of Proposal: \$86,000</p> <p>Amount Budgeted: \$86,000</p>	<p>Account Number:</p> <p>Name and Fund# 403 Water Fund</p>
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Reviewed by Finance Department:

Syst

Attachments to Agenda Packet Item:

1. Task Order 2014-01

Summary Statement:

The City of Prosser's water system, like other municipal water systems in the state, is regulated by the Washington State Department of Health (DOH) and the Washington State Department of Ecology (DOE). A Water System Plan is required of all water systems with 1,000 or more services. The Water System Plan must be updated every six years. The City's current plan was last updated and approved in November 2009 and is in need of updating to be in compliance with State regulations. The deadline for the City's Water System Plan update is November 24, 2015.

The City can use its general engineering consultant, HLA, Inc., to provide the professional services in order to update the Water system Plan prior to the November 2015 deadline. This will be accomplished through a Task Order, submitted to the City by HLA, Inc., and requiring Council approval. The estimated cost for completing the Water System Plan update is \$86,000.

Consistent with or Comparison to:

Previous Water System Plan updates and the Task Order process for the City's general consultant/engineering professional services.

Recommended City Council Action/Suggested Motion:

Approve Task Order No. 2014-01 between the City of Prosser and HLA, Inc., for the City's Water System Plan Update Project in an amount not to exceed \$86,000 and authorize the Mayor to sign the documents.

Reviewed by Department Director:


Date: 9/4/14

Today's Date:

8/25/14

Reviewed by City Attorney:


Date: 8/29/14

Revision Number/Date:

Approved by Mayor: Acting CA


Date: 9/4/14

File Name and Path:

TASK ORDER NO. 2014-01

REGARDING GENERAL AGREEMENT BETWEEN CITY OF PROSSER

AND

HUIBREGTSE, LOUMAN ASSOCIATES, INC.

PROJECT DESCRIPTION:

WATER SYSTEM PLAN UPDATE

The City of Prosser (CITY) owns, operates, and maintains a municipal potable water supply, storage, and distribution system for its citizens. Such water systems are regulated by the Washington State Department of Health (DOH), and the Washington State Department of Ecology (DOE). A Water System Plan is required of all water systems with 1,000 or more services and it must be updated every six years.

The CITY's current Water System Plan, approved November 24, 2009, is in need of updating to meet State requirements and to provide a current document for the efficient operation and maintenance of the CITY's domestic water system and cost effective capital improvement planning and financing. A current approved Water System Plan is required by November 24, 2015, (see Time of Performance for schedule necessary to meet approval date).

SCOPE OF SERVICES:

Huibregtse, Louman Associates, Inc. (HLA), will work with the CITY Council and staff, and the State regulatory agencies and will have primary responsibility to perform the necessary water system planning and prepare the Water System Plan. The scope of work for such services is outlined in the attached Water System Plan Checklist, the *Water System Planning Handbook* (DOH Pub. #331-068) dated April 1997, prepared by the Washington State Department of Health that is applicable to Water System Planning requirements, *Water Use Efficiency Guidebook, Third Edition* (DOH Pub. #331-375) dated January 2011, and any other subsequent guidance documents.

The scope of services will include the following documents:

1. HLA will provide three (3) copies of the "conceptual draft" Plan for review and comment by CITY Council and staff.
2. HLA will incorporate CITY comments and will publish and transmit three (3) copies of the draft Plan for review and comment by the respective reviewing authorities and three (3) copies to the CITY.
3. Following receipt of CITY and Reviewing Authority (i.e. DOH, Ecology), written comments on the draft Plan, HLA will publish three (3) copies of the Final Plan for the CITY and three (3) copies for transmittal to DOH.

This scope of work does not include preparation of the following items: Water Right permit extension request(s), Wellhead Protection Plan, Coliform Monitoring Plan, Disinfection Byproducts Monitoring Plan, Cross-Connection Control Program, Emergency Response Plan; or Water Use Efficiency Goal Setting, selection of measures, and annual reporting. As directed by the CITY, work associated with the above items will be considered additional services and paid for at hourly billing rates in effect at the time of service.

The CITY will provide or perform the following:

- Provide full information as to CITY requirements of the Project.
- Assist HLA by placing at his disposal all available information pertinent to the Project including previous reports, plans, program information, drawings, plats, surveys, utility records, and any other data relative to the Project.
- Examine all studies, reports, sketches, estimates, specifications, drawings, proposals, and other documents presented by HLA and render in writing decisions pertaining thereto within a reasonable time so as not to delay the work of HLA.
- Provide water samples and pay for the cost of water testing necessary for inclusion of test results in the Water System Plan.
- Obtain approval of all governmental authorities having jurisdiction over the Plan and such approvals and consents from such other individuals or bodies as may be necessary for completion of the Plan.

TIME OF PERFORMANCE:

Following authorization to proceed, HLA will diligently pursue completion of the Water System Plan necessary to meet the required DOH approval deadline. A proposed schedule is as follows:

Proposed Schedule

Finalize Task Order and prepare required data list for completion by CITY (Thirty calendar days to provide CITY data to HLA)	October 2014
Receive CITY data through 2014 and begin Plan preparation (Ninety calendar days to prepare draft Plan)	January 2015
Submit draft Plan to CITY and DOH (Ninety calendar days to receive DOH comments)	May 2015
Receive Plan comments from CITY and DOH (Thirty calendar days to submit comment responses and Final Plan)	August 2015
Submit Final Plan to CITY and DOH (Sixty calendar days to receive DOH approval)	September 2015
Receive Final Plan approval from DOH	November 2015

FEE FOR SERVICE:

All work shall be performed on a time-spent basis at the normal hourly billing rates included in our General Agreement with a maximum amount of \$86,000.00. This maximum amount may be revised only by written agreement of both parties.

Proposed: Jeffrey T. Louman Date 8/22/14
Huibregtse, Louman Associates, Inc.
Jeffrey T. Louman, President

Approved: _____ Date _____
City of Prosser
Paul Warden, Mayor



CITY OF PROSSER, WASHINGTON

AGENDA BILL

Agenda Title: Discuss Proposed Ordinances Amending the 2014 Budget, Adopting Agreements, and Creating Several Project Funds.		Meeting Date: September 9, 2014 Regular Meeting	
Department: Finance	Director: Regina Mauras	Contact Person: Toni Yost	Phone Number: (509) 786-2332
Cost of Proposal: Amount Budgeted: \$0		Account Number: Name and Fund#	
Reviewed by Finance Department: <i>R Mauras</i>			
Attachments to Agenda Packet Item: <ol style="list-style-type: none"> 1. Proposed Ordinances (4) 2. Local Agency Agreement 7th Street ADA Improvements 3. 7th Street ADA Sidewalk Ramp Improvements Supporting Documents 4. 7th Street ADA Sidewalk Ramp Improvements Prospectus 5. Local Agency Agreement Old Inland Empire Highway - Phase 2 6. O.I.E. Phase 2 Supporting Documents 7. O.I.E. Phase 2 Prospectus 			
Summary Statement: <p>Attached are four separate ordinances and the supporting documents for those ordinances amending the 2014 Budget and creating project funds from some recently awarded grants. To assist in the review of these ordinances, the purpose of each ordinance is summarized below:</p> <p>7th Street ADA Improvement Project: This ordinance accepts the grant agreement with WSDOT for this project and accepts the funding conditions. As part of this project the City is awarded \$14,041 in grant funds but also must contribute \$2,191. In order to clearly track these project revenues and costs, it is proposed in the ordinance that a 7th Street ADA Ramp Improvement Project Fund 303 be created and sets a budget for this fund.</p> <p>OIE Improvement Project- Phase 2: This ordinance accepts the grant agreement with WSDOT for this project and accepts the funding conditions. As part of this project the City is awarded \$100,580 in grant funds but also must contribute \$15,697. In order to clearly track these project revenues and costs, it is proposed in the ordinance that the OIE Improvement Project - Phase 2 Fund 304 be created and sets a budget for this fund.</p>			

Patrol Cars:

Ordinance 14-2903 accepted the grant agreement with USDA for the purchase of two police patrol cars and related equipment. As part of this project the City is awarded \$43,600 in grant funds but also must contribute \$39,566. In order to clearly track these project revenues and costs (and other similar small projects or short term projects) it is proposed in the ordinance that a General Fund Small Projects Fund 103 be created and sets a budget for this fund.

Budget Amendment:

This Ordinance address the funding of the required match funds for the projects listed above (Arterial Street Fund and Criminal Justice Fund). In addition, this ordinance also amends the purpose and title of the Drug Dog Fund (145) to the Canine Officer Fund (145). When this fund was created the City had a drug dog but now the City has a canine officer. This amendment allow for the use of these funds to cover recent canine officer related costs and also allows for the closure of the fund once the funds have been spent.

According to RCW, a budget amendment of this kind must first be presented to Council and then at a future meeting Council may take action to approve the amendments. As a result, this item has been prepared as a discussion item only and will return to Council on a future council agenda.

Consistent with or Comparison to:

EXISTING ADOPTED OR PREVIOUS PLANS, POLICIES OR ACTIONS TAKEN BY THE COUNCIL

Recommended City Council Action/Suggested Motion:

Discuss Proposed Ordinances Amending the 2014 Budget, Adopting Agreements, and Creating Several Project Funds.

Reviewed by Department Director:

Regina Mauras

Date: 9.5.2014

Today's Date:

August 26, 2014

Reviewed by City Attorney:



Date: 9/5/14

Revision Number/Date:

Approved by Mayor:



Date: 9-5-2014

File Name and Path:

CITY OF PROSSER, WASHINGTON
ORDINANCE NO. 14-_____

AN ORDINANCE OF THE CITY OF PROSSER, WASHINGTON REGARDING A LOCAL AGENCY AGREEMENT BETWEEN THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION AND THE CITY OF PROSSER FOR THE DESIGN PHASE OF THE 7TH STREET ADA SIDEWALK RAMP IMPROVEMENTS PROJECT FROM BENNETT AVENUE TO DUDLEY AVENUE. THE ORDINANCE ALSO AUTHORIZES THE MAYOR OR THE APPROPRIATE CITY OFFICIAL TO EXECUTE ALL DOCUMENTS NECESSARY TO EXECUTE AND IMPLEMENT THE AGREEMENT AND FURTHER AUTHORIZE THEM TO RECEIVE AND EXPEND ALL MONIES RECEIVED UNDER THE AGREEMENT FOR THE PROJECT. THE FUND ALSO CREATES PROJECT FUND 303 AND APPROPRIATES FOR EXPENDITURE THE SUM OF \$16,232 TO THAT FUND FOR 2014 AND AUTHORIZES THE FINANCE DIRECTOR TO MAKE INTERFUND LOANS TO SUPPORT CASH FLOW TO FUND 303 AND DECLARES THAT AN EMERGENCY EXISTS IN RELATION TO THE 2014 BUDGET, AS AMENDED. THE ORDINANCE ALSO DECLARES THAT THE PROVISIONS OF THE ORDINANCE ARE SEVERABLE FROM ONE ANOTHER AND SETS FORTH THE EFFECTIVE DATE OF THE ORDINANCE AND PROVIDES FOR PUBLICATION BY SUMMARY.

WHEREAS, The Washington State Department of Transportation (WSDOT) administers certain Federal Highway Programs; and

WHEREAS, WSDOT requires a Local Agency Agreement (Agreement) be entered into between the City and WSDOT for funding of the design phase of the 7th Street ADA Sidewalk Ramp Improvements Project from Bennett Avenue to Dudley Avenue (Project); and

WHEREAS, the Agreement provides for funding in the amount of \$16,232; and

WHEREAS, the Agreement requires the City to expend the sum of \$2,191 which will be accomplished using funds in the Arterial Street Fund (110) in a separate action; and

WHEREAS, administration has determined that approval of the Agreement should be evidenced by an Ordinance; and

WHEREAS, administration has determined that a project fund should be established for the Project and should be assigned Fund Number 303, 7th Street ADA Sidewalk Ramp Improvements Fund; and

WHEREAS, the amount of \$16,232 should be appropriated for expenditure to Fund Number 303 for the year 2014 and the 2014 City Budget should be amended to show such fund and such appropriation; and

WHEREAS, expenditures for the Project may be required before funding is received pursuant to the Agreement; and

WHEREAS, in order to provide for expenditures from Fund 303, the City Finance Director should be authorized to establish interfund loans to Fund 303, as necessary to facilitate cash flow for the Fund; and

WHEREAS, this Ordinance establishes the 7th Street ADA Sidewalk Ramp Improvement Fund (303) and a budget of \$16,232;

WHEREAS, pursuant to RCW 35A.33.090, a public emergency exists which could not have been reasonably foreseen at the time of the filing of the 2014 Budget which requires the receipt and expenditure of money not provided for in the annual budget and is not one of the emergencies specifically enumerated in RCW 35A.33.080; and

WHEREAS, the facts constituting an emergency are enumerated as follows:

1. The adopted 2014 budget was an estimate of revenues and expenditures; and
2. The City was not aware of the WSDOT funding availability during the budget process; and
3. The City recently was awarded grant funds by WSDOT for the 7TH Street ADA Ramp Improvement Project; and
4. Prudent fiscal management requires immediate amendment of the budget; and
5. The funds need to be available to pay for project related costs; and
6. It is in the best interest of the city of Prosser to amend the budget as provided in this ordinance for fund number 303; and

AND WHEREAS, this Ordinance was first presented to the City Council on September 9, 2014; and

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

Section 1: The recitals set forth above are hereby incorporated herein.

Section 2: The Mayor or the appropriate City official are authorized to execute all documents necessary to execute and implement the Agreement and are further authorized to receive and expend all monies received under the Agreement for the Project.

Section 3. Fund Number 303, 7th Street ADA Sidewalk Ramp Improvements Fund, is hereby established to track revenue and expenditures for the Project.

Section 4, The 2014 Budget Adopted by Ordinance Number 13-2859, and amended by Ordinance Number 14-2871, Ordinance Number 14-2883, and Ordinance 14-2891 is hereby amended to establish a budget for Fund 303, at the fund level as follows:

FUND NO.	FUND	REVENUE	EXPENDITURE
303	7 th Street ADA Sidewalk Ramp Improvements Fund	\$16,232	\$16,232

Section 5. The Finance Director is hereby authorized to make all adjustments to the City's Budget to accomplish the purposes of this Ordinance in accordance with RCW 35A.33.120.

Section 6. An emergency is declared to exist and the recitals set forth above are hereby adopted as findings in support of such emergency.

Section 7. The Finance Director, or her designee, is authorized to make interfund loans from an appropriate City Fund to Fund 303, in the minimum amount necessary to cover any cash flow shortage in Fund 303, caused by the Agreement. These loans shall be repaid as soon as funding is available to cover the cash flow shortage. All terms required by the State BARS manual shall be incorporated into the loan document, including interest, if applicable.

Section 8: SEVERABILITY. The provisions of this ordinance are hereby declared to be severable. If any section, subsection, sentence, clause, or phrase of this ordinance or its application to any person or circumstance is for any reason held to be invalid or unconstitutional, the remainder of this ordinance shall not as a result of said section, subsection, sentence, clause, or phrase be held unconstitutional or invalid.

Section 9: Since this ordinance includes a budget amendment in accordance with RCW 35A.33.090, its passage requires the affirmative vote of 5 Council Members. This ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

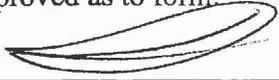
PASSED by the City Council and **APPROVED** by the Mayor this _____ day of _____, 2014.

MAYOR PAUL WARDEN

ATTEST:

CITY CLERK, RACHEL SHAW

Approved as to form:



CITY ATTORNEY, HOWARD SAXTON

Date of Publication: _____

SUMMARY OF ORDINANCE NO. 14-_____

of the City of Prosser, Washington

On the ____ day of _____, 2014, the City of Prosser, Washington, passed Ordinance No. _____ . A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF PROSSER, WASHINGTON REGARDING A LOCAL AGENCY AGREEMENT BETWEEN THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION AND THE CITY OF PROSSER FOR THE DESIGN PHASE OF THE 7TH STREET ADA SIDEWALK RAMP IMPROVEMENTS PROJECT FROM BENNETT AVENUE TO DUDLEY AVENUE. THE ORDINANCE ALSO AUTHORIZES THE MAYOR OR THE APPROPRIATE CITY OFFICIAL TO EXECUTE ALL DOCUMENTS NECESSARY TO EXECUTE AND IMPLEMENT THE AGREEMENT AND FURTHER AUTHORIZE THEM TO RECEIVE AND EXPEND ALL MONIES RECEIVED UNDER THE AGREEMENT FOR THE PROJECT. THE FUND ALSO CREATES PROJECT FUND 303 AND APPROPRIATES FOR EXPENDITURE THE SUM OF \$16,232 TO THAT FUND FOR 2014 AND AUTHORIZES THE FINANCE DIRECTOR TO MAKE INTERFUND LOANS TO SUPPORT CASH FLOW TO FUND 303 AND DECLARES THAT AN EMERGENCY EXISTS IN RELATION TO THE 2014 BUDGET, AS AMENDED. THE ORDINANCE ALSO DECLARES THAT THE PROVISIONS OF THE ORDINANCE ARE SEVERABLE FROM ONE ANOTHER AND SETS FORTH THE EFFECTIVE DATE OF THE ORDINANCE AND PROVIDES FOR PUBLICATION BY SUMMARY.

The full text of this Ordinance will be mailed upon request.

DATED this ____ day of _____, 2014

CITY CLERK, RACHEL SHAW

Local Agency Agreement

Agency City of Prosser
 Address 601 Seventh Street
Prosser, WA 99350

CFDA No. 20.205
 (Catalog of Federal Domestic Assistance)
 Project No. _____
 Agreement No. _____
 For OSC WSDOT Use Only

The Local Agency having complied, or hereby agreeing to comply, with the terms and conditions set forth in (1) Title 23, U.S. Code Highways, (2) the regulations issued pursuant thereto, (3) 2 CFR 225, (4) Office of Management and Budget Circulars A-102, and A-133, (5) the policies and procedures promulgated by the Washington State Department of Transportation, and (6) the federal aid project agreement entered into between the State and Federal Government, relative to the above project, the Washington State Department of Transportation will authorize the Local Agency to proceed on the project by a separate notification. Federal funds which are to be obligated for the project may not exceed the amount shown herein on line r, column 3, without written authority by the State, subject to the approval of the Federal Highway Administration. All project costs not reimbursed by the Federal Government shall be the responsibility of the Local Agency.

Project Description

Name 7th Street ADA Sidewalk Ramp Improvements Length spot improvements
 Termini Bennett Avenue to Dudley Avenue

Description of Work

Install ADA compliant ramps including curb and gutter, asphalt patching, and pavement markings.

Proposed Advertisement Date:

Type of Work	Estimate of Funding		
	(1) Estimated Total Project Funds	(2) Estimated Agency Funds	(3) Estimated Federal Funds
PE			
86.5 % a. Agency			
b. Other Consultant	15,632.00	2,110.00	13,522.00
c. Other			
Federal Aid Participation Ratio for PE d. State	600.00	81.00	519.00
e. Total PE Cost Estimate (a+b+c+d)	16,232.00	2,191.00	14,041.00
Right of Way			
% f. Agency			
g. Other			
h. Other			
Federal Aid Participation Ratio for RW i. State			
j. Total R/W Cost Estimate (f+g+h+i)			
Construction			
k. Contract			
l. Other			
m. Other			
n. Other			
% o. Agency			
Federal Aid Participation Ratio for CN p. State			
q. Total CN Cost Estimate (k+l+m+n+o+p)			
r. Total Project Cost Estimate (e+j+q)	16,232.00	2,191.00	14,041.00

Agency Official _____
 By _____
 Title _____

Washington State Department of Transportation
 By _____
 Director of Local Programs
 Date Executed _____

Construction Method of Financing (Check Method Selected)

State Ad and Award

- Method A - Advance Payment - Agency Share of total construction cost (based on contract award)
- Method B - Withhold from gas tax the Agency's share of total construction cost (line 4, column 2) in the amount of \$ _____ at \$ _____ per month for _____ months.

Local Force or Local Ad and Award

- Method C - Agency cost incurred with partial reimbursement
The Local Agency further stipulates that pursuant to said Title 23, regulations and policies and procedures, and as a condition to payment of the federal funds obligated, it accepts and will comply with the applicable provisions set forth below. Adopted by official action on _____, Resolution/Ordinance No. _____

Provisions

I. Scope of Work

The Agency shall provide all the work, labor, materials, and services necessary to perform the project which is described and set forth in detail in the "Project Description" and "Type of Work."

When the State acts for and on behalf of the Agency, the State shall be deemed an agent of the Agency and shall perform the services described and indicated in "Type of Work" on the face of this agreement, in accordance with plans and specifications as proposed by the Agency and approved by the State and the Federal Highway Administration.

When the State acts for the Agency but is not subject to the right of control by the Agency, the State shall have the right to perform the work subject to the ordinary procedures of the State and Federal Highway Administration.

II. Delegation of Authority

The State is willing to fulfill the responsibilities to the Federal Government by the administration of this project. The Agency agrees that the State shall have the full authority to carry out this administration. The State shall review, process, and approve documents required for federal aid reimbursement in accordance with federal requirements. If the State advertises and awards the contract, the State will further act for the Agency in all matters concerning the project as requested by the Agency. If the Local Agency advertises and awards the project, the State shall review the work to ensure conformity with the approved plans and specifications.

III. Project Administration

Certain types of work and services shall be provided by the State on this project as requested by the Agency and described in the Type of Work above. In addition, the State will furnish qualified personnel for the supervision and inspection of the work in progress. On Local Agency advertised and awarded projects, the supervision and inspection shall be limited to ensuring all work is in conformance with approved plans, specifications, and federal aid requirements. The salary of such engineer or other supervisor and all other salaries and costs incurred by State forces upon the project will be considered a cost thereof. All costs related to this project incurred by employees of the State in the customary manner on highway payrolls and vouchers shall be charged as costs of the project.

IV. Availability of Records

All project records in support of all costs incurred and actual expenditures kept by the Agency are to be maintained in accordance with local government accounting procedures prescribed by the Washington State Auditor's Office, the U.S. Department of Transportation, and the Washington State Department of Transportation. The records shall be open to inspection by the State and Federal Government at all reasonable times and shall be retained and made available for such inspection for a period of not less than three years from the final payment of any federal aid funds to the Agency. Copies of said records shall be furnished to the State and/or Federal Government upon request.

V. Compliance with Provisions

The Agency shall not incur any federal aid participation costs on any classification of work on this project until authorized in writing by the State for each classification. The classifications of work for projects are:

1. Preliminary engineering.
2. Right of way acquisition.
3. Project construction.

Once written authorization is given, the Agency agrees to show continuous progress through monthly billings. Failure to show continuous progress may result the Agency's project becoming inactive, as described in 23 CFR 360, and subject to de-obligation of federal aid funds and/or agreement closure.

If right of way acquisition, or actual construction of the road for which preliminary engineering is undertaken is not started by the close of the tenth fiscal year following the fiscal year in which preliminary engineering phase was authorized, the Agency will repay to the State the sum or sums of federal funds paid to the Agency under the terms of this agreement (see Section IX).

If actual construction of the road for which right of way has been purchased is not started by the close of the tenth fiscal year following the fiscal year in which the right of way phase was authorized, the Agency will repay to the State the sum or sums of federal funds paid to the Agency under the terms of this agreement (see Section IX).

The Agency agrees that all stages of construction necessary to provide the initially planned complete facility within the limits of this project will conform to at least the minimum values set by approved statewide design standards applicable to this class of highways, even though such additional work is financed without federal aid participation.

The Agency agrees that on federal aid highway construction projects, the current federal aid regulations which apply to liquidated damages relative to the basis of federal participation in the project cost shall be applicable in the event the contractor fails to complete the contract within the contract time.

VI. Payment and Partial Reimbursement

The total cost of the project, including all review and engineering costs and other expenses of the State, is to be paid by the Agency and by the Federal Government. Federal funding shall be in accordance with the Federal Transportation Act, as amended, 2 CFR 225 and Office of Management and Budget circulars A-102 and A-133. The State shall not be ultimately responsible for any of the costs of the project. The Agency shall be ultimately responsible for all costs associated with the project which are not reimbursed by the Federal Government. Nothing in this agreement shall be construed as a promise by the State as to the amount or nature of federal participation in this project.

The Agency shall bill the state for federal aid project costs incurred in conformity with applicable federal and state laws. The agency shall minimize the time elapsed between receipt of federal aid funds and subsequent payment of incurred costs. Expenditures by the Local Agency for maintenance, general administration, supervision, and other overhead shall not be eligible for federal participation unless a current indirect cost plan has been prepared in accordance with the regulations outlined in 2 CFR 225 - Cost Principles for State, Local, and Indian Tribal Government, and retained for audit.

The State will pay for State incurred costs on the project. Following payment, the State shall bill the Federal Government for reimbursement of those costs eligible for federal participation to the extent that such costs are attributable and properly allocable to this project. The State shall bill the Agency for that portion of State costs which were not reimbursed by the Federal Government (see Section IX).

1. Project Construction Costs

Project construction financing will be accomplished by one of the three methods as indicated in this agreement.

Method A – The Agency will place with the State, within (20) days after the execution of the construction contract, an advance in the amount of the Agency's share of the total construction cost based on the contract award. The State will notify the Agency of the exact amount to be deposited with the State. The State will pay all costs incurred under the contract upon presentation of progress billings from the contractor. Following such payments, the State will submit a billing to the Federal Government for the federal aid participation share of the cost. When the project is substantially completed and final actual costs of the project can be determined, the State will present the Agency with a final billing showing the amount due the State or the amount due the Agency. This billing will be cleared by either a payment from the Agency to the State or by a refund from the State to the Agency.

Method B – The Agency's share of the total construction cost as shown on the face of this agreement shall be withheld from its monthly fuel tax allotments. The face of this agreement establishes the months in which the withholding shall take place and the exact amount to be withheld each month. The extent of withholding will be confirmed by letter from the State at the time of contract award. Upon receipt of progress billings from the contractor, the State will submit such billings to the Federal Government for payment of its participating portion of such billings.

Method C – The Agency may submit vouchers to the State in the format prescribed by the State, in duplicate, not more than once per month for those costs eligible for Federal participation to the extent that such costs are directly attributable and properly allocable to this project. Expenditures by the Local Agency for maintenance, general administration, supervision, and other overhead shall not be eligible for Federal participation unless claimed under a previously approved indirect cost plan.

The State shall reimburse the Agency for the Federal share of eligible project costs up to the amount shown on the face of this agreement. At the time of audit, the Agency will provide documentation of all costs incurred on the project.

The State shall bill the Agency for all costs incurred by the State relative to the project. The State shall also bill the Agency for the federal funds paid by the State to the Agency for project costs which are subsequently determined to be ineligible for federal participation (see Section IX).

VII. Audit of Federal Consultant Contracts

The Agency, if services of a consultant are required, shall be responsible for audit of the consultant's records to determine eligible federal aid costs on the project. The report of said audit shall be in the Agency's files and made available to the State and the Federal Government.

An audit shall be conducted by the WSDOT Internal Audit Office in accordance with generally accepted governmental auditing standards as issued by the United States General Accounting Office by the Comptroller General of the United States; WSDOT Manual M 27-50, Consultant Authorization, Selection, and Agreement Administration; memoranda of understanding between WSDOT and FHWA; and Office of Management and Budget Circular A-133.

If upon audit it is found that overpayment or participation of federal money in ineligible items of cost has occurred, the Agency shall reimburse the State for the amount of such overpayment or excess participation (see Section IX).

VIII. Single Audit Act

The Agency, as a subrecipient of federal funds, shall adhere to the federal Office of Management and Budget (OMB) Circular A-133 as well as all applicable federal and state statutes and regulations. A subrecipient who expends \$500,000 or more in federal awards from all sources during a given fiscal year shall have a single or program-specific audit performed for that year in accordance with the provisions of OMB Circular A-133. Upon conclusion of the A-133 audit, the Agency shall be responsible for ensuring that a copy of the report is transmitted promptly to the State.

IX. Payment of Billing

The Agency agrees that if payment or arrangement for payment of any of the State's billing relative to the project (e.g., State force work, project cancellation, overpayment, cost ineligible for federal participation, etc.) is not made to the State within 45 days after the Agency has been billed, the State shall effect reimbursement of the total sum due from the regular monthly fuel tax allotments to the Agency from the Motor Vehicle Fund. No additional Federal project funding will be approved until full payment is received unless otherwise directed by the Director of Local Programs.

X. Traffic Control, Signing, Marking, and Roadway Maintenance

The Agency will not permit any changes to be made in the provisions for parking regulations and traffic control on this project without prior approval of the State and Federal Highway Administration. The Agency will not install or permit to be installed any signs, signals, or markings not in conformance with the standards approved by the Federal Highway Administration and MUTCD. The Agency will, at its own expense, maintain the improvement covered by this agreement.

XI. Indemnity

The Agency shall hold the Federal Government and the State harmless from and shall process and defend at its own expense all claims, demands, or suits, whether at law or equity brought against the Agency, State, or Federal Government, arising from the Agency's execution, performance, or failure to perform any of the provisions of this agreement, or of any other agreement or contract connected with this agreement, or arising by reason of the participation of the State or Federal Government in the project, PROVIDED, nothing herein shall require the Agency to reimburse the State or the Federal Government for damages arising out of bodily injury to persons or damage to property caused by or resulting from the sole negligence of the Federal Government or the State.

XII. Nondiscrimination Provision

No liability shall attach to the State or Federal Government except as expressly provided herein.

The Agency shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any USDOT-assisted contract and/or agreement or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Agency shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of USDOT-assisted contracts and agreements. The WSDOT's DBE program, as required by 49 CFR Part 26 and as approved by USDOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Agency of its failure to carry out its approved program, the Department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

The Agency hereby agrees that it will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, as defined in the rules and regulations of the Secretary of Labor in 41 CFR Chapter 60, which is paid for in whole or in part with funds obtained from the Federal Government or borrowed on the credit of the Federal Government pursuant to a grant, contract, loan, insurance, or guarantee or understanding pursuant to any federal program involving such grant, contract, loan, insurance, or guarantee, the required contract provisions for Federal-Aid Contracts (FHWA 1273), located in Chapter 44 of the Local Agency Guidelines.

The Agency further agrees that it will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: Provided, that if the applicant so participating is a State or Local Government, the above equal opportunity clause is not applicable to any agency, instrumentality, or subdivision of such government which does not participate in work on or under the contract.

The Agency also agrees:

- (1) To assist and cooperate actively with the State in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and rules, regulations, and relevant orders of the Secretary of Labor.
- (2) To furnish the State such information as it may require for the supervision of such compliance and that it will otherwise assist the State in the discharge of its primary responsibility for securing compliance.
- (3) To refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, government contracts and federally assisted construction contracts pursuant to the Executive Order.
- (4) To carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by the State, Federal Highway Administration, or the Secretary of Labor pursuant to Part II, subpart D of the Executive Order.

In addition, the Agency agrees that if it fails or refuses to comply with these undertakings, the State may take any or all of the following actions:

- (a) Cancel, terminate, or suspend this agreement in whole or in part;
- (b) Refrain from extending any further assistance to the Agency under the program with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from the Agency; and
- (c) Refer the case to the Department of Justice for appropriate legal proceedings.

XIII. Liquidated Damages

The Agency hereby agrees that the liquidated damages provisions of 23 CFR Part 635, Subpart 127, as supplemented, relative to the amount of Federal participation in the project cost, shall be applicable in the event the contractor fails to complete the contract within the contract time. Failure to include liquidated damages provision will not relieve the Agency from reduction of federal participation in accordance with this paragraph.

XIV. Termination for Public Convenience

The Secretary of the Washington State Department of Transportation may terminate the contract in whole, or from time to time in part, whenever:

- (1) The requisite federal funding becomes unavailable through failure of appropriation or otherwise.
- (2) The contractor is prevented from proceeding with the work as a direct result of an Executive Order of the President with respect to the prosecution of war or in the interest of national defense, or an Executive Order of the President or Governor of the State with respect to the preservation of energy resources.
- (3) The contractor is prevented from proceeding with the work by reason of a preliminary, special, or permanent restraining order of a court of competent jurisdiction where the issuance of such order is primarily caused by the acts or omissions of persons or agencies other than the contractor.
- (4) The Secretary is notified by the Federal Highway Administration that the project is inactive.
- (5) The Secretary determines that such termination is in the best interests of the State.

XV. Venue for Claims and/or Causes of Action

For the convenience of the parties to this contract, it is agreed that any claims and/or causes of action which the Local Agency has against the State of Washington, growing out of this contract or the project with which it is concerned, shall be brought only in the Superior Court for Thurston County.

XVI. Certification Regarding the Restrictions of the Use of Federal Funds for Lobbying

The approving authority certifies, to the best of his or her knowledge and belief, that:

(1) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any federal agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any federal agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit the Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, and contracts and subcontracts under grants, subgrants, loans, and cooperative agreements) which exceed \$100,000, and that all such subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification as a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Additional Provisions

Prospectus Submittal Checklist

Agency: City of Prosser

Project Title: 7th Street ADA Sidewalk Ramp Improvements

Use this sheet as a cover sheet to the project prospectus package. Place an "X" in the right column to denote items included.

If not applicable, state N/A. Include in the cover letter a comment explaining the action taken on each item as appropriate.

Note later with an "L" if the information will be supplied at a future date.

Application	
1. Project Prospectus (Chapter 21)	X
2. Vicinity Map	X
3. Typical Roadway or Pathway Section	N/A
4. Typical Bridge Section	N/A
5. Local Agency Agreement (Chapter 22)	X
6. Documented Cost Estimate (Chapter 22)	X
7. TIP/STIP Inclusion (MPO/County/Agency, selected/limited to \$)	X
Supporting Data	
8. Local Agency Design Matrix Checklist (Appendix 42.101)	X
9. Photos (Railroad Crossing, ER event sites, as required)	N/A
10. Deviation Analysis Format (Appendix 41.51)	N/A
11. Environmental Considerations (Chapter 24)	L
a. Class II Categorically Excluded (CE) - Environmental Classification Summary (ECS)	L
b. Class III Environmental Assessment (EA)	N/A
c. Class I Environmental Impact Statement (EIS)	N/A
d. SEPA Checklist	N/A
e. NEPA/SEPA/Section 404 Interagency Working Agreement	N/A
f. Evolutionarily Significant Unit (ESU) Determination of Effect Concurrence	N/A
g. Value Engineering Study (where applicable)	N/A
12. Right of Way Requirements (Chapter 25)	N/A
a. Relocation Plan	N/A
b. Approved Right of Way Plans	N/A
c. Right of Way Project Funding Estimate or True Cost Estimate	N/A
d. Request Right of Way Fund Authorization	N/A
13. Right of Way Certification (Appendix 25.179)	N/A
14. Agreements/Easements with Railroads, Utilities, and Other Agencies (Chapter 32)	N/A
15. Design Approval (Chapter 43)	L
16. Tied Bids (Chapter 44)	N/A

Remarks:

Click here to enter text.

IMPROVEMENTS

Design Element	Design Level	Meets AASHTO? If "Yes" move down to next Design Element	If "NO"	Upgraded to AASHTO? If Yes" move down to next Design Element	If "NO"	Is a Deviation or Design Exception Required? If "NO" Document to File	If "Yes"	HQ Local Programs Deviation Approval Date	Local Agency Design Exception Approval Date
Roadways									
Horizontal Alignment	A	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes	→		N/A
Vertical Alignment	A	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes	→		N/A
Lane Width	A	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes	→		N/A
Shoulder Width	A	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes	→		N/A
Lane & Shoulder Taper	A	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes	→		N/A
Ped. Facilities	1	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes	→		N/A
Cross Slope Lane	A	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes	→		N/A
Cross Slope Shoulder	A	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes	→		N/A
Fill/Ditch Slopes	A	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes	→		N/A
Safety Improvements	A	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes	→		N/A
Bike & Ped	1	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes	→		N/A
Turn Radii	A	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes	→		N/A
Sight Distance	A	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes	→		N/A
I/S Angle	A	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes	→		N/A
Std Run	A	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes	→		N/A
Cross Roads									
Horizontal Alignment	AE	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→		
Vertical Alignment	AE	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→		
Lane Width	AE	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→		
Shoulder Width	AE	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→		
Fill/Ditch Slopes	AE	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→		
Safety Improvements	AE	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→		
Shared Bike/Ped. Facilities	1	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes	→		N/A
Bridges									
Lane Width	A	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes	→		N/A
Shoulder Width	A	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes	→		N/A
Vertical Clearance	D	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes	→		N/A
Structural Capacity	D	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes	→		N/A
Bridge Rail	D	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes <input type="checkbox"/> No	→	<input type="checkbox"/> Yes	→		N/A
Design Levels*									
<input type="checkbox"/> Blank Cell D Design Level D A Design Level A AE Agency Evaluate to Design Level A					(1) When provided, must meet current standards. (2) Items 1 and 2 under Safety Improvements Definitions are required and all others are AE.				

Local Agency Guidelines Design Matrix Reconstruction Checklist

CITY OF PROSSER
7th Street ADA Sidewalk Ramp Improvements
Preliminary Cost Estimate

Job No. 13003G

No.	Description	Unit	Quantity	Cost	Total
1	Mobilization	L.S.	1	\$ 6,000.00	\$ 6,000.00
2	Traffic Control	L.S.	1	\$ 6,000.00	\$ 6,000.00
3	Concrete/Asphalt Removal	L.S.	1	\$ 8,000.00	\$ 8,000.00
4	HMA Repair	S.Y.	55	\$ 80.00	\$ 4,400.00
5	Cement Concrete Curb & Gutter	L.F.	180	\$ 50.00	\$ 9,000.00
6	Handicap Ramp	EA.	11	\$ 1,200.00	\$ 13,200.00
7	Adjust Catch Basin	EA.	1	\$ 1,200.00	\$ 1,200.00
8	Pavement Markings	L.S.	1	\$ 6,000.00	\$ 6,000.00
9	Minor Change	FA	Est.	\$ 5,000.00	\$ 5,000.00
	Construction Sub-Total				\$ 58,800.00
	Contingency (10%)				\$ 5,880.00
	Construction Sub-Total Including Contingency				\$ 64,680.00
	Design Engineering				\$ 9,540.00
	Construction Engineering, Admin., and Material Testing				\$ 11,600.00
	Environmental Compliance				\$ 4,000.00
	WSDOT Review Fees				\$ 1,500.00
	Total Estimated Project Cost:				\$ 91,320.00

Washington State S. T. I. P.

2014 to 2017

(Project Funds to Nearest Dollar)

MPO/RTPO: BFCG

N Inside

Y Outside

August 15, 2014

County: Benton

Agency: Prosser

Func Cts	Project Number	PIN	STIP ID	Imp Type	Total Project Length	Environmental Type	RW Required	Begin Termini	End Termini	Total Est. Cost of Project	STIP Amend. No.
06			WA-06503	21	0.150	CE	No	Bennett Ave	Dudley Ave	91,320	14-06

7th Street ADA Sidewalk Ramp Improvements

Install ADA compliant sidewalk ramps including curb and gutter and asphalt patching at three intersections.

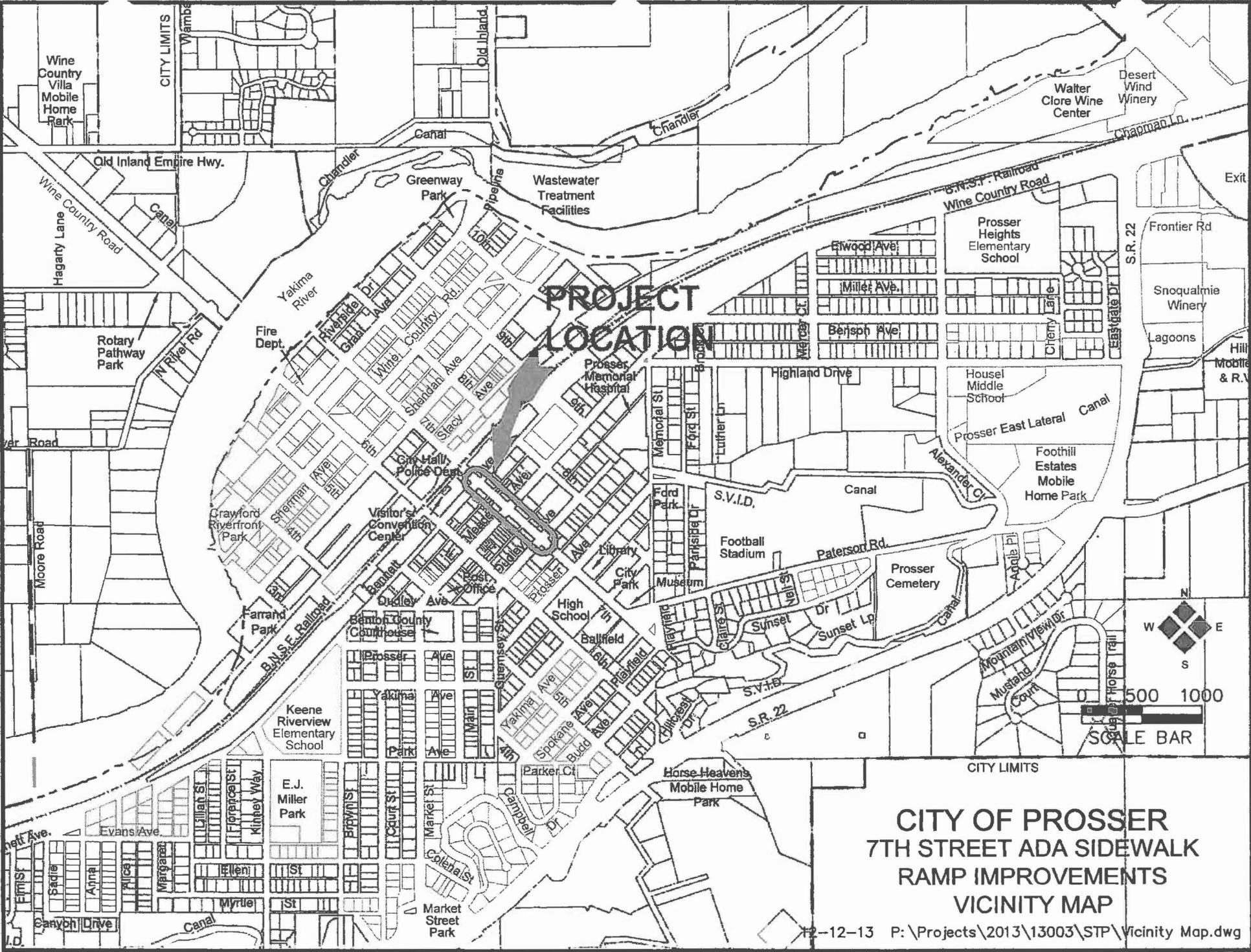
Funding

Phase	Start Date	Federal	Fund Code	Federal Funds		State Fund Code	State Funds	Local Funds	Total
PE	2014		TAP(US)	14,041			0	2,159	16,200
Project Totals				14,041			0	2,159	16,200

Expenditure Schedule

Phase	1st	2nd	3rd	4th	5th & 6th
PE	16,200	0	0	0	0
Totals	16,200	0	0	0	0

131





Prefix	Route	()
Federal Aid Project Number	TAP	
Local Agency Project Number	14087	(WSDOT Use Only)

Date	7/25/2014
DUNS Number	835419656
Federal Employer Tax ID Number	91-6001284

Agency City of Prosser	CA Agency <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Federal Program Title <input checked="" type="checkbox"/> 20.205 <input type="checkbox"/> Other
Project Title 7th Street ADA Sidewalk Ramp Improvements	Start Latitude N46-12-24.53	Start Longitude W119-46-09.62
	End Latitude N46-12-19.30	End Longitude W119-46-01.73
Project Termini From - To Bennett Avenue Dudley Avenue	Nearest City Name Prosser	Project Zip Code (+ 4) 99350
From To	Length of Project spot improvements	Award Type <input checked="" type="checkbox"/> Local <input type="checkbox"/> Local Forces <input type="checkbox"/> State <input type="checkbox"/> Railroad
Federal Agency <input checked="" type="checkbox"/> FHWA <input type="checkbox"/> Others	City Number 1020	County Number 03
	County Name Benton	WSDOT Region South Central Region
Congressional District 4	Legislative Districts 16	Urban Area Number

Phase	Total Estimated Cost (Nearest Hundred Dollar)	Local Agency Funding (Nearest Hundred Dollar)	Federal Funds (Nearest Hundred Dollar)	Phase Start Date	
				Month	Year
P.E.	\$16,232	\$2,191	\$14,041	8	2014
RW					
Const.	\$75,120	\$10,141	\$64,979	4	2017
Total	\$91,352	\$12,332	\$79,020		

Description of Existing Facility (Existing Design and Present Condition)

Roadway Width	Number of Lanes
The existing sidewalk ramps at intersections are not ADA compliant.	

Description of Proposed Work

Description of Proposed Work (Attach additional sheet(s) if necessary)

Install ADA compliant sidewalk ramps including curb and gutter, and asphalt patching.

Local Agency Contact Person LJ DaCorsi	Title Public Works Director	Phone 509 786-2332
Mailing Address 601 Seventh Street	City Prosser	State WA
		Zip Code 99350

Project Prospectus Approval

By _____ Title Mayor

Approving Authority _____ Date _____

Agency City of Prosser	Project Title 7th Street ADA Sidewalk Ramp Improvements	Date 7/25/2014
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Type of Proposed Work		
Project Type (Check all that Apply)	Roadway Width	Number of Lanes
<input type="checkbox"/> New Construction <input type="checkbox"/> Reconstruction <input type="checkbox"/> Railroad <input type="checkbox"/> Bridge	<input type="checkbox"/> Path / Trail <input checked="" type="checkbox"/> Pedestrian / Facilities <input type="checkbox"/> Parking	<input type="checkbox"/> 3-R <input type="checkbox"/> 2-R <input type="checkbox"/> Other

Geometric Design Data			
Description	Through Route	Crossroad	
Federal Functional Classification	<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural <input type="checkbox"/> NHS	<input type="checkbox"/> Principal Arterial <input type="checkbox"/> Minor Arterial <input type="checkbox"/> Collector <input checked="" type="checkbox"/> Major Collector <input type="checkbox"/> Minor Collector <input type="checkbox"/> Local Access	<input type="checkbox"/> Principal Arterial <input type="checkbox"/> Minor Arterial <input type="checkbox"/> Collector <input checked="" type="checkbox"/> Major Collector <input type="checkbox"/> Minor Collector <input type="checkbox"/> Local Access
	Terrain	<input checked="" type="checkbox"/> Flat <input type="checkbox"/> Roll <input type="checkbox"/> Mountain	<input checked="" type="checkbox"/> Flat <input type="checkbox"/> Roll <input type="checkbox"/> Mountain
Posted Speed	25	25	
Design Speed			
Existing ADT			
Design Year ADT			
Design Year			
Design Hourly Volume (DHV)			

Performance of Work		
Preliminary Engineering Will Be Performed By Consultant	Others 100 %	Agency %
Construction Will Be Performed By Contractor	Contract 100 %	Agency %

Environmental Classification	
<input type="checkbox"/> Class I - Environmental Impact Statement (EIS) <input type="checkbox"/> Project Involves NEPA/SEPA Section 404 Interagency Agreement <input type="checkbox"/> Class III - Environmental Assessment (EA) <input type="checkbox"/> Project Involves NEPA/SEPA Section 404 Interagency Agreement	<input checked="" type="checkbox"/> Class II - Categorically Excluded (CE) <input checked="" type="checkbox"/> Projects Requiring Documentation (Documented CE)

Environmental Considerations

Agency City of Prosser	Project Title 7th Street ADA Sidewalk Ramp Improvements	Date 7/25/2014
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Right of Way		
<input checked="" type="checkbox"/> No Right of Way Required * All construction required by the contract can be accomplished within the existing right of way.	<input type="checkbox"/> Right of Way Required <input type="checkbox"/> No Relocation	<input type="checkbox"/> Relocation Required

Description of Utility Relocation or Adjustments and Existing Major Structures Involved in the Project N/A

FAA Involvement Is any airport located within 3.2 kilometers (2 miles) of the proposed project? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Remarks

This project has been reviewed by the legislative body of the administration agency or agencies, or it's designee, and is not inconsistent with the agency's comprehensive plan for community development.

Agency City of Prosser

Date _____

By _____

Mayor/Chairperson

CITY OF PROSSER, WASHINGTON
ORDINANCE NO. 14-_____

AN ORDINANCE OF THE CITY OF PROSSER, WASHINGTON REGARDING A LOCAL AGENCY AGREEMENT BETWEEN THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION AND THE CITY OF PROSSER FOR THE DESIGN PHASE OF THE OLD INLAND EMPIRE HIGHWAY IMPROVEMENTS PROJECT - PHASE 2 FROM WINE COUNTRY ROAD TO WAMBA ROAD. THE ORDINANCE ALSO AUTHORIZES THE MAYOR OR THE APPROPRIATE CITY OFFICIAL TO EXECUTE ALL DOCUMENTS NECESSARY TO EXECUTE AND IMPLEMENT THE AGREEMENT AND FURTHER AUTHORIZES THEM TO RECEIVE AND EXPEND ALL MONIES RECEIVED UNDER THE AGREEMENT FOR THE PROJECT. THE FUND ALSO CREATES PROJECT FUND 304 AND APPROPRIATES FOR EXPENDITURE THE SUM OF \$116,277 TO THAT FUND FOR 2014 AND AUTHORIZES THE FINANCE DIRECTOR TO MAKE INTERFUND LOANS TO SUPPORT CASH FLOW TO FUND 304 AND DECLARES THAT AN EMERGENCY EXISTS IN RELATION TO THE 2014 BUDGET, AS AMENDED. THE ORDINANCE ALSO DECLARES THAT THE PROVISIONS OF THE ORDINANCE ARE SEVERABLE FROM ONE ANOTHER AND SETS FORTH THE EFFECTIVE DATE OF THE ORDINANCE AND PROVIDES FOR PUBLICATION BY SUMMARY.

WHEREAS, The Washington State Department of Transportation (WSDOT) administers certain Federal Highway Programs; and

WHEREAS, WSDOT requires a Local Agency Agreement (Agreement) be entered into between the City and WSDOT for funding of the design phase of the Old Inland Empire Highway Improvements Project - Phase 2 from Wine Country Road to Wamba Road (Project); and

WHEREAS, the Agreement provides for funding in the amount of \$100,580; and

WHEREAS, the Agreement requires the City to expend the sum of \$15,697 which will be accomplished using funds in the Arterial Street Fund (110) in a separate action; and

WHEREAS, administration has determined that approval of the Agreement should be evidenced by an Ordinance; and

WHEREAS, administration has determined that a project fund should be established for the Project and should be assigned Fund Number 304, OIE Improvements - Phase 2 Fund; and

WHEREAS, this project is already on the City's six-year transportation improvement plan and is also on the City's capital facilities plan; and

WHEREAS, the amount of \$116,277 should be appropriated for expenditure to Fund Number 304 for the year 2014 and the 2014 City Budget should be amended to show such fund and such appropriation; and

WHEREAS, expenditures for the Project may be required before funding is received pursuant to the Agreement; and

WHEREAS, in order to provide for expenditures from Fund 304, the City Finance Director should be authorized to establish interfund loans to Fund 304 as necessary to facilitate cash flow for the Fund; and

WHEREAS, this Ordinance establishes the OIE Improvement Project – Phase 2 Fund (304) and a budget in the amount of \$116,277;

WHEREAS, pursuant to RCW 35A.33.090, a public emergency exists which could not have been reasonably foreseen at the time of the filing of the 2014 Budget which requires the receipt and expenditure of money not provided for in the annual budget and is not one of the emergencies specifically enumerated in RCW 35A.33.080; and

WHEREAS, the facts constituting an emergency are enumerated as follows:

1. The adopted 2014 budget was an estimate of revenues and expenditures; and
2. The City was not aware of the WSDOT funding availability during the budget process; and
3. The City recently was awarded grant funds by WSODT for the OIE Improvement Project – Phase 2; and
4. Prudent fiscal management requires immediate amendment of the budget; and
5. The funds need to be available to pay for projected-related costs; and
6. It is in the best interest of the city of Prosser to amend the budget as provided in this ordinance for fund number 304; and

AND WHEREAS, this Ordinance was first presented to the City Council on September 9, 2014; and

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

Section 1: The recitals set forth above are hereby incorporated herein.

Section 2: The Mayor or the appropriate City official are authorized to execute all documents necessary to execute and implement the Agreement and are further authorized to receive and expend all monies received under the Agreement for the Project.

Section 3. Fund Number 304, OIE Improvements – Phase 2 Fund, is hereby established to track revenue and expenditures for the Project.

Section 4. The 2014 Budget Adopted by Ordinance Number 13-2859, and amended by Ordinance Number 14-2871, Ordinance Number 14-2883, Ordinance 14-2891, and Ordinance 14-_____ is hereby amended to establish a budget for Fund 304, at the fund level as follows:

FUND NO.	FUND	REVENUE	EXPENDITURE
304	OIE Improvements – Phase 2 Fund	\$116,277	\$116,277

Section 5. The Finance Director is hereby authorized to make all adjustments to the City's Budget to accomplish the purposes of this Ordinance in accordance with RCW 35A.33.120.

Section 6. An emergency is declared to exist and the recitals set forth above are hereby adopted as findings in support of such emergency.

Section 7. The Finance Director, or her designee, is authorized to make interfund loans from an appropriate City Fund to Fund 304 in the minimum amount necessary to cover any cash flow shortage in Fund 304 caused by the Agreement. These loans shall be repaid as soon as funding is available to cover the cash flow shortage. All terms required by the State BARS manual shall be incorporated into the loan document, including interest, if applicable.

Section 8: SEVERABILITY. The provisions of this ordinance are hereby declared to be severable. If any section, subsection, sentence, clause, or phrase of this ordinance or its application to any person or circumstance is for any reason held to be invalid or unconstitutional, the remainder of this ordinance shall not as a result of said section, subsection, sentence, clause, or phrase be held unconstitutional or invalid.

Section 9: Since this ordinance includes a budget amendment in accordance with RCW 35A.33.090, its passage requires the affirmative vote of 5 Council Members. This ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

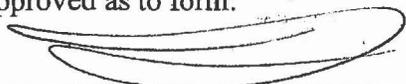
PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2014.

MAYOR PAUL WARDEN

ATTEST:

CITY CLERK, RACHEL SHAW

Approved as to form:



CITY ATTORNEY, HOWARD SAXTON

Date of Publication: _____

SUMMARY OF ORDINANCE NO. 14-_____

of the City of Prosser, Washington

On the ____ day of _____, 2014, the City of Prosser, Washington, passed Ordinance No. _____. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF PROSSER, WASHINGTON REGARDING A LOCAL AGENCY AGREEMENT BETWEEN THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION AND THE CITY OF PROSSER FOR THE DESIGN PHASE OF THE OLD INLAND EMPIRE HIGHWAY IMPROVEMENTS PROJECT - PHASE 2 FROM WINE COUNTRY ROAD TO WAMBA ROAD. THE ORDINANCE ALSO AUTHORIZES THE MAYOR OR THE APPROPRIATE CITY OFFICIAL TO EXECUTE ALL DOCUMENTS NECESSARY TO EXECUTE AND IMPLEMENT THE AGREEMENT AND FURTHER AUTHORIZES THEM TO RECEIVE AND EXPEND ALL MONIES RECEIVED UNDER THE AGREEMENT FOR THE PROJECT. THE FUND ALSO CREATES PROJECT FUND 304 AND APPROPRIATES FOR EXPENDITURE THE SUM OF \$116,277 TO THAT FUND FOR 2014 AND AUTHORIZES THE FINANCE DIRECTOR TO MAKE INTERFUND LOANS TO SUPPORT CASH FLOW TO FUND 304 AND DECLARES THAT AN EMERGENCY EXISTS IN RELATION TO THE 2014 BUDGET, AS AMENDED. THE ORDINANCE ALSO DECLARES THAT THE PROVISIONS OF THE ORDINANCE ARE SEVERABLE FROM ONE ANOTHER AND SETS FORTH THE EFFECTIVE DATE OF THE ORDINANCE AND PROVIDES FOR PUBLICATION BY SUMMARY.

The full text of this Ordinance will be mailed upon request.

DATED this ____ day of _____, 2014

CITY CLERK, RACHEL SHAW

Local Agency Agreement

Agency City of Prosser
Address 601 Seventh Avenue
Prosser, WA 99350

CFDA No. 20.205
 (Catalog of Federal Domestic Assistance)
Project No. _____
Agreement No. _____
 For OSC WSDOT Use Only

The Local Agency having complied, or hereby agreeing to comply, with the terms and conditions set forth in (1) Title 23, U.S. Code Highways, (2) the regulations issued pursuant thereto, (3) 2 CFR 225, (4) Office of Management and Budget Circulars A-102, and A-133, (5) the policies and procedures promulgated by the Washington State Department of Transportation, and (6) the federal aid project agreement entered into between the State and Federal Government, relative to the above project, the Washington State Department of Transportation will authorize the Local Agency to proceed on the project by a separate notification. Federal funds which are to be obligated for the project may not exceed the amount shown herein on line r, column 3, without written authority by the State, subject to the approval of the Federal Highway Administration. All project costs not reimbursed by the Federal Government shall be the responsibility of the Local Agency.

Project Description

Name Old Inland Empire Highway - Phase 2 **Length** 0.25 miles
Termini Wine Country Road to Wamba Road

Description of Work

Reconstruct and widen roadway, curb and gutter, sidewalk, storm drainage, street lighting, hot mix asphalt, and pavement markings.

Proposed Advertisement Date:

Type of Work	Estimate of Funding		
	(1) Estimated Total Project Funds	(2) Estimated Agency Funds	(3) Estimated Federal Funds
PE			
<u>86.5 %</u> a. Agency			
b. Other Consultant	115,777.00	15,630.00	100,147.00
c. Other			
Federal Aid Participation	500.00	67.00	433.00
Ratio for PE	116,277.00	15,697.00	100,580.00
Right of Way			
<u> %</u> f. Agency			
g. Other			
h. Other			
Federal Aid Participation			
Ratio for RW	j. Total R/W Cost Estimate (f+g+h+i)		
Construction			
k. Contract			
l. Other			
m. Other			
n. Other			
<u> %</u> o. Agency			
Federal Aid Participation			
Ratio for CN	q. Total CN Cost Estimate (k+l+m+n+o+p)		
r. Total Project Cost Estimate (e+j+q)	116,277.00	15,697.00	100,580.00

Agency Official

Washington State Department of Transportation

By _____

By _____

Title _____

Director of Local Programs

Date Executed _____

Construction Method of Financing (Check Method Selected)

State Ad and Award

- Method A - Advance Payment - Agency Share of total construction cost (based on contract award)
- Method B - Withhold from gas tax the Agency's share of total construction cost (line 4, column 2) in the amount of \$ _____ at \$ _____ per month for _____ months.

Local Force or Local Ad and Award

- Method C - Agency cost incurred with partial reimbursement

The Local Agency further stipulates that pursuant to said Title 23, regulations and policies and procedures, and as a condition to payment of the federal funds obligated, it accepts and will comply with the applicable provisions set forth below. Adopted by official action on

_____, _____, Resolution/Ordinance No. _____

Provisions

I. Scope of Work

The Agency shall provide all the work, labor, materials, and services necessary to perform the project which is described and set forth in detail in the "Project Description" and "Type of Work."

When the State acts for and on behalf of the Agency, the State shall be deemed an agent of the Agency and shall perform the services described and indicated in "Type of Work" on the face of this agreement, in accordance with plans and specifications as proposed by the Agency and approved by the State and the Federal Highway Administration.

When the State acts for the Agency but is not subject to the right of control by the Agency, the State shall have the right to perform the work subject to the ordinary procedures of the State and Federal Highway Administration.

II. Delegation of Authority

The State is willing to fulfill the responsibilities to the Federal Government by the administration of this project. The Agency agrees that the State shall have the full authority to carry out this administration. The State shall review, process, and approve documents required for federal aid reimbursement in accordance with federal requirements. If the State advertises and awards the contract, the State will further act for the Agency in all matters concerning the project as requested by the Agency. If the Local Agency advertises and awards the project, the State shall review the work to ensure conformity with the approved plans and specifications.

III. Project Administration

Certain types of work and services shall be provided by the State on this project as requested by the Agency and described in the Type of Work above. In addition, the State will furnish qualified personnel for the supervision and inspection of the work in progress. On Local Agency advertised and awarded projects, the supervision and inspection shall be limited to ensuring all work is in conformance with approved plans, specifications, and federal aid requirements. The salary of such engineer or other supervisor and all other salaries and costs incurred by State forces upon the project will be considered a cost thereof. All costs related to this project incurred by employees of the State in the customary manner on highway payrolls and vouchers shall be charged as costs of the project.

IV. Availability of Records

All project records in support of all costs incurred and actual expenditures kept by the Agency are to be maintained in accordance with local government accounting procedures prescribed by the Washington State Auditor's Office, the U.S. Department of Transportation, and the Washington State Department of Transportation. The records shall be open to inspection by the State and Federal Government at all reasonable times and shall be retained and made available for such inspection for a period of not less than three years from the final payment of any federal aid funds to the Agency. Copies of said records shall be furnished to the State and/or Federal Government upon request.

V. Compliance with Provisions

The Agency shall not incur any federal aid participation costs on any classification of work on this project until authorized in writing by the State for each classification. The classifications of work for projects are:

1. Preliminary engineering.
2. Right of way acquisition.
3. Project construction.

Once written authorization is given, the Agency agrees to show continuous progress through monthly billings. Failure to show continuous progress may result the Agency's project becoming inactive, as described in 23 CFR 360, and subject to de-obligation of federal aid funds and/or agreement closure.

If right of way acquisition, or actual construction of the road for which preliminary engineering is undertaken is not started by the close of the tenth fiscal year following the fiscal year in which preliminary engineering phase was authorized, the Agency will repay to the State the sum or sums of federal funds paid to the Agency under the terms of this agreement (see Section IX).

If actual construction of the road for which right of way has been purchased is not started by the close of the tenth fiscal year following the fiscal year in which the right of way phase was authorized, the Agency will repay to the State the sum or sums of federal funds paid to the Agency under the terms of this agreement (see Section IX).

The Agency agrees that all stages of construction necessary to provide the initially planned complete facility within the limits of this project will conform to at least the minimum values set by approved statewide design standards applicable to this class of highways, even though such additional work is financed without federal aid participation.

The Agency agrees that on federal aid highway construction projects, the current federal aid regulations which apply to liquidated damages relative to the basis of federal participation in the project cost shall be applicable in the event the contractor fails to complete the contract within the contract time.

VI. Payment and Partial Reimbursement

The total cost of the project, including all review and engineering costs and other expenses of the State, is to be paid by the Agency and by the Federal Government. Federal funding shall be in accordance with the Federal Transportation Act, as amended, 2 CFR 225 and Office of Management and Budget circulars A-102 and A-133. The State shall not be ultimately responsible for any of the costs of the project. The Agency shall be ultimately responsible for all costs associated with the project which are not reimbursed by the Federal Government. Nothing in this agreement shall be construed as a promise by the State as to the amount or nature of federal participation in this project.

The Agency shall bill the state for federal aid project costs incurred in conformity with applicable federal and state laws. The agency shall minimize the time elapsed between receipt of federal aid funds and subsequent payment of incurred costs. Expenditures by the Local Agency for maintenance, general administration, supervision, and other overhead shall not be eligible for federal participation unless a current indirect cost plan has been prepared in accordance with the regulations outlined in 2 CFR 225 - Cost Principles for State, Local, and Indian Tribal Government, and retained for audit.

The State will pay for State incurred costs on the project. Following payment, the State shall bill the Federal Government for reimbursement of those costs eligible for federal participation to the extent that such costs are attributable and properly allocable to this project. The State shall bill the Agency for that portion of State costs which were not reimbursed by the Federal Government (see Section IX).

1. Project Construction Costs

Project construction financing will be accomplished by one of the three methods as indicated in this agreement.

Method A – The Agency will place with the State, within (20) days after the execution of the construction contract, an advance in the amount of the Agency's share of the total construction cost based on the contract award. The State will notify the Agency of the exact amount to be deposited with the State. The State will pay all costs incurred under the contract upon presentation of progress billings from the contractor. Following such payments, the State will submit a billing to the Federal Government for the federal aid participation share of the cost. When the project is substantially completed and final actual costs of the project can be determined, the State will present the Agency with a final billing showing the amount due the State or the amount due the Agency. This billing will be cleared by either a payment from the Agency to the State or by a refund from the State to the Agency.

Method B – The Agency's share of the total construction cost as shown on the face of this agreement shall be withheld from its monthly fuel tax allotments. The face of this agreement establishes the months in which the withholding shall take place and the exact amount to be withheld each month. The extent of withholding will be confirmed by letter from the State at the time of contract award. Upon receipt of progress billings from the contractor, the State will submit such billings to the Federal Government for payment of its participating portion of such billings.

Method C – The Agency may submit vouchers to the State in the format prescribed by the State, in duplicate, not more than once per month for those costs eligible for Federal participation to the extent that such costs are directly attributable and properly allocable to this project. Expenditures by the Local Agency for maintenance, general administration, supervision, and other overhead shall not be eligible for Federal participation unless claimed under a previously approved indirect cost plan.

The State shall reimburse the Agency for the Federal share of eligible project costs up to the amount shown on the face of this agreement. At the time of audit, the Agency will provide documentation of all costs incurred on the project.

The State shall bill the Agency for all costs incurred by the State relative to the project. The State shall also bill the Agency for the federal funds paid by the State to the Agency for project costs which are subsequently determined to be ineligible for federal participation (see Section IX).

VII. Audit of Federal Consultant Contracts

The Agency, if services of a consultant are required, shall be responsible for audit of the consultant's records to determine eligible federal aid costs on the project. The report of said audit shall be in the Agency's files and made available to the State and the Federal Government.

An audit shall be conducted by the WSDOT Internal Audit Office in accordance with generally accepted governmental auditing standards as issued by the United States General Accounting Office by the Comptroller General of the United States; WSDOT Manual M 27-50, Consultant Authorization, Selection, and Agreement Administration; memoranda of understanding between WSDOT and FHWA; and Office of Management and Budget Circular A-133.

If upon audit it is found that overpayment or participation of federal money in ineligible items of cost has occurred, the Agency shall reimburse the State for the amount of such overpayment or excess participation (see Section IX).

VIII. Single Audit Act

The Agency, as a subrecipient of federal funds, shall adhere to the federal Office of Management and Budget (OMB) Circular A-133 as well as all applicable federal and state statutes and regulations. A subrecipient who expends \$500,000 or more in federal awards from all sources during a given fiscal year shall have a single or program-specific audit performed for that year in accordance with the provisions of OMB Circular A-133. Upon conclusion of the A-133 audit, the Agency shall be responsible for ensuring that a copy of the report is transmitted promptly to the State.

IX. Payment of Billing

The Agency agrees that if payment or arrangement for payment of any of the State's billing relative to the project (e.g., State force work, project cancellation, overpayment, cost ineligible for federal participation, etc.) is not made to the State within 45 days after the Agency has been billed, the State shall effect reimbursement of the total sum due from the regular monthly fuel tax allotments to the Agency from the Motor Vehicle Fund. No additional Federal project funding will be approved until full payment is received unless otherwise directed by the Director of Local Programs.

X. Traffic Control, Signing, Marking, and Roadway Maintenance

The Agency will not permit any changes to be made in the provisions for parking regulations and traffic control on this project without prior approval of the State and Federal Highway Administration. The Agency will not install or permit to be installed any signs, signals, or markings not in conformance with the standards approved by the Federal Highway Administration and MUTCD. The Agency will, at its own expense, maintain the improvement covered by this agreement.

XI. Indemnity

The Agency shall hold the Federal Government and the State harmless from and shall process and defend at its own expense all claims, demands, or suits, whether at law or equity brought against the Agency, State, or Federal Government, arising from the Agency's execution, performance, or failure to perform any of the provisions of this agreement, or of any other agreement or contract connected with this agreement, or arising by reason of the participation of the State or Federal Government in the project, PROVIDED, nothing herein shall require the Agency to reimburse the State or the Federal Government for damages arising out of bodily injury to persons or damage to property caused by or resulting from the sole negligence of the Federal Government or the State.

XII. Nondiscrimination Provision

No liability shall attach to the State or Federal Government except as expressly provided herein.

The Agency shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any USDOT-assisted contract and/or agreement or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Agency shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of USDOT-assisted contracts and agreements. The WSDOT's DBE program, as required by 49 CFR Part 26 and as approved by USDOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Agency of its failure to carry out its approved program, the Department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

The Agency hereby agrees that it will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, as defined in the rules and regulations of the Secretary of Labor in 41 CFR Chapter 60, which is paid for in whole or in part with funds obtained from the Federal Government or borrowed on the credit of the Federal Government pursuant to a grant, contract, loan, insurance, or guarantee or understanding pursuant to any federal program involving such grant, contract, loan, insurance, or guarantee, the required contract provisions for Federal-Aid Contracts (FHWA 1273), located in Chapter 44 of the Local Agency Guidelines.

The Agency further agrees that it will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: Provided, that if the applicant so participating is a State or Local Government, the above equal opportunity clause is not applicable to any agency, instrumentality, or subdivision of such government which does not participate in work on or under the contract.

The Agency also agrees:

- (1) To assist and cooperate actively with the State in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and rules, regulations, and relevant orders of the Secretary of Labor.
- (2) To furnish the State such information as it may require for the supervision of such compliance and that it will otherwise assist the State in the discharge of its primary responsibility for securing compliance.
- (3) To refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, government contracts and federally assisted construction contracts pursuant to the Executive Order.
- (4) To carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by the State, Federal Highway Administration, or the Secretary of Labor pursuant to Part II, subpart D of the Executive Order.

In addition, the Agency agrees that if it fails or refuses to comply with these undertakings, the State may take any or all of the following actions:

- (a) Cancel, terminate, or suspend this agreement in whole or in part;
- (b) Refrain from extending any further assistance to the Agency under the program with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from the Agency; and
- (c) Refer the case to the Department of Justice for appropriate legal proceedings.

XIII. Liquidated Damages

The Agency hereby agrees that the liquidated damages provisions of 23 CFR Part 635, Subpart 127, as supplemented, relative to the amount of Federal participation in the project cost, shall be applicable in the event the contractor fails to complete the contract within the contract time. Failure to include liquidated damages provision will not relieve the Agency from reduction of federal participation in accordance with this paragraph.

XIV. Termination for Public Convenience

The Secretary of the Washington State Department of Transportation may terminate the contract in whole, or from time to time in part, whenever:

- (1) The requisite federal funding becomes unavailable through failure of appropriation or otherwise.
- (2) The contractor is prevented from proceeding with the work as a direct result of an Executive Order of the President with respect to the prosecution of war or in the interest of national defense, or an Executive Order of the President or Governor of the State with respect to the preservation of energy resources.
- (3) The contractor is prevented from proceeding with the work by reason of a preliminary, special, or permanent restraining order of a court of competent jurisdiction where the issuance of such order is primarily caused by the acts or omissions of persons or agencies other than the contractor.
- (4) The Secretary is notified by the Federal Highway Administration that the project is inactive.
- (5) The Secretary determines that such termination is in the best interests of the State.

XV. Venue for Claims and/or Causes of Action

For the convenience of the parties to this contract, it is agreed that any claims and/or causes of action which the Local Agency has against the State of Washington, growing out of this contract or the project with which it is concerned, shall be brought only in the Superior Court for Thurston County.

XVI. Certification Regarding the Restrictions of the Use of Federal Funds for Lobbying

The approving authority certifies, to the best of his or her knowledge and belief, that:

(1) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any federal agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any federal agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit the Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, and contracts and subcontracts under grants, subgrants, loans, and cooperative agreements) which exceed \$100,000, and that all such subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification as a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

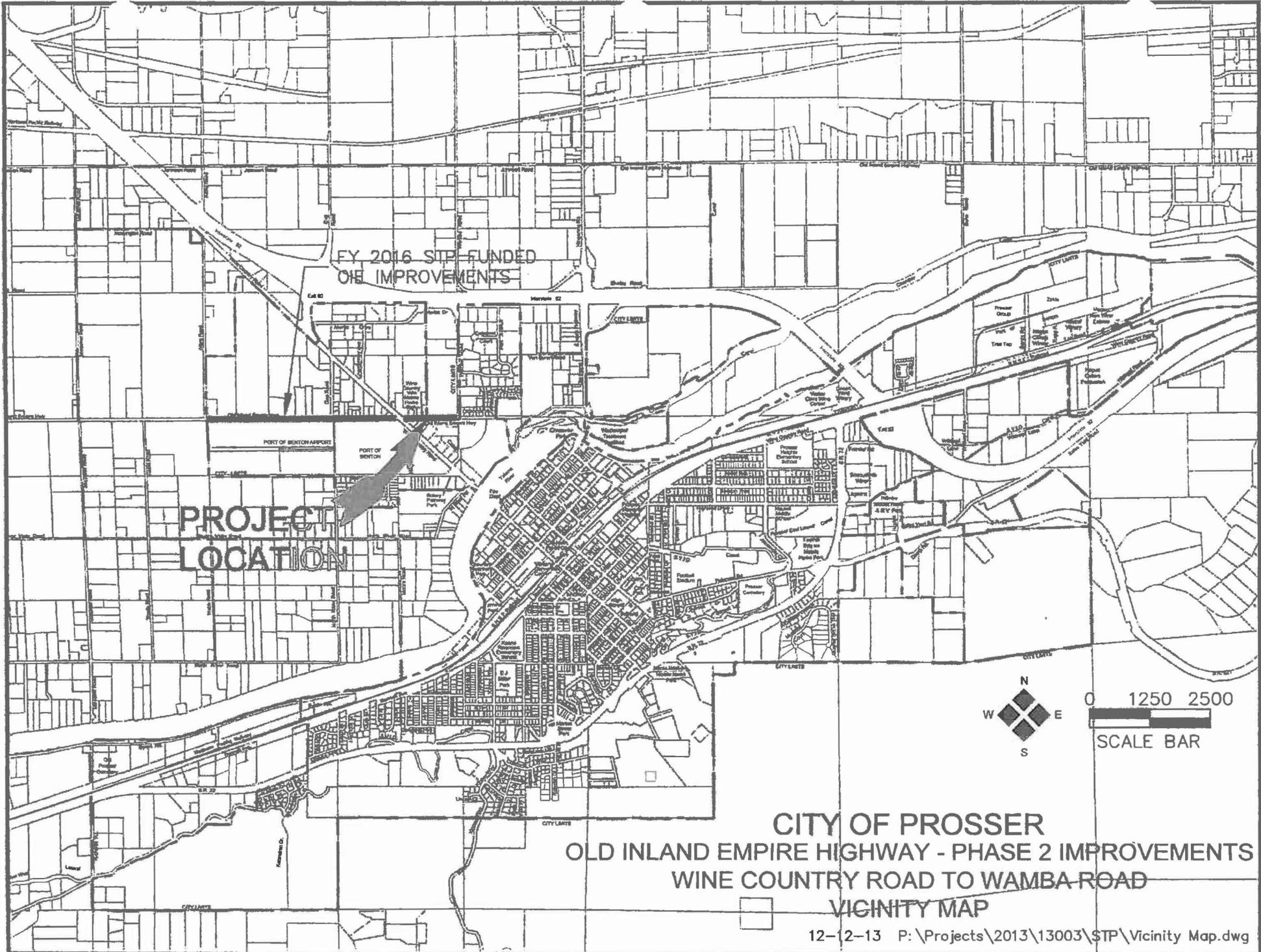
Additional Provisions

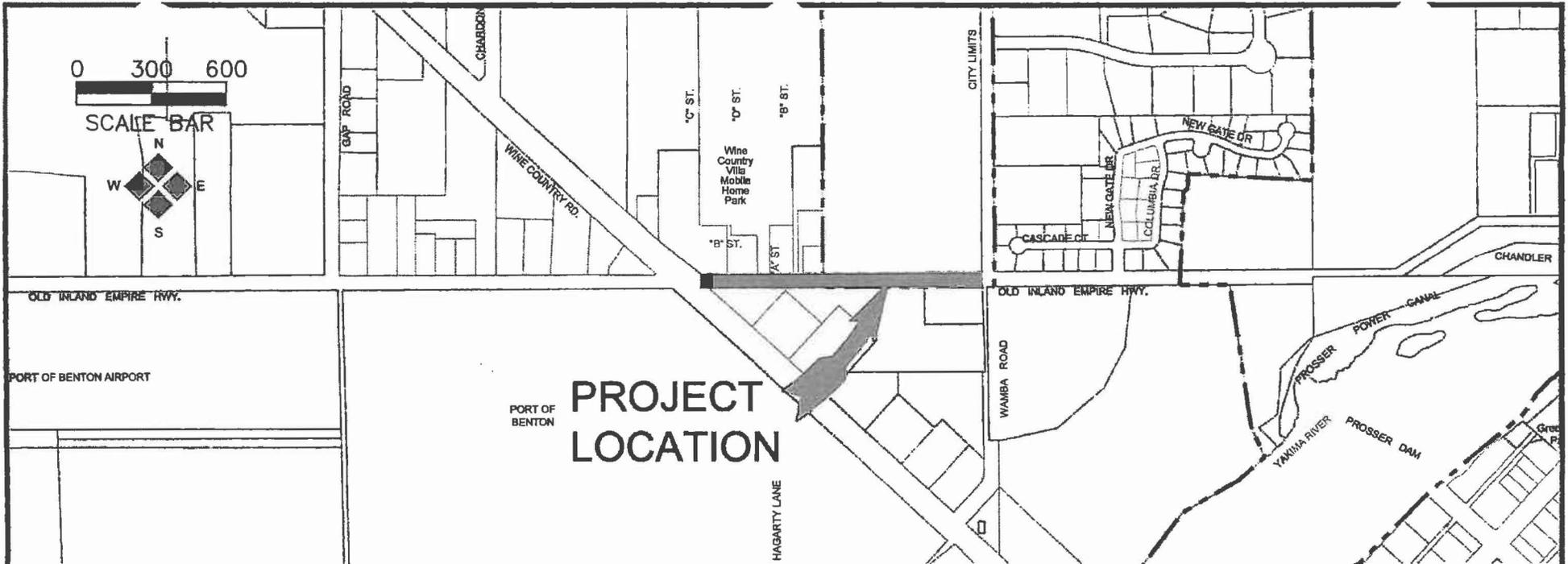
CITY OF PROSSER
Old Inland Empire Highway Improvements
Wine Country Road to Wamba Road
Preliminary Cost Estimate
 Job No. 13003G

No.	Description	Unit	Quantity	Cost	Total
	1,200 linear feet, 40-foot paved section, sidewalks both sides, street lights @ 130' spacing				
1	Mobilization	L.S.	1	\$ 70,000.00	\$ 70,000.00
2	Project Temporary Traffic Control	L.S.	1	\$ 40,000.00	\$ 40,000.00
3	Clearing and Grubbing	L.S.	1	\$ 6,500.00	\$ 6,500.00
4	ESC Lead	Day	10	\$ 200.00	\$ 2,000.00
5	Unclassified Excavation including Haul	C.Y.	3,100	\$ 15.00	\$ 46,500.00
6	Crushed Surfacing Base Course	Ton	3,000	\$ 17.00	\$ 51,000.00
7	Crushed Surfacing Top Course	Ton	1,150	\$ 22.00	\$ 25,300.00
8	HMA Cl. 1/2" PG 64-28	Ton	1,400	\$ 90.00	\$ 126,000.00
9	Cement Concrete Curb & Gutter	L.F.	2,500	\$ 10.00	\$ 25,000.00
10	Cement Concrete Sidewalk	S.Y.	1,800	\$ 35.00	\$ 56,000.00
11	Handicap Ramp	EA.	6	\$ 1,000.00	\$ 6,000.00
12	Shoring or Extra Excavation	L.F.	400	\$ 1.00	\$ 400.00
13	Select Backfill	C.Y.	400	\$ 30.00	\$ 12,000.00
14	36-Inch Storm Drain Pipe, In Place	L.F.	1,200	\$ 80.00	\$ 96,000.00
15	12-Inch Storm Drain Pipe, In Place	L.F.	300	\$ 35.00	\$ 10,500.00
16	12-Inch Infiltration System	L.F.	400	\$ 100.00	\$ 40,000.00
17	Catch Basin Type 1	EA.	10	\$ 1,000.00	\$ 10,000.00
18	Pretreatment Manhole, 48-Inch Diam.	EA.	5	\$ 8,000.00	\$ 40,000.00
19	Pavement Markings	L.S.	1	\$ 5,000.00	\$ 5,000.00
20	Permanent Signing	L.S.	1	\$ 2,200.00	\$ 2,200.00
21	Illumination System, Complete	L.S.	1	\$ 75,000.00	\$ 75,000.00
22	Temporary Erosion Control	FA	Est.	\$ 5,000.00	\$ 5,000.00
23	Minor Change	FA	Est.	\$ 15,000.00	\$ 15,000.00
	Construction Sub-Total				\$ 765,400.00
	Contingencies (15%)				\$ 114,800.00
	Total Estimated Construction Cost				\$ 880,200.00
	Design Engineering				\$ 105,770.00
	Construction Engineering, Admin., and Material Testing				\$ 114,600.00
	Environmental Compliance				\$ 10,000.00
	WSDOT Review Fees				\$ 1,500.00
	Total Estimated Project Cost:				\$ 1,112,070.00

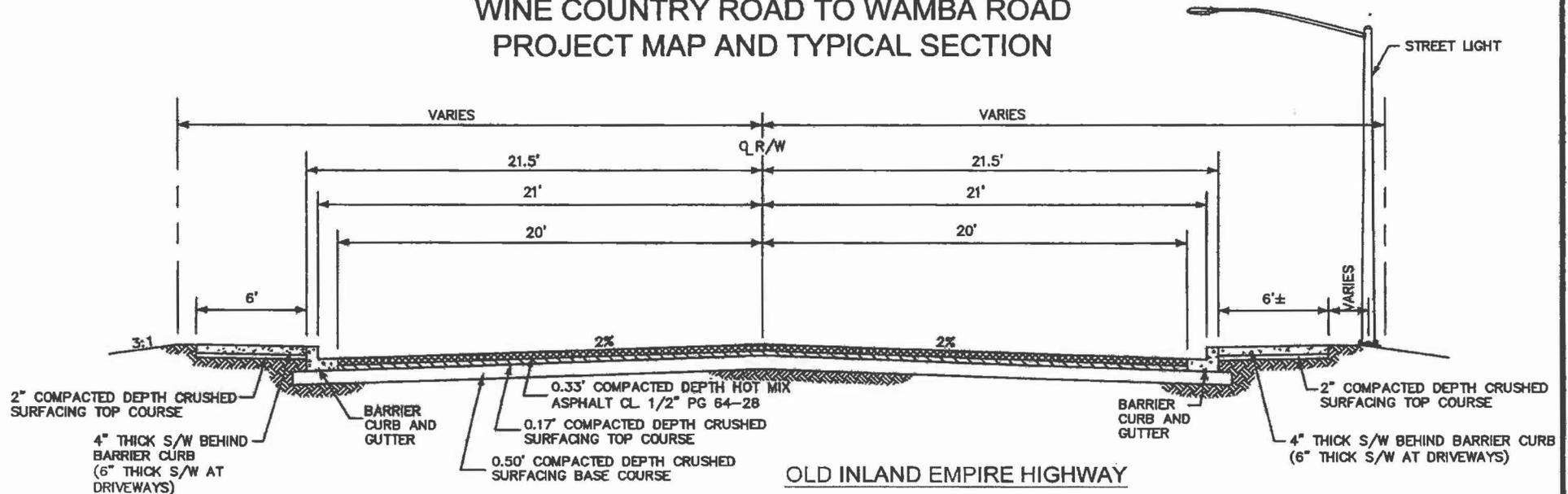
PE	\$ 116,270	Total
	\$ 100,574	Fed Share
	\$ 15,696	Local Match
CN	\$ 995,800	Total
	\$ 861,367	Fed Share
	\$ 134,433	Local Match

Total	\$ 1,112,070
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**CITY OF PROSSER
 OLD INLAND EMPIRE HIGHWAY - PHASE 2 IMPROVEMENTS
 WINE COUNTRY ROAD TO WAMBA ROAD
 PROJECT MAP AND TYPICAL SECTION**



Prospectus Submittal Checklist

Agency: City of Prosser

Project Title: Old Inland Empire Highway – Phase 2

Use this sheet as a cover sheet to the project prospectus package. Place an “X” in the right column to denote items included.

If not applicable, state N/A. Include in the cover letter a comment explaining the action taken on each item as appropriate.

Note later with an “L” if the information will be supplied at a future date.

Application	
1. Project Prospectus (Chapter 21)	X
2. Vicinity Map	X
3. Typical Roadway or Pathway Section	X
4. Typical Bridge Section	N/A
5. Local Agency Agreement (Chapter 22)	X
6. Documented Cost Estimate (Chapter 22)	X
7. TIP/STIP Inclusion (MPO/County/Agency, selected/limited to \$)	X
Supporting Data	
8. Local Agency Design Matrix Checklist (Appendix 42.101)	L
9. Photos (Railroad Crossing, ER event sites, as required)	N/A
10. Deviation Analysis Format (Appendix 41.51)	N/A
11. Environmental Considerations (Chapter 24)	L
a. Class II Categorically Excluded (CE) - Environmental Classification Summary (ECS)	L
b. Class III Environmental Assessment (EA)	N/A
c. Class I Environmental Impact Statement (EIS)	N/A
d. SEPA Checklist	L
e. NEPA/SEPA/Section 404 Interagency Working Agreement	N/A
f. Evolutionarily Significant Unit (ESU) Determination of Effect Concurrence	N/A
g. Value Engineering Study (where applicable)	N/A
12. Right of Way Requirements (Chapter 25)	N/A
a. Relocation Plan	N/A
b. Approved Right of Way Plans	N/A
c. Right of Way Project Funding Estimate or True Cost Estimate	N/A
d. Request Right of Way Fund Authorization	N/A
13. Right of Way Certification (Appendix 25.179)	N/A
14. Agreements/Easements with Railroads, Utilities, and Other Agencies (Chapter 32)	N/A
15. Design Approval (Chapter 43)	L
16. Tied Bids (Chapter 44)	N/A

Remarks:

Click here to enter text.

**Washington State S. T. I. P.
2014 to 2017
(Project Funds to Nearest Dollar)**

MPO/RTPO: BFGD
County: Benton
Agency: Prosser

N Inside Y Outside

August 21, 2014

Func Cls	Project Number	PIN	STIP ID	Imp Type	Total Project Length	Environmental Type	R/W Required	Begin Termini	End Termini	Total Est. Cost of Project	STIP Amend. No.
08			PROSSER 10	04	0.250	CE	No	Wino Country Road	Wamba Road	1,112,070	14-06

Old Inland Empire Highway - Phase 2

Reconstruct and widen roadway, curb and gutter, sidewalk, storm drainage, street lighting, hot mix asphalt, and pavement markings.

Funding

Phase	Start Date	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total
PE	2016	STP(US)	100,580		0	15,690	116,270
Project Totals			100,580		0	15,690	116,270

Expenditure Schedule

Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	116,270	0	0	0
Totals	0	116,270	0	0	0

CITY OF PROSSER, WASHINGTON
ORDINANCE NO. 14-_____

AN ORDINANCE CREATING PROJECT FUND 105 AND APPROPRIATING FOR EXPENDITURE THE SUM OF \$126,766 TO THAT FUND FOR 2014 AND AUTHORIZING THE FINANCE DIRECTOR TO MAKE INTERFUND LOANS TO SUPPORT CASH FLOW TO FUND 105 AND DECLARING THAT AN EMERGENCY EXISTS IN RELATION TO THE 2014 BUDGET, AS AMENDED. THE ORDINANCE ALSO DECLARES THAT THE PROVISIONS OF THE ORDINANCE ARE SEVERABLE FROM ONE ANOTHER AND SETS FORTH THE EFFECTIVE DATE OF THE ORDINANCE AND PROVIDES FOR PUBLICATION BY SUMMARY.

WHEREAS, USDA provided a Community Facilities Grant Agreement to the City which was approved by the City on August 26, 2014, by passage of Ordinance Number 14-2903 in a project amount of \$83,166 for purchase of two police patrol vehicles; and

WHEREAS, the Agreement provides for grant funding in the amount of \$43,600; and

WHEREAS, the Agreement requires the City to expend the sum of \$39,566 which will be accomplished using funds in the General Fund (001) and Criminal Justice Fund (148); and

WHEREAS, administration has determined that a project fund should be established for this Project and similar projects and should be assigned Fund Number 105, General Fund Small Projects Fund; and

WHEREAS, pursuant to RCW 35A.33.090, a public emergency exists which could not have been reasonably foreseen at the time of the filing of the 2014 Budget which requires the receipt and expenditure of money not provided for in the annual budget and is not one of the emergencies specifically enumerated in RCW 35A.33.080; and

WHEREAS, the facts constituting an emergency are enumerated as follows:

1. The adopted 2014 budget was an estimate of revenues and expenditures; and
2. The City was not aware of the USDA funding availability during the budget process; and
3. The City recently was awarded grant funds by USDA for the purchase of police patrol vehicles; and
4. Prudent fiscal management requires immediate amendment of the budget; and
5. The funds need to be available to pay for vehicle and related equipment ; and
6. It is in the best interest of the city of Prosser to amend the budget to establish a budget for fund number 105; and

AND WHEREAS, this Ordinance was first presented to the City Council on September 9, 2014; and

WHEREAS, the amount of \$126,766 should be appropriated for expenditure to Fund

Number 105 for the year 2014 and the 2014 City Budget should be amended to show such fund and such appropriation; and

WHEREAS, expenditures for the Project may be required before funding is received pursuant to the Agreement; and

WHEREAS, in order to provide for expenditures from Fund 105, the City Finance Director should be authorized to establish interfund loans to Fund 105 as necessary to facilitate cash flow for the Fund; and

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF PROSSER, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1: The recitals set forth above are hereby incorporated herein.

Section 2. Fund Number 105, General Fund Small Projects Fund, is hereby established to track revenue and expenditures for the Project and other similar projects.

Section 3, The 2014 Budget Adopted by Ordinance Number 13-2859, and amended by Ordinance Number 14-2871, Ordinance Number 14-2883, Ordinance 14-2891, Ordinance 14-_____, and Ordinance 14 - _____ is hereby amended to establish a budget for Fund 105, at the fund level as follows:

FUND NO.	FUND	REVENUE	EXPENDITURE
105	General Fund Small Project Fund (105)	\$126,766	\$126,766

Section 4. The Finance Director is hereby authorized to make all adjustments to the City's Budget to accomplish the purposes of this Ordinance in accordance with RCW 35A.33.120.

Section 5. An emergency is declared to exist and the recitals set forth above are hereby adopted as findings in support of such emergency.

Section 6. The Finance Director, or her designee, is authorized to make interfund loans from an appropriate City Fund to Fund 105 in the minimum amount necessary to cover any cash flow shortage in Fund 105 caused by the Agreement. These loans shall be repaid as soon as funding is available to cover the cash flow shortage. All terms required by the State BARS manual shall be incorporated into the loan document, including interest, if applicable.

Section 7: SEVERABILITY. The provisions of this ordinance are hereby declared to be severable. If any section, subsection, sentence, clause, or phrase of this ordinance or its application to any person or circumstance is for any reason held to be invalid or unconstitutional, the remainder of this ordinance shall not as a result of said section, subsection, sentence, clause,

or phrase be held unconstitutional or invalid.

Section 8: Since this ordinance includes a budget amendment in accordance with RCW 35A.33.090, its passage requires the affirmative vote of 5 Council Members. This ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

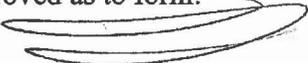
PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2014.

MAYOR PAUL WARDEN

ATTEST:

CITY CLERK, RACHEL SHAW

Approved as to form:



CITY ATTORNEY, HOWARD SAXTON

Date of Publication: _____

SUMMARY OF ORDINANCE NO. 14-_____

of the City of Prosser, Washington

On the ____ day of _____, 2014, the City of Prosser, Washington, passed Ordinance No. _____. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE CREATING PROJECT FUND 105 AND APPROPRIATING FOR EXPENDITURE THE SUM OF \$126,766 TO THAT FUND FOR 2014 AND AUTHORIZING THE FINANCE DIRECTOR TO MAKE INTERFUND LOANS TO SUPPORT CASH FLOW TO FUND 105 AND DECLARING THAT AN EMERGENCY EXISTS IN RELATION TO THE 2014 BUDGET, AS AMENDED. THE ORDINANCE ALSO DECLARES THAT THE PROVISIONS OF THE ORDINANCE ARE SEVERABLE FROM ONE ANOTHER AND SETS FORTH THE EFFECTIVE DATE OF THE ORDINANCE AND PROVIDES FOR PUBLICATION BY SUMMARY.

The full text of this Ordinance will be mailed upon request.

DATED this ____ day of _____, 2014

CITY CLERK, RACHEL SHAW

**CITY OF PROSSER, WASHINGTON
ORDINANCE NO. 14-_____**

AN ORDINANCE AMENDING THE 2014 BUDGET ADOPTED BY ORDINANCE 13-2859 AND AS AMENDED BY ORDINANCE 14-2871; ORDINANCE 14-2883; ORDINANCE 14-2891 AND ORDINANCE 14-_____, ORDINANCE 14 - _____, AND ORDINANCE 14-_____; AMENDING THE 2014 BUDGET FOR VARIOUS FUNDS PROVIDING FOR RESERVED AND UNANTICIPATED CASH ALSO PROVIDE FOR THE EXPENDITURE OF THOSE FUNDS. THE 2014 BUDGET IS ALSO AMENDED TO ESTABLISH SEVERAL FUNDS FOR THE PROPOSE OF TRACKING CERTAIN PROJECTED RELATED REVENUES AND EXPENDITURES; DECLARING AN EMERGENCY EXISTS IN RELATION TO THE 2014 BUDGET. THE ORDINANCE AMENDS THE 2014 BUDGET FOR THE ABOVE FUND AT THE FUND LEVEL AND FINDS THAT THE THIS AMEMDMMENT TO THE 2014 BUDGET IS IN THE BEST INTERST OF THE CITY. THE ORDINANCE ALSO AUTHORIZES THE FINANCE DIRECTOR TO MAKE ALL ADJUSTMENTS TO THE 2014 BUDGET NECESSARY TO ACCOMPLISH THE PURPOSE OF THIS ORDINANCE. THE ORDINANCE ALSO DECLARES THAT THE PROVISIONS OF THE ORDINANCE ARE SEVERABLE FROM ONE ANOTHER AND SETS FORTH THE EFFECTIVE DATE OF THE ORDINANCE AND PROVIDES FOR PUBLICATION BY SUMMARY.

WHEREAS, the City wants to purchase two patrol vehicles in the amount of \$83,166 and was awarded a \$43,600 grant by USDA for the purchase of police patrol vehicles; the remaining balance of \$39,566 will be the City's required contribution; and

WHEREAS, it is necessary to amend the budget for the Criminal Justice Fund (148) to allow for the transfer of \$83,166 to the General Fund Small Projects Fund (105); and

WHEREAS, The City recently entered into an agreement WSDOT to receive grant funds related to the design phase of the 7th Street ADA Sidewalk Ramp Improvements Project from Bennett Avenue to Dudley Avenue (Project); and

WHEREAS, the Agreement provides for funding in the amount of \$16,232 of which the City is required to expend the sum of \$2,191 which will be accomplished using funds in the Arterial Street Fund (110); and

WHEREAS, it is necessary to amend the budget for the Arterial Street Fund (110) to allow for the transfer of \$2,191 the 7th Street ADA Sidewalk Improvement Project Fund (303); and

WHEREAS, The City recently entered into an agreement WSDOT to receive grant funds

related to the design phase of the OIE Improvement Project – Phase 2 from Wine Country Road to Wamba Road (Project); and

WHEREAS, the Agreement provides for funding in the amount of \$100,580 of which the City is required to expend the sum of \$15,697 which will be accomplished using funds in the Arterial Street Fund (110); and

WHEREAS, it is necessary to amend the budget for the Arterial Street Fund (110) to allow for the transfer of \$15,697 the OIE Improvement Project – Phase 2 Fund (304); and

WHEREAS, Ordinance 03-2406 was adopted on June 10, 2003 establishing the Narcotics Dog Operation Fund (145); and

WHEREAS, the purpose of this fund was to track revenues and expenditures related to the Narcotics Dog Operation Project; and

WHEREAS, the City no longer employs a narcotics dog but does employ a canine officer and would like to clarify that these funds can be used to support either purpose.

WHEREAS, the City wishes to amend the 2014 budget to allow for the expenditure of these funds and subsequent closure of the fund once the remaining funds have been spent; and

WHEREAS, this Ordinance was first presented to the City Council on September 9, 2014;

WHEREAS, pursuant to RCW 35A.33.090, a public emergency exists which could not have been reasonably foreseen at the time of the filing of the 2014 Budget which requires the receipt and expenditure of money not provided for in the annual budget and is not one of the emergencies specifically enumerated in RCW 35A.33.080; and

WHEREAS, the facts constituting an emergency are enumerated as follows:

1. The adopted 2014 budget was an estimate of revenues and expenditures; and
2. The City was not aware of the USDA or WSDOT funding availability during the budget process; and
3. The City recently was awarded grant funds by USDA and WSDOT; and
4. Prudent fiscal management requires immediate amendment of the budget; and
5. The funds need to be available to pay projected related costs ; and
6. It is in the best interest of the city of Prosser to amend the budget; and

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF PROSSER, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. The recitals set forth above are hereby incorporated herein.

Section 2. The Title of Fund 145 is amended to be Canine Officer Fund and the purpose of the fund is amended to track revenue and expenditures related to all canine officer programs. Once the cash in this is fund is at \$0 the Finance Director is authorized to close this fund.

Section 3. The 2014 Budget Adopted by Ordinance Number 13-2859, and amended by Ordinance Number 14-2871, Ordinance Number 14-2883, Ordinance 14-2891, Ordinance 14-_____, Ordinance 14 - _____, and Ordinance 14-_____ is hereby amended as follows:

FUND NO.	FUND	REVENUE	EXPENDITURE
110	Arterial Street Fund	\$500	\$17,888
145	Canine Officer Fund	\$3,005	\$2,500
148	Criminal Justice Fund	\$152,566	\$83,166

Section 4. The Finance Director is hereby authorized to make all adjustments to the City's Budget to accomplish the purposes of this Ordinance in accordance with RCW Chapter 35A.33.

Section 5. An emergency is declared to exist and the recitals set forth above are hereby adopted as findings in support of such emergency.

Section 6. SEVERABILITY. The provisions of this ordinance are hereby declared to be severable. If any section, subsection, sentence, clause, or phrase of this ordinance or its application to any person or circumstance is for any reason held to be invalid or unconstitutional, the remainder of this ordinance shall not as a result of said section, subsection, sentence, clause, or phrase be held unconstitutional or invalid.

Section 7. Since this budget amendment is being approved in accordance with RCW 35A.33.090, its passage requires the affirmative vote of 5 Council Members. This ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2014.

MAYOR PAUL WARDEN

ATTEST:

CITY CLERK, RACHEL SHAW

Approved as to form:



CITY ATTORNEY, HOWARD SAXTON

Date of Publication: _____

SUMMARY OF ORDINANCE NO. 14-_____

of the City of Prosser, Washington

On the ____ day of _____, 2014, the City of Prosser, Washington, passed Ordinance No. _____. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE AMENDING THE 2014 BUDGET ADOPTED BY ORDINANCE 13-2859 AND AS AMENDED BY ORDINANCE 14-2871; ORDINANCE 14-2883; ORDINANCE 14-2891 AND ORDINANCE 14-_____, ORDINANCE 14 - _____, AND ORDINANCE 14-_____; AMENDING THE 2014 BUDGET FOR VARIOUS FUNDS PROVIDING FOR RESERVED AND UNANTICIPATED CASH ALSO PROVIDE FOR THE EXPENDITURE OF THOSE FUNDS. THE 2014 BUDGET IS ALSO AMENDED TO ESTABLISH SEVERAL FUNDS FOR THE PROPOSE OF TRACKING CERTAIN PROJECTED RELATED REVENUES AND EXPENDITURES; DECLARING AN EMERGENCY EXISTS IN RELATION TO THE 2014 BUDGET. THE ORDINANCE AMENDS THE 2014 BUDGET FOR THE ABOVE FUND AT THE FUND LEVEL AND FINDS THAT THE THIS AMENDMENT TO THE 2014 BUDGET IS IN THE BEST INTEREST OF THE CITY. THE ORDINANCE ALSO AUTHORIZES THE FINANCE DIRECTOR TO MAKE ALL ADJUSTMENTS TO THE 2014 BUDGET NECESSARY TO ACCOMPLISH THE PURPOSE OF THIS ORDINANCE. THE ORDINANCE ALSO DECLARES THAT THE PROVISIONS OF THE ORDINANCE ARE SEVERABLE FROM ONE ANOTHER AND SETS FORTH THE EFFECTIVE DATE OF THE ORDINANCE AND PROVIDES FOR PUBLICATION BY SUMMARY.

The full text of this Ordinance will be mailed upon request.

DATED this ____ day of _____, 2014

CITY CLERK, RACHEL SHAW