RIDGEFIELD CITY COUNCIL
MEETING AGENDA

Thursday, November 3, 2016
Ridgefield Community Center
210 N. Main, Ridgefield, WA 98642

I. STUDY SESSION - 5:30 P.M.

1. **Buxton Update - Steve Stuart, City Manager**

II. GENERAL SESSION CALL TO ORDER - 6:30 PM

1. **Flag Salute**
2. **Roll Call**
3. **Late changes to the agenda**

III. PUBLIC COMMENT

Anyone requesting to speak to the Council regarding items not on the agenda may come forward at this time. Please state your name and address. Comments are limited to three minutes. Written comments may be submitted to the City Clerk prior to the meeting.

IV. CONSENT AGENDA

1. **Approval of Minutes from October 27, 2016 Meeting**
2. **Approval of Claims And/Or Payroll**

V. BUSINESS

The public is invited to comment on business items at the conclusion of Council discussion prior to the vote. In cases where public record has been closed, no additional comments may be received.

1. **Hearing on 2017 Property Tax Levy and Revenues - Kirk Johnson, Finance Director**
2. **Ordinance No. 1222 – First Reading of 2017 Property Tax Levy-Kirk Johnson, Finance Director**
3. **Ordinance No. 1223 - First Reading of 2017 Storm Water Utility Rate Code Amendment-Kirk Johnson, Finance Director**
4. **Ordinance No. 1221 - Second Reading of 2016 Budget Amendment -Kirk Johnson, Finance Director**
5. **Motion - Approval of Community Garden Regulations - Jeff Niten, Community Development Director**

VI. PUBLIC COMMENT

Anyone requesting to speak to the Council regarding items not on the agenda may come forward at this time. Please state your name and address. Comments are limited to three minutes. Written comments may be submitted to the City Clerk prior to the meeting.

VII. **COUNCIL/PRESIDING OFFICER/STAFF REPORTS**

1. **Council**
2. **Mayor**
3. **City Manager**

VIII. **FROM THE COUNCIL**

IX. **ADJOURN**

CITY OF RIDGEFIELD
REQUEST FOR COUNCIL ACTION

MEETING DATE: November 03, 2016

ITEM: CONSENT AGENDA

AGENDA ITEM TITLE: Approval of Minutes from October 27, 2016 Meeting

AGENDA ITEM TITLE:

Approval of minutes from the following meeting(s) of the council:

GOVERNING LEGISLATION:

Not applicable

PREVIOUS COUNCIL ACTION TAKEN:

Not applicable

SUMMARY/BACKGROUND:

Staff has prepared the minutes for Council consideration of adoption for the Council meeting(s)

BUDGET/FINANCIAL IMPACTS:

Not applicable

RECOMMENDED ACTION OR MOTION:

Staff recommends Council approve the minutes by making the following motion:

1. **"I move to approve the consent agenda"**

STAFF CONTACT: Julie Basarab, City Clerk

ATTACHMENTS: 10-27-2016 Meeting Minutes (PDF)

Approved to be placed on City Council Agenda:

CITY OF RIDGEFIELD, WASHINGTON
City Council MEETING MINUTES
October 27, 2016

Regular Meeting - 6:30 PM

STUDY SESSION - 5:00 P.M.

YMCA Market Feasibility Study - Steve Stuart, City Manager

Four Square Research, Inc conducted a presentation on YMCA market feasibility study.

2. 2017 Preliminary Budget

Finance Director Kirk Johnson presented 2017 preliminary budget update.

GENERAL SESSION CALL TO ORDER - 6:30 PM - 6:31 PM

FLAG SALUTE

ROLL CALL

Attendee Name	Title	Status	Arrived
Ron Onslow	Mayor	Present	
David Taylor	Councilor	Present	
Lee Wells	Councilor	Present	
Don Stose	Councilor	Present	
Darren Wertz	Councilor	Present	
John Main	Councilor	Present	
Sandra Day	Councilor	Present	

LATE CHANGES TO THE AGENDA

None

PUBLIC COMMENT - 6:33 PM

Barbara Wright - Resident.
Crosswalk issues in front of the High School - when the bond passes the crosswalk will be an important feature in that area.
Too small of signage, more crosswalk signage is needed.
Suggesting - flashing red light.

CONSENT AGENDA - MOTION TO APPROVE AS PRESENTED. - 6:36 PM

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Don Stose, Councilor
SECONDER:	Darren Wertz, Councilor
AYES:	Onslow, Taylor, Wells, Stose, Wertz, Main, Day

1. **Approval of Minutes from October 13, 2016 Meeting** - **6:36 PM**
2. **Approval of Claims And/Or Payroll** - **6:36 PM**

PRESENTATION - 6:39 PM

1. **Quarterly Report - 3RD Quarter 2016**

   Finance Director Kirk Johnson presented 2016 3rd quarter report.

2. **Complete Streets Update** - **6:57 PM**

   Public Works Director Bryan Kast conducted a presentation on complete streets update. Complete Streets refers to a policy and planning approach that ensures that streets are planned, designed, constructed and maintained in a way that accommodates users of all forms of transportation including pedestrians, cyclists and users of public transportation.

PUBLIC HEARING/BUSINESS

1. **Public Hearing and Approval of Water Conservation Goal Setting** - **7:05 PM**

   The Department of Health requires that goals for water use efficiency are established every 6-years through a public forum. The City last established water use efficiency goals at a public meeting on July 9, 2009. Those goals were carried over in the 2013 Water System Plan that was adopted by council in 2013, however there was not a forum for public comment on the goals at that time. Staff recommends revising the water use efficiency goals to "Reduce average consumption to 191 gallons per day per ERU by 2022", and to "maintain distribution system leakage and loss below 10-percent". These goals are consistent with the City's Water System Plan and Department of Health Guidelines.

   Mayor opened the Public Hearing 7:15PM

   No testimony received

   Mayor closed the Public Hearing 7: 15PM

   MOTION: Adopt the water use efficiency goals as presented.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Darren Wertz, Councilor
SECONDER:	John Main, Councilor
AYES:	Onslow, Taylor, Wells, Stose, Wertz, Main, Day

BUSINESS

1. **Ordinance No. 1221 – First Reading of 2016 Budget Amendment -Kirk Johnson, Finance Director**

   The total budget amendment request is for $534,926 which includes $371,453 in new expenditures, $109,750 in additional revenue recognition, and $163,473 in net transfers from both special revenue and operating funds. The total fund balance reduction is $261,703.

   First reading conducted.

2. Ordinance No. 1219 - Second Reading of Ridgefield Mixed Use Overlay Approval - 7:27 PM

The purpose of the Ridgefield Mixed Use Overlay is to encourage development of mixed-use nodes outside the central city in the Pioneer & 45th and Ridgefield Junction subareas. There is the potential to apply the proposed overlay elsewhere in the city on sites 10 acres or larger if requested by the property owner. Mixed-use sites are intended to combine commercial, residential and office uses on sites distinguished by high-quality architectural and site design that integrate common open areas, connections between uses and to adjacent sites, and a sensitive response to environmental features.

MOTION: Council member Darren Wertz moved to amend Ordinance No. 1219 - Addition of two parcels identified by Mr. Niten.
Council member John Main second the amendment.
Vote - Yes: Council member Wertz, Stose, Day, Main, Taylor, Wells and Mayor Onslow.
Vote - No: None.
Passed.

MOTION: Council member Darren Wertz moved to amend the amended motion to include code language for "limited drive-thru" identified by Mr. Niten.
Council member Don Stose second the amendment.
Council conducted discussion regarding drive-thru, pros and cons regarding the amendment.

MOTION: Council member Darren Wertz moved to amend his amendment to include language on indoor uses/pedestrian access.
Council member Lee Wells second the amendment.
Vote - Yes: Council member Wertz, Stose, Day, Main, Taylor, Wells.
Vote - No: Mayor Onslow.

VOTE on the amend of the amendment.
Vote - Yes: Council member Taylor, Wells, Wertz.
Vote - No: Council Member Main, Day, Stose and Mayor Onslow.
Motion failed.

MOTION: Moved to adopt Ordinance No. 1219 as amended.

RESULT:	**ADOPTED [6 TO 1]**
MOVER:	Don Stose, Councilor
SECONDER:	John Main, Councilor
AYES:	Onslow, Taylor, Stose, Wertz, Main, Day
NAYS:	Wells

3. Ordinance No. 1220 – Second Reading of Commercial Design Standards Approval-Jeff Niten, Community Development Director

The purpose of the proposed Commercial Design standards is to develop regulations that ensure commercial property is developed in a way that suits Ridgefield's unique character and identity. The vision underlying these proposed design standards is one that lets citizens and visitors alike know they're in Ridgefield. The major themes of the proposed standards include working with the land, rather than clearing and leveling a site developers must work with the natural topography of a site, this is an important element because it helps retain the unique character of Ridgefield. Another highlight is maintaining a significant portion of the native vegetation. Site design must take into account the native vegetation present on the site and work to preserve as much of the site as practical. Walkability and architectural hierarchy is prevalent throughout the proposed design regulations, differing rooflines and architectural breaks in the buildings create texture and produce buildings that are interesting and unique rather than bland. Material and color choices are limited in the proposal, however the Planning Commission and staff worked diligently to strike the right balance between requiring items necessary to produce what fits for Ridgefield while not stifling the creativity of individual design and construction teams. During the public hearing comments requesting a consistent architectural theme be incorporated into the proposed standards. This draft of the standards contains a requirement for exposed beam construction to be incorporated into the primary building on a site.

City Council conducted discussion.

Ordinance No. 1220 as amended:
Vote - Yes: Council member Wertz, Stose, Day, Main, Taylor, Wells and Mayor Onslow.
Vote - No: None

MOTION: Council member John Main moved to amend Ordinance No. 1220 by including language regarding alternative fuel station options.

RESULT:	**ADOPTED [5 TO 2]**
MOVER:	John Main, Councilor
SECONDER:	Darren Wertz, Councilor
AYES:	Wells, Stose, Wertz, Main, Day
NAYS:	Onslow, Taylor

4. **Resolution No. 516 - Approval of Support for Ridgefield Outdoor Recreation Complex Project-Steve Stuart, City Manager**

The City and the District both wish to expend the amount of land and facilities available within the City for ball fields, sports activities for youth, and recreational activities. City and District have collaborated on the proposed placement of a joint outdoor recreation complex adjacent to the planned site of the 5-8 middle school, with such complex expected to contain ball fields, parking, concession facilities, landscaping, field lighting, and other infrastructure to be known as the "Ridgefield Outdoor Recreation Complex". The City Council declares it's support for collaborating with the District in the design and construction of RORC adjacent to the 5-8 Middle School. City Council directs the City Manager to engage with the District in an effort to form an interlocal agreement providing for design, funding, construction, and maintenance of said RORC.

MOTION: Moved to adopt Resolution No. 516 as presented.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Sandra Day, Councilor
SECONDER:	Lee Wells, Councilor
AYES:	Onslow, Taylor, Wells, Stose, Wertz, Main, Day

5. **Motion - Approval of Bid Award for Sargent Street Storm Improvements Project** - 8:26 PM

The City's 2008 Stormwater management plan identifies the installation of a Storm sewer south of Sargent Street between S. 4th and S. 5th Avenue as the third priority project. Currently water collects in the back yards of homes north and south of Sargent Street in the winter and spring. This project will replace a non-functioning clay drain tile from the north side of Sargent street south to Shobert Street with inlets along the length of the project. The City contracted with Otak Inc to complete the design, and the project was advertised for bid on October 7th. Michael Green Construction of Washougal submitted the low bit at $103,540.00.

MOTION: Moved to award the Sargent Street Stormwater Improvements Project to Michael Green Construction in the amount of $103, 540.00"

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Don Stose, Councilor
SECONDER:	David Taylor, Councilor
AYES:	Onslow, Taylor, Wells, Stose, Wertz, Main, Day

PUBLIC COMMENT - 8:32 PM

None Received.

COUNCIL/PRESIDING OFFICER/STAFF REPORTS

Council - **8:32 PM**

Council Member Taylor - attended Clark College community open house, briefing with City Manager, will be out of town at November 17th City Council meeting.
Council Member Day - attended WA State trail coalition presentation with Lee Knottnerus.
Council Member Main - attended art association board meeting.
Council Member Wells - attended 5 meeting and Clark College community open house.
Council Member Stose - attended dinner action for the support of the school bond.
Council Member Wertz - attended briefing with City Manager.

Mayor - **8:40 PM**

Attended Clark College community open house, Ridgefield Business Association after hours event.

City Manager - **8:42 PM**

Kudos to Kirk Johnson on his presentation at the conference for participation on the LEAN panel, public hearing and resolution will be presented at the December 1st City Council meeting on the Ridgefield School bond support.

City Attorney Janean Parker - update provided regarding litigations.

Community Development Director Jeff Niten - Community Development update report provided.

Deputy City Manager Lee Knottnerus- Provided updated on upcoming events.

FROM THE COUNCIL

None

ADJOURN - 8:50 PM

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Julie Basarab, City Clerk Ron Onslow, Mayor

CITY OF RIDGEFIELD
REQUEST FOR COUNCIL ACTION

MEETING DATE: November 03, 2016

ITEM: CONSENT AGENDA

AGENDA ITEM TITLE: Approval of Claims And/Or Payroll

GOVERNING LEGISLATION:

Revised Code of Washington Title 35A

PREVIOUS COUNCIL ACTION TAKEN:

City Council approves claims and/or payroll of the City on a regular basis

BACKGROUND:

Vendor claims

BUDGET/FINANCIAL IMPACTS:

See vendor detail attached

RECOMMENDED ACTION OR MOTION:

Staff recommends Council approve the claims and/or payroll by making the following motion:

"I move to approve the consent agenda as presented"

STAFF CONTACT: Kirk Johnson, Finance Director

ATTACHMENTS: November 3 2016 - Claims report (PDF)

Approved to be placed on City Council Agenda:

City of Ridgefield

Claims Payment Report

For Approval on: November 3, 2016

Sum of Amount Vendor Name	Vendor Number	Invoice Number	Resp. Department	Description	Total
ARAMARK UNIFORM SERVICES	32	862592551	Genl Govt/Facilities	UNIFORMS	1.92
			Public Works	UNIFORMS	49.58
		862592550	Community Development	FLOOR MATS - CDD & PW	3.92
			Genl Govt/Facilities	FLOOR MATS - CITY HALL	7.09
			Public Safety	FLOOR MATS - POLICE DEPARTMENT	4.47
			Public Works	FLOOR MATS - CDD & PW	3.91
ARAMARK UNIFORM SERVICES Total					**70.89**
B AND L PAPER COMPANY	2165	23132	Genl Govt/Facilities	CITY HALL PAPER TOWELS	51.00
B AND L PAPER COMPANY Total					**51.00**
BLAIRCO INC	1493	16-82873	Genl Govt/Facilities	HVAN MAINTENANCE - CITY HALL	237.40
		16-82872	Community Development	HVAN MAINTENANCE - CDD	248.24
BLAIRCO INC Total					**485.64**
CHRIST COMMUNITY CHURCH	1470	201510-01	Genl Govt/Facilities	PARK REFUNDABLE DEPOSIT	50.00
CHRIST COMMUNITY CHURCH Total					**50.00**
CLACKAMAS CONSTRUCTION INC.	2391	13	Genl Govt/Facilities	JUNCTION 1.0 RESERVOIR & WELL RETAINAGE	(5,861.71)
		13A	Public Works	JUNCTION 1.0 RESERVOIR LESS 5% RETAINAGE	98,389.98
		13B	Public Works	JUNCTION WELL LESS 5% RETAINAGE	28,691.77
CLACKAMAS CONSTRUCTION INC. Total					**121,220.04**
CLARK COUNTY	102	220004544	Judicial	SUPERVISIONS & PRETRAILS - SEPT 2016	218.97
		210001637	Genl Govt/Facilities	3RD QTR LIQUOR PROFIT & EXCISE TAX	410.63
		140005701	Public Works	LAB ANALYSIS & BIOSOLIDS DISPOSAL	6,836.20
CLARK COUNTY Total					**7,465.80**
CLARK PUBLIC UTILITIES	110	20161027-5	Community Development	301 N 3rd Ave	69.12
			Public Works	301 N 3rd Ave	87.97
		20161027-3	Public Works	109 W Division St-Electricity	108.12
		20161027-7	Public Works	400 N Abrams Park Rd	1,368.01
		20161027-2	Public Works	214 S Riverview Dr	37.93
		20161027-1	Public Safety	116 N Main Ave	145.51
		20161027-9	Public Works	N.Abrams Park/E Division	(58.76)
		20161027-12	Public Works	109 W Division St-Electricity	2,575.41
		20161027-4	Genl Govt/Facilities	230 Pioneer Ave	212.59
		20161027-10	Public Works	Municipal lighting lease	8,650.12
		20161027-11	Public Works	255 S 56th Pl-Electricity	95.57
		20161027-8	Public Works	City Park/Water Well	2,970.15
		20161027-6	Public Works	N 1st Cir & N 65th Ave - Park & Ride	71.63
CLARK PUBLIC UTILITIES Total					**16,333.37**
DEPARTMENT OF LICENSING	154	REG0000128-2016	Genl Govt/Facilities	CPL FEES - HENDRIX	18.00

City of Ridgefield

Claims Payment Report

For Approval on: November 3, 2016

DEPARTMENT OF LICENSING	154	REG0000127-2016	Genl Govt/Facilities	CPL FEES - SINCLAIR	18.00
DEPARTMENT OF LICENSING Total					**36.00**
DICK'S TIRE FACTORY	158	D44626	Public Safety	PD VEHICLE MAINT	35.21
DICK'S TIRE FACTORY Total					**35.21**
DISCOVERY FINANCIAL SERVICES	2011	201610-1	Genl Govt/Facilities	COLLECTION FEES - JULIA & BRIND BENNETT	36.45
DISCOVERY FINANCIAL SERVICES Total					**36.45**
HONEY BUCKETS	223	550166877	Public Works	DAVIS PARK PORT-A-POTTY	298.00
HONEY BUCKETS Total					**298.00**
INDX INC.	1755	2016111	Genl Govt/Facilities	OCTOBER 2016 - STORAGE UNIT RENTAL	450.00
INDX INC. Total					**450.00**
INTERSTATE BATTERIES	1458	80661	Public Works	PW SHOP SUPPLIES	30.24
		80660	Genl Govt/Facilities	NEW BUCKET TRUCK BATTERY	30.53
			Public Works	NEW BUCKET TRUCK BATTERY	71.24
INTERSTATE BATTERIES Total					**132.01**
LYNCH JANITORIAL AND CLEANING LLC	2197	1725	Community Development	OCTOBER 2016 - JANITORIAL SERVICES	163.10
			Genl Govt/Facilities	OCTOBER 2016 - JANITORIAL SERVICES	202.66
			Public Safety	OCTOBER 2016 - JANITORIAL SERVICES	159.92
			Public Works	OCTOBER 2016 - JANITORIAL SERVICES	113.99
LYNCH JANITORIAL AND CLEANING LLC Total					**639.67**
MARNEY HEFFLIN	2675	201610-01	Genl Govt/Facilities	PARK REFUNDABLE DEPOSIT	50.00
MARNEY HEFFLIN Total					**50.00**
NAPA AUTO PARTS	498	940631	Genl Govt/Facilities	VEHICLE MAINT - NEW BUCKET TRUCK	0.81
			Public Works	PW SHOP SUPPLIES	8.04
				VEHICLE MAINT - NEW BUCKET TRUCK	1.91
NAPA AUTO PARTS Total					**10.76**
NORTHWEST STAFFING	522	4068519	Community Development	PW FTE	0.22
				CDD	79.19
			Genl Govt/Facilities	PW FTE	0.58
				CITY HALL	814.32
			Public Works	PW FTE	10.49
NORTHWEST STAFFING Total					**904.80**
OFFICEMAX INCORPORATED	1599	286383	Community Development	COMMUNITY DEVELOPMENT OFFICE SUPPLIES	287.35
			Council	CITY COUNCIL OFFICE SUPPLIES	19.72
			Finance	FINANCE OPERATIONAL SUPPLIES	39.00
			Genl Govt/Facilities	CITY HALL OFFICE SUPPLIES	104.73
			Public Works	PW OPERATIONAL SUPPLIES	14.50
				PW OFFICE SUPPLIES	101.98
OFFICEMAX INCORPORATED Total					**567.28**
OFFICIAL PAYMENTS CORPORATION	1701	INT00000043573	Public Works	UTILTIES EPAY FEES	1,025.70
OFFICIAL PAYMENTS CORPORATION Total					**1,025.70**
P.R. SEPTIC SERVICE	2408	201502281	Genl Govt/Facilities	SEPTIC INSPECTION - 26506 NE 10TH AVE	130.00

City of Ridgefield

Claims Payment Report

For Approval on: November 3, 2016

P.R. SEPTIC SERVICE Total					**130.00**
PBS ENGINEERING AND ENVIRONMENTAL	342	HDJ4083.002-9	Public Works	35TH & PIONEER ROUNDABOUT DESIGN PHASE 2	3,731.44
PBS ENGINEERING AND ENVIRONMENTAL Total					**3,731.44**
RICOH USA INC.	1662	5045120187	Public Safety	PD ADDITIONAL IMAGES	20.98
		97731187	Public Safety	PD COPIER LEASE	140.57
RICOH USA INC. Total					**161.55**
RIDGEFIELD SCHOOL DISTRICT	378	1001600003	Public Works	WATER TOWER PROPERTY LEASE	1,200.00
RIDGEFIELD SCHOOL DISTRICT Total					**1,200.00**
SANDRA DAY	1838	20161026-1	Council	MILEAGE & PARKING REIMB.	282.92
SANDRA DAY Total					**282.92**
THE MASTERS TOUCH LLC	1786	O161646	Public Works	DELIQUENT UTILITY STMTS - OCTOBER 2016	338.21
THE MASTERS TOUCH LLC Total					**338.21**
THE PARR COMPANY	964	26340075	Public Works	STREET SANDER STORAGE	32.38
		26339898	Public Works	STREET SANDER STORAGE	141.84
		26340223	Public Works	STORMWATER OPERATIONAL SUPPLIES	69.68
THE PARR COMPANY Total					**243.90**
THOMAS HUNDIS	2110	201610-01	Public Works	EMPLOYEE REIMBURSEMENT	43.68
THOMAS HUNDIS Total					**43.68**
USA BLUEBOOK	444	84694	Public Works	WWTP OPERATIONAL SUPPLIES	67.97
USA BLUEBOOK Total					**67.97**
WA STATE DEPARTMENT OF TRANSPORTATION	688	JD15670L	Public Works	N 35TH AVE REVIEW/INSPECTION	377.83
WA STATE DEPARTMENT OF TRANSPORTATION Total					**377.83**
WA STATE GROUND WATER ASSOC	2047	201610-01	Public Works	WSGWA FALL 2016 SEMINAR - CRIPPEN	155.00
WA STATE GROUND WATER ASSOC Total					**155.00**
WESTLIE FORD INC.	1639	81906	Public Works	VEHICLE MAINTENANCE - JIM STRICKLER TRUCK	270.80
		81904	Public Works	NEW BUCKET TRUCK RADIATOR	274.66
WESTLIE FORD INC. Total					**545.46**
Grand Total					**157,140.58**

CITY OF RIDGEFIELD
REQUEST FOR COUNCIL ACTION

MEETING DATE: November 03, 2016

ITEM: PUBLIC HEARING/BUSINESS

AGENDA ITEM TITLE: Hearing on 2017 Property Tax Levy and Revenues

GOVERNING LEGISLATION: RCW 84.55.120

PREVIOUS COUNCIL ACTION TAKEN: Council conducts a public hearing annually to review proposed revenue sources as part of the budget adoption process.

SUMMARY/BACKGROUND: The total 2017 Revenue Budget totals $18,631,192, including $4,993,296 associated with internal transfers from existing funds. In comparison the 2016 final Revenue Budget was $22,796,922, with $6,579,722 associated with internal transfers from existing funds. The overall net decrease in the proposed revenue budget when compared to the 2016 Budget is approximately $4.2 million an 18.3% decrease from the 2016 budgeted revenue. Following are the key reasons for this difference:

Revenue Source	Budget Difference Between 2016 and 2017	Reason
Property Tax	$ 95,000	1% levy increase and $75.7 million in new construction. 10% increase
Retail Sales Tax	382,188	Increase due to construction related retail sales 33%. Non construction retail sales 15%
Utility Taxes	107,807	Due to increase in population, households and usage. 11% increase
Licenses and Permits	(83,161)	Reduced estimate for commercial building permits. 11% decrease

Approved to be placed on City Council Agenda:

Planning and Development	(30,937)	Reduced estimate for commercial plan check fees. 5.5% decrease
Charges for Services	218,369	Increase due to user fees for utility billings which and additional connections and indirect cost allocation. 7.2% increase
Intergovernmental	29,110	State shared revenues. Increase 10%
Miscellaneous Revenue	11,914	Reduction in lease revenue. Increase in event related revenue. Investment revenue. 6.7% increase
Real Estate Excise Tax Revenue	270,000	Increase due to strong real estate market. 56% increase
Impact Fees	55,928	Increase in PIF and TIF. 5.9% increase
Grants	(419,625)	Grant revenue for projects in 2016. 14.3% decrease
Other Financing Sources (PWTF Loan)	(2,142,000)	DWSRF loans for Junction well projects
Intergovernmental Transfer (from DCWA)	(1,200,775)	Decrease debt service payment for GO bond
Interfund Transfers	(1,399,853)	Capital transfers, General Fund to Street Fund, Indirect Cost Allocation. 22% decrease

BUDGET/FINANCIAL IMPACTS: Please refer to the attached reports

RECOMMENDED ACTION OR MOTION: Staff recommends Council Conduct the public hearing and conduct first readings of Ordinance 1222 and 1223

STAFF CONTACT: Kirk Johnson, Finance Director

ATTACHMENTS:
2017 Revenue Budget Summary (PDF)
2017 Revenue Budget Comparison (PDF)
2017 Revenue Hearing (PDF)

2017 Revenue Budget

	2016 Final Budget	2017 Budget Estimate	Percentage Change
Operating Funds			
General Fund	$ 5,160,776	$ 5,609,493	8.69%
Street Fund	668,697	593,498	-11.25%
Water Operating	1,788,212	1,633,660	-8.64%
Sewer Operating	1,831,496	732,348	-60.01%
Stormwater Operating	404,410	483,946	19.67%
Total Operating Funds	***9,853,591***	***9,052,946***	-8.13%
Special Revenue Funds			
Real Estate Excise Tax	500,000	773,539	54.71%
Drug Fund	1,150	1,086	-5.55%
Park Impact Fee	951,895	754,084	-20.78%
Traffic Impact Fee	238,904	273,099	14.31%
Water Utility SDC	1,062,750	1,074,197	1.08%
Total Special Revenue Funds	***2,754,699***	***2,876,005***	4.40%
Debt Service			
Debt Service	-	20,225	100.00%
Total Debt Service	***-***	***20,225***	100.00%
Capital Projects & ERF			
General Capital Projects	6,936,850	6,186,925	-10.81%
Utility Capital Projects	3,056,023	380,025	-87.56%
Equipment Replacement (ERF)	195,759	115,067	-41.22%
Total Capital Projects & ERF	***10,188,632***	***6,682,017***	-34.42%
Total Revenue All Sources	***$ 22,796,922***	***$ 18,631,192***	-18.27%

Attachment: 2017 Revenue Budget Summary (1139 : Hearing on 2017 Property Tax Levy and Revenues)

2017 Budget

2016-2017 Revenue Budget Comparison

Description	2016 Budget	2017 Budget	Percentage Change
001 General Fund			
Revenue			
Property Tax	965,000	1,060,000	9.84%
Retail Sales & Other Tax	1,162,295	1,553,575	33.66%
Utility Taxes	916,618	1,017,411	11.00%
License & Permits	739,050	654,283	-11.47%
Planning & Development	563,410	532,473	-5.49%
Fines & Forfeits	92,248	78,417	-14.99%
Charge for Goods & Services	418,815	434,676	3.79%
Intergovernmental/Grant	189,229	176,757	-6.59%
Other Revenue/Donations	114,111	101,900	-10.70%
General Fund Revenue	***5,160,776***	***5,609,493***	***8.69%***

Description	2016 Budget	2017 Budget	Percentage Change
101 Street Fund			
Revenue			
Utility Tax/Franchise Fee	57,049	64,063	12.29%
Permits	7,500	9,106	21.41%
Grants	3,500	-	-100.00%
Intergovernmental	138,048	156,705	13.51%
Other Revenue	300	2,525	741.67%
Transfers In	462,300	361,100	-21.89%
Street Fund Revenue	***668,697***	***593,498***	***-11.25%***

Description	2016 Budget	2017 Budget	Percentage Change
406 Water Utility Fund			
Revenue			
Charges for Goods and Services	1,455,437	1,623,081	11.52%
Other Revenue	9,000	10,579	17.55%
Transfers In	323,775	-	-100.00%
Water Utility Fund Revenue	***1,788,212***	***1,633,660***	***-8.64%***

Description	2016 Budget	2017 Budget	Percentage Change
407 Sewer Utility Fund			
Revenue			
Charges for Goods and Services	630,221	732,298	0.00%
Other Revenue	1,201,275	50	-100.00%
Sewer Utility Fund Revenue	***1,831,496***	***732,348***	***-60.01%***

2017 Budget

2016-2017 Revenue Budget Comparison

Description	2016 Budget	2017 Budget	Percentage Change
408 Stormwater Utility Fund			
Revenue			
Charges for Goods and Services	401,910	481,292	19.75%
Other Revenue	2,500	2,654	6.15%
Stormwater Utility Fund Revenue	***404,410***	***483,946***	***19.67%***
105 Real Estate Excise Tax (REET) Fund			
Revenue			
Real Estate Excise Taxes	480,000	750,000	56.25%
Other Revenue	20,000	23,539	17.70%
REET Fund Revenue	***500,000***	***773,539***	***54.71%***
111 Drug Fund			
Revenue			
Fines and Forfeits	1,000	1,011	1.12%
Other Revenue	150	75	-50.00%
Drug Fund Revenue	***1,150***	***1,086***	***-5.55%***
114 Park Impact Fee (PIF) Fund			
Revenue			
Planning & Development	718,095	742,868	3.45%
Grants	225,300	-	-100.00%
Other Revenue	8,500	11,217	31.96%
PIF Fund Revenue	***951,895***	***754,084***	***-20.78%***
115 Traffic Impact Fee (TIF) Fund			
Revenue			
Planning & Development	232,404	263,559	13.41%
Other Revenue	6,500	9,540	46.77%
TIF Fund Revenue	***238,904***	***273,099***	***14.31%***
416 Water System Development Charge (WSDC) Fund			
Revenue			
Contributed Capital	1,046,750	1,046,750	0.00%
Other Revenue	16,000	27,447	71.54%
WSDC Revenue	***1,062,750***	***1,074,197***	***1.08%***

2017 Budget

2016-2017 Revenue Budget Comparison

Description	2016 Budget	2017 Budget	Percentage Change
300 General Capital Project Fund			
Revenue			
Grants	2,669,300	2,501,400	-6.29%
Other Revenue	50	25	-50.00%
Transfers In	4,267,500	3,685,500	-13.64%
General Capital Fund Revenue	***6,936,850***	***6,186,925***	***-10.81%***

Description	2016 Budget	2017 Budget	Percentage Change
410 Utility Capital Projects Fund			
Revenue			
Other Revenue	50	25	-50.00%
Transfers In	913,973	380,000	-58.42%
Other Financing Sources	2,142,000	-	100.00%
Utility Capital Project Revenue	***3,056,023***	***380,025***	***-87.56%***

Description	2016 Budget	2017 Budget	Percentage Change
501 Equipment Replacement Fund (ERF)			
Revenue			
Other Revenue	400	400	0.00%
Transfers In	195,359	114,667	-41.30%
ERF Revenue	***195,759***	***115,067***	***-41.22%***
200 Debt Service			
Revenue			
Transfers In	-	20,225	100.00%
Debt Service Revenue	***-***	***20,225***	***100.00%***

City of Ridgefield 2017 Budget

REVENUE FORECAST

November 3, 2016

AGENDA

- Operating Fund Revenues
- Special Revenue Fund Revenues
- Capital Fund Revenues

November 3, 2016

2017 REVENUE BUDGET SUMMARY

- Total Revenue Budget $18,631,192
- Operating Fund Revenues $9,052,946
- Special Revenue Fund Revenues $2,876,005
- Debt Service Revenues $20,225
- Capital Fund Revenues $6,682,017

November 3, 2016

2017 REVENUE FORECAST

General Fund

Description	2016 Budget	2017 Budget	Percentage Change
001 General Fund			
Revenue			
Property Tax	965,000	1,060,000	9.84%
Retail Sales & Other Tax	1,162,295	1,553,575	33.66%
Utility Taxes	916,618	1,017,411	11.00%
License & Permits	739,050	654,283	-11.47%
Planning & Development	563,410	532,473	-5.49%
Fines & Forfeits	92,248	78,417	-14.99%
Charge for Goods & Services	418,815	434,676	3.79%
Intergovernmental/Grant	189,229	176,757	-6.59%
Other Revenue/Donations	114,111	101,900	-10.70%
General Fund Revenue	**5,160,776**	**5,609,493**	**8.69%**

November 3, 2016

2017 REVENUE FORECAST

Street Fund

Description	2016 Budget	2017 Budget	Percentage Change
101 Street Fund			
Revenue			
Utility Tax/Franchise Fee	57,049	64,063	12.29%
Permits	7,500	9,106	21.41%
Intergovernmental	138,048	156,705	13.51%
Other Revenue	300	2,525	741.67%
Transfers In	462,300	361,100	-21.89%
Street Fund Revenue	**668,697**	**593,498**	**-11.25%**

November 3, 2016

2017 REVENUE FORECAST

Water Fund

Description	2016 Budget	2017 Budget	Percentage Change
406 Water Utility Fund			
Revenue			
Charges for Goods and Services	1,455,437	1,623,081	11.52%
Other Revenue	9,000	10,579	17.55%
Transfers In	323,775	-	-100.00%
Water Utility Fund Revenue	**1,788,212**	**1,633,660**	**-8.64%**

2017 REVENUE FORECAST

Sewer Fund

Description	2016 Budget	2017 Budget	Percentage Change
407 Sewer Utility Fund			
Revenue			
Charges for Goods and Services	630,221	732,298	0.00%
Other Revenue	1,201,275	50	-100.00%
Sewer Utility Fund Revenue	**1,831,496**	**732,348**	**-60.01%**

November 3, 2016

2017 REVENUE FORECAST

Stormwater Fund

Description	2016 Budget	2017 Budget	Percentage Change
408 Stormwater Utility Fund			
Revenue			
Charges for Goods and Services	401,910	481,292	19.75%
Other Revenue	2,500	2,654	6.15%
Stormwater Fund Revenue	**404,410**	**483,946**	**19.67%**

November 3, 2016

2017 REVENUE FORECAST

REET and Drug Fund

Description	2016 Budget	2017 Budget	Percentage Change
105 Real Estate Excise Tax (REET) Fund			
Revenue			
Real Estate Excise Taxes	480,000	750,000	56.25%
Other Revenue	20,000	23,539	17.70%
REET Fund Revenue	**500,000**	**773,539**	**54.71%**
111 Drug Fund			
Revenue			
Fines and Forfeits	1,000	1,011	1.12%
Other Revenue	150	75	-50.00%
Drug Fund Revenue	**1,150**	**1,086**	**-5.55%**

2017 REVENUE FORECAST

Impact Fee Funds

Description	2016 Budget	2017 Budget	Percentage Change
114 Park Impact Fee (PIF) Fund			
Revenue			
Planning & Development	718,095	742,868	3.45%
Grants	225,300	-	-100.00%
Other Revenue	8,500	11,217	31.96%
PIF Fund Revenue	**951,895**	**754,084**	**-20.78%**
115 Traffic Impact Fee (TIF) Fund			
Revenue			
Planning & Development	232,404	263,559	13.41%
Other Revenue	6,500	9,540	46.77%
TIF Fund Revenue	**238,904**	**273,099**	**14.31%**

November 3, 2016

2017 REVENUE FORECAST

WSDC and Utility Capital Funds

Description	2016 Budget	2017 Budget	Percentage Change
410 Utility Capital Projects Fund			
Revenue			
Other Revenue	50	25	-50.00%
Transfers In	913,973	380,000	-58.42%
Other Financing Sources	2,142,000	-	100.00%
Utility Capital Project Revenue	**3,056,023**	**380,025**	**-87.56%**
416 Water System Development Charge (WSDC) Fund			
Revenue			
Contributed Capital	1,046,750	1,046,750	0.00%
Other Revenue	16,000	27,447	71.54%
WSDC Revenue	**1,062,750**	**1,074,197**	**1.08%**

November 3, 2016

2017 REVENUE FORECAST

General Capital and ERF Funds

Description	2016 Budget	2017 Budget	Percentage Change
300 General Capital Project Fund			
Revenue			
Intergovernmental/Grant	2,669,300	2,501,400	-6.29%
Other Revenue	50	25	-50.00%
Transfers In	4,267,500	3,685,500	-13.64%
General Capital Fund Revenue	**6,936,850**	**6,186,925**	**-10.81%**
501 Equipment Replacement Fund (ERF)			
Revenue			
Other Revenue	400	400	0.00%
Transfers In	195,359	114,667	-41.30%
ERF Revenue	**195,759**	**115,067**	**-41.22%**

November 3, 2016

2017 REVENUE FORECAST

Debt Service Funds

Description	2016 Budget	2017 Budget	Percentage Change
200 Debt Service			
Revenue			
Transfers In	-	20,225	100.00%
Debt Service Revenue	***-***	***20,225***	***100.00%***

THANK YOU

- Questions

November 3, 2016

CITY OF RIDGEFIELD
REQUEST FOR COUNCIL ACTION

MEETING DATE: November 03, 2016

ITEM: BUSINESS

AGENDA ITEM TITLE: 2017 Property Tax Levy

GOVERNING LEGISLATION: RCW 84.55.120, and RCW 84.52.020

PREVIOUS COUNCIL ACTION TAKEN: Council adopts a property tax levy annually.

SUMMARY/BACKGROUND: The 2017 budget includes a statutory maximum 1% increase in the current property tax levy exclusive of additional revenue resulting from new construction, improvements to property annexations, and any increase in the value of state assessed property.

The 2016 levy amount was $960,587.47. The statutory 1% increase would raise the property tax levy $9,605.84. In addition to the 1% increase the County Assessor's office has determined that the City assessed value for new construction will add $75,688,703 to the City assessed values. The Department of Revenue is still in the process of valuing state assessed utilities. These numbers should be available shortly. The value for the 2016 tax roll was $10,372,344.

To date the estimated 2016/2017 taxable assessed values for Ridgefield is $1,062,729,055. The Assessor must certify the assessed values by November 14, 2016. The City must hold a revenue hearing and certify a property tax levy to the County by November 30, 2016. The City's current forecast for the 2017 property tax levy is $1,060,000, an increase of $95,000 from the 2016 budget. The estimate is for the City of Ridgefield levy amount to be 99.4 cents per $1,000 assessed value a decrease of 8.5 cents from 2016.

The 2017 General Fund expense budget has increased 2.86% over the 2016 final expense budget to account for contractual and inflationary increases. Adoption of the 1% property tax levy increase does not match current inflation, but is needed to maintain a balanced budget.

BUDGET/FINANCIAL IMPACTS: The 2017 property tax receipts will increase $95,000 when compared with the 2016 budget. The total property tax levy is estimated to be $1,060,000.

Approved to be placed on City Council Agenda:

Kirk Johnson	Completed	10/27/2016 10:02 AM
Approved for Council		
Steve Stuart	Completed	10/27/2016 11:40 AM
City Council	Completed	11/03/2016 6:30 PM

RECOMMENDED ACTION OR MOTION: Staff recommends Council conduct the first reading of Ordinance 1222.

STAFF CONTACT: Kirk Johnson, Finance Director

ATTACHMENTS:

ORDINANCE NO. 1222

2017 PROPERTY TAX LEVY

AN ORDINANCE ESTABLISHING THE ESTIMATED AD VALOREM TAXES NECESSARY TO FINANCE THE ANTICIPATED REQUIREMENTS OF THE CITY OF RIDGEFIELD, WASHINGTON FOR THE FISCAL YEAR ENDING DECEMBER 31, 2017 BY INCREASING PROPERTY TAX REVENUE FROM THE PREVIOUS YEAR

WHEREAS, public hearings have been held by the Ridgefield City Council to review and discuss the estimated revenue needed for calendar year 2017 as required by statute; and

WHEREAS, the Revised Code of Washington 84.55.120 as amended by Referendum 47 requires an Ordinance or Resolution be approved by the City Council if the anticipated property tax levy will increase by any amount; and,

WHEREAS, the amount levied for fiscal year 2016 was $960,587 and the increase in the regular property tax levy amount for 2016 is $9,606 which is a percentage increase of 1% from the previous year; and,

WHEREAS, this increase is exclusive of additional revenue resulting from new construction, improvements to property, any increase in the value of state assessed property, annexations that have occurred and refunds made.

WHEREAS, a certified budget request or estimate is filed with the County Legislative Authority, separate from this ordinance. As required by RCW 84.52.020, that filing certifies the total amount to be levied by the regular property tax levy. The form for this purpose is titled “Levy Certification” and is available through the Assessor’s Office. Certification is made in a manner prescribed by the County Legislative Authority.

Section 1. Public Interest. The Ridgefield City Council finds it to be in the public interest to increase the property tax levy by the maximum allowed by the Revised Code of Washington.

Section 2. Fixing Ad Valorem Taxes. That an increase in the regular property tax levy is authorized for the levy to be collected for the 2017 tax year in the amount of the maximum 1% allowed by law from the previous year, estimated to be $9,606. This increase is exclusive of additional revenue resulting from new construction, improvements to property, and any increase in the value of state assessed property.

Section 3. Transmittal to County. A certified copy of this ordinance shall be transmitted to Clark County in accordance with law.

Section 4. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

Section 5. Regulatory Conflicts. All other Ordinances and parts of other Ordinances inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of the inconsistency or conflict.

Section 6. Corrections. 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 7: Effective date. This ordinance shall take effect and be in full force five (5) days after the publication in which is hereby approved.

Passed by the City Council of the City of Ridgefield, Washington this 17th day of November, 2016 in an open public meeting.

City of Ridgefield:

____
Ron Onslow
Mayor

ATTEST:

____
Julie Basarab
City Clerk

APPROVED AS TO FORM:

____
Janean Parker, City Attorney

First reading:	November 3, 2015
Second reading:	November 17, 2015
Publication date:	November 23, 2015
Effective date:	November 28, 2015

CITY OF RIDGEFIELD
REQUEST FOR COUNCIL ACTION

MEETING DATE: November 03, 2016

ITEM: BUSINESS

AGENDA ITEM TITLE: 2017 Storm Water Utility Rate Code Amendment

GOVERNING LEGISLATION: RCW 35.67.020 and RCW 35.92.020 and Ridgefield Municipal Code Chapter 13.75.

PREVIOUS COUNCIL ACTION TAKEN: Ordinance No. 883, forming a Storm Water Utility, was adopted by City Council at the August 25, 2005 regular council meeting and Ordinance No. 884 was adopted by City Council establishing the initial rate structure of the utility. Multiple Ordinances have been adopted to update the bi-monthly rate with the most recent adoption Ordinance No. 1196 by the City Council on November 19, 2015 to update the bi-monthly rate to $15.00 per equivalent dwelling unit.

SUMMARY/BACKGROUND: The public storm water collection and treatment systems located within the City of Ridgefield must be maintained and repaired by the City Public Works Department. The Storm Water Utility was created in 2005 with the plan that the fees charged would be used to perform the required long-term management, maintenance and repair to the storm water systems and correspondingly reduce the financial burden on the City's General Government Fund. Ordinance No. 1224 provides an amendment in the rate structure and a step toward generating the necessary revenue to assist in funding the Storm Water Utility.

City staff contracted with FCS group, one of the most preeminent consultants in our region, to conduct a rate analysis as required by the City's Budget Policy. The rate analysis was conducted in 2016 and looked at expenses and revenues for the next 10 years for the Storm Water Utility. Factors included assumptions for inflationary cost escalators, labor agreements, capital facility plans and growth assumptions. As a result of the rate study it was determined that rates for 2017 should increase $1.46 per bi-monthly billing cycle per equivalent dwelling unit. Per the rate model future increases beginning in 2018 will be reduced to $0.91 per bi-monthly billing and then follow an inflationary factor for the remaining 8 years. Due to the recommended increase and increased residential development, Storm Water Fund revenue is expected to increase 19.75% in 2017 over the 2016 revenue budget, while ongoing expense is expected to increase 29.96% in 2017 over 2016.

Ordinance No. 1224 proposes a $1.46 per bi-monthly billing, per Equivalent Dwelling Unit

Approved to be placed on City Council Agenda:

Kirk Johnson	Completed	10/27/2016 9:48 AM
Approved for Council		
Steve Stuart	Completed	10/27/2016 11:38 AM
City Council	Completed	11/03/2016 6:30 PM

(EDU), increase in the rate. This equates to a total of $8.23 per month or $16.46 bi-monthly per EDU.

BUDGET/FINANCIAL IMPACTS: Under the proposed rate structure, the Storm Water Utility Fund would generate annual service charge revenue of $483,946. The 2017 expense budget is expected to be $500,946 including $75,683 in new initiatives. The 2017 ongoing expense for the Storm Water Utility Fund is $447,189.

RECOMMENDED ACTION OR MOTION: Staff recommends conducting the first reading of Ordinance No. 1224.

STAFF CONTACT: Kirk Johnson, Finance Director

ATTACHMENTS: Exhibit A Ordinance No 1224 Storm Water Rate Increase 2017 (PDF)

ORDINANCE NO. 1223

2017 STORM WATER UTILITY RATE CODE AMENDMENT

AN ORDINANCE OF THE CITY OF RIDGEFIELD, WASHINGTON AMENDING RIDGEFIELD MUNICIPAL CODE CHAPTER 13.75 AND ORDINANCE NUMBER 1196 INCREASING THE BI-MONTHLY STORMWATER RATE

WHEREAS, the City of Ridgefield, Washington (the "City"), created a Stormwater Utility to implement and administer its Stormwater Management Program; and,

WHEREAS, the City is authorized pursuant to the general police powers, RCW 35.67.020 and RCW 35.92.020, to fix, alter, regulate and control the rates and charges for use of said Utility and the Stormwater Management Program of the City; and,

WHEREAS, the Ridgefield City Council finds that it is now necessary to amend the rates and charges by increasing the rate one dollar and forty-six cents per bi-monthly billing period per equivalent dwelling unit to cover the cost and expense of operating said Utility; and,

WHEREAS, the Ridgefield City Council finds that all developed real property within the boundaries of the Utility benefits from the Stormwater Utility of the City and should participate financially in the payment of all expenses for maintenance, operation and improvement of said storm drainage system and for administration of the Utility;

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

Section 1. Public Interest. The Ridgefield City Council finds it is in the public interest to amend Ordinance No. 1196 (2015) Ordinance No. 1170 (2014), Ordinance No. 1140 (2013), Ordinance No. 1120 (2012), Ordinance No. 1088 (2011), Ordinance No. 1063 (2010), Ordinance No. 1044 (2009), Ordinance No. 1025 (2008), Ordinance No. 969 (2007), Ordinance No. 937 (2006), Ordinance No. 884 (2005) and Chapter 13.75 (Stormwater Utility) to the Ridgefield Municipal Code.

Section 2. Amendment to Chapter 13.75 (Stormwater Utility). Chapter 13.75 is hereby amended per the attached exhibit.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. Regulatory Conflicts. All other Ordinances and parts of other Ordinances inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of the inconsistency or conflict.

Section 5. Corrections. 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.

<u>Section 6.</u> Effective date. This ordinance shall be in full force and effect on January 1, 2017.

PASSED BY THE CITY COUNCIL OF THE CITY OF RIDGEFIELD, WASHINGTON ON THE 17TH DAY OF NOVEMBER, 2016.

By: ______________________________
Ron Onslow, Mayor

ATTEST:

____
Julie Basarab
City Clerk

APPROVED AS TO FORM:

____
Janean Parker, City Attorney

First Reading:	November 3, 2016
Second Reading:	November 17, 2016
Date of Publication:	November 23, 2016
Effective Date:	January 1, 2017

Exhibit "A"

Chapter 13.75

STORMWATER UTILITY

13.75.060 - Stormwater service charge rates.

A. In accordance with the rate structure set forth in RMC 13.75.050, there is hereby levied upon all developed real property within the stormwater service area the following stormwater service charges which shall be collected from the property owners of such properties: For all developed real property within the stormwater service area, unless exempt as set forth above, the stormwater service charge shall be sixteen dollars and forty-six cents per two months per EDU multiplied by the number of EDUs determined by the utility to be contained in such parcel.

B. All property subject to charges of the stormwater management program shall be billed based on the property characteristics existing one month prior to billing.

C. All stormwater service charges and all other stormwater fees or charges hereafter established by the city shall be deemed to be levied upon real property.

(Ord. No. 1148, §§ 1—3, 1-23-2014; Ord. No. 1170, § 2(Exh. A), 11-20-2014; Ord. No. 1196, § 2(Exh. A), 11-19-2015)

CITY OF RIDGEFIELD
REQUEST FOR COUNCIL ACTION

MEETING DATE: November 03, 2016

ITEM: BUSINESS

AGENDA ITEM TITLE: Amendment to the 2016 Budget

GOVERNING LEGISLATION: Revised Code of Washington Chapter 35A.33. City of Ridgefield Financial Policy #01 Financial Management and Financial Policy #07 Budget

PREVIOUS COUNCIL ACTION TAKEN: Council adopted Ordinance No. 1197 pertaining to the 2016 Budget on December 3, 2015; Council adopted Ordinance No. 1205 amending the 2016 Budget on April 28, 2016. Council conducted the first reading of Ordinance No. 1221 on October 27, 2016.

SUMMARY/BACKGROUND: The City has contracted with LaserFiche and FreeDoc to install and implement a new document management system city wide. The City originally budgeted the annual cost of the software, but not the full cost of implementation as it was expected to be a multi-year project. The implementation timeframe will be able to be completed in 2016. General Fund expense for the implementation has been reallocated from existing budget line items. The cost associated with the building department ($16,400), water fund ($32,750) and storm fund ($16,800) need to be allocated through budget amendment. In addition recognition of the street fund expense portion of implementation ($8,100) needs to be recognized. The transfer from the General Fund to support the street fund expense was reallocated previously from existing budget line items.

The Public Works Department has begun engineering and design of a high priority project for stage 1 road improvements for 45th and Royle Avenues. This project was not anticipated during the 2016 budget process. The cost of the initial engineering and design work for 2016 is estimated at $47,000 and would be funded through a transfer from the transportation impact fee fund.

Due to the 2015 Christmas season the City postponed completion of the final paving of the alley utility projects between Main and 3rd, and 3rd and 4th to limit impact on local business. The City needs to re-appropriate the final cost of the project for water work ($1,657) and storm work ($816). Transfers from the operating funds will cover the re-appropriation.

The Finance Department and Public Works is recommending reallocating the expense for the Division St storm improvement project from Storm Water Operations to Real Estate Excise Tax to fund the improvements. The reallocation would move $240,000 in expense from operations to REET. In addition the cost of the design and construction has exceeded the original budgeted line item by $114,000. The total expense for the project would be $354,000.

Approved to be placed on City Council Agenda:

Kirk Johnson	Completed	10/27/2016 9:43 AM
Approved for Council		
Steve Stuart	Completed	10/27/2016 11:37 AM
City Council	Completed	11/03/2016 6:30 PM

In consultation with the Discovery Clean Water Alliance the City will be replacing an influent pump at the Wastewater Treatment Plant ($12,000). The City is in the process of closing out the multi-year project for the alkalinity system upgrade. Due to scope changes in the project a final change order was negotiated with the contractor, DCWA and the City for an additional $41,000 in project expense. DCWA will be reimbursing the City for the cost of each of these items.

The City's events have been extremely successful in 2016. As a result of additional events the City has sponsored both on their own and in a public/private partnership the City needs to recognize revenue in the amount of $10,000 and the resulting expense of $10,000 to account for the private partnership portion of these events.

The City completed an additional project to add a temporary parking lot downtown at the Park Laundry property on N. Main St. The cost of the project, which was not anticipated at the time the 2016 budget was developed was $10,000.

The City added a security camera and recording device to Overlook Park at the end of 2015 as a result of vandalism at the park. In addition the City added security features to City Hall. The vendor failed to invoice the City until June of 2016 for the overall costs. As a result the City is asking to re-appropriate the expense into the 2016 budget in the amount of $10,030.

Due to significant ongoing development Public Works is asking to increase the budget for water meter installs for new residence. The estimate is for an additional 110 meters to be needed by the end of 2016. The current budget allots 250 meter installs. The expense would increase $37,000 and the associated revenue increase would be $46,750. In addition Public Works staff is requesting an additional $8,900 to be added to the water fund budget for small tools and equipment to cover the cost of an additional handheld meter reading device. The new devices are able to read meters at a much more efficient rate than the current meters. The City has been undergoing a meter replacement program and the replacement of the handheld unit will continue to create efficiencies in the process.

The City has the opportunity to purchase a used chipper from the City of Vancouver at a cost of $5,000. Staff recommends the purchase to eliminate the cost of renting equipment and reduce current hauling costs for brush removal.

The total budget amendment request is for $534,926 which includes $371,453 in new expenditures, $109,750 in additional revenue recognition, and $163,473 in net transfers from both special revenue and operating funds. The total fund balance reduction is $261,703.

Fund Balance Impact					
		Total Expense	Increased Revenue	Interfund Transfer In	Fund Impact
001	General Fund	32,030	10,000	-	(22,030)
001-58	Building Fees	16,400			(16,400)
101	Street Fund	9,100	-	-	(9,100)
105	REET Fund	354,000	-	-	(354,000)
115	TIF Fund	47,000	-	-	(47,000)
300	General Capital	47,000	-	47,000	-
406	Water Fund	80,307	46,750	-	(33,557)
407	Sewer Fund	53,000	53,000	-	-
408	Storm Fund	(220,384)			220,384
410	Utility Capital	116,473	-	116,473	-
	Total	534,926	109,750	163,473	(261,703)

BUDGET/FINANCIAL IMPACTS: Please refer to the table above and to Exhibit A attached to Ordinance No. 1221

RECOMMENDED ACTION OR MOTION:
Staff recommends Council adopt Ordinance No. 1221 by making the following motion:

"I move to adopt Ordinance No. 1221, as presented."

STAFF CONTACT: Kirk Johnson, Finance Director

ATTACHMENTS: 2016 Budget Amendment 2 (PDF)

ORDINANCE NO. 1221

AMENDMENT TO THE 2016 BUDGET

AN ORDINANCE OF THE CITY OF RIDGEFIELD, WASHINGTON AMENDING ORDINANCE NO. 1205 AND ORDINANCE NO. 1197 PERTAINING TO THE 2016 BUDGET

WHEREAS, the Ridgefield City Council at its regular meeting on December 3, 2015 adopted Ordinance No. 1197 which adopted the City of Ridgefield 2016 budget; and

WHEREAS, the Ridgefield City Council at its regular meeting on April 28, 2016, adopted Ordinance No. 1205 which amended the City of Ridgefield 2016 budget; and

WHEREAS, the City of Ridgefield deems it necessary to appropriate additional expenditures in 2016 in the funds that are identified in the attached Exhibit A of the 2016 budget amendment; and

WHEREAS, these expenditures were not anticipated at the time of the adoption of the 2016 budget.

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

Section 1. Public Interest. The Ridgefield City Council finds it to be in the public interest to amend the 2016 budget to account for revenues and expenditures that were not anticipated at the time of adoption.

Section 2. Budget Amendment Adopted. Ordinance No. 1221, and the budget of the City of Ridgefield for fiscal year 2016 shall be amended to include the additional receipt and/or reduction of funds and the additional and/or reduction of expenditures addressing the funds shown in the attached Exhibit A.

Section 3. Severability. Any provision of this ordinance or its application to any person, legal entity, or circumstance is held invalid, the remainder of the ordinance or its application to other persons, legal entities, or circumstances is not affected.

Section 4. Regulatory Conflicts. All other Ordinances and parts of other Ordinances inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of the inconsistency or conflict.

Section 5. Corrections. 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 6. Effective date. This ordinance shall be in full force and effect five (5) calendar days after adoption and publication pursuant to law.

PASSED BY THE CITY COUNCIL OF THE CITY OF RIDGEFIELD, WASHINGTON ON THE 3rd DAY OF NOVEMBER, 2016.

____
Ron Onslow, Mayor

ATTEST:

____
Julie Basarab,
City Clerk

APPROVED AS TO FORM:

____
Janean Parker, City Attorney

First Reading:	October 27, 2016
Second Reading	November 3, 2016
Date of Publication:	November 9, 2016
Effective Date:	November 14, 2016

Exhibit "A"

2016 Budget Amendment #2

Ordinance #1221

					Expense				Funding Source				
Item No.	Requesting Department	Fund	Project	Funding Source	Total One Time 2016 Appropr.	Total Ongoing Annual Cost	Reapprop.	New Approp. Request	Revenue increase	Special Revenue Funds Transfer	Operating Funds Transfer	Fund Balance Impact	Description
1	Finance	CDD	Document Management	Fund Balance	16,400	-	-	16,400	-	-	-	(16,400)	Complete implementation of document management system. Building permit portion of project.
2	Finance	Street	Document Management	General Fund Transfer	8,100	-	-	8,100	-	-	-	(8,100)	Complete implementation document management system. Street Fund portion of project. General Fund transfer previously reallocated from existing budget source.
3	Finance	Water	Document Management	Fund Balance	32,750	-	-	32,750	-	-	-	(32,750)	Complete implementation of Accela software and document management system. Water Fund portion of projects. General Fund transfer reallocated from existing budget source.
4	Finance	Storm	Document Management	Fund Balance	16,800	-	-	16,800	-	-	-	(16,800)	Complete implementation of Accela software and document management system. Storm Fund portion of projects. General Fund transfer reallocated from existing budget source.
5	Public Works	General Capital	Stage 1 Road Improvements 45th & Royle	TIF	47,000	-	-	47,000	-	47,000	-	(47,000)	Engineering & Design for improvements to 45th & Royle. Transfer funding from TIF.
6	Public Works	Utility Capital	Alley Project Water	Water Ops	1,657	-	1,657	-	-	-	1,657	(1,657)	Project carried over to 2016 to complete final improvements.

Attachment: 2016 Budget Amendment 2 (1134 : Ordinance No. 1221 Amendment 2 to the 2016 Budget)

2016 Budget Amendment #2

Ordinance #1221

Item No.	Requesting Department	Fund	Project	Funding Source	Expense: Total One Time 2016 Appropr.	Expense: Total Ongoing Annual Cost	Expense: Reapprop.	Expense: New Approp. Request	Funding Source: Revenue increase	Funding Source: Special Revenue Funds Transfer	Funding Source: Operating Funds Transfer	Funding Source: Fund Balance Impact	Description
7	Public Works	Utility Capital	Alley Project Storm	Storm Ops	816	-	816	-	-	-	816	(816)	Project carried over to 2016 to complete final improvements.
8	Public Works	Utility Capital	Division St Storm Project	REET	354,000	-	240,000	114,000		354,000	-	(354,000)	Reallocate funding source for project. Initially funded from Storm Operations at $240,000. Qualifies for REET funding and would provide additional flexibility in Storm Ops. Budget amount increased $114,000 for construction and design.
9	Public Works	Utility Capital	Division St Storm Project	Storm Ops	(240,000)	-	(240,000)	-	-	-	(240,000)	240,000	Reallocate funding source for project. Initially funded from Storm Operations at $240,000. Qualifies for REET funding and would provide additional flexibility in Storm Ops.
9	Public Works	Sewer Ops	Influent Pump	Sewer Ops	12,000	-	-	12,000	12,000	-	-	-	Replace influent pump at WWTP. Funded through R&R reserves in sewer fund. DCWA will reimburse reserves for project.
12	Admin	Gen Govt./ Facilities	Events	General Fund/ Donation	10,000	10,000	-	-	10,000	-	-	-	Increase events expense budget to match donations and event related revenue designated for specific events.
13	Public Works	Sewer Ops	Alkalinity System	DCWA	41,000	-	-	41,000	41,000	-	-	-	Cost overrun for alkalinity project. Approved by DCWA admin lead.
14	Public Works	General Fund	Parking Lot	General Fund	10,000	-	-	10,000	-	-	-	(10,000)	Cost for temporary parking lot on the Park Laundry property.
15	Finance	General Fund	Security Camera	General Fund	10,030	360	9,670					(9,670)	Security camera cost for Overlook park and motion detectors and monitoring service for City Hall. Reallocated in 2015. Vendor invoiced City in 2016. Reappropriate budget to 2016.

2016 Budget Amendment #2

Ordinance #1221

Item No.	Requesting Department	Fund	Project	Funding Source	Expense: Total One Time 2016 Appropr.	Expense: Total Ongoing Annual Cost	Expense: Reapprop.	Expense: New Approp. Request	Funding Source: Revenue increase	Funding Source: Special Revenue Funds Transfer	Funding Source: Operating Funds Transfer	Funding Source: Fund Balance Impact	Description
16	Public Works	Water	Meters	Water Ops	37,000	-		37,000	46,750	-	-	9,750	Increase budget for 110 new water meter installs.
17	Public Works	Water	Small Tools and Equipment	Water Ops	8,900	-	-	8,900	-	-	-	(8,900)	Increase small tools and equipment one-time to account for the cost of handheld meter reader.
18	Public Works	Parks, Street, Storm	Chipper	Street, Park, Storm	5,000	-	-	5,000	-	-	-	(5,000)	Purchase used chipper from City of Vancouver. 40% Parks and Storm, 20% Streets
			Total Budget Amendment		371,453	10,360	12,143	348,950	109,750	401,000	(237,527)	(261,343)	

Fund Balance Impact

		Total Expense	Increased Revenue	Interfund Transfer In	Fund Impact
001	General Fund	32,030	10,000	-	(22,030)
001-58	Building Fees	16,400			(16,400)
101	Street Fund	9,100	-	-	(9,100)
105	REET Fund	354,000	-	-	(354,000)
115	TIF Fund	47,000	-	-	(47,000)
300	General Capital	47,000	-	47,000	-
406	Water Fund	80,307	46,750	-	(33,557)
407	Sewer Fund	53,000	53,000	-	-
408	Storm Fund	(220,384)			220,384
410	Utility Capital	116,473	-	116,473	-
	Total	534,926	109,750	163,473	(261,703)

CITY OF RIDGEFIELD
REQUEST FOR COUNCIL ACTION

MEETING DATE: November 03, 2016

ITEM:

AGENDA ITEM TITLE: Motion - Approval of Community Garden Regulations

GOVERNING LEGISLATION:

RMC 8.18.070

PREVIOUS COUNCIL ACTION TAKEN:

None

SUMMARY/BACKGROUND:

The City is developing regulations for community gardens to more transparently and comprehensively manage ongoing operations of the garden. The City currently has one community garden located at the corner of S 5th Ave and Sargent St with 21 plots; all plots are being worked this season by individual gardeners who requested one. In the future, additional gardens may be built on public land, including within future city parks. Demand for garden plots is anticipated to increase as the City's population grows.

Community gardens fall under the umbrella of parks facilities. Gardens are classified as a special use facility in the 2014 Ridgefield Parks & Recreation Comprehensive Plan. The municipal code establishes rules and regulations for parks in RMC Title 8.18, including granting the city manager the authority to develop rules and regulations for specific park facilities, such as community gardens. (RMC 8.18.070.)

The proposed regulations were developed based on examples from other cities and feedback from current gardeners, and reviewed for consistency with existing park regulations in RMC 8.18. For example, there was discussion about whether to allow use of gardens based on set hours or from dawn to dusk, and the recommended language allows use from 7am to 9pm consistent with the hours of operation for all parks established in RMC 8.18.030. Regulations have been reviewed by Parks Board and Planning Commission, and will be effectively implemented with the 2017 growing season with Council approval. RMC 8.18.070 authorizes "The city manager, under the direction of the city council, has the power to promulgate and adopt reasonable rules and regulations pertaining to the operation, management and use of parks, and shall post the same in conspicuous places in the parks."

Approved to be placed on City Council Agenda:

BUDGET/FINANCIAL IMPACTS:

None

RECOMMENDED ACTION OR MOTION:

I move that the City Manager adopt the Community Gardens rules as presented

STAFF CONTACT:	Jeff Niten, Community Development Director
ATTACHMENTS:	Community Gardens FINAL clean copy (DOCX)

Community Gardens

1. Access to the Garden.

    A. Community Gardens are open and accessible all year.

    B. Gardeners may be in the Garden between the hours of 7:00am and 9:00pm.

    C. Gardener will follow any additional security guidelines that may be announced by the City.

2. Use of Own Plot.

    A. Gardeners may use only the plots assigned to them by the City. Gardeners will maintain their plants within their plots and will trim any plants that extend in neighboring plots or into common areas.

        1. Gardeners may not alter the dimensions of their plot. Nothing in this section implies that only raised beds are acceptable.

3. Plantings.

    A. Gardeners may plant vegetables, fruits, and flowers.

    B. Gardeners may not maintain plants or plant supporting structures that impede the security of the garden or impede adjacent gardeners' access to sunlight by the nature of their height, material, or density.

    C. Gardeners may not grow plants that take multiple years to produce food.

    D. Invasive species as defined by the Clark County Noxious Weeds list and spreading plants including, but not limited to, raspberries, chives, strawberries, etc. are prohibited.

4. Supplies.

    A. Gardeners are solely responsible for the planning and management of their own plots, including providing their own seeds, plants, fertilizer, and any tools.

5. Organic Methods.

    A. Gardeners will garden organically. Gardeners shall obtain written approval from the City prior to the application of any herbicide, pesticide, or rodenticide even if labeled "organic".

    B. Use of compost, organic mulch, and weeding is acceptable. Products similar to Miracle-Gro and slug bait are acceptable.

6. Water.

A. Each Gardener is responsible for watering his or her own plot. Gardeners will not overwater their plants or leave a hose unattended.

7. Tools.

A. Gardeners may bring their own tools into the Garden to use in their plots, but tools may not be stored in the Garden, except within a shed identified for that purpose.

B. Gardeners are responsible for any damage caused by tools they bring into the Garden.

C. Gardeners may not use any power tools such as those that require gasoline, electricity, or batteries unless written permission from an appointed Garden Coordinator has been obtained.

8. Plot Maintenance and Trash.

A. Gardeners will maintain their plots and adjacent paths in a clean and neat fashion, promptly removing any weeds, overgrowth, or waste from their plot.

B. Gardeners will promptly harvest edible plants.

C. Gardeners are responsible for hauling and disposing of their own trash, such as weeds, boxes, trays, bags, packets, and similar items.

9. Annual Clean-ups.

A. Gardeners shall perform a pre-season clean-up on their plots during the first two weeks of April each calendar year.

B. Gardeners shall perform an end-of-season clean-up on their plots at the end of the growing season prior to or during the first two weeks of November each calendar year.

10. Yard Debris Bin

A. Gardeners shall place any organic waste, in the yard debris bin designated by the City.

11. Absence.

A. Gardeners may not abandon their plots. Abandonment means failing to maintain a plot for two weeks between the months of April to October, or for one month during the months of November to March.

12. No Personal Property.

A. Gardeners may not keep any personal property on their plots or in the Garden when they are not in the Garden.

13. Common Responsibilities.

A. Gardeners will keep clean and neat any common areas, such as pathways and storage sheds.

B. Gardeners will promptly report any concerns about the safety of the Garden to the City.

C. If there is vandalism, storm damage, or other damage to the Garden, all Gardeners are expected to help clean and restore the Garden to its prior condition, but the City will bear the cost of repairs.

14. Garden Management.

A. The City of Ridgefield has complete authority to interpret the Rules and make decisions.

15. Communication.

A. The City will designate two members as "Garden Coordinators" to be the official point of contact for the City and the Gardeners.

B. The City will provide a bulletin board in the Garden. The Garden Coordinators shall post contact information in the Garden.

C. Gardeners must inform the Garden Coordinators of any change in their contact phone number or e-mail address.

16. Gardener Input.

A. Gardeners are encouraged to provide suggestions about Garden operations to the Coordinators. Gardeners should contact the Coordinators directly at the number provided by the Coordinator, not the City, with any questions relating to day-to-day operational matters.

17. Annual Meeting.

A. Once a year, generally the first two weeks of April, the Garden Coordinators will invite all Gardeners to an annual meeting to notify Gardeners of any changes made in how the Garden operates, these Rules, in assignments of plots, to discuss any issues or concerns. City will give written notice of the annual meeting, sent by email or first-class mail, no fewer than 14 days in advance.

18. Confidentiality.

A. The City and other Gardeners shall not use any personally identifiable information, including name, e-mail address(s), telephone number(s) or street address for purposes other than operation of the Garden.

19. General Conduct.

A. Gardeners are expected to be civil, honest, and cooperative in dealing with the City, Garden neighbors, other Gardeners, and guests of other Gardeners.

B. Gardeners may bring guests, including children, into the Garden, provided that the guests comply with the Rules. Gardeners will supervise any child under the age of sixteen. Gardeners will be responsible for the conduct of children and their guests including making sure they do not damage or interfere with activities on other plots or otherwise engage in inappropriate conduct. Guest violations of these Rules are treated as violations by the Gardener.

C. Gardeners may not bring any pets or other animals into the Garden, including for burial.

D. Gardeners may not enter other plots, use another Gardener's tools or supplies, or harvest another Gardener's produce, without the explicit permission of the other Gardener. Gardeners may not enter property next to the Garden without the owner's permission.

E. Gardeners may not grow any plants considered illegal under state or federal law. For example, Gardeners may not grow marijuana, whether or not the use of marijuana may be lawful under state law.

F. Gardeners may not smoke in the Garden.

G. Gardeners may not consume or use alcohol or illegal drugs while on the Garden premises. Gardeners may not bring alcohol or illegal drugs onto the Garden premises. Gardeners may not come into the Garden while under the influence of alcohol or illegal drugs.

H. Gardeners may not start or maintain a campfire, or burn weeds in the Garden.

a. Barbeque use is permitted only during the Annual Meeting held the first two weeks of April as described in Section 17 (A) above.

I. Gardeners may not play music or the radio loud enough to be a nuisance to other Gardeners or to the Garden's neighbors.

J. The Garden is for personal, noncommercial use only; Gardeners may not sell any produce or flowers grown in the Garden.

K. Gardeners shall comply with all rules of conduct for parks generally established in RMC Title 8.18.

20. Dispute Resolution.

A. Gardeners will raise with the Coordinators any disputes about the Garden or with fellow Gardeners. The Coordinators will have the power to hear these disputes and will resolve them in the best interest of the Garden.

21. Rules Violations.

A. Gardeners may lose their rights to participate in the Garden if they fail to comply with any of these Rules. If a Gardener:

• endangers other Gardeners, neighbors, or other individuals;

• takes or uses another Gardener's tools, supplies, or produce without permission;

• encroaches on Garden neighbors' property;

• grows illegal plants;

• uses alcohol or illegal drugs in the Garden; or

The City may, at its discretion, terminate immediately the Gardener's right to participate in the Garden. If that occurs, the Gardener must leave the Garden by the end of Garden hours on the termination day and may not reenter without the City's permission.

If a Gardener violates any other of these Rules, the Garden Coordinator will inform Gardener of the violation by placing a red flag on the Gardeners plot and by informing the Gardener by first class mail or e-mail. Gardener will have one week to correct the violation. If the violation is not corrected within one week as determined by the City in its discretion, the City may, at its discretion, terminate the Gardener's Agreement. After termination, Gardener will have two weeks to harvest and clean up the plot.

B. Upon termination for any reason, Terminated Gardeners are not entitled to any refunds or other payments from the City.

C. Gardeners under no circumstances will be entitled, directly or indirectly, to any refunds, any direct, incidental, consequential, punitive, or other damages, any other forms of compensation from the City or the owner of the Garden's land, or to obtain an injunction, specific performance, or other equitable remedy, as a consequence of termination from participation in the Garden.

22. Changes in the Rules.

A. The City may amend these Rules in its discretion without advance notice consistent with authority established in RMC 8.18.070. The City will provide all Gardeners with a copy of the current Rules, will post a copy of the current Rules at the Garden, and will summarize any changes in the next annual meeting. The Gardeners, through the Garden Coordinators, may propose Rules for the City's consideration.

23. Waiver.

A. Any waiver by the City of these Rules must be in writing and signed by the Public Works Director. Failure, neglect, or delay by the City at any time to enforce the provision of these Rules will not be considered a waiver of the City's rights under these Rules. Waiver of any breach or provision of these Rules or failure to enforce any breach or provision of these Rules will not be considered a waiver of any later breach or the right to enforce any provision of these Rules.