



CITY COUNCIL REGULAR MEETING AGENDA January 17, 2023 at 6:30 p.m. City Hall Council Chambers and Virtual

The City of Kennewick broadcasts Council meetings on the City's website at <https://www.go2kennewick.com/CouncilMeetingBroadcasts> and via Zoom. If you are unable to attend in person and wish to comment during one of the Visitors sections or if applicable to provide public testimony for a Public Hearing, please register at https://us02web.zoom.us/webinar/register/WN_yYtLczkCRgSEXlQzhNireg. Registrations must be received by 4:00 p.m. on the day of the meeting.

The public can also submit comments by either filling out an online form at <https://www.go2kennewick.com/PublicComments> via e-mail to clerkinfo@ci.kennewick.wa.us, or submitting written comments to P.O. Box 6108, Kennewick, WA 99336. Comments must be received no later than 4:00 p.m. on the Monday before the meeting.

1. CALL TO ORDER

Pledge of Allegiance/Welcome/Invocation

HONORS & RECOGNITIONS

- Service Recognition – Matt Worman 27-years (Fire Department) and Wade Bonds 21-years (Public Works)

2. VISITORS

Public comments for item(s) on the agenda not covered under a public hearing. Comments are limited to three minutes. Records intended for Council (9 copies are required) must be given to the City Clerk by 4:00 p.m. on the Monday before the meeting.

3. APPROVAL OF AGENDA

4. CONSENT AGENDA

All matters listed within the Consent Agenda have been distributed to each member of the Kennewick City Council for reading and study, are considered to be routine, and will be enacted by one motion of the Council with no separate discussion.

- (1) Minutes of Regular Meeting of January 3, 2023.
- (2) Minutes of Special Meeting of January 10, 2023.
- Motion to approve Claims Roster for the Toyota Center Operations and Box Office Accounts for October 2022.
- Motion to approve Payroll Roster for December 31, 2022.
- Motion to authorize the City Manager to sign easement relinquishment deeds at 5916, 5917 and 6029 W. 28th Ave.

5. ORDINANCES/RESOLUTIONS

- (1) Ordinance 6004: Adding KMC 5.56.211 Erosion and Sediment Control, Amending KMC 5.56.600 Storm Standards & 5.56.610 Storm Construction.
- (2) Ordinance 6005: Amending KMC 14.28.042 Ownership of Private Stormwater Facilities & 14.28.045 Design, Construction & Post Construction & Adding KMC 14.28.046 Inspection and Enforcement Authority.
- (3) Ordinance 6006: Amending KMC 14.29.010(1) Definitions, 14.29.020 Administration, 14.29.050(3) Conditional Discharges & 14.29.090 Enforcement Procedures.
- Ordinance 6007: Amending KMC 18.12.010(A1) Residential Use Table.

6. PUBLIC HEARINGS/MEETINGS

7. NEW BUSINESS

8. UNFINISHED BUSINESS

*To assure disabled persons the opportunity to participate in or benefit from City services, please provide twenty-four (24) hour advance notice for additional arrangements to reasonably accommodate special needs.
Please be advised that all Kennewick City Council Meetings are Audio and Video Taped*

9. VISITORS

Public comments for any item(s) the public wants to bring to Council. Comments are limited to three minutes. Records intended for Council (9 copies are required) must be given to the City Clerk by 4:00 p.m. on the Monday before the meeting.

10. COUNCIL COMMENTS/DISCUSSION

11. ADJOURNMENT

DRAFT

CITY OF KENNEWICK
CITY COUNCIL
Regular Meeting
January 3, 2023

1. CALL TO ORDER

Mayor Bill McKay called the meeting to order at 6:30 p.m.

City Council and Staff Present:

Mayor Pro Tem Gretl Crawford	Marie Mosley	Nick Farline
John Trumbo	Anthony Muai	Chris Guerrero
Chuck Torelli	Christina Palmer	Chad Michael
Jim Millbauer	Lisa Beaton	Evelyn Lusignan
Brad Beauchamp	Cary Roe	John Cowling
Loren Anderson	Terri Wright	Trevor White
Mayor Bill McKay	Dan Legard	

Mr. Trumbo led the Pledge of Allegiance.

Tina Gregory, Kennewick provided the Invocation.

HONORS & RECOGNITIONS

- Service Recognition – Trevor White 28-years (Police Department)

Commander White joined Mayor McKay at the podium as he was honored for his years of service.

Mayor McKay recessed the meeting for 10 minutes to allow everyone an opportunity to congratulate Commander White. Meeting called back to order at 6:45 p.m.

2. VISITORS

Skip Novakovich, Kennewick – Provided comments in his opinion supporting Ms. Mosley's performance and her continuing support of the partnership with the Port of Kennewick over the past year.

3. APPROVAL OF AGENDA

Mr. Torelli moved, seconded by Mr. Millbauer to approve the Agenda as presented. The motion passed unanimously.

4. APPROVAL OF CONSENT AGENDA

- Minutes of Regular Meeting of December 20, 2022.
- Motion to approve Claims Roster for the Columbia Park Golf Course Account for November 2022 in the amount of \$34,440.72.
- Motion to approve Payroll Roster for December 15, 2022.

Mr. Torelli moved, seconded by Mr. Trumbo to approve the Consent Agenda. The motion passed unanimously.

5. ORDINANCE/RESOLUTIONS - None

6. PUBLIC HEARINGS/MEETINGS - None

7. NEW BUSINESS

- City Manager Performance Review. Marie Mosely, City Manager reported.

DRAFT

Mr. Torelli moved, seconded by Mr. Millbauer to waive the executive session and discuss the City Manager's performance in an open public meeting. The motion passed unanimously.

Mr. Torelli moved, seconded by Mr. Millbauer to authorize a 6% salary adjustment for the City Manager effective January 1, 2023 based on achievement of goals and overall performance. The motion passed 4-3. Mr. Trumbo, Mr. Beauchamp and Mayor McKay opposed.

8. UNFINISHED BUSINESS - None

9. VISITORS

The following spoke regarding issues related to the water main break on 46th Ave:

Ernestina Alaniz, Kennewick
John Campbell, Pasco
Darrin Sallee, Kennewick

Tina Gregory, Kennewick – Commented on current events and opinions on same.

10. COUNCIL COMMENTS/DISCUSSION

Council members reported on their respective activities.

11. ADJOURNMENT

Meeting was adjourned at 8:22 p.m.

Terri L. Wright, MMC
City Clerk

DRAFT

CITY OF KENNEWICK
CITY COUNCIL
Special Meeting
January 10, 2023

1. CALL TO ORDER

Mayor Bill McKay called the meeting to order at 6:30 p.m.

City Council and Staff Present:

Mayor Pro Tem Gretl Crawford
John Trumbo
Chuck Torelli
Jim Millbauer
Brad Beauchamp
Loren Anderson
Mayor Bill McKay

Marie Mosley
Anthony Muai
Cary Roe
Krystal Townsend
Dan Legard
Nick Farline
Chris Guerrero

Chris Guerrero
Chad Michael
John Cowling
Evelyn Lusignan

2. APPROVAL OF AGENDA

Mr. Torelli moved, seconded by Mr. Trumbo to approve the agenda as presented. The motion passed unanimously.

3. NEW BUSINESS

a. Horse Heaven Clean Energy Center Letter

Mrs. Mosley provided a staff report and responded to Council inquiries.

Mr. Torelli moved, seconded by Mr. Trumbo to authorize the Mayor to sign a letter to Energy Facility Site Evaluation Council regarding the inability for the City to provide water to the Scout Clean Energy Horse Heaven Wind Farm Project. The motion passed 6-1; Councilmember Millbauer dissenting.

4. ADJOURNMENT

Meeting was concluded by Mayor Bill McKay at 6:50 p.m.

Krystal Townsend, CMC
Deputy City Clerk

Council Agenda Coversheet



Agenda Item Number	4.b.	Council Date	01/17/2023
Agenda Item Type	General Business Item		
Subject	Toyota Center/Arena Accounts		
Ordinance/Reso #		Contract #	
Project #		Permit #	
Department	Finance		

Consent Agenda	<input checked="" type="checkbox"/>
Ordinance/Reso	<input type="checkbox"/>
Public Mtg / Hrg	<input type="checkbox"/>
Other	<input type="checkbox"/>
Quasi-Judicial	<input type="checkbox"/>

Recommendation

Staff recommends that Council approve the Claims Rosters for the Toyota Center Operations and Box Office Accounts for October 2022.

Motion for Consideration

I move to approve the Claims Rosters for the Toyota Center Operations and Box Office Accounts for October 2022 in the amount of \$645,051.71, comprised of check number 25660-25756 in the amount of \$324,395.72 and electronic transfers in the amount of \$320,655.99.

Summary

None.

Alternatives

None.

Fiscal Impact

Total \$645,051.71.

Through	Denise Winters Jan 09, 09:43:00 GMT-0800 2023
Dept Head Approval	Dan Legard Jan 11, 13:38:34 GMT-0800 2023
City Mgr Approval	Marie Mosley Jan 13, 09:31:31 GMT-0800 2023

Attachments:

Recording Required?

**Toyota Center and Arena
Claims Roster
October 2022**

<u>Date</u>	<u>Check</u>	<u>Method</u>	<u>Name</u>	<u>Amount</u>
<u>Operating Account</u>				
10/07/2022		Wire Transfer	The Odom Corporation (00002856)	3,978.60
10/07/2022	14562877		Beer Order 10/5/22	3,978.60
101413	• Inventory - Beer		Beer Order 10/5/22	3,978.60
10/07/2022		Wire Transfer	King Beverage (00000486)	8,832.79
10/07/2022	2566793		Beer Order 10/5/22	8,832.79
101413	• Inventory - Beer		Beer Order 10/5/22	8,832.79
10/07/2022		Wire Transfer	Southern Glazer's of WA (00002855)	376.92
10/07/2022	04169366		Liquor Order 10/5/22	376.92
101415	• Inventory - Liquor		Liquor Order 10/5/22	376.92
10/05/2022	25660	Auto Check	RFP Plastics (00002881)	2,400.10
10/05/2022	13190		Door Glass for Ice Rink	2,400.10
107601	• Ice-Related Expenses		Door Glass for Ice Rink	2,400.10
10/05/2022	25661	Auto Check	PNW Signs and Designs (00003244)	2,210.96
10/05/2022	1253		TOYO signs 1253	2,210.96
107314	• Signage Expense		Misc public signage TOYO	2,210.96
10/07/2022	25662	Auto Check	Advanced Life Systems (00003247)	1,440.00
10/07/2022	22-236411		ALS Standby for PBR	1,440.00
104327	• Reimbursed Contract Labor		ALS Standby	1,440.00
10/07/2022	25663	Auto Check	Advanced Protection Services, Inc. (00002751)	303.01
10/07/2022	R138167		TA Fire Monitoring OCT22	73.86
107209	• Security & Fire Alarm System		TA Fire Monitoring OCT22	73.86
10/07/2022	R138168		Ammonia Monitoring OCT22	68.43
107209	• Security & Fire Alarm System		Ammonia Monitoring OCT22	68.43
10/07/2022	R138169		Fire Monitoring OCT22	73.86
107209	• Security & Fire Alarm System		Fire Monitoring OCT22	73.86
10/07/2022	R138170		Security Monitoring OCT22	43.43
107209	• Security & Fire Alarm System		Security Monitoring OCT22	43.43
10/07/2022	R138171		Vault Security Monitor OCT22	43.43
107209	• Security & Fire Alarm System		Vault Security Monitor OCT22	43.43
10/07/2022	25664	Auto Check	Andy See (00002880)	1,169.12
10/07/2022	REIMBURSEMENT: Suites Gifts		REIMB: Suites Gifts	32.06
107302	• Venue Marketing & Non-Event Advertising		REIMB: Suites Gifts	32.06
10/07/2022	REIMB: Conference Hotel & Gas		REIMB: Conference Hotel & Mile	938.90
107107	• Employee Training		REIMB: Conference Hotel & Mileage	938.90
10/07/2022	REIMB: Conference Per Diem		REIMB: Conference Per Diem	110.00
107107	• Employee Training		REIMB: Conference Per Diem	110.00
10/07/2022	REIMB: Mileage 9/6/22		REIMB: Mileage 9/6/22	88.16
107302	• Venue Marketing & Non-Event Advertising		REIMB: Mileage 9/6/22	88.16
10/07/2022	25665	Auto Check	Apollo Heating and Air Conditioning (00002933)	2,018.19
10/07/2022	KS-940044761		Maintenance Contract - OCT	2,018.19
107210	• HVAC Repairs & Maintenance		Maintenance Contract - OCT	2,018.19
10/07/2022	25666	Auto Check	Ascentis Corporation (00002983)	1,411.80
10/07/2022	SI-132542		NOVA 5000 Series SEPT 22	1,411.80
107070	• Payroll Processing		NOVA 5000 Series SEPT 22	705.90
			Due To/From TRCC	705.90
10/07/2022	25667	Auto Check	Batteries Plus Bulbs (00002790)	144.92
10/07/2022	P55709548		PO3972 - Batteries	144.92
107201	• Tools & Supplies		Batteries	144.92

**Toyota Center and Arena
Claims Roster
October 2022**

Date	Check	Method	Name	Amount
10/07/2022	25668	Auto Check	Central Washington Refrigeration, LLC (00002949)	14,705.79
	10/07/2022	46253	Chemical Pump #2 Repair	9,634.17
	107212	• Building Repairs & Maintenance	Chemical Pump #2 Repair	
	10/07/2022	46261	Start Up Labor	1,444.38
	107212	• Building Repairs & Maintenance	Start Up Labor	
	10/07/2022	49259	System Check	825.36
	107212	• Building Repairs & Maintenance	System Check	
	10/07/2022	46257	TA Maintenance	705.90
	107212	• Building Repairs & Maintenance	TA Maintenance	
	10/07/2022	46262	Temp Warning Repair	2,095.98
	107212	• Building Repairs & Maintenance	Temp Warning Repair	
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10/07/2022	25669	Auto Check	Chem-Aqua (00002759)	3,505.78
	10/07/2022	7952141	Water Treatment Program	3,505.78
	107304	• Contracted Services	Water Treatment Program	
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10/07/2022	25670	Auto Check	City of Kennewick - Misc (00002830)	58,381.52
	10/07/2022	15209	Liability Insurance 2022	58,381.52
	101660	• Prepaid Expenses - Manual	Liability Insurance 2022	
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10/07/2022	25671	Auto Check	Coca-Cola (00000213)	8,829.00
	10/07/2022	131491	Beverage Order 10/4/22	8,829.00
	101411	• Inventory - Food	Beverage Order 10/4/22	
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10/07/2022	25672	Auto Check	Culligan Water Conditioning (00002766)	27.19
	10/07/2022	124297	Cooler Rental 9/19-10/18/22	27.19
	107201	• Tools & Supplies	Cooler Rentals 9/19-10/18/22	
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10/07/2022	25673	Auto Check	Denise McNaughton (00002706)	70.54
	10/07/2022	REIMB: 9/19/22	Reimbursement: Finishes for BP	70.54
	107510	• F&B Tools, Supplies & Equipment	Reimbursement: Finishes for BP	
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10/07/2022	25674	Auto Check	DevFuzion (00000278)	5,437.82
	10/07/2022	20302	IT Services OCT22	5,437.82
	107104	• IT Support Services	IT Services OCT22	
			Due To/From TRCC	2,718.91
				2,718.91
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10/07/2022	25675	Auto Check	Fastenal Company (00003206)	474.77
	10/07/2022	WARIC107790	PO3932 - Hardware of Ice	474.77
	107201	• Tools & Supplies	Hardware	
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10/07/2022	25676	Auto Check	Garrett Metal Detectors (00003169)	42,500.00
	10/07/2022	355152	PO3840 - Metal Detectors	42,500.00
	109010	• Capital Improvements	Metal Detectors	
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10/07/2022	25677	Auto Check	Jacob Olson (00003142)	189.21
	10/07/2022	REIMB: 9/19-9/24/22	Reimbursement: Mileage / Meals	67.87
	107112	• Travel & Entertainment	Reimbursement: Mileage / Meals	
	10/07/2022	REIMB: 9/12-9/17/22	HAPO Ice Mileage 9/12-9/17/22	121.34
	107112	• Travel & Entertainment	HAPO Ice Mileage 9/12-9/17/22	
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10/07/2022	25678	Auto Check	Kennewick Ranch & Home (00003069)	96.96
	10/07/2022	2209-912193	Rambler Engraving	96.96
	107111	• Employee Development & Recognition	Rambler Engraving	
			Due To/From TRCC	48.48
				48.48
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10/07/2022	25679	Auto Check	KORD-FM (00003149)	1,398.25
	10/07/2022	3467479-3	PBR Radio Ads	1,398.25
	107402	• Event Advertising	PBR Radio Ads	
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10/07/2022	25680	Auto Check	KXRX-FM (00003150)	1,071.00
	10/07/2022	3467483-3	PBR Radio Ads	1,071.00
	107402	• Event Advertising	PBR Radio Ads	

**Toyota Center and Arena
Claims Roster
October 2022**

<u>Date</u>	<u>Check</u>	<u>Method</u>	<u>Name</u>		<u>Amount</u>
10/07/2022	25681	Auto Check	Lowe's Commercial Services (00002776)		2,425.46
10/07/2022	925896		PO3929 - Supplies		105.18
107203	• Janitorial Supplies		PO3929 - Supplies	105.18	
10/07/2022	925909		PO3929 - Supplies		18.54
107203	• Janitorial Supplies		PO3929 - Supplies	18.54	
10/07/2022	973795		PO3931 - Supplies		518.66
107201	• Tools & Supplies		PO3931 - Supplies	518.66	
10/07/2022	916878		PO3929 - Supplies		247.77
107203	• Janitorial Supplies		PO3929 - Supplies	247.77	
10/07/2022	973930		PO3931 - Supplies Return		-387.04
107201	• Tools & Supplies		PO3931 - Supplies Return	-387.04	
10/07/2022	916009		PO3931 - Supplies		7.20
107201	• Tools & Supplies		PO3931 - Supplies	7.20	
10/07/2022	916312		PO3931 - Supplies		90.74
107201	• Tools & Supplies		PO3931 - Supplies	90.74	
10/07/2022	916806		PO3931 - Supplies		50.45
107201	• Tools & Supplies		PO3931 - Supplies	50.45	
10/07/2022	916923		PO3931 - Supplies		100.07
107201	• Tools & Supplies		PO3931 - Supplies	100.07	
10/07/2022	916955		PO3941 - Trench Supplies		190.12
107201	• Tools & Supplies		PO3941 - Trench Supplies	190.12	
10/07/2022	916980		PO3931 - Supplies		72.27
107201	• Tools & Supplies		PO3931 - Supplies	72.27	
10/07/2022	911419		PO3949 - Supplies		65.39
107201	• Tools & Supplies		PO3949 - Supplies	65.39	
10/07/2022	916218		PO3949 - Supplies		73.77
107201	• Tools & Supplies		PO3949 - Supplies	73.77	
10/07/2022	916227		PO3949 - Supplies		122.89
107201	• Tools & Supplies		PO3949 - Supplies	122.89	
10/07/2022	25682	Auto Check	(voided check stub, detail below included in previous check amount)	VOID	
10/07/2022	916252		PO3949 - Supplies		40.16
107201	• Tools & Supplies		PO3949 - Supplies	40.16	
10/07/2022	916314		PO3748 - Ops Supplies		183.01
107201	• Tools & Supplies		PO3748 - Ops Supplies	183.01	
10/07/2022	916511		PO3953 - Paint Supplies		56.90
107201	• Tools & Supplies		PO3953 - Paint Supplies	56.90	
10/07/2022	916609		PO3807 - Ops Supplies		25.13
107201	• Tools & Supplies		PO3807 - Ops Supplies	25.13	
10/07/2022	901217		PO3837 - Ice Supplies		125.89
107201	• Tools & Supplies		PO3837 - Ice Supplies	125.89	
10/07/2022	916744		PO3953 - Paint Supplies		508.85
107201	• Tools & Supplies		PO3953 - Paint Supplies	508.85	
10/07/2022	916165		PO3807 - Ops Supplies		72.18
107201	• Tools & Supplies		PO3807 - Ops Supplies	72.18	
10/07/2022	916229		PO3953 - Paint Supplies		94.01
107201	• Tools & Supplies		PO3953 - Paint Supplies	94.01	
10/07/2022	925209		PO3837 - Ice Supplies		43.32
107201	• Tools & Supplies		PO3837 - Ice Supplies	43.32	
10/07/2022	25683	Auto Check	Mid Columbia Hockey Officials Association (00002777)		7,730.00
10/07/2022	22-012		Games Worked - AUG 2022		7,730.00
107304	• Contracted Services		Games Worked - AUG 2022	7,730.00	
10/07/2022	25684	Auto Check	Pacific Fire Inspection Services (00002879)		540.00
10/07/2022	2209161100		Fire Sprinkler Inspection		540.00
107209	• Security & Fire Alarm System		Fire Sprinkler Inspection	540.00	

**Toyota Center and Arena
Claims Roster
October 2022**

<u>Date</u>	<u>Check</u>	<u>Method</u>	<u>Name</u>		<u>Amount</u>
10/07/2022	25685	Auto Check	Pape Material Handling (00003034)		3,653.19
10/07/2022	80082610		PO3964 - Zamboni Repair	326.37	326.37
107211	• Equipment Repairs & Maintenance		Zamboni Hydraulic Leak Repair		
10/07/2022	80082611		PO3964 - Toyota Zam Repair	424.01	424.01
107211	• Equipment Repairs & Maintenance		Toyota Zam Repair		
10/07/2022	80082608		PO3964 - B PM Service	197.58	197.58
107211	• Equipment Repairs & Maintenance		PO3964 - B PM Service		
10/07/2022	80082609		PO3964 - Forklift Maintenance	1,627.16	1,627.16
107211	• Equipment Repairs & Maintenance		Forklift Maintenance		
10/07/2022	80081866		PO3963 - Bearing Replacement	917.95	917.95
107211	• Equipment Repairs & Maintenance		Bearing Replacement		
10/07/2022	8840215		Regulator	160.12	160.12
107211	• Equipment Repairs & Maintenance		Regulator		
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10/07/2022	25686	Auto Check	Performance Systems Integration, LLC (00002981)		797.87
10/07/2022	12482167		Suppression System Testing	797.87	797.87
107209	• Security & Fire Alarm System		Suppression System Testing		
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10/07/2022	25687	Auto Check	Poppoff Inc (00003239)		2,422.92
10/07/2022	0023629-IN		Concrete Repair in Ice Rink	2,422.92	2,422.92
107212	• Building Repairs & Maintenance		Concrete Repair in Ice Rink		
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10/07/2022	25688	Auto Check	Price Chopper Wristbands (00003215)		30.00
10/07/2022	256601-B		Set Up Fee - Americans Wrist	30.00	30.00
107414	• Other Event Expense		Set Up Fee - Americans Wristbands		
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10/07/2022	25689	Auto Check	Roto-Rooter (00002782)		440.24
10/07/2022	40381650		Plumbing Repairs	440.24	440.24
107212	• Building Repairs & Maintenance		Plumbing Repairs		
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10/07/2022	25690	Auto Check	Spectrum Reach (00002871)		1,333.65
10/07/2022	800011993		PBR TV Ads	1,333.65	1,333.65
107402	• Event Advertising		PBR TV Ads		
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10/07/2022	25691	Auto Check	Staples Advantage (00002740)		447.45
10/07/2022	3518148966		PO3947 - Office Supplies	447.45	447.45
107102	• Office Supplies		Office Supplies		
			Due To/From TRCC	223.72	
				223.73	
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10/07/2022	25692	Auto Check	Stephens Media Group (00002844)		4,335.00
10/07/2022	IN-122098560		PBR Radio Ads	1,742.50	1,742.50
107402	• Event Advertising		PBR Radio Ads		
10/07/2022	MC-122098550		PBR Radio Ads	1,003.00	1,003.00
107402	• Event Advertising		PBR Radio Ads		
10/07/2022	IN-122098561		PBR Radio Ads	1,589.50	1,589.50
107402	• Event Advertising		PBR Radio Ads		
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10/07/2022	25693	Auto Check	Steve Roberts (00003139)		71.34
10/07/2022	Mileage: 9/12-9/18/22		Mileage for HAPO Ice Rink	71.34	71.34
107112	• Travel & Entertainment		Mileage for HAPO Ice Rink		
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10/07/2022	25694	Auto Check	Tri City Regional Chamber of Commerce (00002846)		298.00
10/07/2022	76550		Conference Attendees	298.00	298.00
107111	• Employee Development & Recognition		Conference Attendees		
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10/07/2022	25695	Auto Check	US Foods (00002786)	VOID	0.00
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10/07/2022	25696	Auto Check	VenuWorks, Inc. (00000894)	VOID	0.00
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10/07/2022	25697	Auto Check	Vics Auto and Supply Kennewick (00003098)	VOID	0.00
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**Toyota Center and Arena
Claims Roster
October 2022**

<u>Date</u>	<u>Check</u>	<u>Method</u>	<u>Name</u>			<u>Amount</u>
10/07/2022	25698	Auto Check	Vistar Corporation (00002787)		VOID	0.00
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10/07/2022	25699	Auto Check	WCP Solutions (00002788)		VOID	0.00
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10/07/2022	25700	Auto Check	US Foods (00002786)			8,740.48
	10/07/2022	4632663	Food Order 10/4/22			8,740.48
	101411	• Inventory - Food	Food Order 10/4/22		8,740.48	
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10/07/2022	25701	Auto Check	VenuWorks, Inc. (00000894)		VOID	0.00
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10/07/2022	25702	Auto Check	Vics Auto and Supply Kennewick (00003098)			271.73
	10/07/2022	219983	PO3970 - Zamboni Supplies			271.73
	107211	• Equipment Repairs & Maintenance	Zamboni Supplies		271.73	
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10/07/2022	25703	Auto Check	Vistar Corporation (00002787)			5,054.85
	10/07/2022	66001728	Food Order 10/5/22			5,054.85
	101411	• Inventory - Food	Food Order 10/5/22		5,054.85	
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10/07/2022	25704	Auto Check	WCP Solutions (00002788)			1,719.96
	10/07/2022	12955437	PO3967 - Janitorial Supplies			1,277.15
	107203	• Janitorial Supplies	Janitorial Supplies		1,277.15	
	10/07/2022	12955438	PO3967 - Janitorial Supplies			195.63
	107203	• Janitorial Supplies	Janitorial Supplies		195.63	
	10/07/2022	12955439	PO3967 - Janitorial Supplies			164.72
	107203	• Janitorial Supplies	Janitorial Supplies		164.72	
	10/07/2022	12955440	PO3967 - Janitorial Supplies			82.46
	107203	• Janitorial Supplies	Janitorial Supplies		82.46	
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10/14/2022		Wire Transfer	Professional Bull Riders, LLC (00002652)			137,965.30
	10/14/2022	Seetlement 9/8/22				137,965.30
	102150	• A/P Settlements	PBR Settlement 9/8/22		137,965.30	
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10/11/2022		Wire Transfer	King Beverage (00000486)			259.00
	10/11/2022	2569262	Beer Order 10/6/22			259.00
	101413	• Inventory - Beer	Beer Order 10/6/22		259.00	
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10/14/2022		Wire Transfer	Southern Glazer's of WA (00002855)			1,156.94
	10/14/2022	4175424	Liquor Order 10/12/22			1,156.94
	101415	• Inventory - Liquor	Liquor Order 10/12/22		1,156.94	
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10/13/2022		Wire Transfer	King Beverage (00000486)			7,825.28
	10/13/2022	2571288	Beer Order 10/11/22			7,097.63
	101413	• Inventory - Beer	Beer Order 10/11/22		7,097.63	
	10/13/2022	2571380	Beer Order 10/11/22			727.65
	101413	• Inventory - Beer	Beer Order 10/11/22		727.65	
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10/11/2022	25705	Auto Check	Steve's Tire & Auto Repair (00003121)			391.54
	10/11/2022	6718-B	Zamboni Tires Labor			116.39
	107211	• Equipment Repairs & Maintenance	Zamboni Tires Labor		116.39	
	10/11/2022	6719	Zamboni Tires Labor			158.76
	107211	• Equipment Repairs & Maintenance	Zamboni Tires Labor		158.76	
	10/11/2022	6697-B	Zamboni Tires Labor			116.39
	107211	• Equipment Repairs & Maintenance	Zamboni Tires Labor		116.39	
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10/14/2022	25706	Auto Check	Backstage Electric, Inc. (00002752)			8,038.00
	10/14/2022	2424	Labor for Junior H			8,038.00
	104370	• Reimbursed Outside Event Expense	Labor for Junior H		8,038.00	

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Date	Check	Method	Name	Amount
10/14/2022	25707	Auto Check	Paul Boskovich (00002984)	250.00
	10/14/2022	22-1015365	Runner for Junior H	250.00
	107404	• Event Contracted Labor	Runner for Junior H	250.00
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10/14/2022	25708	Auto Check	Rocky Mountain Rigging (00002781)	7,165.60
	10/14/2022	Junior H	Labor for Junior H	7,165.60
	104370	• Reimbursed Outside Event Expense	Labor for Junior H	7,165.60
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10/18/2022			Southern Glazer's of WA (00002855)	-41.88
	10/18/2022	097810261	Vendor Credit 10/14/22	-41.88
	101415	• Inventory - Liquor	Vendor Credit 10/14/22	-41.88
<hr/>				
10/17/2022		Wire Transfer	King Beverage (00000486)	1,510.50
	10/17/2022	2571485	Beer Order 10/13/22	1,510.50
	101413	• Inventory - Beer	Beer Order 10/13/22	1,510.50
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10/17/2022		Wire Transfer	The Odom Corporation (00002856)	2,504.72
	10/17/2022	14562974	Beer Order 10/13/22	2,504.72
	101413	• Inventory - Beer	Beer Order 10/13/22	2,504.72
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10/18/2022		Wire Transfer	Live Nation (00000517)	120,713.02
	10/18/2022	Junior H Settlement		120,713.02
	102150	• A/P Settlements	Junior H Settlement	120,713.02
<hr/>				
10/20/2022	25709	Auto Check	8x8, INC (00002829)	2,149.82
	10/20/2022	1000109867	Phone Services 9/22-10/21/22	1,074.91
	107204	• Other Utilities	Phone Services 9/22-10/21/22	537.45
			Due To/From TRCC	537.46
	10/20/2022	1000103956	Phone Services 8/22-9/21/22	1,074.91
	107204	• Other Utilities	Phone Services 8/22-9/21/22	537.45
			Due To/From TRCC	537.46
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10/20/2022	25710	Auto Check	Abbott & Abbott LLC (00002770)	391.32
	10/20/2022	448-009705	FiltaFry Service	117.40
	107508	• F&B Equipment Repairs & Maintenance	FiltaFry Service	117.40
	10/20/2022	448-009784	Fryer Service	273.92
	107508	• F&B Equipment Repairs & Maintenance	Fryer Service	273.92
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10/20/2022	25711	Auto Check	Advanced Protection Services, Inc. (00002751)	986.45
	10/20/2022	P18722	Annual Fire Alarm Inspection	595.13
	107209	• Security & Fire Alarm System	Annual Fire Alarm Inspection	595.13
	10/20/2022	P81721	TA Fire Alarm Inspection	391.32
	107209	• Security & Fire Alarm System	TA Fire Alarm Inspection	391.32
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10/20/2022	25712	Auto Check	Apollo Heating and Air Conditioning (00002933)	1,018.55
	10/20/2022	KS-940045069	HVAC Repair	1,018.55
	107210	• HVAC Repairs & Maintenance	HVAC Repair	1,018.55
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10/20/2022	25713	Auto Check	Atkins Nuclear Secured (00003264)	250.00
	10/20/2022	F&B Credit 10/8/22	Atkins F&B Credit 10/8/22	250.00
	104580	• Concessions Sales - Tenant Share	Atkins F&B Credit 10/8/22	250.00
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10/20/2022	25714	Auto Check	Baskin Robbins (00002754)	2,334.24
	10/20/2022	44848.9470	Third Party Sales 10/14/22	756.82
	104690	• Concession Sales - Third Party Expense	Third Party Sales 10/14/22	756.82
	10/20/2022	44846.9293	Third Party Sales 10/12/22	483.55
	104690	• Concession Sales - Third Party Expense	Third Party Sales 10/12/22	483.55
	10/20/2022	44842.9812	Third Party Sales 10/8/22	1,093.87
	104690	• Concession Sales - Third Party Expense	Third Party Sales 10/8/22	1,093.87

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Date	Check	Method	Name	Amount
10/20/2022	25715	Auto Check	Benton PUD (00000121)	22,343.42
10/20/2022	107216	• Electricity	Large Gen Services 9/8-10/8/22 Large Gen Services 9/8-10/8/22	21,960.07
10/20/2022	107216	• Electricity	Small Gen Services 9/8-10/8/22 Small Gen Services 9/8-10/8/22	383.35
10/20/2022	25716	Auto Check	Canon Financial Services, Inc (00002793)	322.76
10/20/2022	107105	• Printing / Copying	Copier Contract OCT 22 Copier Contract OCT 22	322.76
			Due To/From TRCC	161.38
				161.38
10/20/2022	25717	Auto Check	Canon Solutions (00002757)	51.41
10/20/2022	107105	• Printing / Copying	QHM Copier Maintenance QHM Copier Maintenance	33.89
10/20/2022	107105	• Printing / Copying	UMT Copier Maintenance UMT Copier Maintenance	17.52
10/20/2022	25718	Auto Check	Cascade Natural Gas (00000161)	2,742.83
10/20/2022	107217	• Natural Gas	Gen Com Service 9/10-10/10/22 Gen Com Service 9/10-10/10/22	2,742.83
10/20/2022	25719	Auto Check	Cascade Natural Gas (00000161)	1,554.30
10/20/2022	107217	• Natural Gas	Gen Com Service 9/10-10/10/22 Gen Com Service 9/10-10/10/22	1,554.30
10/20/2022	25720	Auto Check	Central Washington Refrigeration, LLC (00002949)	1,824.48
10/20/2022	107212	• Building Repairs & Maintenance	Pressure Test Pressure Test	1,824.48
10/20/2022	25721	Auto Check	Chapala Express (00002758)	4,092.07
10/20/2022	104690	• Concession Sales - Third Party Expense	Third Party Sales 10/8/22 Third Party Sales 10/8/22	1,960.69
10/20/2022	104690	• Concession Sales - Third Party Expense	Third Party Sales 10/12/22 Third Party Sales 10/12/22	1,024.34
10/20/2022	104690	• Concession Sales - Third Party Expense	Third Party Sales 10/14/22 Third Party Sales 10/14/22	1,107.04
10/20/2022	25722	Auto Check	Charlie's Produce (00002739)	231.52
10/20/2022	101411	• Inventory - Food	Food Order 10/6/22 Food Order 10/6/22	231.52
10/20/2022	25723	Auto Check	Chisholm's Saw & Supply, Inc. (00002760)	290.88
10/20/2022	107201	• Tools & Supplies	Zamboni Knives Maintenance Zamboni Knives Maintenance	290.88
10/20/2022	25724	Auto Check	City of Kennewick - Misc (00002830)	600.00
10/20/2022	104327	• Reimbursed Contract Labor	Security Services SEPT 2022 Security Services SEPT 2022	600.00
10/20/2022	25725	Auto Check	Coca-Cola (00000213)	1,543.00
10/20/2022	101411	• Inventory - Food	Beverage Credit 10/11/22 Beverage Credit 10/11/22	-20.00
10/20/2022	101411	• Inventory - Food	Beverage Order 10/11/22 Beverage Order 10/11/22	1,563.00
10/20/2022	25726	Auto Check	Coffee Crush (00002762)	1,046.06
10/20/2022	104690	• Concession Sales - Third Party Expense	Third Party Sales 10/12/22 Third Party Sales 10/12/22	241.44
10/20/2022	104690	• Concession Sales - Third Party Expense	Third Party Sales 10/14/22 Third Party Sales 10/14/22	360.28
10/20/2022	104690	• Concession Sales - Third Party Expense	Third Party Sales 10/8/22 Third Party Sales 10/8/22	444.34

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Date	Check	Method	Name	Amount
10/20/2022	25727	Auto Check	Concessions Supply (00002860)	2,197.82
	10/20/2022	89784	Food Order 10/6/22	1,650.89
	101411	• Inventory - Food	Food Order 10/6/22	1,650.89
	10/20/2022	89917	Food Order 10/18/22	546.93
	101411	• Inventory - Food	Food Order 10/18/22	546.93
10/20/2022	25728	Auto Check	Cougar Digital Marketing & Design (00002861)	149.00
	10/20/2022	10357	Website Maintenance - OCT 22	149.00
	107302	• Venue Marketing & Non-Event Advertising	Website Maintenance - OCT 22	149.00
10/20/2022	25729	Auto Check	Doggie Style Gourmet (00002767)	3,279.92
	10/20/2022	44846.9335	Third Party Sales 10/12/22	753.04
	104690	• Concession Sales - Third Party Expense	Third Party Sales 10/12/22	753.04
	10/20/2022	44842.9697	Third Party Sales 10/8/22	1,532.13
	104690	• Concession Sales - Third Party Expense	Third Party Sales 10/8/22	1,532.13
	10/20/2022	44848.9508	Third Party Sales 10/14/22	994.75
	104690	• Concession Sales - Third Party Expense	Third Party Sales 10/14/22	994.75
10/20/2022	25730	Auto Check	Ferrell Gas (00002769)	835.32
	10/20/2022	RNT9465162	Tank Rental	13.04
	107201	• Tools & Supplies	Tank Rental	6.52
			Due To/From TRCC	6.52
	10/20/2022	1120427768	Propane	500.74
	107204	• Other Utilities	Propane	250.37
			Due To/From TRCC	250.37
	10/20/2022	1120533243	Propane	321.54
	107204	• Other Utilities	Propane	160.77
			Due To/From TRCC	160.77
10/20/2022	25731	Auto Check	Jacob's Radio (00002833)	451.30
	10/20/2022	22050443	Radio Ads - Justin Moore	238.00
	107402	• Event Advertising	Radio Ads - Justin Moore	238.00
	10/20/2022	22030262	Radio Ads - Santana	196.35
	107402	• Event Advertising	Radio Ads - Santana	196.35
	10/20/2022	21120370	Radio Ads - Santana	16.95
	107402	• Event Advertising	Radio Ads - Santana	16.95
10/20/2022	25732	Auto Check	Joan White-Wagoner (00003269)	100.00
	10/20/2022	F&B Refund	F&B Refund	100.00
	104510	• Concessions Sales - Food	F&B Refund	100.00
10/20/2022	25733	Auto Check	KC Brand (00002773)	3,412.33
	10/20/2022	44846.9403	Third Party Sales 10/12/22	602.27
	104690	• Concession Sales - Third Party Expense	Third Party Sales 10/12/22	602.27
	10/20/2022	44844.4389	Third Party Sales 10/8/22	1,703.98
	104690	• Concession Sales - Third Party Expense	Third Party Sales 10/8/22	1,703.98
	10/20/2022	44848.9561	Third Party Sales 10/14/22	1,106.08
	104690	• Concession Sales - Third Party Expense	Third Party Sales 10/14/22	1,106.08
10/20/2022	25734	Auto Check	Laureen Olsen (00003261)	138.00
	10/20/2022	Hillsong Refund		138.00
	101010	• Sterling Operating Account	Hillsong Refund - record transfer	138.00
	101020	• Sterling Box Office Account	Hillsong Refund - record transfer	-138.00
	102220	• Unearned Ticket Sales	Hillsong Refund	130.00
	102230	• Unearned Ticket Facility Fees	Hillsong Refund	8.00
10/20/2022	25735	Auto Check	Loomis (00002895)	252.12
	10/20/2022	13109219	Armored Car Service - SEPT 22	252.12
	107304	• Contracted Services	Armored Car Service - SEPT 22	126.06
			Due To/From TRCC	126.06
10/20/2022	25736	Auto Check	MD Draft Team (00002835)	434.40
	10/20/2022	3404-2	Equipment Maintenance	434.40
	107508	• F&B Equipment Repairs & Maintenance	Equipment Maintenance	434.40

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Date	Check	Method	Name	Amount
10/20/2022	25737	Auto Check	Pearson, Corey (00000007)	388.81
10/20/2022	107112	Reimbursement: Dept Lunch • Travel & Entertainment	REIMB: Meals 10/13/22 REIMB: Meals 10/13/22	103.15
			Due To/From TRCC	51.57
				51.58
10/20/2022	107112	Reimbursement: Finance Meals • Travel & Entertainment	REIMB: Finance Meals REIMB: Finance Meals	54.07
			Due To/From TRCC	32.44
				21.63
10/20/2022	107112	Reimbursement: IA Rental • Travel & Entertainment	REIMB: IA Vehicle Rental	231.59
			Due To/From TRCC	138.95
				92.64
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10/20/2022	25738	Auto Check	Reign Drop LLC (00003211)	1,128.56
10/20/2022	101411	S4176-22-8546 • Inventory - Food	Pizza Order 10/8/22 Pizza Order 10/8/22	57.79
				57.79
10/20/2022	101411	S4176-22-8548 • Inventory - Food	Pizza Order 10/8/22 Pizza Order 10/8/22	121.79
				121.79
10/20/2022	101411	S4176-22-8547 • Inventory - Food	Pizza Order 10/8/22 Pizza Order 10/8/22	167.29
				167.29
10/20/2022	101411	S4176-22-8586 • Inventory - Food	Pizza Order 10/12/22 Pizza Order 10/12/22	118.03
				118.03
10/20/2022	101411	S4176-22-8585 • Inventory - Food	Pizza Order 10/12/22 Pizza Order 10/12/22	161.29
				161.29
10/20/2022	101411	S4176-22-8587 • Inventory - Food	Pizza Order 10/14/22 Pizza Order 10/14/22	167.29
				167.29
10/20/2022	101411	S4176-22-8588 • Inventory - Food	Pizza Order 10/14/22 Pizza Order 10/14/22	121.79
				121.79
10/20/2022	101411	S4176-22-8589 • Inventory - Food	Pizza Order 10/15/22 Pizza Order 10/15/22	213.29
				213.29
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10/20/2022	25739	Auto Check	Roto-Rooter (00002782)	413.60
10/20/2022	107212	41572175 • Building Repairs & Maintenance	Drain Cleaning Drain Cleaning	413.60
				413.60
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10/20/2022	25740	Auto Check	Sparkling Clean Windows, LLC (00002999)	2,179.36
10/20/2022	107212	1378101022 • Building Repairs & Maintenance	Window Cleaning Window Cleaning	2,179.36
				2,179.36
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10/20/2022	25741	Auto Check	Spectrum Reach (00002871)	52.70
10/20/2022	107402	300014400 • Event Advertising	TV Ads - PBR TV Ads - PBR	52.70
				52.70
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10/20/2022	25742	Auto Check	Staples Advantage (00002740)	93.23
10/20/2022	107102	3518807024 • Office Supplies	Office Supply Return Office Supply Return	-9.25
			Due To/From TRCC	-4.62
				-4.63
10/20/2022	107102	3519098894 • Office Supplies	Office Supplies Office Supplies	102.48
				102.48
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10/20/2022	25743	Auto Check	Sunbelt Rentals, Inc. (00002783)	729.65
10/20/2022	107305	131528048-0001 • General Rental Equipment	Reader Board Manlift Reader Board Manlift	1,038.03
				1,038.03
10/20/2022	107305	131528048-0002 • General Rental Equipment	Reader Board Manlift Credit Reader Board Manlift Credit	-134.46
				-134.46
10/20/2022	107305	131528048-0003 • General Rental Equipment	Reader Board Manlift Credit Reader Board Manlift Credit	-173.92
				-173.92
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10/20/2022	25744	Auto Check	Ted Brown Music Company (00003263)	1,573.98
10/20/2022	107202	4784909 • Small Equipment & Furniture	Shure Wireless Handhelds Shure Wireless Handhelds	1,573.98
				1,573.98
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10/20/2022	25745	Auto Check	US Foods (00002786)	6,166.61
10/20/2022	101411	4869299 • Inventory - Food	Food Order 10/13/22 Food Order 10/13/22	6,166.61
				6,166.61

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Date	Check	Method	Name	Amount
10/20/2022	25746	Auto Check	VenuWorks, Inc. (0000894)	22,479.77
10/20/2022	18183		Management Fee - OCT 22	10,103.31
	107306	• VenuWorks Management Fee	Management Fee - OCT 22	10,103.31
10/20/2022	18206		Advertising Commissions	24,285.66
	102140	• Accrued Expenses - Other	Advertising Commissions	24,285.66
10/20/2022	18207		F&B Commissions	1,845.20
	102140	• Accrued Expenses - Other	F&B Commissions	1,845.20
10/20/2022	18208		F&B Commissions Credit	-13,754.40
	102140	• Accrued Expenses - Other	F&B Commissions Credit	-13,754.40
10/20/2022	25747	Auto Check	Vistar Corporation (00002787)	1,250.11
10/20/2022	66154778		Food Order 10/19/22	1,250.11
	101411	• Inventory - Food	Food Order 10/19/22	1,250.11
10/20/2022	25748	Auto Check	WCP Solutions (00002788)	640.00
10/20/2022	12966485		PO3979-Janitorial Supplies	275.42
	107203	• Janitorial Supplies	Janitorial Supplies	275.42
10/20/2022	12966486		PO3979-Janitorial Supplies	17.39
	107203	• Janitorial Supplies	Janitorial Supplies	17.39
10/20/2022	12966484		PO3979-Janitorial Supplies	347.19
	107203	• Janitorial Supplies	Janitorial Supplies	347.19
10/20/2022	25749	Auto Check	Weaver Exterminating Service, Inc. (00002804)	420.67
10/20/2022	590843		Monthly Rodent Control - OCT22	280.45
	107304	• Contracted Services	Monthly Rodent Control - OCT22	280.45
10/20/2022	590840		Monthly Rodent Control OCT22	140.22
	107304	• Contracted Services	TA Monthly Rodent Control - OCT22	140.22
10/26/2022			Pacific Steel & Recycling (00003152)	-1,876.80
10/26/2022	702493		Payment for Scrap Metal	-1,876.80
	107201	• Tools & Supplies	Payment for scrap metal from old bleachers	-1,876.80
10/25/2022		Wire Transfer	Washington State Department of Revenue (00002989)	14,250.89
10/25/2022			Sept B&O tax payment TOYO	14,250.89
	102325	• B&O Tax Payable	Sept B&O tax payment	3,087.70
	102310	• Sales Tax Payable - State	Sept B&O tax payment	11,224.10
	107603	• B&O Taxes	Sept B&O tax payment	-60.91
10/25/2022	25750	Auto Check	Price Chopper Wristbands (00003215)	3,511.24
10/25/2022	257204		PO3984 - Toyota Wristbands	3,511.24
	101660	• Prepaid Expenses - Manual	Toyota Wristbands	3,511.24
10/26/2022	25751	Auto Check	Andrew Ellegard (00003040)	0.00
			VOID	0.00
10/26/2022	25752	Auto Check	Backstage Electric, Inc. (00002752)	0.00
			VOID	0.00
10/26/2022	25753	Auto Check	Rocky Mountain Rigging (00002781)	0.00
			VOID	0.00
10/26/2022	25754	Auto Check	Andrew Ellegard (00003040)	300.00
10/26/2022	20-0103		Runner for CoComelon	300.00
	104370	• Reimbursed Outside Event Expense	Runner for CoComelon	300.00
10/26/2022	25755	Auto Check	Backstage Electric, Inc. (00002752)	13,920.50
10/26/2022	2426		Labor for CoComelon	13,920.50
	104370	• Reimbursed Outside Event Expense	Labor for CoComelon	13,920.50
10/26/2022	25756	Auto Check	Rocky Mountain Rigging (00002781)	10,180.40
10/26/2022			CoComelon Live	10,180.40
	104370	• Reimbursed Outside Event Expense	CoComelon Rigging	10,180.40

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<u>Date</u>	<u>Check</u>	<u>Method</u>	<u>Name</u>	<u>Amount</u>
10/31/2022		Wire Transfer	Professional Bull Riders, LLC (00002652)	16,277.31
	10/31/2022	PBR Merch due to show	PBR Merch due to show	16,277.31
	102140	• Accrued Expenses - Other	PBR merch sales due to show	16,277.31
<hr/>				
10/31/2022		Wire Transfer	Merchant BANKCD Services (00003297)	15.00
	10/31/2022	Contested charge Arena	Contested charge reverse Arena	15.00
	105003	• Skating Revenues		15.00
<hr/>				
10/31/2022		Wire Transfer	American Payment Solutions - APS (00002969)	289.50
	10/31/2022	Oct 2022 CC fees TOYO	Oct 2022 CC fees TOYO	289.50
	107310	• Credit Card Fees		289.50
<hr/>				
10/31/2022		Wire Transfer	Fintech (00003296)	21.64
	10/31/2022	Oct 2022 TOYO account fee	Fintech account fee TOYO	21.64
	107311	• Banking Fees		21.64
<hr/>				
10/31/2022		Wire Transfer	Revel Systems (00003299)	2,314.24
	10/31/2022	POS fees for Oct 2022	Revel POS system fees Oct 2022	2,314.24
	107510	• F&B Tools, Supplies & Equipment		2,314.24
<hr/>				
10/31/2022		Wire Transfer	Revel Systems (00003299)	4,241.96
	10/31/2022	Worldpay CC process fees Oct	CC fees for concession sales	3,984.58
	107514	• F&B Credit Card & Banking Fees	CC fees for Arena sales	257.38
	107310	• Credit Card Fees		257.38

Box Office Account

10/31/2022		Wire Transfer	American Express Card Processing (00003298)	41.06
	10/31/2022	AMEX fees Oct 2022	AMEX fees Oct 2022	41.06
	107310	• Credit Card Fees		41.06
			Credit Card Fees	41.06
Total Paid:				<u>645,051.71</u>

I, Dan Legard, Finance Director, do hereby certify that the merchandise or services hereinbefore specified have been received, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation and that the vouchers listed above are approved for payment this



Dan Legard, Finance Director

The payments on this claims roster are comprised of the following:

Check numbers 25660-25756	\$ 324,395.72
Electronic transfers - Operations	320,614.93
Electronic transfers - Box Office	41.06
Total	<u>\$ 645,051.71</u>

Exceptions:

Council Agenda Coversheet



Agenda Item Number	4.c.	Council Date	01/17/2023
Agenda Item Type	General Business Item		
Subject	Payroll Roster for PPE 12/31/2022		
Ordinance/Reso #		Contract #	
Project #		Permit #	
Department	Finance		

Consent Agenda	<input checked="" type="checkbox"/>
Ordinance/Reso	<input type="checkbox"/>
Public Mtg / Hrg	<input type="checkbox"/>
Other	<input type="checkbox"/>
Quasi-Judicial	<input type="checkbox"/>

Recommendation

That Council approve the Payroll Roster.

Motion for Consideration

I move to approve the Payroll Roster for 12/31/2022 in the amount of \$2,014,741.18 comprised of check numbers 76334 through 76340 and direct deposit numbers 209285 through 209700.

Summary

None.

Alternatives

None.

Fiscal Impact

Total: \$2,014,741.18.

Through	
Dept Head Approval	Dan Legard Jan 06, 11:56:36 GMT-0800 2023
City Mgr Approval	Marie Mosley Jan 13, 09:33:46 GMT-0800 2023

Attachments:

Payroll Roster

Recording Required?

January 17, 2023

All Departments:

December 31, 2022

ADMINISTRATIVE TEAM	2,927.57
CITY COUNCIL	4,700.00
CITY MANAGER	12,505.15
CIVIL SERVICE	5,465.50
COMMUNITY PLANNING & ECONOMIC DEVELOPMENT	25,319.05
EMPLOYEE & COMMUNITY RELATIONS	50,506.14
ENGINEERING	59,256.73
FACILITIES & GROUNDS	86,667.79
FINANCE	53,978.60
FIRE	96,102.87
LEGAL SERVICES	23,214.53
MANAGEMENT SERVICES	98,474.42
POLICE	472,025.68
	<hr/>
Subtotal General Fund	991,144.03
	<hr/>
STREETS	35,513.51
TRAFFIC	24,427.44
	<hr/>
Subtotal Street Fund	59,940.95
	<hr/>
BI-PIN	10,634.39
BUILDING SAFETY	44,690.13
COMMUNITY DEVELOPMENT	3,064.43
CRIMINAL JUSTICE	79,425.95
EQUIPMENT RENTAL	13,604.61
MEDICAL SERVICES	367,632.44
RISK MANAGEMENT	3,847.73
STORMWATER UTILITY	13,378.81
WATER & SEWER	142,425.83
	<hr/>
Subtotal Other Funds	678,704.32
	<hr/>
Total Salaries and Wages	1,729,789.30
	<hr/>
<u>Benefits:</u>	
	<hr/>
Industrial Insurance	49,525.12
Medical Retirement Account	3,150.00
Retirement	127,383.96
Social Security	43.64
Social Security (FICA)	101,250.84
WA Family Leave	3,598.32
	<hr/>
Total Benefits	284,951.88
	<hr/>
Grand Total	<u>\$2,014,741.18</u>

I, Dan Legard, Finance Director, at the direction of the Council, do hereby certify that the Payroll hereinabove specified is approved for payment in the amount of \$2,014,741.18 comprised of check numbers 76334 through 76340 and direct deposit numbers 209285 through 209700.

Approved for payment:



Dan Legard, Finance Director

Council Agenda Coversheet



Agenda Item Number	4.d.	Council Date	01/03/2023
Agenda Item Type	Contract/Agreement/Lease		
Subject	Easement Relinq 5916, 5917, 6029 W 28th Ave		
Ordinance/Reso #		Contract #	
Project #		Permit #	
Department	Public Works		

Consent Agenda	<input checked="" type="checkbox"/>
Ordinance/Reso	<input type="checkbox"/>
Public Mtg / Hrg	<input type="checkbox"/>
Other	<input type="checkbox"/>
Quasi-Judicial	<input type="checkbox"/>

Recommendation

Authorize the City Manager to sign Easement Relinquishment Deed at 5916, 5917, 6029 West 28th Avenue and the Zone 4 Reservoir parcel.

Motion for Consideration

I move to authorize the City Manager to sign Easement Relinquishment Deed at 5916, 5917, 6029 West 28th Avenue and the Zone 4 Reservoir parcel.

Summary

Scot & Tyler LLC, A Washington Limited Liability Company is requesting the City to sign the Easement Relinquishment Deed for a 50 foot wide private access easement to clear up title to the affected parcels.

The Easement Relinquishment Deed removes any possible interest in a 50 foot wide private access easement that was created by deed recorded under Auditor File 94-16157.

When a portion of the property was deeded to the City of Kennewick for the Zone 4 Reservoir the private access was not addressed.

The City or the adjoining parcels have no use for the easement and have never used the easement.

Alternatives

None.

Fiscal Impact

None.

Through	John Cowling Jan 06, 10:01:29 GMT-0800 2023
Dept Head Approval	Cary Roe Jan 12, 06:42:15 GMT-0800 2023
City Mgr Approval	Marie Mosley Jan 13, 09:37:14 GMT-0800 2023

Attachments:

Deed Map

Recording Required?

WHEN RECORDED RETURN TO:
WALKER HEYE, PLLC
1333 Columbia Park Trail, Suite 220
Richland, WA 99352

EASEMENT RELINQUISHMENT DEED

Reference number of related document:
Grantor:
Grantee:
Abbreviated legal description:
Additional legal description:
Assessor's tax parcel ID Number:

This Easement Relinquishment Deed is made this 14 of December 2022, ("Effective Date") by the City of Kennewick, a municipal corporation and Scot & Tyler, LLC, a Washington limited liability ("Grantors").

RECITALS

By virtue of certain deeds recorded under Benton County Auditor's File No. 94-16157 an easement was created over and across the east fifty feet (50') of the following described property in Benton County Washington:

The north half of the northeast quarter of the northeast quarter of Section 17,
Township 8 North, Range 29 East, W.M.,

Grantors are owners of property both benefitted and burdened by this easement as shown on Exhibit A hereto. No other properties have beneficial use of this easement. Grantors wish to release and extinguish any easement rights they have as benefitted owners.

Now therefore, each of the above Grantors hereby release and forever relinquish any rights whatsoever in the easement above described, both individually and as owners of a benefitted property. This release is intended to bind the successors and assigns of both parties.

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the _____ of _____, to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

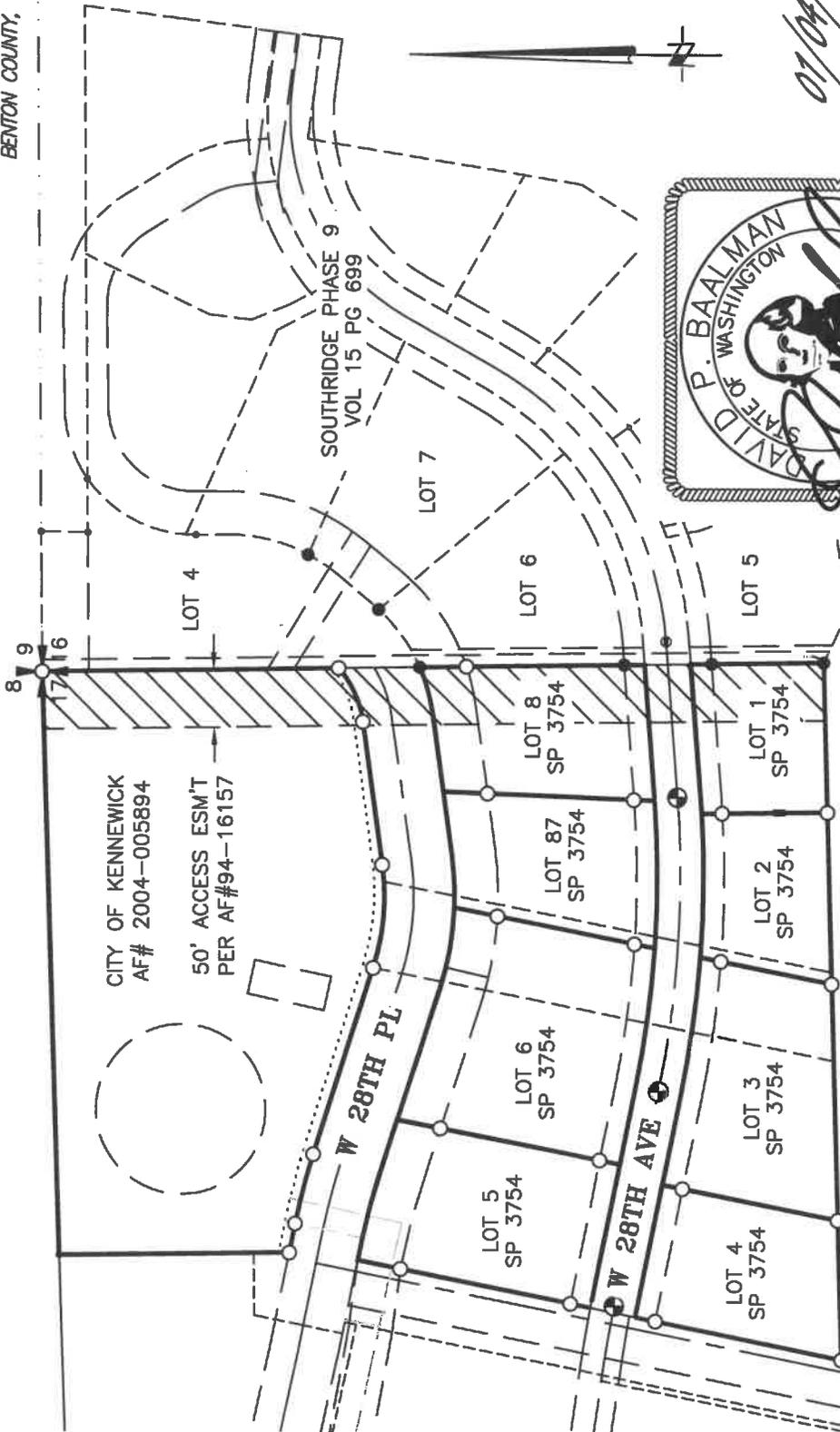
DATED this ____ day of _____, 2022.

Notary Public in and for the State of
Washington, residing at _____
My Commission Expires: _____

EXHIBIT A

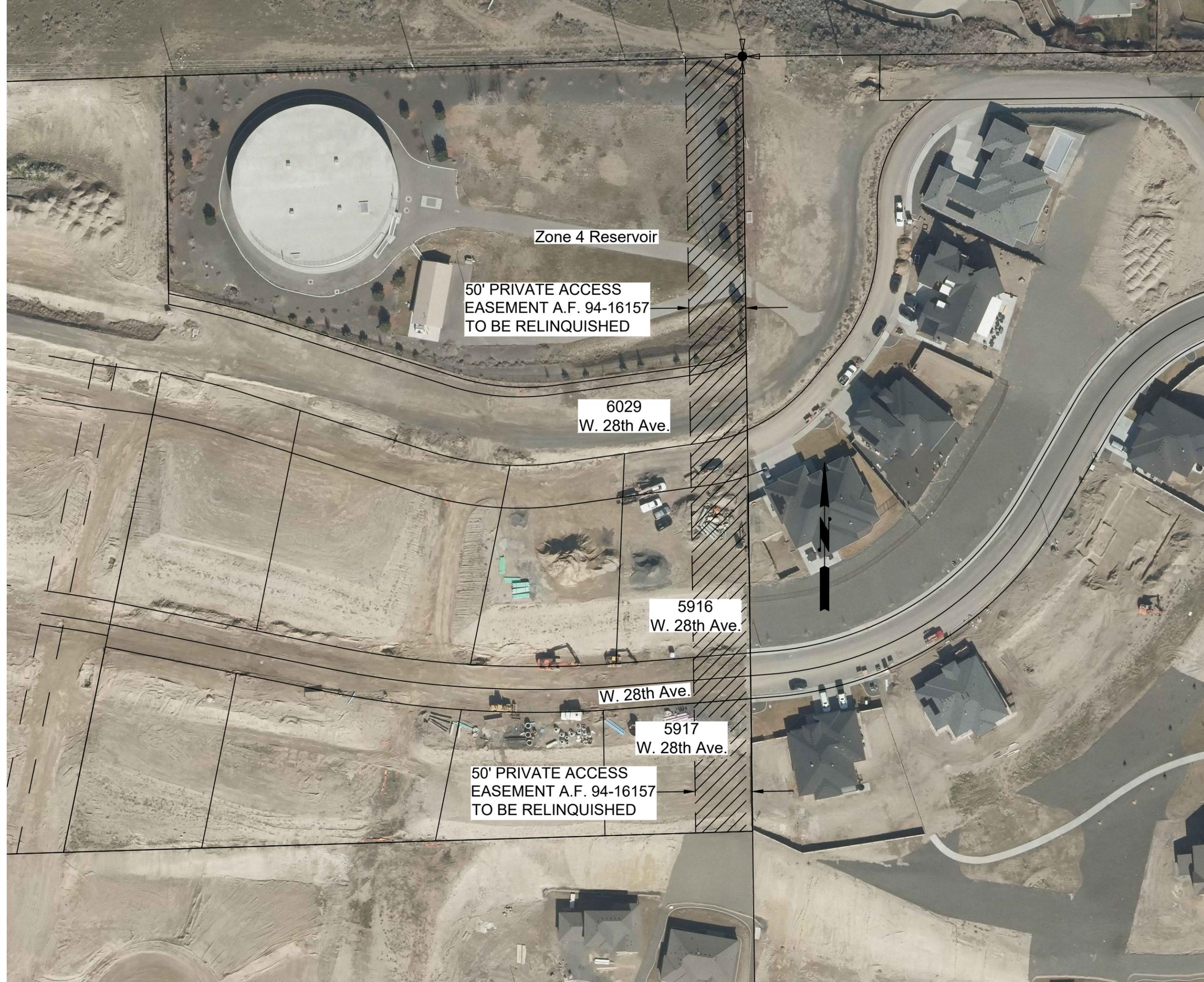
EXHIBIT MAP

ACCESS EASEMENT VACATION
PTN NE1/4 S17 T8N R29E W1M.
BENTON COUNTY, WASHINGTON



01/04/2023

06821-EXHIBIT.DWG



Zone 4 Reservoir

50' PRIVATE ACCESS
EASEMENT A.F. 94-16157
TO BE RELINQUISHED

6029
W. 28th Ave.

5916
W. 28th Ave.

W. 28th Ave.

5917
W. 28th Ave.

50' PRIVATE ACCESS
EASEMENT A.F. 94-16157
TO BE RELINQUISHED



Council Agenda Coversheet 	Agenda Item Number	5.a.(1)	Council Date	01/17/2023	Consent Agenda	<input type="checkbox"/>
	Agenda Item Type	Ordinance			Ordinance/Reso	<input checked="" type="checkbox"/>
	Subject	Stormwater Code Revisions KMC 5.56			Public Mtg / Hrg	<input type="checkbox"/>
	Ordinance/Reso #	6004	Contract #		Other	<input type="checkbox"/>
	Project #		Permit #		Quasi-Judicial	<input type="checkbox"/>
	Department	Public Works				

Recommendation

Adopt Ordinance 6004, Adding KMC 5.56.211 Erosion and Sediment Control, amending KMC 5.56.600 Storm Standards & 5.56.610 Storm Construction.

Motion for Consideration

I move to adopt Ordinance 6004.

Summary

In July, 2019, the current NPDES Stormwater Permit was implemented in eastern Washington, containing graduating requirements through its 5-year length. Section S5.B3 of this NPDES Stormwater Permit requires an implementation and enforcement program to prevent, detect, characterize, trace, and eliminate illicit connections and illicit discharges to the City Storm System, including on private property. Section S5.B4 of this NPDES Stormwater Permit requires an implementation and enforcement program to reduce pollutants in any stormwater runoff to the City storm system from public and private construction activities. Section S5.B5 of this NPDES Stormwater Permit requires review, inspection, and compliance for post-construction stormwater controls at new development and redevelopment projects.

To remain in compliance with the requirements of the NPDES Stormwater Permit, additional language needs to be added to the Kennewick Municipal Code as shown in the proposed ordinance. These revisions were discussed by City Staff at the City Council workshop on January 10, 2023 and have been reviewed by the City Attorney's office.

The NPDES Stormwater Permit requires the ordinance to be adopted by February 01, 2023.

Alternatives

N/A

Fiscal Impact

N/A

Through	John Cowling Jan 11, 11:26:19 GMT-0800 2023	Attachments: Ordinance Ordinance - Redline Presentation
Dept Head Approval	Cary Roe Jan 11, 15:30:05 GMT-0800 2023	
City Mgr Approval	Marie Mosley Jan 13, 09:44:07 GMT-0800 2023	
		<input type="checkbox"/> Recording Required?

CITY OF KENNEWICK
ORDINANCE NO. 6004

AN ORDINANCE RELATING TO PUBLIC WORKS CONSTRUCTION STANDARDS AND ~~ADDING A NEW DEFINITION~~ AMENDING SECTIONS 5.56.030, 5.56 VIII., 5.56.600, -5.56.610, AND 5.56.630, OF THE KENNEWICK MUNICIPAL CODE ~~AND ADDING (1) AND (5) AND RENUMBERING THE REMAINING DEFINITIONS, A NEW SECTION 5.56.211 EROSION AND SEDIMENT CONTROL, A CHANGE TO THE TITLE OF KMC SECTION VIII OF KMC 5.56, A MODIFICATION TO SUBSECTION 5.56.600 (1) AND (3), A MODIFICATION TO SECTION 5.56.610, STORM CONSTRUCTION, A MODIFICATION TO SECTION 5.56.630, ACCEPTANCE OF STORM SYSTEMS BY THE CITY TO THE KENNEWICK MUNICIPAL CODE~~ TO THE KENNEWICK MUNICIPAL CODE

WHEREAS, Revised Code of Washington (RCW) 90.48.520 states that discharge of toxins to waters of the State of Washington, which would violate any water quality standard, including toxicant standards, sediment criteria, and dilution zone criteria is prohibited.

WHEREAS, The National Pollution Discharge Elimination System and State Discharge General Permit from Small Municipal Separate Storm Sewers in Eastern Washington allows the City to discharge stormwater runoff to waters of the state under the specific elements of the permit.

WHEREAS, in July 1, 2019, the current NPDES Stormwater Permit was implemented in eastern Washington, containing graduating requirements through its 5-year length.

WHEREAS, Section S5.B3 of this NPDES Stormwater Permit requires an implementation and enforce a program to prevent, detect, characterize, trace, and eliminate illicit connections and illicit discharges to the City Storm System, including on private property.

WHEREAS, Section S5.B4 of this NPDES Stormwater Permit requires an implementation and enforce a program to reduce pollutants in any stormwater runoff to the City storm system from public and private construction activities.

~~WHEREAS, Section S5.B5 of this NPDES Stormwater Permit requires review, inspection, and compliance for post-construction stormwater controls at new development and redevelopment projects.~~

WHEREAS, The NPDES Stormwater Permit requires the ordinance to be adopted by February 01, 2023.

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

Section 1. ~~There is hereby added new subsections 5.56.030 (1) and (5) and renumber the other definitions to the Kennewick Municipal Code, to read as follows:~~ Section 5.56.030 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

5.56.030: - Definitions.

- (1) All Known, Available, and Reasonable Methods of Preservation, Control, and Treatment (AKART) refers to the State Water Control Pollution Control Act, RCW 90.48.010 and 90.48.520.
- (42) City means the City of Kennewick, Washington, and its appointed or elected officials.
- (23) Contractor is a person, firm, or corporation doing or performing work regulated by this Chapter.
- (34) Deputy Director of Public Works is that officer or agent of the City who superintends the construction, repair or improvement of public works, his/her employees and agents.
- (5) NPDES Stormwater Permit shall mean the Eastern Washington Phase II Municipal Stormwater permit required by State Law in order to operate a small Municipal Separate Storm Sewer System (MS4).
- (46) Permittee is the person, firm, or corporation applying for a permit or to whom a permit has been issued for an improvement within the City.
- (57) Property Owner is a person, firm, or corporation who has legal or equitable title to the property on which the improvement fronts or is being made, including his agents.
- (68) Standard Specifications refers to the current edition of the City of Kennewick's Standard Specifications and details for municipal public works construction prepared by the Deputy Director of Public Works and any modifications or amendments.
- (79) Stormwater Management Manual for Eastern Washington (SMMEW) shall mean the Stormwater Management Manual for Eastern Washington as approved and published by the Washington State Department of Ecology and dated September 2004 or the latest edition and amendments thereto.
- (810) Traffic Engineer means the City's Traffic Engineer or his/her designee.
(-Ord. 6004 Sec. 1, 2023; Ord. 5999 Sec. 1, 2022; Ord. 5655 Sec. 1, 2016; Ord. 5203 Sec. 2, 2007; Ord. 2788 Sec. 1(part), 1983; Ord. 1295 Ch. III, Sec. 1, 1965)

Section 2. Section 5.56.211 of the Kennewick Municipal Code, be, and the same hereby is, added to read as follows:

~~There is hereby added a new section 5.56.211 to the Kennewick Municipal Code, to read as follows:~~

5.56.211: - Erosion and Sediment Control.

All commercial and residential development and redevelopment construction shall, design, install, maintain and remove erosion and sediment controls in accordance with Appendix 1, (Core Element #2 of) the NPDES Stormwater Permit. Construction activities disturbing one acre or more and construction projects of less than one acre that are part of a larger common plan of development or sale, shall prepare a Construction Stormwater Pollution Prevention Plan (Construction SWPPPs) and applicable BMPs as necessary to protect water quality, reduce the discharge of pollutants to the MEP, and satisfy state AKART requirements. BMP's shall be selected, installed and maintained following the SMMEW, and City Standards. See KMC 14.28, KMC 14.29, KMC 17.20.040, and KMC 17.20.070.
(Ord. 6004 Sec. 2, 2023)

~~Section 3. There is hereby modified title to Section 5.56 Section VIII of the Kennewick Municipal Code, to read as follows~~Section 5.56, Title VIII of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

VIII. SANITARY SEWERS AND STORM DRAINS

(Ord. 6004 Sec. 3, 2023; Ord. 2788 Sec. 1 (part); ~~???~~ ~~unsure of the previous code numbers for the title of section VIII???)~~

~~Section 4. -Section 5.56.600 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:~~

~~There is hereby modified subsection 5.56.600 (1) and add subsection 5.56.600 (3) to the Kennewick Municipal Code, to read as follows:~~

5.56.600: - Storm Standards.

- (1) All main lines, lateral lines, manholes, drywell, ponds ditches, catch basins and natural or manmade infiltration or conveyance structures intend to manage stormwater must be designed, registered, constructed and maintained in accord with Appendix 1 of the NPDES Stormwater Permit, the Stormwater Management Manual of Eastern Washington and the City Standard Specifications. See KMC 14.28 and 14.29.
- (2) All permits for Stormwater systems must be made through the Department of Public Works.
- (3) Stormwater shall be retained and disposed of onsite meeting the 25 year 24 hour Soil Conservation Service (SCS) Type 1A Storm. The 100 year, 24 hour design storm shall be considered per KMC 14.28. Where deemed infeasible by the Public Works Director to infiltrate on site due to surface or subsurface conditions, alternate stormwater disposal may be allowed within the same drainage basin where approved.

(Ord. 6004 Sec. 4, 2023; Ord. 5655 Sec. 28, 2016)

Section 5. ~~Section 5.56.610 (1) of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:~~

~~There is hereby modified subsection 5.56.610 (1) to the Kennewick Municipal Code, to read as follows:~~

5.56.610: - Storm Construction.

- (1) Before a permit will be issued for the construction of any storm system, the permittees must provide all necessary surveys, grades, engineering design data, drainage report, plans, SWPPP, stormwater site plans, specifications, estimate of quantities, ~~and~~ subsequent to issuance of the permit, all necessary construction staking, all of which must be certified by a registered engineer or surveyor and all erosion and sediment control best management practices shall be installed and maintained to this code under the direction of a state certified erosion and sediment control lead. The City may do this work for an appropriate fee. The contractor must notify the Deputy Director of Public Works in writing at least 24 hours before commencing construction. The Deputy Director of Public Works will check the work during construction and no work may be commenced until the grades and alignment have been checked and an inspector is present. No phase of construction may be commenced if it obscures any phase of construction before the prior has been adequately inspected, and the contractor must remove, at his own expense, any such construction if directed by the Deputy Director of Public Works. All work must be inspected prior to backfilling.

(Ord. 6004 Sec. 5, 2023; Ord. 5655 Sec. 29, 2016)

Section 6. ~~Section 5.56.630 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:~~

~~There is hereby modified section 5.56.630 to the Kennewick Municipal Code, to read as follows:~~

5.56.630: - Acceptance of Storm Systems by the City.

No storm sewer ~~main~~ improvement will be accepted until the Deputy Director of Public Works is satisfied that the work has been performed in accord with this Chapter. Private drainage facilities ~~sewer services~~ are subject to inspection and acceptance by the City.

(Ord. 6004 Sec. 6, 2023; Ord. 5655 Sec. 31, 2016)

Section 7. This ordinance shall be in full force and effect five (5) days from and after its approval, passage and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 17th day of January, 2023, and signed in authentication of its passage this 17th day of January, 2023.

GRETLE CRAWFORD, Mayor Pro Tem

Attest:

TERRI L. WRIGHT, City Clerk

ORDINANCE NO. 6004 filed and
recorded in the office of the City Clerk of
the City of Kennewick, Washington this
17⁸~~7~~th day of January, 2023

Approved as to Form:

LISA BEATON, City Attorney

TERRI L. WRIGHT, City Clerk

DATE OF PUBLICATION _____

CITY OF KENNEWICK
ORDINANCE NO. 6004

AN ORDINANCE RELATING TO PUBLIC WORKS CONSTRUCTION
STANDARDS AND AMENDING SECTIONS 5.56.030, 5.56.VIII., 5.56.600,
5.56.610, AND 5.56.630, OF THE KENNEWICK MUNICIPAL CODE AND
ADDING SECTION 5.56.211 TO THE KENNEWICK MUNICIPAL CODE

WHEREAS, Revised Code of Washington (RCW) 90.48.520 states that discharge of toxins to waters of the State of Washington, which would violate any water quality standard, including toxicant standards, sediment criteria, and dilution zone criteria is prohibited.

WHEREAS, The National Pollution Discharge Elimination System and State Discharge General Permit from Small Municipal Separate Storm Sewers in Eastern Washington allows the City to discharge stormwater runoff to waters of the state under the specific elements of the permit.

WHEREAS, in July 1, 2019, the current NPDES Stormwater Permit was implemented in eastern Washington, containing graduating requirements through its 5-year length.

WHEREAS, Section S5.B3 of this NPDES Stormwater Permit requires an implementation and enforce a program to prevent, detect, characterize, trace, and eliminate illicit connections and illicit discharges to the City Storm System, including on private property.

WHEREAS, Section S5.B4 of this NPDES Stormwater Permit requires an implementation and enforce a program to reduce pollutants in any stormwater runoff to the City storm system from public and private construction activities.

WHEREAS, Section S5.B5 of this NPDES Stormwater Permit requires review, inspection, and compliance for post-construction stormwater controls at new development and redevelopment projects.

WHEREAS, The NPDES Stormwater Permit requires the ordinance to be adopted by February 01, 2023.

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

Section 1. Section 5.56.030 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

5.56.030: - Definitions.

- (1) All Known, Available, and Reasonable Methods of Preservation, Control, and Treatment (AKART) refers to the State Water Control Pollution Control Act, RCW 90.48.010 and 90.48.520.

- (2) City means the City of Kennewick, Washington, and its appointed or elected officials.
- (3) Contractor is a person, firm, or corporation doing or performing work regulated by this Chapter.
- (4) Deputy Director of Public Works is that officer or agent of the City who superintends the construction, repair or improvement of public works, his/her employees and agents.
- (5) NPDES Stormwater Permit shall mean the Eastern Washington Phase II Municipal Stormwater permit required by State Law in order to operate a small Municipal Separate Storm Sewer System (MS4).
- (6) Permittee is the person, firm, or corporation applying for a permit or to whom a permit has been issued for an improvement within the City.
- (7) Property Owner is a person, firm, or corporation who has legal or equitable title to the property on which the improvement fronts or is being made, including his agents.
- (8) Standard Specifications refers to the current edition of the City of Kennewick's Standard Specifications and details for municipal public works construction prepared by the Deputy Director of Public Works and any modifications or amendments.
- (9) Stormwater Management Manual for Eastern Washington (SMMEW) shall mean the Stormwater Management Manual for Eastern Washington as approved and published by the Washington State Department of Ecology and dated September 2004 or the latest edition and amendments thereto.
- (10) Traffic Engineer means the City's Traffic Engineer or his/her designee.

(Ord. 6004 Sec. 1, 2023; Ord. 5999 Sec. 1, 2022; Ord. 5655 Sec. 1, 2016; Ord. 5203 Sec. 2, 2007; Ord. 2788 Sec. 1(part), 1983; Ord. 1295 Ch. III, Sec. 1, 1965)

Section 2. Section 5.56.211 of the Kennewick Municipal Code, be, and the same hereby is, added to read as follows:

5.56.211: - Erosion and Sediment Control.

All commercial and residential development and redevelopment construction shall, design, install, maintain and remove erosion and sediment controls in accordance with Appendix 1, (Core Element #2 of) the NPDES Stormwater Permit. Construction activities disturbing one acre or more and construction projects of less than one acre that are part of a larger common plan of development or sale, shall prepare a Construction Stormwater Pollution Prevention Plan (Construction SWPPPs) and applicable BMPs as necessary to protect water quality, reduce the discharge of pollutants to the MEP, and satisfy state AKART requirements. BMP's shall be selected, installed and maintained following the SMMEW, and City Standards. See KMC 14.28, KMC 14.29, KMC 17.20.040, and KMC 17.20.070.

(Ord. 6004 Sec. 2, 2023)

Section 3. Section 5.56, Title VIII of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

VIII. SANITARY SEWERS

(Ord. 6004 Sec. 3, 2023; Ord. 2788 Sec. 1 (part))

Section 4. Section 5.56.600 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

5.56.600: - Storm Standards.

- (1) All main lines, lateral lines, manholes, drywell, ponds ditches, catch basins and natural or manmade infiltration or conveyance structures intend to manage stormwater must be designed, registered, constructed and maintained in accord with Appendix 1 of the NPDES Stormwater Permit, the Stormwater Management Manual of Eastern Washington and the City Standard Specifications. See KMC 14.28 and 14.29.
- (2) All permits for Stormwater systems must be made through the Department of Public Works.
- (3) Stormwater shall be retained and disposed of onsite meeting the 25 year 24 hour Soil Conservation Service (SCS) Type 1A Storm. The 100 year, 24 hour design storm shall be considered per KMC 14.28. Where deemed infeasible by the Public Works Director to infiltrate on site due to surface or subsurface conditions, alternate stormwater disposal may be allowed within the same drainage basin where approved.

(Ord. 6004 Sec. 4, 2023; Ord. 5655 Sec. 28, 2016)

Section 5. Section 5.56.610 (1) of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

5.56.610: - Storm Construction.

- (1) Before a permit will be issued for the construction of any storm system, the permittees must provide all necessary surveys, grades, engineering design data, drainage report, plans, SWPPP, stormwater site plans, specifications, estimate of quantities. Subsequent to issuance of the permit, all necessary construction staking must be certified by a registered engineer or surveyor and all erosion and sediment control best management practices shall be installed and maintained to this code under the direction of a state certified erosion and sediment control lead. The City may do this work for an appropriate fee. The contractor must notify the Deputy Director of Public Works in writing at least 24 hours before commencing construction. The Deputy Director of Public Works will check the work during construction and no work may be commenced until the grades and alignment have been checked and an inspector is present. No phase of construction may be

commenced if it obscures any phase of construction before the prior has been adequately inspected, and the contractor must remove, at his own expense, any such construction if directed by the Deputy Director of Public Works. All work must be inspected prior to backfilling.

(Ord. 6004 Sec. 5, 2023; Ord. 5655 Sec. 29, 2016)

Section 6. Section 5.56.630 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

5.56.630: - Acceptance of Storm Systems by the City.

No storm sewer improvement will be accepted until the Deputy Director of Public Works is satisfied that the work has been performed in accord with this Chapter. Private drainage facilities are subject to inspection and acceptance by the City.

(Ord. 6004 Sec. 6, 2023; Ord. 5655 Sec. 31, 2016)

Section 7. This ordinance shall be in full force and effect five (5) days from and after its approval, passage and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 17th day of January, 2023, and signed in authentication of its passage this 17th day of January, 2023.

GRETL CRAWFORD, Mayor Pro Tem

Attest:

TERRI L. WRIGHT, City Clerk

ORDINANCE NO. 6004 filed and recorded in the office of the City Clerk of the City of Kennewick, Washington this 18th day of January, 2023

Approved as to Form:

LISA BEATON, City Attorney

TERRI L. WRIGHT, City Clerk

DATE OF PUBLICATION _____

Stormwater Code Updates

City Council Workshop January 17, 2023
Martin Nelson, Development Review Supervisor



NPDES Stormwater Permit Requirements ***(S5.B.3, S5.B.4, & S5.B.5)***

- Ordinance must implement and enforce a program to:
 - Prevent, detect, characterize, trace, and eliminate illicit connections and illicit discharges to the City Storm System and wellhead protection area, including on private property.
 - Provide for both construction-phase and post-construction access for the City to inspect stormwater facilities on private property.
 - Reduce pollutants in any stormwater runoff to the City storm system from public and private construction activities.



NPDES Stormwater Permit Requirements ***(S5.B.3, S5.B.4, & S5.B.5)***

- Ordinance must require that design, plan review, installation, inspection, operation and maintenance compliance for construction and post-construction stormwater controls at public and private, new development and redevelopment projects meet Appendix 1 of the NPDES Stormwater Permit.



NPDES Stormwater Permit Requirements ***(S5.B.3, S5.B.4, & S5.B.5)***

- Ordinance shall:
 - Specify a Hydrologic method for sizing storm systems.
 - Specify infeasibility criteria for infiltration on site.



Next Steps

- Staff Recommends Council Approve the following Ordinances:
 - Ordinance 6004 modifying KMC 5.56
 - Ordinance 6005 modifying KMC 14.28
 - Ordinance 6006 modifying KMC 14.29



Questions?



Council Agenda Coversheet



Agenda Item Number	5.a.(2)	Council Date	01/17/2023
Agenda Item Type	Ordinance		
Subject	Stormwater Code Revisions KMC 14.28		
Ordinance/Reso #	6005	Contract #	
Project #		Permit #	
Department	Public Works		

Consent Agenda	<input type="checkbox"/>
Ordinance/Reso	<input checked="" type="checkbox"/>
Public Mtg / Hrg	<input type="checkbox"/>
Other	<input type="checkbox"/>
Quasi-Judicial	<input type="checkbox"/>

Recommendation

Adopt Ordinance 6005, Amending KMC 14.28.042 Ownership of Private Stormwater Facilities & 14.28.045 Design, Construction & Post Construction & adding KMC 14.28.046 Inspection and Enforcement Authority.

Motion for Consideration

I move to adopt Ordinance 6005.

Summary

In July, 2019, the current NPDES Stormwater Permit was implemented in eastern Washington, containing graduating requirements through its 5-year length. Section S5.B3 of this NPDES Stormwater Permit requires an implementation and enforcement program to prevent, detect, characterize, trace, and eliminate illicit connections and illicit discharges to the City Storm System, including on private property. Section S5.B4 of this NPDES Stormwater Permit requires an implementation and enforcement program to reduce pollutants in any stormwater runoff to the City storm system from public and private construction activities. Section S5.B5 of this NPDES Stormwater Permit requires review, inspection, and compliance for post-construction stormwater controls at new development and redevelopment projects.

To remain in compliance with the requirements of the NPDES Stormwater Permit, additional language needs to be added to the Kennewick Municipal Code as shown in the proposed ordinance. These revisions were discussed by City Staff at the City Council workshop on January 10, 2023 and have been reviewed by the City Attorney's office.

The NPDES Stormwater Permit requires the ordinance to be adopted by February 01, 2023.

Alternatives

N/A

Fiscal Impact

N/A

Through

John Cowling
Jan 11, 11:32:50 GMT-0800 2023

Dept Head Approval

Cary Roe
Jan 11, 15:30:27 GMT-0800 2023

City Mgr Approval

Marie Mosley
Jan 13, 09:54:56 GMT-0800 2023

Attachments:

Ordinance
Ordinance - Redline

Recording
Required?

CITY OF KENNEWICK
ORDINANCE NO. 6005

~~AN ORDINANCE RELATING TO STORMWATER AND AMENDING SECTIONS ADDING A NEW DEFINITION 14.28.010 (12), MODIFYING DEFINITION 14.28.010 (15), RENUMBERING THE REMAINING DEFINITIONS, MODIFYING SECTION 14.28.020, CREATION OF STORMWATER UTILITY AUTHORITY, MODIFYING SECTION 14.28.042, OWNERSHIP OF PRIVATE STORMWATER FACILITIES, MODIFYING SECTION 14.28.045 DESIGN, CONSTRUCTION, AND POST CONSTRUCTION, AND ADDING SUBSECTION 14.28.045 (1) AND (2) DESIGN, CONSTRUCTION, AND POST CONSTRUCTION, OF THE KENNEWICK MUNICIPAL CODE AND ADDING NEW SECTION 14.28.046 INSPECTION AND ENFORCEMENT AUTHORITY TO THE KENNEWICK MUNICIPAL CODE~~

WHEREAS, Revised Code of Washington (RCW) 90.48.520 states that discharge of toxins to waters of the State of Washington, which would violate any water quality standard, including toxicant standards, sediment criteria, and dilution zone criteria is prohibited.

WHEREAS, The National Pollution Discharge Elimination System and State Discharge General Permit from Small Municipal Separate Storm Sewers in Eastern Washington allows the City to discharge stormwater runoff to waters of the state under the specific elements of the permit.

WHEREAS, in July 1, 2019, the current NPDES Stormwater Permit was implemented in eastern Washington, containing graduating requirements through its 5-year length.

WHEREAS, Section S5.B3 of this NPDES Stormwater Permit requires an implementation and enforce a program to prevent, detect, characterize, trace, and eliminate illicit connections and illicit discharges to the City Storm System, including on private property.

WHEREAS, Section S5.B4 of this NPDES Stormwater Permit requires an implementation and enforce a program to reduce pollutants in any stormwater runoff to the City storm system from public and private construction activities.

WHEREAS, Section S5.B5 of this NPDES Stormwater Permit requires review, inspection, and compliance for post-construction stormwater controls at new development and redevelopment projects.

WHEREAS, The NPDES Stormwater Permit requires the ordinance to be adopted by February 01, 2023.

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

Section 1. ~~Section 14.28.010 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:~~

~~There is hereby added new subsection 14.28.010 (12), modification to subsection (15), and renumbering the remaining definitions to the Kennewick Municipal Code, to read as follows:~~

14.28.010: ~~-~~ Definitions.

~~(12) —Outfall means point source, as defined by 40 CFR 122.2, at the point where a discharge leaves the MS4 and enters a surface receiving waterbody or surface receiving waters. Outfall does not include pipes, tunnels, or other conveyances which connect segments of the same stream or other surface waters and are used to convey primarily surface waters (i.e., culverts).~~

~~(132) *Parcel* means the smallest separately segregated unit or plot of land having an identified owner, boundaries, and surface area which is documented for property tax purposes and given a tax lot number by the Benton County Assessor.~~

~~(143) *Property Owner of Record* means a person or persons shown in the records of the Benton County Assessor to be the owner of property and to whom property tax statements are directed.~~

~~(154) *Residential* shall mean a single dwelling unit. Private boarding houses and other such businesses shall be considered under this category.~~

~~(165) *Stormwater* means the water originating from rainfall and other precipitation that is found on the surface, in drainage facilities, rivers, streams, springs, seeps, ponds, lakes, and wetlands as well as shallow groundwater.~~

~~(176) *Stormwater Management Manual for Eastern Washington (SMMEW)* shall mean the Stormwater Management Manual for Eastern Washington published by the Washington State Department of Ecology and dated September 2004 or the latest edition and amendments thereto.~~

(187) *Utility* shall mean the City of Kennewick, Washington Stormwater Utility, a utility authorized to plan, own, administer, maintain, operate, construct, procure and preserve all City storm drainage systems and related facilities.

(198) *Vacant Land* shall mean property with no man-made impervious surfaces thereon including property designated as public open space.

(Ord. 6005 Sec. 1, 2023; Ord. 5656 Sec. 1, 2016; Ord. 5290 Sec. 1, 2010; Ord. 5260 Sec. 1, 2009)

Section 2. ~~Section 14.28.020 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:- There is hereby modified subsection 14.28.020 to the Kennewick Municipal Code, to read as follows:~~

14.28.020: - Creation of Stormwater—Utility—Authority.

There is hereby created and established a stormwater utility, a separate enterprise, and facility. The utility is authorized to plan, own, administer, construct, maintain, operate and preserve all City stormwater infrastructure and facilities as now exist and as may be added to in the future by the addition of other existing or the construction or procurement of storm drainage systems or related facilities. In addition to its authority over City stormwater facilities, the utility is authorized to administer, maintain, and operate the street sweeping functions of the City's street maintenance program. The utility is also being created to address other elements associated with compliance with the City's NPDES sStormwater pPermit.

(Ord. 6005 Sec. 2, 2023; Ord. 5260 Sec. 4, 2009)

Section 3. ~~There is hereby modified subsection 14.28.042 to the Kennewick Municipal Code, to read as follows:- Section 14.28.042 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:~~

14.28.042: - Ownership of Private Stormwater Facilities.

For commercial and residential development and redevelopment sites, Aall costs and liability associated with the design, registration, construction, inspection, maintenance, record keeping, and spill response associated with the ownership and management of a private storm system is the full responsibility of the owner. All ownership responsibilities shall be performed in accordance with the NPDES Stormwater Permit, Stormwater Management Manual for Eastern Washington, this Chapter of the Kennewick Municipal Code, and City of Kennewick Standards.

(Ord. 6005 Sec. 3, 2023; Ord. 5656 Sec. 3, 2016)

Section 4. ~~There is hereby modified section 14.28.045 and added subsections (1) and (2) to the Kennewick Municipal Code, to read as follows: Section 14.28.045 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:~~

14.28.045: - Design, Construction, and Post Construction.

The City formally adopts the Stormwater Management Manual of Eastern Washington. All design, construction, and post construction management of erosion and sediment control and storm drainage facilities shall be in accordance with Appendix 1 of the NPDES Stormwater Permit, the Stormwater Management Manual for Eastern Washington, and City Standards and Comprehensive Plans. See Chapter 5.56 and 14.29.

- (1) Stormwater shall be retained and disposed of onsite meeting the volume determined by the Soil Conservation Service (SCS) Type 1A storm design method for the 25 year 24 hour frequency. Design of the flow based treatment BMPs will be based on the 6-month 3-hour hydrograph and volume based BMPs shall be based on the 6-month 24-hour hydrograph. Alternative methods must be approved by the Public Works Director.
- (2) This storm design shall satisfy the core elements of Appendix 1 of NPDES Stormwater Permit, the SMMEW, State Underground Injection Control Rule (Chapter 173-218 WAC) and COK Standard Specifications. In order to meet Section 5.6.4 of the SMMEW, storm design shall be further demonstrate retention up to the 100 year storm with allowance for on-site surface pooling. Where it is shown not feasible to retain, treat and dispose of stormwater on site, as approved by the Public Works Director, storm flows may be conveyed to, treated and disposed of at a regional infiltration facility within the same drainage basin. Discharging flows to surface waters of the state are the last resort. Design of treatment and flow control facilities shall meet the requirements listed above and shall include an assessment of the impacts to the downstream conveyance from the project site to the outfall or as approved by the Public Works director. On site infiltration infeasibility criteria include:
 - (a) Shallow ground water
 - (b) Impermeable or very low permeability subsurface material
 - (c) Proximity to known hazardous waste site or landfill, proximity to drinking water, well or spring, proximity to onsite sewage system, or underground storage tank, setback from structures, landslide hazard areas or slopes, incompatibility with surrounding drainage system from elevation or location or areas prone to erosion.

- (d) Incompatibility with uses related to concerns such as public safety, protection from spills, contaminated sites, or frequently flooded areas.
- (e) Incompatibility with state or federal laws.

(Ord. 6005 Sec. 4, 2023; Ord. 5656 Sec. 2, 2016; Ord. 5290 Sec. 7, 2010)

Section 5. ~~Section 14.28.046 of the Kennewick Municipal Code, be, and the same hereby is, added to read as follows: There is hereby added new section 14.28.046 to the Kennewick Municipal Code, to read as follows:~~

14.28.046: - Inspection and Enforcement Authority.

The Public Works Department shall have jurisdiction of the activities regulated in this Section. For inspection purposes, any duly authorized member of this Department shall have the right and is empowered to enter upon any premises at reasonable hours where activities regulated by this Section are occurring. This Department is empowered to issue orders to remedy, grant, renew, and revoke such licenses as are provided for in accordance with this section and conduct enforcement per KMC 14.29.

(Ord. 6005 Sec. 5, 2023)

Section 6. This ordinance shall be in full force and effect five (5) days from and after its approval, passage and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 17th day of January, 2023, and signed in authentication of its passage this 17th day of January, 2023.

GRETL CRAWFORD, Mayor Pro Tem

Attest:

TERRI L. WRIGHT, City Clerk

ORDINANCE NO. 6005 filed and
recorded in the office of the City Clerk of
the City of Kennewick, Washington this
17~~8~~⁸th day of January, 2023

Approved as to Form:

LISA BEATON, City Attorney

TERRI L. WRIGHT, City Clerk

DATE OF PUBLICATION _____

CITY OF KENNEWICK
ORDINANCE NO. 6005

AN ORDINANCE RELATING TO STORMWATER AND AMENDING
SECTIONS 14.28.010, 14.28.020, 14.28.042, 14.28.045 OF THE KENNEWICK
MUNICIPAL CODE AND ADDING SECTION 14.28.046 TO THE
KENNEWICK MUNICIPAL CODE

WHEREAS, Revised Code of Washington (RCW) 90.48.520 states that discharge of toxins to waters of the State of Washington, which would violate any water quality standard, including toxicant standards, sediment criteria, and dilution zone criteria is prohibited.

WHEREAS, The National Pollution Discharge Elimination System and State Discharge General Permit from Small Municipal Separate Storm Sewers in Eastern Washington allows the City to discharge stormwater runoff to waters of the state under the specific elements of the permit.

WHEREAS, in July 1, 2019, the current NPDES Stormwater Permit was implemented in eastern Washington, containing graduating requirements through its 5-year length.

WHEREAS, Section S5.B3 of this NPDES Stormwater Permit requires an implementation and enforce a program to prevent, detect, characterize, trace, and eliminate illicit connections and illicit discharges to the City Storm System, including on private property.

WHEREAS, Section S5.B4 of this NPDES Stormwater Permit requires an implementation and enforce a program to reduce pollutants in any stormwater runoff to the City storm system from public and private construction activities.

WHEREAS, Section S5.B5 of this NPDES Stormwater Permit requires review, inspection, and compliance for post-construction stormwater controls at new development and redevelopment projects.

WHEREAS, The NPDES Stormwater Permit requires the ordinance to be adopted by February 01, 2023.

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

Section 1. Section 14.28.010 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

14.28.010: - Definitions.

- (12) *Outfall* means point source, as defined by 40 CFR 122.2, at the point where a discharge leaves the MS4 and enters a surface receiving waterbody or surface receiving waters. Outfall does not include pipes, tunnels, or other conveyances

which connect segments of the same stream or other surface waters and are used to convey primarily surface waters (i.e., culverts).

- (13) *Parcel* means the smallest separately segregated unit or plot of land having an identified owner, boundaries, and surface area which is documented for property tax purposes and given a tax lot number by the Benton County Assessor.
- (14) *Property Owner of Record* means a person or persons shown in the records of the Benton County Assessor to be the owner of property and to whom property tax statements are directed.
- (15) *Residential* shall mean a single dwelling unit. Private boarding houses and other such businesses shall be considered under this category.
- (16) *Stormwater* means the water originating from rainfall and other precipitation that is found on the surface, in drainage facilities, rivers, streams, springs, seeps, ponds, lakes, and wetlands as well as shallow groundwater.
- (17) *Stormwater Management Manual for Eastern Washington (SMMEW)* shall mean the Stormwater Management Manual for Eastern Washington published by the Washington State Department of Ecology and dated September 2004 or the latest edition and amendments thereto.
- (18) *Utility* shall mean the City of Kennewick, Washington Stormwater Utility, a utility authorized to plan, own, administer, maintain, operate, construct, procure and preserve all City storm drainage systems and related facilities.
- (19) *Vacant Land* shall mean property with no man-made impervious surfaces thereon including property designated as public open space.

(Ord. 6005 Sec. 1, 2023; Ord. 5656 Sec. 1, 2016; Ord. 5290 Sec. 1, 2010; Ord. 5260 Sec. 1, 2009)

Section 2. Section 14.28.020 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

14.28.020: - Creation of Stormwater—Utility—Authority.

There is hereby created and established a stormwater utility, a separate enterprise, and facility. The utility is authorized to plan, own, administer, construct, maintain, operate and preserve all City stormwater infrastructure and facilities as now exist and as may be added to in the future by the addition of other existing or the construction or procurement of storm drainage systems or related facilities. In addition to its authority over City stormwater facilities, the utility is authorized to administer, maintain, and operate the street sweeping functions of the City's street maintenance program. The utility is also being created to address other elements associated with compliance with the City's NPDES Stormwater Permit.

(Ord. 6005 Sec. 2, 2023; Ord. 5260 Sec. 4, 2009)

Section 3. Section 14.28.042 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

14.28.042: - Ownership of Private Stormwater Facilities.

For commercial and residential development and redevelopment sites, all costs and liability associated with the design, registration, construction, inspection, maintenance, record keeping, and spill response associated with the ownership and management of a private storm system is the full responsibility of the owner. All ownership responsibilities shall be performed in accordance with the NPDES Stormwater Permit, Stormwater Management Manual for Eastern Washington, this Chapter of the Kennewick Municipal Code, and City of Kennewick Standards. (Ord. 6005 Sec. 3, 2023; Ord. 5656 Sec. 3, 2016)

Section 4. Section 14.28.045 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

14.28.045: - Design, Construction, and Post Construction.

The City formally adopts the Stormwater Management Manual of Eastern Washington. All design, construction, and post construction management of erosion and sediment control and storm drainage facilities shall be in accordance with Appendix 1 of the NPDES Stormwater Permit, the Stormwater Management Manual for Eastern Washington, City Standards and Comprehensive Plans. See Chapter 5.56 and 14.29.

- (1) Stormwater shall be retained and disposed of onsite meeting the volume determined by the Soil Conservation Service (SCS) Type 1A storm design method for the 25 year 24 hour frequency. Design of the flow based treatment BMPs will be based on the 6-month 3-hour hydrograph and volume based BMPs shall be based on the 6-month 24-hour hydrograph. Alternative methods must be approved by the Public Works Director.
- (2) This storm design shall satisfy the core elements of Appendix 1 of NPDES Stormwater Permit, the SMMEW, State Underground Injection Control Rule (Chapter 173-218 WAC) and COK Standard Specifications. In order to meet Section 5.6.4 of the SMMEW, storm design shall be further demonstrate retention up to the 100 year storm with allowance for on-site surface pooling. Where it is shown not feasible to retain, treat and dispose of stormwater on site, as approved by the Public Works Director, storm flows may be conveyed to, treated and disposed of at a regional infiltration facility within the same drainage basin. Discharging flows to surface waters of the state are the last resort. Design of treatment and flow control facilities shall meet the requirements listed above and shall include an assessment of the impacts to the downstream conveyance from the project site to the outfall or as approved by the Public Works director. On site infiltration infeasibility criteria include:
 - (a) Shallow ground water

- (b) Impermeable or very low permeability subsurface material
- (c) Proximity to known hazardous waste site or landfill, proximity to drinking water, well or spring, proximity to onsite sewage system, or underground storage tank, setback from structures, landslide hazard areas or slopes, incompatibility with surrounding drainage system from elevation or location or areas prone to erosion.
- (d) Incompatibility with uses related to concerns such as public safety, protection from spills, contaminated sites, or frequently flooded areas.
- (e) Incompatibility with state or federal laws.

(Ord. 6005 Sec. 4, 2023; Ord. 5656 Sec. 2, 2016; Ord. 5290 Sec. 7, 2010)

Section 5. Section 14.28.046 of the Kennewick Municipal Code, be, and the same hereby is, added to read as follows:

14.28.046: - Inspection and Enforcement Authority.

The Public Works Department shall have jurisdiction of the activities regulated in this Section. For inspection purposes, any duly authorized member of this Department shall have the right and is empowered to enter upon any premises at reasonable hours where activities regulated by this Section are occurring. This Department is empowered to issue orders to remedy, grant, renew, and revoke such licenses as are provided for in accordance with this section and conduct enforcement per KMC 14.29.

(Ord. 6005 Sec. 5, 2023)

Section 6. This ordinance shall be in full force and effect five (5) days from and after its approval, passage and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 17th day of January, 2023, and signed in authentication of its passage this 17th day of January, 2023.

GRETL CRAWFORD, Mayor Pro Tem

Attest:

TERRI L. WRIGHT, City Clerk

ORDINANCE NO. 6005 filed and
recorded in the office of the City Clerk of
the City of Kennewick, Washington this
18th day of January, 2023

Approved as to Form:

LISA BEATON, City Attorney

TERRI L. WRIGHT, City Clerk

DATE OF PUBLICATION _____

Council Agenda Coversheet



Agenda Item Number	5.a.(3)	Council Date	01/17/2023
Agenda Item Type	Ordinance		
Subject	Stormwater Code Revisions KMC 14.29		
Ordinance/Reso #	6006	Contract #	
Project #		Permit #	
Department	Public Works		

Consent Agenda	<input type="checkbox"/>
Ordinance/Reso	<input checked="" type="checkbox"/>
Public Mtg / Hrg	<input type="checkbox"/>
Other	<input type="checkbox"/>
Quasi-Judicial	<input type="checkbox"/>

Recommendation

Adopt Ordinance 6006, Amending KMC 14.29.010(1) Definitions, 14.29.020 Administration, 14.29.050(3) Conditional Discharges & 14.29.090 Enforcement Procedures.

Motion for Consideration

I move to adopt Ordinance 6006.

Summary

In July, 2019, the current NPDES Stormwater Permit was implemented in eastern Washington, containing graduating requirements through its 5-year length. Section S5.B3 of this NPDES Stormwater Permit requires an implementation and enforcement program to prevent, detect, characterize, trace, and eliminate illicit connections and illicit discharges to the City Storm System, including on private property. Section S5.B4 of this NPDES Stormwater Permit requires an implementation and enforcement program to reduce pollutants in any stormwater runoff to the City storm system from public and private construction activities. Section S5.B5 of this NPDES Stormwater Permit requires review, inspection, and compliance for post-construction stormwater controls at new development and redevelopment projects.

To remain in compliance with the requirements of the NPDES Stormwater Permit, additional language needs to be added to the Kennewick Municipal Code as shown in the proposed ordinance. These revisions were discussed by City Staff at the City Council workshop on January 10, 2023 and have been reviewed by the City Attorney's office.

The NPDES Stormwater Permit requires the ordinance to be adopted by February 01, 2023.

Alternatives

N/A

Fiscal Impact

N/A

Through

John Cowling
Jan 11, 14:57:14 GMT-0800 2023

Dept Head Approval

Cary Roe
Jan 11, 15:30:52 GMT-0800 2023

City Mgr Approval

Marie Mosley
Jan 13, 09:56:16 GMT-0800 2023

Attachments:

Ordinance
Ordinance - Redline

Recording
Required?

CITY OF KENNEWICK
ORDINANCE NO. 6006

AN ORDINANCE RELATING TO ILLICITE DISCHARGE DETECTION AND ELIMINATION AND AMENDING REVISING DEFINITION SECTIONS 14.29.010 (1), (1), A MODIFICATION TO SECTION 14.29.020, ADMINISTRATION, AND A MODIFICATION TO SUBSECTION 14.29.050 (3) (3) CONDITIONAL DISCHARGES TO OF THE KENNEWICK MUNICIPAL CODE

WHEREAS, Revised Code of Washington (RCW) 90.48.520 states that discharge of toxins to waters of the State of Washington, which would violate any water quality standard, including toxicant standards, sediment criteria, and dilution zone criteria is prohibited.

WHEREAS, The National Pollution Discharge Elimination System and State Discharge General Permit from Small Municipal Separate Storm Sewers in Eastern Washington allows the City to discharge stormwater runoff to waters of the state under the specific elements of the permit.

WHEREAS, in July 1, 2019, the current NPDES Stormwater Permit was implemented in eastern Washington, containing graduating requirements through its 5-year length.

WHEREAS, Section S5.B3 of this NPDES Stormwater Permit requires an implementation and enforce a program to prevent, detect, characterize, trace, and eliminate illicit connections and illicit discharges to the City Storm System, including on private property.

WHEREAS, Section S5.B4 of this NPDES Stormwater Permit requires an implementation and enforce a program to reduce pollutants in any stormwater runoff to the City storm system from public and private construction activities.

~~WHEREAS, Section S5.B5 of this NPDES Stormwater Permit requires review, inspection, and compliance for post-construction stormwater controls at new development and redevelopment projects.~~

WHEREAS, The NPDES Stormwater Permit requires the ordinance to be adopted by February 01, 2023.

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

Section 1. ~~Section 14.29.010 (1) of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows: There is hereby modified subsection 14.29.010 (1) to the Kennewick Municipal Code, to read as follows:~~

- (1) *Best Management Practices* or *BMPs* shall mean schedules of activities, prohibition of practices, general good housekeeping practices, pollution prevention and

TERRI L. WRIGHT, City Clerk

ORDINANCE NO. 6006 filed and
recorded in the office of the City Clerk of
the City of Kennewick, Washington this
17⁸th day of January, 2023

Approved as to Form:

LISA BEATON, City Attorney

TERRI L. WRIGHT, City Clerk

DATE OF PUBLICATION _____

CITY OF KENNEWICK
ORDINANCE NO. 6006

AN ORDINANCE RELATING TO ILLICITE DISCHARGE DETECTION
AND ELIMINATION AND AMENDING SECTIONS 14.29.010 (1), 14.29.020,
14.29.050 (3) OF THE KENNEWICK MUNICIPAL CODE

WHEREAS, Revised Code of Washington (RCW) 90.48.520 states that discharge of toxins to waters of the State of Washington, which would violate any water quality standard, including toxicant standards, sediment criteria, and dilution zone criteria is prohibited.

WHEREAS, The National Pollution Discharge Elimination System and State Discharge General Permit from Small Municipal Separate Storm Sewers in Eastern Washington allows the City to discharge stormwater runoff to waters of the state under the specific elements of the permit.

WHEREAS, in July 1, 2019, the current NPDES Stormwater Permit was implemented in eastern Washington, containing graduating requirements through its 5-year length.

WHEREAS, Section S5.B3 of this NPDES Stormwater Permit requires an implementation and enforce a program to prevent, detect, characterize, trace, and eliminate illicit connections and illicit discharges to the City Storm System, including on private property.

WHEREAS, Section S5.B4 of this NPDES Stormwater Permit requires an implementation and enforce a program to reduce pollutants in any stormwater runoff to the City storm system from public and private construction activities.

WHEREAS, Section S5.B5 of this NPDES Stormwater Permit requires review, inspection, and compliance for post-construction stormwater controls at new development and redevelopment projects.

WHEREAS, The NPDES Stormwater Permit requires the ordinance to be adopted by February 01, 2023.

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

Section 1. Section 14.29.010 (1) of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

- (1) *Best Management Practices* or *BMPs* shall mean schedules of activities, prohibition of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and structural or managerial practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site

runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage as required under the NPDES Stormwater Permit or Discharge Permit, SMMEW, City erosion control, stormwater code, and City Standards.

(Ord. 6006 Sec. 1, 2023; Ord. 5272 Sec. 1, 2009)

Section 2. Section 14.29.020 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

14.29.020: - Administration.

The City Manager, or his or her designee, shall administer, implement and enforce the provisions of this Chapter. The City shall have the right to enter private property for the purposes of inspection and compliance with this chapter.

(Ord. 6006 Sec. 1, 2023; Ord. 5272 Sec. 1, 2009)

Section 3. Section 14.29.050 (3) of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

- (3) Swimming pool water discharges. Swimming pool water shall be de-chlorinated to a concentration of 0.1 ppm or less, pH and temperature adjusted, reoxygenated if necessary and in volumes and velocities controlled to prevent re-suspension of sediments in the storm drain system;

(Ord. 6006 Sec. 3, 2023; Ord. 5272 Sec. 1, 2009)

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 17th day of January, 2023, and signed in authentication of its passage this 17th day of January, 2023.

GRETL CRAWFORD, Mayor Pro Tem

Attest:

TERRI L. WRIGHT, City Clerk

ORDINANCE NO. 6006 filed and recorded in the office of the City Clerk of the City of Kennewick, Washington this 18th day of January, 2023

Approved as to Form:

LISA BEATON, City Attorney

TERRI L. WRIGHT, City Clerk

DATE OF PUBLICATION _____

Council Agenda Coversheet



Agenda Item Number	5.b.	Council Date	01/17/2023
Agenda Item Type	Ordinance		
Subject	Housing in the Public Facility Zone		
Ordinance/Reso #	6007	Contract #	
Project #		Permit #	DCA-2022-0001
Department	Planning		

Consent Agenda	<input type="checkbox"/>
Ordinance/Reso	<input checked="" type="checkbox"/>
Public Mtg / Hrg	<input type="checkbox"/>
Other	<input type="checkbox"/>
Quasi-Judicial	<input type="checkbox"/>

Recommendation

The Planning Commission recommends that the City Council approve the proposed amendments by adopting Ordinance 6007.

Motion for Consideration

I move to adopt Ordinance 6007.

Summary

The requested amendment is being proposed to provide an additional option for public agencies to consider when there is property to be declared surplus. This proposal will allow surplus property to be utilized for affordable housing that is controlled by a governmental or other public agency, such as the Kennewick Housing Authority.

The proposed amendment will require that housing developed in the PF zone comply with the standards and requirements of the Residential, High (RH) zone. This will include the Residential Multi-Family Design Standards as well as landscaping, lighting and parking requirements applicable to the RH zone. Requiring these standards will ensure that the development is compatible with surrounding properties, mitigate impacts to neighboring lesser intensity zones and aim to provide an aesthetically pleasing design.

Currently there is one instance of housing owned and operated by the Kennewick Housing Authority (KHA) in the PF zone. KHA owns and operates Keewaydin Plaza Apartments located at 6 W. 6th Ave., just to the west of the Kennewick Post Office which was built in 1980.

The proposed amendment serves to achieve Housing Goals 1 and 3. The proposed amendment also implements Policy 2 associated with Housing Goal 1 and Policies 1 and 4 associated with Housing Goal 3.

The proposed amendment also includes one housekeeping change to clarify a footnote.

Alternatives

None recommended

Fiscal Impact

None

Through

Dept Head Approval

City Mgr Approval

Anthony Muai
Jan 11, 14:59:14 GMT-0800 2023

Marie Mosley
Jan 13, 09:59:56 GMT-0800 2023

Attachments:

Action Summary
Ordinance
Presentation
Staff Report

Recording
Required?

CITY OF KENNEWICK
ORDINANCE NO. 6007

AN ORDINANCE RELATING TO ZONE DISTRICTS AND STANDARDS
AND AMENDING SECTION 18.12.010 A.1 OF THE KENNEWICK
MUNICIPAL CODE

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

Section 1. Section 18.12.010 A.1 of the Kennewick Municipal Code, be, and the same hereby is,
amended to read as follows:

18.12.010 A.1: - Residential Use Table.

The following table lists uses allowed by zone and the applicable City review process as follows: Review Process I = Staff review, Review Process II = Conditional Use Permit, Review Process III = Temporary Homeless Encampment Permit. If a use is listed with a blank, it shall be prohibited in that zone. For certain categories of uses, additional requirements are also noted:

Residential Use Table	RMH	RS	RL	RM	RH	RTP	UMU	CN	CO	CBD	CC	CR	CAR	CG	CM	HMU	BP	IP	IL	IH	JF	PF	OS	
Accessory Dwelling Units (See Title 18.12.020)	I	I	I	I	I		I			I						I								
Accessory uses and structures	I	I	I	I	I	I	I	I	I	I	I	I		I	I	I	I	I	I	I	I	I	I	I
Animal Keeping (See Title 18.12.040)	I	I	I	I	I	I										I								
Bed and breakfast inns (5 guest rooms or less)	I	I	I	I	I		I			II						I								
Churches or religious places of worship	II	II	II	II	II	II	II		I		I	I		I	I	II								

Residential Use Table	RMH	RS	RL	RM	RH	RTP	UMU	CN	CO	CBD	CC	CR	CAR	CG	CM	HMU	BP	IP	IL	IH	JF	PF	OS
Day Care Centers (See Section 18.12.060)				II	I		I	I	I		I	I		I		I	I	I	I	I		I	I
Family Day Care Home (see Section 18.12.070 and footnotes)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)		(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Farm Animals (see footnote 9)		I																					
Group Living I (See footnote 5)	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I					I(2)	
Group Living II (See footnote 6)				I	I				I		I	I		I								I(2)	
Home occupation	I	I	I	I	I	I	I	I	I	I	I	I		I	I	I							

Residential Use Table	RMH	RS	RL	RM	RH	RTP	UMU	CN	CO	CBD	CC	CR	CAR	CG	CM	HMU	BP	IP	IL	IH	JF	PF	OS
Mini-Day Care Center (Located in Family Abode - Section 18.12.060)	II	II	II	I	I	II	I	I	I	I	I	I		I	I	I	I	I	I	I	I	I	I
Mini-Day Care Center (Not located in Family Abode - See 18.12.060)				I	I		I	I	I		I	I		I	I	I	I					I	I
Mini Storage (See 18.12.130)					I						I	I		I					I	I			
Motels (See Title 18.12.140)					II					I	I	I		I	I								
Nursing homes and congregate care facilities (over 10 residents)				II	II				I		I	I		I									

Residential Use Table	RMH	RS	RL	RM	RH	RTP	UMU	CN	CO	CBD	CC	CR	CAR	CG	CM	HMU	BP	IP	IL	IH	JF	PF	OS	
Nursing homes and congregate care facilities (up to 10 residents)	II	II	II	II	II		I		I		I	I		I		I								
Recreational vehicle park, transient (up to 30-day stay) (See Title 18.12.170, 180) (see also, footnote 7)																							I	I
Residences, multi-family				I	I		I	I(8)	I(8)	I(8)	I(8)	I(8)		I(8)	I(8)	I(8)							I(2)	
Residences, single-family	I	I	I	I	I	I	I	I(8)	I(8)	I(8)	I(8)	I(8)		I(8)	I(8)	I(8)							I(2)	
Rooming Houses and Boardinghouses				II	II		I																	

Residential Use Table	RMH	RS	RL	RM	RH	RTP	UMU	CN	CO	CBD	CC	CR	CAR	CG	CM	HMU	BP	IP	IL	IH	JF	PF	OS	
(See Title 18.12.190)																								
Swimming Pools (See Title 18.12.240) (see footnote 10)							I															I	I	
Temporary Homeless Encampments (See Title 18.12.255)	III																							
Trailers, Boats, Camper Tops, Travel Trailers, Recreational Vehicles (See Title 18.12.260)	I	I	I	I	I																			

FOOTNOTES for Table 18.12.010 A-1 Residential Use Table:

- (1) No permit required for a family day care home (up to six charges). Per 18.12.070, if alterations are made a building permit will be required. A state license and city business license is required.
- (2) Residential development is permitted in the PF zone when the finished product will be owned and/or operated by the Kennewick Housing Authority or other public or governmental agency. Residential developments in the PF zone shall meet all requirements of this title as though it were developed in the RH zone.
- (3) Not used.
- (4) Not used.
- (5) Residential Care Homes, state or federally approved, with six or fewer residents and any required on-site residential staff permitted by right; all larger group living uses prohibited.
- (6) Residential Care Centers are permitted outright, subject to all of the applicable provisions of this title.
- (7) Recreational vehicle storage in R districts shall refer to Title 18.12.180 and shall be subject to special provisions applicable to Master Planned subdivisions.
- (8) Subject to KMC 18.42.140 and KMC 18.78.
- (9) In "RS" zones, agriculture and animal husbandry are permitted including keeping of farm animals such as horses, cows, and sheep, but maintained only on lots of at least 30,000 square feet. The keeping of farm animals must not exceed one animal per half acre.
- (10) Swimming pools considered an accessory use.

(Ord. 6007 Sec. 1, 2023; Ord. 5748 Sec. 1, 2018; Ord. 5729 Sec. 1, 2017 ; Ord. 5712 Sec. 1, 2017 ; Ord. 5558 Sec. 2, 2014; Ord. 5528 Sec. 2, 2013; Ord. 5462 Sec. 3, 2012; Ord. 5434 Sec. 4, 2012; Ord. 5309 Sec. 8, 2010; Ord. 5262 Sec. 2, 2009; Ord. 5204 Sec. 5, 2007; Ord. 5180 Sec. 1, 2007)

Section 2. This ordinance shall be in full force and effect five (5) days from and after its approval, passage and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 17th day of January, 2023, and signed in authentication of its passage this 17th day of January, 2023.

Attest:

GRETLE CRAWFORD, Mayor Pro Tem

TERRI L. WRIGHT, City Clerk

ORDINANCE NO. 6007 filed and recorded in the office of the City Clerk of the City of Kennewick, Washington this 18th day of January, 2023.

Approved as to Form:

LISA BEATON, City Attorney

TERRI L. WRIGHT, City Clerk

DATE OF PUBLICATION _____



Exhibit 1
Community Planning Department

210 West 6th Avenue
Kennewick, WA 99336
Phone: (509) 585-4280
cedinfo@ci.kennewick.wa.us

STAFF REPORT
DCA-2022-0001

Public Hearing Date: December 19, 2022

Proposal Summary: Allow housing in the Public Facility zone when owned and operated by a public agency. Apply the Residential, High zoning standards to housing developments in the PF zone.

Applicant: City of Kennewick

Staff Contact: Anthony Muai, Community Planning Director

Background:

The requested amendment is being proposed to provide an additional option for public agencies to consider when there is property to be declared surplus. This proposal will allow surplus property to be utilized for affordable housing that is controlled by a governmental or other public agency, such as the Kennewick Housing Authority. The proposal was routed for comments on November 16, 2022, and published in the Tri-City Herald for comment on November 20, 2022. The Washington State Department of Commerce granted expedited review of the proposal on November 30, 2022. A SEPA Threshold Determination of Non-Significance was issued for the proposal on December 8, 2022.

Proposed Amendment:

The following are the proposed amendments to Title 18. New text is shown underlined and in blue color font. Text proposed for deletion is shown struck through and in red color font.

Amend Section 18.12.010 A.1: - Residential Use Table

Residential Use Table	RMH	RS	RL	RM	RH	RTP	UMU	CN	CO	CBD	CC	CR	CAR	CG	CM	HMU	BP	IP	IL	IH	JF	PF	OS
Residences, multi-family				I	I		I	I(8)	I(8)	I(8)	I(8)	I(8)		I(8)	I(8)	I(8)						<u>I(2)</u>	
Residences, single-family	I	I	I	I	I	I	I	I(8)	I(8)	I(8)	I(8)	I(8)		I(8)	I(8)	I(8)						<u>I(2)</u>	

Add a new footnote to Section 18.12.010 A.1: - Residential Use Table

- (2) ~~Not used.~~ Residential development is permitted in the PF zone when owned and/or operated by the Kennewick Housing Authority or other public or government agency. Residential developments in the PF zone shall meet all requirements of this title as though they were developed in the RH zone.

Staff Analysis:

The proposed amendment will allow housing, owned and operated by a public or governmental agency, in the Public Facility (PF) zone. The proposed amendment provides a way for public property that is no longer needed

for the originally planned public use to be used for an additional public purpose. This will aid in providing affordable housing to a significantly underserved region.

The proposed amendment will require that housing developed in the PF zone comply with the standards and requirements of the Residential, High (RH) zone. This will include the Residential Multi-Family Design Standards as well as landscaping, lighting and parking requirements applicable to the RH zone. Requiring these standards will ensure that the development is compatible with surrounding properties, mitigate impacts to neighboring lesser intensity zones and aim to provide an aesthetically pleasing design.

Currently there is one instance of housing owned and operated by the Kennewick Housing Authority (KHA) in the PF zone. KHA owns and operates Keewaydin Plaza Apartments located at 6 W. 6th Ave., just to the west of the Kennewick Post Office which was built in 1980.

Public Comment

One email was received from the Kennewick Housing Authority who is in favor of the proposed amendments. (see Exhibit 4)

Comprehensive Plan Land Use Goals

The following goals provide a basis to permit housing in the Public Facility zone.

- Housing Goal 1: Support and develop a variety of housing types and densities to meet the diverse needs of the population.
 - Housing Goal 1, Policy 2: Support special needs housing within a variety of residential environments.
- Housing Goal 3: Promote affordable housing for all economic segments of the community.
 - Housing Goal 3, Policy 1: Promote affordable infill residential construction through flexibility in development techniques.
 - Housing Goal 3, Policy 4: Work with other jurisdictions and organizations, including the Kennewick Housing Authority and non-profit housing developers, to address the need for housing to be affordable to low and very low-income households.

Regulatory Controls and Policies

- Kennewick Municipal Code Chapter 18.12
- Kennewick Comprehensive Plan

Findings of Fact:

1. The applicant is the City of Kennewick.
2. Notice of the proposed code revision was sent to the Washington State Department of Commerce on November 16, 2022, consistent with the requirements of RCW 36.70A.106.
3. Notice of the proposed code revision was circulated for comments on November 16, 2022 and published in the Tri-City Herald on November 20, 2022 seeking comments on the proposal.
4. The City received confirmation of starting the 60-day/Expedited review period and notice that the City has met the Growth Management Act notice to state agency requirements from the Washington State Department of Commerce on November 17, 2022.
5. The Department of Commerce granted expedited review on November 30, 2022.
6. The Notice of Public Hearing was published in the Tri City Herald on December 4, 2022.
7. The City fulfilled the State Environmental Policy Act requirements by issuing a Determination of Non-Significance (DNS) on December 8, 2022.
8. The proposed amendment will allow housing in the Public Facility zone.

9. Housing built in the Public Facility zone will comply with all standards and requirements of the Residential, High zoning district standards.
10. Housing built in the Public Facility zone must be owned and/or operated by a public or governmental agency.
11. The proposal is consistent with the Public Facility zoning purpose in that it provides a public service to come of the most vulnerable citizens.
12. A housing development owned and operated by a public agency (Kennewick Housing Authority) in the Public Facility zone exists today as a legal non-conforming use at 6 W. 6th Ave., Kennewick, WA 99336.

Conclusions of Law:

1. The proposed amendments will not negatively affect the City of Kennewick's public health, safety, and general welfare.
2. The proposed amendments do not conflict with goals and policies of the Comprehensive Plan, but rather support Housing Goal 1; Housing Goal 1, Policy 3; Housing Goal 3; Housing Goal 3, Policy 1 and Housing Goal 3, Policy 4.
3. The proposed amendments do not conflict with other provisions of the Kennewick Municipal Code.

Staff Recommendation:

Based on the above analysis of the applicant's request and staff's proposed amendment, staff recommends the Planning Commission forward a recommendation of APPROVAL to City Council for the following motion.

Motion:

I move that the Planning Commission concur with the findings and conclusions in the staff report DCA-2022-0001 and recommend to City Council approval of the request.

Exhibits:

1. Staff Report
2. Proposed Amendments
3. Environmental Determination of Non-significance
4. Parties of Record Comments

18.12.010 A.1: Residential Use Table.

The following table lists uses allowed by zone and the applicable City review process as follows: Review Process I = Staff review, Review Process II = Conditional Use Permit, Review Process III = Temporary Homeless Encampment Permit. If a use is listed with a blank, it shall be prohibited in that zone. For certain categories of uses, additional requirements are also noted:

Residential Use Table	RMH	RS	RL	RM	RH	RTP	UMU	CN	CO	CBD	CC	CR	CAR	CG	CM	HMU	BP	IP	IL	IH	JF	PF	OS
Accessory Dwelling Units (See Title 18.12.020)	I	I	I	I	I		I			I						I							
Accessory uses and structures	I	I	I	I	I	I	I	I	I	I	I	I		I	I	I	I	I	I	I	I	I	I
Animal Keeping (See Title 18.12.040)	I	I	I	I	I	I										I							
Bed and breakfast inns (5 guest rooms or less)	I	I	I	I	I		I			II						I							
Churches or religious places of worship	II		I		I	I		I	I	II													
Day Care Centers (See Section 18.12.060)				II	I		I	I	I		I	I		I		I	I	I	I	I		I	I
Family Day Care Home (see Section 18.12.070 and footnotes)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)		(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)

Residential Use Table	RMH	RS	RL	RM	RH	RTP	UMU	CN	CO	CBD	CC	CR	CAR	CG	CM	HMU	BP	IP	IL	IH	JF	PF	OS
Farm Animals (see footnote 9)		I																					
Group Living I (See footnote 5)	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I					I(2)	
Group Living II (See footnote 6)				I	I				I		I	I				I						I(2)	
Home occupation	I	I	I	I	I	I	I	I	I	I	I	I		I	I	I							
Mini-Day Care Center (Located in Family Abode - Section 18.12.060)	II	II	II	I	I	II	I	I	I	I	I	I		I	I	I	I	I	I	I	I	I	I
Mini-Day Care Center (Not located in Family Abode - See 18.12.060)				I	I		I	I	I		I	I		I	I	I	I					I	I
Mini Storage (See 18.12.130)					I						I	I		I					I	I			
Motels (See Title 18.12.140)					II					I	I	I		I	I								
Nursing homes and congregate care facilities (over 10 residents)				II	II				I		I	I		I									
Nursing homes and congregate care facilities	II	II	II	II	II		I		I		I	I		I		I							

Residential Use Table	RMH	RS	RL	RM	RH	RTP	UMU	CN	CO	CBD	CC	CR	CAR	CG	CM	HMU	BP	IP	IL	IH	JF	PF	OS
(up to 10 residents)																							
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Residences, multi-family				I	I		I	I(8)	I(8)	I(8)	I(8)	I(8)		I(8)	I(8)	I(8)						I(2)	
Residences, single-family	I	I	I	I	I	I	I	I(8)	I(8)	I(8)	I(8)	I(8)		I(8)	I(8)	I(8)						I(2)	
Rooming Houses and Boardinghouses (See Title 18.12.190)				II	II		I																
Swimming Pools (See Title 18.12.240) (see footnote 10)							I															I	I
Temporary Homeless Encampments (See Title 18.12.255)	III	III	III	III	III	III	III	III	III	III	III	III	III	III	III	III							
Trailers, Boats, Camper Tops, Travel Trailers, Recreational	I	I	I	I	I																		

Residential Use Table	RMH	RS	RL	RM	RH	RTP	UMU	CN	CO	CBD	CC	CR	CAR	CG	CM	HMU	BP	IP	IL	IH	JF	PF	OS	
Vehicles (See Title 18.12.260)																								

FOOTNOTES for Table 18.12.010 A-1 Residential Use Table:

- (1) No permit required for a family day care home (up to six charges). Per 18.12.070, if alterations are made a building permit will be required. A state license and city business license is required.
- (2) ~~Not used.~~ [Residential development is permitted in the PF zone when the finished product will be owned and/or operated by the Kennewick Housing Authority or other public or governmental agency. Residential developments in the PF zone shall meet all requirements of this title as though it were developed in the RH zone.](#)
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- (8) Subject to KMC 18.42.[140](#) and KMC 18.78.
- (9) In "RS" zones, agriculture and animal husbandry are permitted including keeping of farm animals such as horses, cows, and sheep, but maintained only on lots of at least 30,000 square feet. The keeping of farm animals must not exceed one animal per half acre.
- (10) Swimming pools considered an accessory use.

(Ord. 5748 Sec. 1, 2018; Ord. 5729 Sec. 1, 2017 ; Ord. 5712 Sec. 1, 2017 ; Ord. 5558 Sec. 2, 2014; Ord. 5528 Sec. 2, 2013; Ord. 5462 Sec. 3, 2012; Ord. 5434 Sec. 4, 2012; Ord. 5309 Sec. 8, 2010; Ord. 5262 Sec. 2, 2009; Ord. 5204 Sec. 5, 2007; Ord. 5180 Sec. 1, 2007)



Community Planning Department

210 West 6th Avenue
Kennewick, WA 99336
Phone: (509) 585-4280
cedinfo@ci.kennewick.wa.us

DETERMINATION OF NON-SIGNIFICANCE

FILE/PROJECT NUMBER: ED 2022-0045/DCA-2022-0001

DESCRIPTION OF PROPOSAL: To allow housing in the Public Facility zone when owned and/or operated by a public agency.

PROPONENT: City of Kennewick

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: N/A

LEAD AGENCY: City of Kennewick

DETERMINATION: The City of Kennewick has determined that this proposal does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) will not be 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 City. This information is available to the public on request. Application for other required permits may require further review under SEPA procedures.

- There is no comment period for this DNS.
- This DNS 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 197-11-340(2); the City will not act on this proposal for fifteen days from the date below. Comments must be submitted by _____. After the review period has elapsed, all comments received will be evaluated and the DNS will be retained, modified, or withdrawn as required by SEPA regulations.

RESPONSIBLE OFFICIAL: Anthony Muai, AICP
POSITION/TITLE: Community Planning Director
ADDRESS: 210 W 6th Ave., P.O. Box 6108, Kennewick, WA 99336
PHONE: (509) 585-4386

Changes, modifications and/or additions to the checklist have been made on the attached Environmental Checklist Review.

This DNS is subject to the attached conditions:

- No conditions.
- See attached condition(s).

Date: December 8, 2022

Signature: 

Appeal: An appeal of this determination must be submitted to the Community Planning Department within fourteen (14) calendar days after the date issued. This appeal must be written and make specific factual objections to the City's threshold determination. Appeals shall be conducted in conformance with Section 4.12.090(9) of the Kennewick Municipal Code and the required fees pursuant to the City's adopted Fee Schedule shall be paid at time of appeal submittal.

Copies of this DNS were mailed to:

- Dept. of Ecology
- WA Dept. of Fish & Wildlife
- WSDOT
- Yakama Nation
- CTUIR
- Parties of Record

From: [Lona Hammer](#)
To: [Anthony Muai](#)
Subject: Comments on proposed zoning amendment
Date: Monday, December 5, 2022 10:41:05 AM
Importance: High

Good morning:

As per your legal notice in the Tri-City Herald on Sunday, December 4, 2022, I would like to express support for the proposed zoning amendment to allow housing to be a permitted use in the Public Facility zone when owned and/or operated by KHA or other public agencies and that the standards applicable to the Residential, High Zone be applicable to said developments.

The provision of additional affordable housing opportunities in our community is a critical need. Currently, the vacancy rate in our community is very, very low and combined with high and ever rising rents, affordable housing availability and affordability is even lower. Many families, even when they have a housing voucher, cannot find housing that is priced within their affordability range. The market will continue to tighten as our community brings new businesses to our cities. New businesses sometimes bring new residents to our communities and typically new businesses need housing at all levels of affordability for their work force. Building affordable housing in our community benefits everyone.

Private developers who wish to build modest housing that is affordable for most families, find that sometimes the “numbers don’t work” and that setting a rent that is affordable for voucher holders and other modest income families can sometimes not produce enough revenue to support the development and these developers are sent back to the “drawing board” to figure out how to increase rents so that the project is self-sustainable. Public non-profit developers who use public funds typically use financing offered by the Department of Commerce and the Washington State Housing Finance Commission and other local, state, and federal resources, but those programs typically have a longer lead time than conventional financing through a bank or other financial institution as most public funders typically have one funding cycle per year or per every two years. Encouraging innovative partnerships and strategies to enhance and incentivize housing development for modest income families is paramount in our community.

The City’s proposed zoning change is a potential game change for our community and KHA applauds the City of Kennewick for proposing this change and support the City’s innovative approach to our communities affordable housing needs.

Lona Hammer, PHM
Executive Director
Kennewick Housing Authority
1915 West 4th Place
Kennewick, WA 99336
509-586-8576 ext. 103

Planning Commission Action Summary
DCA-2022-0001
(Housing in the PF Zone)

The Kennewick Planning Commission conducted a public hearing on December 19, 2022. All interested parties were invited to come before the Commission and be heard. After reviewing the staff report and all oral and written facts and opinions, Commissioner Helgeson moved that the Planning Commission concur with the findings and conclusions in the staff report and recommend to City Council approval of the request.

Findings

1. The applicant is the City of Kennewick.
2. Notice of the proposed code revision was sent to the Washington State Department of Commerce on November 16, 2022, consistent with the requirements of RCW 36.70A.106.
3. Notice of the proposed code revision was circulated for comments on November 16, 2022 and published in the Tri-City Herald on November 20, 2022 seeking comments on the proposal.
4. The City received confirmation of starting the 60-day/Expedited review period and notice that the City has met the Growth Management Act notice to state agency requirements from the Washington State Department of Commerce on November 17, 2022.
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7. The City fulfilled the State Environmental Policy Act requirements by issuing a Determination of Non-Significance (DNS) on December 8, 2022.
8. The proposed amendment will allow housing in the Public Facility zone.
9. Housing built in the Public Facility zone will comply with all standards and requirements of the Residential, High zoning district standards.
10. Housing built in the Public Facility zone must be owned and/or operated by a public or governmental agency.
11. The proposal is consistent with the Public Facility zoning purpose in that it provides a public service to come of the most vulnerable citizens.
12. A housing development owned and operated by a public agency (Kennewick Housing Authority) in the Public Facility zone exists today as a legal non-conforming use at 6 W. 6th Ave., Kennewick, WA 99336.

Conclusions:

1. The proposed amendments will not negatively affect the City of Kennewick's public health, safety, and general welfare.
2. The proposed amendments do not conflict with goals and policies of the Comprehensive Plan, but rather support Housing Goal 1; Housing Goal 1, Policy 3; Housing Goal 3; Housing Goal 3, Policy 1 and Housing Goal 3, Policy 4.
3. The proposed amendments do not conflict with other provisions of the Kennewick Municipal Code.

The motion was seconded by Commissioner Hempstead. The motion passed 4-0, with Commissioners Helgeson, Hempstead, Gregory, and Chairman Morris all in favor. Commissioners Griffith and Short were excused.

Housing in Public Facility Zones

City Council Workshop
January 17, 2023



Summary of Proposal

- * Allow housing in the Public Facility zone when owned and/or operated by a governmental or other public agency.
- * Apply Residential, High (RH) standards to housing developed in the Public Facility zone.
- * Provide additional option for public entities when disposing of surplus property.
- * Provide opportunity for affordable housing.

Proposed Amendment

KMC 18.12.010 A.1: - Residential Use Table

Residential Use Table	RMH	RS	RL	RMI	RH	RTP	UMU	CN	CO	CBD	CC	CR	CAR	CG	CM	HMU	BP	IP	IL	IH	JF	PF	OS
Residences, multi-family				I	I		I	I(8)	I(8)	I(8)	I(8)	I(8)		I(8)	I(8)	I(8)						I(2)	
Residences, single-family	I	I	I	I	I	I	I	I(8)	I(8)	I(8)	I(8)	I(8)		I(8)	I(8)	I(8)						I(2)	

Footnote to Section 18.12.010 A.1: - Residential Use Table

(2) ~~Not used.~~ Residential development is permitted in the PF zone when owned and/or operated by the Kennewick Housing Authority or other public or government agency. Residential developments in the PF zone shall meet all requirements of this title as though they were developed in the RH zone.

Comprehensive Plan Goals & Policies

- * **Housing Goal 1: Support and develop a variety of housing types and densities to meet the diverse needs of the population.**
 - * Housing Goal 1, Policy 2: Support special needs housing within a variety of residential environments.

- * **Housing Goal 3: Promote affordable housing for all economic segments of the community.**
 - * Housing Goal 3, Policy 1: Promote affordable infill residential construction through flexibility in development techniques.
 - * Housing Goal 3, Policy 4: Work with other jurisdictions and organizations, including the Kennewick Housing Authority and non-profit housing developers, to address the need for housing to be affordable to low and very low-income households.

Public Hearing Summary

- * No speakers in support or opposition
- * Kennewick Housing Authority submitted email in support of proposal.
 - * Was in attendance virtually, but did not speak

Planning Commission Recommendation

- * The Planning Commission voted unanimously to concur with the findings and conclusions in the staff report and recommend approval to City Council.

Questions?





City Council Meeting Schedule January 2023

The City broadcasts City Council meetings on the City's website

<https://www.go2kennewick.com/CouncilMeetingBroadcasts>.

January 3, 2023

Tuesday, 6:30 p.m.

REGULAR COUNCIL MEETING

January 10, 2023

Tuesday, 6:30 p.m.

SPECIAL COUNCIL MEETING

NEW BUSINESS

3.a. Horse Heaven Clean Energy Center Letter

Tuesday, 6:45 p.m.*

WORKSHOP MEETING (**Meeting will commence immediately following adjournment of Special Meeting as described above.*)

1. Stormwater Code Revisions
2. Housing and Public Facility Zoning
3. Legislative Sessions Update

January 17, 2023

Tuesday, 6:30 p.m.

REGULAR COUNCIL MEETING

January 24, 2023

Tuesday, 6:30 p.m.

WORKSHOP MEETING

1. TRIDEC Reconveyance
2. Public Records & Open Public Meetings Act (OPMA) Compliance

To assure disabled persons the opportunity to participate in or benefit from City services, please provide twenty-four (24) hour advance notice for additional arrangements to reasonably accommodate special needs.

Please be advised that all Kennewick City Council Meetings are Audio and Video Taped

January 2023
Updated 01/10/23



City Council Meeting Schedule February 2023

The City broadcasts City Council meetings on the City's website

<https://www.go2kennewick.com/CouncilMeetingBroadcasts>.

February 7, 2023

Tuesday, 6:30 p.m.

REGULAR COUNCIL MEETING

February 14, 2023

Tuesday, 6:30 p.m.

WORKSHOP MEETING

1. CourseCo & Columbia Park Tri-Plex Update
2. Council Ethics Policy
3. Public Employee Benefits

February 21, 2023

Tuesday, 6:30 p.m.

REGULAR COUNCIL MEETING

February 28, 2023

Tuesday, 6:30 p.m.

WORKSHOP MEETING

1. Economic Development Strategic Plan

To assure disabled persons the opportunity to participate in or benefit from City services, please provide twenty-four (24) hour advance notice for additional arrangements to reasonably accommodate special needs.

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February 2023
Updated 01/10/23