

5:30 to 8:00 p.m.

Council Chambers

1. Opening Items.

Subject : 1.01 Pledge of Allegiance
Meeting : Jan 7, 2020 - City Council Workshop
Category : 1. Opening Items.
Access : Public
Type : Procedural

Public Content

"I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."

Subject : 1.02 Moment of Silence for Reflection / Invocation - Any City Employee or Elected Official; delivering the invocation, does so in his/her capacity as a private citizen, and not in his /her official position as a city employee/elected city official.
Meeting : Jan 7, 2020 - City Council Workshop
Category : 1. Opening Items.
Access : Public
Type : Procedural

Subject : 1.03 Excuse absence of Council Members Nyhagen & Schermann
Meeting : Jan 7, 2020 - City Council Workshop
Category : 1. Opening Items.
Access : Public
Type : Information

Subject : 1.04 Oath of Office - Peterson & Selby
Meeting : Jan 7, 2020 - City Council Workshop
Category : 1. Opening Items.
Access : Public
Type : Procedural

2. Workshop Topics.

Subject : 2.01 Census 2020 - Ms. Cindy Widmer of Blue Mountain Action Council
Meeting : Jan 7, 2020 - City Council Workshop

Category :	2. Workshop Topics.
Access :	Public
Type :	Discussion, Information

Public Content

Workshop only, no action to be taken.

Information for Consideration:

Ms. Cindy Widmer of Blue Mountain Action Council will give an update on activities surrounding the Blue Mountain Complete Count Committee for the 2020 Census.

File Attachments

[Blue Mountain Complete Count Committee.7.2019.pdf \(63 KB\)](#)
[Census Timeline 2020 By JS.pdf \(460 KB\)](#)
[Executive Summary.Census Outreach and Education.BMAC.2019.pdf \(50 KB\)](#)
[BMAC_Census_Packet.pdf \(5,053 KB\)](#)

Subject :	2.02 ATV's - Chief Tomaras
Meeting :	Jan 7, 2020 - City Council Workshop
Category :	2. Workshop Topics.
Access :	Public
Type :	Discussion, Information

Public Content

Workshop only, no action to be taken.

The City of Walla Walla recently adopted an Ordinance to allow ATV's in certain areas of the City. The discussion will base around what the City of College Place should be in regard to ATV's.

File Attachments

[3600_ATVUTVrevised.pdf \(54 KB\)](#)
[3600_UTVONLYrevised.pdf \(53 KB\)](#)
[CityofWW_ATVAttorneyMaterial.pdf \(362 KB\)](#)
[CityofWW_ATVPowerpoint.pdf \(982 KB\)](#)
[Talking Points for ATV consideration.pdf \(511 KB\)](#)

Subject :	2.03 134 SE 12th Arterial Access Request - Mr. Gordon
Meeting :	Jan 7, 2020 - City Council Workshop
Category :	2. Workshop Topics.
Access :	Public
Type :	Discussion, Information

Public Content

Workshop only, no action to be taken.

Historical Perspective:

Application for a building permit for 134 SE 12th Street was made on 4/10/2019. The City advised the applicant on 5/2/2019 that the proposed access off of an arterial street would need Council approval. The applicant subsequently submitted a request for arterial access on 10/31/19.

Information for Consideration:

The property owner, Virginia Mohedano Cebullos, has requested access (Exhibit 1) for 134 SE 12th Street onto SE 12th Street as part of a building permit for an addition. The final structure is intended to be used as an adult family home. SE 12th Street is classified as a minor arterial. Per CPMC 16.24.050, "Lots, adjacent to a street which has been designated an arterial by the council, shall be provided with access other than the arterial, unless the council grants specific exemption."

Exhibit 2 shows the location of the lot with regard to the system of Federally-classified arterials serving the City and surrounding areas (red and green). Exhibit 3 shows the requested location of the access on the lot. The requested access would be approximately three feet from an existing access of the lot immediately to the west of 134 SE 12th Street. 5 out of 14 lots between Broadway Ave and SE Central Ave on the south side of SE 12th Street currently have access onto SE 12th Street. 6 of the 11 on the north side of SE 12th Street currently have access onto SE 12th Street. This lot as well as the other lots on the south side of SE 12th Street are served by an alley.

In general, access management principles recognize that private driveways effectively function as low-volume intersections and attempt to limit private access to arterials (main through roads) in order to preserve the free flow of traffic. ~~Given access to the lot via the alley has already been provided, Engineering recommends denial of the request for access to the arterial consistent with a desire to preserve the function of the arterial against long-term degradation of its function.~~ Given approval for the project was predicated upon emergency vehicle access off of 12th street, in the interest of public safety, Engineering recommends approval of arterial access off of 12th street for this lot. (Updated per comments from Fire Marshall.)

File Attachments

[20200107.Exhibit 1 - 134SE.12th.arterialaccessrequest.pdf \(4,378 KB\)](#)

[20200107.Exhibit 2 - 134_SE.12th_Arterials.pdf \(243 KB\)](#)

[20200107.Exhibit 3 - 134_SE.12th_Proposed_Access.pdf \(130 KB\)](#)

Subject :	2.04 Southwest Sewer Update - Mr. Gordon & Mr. Hartwig
Meeting :	Jan 7, 2020 - City Council Workshop
Category :	2. Workshop Topics.
Access :	Public
Type :	Discussion, Information

Public Content

Workshop only, no action to be taken.

Historical Perspective:

Contract awarded a contract for the design of the Southwest Area Sewer in April 2019. Council authorized property acquisition for the lift station in September 2019. JUB engineers prepared the Southwest Area Sewer Collection System General Sewer Plan in October 2019. Design of the improvements is underway.

Information for Consideration:

Environmental review processes have been initiated. A Notice of Application on the Southwest Area Sewer Collection System General Sewer Plan was sent out on 11/6/2019. See Exhibit 1 for both the Determination of Non-significance (DNS) and a summary of public comments received.

Design of the project is also underway. City staff met with JUB Engineers on both 11/14/2019 (Exhibit 2) and 12/17/2019 (Exhibit 3) to specify project design parameters.

JUB Engineers is developing an updated schedule but has advised the City that it may be difficult to get the project out for construction this Spring/Summer.

File Attachments

[20200107.Exhibit_1-DNS.SW.Sewer.Collection.System.General.Sewer.Plan.2019.11.06.pdf \(334 KB\)](#)
[20200107.Exhibit_2-Notes_COCP_Workshop_20191217.pdf \(160 KB\)](#)
[20200107.Exhibit_3-Notes_COCP_Workshop_20191114.pdf \(2.433 KB\)](#)

Subject :	2.05 Update on Water Projects Financial Position - Mr. Gordon
Meeting :	Jan 7, 2020 - City Council Workshop
Category :	2. Workshop Topics.
Access :	Public
Type :	Discussion, Information

Public Content

Workshop only, no action to be taken.

Historical Perspective:

The City has been working to relocate City Wells 1 (Consolidation Project) and 2 since 2017. Both projects are underway and since that time, estimated project costs have increased. Most recently, on 11/26/2019, Council approved application for two supplemental DWSRF loans for \$1,742,137 and \$2,663,063 respectively.

Information for Consideration:

CONSOLIDATION PROJECT UPDATE

Exhibit 1, provided by RH2 Engineers, demonstrates the increase in cost estimates for the two projects since inception. RH2 had identified the following cost drivers with regard to the Consolidation Project:

The original Anderson Perry estimate based on groundwater levels that resulted in low horsepower requirements (~200-250 hp?).

Inflation and minor revisions (addressed with original DWSRF application - July 2017).

March 2018 estimates for DWSRF loan applications for Well No. 2 or the second application for the Water System Consolidation Project. Well No. 2 costs were prepared without additional engineering; funding was capped at \$1.8 million by the \$3 million per jurisdiction threshold.

RH2 recast cost of the well pump, motor and electrical equipment based upon hydraulic modeling done for the project at the 60% design level for the project in July 2018. Horsepower requirements were dramatically higher; estimated at 600 hP for a 2,500 gpm well which heavily influenced the costs of those components. The bid environment also became unfavorable owing at least in part to the construction backlog due to the state budget impasse.

Drilling challenges (the need for a full length stainless steel liner, formation seal and deeper drilling) contributed to increased estimates for both projects in May 2019. Costs associated with Walla Walla County requiring all pipe to be directionally drilled under paved surfaces offset some cost savings measures put into place on the waterline.

Well house design work was begun in the fall of 2019 after well testing results were confirmed. Horsepower requirements dropped to 500 hp, but water was deeper creating some additional costs to the pump column work. Costs were adjusted in December 2019 when bids were received from the Well No. 4 project (but bids were rejected).

WELL NO. 2/6 UPDATE

Costs may yet increase by another \$100,000 - \$200,000 to \$3.6 million by the time this project is completed in May 2021. Some of the remaining issues include but are not limited to:

The actual outcome of the well drilling, the determination of a sustainable yield and at what drawdown depth we will be pumping from.

We have yet to see the cost impacts of having to be very creative on how this well is tested and where to infiltrate the water.

We also have not accounted for the cost to fence and gravel the entire site from Whitman, all along SE Maple to the backyards of the homes along SE Tamarack in order to accommodate the solar panel project.

We do not know what the increased cost in the electrical equipment needed to accommodate the solar panel project will be.

Some additional piping, valves and control will also be necessary to provide better operations of the two ground level reservoirs at the Eastside BPS that have not been included in the costs to date.

These costs will have another year of construction inflation.

Given the unknowns above (testing and infiltration, solar panel project, etc.), the Schneider well-drilling contract may exceed the original contract authorization of \$848,153.93 (includes contingency). As of 1/6/2019, over \$350,000 remains in the approved authorization; however, staff is monitoring costs and will request an increase in the contract total if it appears costs will trend over the authorization.

Exhibit 4 provides an overall summary of financial status of each project. As noted above, Council approved application for two supplemental DWSRF loans for \$1,742,137 and \$2,663,063. These are expected to be approved and will more than fully fund both projects. In addition, the City had also previously issued \$4.5 million water revenue bond (Ordinance 17-033). This bond has a higher effective "interest" rate (3.5% vs. 1-1.5%) which would also be available for the project. Once the projects are complete, it is expected most of the revenue bond will be retired.

File Attachments

[20200107.Exhibit 1-CPL_Cost Estimate History1.pdf \(42 KB\)](#)

[20191226.Exhibit 2- Water Consolidation Project_Status1.pdf \(45 KB\)](#)

[20191226.Exhibit 3- Well_6_Project_Status1.pdf \(44 KB\)](#)

[20200107.Exhibit 4-Water_Project_Financial_Status.pdf \(122 KB\)](#)

Subject : 2.06 Update on Water System Consolidation Project
(Well No. 4) & Well No. 6 - Mr. Gordon

Meeting : Jan 7, 2020 - City Council Workshop

Category : 2. Workshop Topics.

Access : Public

Type : Discussion, Information

Public Content

Workshop only, no action to be taken.

Historical Perspective:

The engineering contract for the well-related water projects was approved in August 2017. Construction commenced on the Water System Consolidation Project November 2018. Construction commenced on the Well No. 2 Project April 2019.

Information for Consideration:

Water System Consolidation Project (Well No. 1/4 Relocation and Looped Water Main).

- The well drilling contract work completed on 10/3/2019.
- The looped water main contract completed on 10/3/2019.
- Bids for wellhouse contract rejected on 12/23/2019.
- Bids now due on 1/17/2020 with Council contract authorization (special meeting) anticipated on 1/21/2020.
- Water production anticipated near end of July 2020 with wellhouse completion at end of August.

Well No. 2/6 Relocation Project

- Well drilling contract underway. Drilling at 658 feet as of 12/31/19. Schneider was contacted last week, and they indicated they had some challenges getting through and stabilizing the silt layer that was similar to the silt layer encountered at Well 4. They thought they would be able to make better progress this week, hoping to approach 700 feet, which is what the contract anticipated as a final depth. This will be a decision point for short-term recirculation testing and/or proceeding deeper. RH2 Engineering is assessing when to stop drilling and where lining may be needed.
- 6 weeks before start of well testing
- Working with adjacent property owner to finalize pump test discharge agreement.
- Assuming no rebid challenge, we should see Well No. 2/6 on-line by the end of May 2021. This reflects time frame seen on Consolidation project (Well No. 1/4), long lead times on equipment and coordination on solar project. Staff will be working with RH2 to reduce this by 1-2 months if possible.

File Attachments

[20200107.Exhibit 1_Well_Project_Schedule.pdf \(66 KB\)](#)

Subject : 2.07 City Prosecutor Contract Addenda - Mr. Rizzitiello

Meeting : Jan 7, 2020 - City Council Workshop

Category : 2. Workshop Topics.

Access : Public

Type :

Discussion, Information, Procedural

Public Content

Workshop only, no action to be taken.

Expenditure: \$3,050

Historical Perspective:

Ms. Rea Culwell has served as the City Prosecutor since May 2018. In addition, she serves as the City Attorney.

Information for Consideration:

Ms. Culwell submitted an increase request for her contract in December 2019. This is due to the caseload increase as well as historical cases languishing due to the performance of the prior prosecutor. The increase request is from \$1,800 to \$3,050 a month. In reviewing what comparable cities pay the prosecutor this increase is appropriate since many pay more than even the request amount. The increase was accounted for in the adopted 2020 budget as a combination of an increase in expense and offsets from DUI emergency cost recoupment, indigent defense recoupment, creation of a diversion program for driving while license suspended in the third degree, and streamlining the process for dealing with nuisance infractions and other issues.

File Attachments

[CityProsecutor_CompensationIncreaseMemo.pdf \(192 KB\)](#)

[HR_PayStudies_CityProsecutor_Comparable.pdf \(179 KB\)](#)

[Legal Services Addendum.pdf \(77 KB\)](#)

Subject :	2.08 Council Rules Comprehensive Document - Ms. Neissl
Meeting :	Jan 7, 2020 - City Council Workshop
Category :	2. Workshop Topics.
Access :	Public
Type :	Discussion, Information

Public Content

Workshop only, no action to be taken.

Historical Perspective:

Over the years a variety of ordinances and resolutions have been passed regarding council meetings and rules. The first Ordinance was passed in 1984 and the first rules Resolution in 1990.

In 2016, it became apparent there was a need to compile all the meeting rules into one document. After a couple of meetings, without a conclusion on the issue and the tabling of the proposed comprehensive resolution, (NO. 881), the task was assigned to an ad-hoc committee made up of three Council Members. One member of this ad-hoc committee has since passed away.

Discussion at a recent council workshop indicated the difficulty of compiling one document from the various previously passed rules, and the City Clerk was tasked with assisting in this project.

Information for Consideration:

The attached exhibits are copies of those original enacting documents as well as minutes from the meetings creating the ad-hoc committee and the tabled 2016 comprehensive resolution.

In addition, the compilation document created by the Clerk, and a proposed Resolution based on that document are included.

The proposed Resolution would eliminate items from "Resolution" that are regulated by "Ordinance" so that there are not conflicting meeting times and dates in City legislation. The other addition made was to note that speaking time can not be transferred to another person as recommended by the City Attorney.

File Attachments

[1984-04-09-Ord.536 - Providing for Time and Place of Regular City Council Meetings and Repealing Ord. Nos. 6, 20, 26, 38.pdf \(33 KB\)](#)
[1990-03-12-Res.355 - 5-12-90 - Establishing Rules of Conduct for Council Meetings.pdf \(202 KB\)](#)
[1993-02-08-Res.410 - 2-8-93 - Amending Res. No. 355 - Rules of Conduct for Council Meetin.pdf \(33 KB\)](#)
[1994-02-14-Ord.716 - Amending Ord. No. 536 - Regarding City Council Meetings.pdf \(81 KB\)](#)
[1998-01-27-Res.561 - 2-27-98 - Amending Res. 355 - Respecting Rules of C onduct for Council Meetings.pdf \(79 KB\)](#)
[2015-04-13-Resol No. 872 - Procedures to fill Council or Mayor vacancies.pdf \(194 KB\)](#)
[Comprehensive Procedural Rules Resolution-881-Tabled 4-25-2016.pdf \(153 KB\)](#)
[3-28-16 Minutes.pdf \(192 KB\)](#)
[4-25-16 Minutes.pdf \(179 KB\)](#)
[2016-06-27-Ord No. 1139 - Council Meeting Dates.pdf \(65 KB\)](#)
[2016-12-13-Ord No. 16-1143 - Holding of Regular Council Meetings.pdf \(105 KB\)](#)
[2018-02-13-Resol No 18-004 Parliamentary Procedure Rules.pdf \(117 KB\)](#)
[Compilation Document 12-13-2019.pdf \(269 KB\)](#)
[EXHIBIT-Proposed_Resol_No_20-XXX_Council_Rules.pdf \(192 KB\)](#)

3. Other Business.

Subject :	3.01 Special Meeting Needed - Wellhouse Contract
Meeting :	Jan 7, 2020 - City Council Workshop
Category :	3. Other Business.
Access :	Public
Type :	Procedural

Public Content

Bid opening for WellhouseContract is scheduled for 1/17/2020.

To expedite the project, staff requests a special council meeting be scheduled for 1/21/20 at 5:30 PM.

Subject :	3.02 Mayor Pro Tem - Mayor Hernández
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Meeting :	Jan 7, 2020 - City Council Workshop
Category :	3. Other Business.
Access :	Public
Type :	Discussion, Procedural

Public Content

Temporary Mayor Pro Tem discussion

THE BLUE MOUNTAIN COMPLETE COUNT COMMITTEE

The Blue Mountain Complete Count Committee (BMCCC) is a tri-county coalition, a broad spectrum of government and community leaders from human services, philanthropy, faith-based entities, non-profit organizations, K-12 and higher education agencies, business, and healthcare. It is working to ensure a complete and accurate 2020 Census count in Walla Walla, Columbia and Garfield Counties. BMCCC members and others in the tri counties are encouraged to attend meetings, trainings, and make suggestions regarding the reach to target groups and HTC tracts and common touchpoints for coordinated efforts.

Representatives of fifteen entities form a steering committee, partnering with, at present, over 100 other stakeholders on an ever-expanding list. (*attachment section B.3.2 – BMCCC collaborators, friends, faith-based organizations, audiences, constituents*). These stakeholders represent trusted voices and active community messengers who will use their knowledge and energy to develop and implement a deep 2020 Census awareness campaign, encouraging maximum response. We recognize community influencers as the ones who should create and/or adapt localized messaging that is meaningful to the populations of their areas and are best suited to efficiently mobilize resources in the cities, towns, and rural areas of the BMCCC's reach.

The BMCCC will:

- Utilize local knowledge, influence and resources to educate tri-county residents and promote the census through locally-based and targeted outreach efforts;
- Provide a vehicle for coordinating and nurturing cooperative efforts between state, local and tribal governments (as appropriate), other alliances and partnerships working to support census activities, the State of Washington and the Census Bureau; and
- Assist the Census Bureau in procuring as complete a count as possible by maximizing self-response and assisting the Bureau in follow-up for non-responders.

Our outreach focuses on ensuring that the individual residents of all 14 census tracts, especially those living in the tracts considered “hard-to-count,” are counted and represented. Our organizing approach is to encourage a culture of trust, engagement, inclusion, equity, and civic participation designed to reach, educate, motivate, and activate individuals who are traditionally excluded and/or undercounted.

We coordinate closely with government, businesses, schools and a breadth of individuals and groups, welcoming all who care about our communities' representation and proper funding distribution to join us in addressing these GOALS:

- Work in concert with Census Bureau local, regional and national staff and volunteers;
- Assure that the census is fair, accurate and complete;
- Prioritize outreach to hard to count (HTC) populations;
- Encourage meaningful and significant leadership participation of representatives from historically marginalized communities;
- Support the legal and appropriate collection, management, safeguarding and use of census data;
- Encourage further development and make use of best practices developed for census outreach, such as through Washington Non Profits, The Washington State Census Funding Partnership, Everyone Counts-Washington, Washington Census Alliance; and
- build our region's capacity for collective advocacy and outreach efforts.

CENSUS TIMELINE 2020

HOW THE 2020 CENSUS WILL INVITE EVERYONE TO RESPOND:

- Every household will have the option of responding online, by mail, or by phone.
- **Nearly every household** will receive an invitation to participate in the 2020 census from either a postal worker or a census worker.
- **95%** of households will receive their census invitation in the mail.
- **Almost 5%** of households will receive census invitation from a census worker. (Ex. Those with a PO BOX).
- **Less than 1%** of households will be counted in person by a census worker.

WHAT TO EXPECT IN THE MAIL:

- You'll receive either an invitation to respond online or an invitation along with a paper questionnaire.
- **Letter invitation:** Most areas in the country are likely to respond online, so most households will receive a letter requesting they complete the census online.
 - Census Bureau plans to work with the postal service to stagger the delivery of those invitations over several days. This is done to spread out the # of users responding online, and to better serve those needing help over the phone.
- **Letter Invitations & Paper Questionnaire:** Areas less likely to respond online will receive a paper questionnaire along with an invitation to respond online or by phone.

WHAT WILL BE SENT IN THE MAIL:

On or between

You'll Receive:

- | | |
|-----------------------------|---|
| - March 12-20 th | An invitation to respond online to the 2020 census. (Some Households will also receive paper questionnaires). |
| - March 16-24 th | A reminder Letter. |

If you Haven't Responded Yet:

- | | |
|--|--|
| - March 26 th - April 3 rd | A Reminder Postcard. |
| - April 8 th - 16 th | A Reminder Letter & Paper Questionnaire. |
| - April 20 th - 27 th | A FINAL reminder postcard before follow up will be done in Person. |

Every household that has not responded will receive a reminder & eventually the paper questionnaire.

It does not matter which initial invitation a home may receive or how they receive it, Census Bureau will follow up in person with all households that do not respond.

Timeline	Operation	Activity
August 2019	Address Canvassing (AC)	Update the address frame and identify locations where people live, or could live for selected areas.
March 2020	Update/Leave (UL)	Update the address along with feature data and leave a packet to encourage self-response and a paper questionnaire.
March 2020	Service Based Enumeration (SBE)	Enumerate individuals receiving assistance at service based locations and people experiencing homelessness, living in transitory locations (such as recreation vehicle parks, campgrounds, tent cities, carnivals, marinas, hotels, who do not have a usual home elsewhere).
March 2020	Group Quarters Enumeration (GQE)	Enumerate people living or staying in group quarters, such as correctional facilities, skilled nursing facilities, college residential halls, group homes, worker's dormitories).
March 12-20	Self-Response	Internet Self-Response Starts. Provides an Option for respondents to complete the census questionnaire by internet.
April 1st	Census Day	Census Day
April 2020	Early Non-Response Follow-up (NRFU)	Conducted in blocks surrounding colleges and universities where students are likely to have moved out before regular NRFU begins.
May 2020	Non-Response Follow-up (NRFU)	Reach out to households who did not respond to the 2020 Census questionnaire.

PRESS RELEASE ~ Executive Summary
Walla Walla, Columbia and Garfield County Census 2020

Blue Mountain Action Council (BMAC) has been awarded a \$140,000 grant by the Washington State Office of Financial Management for census education and outreach. BMAC was selected by The Blue Mountain Complete Count Committee to apply for funds and serve as the lead agency for community census education and outreach. BMAC is centrally located with a history of broad service to all three counties.

The Blue Mountain Complete Count Committee (BMCCC) is a tri-county coalition, a broad spectrum of government and community leaders from human services, philanthropy, business, and healthcare. It is working to ensure a complete and accurate 2020 Census count in Walla Walla, Columbia and Garfield Counties. BMCCC members and others in the tri counties are committed to maximizing the area's 2020 census response. Representatives of 15 entities formed a BMCCC steering committee to eventually partner with hundreds of other stakeholders ~ trusted voices and active community messengers who will use their knowledge and resources to develop and implement a deep 2020 Census awareness campaign.

All 14 census tracks in the tri-counties are considered "hard-to-count" by the Census Bureau, reporting total 2010 response rates (post follow-up efforts) of 76% to 91%. Broad community coordination, education, print and visual resources, events, individual and small group gatherings, volunteer training, access to on-line resources for responses, and organized outreach is designed to:

- Educate residents on how to participate in the census;
- Encourage census participation, directly benefitting our communities;
- Assure that the census is fair, accurate and complete;
- Prioritize outreach to hard to count (HTC) areas;
- Encourage meaningful and significant leadership participation;
- Support the legal and appropriate collection, management, safeguarding and use of census data;
- evaluate, retain and expand best practices for 2030 census; and
- further build our region's capacity for collective advocacy and outreach.

Activities commence immediately with the hiring and training of the Community Census Coordinator, Juan Sanchez. Inquiries regarding this effort may be addressed to kathyc@bmacww.org. Inquiries regarding Census Bureau activities may be addressed to local representative Brisa Perez (brisa.j.perez.nieto@census.gov).

Why We Ask

The 2020 Census is easy. The questions are simple.

The census asks questions that provide a snapshot of the nation. Census results affect your voice in government, how much funding your community receives, and how your community plans for the future.

When you fill out the census, you help:

- Determine how many seats your state gets in Congress.
- Guide how [more than \\$675 billion](#) in federal funding is distributed to states and communities each year.
- Create jobs, provide housing, prepare for emergencies, and build schools, roads and hospitals.

Population Count (Number of People Living or Staying)

We ask this question to collect an accurate count of the number of people at each address on Census Day, April 1, 2020. Each decade, census results determine how many seats your state gets in Congress. State and local officials use census counts to draw boundaries for districts like congressional districts, state legislative districts and school districts.

Any Additional People Living or Staying

Our goal is to count people once, only once and in the right place according to where they live on Census Day. Keeping this goal in mind, we ask this question to ensure that everyone living at an address is counted.

Owner/Renter

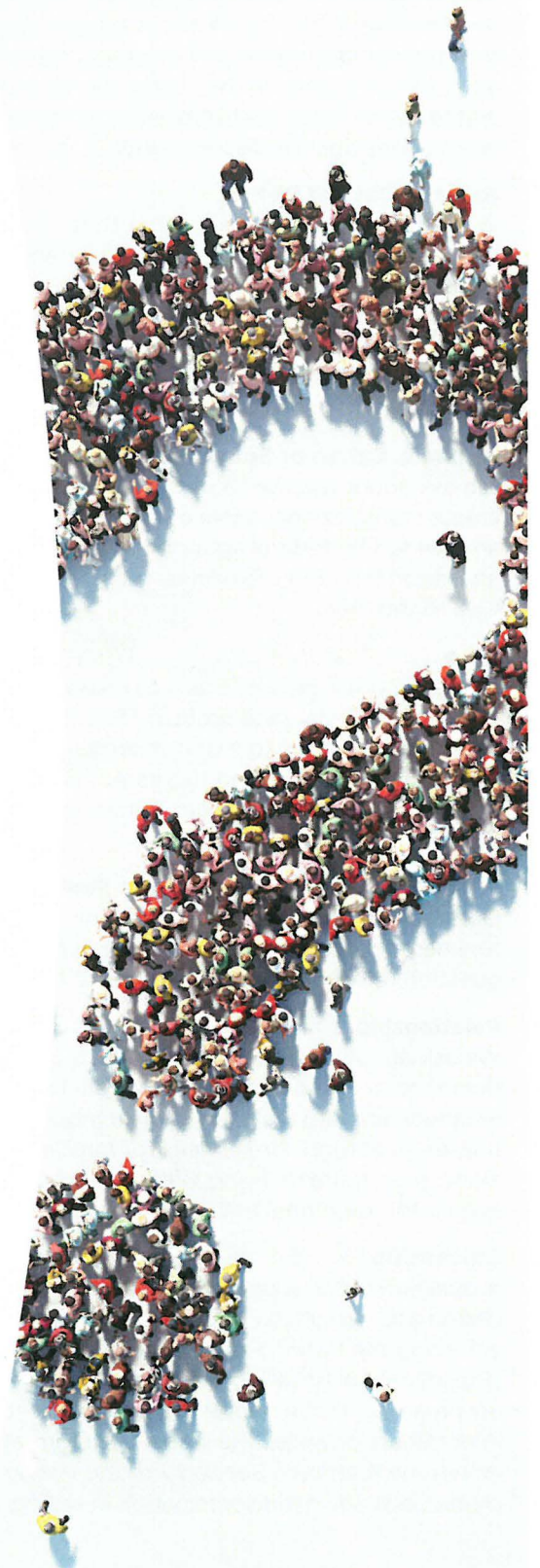
We ask about whether a home is owned or rented to create statistics about homeownership and renters. Homeownership rates serve as an indicator of the nation's economy and help in administering housing programs and informing planning decisions.

Phone Number

We ask for a phone number in case we need to contact you. We will never share your number and will only contact you if needed for official Census Bureau business.

Name

We ask for names to ensure everyone in the house is counted. Listing the name of each person in the household helps respondents include all members, particularly in large households where a respondent may forget who was counted and who was not.



Sex

We ask about the sex of each person to create statistics about males and females. Census data about sex are used in planning and funding government programs, and in evaluating other government programs and policies to ensure they fairly and equitably serve the needs of males and females. These statistics are also used to enforce laws, regulations and policies against discrimination in government programs and in society.

Age and Date of Birth

We ask about age and date of birth to understand the size and characteristics of different age groups and to present other data by age. Local, state, tribal and federal agencies use age data to plan and fund government programs that provide assistance or services for specific age groups, such as children, working-age adults, women of childbearing age, or the older population. These statistics also help enforce laws, regulations and policies against age discrimination in government programs and in society.

Hispanic, Latino or Spanish Origin

We ask about whether a person is of Hispanic, Latino or Spanish origin to create statistics about this ethnic group. The data collected in this question are needed by federal agencies to monitor compliance with anti-discrimination provisions, such as under the Voting Rights Act and the Civil Rights Act.

Race

We ask about a person's race to create statistics about race and to present other statistics by race groups. The data collected in this question are needed by federal agencies to monitor compliance with anti-discrimination provisions, such as under the Voting Rights Act and the Civil Rights Act. State governments use the data to determine congressional, state and local voting districts.

Whether a Person Lives or Stays Somewhere Else

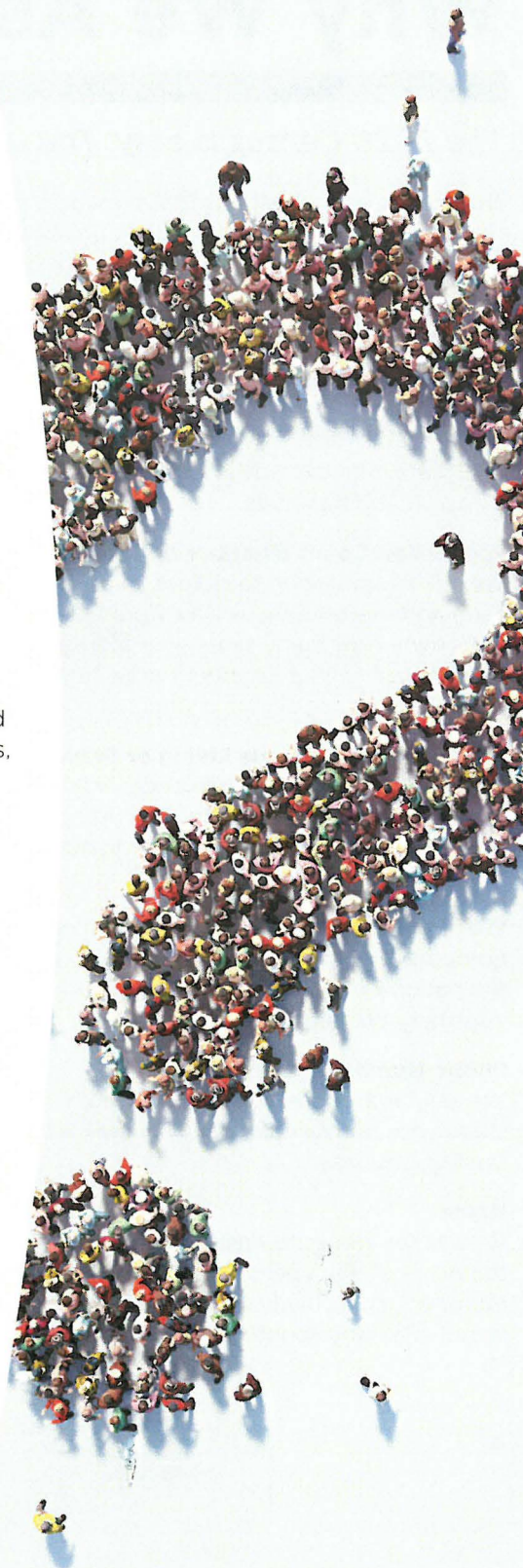
Our goal is to count people once, only once and in the right place according to where they live on Census Day. Keeping this goal in mind, we ask this question to ensure individuals are not included at multiple addresses.

Relationship

We ask about the relationship of each person in a household to one central person to create estimates about families, households and other groups. Relationship data are used in planning and funding government programs that provide funds or services for families, people living or raising children alone, grandparents living with grandchildren, or other households that qualify for additional assistance.

Citizenship

A question about a person's citizenship is used to create statistics about citizen and noncitizen populations. These statistics are essential for enforcing the Voting Rights Act and its protections against voting discrimination. Knowing how many people reside in the community and how many of those people are citizens, in combination with other information, provides the statistical information that helps the government enforce Section 2 of the Voting Rights Act and its protections against discrimination in voting.



The 2020 Census: What's at Stake for Washington

The 2020 Census

The census is a constitutionally required, once-a-decade count of every person living in the United States and has a fundamental role in our democracy. The census is critical to our democracy for three primary reasons:

1. Census data are used to reapportion seats in the US House of Representatives, and to draw state and local legislative districts, ensuring fair political representation.
2. Census data are used to allocate [over \\$800 billion nationally](#) in federal programs and resources.
3. Elected officials, businesses and other decision-makers use census data to make critical economic decisions and to inform public policy solutions.

Washington Count Risk Factors	
Total Population	7,073,146
Population in HTC areas	789,071
Percentage in HTC areas	11%
Population in Tracts NOT receiving census by mail	53,267
Percentage households NO internet/ dial-up only	12.6%

To achieve its constitutional mandate, the census must be fair and accurate or risk undermining this indispensable population data for the next 10 years.

Threats of an Undercount

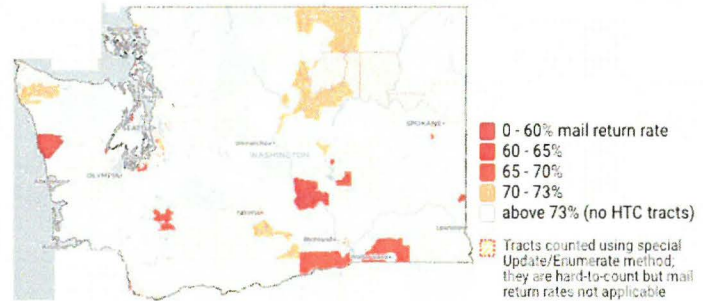
Unfortunately, the 2020 Census is facing [unprecedented challenges](#) that heighten the risk that the census will fail to count every person living in the US.

In 2010, a 1 percent undercount would have missed 67,245 people in Washington, losing the state \$2,614,278 from census-derived federal programs.

1. **Unequal Representation:** In 2010, an accurate count gained Washington one congressional seat. However, the 2020 census is at risk of undercounting [hard-to-count \(HTC\) communities](#), putting the state's representation at risk.
2. **Reduced Funding:** In 2015, Washington received approximately [\\$13.7 billion](#) from federal programs using census data. Without accurate data, the federal government will misallocate funding for education, Medicaid, highways and other programs. Census data also inform how [\\$200 million is allocated to counties and cities](#) annually.
3. **Economic Impact:** [Business leaders rely on census](#) demographic and economic data to inform development projections, marketing strategies and investment opportunities. Inaccurate data will derail potential economic growth for 10 years.
4. **Diminished Local Capacity:** The Census Bureau plans to cut Area Census Office (ACO) totals from 2010, reducing capacity to visit unresponsive households and liaise with complete count committees. **Washington will [lose four ACOs](#), including two in King County.**
5. **Citizenship Question:** The addition of a new and untested [question about citizenship](#) to the 2020 Census form is extremely detrimental. It will [depress participation](#), increase inaccuracy, [increase costs](#) and damage public trust in the census.
6. **"Internet Choice":** The 2020 Census will be the first decennial count using an online system to collect responses. Areas with low internet coverage or connectivity may experience greater difficulty in participating in the count.
7. **Update/Enumerate:** Areas without city-style addresses, in remote locations, or that have been affected by major disasters will not be mailed a census form. Instead, the Census Bureau will use enumeration practices that may result in undercounts of up to 8%.

Hard-to-Count Populations in Washington

The goal of the census is to "count everyone once, only once, and in the right place." But some areas and population groups are "hard to count," forcing the Census Bureau to send personnel to each non-responding household, which is difficult, time-consuming and expensive.



Map of Washington. Source: City University of New York. HTC 2020. [online] Available at: <https://www.censushardtocountmaps2020.us/>.

Hard-to-Count Group	Representation in Washington's Population
Hispanic or Latino	12% or 848,777 people
Black or African American	5% or 353,657 people
Asian	10% or 707,315 people
American Indian or Alaska Native	3% or 212,194 people
Children Under Age 5	6% or 424,388 people
Foreign-Born Individuals	15% or 1,081,398 people
Limited English Proficient Households	4% or 104,404 households 41% speak Spanish (42,823 households). 15% speak Indo-European languages (15,877 households). 37% speak Asian/Pacific Islander languages (38,810 households). 7% speak other languages (6,894 households).

Top Counties with Largest Hard-To-Count Populations

Counties with Large HTC Populations	Total Population	Percent Hard to Count	Percent WITHOUT internet or only dial-up service	Percent Largest Community of Color	Percent Children Under Age 5	Percent Foreign-Born
Adams	19,100	18%		62% Latino	11%	25%
Clark	450,893	15%	11.1%	9% Latino	6%	12%
Douglas	40,101	16%		31% Latino	7%	17%
Grant	92,530	28%	20.7%	40% Latino	8%	20%
King	2,079,550	14%	8.8%	19% Asian	6%	23%
Kitsap	257,488	6%	10.4%	8% Asian	6%	9%
Kittitas	42,785	18%		9% Latino	5%	7%
Okanogan	41,299	42%		19% Latino 13% AI/AN	7%	12%
Pierce	832,896	17%	13.5%	10% Latino	7%	12%
Snohomish	758,649	9%	10.6%	12% Asian	6%	17%
Walla Walla	59,809	8%		21% Latino	6%	11%
Whitman	47,494	39%		10% Asian	4%	11%
Yakima	247,681	28%	22.7%	48% Latino	8%	19%

Questions Asked

The 2020 Census is easy. The questions are simple

As required by the Census Act, the U.S. Census Bureau submitted a list of questions to Congress on March 29, 2018. Based on those questions, the 2020 Census will ask:

- **How many people are living or staying at your home on April 1, 2020.** This will help us count the entire U.S. population and ensure that we count people according to where they live on Census Day.
- **Whether the home is owned or rented.** This will help us produce statistics about homeownership and renting. The rates of homeownership serve as one indicator of the nation's economy. They also help in administering housing programs and informing planning decisions.
- **About the sex of each person in your home.** This allows us to create statistics about males and females, which can be used in planning and funding government programs. This data can also be used to enforce laws, regulations, and policies against discrimination.
- **About the age of each person in your home.** The U.S. Census Bureau creates statistics to better understand the size and characteristics of different age groups. Agencies use this data to plan and fund government programs that support specific age groups, including children and older adults.
- **About the race of each person in your home.** This allows us to create statistics about race and to provide other statistics by racial groups. This data helps federal agencies monitor compliance with anti-discrimination provisions, such as those in the Voting Rights Act and the Civil Rights Act.
- **About whether a person in your home is of Hispanic, Latino, or Spanish origin.** These responses help create statistics about this ethnic group. This is needed by federal agencies to monitor compliance with anti-discrimination provisions, such as those in the Voting Rights Act and the Civil Rights Act.
- **About the relationship of each person in your home.** This allows the Census Bureau to create estimates about families, households, and other groups. Relationship data is used in planning and funding government programs that support families, including people raising children alone.

Governments, businesses, communities, and nonprofits all rely on the data that these questions produce to make critical decisions.

The Census Will Never Ask Certain Questions

The Census Bureau will *never* ask you for:

- Your Social Security number.
- Money or donations.
- Anything on behalf of a political party.

- Your bank or credit card account numbers.

If someone claiming to be from the Census Bureau asks you for one of these things, it's a scam, and you should not cooperate. For more information, visit [Avoiding Fraud and Scams](#).

What Happens to Your Answers?

Your personal information is kept *confidential*. The Census Bureau is bound by federal law to protect your information, and your data is used only for statistical purposes.

Your responses are compiled with information from other homes to produce statistics, which never identify your home or any person in your home. Learn more about how we protect your information.

CENSUS TIMELINE 2020

HOW THE 2020 CENSUS WILL INVITE EVERYONE TO RESPOND:

- Every household will have the option of responding online, by mail, or by phone.
- **Nearly every household** will receive an invitation to participate in the 2020 census from either a postal worker or a census worker.
- **95%** of households will receive their census invitation in the mail.
- **Almost 5%** of households will receive census invitation from a census worker. (Ex. Those with a PO BOX).
- **Less than 1%** of households will be counted in person by a census worker.

WHAT TO EXPECT IN THE MAIL:

- You'll receive either an invitation to respond online or an invitation along with a paper questionnaire.
- **Letter invitation:** Most areas in the country are likely to respond online, so most households will receive a letter requesting they complete the census online.
 - Census Bureau plans to work with the postal service to stagger the delivery of those invitations over several days. This is done to spread out the # of users responding online, and to better serve those needing help over the phone.
- **Letter Invitations & Paper Questionnaire:** Areas less likely to respond online will receive a paper questionnaire along with an invitation to respond online or by phone.

WHAT WILL BE SENT IN THE MAIL:

<u>On or between</u>	<u>You'll Receive:</u>
- March 12-20 th	An invitation to respond online to the 2020 census. (Some Households will also receive paper questionnaires).
- March 16-24 th	A reminder Letter.
<u>If you Haven't Responded Yet:</u>	
- March 26 th - April 3 rd	A Reminder Postcard.
- April 8 th - 16 th	A Reminder Letter & Paper Questionnaire.
- April 20 th - 27 th	A FINAL reminder postcard before follow up will be done in Person.

Every household that has not responded will receive a reminder & eventually the paper questionnaire.

It does not matter which initial invitation a home may receive or how they receive it, Census Bureau will follow up in person with all households that do not respond.

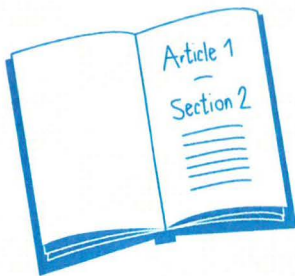
Timeline	Operation	Activity
August 2019	Address Canvassing (AC)	Update the address frame and identify locations where people live, or could live for selected areas.
March 2020	Update/Leave (UL)	Update the address along with feature data and leave a packet to encourage self-response and a paper questionnaire.
March 2020	Service Based Enumeration (SBE)	Enumerate individuals receiving assistance at service based locations and people experiencing homelessness, living in transitory locations (such as recreation vehicle parks, campgrounds, tent cities, carnivals, marinas, hotels, who do not have a usual home elsewhere).
March 2020	Group Quarters Enumeration (GQE)	Enumerate people living or staying in group quarters, such as correctional facilities, skilled nursing facilities, college residential halls, group homes, worker's dormitories).
March 12-20	Self-Response	Internet Self-Response Starts. Provides an Option for respondents to complete the census questionnaire by internet.
April 1st	Census Day	Census Day
April 2020	Early Non-Response Follow-up (NRFU)	Conducted in blocks surrounding colleges and universities where students are likely to have moved out before regular NRFU begins.
May 2020	Non-Response Follow-up (NRFU)	Reach out to households who did not respond to the 2020 Census questionnaire.

CENSUS 101: WHAT YOU NEED TO KNOW

The 2020 Census is closer than you think!
Here's a quick refresher of what it is and why it's essential that everyone is counted.

Everyone counts.

The census counts every person living in the U.S. once, only once, and in the right place.

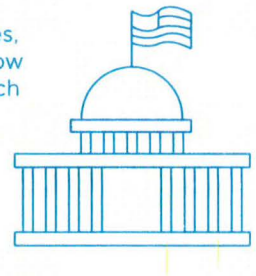


It's in the constitution.

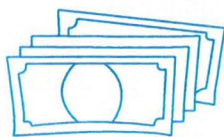
The U.S. Constitution mandates that everyone in the country be counted every 10 years. The first census was in 1790.

It's about fair representation.

Every 10 years, the results of the census are used to reapportion the House of Representatives, determining how many seats each state gets.



It's about \$675 billion.



The distribution of more than \$675 billion in federal funds, grants and support to states, counties and communities are based on census data.

That money is spent on schools, hospitals, roads, public works and other vital programs.

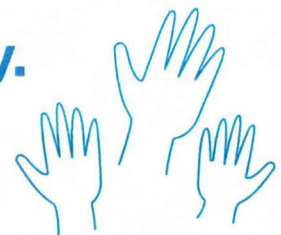


It's about redistricting.

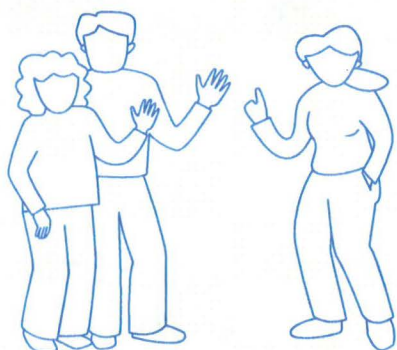
After each decade's census, state officials redraw the boundaries of the congressional and state legislative districts in their states to account for population shifts.

Taking part is your civic duty.

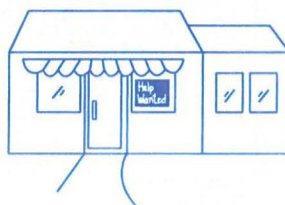
Completing the census is mandatory: it's a way to participate in our democracy and say "I COUNT!"



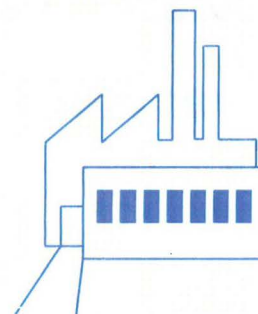
Census data are being used all around you.



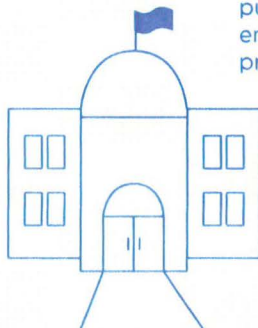
Residents use the census to support community initiatives involving legislation, quality-of-life and consumer advocacy.



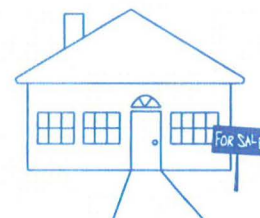
Businesses use census data to decide where to build factories, offices and stores, which create jobs.



Local governments use the census for public safety and emergency preparedness.



Real estate developers use the census to build new homes and revitalize old neighborhoods.



Your privacy is protected.

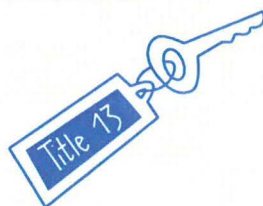
It's against the law for the Census Bureau to publicly release your responses in any way that could identify you or your household.

By law, your responses cannot be used against you and can only be used to produce statistics.



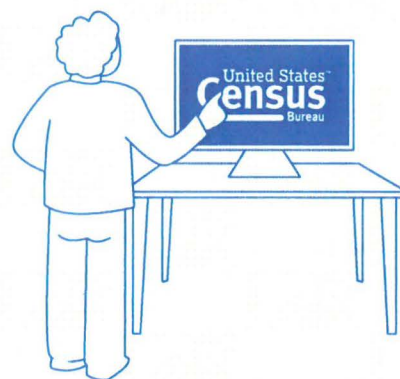
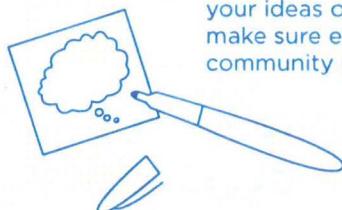
2020 will be easier than ever.

In 2020, you will be able to respond to the census online.



You can help.

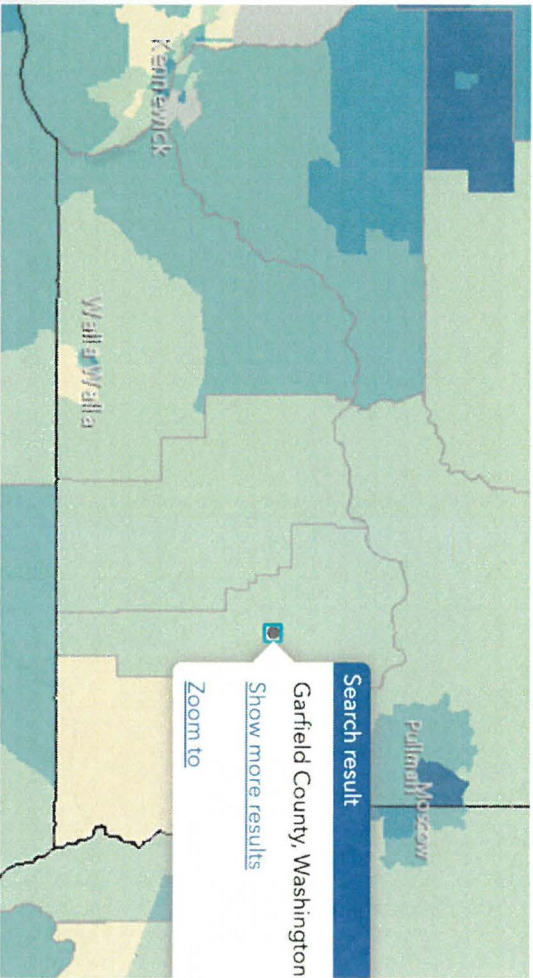
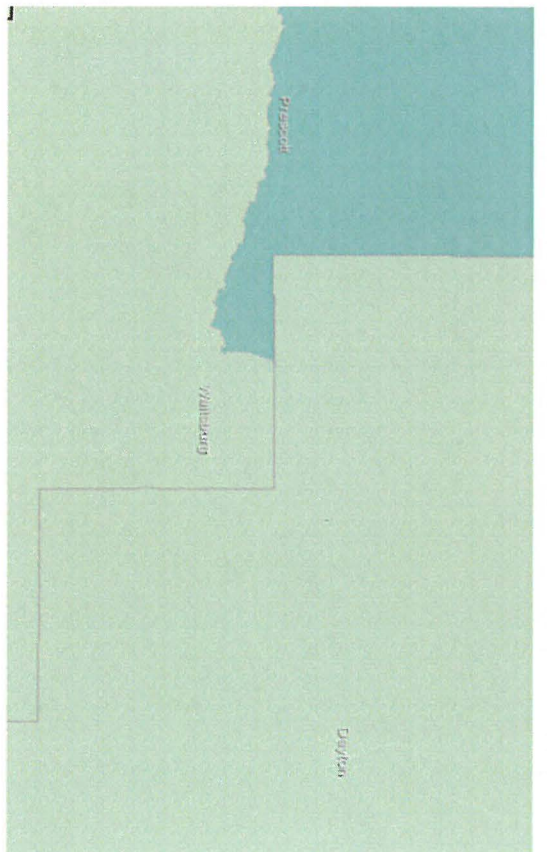
You are the expert—we need your ideas on the best way to make sure everyone in your community gets counted.



United States
Census
Bureau

FIND OUT HOW TO HELP
AT [CENSUS.GOV/PARTNERS](https://census.gov/partners)

United States
Census
2020



Search result

Garfield County, Washington

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The Census is coming!

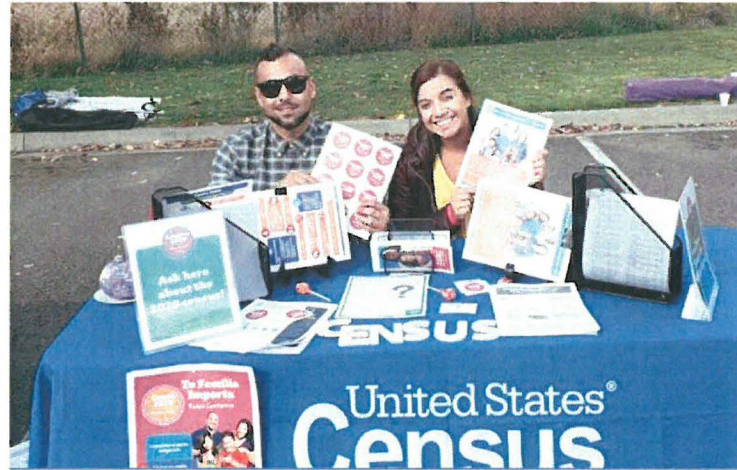
Every 10 years, the United States conducts its Census with the goal of counting every resident. The 2020 Census will count each person living in the country as of April 1, and for the first time will include an option for responding online.

In March, each household in the U.S. will receive a letter or postcard from the Census Bureau with instructions on how to participate. Starting in May, Census workers will go to door to door to count households that did not self-report. The count will be finalized by Dec. 31.

The results of the Census are important for residents of Walla Walla and Washington state, since local, state, and federal governments use Census data to determine how tax dollars and other resources are distributed.

Washington receives approximately \$13.7 billion in federal funds for a variety of human service, community development, and health programs. Each missed household in the Census count costs our state approximately \$4,800 in federal funds.

The Washington State Legislature allocates approximately \$200 million in state funds for programs



The Blue Mountain Complete Count Committee is conducting the 2020 Census in our area. For more information, visit bmccc2020.org.

based on Census data, and local governments such as the City of Walla Walla use this data to determine where development should take place and how local dollars should be spent.

Local businesses and nonprofits use Census data to decide where to target growth, create jobs, and offer services. It is also used to inform grant proposals and other projects designed to raise the quality of life in our community.

The data collected also helps to guide the work of Washington's Redistricting Committee to ensure legislative districts are drawn fairly so our community is represented

in Olympia and Washington, D.C.

Some residents may feel nervous about giving information about themselves and their families to the government. But it's important to understand U.S. law prevents the Census Bureau from releasing any identifiable information about you, your home, or your business — even to law enforcement agencies. The information you provide is used only to produce statistics.

The census offers a unique opportunity to be counted and shape our community's future. This opportunity comes once every 10 years, so make sure you plan to get counted in 2020.

TBD!



Follow the City
on social media



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Twitter:
[@CityofWW](https://twitter.com/CityofWW)



Instagram:
[CityofWW](https://www.instagram.com/CityofWW)

ORDINANCE NO. 2019- 22

AN ORDINANCE APPROVING THE USE OF WHEELED ALL-TERRAIN UTILITY-
TYPE VEHICLES ON PUBLIC ROADWAYS IN THE CITY OF WALLA WALLA AND
TAKING OTHER ACTION RELATED THERETO

WHEREAS, City Ordinance A-2405 (May 13, 1970) classified the City of Walla Walla as a nonchartered code city under Title 35A of the Revised Code Washington (RCW); and

WHEREAS, Ch. 46.09 RCW authorizes operation of wheeled all-terrain vehicles on public roadways on certain conditions; and

WHEREAS, RCW 46.09.455(1)(d)(i) provides in part that a “person may not operate a wheeled all-terrain vehicle on a public roadway within the boundaries of a city or town. . . unless the city or town has approved the operation of wheeled all-terrain vehicles on city or town roadways. . .[;]” and

WHEREAS, RCW 46.09.360 authorizes cities and towns to regulate the operation of non-highway vehicles on public lands, other properties under their jurisdiction, and on streets, roads, and highways within their boundaries; and

WHEREAS, the Walla Walla City Council has considered this matter during a regularly and duly called public meeting of said Council, has given this matter careful review and consideration, and finds that good government and the best interests of the City of Walla Walla will be served by passage of this ordinance,

NOW THEREFORE, the City Council of the City of Walla Walla ordains as follows:

Section 1: Chapter 10.18 is hereby added to the Walla Walla Municipal Code as follows:

**Chapter 10.18
WHEELED ALL-TERRAIN VEHICLES**

10.18.005 - Purpose.

The purpose of this chapter is to allow the operation of wheeled all-terrain vehicles described in RCW 46.09.310(19) on public roadways within the City of Walla Walla on certain conditions in accordance with RCW 46.09.455.

10.18.010 - Definitions.

When used in this chapter, the City defines the words and phrases listed below as follows:

A. “City” means the City of Walla Walla, its elected officials, its employees, and its

agents.

B. “City Street” means every way, lane, road, street, boulevard, and every way or place in the City open as a matter of right to public vehicular traffic inside the city limits.

C. “Motorcycle Helmet” has the same meaning as provided in RCW 46.37.530.

D. “Rules of the Road” means all the rules that apply to vehicle or pedestrian traffic as set forth in state statute, rule or regulation.

E. “Sidewalk” means that property between the curb lines or the lateral lines of a city street and the adjacent property, set aside and intended for the use of pedestrians or such portion of private property parallel and in proximity to a city street and dedicated to use by pedestrians.

F. “Wheeled All-Terrain Vehicle” or “WATV” means a motor vehicle that satisfies the following criteria:

1. A motorized nonhighway vehicle with handlebars that is 50 inches or less in width, has a seat height of at least 20 inches, weighs less than 1,500 pounds, and has four tires having a diameter of thirty inches or less; or

2. A utility-type vehicle designed for and capable of travel over designated roads that travels on four or more low-pressure tires of 20 psi or less, has a steering wheel for steering control, has non-straddle seating with the operator and passenger sitting side by side in the vehicle manufactured primarily for recreational non-highway all-terrain use, has a maximum width less than 74 inches, has a maximum weight less than 2,000 pounds, has a wheelbase of 110 inches or less, and satisfies at least one of the following:

a. Has a minimum width of 50 inches;

b. Has a minimum weight of at least 900 pounds; or

c. Has a wheelbase of over 61 inches.

10.18.020 - Use of Wheeled All-Terrain Vehicle on City Streets.

Subject to the restrictions and requirements set forth in this chapter, a person who has attained the age of 18 years and who has a valid driver’s license issued by the state of the person’s residence may operate a wheeled all-terrain vehicle upon a city street having a speed limit of 35 miles per hour or less.

10.18.030 - Restrictions on Use of Wheeled All-Terrain Vehicle on City Streets.

A. Any person who operates or rides as a passenger in a wheeled all-terrain vehicle must wear a securely fastened motorcycle helmet while the WATV is in motion, unless the WATV is equipped with roll bars or an enclosed passenger compartment;

B. Any person who operates or rides as a passenger in a wheeled all-terrain utility-type vehicle must wear a securely fastened seat belt as required in RCW 46.61.688(3). Passengers less than 16 years of age are required to be restrained as defined in RCW 46.61.687.

- C. No passengers under the age of five years of age may be transported in or on a WATV;
- D. A person may not operate a WATV upon a city street with a speed limit in excess of 35 miles per hour;
- E. A person may operate a wheeled all-terrain vehicle upon any city street while being used under the authority or direction of the City or an appropriate agency that engages in emergency management, as defined in RCW 46.09.310, or search and rescue, as defined in RCW 38.52.010, or a law enforcement agency, as defined in RCW 16.52.011, within the scope of the agency's official duties;
- F. WATVs are subject to Chapter 46.55 RCW; and
- G. No person may operate a WATV upon a city street without having proof of current liability insurance with liability limits of at least the amounts provided in and in compliance with the requirements as set forth in RCW 46.29.090, as now enacted or hereafter amended. Written proof of such financial responsibility must be provided on the request of a law enforcement officer.

10.18.040 - Equipment Requirements for Wheeled All-Terrain Vehicles.

- A. A wheeled all-terrain vehicle operated on a city street must comply with the following equipment requirements:
1. Headlights meeting the requirements of RCW 46.37.030 and 46.37.040 and used at all times when the vehicle is in motion;
 2. Tail lamps meeting the following requirements:
 - a. Wheeled all-terrain vehicles with handlebars must have one tail lamp meeting the requirements of RCW 46.37.525 and to be used at all times when the vehicle is in motion upon a city street;
 - b. Wheeled all-terrain utility-type vehicles must have two tail lamps meeting the requirements of RCW 46.37.070(1) and to be used at all times when the vehicle is in motion upon a city street;
 3. A stop lamp meeting the requirements of RCW 46.37.200;
 4. Reflectors meeting the requirements of RCW 46.37.060;
 5. During hours of darkness, as defined in RCW 46.04.200, turn signals meeting the requirements of RCW 46.37.200;
 6. Outside of hours of darkness, the operator must comply with RCW 46.37.200 or 46.61.310;
 7. Mirror(s) meeting the following requirements.
 - a. Wheeled all-terrain vehicles with handlebars must have a mirror attached to either the right or left handlebar, which must be located to give the operator a complete view of the roadway for a distance of at least 200 feet to the rear of the vehicle;
 - b. Wheeled all-terrain utility type vehicles must have two mirrors meeting the requirements of RCW 46.37.400;

8. A windshield meeting the requirements of RCW 46.37.430, unless the operator wears glasses, goggles, or a face shield while operating the vehicle, of a type conforming to rules adopted by the Washington State Patrol;

9. A horn or warning device meeting the requirements of RCW 46.37.380;

10. Brakes in working order;

11. A spark arrester and muffling device meeting the requirements of RCW 46.09.470;

12. Wheeled all-terrain utility type vehicles must have seatbelts meeting the requirements of RCW 46.37.510; and

13. Wheeled all-terrain utility type vehicles must have an individual seat for each occupant designed to seat a person.

B. The requirements of this section do not apply to wheeled all-terrain vehicles used under the authority or direction of the City or an appropriate agency that engages in emergency management, as defined in RCW 46.09.310, or search and rescue, as defined in RCW 38.52.010, or a law enforcement agency, as defined in RCW 16.52.011, within the scope of the agency's official duties.

10.18.050 - Registration and on-road tabs.

A person may not operate a WATV upon a city street unless the vehicle has a current and proper on-road vehicle registration and displays the appropriate on-road tab or special year tab, as required by Ch. 46.09 RCW.

10.18.060 - Duty to Obey Traffic-Control Devices and Rules of the Road.

Unless a police officer directs otherwise, a person operating a WATV must obey all rules of the road and must obey the instructions of official traffic-control signals, signs, and other control devices applicable to vehicles. A person operating a WATV upon a city street is subject to all of the duties that Chapter 46.61 RCW and Title 10 of the Walla Walla Municipal Code imposes on an operator of a vehicle, except as to those provisions thereof which by their nature can have no application.

10.18.070 - Prohibited Uses.

A. No person may operate or ride a WATV in a negligent or unsafe manner, but must operate it with reasonable regard for his or her own safety and for the safety of others.

B. No person may occupy a WATV unless that person is seated in or on a seat designed to carry a person.

C. No person may operate a WATV side-by-side in a single lane of traffic.

10.18.080 - Prohibited Areas.

- A. It is unlawful to operate a WATV on a sidewalk or other area where it is unlawful to operate a motor vehicle.
- B. It is unlawful to operate a WATV upon any city park other than in areas designated for motor vehicle operation.
- C. It is unlawful to operate a WATV on any bicycle trail or walking path or in any bicycle lane.
- D. The requirements of this section do not apply to wheeled all-terrain vehicles used under the authority or direction of the City or an appropriate agency that engages in emergency management, as defined in RCW 46.09.310, or search and rescue, as defined in RCW 38.52.010, or a law enforcement agency, as defined in RCW 16.52.011, within the scope of the agency's official duties.

10.18.090 - Violation—Penalty.

- A. A person who violates section 10.18.020, 10.18.030, 10.18.040, 10.18.050, 10.18.060, 10.18.070, or 10.18.080 of this chapter is guilty of a traffic infraction punishable by a fine of not less than twenty-five dollars (\$25) nor more than two-hundred fifty dollars (\$250) for each offense.
- B. Traffic infractions committed in violation of this chapter shall be handled and adjudicated in accordance with Chapter 46.63 RCW.

10.18.100 - Incorporation by reference.

RCW 46.09.350, RCW 46.09.442, RCW 46.09.444, RCW 46.09.470, RCW 46.09.480, and RCW 46.09.495 are incorporated herein by reference.

Section 2: The Walla Walla City Manager is hereby authorized to promulgate administrative rules and procedures that implement this ordinance.

Section 3: The City Clerk and the codifiers of this ordinance are authorized to make necessary clerical corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 4: If any part of this ordinance is for any reason declared or held to be invalid or unconstitutional by any court or tribunal of competent jurisdiction, such part shall be deemed a separate and distinct and independent provision and such holding shall not affect the validity of the remaining parts hereof.

Section 5: The City Clerk is hereby authorized to publish a summary of this ordinance in accordance with RCW 35A.13.200 and RCW 35A.12.160.

PASSED by the City Council of the City of Walla Walla, Washington, this ____th day of October, 2019.

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney

SUMMARY OF ADOPTION OF ORDINANCE 2019-

AN ORDINANCE APPROVING THE USE OF WHEELED ALL-TERRAIN UTILITY-TYPE VEHICLES ON PUBLIC ROADWAYS IN THE CITY OF WALLA WALLA AND TAKING OTHER ACTION RELATED THERETO

The Walla Walla City Council passed an ordinance at its October _____, 2019 open public meeting which in summary allows the operation of wheeled all-terrain vehicles described in RCW 46.09.310(19) on public roadways within the City of Walla Walla on certain conditions in accordance with RCW 46.09.455.

The full text of the ordinance summarized herein will be mailed upon request made to the Walla Walla City Clerk at Walla Walla City Hall, 15 N. Third Ave., Walla Walla, WA 99362.

Summary approved as to form

City Attorney

ORDINANCE NO. 2019- 22

UTV ONLY DRAFT

AN ORDINANCE APPROVING THE USE OF WHEELED ALL-TERRAIN UTILITY-TYPE VEHICLES ON PUBLIC ROADWAYS IN THE CITY OF WALLA WALLA AND TAKING OTHER ACTION RELATED THERETO

WHEREAS, City Ordinance A-2405 (May 13, 1970) classified the City of Walla Walla as a nonchartered code city under Title 35A of the Revised Code Washington (RCW); and

WHEREAS, Ch. 46.09 RCW authorizes operation of wheeled all-terrain vehicles on public roadways on certain conditions; and

WHEREAS, RCW 46.09.455(1)(d)(i) provides in part that a “person may not operate a wheeled all-terrain vehicle on a public roadway within the boundaries of a city or town. . . unless the city or town has approved the operation of wheeled all-terrain vehicles on city or town roadways. . .[;]” and

WHEREAS, RCW 46.09.360 authorizes cities and towns to regulate the operation of non-highway vehicles on public lands, other properties under their jurisdiction, and on streets, roads, and highways within their boundaries; and

WHEREAS, the Walla Walla City Council has considered this matter during a regularly and duly called public meeting of said Council, has given this matter careful review and consideration, and finds that good government and the best interests of the City of Walla Walla will be served by passage of this ordinance,

NOW THEREFORE, the City Council of the City of Walla Walla ordains as follows:

Section 1: Chapter 10.18 is hereby added to the Walla Walla Municipal Code as follows:

Chapter 10.18
WHEELED ALL-TERRAIN VEHICLES

10.18.005 - Purpose.

The purpose of this chapter is to allow the operation of utility-type all-terrain vehicles with steering wheels described in RCW 46.09.310(19)(b) on public roadways within the City of Walla Walla on certain conditions in accordance with RCW 46.09.455. This chapter does not allow operation of motorized non-highway vehicles with handlebars described in RCW 46.09.310(19)(a) on City roadways.

10.18.010 - Definitions.

UTV ONLY DRAFT

When used in this chapter, the City defines the words and phrases listed below as

follows:

- A. “City” means the City of Walla Walla, its elected officials, its employees, and its agents.
- B. “City Street” means every way, lane, road, street, boulevard, and every way or place in the City open as a matter of right to public vehicular traffic inside the city limits.
- C. “Motorcycle Helmet” has the same meaning as provided in RCW 46.37.530.
- D. “Rules of the Road” means all the rules that apply to vehicle or pedestrian traffic as set forth in state statute, rule or regulation.
- E. “Sidewalk” means that property between the curb lines or the lateral lines of a city street and the adjacent property, set aside and intended for the use of pedestrians or such portion of private property parallel and in proximity to a city street and dedicated to use by pedestrians.
- F. “Wheeled All-Terrain Utility-Type Vehicle” or “WUTV” means a motor vehicle that satisfies the following criteria:
 - 1. A utility-type vehicle designed for and capable of travel over designated roads that travels on four or more low-pressure tires of 20 psi or less, has a steering wheel for steering control, has non-straddle seating with the operator and passenger sitting side by side in the vehicle manufactured primarily for recreational non-highway all-terrain use, has a maximum width less than 74 inches, has a maximum weight less than 2,000 pounds, has a wheelbase of 110 inches or less, and satisfies at least one of the following:
 - a. Has a minimum width of 50 inches;
 - b. Has a minimum weight of at least 900 pounds; or
 - c. Has a wheelbase of over 61 inches.

10.18.020 - Use of Wheeled All-Terrain Utility-Type Vehicle on City Streets.

Subject to the restrictions and requirements set forth in this chapter, a person who has attained the age of 18 years and who has a valid driver’s license issued by the state of the person’s residence may operate a wheeled all-terrain vehicle upon a city street having a speed limit of 35 miles per hour or less.

10.18.030 - Restrictions on Use of Wheeled All-Terrain Vehicle on City Streets.

- A. Any person who operates or rides as a passenger in a WUTV must wear a securely fastened motorcycle helmet while the WUTV is in motion, unless the WUTV is equipped with roll bars or an enclosed passenger compartment;
- B. Any person who operates or rides as a passenger in a WUTV must wear a securely fastened seat belt as required in RCW 46.61.688(3). Passengers less than 16 years of age are required to be restrained as defined in RCW 46.61.687.
- C. No passengers under the age of five years of age may be transported in a WUTV;
- D. A person may not operate a WUTV upon a city street with a speed limit in excess of

35 miles per hour;

E. A person may operate a wheeled all-terrain vehicle upon any city street while being used under the authority or direction of the City or an appropriate agency that engages in emergency management, as defined in RCW 46.09.310, or search and rescue, as defined in RCW 38.52.010, or a law enforcement agency, as defined in RCW 16.52.011, within the scope of the agency's official duties;

F. WUTVs are subject to Chapter 46.55 RCW; and

G. No person may operate a WUTV upon a city street without having proof of current liability insurance with liability limits of at least the amounts provided in and in compliance with the requirements as set forth in RCW 46.29.090, as now enacted or hereafter amended. Written proof of such financial responsibility must be provided on the request of a law enforcement officer.

10.18.040 - Equipment Requirements for Wheeled All-Terrain Vehicles.

A. A wheeled all-terrain vehicle operated on a city street must comply with the following equipment requirements:

1. Headlights meeting the requirements of RCW 46.37.030 and 46.37.040 and used at all times when the vehicle is in motion;
2. Two tail lamps meeting the requirements of RCW 46.37.070(1) and to be used at all times when the vehicle is in motion upon a city street;
3. A stop lamp meeting the requirements of RCW 46.37.200;
4. Reflectors meeting the requirements of RCW 46.37.060;
5. During hours of darkness, as defined in RCW 46.04.200, turn signals meeting the requirements of RCW 46.37.200;
6. Outside of hours of darkness, the operator must comply with RCW 46.37.200 or 46.61.310;
7. Two mirrors meeting the requirements of RCW 46.37.400;
8. A windshield meeting the requirements of RCW 46.37.430, unless the operator wears glasses, goggles, or a face shield while operating the vehicle, of a type conforming to rules adopted by the Washington State Patrol;
9. A horn or warning device meeting the requirements of RCW 46.37.380;
10. Brakes in working order;
11. A spark arrester and muffling device meeting the requirements of RCW 46.09.470;
12. Seatbelts meeting the requirements of RCW 46.37.510; and
13. Must have an individual seat for each occupant designed to seat a person.

B. The requirements of this section do not apply to wheeled all-terrain vehicles used under the authority or direction of the City or an appropriate agency that engages in emergency management, as defined in RCW 46.09.310, or search and rescue, as defined in RCW 38.52.010, or a law enforcement agency, as defined in RCW 16.52.011, within the

scope of the agency's official duties.

10.18.050 - Registration and on-road tabs.

A person may not operate a WUTV upon a city street unless the vehicle has a current and proper on-road vehicle registration and displays the appropriate on-road tab or special year tab, as required by Ch. 46.09 RCW.

10.18.060 - Duty to Obey Traffic-Control Devices and Rules of the Road.

Unless a police officer directs otherwise, a person operating a WUTV must obey all rules of the road and must obey the instructions of official traffic-control signals, signs, and other control devices applicable to vehicles. A person operating a WUTV upon a city street is subject to all of the duties that Chapter 46.61 RCW and Title 10 of the Walla Walla Municipal Code imposes on an operator of a vehicle, except as to those provisions thereof which by their nature can have no application.

10.18.070 - Prohibited Uses.

- A. No person may operate or ride a WUTV in a negligent or unsafe manner, but must operate it with reasonable regard for his or her own safety and for the safety of others.
- B. No person may occupy a WUTV unless that person is seated in a seat designed to carry a person.
- C. No person may operate a WUTV side-by-side in a single lane of traffic.

10.18.080 - Prohibited Areas.

- A. It is unlawful to operate a WUTV on a sidewalk or other area where it is unlawful to operate a motor vehicle.
- B. It is unlawful to operate a WUTV upon any city park other than in areas designated for motor vehicle operation.
- C. It is unlawful to operate a WUTV on any bicycle trail or walking path or in any bicycle lane.
- D. The requirements of this section do not apply to wheeled all-terrain vehicles used under the authority or direction of the City or an appropriate agency that engages in emergency management, as defined in RCW 46.09.310, or search and rescue, as defined in RCW 38.52.010, or a law enforcement agency, as defined in RCW 16.52.011, within the scope of the agency's official duties.

10.18.090 - Violation—Penalty.

A. A person who violates section 10.18.020, 10.18.030, 10.18.040, 10.18.050, 10.18.060, 10.18.070, or 10.18.080 of this chapter is guilty of a traffic infraction punishable by a fine of not less than twenty-five dollars (\$25) nor more than two-hundred fifty dollars (\$250) for each offense.

B. Traffic infractions committed in violation of this chapter shall be handled and adjudicated in accordance with Chapter 46.63 RCW.

10.18.100 - Incorporation by reference.

RCW 46.09.350, RCW 46.09.442, RCW 46.09.444, RCW 46.09.470, RCW 46.09.480, and RCW 46.09.495 are incorporated herein by reference.

Section 2: The Walla Walla City Manager is hereby authorized to promulgate administrative rules and procedures that implement this ordinance.

Section 3: The City Clerk and the codifiers of this ordinance are authorized to make necessary clerical corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 4: If any part of this ordinance is for any reason declared or held to be invalid or unconstitutional by any court or tribunal of competent jurisdiction, such part shall be deemed a separate and distinct and independent provision and such holding shall not affect the validity of the remaining parts hereof.

Section 5: The City Clerk is hereby authorized to publish a summary of this ordinance in accordance with RCW 35A.13.200 and RCW 35A.12.160.

PASSED by the City Council of the City of Walla Walla, Washington, this ____th day of October, 2019.

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney

UTV ONLY DRAFT

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SUMMARY OF ADOPTION OF ORDINANCE 2019-

AN ORDINANCE APPROVING THE USE OF WHEELED ALL-TERRAIN UTILITY-TYPE VEHICLES ON PUBLIC ROADWAYS IN THE CITY OF WALLA WALLA AND TAKING OTHER ACTION RELATED THERETO

The Walla Walla City Council passed an ordinance at its October ____, 2019 open public meeting which in summary allows the operation of utility-type all-terrain vehicles with steering wheels described in RCW 46.09.310(19)(b) on public roadways within the City of Walla Walla on certain conditions in accordance with RCW 46.09.455 but does not allow operation of motorized non-highway vehicles with handlebars described in RCW 46.09.310(19)(a) on City roadways.

The full text of the ordinance summarized herein will be mailed upon request made to the Walla Walla City Clerk at Walla Walla City Hall, 15 N. Third Ave., Walla Walla, WA 99362.

Summary approved as to form

City Attorney



TIM DONALDSON, City Attorney
15 N. Third Ave.
Walla Walla, WA 99362
(509) 522-2843
fax: (509) 524-7905
tdonaldson@wallawallawa.gov

Date: October 1, 2019

To: Walla Walla City Council members

cc: Walla Walla City Manager, Nabel Shawa
Walla Walla Police Chief, Scott Bieber
Walla Walla City Engineer, Neal Chavre

From: Walla Walla City Attorney, Tim Donaldson

re: Wheeled all-terrain vehicles

I. OVERVIEW

John Keithley appeared during the public comments section of the August 28, 2019 City Council meeting and requested that the City Council adopt an ordinance allowing operation of all-terrain vehicles on City streets. It was a consensus of the majority of Council to have staff report back on the issue of allowing all-terrain vehicles on City streets.

There are two types of all-terrain vehicles. One type has handle bars and is commonly known as an ATV. The other type is a utility-type vehicle that has a steering wheel and is commonly known as a UTV.



Washington has adopted registration and licensing requirements for all-terrain vehicles and refers to both types as wheeled all-terrain vehicles (WATVs). They may be operated on city streets ONLY if approved by a city ordinance. Cities cannot establish their own vehicle

Walla Walla City Council
re: all-terrain vehicles
October 1, 2019: 2

registration requirements since the State of Washington already has them, but they may establish their own rules and regulations for operation of WATVs as long as they are as stringent as State requirements.

II. STATUTORY FRAMEWORK

A. Registration.

A WATV must be registered with the State Department of Licensing (DOL) and display a metal tag (*i.e.* license plate) affixed to the rear of the vehicle. RCW 46.09.442(1). It cannot be operated on public roadways unless it also has an on-road tab or a special year tab issued to a person with a disability. RCW 46.09.442(3).



When vehicles are registered, the owner must provide safety inspection documentation and verification that the vehicle meets equipment requirements. RCW 46.09.457(1)(b). (A copy of the DOL certification form is attached hereto.)

B. Equipment requirements.

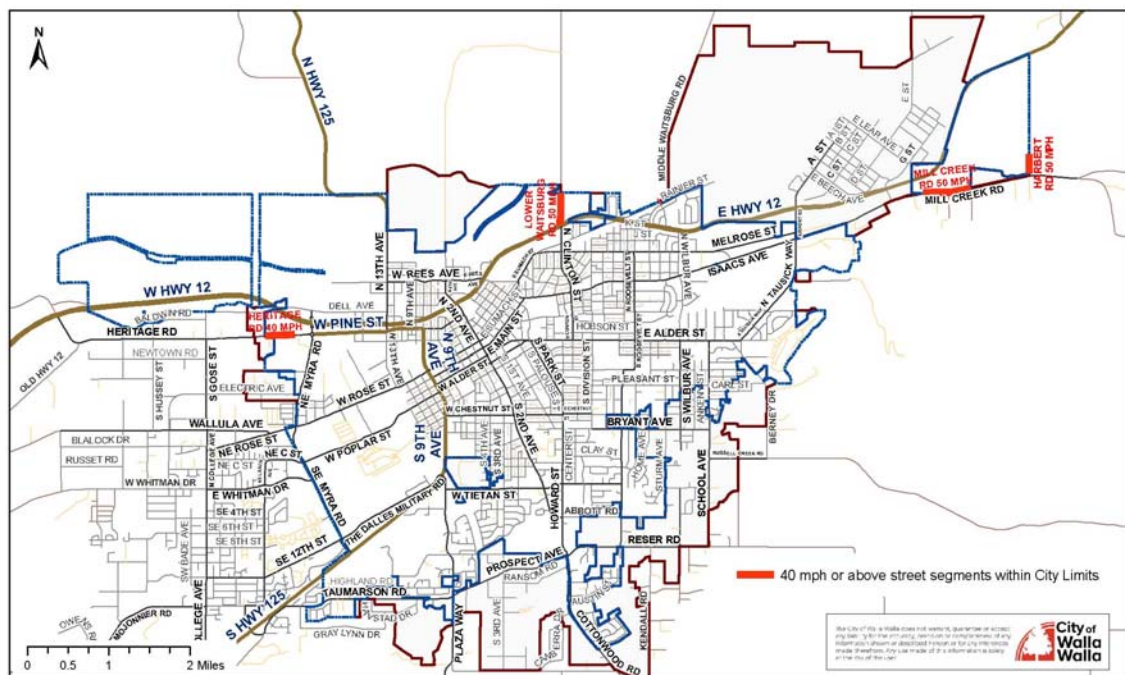
A WATV must meet certain minimum equipment requirements to be operated on public roadways. The must have (1) headlights, (2) a tail lamp if it is an ATV or lamps if it is a UTV, (3) stop lamp(s), (4) reflectors, (5) turn signals if operated during nighttime, (6) a handlebar mirror if it is an ATV or two mirrors if it is a UTV, (7) a windshield (or the operator must otherwise wear goggles, etc.), (8) a horn or similar warning device, (9) brakes that are in working order, (10) a muffler. RCW 46.09.457(1)(a). In addition, UTVs must have seatbelts. RCW 46.09.457(1)(a)(xi).

Walla Walla City Council
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C. Operation requirements.

A WATV can only be operated on public roads by someone who has a valid driver's license. RCW 46.09.444. In addition, a WATV may only be operated on roadways that have a speed limit of 35 miles per hour or less. RCW 46.09.455(1). ATVs and some UTVs are subject to helmet requirements. RCW 46.09.470(3); RCW 46.09.444(2); RCW 46.37.530(1)(c). Lastly, WATVs can only be operated on a city street if a city approves their use by ordinance. RCW 46.09.455(1)(d)(i).

Walla Walla is fairly unique with respect to speed limits. The basic speed limit on City streets unless altered by the City is 25 miles per hour. WPMC 10.03.010; WAC 308-330-423; WAC 308-330-270; RCW 46.61.400(2)(a). The City of Walla Walla has various areas of town with speed limits lower or higher than 25 miles per hour, however, there only 4 sections of roadway with speed limits over 35 miles per hour: (1) Heritage Rd. west of Myra (a/k/a old Highway 12), (2) Lower Waitsburg Rd. north of US 12, (3) Mill Creek Rd. (adjacent to the water treatment plant), and (4) Harbert Rd. east of the former Pennbrook/Illahee property. (Shown in red on the map below).



In summary, Walla Walla has no interior roads with speed limits exceeding 35 miles per

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hour, and would therefore not have to worry about crossings and other issues that arise when a city has a mix of roadways with some that are 35 miles per hour or less and others that exceed 35 miles per hour.

III. OTHER JURISDICTIONS

The City Attorney's office has made inquiries to many eastside cities and towns and has found that the following cities have all adopted ordinances allowing operation of WATVs on their city streets: (1) Moses Lake, (2) Kennewick, (3) Pullman, (4) Wenatchee, (5) East Wenatchee, (6) Dayton, and (7) Chelan, among many others. Assistant City Attorney Preston Frederickson called officials in many of the cities. Kennewick just passed its ordinance in August of this year and it had no information yet upon its effect. A Police Commander stated that Pullman passed its ordinance in 2017 and has experienced no problems. The City Attorney for East Wenatchee says that WATVs are rarely seen on its streets and there have been no issues. The City Clerk for Chelan has not heard of any problems there. The Police Chief for Moses Lake says that it has been a total non-issue. He says there have been no problems at all: no accidents and no violations of which he was aware.

RCW 46.06.360 authorizes cities and towns to adopt their own regulations as long as they are as stringent as State law, but most of the ordinances are pretty similar. The greatest variations have to do with crossing roadways that have speed limits exceeding 35 miles per hour, but that is not an issue in Walla Walla. A few local variations have been found that the City Council may wish to consider. For example, Kennewick limits operation of WATVs to persons who are 18 years or older (State law requires only that the operator be a licensed driver). Wenatchee adopted a towing restriction that: "No person shall tow any trailers, devices, equipment or persons behind a wheeled all-terrain vehicle." Moses Lake and East Wenatchee have similar restrictions. East Wenatchee also does not allow passengers. Lastly, Kennewick only allows UTVs with steering wheels but does not allow ATVs (those with handlebars).

IV. DRAFT ORDINANCES

Two draft ordinances have been prepared and are attached. The first allows both types of WATVs (ATVs and UTVs). The second is modeled after Kennewick's ordinance and allows only UTVs with steering wheels but not ATVs with handlebars. Neither draft ordinance includes the other locally adopted restrictions discussed above, but they may be added at the direction of the City Council.

Wheeled All-Terrain Vehicle (WATV) Road Use Declaration

Use this form to certify and register a wheeled all-terrain vehicle (WATV) for public roadway use. This applies to WATVs originally labeled by the manufacturer as off-road use only.

You can't ride your WATV on all public roads. Contact the city or county where you want to use your on-road WATV to find out where you can ride. For additional information, visit dol.wa.gov.

The operator of the WATV must have a valid Washington driver license. To register your WATV for public roadway use, you must:

- Have your WATV inspected by a licensed Washington WATV dealer or motor vehicle repair shop.
- Have the dealer or repair shop fill out Section 1 and attach the inspection fee receipt.
- Complete Section 2 and take this form and ownership documents to any vehicle licensing office.

Section 1 – Dealer or repair shop – Complete and sign. You are entitled to an inspection fee up to \$50. It must be paid directly to you. Attach a copy of the receipt showing amount charged.

PRINT or TYPE Business name		Unified Business Identification (UBI) number				
Address (Address, City, State, ZIP code)						
(Area code) Telephone number		Email				
(Area code) Telephone number		Vehicle Identification Number (VIN)				
Model year	Make	Model				
Inspection items <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; vertical-align: top;"> Headlight . ☐ Pass ☐ Fail Tail light. . ☐ Pass ☐ Fail Reflectors . ☐ Pass ☐ Fail Brake light. ☐ Pass ☐ Fail </td> <td style="width: 33%; vertical-align: top;"> Brakes ☐ Pass ☐ Fail Horn ☐ Pass ☐ Fail Mirror (left or right) ☐ Pass ☐ Fail Windshield (if applicable) ☐ Pass ☐ Fail </td> <td style="width: 33%; vertical-align: top;"> Turn signals (if applicable) ☐ Pass ☐ Fail Seat belts (if utility type vehicle) ☐ Pass ☐ Fail Spark arrester and muffler ☐ Pass ☐ Fail </td> </tr> </table>				Headlight . ☐ Pass ☐ Fail Tail light. . ☐ Pass ☐ Fail Reflectors . ☐ Pass ☐ Fail Brake light. ☐ Pass ☐ Fail	Brakes ☐ Pass ☐ Fail Horn ☐ Pass ☐ Fail Mirror (left or right) ☐ Pass ☐ Fail Windshield (if applicable) ☐ Pass ☐ Fail	Turn signals (if applicable) ☐ Pass ☐ Fail Seat belts (if utility type vehicle) ☐ Pass ☐ Fail Spark arrester and muffler ☐ Pass ☐ Fail
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NOTE: All items must pass inspection to register this WATV.						
Certification 1. Did you verify the vehicle identification number (VIN) or engine serial number? ☐ Yes ☐ No 2. Is the WATV properly equipped with all items required by RCW 46.09? ☐ Yes ☐ No						
<i>I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.</i> <i>If signing for a business, I have full authority to do so.</i>						
X Date and place (city or county) signed		X Dealer/Repair shop authorized signature				

Section 2 – Registered owner – If you remove any of the above equipment from your WATV, it is no longer eligible for public road use and must be registered for off-road use only.

PRINT or TYPE Name		Washington driver license number	
Address (Street address, City, State, ZIP code)			
(Area code) Telephone number		Email	
Certification 1. Do you understand this WATV was not manufactured for on-road use and has been modified for use on public roads? ☐ Yes ☐ No 2. To the extent permitted by law, do you agree to indemnify, defend, and hold harmless the state of Washington, counties, cities, towns, and the Department of Licensing from all claims, damages, losses, expenses, and costs arising out of the registration and operation of this WATV? ☐ Yes ☐ No			
<i>I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.</i>			
X Date and place (city or county) signed		X Registered owner signature	

ORDINANCE NO. 2019-

AN ORDINANCE APPROVING THE USE OF WHEELED ALL-TERRAIN UTILITY-TYPE VEHICLES ON PUBLIC ROADWAYS IN THE CITY OF WALLA WALLA AND TAKING OTHER ACTION RELATED THERETO

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WHEREAS, RCW 46.09.455(1)(d)(i) provides in part that a “person may not operate a wheeled all-terrain vehicle on a public roadway within the boundaries of a city or town. . . unless the city or town has approved the operation of wheeled all-terrain vehicles on city or town roadways. . .[;]” and

WHEREAS, RCW 46.09.360 authorizes cities and towns to regulate the operation of non-highway vehicles on public lands, other properties under their jurisdiction, and on streets, roads, and highways within their boundaries; and

WHEREAS, the Walla Walla City Council has considered this matter during a regularly and duly called public meeting of said Council, has given this matter careful review and consideration, and finds that good government and the best interests of the City of Walla Walla will be served by passage of this ordinance,

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A. “City” means the City of Walla Walla, its elected officials, its employees, and its

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B. “City Street” means every way, lane, road, street, boulevard, and every way or place in the City open as a matter of right to public vehicular traffic inside the city limits.

C. “Motorcycle Helmet” has the same meaning as provided in RCW 46.37.530.

D. “Rules of the Road” means all the rules that apply to vehicle or pedestrian traffic as set forth in state statute, rule or regulation.

E. “Sidewalk” means that property between the curb lines or the lateral lines of a city street and the adjacent property, set aside and intended for the use of pedestrians or such portion of private property parallel and in proximity to a city street and dedicated to use by pedestrians.

F. “Wheeled All-Terrain Vehicle” or “WATV” means a motor vehicle that satisfies the following criteria:

1. A motorized nonhighway vehicle with handlebars that is 50 inches or less in width, has a seat height of at least 20 inches, weighs less than 1,500 pounds, and has four tires having a diameter of thirty inches or less; or

2. A utility-type vehicle designed for and capable of travel over designated roads that travels on four or more low-pressure tires of 20 psi or less, has a steering wheel for steering control, has non-straddle seating with the operator and passenger sitting side by side in the vehicle manufactured primarily for recreational non-highway all-terrain use, has a maximum width less than 74 inches, has a maximum weight less than 3,000 pounds, has a wheelbase of 120 inches or less, and satisfies at least one of the following:

a. Has a minimum width of 50 inches;

b. Has a minimum weight of at least 900 pounds; or

c. Has a wheelbase of over 61 inches.

10.18.020 - Use of Wheeled All-Terrain Vehicle on City Streets.

Subject to the restrictions and requirements set forth in this chapter, a person who has attained the age of 16 years and who has a valid driver’s license issued by the state of the person’s residence may operate a wheeled all-terrain vehicle upon a city street having a speed limit of 35 miles per hour or less.

10.18.030 - Restrictions on Use of Wheeled All-Terrain Vehicle on City Streets.

A. Any person who operates or rides as a passenger in a wheeled all-terrain vehicle must wear a securely fastened motorcycle helmet while the WATV is in motion, unless the WATV is equipped with roll bars or an enclosed passenger compartment;

B. Any person who operates or rides as a passenger in a wheeled all-terrain utility-type vehicle must wear a securely fastened seat belt as required in RCW 46.61.688(3). Passengers less than 16 years of age are required to be restrained as defined in RCW 46.61.687.

- C. No passengers under the age of five years of age may be transported in or on a WATV;
- D. A person may not operate a WATV upon a city street with a speed limit in excess of 35 miles per hour;
- E. A person may operate a wheeled all-terrain vehicle upon any city street while being used under the authority or direction of the City or an appropriate agency that engages in emergency management, as defined in RCW 46.09.310, or search and rescue, as defined in RCW 38.52.010, or a law enforcement agency, as defined in RCW 16.52.011, within the scope of the agency's official duties;
- F. WATVs are subject to Chapter 46.55 RCW; and
- G. No person may operate a WATV upon a city street without having proof of current liability insurance with liability limits of at least the amounts provided in and in compliance with the requirements as set forth in RCW 46.29.090, as now enacted or hereafter amended. Written proof of such financial responsibility must be provided on the request of a law enforcement officer.

10.18.040 - Equipment Requirements for Wheeled All-Terrain Vehicles.

- A. A wheeled all-terrain vehicle operated on a city street must comply with the following equipment requirements:
1. Headlights meeting the requirements of RCW 46.37.030 and 46.37.040 and used at all times when the vehicle is in motion;
 2. Tail lamps meeting the following requirements:
 - a. Wheeled all-terrain vehicles with handlebars must have one tail lamp meeting the requirements of RCW 46.37.525 and to be used at all times when the vehicle is in motion upon a city street;
 - b. Wheeled all-terrain utility-type vehicles must have two tail lamps meeting the requirements of RCW 46.37.070(1) and to be used at all times when the vehicle is in motion upon a city street;
 3. A stop lamp meeting the requirements of RCW 46.37.200;
 4. Reflectors meeting the requirements of RCW 46.37.060;
 5. During hours of darkness, as defined in RCW 46.04.200, turn signals meeting the requirements of RCW 46.37.200;
 6. Outside of hours of darkness, the operator must comply with RCW 46.37.200 or 46.61.310;
 7. Mirror(s) meeting the following requirements.
 - a. Wheeled all-terrain vehicles with handlebars must have a mirror attached to either the right or left handlebar, which must be located to give the operator a complete view of the roadway for a distance of at least 200 feet to the rear of the vehicle;
 - b. Wheeled all-terrain utility type vehicles must have two mirrors meeting the requirements of RCW 46.37.400;

8. A windshield meeting the requirements of RCW 46.37.430, unless the operator wears glasses, goggles, or a face shield while operating the vehicle, of a type conforming to rules adopted by the Washington State Patrol;

9. A horn or warning device meeting the requirements of RCW 46.37.380;

10. Brakes in working order;

11. A spark arrester and muffling device meeting the requirements of RCW 46.09.470;

12. Wheeled all-terrain utility type vehicles must have seatbelts meeting the requirements of RCW 46.37.510; and

13. Wheeled all-terrain utility type vehicles must have an individual seat for each occupant designed to seat a person.

B. The requirements of this section do not apply to wheeled all-terrain vehicles used under the authority or direction of the City or an appropriate agency that engages in emergency management, as defined in RCW 46.09.310, or search and rescue, as defined in RCW 38.52.010, or a law enforcement agency, as defined in RCW 16.52.011, within the scope of the agency's official duties.

10.18.050 - Registration and on-road tabs.

A person may not operate a WATV upon a city street unless the vehicle has a current and proper on-road vehicle registration and displays the appropriate on-road tab or special year tab, as required by Ch. 46.09 RCW.

10.18.060 - Duty to Obey Traffic-Control Devices and Rules of the Road.

Unless a police officer directs otherwise, a person operating a WATV must obey all rules of the road and must obey the instructions of official traffic-control signals, signs, and other control devices applicable to vehicles. A person operating a WATV upon a city street is subject to all of the duties that Chapter 46.61 RCW and Title 10 of the Walla Walla Municipal Code imposes on an operator of a vehicle, except as to those provisions thereof which by their nature can have no application.

10.18.070 - Prohibited Uses.

A. No person may operate or ride a WATV in a negligent or unsafe manner, but must operate it with reasonable regard for his or her own safety and for the safety of others.

B. No person may occupy a WATV unless that person is seated in or on a seat designed to carry a person.

C. No person may operate a WATV side-by-side in a single lane of traffic.

10.18.080 - Prohibited Areas.

- A. It is unlawful to operate a WATV on a sidewalk or other area where it is unlawful to operate a motor vehicle.
- B. It is unlawful to operate a WATV upon any city park other than in areas designated for motor vehicle operation.
- C. It is unlawful to operate a WATV on any bicycle trail or walking path or in any bicycle lane.
- D. The requirements of this section do not apply to wheeled all-terrain vehicles used under the authority or direction of the City or an appropriate agency that engages in emergency management, as defined in RCW 46.09.310, or search and rescue, as defined in RCW 38.52.010, or a law enforcement agency, as defined in RCW 16.52.011, within the scope of the agency's official duties.

10.18.090 - Violation—Penalty.

- A. A person who violates section 10.18.020, 10.18.030, 10.18.040, 10.18.050, 10.18.060, 10.18.070, or 10.18.080 of this chapter is guilty of a traffic infraction punishable by a fine of not less than twenty-five dollars (\$25) nor more than two-hundred fifty dollars (\$250) for each offense.
- B. Traffic infractions committed in violation of this chapter shall be handled and adjudicated in accordance with Chapter 46.63 RCW.

10.18.100 - Incorporation by reference.

RCW 46.09.350, RCW 46.09.442, RCW 46.09.444, RCW 46.09.470, RCW 46.09.480, and RCW 46.09.495 are incorporated herein by reference.

Section 2: The Walla Walla City Manager is hereby authorized to promulgate administrative rules and procedures that implement this ordinance.

Section 3: The City Clerk and the codifiers of this ordinance are authorized to make necessary clerical corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 4: If any part of this ordinance is for any reason declared or held to be invalid or unconstitutional by any court or tribunal of competent jurisdiction, such part shall be deemed a separate and distinct and independent provision and such holding shall not affect the validity of the remaining parts hereof.

Section 5: The City Clerk is hereby authorized to publish a summary of this ordinance in accordance with RCW 35A.13.200 and RCW 35A.12.160.

PASSED by the City Council of the City of Walla Walla, Washington, this ____th day of October, 2019.

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney

SUMMARY OF ADOPTION OF ORDINANCE 2019-

AN ORDINANCE APPROVING THE USE OF WHEELED ALL-TERRAIN UTILITY-TYPE VEHICLES ON PUBLIC ROADWAYS IN THE CITY OF WALLA WALLA AND TAKING OTHER ACTION RELATED THERETO

The Walla Walla City Council passed an ordinance at its October _____, 2019 open public meeting which in summary allows the operation of wheeled all-terrain vehicles described in RCW 46.09.310(19) on public roadways within the City of Walla Walla on certain conditions in accordance with RCW 46.09.455.

The full text of the ordinance summarized herein will be mailed upon request made to the Walla Walla City Clerk at Walla Walla City Hall, 15 N. Third Ave., Walla Walla, WA 99362.

Summary approved as to form

City Attorney

ORDINANCE NO. 2019-

UTV ONLY DRAFT

AN ORDINANCE APPROVING THE USE OF WHEELED ALL-TERRAIN UTILITY-TYPE VEHICLES ON PUBLIC ROADWAYS IN THE CITY OF WALLA WALLA AND TAKING OTHER ACTION RELATED THERETO

WHEREAS, City Ordinance A-2405 (May 13, 1970) classified the City of Walla Walla as a nonchartered code city under Title 35A of the Revised Code Washington (RCW); and

WHEREAS, Ch. 46.09 RCW authorizes operation of wheeled all-terrain vehicles on public roadways on certain conditions; and

WHEREAS, RCW 46.09.455(1)(d)(i) provides in part that a “person may not operate a wheeled all-terrain vehicle on a public roadway within the boundaries of a city or town. . . unless the city or town has approved the operation of wheeled all-terrain vehicles on city or town roadways. . . .[;]” and

WHEREAS, RCW 46.09.360 authorizes cities and towns to regulate the operation of non-highway vehicles on public lands, other properties under their jurisdiction, and on streets, roads, and highways within their boundaries; and

WHEREAS, the Walla Walla City Council has considered this matter during a regularly and duly called public meeting of said Council, has given this matter careful review and consideration, and finds that good government and the best interests of the City of Walla Walla will be served by passage of this ordinance,

NOW THEREFORE, the City Council of the City of Walla Walla ordains as follows:

Section 1: Chapter 10.18 is hereby added to the Walla Walla Municipal Code as follows:

Chapter 10.18
WHEELED ALL-TERRAIN VEHICLES

10.18.005 - Purpose.

The purpose of this chapter is to allow the operation of utility-type all-terrain vehicles with steering wheels described in RCW 46.09.310(19)(b) on public roadways within the City of Walla Walla on certain conditions in accordance with RCW 46.09.455. This chapter does not allow operation of motorized non-highway vehicles with handlebars described in RCW 46.09.310(19)(a) on City roadways.

10.18.010 - Definitions.

UTV ONLY DRAFT

When used in this chapter, the City defines the words and phrases listed below as

follows:

- A. “City” means the City of Walla Walla, its elected officials, its employees, and its agents.
- B. “City Street” means every way, lane, road, street, boulevard, and every way or place in the City open as a matter of right to public vehicular traffic inside the city limits.
- C. “Motorcycle Helmet” has the same meaning as provided in RCW 46.37.530.
- D. “Rules of the Road” means all the rules that apply to vehicle or pedestrian traffic as set forth in state statute, rule or regulation.
- E. “Sidewalk” means that property between the curb lines or the lateral lines of a city street and the adjacent property, set aside and intended for the use of pedestrians or such portion of private property parallel and in proximity to a city street and dedicated to use by pedestrians.
- F. “Wheeled All-Terrain Utility-Type Vehicle” or “WUTV” means a motor vehicle that satisfies the following criteria:
 - 1. A utility-type vehicle designed for and capable of travel over designated roads that travels on four or more low-pressure tires of 20 psi or less, has a steering wheel for steering control, has non-straddle seating with the operator and passenger sitting side by side in the vehicle manufactured primarily for recreational non-highway all-terrain use, has a maximum width less than 74 inches, has a maximum weight less than 3,000 pounds, has a wheelbase of 120 inches or less, and satisfies at least one of the following:
 - a. Has a minimum width of 50 inches;
 - b. Has a minimum weight of at least 900 pounds; or
 - c. Has a wheelbase of over 61 inches.

10.18.020 - Use of Wheeled All-Terrain Utility-Type Vehicle on City Streets.

Subject to the restrictions and requirements set forth in this chapter, a person who has attained the age of 16 years and who has a valid driver’s license issued by the state of the person’s residence may operate a wheeled all-terrain vehicle upon a city street having a speed limit of 35 miles per hour or less.

10.18.030 - Restrictions on Use of Wheeled All-Terrain Vehicle on City Streets.

- A. Any person who operates or rides as a passenger in a WUTV must wear a securely fastened motorcycle helmet while the WUTV is in motion, unless the WUTV is equipped with roll bars or an enclosed passenger compartment;
- B. Any person who operates or rides as a passenger in a WUTV must wear a securely fastened seat belt as required in RCW 46.61.688(3). Passengers less than 16 years of age are required to be restrained as defined in RCW 46.61.687.
- C. No passengers under the age of five years of age may be transported in a WUTV;
- D. A person may not operate a WUTV upon a city street with a speed limit in excess of

35 miles per hour;

E. A person may operate a wheeled all-terrain vehicle upon any city street while being used under the authority or direction of the City or an appropriate agency that engages in emergency management, as defined in RCW 46.09.310, or search and rescue, as defined in RCW 38.52.010, or a law enforcement agency, as defined in RCW 16.52.011, within the scope of the agency's official duties;

F. WUTVs are subject to Chapter 46.55 RCW; and

G. No person may operate a WUTV upon a city street without having proof of current liability insurance with liability limits of at least the amounts provided in and in compliance with the requirements as set forth in RCW 46.29.090, as now enacted or hereafter amended. Written proof of such financial responsibility must be provided on the request of a law enforcement officer.

10.18.040 - Equipment Requirements for Wheeled All-Terrain Vehicles.

A. A wheeled all-terrain vehicle operated on a city street must comply with the following equipment requirements:

1. Headlights meeting the requirements of RCW 46.37.030 and 46.37.040 and used at all times when the vehicle is in motion;
2. Two tail lamps meeting the requirements of RCW 46.37.070(1) and to be used at all times when the vehicle is in motion upon a city street;
3. A stop lamp meeting the requirements of RCW 46.37.200;
4. Reflectors meeting the requirements of RCW 46.37.060;
5. During hours of darkness, as defined in RCW 46.04.200, turn signals meeting the requirements of RCW 46.37.200;
6. Outside of hours of darkness, the operator must comply with RCW 46.37.200 or 46.61.310;
7. Two mirrors meeting the requirements of RCW 46.37.400;
8. A windshield meeting the requirements of RCW 46.37.430, unless the operator wears glasses, goggles, or a face shield while operating the vehicle, of a type conforming to rules adopted by the Washington State Patrol;
9. A horn or warning device meeting the requirements of RCW 46.37.380;
10. Brakes in working order;
11. A spark arrester and muffling device meeting the requirements of RCW 46.09.470;
12. Seatbelts meeting the requirements of RCW 46.37.510; and
13. Must have an individual seat for each occupant designed to seat a person.

B. The requirements of this section do not apply to wheeled all-terrain vehicles used under the authority or direction of the City or an appropriate agency that engages in emergency management, as defined in RCW 46.09.310, or search and rescue, as defined in RCW 38.52.010, or a law enforcement agency, as defined in RCW 16.52.011, within the

scope of the agency's official duties.

10.18.050 - Registration and on-road tabs.

A person may not operate a WUTV upon a city street unless the vehicle has a current and proper on-road vehicle registration and displays the appropriate on-road tab or special year tab, as required by Ch. 46.09 RCW.

10.18.060 - Duty to Obey Traffic-Control Devices and Rules of the Road.

Unless a police officer directs otherwise, a person operating a WUTV must obey all rules of the road and must obey the instructions of official traffic-control signals, signs, and other control devices applicable to vehicles. A person operating a WUTV upon a city street is subject to all of the duties that Chapter 46.61 RCW and Title 10 of the Walla Walla Municipal Code imposes on an operator of a vehicle, except as to those provisions thereof which by their nature can have no application.

10.18.070 - Prohibited Uses.

- A. No person may operate or ride a WUTV in a negligent or unsafe manner, but must operate it with reasonable regard for his or her own safety and for the safety of others.
- B. No person may occupy a WUTV unless that person is seated in a seat designed to carry a person.
- C. No person may operate a WUTV side-by-side in a single lane of traffic.

10.18.080 - Prohibited Areas.

- A. It is unlawful to operate a WUTV on a sidewalk or other area where it is unlawful to operate a motor vehicle.
- B. It is unlawful to operate a WUTV upon any city park other than in areas designated for motor vehicle operation.
- C. It is unlawful to operate a WUTV on any bicycle trail or walking path or in any bicycle lane.
- D. The requirements of this section do not apply to wheeled all-terrain vehicles used under the authority or direction of the City or an appropriate agency that engages in emergency management, as defined in RCW 46.09.310, or search and rescue, as defined in RCW 38.52.010, or a law enforcement agency, as defined in RCW 16.52.011, within the scope of the agency's official duties.

10.18.090 - Violation—Penalty.

A. A person who violates section 10.18.020, 10.18.030, 10.18.040, 10.18.050, 10.18.060, 10.18.070, or 10.18.080 of this chapter is guilty of a traffic infraction punishable by a fine of not less than twenty-five dollars (\$25) nor more than two-hundred fifty dollars (\$250) for each offense.

B. Traffic infractions committed in violation of this chapter shall be handled and adjudicated in accordance with Chapter 46.63 RCW.

10.18.100 - Incorporation by reference.

RCW 46.09.350, RCW 46.09.442, RCW 46.09.444, RCW 46.09.470, RCW 46.09.480, and RCW 46.09.495 are incorporated herein by reference.

Section 2: The Walla Walla City Manager is hereby authorized to promulgate administrative rules and procedures that implement this ordinance.

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Section 5: The City Clerk is hereby authorized to publish a summary of this ordinance in accordance with RCW 35A.13.200 and RCW 35A.12.160.

PASSED by the City Council of the City of Walla Walla, Washington, this ____th day of October, 2019.

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney

UTV ONLY DRAFT

UTV ONLY DRAFT

UTV ONLY DRAFT

SUMMARY OF ADOPTION OF ORDINANCE 2019-

AN ORDINANCE APPROVING THE USE OF WHEELED ALL-TERRAIN UTILITY-TYPE VEHICLES ON PUBLIC ROADWAYS IN THE CITY OF WALLA WALLA AND TAKING OTHER ACTION RELATED THERETO

The Walla Walla City Council passed an ordinance at its October ____, 2019 open public meeting which in summary allows the operation of utility-type all-terrain vehicles with steering wheels described in RCW 46.09.310(19)(b) on public roadways within the City of Walla Walla on certain conditions in accordance with RCW 46.09.455 but does not allow operation of motorized non-highway vehicles with handlebars described in RCW 46.09.310(19)(a) on City roadways.

The full text of the ordinance summarized herein will be mailed upon request made to the Walla Walla City Clerk at Walla Walla City Hall, 15 N. Third Ave., Walla Walla, WA 99362.

Summary approved as to form

City Attorney

All-terrain vehicles

Walla Walla City Council

Work Session

October 7, 2019

Tim Donaldson, Walla Walla City Attorney



2 types of all-terrain vehicles



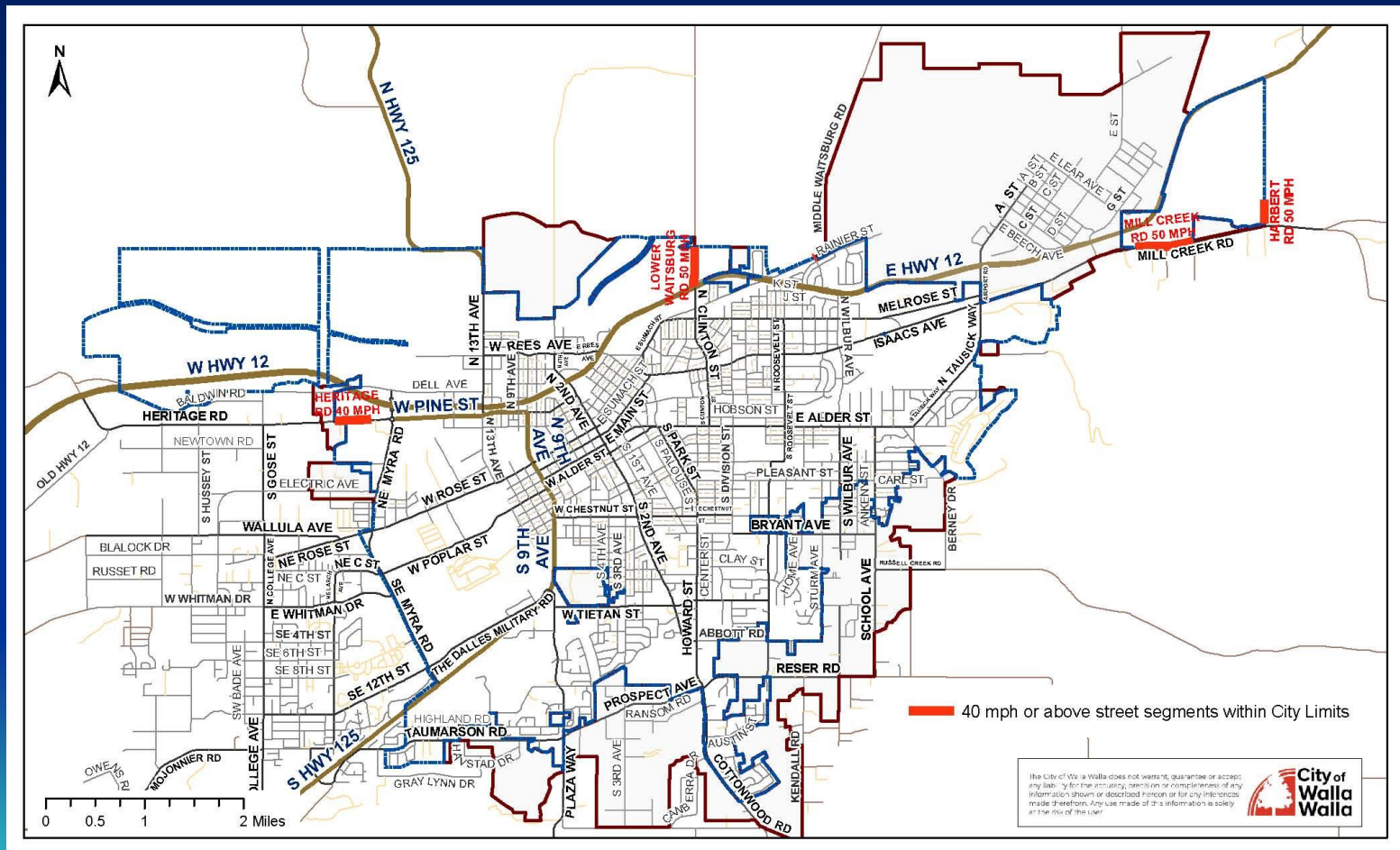
- With handlebars – ATV
- With steering wheel – UTV
- Together referred to by Washington statutes as Wheeled All-Terrain Vehicles (WATVs)

Conditionally allowed

- Washington allows operation of registered WATVs on City streets, IF:
 - Authorized by City ordinance
 - WATVs are registered with DOL for on-road use
 - DOL has equipment and certification requirements
 - Only operated on streets with speed limits of 35 miles per hour or less



Walla Walla speed limits



Other jurisdictions

- Allowed by: Kennewick, Pullman, Moses Lake, Wenatchee, East Wenatchee, Cashmere, Leavenworth, Dayton, Aberdeen, Ephrata, Chelan, and many others
- None of those surveyed have reported any problems



Proposed draft ordinances

- Most other jurisdictions allow both UTVs and ATVs
- Kennewick allows only UTVs
- Drafts prepared for Walla Walla to consider:
 - One draft allows both UTVs and ATVs
 - The other allows only UTVs



Questions?



ATV Talking Points for City of College Place consideration – Chief Troy Tomaras



According to a [Governing.com](#) article (ATVs and Public roadways: A Deadly Combination) the legalization of ATV's and UTV's in cities across the U.S. have been growing in popularity. However, the article does not support or endorse the idea of recreational vehicles on public streets citing "Recreational vehicles are not designed to operate on paved surfaces" (Maciag, 2016). The Governing.com article says "300 people a year are killed in ATV-related accidents on public roadways" (Maciag, 2016).

[National Institute of Health research](#) found that 60% of all ATV related deaths occur on public roads.

The [Consumer Product Safety Commission](#) reports 93,800 ATV related emergency room visits involving ATVs in 2017.

A [University of Iowa study](#) suggests laws/ordinances to restrict ATV use on public streets after examining ATV-related fatalities.

The U.S. Department of Transportation, National Highway Traffic Safety Administration published a study in 2015 discussing [Fatalities in Traffic Crashes Involving ATVs](#). The study examined ATV related fatalities on public roadways between 2004 and 2013. A total of 3,411 public roadway fatalities occurred during this time in the U.S. . Washington State observed 48 ATV public street fatalities during this time according to the study.

Other information provided:

- ATV fatalities comprise of 1% of all traffic fatalities

- 87% of fatalities were operators and 13% were passengers.

- 74% were killed in single-vehicle crashes (Not involving other vehicles)

- 86% were killed in rural areas

54% were killed during nighttime (6 PM to 6 AM)

39% of fatalities involved impairment (Significantly higher than all other types of vehicles; 23% for passenger cars, 22% for light trucks and 28% for motorcycles)

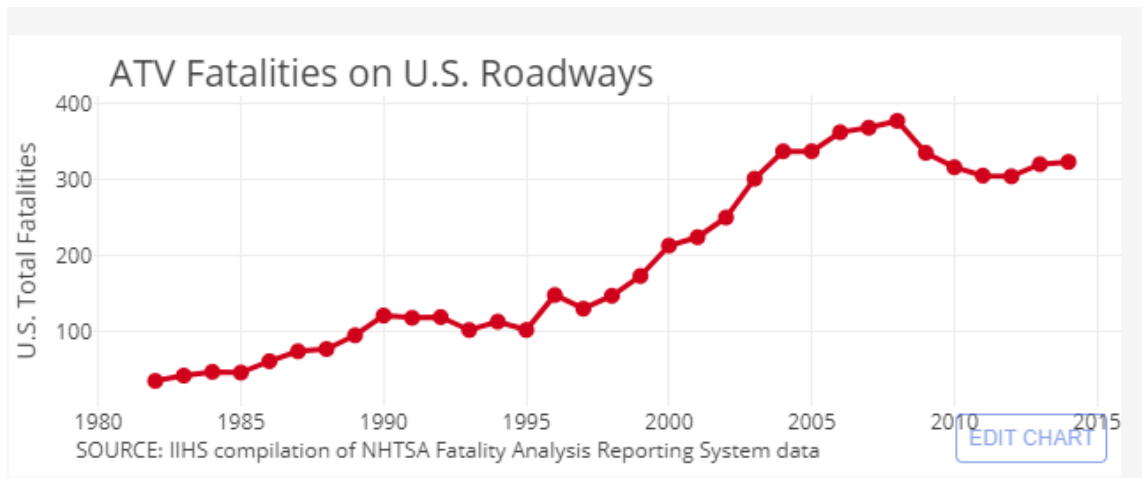
Fatalities increased in summer months

The 15 – 24 age group involved 31% of fatalities

Fatalities in Traffic Crashes That Involved an ATV, by Crash Year and Person Type, 2004–2013

Crash Year	Person Type						Total ATV-Related Fatalities
	ATV Occupants		Other Vehicle Occupants		Nonoccupants		
	Number	Percent	Number	Percent	Number	Percent	
2004	337	99.1%	2	0.6%	1	0.3%	340
2005	337	97.4%	8	2.3%	1	0.3%	346
2006	362	98.4%	4	1.1%	2	0.5%	368
2007	368	98.7%	3	0.8%	2	0.5%	373
2008	377	99.0%	4	1.0%	0	0.0%	381
2009	335	97.7%	7	2.0%	1	0.3%	343
2010	316	98.4%	4	1.2%	1	0.3%	321
2011	305	98.7%	1	0.3%	3	1.0%	309
2012	304	99.0%	1	0.3%	2	0.7%	307
2013	319	98.8%	2	0.6%	2	0.6%	323
2004–2013	3,360	98.5%	36	1.1%	15	0.4%	3,411

Source: FARS 2004–2012 Final File, 2013 ARF



The City of Walla Walla recently passed an ordinance (2019-22) to allow ATV and UTV vehicles on public roadways marked 35 mph or less for individuals 18 or older with valid license. Other restrictions apply.



ATV – All-Terrain vehicle (aka: quad or four wheeler) Designed for single passenger

Street legal requirements:

- Helmet
- Windshield
- Lights, turn signals, brake lights
- Licensing (driver and vehicle)
- 35 mph or less
- Horn
- DOT approved street legal tires
- Approved street legal muffler

UTV – Utility Task Vehicle (aka: Side by sides) Designed for multiple passengers

Street legal requirements:

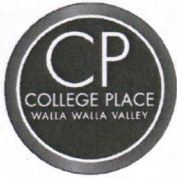
- Seatbelts
- Windshield
- Lights, turn signals, brake lights
- Licensing (driver and vehicle)
- 35 MPH or less
- Horn
- DOT approved street legal tires
- Approved street legal muffler

Related Articles

[Are Street Legal ATVs Coming to a City Near You?](#)

[The UTV Owner's Guide to Riding Street Legal](#)

[ATVs and Public Roadways: A deadly combination](#)



City of College Place

ARTERIAL ACCESS REQUEST

Date:

Property Owner/Applicant Name:

Instructions: All access onto arterial streets within the City of College Place requires approval by City Council per College Place Municipal Code 16.24.050 (B). Council Meetings are scheduled the second and fourth Tuesdays of every month. Requests must be made by the property owner and submitted along with required supporting materials at least 7 business days in advance of the meeting at which you would like your request presented. Staff will prepare an agenda bill based on the materials you provide and you will be given the opportunity to present the request before council. Depending on the particulars of your request, staff may or may not support your request. Note that requests for access onto arterials are generally discouraged where alternate access to the lot is available. In addition, work that impacts City streets may be restricted under the City's Street Cut Restoration Standards (see website for more information).

Requested Council Meeting Date (not guaranteed): ASAP.

Arterial to be Accessed: 12th ST, Myra to college.

Requested Access Location/Address: 134 SE 12th ST.

Timeframe for construction of proposed Access: April 2020

Describe Reason for Request (additional sheets may be attached):

Please see attached letter.

Attach the following Required Supporting Materials to Your Request:

1. Vicinity Map showing the impacted Arterial and surrounding road network.
2. Location and size of access onto arterial on a 20 ft: 1 inch scale, 11"x 17" drawing to include structure/area served by access and the whole frontage of adjacent lots (scale may be adjusted if necessary to include adjacent lots).
3. Photo of proposed location from the street.

Dear College Place City Council,

I am writing this letter as a request for arterial access on the property of 134 SE 12th St. Plans are for this property to be used as an adult family home in the coming year, once construction and renovations are completed. An adult family home, manages the wellbeing of seniors and disabled adults as an alternative to being placed in a long term facility. One of the duties of adult family homes is getting the patient to and from shopping trips, doctor visits and other appointments in the community, all in a timely manner putting the wellbeing of the patient/client first.

At the moment the property on 134 SE 12th St. is accessible by back, non-paved, alley and side walk adjacent to 12th St., which can become a hazard for patients and family members visiting their loved ones on winter months and rainy days. As you know 12th St. is a busy street having steady traffic throughout the day. If left as is, visiting cars, dial-a-ride buses and ambulances (if need be) would have to park on street, causing an unnecessary congestion of parked cars throughout the week.

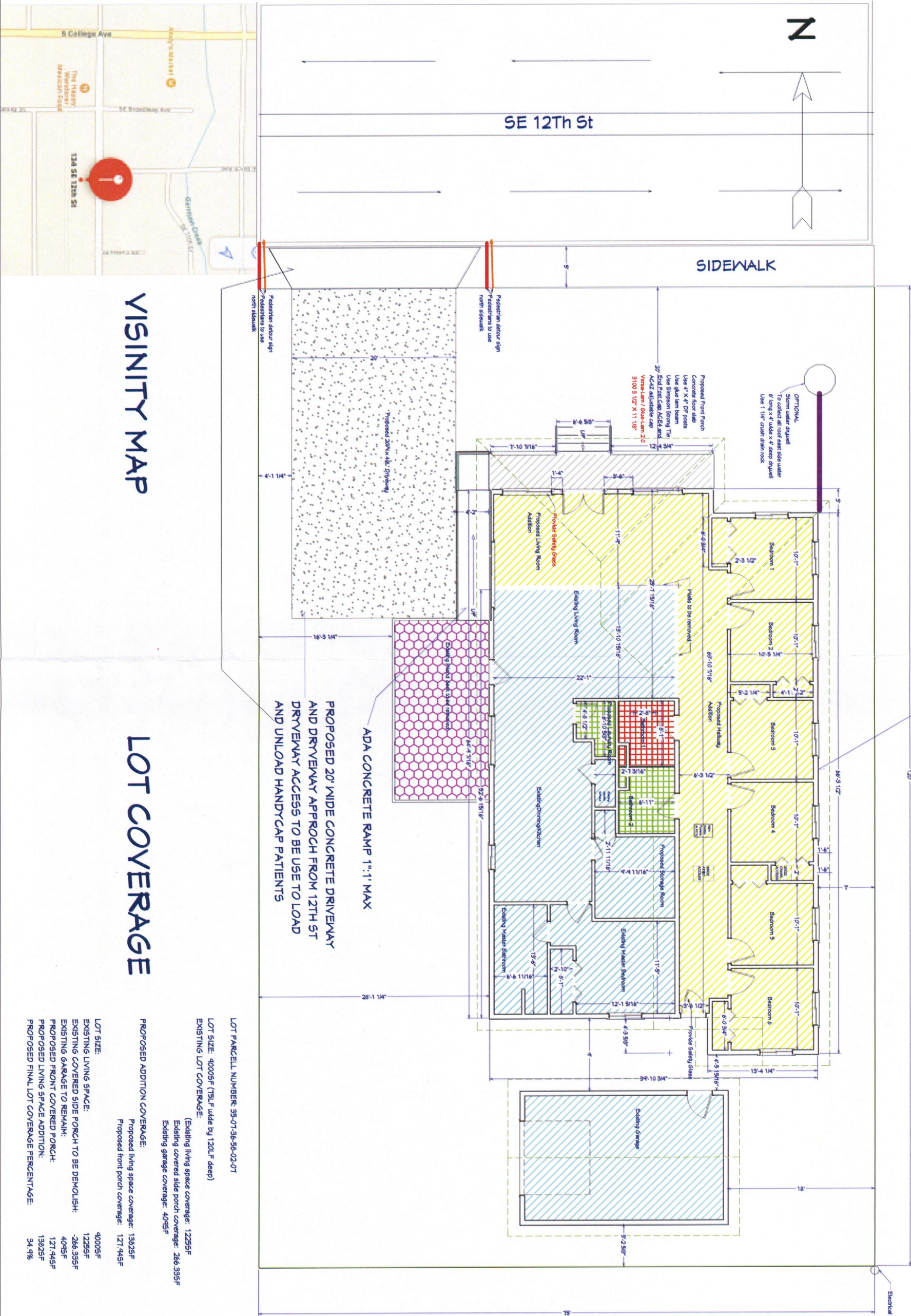
Most properties on 12th St. have driveway/arterial access through 12th St. Being that the plan is to turn the property into an adult family home, it would be best if arterial access on 134 SE 12th St. was granted. Not only would it be in the best interest of future patients and their families, but would also reduce the amount of cars parked in the street at one time in front of the property. Arterial access would lower the risk of falls for the patients and lower the risk of collisions on parked cars by flowing traffic.

Thank you for your time and consideration.

VIRGINIA MOHEDANO  10/31/19



SITE PLAN



Two hour fire wall rating
See construction detail

VISINITY MAP

LOT COVERAGE

LOT PARCELL NUMBER: 35-01-36-58-02-01
LOT SIZE: 4000SF (751.1' wide by 1201.1' deep)
EXISTING LOT COVERAGE:
(Existing living space coverage: 1225SF
Existing covered side porch coverage: 266 335SF
Existing garage coverage: 4095F
PROPOSED ADDITION COVERAGE:
Proposed living space coverage: 13825F
Proposed front porch coverage: 127 445F
LOT SIZE:
EXISTING LIVING SPACE:
EXISTING COVERED SIDE PORCH TO BE DEMOLISH:
EXISTING GARAGE TO REMAIN:
PROPOSED FRONT COVERED PORCH:
PROPOSED LIVING SPACE ADDITION:
PROPOSED FINAL LOT COVERAGE PERCENTAGE:

REVISION TABLE			
NUMBER	DATE	REVISED BY	DESCRIPTION

DRAWINGS PROVIDED FOR:
Virginia Moledano Ceballos
134 SE 12TH St
College Place, WA 99324
509.301.0940

MOHEDANO ADDITION

DRAWINGS PROVIDED BY:
Leonel Villegas
America's Construction
509.200.0267

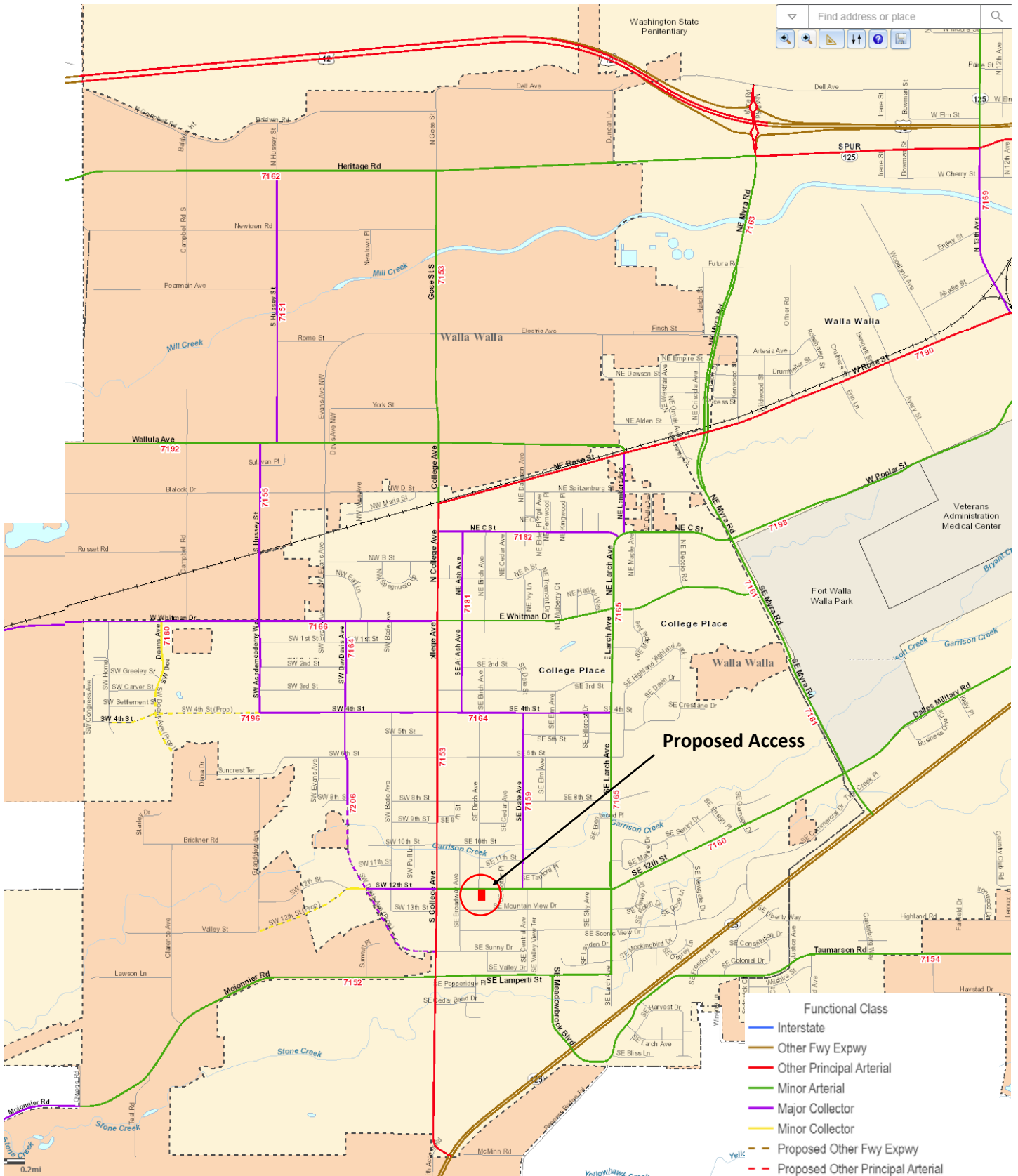
DATE:
9/19/19

SCALE:
3/16" = 1'

SHEET:
1

WSDOT FUNCTIONAL CLASSIFICATION MAP

EXHIBIT 2



- Functional Class**
- Interstate
 - Other Fwy Expwy
 - Other Principal Arterial
 - Minor Arterial
 - Major Collector
 - Minor Collector
 - Proposed Other Fwy Expwy
 - Proposed Other Principal Arterial
 - Proposed Minor Arterial
 - Proposed Major Collector
 - Proposed Minor Collector
 - Other
- City Limit
- Urban Area
- H210 Functional Class Route Identifier (FCID)**

City of College Place

134 SE 12th STREET ARTERIAL ACCESS REQUEST



WAC 197-11-970 DETERMINATION OF NONSIGNIFICANCE (DNS)

Description of Proposal: City of College Place Southwest Sewer Collection System General Sewer Plan. In 2018, the City of College Place commissioned a conceptual sewer evaluation for approximately 1,500 acres in the Southwest corner of the City. The evaluation identified potential alignments, sizes, and depths for a network of gravity sewer trunks to serve the drainage basin with diversion to a proposed regional lift station. From this evaluation, the City identified the first phase of improvements to include design and construction of a new regional lift station, forcemain, and a gravity sewer interceptor that will allow for abandonment of an existing aged lift station and provide sewer service to areas anticipated for immediate growth. The purpose of this report is to document this sewer collection system master planning effort.

Proponent: City of College Place, Paul Hartwig – Public Works Director

Location of Proposal: The Study Area is comprised of approximately 1,265 acres including the expected future expansion area to the southwest and the southwestern area of the City as shown in Figure 2-2 of the study.

Lead Agency: City of College Place
625 S. College Ave.
College Place, WA 99324

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW [43.21C.030](#) (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

- ☐ **There is no comment period for this DNS.**
- ☐ **This 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 WAC [197-11-340](#)(2); the lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted by: November 20, 2019**

Responsible official: Jonathan J Rickard

Position/title: Community Development Director

Phone: 509-394-8524

Address: 625 S College Ave, College Place WA 99324

November 6, 2019
Date

Signature

Southwest Sewer Collection System General Sewer Plan SUMMARY OF PUBLIC COMMENTS

The City received comments from WSDOT, DAHP, and CTUIR, attached. None of the comments change the issued DNS:

- WSDOT commented that utility crossing of State Route 125 requires an approved franchise permit from WSDOT.
- DAHP commented that the entire City of College Place is classified as “high risk” for encountering archeological sites.
- CTUIR’s Cultural Resource Protection Program recommends at the site of the lift station and associated sewer main and forcemain installations, a survey be performed with subsurface testing at its proposed locations.
- CTUIR’s Water Resources Program and First Foods Policy Program has reviewed the plan and provided the following comments:
 - In light of over-appropriated surface water supplies and locally supported efforts to improve stream flows, effluent utilized for crops should prioritize replacing current surface water withdrawals rather than supporting irrigation of new lands (i.e., use effluent to meet existing needs, versus providing flows for new demands). The City may actually be required to continue discharging based on WA water law which mandates that no damages will occur to existing water right holders.
 - The draft plan seems to rely on technical information that assumes parcels within the service area will be connected to the proposed collection system , but does not include a commitment that City of College Place will enforce the requirement to hook up to the public sewer system once available. If not enforced, we are concerned that the investment will not achieve the underlying objectives and may not operate as predicted by the hydraulic evaluation.
 - There are clear inconsistencies in Chapter 2 – Planning Information; Section 2.1.2, which states that, “(t)he City’s Sewer User Ordinance mandates that residents within the City limits connect to the public sewer system when service is available.” This statement is completely contradicted in the statement immediately following, where it states, “(i)n practice, this has only been enforced by requiring the property owner to connect in the event of onsite sewer failure.” Additionally, Section 2.1.2 goes on to state that the Walla Walla County Health District Health Officer, “has the discretion to mandate either hook-up to the public system or onsite sewer system repair or replacement.” It is very obvious that the existing “mandates” found in the city’s Sewer User Ordinance and within the enforcement provisions of the WWCHD Health Officer’s regulatory authorities are not sufficient to protect the Walla Walla area’s groundwater or surface waters from existing and potential contamination.

Design Workshop
 City of College Place
 SW Sewer Collection System

Date and Time: Tuesday, December 17th, 2019, 1:00 PM – 3:00 PM

Location: WWTP Conference Room

The original notes have been updated in **red bold** to capture the discussion and decisions made during the course of the meeting. Please contact us as soon as possible if corrections to the notes are necessary.

Discussion Items:

- Survey
 - 20' privacy easement - talk to owner?
More research is needed – There is evidence of intent in a short plat but no record of the easement in the deed. Greg Flowers will pull the title report.
 - Defining easements through development
Easements are needed for the entire roadway (R/W to R/W). The City needs to establish their street section.
- Forcemain alignment - consider alternative?

Consider running the forcemain North along Teal Road, West along Mojonnier Road and discharge into a manhole at Mojonnier and Owens intersection. The existing manhole at Mojonnier and Owens should be replaced as it is corroded from LS 1 forcemain. Move manhole out of the intersection to the North on Owens, if possible. There is a possible gas main along the north side of Mojonnier. Existing piping to the treatment plant will need to be upsized, as it is currently 8".

 - Easements for forcemain route
Forcemain alignment alternative 2: Easement north of homes along Mojonnier has been vacated and no longer exists. This is not an option for a forcemain route at this time.
 - Significant corrosion from Labor Camp
Keep the Labor Camp forcemain separate.
 - Eliminate need to locate existing FM
Yes – if forcemain along Mojonnier is possible it will not require locating existing forcemain from LS 1.
 - Review potential route
 - Get topo along route?
PBS to survey R/W to R/W along Teal road, Mojonnier, Owens Rd towards WWTP for new FM/gravity route. Remind Greg to topo the culvert of the creek crossing.
 - Pigging Ports?
No, but provide a place to launch on in the valve vault.
- Gravity pipe alignment

Design Workshop
City of College Place
SW Sewer Collection System



- Connection at LS6
The City indicated that the pipe going into LS6 is 12-inch. Gravity pipe to be upsized to 12-inch to accommodate LS6 flows and future flows.
 - Confirm depth to bottom?
The City to follow up with this information.
 - Core into existing wetwell?
Yes – Core into the bottom of the existing wetwell and treat it like a manhole.
 - OK to close down College Ave for xing? **Yes – Close during the summer when school is out (less traffic). The City indicated that they would prefer to keep at least one direction of traffic open if possible.**
- Down west side of College Ave - 10' off sidewalk?
Alignment will run down the centerline of College Avenue for as long as necessary to cross the creek and then will run down the west side.
 - Constructability concerns - 15' deep
City agreed that staying within R/W, but outside of the roadway on the West side of the road will be difficult. Easements to be obtained if needed.
 - Creek xing
Will cross the piped portion of the creek by staying in the roadway along College Ave.
 - Run sewer down College Ave until get past creek?
Yes.
 - Location of water in College Ave?
Waterline is shown correctly in plans. It runs along the west side of College Ave, crosses the street in front of the school, and then runs along the east side of College Ave. City to send plans from recent waterline extension project.
- How far south to extend towards highway xing?
Extend to the WSDOT right-of-way (as far as MH SSWR-2 as shown in the 12/17/2019 plans).
 - Simply stub out to south and can extend in future for highway xing? **Yes.**
- 12' north of centerline through development?
The City needs to establish their street section. Robert to follow up.
- Lift Station
 - Pump sizing - review flows, sizing scenarios, select **Alternative 2 selected.**

Design Workshop
City of College Place
SW Sewer Collection System



- Note influent screens sized for 4,000 gpm - FP noted peak hour as 2,220 gpm
- Scenarios ~~(see next page)~~

Alternative	Description	Design Flow (gpm)	Approx. Pump Size (hp)	Approx. Pump Cost (per each)	Approx. Flow with 1 pump running (gpm)	Approx. Flow with 2 pumps running (gpm)	Approx. Forcemain Size
1	Sized for 2 pumps running at buildout flow + 300 gpm from LS 1	1925	45	\$46,000	1370	1950	12
2	Sized for 2 pumps running at buildout flow	1595	30	\$36,000	1120	1710	12
3	Sized for 2 pumps running at 20-yr flow + 300 gpm from LS 1	1127	30	\$36,000	915	1220	10
4	Sized for 2 pumps running at 20-yr flow	797	25	\$33,000	682	866	8

Alternatives 1 and 3 were eliminated as the new forcemain alignment along Mojonnier will not take on Labor Camp flows.

- Location relative to privacy easement
Shift site 20' to the south in case privacy easement becomes an issue.
- Confirm vehicle for turning radius
- Swale for runoff and overflow
- Note emergency storage not required if backup generator and ATS
- Generator
 - Propane, convert to natural gas in future? **City prefers this option.**
- Jib crane? **No – City truck can lift up to 3200 lbs.**
- Building for electrical **Building is to be sized for electrical and storage of an extra pump, tools, and cleaning equipment. The City indicated that double doors are preferred to allow for easier movement of equipment and storage items. Site lighting to be switch activated.**
 - Minimum building size is approximately 17' x 12'
 - Pre-engineered options?

Design Workshop
City of College Place
SW Sewer Collection System



- CMU building? **Preferred. Match aesthetics of WWTP building.**
- City building inspector - require building energy code requirements?
Most likely. City to follow up.
- Generator
 - A propane generator with the option to convert to natural gas in the future is possible when running up to about 100 Hp in pumps. After 100 Hp they become expensive fast, and diesel generators start to make more sense.
 - Propane tank is often large and should be a consideration in site planning.
- JUB/AEI will get with Kevin to confirm level sensor, floats, etc.
- Need fall protection information
City to provide.
- **Chain link fence with motorized gates. City to follow up on if privacy slats will be required.**
- **Include flow meter in the valve vault. JUB to provide cost difference.**
- **Access road in site should be paved (6" CSBC, 4" CSTC, 3" HMA)**
- **Provide yard hydrant for future water on site.**
- **Ray top look at PLC for ragging issues at pumps (running in reverse and/or drawing down once a day)**
- Lift Station No. 6 Abandonment
 - Plug forcemain at discharge manhole? **Yes.** Where is the discharge manhole?
Sunny Drive.
 - Salvage pump and generator only?
No – Flow meter and alarm system to be salvaged as well. City to provide a full list of equipment they want salvaged.

CITY OF COLLEGE PLACE SOUTHWEST SEWER INTERCEPTOR PROJECT



Progress Meeting
November 14, 2019



J·U·B ENGINEERS, INC.

The original notes have been updated in *red italics* to capture the discussion and decisions made during the course of the meeting. Please contact us as soon as possible if corrections to the notes are necessary.

Goals and Agenda

Meeting Goals:

- Gain consensus on assumptions in preparation for submittal of PER and concept plans
- Clarify City preferences

Agenda:

- Confirm existing conditions, lift station likes/dislikes
- Discuss submersible vs wet/dry pit
- Confirm design flows and growth
- Discuss phasing plan
- Discuss submersible vs wet/dry pit
- Discuss site plan
- Discuss materials preferences
- Review preliminary pipe alignments
- Next Steps

Attendees:

- **City of College Place:** Paul Hartwig
- **Jacobs:** Willy Breshears, Paul Olson
- **J-U-B:** Alex Fazzari, Lisa Siefken

Schedule

Done:

- February 2019 – JUB Team Selected
- April 2019 – JUB Contract Approved
- July 2019 – PBS Geotech Report Completed. *The City noted they typically see between 6'-8' of variation in groundwater throughout the year. Highest groundwater levels are during the winter.*
- August 2019 – PBS Topographical Survey Completed
- September 2019 – City secures five-acre parcel for lift station
- October 15, 2019 – RFP – General Sewer Plan submitted to Ecology for review
- October 15, 2019 – SRF Funding Application submitted

To-Do:

- General Sewer Plan – need Ecology approval by December 15, 2019
- Design Plans/Specs – Ecology review/approval before construction
 - December 6 - PER and Concept Plans to City
 - December 16 – Workshop to discuss PER & Concept Plans
 - March 15 - 90% Plans/Specs/Bid Docs to City/Ecology
- Environmental Permitting
- WSDOT permitting *No – highway crossing has been eliminated from project*
- Easements along pipelines? *Yes- Easements for the entire roadway are needed. J-U-B will need to coordinate with Jon Rickard to start the process. The City needs to establish their street section.*
- Funding Application for Construction – find out in January – or private?
- Advertise in May/June 2020?

Existing Facilities

■ Lift Station No. 6

- Service area includes Basin A. See Figure 1.
- Flow from model of 273 gpm
- Undesirable features that want to avoid? Odors? Corrosion? *No. No grease problems either.*
- Alignment of existing gravity line into lift station? Easement? *Unknown. Gravity line is believed to go straight to the lift station, not following the property line.*
- Type and size of existing Pumps? *(2) 600 GPM pumps at 65.5 TDH per O&M Manual.*
- Ragging problems? *Yes. Every few weeks.*
- Telemetry system? *Electrical is a pain to operate.*
- Alignment and size of existing forcemain? *TBD. City to follow up.*
- Discharge manhole for forcemain? See Figure 2 *TBD. City to follow up.*

■ Lift Station No. 1

- Receives flow from the farm labor camp/ Lift Station No. 2.
- Design flow of 300 gpm
- Plans for future expansion? *Possible expansion at the labor camp.*
- Undesirable features that want to avoid? *The City does not know of issues with this lift station. The labor camp maintains it.*
- Odors or cycle time issues?
- Discuss how forcemain currently discharges to gravity *Forcemain discharges into existing manhole on Owens. No corrosion was noticed at this manhole by City staff.*

Figure 1

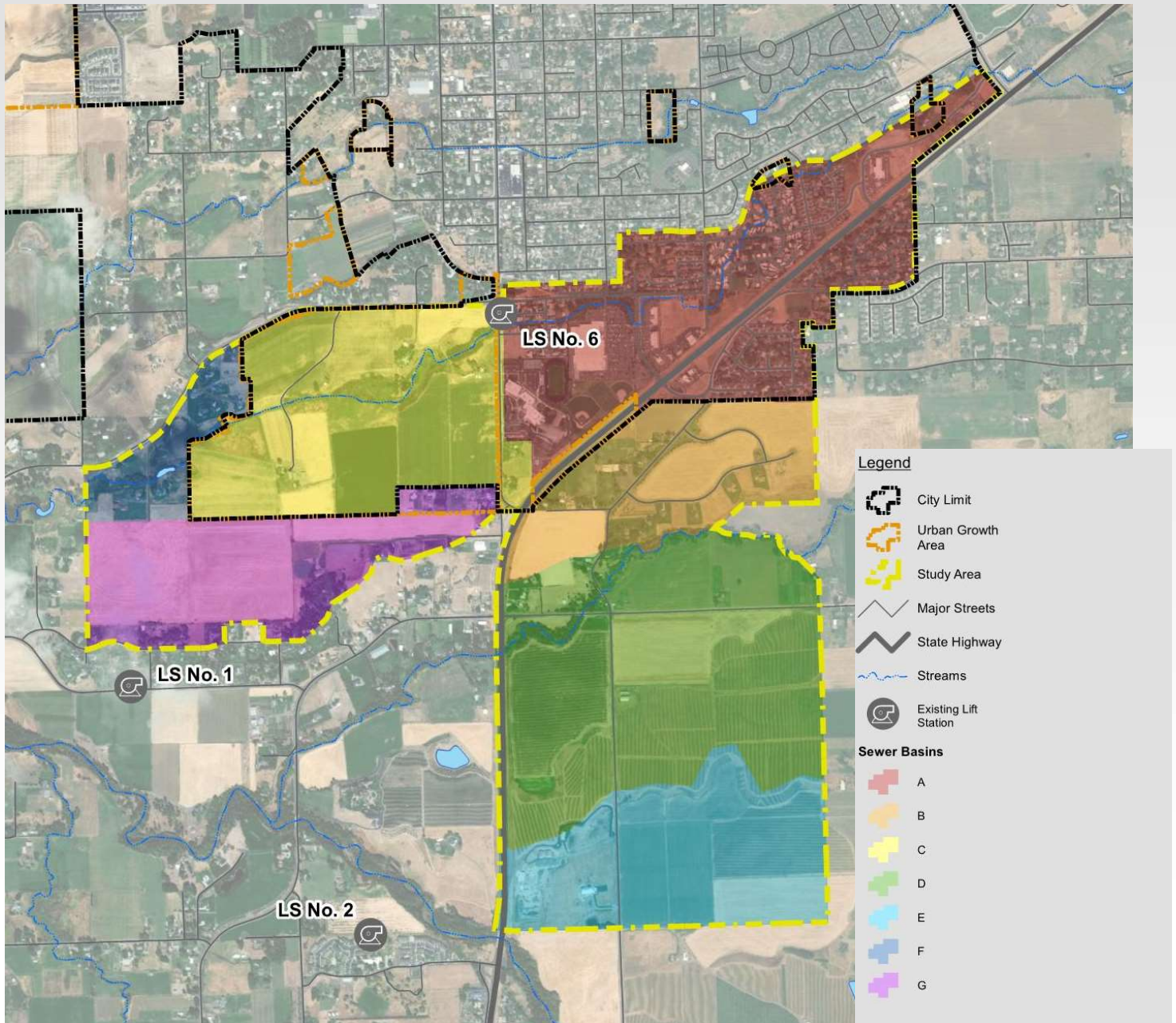


Figure 2

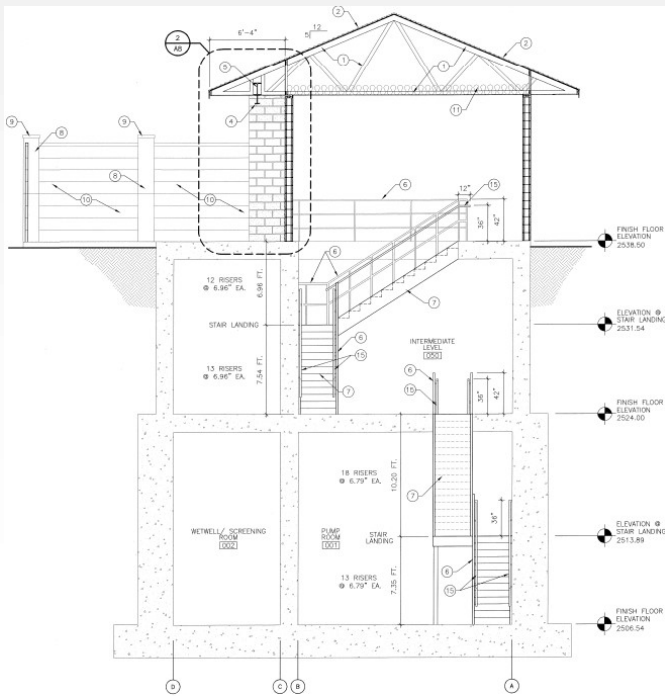


Submersible vs Wet/Dry Pit

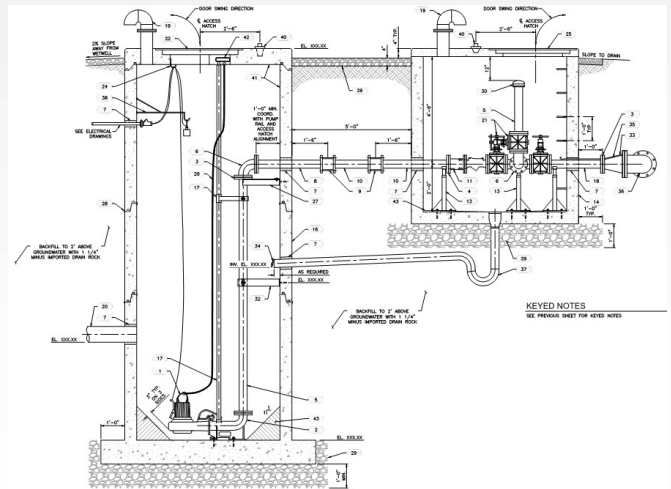
- Drywell/Wetwell
 - Typically large sized lift stations
 - Drawbacks: Expense of site-built facilities, more footprint required, maintenance of pump pumping chamber and wetwell. Flooded drywell can happen with small leaks.
 - Benefits: Drywells – allow operators better proactive maintenance to see, hear pumps operating, trouble shoot earlier before components are totally worn. Possibly easier pumps to work on. More pumping manufacturers available, possibly higher efficiencies
- Submersibles (*City Preference*)
 - Flows well within submersible sizing.
 - Drawbacks: Expensive pumps, fewer pump manufacturers, less maintenance access and ease for small repairs
 - Benefits: Compact footprint, reliable, less facilities to maintain, proven

Submersible vs Wet/Dry Pit

- Drywell/Wetwell



- Submersibles



Flows and Growth

■ Hydraulic Model Flow Summary

Flow Scenario	Description	Max Inflow (gpm)	Pump Design Flow (gpm)
Existing Flow*	Includes flow from existing LS No. 6 and LS No. 1.	573	631
Buildout Flow*	Includes flow from Basins A through G and flow from LS No. 1	1760	1936
20-Yr Buildout Flow*	Includes flow from Basins A, C, the west portion of G and LS No. 1	923	1015

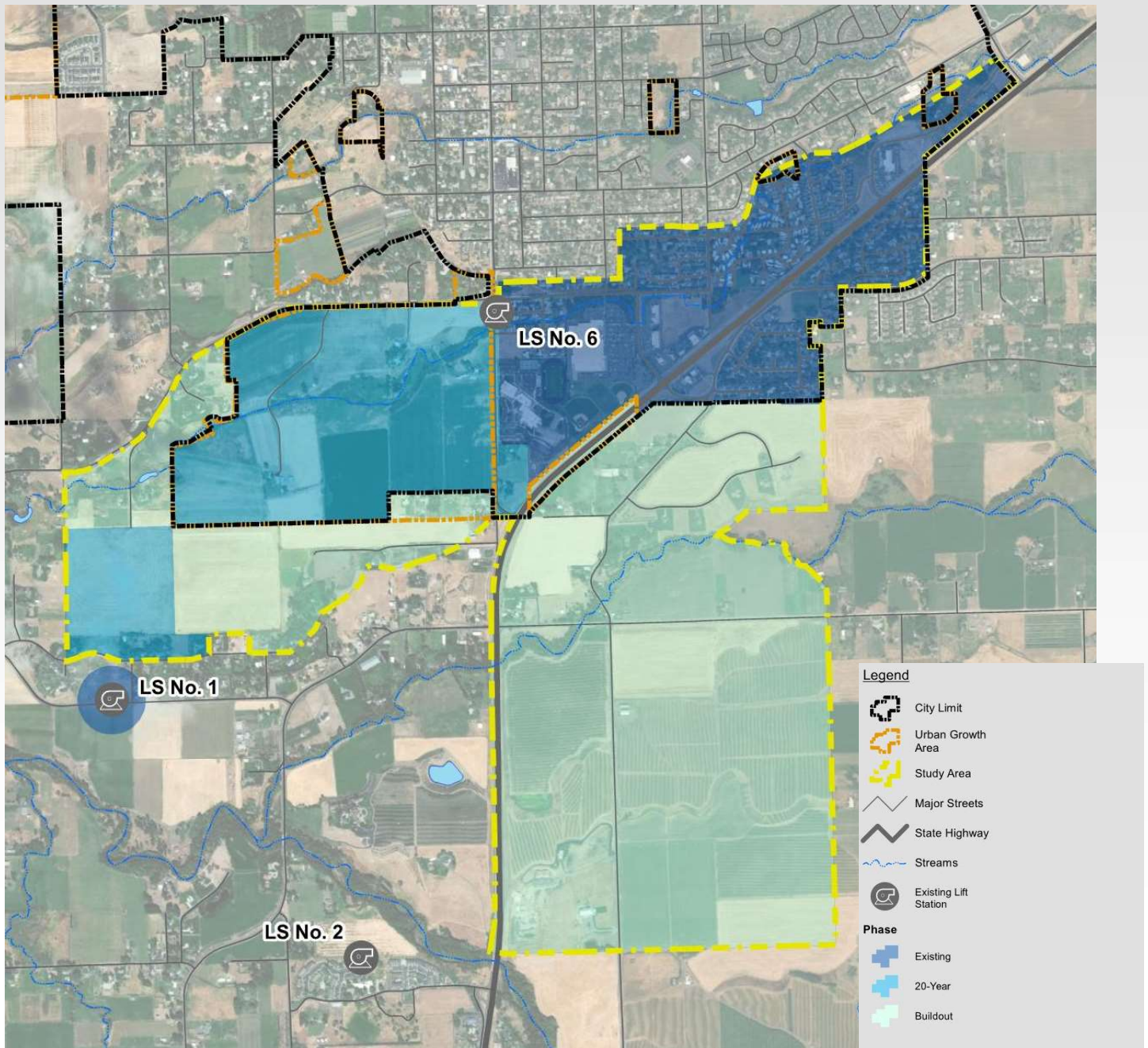
*See Figure 3 for Boundaries

The City noted the 20-year buildout flow will include a hotel, a commercial building (Fred Meyer) and a school. JUB will need to update 20-year flow based on this assumption.

■ 20-Yr Buildout Projection

- Population of 9,440 in 2017
- Assumed a 0.75% Growth Rate per the Comprehensive Plan
- Assumed household size of 2.35 persons/DU per the Comprehensive Plan
- Assumed 4.7 DU/Acre
- The projected population in year 2019 is 9,583
- The projected population in year 2039 is 11,133
- Results in approximately 140 acres of development

Figure 3



Phasing Plan

- Strategy: Size the lift station and its appurtenances in a manner that best serves the City in the near and long term.
 - Alternative 1: Triplex System for Buildout Flows (Medium Pump Size)
 - Size wetwell and site primary electrical service for buildout flows
 - Size pumps and forcemain for 20-year flows.
 - (1) 12" forcemain and (2) 60 hp pumps ($\pm$ 1250 lbs.)
 - Duplex pumps will be needed for existing conditions to 20-year flow conditions. As buildout is approached a third pump will need to be added.
 - Alternative 2: Triplex System for 20-year Flows (Smaller Pump Size)
 - Size wetwell and site primary electrical for 20-year flows.
 - Size pumps and forcemain for an interm flow.
 - Duplex pumps will be needed for existing conditions until interm flow is reached. As the 20-year flow condition is approached, a third pump will be added. At buildout condition pumps would be replaced with larger pumps
 - Alternative assumes after 20-years rehabilitation of the lift station will be needed.

The City is leaning towards alternative 2, however would like JUB to update the 20-year flows based on development of a hotel, commercial building, and school. A decision will be made based on updated information.

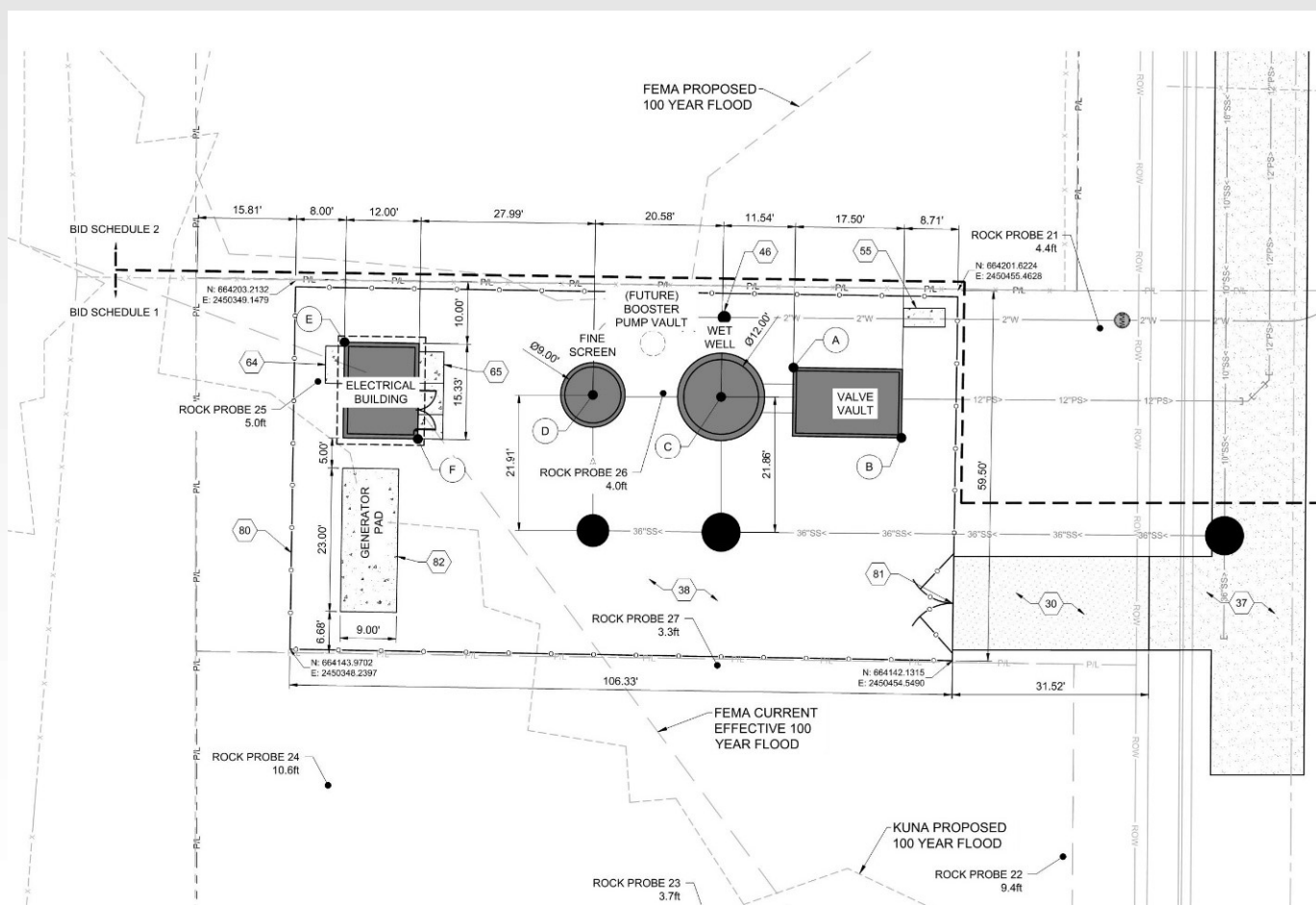
Submersible Lift Station Plan

- Wetwell size
 - Cycle times per pump manufacturer's recommendations
 - Wetwell storage requirements for power outage? *JUB to make a recommendation based on common practice, wetwell depth, and possible using an onsite swale for emergency storage.*
- Desire to have any screening upstream? *No.*
- Pumps
 - Preliminary sizing and weight dependent upon Phasing Alternative
 - Preference for Flygt? *Yes.*
 - Jib crane? *No. City truck can lift up to 3200 lbs.*
- Valve vault
 - Swing check valves? *Yes.*
 - Plug valves? *Yes.*
 - Flow meter? *No.*
 - Pumping port with cam-lock fitting? *Yes.*
 - All of the above would require valve vault approx. 10'x18' *Valve vault will be smaller without the flow meter.*

Site Plan

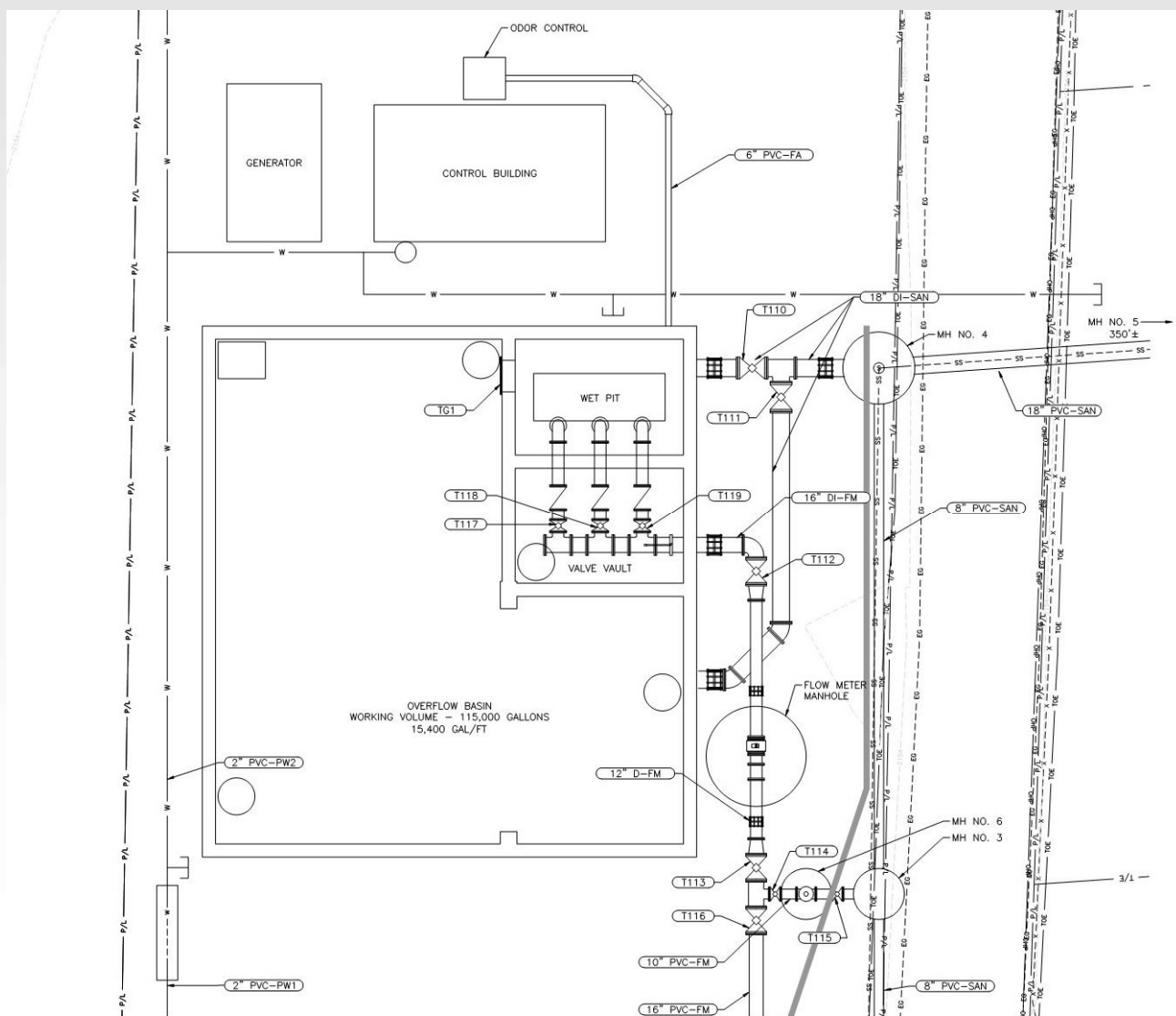
- See example Site Plans
- Discuss features
 - Vehicle access *Yes.*
 - Fencing *Yes.*
 - 20' privacy easement on North side of property? *The City was unaware of this easement. JUB to follow up with Greg Flowers.*
 - Surfacing and drainage *Surfacing should be compacted gravel. Consider adding a swale on site and sheet flow stormwater.*
 - Backup power *Yes. Also allow for portable generator to be plugged in – in the case that onsite generator is not functioning.*
 - Building for electrical? *Yes.*
 - Emergency storage? Overflow Basin? *Yes. JUB to make a recommendation on how much.*
 - Jib crane? (note weight of pumps, cables) *No. City truck can lift 3200 lbs.*
 - Provisions for odor/corrosion control? Add in future if necessary?
 - Flow measurement? *No.*
 - Pigging ports? *Paul Hartwig will need to answer this question. City to follow up.*
 - Electrical hand hole with plugs for pump removal without electrician *Yes.*
 - No water service to site? Add in future? *Set it up for a future connection – include yard hydrant.*
 - Yard lighting and visual warning lights *Yes. Lighting should be with a switch not automatic. Warning should be visual light not audible.*

Example Site Plan



Site plan for the proposed wastewater treatment plant at the intersection of Highway 101 and Highway 102. The plan shows the layout of the plant, including the initial triplex submersible pump station, future valve vault, pre-fabricated control building, on-site generator, flow meter vault, initial valve vault, jib crane, future gravity sewer, and diversion structure. It also shows the initial 12-inch force main, 18-inch dryline forcemain, 21-inch gravity sewer, 36-inch inlet sewer, 36-inch Purdam sewer, and 36-inch outlet sewer. The plan includes property lines, easements, and various other infrastructure elements.

Example Site Plan



Materials

■ Materials

- PVC for gravity sewer pipe *Yes.*
- Precast concrete manholes with flotation protection, ladders? *Yes.* Do we want to add lining where there maybe a hyd. jumps, drop manholes.
- Discuss how 8" stubout if they will be installed and how? I.E. drops? *We will discuss this at the 90% plan review.*
- Wet well coating?
- Stainless steel rails and brackets
- Ductile iron piping inside wet well, coating interior/exterior? *Yes. Epoxy coat.*
- PVC forcemain *Yes.*
- Precast concrete valve vault with aluminum double-leaf access hatch *Yes. Add a safety net.*
 - Drain to wetwell?
- Swing check valves *Yes.*
- Plug valves or gate valves for isolation? Plug valves preferred. *Yes.*
- Pigging ports? *Follow up with Paul Hartwig.*
- Fall protection provisions? *Yes. City to send their existing system and type of fall protection used.*
- Flygt pumps? *Yes.*

Electrical & Controls

- Site electrical (size primary power and transformer for buildout loads)
- Electrical in small building?
 - CMU Block?
 - Pre-Engineered?
- Yard lighting
- Backup Diesel generator with automatic transfer switch (Discuss. Size for 20-year service life)
- Pump panels, VFDs?
 - House electrical in pre-manufactured building?
- Utilize existing call-out system for alarms?
- Ultrasonic or pressure transducer for level sensing? Redundant floats? *Whatever Kevin wants. City to follow up with Kevin.*
 - High level alarm
 - Low level alarm
 - ????
- *City would like a hookup for a portable generator in addition to permanent generator.*

Gravity Interceptor

- Review preliminary alignment
- Discuss depths and groundwater *Depth of lift station should not be based on providing any service West of Teal Road.*
 - See Figure 4 and Figure 5
- Adjustments will need to be made to rim/cover when future road grading is completed for subdivision
- Access pathway to manholes *10' Gravel Path.*
- Highway boring – WSDOT permitting *Remove from this project.*
Easements – blanket easement suffice? Or need to develop detailed easements? *Need to develop detailed easements.*

Figure 4

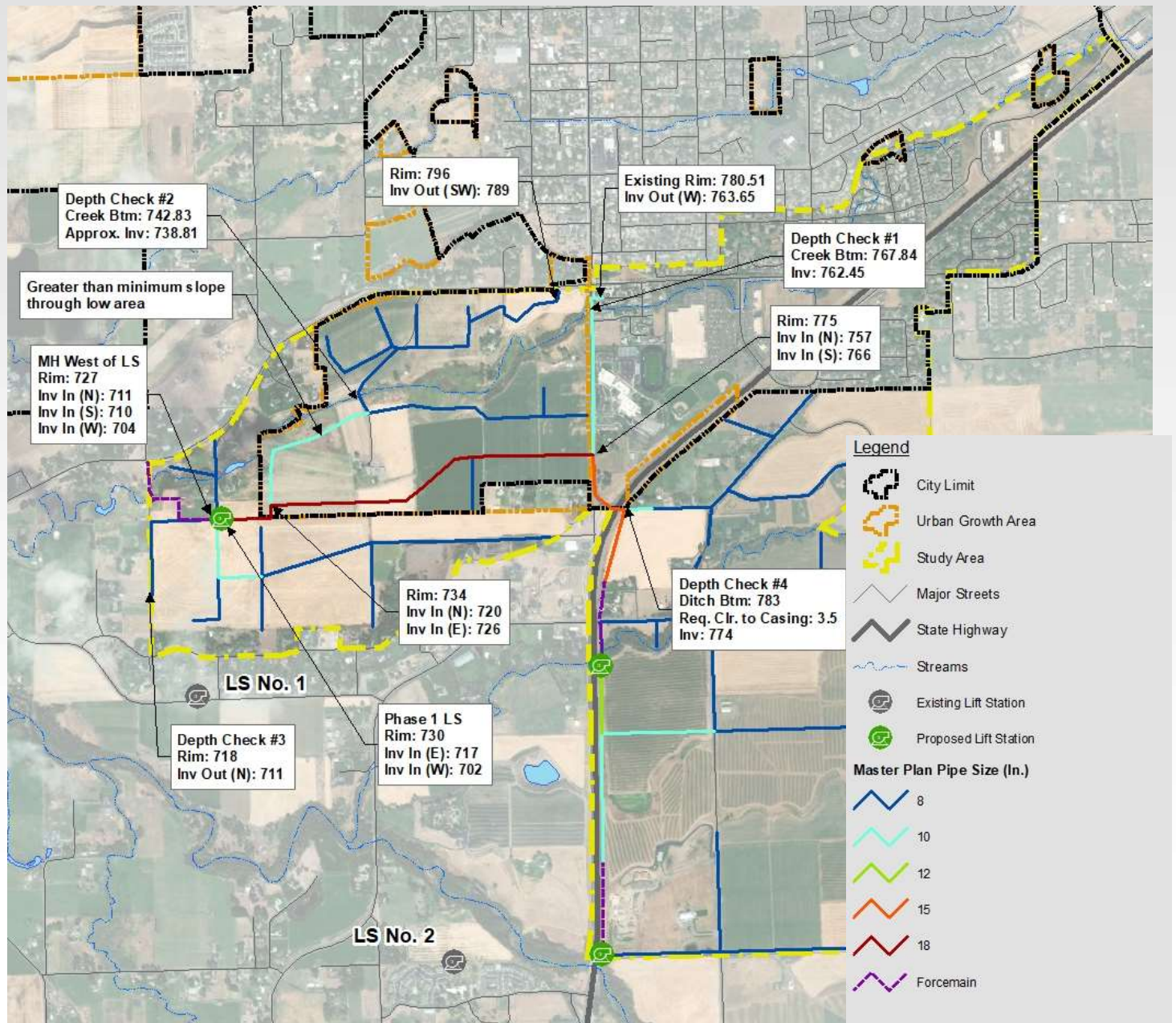
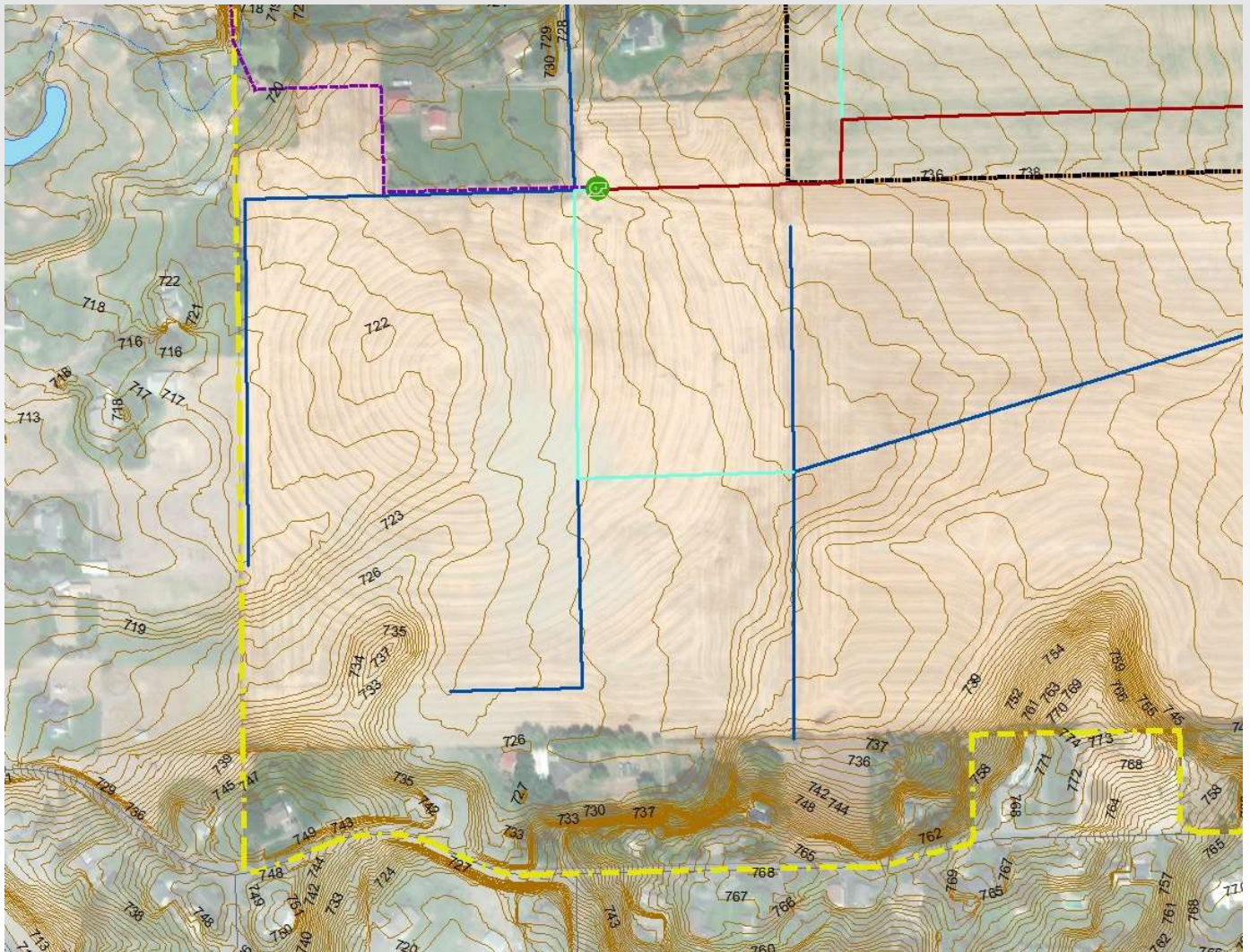


Figure 5



Forcemain

- Review preliminary alignment *Hartwig would like to consider alternative alignment so can leave Farm Labor Camp forcemain in service and under O & M responsibility of others.*
- Forcemain crossing under stone creek or over? *JUB to follow up and look at stone creek crossing.*
- Air relief valves at high points *Avoid if possible.*
- Cleanouts at low points *No.*
- Utilize existing LS 1 forcemain? *No.*
- (1) 12" forcemain for all conditions?
- Residence time *Not and issue for this amount of flow.*
- Connection to existing
 - Corrosion
 - Odors
- Challenges of phasing, matching velocity with pump Hp
- Maintenance access (client start thinking about cleanouts, pump outs, etc.)

Construction Sequencing

- Keep existing in service during construction
- Keep LS 1 forcemain available for future use? *May consider leaving LS 1 and forcemain in status quo.*
- LS 6 abandonment concerns
 - Anything to salvage? *Salvage the generator and the pumps.*

Next Steps

- General Sewer Plan – need Ecology approval by December 15, 2019
- Design Plans/Specs – Ecology review/approval before construction
 - December 6 - PER and Concept Plans to City *Delayed.*
 - December 16 – Workshop to discuss PER & Concept Plans
 - March 15 - 90% Plans/Specs/Bid Docs to City
- Environmental Permitting *TBD based on WDOE funding or not.*
- WSDOT permitting for highway boring *No – remove from project*
- Easements along pipelines? *Yes, this may need to get added to JUB scope of work.*
- Funding Application for Construction – find out in January – or private?
- Advertise in May/June 2020?

CITY OF COLLEGE PLACE WATER SYSTEM COST ESTIMATE HISTORY

Water System Consolidation and Well No. 1 Relocation Project

	AP 2016	DWSRF Applications 7/20/2017	60% RH2 Design 7/26/2018	Looped Watermain Bid 5/13/2019	Well No. 4 Wellhouse Bid 12/17/2019
Waterline	\$1,785,000.00	\$1,917,090.00	\$1,434,077.00	\$1,452,209.00	\$1,347,133.00
Well	\$876,000.00	\$876,000.00	\$876,000.00	\$1,057,662.00	\$1,290,111.00
Wellhouse	\$1,342,000.00	\$1,342,000.00	\$2,401,244.00	\$2,401,274.00	\$2,352,975.00
Decommissioning	\$71,000.00	\$61,000.00	\$61,000.00	\$61,000.00	\$61,000.00
	\$4,074,000.00	\$4,196,090.00	\$4,772,321.00	\$4,972,145.00	\$5,051,219.00

Well No. 2 Relocation Project

Well	\$876,000.00	\$880,440.00	\$880,440.00	\$887,530.00	\$917,786.00
Wellhouse	\$1,342,000.00	\$1,348,120.00	\$2,331,844.00	\$2,333,198.00	\$2,413,198.00
Decommissioning	\$71,000.00	\$70,000.00	\$70,000.00	\$70,000.00	\$70,000.00
	\$2,289,000.00	\$2,298,560.00	\$3,282,284.00	\$3,290,728.00	\$3,400,984.00

**CITY OF COLLEGE PLACE
TOTAL COSTS**

EXHIBIT 2

Revenue

CCF Water System Consolidation and Well No. 1 Relocation

DWL23476 (Phase 1)	\$3,000,000.00
DWL23478 (Phase 2)	\$1,195,431.00
Commerce Grant (Phase 1)	\$873,000.00
City Upsizing Expense	\$19,970.00

Total Revenue Phase 1	\$3,873,000.00
Total Revenue Phase 2	\$1,195,431.00

Total Revenue	<u><u>\$5,088,401.00</u></u>
----------------------	-------------------------------------

Expenses

Engineering

Phase 1A	\$23,026.00
Phase 1B	\$27,296.43
Phase 1	\$607,771.98
Phase 2	\$31,188.18
Phase 3	
Phase 4	

Phase 1 WM SDC	\$76,461.57
Phase 1 Well House SDC	\$174,200.43
Phase 2 WM SDC	\$112,838.79

Total SDC	\$368,442.00
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Engineering Phase 1	\$908,756.41
Engineering Phase 2	\$144,026.97

Total Engineering	\$1,057,724.59
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Construction Contracts

Well No. 04 (Test Well No. 1)Drilling	\$965,501.12
Phase 1 WM	\$278,886.17
Phase 2 WM	\$736,336.83
Looped Water Main Total	\$1,015,223.00

Engineering Estimates

Wellhouse Facility (Well No. 4/Phase 1)	\$2,012,770.73
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Construction Phase 1	\$3,257,158.02
Construction Phase 2	\$736,336.83

Total Construction	\$3,993,494.85
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Total Expenses Phase 1	\$4,165,914.43
Total Expenses Phase 2	\$880,363.80

Total Expenses	<u><u>\$5,051,219.44</u></u>
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CITY OF COLLEGE PLACE
TOTAL COST

EXHIBIT 3

Revenue

Well No. 6 Construction

DWL23479	\$1,804,569.00
Commerce Grant	\$599,460.00

Total Revenue	<u><u>\$2,404,029.00</u></u>
----------------------	-------------------------------------

Expenses

Engineering

Phase 1A		
Phase 1B		
Phase 1		
Phase 2		
Phase 3 Design	\$326,068.00	
Phase 3 SDC	\$166,090.00	
Phase 3 Total		\$492,158.00
Phase 4		

Construction Contracts

Test Well No. 2 Drilling	\$847,786.50
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Engineering Estimates

Well No. 6 Facility	\$2,061,039.92
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Total Expenses	<u><u>\$3,400,984.42</u></u>
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EXHIBIT 4

City of College Place

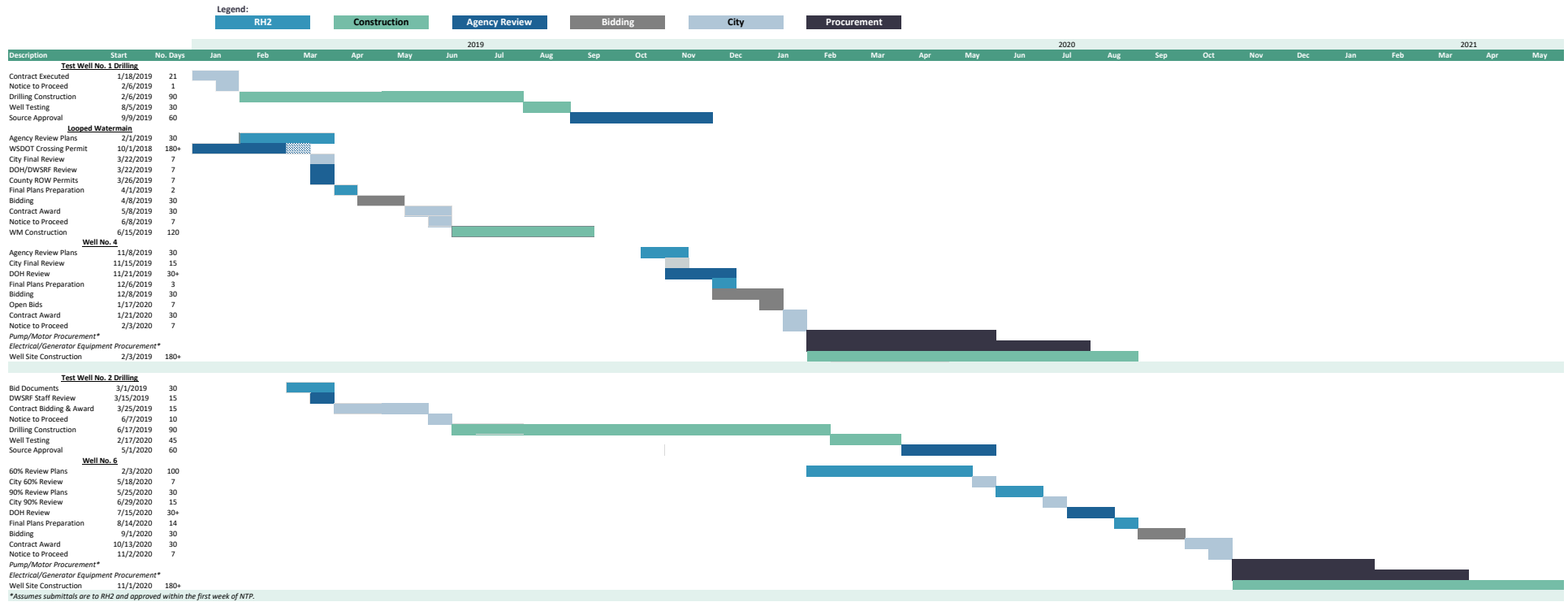
CONSOLIDATION AND WELL NO. 2/6 PROJECT FINANCIAL STATUS

January 7, 2020

	Consolidation Project	Well No. 2 Project	<i>Total</i>
Revenue	\$5,088,401	\$2,404,029	\$7,492,430
Expenses	\$5,051,219	\$3,400,984	\$8,452,204
Paid to Date	\$3,326,053	\$624,488	\$3,950,540
Remaining	\$1,725,167	\$2,776,497	\$4,501,664
Unfunded	-\$37,182	\$996,955	\$959,774
Pending DWSRF			
Supplemental Loans	\$1,742,137	\$2,663,063	\$4,405,200
Funding Surplus	\$1,779,319	\$1,666,108	\$3,445,426
Grants/Forgiveable	\$2,952,125	\$599,460	
Loan Portion	\$2,099,095	\$2,801,524	

EXHIBIT 1

Water System Consolidation and New Sources Project City of College Place



MEMORANDUM

TO: Mike Rizzitiello, City Administrator
FROM: Rea Culwell, Life Law pllc
CC: Troy Tomaras, City Chief of Police; City Council
DATE: December 4, 2019
RE: City Prosecution – request for increase in monthly payment

City of College Place contracts for prosecution services which include prosecuting all misdemeanor and gross misdemeanor crimes that occur within the City limits. These include state crimes adopted by the City, City codified crimes and nuisances, and other infractions. The current contract price for this service is \$1800/month plus \$150/hour for trial and appeal services. Since May of 2018, there has only been one criminal jury trial and no appeals.

In reviewing the past, current, and potential future criminal filings for the City, I find that there were 301 criminal or non-parking/traffic infractions filed in 2018. Using statistics through August 2019, it appears that the City will have 366 such filings. 2017 was 233; 2016 was 238; 2015 was 233; and 2014 was 227. It appears that a combination of a new chief, new law enforcement officer hires, new code enforcement officer, new emphasis on nuisance land use, and the uptick in Walmart related crimes is all adding to the caseload. The caseload has increased approximately 32% from 2014.

In addition, I believe due to the performance of the most recent past prosecutor, many cases simply languished in the court system which I am actively trying to be resolved under my contract. Last docket day, we had 138 cases which need to be addressed.

In researching the cost of indigent public defenders, I also sought out case loads and pay for city prosecutors. Ultimately, a study out of the Office of Public Defense (in coordination with the Attorney General's Office) summarized that it takes approximately \$40,000 a year to simply afford the cost of being a prosecutor or a defense attorney, this does not include pay or salary, but all the other costs of office, computer/IT, phone, licensing, continuing legal education, insurance, mailing, legal subscriptions (research platforms) etc.

While Rebecca Lemons and the Cortez Law Office are paid per case, their caseload is much lower in that some defendants hire private attorneys or represent themselves, or there is a conflict with the Cortez Law Office (usually multiple defendants in one matter). As the City prosecutor, I am appointed to every criminal case charged and I handle all of the code enforcement challenges, thus the higher caseload number.

Based upon the caseloads, not including those inherited from the prior prosecutor, I am earning about \$59/case (\$72/case for 2018). While I love prosecuting and working for College Place, this simply is not sustainable. Assuming that the caseload remains around 350/year, I would propose that this is approximately a 1/3 to 1/2 full time workload (more like ½ until we get the old cases cleaned up, if ever). Therefore, the basic cost of running an office (not pay/salary) would be approximately \$13,333/year or \$1111/month (1/3 time). Then, the cost of the actual attorney work on the cases would be in addition to this cost. I propose a cost of approximately \$50/case. As you can imagine, DUIs, domestic violence crimes and nuisance cases are more labor intensive, however those are balanced with other simpler matters (most thefts and driving without a license cases). I have strived to hold criminals accountable and keep the cost of trials to a minimum and believe I have been successful.

I propose an increase to \$3,050/month. This would represent approximately \$100/case at the current caseload rate. I propose the City continue to pay \$150/hour for trial and appeal. Please note, this does not include the 24/7 coverage I give to College Place law enforcement officers to contact me with any questions or concerns that they have. I usually field at least 2 calls a week and a few emails a month for which I do not charge the City separately.

I understand that funding for this increase must come from somewhere and that the City has or is very close to passing a balanced budget for 2020, however appreciate the City considering this request.

I anticipate that my work will bring in additional funds and/or lower expenses for fiscal year 2020 as follows:

- Increase in DUI emergency cost recoupment (I have attempted to get these figures from the Court/City to compare with prior years, but from what I understand the practice of requiring DUI defendants pay this cost was not done until I began prosecuting cases;
- Increase in indigent defense recoupment. Since about July of this year, I have requested the court impose \$200 per case for indigent defense costs in lieu of a criminal fine (criminal fines in are split among the County and State and sometimes the City, while indigent defense recoupment goes directly to the City);
- Beginning January 15, 2019, I intend to appear (or have my associate appear) at arraignment (defense attorneys do not appear) and institute a program that will hopefully reduce the number of cases assigned to a defense attorney (and thus reduce cost to the City of \$350/case). This program will be working with a defendant to get their license back and avoid a criminal conviction for Driving While License Suspended in the Third degree. This will reduce the cost to the City;
- I have stream-lined the process for obtaining court orders to abate land use nuisances and obtain a lien upon the associated property for the cost to the City; while these may not be realized immediately, payment to the City with interest will occur upon a sale of the property with an associated real estate secured loan;

Rea L. Culwell, Attorney
rea@wwlifelaw.com

Life Law, pllc
14A North 2nd Ave, Suite #201
Walla Walla, WA 99362
509-301-1068

Victoria Van Mierlo, Legal Assistant
victoria@wwlifelaw.com

- Furthermore, I believe in the past that nuisance infractions have either been dismissed upon compliance or otherwise resulted in no fee or fine being imposed; I have changed that practice and insist on requesting a fine be assessed (while some of these are uncollectable, some are paid, directly benefiting the City);
- I intend to explore more ways of reducing and other options to reduce the cost of criminal and civil prosecution to the City and increasing recoupment of the cost of the same.

Mike Rizzitiello can provide information about the relative cost of these services as compared to other like sized cities in Washington.

City Prosecutor: Monthly Costs		
City	Population	Monthly Payment
Union Gap	6,275	\$ 14,000.00
Clarkston	7,205	\$ 4,229.00
Othello	8,345	\$ 3,854.17
Airway Heights	9,545	\$ 4,800.00
College Place - Current	9,665	\$ 1,800.00
College Place - Proposed	9,665	\$ 3,050.00
Sunnyside	17,070	\$ 6,125.00
Median (w/o CP)		\$ 6,601.63

ADDENDUM TO AGREEMENT FOR LEGAL SERVICES

This Addendum is to extend all the terms and conditions set forth in the following AGREEMENTS:

1. AGREEMENT FOR LEGAL SERVICES – Prosecution, ending December 31, 2019 (Prosecution Agreement);
2. AGREEMENT FOR LEGAL SERVICES – City Attorney, ending December 31, 2019 (City Attorney Agreement);

Collectively “Legal Service Agreements”

As follows:

All terms and conditions set forth in the Legal Services Agreements shall continue in full force and effect, except as otherwise noted herein, through December 31, 2020 and shall automatically renew annually unless otherwise mutually agreed by the parties.

As to the Prosecution Agreement:

“**2. METHOD OF COMPENSATION:** The City Prosecutor shall be compensated as follows:

- A. Basic Services.** Basic services rendered to the City as provided herein are compensable by the payment of a monthly retainer fee of \$3,050.00 as provided by the City’s budget. . . .”

THE CITY OF COLLEGE PLACE

Norma Hernandez, Mayor

LIFE LAW, pllc

By, Rea L. Culwell, governor, attorney

ATTEST:

City Clerk

ORDINANCE NO. 536

AN ORDINANCE providing for the time and place of holding regular meetings of the Council of the City of College Place and repealing Ordinances Nos. 6, 20, 26, and 38

WHEREAS, Ordinance No. 38 does specify the correct location but not the correct time of the regular meetings, and

WHEREAS, the City Council voted to change the time of the regular meeting from 8:00 P.M. to 7:30 P.M. in its August 11, 1975 meeting, now therefore

BE IT ORDAINED BY THE CITY COUNCIL of College Place, Washington as follows:

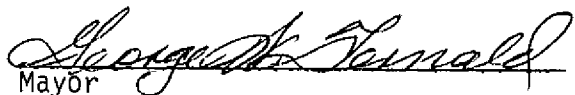
Section 1. The regular meetings of the City Council shall be held in the council chambers of City Hall at 317 South College Avenue on the second and fourth Monday's of each month at 7:30 P.M.

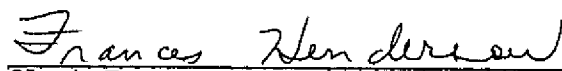
Section 2. Should either or both of these dates fall on a legal holiday recognized by the State of Washington, the Council, at its prior meeting, shall set a date for that meeting only agreeable to the Council members.

Section 3. This ordinance shall become effective immediately upon passage and its posting.

PASSED by the Council of the City of College Place, Washington at its regular meeting on the 9th day of April, 1984, and signed on its authentication of its passage on the 9th day of April, 1984.

APPROVED this 9th day of April, 1984.


Mayor


Clerk-Treasurer

AFFIDAVIT OF POSTING

STATE OF WASHINGTON)

SS

County of Walla Walla)

I, Frances Henderson, being first duly sworn, depose and say:

That I am the duly appointed, qualified and acting Clerk-Treasurer of the City of College Place, Washington. That I am a citizen of the United States, a resident of the ~~City of College Place~~ ^{Walla Walla County}, Washington, and over the age of twenty-one. That heretofore and on the 18th day of May, 19 84, I personally posted three full and true copies of Ordinance No. 537, of the City of College Place, Washington, in three separate places in said City; that one copy of said Ordinance was posted on a bulletin board at the west entrance of the City Hall located on the east side of South College Avenue between Third and Fourth Streets; that a second copy of said Ordinance was posted on an electric power utility pole located on the south side of Third Street between South College Avenue and Ash Avenue, and in front of what is known as the Zeigler's Lumber Company; that a third copy of said Ordinance was posted on an electric power utility pole located on the west side of North College Avenue where North College Avenue is intersected by Northeast "C" Street.

Frances Henderson

Subscribed and sworn to before me this 18 day of May, 19 84.

Joan K. Smith

Notary Public in and for the State
of Washington; residing at Walla Walla

A RESOLUTION TO ESTABLISH RULES OF CONDUCT FOR COUNCIL MEETINGS.

WHEREAS, a predetermined order of procedure for City Council meetings will be the most expedient means of conducting Council Meetings, and

WHEREAS, such order of procedure will avoid confusion and aid in the expeditious handling of business.

THE CITY COUNCIL OF THE CITY OF COLLEGE PLACE DOES RESOLVE AS FOLLOWS:

A RESOLUTION TO ESTABLISH RULES OF CONDUCT FOR COUNCIL MEETINGS

I. GENERAL RULES

- 1.1 Meetings to be public: All official meetings of the Council shall be open to the public with the exception of the executive sessions for certain limited topics, as defined in Section 2.3.
- 1.2 Quorum: Four Councilmembers shall be in attendance to constitute a quorum and be necessary for the transaction of business. If a quorum is not present, those in attendance will be named and they shall adjourn to a later time.
- 1.3 Compelling Attendance: The Council might adjourn from day-to-day to compel the attendance of absent members.
- 1.4 Journal of Proceedings: An account of all proceedings of the Council shall be kept by the City Clerk and shall be entered in a book constituting the official record of the Council.
- 1.5 Ordinances: Confined to One Subject; Exceptions: No ordinance except an appropriation ordinance, an ordinance adopting or embodying an administrative or governmental code, or an ordinance adopting a code of ordinances, shall relate to more than one subject, which shall be clearly stated in its title.
- 1.6 Right of Floor: Any member desiring to speak shall be recognized by the Chair, and shall confine his or her remarks to the subject under consideration or to be considered.
- 1.7 City Attorney: The City Attorney shall attend all meetings of the Council, unless excused by the Mayor. Any member of the Council may, at any time during a regular or special meeting of the Council, call upon the City Attorney for an oral or written opinion to decide any question of law.
- 1.8 City Clerk: The City Clerk, or such other person as the Mayor may designate, shall be ex officio Clerk of the Council and shall keep minutes of the Meeting and perform

such other further duties in the meeting as may be ordered by the Mayor.

- 1.9 Officers and Employees to Attend: The head of any department or any officer or employee of the City, when requested by the Mayor, or the City Council, shall attend any regular, executive or special meeting and confer with the Council on matters relating to the City.

2. Types of Meetings

- 2.1 Regular Council Meeting: The Council shall meet on the second and fourth Mondays of each month at seven-thirty p.m. When a Council meeting falls on a holiday, the regular meeting shall be held on the following Tuesday at the same hour unless otherwise provided by motion. The City Council may cancel, reschedule, or convene regular meetings at a different date or time by a motion. If a meeting is relocated, final action may be taken only on agenda items. The place of the meeting shall be the Council chambers in the city hall, and all regular and special meetings shall be public.

- 2.2 Special Meetings: Special meetings may be called by the Mayor or any three members of the Council. The City Clerk shall prepare a notice of the special meeting, stating the time, place, and object, and personally serve notice upon each of the City Council at least 24 hours before the time of meeting. The City Clerk shall attempt to notify each member of the council in person, either by telephone or otherwise, of the special meeting. The city clerk shall give notice of the special meeting to each local newspaper of general circulation and to each local radio and television station which has filed with the clerk a written request to be notified of special meetings. The city council may not discuss nor make final disposition of any matter not mentioned in the notice.

Special meetings may be called in less than 24 hours, and without the notice required in this section, to deal with emergencies involving injury or damage to persons or property or the likelihood of such injury or damage if the notice requirements would be impractical or increase the likelihood of such injury or damage.

- 2.3 Executive Sessions: Executive sessions or closed meetings may be held in accordance with the provisions of the Washington State Open meetings Act. Topics that may be discussed are: (1) Personnel matters, (2) Considerations of acquisition of property for public purposes or sale of City-owned property, (3) Potential or pending litigations in which the City has an interest, and any other as provided in the Revised Code of Washington. (42.30.110)

Conducting of:

- a. Executive sessions must be part of a regular or special meeting. (RCW 42.30.110)

b. Before convening in executive session, the presiding officer must publicly announce the purpose for excluding the public and the time when the executive session will conclude. The executive session may be extended by an announcement of the presiding officer. (RCW 42.30.100 (2))

c. Final adoption of an "ordinance resolution, rule, regulation, order or directive" must be done in the "open" meeting. (RCW 42.30.060)

2.4 Attendance of Media at Council Meetings: All official meetings of the City Council and its committees shall be open to the media, freely subject to recording by radio, television and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings.

3. Chairman and Duties

3.1 Chairman: The Mayor, if present, shall preside as chairperson at all meetings of the Council. In the absence of the Mayor, the Mayor Pro Tem shall preside. In the absence of both the Mayor and the Mayor Pro Tem, the Council shall elect a Chairperson.

3.2 Call to Order: The meetings of the Council shall be called to order by the Mayor or, in his absence, by the Mayor Pro Tem. In the absence of both the Mayor and the Mayor Pro Tem, the meeting shall be called to order by the City Clerk for the election of a temporary Chairperson. Four Councilmembers shall be in attendance to constitute a quorum.

3.3 Preservation of Order: The Chairperson shall preserve order and decorum, prevent attacks on personalities or the impugning of member's motives, and confine members in debate to the question under discussion.

3.4 Questions to be Stated: The chairman shall state all questions submitted for a vote and announce the result. A roll call vote shall be taken upon the request of any member.

3.5 No member shall speak more than twice on the same subject without permission of the presiding officer.

3.6 Motions to reconsider must be by a member who voted with the majority, and at the same or next succeeding meeting of the Council.

3.7 Each member present should vote on all questions put to the council, except as to matters with respect to which such Councilmembers has a disqualifying interest.

3.8 The presiding officer of the Council may, at his or her discretion call any member to take the Chair, to allow him or her to address the council, make a motion, or discuss any other matter at issue.

3.9 All questions of order shall be decided by the presiding officer of the Council with the right to appeal to the Council by any member.

3.10 A motion for adjournment shall always be in order.

4. Creation of Committees, Boards, and Commissions

4.1 Citizen Committees, Boards and Commissions: The Council may create committees, boards, and commissions to assist in the conduct of the operation of the city government with such duties as the Council or Mayor may specify.

4.2 Membership and Selections: Membership and selection of members shall be as recommended by the Mayor and approved by the Council. Any committee, board, or commission so created shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by a majority vote of the Council. No committee so appointed shall have powers other than advisory to the council or to the Mayor unless otherwise specified.

4.3 Removal of Members of Boards and Commissions: The Council may remove any member of any board or commission which it has created by a vote of at least a majority of the Council.

5. Citizen's Rights

5.1 Addressing the Council: Any person desiring to address the Council by oral communication shall first secure the permission of the presiding officer.

5.2 Manner of Addressing the Council - Time Limit: Each person addressing the Council shall give his/her name and address in an audible tone of voice for the record and, unless further time is granted by the Council, shall limit their address to five minutes. All remarks shall be addressed to the Council as a body, and not to any member thereof. No person, other than members of the council and the person having the floor, shall be permitted to enter into any discussion, either directly or through the members of the Council. No questions shall be asked the Councilmembers, except through the presiding officer.

5.3 Personal and Slandorous Remarks: Any person making personal, impertinent or slanderous remarks, or who shall become boisterous, while addressing the Council may be requested to leave the meeting and may be forthwith, by the presiding officer, barred from further audience before the Council during that Council meeting.

5.4 Reading of Protests: Interested persons, or their authorized representatives, may address the Council for the reading of protest, petitions, or communications relating to any matter over which the Council has control, when the item is under consideration by the Council, if a majority of the Council present agrees to let them be heard.

5.5 Mayor May Appoint Committee or Refer Citizens' Complaints: The Mayor may appoint a committee of three members of the City Council to hear citizen's complaints or may refer citizen's complaints to an executive session of the City Council, whenever the subject would be appropriate.

5.6 Written Communications: Interested parties, or their authorized representatives, may address the Council by written communication in regard to any matter concerning the City's business or over which the Council had control at any time by direct mail or by addressing the City Clerk and copies will be distributed to the Councilmembers.

6. Suspension and Amendment of These Rules:

6.1 Suspension of these Rules: Any provision or these rules may be temporarily suspended by a vote of a majority of the Council. The vote on any such suspension shall be taken by ayes and nays and entered upon the record.

6.2 Amendment of these Rules: These rules may be amended, or new rules adopted, by a majority vote of all members of the Council, provided that the proposed amendments or new rules shall have been introduced into the record at a prior Council meeting.

7. Roberts Rules of Order, newly revised, shall govern the deliberations of the Council except when in conflict with any of the foregoing rules.

THIS RESOLUTION ADOPTED THIS 12th day of March 1990.

Bernard B. Yanke
Mayor

ATTEST:

Kathleen Bowman
City Clerk

RESOLUTION # 410

RESOLUTION AMENDING RESOLUTION # 355 RESPECTING RULES OF CONDUCT FOR COUNCIL MEETING.

WHEREAS, Resolution # 355 was adopted by the Council the 12th day of March, 1990; and

WHEREAS, such resolution specifies rules of conduct for Council meetings but is silent on the question of whether or not a Council member should absent him or herself from Council Chambers when the Council is discussing and/or voting on a matter where he or she would be especially benefitted; and

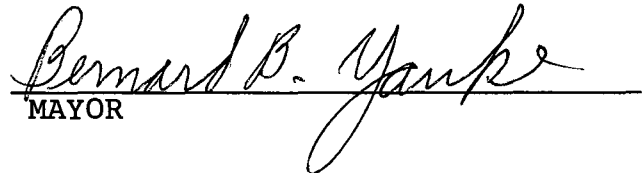
WHEREAS, the Council has determined that this particular question should be clarified by resolution;

NOW, THEREFORE, The City Council of the City of College Place does resolve as follows:

Resolution # 355 is hereby amended by adding the following paragraph 1.10 to Section 1 of said resolution:

1.10 Conflict of Interest: A council member may not vote on a matter where he or she would be especially benefitted and shall absent himself or herself from Council Chambers during the time said matter is being discussed and voted on by the Council.

THIS RESOLUTION ADOPTED THIS 8TH DAY OF FEBRUARY, 1993.


MAYOR

ATTEST:


CITY CLERK

ORDINANCE NO. 716

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE
536 RESPECTING THE TIME FOR REGULAR COUNCIL
MEETINGS.

BE IT ORDAINED BY the City Council of College Place,
Washington as follows:

Section 1: Section 1 of Ordinance 536 is amended as follows:

Section 1. The regular meetings of the city council
shall be held in the council chambers of City Hall at 625
S. College Avenue on the second and fourth Mondays of
each month at seven p.m..

Section 2: This ordinance shall take effect and be in full
force five (5) days after its passage and publication as provided
by law.

PASSED by the City Council of the City of College Place, this
14th day of February, 1994.

Erud Spwell
Mayor

Kathleen Bowman
Clerk

ONE-QUARTER PERCENT OF THE REAL ESTATE EXCISE TAX FOR ALL CITIES AND COUNTIES THAT ARE PLANNING UNDER THE NEW MANAGEMENT ACT AND HAVE A POPULATION OF MORE THAN 5,000.

ORDINANCE NO. 717

ORDINANCE IMPOSING AN EXCISE TAX ON THE SALE OF REAL ESTATE, PROVIDING FOR THE COLLECTION THEREOF, LIMITING THE USE OF THE PROCEEDS THEREFROM, AND FIXING PENALTIES FOR THE VIOLATION THEREOF.

CITY COUNCIL OF THE CITY OF WALLEGE PLACE DOES ORDAIN AS FOLLOWS:

SECTION 1: Imposition of real estate excise tax. There is hereby imposed a tax of one-quarter of one percent (0.25%) of the selling price on each sale of property within the corporate limits of this city.

SECTION 2: Taxable events. Taxes imposed herein shall be collected from persons who are taxable by the provisions of chapter 82.45 RCW and chapter 458.61 RCW upon the occurrence of any taxable event within the corporate limits of the city.

SECTION 3: Consistency with state law. The taxes imposed herein shall comply with all applicable rules, regulations, laws and court decisions regarding real estate excise tax as imposed by the state under chapter 82.45 RCW and chapter 458.61 WAC. The provisions of those chapters, to the extent they are not inconsistent with this ordinance, shall apply as though fully set forth herein.

SECTION 4: Distribution of tax proceeds and limitation on use thereof.

a) The county treasurer shall place one percent of the proceeds of the taxes imposed herein in the city current expense fund to defray costs of collection.

b) The remaining proceeds from city taxes imposed herein shall be distributed to the city monthly. Those taxes imposed under Section 1 shall be deposited by the city treasurer in a municipal capital improvements fund. These capital improvements funds shall be used by the city solely for financing capital projects as defined by RCW 82.46.010(6) that are specified in a capital facilities plan element of a comprehensive plan and housing relocation assistance under RCW 59.18.440 and 59.18.450.

c) This section shall not limit the existing authority of this city to impose special assessment on property specially benefited thereby in the manner prescribed by law.

SECTION 5: Seller's obligation. The taxes imposed herein are the obligation of the seller and may be enforced through the action of debt against the seller in the manner prescribed for the foreclosure of mortgages.

SECTION 6: Lien provisions. The taxes imposed herein and any interest or penalties thereon are the specific lien upon each piece of real property sold from the time of sale or until tax is paid, which lien may be enforced in the manner prescribed for the foreclosure of mortgages. Resort to one course of enforcement is not an election not to pursue the other.

SECTION 7: Notation of payment. The taxes imposed herein shall be paid to and collected by the treasurer of the county within which is located the real property which was sold. The county treasurer shall act as agent for the city within the county imposing the tax. The county treasurer shall cause a stamp evidencing satisfaction of the lien to be affixed to the instrument of sale of conveyance prior to its recording or to the real estate excise tax affidavit in the case of used mobile home sales. A receipt issued by the county treasurer for the payment of the tax imposed herein shall be evidence of the satisfaction of the lien imposed in Section 6 of this ordinance and may be recorded in the manner prescribed for recording satisfaction or mortgages. No instrument of sale or conveyance evidencing a sale subject to the tax may be accepted by the county auditor for filing or recording until the tax is paid and the stamp affixed thereto; in case the tax is not due on the transaction, the instrument shall not be accepted until suitable notation of this fact is made on the instrument by the county treasurer.

SECTION 8: Date payable. The tax imposed hereunder shall become due and payable immediately at the time of sale and, if not so paid within thirty days thereafter, shall bear interest at the rate of one percent per month from the time of sale until the date of payment.

SECTION 9: Excessive and improper payments. If, upon written application by a taxpayer to the county treasurer for a refund, it appears a tax has been paid in excess of the amount actually due or upon a sale of other transfer declared to be exempt, such excess amount or improper payment shall be refunded by the county treasurer to the taxpayer: PROVIDED, that no refund shall be made unless the state has not authorized the refund of an excessive amount or an improper amount paid, unless such improper amount was paid as a result of a miscalculation. Any refund made shall be withheld from the next monthly distribution to the city.

SECTION 10: Severability. If any provision of this ordinance or its application to any person or circumstances is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

SECTION 11: Effective date. This ordinance shall become effective 5 days after its passage, approval and

PASSED by the City Council at the City of College Place, at a regular meeting thereof this 28th day of March, 1994.

Fred Spruell, Mayor

Kathleen Bowman, City Clerk

(Published Morning April 3, 1994)

Affidavit of Publication

STATE OF WASHINGTON, } ss.
County of Walla Walla

Kenneth L. Hatch, being first duly sworn upon oath deposes and says:

I am controller of the Walla Walla Union-Bulletin, Inc., Publisher of the WALLA WALLA UNION WALLA WALLA DAILY BULLETIN approved as a legal newspaper by order of the Superior Court of the State of Washington, in and for Walla Walla County; as such officer I make this affidavit on behalf of said publisher.

The legal notice, a true copy of which is annexed hereto, was published in the regular issues (and not in supplement form) of said newspaper, once each week for a period of one day ~~consecutive weeks~~, commencing on the 3rd day of April, 1994, and ending on the 3rd day of April, 1994, both dates inclusive, and said newspaper was regularly distributed to its subscribers during all of said period. The full amount of the fee charged for the foregoing publication is the sum of \$ 124.90; which amount has been paid in full.

Kenneth L. Hatch

Subscribed and sworn to before me this 13th day of April, 1994.

Norma J. Gustin
Notary Public in and for the State of Washington
Residing at Walla Walla, Washington

RESOLUTION NO. 561

A RESOLUTION AMENDING RESOLUTION NO. 355 RESPECTING RULES
OF CONDUCT FOR COUNCIL MEETINGS.

WHEREAS, Resolution No. 355 was adopted by the Council the
12th day of March, 1990; and

WHEREAS, §6.2 of said Resolution provides that the rules of
conduct may be amended, or new rules adopted, by a majority vote of
all members of the Council, provided that the proposed amendments
or new rules shall have been introduced into the record at a prior
Council meeting; and

WHEREAS, §7 of said Resolution provides that Roberts Rules of
Order, newly revised, shall govern the deliberations of the Council
except when in Conflict with any of the foregoing rules; and

WHEREAS, statutory law preempts certain areas of Council
legislative activity such as the passage of ordinances, the grant
or revocation of franchises or licenses and resolutions involving
the payment of money; and

WHEREAS, the Mayor and the City Attorney are recommending that
the Council adopt *The Standard Code of Parliamentary Procedure, 3rd
Edition, by Alice Sturgis*; and

WHEREAS, *The Standard Code of Parliamentary Procedure, 3rd
Edition, by Alice Sturgis* is endorsed by The American Institute of
Parliamentarians and Municipal Research and Services Center of
Washington; and

WHEREAS, *The Standard Code of Parliamentary Procedure, 3rd
Edition, by Alice Sturgis* is recommended by Municipal Research and
Services Center of Washington as a favorable alternative to Roberts
Rules; and

WHEREAS, *The Standard Code of Parliamentary Procedure, 3rd
Edition, by Alice Sturgis*, with limited exception, restates Roberts
Rules; and

WHEREAS, *The Standard Code of Parliamentary Procedure, 3rd
Edition, by Alice Sturgis* contains a modern, concise, well
organized and easy to understand set of parliamentary rules; and

WHEREAS, the adoption of The Standard Code of Parliamentary Procedure, 3rd Edition, by Alice Sturgis would simplify and streamline Council meetings;

NOW, THEREFORE, the City Council of the City of College Place does resolve as follows:

Section 7 of Resolution No. 355 is hereby amended as follows:

7. The Standard Code of Parliamentary Procedure, 3rd Edition, by Alice Sturgis, shall govern the deliberations of the Council except when in conflict with any of the foregoing rules or the statutes of the State of Washington.

THIS RESOLUTION ADOPTED THIS 27th DAY OF January 1998.

Thor Bahlund
Mayor

Attest:

Kathleen Bowman
City Clerk

RESOLUTION NO. 872

A RESOLUTION ESTABLISHING PROCEDURES FOR FILLING VACATED COUNCIL MEMBER POSITIONS AND A VACATED MAYOR POSITION.

WHEREAS, in the event of a vacancy on the City Council or in the event the position of Mayor becomes vacant, such vacancies are to be filled according to the provisions of RCW 35A.12.050 and RCW 42.12.070; and

WHEREAS, RCW 42.12.070 provides that where one position becomes vacant, the remaining councilmembers appoint a qualified person to fill the position. Where two or more council positions become vacant and two or more councilmembers remain in office, the remaining members appoint a qualified person to fill one of the vacant positions and then the remaining councilmembers and the newly appointed person appoint another qualified person to fill the other vacant position, and so on until each of the vacant positions is filled; and

WHEREAS, if the council fails to appoint a qualified person to fill a vacancy within 90 days of the occurrence of the vacancy, the council's authority to fill the vacancy ceases and the county in which all or the largest geographic portion of the city is located is to appoint a qualified person to fill the vacancy; and

WHEREAS, any applicant to fill a vacant position must be a registered voter of the City at time of application and must be a resident of the City for a period of at least one year per *Lawrence v. Issaquah*, 84 Wn.2d 145 (1974); and

WHEREAS, the foregoing statutes are silent as to the procedure by which replacements are selected; and

WHEREAS, the absence of such a procedure has led to some confusion in the past, the result of which is that Council has determined to establish a written policy by resolution to be utilized in the future should vacancies on the Council or in the Office of Mayor occur;

NOW, THEREFORE, the City Council of the City of College Place does resolve as follows:

1. In the event of a vacancy on the Council or in the Office of Mayor, the City Clerk shall, within two weeks of the occurrence of such vacancy, publish a notice in the Walla Walla Union Bulletin notifying of such vacancy and soliciting written applications from qualified persons to fill such vacancy. The applications shall be accompanied by a written questionnaire to be completed by each applicant. Such notice shall be in a form acceptable to the City Administrator and the City Attorney.

2. Such notice shall establish a deadline for the submission of applications and answers to the questionnaires, which shall be no less than fifteen (15) days from the date the notice is published.

3. Once this deadline has passed, the City clerk shall review each application to ensure that each applicant is a registered voter of the City at time of application and has been a resident of the City for at least one year.

4. Once the Clerk has reviewed the applications to determine eligibility per the provisions of the preceding paragraph of this resolution, those applicants that are determined to be eligible shall be notified to appear before the Council to submit to an interview by the Council. Applicants will be asked to remain in the foyer when each separate applicant is interviewed, PROVIDED, HOWEVER, that the applicants as a group shall be advised that if anyone of them objects to this process, then they shall all be permitted to remain in Council Chambers for each interview conducted.

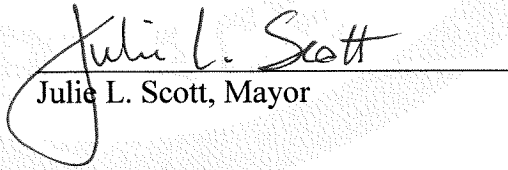
5. At the conclusion of all interviews the Council shall adjourn to executive session pursuant to RCW 43.30.110(1)(h) to evaluate the qualifications of the applicants, PROVIDED, HOWEVER, that final action appointing an applicant to office shall be in a meeting open to the public.

6. Upon completion of the Executive Session, Council shall return to open session and the Mayor or Mayor Pro Tem shall request nominations from Councilmembers, who may then nominate the applicants of their choice. A second shall be required for each nomination. Only those that submitted applications shall be eligible for nomination.

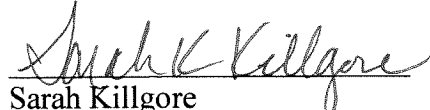
7. Council members shall then vote for the nominees of their choice. Absent members shall be permitted to vote by phone. The nominee with the majority of the votes cast is then selected to fill the vacancy. In the event of a tie the Mayor may vote. If no candidate receives a majority vote, Council may adopt motions to enable it to complete the election by majority vote within a reasonable time.

8. Resolution No. 355 (Rules for Conduct of Council Meetings) is hereby amended by adding a paragraph 1.11 captioned "Procedures for Filling Vacated Positions" to section 1 of said resolution setting forth paragraphs 1 through 7 of this instant resolution.

THIS RESOLUTION ADOPTED THIS 13th DAY OF April, 2015.


Julie L. Scott, Mayor

Attest:


Sarah Killgore

RESOLUTION NO. 881

A RESOLUTION TO ESTABLISHING RULES OF CONDUCT FOR COUNCIL MEETINGS.

WHEREAS, a predetermined order of procedure for City Council meetings will be the most expedient means of conducting Council Meetings; and

WHEREAS, such order of procedure will avoid confusion and aid in the expeditious handling of business; and

WHEREAS, the City Council has previously adopted a series of resolutions detailing procedures to be followed at Council meetings; and

WHEREAS, some of these previously adopted resolutions were obsolete and, in some instances conflicted with recently adopted statutes; and

WHEREAS, Council has request that all procedural rules for Council meetings be embodied in one resolution for the ready reference of the Council so as to avoid any confusions;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COLLEGE PLACE DOES RESOLVE AS FOLLOWS:

1. General Rules

1.1 Meetings to be Public: The order of procedure herein contained shall govern deliberations and meetings of the Council of the City of College Place, Washington. All official meetings of the Council shall be open to the public with the exception of the executive sessions for certain limited topics, as defined in Section 2.4 of this resolution.

1.2 Quorum: Four Councilmembers shall be in attendance to constitute a quorum and be necessary for the transaction of business. If a quorum is not present, those in attendance will be named and they shall adjourn to a later time.

1.3 Compelling Attendance: The Council might adjourn from day-to-day to compel the attendance of absent members.

1.4 Journal of Proceedings: An account of all proceedings of the Council shall be kept by the City Clerk and shall be entered in a book constituting the official record of the Council.

1.5 Ordinances: Confined to One Subject; Exceptions: No ordinance except an appropriation ordinance, an ordinance adopting or an ordinance adopting a code of ordinances, shall relate to more than one subject, which shall be clearly stated in its title.

1.6 Right of Floor: Any member Council desiring to speak shall be recognized by the Chair, and shall confine his or her remarks to the subject under consideration or to be considered.

1.7 City Attorney: The City Attorney shall attend all meetings of the Council, unless excused by the Mayor. Any member of the Council may, at any time during a regular or special meeting of the Council, call upon the City Attorney for an oral or written opinion to decide any question of law.

1.8 City Clerk: The City Clerk or such other person as the Mayor may designate, shall be ex officio Clerk of the Council and shall keep minutes of the Meeting and perform such other duties in the meeting as may be ordered by the Mayor.

1.9 Officers and Employees to Attend: The head of any department or any officer or employee of the City, when requested by the Mayor, or the City Council, shall attend any regular, executive or special meeting and confer with the Council on matters related to the City.

2. Types of Meetings

2.1 Regular Council Meetings: The Council shall meet on the second and fourth Mondays of each month at seven P.M. at City Hall. When a Council meeting falls on a holiday, the regular meeting shall be held on the following Tuesday at the same hour unless Council shall by majority vote determine otherwise. The meeting agenda must be made available online at least 24 hours in advance of the regular meeting.

2.2 Special Meetings: A special meeting may be called at any time by the Mayor or, in the Mayor's absence, the Mayor Pro Tem, or a majority of the members of the Council by delivering written notice personally, by mail, by fax, or by electronic mail to each member of the Council. If a Council member cannot be reached by any of such means then in lieu thereof notice may be given by Phone. Notice shall be deemed waived in the following circumstances:

(a) A member submits a written waiver of notice to the City Clerk at or prior to the time the meeting convenes. A written waiver may be given by telegram, fax, or electronic mail; or

(b) A member is actually present at the time the meeting convenes.

Notice of a special meeting called under subsection 2.1 of this section shall be:

(a) Delivered to each local newspaper of general circulation and local radio or television station that has on file with the City a written request to be notified of such special meeting or of all special meetings;

(b) Posted on the City's web site.

(c) Prominently displayed at the main entrance of City Hall.

Such notice must be delivered or posted, as applicable, at least twenty-four hours before the time of such meeting as specified in the notice. The call and notices required under this subsection shall specify the time and place of the special meeting and the business to be transacted. Final disposition shall not be taken on any other matter at such meetings by the governing body.

The notices provided in this section may be dispensed with in the event a special meeting is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of such notice would make notice impractical and increase the likelihood of such injury or damage.

2.3 Adjournment of Regular and Special Meetings. A motion for adjournment shall always be in order. A regular or special meeting may be adjourned to a specified time and place, where it will be continued. There are a number of circumstances under which a meeting might be adjourned. A meeting may be adjourned and continued to a later date because the governing body did not complete its business; when the Council does not achieve a quorum; or when all members are absent from a regular meeting or an adjourned regular meeting. In that instance, the clerk of the governing body may adjourn the meeting to a stated time and place, with notice provided as required for a special meeting, unless notice is waived as provided for special meetings. However, the resulting meeting is still considered a regular meeting. An order or notice of adjournment, specifying the time and place of the meeting to be continued must be conspicuously posted immediately following adjournment on or near the door of the place where the meeting was held. Notice of a regular meeting adjourned by the clerk when all members of the governing body are absent must be provided in the same manner as for special meetings. If the governing body is holding a hearing, the hearing may be continued at a later date by following the same procedures for adjournment of meetings.

2.4 Executive Sessions: Executive sessions or closed meetings may be held in accordance with the provisions of the Washington State Open Meetings Act as provided in the RCW 42.30.100. Executive sessions must be part of a regular or special meeting. Before convening in executive session, the presiding officer must publicly announce the purpose for excluding the public and the time when the executive session will conclude. The executive session may be extended by an announcement of the presiding officer. Final adoption of an ordinance, resolution, rule, regulation, order or directive must be done in an open meeting as required by RCW 42.30.060.

2.5 Attendance of Media at Council Meetings: All official meetings of the City Council and its committees shall be open to the media, freely subject to recording by radio, television and

photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings.

3. Chairman and Duties

3.1 Chairman: The mayor shall preside as chairperson at all meetings of the Council. In the absence of the Mayor, the Mayor Pro Tem shall preside. In the absence of both the Mayor and the Mayor Pro Tempore, the Council shall elect a Chairperson. The appointment of a councilmember as Mayor Pro Tempore shall not in any way abridge his or her right to vote upon all questions coming before the Council.

3.2 Call to Order: The meetings of the Council shall be called to order by the Mayor or, in his absence, by the Mayor Pro Tem. In the absence of both the Mayor and the Mayor Pro Tem, the meeting shall be called to order by the City Clerk for the election of a temporary Chairperson. Four Councilmembers shall be in attendance to constitute a quorum.

3.3 Preservation of Order: The Chairperson shall preserve order and decorum; prevent attacks on personalities or the impugning of member's motives, and confine members in debate to the question under discussion.

3.4 Questions to be Stated: The chairperson shall state all questions submitted for a vote and announce the result. A roll call vote shall be taken upon the request of any member.

3.5 No member shall speak more than twice on the same subject without the permission of the presiding officer.

3.6 Motions to Reconsider: Motions to reconsider must be by a member who voted with the majority, and at the same or next succeeding meeting of the Council.

3.7 Each Member Should Vote Absent a Disqualifying Interest: Each member present should vote on all questions put to the council, except as to matters with respect to which such Councilmembers have a disqualifying interest. Absent members may attend any meeting by speaker phone and may vote on any matter just as if physically present. A councilmember may not vote on a matter where he or she would be especially benefitted and shall absent him or herself from Council Chambers during the time said matter is being discussed and voted on by the Council.

3.8 Member to Take the Chair: The presiding officer of the Council may, at his or her discretion, call any member to take the Chair to allow him or her to address the council, make a motion or discuss any other matter at issue.

3.9 Audience Participation. The Presiding Officer shall permit audience participation at appropriate times and shall give pro and con speakers alternating opportunities to speak. Reasonable time limits may be imposed by the Presiding Officer.

3.10 *Questions of Order*: All questions of order shall be decided by the presiding officer of the Council with the right to appeal to the Council by any member.

4. Creation of committees, Boards, and Commissions.

4.1 *Citizen Committees, Boards and Commissions*: The Council may create committees, boards, and commissions to assist in the conduct of the operation of the city government with such duties as the Council or Mayor may specify.

4.2 *Membership and Selections*: Membership and selection of members shall be as recommended by the Mayor and approved by the Council. Any committee, board, or commission so created shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by a majority vote of the Council. No committee so appointed shall have powers other than advisory to the council or to the Mayor unless otherwise specified.

4.3 *Removal of Members of Boards and Commissions*: The Council may remove any member of any board or commission which it has created by a vote of at least a majority of the Council.

5. Citizen's Rights

5.1 *Addressing the Council*: Any person desiring to address the Council by oral communication shall first secure the permission of the presiding officer.

5.2 *Manner of Addressing the Council -- Time Limit*: Each person addressing the Council shall give his/her name and address in an audible tone of voice for the record and, unless further time is granted by the Council, shall limit their address to five minutes. All remarks shall be addressed to the Council as a body, and not to any member thereof. No person, other than members of the council and the person having the floor shall be permitted to enter into any discussion, either directly or through the members of the Council. No questions shall be asked the Councilmembers, except through the presiding officer.

5.3 *Personal and Slandorous Remarks*: Any person making personal, impertinent or slanderous remarks, or who shall become boisterous, while addressing the Council may be requested to leave the meeting and may be forthwith, by the presiding officer, barred from further audience before the Council during that Council meeting.

5.4 Reading of Protests: Interested persons, or their authorized representatives, may address the Council for the reading of protest, petitions, or communications, relating to any matter over which the Council has control, when the item is under consideration by the Council, if a majority of the Council present agrees to let them be heard.

5.5 Mayor May Appoint Committee or Refer Citizens' Complaints: The Mayor may appoint a committee of three members of the City Council to hear citizen's complaints or may refer citizen's complaints to an executive session of the City Council, whenever the subject would be appropriate under the Washington State Public Meetings Act.

5.6 Written Communications: Interested parties, or their authorized representatives, may address the Council by written communication in regard to any matter concerning the City's business or over which the Council had control at any time by direct mail or by addressing the City Clerk and copies will be distributed to the Councilmembers.

6. Council and Mayoral Vacancies:

6.1 Notice of Vacancy To Be Published in Union Bulletin: In the event of a vacancy on the Council or in the Office of Mayor, the City Clerk shall, within two weeks of the occurrence of such vacancy, publish a notice in the Walla Walla Union Bulletin notifying of such vacancy and soliciting written applications from qualified persons to fill such vacancy. The applications shall be accompanied by a written questionnaire to be completed by each applicant. Such notice shall be in a form acceptable to the City Administrator and the City Attorney.

6.2 Deadline for Submission of Applications: Such notice shall establish a deadline for the submission of applications and answers to the questionnaires, which shall be no less than fifteen (15) days from the date the notice is published.

6.3 City Clerk to Review Applications: Once this deadline has passed, the City clerk shall review each application to ensure that each applicant is a registered voter of the City at time of application and has been a resident of the City for at least one year.

6.4 Council Interviews of Applicants: Once the Clerk has reviewed the applications to determine eligibility per the provisions of the preceding paragraph of this resolution, those applicants that are determined to be eligible shall be notified to appear before the Council to submit to an interview by the Council. Applicants will be asked to remain in the foyer when each separate applicant is interviewed, PROVIDED, HOWEVER, that the applicants as a group shall be advised that if anyone of them objects to this process, then they shall all be permitted to remain in Council Chambers for each interview conducted.

6.5 Executive Session to Discuss Qualifications of Applicants: At the conclusion of all interviews the Council shall adjourn to executive session pursuant to RCW 43.30.110(1)(h) to evaluate the qualifications of the applicants, PROVIDED, HOWEVER, that final action appointing an applicant to office shall be in a meeting open to the public.

6.6 Nominations: Upon completion of the Executive Session, Council shall return to open session and the Mayor or Mayor Pro Tem shall request nominations from Councilmembers, who may then nominate the applicants of their choice. A second shall be required for each nomination. Only those that submitted applications shall be eligible for nomination.

6.7 Voting: Council members shall then vote for the nominees of their choice. Absent members shall be permitted to vote by phone. The nominee with the majority of the votes cast is then selected to fill the vacancy. In the event of a tie the Mayor may vote. If no candidate receives a majority vote, Council may adopt motions to enable it to complete the election by majority vote within a reasonable time.

7. Suspension and Amendment of These Rules:

7.1 Suspensions of these Rules: The rules of the Council may be temporarily suspended by a vote of two-thirds of the members present. The vote on any such suspension shall be taken by ayes and nays and enter upon the record.

7.2 Amendment of these Rules: These rules may be amended, or new rules adopted, by a majority vote of all members of the Council, provided that the proposed amendments or new rules shall have been introduced into the record at a prior Council meeting.

8. Code of Parliamentary Procedure: *The Standard Code of Parliamentary Procedure, 4th Edition*, by Alice Sturgis shall govern the deliberations of the Council except when in conflict with any of the foregoing rules. In the event of a conflict between State law and these rules the law of the State of Washington shall govern.

9. Repealer. Resolutions 355, 410, 561 and 872 are hereby repealed and are replaced and superseded by this resolution.

PASSED this ____ day of _____, 2016.

Julie L. Scott, Mayor

Attest:

Sarah K. Killgore, City Clerk

1753rd Meeting – Council Chambers
College Place Municipal Building – March 28, 2016, 7:00 P.M.

PRESENT:

Mayor	Julie Scott
Council Members	Marge Nyhagen, Heather Schermann, Loren Peterson, Jerry Bobbitt, Michael Cleveland, Larry Dickerson
City Administrator	Patrick Reay
City Attorney	Charlie Phillips
Staff	Paul Hartwig, Larry Bohlman, Robert Gordon, Jon Rickard, Sarah Killgore

ABSENT: Greg Tompkins

CALL TO ORDER: Mayor Scott called the meeting to order at 7:00 p.m. Councilmember Nyhagen led in prayer and pledge of allegiance.

PUBLIC COMMENT: None.

CONSENT AGENDA: Mayor Scott presented the Consent Agenda. Councilman Larry Dickerson asked that the consent agenda item regarding Resolution No. 881 be moved to the regular agenda. It was agreed that the Resolution would be moved to item 6 on the regular agenda.

Councilmember Nyhagen moved to approve the Consent Agenda consisting of:

- 1. Approve Agenda for March 28, 2016**
- 2. Approve Council Minutes for March 14, 2016**
- 3. National Public Safety Telecommunicators Week Proclamation**
- 4. Professional Service Agreement - Hearing Examiner Services**
- 5. City Attorney Advertisement for Proposals for Service**
- 6. An Ordinance Amending CPMC 2.24.030 Civil Service System**
- 7. Fire Engine Final Payment**
- 8. February 2016 Check Register/Financial Reports**
- 9. Excusing the absence of Councilmember Greg Tompkins**

Second by Councilmember Cleveland and the motion carried unanimously.

REGULAR AGENDA

Interim Police Chief Appointment

Mayor Scott spoke of the impending retirement of Police Chief Dennis Lepiane and thanked him for his years of service. City Administrator Pat Reay gave a summary of Chief Lepiane's history with the City. He explained that staff had reached out to the Washington State Association of Sheriffs and Police Chiefs to assist in selecting an individual to act as an interim Police Chief. Mr. Reay reviewed the qualifications of the individual who had been selected for this role, Mr. Larry Dickerson.

Mayor Scott noted that Mr. Dickerson would also be performing a sort of departmental audit while he was serving as interim Chief. Funding for this interim position was discussed.

Councilmember Schermann moved to authorize Mayor Scott to execute a service agreement to provide interim Police Chief Services to Mr. Larry Dickerson. Second by Councilmember Nyhagen and the motion carried unanimously.

Contract for Services – Water Rate Study

Finance Director Sarah Killgore reported that there had been no changes to the water rates since 2010. She noted that in 2014, the water system plan called for an increase to the water rates of 5% per year. This increase had not been implemented until 2016.

Mrs. Killgore stated that she had issued an RFP for a water rate study and had only received one proposal. The services that were a part of the study and the funding sources were explained.

Staff discussed the reasons behind the delay in implementing the rate increase that was recommended in 2014. Mr. Reay explained that with all of the projects that are currently occurring, the proposed increase after the water rate study could exceed the 5% that was recommended in the water system plan. Mrs. Killgore also explained that the contractor who would be performing the study would equip her with the tools to continue reviewing the rates into the future.

Councilmember Peterson moved to authorize staff to execute the attached water rate study contract with FCS Group in the amount of \$29,990, with an additional \$6,000 authorized for the Cost of Service Analysis Addendum, should it be necessary. Second by Councilmember Dickerson and the motion carried unanimously.

Repair of Non-Pot Pump

Public Works Director Paul Hartwig presented a request to repair a non-potable water pump at the wastewater treatment plant. He stated that it is critical that this pump be repaired as there are only two of them.

Councilmember Nyhagen moved to approve the repair of the non-pot pump for an amount not to exceed \$8,700. Second by Councilmember Dickerson and the motion carried unanimously.

Kiwanis Park Renovation – Professional Services Agreement

Senior Planner Jon Rickard explained the need to perform a cultural resource survey before the improvements were made to Kiwanis Park. He stated that Fort Walla Walla Museum will perform the survey for a cost of \$6,320. Mr. Reay stated that the survey was required by Executive Order 05-05 as there would be some ground disturbing activities as part of the project.

Councilmember Peterson moved to authorize Administration to execute a contract with Fort Walla Walla Museum for professional services associated with the Kiwanis Park Renovation project in the amount of \$6,320. Second by Councilmember Schermann and the motion carried unanimously.

CARS Project Intersection Configuration Review Report

City Engineer Robert Gordon presented the current intersection design for the CARS project and explained how that design was decided upon. Mr. Gordon stated that a series of public meetings had been held in 2013 to give the public an opportunity to comment.

Mr. Gordon gave a presentation to show the design for intersections on College Avenue from 4th Street through 10th Street. Mr. Gordon noted there were concerns from individuals who were losing their on street parking as a result of the intersection design. He stated the main reason for the current design was to improve safety.

The parking for the properties along College Avenue was reviewed. Mr. Reay explained that if any of the properties along College Avenue were redeveloped, they would be required to provide off-street parking.

**Resolution No. 881:
Amending Resolution
No. 355 Respecting the
Rules of Conduct for City
Council Meetings for the
City of College Place**

Councilmember Larry Dickerson asked for an addition to section 2.2 regarding special meetings. He asked for a statement requiring the City Clerk to attempt to notify Councilmembers of special meetings via telephone or in person.

Council discussion. Mayor Scott tabled the item so that staff could address the concerns that were raised and bring it back to Council.

REPORTS

CARS Project Update

Mr. Hartwig gave an update on the progress of the CARS project. The utilities that are located along the project corridor were discussed. Mr. Reay explained that conflicts arise when private utilities are attempting to make improvements or changes to their facilities without regard to the CARS project contractor's timeline.

Paving progress was discussed. Mr. Hartwig reviewed crosswalks, water and sewer lines, project cost, and other important project milestones. Mr. Reay explained the potential conflict between private utility companies and the project contractor in more detail.

Miscellaneous

Council received the following reports in their packets:

- a. Walla Walla Area Building Permit Statistics for February, 2016
- b. Police Department Monthly Report for February, 2016
- c. Public Works/Water Department Monthly Report for February, 2016
- d. Community Development Department Monthly Report for February, 2016
- e. Fire Department Monthly Report for February, 2016

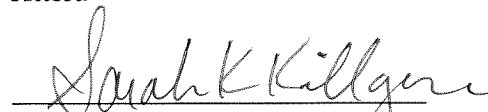
ADJOURN

Councilmember Nyhagen moved to adjourn. Seeing no further comment the meeting adjourned at 8:35 p.m. The next regular meeting will be held April 11, 2016 at 7:00 p.m. in the Council Chambers.

Approved:


Julie L. Scott – Mayor

Attest:


Sarah K. Killgore – City Clerk

The foregoing minutes are the official record of the City Council meeting that occurred on March 28, 2016. Further detail may be obtained by reviewing the actual audio recording made during this session.

1755th Meeting – Council Chambers
College Place Municipal Building – April 25, 2016, 7:00 P.M.

PRESENT:

Mayor	Julie Scott
Council Members	Loren Peterson, Jerry Bobbitt, Michael Cleveland, Larry Dickerson, Marge Nyhagen, Heather Schermann
City Administrator	Patrick Reay
City Attorney	Charlie Phillips
Staff	Paul Hartwig, Larry Bohlman, Interim Police Chief Larry Dickerson, Sarah Killgore, Robert Gordon, David Winter

ABSENT:

Greg Tompkins

CALL TO ORDER:

Mayor Scott called the meeting to order at 7:00 p.m. Councilmember Peterson led in prayer and pledge of allegiance.

PUBLIC COMMENT:

None.

CONSENT AGENDA:

Councilmember Nyhagen moved to approve the Consent Agenda consisting of:

- 1. Approve Agenda for April 25, 2016**
- 2. Approve Council Minutes for April 11, 2016**
- 3. MRSC Small Works/Consulting/Vendors Roster**
- 4. Portable Radios Purchase**
- 5. March 2016 Check Register/Financial Reports**
- 6. Excusing the absence of Councilmember Tompkins**

Second by Councilmember Peterson and the motion carried unanimously.

REGULAR AGENDA

**Recycling Report
& Discussion**

Mr. Gene Hill with Basin Disposal gave a PowerPoint presentation and spoke to the Council regarding recycling services in College Place. He noted that the cost to recycle is now more than the revenue from the sale of recyclables. This is in part due to the fluctuation of gas prices worldwide. He discussed some of the possible solutions that Council could choose to fund the excess amount that is owed after the recyclables are sold.

Council discussion. It was decided that this item would come back in June for action from Council.

**Resolution No. 881 to
Establish Rules of Conduct
for Council Meetings**

Mr. Reay presented the proposed resolution to the Council and stated that suggestions from the last Council meeting had been implemented.

Council discussion. The item was tabled.

Mayor Scott asked Councilman Dickerson to provide the Council with his proposed additions and changes so that they could be reviewed.

It was decided that an ad hoc committee would be formed to discuss these rules. Councilmembers Bobbitt, Cleveland, and Dickerson would serve on the committee.

**Selection of City Attorney
and Continuation of Mr.
Phillips City Attorney
Agreement for an
Additional Period of Time**

Mr. Reay noted that there had only been one party interested in the City Attorney position, and they couldn't serve under the current pay scale and/or current meeting schedule. He stated that Mr. Phillips was willing to continue to serve while the City sought other applicants.

Councilmember Schermann moved to authorize the Mayor to execute a continuation of time to Mr. Phillips professional service agreement to provide legal services for an additional two months. Second by Councilmember Nyhagen and the motion carried unanimously.

**West Side School District
Bicycle and Sidewalk
Improvements (4th Street
and Academy)**

City Engineer Robert Gordon discussed a grant application that would provide funds to install sidewalks and bicycle lanes along 4th Street and Academy Way. The City had been successful in receiving grant funds in the amount of \$149,662 from the Federal Transportation Alternatives Program and would like to request an additional \$250,000 from WSDOT. The total cost of the project was estimated to be \$562,587, so the City would be required to fund the remaining \$162,925. Mr. Gordon spoke about the options available for the project, right of way issues, and the design process.

Mr. Reay discussed potential University participation and its effect on right of way acquisition.

Council discussed parking issues along 4th Street, especially in front of the Gym.

The status of the roadway was discussed, and Mr. Gordon noted that staff may be coming back with a request for funds to improve that as well. Mr. Reay stated that staff would be requesting grant funds for that project also.

Councilmember Nyhagen moved to authorize the City Administrator to apply for funding from WSDOT for up to \$250,000 under the 2016 Pedestrian and Bicycle and Safe Routes to School Programs. Second by Councilmember Schermann and the motion carried unanimously.

REPORTS

**Christ Community
Fellowship (CCF)
Water Service Request
Status Update**

Mr. Gordon gave Council an update on the status of the request for water service from Christ Community Fellowship. Funding that was available from the Department of Health was reviewed. At this time, it does not appear that DOH would be able to provide the funding that the City originally believed would be available. Mr. Gordon reviewed some of the options that were available that would provide a benefit to the City's water system and solve the CCF issue. It was noted that staff would keep working with CCF to try to resolve the problem.

CARS Project Update

Mr. Hartwig gave an update on the progress of the CARS project. He reported that paving work is continuing on the north portion of the project. He stated that once striping and signage was complete on North College Avenue, it would be opened to traffic.

Change orders and the contingency amount were reviewed.

Council expressed their thanks for staff and their hard work on this project and commented how nice it looked.

Mr. Reay stated that more financial information would be brought for the next report to Council.

Mr. Gordon commended Mr. Hartwig on his work in the streets for utility coordination.

Surplus Property Discussion Maple Avenue

Mr. Reay discussed a piece of City owned property on Maple Avenue that had originally been purchased for the Eastside Booster Station. This is a remnant property that is owned by the water system. Once the property was platted an appraisal would be performed and staff would come back to Council to determine a price for the property and request authorization to surplus.

Staffing Discussion

Mayor Scott noted that Mr. Reay would be leaving the City to accept the Executive Director position with the Port of Walla Walla. She discussed the potential for combining the searches for both Police Chief and City Administrator. The possibility of hiring an interim City Administrator was discussed.

New Fire Engine

Mr. Reay informed the Council that the new fire engine had been delivered and was available for the council to look at after the meeting.

Miscellaneous

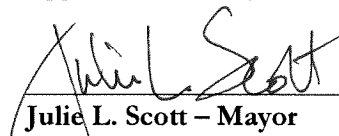
Council received the following reports in their packets:

- a. District Court 60 Months Percentage Report through March, 2016
- b. Police Department Monthly Report for March, 2016
- c. Public Works/Water Department Monthly Report for March, 2016
- d. Community Development Department Monthly Report for March, 2016
- e. Fire Department Monthly Report for March, 2016

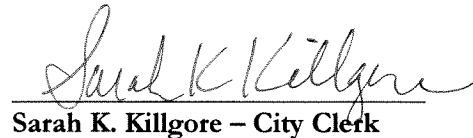
ADJOURN

Councilmember Schermann moved to adjourn. Seeing no further comment the meeting adjourned at 8:30 p.m. The next regular meeting will be held May 9, 2016 at 7:00 p.m. in the Council Chambers.

Approved:


Julie L. Scott – Mayor

Attest:


Sarah K. Killgore – City Clerk

The foregoing minutes are the official record of the City Council meeting that occurred on April 25, 2016. Further detail may be obtained by reviewing the actual audio recording made during this session.

ORDINANCE NO. 1139

**AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE 716 AND
COLLEGE PLACE MUNICIPAL CODE SECTION 2.04.010
RESPECTING THE TIME FOR REGULAR CITY COUNCIL MEETINGS**

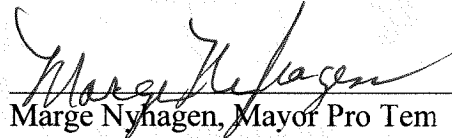
**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE
PLACE, WASHINGTON AS FOLLOWS:**

Section 1: Section 1 of Ordinance 716 and College Place Municipal Code Section 2.04.010 are hereby amended as follows:

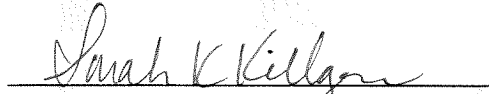
The regular meetings of the city council shall be held in the council chambers of City Hall at 625 South College Avenue on the second and fourth Tuesdays of each month at 7:00 p.m.

Section 2: This ordinance shall take effect and be in full force the 15th day of July, 2016, after its passage and publication as provided by law.

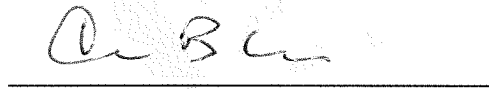
PASSED by the City Council of the City of College Place, this 27 day of June, 2016.


Marge Nyhagen, Mayor Pro Tem

Attest:


Sarah K. Killgore, Clerk

Approved as to Form:


Charles B. Phillips, Attorney

ORDINANCE NO. 16-1143

AN ORDINANCE PROVIDING FOR THE TIME AND PLACE OF HOLDING REGULAR MEETINGS OF THE COUNCIL OF THE CITY OF COLLEGE PLACE AMENDING CHAPTER 2.04 OF THE COLLEGE PLACE MUNICIPAL CODE AND REPEALING ORDINANCES NOS. 536, 716, AND 1139

Whereas, Ordinance 536 does not specify the correct location, time, or date of the regular meetings, and

Whereas, Ordinance 536 does not allow for modifications of the date in circumstances where there is no actionable or imminent items on the agenda, and

Whereas, Ordinance 716 specifies the correct time and location but not the correct date of the regular meetings, and

Whereas, Ordinance 1139 specifies the correct date, time, and location of the regular council meetings but does not allow for modifications of the date in circumstances where there is no actionable or imminent items on the agenda, and

Whereas, It has been determined that it would be reasonable and fiscally responsible to allow meetings with no actionable or imminent items to be postponed or cancelled,

Now therefore, the City Council of the City of College Place does hereby amend College Place Municipal Code Chapter 2.04 as follows:

Section 1: The regular meetings of the city council shall be held in the council chambers of City Hall at 625 South College Avenue on the second and fourth Tuesdays of each month at 7:00 p.m.

Section 2: Exceptions:

A: Should either or both of these dates fall on a legal holiday recognized by the State of Washington, the Council, at its prior meeting, shall set a date for that meeting only, agreeable to the Council members.

B: Should there be an agenda with *both*, no actionable items *and* no imminent items to be considered, in which case the Council or Mayor desires to postpone or cancel the meeting, they shall have the authority to do so through one of the following procedures, provided there would still be at least one meeting per month as required by RCW 35A.12.110.

1. To postpone a meeting to a later date, pursuant to RCW 42.30.090 the Council has authority to adjourn the meeting to a later date. To do so in advance of the meeting date, the council

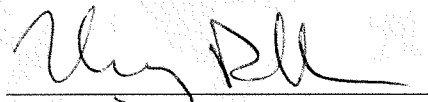
can cancel the meeting on the record during the preceding meeting. In the alternative, the council would be notified of the situation by the Clerk, and would respond directly to the Clerk so as to avoid a violation of the Open Public Meetings Act.

2. To cancel a meeting due to a lack of actionable or imminent items, the Council gives authority to the Mayor to do so, provided that a majority vote of the Council shall not override this decision.

Section 3: Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 4: Effective Date. This ordinance shall take effect and be in full force the 21st day of December, 2016 after its passage and publication as provided by law.

PASSED by the City Council of the City of College place, this 13th day of December, 2016__.


Harvey Crowder, Mayor

Attest:


Sarah K. Killgore, Clerk

Approved as to Form:


City Attorney

City of College Place, Washington
RESOLUTION NO. 18-004

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF COLLEGE PLACE, WASHINGTON
AMENDING RESOLUTION NUMBERS 355 AND 561 REGARDING PARLIAMENTARY PROCEDURE
RULES OF CONDUCT FOR COUNCIL MEETINGS**

Whereas, the City of College Place is a non-charter code city governed by the rules and regulations of RCW 35A; and

Whereas, Resolution No. 355 was adopted by the City Council on March 12th, 1990 outlining rules of conduct for council meetings; and

Whereas, Resolution No. 561 was passed on January 27th, 1998 amending Resolution No. 355, adopting The Standard Code of Parliamentary Procedure, 3rd Edition, by Alice Sturgis in place of Roberts Rules of Order; and

Whereas, some clarification regarding the use of The Standard Code of Parliamentary Procedure book may be necessary; and

Whereas, it has been determined that the 3rd Edition has become outdated; and

Whereas, the Mayor, City Administrator, and City Clerk believe it is in the best interest of the City to use the most current version of the guide book;

Now therefore, the City Council of the City of College Place do hereby resolve as follows:

Section 1: Resolution No. 355, Section 7 is amended as follows:

7. The Standard Code of Parliamentary Procedure shall govern the deliberations of the Council when there is no specific guideline set in the foregoing rules, subsequent City of College Place Ordinances and Resolutions, or the statutes of the State of Washington – Specifically RCW 35A

Section 2: All reference to The Standard Code of Parliamentary Procedure, 3rd Edition, by Alice Sturgis in Resolution No. 561 shall be amended as follows:

The Standard Code of Parliamentary Procedure

Section 3: In the event of a conflict between editions of The Standard Code of Parliamentary Procedure, the most current version shall govern.

Section 4: Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this resolution is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this resolution.

Section 5: Effective Date. This resolution shall take effect and be in full force upon its passage as provided by law.

PASSED by the City Council of the City of College Place, Washington, this 13th day of February, 2018.


Harvey R. Crowder, Mayor

Attest:


Lisa R. Neissl, City Clerk

Resolution no. 355 This resolution adopted this 12th day of march 1990.

A resolution to establish rules of conduct for council meetings.

Whereas, a predetermined order of procedure for city council meetings will be the most expedient means of conducting council meetings, and

Whereas, such order of procedure will avoid confusion and aid in the expeditious handling of business.

A resolution to establish rules of conduct for council meetings

1 General rules

1.1 Meetings to be public: all official meetings of the council shall be open to the public with the exception of the executive sessions for certain limited topics, as defined in section

1.2 Quorum: four councilmembers shall be in attendance to constitute a quorum and be necessary for the transaction of business. If a quorum is not present, those in attendance will be named and they shall adjourn to a later time.

1.3 Compelling attendance: the council might adjourn from day-to-day to compel the attendance of absent members.

1.4 Journal of proceedings: an account of all proceedings of the council shall be kept by the city clerk and shall be entered in a book constituting the official record of the council.

1.5 ordinances: confined to one subject; except ions: no ordinance except an appropriation ordinance, an ordinance adopting or embodying an administrative or governmental code, or an ordinance adopting a code of ordinances, shall relate to more than one subject, which shall be clearly stated in its title.

1.6 right of floor: any member desiring to speak shall be recognized by the chair, and shall confine his or her remarks to. The 13 subject under consideration or to .be considered.

1.7 city attorney: the city attorney shall attend all meetings of the council, unless excused by the mayor. Any member of the council may, at any time during a regular or special meeting of the council, call upon the city attorney for an oral or written opinion to decide any question of law.

1.8 city clerk: the city clerk, or such other person as the mayor may designate, shall be ex-officio clerk of the council and shall keep minutes of the meeting and perform

Such other further duties in the meeting as may be ordered by the mayor.

1.9 officers and employees to attend: the head of any department or any officer or employee of the city, when requested by the mayor, or the city council, shall attend any regular, executive or special meeting and confer with the council on matters relating to the city.

1.10 Conflict of Interest: A Council member may not vote on a matter where he or she would be especially benefitted and shall absent himself or herself from Council Chambers during the time said matter is being discussed and voted on by the Council. (Addition - Resolution 410, February 8, 1993)

1.11 Procedures for Filling Vacated Positions

A. In the event of a vacancy on the Council or in the Office of Mayor, the City Clerk shall, within two weeks of the occurrence of such vacancy, publish a notice in the Walla Walla Union Bulletin notifying of such vacancy and soliciting written applications from qualified persons to fill such vacancy. The applications shall be accompanied by a written questionnaire to be completed by each applicant. Such notice shall be in a form acceptable to the City Administrator and the City Attorney.

B. Such notice shall establish a deadline for the submission of applications and answers to the questionnaires, which shall be no less than fifteen (15) days from the date the notice is published.

C. Once this deadline has passed, the City clerk shall review each application to ensure that each applicant is a registered voter of the City at time of application and has been a resident of the City for at least one year.

D. Once the Clerk has reviewed the applications to determine eligibility per the provisions of the preceding paragraph of this resolution, those applicants that are determined to be eligible shall be notified to appear before the Council to submit to an interview by the Council. Applicants will be asked to remain in the foyer when each separate applicant is interviewed, PROVIDED, HOWEVER, that the applicants as a group shall be advised that if anyone of them objects to this process, then they shall all be permitted to remain in Council Chambers for each interview conducted.

E. At the conclusion of all interviews the Council shall adjourn to executive session pursuant to RCW 43.30.110(1)(h) to evaluate the qualifications of the applicants, PROVIDED, HOWEVER, that final action appointing an applicant to office shall be in a meeting open to the public.

F. Upon completion of the Executive Session, Council shall return to open session and the Mayor or Mayor Pro Tem shall request nominations from Councilmembers, who may then nominate the applicants of their choice. A second shall be required for each nomination. Only those that submitted applications shall be eligible for nomination.

G. Council members shall then vote for the nominees of their choice. Absent members shall be permitted to vote by phone. The nominee with the majority of the votes cast is then

selected to fill the vacancy. In the event of a tie the Mayor may vote. If no candidate receives a majority vote, Council may adopt motions to enable it to complete the election by majority vote within a reasonable time. (Addition – Resolution 872, April 13, 2015)

2 Types of meetings

2.1 regular council meeting: the council shall meet on the second and fourth ~~mondays of each month at seven thirty P.m.~~ Tuesdays of each month at 7:00 PM (Ord 16-1143 December 13, 2016)

A. When a council meeting falls on a holiday, ~~the regular meeting shall be held on the following tuesday at the same hour unless otherwise provided by motion.~~ The Council, at its prior meeting, shall set a date for that meeting only, agreeable to the Council members. The city council may cancel, reschedule, or convene regular meetings at a different date. Or time by a motion. If a meeting is relocated, final action may be taken only on agenda items. The place of the meeting shall be the council chambers in The city hall, and all regular and special meetings shall be public.

B. Should there be an agenda with *both*, no actionable items *and* no imminent items to be considered, in which case the Council or Mayor desires to postpone or cancel the meeting, they shall have the authority to do so through one of the following procedures, provided there would still be at least one meeting per month as required by RCW 35A.12.110.

1. To postpone a meeting to a later date, pursuant to RCW 42.30.090 the Council has authority to adjourn the meeting to a later date. To do so in advance of the meeting date, the council can cancel the meeting on the record during the preceding meeting. In the alternative, the council would be notified of the situation by the Clerk, and would respond directly to the Clerk so as to avoid a violation of the Open Public Meetings Act.
2. To cancel a meeting due to a lack of actionable or imminent items, the Council gives authority to the Mayor to do so, provided that a majority vote of the Council shall not override this decision. (Ord 16-1143 December 13, 2016)

2.2 special meetings: special meetings may be called by the mayor or any three members of the council. The city clerk shall prepare a notice of the special meeting, stating the time, place, and object, and personally serve notice upon each of the city council at least 24. Hours before the time of meeting. The city clerk shall attempt to notify each member of the council in person, either by telephone or otherwise, of the special meeting. The city clerk shall give notice of the special meeting to each local newspaper of general circulation and to each local radio and television station which has filed with the clerk a written request to be notified of special meetings. The city council may not discuss nor make final disposition of any matter not mentioned in the notice.

Special meetings may be called in less than 24 hours, and without the notice required in this

section, to deal with emergencies involving injury or damage to persons or property or the likelihood of such injury or damage if the notice requirements would be impractical or increase the likelihood of such injury or damage.

2.3 Executive sessions: Executive sessions or closed meetings may be held in accordance with the provisions of the Washington state open public meetings act. Topics that may be discussed are: (1) personnel matters, (2) considerations of acquisition of property for public purposes or sale of city-owned property, (3) potential or pending litigations in which the city has an interest, and any other as provided in the revised code of Washington. (42.30 .110) Conducting of:

A. Executive sessions must be part of a regular or special meeting. (rcw 42.30.110)
B. Before convening in executive session, the presiding officer must publicly announce the purpose for excluding the public and the time when the executive session will conclude. The executive session may be extended by an announcement of the presiding officer. (rcw 4-2.30.100 (2))

C. Final adoption of an "ordinance resolution, rule, regulation, order or directive" must be done in the "open" meeting. (rcw 42.30.060)

Attendance of media at council meetings: all official meetings of the city council and its committees shall be open to the media, freely subject to recording by radio, television and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings.

3. Chairman and duties

3.1 chairman: the mayor, if present, shall preside as chairperson at all meetings of the council. In the absence of the mayor, the mayor pro tem shall preside. In the absence of both the mayor and the mayor pro tem, the council shall elect a chairperson.

3.2 call to order: the meetings of the council shall be. Called to order by the mayor or, in his absence, by the mayor pro tem. In the absence of both the mayor and the mayor pro tem, the meeting shall be called to order by the city clerk for the election of a temporary chairperson. Four council members shall be in attendance to constitute a quorum.

3.3 preservation of order: the chairperson shall preserve order and decorum, prevent attacks on personalities or the impugning of a member's motives, and confine members in debate to the question under discussion.

3.4 questions to be stated: the chairman shall state all questions submitted for a vote and announce the result. A roll call vote shall be taken upon the request of any member.

3.5 no member shall speak more than twice on the same subject without permission

of the presiding officer.

3.6 motions to reconsider must be by a member who voted with the majority, and at the same or next succeeding meeting of the council.

3.7 each member present should vote on all questions put to the council, except as to matters with respect to which such council member has a disqualifying interest.

3.8 the presiding officer of the council may, at his or her discretion call any member to take the chair, to allow him or her to address the council, make a motion, or discuss any other matter at issue.

3.9 all questions of order shall be decided by the presiding officer of the council with the right to appeal to the council by any member

3.10 a motion for adjournment shall always be in order.

4 Creation of committees, boards, and commissions

4.1 Citizen committees, boards and commissions: the council may create committees, boards, and commissions to assist in the conduct of the operation of the city government with such duties as the council or mayor may specify.

4.2 Membership and selections: membership and selection of members shall be as recommended by the mayor and approved by the council. Any committee, board, or commission so created shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by a majority vote of the council. No committee so appointed shall have powers other than advisory to the council or to the mayor unless otherwise specified.

4.3 removal of members of boards and commissions: the council may remove any member of any board or commission which it has created by a vote of at least a majority of the council.

5 Citizen's rights

5.1 Addressing the council: any person desiring to address the council by oral communication shall first secure the permission of the presiding officer.

5.2 Manner of addressing the council - time limit: each person addressing the council shall give his/her name and address in an audible tone of voice for the record and, unless further time is granted by the council, shall limit their address to five minutes. All remarks shall be addressed to the council as a body, and not to any member thereof. No person, other than members of the council and the person having the floor, shall be permitted to enter into any discussion, either directly or through the members of the council. No

questions shall be asked the councilmembers, except through the presiding officer.

5.3 Personal and slanderous remarks: any person making personal, impertinent or slanderous remarks, or who shall become boisterous, while addressing the council may be requested to leave the meeting and may be forthwith, by the presiding officer, barred from further audience before the council during that council meeting.

5.4 Reading of protests: interested persons, or their authorized representatives, may address the council for the reading of protest, petitions, or communications relating to any matter over which the council has control, when the item is under consideration by the council, if a majority of the council present agrees to let them be heard.

5.5 mayor may appoint committee or refer citizens' complaints: the mayor may appoint a committee of three members of the city council to hear citizen's complaints or may refer citizen's complaints to an executive session of the city council, whenever the subject would be appropriate.

5.6 written communications: interested parties, or their authorized representatives, may address the council by written communication in regard to any matter concerning the city's business or over which the council had control at any time by direct mail or by addressing the city clerk and copies will be distributed to the councilmembers.

6 Suspension and amendment of these rules:

6.1 Suspension of these rules: any provision or these rules may be temporarily suspended by a vote of a majority of the council. The vote on any such suspension shall be taken by ayes and nays and entered upon the record.

6.2 Amendment of these rules: these rules may be amended, or new rules adopted, by a majority vote_ of all members of the council, provided that the proposed amendments or new rules shall have been introduced into the record at prior council meeting.

~~7 Roberts rules of order, newly revised, shall govern the Deliberations of the council except when in conflict with any of the foregoing rules. The Standard Code of Parliamentary Procedure, 3rd Edition, by Alice Sturgis, shall govern the deliberations of the Council except when in conflict with any of the foregoing rules or the statutes of the State of Washington. (Revision — Resolution 561, January 27, 1998)~~

7. The Standard Code of Parliamentary Procedure shall govern the deliberations of the Council when there is no specific guideline set in the foregoing rules, subsequent City of College Place Ordinances and Resolutions, or the statutes of the State of Washington – Specifically RCW 35A (Revision – Resolution 2018-004, February 13, 2018)

City of College Place, Washington
RESOLUTION NO. 20-XXX

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF COLLEGE PLACE, WASHINGTON
COMPILING RULES OF CONDUCT FOR COUNCIL MEETINGS INTO ONE COMPREHENSIVE
DOCUMENT AND REPEALING RESOLUTION NUMBERS 355, 410, 561, 872, AND 18-004.**

Whereas, the City of College Place is a non-charter code city governed by the rules and regulations of RCW 35A; and

Whereas, a predetermined order of procedure for city Council meetings being the most expedient means of conducting Council meetings was established in March of 1990 by Resolution No. 355, and

Whereas, these rules have been amended through Resolution Numbers 561, 872 and 18-004 in accordance with section 6.2 of the resolution.

Whereas, a single document for Council order of procedure will avoid confusion and aid in the expeditious handling of business.

Now therefore, it is hereby resolved by the City Council of the City of College Place, Washington, as follows:

Repealer: Resolution Numbers 355, 410, 561, 872 and 18-004 are hereby repealed.

Section 1: General Rules:

1.1 Meetings to be public: All official meetings of the Council shall be open to the public with the exception of the executive sessions for certain limited topics, as defined in section 2.4 of this Resolution.

1.2 Quorum: Four Council Members shall be in attendance to constitute a quorum and be necessary for the transaction of business. If a quorum is not present, those in attendance will be named and they shall adjourn to a later time.

1.3 Compelling attendance: The Council might adjourn from day-to-day to compel the attendance of absent members.

1.4 Journal of proceedings: An account of all proceedings of the Council shall be kept by the City Clerk and shall be entered in a book constituting the official record of the Council.

1.5 Ordinances: Confined to one subject; Exceptions: No ordinance except an appropriation ordinance, an ordinance adopting or embodying an administrative or governmental code, or an ordinance adopting a code of ordinances, shall relate to more than one subject, which shall be clearly stated in its title.

1.6 Right of floor: Any member desiring to speak shall be recognized by the Chair, and shall confine his or her remarks to. The Subject under consideration or to be considered.

1.7 City Attorney: The City Attorney shall attend all meetings of the Council, unless excused by the Mayor. Any member of the Council may, at any time during a regular or special meeting of the Council, call upon the City Attorney for an oral or written opinion to decide any question of law.

1.8 City Clerk: The City Clerk, or such other person as the Mayor may designate, shall be ex-officio Clerk of the Council and shall keep minutes of the meeting and perform such other further duties in the meeting as may be ordered by the Mayor.

1.9 Officers and Employees to Attend: The head of any department or any officer or employee of the city, when requested by the Mayor, or the City Council, shall attend any regular, executive or special meeting and confer with the Council on matters relating to the city.

1.10 Conflict of Interest: A Council member may not vote on a matter where he or she would be especially benefitted and shall absent himself or herself from Council Chambers during the time said matter is being discussed and voted on by the Council. (Addition - Resolution 410, February 8, 1993)

1.11 Procedures for Filling Vacated Positions

- a. In the event of a vacancy on the Council or in the Office of Mayor, the City Clerk shall, within two weeks of the occurrence of such vacancy, publish a notice in the Walla Walla Union Bulletin notifying of such vacancy and soliciting written applications from qualified persons to fill such vacancy. The applications shall be accompanied by a written questionnaire to be completed by each applicant. Such notice shall be in a form acceptable to the City Administrator and the City Attorney.
- b. Such notice shall establish a deadline for the submission of applications and answers to the questionnaires, which shall be no less than fifteen (15) days from the date the notice is published.
- c. Once this deadline has passed, the City Clerk shall review each application to ensure that each applicant is a registered voter of the City at time of application, and has been a resident of the City for at least one year.
- d. Once the Clerk has reviewed the applications to determine eligibility per the provisions of the preceding paragraph of this resolution, those applicants that are determined to be eligible shall be notified to appear before the Council to submit to an interview by the Council. Applicants will be asked to remain in the foyer when each separate applicant is interviewed, PROVIDED, HOWEVER, that the applicants as a group shall be advised that if anyone of them objects to this process, then they shall all be permitted to remain in Council Chambers for each interview conducted.
- e. At the conclusion of all interviews the Council shall adjourn to executive session pursuant to RCW 43.30.110(1)(h) to evaluate the qualifications of the applicants, PROVIDED, HOWEVER, that final action appointing an applicant to office shall be in a meeting open to the public.
- f. Upon completion of the Executive Session, Council shall return to open session and the Mayor or Mayor Pro Tem shall request nominations from Council Members, who may

then nominate the applicants of their choice. A second shall be required for each nomination. Only those that submitted applications shall be eligible for nomination.

- g. Council members shall then vote for the nominees of their choice. Absent members shall be permitted to vote by phone. The nominee with the majority of the votes cast is then selected to fill the vacancy. In the event of a tie, the Mayor may vote. If no candidate receives a majority vote, Council may adopt motions to enable it to complete the election by majority vote within a reasonable time. (Addition – Resolution 872, April 13, 2015)

Section 2: Types of Meetings:

2.1 Regular Council meeting: The Council meeting dates and times shall be set by Ordinance and specified in Title 2 – Administration of the College Place Municipal Code. (Suggested wording change by staff – Currently this is CPMC 2.04 updated December 13, 2016 with Ordinance 16-1143)

2.2 Special Meetings: Special meetings may be called by the Mayor or any three members of the Council. The City Clerk shall prepare a notice of the special meeting, stating the time, place, and object, and personally serve notice upon each of the City Council at least 24. Hours before the time of meeting. The City Clerk shall attempt to notify each member of the Council in person, either by telephone or otherwise, of the special meeting. The City Clerk shall give notice of the special meeting to each local newspaper of general circulation, and to each local radio and television station which has filed with the clerk a written request to be notified of special meetings. The City Council may not discuss nor make final disposition of any matter not mentioned in the notice.

2.3 Special meetings may be called in less than 24 hours, and without the notice required in this section, to deal with emergencies involving injury or damage to persons or property or the likelihood of such injury or damage if the notice requirements would be impractical or increase the likelihood of such injury or damage.

2.4 Executive Sessions: Executive sessions, or closed meetings, may be held in accordance with the provisions of the Washington state open public meetings act. Topics that may be discussed are: (1) personnel matters, (2) considerations of acquisition of property for public purposes or sale of city-owned property, (3) potential or pending litigations in which the city has an interest, and any other as provided in the revised code of Washington. (42.30 .110)

2.5 Conducting of:

- a. Executive sessions must be part of a regular or special meeting. (RCW 42.30.110)
- b. Before convening in executive session, the presiding officer must publicly announce the purpose for excluding the public and the time when the executive session will conclude. The executive session may be extended by an announcement of the presiding officer. (RCW 4-2.30.100 (2))
- c. Final adoption of an "ordinance resolution, rule, regulation, order or directive" must be done in the "open" meeting. (RCW 42.30.060)

2.6 Attendance of media at Council meetings: All official meetings of the City Council and its committees shall be open to the media, freely subject to recording by radio, television and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings.

Section 3: Chairman and Duties:

3.1 Chairman: The Mayor, if present, shall preside as chairperson at all meetings of the Council. In the absence of the Mayor, the Mayor pro-tem shall preside. In the absence of both the Mayor and the Mayor pro-tem, the Council shall elect a chairperson.

3.2 Call to order: The meetings of the Council shall be called to order by the Mayor or, in their absence, by the Mayor pro-tem. In the absence of both the Mayor and the Mayor pro tem, the meeting shall be called to order by the City Clerk for the election of a temporary chairperson. Four Council members shall be in attendance to constitute a quorum.

3.3 Preservation of order: The chairperson shall preserve order and decorum, prevent attacks on personalities or the impugning of a member's motives, and confine members in debate to the question under discussion.

3.4 Questions to be stated: The chairman shall state all questions submitted for a vote and announce the result. A roll call vote shall be taken upon the request of any member.

3.5 No member shall speak more than twice on the same subject without permission of the presiding officer.

3.6 Motions to reconsider must be by a member who voted with the majority, and at the same or next succeeding meeting of the Council.

3.7 Each member present should vote on all questions put to the Council, except as to matters with respect to which such Council member has a disqualifying interest.

3.8 The presiding officer of the Council may, at his or her discretion call any member to take the chair, to allow him or her to address the Council, make a motion, or discuss any other matter at issue.

3.9 All questions of order shall be decided by the presiding officer of the Council with the right to appeal to the Council by any member.

3.10 A motion for adjournment shall always be in order.

Section 4: Creation of Committees, Boards, and Commissions:

4.1 Citizen committees, boards and commissions: The Council may create committees, boards, and commissions to assist in the conduct of the operation of the city government with such duties as the Council or Mayor may specify.

4.2 Membership and selections: Membership and selection of members shall be as recommended by the Mayor and approved by the Council. Any committee, board, or commission so created shall cease

to exist upon the accomplishment of the special purpose for which it was created, or when abolished by a majority vote of the Council. No committee so appointed shall have powers other than advisory to the Council or to the Mayor unless otherwise specified.

4.3 Removal of members of boards and commissions: The Council may remove any member of any board or commission which it has created by a vote of at least a majority of the Council.

Section 5: Citizen's Rights:

5.1 Addressing the Council: Any person desiring to address the Council by oral communication shall first secure the permission of the Presiding Officer.

5.2 Manner of addressing the Council - time limit: Each person addressing the Council shall give his/her name and address in an audible tone of voice for the record and, unless further time is granted by the Council, shall limit their address to five minutes. No person may transfer any portion of their time allotment to another person. All remarks shall be addressed to the Council as a body, and not to any member thereof. No person, other than members of the Council and the person having the floor, shall be permitted to enter into any discussion, either directly or through the members of the Council. No questions shall be asked the Council Members, except through the Presiding Officer.

5.3 Personal and slanderous remarks: Any person making personal, impertinent or slanderous remarks, or who shall become boisterous, while addressing the Council may be requested to leave the meeting and may be forthwith, by the Presiding Officer, barred from further audience before the Council during that Council meeting.

5.4 Reading of protests: Interested persons, or their authorized representatives, may address the Council for the reading of protest, petitions, or communications relating to any matter over which the Council has control, when the item is under consideration by the Council, if a majority of the Council present agrees to let them be heard.

5.5 Mayor may appoint committee or refer citizens' complaints: The Mayor may appoint a committee of three members of the city Council to hear citizen's complaints or may refer citizen's complaints to an executive session of the City Council, whenever the subject would be appropriate.

5.6 Written communications: Interested parties, or their authorized representatives, may address the Council by written communication in regard to any matter concerning the city's business or over which the Council had control at any time by direct mail or by addressing the City Clerk and copies will be distributed to the Council Members.

Section 6: Suspension and Amendment of These Rules:

6.1 Suspension of these rules: Any provision of these rules may be temporarily suspended by a vote of a majority of the Council. The vote on any such suspension shall be taken by ayes and nays and entered upon the record.

6.2 Amendment of these rules: These rules may be amended, or new rules adopted, by a majority vote of all members of the Council, provided that the proposed amendments or new rules shall have

been introduced into the record at prior Council meeting.

Section 7: Parliamentary Procedure:

7.1 The Standard Code of Parliamentary Procedure shall govern the deliberations of the Council when there is no specific guideline set in the foregoing rules, subsequent City of College Place Ordinances and Resolutions, or the statutes of the State of Washington – Specifically RCW 35A (Revision – Resolution 2018-004, February 13, 2018)

Section 8: Clerical Corrections.

8.1 The City Clerk is authorized to make necessary clerical corrections to this resolution including, but not limited to, the correction of scrivener's/clerical errors, references, resolution numbering, section/subsection numbers and any references thereto.

Section 9: Effective Date.

9.1 This resolution shall take effect and be in full force upon its passage as provided by law.

PASSED by the City Council of the City of College Place, Washington, this ____ day of _____, 20__.

Attest:

Norma L. Hernández, Mayor

Lisa R. Neissl, CMC
City Clerk