



**RIDGEFIELD CITY COUNCIL
MEETING AGENDA**

**Thursday, September 24, 2020
Teleconference
N/A, Ridgefield, WA 98642**

- I. STUDY SESSION - 5:30 P.M.**
 - 1. 2021 Budget - Initiatives and Capital Projects - Kirk Johnson, Finance Director**
- II. GENERAL SESSION CALL TO ORDER - 6:30 PM**
 - 1. Roll Call**
 - 2. Late changes to the agenda**
- III. CONSENT AGENDA**
 - 1. Approval of Claims And/Or Payroll**
 - 2. Approval of Minutes from the September 10, 2020 Meeting**
- IV. BUSINESS**
 - 1. Second Reading of Ordinance No. 1321 – Ridgefield Municipal Code Amendments - Claire Lust, Community Development Director**
 - 2. First Reading of Ordinance No. 1326 - Transportation Impact Fee List Update - Bryan Kast, Public Works Director**
 - 3. Resolution No. 584 – Approval of Vista Ridge Heritage Tree Removal - Claire Lust, Community Development Director**
 - 4. Resolution No. 585 – Approval of Ridgefield Small Business Stabilization Grant Program - Kirk Johnson, Finance Director**
 - 5. Motion - Approval of Art Installation in Arts Quarter - Lee Knottnerus, Deputy City Manager**
- V. COUNCIL/PRESIDING OFFICER/STAFF REPORTS**
 - 1. Council**
 - 2. Mayor**
 - 3. City Manager**
- VI. ADJOURN**

**City Council Agenda Packet is available at the following link:
<http://ridgefieldwa.iqm2.com/Citizens/>**

**CITY OF RIDGEFIELD
REQUEST FOR COUNCIL ACTION**

MEETING DATE: September 24, 2020
ITEM: STUDY SESSION - 5:30 P.M.
AGENDA ITEM TITLE: 2021 Budget - Initiatives and Capital Projects

GOVERNING LEGISLATION:

RCW 35A.33, City of Ridgefield Financial Policy #07: Budget

PREVIOUS COUNCIL ACTION TAKEN:

Council adopts an annual budget. The 2020 annual budget was adopted November 21, 2019

SUMMARY/BACKGROUND:

Introduction and discussion on the requested initiatives and capital projects for 2021.

BUDGET/FINANCIAL IMPACTS:

N/A – Presentation and Discussion/Direction

RECOMMENDED ACTION OR MOTION:

No action requested at this time

STAFF CONTACT: Kirk Johnson, Finance Director

ATTACHMENTS: 2021 Initiative and Capital Budget (PDF)



2021 Budget Initiatives and Capital Projects

September 24, 2020



2021 Budget Agenda

- Budget Calendar
- Updated 2021 Revenue Forecast
- Available Fund Balance
- 2021 Initiatives and Capital Projects
- Next Steps



2021 Budget Calendar

Week of	June	July					Aug					Sept				Oct				Nov					Dec			
		29	6	13	20	27	3	10	17	24	31	7	14	21	28	5	12	19	26	2	9	16	23	30	7	14	21	28
City Council Goals/Retreat								11th																				
Review Financial Sustainability Model (6 Year)																												
Management Initiatives/Goals Retreat								12th																				
Review Budget and Financial Policies					23rd																							
Review Economic Conditions/Budget to Actual					23rd																							
Determine Baseline Assumptions																												
Develop Proposed Budget																												
Levels of Service																												
Baseline/Beginning Budget																												
New Programs or Initiatives																												
Update Indirect Cost Plan																												
Update Equipment Replacement Fund																												
Preliminary Budget																												
Operating																												
Capital																												
Update Financial Forecast																				5th								
Adopt Final Budget																												
Conduct Hearing on Revenue Sources																				5th								
Draft Final Budget																												
Adopt Property Tax Levy																				5th		19th						
Update Utility Rate Model																				5th		19th						
Final Budget and Conduct Hearings																						19th		3rd				
Executive Management Meetings (10 am)								12th				15th				13th				10th								
Budget Advisory Committee Meetings (10 am)								13th				17th				15th				12th								
City Council Work Sessions									27th				24th				22nd				19th							

August 27 work session - Present baseline budget

September 24 work session - Present FTE initiatives, special revenue, capital and operating initiatives budget

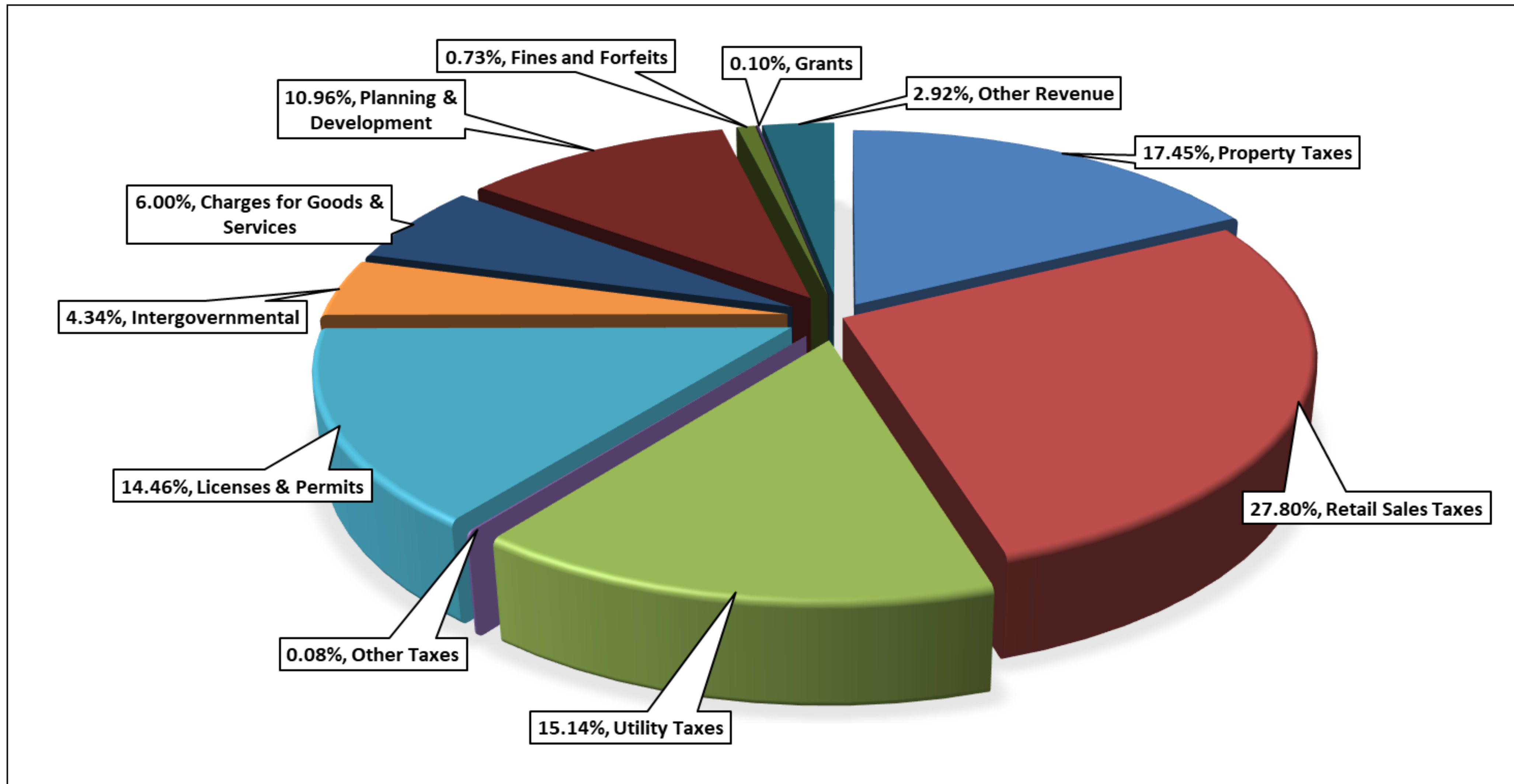
October 24 work session - Update economic forecast and present preliminary budget

November 19 work session - Final touch on 2021 budget - If needed



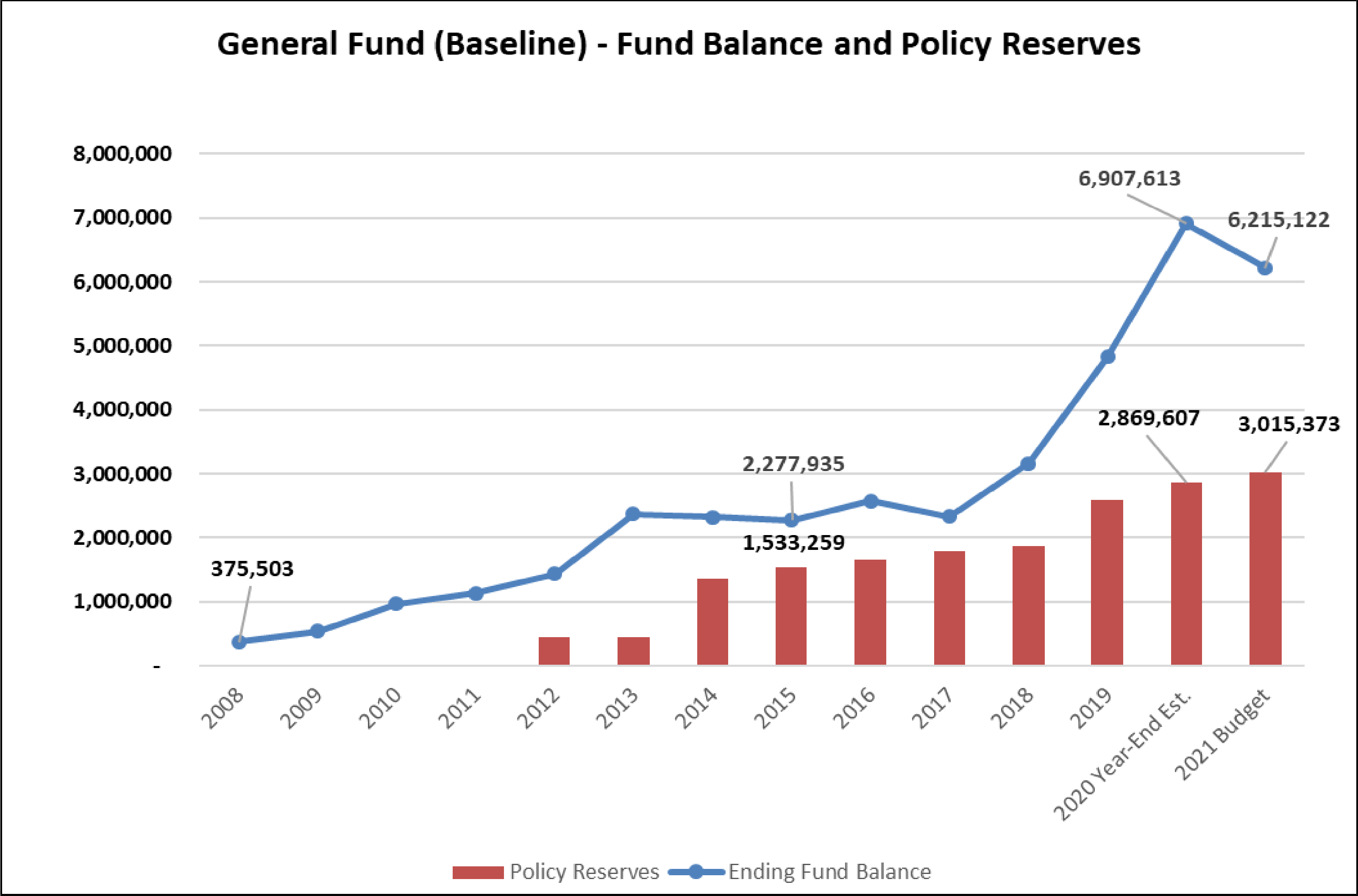
2021 Budget

General and Street Fund Revenue Structure



2021 Budget

General Fund – Fund Balance and Policy Reserves



Attachment: 2021 Initiative and Capital Budget (2021 Budget - Initiatives and Capital Projects)



2021 Revenue Update

General Fund Revenue Forecast

Description	2021 Revenue Forecast	2021 Revenue Update	Percentage Change
001 General Fund			
Revenue			
Property Tax	1,625,000	1,665,000	2.46%
Retail Sales & Other Tax	2,554,020	2,659,925	4.15%
Utility Taxes	1,318,188	1,350,150	2.42%
License & Permits	1,285,035	1,359,860	5.82%
Planning & Development	997,375	1,046,010	4.88%
Fines & Forfeits	69,700	69,700	0.00%
Charge for Goods & Services	572,528	586,328	2.41%
Intergovernmental/Grant	203,336	203,345	0.00%
Other Revenue/Donations	277,800	277,800	0.00%
General Fund Revenue	8,902,982	9,218,118	3.54%



2021 Revenue Update

Street and Utility Funds Revenue Forecast

Description	2021 Revenue Forecast	2021 Revenue Update	Percentage Change
101 Street Fund			
Revenue			
Utility Tax/Franchise Fee	92,091	94,760	2.90%
Permits	20,000	20,000	0.00%
Intergovernmental	220,607	220,610	0.00%
Other Revenue	1,025	1,025	0.00%
Transfers In	400,000	430,438	7.61%
Street Fund Revenue	733,723	766,833	4.51%
406 Water Utility Fund			
Revenue			
Charges for Goods and Services	2,108,752	2,248,635	6.63%
Other Revenue	11,347	10,000	-11.87%
Transfers In	196,158	196,158	0.00%
Water Utility Fund Revenue	2,316,257	2,454,793	5.98%
408 Stormwater Utility Fund			
Revenue			
Charges for Goods and Services	824,962	947,920	14.90%
Other Revenue	2,500	3,000	20.00%
Stormwater Utility Fund Revenue	827,462	950,920	14.92%



2021 Revenue Update

Capital Project Fund Revenue Forecast

Description	2021 Revenue Forecast	2021 Revenue Update	Percentage Change
105 Real Estate Excise Tax (REET) Fund			
Revenue			
Real Estate Excise Taxes	1,250,000	1,500,000	20.00%
Other Revenue	20,000	20,000	0.00%
REET Fund Revenue	1,270,000	1,520,000	19.69%
114 Park Impact Fee (PIF) Fund			
Revenue			
Planning & Development	1,324,875	1,413,200	6.67%
Other Revenue	250	250	0.00%
PIF Fund Revenue	1,325,125	1,413,450	6.67%
115 Traffic Impact Fee (TIF) Fund			
Revenue			
Planning & Development	2,518,842	2,557,612	1.54%
Other Revenue	1,500	1,500	0.00%
TIF Fund Revenue	2,520,342	2,559,112	1.54%
416 Water System Development Charge (WSDC) Fund			
Revenue			
Contributed Capital	1,593,525	1,818,375	14.11%
Other Revenue	40,000	40,000	0.00%
WSDC Revenue	1,633,525	1,858,375	13.76%



2021 Budget

Available Fund Balance

Operating Funds	Avail for Ongoing Initiatives	Avail for One-time Initiatives	Total Available Fund Balance
General & Street Fund	499,666	2,251,456	2,751,122
Building Fund	43,318	1,635,577	1,678,895
Water Operating	362,807	1,009,747	1,372,554
Stormwater Operating	197,168	17,443	214,611
Capital Project Funds			
Real Estate Excise Tax (REET)	-	441,678	441,678
Park Impact Fee (PIF)	-	3,051,000	3,051,000
Traffic Impact Fee (TIF)	-	5,039,595	5,039,595
Water Utility SDC	-	10,262,008	10,262,008
Special Revenue Funds			
Drug Fund	-	6,307	6,307
Affordable Housing	-	28,535	28,535
Transportation Benefit District	-	339,885	339,885
Capital Funds			
Equipment Replacement	-	289,392	289,392
Total Fund Balance			25,475,583



2021 Budget

Submitted Initiatives – Fund Balance Impact

<i>Fund Impact - Initiatives and Capital Projects</i>					
Fund	2021 Ongoing	2020 Carry Forward	2021 One-time	Total Fund Impact	Remaining Fund Balance
Operating Funds					
General & Street Fund Operations	\$ 326,420	\$ 130,000	\$ 553,390	\$ (1,009,810)	\$ 1,741,212
General Fund - Building Fees	\$ 201,200	\$ -	\$ 7,500	(208,700)	1,470,195
Water Operating Fund	\$ -	\$ -	\$ 161,900	(161,900)	1,210,654
Storm Water Operating Fund	\$ 85,100	\$ -	\$ 316,900	(402,000)	(187,389)
Capital Project Funds					
Real Estate Excise Tax (REET)	\$ -	\$ -	\$ -	-	441,678
Park Impact Fee (PIF)	\$ -	\$ -	\$ 215,000	(215,000)	2,836,000
Transportation Impact Fee (TIF)	\$ -	\$ -	\$ 1,930,000	(1,930,000)	3,109,595
Water System Development Charges (WSDC)	\$ -	\$ -	\$ 1,014,000	(1,014,000)	9,248,008
Special Revenue Funds					
Drug Fund	\$ -	\$ -	\$ -	-	6,307
Affordable Housing	\$ -	\$ -	\$ -	-	28,535
Transportation Benefit District	\$ -	\$ -	\$ -	-	339,885
Capital Funds					
Equipment Replacement Funds	\$ -	\$ -	\$ 10,000	(10,000)	279,392
Total Fund Impact	\$ 612,720	\$ 130,000	\$ 4,208,690	\$ (4,951,410)	\$ 20,524,073
Expense related to Grant/Loan Funding - New Revenue	\$ -	\$ -	\$ 1,610,000	(1,610,000)	-
Total Funding Sources				\$ (6,561,410)	\$ 20,524,073



City Council Goals

Goal #1: Plan and Manage the Growth of the City

The City should prepare for, plan and manage the expected growth and its impacts – so that Ridgefield is recognized for its livability, natural environment and innovative local economy.

Goal #2: Revitalize Downtown as a Destination Location

Create a vibrant downtown destination location that provides quality merchandise, service, and activities within an ambience that is unique to Ridgefield and not readily available elsewhere including a walkable downtown, small town character and regularly scheduled social events.

Goal #3: Create and Maintain Economic Stability for the City

Provide for a “complete community” where people can live, work, shop and play. Build a robust economy that provides a wealth of living wage employment opportunities for residents.

Goal #4: Assure the City’s Infrastructure is able to Meet Growing Community Needs

Plan for, manage and maintain the City’s infrastructure (access, streets, water/sewer, etc.), schools, transportation and City services to meet the population and business growth.

Goal #5: Retain Culture and History of Ridgefield

Build upon the City’s friendly inviting small town atmosphere, existence and appearance of historic elements of the community, walkable main streets and animated storefronts by preserving and enhancing them in a way that recovers, uncovers and celebrates its history.

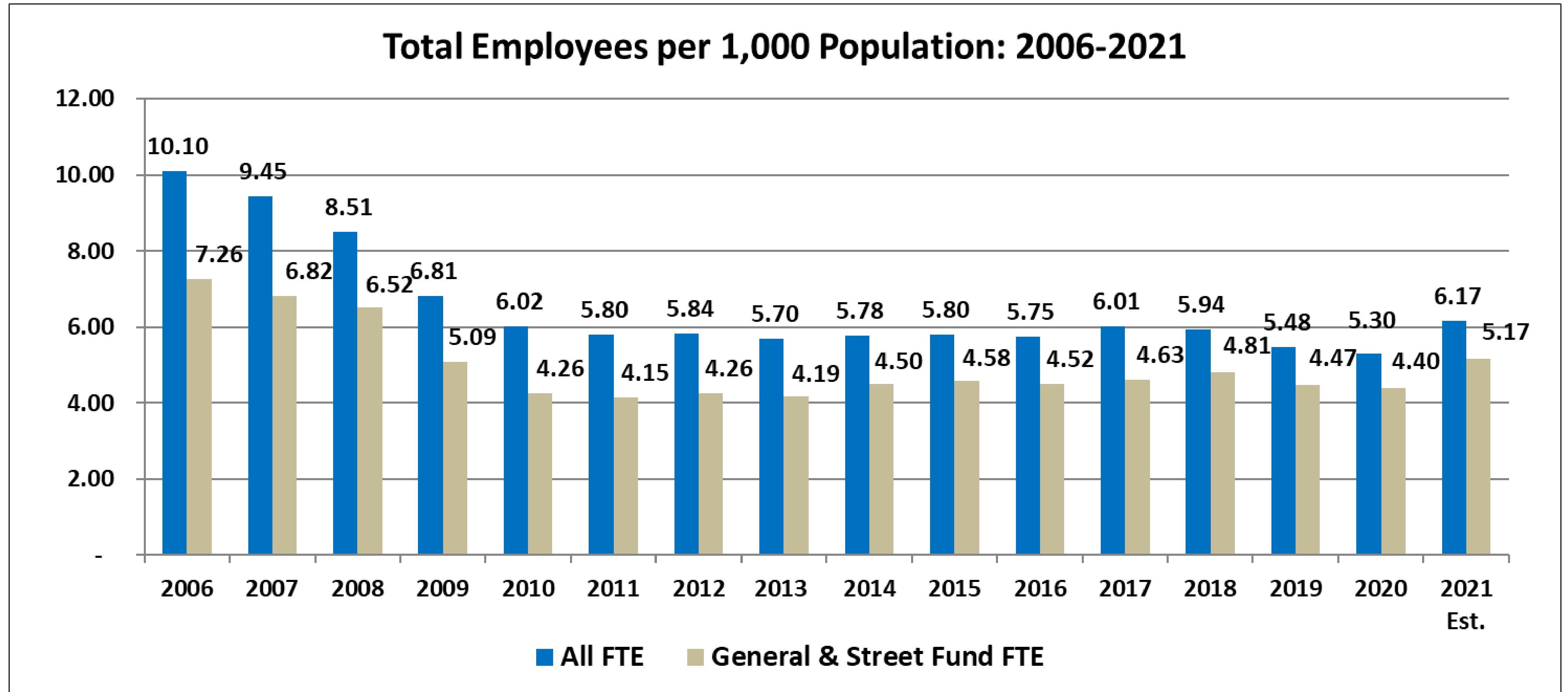
Goal #6: Maximize the City’s Natural Resources and Attractions

Integrate the area’s natural resources such as the Wildlife Refuge, archeological resources, waterfront area, the Lewis & Clark and Native American connections and the building environments. Maintain a healthy environment with abundant opportunities for outdoor recreation and public access to the waterfront; and promote Ridgefield as a place to visit for outdoor recreation and appreciation of the area’s natural assets.



Key Assumptions

Staffing Levels: Per 1,000 Population



2021 Initiatives

Staffing

CITY OF RIDGEFIELD

PROCESS PRIOR TO MAKING REQUEST FOR ADDITIONAL STAFFING

Staff conducts the following analysis prior to requesting that a new FTE be included in the budget:

1. Determine whether it is necessary that the work be performed and whether the work is consistent with Council goals.
2. Maximize efficiencies in how work is performed and services are provided through use of the lean process, technology upgrades, re-assigning duties, work-flows or other modifications.
3. Assure that work is being performed at appropriate level.
4. Review the ability to maintain a high level of customer service; earn and maintain trust of Ridgefield citizens and stakeholders with/without a new position.
5. Assure that there are resources and time for professional management that encourages a supportive work culture of innovation, collaboration and open communication.
6. Review options for providing the service and/or completing the work, e.g., hire a consultant, use of technology, add an FTE for a short or long term.
7. Determine the cost of adding a new position including the budget impact and ongoing need for work/service provided by a full time employee.

Staff takes into account the following external influences, that cannot be controlled by City actions:

1. Population growth and increased demand for City services.
2. Changing demand for City services: community engagement, reliance on technology (internet services, mobile phones)
 - Demand in 2015 – transparency.
 - Demand in 2019 – two-way communication (engagement).
 - Demand in 2020 – adapt working arrangements and services to demands of COVID, additional reliance on technology (may be unique to 1-2 years)
3. Securing sustainable revenue sources to maintain City services/unfunded mandates.
4. Increased workload: community demands and population growth will result in increased workload, staffing levels will not likely keep pace with the service demand.
5. Advances in technology.



2021 Initiatives Staffing

Personnel Schedule (Full-Time Equivalents)				
Job Title	2019 FTE Allocation	2020 FTE Allocation	2021 FTE Allocation	2021 FTE Percentage
Executive	1.00	1.00	1.00	1.66%
Total Finance	3.30	4.30	4.80	7.97%
Total Human Resources	1.30	1.30	1.30	2.16%
Total Administration	2.70	3.70	4.70	7.80%
Total General Government/Facilities	1.02	1.54	1.97	3.27%
Total Public Safety	12.00	12.00	15.00	24.90%
Total Cemetery	0.22	0.24	0.47	0.78%
Total Community Development	9.40	11.72	13.29	22.06%
Total Parks	3.19	3.80	3.97	6.59%
Total Streets	2.91	3.42	4.02	6.67%
Total Water Utility	6.14	6.22	6.18	10.26%
Total Stormwater Utility	2.57	2.51	3.55	5.89%
Total Full Time Equivalents	45.75	51.75	60.25	100.00%
Full-Time Staff				
Full-Time Employees	44.00	50.00	59.00	97.93%
Part-Time Staff				
Part-Time Employees	1.75	1.75	1.25	2.07%



2021 Initiatives

Staffing

Department	Project	One-Time or Ongoing	Funding Source	Total 2021 Requested Appropriation	Funded from Ongoing Revenues	2020 One-Time Carry Forward	Grant/Loan Funding/ Developer Contributions/New Revenue	New 2021 One-Time Initiative Request	Description	Council Goals Met
Staffing/Training Initiatives										
Admin	Classification and Compensation Study	One-time	General Fund	25,000	-	-	-	25,000	Conduct a classification and compensation study per policy and prior to labor negotiations for all staff positions.	1, 3
Admin	New FTE (1 year position)	One-time	General Fund	48,190	-	-	-	48,190	Hire temporary employee for one-year position. Fund portion from 2021 intern budget (\$23,200) and balance from reserves. Total expense \$71,390.	1
CDD	Permit Tech I	Ongoing	Building/ Permit Fees	93,300	88,300	-	-	5,000	New FTE permit tech I to assist with increasing applications and allow current permit tech to focus on higher level building/development applications.	1
CDD	New Project Management FTE (2-year position)	Ongoing	Building/ Permit Fees	116,600	114,100	-	-	2,500	Hire 2-year sunset position to handle project management on commercial land use and building projects. Includes computer, phone etc.	1
Public Safety	Police Clerk	Ongoing	General Fund	42,920	42,920	-	-	-	New FTE for police clerk to time with opening of new facility. Estimate approx. 6 months.	1



2021 Initiatives

Staffing

Department	Project	One-Time or Ongoing	Funding Source	Total 2021 Requested Appropriation	Funded from Ongoing Revenues	2020 One-Time Carry Forward	Grant/Loan Funding/ Developer Contributions/New Revenue	New 2021 One-Time Initiative Request	Description	Council Goals Met
Staffing/Training Initiatives										
Public Safety	Police Officer	Ongoing	General Fund	118,100	98,100	-	-	20,000	New FTE position for police officer. Includes personnel cost \$98k and academy/training and outfitting of officer \$20k. Vehicle from Cowlitz grant received in 2020. Identified in 6-year bus plan.	1
Public Safety	Police Officer	Ongoing	General Fund	196,900	106,900	-	-	90,000	New FTE position for police officer overhire. Includes personnel cost \$107k for lateral hire and outfitting of officer \$20k. Patrol car \$70k.	1
Public Works	New FTE Storm Water Maintenance Worker	Ongoing	Storm Fund	128,700	78,700	-	-	50,000	New FTE position for storm water maintenance. Includes personnel expense and used vehicle. Would eliminate need for seasonal position (\$23,400).	1
Public Works	FTE - Facilities	Ongoing	Fund Street Fund	101,700	76,700	-	-	25,000	New facility maintenance worker. Identified in 6-year business plan. Includes purchase of vehicle.	1
2021 Staffing/Training Initiative Requests				\$ 871,410	\$ 605,720	\$ -	\$ -	\$ 265,690		



2021 Initiatives

General Government

Department	Project	One-Time or Ongoing	Funding Source	Total 2021 Requested Appropriation	Funded from Ongoing Revenues	2020 One-Time Carry Forward	Grant/Loan Funding/ Developer Contributions/New Revenue	New 2021 One-Time Initiative Request	Description	Council Goals Met
General Government Initiatives										
Executive	Park Laundry - Prof Services	One-time	General Fund	20,000	-	-	-	20,000	Consultant and legal expense for Park Laundry remediation.	2, 5, 6
2021 General Government Initiative Requests				\$ 20,000	\$ -	\$ -	\$ -	\$ 20,000		



2021 Initiatives

City Facilities

City Facility Initiatives										
Public Works	Fork Lift, PW Op Center	One-time	Bond Funds	60,000	-	-	60,000	-	Purchase new fork lift to match needs for new facility and safety requirements.	1, 3, 4
Public Works	PW Op Center Upgrades/ Maintenance	One-time	Bond Funds	304,000	-	-	304,000	-	Equipment, maintenance and upgrades to PW Op Center facility.	1, 3, 4
Public Works	Server and IT for PW Op Center	One-time	Bond Funds	30,000	-	-	30,000	-	Purchase IT equipment and server for new facility.	1, 3, 4
Public Works	Material Bins for PW Op Center	One-time	Bond Funds	12,000	-	-	12,000	-	Ecology blocks to store and organize materials at the new PW Operations Center.	1, 3, 4
Public Safety	Police Facility	One-time	General Fund	70,000	-	-	-	70,000	Moving costs, furniture, surveillance equipment for new facility.	1, 4
Public Works	Bennett Kitchen Safety Upgrades	One-time	General Fund	40,000	-	-	-	40,000	Fire suppression system, emergency exit door upgrade, safety lighting and electrical.	1, 3, 4, 6
Public Works	Repave Davis Park Parking and Construct Irrigation Structure.	One-time	General Fund	55,000	-	-	-	55,000	Demolition of existing building next to Davis Park. Replace with small structure to house irrigation control. Complete paving of parking lot.	1, 2, 4
2021 City Facility Initiative Requests				\$ 571,000	\$ -	\$ -	\$ 406,000	\$ 165,000		



2021 Initiatives City Facilities



2021 Initiatives

Vehicle and Equipment

Department	Project	One-Time or Ongoing	Funding Source	Total 2021 Requested Appropriation	Funded from Ongoing Revenues	2020 One-Time Carry Forward	Grant/Loan Funding/ Developer Contributions/New Revenue	New 2021 One-Time Initiative Request	Description	Council Goals Met
Vehicle and Equipment Initiatives										
Finance	Fleet Management Study	One-time	General Fund	35,000	-	-	-	35,000	Consultant cost to complete full review and prepare a fleet management plan for entire city.	1, 3, 4
Public Works	Repair 2006 Ford F350	One-time	ERF - General Fund	10,000	-	-	-	10,000	Repair low mileage diesel truck. Rebuild will add up to 100k additional miles of service. Would be replaced in 2022 if not repaired.	1, 3, 4
Public Works	Brush Mower	One-time	General Fund	10,000	-	-	-	10,000	Purchase brush mower attachment for skid steer to maintain trails, shoulders and natural areas.	1, 3, 4
Public Works	Temporary Traffic Control Equipment	One-time	Street, Water, Storm	23,000	-	-	-	23,000	Update and bring traffic control equipment into compliance. 10% Park, 30% Street, Water and Storm Funds.	1, 4
2021 Vehicle and Equipment Initiative Requests				\$ 78,000	\$ -	\$ -	\$ -	\$ 78,000		



2020 Initiatives Not Recommended for Funding Facility/Vehicle/Equipment

Department	Project	One-Time or Ongoing	Funding Source	Total 2021 Requested Appropriation	Funded from Ongoing Revenues	2020 One-Time Carry Forward	Grant/Loan Funding/ Developer Contributions/New Revenue	New 2021 One-Time Initiative Request	Description	Council Goals Met
2021 Vehicle and Equipment Initiatives Not Recommended for Consideration										
Public Works	Used Vehicle to Tow Storm Maintenance Trailer	One-time	Storm Fund	16,260	-	-	-	16,260	Purchase used vehicle for seasonal staff with ability to tow storm maintenance trailer (7000 lb). Would not be required if storm position is approved.	1, 3, 4
<i>Total Vehicle & Equip Initiatives Not Recommended</i>			-	16,260	-	-	-	16,260		



2021 Capital Projects

Street and Multi Modal

Department	Project	One-Time or Ongoing	Funding Source	Total 2021 Requested Appropriation	Funded from Ongoing Revenues	2020 One-Time Carry Forward	Grant/Loan Funding/ Developer Contributions/New Revenue	New 2021 One-Time Initiative Request	Description	Council Goals Met
Street and Multi Modal Capital Projects										
Public Works	S Pioneer St roundabout and road construction	One-time	TIF, Grant	1,200,000	-	-	-	1,200,000	Construction of new roundabout and roadway improvements for new arterial from I-5 junction to S 5th Ave. Includes ROW acquisition. Total project \$7,012,000. Grant funding \$5,812,000.	1, 3, 4
Public Works	N 8th Ave and Simons St Improvements	One-time	Grant, WSDC, PWTF	580,000	-	-	324,000	256,000	Water upgrades, street, sidewalk and storm enhancements. CDBG \$255k, PWTF, \$69k, WSDC \$215k, Gen Fund \$41k.	1, 2, 3, 4
Public Works	Hillhurst Road Overlay	One-time	General Fund	690,000	-	130,000	560,000	-	Hillhurst Rd overlay project carried over from 2020 due to request from granting agency.	1, 2, 3, 4
Public Works	Pioneer & 51st Roundabout Design	One-time	TIF, Grant	650,000	-	-	-	650,000	Design and permitting for roundabout to serve Discovery Ridge and other commercial properties south of Pioneer.	1, 4
Public Works	Downtown Sidewalk Repairs	One-time	General Fund	50,000	-	-	-	50,000	Additional \$50k from Gen Fund to complete sidewalk repairs on S 3rd Ave, Simons St and Pioneer St.	1, 2, 4
Public Works	Hillhurst Multimodal Trail Construction	One-time	TIF, Grant	400,000	-	-	320,000	80,000	Construction of Hillhurst Multimodal Trail. Applied for Safe Routes to School Grant. If not awarded full cost from TIF/General Fund.	1, 4, 5, 6
2021 Street and Multi Modal Capital Projects				\$ 3,570,000	\$ -	\$ 130,000	\$ 1,204,000	\$ 2,236,000		



2021 Capital Projects

Street and Multi Modal



2021 Capital Projects

Parks and Trails

Department	Project	One-Time or Ongoing	Funding Source	Total 2021 Requested Appropriation	Funded from Ongoing Revenues	2020 One-Time Carry Forward	Grant/Loan Funding/ Developer Contributions/New Revenue	New 2021 One-Time Initiative Request	Description	Council Goals Met
<i>Park and Trail Capital Projects</i>										
Public Works	Trail Head Signage	One-time	General Fund	15,000	-	-	-	15,000	Trail head and wayfinging signs for city trail network.	1, 4, 5, 6
Public Works	Overlook Park Splash Pad Design	One-time	PIF	95,000	-	-	-	95,000	Design and permitting of a splash pad at Overlook Annex.	1, 2, 5, 6
Public Works	Mayors Meadows to Reiman Rd Trail Design	One-time	PIF	120,000	-	-	-	120,000	Design of critical Gee Creek trail link from Abrams Park to Reiman and Hascal trail.	1, 4, 5, 6
<i>2021 Park and Trail Capital Projects</i>				\$ 230,000	\$ -	\$ -	\$ -	\$ 230,000		



2021 Capital Projects Parks and Trails



2021 Capital Projects

Water

Department	Project	One-Time or Ongoing	Funding Source	Total 2021 Requested Appropriation	Funded from Ongoing Revenues	2020 One-Time Carry Forward	Grant/Loan Funding/ Developer Contributions/New Revenue	New 2021 One-Time Initiative Request	Description	Council Goals Met
Water Capital Projects										
Public Works	Water system Risk & Resiliency Assessment & Emergency Response Plan	One-time	Water Fund	70,000	-	-	-	70,000	Complete a water system risk and resiliency assessment and complete an emergency response plan. Required by the American Water Infrastructure Act for systems serving over 3,300 connections.	1, 3, 4
Public Works	Kennedy Well Field	One-time	WSDC	770,000	-	-	-	770,000	Drill, test and equip 10-inch well to deliver up to 700 GPM. Construction to complete in 2022 for \$2.2 million estimate.	1, 3, 4
Public Works	9th Ct Water Line Improvements	One-time	Water Fund	85,000	-	-	-	85,000	Replacement of water line past useful life to increase reliability and reduce maintenance.	1, 3, 4
Public Works	Treatment & Reservoir Improvements	One-time	WSDC	29,000	-	-	-	29,000	Improvements to treatment and reservoir. Eligible for WSDC funding.	1, 4
2021 Water Capital Projects				\$ 954,000	\$ -	\$ -	\$ -	\$ 954,000		



2021 Capital Projects Water



2021 Capital Projects

Storm Water

Department	Project	One-Time or Ongoing	Funding Source	Total 2021 Requested Appropriation	Funded from Ongoing Revenues	2020 One-Time Carry Forward	Grant/Loan Funding/ Developer Contributions/New Revenue	New 2021 One-Time Initiative Request	Description	Council Goals Met
Storm Water Capital Projects										
Public Works	Cedar Ridge Filter Maintenance Program	Ongoing	Storm Fund	7,000	7,000	-	-	-	Add ongoing expense for routine maintenance of filter vaults located at Cedar Ridge.	1, 3, 4
Public Works	Development Swale Maintenance	One-time	Storm Fund	50,000	-	-	-	50,000	Cleanout sediment in bio-swales to remove pollutants. Priority 1.	1, 3, 4
Public Works	Development Swale Maintenance	One-time	Storm Fund	50,000	-	-	-	50,000	Cleanout sediment in bio-swales to remove pollutants. Priority 2.	1, 3, 4
Public Works	Development Swale Maintenance	One-time	Storm Fund	40,000	-	-	-	40,000	Cleanout sediment in bio-swales to remove pollutants. Priority 3.	1, 3, 4
Public Works	Development Swale Maintenance	One-time	Storm Fund	50,000	-	-	-	50,000	Cleanout sediment in bio-swales to remove pollutants. Priority 4.	1, 3, 4
Public Works	Development Swale Maintenance	One-time	Storm Fund	20,000	-	-	-	20,000	Cleanout sediment in bio-swales to remove pollutants. Priority 5.	1, 3, 4
Public Works	Heron and 18th Storm Pond Maintenance	One-time	Storm Fund	50,000	-	-	-	50,000	Clean out existing storm pond of sediment to remove pollutants and provide additional storage capacity.	1, 3, 4
2021 Storm Water Capital Projects				\$ 267,000	\$ 7,000	\$ -	\$ -	\$ 260,000		
Total 2021 Initiatives and Capital Project Requests				\$ 6,620,410	\$ 612,720	\$ 130,000	\$ 1,669,000	\$ 4,208,690		



2021 Capital Projects

Storm Water



2020 Initiatives

Summary by Category

Summary of Initiatives and Capital Projects for Consideration					
	2021 Appropriation	2021 Ongoing Requests	2020 Carry Forward	2021 Grant/Loan Funding	2021 One-Time Requests
Staffing Initiatives	871,410	605,720	-	-	265,690
General Government Initiatives	20,000	-	-	-	20,000
City Facility Initiatives	571,000	-	-	406,000	165,000
Vehicle and Equipment Initiatives	78,000	-	-	-	78,000
Street and Multi Modal Projects	3,570,000	-	130,000	1,204,000	2,236,000
Parks and Trails Projects	230,000	-	-	-	230,000
Water Projects	954,000	-	-	-	954,000
Storm Water Projects	267,000	7,000	-	-	260,000
Project/Initiative Requests	\$ 6,561,410	\$ 612,720	\$ 130,000	\$ 1,610,000	\$ 4,208,690
Total Ongoing		\$ 612,720	Total One-Time		\$ 5,948,690

Attachment: 2021 Initiative and Capital Budget (2021 Budget - Initiatives and Capital Projects)



2021 Operating and Capital Budget Next Steps

- October
 - Budget Advisory Committee Meeting 10/15 10 AM
 - Final revenue forecast
 - Proposed budget and budget message
 - Council work session 10/22 5:30 PM – if needed
- November
 - Final draft of budget available to public
 - Conduct public hearing on revenue sources 11/5 6:30 PM
 - Property tax levy and utility rates 1st reading 11/5 6:30 PM
 - Property tax levy and utility rates 2nd reading 11/19 6:30 PM
 - Conduct public hearing and 1st reading on budget 11/19 6:30 PM
- December
 - Conduct public hearing and 2nd reading on budget 12/3 6:30 PM
 - Adopt 2021 Operating and Capital Budget
 - Transmit 2021 budget to MRSC and State Auditor



THANK YOU

**CITY OF RIDGEFIELD
REQUEST FOR COUNCIL ACTION**

MEETING DATE: September 24, 2020
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: September 24, 2020 - Claims Report (PDF)

City of Ridgefield
Claims Payment Report
For Approval on: September 24, 2020

Sum of Amount					
Vendor Name	Vendor Number	Invoice Number	Resp. Department	Description	Total
ACCELA INC. - EPAY	3386	200921926	Public Works	Customer Web Payments	317.10
		200721926	Public Works	Customer Web Payments - June 2020	67.30
		ACCELA INC. - EPAY Total			
AMAZON BUSINESS	3485	1JCT-YV9L-CWTK	Genl Govt/Facilities	CDD Office Supplies	2.92
			Public Works	CDD Office Supplies	28.23
			Community Development	CDD Office Supplies	109.65
		1HJN-JF1D-KVVV	Genl Govt/Facilities	98 Chevy Stobe Light/ PW Chaps	11.54
			Public Works	98 Chevy Stobe Light/ PW Chaps	154.30
		1H97-QMKY-HFCD	Public Works	Handheld Reader Batteries	37.91
		1MTW-YV1X-36LW	Public Works	Respirator Masks/Filters - Streets	140.88
		1Q7M-M636-GHHV	Public Safety	PD Office/Oper Supplies	41.86
		1QL-QNTN-73VM	Public Works	Stormwater Cargo Net	301.44
		1G94-CF19-7GVP	Public Safety	Gun Rails	77.94
AMAZON BUSINESS Total					906.67
ANDREY KOZHEMYAKIN	3505	3505-20200924	Public Safety	PD Photo's	200.00
ANDREY KOZHEMYAKIN Total					200.00
ARAMARK UNIFORM SERVICES	32	864640143	Genl Govt/Facilities	PW Uniforms/Floor Mats	2.99
			Public Works	PW Uniforms/Floor Mats	51.09
		864619800	Genl Govt/Facilities	PW Uniforms	1.06
				PW Floor Mats	1.93
			Public Works	PW Uniforms	25.29
				PW Floor Mats	25.80
		864610411	Genl Govt/Facilities	PW Uniforms	1.06
				PW Floor Mats	1.93
			Public Works	PW Uniforms	25.29
				PW Floor Mats	25.80
		864619795	Genl Govt/Facilities	CDD/PW/FIN Floor Mats	0.27
				City Hall Floor Mats	7.09
			Public Safety	PD Floor Mats	4.47
			Public Works	CDD/PW/FIN Floor Mats	3.66
			Community Development	CDD/PW/FIN Floor Mats	3.90
		864629892	Genl Govt/Facilities	PW Uniforms	1.06
				PW Floor Mats	1.93
			Public Works	PW Uniforms	25.29
				PW Floor Mats	25.80
		ARAMARK UNIFORM SERVICES Total			
ASSOCIATED CONSULTANTS INC.	1030	20-172-01	Community Development	Seppanen 10th St Property Plan Review	783.75
		19-239-03	Community Development	7-Eleven Sign Pylon Plan Review	427.50
		20-101g-02	Community Development	Pioneer Village Bldg 1 Plan Review	926.25
		20-153-02	Community Development	VRMS Portable Classroom Plan Review	522.50
		20-175-01	Community Development	UNFI New Wall Opening Plan Review	380.00

Attachment: September 24, 2020 - Claims Report (Approval of Claims And/Or Payroll)

City of Ridgefield
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ASSOCIATED CONSULTANTS INC.	1030	20-101e-02	Community Development	Pioneer Village Bldg 5 & 6 Plan Review	902.50
		20-169-01	Public Works	Equip Abrams Prk Well 11 Plan Review	831.25
		20-139-02	Community Development	Camp Pow Wow Plan Review	855.00
		20-101f-02	Community Development	Pioneer Village Bldg 7 & 8 Plan Review	712.50
		20-139-03	Community Development	Police Station Plan Review	1,425.00
ASSOCIATED CONSULTANTS INC. Total					7,766.25
BLUEFIN PAYMENT SYSTEMS	2827	2827-20200924B	Public Works	Customer Web Payment - Aug 2020	21.90
		2827-20200924A	Public Works	Customer Web Payment Fees - Aug 2020	1,149.74
BLUEFIN PAYMENT SYSTEMS Total					1,171.64
CFM STRATEGIC COMMUNICATIONS INC.	2551	25661	Genl Govt/Facilities	Lobbyist - Aug 2020	5,200.00
CFM STRATEGIC COMMUNICATIONS INC. Total					5,200.00
CITIES DIGITAL INC.	3382	49322	Information Technology	Docusign Licensing/Maint	1,544.98
CITIES DIGITAL INC. Total					1,544.98
CITY OF BATTLE GROUND	92	INV00303	Judicial	Court Costs/Public Defender - Aug 2020	14,440.42
		INV00305	Public Works	2020 Summer Playground Program	2,104.00
CITY OF BATTLE GROUND Total					16,544.42
CITY OF RIDGEFIELD-W/S	96	006404-000-20200924	Genl Govt/Facilities	230 Pioneer Street City Hall - Water	73.81
				230 Pioneer Street City Hall - Storm	133.35
		005806-000-20200924	Public Works	Abrams Soccer Field	1,690.73
		007097-000-20200924	Public Works	2311 N 5th Way Crows Nest Park - Storm	38.10
				2311 N 5th Way Crows Nest Park - Water	239.51
		005812-001-20200924	Public Works	Abrams Park Chloine Injector - Storm	19.05
		005488-000-20200924	Public Works	Cemetery Water Spigots - Water	47.48
		009787-000-20200924	Public Works	Green Gables Tract-Q Irrigation M	160.32
		009787-003-20200924	Public Works	Green Gables Tract-D Irrigation MET	480.92
		005815-000-20200924	Genl Govt/Facilities	109 W Division WWTP - CRWWD Portion - Water	117.70
				109 W Division WWTP - CRWWD Portion - Storm	400.05
			Public Works	109 W Division WWTP - Storm	400.05
				109 W Division WWTP - Water	117.71
		005810-000-20200924	Public Works	Abrams Park Standpipe - Water	65.21
		005436-001-20200924	Public Works	1-5/SR501 NE Interchange Irrigation	94.88
		010935-000-20200924	Public Works	Cedar Creek Irrigation Tract B	264.86
		012825-000-20200924	Public Works	IRR West End S Sevier Rd	1,309.06
		005032-000-20200924	Genl Govt/Facilities	111 S Main - Storm	57.15
		007183-000-20200924	Public Works	618 Lark Dr Lark Park - Storm	19.05
				618 Lark Dr Lark Park - Water	295.26
		009272-000-20200924	Public Works	1308 N Heron Dr Hayden Park - Storm	19.05
				1308 N Heron Dr Hayden Park - Water	230.31
		008428-000-20200924	Public Works	Cedar Ridge Park - Storm	19.05
				Cedar Ridge Park - Water	230.82
		005207-000-20200924	Public Works	Blue Heron Community Garden - Water	95.40
		005807-000-20200924	Public Works	Abrams Park Restrooms - Storm	19.05
				Abrams Park Restrooms - Water	136.00
		009787-004-20200924	Public Works	Green Gables Tract-C Irrigation M	324.10

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City of Ridgefield
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CITY OF RIDGEFIELD-W/S	96	005436-005-20200924	Public Works	1-5/SR501 NE Interchange Irrigation	94.88
		006405-000-20200924	Public Works	119 N 3rd Ave Community Park - Water	347.84
				119 N 3rd Ave Community Park - Storm	38.10
		006032-000-20200924	Genl Govt/Facilities	111 S Main - Water	617.47
		009787-006-20200924	Public Works	Roundabout 45th & 3rd	1,051.96
				Park & Ride Lot - Storm	209.55
		005436-009-20200924	Public Works	6007 N Ridgefield Woods Dr. - Irrigation	225.59
		006398-000-20200924	Public Safety	116 N Main Ave PD - Storm	76.20
				116 N Main Ave PD - Water	61.72
		006420-000-20200924	Public Works	315 N 3rd Avenue Davis Park - Water	713.05
		005811-000-20200924	Public Works	Abrams Park Kitchen & Irrigation - Water	49.24
				Abrams Park Kitchen - Storm	400.05
		009787-002-20200924	Public Works	Green Gables Tract-D Irrigation M	693.33
		010821-000-20200924	Public Works	Water Tower (Cemetery)	57.15
		005436-010-20200924	Public Works	5054 Pioneer Street	19.05
		010889-000-20200924	Public Works	Junction Well & Reservoir - Storm	133.35
		009427-000-20200924	Public Works	Columbia Hills Irrigation Tract B Wind River	340.75
		009457-000-20200924	Public Works	Columbia Hills Irrigation Tract D Cispus Way	498.07
CITY OF RIDGEFIELD-W/S Total					12,725.38
CLARK COUNTY	102	CI018729	Public Safety	Range Rental - Aug 2020	200.00
CLARK COUNTY Total					200.00
CLARK COUNTY TREASURERS OFFICE	554	SIF202008	Genl Govt/Facilities	School Impact Fees	767,219.00
CLARK COUNTY TREASURERS OFFICE Total					767,219.00
CLARK PUBLIC UTILITIES	110	7126-408-9-20200924	Public Works	2300 N 3rd Way Bellwood Trail Lights	33.11
		7207-401-6-20200924	Public Works	800 NE 264 St Intertie 1 - Water	24,040.56
		7122-944-7-20200924	Public Works	512 N Allen Dr - Electricity	26.91
		7448-974-1-20200924	Public Works	N 35th Ave and Pioneer St	52.13
		7207-402-4-20200924	Public Works	1504 NW Intertie 3 - Water	4,342.85
		7207-403-2-20200924	Public Works	911 N 65th Ave Intertie 2 - Water	105.26
		7503-626-9-20200924	Public Works	337 S Royal Rd.	113.83
		7516-979-7-20200924	Public Works	(blank)	87.96
		7122-942-1-20200924	Public Works	3701 N 3rd Cir - Electricity	26.98
		7516-978-9-20200924	Public Works	SR/Pioneer ST & S 65 AVE	50.25
		7123-806-7-20200924	Public Works	Pioneer St. & Gee Creek Loop - Electricity	27.07
		7124-838-9-20200924	Public Works	Overlook Park - Electricity	49.51
		7473-699-2-20200924	Public Works	23117 NW HILLHURST RD XWLK	26.66
		7453-365-4-20200924	Public Works	535 N Abrams Park Rd.	37.71
CLARK PUBLIC UTILITIES Total					29,020.79
CLARK REGIONAL WASTEWATER DISTRICT	741	032695-000-20200924	Genl Govt/Facilities	109 W Division WWTP - CRWWD Portion - Sewer	92.05
			Public Works	109 W Division WWTP - Sewer	92.05
		032899-000-20200924	Public Works	Abrams Park Former Mgr House - Sewer	42.81
		035480-000-20200924	Public Works	255 S 56th Pl Well & Reservoir - Sewer	39.75
		032895-000-20200924	Public Works	Abrams Park Restrooms - Sewer	91.12
		032712-000-20200924	Public Safety	116 N Main Ave PD - Sewer	46.49

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City of Ridgefield
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CLARK REGIONAL WASTEWATER DISTRICT	741	032894-000-20200924	Public Works	Abrams Park Kitchen - Sewer	40.98
		032752-000-20200924	Genl Govt/Facilities	230 Pioneer St City Hall - Sewer	81.95
CLARK REGIONAL WASTEWATER DISTRICT Total					527.20
COLUMBIAN PUBLISHING	116	23592	Community Development	Notice of Type II Land Use App	104.40
COLUMBIAN PUBLISHING Total					104.40
COMCAST	2271	2271-202009-109	Genl Govt/Facilities	PW Shop Communications	28.58
			Public Works	PW Shop Communications	382.00
		2271-202009-230	Genl Govt/Facilities	Internet Services - City Hall	465.76
		2271-202009-116	Public Safety	PD Communications	349.22
COMCAST Total					1,225.56
COMCAST BUSINESS	1666	106373941	Genl Govt/Facilities	Internet Services - 230 Pioneer St	379.06
COMCAST BUSINESS Total					379.06
COMDATA NETWORK INC.	1101	20337328	Genl Govt/Facilities	PW/CDD Fuel - XN173 - 8/16/2020-8/31/2020	124.37
			Public Works	PW/CDD Fuel - XN173 - 8/16/2020-8/31/2020	1,662.49
			Community Development	PW/CDD Fuel - XN173 - 8/16/2020-8/31/2020	175.11
		20337319	Public Safety	PD Fuel - XXN795 - 8/16/2020-8/31/2020	735.28
COMDATA NETWORK INC. Total					2,697.25
CONTECH ENGINEERED SOLUTIONS LLC	3498	21305042	Genl Govt/Facilities	Stormwater Supplies	(1.18)
			Public Works	Stormwater Supplies	15.18
CONTECH ENGINEERED SOLUTIONS LLC Total					14.00
DEPARTMENT OF HEALTH	148	2016	Public Works	DM13-952-193 Loan Payment	121,442.47
		2018	Public Works	DM13-952-173 Loan Payment	77,087.82
DEPARTMENT OF HEALTH Total					198,530.29
DEPARTMENT OF LICENSING - CPL	154	RG0000438-2020	Genl Govt/Facilities	CPL Fees - Couch	18.00
		RG0000445-2020	Genl Govt/Facilities	CPL Fees - Lindsay	18.00
		RG0000441-2020	Genl Govt/Facilities	CPL Fees - McKinley	18.00
		RG0000437-2020	Genl Govt/Facilities	CPL Fees - Jeschke	18.00
		RG0000443-2020	Genl Govt/Facilities	CPL Fees - Webb	18.00
		RG0000435-2020	Genl Govt/Facilities	CPL Fees - Cox	18.00
		RG0000446-2020	Genl Govt/Facilities	CPL Fees - Charles	18.00
		RG0000436-2020	Genl Govt/Facilities	CPL Fees - Cox	18.00
		RG0000444-2020	Genl Govt/Facilities	CPL Fees - Marvitz	18.00
		RG0000442-2020	Genl Govt/Facilities	CPL Fees - Stuart	18.00
DEPARTMENT OF LICENSING - CPL Total					180.00
DICK'S TIRE FACTORY	158	D70120	Public Safety	PD Vehicle Maint	43.25
DICK'S TIRE FACTORY Total					43.25
DKS ASSOCIATES	1565	74743	Community Development	On Call Review Services - Aug 2020	780.00
DKS ASSOCIATES Total					780.00
E2 LAND USE PLANNING SERVICES LLC	485	0485-20200924	Community Development	Planning Consulting Services - Aug 2020	4,812.50
E2 LAND USE PLANNING SERVICES LLC Total					4,812.50
ELCOR INC	2081	12852	Genl Govt/Facilities	COVID-19 Computer Equip	8,452.12
			Public Safety	PD Computer Equip	244.49
			Public Works	Grant Computer Equip	294.39
				Brenda Computer Equip	100.25

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City of Ridgefield
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ELCOR INC	2081	12852	Community Development Information Technology	Brenda Computer Equip Grant Computer Equip Brenda Computer Equip City Hall/Emily Computer Equip	214.81 284.75 42.96 245.19
		MSP-12809	Public Safety Public Works Community Development Information Technology	IT Services - Aug 2020 IT Services - Aug 2020 IT Services - Aug 2020 IT Services - Aug 2020	2,487.22 2,078.42 2,210.87 4,830.56
ELCOR INC Total					21,486.03
FERGUSON ENTERPRISES INC # 8423	181	8557854 914800	Public Works Genl Govt/Facilities Public Works	Storm Supplies Water Meters Water Meters	59.35 (897.21) 11,578.23
FERGUSON ENTERPRISES INC # 8423 Total					10,740.37
GSI WATER SOLUTIONS INC.	2971	0727.001-24	Public Works	Ridgefield Groundwater Supply Eval	7,027.50
GSI WATER SOLUTIONS INC. Total					7,027.50
H.D. FOWLER COMPANY	2036	I5573747	Public Works	Water Meters	112.28
H.D. FOWLER COMPANY Total					112.28
INTERMEDIA.NET INC	2187	2009169518	Information Technology	Voice Service Charges - Aug 2020	87.21
INTERMEDIA.NET INC Total					87.21
INTERSTATE ALL BATTERY CENTER OF OREGON	3072	1.9181E+12	Public Works Information Technology	Water Battery Backups Battery Backup - Tad's Computer Battery Backup - Tad's Computer	470.73 10.98 20.40
INTERSTATE ALL BATTERY CENTER OF OREGON Total					502.11
JANEAN Z PARKER	2199	92	Public Works Community Development Legal	Legal Services - Aug 2020 Legal Services - Aug 2020 Legal Services - Aug 2020	350.00 400.00 2,250.00
JANEAN Z PARKER Total					3,000.00
JOE TURNER P.C.	1437	1014	Community Development	Hearings Examiner	1,360.00
JOE TURNER P.C. Total					1,360.00
LEE CONTRACTORS LLC	3500	C2020-032-2	Genl Govt/Facilities Public Works	Equip Abrams Park Well 11 - Less Retainage Equip Abrams Park Well 11 - Less Retainage	(2,695.65) 58,441.69
LEE CONTRACTORS LLC Total					55,746.04
LES SCHWAB TIRES WOODLAND	272	42600400789	Public Works	Storm Vehicle Maint - Tires	1,819.80
LES SCHWAB TIRES WOODLAND Total					1,819.80
MARIUS L MALATTIA	1817	140	Community Development	Design Reviews - Aug 2020	1,137.50
MARIUS L MALATTIA Total					1,137.50
MARTA L. OCHOA-RUTHERFORD	3396	455	Judicial	Interpreting Services	130.00
MARTA L. OCHOA-RUTHERFORD Total					130.00
NAPA AUTO PARTS	498	201523	Public Works	Vehicle Maint - Jeff	26.79
NAPA AUTO PARTS Total					26.79
ON-HOLD CONCEPTS INC	2217	519125 516839	Information Technology Information Technology	On Hold Music Service On Hold Music Service	24.95 24.95
ON-HOLD CONCEPTS INC Total					49.90
OTAK INC.	1787	92000095	Public Works	Refuge Park Improvements	654.84

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City of Ridgefield
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OTAK INC. Total					654.84
OWEN EQUIPMENT COMPANY	916	197330	Public Works	Street Sweeper Rental	1,219.37
OWEN EQUIPMENT COMPANY Total					1,219.37
PAYPAL	3508	202007-01	Genl Govt/Facilities	Event Fee Refunds	60.00
PAYPAL Total					60.00
PBS ENGINEERING AND ENVIRONMENTAL	342	0071403.000-2	Public Works	I-5 S Connection Proj	15,462.34
		0071403.000-4	Public Works	I-5 S Connection Proj	8,301.82
		0071403.000-3	Public Works	I-5 S Connection Proj	21,982.97
		0071403.000-1	Public Works	I-5 S Connection Proj	4,107.78
PBS ENGINEERING AND ENVIRONMENTAL Total					49,854.91
POSTMASTER	348	0348-2020-546	Public Safety	PD PO Box #546	130.00
		0348-20200924-B	Genl Govt/Facilities	Postage Replenishment - Newsletter	986.32
		0348-20200924-A	Genl Govt/Facilities	Postage Replenishment - Events Postcard	499.59
POSTMASTER Total					1,615.91
PROFORCE LAW ENFORCEMENT	1014	421515	Public Safety	Taser Cartridges	943.95
PROFORCE LAW ENFORCEMENT Total					943.95
RICOH USA INC.	1662	104074254	Public Safety	PD Copier Lease - Sept 2020	178.98
RICOH USA INC. Total					178.98
RIDGEFIELD HARDWARE	376	0376-20200924	Genl Govt/Facilities	Oper Supplies - RACC	1.26
				Oper Supplies - PW	5.20
				Small Tools - PW	5.43
				Event Supplies - Dragon Boats	83.71
			Public Safety	Oper Supplies - PD	37.23
				Oper Supplies - RACC	6.73
			Public Works	Oper Supplies - Well 11	11.00
				Oper Supplies - Parks	131.30
				Oper Supplies - Storm	158.81
				Small Tools - Storm	165.85
				Oper Supplies - PW	69.46
				Oper Supplies - Streets	138.96
				Fuel Supplies - Storm	13.65
				Small Tools - PW	72.60
				Oper Supplies - Water	122.10
				Community Development	Oper Supplies - RACC
RIDGEFIELD HARDWARE Total					1,031.29
RIDGEFIELD SCHOOL DISTRICT	378	1001900091	Genl Govt/Facilities	RACC Operating Expense - Wastewater	8.14
				RACC Operating Expense - Water	77.08
				RACC Operating Expense - Electricity	323.67
				RACC Operating Expense - Janitorial	229.15
				RACC Operating Expense - Garbage	18.62
			Public Works	RACC Operating Expense - Wastewater	7.01
				RACC Operating Expense - Water	66.36
				RACC Operating Expense - Electricity	278.67
				RACC Operating Expense - Janitorial	197.29

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RIDGEFIELD SCHOOL DISTRICT	378	1001900091	Public Works	RACC Operating Expense - Garbage	16.02
			Community Development	RACC Operating Expense - Wastewater	29.39
				RACC Operating Expense - Water	278.45
				RACC Operating Expense - Electricity	1,169.25
				RACC Operating Expense - Janitorial	827.78
				RACC Operating Expense - Garbage	67.26
RIDGEFIELD SCHOOL DISTRICT Total					3,594.14
RIDGEFIELD SCHOOL DISTRICT NO. 122	3509	202009-01	Human Resources	Wellness Coffee	100.00
RIDGEFIELD SCHOOL DISTRICT NO. 122 Total					100.00
RJM EQUIPMENT SALES INC.	3410	4949	Public Works	Tools - Water	33.60
RJM EQUIPMENT SALES INC. Total					33.60
RUJEKO DUMBUTSHENA	3506	3506-20200924	Genl Govt/Facilities	MTC - Zoom Dance Class	759.00
RUJEKO DUMBUTSHENA Total					759.00
SHRED-IT US JV LLC	2274	8180388496	Public Safety	Secure Shredding - PD	33.28
		8180388494	Genl Govt/Facilities	Secure Shredding - RACC	6.08
			Public Works	Secure Shredding - RACC	5.24
			Community Development	Secure Shredding - RACC	21.96
		8180388495	Genl Govt/Facilities	Secure Shredding - City Hall	43.81
SHRED-IT US JV LLC Total					110.37
SPRINGBROOK SOFTWARE LLC	3444	INV-004140	Public Works	Customer Web Payments	326.00
SPRINGBROOK SOFTWARE LLC Total					326.00
STAPLES CONTRACT & COMMERCIAL INC	2884	8059532288	Genl Govt/Facilities	Oper/Office Supplies - Aug 2020	253.13
			Public Works	Oper/Office Supplies - Aug 2020	97.84
			Community Development	Oper/Office Supplies - Aug 2020	238.35
			Finance	Oper/Office Supplies - Aug 2020	107.20
STAPLES CONTRACT & COMMERCIAL INC Total					696.52
STATE OF WASHINGTON DEPARTMENT OF REVENUE	156	0-011-390-265	Genl Govt/Facilities	August 2020 B&O and Excise Tax	4,623.77
			Public Works	August 2020 B&O and Excise Tax	8,372.47
STATE OF WASHINGTON DEPARTMENT OF REVENUE Total					12,996.24
THE GUNTER GROUP LLC	3493	3431	Community Development	SmartGov Consulting Project	24,657.50
THE GUNTER GROUP LLC Total					24,657.50
THE MASTERS TOUCH LLC	1786	P71292	Public Works	Utility Statements Postage - Aug 2020	1,210.71
		71292	Public Works	Utility Statements - Aug 2020	970.17
THE MASTERS TOUCH LLC Total					2,180.88
THE PARR COMPANY	964	26524164	Public Works	Water Oper Supplies	23.59
		26524814	Genl Govt/Facilities	Digital Level - Weichman	15.62
			Public Works	Digital Level - Weichman	62.48
			Community Development	Digital Level - Weichman	234.30
THE PARR COMPANY Total					335.99
THE PRINT SHOP	1580	67323	Genl Govt/Facilities	AP Envelopes	133.91
THE PRINT SHOP Total					133.91
TRAFFIC SAFETY SUPPLY	432	INV029549	Genl Govt/Facilities	Street Signs	(56.11)
			Public Works	Street Signs	724.11
TRAFFIC SAFETY SUPPLY Total					668.00

Attachment: September 24, 2020 - Claims Report (Approval of Claims And/Or Payroll)

City of Ridgefield
Claims Payment Report
For Approval on: September 24, 2020

TRUEPOINT SOLUTIONS	3064	20-705	Public Works	Stormwater Prof Services	75.00
TRUEPOINT SOLUTIONS Total					75.00
USA BLUEBOOK	444	342782	Genl Govt/Facilities	PW Safety Glasses/Cleaner	3.18
			Public Works	PW Safety Glasses/Cleaner	42.47
		325498	Public Works	Water Supplies	368.68
USA BLUEBOOK Total					414.33
VERIZON WIRELESS	452	9861720687	Genl Govt/Facilities	PW Cell Phones & 2 iPads	60.98
			Public Safety	PD Cell Phones	548.52
			Public Works	PW Cell Phones & 2 iPads	815.20
			Community Development	CDD Cell Phones	251.69
		9861720685	Genl Govt/Facilities	PW Cell Phones & 2 iPads	18.76
				PW Director iPad	4.13
				Julie iPad	27.45
				Patricia Cell Phone	41.89
			Public Safety	PD Cell Phones	524.79
				PD Chief iPad	27.48
			Public Works	PW Cell Phones & 2 iPads	250.69
				PW Director iPad	17.81
			Community Development	PW Director iPad	5.50
				CDD Cell Phones	262.39
				CDD Director iPad	27.47
			Administration	Deputy City Manager iPad	27.47
			Council	Council iPads	306.13
			Executive	City Manager iPad	27.47
			Finance	Finance Director iPad	27.48
		9861720686	Public Works	Hillhurst Ped Crossing - Aug 2020	110.04
VERIZON WIRELESS Total					3,383.34
WASHINGTON STATE PATROL	463	I21001015	Genl Govt/Facilities	Background Checks - CPL	53.00
WASHINGTON STATE PATROL Total					53.00
WELLS FARGO	1681	202008-7028	Genl Govt/Facilities	Brunson Chevron 0203556 PW Fuel	15.29
				Brunson At&T Usq 76773 Cell Phone Car Charger -Brunson	0.60
				Brunson Havoline Express Lube Vehicle Maint -Brunson	1.69
			Public Works	Brunson Chevron 0203556 PW Fuel	203.99
				Brunson At&T Usq 76773 Cell Phone Car Charger -Brunson	29.76
				Brunson Havoline Express Lube Vehicle Maint -Brunson	83.04
		202008-6921	Genl Govt/Facilities	Doriot Blauer Manufacturing WA Sales Tax - Uniform - Doriot	(13.02)
			Public Safety	Doriot Chevron 0382345 Fuel	266.70
				Doriot Costco Whse #0772 Paper plates for office	14.73
				Doriot Fred-Meyer #0460 Frames for photographs king recognition	20.78
				Doriot Rosauers Supermarket # Fuel by King	36.39
				Doriot Blauer Manufacturing Uniform - Doriot	168.00
		202008-5756	Information Technology	Rubio Romero Adobe Acropro Subs Acropro Subs - Stuart	16.14
				Rubio Romero Adobe 800-833-6687 Acrobat Pro Subs Adobe -Giles	16.25
				Rubio Romero Zoom.Us 888-799-9666 Virtual Mtg Platform	25.18

Attachment: September 24, 2020 - Claims Report (Approval of Claims And/Or Payroll)

City of Ridgefield
Claims Payment Report
For Approval on: September 24, 2020

WELLS FARGO	1681	202008-5756	Information Technology	Rubio Romero Txtsignal.Com Texting software for outreach	39.00
		202008-7002	Genl Govt/Facilities	Thamert Chevron 0203556 Truck Fuel	4.17
				Thamert Chevron 0203556 Truck Fuel- 57233D	3.77
				Thamert Chevron 0203556 Truck Fuel. Lic 57233D	2.96
			Public Works	Thamert Chevron 0203556 Truck Fuel	55.72
				Thamert Chevron 0203556 Truck Fuel- 57233D	50.46
				Thamert Chevron 0203556 Truck Fuel. Lic 57233D	39.63
				Thamert Chevron 0203556 Vactor Truck Fuel-Rental	200.00
				Thamert Rosauers Supermarket # Vactor Truck Fuel-Rental	435.35
				Thamert O'Reilly Auto Parts 4618 Vactor Truck DEF-Rental	23.72
				Thamert Manthe Equipment Parts for DR Mower	91.20
		202008-7044	Public Works	Arends Watkins Tractor Supply Mower blades for Kabuta	119.45
		202008-6947	Genl Govt/Facilities	Kipp Apple.Com/Bill Events	14.08
				Kipp Etsy.Com - Kimmelsoncreat First Saturday	21.68
				Kipp Otc Brands Inc First Saturday crafts	256.50
			Information Technology	Kipp Apple.Com/Bill City Hall	10.83
		202008-6939	Community Development	Lust Ridgefield Pack And Ship Ship 2 CDD ipads to consultants as	21.28
				Lust Event The Ins And Out Online training for electronic plan	140.00
		202008-6988	Information Technology	Knottnerus Amazon Web Services Website BackUp	0.44
				Knottnerus Zoom.Us Meeting Platform	16.24
		202008-6996	Genl Govt/Facilities	Demoss Sticker Mule 100 in 100 community event finishers prize	238.48
				Demoss Sticker Mule Multicultural Festival button pin giveaway	53.12
				Demoss Sp Sublimation House WA Sales Tax - COVID Face masks to	(203.21)
				Demoss Wal-Mart #5929 Memory card for events camera.	15.15
				Demoss Ridgefield Hardware Whodunnit mystery gift card game priz	25.00
				Demoss Sp Sublimation House COVID Face masks to give away	2,622.41
			Information Technology	Demoss E-Clincher social media software	49.00
				Demoss Adobe Inc graphics design and video editing software	57.44
		202008-7010	Public Safety	Hoots Event Pra Deep Dive training fee	35.00
				Hoots Adobe Acropro Subs adobe acrobat subscription	16.25
				Hoots Tlo Transunion background investigation	54.20
				Hoots Costco Whse #0772 coffee pd	31.99
		202008-6962	Genl Govt/Facilities	Denton Sp Sublimation House WA Sales Tax - COVID - Facemasks f	(154.78)
				Denton Sp Sublimation House COVID - Facemasks for local busine	1,997.34
				Denton Pacific Office Automatio Scanner for Patricia due to COVI	2,601.60
				Denton Bestcanvas Inc Refund for order of Facemasks on 07/16/202	(3,400.00)
		202008-6970	Community Development	Johnson Rosauers Food & Dru Water for inspectors	9.72
		202008-7036	Executive	Stuart Three Sixty Burgers An Mtg w/Councilors re: upcoming City	125.69
				Stuart Three Sixty Burgers An GMA workgroup meeting	26.14
				Stuart Three Sixty Burgers An Business leaders regional transpor	22.43
				Stuart The Sportsmans Mtg w/ Councilors re: upcoming City issues	63.12
				Stuart La Cosina Real Mtg w/Councilors re: upcoming City issues/	50.07
				Stuart Three Sixty Burgers An Meeting re:Ridgefield YMCA	25.06
				Stuart Three Sixty Burgers An GMA Work Group Meeting	21.89

Attachment: September 24, 2020 - Claims Report (Approval of Claims And/Or Payroll)

City of Ridgefield
Claims Payment Report
For Approval on: September 24, 2020

WELLS FARGO	1681	202008-6954	Public Safety	Brooks Rosauers Supermarket # PD Fuel	48.59
		202008-7051	Human Resources	Blehm Costco Whse #0772 WellNess Snacks	286.96
WELLS FARGO Total					7,150.66
ZW USA INC.	3063	362790	Genl Govt/Facilities	Dog Waste Bags	(24.33)
			Public Works	Dog Waste Bags	313.98
ZW USA INC. Total					289.65
Grand Total					1,269,155.66

Attachment: September 24, 2020 - Claims Report (Approval of Claims And/Or Payroll)

**CITY OF RIDGEFIELD
REQUEST FOR COUNCIL ACTION**

MEETING DATE: September 24, 2020

ITEM:

AGENDA ITEM TITLE: Approval of Minutes from the September 10, 2020 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 Ferriss, City Clerk

ATTACHMENTS: 09-10-2020 (PDF)



CITY OF RIDGEFIELD, WASHINGTON

City Council MEETING MINUTES

September 10, 2020

Regular Meeting - 6:30 PM

GENERAL SESSION CALL TO ORDER - 6:30 PM

ROLL CALL

Attendee Name	Title	Status	Arrived
Ron Onslow	Councilor	Present	
Lee Wells	Councilor	Present	
Don Stose	Mayor	Present	
Sandra Day	Councilor	Present	
Jen Lindsay	Councilor	Present	
Rob Aichele	Councilor	Present	
Dana Ziemer	Councilor	Present	

LATE CHANGES TO THE AGENDA

CONSENT AGENDA - MOTION TO APPROVE AS PRESENTED.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ron Onslow, Councilor
SECONDER:	Jen Lindsay, Councilor
AYES:	Onslow, Wells, Stose, Day, Lindsay, Aichele, Ziemer

1. Approval of Claims And/Or Payroll
2. Approval of Minutes from the August 27, 2020 Meeting

PROCLAMATION

Bill Iyall Retirement

PUBLIC HEARING/BUSINESS

1. Public Hearing and First Reading of Ordinance No. 1321 - Ridgefield Municipal Code Amendments - Claire Lust, Community Development Director

Staff presented proposed amendments to the following Titles of the Ridgefield Municipal Code (RMC):

RMC Title 9 - Public Peace, Morals and Safety

RMC Title 10 - Vehicles and Traffic

RMC Title 12 - Streets and Sidewalks

RMC Title 13 - Public Utilities

RMC Title 18 - Development Code

City Council conducted discussion on proposed amendments.

Mayor opened Public Hearing: 7:59PM

No testimony received.

Mayor closed Public Hearing: 7:59PM

COUNCIL/PRESIDING OFFICER/STAFF REPORTS

Council

Council Member Ziemer - Attended Police Department building groundbreaking ceremony.

Council Member Aichele - Attended virtual Port of Ridgefield meeting, worked on dragon boats.

Council Member Day - Attended virtual multicultural event, Friends of the Refuge committee meeting.

Council Member Wells - Attended City Manager briefing.

Council Member Lindsay - Attended Police Department building groundbreaking ceremony, AWC legislative committee meeting, webinar - friends of the children.

Council Member Onslow - Received nomination from Vancouver Chamber of Commerce for Business & Leadership Awards - States Person of the Year.

Mayor

Happy Birthday to Council member Onslow.

City Manager

City Manager Steve Stuart - BUILD Grant update, roundabout 2020 grape discussion.

Finance Director Kirk Johnson - Budget Advisory Committee meeting reminder.

Police Chief John Brooks - Neighbors on Watch meeting update, enhanced speed control update.

ADJOURN - [8:42 PM](#)

Julie Ferriss, City Clerk

Don Stose, Mayor

Attachment: 09-10-2020 (Approval of Minutes)

CITY OF RIDGEFIELD REQUEST FOR COUNCIL ACTION

MEETING DATE: September 24, 2020

ITEM:

AGENDA ITEM TITLE: Ridgefield Municipal Code Amendments

PREVIOUS COUNCIL ACTION TAKEN:

1st Reading and Public Hearing: September 10, 2020

SUMMARY/BACKGROUND:

The City proposes amendments to the following Titles of the Ridgefield Municipal Code (RMC):

- RMC Title 9 – Public Peace, Morals and Safety
- RMC Title 10 – Vehicles and Traffic
- RMC Title 12 – Streets and Sidewalks
- RMC Title 13 – Public Utilities
- RMC Title 18 – Development Code

See attached staff report and exhibits for details. Based on the discussion during the public hearing and first reading, minor changes are proposed to the text amendments in RMC 9.030.E.5, RDC 18.235.060.P.1, RDC 18.240.080.B.1, and RDC 18.310.150.J.

BUDGET/FINANCIAL IMPACTS:

Title 9: None.

Title 10: Parking - small revenue component via a \$10 fee. Proposed ordinance is primarily regulatory and not revenue oriented. Impact estimated to be less than \$500.

Title 12: None.

Title 13: None.

Title 18: None.

RECOMMENDED ACTION OR MOTION:

Staff recommends Council adopt Ordinance No. 1321, Title 9 Amendments, by making the following motion:

“I move to adopt Ordinance No. 1321, Title 9 Amendments, as presented.”

****Repeat for Ordinance Nos. 1322-1325****

STAFF CONTACT: Claire Lust, Community Development Director

ATTACHMENTS: 2020 RMC Amendments Staff Report_CC_2 (PDF)
Exhibit A - Title 9 Amendments (DOCX)
Application for Retail License (PDF)
Exhibit B - Title 10 Amendments 9.24.2020 (PDF)
Golf-Cart-Zone (JPG)

Exhibit C - Title 12 Amendments (DOCX)

Exhibit D - Title 13 Amendments (DOCX)

Exhibit E - Title 18 Amendments 9.23.20 (DOCX)

ORDINANCE NO. 1321-1325

RIDGEFIELD MUNICIPAL CODE AMENDMENTS

ORDINANCE NO. 1321

**AN ORDINANCE OF THE CITY OF RIDGEFIELD, WASHINGTON AMENDING TITLE 9
PUBLIC PEACE, MORALS, AND SAFETY TO REVISE FIREWORKS REGULATIONS
WITHIN THE CITY**

WHEREAS, the City wishes to amend the regulation of fireworks to assure consistency with state law and require a City license to sell fireworks within the City;

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

Section 1. Public Interest. The Ridgefield City Council finds it to be in the public interest to adopt updates to the City's Fireworks regulations of the Ridgefield Municipal Code.

Section 2. Amending Section 9.04.030. That Ridgefield Municipal Code Section 9.04.030 Fireworks, is amended by as set forth in Exhibit A attached hereto and incorporated fully by this reference.

Section 3. 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 4. 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 5. Effective Date. This ordinance shall be in full force and effect thirty (30) calendar days after adoption and publication pursuant to law.

PASSED BY THE CITY COUNCIL OF THE CITY OF RIDGEFIELD, WASHINGTON THIS 24th DAY OF SEPTEMBER, 2020.

Don Stose, Mayor

ATTEST/AUTHENTICATED:

Julie Ferriss,
City Clerk

APPROVED AS TO FORM:

Janean Parker, City Attorney

First Reading/Passage: September 10, 2020

Second Reading/Passage: September 24, 2020

Date of Publication:

Effective Date:

EXHIBIT A:**Amendments to Title 9 of the Ridgefield Municipal Code****ORDINANCE NO. 1322****AN ORDINANCE OF THE CITY OF RIDGEFIELD, WASHINGTON AMENDING TITLE 10
VEHICLES AND TRAFFIC TO ADDRESS SPEED LIMITS AND REGULATION OF
SPECIALTY VEHICLES WITH THE CITY**

WHEREAS, the police and public works departments have reviewed the provisions within Title 10 for necessary updates to assure that the provisions reflect the most current practices and road conditions; and

WHEREAS, the City wishes to have regulations concerning Recreational Vehicle parking that promote the public health, safety, and welfare and are consistent with neighboring jurisdictions; and

WHEREAS, the City desires to create a permit system to allow short duration RV occupancy while visiting an abutting property owner, but otherwise prohibit occupancy when parked on City streets; and

WHEREAS, the City wishes to expand the golf cart zone to allow carts in more areas of the City;

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

Section 1. Public Interest. The Ridgefield City Council finds it to be in the public interest to adopt updates to the City's Traffic and Parking Chapter of the Ridgefield Municipal Code.

Section 2. Amending Chapter 10.08. That Ridgefield Municipal Code Chapter 10.08 is amended as set forth in Exhibit B attached hereto and incorporated fully by this reference.

Section 2. Amending Chapter 10.12. That Ridgefield Municipal Code Chapter 10.12 is amended as set forth in Exhibit B attached hereto and incorporated fully by this reference.

Section 3. Amending Chapter 10.18. That Ridgefield Municipal Code Chapter 10.18 is amended as set forth in Exhibit B attached hereto and incorporated fully by this reference.

Section 4. 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 5. 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 6. Effective Date. This ordinance shall be in full force and effect thirty (30) calendar days after adoption and publication pursuant to law.

PASSED BY THE CITY COUNCIL OF THE CITY OF RIDGEFIELD, WASHINGTON THIS 24th DAY OF SEPTEMBER, 2020.

Don Stose, Mayor

ATTEST/AUTHENTICATED:

Julie Ferriss,

City Clerk

APPROVED AS TO FORM:

Janean Parker, City Attorney

First Reading/Passage: September 10, 2020

Second Reading/Passage: September 24, 2020

Date of Publication:

Effective Date:

EXHIBIT B:

Amendments to Title 10 of the Ridgefield Municipal Code

ORDINANCE NO. 1323**AN ORDINANCE OF THE CITY OF RIDGEFIELD, WASHINGTON AMENDING CHAPTER 12.04 RELATED TO SIDEWALKS TO UPDATE THE STANDARDS AND PROCEDURES FOR THE CONSTRUCTION AND REPAIR OF SIDEWALKS WITHIN THE CITY**

WHEREAS, the public works departments have reviewed the provisions within Chapter 12.04 for necessary updates to assure that the provisions reflect current law and best practices for the construction and repair of city sidewalks;

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

Section 1. Public Interest. The Ridgefield City Council finds it to be in the public interest to adopt updates to the City's Sidewalk Construction, Maintenance, Repair, and Reconstruction Chapter of the Municipal Code

Section 2. Amending Chapter 12.04. That Ridgefield Municipal Code Chapter 12.04 is amended by as set forth in Exhibit C attached hereto and incorporated fully by this reference.

Section 3. 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 4. 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 5. Effective Date. This ordinance shall be in full force and effect thirty (30) calendar days after adoption and publication pursuant to law.

PASSED BY THE CITY COUNCIL OF THE CITY OF RIDGEFIELD, WASHINGTON THIS 24th DAY OF SEPTEMBER, 2020.

Don Stose, Mayor

ATTEST/AUTHENTICATED:

Julie Ferriss,
City Clerk

APPROVED AS TO FORM:

Janean Parker, City Attorney

First Reading/Passage: September 10, 2020

Second Reading/Passage: September 24, 2020

Date of Publication:

Effective Date:

EXHIBIT C:

Amendments to Title 12 of the Ridgefield Municipal Code

ORDINANCE NO. 1324

AN ORDINANCE OF THE CITY OF RIDGEFIELD, WASHINGTON ADDING A NEW CHAPTER 13.80 “ILLICIT DISCHARGE-STORMWATER UTILITY” TO THE RIDGEFIELD MUNICIPAL CODE TO REGULATE THE ILLICIT DISCHARGE OF POLLUTANTS INTO THE CITY’S STORMWATER UTILITY

WHEREAS, the City desires to provide for the health, safety, and general welfare of its citizens; and

WHEREAS, the City finds that pollutants are being introduced into its stormwater utility which may pose a risk to citizens, wildlife, and the environment; and

WHEREAS, the City wishes to regulate, prohibit, and provide for the enforcement of violations for the discharge of pollutants in its stormwater utility;

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

Section 1. Public Interest. The Ridgefield City Council finds it to be in the public interest to adopt a chapter within the municipal code to regulate illicit discharges of pollutants into the City’s stormwater utility.

Section 2. Adding Chapter 13.80. That Ridgefield Municipal Code Title 13 is amended to add a new Chapter 13.80 “Illicit Discharge-Stormwater Utility” as set forth in Exhibit D attached hereto and incorporated fully by this reference.

Section 3. 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 4. 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 5. Effective Date. This ordinance shall be in full force and effect thirty (30) calendar days after adoption and publication pursuant to law.

PASSED BY THE CITY COUNCIL OF THE CITY OF RIDGEFIELD, WASHINGTON THIS 24th
DAY OF SEPTEMBER, 2020.

Don Stose, Mayor

ATTEST/AUTHENTICATED:

Julie Ferriss,
City Clerk

APPROVED AS TO FORM:

Janean Parker, City Attorney

First Reading/Passage: September 10, 2020

Second Reading/Passage: September 24, 2020

Date of Publication:

Effective Date:

EXHIBIT D:**Amendments to Title 13 of the Ridgefield Municipal Code****ORDINANCE NO. 1325****AN ORDINANCE OF THE CITY OF RIDGEFIELD, WASHINGTON
AMENDING CHAPTERS WITHIN TITLE 18 OF THE RIDGEFIELD MUNICIPAL CODE**

AMENDING CHAPTERS 18.100 DEFINITIONS, 18.205 USES, 18.210 RESIDENTIAL LOW DENSITY DISTRICTS, 18.230 COMMERCIAL DISTRICTS, 18.235 MIXED-USE DISTRICTS, 18.240 EMPLOYMENT DISTRICT, 18.280 CRITICAL AREAS PROTECTION 18.310 PROCEDURES, 18.350 MODIFICATIONS TO STANDARDS, 18.395 ENFORCEMENT PROCEDURES AND PENALTIES, 18.500 SITE PLAN REVIEW, 18.710 SIGNS, AND 18.725 LANDSCAPING.

WHEREAS, the City of Ridgefield, located in Clark County, Washington, is required to plan under the Growth Management Act (GMA), Revised Code of Washington (RCW) Chapter 36.70A; and

WHEREAS, Ridgefield adopted the Ridgefield Urban Area Comprehensive Plan (RUACP), as amended, consistent with the GMA; and

WHEREAS, RCW 36.70A.040 and WAC 367-195-800 require jurisdictions planning under the GMA to adopt development regulations that are consistent with the adopted Comprehensive Plan and which implement the Comprehensive Plan policies goals and policies; and

WHEREAS, Title 18 of the Ridgefield Municipal Code (RMC) was established in 1995 by Ordinance 676 and amended thereafter, and is intended to implement the Ridgefield Comprehensive Plan; and

WHEREAS, the Ridgefield City Council passed additional resolutions after this time period that revised the development regulations, including Ordinance Nos. 1072, 1108, 1132, 1178, 1225, 1230, 1232, 1234, 1253, 1260, 1266, 1290, 1291, 1296, and 1304; and

WHEREAS, the Ridgefield Planning Commission, after conducting a public hearing on the proposed revisions to Title 18 on September 2, 2020, forwarded a recommendation to amend Titles 18 to the City Council; and

WHEREAS, the City of Ridgefield submitted notice of the proposed amendments to the Washington State Department of Commerce on February 4, 2020 consistent with RCW 36.70A; and

WHEREAS, consistent with WAC 197-11-340(2), on February 5, 2020 the City of Ridgefield issued a Determination of Non-significance regarding the proposed Ridgefield Development Code update; and,

WHEREAS, the public comment period expired on September 3, 2020 and the City addressed all comments received; and,

WHEREAS, the Ridgefield City Council conducted a public hearing and the first reading of the proposed amendments to Title 18 during a regularly scheduled City Council meeting held on September 10, 2020; and

WHEREAS, the Ridgefield City Council conducted a second ordinance reading on the proposed amendments to Title 18 during a regularly scheduled meeting held on September 24, 2020; and

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

Section 1. Public Interest. The Ridgefield City Council finds it to be in the public interest to adopt amendments to Titles 18 to ensure that the City's development and zoning regulations continue to implement the Ridgefield Urban Area Comprehensive Plan.

Section 2. Amendments of Title 18 of the Ridgefield Municipal Code. The Ridgefield City Council hereby amends certain Chapters of Titles 18 set forth below in Exhibit E, attached hereto and incorporated by this reference.

Section 3. Compliance with RCW 36.70A.130. The City of Ridgefield has met its obligations under RCW 36.70A.130 and finds no additional compliance actions are necessary.

Section 4. 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, zoning district names, ordinance numbering, section/subsection numbers and any references thereto.

Section 5. Severability. If any section, subsection, sentence, clause, phrase, or other portion of this Ordinance, or its application to or any other person or circumstance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection or portion thereof, irrespective of the fact that any one or more of the other portions be declared invalid or unconstitutional.

Section 6. Applicability. This ordinance shall be applied in the current city limits and City of Ridgefield Urban Growth Area (UGA) as adopted by the Clark County Board of County Commissioners and the subsequent acceptance by the Ridgefield City Council.

Section 7. Effective Date. This ordinance shall be in full force and effect thirty (30) calendar days after adoption and publication pursuant to law.

PASSED BY THE CITY COUNCIL OF THE CITY OF RIDGEFIELD, WASHINGTON THIS 24th DAY OF SEPTEMBER, 2020.

Don Stose, Mayor

ATTEST/AUTHENTICATED:

Julie Ferriss,
City Clerk

APPROVED AS TO FORM:

Janean Parker, City Attorney

First Reading/Passage: September 10, 2020

Second Reading/Passage: September 24, 2020

Date of Publication:

Effective Date:

EXHIBIT E:

Amendments to Title 18 of the Ridgefield Municipal Code



THE CITY OF RIDGEFIELD

510 Pioneer Street Ste B | P.O. Box 608 | Ridgefield, WA

Amendments to Ridgefield Municipal Code Titles 9, 10, 12, 13, and 18 City Council Staff Report / September 24, 2020

TITLE 9 – Public Peace, Morals, and Safety / ORD No. 1321

BACKGROUND/DISCUSSION

Fireworks

In November 2017, City Council adopted a ban on fireworks within Ridgefield city limits for New Year's Eve and New Year's Day, which took effect in 2018. Effective 2019, Council modified the dates and times that sales and discharge of fireworks are permitted in City limits. The Ridgefield Municipal Code (RMC) currently does not include guidelines for temporary stands created the purpose of selling fireworks in Ridgefield.

Washington State Fireworks Law, RCW 70.77 and WAC 212-17, provide the definitions, requirements and prohibitions relating to the sale of fireworks. For the sale of fireworks, state law provides that:

1. A permit is required to engage in the sale of fireworks including a license from the Washington State Patrol/Fire Marshal, and the local government where the sales will occur.
2. The permittee must provide liability insurance coverage.
3. The permit is valid and effective from January 1 to January 31.
4. Consumer fireworks are only permitted to be sold in a temporary stable structure that meets specific requirements.
5. A permit is not transferrable.

Clark County and municipalities within the County also provide requirements relating to sales of fireworks that implement and supplement state law. Requirements in local jurisdictions include:

	Eligibility for Permit	Preference for Returning Applicant	Number of Permits	Timeline for Application	Selection Procedure	Validity of Permits
Clark County	N/A	Yes, if file intent to sell by January 1	1 per 5,000 residents	May 31	Lottery	One year
Battle Ground	Charitable Organization	N/A	1 per 5,000 residents	January 1-31	Lottery	One year
Camas	Defers to State Law					
La Center	Charitable Organization	Defers to State Law.				

Vancouver	Sales prohibited in Vancouver city limits.					
Washougal	Charitable Organization	Yes	6	Defer to State Law		
Woodland	N/A	N/A	3 per 6,000 residents	Three rounds: Jan, Feb & March	Lottery	One year
Yacolt	Defers to State Law.					
Ridgefield (proposed)	Charitable Organization	Yes	1 per 10,000	May 31	N/A	One Year

*N/A = Not referenced in the local municipal code.

Proposed Modification to Ridgefield Municipal Code:

The proposed modification to the RMC would implement and supplement state fireworks law by providing guidelines for the sale of fireworks in Ridgefield city limits including the application requirements. More specifically, the proposed additions would:

1. Require a permit to sell consumer fireworks in Ridgefield.
2. Limit eligible retailers to charitable organizations that are located in or benefit the residents of Ridgefield.
3. Give preference to renewal of permits over first time and other applicants.
4. Provide that the application period each year is January 1 through May 31 each year.
5. Require that fireworks stands be located in commercial or industrial zones.
6. Limit the number of permits to one (1) permit to every ten thousand (10,000) residents.

Any modification to the fireworks code would be effective one year from the date of adoption. Therefore, if Council adopts a revised ordinance on the date of the scheduled second reading, the modification would be effective for the sales period in July 2022.

PROCESS

<u>Date</u>	<u>Milestone</u>
August 19, 2020	Notice of public hearing published in the Columbian and posted at City Hall
September 10, 2020	City Council public hearing and 1 st reading
September 24, 2020	City Council public meeting and 2 nd reading/adoption

PUBLIC HEARING/1st READING

Council noted an error in the code redlines limiting the number of permits to one per every 5,000 residents, when the intent was for the limit to be one per every 10,000 residents. The proposed code has been updated with a limit of one permit total or one per every 10,000 residents, so one permit may be permitted while the population is under 10,000.

TITLE 10 – Vehicles and Traffic / ORD No. 1322

BACKGROUND/DISCUSSION

Parking

After recognizing changes in area government parking ordinances as a response to the increased numbers of occupied Recreational Vehicles parked long term on city streets. Our current city ordinance speaks only to a two week limit for unoccupied RVs and is silent on occupied vehicles. This amendment mirrors the practices taking place in the county regarding occupied vehicles. This ordinance was reviewed by the city attorney and then the planning commission prior to being submitted to the City Council for approval.

There is a small revenue component via the \$10 fee but the ordinance is primarily regulatory and not revenue oriented. Impact is estimated to be less than \$500.

Speed Limits

Minor updates to the speed limit code are proposed to recognize the change in name of Royle Road, and to add Wells Drive to the code. Additionally S. Royle Road's speed has been changed from 40 to 35 due to sight distance available at new intersections on S. Royle Road.

Golf Cart Zone

The Golf Cart Zone code has been updated to allow use of carts on all streets in the City with speed limits less than 25 MPH. Streets with speed limits over 5, including Pioneer Street, may be crossed only at intersections. Requirements for cart and driver licensing have not been changed.

PROCESS

<u>Date</u>	<u>Milestone</u>
August 19, 2020	Notice of public hearing published in the Columbian and posted at City Hall
September 10, 2020	City Council public hearing and 1 st reading
September 24, 2020	City Council public meeting and 2 nd reading/adoption

PUBLIC HEARING/1st READING

No changes to the proposed amendment were discussed during the public hearing and 1st reading.

TITLE 12 – Streets and Sidewalks / ORD No. 1323

BACKGROUND/DISCUSSION

Sidewalks

Updates to the Sidewalk code include cleanup and revisions based on the WCIA's recent guidance regarding sidewalk maintenance and liability. Much of the information included in the old sidewalk code was duplicated in the City's Engineering standards, and was removed to simplify and streamline the code.

In general the Maintenance and repair of sidewalks falls upon the adjacent property owner. The code has been revised to have the City maintain sidewalks in the historic downtown area. The process for evaluating and responding to sidewalk hazard that is identified or reported has also been updated. Minor maintenance issues will be referred to the property owner, while more major work such as replacement or construction of new sidewalk will be brought to Council for consideration as required by state law. The code has been updated to remove the right-of-way encroachment permit fee to property owners completing repairs to the sidewalks along their property. The code revision also updates the language for

differing construction of a sidewalk when there are no other sidewalks in the area of the property being developed.

PROCESS

<u>Date</u>	<u>Milestone</u>
August 19, 2020	Notice of public hearing published in the Columbian and posted at City Hall
September 10, 2020	City Council public hearing and 1 st reading
September 24, 2020	City Council public meeting and 2 nd reading/adoption

PUBLIC HEARING/1st READING

No changes to the proposed amendment were discussed during the public hearing and 1st reading.

TITLE 13 – Public Utilities / ORD No. 1324

BACKGROUND/DISCUSSION

Illicit Discharge

This code amendment will add a new chapter to the Stormwater Utility section of the Ridgefield Municipal Code prohibiting dumping and other non-stormwater discharges to the City's Municipal Separate Storm Sewer System (MS4). Currently there is no code section that prevents dumping oil, paint or other items into catch basins, and staff have had some issues getting compliance when issues of this nature have been discovered in the past.

This code section will meet the requirement to have an Illicit Discharge code in place when the City is issued an NPDES Phase 2 stormwater permit from the Department of Ecology in the next few years, and is modeled on required language from the NPDES permit, as well as on similar codes enacted by Battle Ground and other local jurisdictions. The code applies to non-stormwater discharges to the MS4, and includes some specific exemptions for surface and ground waters, irrigation and firefighting, among others. The code also spells out what measures are necessary to discharge chlorinated potable water, swimming pool drain water, and wash water to the MS4.

In the event an illicit discharge is discovered the code allows staff to access facilities to investigate the source of the discharge. The code also identifies enforcement measures, and allows the city to recoup the costs of cleanup or remediation. An appeal process through the hearings examiner is also established by the code. As always an educational approach will be utilized, with enforcement only as a last resort.

PROCESS

<u>Date</u>	<u>Milestone</u>
August 19, 2020	Notice of public hearing published in the Columbian and posted at City Hall
September 10, 2020	City Council public hearing and 1 st reading
September 24, 2020	City Council public meeting and 2 nd reading/adoption

PUBLIC HEARING/1st READING

No changes to the proposed amendment were discussed during the public hearing and 1st reading.

TITLE 18 – Development Code / ORD No. 1325

BACKGROUND

The Community Development Department is proposing a series of amendments to Title 18 of the Ridgefield Municipal Code (RMC), also known as the Ridgefield Development Code (RDC). The purpose of the proposed amendments is to keep the code up-to-date and to address current development issues in order to better serve the Ridgefield community.

DISCUSSION

Types of Amendments

The proposed amendments intend to update the code to address issues identified when applying the existing code and issues anticipated for future projects in Ridgefield. For this round of updates, staff identified two types of proposed code amendments: housekeeping updates and minor policy changes. No major policy changes have been proposed at this time (see Attachment A, 2020 RDC Amendments Matrix, for details):

1. Housekeeping items: address clerical errors and clarify existing code language without substantive changes to the content.
2. Minor policy changes: add content to strengthen the code with the goal to better implement the Ridgefield Comprehensive Plan and existing City policies and practices.

Summary of Changes

Housekeeping items:

<u>Code section(s)</u>	<u>Reason(s) for amendment</u>
18.100.034, 18.100.050	Define Map of Dedication; clarify accessory use definition.
18.205.030	Remove outdated references to the Office (OFF) zone.
18.230.100	Clarify that permitted wood fences shall be treated for durability.
18.340.040	Fix a typo.
18.395.040, 18.395.070	Fix typos.
18.710.030	Eliminate conflicting language about flags to clarify that they are exempt from sign permitting.
18.725.030	Remove reference to street trees in a table about trees in private landscape buffers.

Minor Policy Changes:

<u>Code section(s)</u>	<u>Reason(s) for amendment</u>
18.100.036	Define NAICS codes as an additional way to define uses.
18.100.040	Acknowledge final binding site plan as a type of final plat.

18.100.046	Allow rental of moving vehicles as a secondary use associated with self-storage businesses.
18.205.015	Create uniformity in the interpretation of unlisted uses by establishing NAICS as a reference.
18.210.120, 18.210.060	Provide an alternative to the requirement for garages to be recessed by four feet, which has been found to limit variety in home designs. Update/modernize menus of structural and decorative architectural design elements, and format to be more legible. Eliminate conflict between two sets of single-family attached townhouse garage standards.
18.230.055	Provide alternative methods of creating a more welcoming and interesting streetscape when strict numerical adherence to the sixty percent transparency standard is not practical.
18.235.060	Allow wood fences so long as they are treated for durability. Allow residential uses in mixed-use developments to be fenced subject to fence design standards.
18.240.080	Avoid pushing large industrial buildings closer to the street in the employment zone, where pedestrian activity is unlikely between sites.
18.240.095	Make Employment zone fence standards more consistent with commercial fence standards, while allowing for chain link and barbed wire/razor wire fences when they are appropriate for the associated use.
18.280.040	Remove reference to final site plan.
18.280.070	Provide additional guidance for critical area density transfer procedures.
18.310.150	Impose clear limits on the term of development agreements, to avoid situations where multi-phased projects are bound to outdated standards many years after an agreement was initially recorded.
18.350.030	Make explicit the goal to get a clear benefit in exchange for granting and administrative adjustment.
18.395.030, 050, 060, 080, 090	Streamline code enforcement procedures to eliminate redundant steps and clarify the path from initial notice to penalty.
18.500.080	Remove the final site plan procedure, which is cumbersome to implement and enforce. Instead, check compliance with approved preliminary site plans at engineering submittal, building submittal, and final occupancy.
18.710.040	Prohibit cabinet signs made of cheap materials that do not age well.

18.710.235, 290	Establish standards for ranch-style archway signs, based on interest to use such signs at subdivision entries. Define ranch-style archway signs, based on interest to use such signs at subdivision entries.
18.725.080	Enhance landscape screening to minimize headlight glare into the right-of-way.

Many of the proposed minor policy changes intend to add provisions to ensure high quality development or to streamline processes.

To ensure high quality development as the city grows, the proposed changes include updated garage standards offering more options to achieve good single-family residential architectural design. Updated commercial design standards would require alternate welcoming façade features when achieving 60 percent transparency is not feasible. Increased landscaping standards would reduce headlight glare onto public streets. A new provision to prohibit cabinet signs with acrylic, plastic-faced material, and development standards for ranch-style archway signs are proposed in the sign code.

In terms of streamlining development review, staff proposes to amend the code enforcement, final site plan, and development agreement processes. The code enforcement proposal combines the Notice of Corrective Action and Notice of Civil Penalty in order to reduce the steps in the compliance process. The final site plan proposal eliminates the confusing, inconsistent final site plan process in favor of strengthened land use compliance checks at engineering review and final occupancy. The Development Agreement (DA) proposal imposes limits on the terms of DAs so staff and applicants can avoid navigating outdated standards during project review.

PROCESS

<u>Date</u>	<u>Milestone</u>
August 19, 2020	Notice of public hearing published in the Columbian and posted at City Hall
August 25, 2020	Draft amendments posted online
September 2, 2020	Planning Commission public hearing
September 10, 2020	City Council public hearing and 1 st reading
September 24, 2020	City Council public meeting and 2 nd reading/adoption

Staff have received no public comments as of the date of this report. Staff did coordinate with local builders and incorporated much of their feedback in drafting the proposed garage design updates to RDC 18.210.060 and 18.210.120.

PLANNING COMMISSION

Planning Commission held a public hearing on September 2, 2020. No members of the public commented on the proposed amendments. The Planning Commission asked clarifying questions, but did not have concerns with the proposed amendments and voted unanimously in favor of forwarding a recommendation of approval of the proposed Ridgefield Municipal Code Title 18 amendments to City Council.

PUBLIC HEARING/1st READING

Council discussed minor changes to the proposed amendments to three code sections:

1. RDC 18.235.060 – Special provisions for the Ridgefield Mixed Use Overlay (RMUO). Allow treated wood fences, as proposed, but clarify that structural posts shall be metal for durability.
2. RDC 18.240.080 – Off-street parking and loading (Employment zone). Change the square footage of buildings exempted from certain parking area standards from 100,000 sf to 50,000 sf.
3. RDC 18.310.150 – Development agreements. Clarify that the City Council may extend the term of a development agreement in five-year increments up to a maximum of twenty total years.

Each of these changes has been incorporated into the proposed code amendments for 2nd reading.

Exhibit A – Title 9 Amendments

Title 9 – Public Peace, Morals and Safety

Code Section	Code Language	Rationale
9.04 – Offenses Against the Public Order		
9.04.030 – Fireworks.	<u>A. Purpose.</u> <u>The purpose of this chapter is to implement and supplement the state fireworks law, Chapter 70.77 RCW. The provisions of this chapter shall be construed and applied in accordance with the definitions, requirements and prohibitions of state law and all rules and regulations issued by the Chief of the Washington State Patrol.</u> <u>AB. Definitions.</u> <u>“City” means the city of Ridgefield, Washington.</u> <u>“Fire nuisance” means anything or any act which increases, or may cause an increase of, the hazard or menace of fire to a greater degree than customarily recognized as normal by persons in the public service or preventing, suppressing, or extinguishing fire; or which may obstruct, delay, hinder, or may become the cause of any obstruction, delay or hindrance to the prevention or extinguishment of fire.</u> <u>BC. Prohibited Acts.</u> <u>CD. Sale of Consumer Fireworks.</u> <u>E. License to Sell. It is unlawful for any firm, corporation, or person to sell, trade or offer to sell, trade or exchange fireworks, firecrackers or other combustible substances, explosives or Fourth of July fireworks unless the same are declared safe by the state of Washington department governing fireworks and unless a permit is first obtained from the city of Ridgefield. Except that, no license is required for the purchase of agricultural and wildlife fireworks as outlined in RCW 70.77.311.</u> <u>1. A permit to sell fireworks shall only be issued to service clubs or charitable organizations located in or benefiting the residents of the city of Ridgefield. Only one permit shall be issued to each organization and no permit shall entitle the holder to more than one location. All permits are nontransferable and shall expire at the end of the calendar year in which they are issued.</u> <u>2. The application period for fireworks sales is January 1 through 5PM on May 31 for that year’s sales. The application must be on the form provided by the City and signed by the applicant.</u>	Update fireworks code to align with state law and standard practice in Clark County, including: - Requirement that only charitable organizations are eligible to receive a permit. - Requirement that organizations renewing a permit have priority. - Limit on the number of stands to one per 10,000 people. - Timeline of January 1-May 31 for submitting a permit application.

	3. <u>Requirements for approval of a permit include but are not limited to:</u> • <u>The applicant shall have a valid license issued by the state of Washington authorizing the holder to engage in the retail sale of fireworks.</u> • <u>Neither the applicant nor the responsible party for the permit shall have been convicted of a felony unless the conviction was discharged pursuant to RCW 9.94A.637 or 13.50.050; or a fire/fireworks-related misdemeanor within the last three (3) years.</u> • <u>The applicant shall procure an insurance policy or policies prior to the issuance of a permit and shall maintain the policy for the duration of the sales. The policy shall insure against claims for injuries to persons and damage to property which may arise from or in connection with operations or activities performed by or on the applicant's behalf with the issuance of the permit in the minimum amount of one million (\$1,000,000) single limit and the city of Ridgefield shall be named as an additional insured.</u> • <u>The applicant's location or place of business shall be only in those areas or zones within the city wherein commercial or industrial activities are authorized under the applicable zoning laws of the city; provided, that no fireworks shall be sold in any residential area where a commercial enterprise does not exist.</u> • <u>The applicant must meet any additional requirements outlined in RCW 70.77.</u> 4. <u>Applicants for renewal of permits shall be given preference over first time and other applicants.</u> 5. <u>The number of retail sale permits shall be limited to one permit total, or one permit per every ten thousand (10,000) people living in Ridgefield city limits as determined by the most current OFM population estimate, whichever is greater.</u>	
	DF. Discharge of Consumer Fireworks.	
	<u>G. Public Display of Fireworks. A special event permit or written agreement with the city is required for the public display of fireworks. The permittee shall be required to comply with all applicable state and local fireworks laws and shall obtain all permits and/or licenses required by the state of Washington.</u>	
	EH. Violations.	
	FI. Unlawful Possession of Fireworks-Penalties.	

	GJ. Unlawful Discharge or Use of Fireworks-Penalty.	
	HK. Gross Misdemeanor <u>Unlawful Sale of Fireworks.</u> It is unlawful for any person to sell or transfer any common fireworks to a consumer or a user other than at a fixed place of business of a retailer for which a license and permit have been issued <u>or to sell fireworks to any person under the age of 16. A violation of this section is a gross misdemeanor.</u>	
	IL. Penalty. Except as otherwise provided in this section, any person violating any provision of this section or any rules issued thereunder is guilty of a misdemeanor <u>and upon conviction of permittee any permit issued under this Chapter shall be revoked.</u>	



REVISED CODE OF WASHINGTON 70.77 THE FIREWORKS LAW

APPLYING FOR AN INDIVIDUAL FIREWORKS RETAILER LICENSE

THIS LICENSE WILL ONLY BE VALID FOR THE OPERATION OF A CONSUMER FIREWORKS RETAIL SALES (CFRS) FACILITY WITHIN THE STATE OF WASHINGTON. IT CANNOT BE USED FOR ANY OTHER PURPOSE AND EACH INDIVIDUAL RETAIL SALES LOCATION REQUIRES ITS OWN FIREWORKS RETAILER LICENSE.

PLEASE READ ALL ASSOCIATED INSTRUCTIONS

Attachment: Application for Retail License (Ridgefield Municipal Code Amendments)



**FIRE PROTECTION BUREAU
LICENSING AND CERTIFICATION PROGRAMS
PO Box 42642
Olympia WA 98504-2642
(360) 596-3914 FAX: (360) 596-3934**

4.1.c



This document is used ONLY to apply for a Fireworks Retailer License to operate a Consumer Fireworks Retail Sales (CFRS) Facility within the state of Washington. To obtain this license you will need to:

- 1) READ ALL OF THESE INSTRUCTIONS AND THE PROVIDED PROVISIONS COMPLETELY AND RETAIN BOTH FOR FUTURE REFERENCE.
- 2) Print legibly, complete electronically, or have it typed. Illegible or incomplete applications will not be accepted or processed.
- 3) Answer each line of this application leaving nothing blank. Where a null or negative response is appropriate, use "NO," "NOT AVAILABLE," "DOES NOT APPLY," or other clarifying statements.
- 4) Completely fill out one application for each license you wish to be issued. Please note, each single Fireworks Retailer License is only valid for a single CFRS Facility in a single location.
- 5) Clearly identify the Fireworks Retailer Licensee – this is the name that will appear on the license and the person/organization legally responsible for the license.
- 6) List everyone who will be supplying fireworks product to your CFRS Facility in the application.
- 7) The county, location address, and person operating the stand MUST be identified in this application. Any changes to this information must be reported before using the license. Updated licenses are issued at no cost so contact us about reissuance as soon as the change occurs.
- 8) ALL applications for a Fireworks Retailer License MUST be signed by the applicant. If applied for by a partnership, then it must be signed by each partner with one (1) member as the applicant. When applied for by a corporation, the application must include the signature of a corporate officer and bear the seal of the corporation. Include additional pages, if necessary, for signatures and seals.
- 9) The licensing fee for a Fireworks Retailer License is forty dollars (\$40.00). Include a single check or money order written to the Washington State Patrol Fire Protection Bureau (WSP FPB) covering the total number of license applications you submit. **DO NOT SEND CASH.**
- 10) The licensing application windows are January 1 to May 1 and August 1 to November 1. A valid post mark is acceptable, but anything received at any other time will be rejected. NO EXCEPTIONS.
- 11) Only return pages marked "MUST RETURN AS PART OF THE APPLICATION."
- 12) If the number of applications received does not match the fees paid, everything will be returned.
- 13) Submit the completed licensing application(s), in its (their) entirety, with the required licensing fees to:

Normal Mailing Address

Fire Protection Bureau
PO Box 42642
Olympia, WA 98504-2642

Physical Delivery Address

General Administration Building
Fire Protection Bureau
210 11th Avenue SW
Olympia, WA 98501

- 14) All valid applications are issued a license within fifteen (15) working days of receipt. This "clock" does not start until the application is completed, including any corrections required from the applicant. After ten (10) working days of inactivity, incomplete/invalid applications are returned and the fees refunded.

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4.1.c



Provisions for a Fireworks Retailer Licensee Running a CFRS Facility

- A. ANYONE issued a Fireworks Retailer License is obligated to comply with [Revised Code of Washington \(RCW\) 70.77](#), [Washington Administrative Code \(WAC\) 212-17](#), and any and all local ordinances for the jurisdiction where you will operate your CFRS Facility. Also note your CFRS Facility MUST meet the requirements found within WAC 212-17.
- B. Operating a CFRS Facility within the state of Washington requires a Fireworks Retailer License from the State Fire Marshal AND a permit from the local fire code authority. NO EXCEPTIONS.
- C. Securing a Fireworks Retailer License does not guarantee a local permit. Be sure the jurisdiction for your CFRS Facility allows fireworks sales and what their permitting deadlines are before applying for this license.
- D. This license is only valid for retail sales of state legal consumer fireworks at a single CFRS Facility at a single location during the legally designated sales seasons. It will not be issued for any other reason and does not allow for any other use.
- E. All records concerning the use of this license, including all sales and purchases, are subject to review. Keep all records associated with the operation of your CFRS Facility for at least three (3) years.
- F. Every Fireworks Retailer License is comprised of three sections. One is posted in your CFRS Facility, the second portion goes to your fireworks supplier (a licensed wholesaler), and the third and final piece goes to the local fire code authority in their permit application process. Each part is clearly labeled and you are responsible for separating these pieces cleanly and correctly.
- G. Only a licensed fireworks wholesaler can supply your stand and they require the individualized wholesaler license portion to do so. When using multiple wholesalers, we will provide the additional portions at no cost.
- H. Only State Legal Consumer Fireworks and holiday-related incidental items can be sold within a licensed CFRS Facility and the list of State Legal Consumer Fireworks must be posted conspicuously.
- I. Though non-transferrable, report any changes to the licensing information, such as location or supplier, to the office immediately. Depending on the change, the license may need to be returned and reissued.
- J. The Independence Day Sales Season legally opens between June 28 and July 5. However, the actual consumer fireworks sales window can be restricted by local ordinance, so always verify the exact dates and times sales are allowed where you wish to operate your CFRS Facility.
- K. The law opens the New Year's Sales Season between December 27 and December 31. However, the actual sales window may be restricted or even banned by local ordinance. Verify the exact dates and times sales are allowed where you wish to operate your CFRS Facility.
- L. The application window for an Annual Sales License is January 1 through May 1 and is valid for both the Independence Day Sales Season and the New Year's Day Sales Season.
- M. The application window for a New Year's Sales Season Only License is August 1 through November 1.
- N. When applying for a license, a valid post mark will be accepted in meeting these deadlines. However, **DO NOT** count on the post mark alone. There is no exception to these application deadlines allowed by law.
- O. Any deadline for a local permit is a local issue and independent of the statutorily mandated licensing application deadlines. Always be sure what you are applying for, with whom, and what their deadline is.

Attachment: Application for Retail License (Ridgefield Municipal Code Amendments)



FIRE PROTECTION BUREAU
LICENSING AND CERTIFICATION PROGRAMS
PO Box 42642
Olympia WA 98504-2642
(360) 596-3914 FAX: (360) 596-3934



Date Received

4.1.c

FIREWORKS RETAILER LICENSING APPLICATION

This form is used to apply for a single Fireworks Retailer License that will allow for the operation of a single CFRS Facility within the State of Washington.

A single (1) Fireworks Retailers License costs forty dollars (\$40.00). Include a single application for each license you desire (one per each CFRS facility/stand) with a single check or money order covering them all made out to the Washington State Patrol Fire Protection Bureau (WSP FPB). **DO NOT SEND CASH.**

All applications **MUST BE RECEIVED BY NO LATER THAN** May 1 for annual sales or November 1 for the New Year's sales season. Post mark will suffice, but **do not** count on the mark alone – there are no exceptions allowed by law.

Licensee Data

This is who the license will be issued to, normally a person. If the licensee is an entity, such as a non-profit organization, then the member who signs as the applicant must be listed as an organizational member.

Fireworks Retailer Licensee – The name of the person or organization being licensed.

Business/Trade Name for Licensee (if different)

Business UBI Number

()

Business Phone Number

Name and Title of Person Completing This Form

E-Mail Address

Mailing Address (Complete Including Street, City, State, ZIP Code, and do not use building names)

Street Address (Complete Including Street, City, State, ZIP Code, and do not use building names)

CFRS Facility Operational Data

In this section you will provide the specific information used to actually generate and track the license issued.

County for CFRS Facility

Physical Address (Complete Including Street, City, and ZIP Code)

Person Operating CFRS Facility

()

Phone Number

E-Mail Address

List Below the Complete Name for Each Wholesaler That Will Supply Your CFRS Facility Fireworks:

Licensing Agreement

I, the undersigned, hereby declare under penalties of perjury and/or revocation that I am the applicant or authorized representative of the applicant and attest that all information provided herein is complete, correct, and true to the best of my ability. I have thoroughly read the instructions and provisions of this application, understand them, and as a Fireworks Retailer Licensee will abide by and obey the laws and rules governing this license and the provisions of the local jurisdiction who issues my CFRS Facility's operational permit.

Signature of Applicant/Authorized Representative

Printed Name and Title of Signatory

Date of Signature

Signature of Partner or Corporate Officer

Printed Name and Title of Signatory

Date of Signature

Exhibit B – Title 10 Amendments

Title 10 – Vehicles and Traffic

Code Section	Code Language	Rationale
10.12 – Parking		
10.12.033 – Truck, trailer and recreational vehicle parking.	A. For the purposes of this section the words and phrases shall have the following designated meanings unless a different meaning is expressly provided: 5. <u>“Human habitation” shall mean the use of a vehicle for dwelling or residential purposes. Evidence of human habitation includes, but is not limited to, any combination of two or more of the following activities: sleeping; setting up any bedding, sleeping bags, bedroll, pillow or other sleeping materials in such a manner as to be used for sleeping; engaging in housekeeping or cooking activities; storing cookware, cooking equipment; or bodily fluids in a vehicle; storing personal possessions in such a manner that some or all of the vehicle’s windows are obscured; using sanitation, plumbing, and/or electrical systems or equipment; or any other activity where it reasonably appears, in light of all the circumstances, that a person or persons is using the vehicle as a living accommodation.” For purposes of this section, “human habitation” means the use of a vehicle as a dwelling place and does not include temporary use of a vehicle for alleviation of sickness or because of physical inability to operate the vehicle.</u> E. <u>It is unlawful for any vehicle to be used for human habitation purposes on a public street or public right-of-way within the City of Ridgefield, unless a permit has been issued in accordance with subsections F. and G herein. Recreational vehicle parks in compliance with Ridgefield Municipal Code and state law are exempt from the provisions of this section.</u> F. <u>Recreational vehicles (RVs) may be permitted to be used for human habitation for a period of up to seven (7) days, which may be renewable for a period up to seven (7) additional days, in any one calendar year at a specific location when the resident of the property adjacent to which the RV has parked has first obtained a permit from the City.</u>	Establish regulations pertaining to habitation of recreational vehicles.

	<u>1. Permits are valid only for the dates authorized on the permit and only for the location indicated on the permit. A permit must be displayed in a manner that it is clearly visible from the outside of the recreational vehicle.</u> <u>2. The owner, operator, and occupants of the RV must comply with all conditions of the permit. Conditions include: (a) the vehicle must be legally parked; (b) all waste and sewage generated within the RV must be disposed of in a safe and legal manner; (c) operation of a generator while the RV is parked is prohibited; (d) the use of extension cords and other hookups is prohibited; (e) the erection of awnings and setting up furniture or similar items outside the RV is prohibited; and (f) the RV must be fully self-contained.</u> <u>3. The violation of any condition of the permit is a violation, and the owner or operator of the RV may be cited and/or the permit may be summarily revoked by the Ridgefield Police Department, or the City Manager or his/her designee.</u> <u>4. The resident obtaining the permit must present proof of residency at the address at the time of application for the permit.</u> <u>5. The cost for the permit is \$10 payable to City of Ridgefield.</u> <u>6. The resident shall apply for the permit within one business day after first contact by a City official.</u> <u>G. A recreational vehicle may be used for human habitation if an appropriate permit, such as a special event permit, special use permit, or temporary use permit, has been obtained from the City of Ridgefield that authorizes recreational vehicles to be parked and used for human habitation.</u> <u>H. Any vehicle being used for human habitation which is resulting in the discharge of human waste or sewage in any location or manner, except as allowed by law at an approved public or private sewage disposal system, may be summarily removed and impounded notwithstanding any provision of this chapter.</u> <u>I. A violation of this section is a civil infraction, and the owner, operator, or person in charge of any vehicle found in violation of this section will be assessed a monetary penalty as follows:</u>	
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	<u>1. For a first offense, a fine of not more than \$95.00, not including statutory assessments, and the vehicle is subject to immediate impoundment;</u> <u>2. For a second offense, a fine of not more than \$190.00, not including statutory assessments, and the vehicle is subject to immediate impoundment;</u> <u>3. For a third and any subsequent offenses, a fine of not more than \$400.00, not including statutory assessments, and the vehicle is subject to immediate impoundment.</u> <u>J. Penalties for a violation of this section shall be in addition to any other remedy provided by local or state law and nothing in this chapter should be construed to limit the authority of the City of Ridgefield to enforce pursuant to any other provision of local or state law.</u> <u>K. It is unlawful for any person to repark a vehicle on the same curb face within the same block (street between two consecutive intersections) to avoid the maximum time limit for parking in that particular block, and such act shall be punishable by a penalty of not less than \$95.00, and the vehicle is subject to immediate impoundment.</u> <u>L. Any vehicle or recreational vehicle impounded pursuant to this section shall comply with requirements under Chapter 46.55 RCW.</u>	
10.12.050 – Violation and infraction.	Any violation of the parking prohibitions and restrictions provided in this chapter shall be designated as a traffic infraction and punishable in accordance with state law and/or local ordinance. The monetary amount shall be ninety-five dollars, <u>except as otherwise provided in RMC 10.12.030.</u>	Update to reflect proposed changes to 10.12.030.
10.08 – Speed Limits		
10.08.024 – Speed limits established – Thirty-five miles per hour.	The speed limits on the following street segments shall be thirty-five miles per hour: N. 45 th Avenue <u>Royle Road</u> ; N. 65th Avenue; N. 85th Avenue; S. 65th Avenue; S. Union Ridge Parkway; S. 74th Place; S. 10th Street;	Correct road names and speed limits.

	S. 5th Street; S. 85th Avenue; S. Hillhurst Road–S. Great Blue Road to southerly city limits; S. 11th Street; <u>S. Wells Drive</u>; S. 15th Street; S. 10th Way; <u>S. Royle Rd</u>	
10.08.025 – Speed limits established – Forty miles per hour.	The speed limits on the following street segments shall be forty miles per hour: State Highway 501–milepost 17.39 to 65th Avenue; S. 45th Avenue; S. Royle Road.	
10.18 – Golf Cart Zone		
10.18.020 – Golf cart zone created.	A. Under the authority granted to the city pursuant to Section 4 of Chapter 217 of the Laws of 2010, codified at RCW 46.08.175, the city hereby creates and designates a golf cart zone <u>over all streets, including SR 501, within the corporate limits of the City of Ridgefield, which have a speed limit of 25 (twenty-five) miles per hour (mph) or less. The City shall designate such streets on a Golf Cart Zone Map.</u> described an area bounded by and inclusive of South Shobert Street, Lake River, the northern city limits, North Main Avenue, Maple Street, North 9th Avenue, Pioneer Street, and South 8th Avenue. Said zone may be hereinafter referred to and known as the "golf cart zone." B. Golf carts may travel on all portions of the public streets and rights-of-way located within the golf cart zone having a speed limit of twenty-five miles per hour or less, excepting all city sidewalks and designated bicycle lanes.	Expand the golf cart zone.

City of Ridgefield Golf Cart Zone



4.1.e

Attachment:

Packet Pg. 84

Roadways Excluded
from Golf Cart Zone

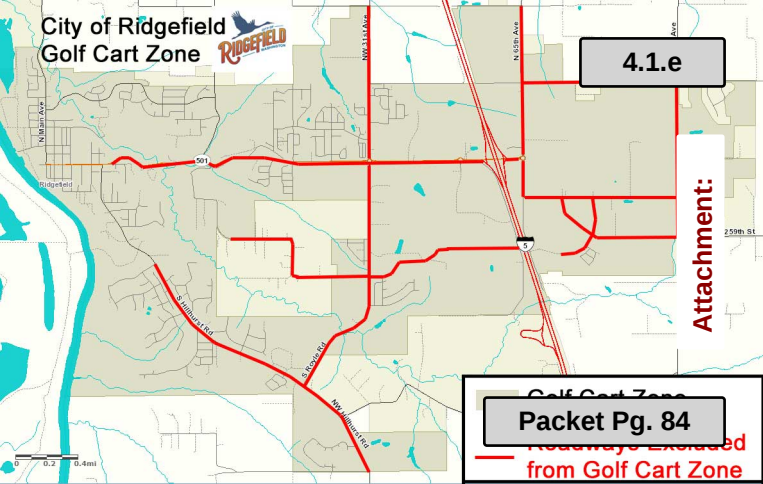


Exhibit C – Title 12 Amendments

Title 12 – Streets and Sidewalks

Code Section	Code Language	Rationale
12.04 – Sidewalk Construction, Maintenance, Repair and Reconstruction		
12.04.010 – State statutes adopted.	The state statutes, RCW Chapters 35.68, <u>35.69</u> , and 35.70, together with all future amendments thereto, are adopted by a reference providing for the construction, repair and maintenance and reconstruction of sidewalks, gutters and curbs along, and driveways across the sidewalks.	Add reference to RCW Chapter that outlines responsibility of adjacent property owners.
12.040.040 – Construction specifications.	All sidewalks, curbs, and approaches constructed or installed, or any replacements thereof, in the city shall conform with the following specifications unless specially authorized otherwise by the council of the city <u>City Engineer or Public Works Director</u>: A. All sidewalks and curbs shall be of such material and shall be constructed in such manner as is prescribed in standard plans and specifications prepared and amended as may be necessary by the city engineer, and shall be of such width, thickness and cross-section, and in such position as described below and in attachments A, B, and C adopted with Ordinance 604 and on file in the office of the city clerk. <u>in the City of Ridgefield Engineering Standards for Public Works Construction.</u> D. <u>All curbs and gutters shall be twelve inches high, five and one-half inches in width at the top, eighteen inches in width on the bottom, with slope to the street side, and with not more than six inches of the curb to protrude above the surface of the road. All sidewalks constructed before or in front of a place of business shall extend from the curb to the property line. All sidewalks constructed in a residential area shall either extend from the curb or shall be set back three feet from the curb.</u> E. <u>All approaches to driveways shall be at least one and five-eighths inches higher than the gutter and not less than twelve feet in width at the curb.</u> F. <u>All curbs and sidewalks at intersections shall be constructed in such manner as not to create a hazard to pedestrian or automobile traffic.</u>	Defer to City of Ridgefield Engineering Standards for Public Works Construction for construction specifications. Update curb, gutter, and sidewalk dimensional standards. Require toughened surfaces.

	<u>G. All surfaces shall be of a toughened texture so as to provide suitable footing for foot traffic.</u> E. All curbs shall be sixteen inches high, six inches in width at the top, eight inches in width at the bottom, with slope to the street side, and with not more than seven inches of the curb to protrude above the surface of the road. F. All approaches to driveways shall be at least on and five-eighths inches higher than the gutter and not less than twelve feet in width at the curb. G. All curbs and sidewalks at intersections shall be constructed in such manner as to not create a hazard to pedestrian or automobile traffic. H. All concrete and cement shall be of a mixture of at least on part cement, three parts sand, and five parts crushed rock or gravel. <u>JH. All sidewalks shall be maintained in a level, nonhazardous condition. Sidewalks shall be deemed to be "defective" and require repair when deficiencies <u>as described above and in the City of Ridgefield Standards for Public Works Construction are found.</u></u> K. Sidewalks shall provide transition for handicapped at each intersection and construction specifications shall be adopted as found in Exhibit B, attached to the ordinance codified in this subsection and by reference made a part hereof.	
12.04.030 – Construction- <u>licensing permitting</u> requirements.	All persons, prior to the construction of any sidewalks or curbs or any placements thereof, shall apply to the clerk/treasurer for a sidewalk <u>for a City encroachment</u> permit <u>as required by RMC Chapter 12.15</u>. The application shall set out the location, size, type, and other pertinent data relative to such construction, and such other data as may be required by the public works supervisor <u>City Engineer</u>. The city clerk/treasurer, upon receipt of such application, shall present the same to the public works supervisor, and u Upon his approval, a license permit for the construction of the sidewalk, free of charge, shall be issued to the applicant. If the public works supervisor fails to approve the application for any reason, the applicant shall be entitled to present the same to the city council at any meeting thereof upon ten days' written request and the council shall either deny the application or shall grant the license subject to such terms and conditions as to comply with terms of this chapter.	Update language to reflect actual staff titles and responsibilities.

12.04.040 – Construction-For developed parcels-Bond.	Sidewalks shall be constructed adjacent to and/or within a parcel being developed as follows: A. Location. Within the city limits, sidewalks shall be constructed along both sides of any <u>public</u> streets or roads serving residential, commercial or industrial developments,unless the street or road serves a cul-de-sac serving single-family residential developments, which the city council may the exempt from the above requirement. B. Construction. Unless earlier installation is required by the city engineer, required sidewalks shall be installed in conjunction with either the construction of an adjacent public street or the construction of a new building structure. That portion of any required sidewalk adjacent to any lot shall be constructed prior to issuance of a certificate of occupancy for a building constructed on such lot unless a mitigation agreement and/or a bond is requested by the developer and <u>approved and</u> implemented by the city. C. Construction Bond-Covenant. If the city determines that construction is not feasible when a building is ready for occupancy, <u>the property owner may execute a covenant running with the land in a form approved by the City wherein the property owner agrees to pay the full cost of the sidewalk improvement when, as, and if the city directs the sidewalk to be constructed or agrees to a no protest LID covenant</u> a cash bond or other security acceptable to the city shall be posted, guaranteeing construction of required sidewalks. The amount of such construction bond or other security shall be set by the city public works supervisor based on the estimated cost of installation at the time when the improvements is expected to be constructed, which will be not longer than six years. In the event the sidewalk is not constructed within six years, the property owner shall be refunded any cash bond it may have deposited with the city. In the alternative, if approved by the Public Works Director, a cash bond or other security acceptable to the City shall be posted, guaranteeing construction of required sidewalks. The amount of such construction bond or other security shall be set by the city engineer based on the estimated cost of installation at the time when the improvement is expected to be constructed, which will be no longer than six years. In the event the sidewalk is not constructed within six years, the property owner shall be refunded any cash bond it may have deposited with the	Remove exemption to sidewalk construction. Remove ability to mitigate for lack of sidewalk construction when construction is feasible, leaving bonding as an option. Clarify language for requirements when sidewalk construction is not feasible.
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	city the property owner may execute a covenant running with the land wherein the property owner agrees to pay the full cost of the sidewalk improvement when, as, and if the city directs the sidewalk to be constructed.	
12.04.050 – Repairs- Maintenance responsibility.	A. If a property owner develops property that has currently existing sidewalks and, in the opinion of the public works supervisor, the sidewalks are in such disrepair so as to render them a public safety hazard, the public works supervisor is authorized and directed to require the construction of new sidewalks or the reconstruction or repair of existing sidewalks. B. If any property owner feels aggrieved by the requirement rendered by the public works supervisor, the property owner may appeal the public works supervisor's decision to the city council by submitting a written petition stating the basis for the appeal, which matter shall be set for a hearing by city council within sixty days of its receipt.	Remove.
12.040.060 – Repairs- Application requirements.	Any person desiring to repair, change or relocate any sidewalk abutting their property shall make application in writing to the city clerk <u>apply for an encroachment permit in accordance with RMC Chapter 12.15.</u> Such application shall contain, among others, the exact location of any new sidewalk to be laid and the connections and location of other sidewalks upon such street; no change or relocation of any sidewalk shall be made until the issuance of an appropriate sidewalk <u>encroachment</u> permit therefore. <u>Encroachment permits for the repair of existing sidewalks shall be free of charge.</u>	Update language to reflect current permits and application processes. Establish that right-of-way encroachment permits for sidewalk repair are free.
12.04.080 – Responsibility of abutting property owner-Liability for damages.	A. All construction, repair, upkeep, reconstruction and maintenance of sidewalks and curbs within the city limits, <u>unless specifically excepted in this chapter,</u> is the responsibility of the abutting property owner. In the event of any injury or damage to any person and/or property caused by the defective, dangerous or hazardous condition of any sidewalk as hereinbefore specified, or by the presence of accumulation of ice or snow thereon, or by the lack of proper guards on or along the property abutting any public way, then abutting property owner where such injury or damage occurs shall be liable therefor, including liability to the city for all damage, injury costs and disbursements, including court costs and attorney's fees, which the city may be required to pay or incur to any person injured or property damaged as aforesaid.	Remove language that is no longer legal (court case: <i>Revet v. Tacoma</i>). Create mechanism for City Council to require sidewalk repair. Establish City responsibility for sidewalk maintenance in the historic downtown.

	B. Whenever the city is notified that a hazardous condition exists, either by the public or through its sidewalk inspection program, the city engineer <u>public works director</u> shall cause a notice to be sent to the legal owner of the abutting property. The notice shall describe the location of the hazardous condition and state that the property owner has sixty days to obtain a sidewalk permit and complete the repairs. The notice shall be in writing and shall specify the precise location, and state the legal description of the abutting property so concerned and the owner's name, and shall state the nature of the deficiency to be repaired or removed, and the time granted for such a removal or repair <u>evaluate the reported condition.</u> <u>If the Public Works Director determines that construction or reconstruction of the sidewalk is necessary to abate the hazard, the issue shall be brought to the City Council. If the City Council deems the construction or reconstruction of the sidewalk is necessary or convenient for the public it shall by an appropriate resolution order the sidewalk constructed or reconstructed and shall cause a written notice to be served upon the owner of each parcel of land abutting upon that portion and side of the street where the sidewalk is located requiring him or her to construct or reconstruct the sidewalk in accordance with the resolution, and subject to the requirements of RCW 35.69.020.</u> <u>If the Public Works Director determines that maintenance of the sidewalk is necessary to abate the hazard, a notice is to be sent to the legal owner of the abutting property. The notice shall be in writing, and shall describe the location and nature of the hazardous condition, the required maintenance, and state that the property owner has sixty days to complete the identified maintenance.</u> C. <u>Maintenance responsibility exception. The sidewalks located within the City's historic downtown shall be maintained by the City at the City's expense. For the purposes of this chapter the historic downtown is defined as Pioneer Street from 5th Avenue west to Main Avenue; Main Avenue from Pioneer Street north to Mill Street.</u>	
12.04.090 – Failure to repair–Report to council.	Whenever in the judgement of the public works supervisor the public convenience of safety requires that a sidewalk or driveway be constructed, renewed or repaired (hereinafter called the “improvement”), along either side of any street or other public place therein, and	Remove redundant section with information already included in 12.04.080.B.

	the abutting property owner has not complied with the notice, the public works supervisor shall report the fact to the city council, and if the council shall deem the improvement necessary or convenient for the public convenience or safety, it shall by resolution order such improvement and shall cause a notice in writing to be served on the owner of each lot, block or parcel of land immediately abutting upon that portion and side of such street or public place where the improvement is to be constructed, requiring that the improvement be constructed in accordance with such resolution.	
12.04.120 – Sidewalks deemed nuisance when-Abatement	All sidewalks that are constructed and which fail to conform with the standards set forth in Section 12.04.020 or any sidewalk which exists and becomes in disrepair or is defective <u>as described in the City of Ridgefield Standards for Public Works Construction as depicted in Exhibit A attached to the ordinance codified in this subsection and by reference made a part hereof</u> are a nuisance and subject to any ordinance or law of the state of Washington and the city providing abatement of nuisances.	Update reference.

Exhibit D – Title 13 Amendments

Title 13 – Public Utilities

Code Section	Code Language	Rationale
<u>13.80 – Illicit Discharge</u>		
<u>13.80.010 – Purpose.</u>	<u>The purpose of this chapter is to provide for the health, safety, and general welfare of the community through the regulation of non-stormwater discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. This chapter establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4). The objectives of this chapter are:</u> <u>A. To regulate the contribution of pollutants to the MS4 by any user;</u> <u>B. To prohibit illicit connections to the MS4; and</u> <u>C. To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this chapter.</u>	Establish a chapter in Title 13 – Public Utilities guiding the identification, management, and abatement of illicit discharges to the storm drainage system.
<u>13.80.020 – Applicability.</u>	<u>This chapter shall apply to all water and wastewater entering the MS4 unless explicitly exempted by this chapter or the department.</u>	
<u>13.80.030 – Definitions.</u>	<u>A. For the purposes of this chapter, the following definitions shall apply:</u> <u>1. “Best management practices (BMPs)” means schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.</u>	

	<u>2. “Department” means the city of Ridgefield public works department.</u> <u>3. “Director” means the director of the city of Ridgefield public works department.</u> <u>4. “Enforcement agent” means employees or designees of the director charged with the enforcement of this chapter.</u> <u>5. “Hazardous materials” means any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.</u> <u>6. “Illicit discharge” means any direct or indirect non-stormwater discharge to the storm drain system, except as exempted in RMC 13.80.070(B).</u> <u>7. “Illicit connection” is defined as either of the following: any drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the storm drain system including but not limited to any conveyances which allow any non-stormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved; or any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by the department.</u> <u>8. “Municipal separate storm sewer system (MS4)” means publicly owned facilities by which stormwater is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains,</u>	
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	<u>pumping facilities, retention and detention basins, natural and human made or altered drainage channels, reservoirs, and other drainage structures.</u> 9. <u>“Non-stormwater discharge” means any discharge to the storm drain system that is not composed entirely of stormwater.</u> 10. <u>“Person” means any individual, association, organization, partnership, firm, corporation or other entity recognized by law who is (1) the owner of the Premises or the owner’s agent, or (2) in control of the Premises, or (3) the owner of any facility causing the illicit discharge, or the owner’s agent, or (4) in control of any facility causing the illicit discharge.</u> 11. <u>“Pollutant” means anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; nonhazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, and accumulations; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.</u> 12. <u>“Premises” means any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.</u> 13. <u>“Stormwater” means any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.</u> 14. <u>“Stormwater pollution prevention plan (SWPPP)” means a document which describes the best management practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to</u>	
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	<u>eliminate or reduce pollutant discharges to stormwater, stormwater conveyance systems, and/or receiving waters to the maximum extent practicable.</u> <u>15. "Wastewater" means any water or other liquid, other than uncontaminated stormwater, discharged from a facility.</u> <u>16. "Watercourse" means a river, stream, intermittent stream, ditch, brook, channel, lakes, pond, manmade pond, estuarine water, swamp, bog, vernal pool, playa, and all other bodies of water, natural or artificial, intermittent or permanent, public or private which allows for the flow, drainage, or passage of surface water through multiple lots, properties, or parcels at least a portion of each year.</u>	
<u>13.80.040 – Responsibility for administration.</u>	<u>The director shall administer, implement, and enforce the provisions of this chapter. Any powers granted or duties imposed upon the director may be delegated in writing by the director to persons or entities acting in the beneficial interest of or in the employ of the city.</u>	
<u>13.80.050 – Minimum standards.</u>	<u>The standards set forth herein and promulgated pursuant to this chapter are minimum standards; therefore, this chapter does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants.</u>	
<u>13.80.060 – Prohibition of illicit discharges.</u>	<u>A. No person shall discharge or cause to be discharged into the municipal storm drain system or watercourses any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards.</u> <u>B. Examples of prohibited pollutants include but are not limited to the following:</u> <u>1. Trash or debris;</u> <u>2. Construction material;</u>	

	<u>3. Petroleum products including but not limited to oil, gasoline, grease, fuel oil, and heating oil;</u> <u>4. Antifreeze and other automotive products;</u> <u>5. Metals in either particulate or dissolved form;</u> <u>6. Flammable or explosive materials;</u> <u>7. Radioactive material;</u> <u>8. Batteries;</u> <u>9. Acids, alkalis, or bases;</u> <u>10. Paints, stains, resins, lacquers, or varnishes;</u> <u>11. Degreasers and/or solvents;</u> <u>12. Drain cleaners;</u> <u>13. Pesticides, herbicides, or fertilizers;</u> <u>14. Steam cleaning wastes;</u> <u>15. Soaps, detergents, or ammonia;</u> <u>16. Swimming pool cleaning wastewater or filter backwash;</u> <u>17. Chlorine, bromine, or other disinfectants;</u> <u>18. Heated water;</u> <u>19. Domestic animal wastes;</u> <u>20. Sewage;</u> <u>21. Recreational vehicle waste;</u> <u>22. Animal carcasses;</u> <u>23. Food wastes;</u> <u>24. Bark and other fibrous materials;</u> <u>25. Lawn clippings, leaves, or branches;</u> <u>26. Silt, sediment, concrete, cement, or gravel;</u> <u>27. Dyes. Unless approved by the city;</u> <u>28. Wash water;</u> <u>29. Chemicals not normally found in uncontaminated water;</u> <u>30. Any other process-associated discharge except as otherwise allowed in this section.</u>	
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C. The commencement, conduct or continuance of any discharge other than stormwater to the storm drain system is prohibited except as described as follows:

1. The following discharges are exempt from discharge prohibitions established by this chapter: diverted stream flows, rising ground waters, uncontaminated ground water infiltration (as defined at 40 CFR CFR(20)), uncontaminated pumped ground water, foundation drains, air conditioning condensation, irrigation water from agricultural sources commingled with urban stormwater, springs, water from crawl space pumps, footing drains, flows from riparian habitats and wetlands, discharges from emergency fire-fighting activities and any other water source not containing pollutants as approved by the director.

2. The following discharges are prohibited unless the stated conditions are met:

a. Discharges from potable water sources, including water line flushing, hyperchlorinated water line flushing, fire hydrant system flushing, and pipeline hydrostatic test water. Planned discharges shall be dechlorinated to a concentration of 0.1 ppm or less, pH-adjusted, if necessary, and volumetrically and velocity controlled to prevent resuspension of sediments in the MS4.

b. Discharges from swimming pools shall be dechlorinated to a concentration of 0.1 ppm or less, pH-adjusted and reoxygenated if necessary, and volumetrically and velocity controlled to prevent resuspension of sediments in the MS4. Swimming pool cleaning wastewater and filter backwash shall not be discharged to the MS4.

c. Street and sidewalk wash water, water used to control dust, and routine external building wash down that does not use detergents. The amount of wash and dust control water shall be minimized to the maximum extent practical. At active construction sites, street washing is prohibited per RMC 18.755.060 (B).

	<u>d. Individual residential car wash water. Car washing activities shall be performed over grass or other pervious surface if possible. If performed over impervious surface, wash water shall be directed away from storm inlets. The city will provide public education and technical assistance to encourage BMPs for residential car washing to prevent these discharges from entering the municipal storm sewer system.</u> <u>e. Other non-stormwater discharges. The discharges shall be in compliance with the requirements of a SWPPP reviewed by the director, which addresses control of such discharges.</u> <u>3. Dye testing is an allowable discharge, but requires notification to be given to the department prior to the time of the test.</u> <u>4. The prohibition shall not apply to any non-stormwater discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency; provided, that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations; and provided, that written approval has been granted for any discharge to the storm drain system.</u>	
<u>13.80.070 Prohibition of illicit connections.</u>	<u>A. The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited.</u> <u>B. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.</u> <u>C. A person is considered to be in violation of this chapter if the person connects a line conveying sewage to the MS4, or allows such a connection to continue.</u>	

<u>13.80.080 – Suspension due to illicit discharges in emergency situations.</u>	<u>A. The department may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the MS4 or waters of the United States. Such a suspension order shall be in full force and effect until the enforcement agent determines that sufficient compliance has been achieved to warrant removal of the order. If the violator fails to comply with a suspension order issued in an emergency, the department may take such steps as deemed necessary to prevent or minimize damage to the MS4 or waters of the United States, or to minimize danger to persons.</u> <u>B. Suspension orders may be appealed to the hearing examiner pursuant to RMC 18.310.100, but shall remain in effect until lifted or successfully appealed.</u>	
<u>13.80.090 – Suspension due to the detection of illicit discharge.</u>	<u>A. Any person discharging to the MS4 in violation of this chapter may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. The department will notify a violator of the proposed termination of its MS4 access.</u> <u>B. Suspension orders may be appealed to the hearing examiner pursuant to RMC 18.310.100, but shall remain in effect until lifted or successfully appealed.</u> <u>C. A person commits an offense if the person reinstates MS4 access to premises terminated pursuant to this chapter, without the prior approval of the department.</u>	
<u>13.80.100 – Industrial or construction activity discharges.</u>	<u>Any person subject to an industrial or construction activity, NPDES stormwater discharge permit, or a city-approved erosion control plan shall comply with all provisions of said document. Proof of compliance with said document may be required in a form acceptable to the department prior to the allowing of discharges to the MS4.</u>	
<u>13.80.110 Access to facilities.</u>	<u>A. Upon discovery of a probable illicit discharge or connection from a premise or facility that is a user of the City's Municipal Separate Storm Sewer System, a representative of the City shall be permitted to enter and inspect said premises</u>	

subject to regulation under this chapter as often as may be necessary to determine compliance with this chapter. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access.

1. In emergency sections as defined in RMC 13.80.080 the enforcement agent shall be given immediate access to the premises in question.

2. In nonemergency situations the enforcement agent shall give 24 hours' notice to the owner or operator of the premises before entering and inspecting the premises. The owner or operator of the premises shall have the option to waive this 24-hour notice.

B. During the premises inspection, the enforcement agent shall be given ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that determine compliance with this chapter, and the performance of any additional duties as defined by state and federal law.

C. The department shall have the right to set up on any premises such devices as are necessary in the opinion of the department to conduct monitoring and/or sampling of the discharge to the MS4 from the premises.

D. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the owner at the written or oral request of the enforcement agent and shall not be replaced. The costs of clearing such access shall be borne by the owner.

E. Refusal or unreasonable delays in allowing the enforcement agent access to any area to perform functions authorized under this chapter shall be grounds for termination of service, and enforcement as authorized by this chapter.

	<u>F. If the enforcement agent has been refused access to any part of the premises from which stormwater is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this chapter, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this chapter or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the department may seek issuance of a search warrant from any court of competent jurisdiction.</u>	
<u>13.80.113 – Requirements to prevent, control, and reduce stormwater pollutants by the use of best management practices.</u>	<u>The Stormwater Management Manual for Western Washington sets forth approved best management practices (BMPs). The owner or operator of an institutional, commercial, or industrial establishment shall provide, at its own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the municipal storm drain system or watercourses with these structural and nonstructural BMPs. Further, any person responsible for a property or premises, which is, or may be, the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and nonstructural BMPs to prevent the further discharge of pollutants to the municipal separate storm sewer system.</u>	
<u>13.80.117 Watercourse protection.</u>	<u>Every person owning or leasing property through which a watercourse passes shall keep and maintain that part of the watercourse within the property free of trash, debris, and other obstacles that would pollute, contaminate, or significantly slow the flow of water through the watercourse. In addition, the owner or lessee shall maintain any privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.</u>	
<u>13.80.120 Notification of spills.</u>	<u>A. Notwithstanding other requirements of law, as soon as any person responsible for a premises or operation, or responsible for emergency response for a premises or operation has information of any known or suspected release of materials which are resulting or may result in illicit discharges or pollutants discharging into stormwater,</u>	

	<u>the storm drain system, or waters of the U.S., said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release.</u> <u>B. In the event of such a release of hazardous materials said person shall immediately notify the department and emergency response agencies of the occurrence via emergency dispatch services (911).</u> <u>C. In the event of a release of nonhazardous materials, said person shall notify the department in person or by phone or facsimile no later than the next business day.</u> <u>D. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the department within three business days of the phone notice.</u> <u>E. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.</u>	
<u>13.80.130 – Enforcement – Written warning.</u>	<u>A. In addition or as an alternative to any other judicial or administrative remedy provided herein, in RMC Chapter 18.395, or by law, the enforcement agent may, after investigation of the violation, issue a written warning to any person who creates or maintains a nuisance, violates any portion of this chapter, or rules and regulations adopted thereunder, or by each act of commission or omission procures, aids, or abets such a violation. All persons issuing written warnings shall be authorized by the planning director, city engineer, or building official and a list of those authorized maintained by the planning director, city engineer, or building official.</u> <u>B. Requirements of Written Warning.</u>	

	<u>1. A written warning conforming to the requirements of this section may be used for all ordinance violations of this chapter which occur in the city of Ridgefield.</u> <u>2. The written warning shall contain the following information or blanks in which such information is entered:</u> a. <u>Incident number;</u> b. <u>Name of the person receiving warning;</u> c. <u>Name of the property owner;</u> d. <u>Section of the ordinance or code violated;</u> e. <u>A brief description of the violation in such manner as can be readily understood by a person making a reasonable effort to do so;</u> f. <u>The date and place at which the violation occurred and the date on which the warning was issued;</u> g. <u>The time period the person cited has to comply with the written warning;</u> h. <u>The estimated cost of remediation that will be charged if written warning is not complied with;</u> i. <u>The written warning shall contain a signature line, where the person receiving the citation can sign stating they have received the warning, but not admitting guilt.</u>	
<u>13.80.140 – Enforcement – Notice and Order of</u>	<u>A. In addition or as an alternative to any other judicial or administrative remedy provided herein, in RMC Chapter 18.395, or by law, the enforcement agent appointed by the City Public Works Director may, upon finding a person has violated a</u>	

<u>Compliance and Cost of Remediation.</u>	<u>prohibition or failed to meet a requirement of this Chapter, issue a Notice and Order of Compliance to correct the violation and take such action as may be necessary to assure compliance with this Chapter upon any person who violates any portion of this chapter, or rules and regulations adopted thereunder, or by each act of commission or omission procures, aids, or abets such a violation to correct the violation and take such action as may be necessary to assure compliance with this Chapter.</u> <u>B. Cost of Remediation.</u> <u>1. The cost of remediation assessed by the citation shall be the actual costs incurred by the city of Ridgefield to correct the violation and repair or correct any damages to public or private property or the environment. The cost of remediation will also include the costs of the administration of said remediation and any fines or penalties incurred by the city as a direct result of the violation.</u> <u>C. Requirements of Notice and Order of Compliance.</u> <u>1. The Notice and Order of Compliance shall contain the following information or blanks in which such information is entered:</u> <u>a. Case number;</u> <u>b. Name of the person;</u> <u>c. Name of the property owner;</u> <u>d. Section of the ordinance or code violated;</u> <u>e. A brief description of the violation of which the person is charged in such manner as can be readily understood by a person making a reasonable effort to do so;</u>	
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	<u>f. The date and place at which the violation occurred and the date on which the Notice and Order was issued;</u> <u>g. A statement that should the person fail to remediate or restore within the established deadline, the work may be done by the City and the expense thereof shall be charged to the person and become a lien on the property.</u> <u>h. A statement advising the person issued the order that they may appeal the order within 14 days to the City's hearings examiner and that such appeal upon payment of the appropriate appeal fee, shall be served upon the Public Works Department;</u> <u>i. The notice may also require, without limitation:</u> <u>(1) A demand that the violation be corrected or abated and any affected property restored in accordance with local, state, and federal laws and a deadline within in which such remediation or restoration must be complete;</u> <u>(2) A requirement to perform monitoring, analysis, and reporting of stormwater facilities or non-stormwater discharges;</u> <u>(3) Payment of a fine to cover the cost of administrative and remediation costs;</u> <u>(4) Payment penalties in an amount not to exceed \$500 per day per violation.</u> <u>D. Appeals. Citations may be appealed to the hearing examiner pursuant to RMC 18.310.100.</u>	
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	<u>E. The director is authorized to enter into negotiations with the parties, or their legal representatives, named in an enforcement action involving any provision of this chapter for the collection of the cost of remediation, to negotiate a voluntary correction agreement, settlement, payment plan, compromise, or suspension, when to do so will be in the best interests of the city; provided, that a report shall be submitted to the city council in any instance where a compromise settlement is negotiated.</u>	
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Exhibit E – Title 18 Amendments

Title 18 – Development Code

Housekeeping Updates

Code Section	Code Language	Rationale
18.100 - Definitions		
18.100.034 – “M” definitions.	Map of Dedication. A map that delineates all public and private dedications in a single document, to be reviewed in conjunction with a subdivision, Planned Unit Development, binding site plan, site plan, or with other land use actions for which the Community Development Director determines a Map of Dedication is appropriate.	Previous code amendment adopted map of dedication procedures but did not include a definition.
18.100.050 – “U” definitions.	Use definitions. Accessory use. A use or activity which is subordinate <u>in area, extent, and/or purpose</u> to a primary use, and which is clearly incidental to a primary use on a site.	Clarify meaning of “subordinate” in reference to accessory uses.
18.205 - Uses		
18.205.030 – Limitations.	U. Interim Recycling Facility. 2. In the CCB, CRB, OFF , E and PF zones: (...)	Replace references to the Office (OFF) zone, which no longer exists, with the Employment (E) zone, which replaced the OFF zone in 2017.
	W. Multifamily Residential. 1. In the CNB, CCB, and OFF E zones, residential uses are allowed conditionally.	
18.230 – Commercial Districts		
18.230.100 – Street Fences and Walls.	B. Fence and wall materials. 1. Fences shall be consistent with the overall building design and constructed of <u>treated</u> wood, wrought iron, brick, stone or concrete block (CMU).	Clarify that permitted wood fences shall be treated for durability.
18.340 – Nonconforming and Conditional Uses		
18.340.040 – Determination of nonconforming uses and development.	A. The planning director, though <u>through</u> a Type II review process, shall determine whether the use of development is lawfully nonconforming consistent with 18.340.020.	Fix typographical error.
18.395 – Enforcement Procedures and Penalties		
18.395.040 – Violation types.	A. Violations under this chapter may be either civil or criminal offenses as set forth in this section.	Fix typographical errors.

	1. Civil Offense. These code violations are those that do not present and immediate or impending threat to the health, safety or general welfare of those living or working in the immediate vicinity of the violation or the general public. In addition, these offenses are typically easily remedied through a permitting procedure or alteration of a structure. These violations are typically not wilfulwillful. B. The above criminal penalty may also be impose for any other violation of Titles 12, 13 or 18 for which corrective action is not possible and for any wilfulwillful, intentional or bad faith failure or refusal to comply with the standards or requirements of Titles 12, 13 or 18.										
18.395.070 – Criminal prosecution.	A. Any person, firm or corporation which repeatedly violates any section of the development code or Titles 12 or 13 or violates the prohibitions found in Section 18.395.040(A)(2) shall be guilty of a gross misdemeanor unless otherwise stated. Said violators shall be prosecuted under the laws of the state State of Washington and/or the Ridgefield Municipal Code Chapter 9.01 and shall be fined or imprisoned as provided by the law of the state State of Washington.										
18.710 – Signs											
18.710.030 – Exemptions	The following signs or activities relating to signs are exempt from the permitting requirements of this chapter. F. Flags. Any flags, provided that they conform to all provisions of this chapter for signs the vertical staff to which they are attached conforms to all applicable building code standards and base zone standards for structures.	Eliminate conflicting language.									
18.725 – Landscaping											
18.725.030 – Types of landscaping	A. The types of landscaping required by this chapter are articulated in Table 18.725.030-1 and further illustrated in Figure 18.725.030-1. Table 18.725.030-1 Screening and Buffering Standards <table border="1"> <thead> <tr> <th>Screening and Buffering Type</th><th>Required Plant Units in Separation in Feet on Center (o/c)</th><th>Structure Description (See Table 18.725.040-1)</th></tr> </thead> <tbody> <tr> <td>L1</td><td>Street trees @ 25' & lawn or groundcover</td><td>None</td></tr> <tr> <td>L2</td><td>Street trees @ 25' & shrubs @ 5' & lawn or groundcover</td><td>None</td></tr> </tbody> </table>	Screening and Buffering Type	Required Plant Units in Separation in Feet on Center (o/c)	Structure Description (See Table 18.725.040-1)	L1	Street trees @ 25' & lawn or groundcover	None	L2	Street trees @ 25' & shrubs @ 5' & lawn or groundcover	None	Eliminate confusion between trees required in landscape buffers on private property which are regulated under 18.725, and street trees in the public right-of-way which are subject to engineering standards.
Screening and Buffering Type	Required Plant Units in Separation in Feet on Center (o/c)	Structure Description (See Table 18.725.040-1)									
L1	Street trees @ 25' & lawn or groundcover	None									
L2	Street trees @ 25' & shrubs @ 5' & lawn or groundcover	None									

	L3	Street trees @ 25' & dense shrubbery & lawn or groundcover	S1 or S2		
	L4	Street trees @ 25' & shrubs @ 5' & lawn or groundcover	B-1		
	L5	Street trees @ 25' & understory trees & 8' & lawn or groundcover	S2		

Minor Policy Changes

Code Section	Code Language	Rationale
18.100 – Definitions		
18.100.036 – “N” definitions.	NAICS. The North American Industry Classification System (NAICS) is the standard for use by <u>federal statistical agencies in classifying business establishments (uses). NAICS groups businesses into industries according to similarity in the means used to produce goods and services. The City of Ridgefield will refer to NAICS to determine whether unlisted uses that are similar to listed uses shall be allowed.</u>	Use NAICS codes as an additional way to define uses.
18.100.040 – “P” definitions.	Plat, final. A map of all or a portion of a subdivision <u>or binding site plan</u> that is presented to the city council <u>or review authority</u> for final approval.	Acknowledge final binding site plan as a type of final plat. Align code language for final plat approval with state statutes.
18.100.046 – “S” definitions.	Self-storage. Of, relating to, or being a commercial facility in which customers can rent space to store possessions. <u>Rental of moving vehicles may be included as an accessory use at a self-storage facility.</u>	Allow rental of moving vehicles as a secondary use associated with self-storage businesses.
18.205 – Uses		
18.205.015 – Use types.	E. Unlisted Uses. 1. Recognizing that there may be uses not specifically listed in this title, either because of advancing technology or any other reason, the director may permit of condition	Create uniformity in the interpretation of unlisted

	such use upon review of an application for Code interpretation for an unlisted use (RDC 18.310.060, Type I Action) and by considering <u>the NAICS classification of the use as well as</u> the following factors: i. The physical characteristics of the unlisted use and its supporting structures, including but not limited to scale, traffic, hours of operation, and other impacts, and ii. Whether the unlisted use complements or is compatible in intensity and appearance with the other uses permitted in the zone in which it is to be located.	uses by establishing NAICS as a reference.
18.210 – Residential Low Density Districts		
18.210.120 – Accessory structures and dwellings.	A. Accessory structures and dwellings must meet the lot requirements and dimensional standards in Sections 18.210.030 and 18.210.040 with the following exceptions: 1. Garages. b. For single-family detached dwellings, garages or carports either detached from or attached to the main structure, <u>the applicant shall select one of the following</u> : i. <u>The garage or carport shall be set back from the front building facade, including covered porches, by a minimum of four feet; or</u> ii. <u>The home shall meet the enhanced architectural design standards in Section 18.210.060 D.2; or</u> iii. <u>The applicant shall develop under the National Green Building Standards (NGBS) as specified in RMC 14.32.</u> c. To qualify as a porch under this subsection, the porch must extend along a minimum of fifty percent of the street-facing building facade that is not devoted to the garage, and must be at least four feet wide. Garage doors may be located forward of the front face of the residential structure and be located in up to fifty percent of the front yard setback if placed so their entrance doors are perpendicular to the right-of-way; and provided that they have windows, man-doors or other architectural treatments covering at least thirty percent of the wall facing the street.	Provide an alternative to the requirement for garages to be recessed by four feet, which has been found to limit variety in home designs.
18.210.060 – Neighborhood design standards.	D. Architectural design. 2. Front façade features. Every front façade shall contain a minimum of three elements from the lists below to include a minimum of one element from the structural elements list and at least one element from the decorative elements list. <u>In order for a dwelling to meet the</u>	Provide an alternative to the requirement for garages to be recessed by four feet, which has been

	<u>enhanced architectural design requirement in RDC 18.210.120.A.1.b, the front façade shall contain a minimum of six elements from the lists below to include a minimum of two elements from the structural elements list and at least two elements from the decorative elements list.</u> a. Structural elements. Porches, dormers, gables, hipped/pitched roof, bay window, eupolas/towers, sixteen-inch offset, balconies, unique roofline via orientations (structure, pitch, etc.), vertical breaks/horizontal walls • <u>Covered porch area with a minimum of 15 square feet</u> • <u>Dormers</u> • <u>Gables</u> • <u>Hipped, gable, gambrel, mansard or similar pitched roof</u> • <u>Bay windows</u> • <u>Twelve-inch offset from one exterior wall to another</u> • <u>Balconies</u> • <u>Roofline offset of at least 2 ft from the top surface of one roof to the other</u> • <u>Vertical breaks/horizontal walls</u> • <u>Recessed building entry at least 2 ft deep by 4 ft wide</u> b. Decorative elements. Decorative garage doors, pillars/posts, decorative finish, contrasting materials, brick/rock accents, variable siding materials, shutters, plan reversal, other architectural elements, other than color, glass or lighting, including varying texture and materials within the same building, or massing, or window voids. The community development director may authorize another feature in lieu of one or more of the foregoing based on fact-specific analysis in the director's sole discretion. • <u>Decorative garage doors</u> • <u>Pillars/posts</u> • <u>Decorative eave or barge boards with two material variations</u> • <u>Decorative shingles or varied siding in gables</u> • <u>Decorative siding (shingles, shake, batten board, wainscoting, or similar)</u> • <u>Brick, stone or cedar accents covering at least 10% of the front facade wall surface area</u>	found to limit variety in home designs. Update/modernize menus of structural and decorative architectural design elements, and format to be more legible.
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	• <u>Variable siding; the use of 2 or more types of siding</u> • <u>Fiber-cement horizontal lap siding between 3 and 7 inches wide</u> • <u>Shed roof above window(s)</u> • <u>Belly Band cladding</u> • <u>Functional shutters or louvers</u> • <u>Corner boards/ posts</u> • <u>Knee or eave braces</u> • <u>Enlarged trim on garage door headers at least 6" wide</u> • <u>Other architectural elements, other than color, glass or lighting, approved by the community development director</u>	
18.210.120 – Accessory structures and dwellings.	ed. For single-family attached dwellings, detached garages or and all carports either detached from or attached to the main structure shall not protrude beyond the front building façade. <u>Attached garages shall be subject to the townhouse garage standards in RDC 18.220.140.C.3.</u>	Eliminate conflict with the single-family attached townhouse garage standards in RDC 18.220.140, which all townhouses in low density and medium density residential zones also must meet.
18.230 – Commercial Districts		
18.230.055 – Building design and features.	E. Windows and doors. 4. Transparency Zone. The transparency zone regulations apply to building facades which front pedestrian streets. The purpose of transparency requirements is to maintain “eyes on the street” for safety of pedestrians and to create a more welcoming and interesting streetscape and give an indication of the types of uses and activities occurring in buildings. Transparent windows and doors may be used to meet transparency requirements. Glazed windows, where visibility is obscured, shall not be used to meet transparency standards. b. A minimum of sixty percent window and door transparency is required within the transparency zone. <u>The transparency requirement may be reduced to a minimum of forty-eight percent (a twenty percent reduction) without application for an administrative adjustment if the applicant demonstrates that:</u>	Provide alternative methods of creating a more welcoming and interesting streetscape when strict numerical adherence to the sixty percent transparency standard is not practical.

	<u>i. It is not practical to meet the minimum sixty percent transparency requirement due to existing conditions or proposed interior uses.</u> <u>ii. A more welcoming and interesting streetscape is achieved by implementing all four façade articulation methods in RDC 18.230.055.C.1.c or at least three of the entry enhancement features in RDC 18.230.050.E.1.</u>	
18.235 – Mixed Use Districts		
18.235.060 – Special provisions for the Ridgefield Mixed Use Overlay (RMUO).	P. Fences. Fences shall comply with the standards of RDC 18.740 with the following additional standards. 1. Fences shall be compatible with the overall building design, such as repetition of the building material on fence columns and/or stringers, and constructed of wrought iron, brick, stone, <u>treated wood (provided the structural posts are steel with a wood post cover)</u>, or concrete block (CMU). Smooth-faced concrete block must have a veneer finish on the side(s) visible to public view. Other materials which have the general appearance and visual quality of approved fence materials may be approved by the planning director. However, the use of <u>untreated</u> wood, <u>solid wood posts</u>, vinyl, plywood or composite sheeting as a fence material is not permitted. <u>Where applicable, the fence standards in RDC 18.210.065.C supersede.</u> 4. Fences and walls facing pedestrian streets, as defined in RDC 18.230.050.B.1, shall not be allowed <u>for non-residential uses.</u> and fences Fences and walls <u>for non-residential</u> uses facing major corridors, as defined in RDC 18.230.050.B.2, shall be discouraged unless the applicant demonstrates the fences or walls are necessary for business safety, screening the development from adjacent residential uses, or screening the parking area, or service areas. If fences or walls facing public streets are used, they shall be set back 10 feet from sidewalk or right-of-way and shall provide landscaping within the setback area at an L2 standard.	Allow wood fences so long as they are treated for durability and use hidden steel posts. Allow residential uses in mixed-use developments to be fenced subject to fence design standards.
18.240 – Employment District		
18.240.080 – Off-street parking and loading.	B. No more than fifty percent of a lot abutting an arterial, minor arterial or collector street may be dedicated to parking area along the arterial or collector street frontage. <u>1. Sites with the following primary uses are exempt from the requirement in (B) when such a primary use occupies at least 50,000 square feet: Light manufacturing, research and development, freight/cargo movement and storage, fleet service, warehousing, wholesale retail, and computer and electronics manufacturing.</u>	Avoid pushing large industrial buildings closer to the street in the employment zone, where pedestrian activity is unlikely between sites.

18.240.095 – Fences.	B. Fences designed for privacy, security, and/or screening shall be made of material that is compatible with the building design. For example, the building material may be repeated on fence columns and/or stringers. <u>1. Chain link fences are discouraged and may only be used in areas not visible from any public right-of-way, adjacent property, or onsite common open area. If used, black, dark brown or dark-toned coated chain link fencing with matching posts and rails shall be required.</u> <u>2. Barbed wire, razor wire, electric and similar dangerous fences shall not be used except for specific conditions where the applicant demonstrates they are required for security reasons. Landscaping may be required, as determined by the planning director, to reduce the visual impact of barbed wire, razor wire, electric and similar dangerous fences to the public.</u>	Make Employment zone fence standards more consistent with commercial fence standards, while allowing for chain link and barbed wire/razor wire fences when they are appropriate for the associated use.
18.280 – Critical Areas Protection		
18.280.040 – Approval process.	J. Financial Assurances. 1. When mitigation required pursuant to a development proposal is not completed prior to the city final permit approval, such as final plat approval, final site plan approval, final building inspection or final occupancy issuance, the city shall require the applicant to provide security in a form and amount deemed acceptable by the city. If the development proposal is subject to mitigation, the applicant shall provide security in a form and amount deemed acceptable by the city to ensure mitigation is fully functional subject to the following:	Remove reference to final site plan.
18.280.070 – Density transfer allowance.	E. Requirements. 2. Critical areas and buffers from which density is transferred shall be enhanced to improve their functions and restore native species. Such enhancement activities may include, but are not limited to, landscaping using native plants, removal of invasive species, additional treatment of stormwater, and implementation of best management practices. Proposed critical areas enhancement shall be detailed in the applicant's critical areas report required by RDC 18.280.050. <u>The burden is on the applicant to demonstrate the enhancements are proportionate to the increase in density.</u>	Provide additional guidance for critical area density transfer procedures.
18.310 – Procedures		
18.310.150 – Development agreements.	J. Recording. Within thirty days after approval by city council, the city shall ensure that a development agreement is recorded within the real property records of Clark County. During the term of the development agreement, the agreement is binding on the parties and their successors, including successor jurisdictions. The term of the agreement shall be <u>no longer than five (5) years from the date of recording. The city council may extend the term of the</u>	Impose clear limits on the term of development agreements, to avoid situations where multi-phased projects are bound

	<u>agreement in five-year increments up to a maximum of twenty (20) total years if the council finds that extension of the term of the agreement will provide substantial benefit to the whole community as defined by the Council. such length as to be reasonable and shall be agreed to by both the applicant and the city.</u>	to outdated standards many years after an agreement was initially recorded.
18.350 – Modifications to Standards		
18.350.030 – Decision standards for adjustments.	F. The proposed adjustment is the minimum necessary to resolve the identified problem; and G. The proposed adjustment is no greater than twenty percent of the relevant numeric standard; or; and <u>H. The proposed adjustment shall demonstrate how the development provides, through the design of the building or development site, greater benefit to the community as a result of granting an adjustment to a code standard, or</u> H. The adjustment is required to comply with other regulatory schemes, for example, state licensing, and subsections (B), (C), (D), and (G), and (H) of this section are satisfied.	Make explicit the goal to get a clear benefit in exchange for granting and administrative adjustment.
18.395 – Enforcement Procedures and Penalties		
18.395.030 – Determination of violation.	There shall be designated <u>appointed</u> by the city council, or designee, of one or more a “code enforcement officers.” The code enforcement officers shall determine if a violation of the development code has occurred. Such determination shall be based upon factual information that a clear violation of rule, regulation, procedure, or standard, terms of any permit or approval granted per the Ridgefield Development Code, or any condition imposed on such a permit or approval has been violated in the course of permitting, construction or occupancy of a land use or development. It shall be the duty of the code enforcement officer to enforce this chapter. The code enforcement officer may call upon the police, fire, building, planning, public works or other appropriate city department and employees of the city to assist in enforcement of the development code.	Broaden ability to designate code enforcement officers. Specify additional violation scenarios.
18.395.050 – Procedures.	A. Procedures. Unless otherwise specifically provided for within each chapter, the enforcement of the development code of the city shall govern code enforcement actions. Code enforcement actions within the city shall follow the procedures set forth in this section. Code enforcement actions fall into five primary steps: initial notice, corrective order, notice of civil penalty, notice to abate and citation follow the steps in subsections (1) – (3). 1. Initial Notice. Upon receipt of a valid written complaint or observation of a violation by the code enforcement officer, the director shall give an initial notice <u>Initial Notice</u> in writing	Streamline code enforcement procedures to eliminate redundant steps and clarify the path from initial notice to penalty.

	to the property owner or violator. The initial notice <u>Initial Notice</u> shall comply with Section 18.395.080 – Contents of notices. <u>The Initial Notice is not appealable.</u> a. Service. Such initial notice <u>Initial Notice</u> shall be sent via U.S. mail or delivered by personal service. b. Time Frames for Compliance. i. Any violator shall have a maximum of seven days to initiate steps toward compliance (i.e., application for permit, physical correction of violation), and shall have fourteen days from <u>the date of the</u> the initial notice <u>Initial Notice</u> to complete correction of <u>the</u> violation. <u>Depending on the nature of the violation, the time frames indicated for an Initial Notice may be adjusted by the officer to provide a reasonable time for compliance not to exceed thirty (30) days following from the date of the Initial Notice. If remedy of the violation is pursued within established time frames, then there are not punitive consequences associated with an initial notice.</u> <u>(a) If remedy of the violation is pursued within established time frames, then there are not punitive consequences associated with an Initial Notice.</u> <u>(b) If the violation is not corrected, then a Corrective Order and Notice of Potential Civil Penalty will be issued.</u> ii. Depending on the nature of the violation, the time frames indicated for an initial notice may be extended by the officer for a reasonable time for compliance.	
	2. Stop Work Order in Addition to Initial Notice. The initial notice may be supplemented by a stop work order if the public works supervisor, or planning director, or building official, or code enforcement officer <u>The City may issue an emergency Stop Work Order, either concurrent with the Initial Notice or at any time during the code enforcement process, if the City finds that the violation poses an immediate threat to the general health, safety or general welfare or the public or, if continued, would result in damage to public or private property or the environment. Such stop work order</u> <u>The Stop Work Order shall contain the information set forth above in RDC 18.395.080, and shall be in full force and effect until the code enforcement officer or its designee determines that sufficient compliance has been achieved to warrant removal of the</u> stop work order <u>Stop Work Order. Any continued work</u>	

	<u>in violation of the Stop Work Order shall be subject to criminal prosecution in accordance with this chapter. A Stop Work Order may be appealed per Section 18.395.090 provided that such an appeal shall not stay the effect of the Stop Work Order.</u> 3. Notice of <u>Corrective Order and Notice of Potential Civil Penalty.</u> a. Following the end time frame for compliances identified in the initial notice and if the violation is not corrected within said the time frame established in the Initial Notice, the code enforcement officer shall issue a corrective order <u>Corrective Order and Notice of Potential Civil Penalty.</u> Contents of the corrective order <u>Corrective Order and Notice of Potential Civil Penalty</u> shall contain the information in the foregoing section <u>RDC 18.395.080.</u> as well as the following: i. Copies of all prior formal written correspondence advising the property owner of the violation and corrective measures; ii. Date by which correction must be initiated and the date by which violation must be corrected. iii. A statement that the city may pursue additional civil or criminal remedies or abatement authority if the violation is not corrected within the time frames specified in the corrective order, and a citation of the regulatory authority in the Ridgefield Municipal Code authorizing such actions. b. Service. Such corrective order <u>Corrective Order and Notice of Potential Civil Penalty</u> shall be sent via certified U.S. mail or delivered via personal service. c. Time Frames for Compliance. Any violator shall have a maximum of seven days to initiate steps toward compliance (i.e., application for permit, physical correction of violation), and shall have a maximum of fourteen days following the corrective order <u>Corrective Order and Notice of Potential Civil Penalty to complete correction of the violation. Depending on the nature of the violation, the code enforcement officer may file an extension of a reasonable time for compliance not to exceed thirty (30) days following the Corrective Order and Notice of Potential Civil Penalty.</u> i. If remedy of the violation is pursued within established time frames, then there are not further punitive consequences associated with a Corrective Order and Notice of Potential Civil Penalty.	
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	<u>ii. If the violation is not corrected within the time frames established in the Corrective Order and Notice of Potential Civil Penalty, the City may impose a civil penalty per RDC 18.395.060.</u> d. Depending upon the nature of the violation the code enforcement officer may file an extension of a reasonable time for compliance not to exceed thirty days. e. If the violation is not corrected within the time frames established with the corrective order, the code enforcement officer shall issue a notice of civil penalty pursuant to the following section and Section 18.395.060. fd. A corrective order <u>Corrective Order and Notice of Potential Civil Penalty</u> may be appealed as provided for in Section 18.395.090. 4. Notice of Civil Penalty. a. Following the end time frame for compliance identified in the corrective order, the code enforcement officer shall issue a notice of civil penalty. The notice of civil penalty shall contain the information required by Section 18.395.080, as well as the following: i. Copies of all prior formal written correspondence advising the property owner of the violation and corrective measures; ii. Date by which correction must be initiated and the date by which violation must be corrected; iii. A statement that the city may pursue abatement authority to address the violation if not corrected within the time frames specified in the notice of civil penalty, and a citation of the regulatory authority in the Ridgefield Municipal Code authorizing such abatement; iv. A statement that the city may issue a civil citation if the violation is not corrected within the time frames identified in the notice of civil penalty and a statement of the potential amount of the civil penalty under this chapter; v. Contact person and phone number for additional information. b. Service. Such notice of civil penalty shall be sent via certified U.S. mail or personal service.	
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	c. Time Frames for Compliance. To avoid imposition of the civil penalty, the violator shall take immediate steps toward initiating compliance (i.e., application for permit, physical correction of violation) and shall have a maximum of fourteen days following the service of notice of civil penalty to complete correction of the violation. d. Depending upon the nature of the violation, the time to complete the correction of the violation may be extended by the code enforcement officer not to exceed fifteen days. e. Civil penalties may be imposed by the code enforcement officer in accordance with Section 18.395.060 retroactive to the date of the initial notice. f. A notice of civil penalty may be appealed pursuant to Section 18.395.090.	
18.395.060 – Civil penalty, injunctive relief, <u>abatement</u> , revocation and suspension of applicable permits, <u>liens</u> , and other remedies.	D. Stop Work Order. Whenever the public works supervisor, planning director, building official, or code enforcement officer finds that a violation poses an immediate threat to the general health, safety or general welfare of the public or, if continued, would result in damage to public or private property or the environment, they shall issue a “stop work order.” The stop work order shall be in full force and effect until the code enforcement officer or his or her designee determines that sufficient compliance has been achieved to warrant removal of the stop work order. Any continued work in violation of the stop work order shall be subject to criminal prosecution in accordance with this chapter.	Remove language that appears earlier in the chapter. Re-letter following sections.
18.395.080 – Contents of notices.	A. Whenever the code enforcement officer issues an initial notice, a notice of corrective order, a stop work order, a notice of civil penalty or notice of abatement notice or order pursuant to this chapter, such notice <u>it</u> shall contain the following: 1. The name and address of the person or persons to whom the notice of violation is directed; 2. The street address when available or a legal description sufficient for the identification of the building, structure, premises or land upon which or within which the violation is occurring; 3. A brief and concise description of the history of the violation, including dates of initial notice, written warning and corrective notice, prior notices and/or orders and the name of the officer involved in each of these prior steps;	Put all information regarding the language required in notices and orders in one subsection for ease of reference.

	<u>4. Copies of all prior formal written correspondence advising the property owner of the violation and corrective measures;</u> <u>5. A concise description of the nature of the violation;</u> <u>6. A statement of the action(s) required to be taken as determined by the official officer and a the date(s) for correction as set forth in the applicable sections of this chapter;</u> <u>7. For an Initial Notice: A statement that the City will issue a Corrective Order and Notice of Potential Civil Penalty pursuant to RDC 18.395.050.A.3 if the violation is not corrected in the established time frame.</u> <u>8. For a Corrective Order and Notice of Potential Civil Penalty: A statement that the City may impose a civil penalty pursuant to RDC 18.395.060 if the violation is not corrected in the established time frame.</u> <u>9. For a Corrective Order and Notice of Potential Civil Penalty: A statement that a maximum cumulative civil penalty in the amount of one thousand dollars (\$1,000) per violation per day shall be assessed against the person to whom the notice of violation is directed for each and every day following the date set for correction on which the violation continues, and a statement of the section of the Ridgefield Municipal Code authorizing such penalty;</u> <u>10. For a Stop Work Order or a Corrective Order and Notice of Potential Civil Penalty: A statement that the code enforcement officer's determination of violation may be appealed by to the City's hearing examiner pursuant to Section 18.310.100 and that the penalty shall not accrue while an administrative appeal is pending, but that mitigation or abatement may be sought required to relieve eminent an immediate threat to the health, safety and general welfare of the community or environment.</u> <u>11. Staff contact information for additional information.</u>	
18.395.090 – Appeals.	Appeals of stop work orders, corrective orders or notice of civil penalty <u>A Stop Work Order or a Correction Order and Notice of Potential Civil Penalty may be appealed to the Ridgefield hearing examiner pursuant to Section 18.310.100. Appeals of criminal citations under this title shall be processed in accordance with applicable state and municipal laws. Written notice of appeal must be filed with the city clerk and the code enforcement officer within the time</u>	Update language and identify appeal period.

	stated in the respective notice of compliance action <u>fourteen days of the date on the order or notice to be appealed.</u>	
18.500 – Site Plan Review		
18.500.080 – Final site plan review:	A. — An applicant shall file for a final site plan prior to expiration of the preliminary site plan established in RDC 18.500.070.C and after submittal of plans for final engineering review. B. — Final site plan for all preliminary site plan approvals shall be reviewed through a Type I procedure. C. — All final site plan applications shall contain complete site plans drawn to scale and produced in such a way as to clearly indicate compliance with all applicable zoning and site design standards, and shall include the following: 1. — Dimensions and orientation of the parcel; 2. — Locations of existing and proposed buildings and structures; 3. — Location and layout of off-street parking and loading facilities; 4. — Curb cuts and internal traffic circulation; 5. — Location of walls and fences, indication of their height and construction materials; 6. — Existing and proposed exterior lighting, meeting the submittal requirements of RDC 18.715.070; 7. — Location and size of exterior signs and outdoor advertising, if proposed; 8. — General location and configuration of proposed landscaping, meeting the submittal requirements of RDC 18.725.070; 9. — General location and configuration of proposed open space and recreation areas, if required; 10. — Where slopes are equal to or greater than fifteen percent, grading and slope conditions which may affect drainage or construction, with slope contours mapped at two-foot intervals; 11. — Height and conceptual appearance of building facades for all buildings and structures; 12. — Indication of proposed use of all buildings;	Remove the final site plan procedure, which is cumbersome to implement and enforce. Instead, check compliance with approved preliminary site plans at engineering submittal, building submittal, and final occupancy.

	13. The location of any historically or archaeologically significant feature; or natural feature, including stream corridors, wetlands, wildlife habitat areas, well head protection areas, geologically unstable areas, constrained and unbuildable land, areas with native vegetation, areas with tree cover, rock outcroppings or similar natural or historic features; and 14. Other architectural or engineering data which may be necessary to determine compliance with applicable regulations. D. The review authority shall approve a final site plan if he or she finds: 1. It complies with the decision approving the preliminary site plan; 2. The applicant has fulfilled all conditions of approval of the preliminary site plan and the requirements of this title; and 3. The final site plan application complies with the submittal requirements of this section. (Ord. No. 1207, § 2(Exh. A), 5-26-2016; Ord. No. 1290, § 2(Exh. A), 4-25-2019)	
18.710 - Signs		
18.710.040 – Prohibited Signs.	<u>M. Backlit cabinet signs fabricated from acrylic, plexiglass®, plastic-faced, or injection molded panels with translucent vinyl, film, painted graphics, and/or integrally colored polycarbonate materials.</u>	Prohibit cabinet signs made of cheap materials that do not age well.
<u>18.710.235 – Ranch-style archway signs.</u>	<u>Ranch-style archway signs are subject to applicable building permits, and no sign permit shall be issued which does not comply with the following standards:</u> <u>A. In any residential zone, one nonilluminated or externally illuminated ranch-style archway sign is allowed per approved access point to a residential property or master-planned residential subdivision.</u> <u>B. The ranch-style archway shall not exceed a height of eighteen feet to the peak of the arch measured from the ground below the peak of the arch.</u> <u>C. Any ranch-style archway shall not exceed a maximum sign area of forty-eight square feet over an approved access point.</u> <u>D. Ranch-style archways and their supports shall be constructed of natural materials such as brick, sandstone, treated-wood, stucco, textured concrete masonry, wrought iron, or other similar materials.</u>	Establish standards for ranch-style archway signs, based on interest to use such signs at subdivision entries.

	<u>E. No plastic material may be used for an archway sign.</u>	
18.710.290 - Definitions	<u>“Ranch-style archway signs” means a sign that spans between two independent support structures and has individual lettering located in front of an open horizontal cross-support.</u>	Define ranch-style archway signs, based on interest to use such signs at subdivision entries.
18.725 - Landscaping		
18.725.080 - Installation	E. Shrubs shall be supplied in a minimum one-gallon containers or eight-inch burlap balls with a minimum spread of twelve inches, <u>except for shrubs used for screening vehicle areas, which shall be supplied in a minimum five-gallon container.</u> Reduction in the minimum size may be permitted if certified by a landscape architect that the reduction shall not diminish the plant materials' chance of survival or intended effect.	Enhance landscape screening to minimize headlight glare into the right-of-way.
	<u>G. When landscape materials are used to screen vehicle areas, the landscaped area shall provide opacity sufficiently to screen vehicle headlights from public rights-of-way at the time of planting. If such landscaping is not practicable, other mitigation measures may be permitted subject to review and approval by the Community Development Director.</u>	

CITY OF RIDGEFIELD REQUEST FOR COUNCIL ACTION

MEETING DATE: September 24, 2020

ITEM:

AGENDA ITEM TITLE: An Ordinance of the City of Ridgefield, Washington Amending Transportation Impact Fee Project List

GOVERNING LEGISLATION: Revised Code of Washington Chapter 36.70A, Growth Management – Planning by Selected Counties and Cities

PREVIOUS COUNCIL ACTION TAKEN: Multiple ordinances and resolutions throughout the years; most recently Adoption of Ordinance 1310 establishing a separate TIF Project list on February 13, 2020.

SUMMARY/BACKGROUND: Earlier in 2020 Ordinance 1310 was passed that separated the Traffic Impact Fee (TIF) list from the CFP to allow better flexibility to amend or update the list. Since then several of the projects on the TIF list have been completed, and other projects have been identified as new priorities.

This update to the TIF list will remove the Roundabout at Royle and S. 3rd St, improvements to the Roundabout at Royle and Pioneer, and Construction of S. Wells Drive from the TIF List, as they have now been completed, and will add 65th Ave, 56th Ave and a new collector south of Pioneer as TIF eligible projects.

BUDGET/FINANCIAL IMPACTS: Based on the current update the TIF rate will go from \$395.28 to \$399.05 per Average Daily Trip.

RECOMMENDED ACTION OR MOTION:

Staff recommends Council conduct a first reading of Ordinance 1326.

STAFF CONTACT: Bryan Kast, Public Works Director

ATTACHMENTS: 2020 TIF October Update (PDF)

ORDINANCE NO. 1326

AN ORDINANCE OF THE CITY OF RIDGEFIELD, WASHINGTON AMENDING TRANSPORTATION IMPACT FEE PROJECT LIST

WHEREAS, impact fees are authorized for those jurisdictions planning under the Growth Management Act (GMA) and are charges assessed by local governments against new development projects that attempt to recover the cost incurred by government in providing the public facilities required to serve new development; and

WHEREAS, pursuant to the GMA, the City has adopted a Capital Facilities Plan that sets out the long range plan for the City's transportation system including the transportation projects, forecasts, and potential funding needed to meet the City's long range transportation goals to accommodate growth; and

WHEREAS, the City has amended the Capital Facilities Plan by Ordinance No. 1305. to remove the traffic impact fee project list and fee calculation from the City's comprehensive plan and has by ordinance 1310 adopted a separate traffic impact fee project list to give greater flexibility to the City in responding to changes in funding and development; and

WHEREAS, the City Council finds that the traffic impact fee project list is consistent with the City's adopted Capital Facilities Plan as set forth in the City's Comprehensive Plan;

NOW THEREFORE, the City Council for the City of Ridgefield ordains as follows:

Section 1. Public Interest. The Ridgefield City Council finds it to be in the public interest to adopt an updated traffic impact fee project list and fee.

Section 2. Adoption of Traffic Impact Fee Project List. The City Council hereby adopts the revised Traffic Impact Fee Project List as set forth in Exhibit A, attached hereto and incorporated fully by this reference based on the City's capital facilities plan for purposes of calculation of the Traffic Impact Fee.

Section 3. 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 4. Severability. If any section, subsection, sentence, clause, phrase, or other portion of this Ordinance, or its application to or any other person or circumstance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection or portion thereof, irrespective of the fact that any one or more of the other portions be declared invalid or unconstitutional.

Section 5. Effective Date. This ordinance shall be in full force and effect thirty (30) calendar days after adoption and publication pursuant to law.

PASSED BY THE CITY COUNCIL OF THE CITY OF RIDGEFIELD, WASHINGTON THIS _____ DAY OF OCTOBER, 2020.

Don Stose, Mayor

ATTEST/AUTHENTICATED:

Julie Ferriss
City Clerk

APPROVED AS TO FORM:

Janean Parker, City Attorney

First Reading: _____
Second reading/Passage: _____
Date of Publication: _____
Effective Date: _____

Old Rank	New Rank	Project ID	Description	From	To	TIF	Total Project Cost	Grant Percent	WSDOT Percent	Public Share Percent	TIF %	Private Share Percent	Total	TIF @ level
1	1	32	Widen Pioneer Street (SR 501) (4 lanes)	Royle Road (45th Avenue) R	51st Avenue	Yes	\$2,570,000	0%	0%	10%	40%	30%	80%	\$18.83
2	2	18	Widen Pioneer Street (SR 501) (4 lanes)	35th Avenue Roundabout	Royle Road (45th Avenue)	Yes	\$4,140,000	0%	0%	10%	35%	35%	80%	\$46.40
3	3	34	Widen Pioneer Street (SR 501) (4 lanes)	51st Avenue	56th Avenue	Yes	\$2,570,000	0%	0%	10%	40%	30%	80%	\$64.89
4	4	33	Construct 2-lane roundabout at Pioneer Street (SR 501) at 51st Avenue	-	-	Yes	\$1,490,000	0%	0%	0%	60%	40%	100%	\$74.69
5	5	20	Widen S Royle Road to minor arterial (3 lanes)	Hillhurst Road	S 15th Street	Yes	\$10,000,000	0%	0%	30%	40%	30%	100%	\$147.54
6	6	15	Upgrade Hillhurst Road to principal arterial (5 lanes)	Sevier Road	UGA/Williams Rd	Yes	\$10,000,000	25%	0%	35%	25%	15%	100%	\$210.39
7	7	5	Widen Hillhurst Road to minor arterial (3 lanes)	Pioneer Street (SR 501)	Sevier Road	Yes	\$6,350,000	0%	0%	30%	40%	30%	100%	\$254.51
8	8	55	Extend Pioneer Street (SR 501) to Union Ridge Parkway (4 lanes)	65th Avenue Roundabout	S 5th Street	Yes	\$9,000,000	0%	0%	30%	30%	40%	100%	\$284.11
9	9	22	Widen Royle Road (45th Avenue) to minor arterial (3 lanes)	S 15th Street	Pioneer Street (SR 501)	Yes	\$6,000,000	0%	0%	30%	40%	30%	100%	\$326.96
10	10	23	Build roundabout at Royle Road and S 3rd	-	-	Yes	\$0	0%	0%	30%	40%	30%	100%	\$326.96
11	11	21	Build a roundabout at Royle Road (45th Avenue) and S 15th Street	-	-	Yes	\$2,250,000	0%	0%	30%	40%	30%	100%	\$336.83
12	12	39	Build S 15th St/Wells Drive as a minor arterial (3 lanes)	S Royle Road (45th Avenue)	S 11th Street	Yes	\$0	20%	0%	35%	25%	20%	100%	\$336.83
13	13	24	Construct 2-lane roundabout at Pioneer Street (SR 501) at Royle Road (45th Avenue)	-	-	Yes	\$0	0%	0%	0%	62%	38%	100%	\$336.83
14	14	7	Build bridge at Reiman and Pioneer Canyon Dr connection	Pioneer Canyon Dr	Reiman Road	Yes	\$2,000,000	0%	0%	20%	40%	40%	100%	\$345.61
14	15	8	Build Pioneer Canyon Dr as collector (2 lanes)	32nd Avenue	Reiman Road	Yes	\$2,500,000	0%	0%	20%	40%	40%	100%	\$356.57
15	15	4	Construct signal at Pioneer Street (SR 501) and Hillhurst Road (9th Avenue)	-	-	Yes	\$400,000	0%	0%	40%	30%	30%	100%	\$357.89
16	16	14	Build S 15th Street to Collector	S Royle Road (45th Avenue)	S 35th Avenue	Yes	\$4,830,000	0%	0%	20%	40%	40%	100%	\$379.07
17	17	52	Widen N 65th Avenue (NW 11th Avenue) to minor arterial (3 lanes)	Pioneer Street (SR 501)	N 20th Street (NW 289th St	yes	\$3,130,000	0%	0%	40%	20%	40%	100%	\$385.93
40	18	36	Build new east-west collector roadway south of Pioneer Street (SR 501) (2 lanes)	Pioneer at 42nd	56th Avenue	yes	\$1,400,000	0%	0%	10%	40%	50%	100%	\$392.07
	19	31	Build N 56th Avenue as industrial/commercial collector (3 lanes)	Pioneer Street (SR 501)	N 5th Street	yes	\$1,590,000	0%	0%	0%	40%	60%	100%	\$399.05
19	20	13	Build/Rebuild S 35th Ave as collector (3 lanes)	Pioneer Street (SR 501)	S 15th Street	no	\$7,420,000	0%	0%	20%	40%	40%	100%	\$399.05
39	21	50	Build N 20th Street (NW 289th Street) overcrossing over I-5	-	-	no	\$12,180,000	0%	0%	50%	0%	50%	100%	\$399.05
36	22	6	Replace Pioneer Street (SR 501) bridge over Gee Creek	-	-	no	\$3,130,000	65%	0%	35%	0%	0%	100%	\$399.05
18	22	56	Build a signal or roundabout at Union Ridge Parkway extension and 74th Place extension	-	-	no	\$2,500,000	0%	0%	30%	40%	30%	100%	\$399.05
20	23	25	Widen Royle Road (45th Avenue) to minor arterial (3 lanes)	Pioneer Street (SR 501)	N 10th Street	no	\$3,300,000	0%	0%	30%	40%	30%	100%	\$399.05
	24	38	Extend S 6th Way as industrial/commercial collector (3 lanes)	S 56th Place	Royle Road (45th Avenue)	no	\$5,250,000	0%	0%	0%	0%	100%	100%	\$399.05
40	25	16	Build N 14th Street as a collector (2 lanes)	N 35th Avenue	Royle Road (45th Avenue)	no	\$8,240,000	0%	0%	35%	0%	65%	100%	\$399.05
37	26	72	Widen Pioneer Street (SR 501) (3 lanes)	Reiman Road	35th Avenue Roundabout	no	\$6,550,000	20%	0%	40%	0%	40%	100%	\$399.05
21	27	65	Widen 85th Avenue to minor arterial (3 lanes)	S 5th Street	NE 279th Street	no	\$4,230,000	40%	0%	10%	20%	30%	100%	\$399.05
	28	42	Extend NW 219th Street as rural major collector outside UGA (2 lanes)	I-5	NW 31st Avenue/Hillhurst	no	\$18,820,000	40%	0%	30%	0%	30%	100%	\$399.05
41	29	26	Build a signal or roundabout at N 10th Street and Royle Road (45th Avenue)	-	-	no	\$2,250,000	0%	0%	50%	0%	50%	100%	\$399.05
	30	43	Build new north-south rural minor collector roadway outside UGA (2 lanes)	NW Carty Road	NW 219th Street	no	\$3,500,000	0%	0%	10%	0%	90%	100%	\$399.05
22	31	69	Build a signal or roundabout at Union Ridge Parkway and 85th Avenue	-	-	no	\$2,500,000	0%	0%	30%	40%	30%	100%	\$399.05
	32	44	Upgrade Ecklund Road/NW 11th Ave to rural minor collector outside UGA (2 lanes)	NW Carty Road	NW 219th Street	no	\$4,000,000	0%	0%	20%	0%	80%	100%	\$399.05
42	33	67	Build new east-west collector roadway (2 lanes)	N 85th Avenue	new local roadway	no	\$4,100,000	0%	0%	50%	0%	50%	100%	\$399.05
	34	45	Build S 51st Avenue as minor arterial (3 lanes)	S 20th Way	NW Carty Road	no	\$4,000,000	0%	0%	20%	0%	80%	100%	\$399.05
23	35	68	Widen S 85th Avenue to minor arterial (3 lanes)	NE 259th Street	S 5th Street	no	\$1,090,000	77%	0%	0%	23%	0%	100%	\$399.05
	36	46	Construct SB auxiliary lane along I-5	Pioneer Street (SR 501)	219th Street	no	\$9,260,000	50%	45%	5%	0%	0%	100%	\$399.05
43	37	62	Build new north-south collector roadway (2 lanes)	N 10th Street	new collector extending 74	no	\$4,000,000	0%	0%	50%	0%	50%	100%	\$399.05
	38	47	Construct NB auxiliary lane along I-5	219th Street	Pioneer Street (SR 501)	no	\$10,120,000	50%	45%	5%	0%	0%	100%	\$399.05
24	39	57	Build a signal or roundabout at Union Ridge Parkway and S 5th Street	-	-	no	\$2,500,000	0%	0%	30%	40%	30%	100%	\$399.05
	40	48	Widen Timm Road to industrial/commercial collector (3 lanes)	S 11th Street	S 20th Way	no	\$2,330,000	0%	0%	0%	0%	100%	100%	\$399.05
44	41	51	Widen N 20th Street (NW 289th Street) to minor arterial (3 lanes)	I-5	N 65th Avenue (NW 11th A	no	\$2,860,000	0%	0%	40%	0%	60%	100%	\$399.05
	42	49	Widen S 20th Way to industrial/commercial collector (3 lanes)	Timm Road	S 51st Avenue	no	\$2,980,000	30%	0%	30%	0%	40%	100%	\$399.05
25	43	11	Build new east-west collector (2 lanes)	Hillhurst Road	new rural minor collector r	no	\$4,300,000	0%	0%	30%	40%	30%	100%	\$399.05
	44	53	Widen N 10th Street to collector (2 lanes)	east side of I-5	N 65th Avenue	no	\$1,460,000	0%	0%	10%	0%	90%	100%	\$399.05
45	45	41	Upgrade Carty Road to minor arterial (3 lanes)	Hillhurst Road	I-5	no	\$15,270,000	20%	0%	40%	0%	40%	100%	\$399.05
	46	54	Widen S 65th Avenue (NW 11th Avenue) to collector (2 lanes)	Pioneer Street (SR 501)	S 10th Street	no	\$2,350,000	0%	0%	0%	0%	100%	100%	\$399.05
26	47	59	Extend S 10th Street as minor arterial (3 lanes)	S 10th Street	I-5 overpass	no	\$2,290,000	20%	0%	35%	25%	20%	100%	\$399.05
	48	60	Widen S 5th Street to collector (2 lanes)	Union Ridge Parkway	N 85th Avenue	no	\$3,080,000	0%	0%	0%	0%	100%	100%	\$399.05
46	49	17	Build N 10th Street as collector (2 lanes)	Royle Road (45th Avenue)	35th Avenue	no	\$4,000,000	0%	0%	35%	0%	65%	100%	\$399.05
	50	61	Build new industrial/commercial collector (3 lanes)	Union Ridge Parkway	S 5th Street	no	\$7,820,000	0%	0%	0%	0%	100%	100%	\$399.05
27	51	58	Build S 11th Street overcrossing over I-5 (3 lanes)	Timm Road	Dolan Road	no	\$17,150,000	30%	0%	30%	40%	0%	100%	\$399.05
	52	63	Build new east-west industrial/commercial collector (3 lanes)	N 65th Avenue	N 85th Avenue	no	\$7,820,000	0%	0%	0%	0%	100%	100%	\$399.05
	53	1	Extend Pioneer Street (SR 501) to Port of Ridgefield as minor arterial (3 lanes)	Division Street	Main Street	no	\$14,660,000	20%	0%	20%	0%	60%	100%	\$399.05
	54	64	Upgrade N 10th Street to collector (2 lanes)	N 65th Avenue	N 85th Avenue	no	\$4,930,000	0%	0%	10%	0%	90%	100%	\$399.05
28	55	37	Build S 51st Avenue as minor arterial (3 lanes)	Pioneer Street (SR 501)	S 20th Way	no	\$5,150,000	33%	0%	33%	0%	33%	100%	\$399.05
	56	66	Upgrade N 10th Street to collector (2 lanes)	N 85th Avenue	105th Ave (NE 20th Avenue	no	\$4,700,000	0%	0%	10%	0%	90%	100%	\$399.05
	57	2	Upgrade Main Avenue to minor arterial (3 lanes)	Depot Street	North UGB	no	\$450,000	100%	0%	0%	0%	0%	100%	\$399.05
	58	70	Upgrade NE 259th Street to collector (2 lanes)	N 85th Avenue	105th Avenue (NE 20th Av	no	\$4,700,000	0%	0%	10%	0%	90%	100%	\$399.05
29	59	40	Construct roundabout at S 11th Street and S 51st Avenue extension	-	-	no	\$1,030,000	0%	0%	40%	0%	60%	100%	\$399.05
	60	71	Build 105th Ave (NE 20th Avenue) as collector (2 lanes)	N 10th Street	NE 259th Street	no	\$7,050,000	0%	0%	10%	0%	90%	100%	\$399.05
	61	3	Extend Division Street as collector (2 lanes)	Pioneer Street (SR 501)	N Abrams Park Road	no	\$4,650,000	0%	0%	0%	0%	100%	100%	\$399.05
30	62	35	Build second northbound lane (right turn lane) at Pioneer Street (SR 501) and 56th Ave round	-	-	no	\$800,000	0%	0%	50%	0%	50%	100%	\$399.05
	63	19	Extend S 6th Way as collector (2 lanes)	Royle Road (45th Avenue)	35th Avenue	no	\$6,500,000	0%	0%	0%	0%	100%	100%	\$399.05
32	64	10	Rebuild S 10th Way as collector (2 lanes)	S 35th Place	S 25th Place	no	\$3,610,000	0%	0%	50%	0%	50%	100%	\$399.05
	65	28	Widen N 10th St to industrial/commercial collector (3 lanes)	Royle Road (45th Avenue)	west side of I-5	no	\$4,000,000	0%	0%	10%	0%	90%	100%	\$399.05
33	66	9	Rebuild S 25th Place as collector (2 lanes)	S 10th Way	S 4th Way	no	\$1,020,000	0%	0%	50%	0%	50%	100%	\$399.05
	67	29	Build N 5th Street as industrial/commercial collector (3 lanes)	Royle Road (45th Avenue)	N 56th Place	no	\$3,700,000	0%	0%	0%	0%	100%	100%	\$399.05
34	68	12	Extend N 35th Avenue as collector (2 lanes)	N Pioneer Canyon Drive	N 14th Street	no	\$3,300,000	0%	0%	35%	0%	65%	100%	\$399.05
	69	30	Build N 51st Avenue as industrial/commercial collector (3 lanes)	Pioneer Street (SR 501)	N 5th Street	no	\$2,000,000	0%	0%	20%	0%	80%	100%	\$399.05
35	70	27	Construct signal or roundabout at N 20th Street (NW 289th Street) and N Royle Road (45th	-	-	no	\$1,030,000	0%	0%	35%	0%	65%	100%	\$399.05

\$395.28

Total Project	\$336,150,000
TIF Project Total	\$70,220,000
Non-TIF Project Total	\$265,930,000

CITY OF RIDGEFIELD REQUEST FOR COUNCIL ACTION

MEETING DATE: September 24, 2020

ITEM:

AGENDA ITEM TITLE: Vista Ridge Heritage Tree Removal

GOVERNING LEGISLATION:

RDC 18.840

PREVIOUS COUNCIL ACTION TAKEN:

Council added the subject tree to the Heritage Tree Register on December 6, 2018, as Resolution No. 550.

SUMMARY/BACKGROUND:

On December 6, 2018, Council adopted Resolution 550 placing several nominated trees on the City's Heritage Tree Register, including a Japanese maple (*Acer palmatum*) at 1104 S Hillhurst Road.

On February 20, 2020, Olson Engineering submitted a preliminary planned unit development (PUD) application for Vista Ridge PUD, located at 1104 and 1108 S Hillhurst Road. The preliminary plans show a public street and residential lots in the immediate vicinity of the Japanese maple. The Hearing Examiner issued a final order granting preliminary approval to the Vista Ridge PUD on August 7, 2020. Final Order Condition of Approval A.18 states:

- Prior to site disturbance on lot 220022000, 1104 S. Hillhurst, the applicant shall either, provide the Community Development Director with a tree preservation plan consistent with RDC 18.840.040.B, secure a variance to the lot standards as provided in RDC 18.840.040.C, or secure city council approval to remove the tree as provided in RDC 18.840.[050.]A.

The applicant, Olson Engineering, has elected to bring a proposal to remove the heritage tree before Council. Per RDC 18.840.050.A, a tree removal permit shall be approved by Council if one the following criteria is satisfied:

1. Retention of the tree would make reasonable use of the property allowed under the current zoning impractical or impossible in that the development would not be allowed to meet the maximum density allowed by the applicable zoning or would require special design features that would significantly increase the cost of development by ten percent or more.
2. The removal is necessary to accommodate a new improvement, structure or remodeled structure, and no alternative exists for relocation of the improvement on the site, or that variances to setback provisions of the Development Code will not allow the tree to be saved or will cause other undesirable circumstances on the site or

adjacent properties.

3. The tree is hazardous, diseased or storm damaged and poses a threat to the health, safety or welfare of the public.
4. The tree has lost its importance as a heritage tree due to damage from natural or accidental causes, or is no longer of historic or natural significance.
5. The tree needs to be removed to accomplish a public purpose and no practical alternative exists.

There are no mitigation requirements for trees removed following Council approval under RDC 18.840.050.A.

BUDGET/FINANCIAL IMPACTS:

None

RECOMMENDED ACTION OR MOTION:

“I move to [adopt/reject] Resolution 584, Vista Ridge Heritage Tree Removal, as presented.”

STAFF CONTACT:

Claire Lust, Community Development Director

ATTACHMENTS:

Vista Ridge Heritage Tree Removal Request (PDF)

Japanese Maple_1 (JPG)

Japanese Maple_2 (JPG)

Vista Ridge existing conditions (PDF)

Vista Ridge approved preliminary plat (PDF)

Resolution No.584**VISTA RIDGE HERITAGE TREE REMOVAL**

WHEREAS, the City of Ridgefield adopted a Heritage Tree program with specific criteria with Ordinance 1241; and

WHEREAS; the City adopted as Heritage Trees several trees including the Japanese maple at 1104 S Hillhurst Road with Resolution 550; and

WHEREAS, Ridgefield Development Code 18.840 requires City Council approval to cut or remove a Heritage Tree; and

WHEREAS; the City Council considered a proposal to remove the Japanese maple at 1104 S Hillhurst Road previously adopted as a Heritage Tree at a public meeting on September 24, 2020;

NOW, THEREFORE, BE IT RESOLVED that the City of Ridgefield approves the proposal to remove the Japanese maple located at 1104 S Hillhurst Road.

ADOPTED AT THE REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF RIDGEFIELD, WASHINGTON THIS 24TH DAY OF SEPTEMBER, 2020.

CITY OF RIDGEFIELD

Don Stose, Mayor

ATTEST/AUTHENTICATED:

Julie Ferriss

PROPOSED VISTA RIDGE SUBDIVISION – REQUEST FOR HERITAGE TREE REMOVAL
REF. PLZ-20-0012, PLZ-20-0013 & PLZ-20-0015

WHAT: The proposed Vista Ridge Subdivision is located between S. 15th Circle and S. 9th Circle east of S. Hillhurst Road in the City of Ridgefield. It necessitates the removal of a tree listed on the City of Ridgefield’s Heritage Tree inventory. According to the Heritage Tree page on the City of Ridgefield website:

This tree is over 40 years old. This type of tree is also known as a small leaf maple tree or Japanese maple. The nomination stated that it is an “unusually large and magnificent specimen.” It was adopted as an official Ridgefield Heritage Tree on December 6, 2018.

The website also mentions that the height of the tree is twenty feet (20’) with a diameter breast height (“DBH”) undetermined (ref. <https://ridgefieldwa.us/find-a-park/heritage-trees/>)

A site visit by Mike Odren, R.L.A., of Olson Engineering, Inc. has determined that the tree has a split trunk approximately three feet (3’) from the base of the tree. The two (2) main trunks have a DBH of eight-inches (8”) and ten-inches (10”).

WHEN: City Council approval is required for the tree’s removal prior to final plat approval.

WHERE: The approximate location of the tree is within the proposed Vista Ridge Subdivision at 1104 S. Hillhurst Road, Ridgefield, WA.

WHY: The tree is listed as a “heritage” tree and cannot be removed without a vote by City Council approving. Final plat approval for the Vista Ridge Subdivision cannot occur without compliance with City rules about heritage tree removal. The following substantiates why the removal of the heritage tree at 1104 S. Hillhurst Road meets the City’s approval criteria A.2.

APPROVAL CRITERIA UNDER RDC 18.840.050 – REMOVAL OF A HERTIAGE TREE

A.	<i>Except for the provisions in this section, no person may cut or remove a heritage tree without obtaining approval from the city council. The tree removal permit shall be approved if one of the criteria is satisfied:</i>
2.	<i>The removal is necessary to accommodate a new improvement, structure or remodeled structure, and no alternative exists for relocation of the improvement on the site, or that variances to setback provisions of the Development Code will not allow the tree to be saved or will cause other undesirable circumstances on the site or adjacent properties.</i>
RESPONSE*:	The existing Japanese Maple is situated next to an abandon single-family residence. It appears secondary to the larger birch trees located to the south of it from the southeast and is completely obscured by the existing birch and a sycamore tree from the northwest. The dominant birch and sycamore trees hide and the Japanese maple and don't allow for a prominent location in the community enjoyed by other Heritage Trees. The tree is located approximately six feet (6') from the existing house that is to be removed to facilitate site development. Removal of the house and, more importantly, the house foundation may significantly affect the existing root system and tree anchorage. As the tree was planted so closely to the house, it has a ten (10) to fifteen (15) degree lean to the south (away from the house). Additionally, the proximity to the house has prevented the tree from realizing a full, uniform canopy that is typical of other "heritage trees" with the portion of the canopy closest to the house bare and not uniform with the balance of the canopy. Retention of the tree could result in a tree that would not appear uniform and would be potentially dangerous as the tree continues to grow to the south, particularly with the loss of approximately fifty percent (50%) of its critical root zone with removal of the house and house foundation. The tree is located adjacent to proposed S. 16th Court which provides access to the proposed subdivision as approved by the City of Ridgefield. Grading and excavation required to meet City of Ridgefield road standards, as well as construction of the sidewalk along the east side of S. 16th Court, will significantly affect the critical root zone of the tree. This would have the result of affecting the ability of the tree to uptake the necessary water and nutrients from the soil, as well as further affecting its anchorage, with this critical root zone loss. If the tree were recommended for retention, it may appear out of place among the other required street trees and buffer plantings along S. Hillhurst Road. Additionally, upon maturity of the proposed street and buffer trees, which have mature sizes equal to or greater than the existing Japanese maple, it would get lost and not be in a prominent setting that is consistent with the locations of other Heritage Trees. *NOTE: It should be noted that the writing of this narrative occurred prior to the existing house's removal which significantly damaged the existing tree beyond repair.

	Based on the attached pictures, it appears that the main trunk has been split with other minor damage to the branches.
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SUMMARY: Based on the above justifications, as well as the fact that the tree has been recently damaged beyond saving, the Applicant respectfully requests City Council approval of the removal of this heritage tree. In addition to the required landscaping required, the Applicant is willing to plant new trees, such as maple, ash or other native trees, along the T-13 trail (as room allows) to provide the residents and public a more enjoyable walking experience.

Photos Taken August 6, 2020, prior to house demolition.



Split trunk of heritage tree.



View from Southeast: Adjacent birch tree, heritage tree and house.

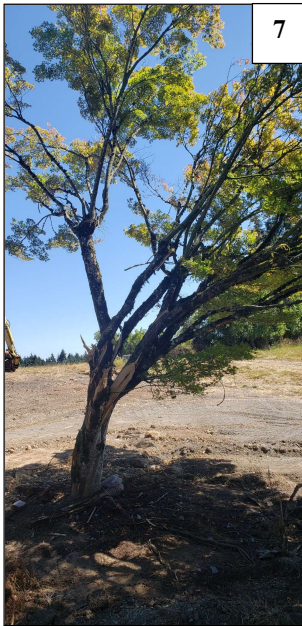


Side view of heritage tree and house.



View from Northwest: Adjacent birch and sycamore trees.

Photos Taken August 26, 2020, after house demolition.



4.3.b

Attachment

Packet Pg. 136





PLOT: correlation.cdf



CITY OF RIDGEFIELD REQUEST FOR COUNCIL ACTION

MEETING DATE: September 24, 2020

ITEM: BUSINESS

AGENDA ITEM TITLE: A Resolution of the City of Ridgefield, Washington Establishing a Business Support Grant Program in Response to the Coronavirus (Covid-19) Pandemic

GOVERNING LEGISLATION:

Coronavirus Aid, Relief, and Economic Security Act (Cares Act), Section 601(a) of the Social Security Act as amended by section 5001 of the Coronavirus, Relief, and Economic Security Act; 2 CFR 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; City of Ridgefield CRF Eligibility Policy and Procedures

PREVIOUS COUNCIL ACTION TAKEN:

Council adopted Resolution No. 574 declaring a public health emergency on March 26, 2020; Council adopted Resolution No 575 the City of Ridgefield's Continuing Operations Plan on March 26, 2020; Council adopted Resolution No. 577 implementing the Shop Local and Save assistance program on May 14, 2020; Review CRF Eligibility Policy and Procedures on August 13, 2020

SUMMARY/BACKGROUND:

I. Purpose

The purpose of this temporary emergency program is to assist small, locally owned Ridgefield-based for-profit businesses to survive the COVID-19 crisis, to minimize disruptions to workers and maintain availability of local goods and services in Ridgefield. The Ridgefield City Council has committed a portion of CARES Act funding to the COVID-19 Ridgefield Small Business Stabilization Grant Fund, an emergency fund that provides small working capital grants to qualifying small businesses to mitigate the direct impacts of business interruption due to operations limits during the initial phases of the COVID-19 response.

II. Funding

The City Council has allocated \$50,000 of CARES Act funding for grants. The grant awards will be between \$1,000 and \$5,000 per business in compliance with the business and fund use criteria. Grants will be provided on a first come first served basis for eligible expenses incurred between March 1 and October 31, 2020. The program may be terminated on October 31st, or such date as allocated funding has been used, whichever is earlier. Program may be extended in the event additional funding is allocated or the CARES Act grant funding deadlines are extended.

III. Business Criteria

- Business must be a private, for profit business. *Independent Contractors are not eligible for this program.
- Business and/or any owner may not be suspended, debarred, proposed for debarment, declared ineligible, or voluntarily excluded from participation in federal transactions.
- Business must have less than 25 FTE (full-time equivalent employees.) with priority given to those with 10 or fewer FTE.
- Business must have a physical storefront establishment within Ridgefield's city limits.
- Business must have a current Ridgefield business license and must be current on all state licensing and other regulatory requirements, as applicable.
- Business must have experienced a negative direct impact of business interruption due to operational limitations during initial phases of the COVID-19 pandemic response.
- Business must not be a national chain. National chains are defined as franchises/for-profit corporations;
- Business must have been in operation for at least 12 months.

Staff are asking Council for direction in three areas.

1. Grant amount? Should we have a range for grant amounts such as \$1,000 - \$5,000 based on need; or should the amount be fixed at an amount such as \$2,000 or \$2,500 per grant.
2. Total grant program? Currently listed at \$50,000 unless amended by Council.
3. FTE requirements? The program is listed for businesses less than 25 FTE (full-time equivalent employees) with priority given to businesses with 10 or fewer FTE. Should there be a priority for smaller business?
4. Eligibility? What is the date range Council would like to adopt for eligible expense? Currently as written it goes from the date specified in the CARES Act (March 1, 2020) – October 31, 2020 (City's deadline to request reimbursement to the Department of Commerce). Considerations for this line item are receipt of other federal or state programs such as the Payroll Protection Program and potential use of funds for the same purpose (ineligible for reimbursement per CARES Act). Or focusing on current expense to assist with fall and winter weather accommodations.

In addition to the small business stabilization grant program the City is asking to extend the time period for the "Shop Local and Save" utility rebate program for additional local business assistance. The current program expired June 30, 2020. Staff are proposing for council review to extend the deadline to October 31, 2020 so a second round of the program can be implemented. The timeframe would be September 14, 2020 through October 31, 2020 and receipts could be remitted until November 15, 2020. Terms and conditions of the program would mirror the initial roll out offering a \$15 rebate for every \$25 spent at a local business up to a maximum of \$75 in rebates per residential utility account.

BUDGET/FINANCIAL IMPACTS:

Impact include the receipt of grant funding from the Coronavirus Relief Fund through the US Treasury Department and Department of Commerce. Funding will be allocated to \$50,000 in

small business grant assistance and approximately \$50,000 to the “Shop Local and Save” utility rebate program to assist local business.

The City currently has \$182,894 left in available funding from the grant. The remaining grant amount would be expended through reimbursement of supply/service expense to the City and/or personnel expense related to quarantined staff if applicable.

RECOMMENDED ACTION OR MOTION:

Staff recommends that Council adopt resolution No. 585 as presented by making the following motion:

“I move to adopt Resolution No. 585 as presented.”

STAFF CONTACT:

Kirk Johnson, Finance Director

ATTACHMENTS:

Exhibit 1 - Uses of Program Grant Funds (DOCX)

Exhibit 2 - Interagency Agreement _20-6541C-303 (PDF)

Exhibit 3 - Ridgefield Small Business Grant Program (DOCX)

Exhibit A - Small Business Grant Application (DOCX)

Exhibit B - Small Business Grant Agreement (DOCX)

Resolution No.585**A RESOLUTION OF THE CITY OF RIDGEFIELD, WASHINGTON ESTABLISHING A BUSINESS SUPPORT GRANT PROGRAM IN RESPONSE TO THE CORONAVIRUS (COVID-19) PANDEMIC**

WHEREAS, on January 31, 2020, the United States Department of Public Health and Human Services Secretary Alex Azar declared a public emergency for the novel coronavirus (COVID-19) beginning on January 27, 2020; and

WHEREAS, on February 29, 2020, Governor Jay Inslee signed a Proclamation declaring a State of Emergency exists in all counties in the State of Washington due to the number of confirmed cases of COVID-19 in the state; and

WHEREAS, on March 26, 2020 the City of Ridgefield passed Resolution No. 574 finding that an emergency exists that requires immediate measures to protect the public health and safety of Ridgefield residents. and

WHEREAS, the Center for Disease Control and Prevention, as well as Washington's Governor Inslee and the Clark County Department of Health, have issued various orders and recommendations to limit activities, limit gatherings of people, and promote social distancing to mitigate the spread of Covid-19; and

WHEREAS, the spread of COVID-19 and social distancing efforts to stop its spread are having significant adverse economic impacts on small businesses and workers; and

WHEREAS, disruptions to workers and small businesses are serious, as small businesses are the backbone of our economy, and provide the foundation of employment, services for the community, and revenue in order for cities and other public agencies to continue to provide essential services for the public welfare and benefit; and

WHEREAS, citizens who have lost their primary source of income may be unable to afford to stay home or practice social distancing which could have a negative impact on the public's health; and

WHEREAS, state agencies and partners are working to swiftly respond to the economic impact that the COVID-19 pandemic is having on Washington State; and

WHEREAS, the Ridgefield City Council recognizes that one of its essential functions is to secure the health and welfare of Ridgefield's citizens; and

WHEREAS, small business plays a vital role in the overall health and welfare of Ridgefield's citizens; and

WHEREAS, resources are necessary to help small businesses survive and certain small businesses reasonably require public aid in order to survive; and

NOW THEREFORE, be it resolved by the City Council of the City of Ridgefield, Washington, as follows:

Section 1. Public Interest. The City Council finds that it is in the public interest for the City of Ridgefield to use a portion of the CARES Act funding provided to the City to adopt a grant program to provide resources to small Ridgefield businesses struggling to survive the Covid-19 Pandemic.

Section 2. Recitals. Each and every one of the recitals contained in the “whereas” clauses of the preamble to this resolution are hereby adopted as findings of fact and incorporated herein fully by this reference.

Section 3. CARES Act funding disbursement. The City Council hereby allocates \$50,000 from the Coronavirus Relief Funds to be utilized for economic recovery grants for small businesses in response to the impacts resulting from the COVID-19 pandemic.

Section 4. Establish Grant Program. The City Council directs that Fifty Thousand dollars (\$50,000) of the funds allocated in Section 3 herein be used for a COVID-19 Small Business Stabilization Grant Fund Program. The City Manager is directed to develop the Program consistent with the criteria set forth in Exhibit 3 and is further authorized to administer the Program in accordance with the requirements of the CARES Act and the Washington Department of Commerce and to adopt such administrative regulations as necessary to administer the Program with the criteria set forth in Exhibit 1 and 2.

Section 5. Shop Local and Save Program. The City Council directs the City Manager to extend the effective date for the “Shop Local and Save” program originally adopted by resolution No. 577 to October 31, 2020.

Section 6. Effective Date. This Resolution shall become effective upon adoption and shall continue until further action of the City Council.

ADOPTED AT A REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF RIDGEFIELD, WASHINGTON THIS 24th DAY OF SEPTEMBER 2020.

CITY OF RIDGEFIELD

Don Stose

Mayor

Attest:

Julie Ferriss

City Clerk



I. Uses of Program Grant Funds:

1. Eligible Uses of Program Grant Funds

- a. Payment of rent or required monthly loan payments.
- b. Payments of regular wages, employee benefits and taxes; provided such expenses have not been and, to the best knowledge of the Recipient, will not be reimbursed under any federal, state or regional program, including any grant or loan programs.
- c. Expenditures involved in typical operating costs, including those set forth on an income statement as a regular, ongoing cost of operating the business.
- d. Typical draws or wages paid on a regular interval to the owner; provided such draws or wages are consistent with those paid to the owner in previous corresponding quarters, years or other appropriate time intervals.
- e. Expenses for compliance with COVID-19-related public health measures, including personal protective equipment and supplies, plexiglass barriers or other similar equipment and expenses reasonably necessary for the protection of public health and the health of Recipient owners and employees.
- f. Expenses for equipment to enable outdoor seating in compliance with COVID-19 related public health measures such as temporary covers, heaters, air conditioning, fencing and other similar equipment reasonably necessary to promote ongoing business activities and protection of public health and the health of Recipient owners and employees.

2. Ineligible Uses of Program Grant Funds.

- a. Political campaign contributions or donations.
- b. Charitable contributions or gifts.
- c. Bonus payments to Recipient owners, officers or employees.
- d. Payment of wages to any member of the Recipient owner's family who is not a bona fide employee.
- e. Draws or salary to Recipient owner that exceeds the amount paid over a corresponding interval, quarter, or year in 2019.
- f. Paydown or payoff of debt by more than the monthly amount required by the underlying debt instrument.
- g. Payroll and other employee- or business-associated costs for which the Recipient has received or expects to receive reimbursement from other federal, state or regional funds (e.g. Payroll Protection Program or unemployment insurance).
- h. Damages covered by insurance.
- i. Reimbursement to donors for donated items or services.
- j. Severance pay.
- k. Legal settlements.
- l. Any expenses not considered an eligible business expense by the Department of the Treasury Internal Revenue Service.



Interagency Agreement with

City of Ridgefield

through

the Coronavirus Relief Fund for Local Governments

For

Costs incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) during the period of March 1, 2020 thru October 31, 2020.

Start date: March 1, 2020

TABLE OF CONTENTS

Special Terms and Conditions

1.	Authority.....	1
2.	Acknowledgement of Federal Funding.....	1
3.	Contract Management	1
4.	Compensation	1
5.	Expenses.....	1
6.	Indirect Costs.....	1
7.	Billing Procedures and Payment.....	1
8.	Audit.....	2
9.	Debarment.....	3
10.	Laws	3
11.	Order of Precedence.....	4

General Terms and Conditions

1.	Definitions	5
2.	All Writings Contained Herein	5
3.	Amendments.....	5
4.	Assignment	5
5.	Confidentiality and Safeguarding of Information.....	5
6.	Copyright.....	6
7.	Disputes	6
8.	Governing Law and Venue	6
9.	Indemnification.....	7
10.	Licensing, Accreditation and Registration	7
11.	Recapture	7
12.	Records Maintenance.....	7
13.	Savings	7
14.	Severability	7
15.	Subcontracting	7
16.	Survival	8
17.	Termination for Cause	8
18.	Termination for Convenience.....	8
19.	Termination Procedures	8
20.	Treatment of Assets.....	9
21.	Waiver.....	10
Attachment A, Scope of Work		11
Attachment B, Budget & Invoicing		13
Attachment C, A-19 Certification		14
Attachment D, A-19 Activity Report		16

FACE SHEET

Contract Number: 20-6541C-

Washington State Department of Commerce
Local Government Division
Community Capital Facilities Unit
Coronavirus Relief Fund for Local Governments

1. Contractor City of Ridgefield 230 Pioneer Street RIDGEFIELD, Washington 98642-0608		2. Contractor Doing Business As (optional) 	
3. Contractor Representative Kirk Johnson Finance Director (360) 887-3557 kirk.johnson@ciridgefield.wa.us		4. COMMERCE Representative Emily Hafford Project Manager (360) 725-2855 Fax 360-586-5880 emily.hafford@commerce.wa.gov P.O. Box 42525 1011 Plum Street SE Olympia, WA 98504-2525	
5. Contract Amount \$266,850.00	6. Funding Source Federal: ☒ State: ☐ Other: ☐ N/A: ☐	7. Start Date March 1, 2020	8. End Date October 31, 2020
9. Federal Funds (as applicable) \$266,850.00	Federal Agency: US Dept. of the Treasury	CFDA Number: 21.999	Indirect Rate (if applicable): 10.00%
10. Tax ID # XXXXXXXXXXXXXXXX	11. SWV # SWV0017111-00	12. UBI # 064000009	13. DUNS # 032009396
14. Contract Purpose To provide funds for costs incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) during the period of March 1, 2020 thru October 31, 2020. Final invoices must be received by November 15, 2020.			
15. Signing Statement COMMERCE, defined as the Department of Commerce, and the Contractor, as defined above, acknowledge and accept the terms of this Contract and Attachments and have executed this Contract on the date below and warrant they are authorized to bind their respective agencies. The rights and obligations of both parties to this Contract are governed by this Contract and the following documents hereby incorporated by reference: Attachment "A" – Scope of Work, Attachment "B" – Budget & Invoicing, Attachment "C" – A-19 Certification, Attachment "D" – A-19 Activity Report			
FOR CONTRACTOR Steve Stuart, City Manager Date		FOR COMMERCE Mark K. Barkley, Assistant Director, Local Government Division Date APPROVED AS TO FORM ONLY BY ASSISTANT ATTORNEY GENERAL 05-01-2020. APPROVAL ON FILE.	

Attachment: Exhibit 2 - Interagency Agreement _20-6541C-303 (Ridgefield Small Business Stabilization Grant Program)

**SPECIAL TERMS AND CONDITIONS
INTERAGENCY AGREEMENT
FEDERAL FUNDS**

1. AUTHORITY

COMMERCE and Contractor enter into this Contract pursuant to the authority granted by the Interlocal Cooperation Act, Chapter 39.34 RCW.

2. ACKNOWLEDGMENT OF FEDERAL FUNDS

Funds under the Contract are made available and are subject to Section 601(a) of the Social Security Act, as amended by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), and Title V and VI of the CARES Act.

The Contractor agrees that any publications (written, visual, or sound) but excluding press releases, newsletters, and issue analyses, issued by the Contractor describing programs or projects funded in whole or in part with federal funds under this Contract, shall contain the following statements:

“This project was supported by a grant awarded by US Department of the Treasury. Points of view in this document are those of the author and do not necessarily represent the official position or policies of the US Department of the Treasury. Grant funds are administered by the Local Government Coronavirus Relief Fund thru the Washington State Department of Commerce.”

3. CONTRACT MANAGEMENT

The Representative for each of the parties shall be responsible for and shall be the contact person for all communications and billings regarding the performance of this Contract.

The Representative for COMMERCE and their contact information are identified on the Face Sheet of this Contract.

The Representative for the Contractor and their contact information are identified on the Face Sheet of this Contract.

4. COMPENSATION

COMMERCE shall pay an amount not to exceed the contract amount listed on the Face Sheet for the performance of all things necessary for or incidental to the performance of work under this Contract as set forth in the Scope of Work (Attachment A).

5. EXPENSES

Contractor shall receive reimbursement for allowable expenses as identified in the Scope of Work (Attachment A) or as authorized in advance by COMMERCE as reimbursable.

Travel expenses may include airfare (economy or coach class only), other transportation expenses, and lodging and subsistence necessary during periods of required travel. Contractor shall receive compensation for travel expenses at current state travel reimbursement rates.

6. INDIRECT COSTS

Contractor shall provide their indirect cost rate that has been negotiated between their entity and the federal government. If no such rate exists a *de minimis* indirect cost rate of 10% of modified total direct costs (MTDC) will be used.

7. BILLING PROCEDURES AND PAYMENT

COMMERCE shall reimburse the Contractor for eligible Project expenditures, up to the maximum payable under this Contract. When requesting reimbursement for expenditures made, Contractor shall submit all Invoice Vouchers and any required documentation electronically through COMMERCE's Contracts Management System (CMS), which is available through the Secure Access Washington (SAW) portal. If the Contractor has constraints preventing access to COMMERCE's online A-19 portal, a hard copy A-19 form may be provided by the COMMERCE Project Manager upon request.

**SPECIAL TERMS AND CONDITIONS
INTERAGENCY AGREEMENT
FEDERAL FUNDS**

The voucher must be certified by an official of the Contractor with authority to bind the Contractor. The final voucher shall be submitted to COMMERCE no later than November 15, 2020.

COMMERCE will pay Contractor upon acceptance of services provided and receipt of properly completed invoices, which shall be submitted to the Representative for COMMERCE not more often than monthly.

The invoices shall describe and document, to COMMERCE's satisfaction, reimbursable expenditures as set forth under the Scope of Work (Attachment A) and Budget & Invoicing (Attachment B). The invoice shall include the Contract Number as stated on the Face Sheet.

Each voucher must be accompanied by an A-19 Certification (Attachment C) and A-19 Activity Report (Attachment D). The A-19 Certification must be certified by an authorized party of the Contractor to certify and attest all expenditures submitted on the voucher are in compliance with the United States Treasury Coronavirus Relief Fund ("Fund") Guidance for State, Territorial, Local, and Tribal Governments:

<https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf>

The A-19 Activity Report must be submitted which describes, in Excel spreadsheet and narrative form, a detailed breakdown of the expenditures within each applicable budget sub-category identified in the voucher, as well as a report of expenditures to date. COMMERCE will not release payment for any reimbursement request received unless and until the A-19 Certification and A-19 Activity Report is received. After approving the Invoice Voucher, A-19 Certification and Activity Report, COMMERCE shall promptly remit a warrant to the Contractor.

Payment shall be considered timely if made by COMMERCE within thirty (30) calendar days after receipt of properly completed invoices. Payment shall be sent to the address designated by the Contractor.

COMMERCE may, in its sole discretion, terminate the Contract or withhold payments claimed by the Contractor for services rendered if the Contractor fails to satisfactorily comply with any term or condition of this Contract.

No payments in advance or in anticipation of services or supplies to be provided under this Agreement shall be made by COMMERCE.

Duplication of Billed Costs

The Contractor shall not bill COMMERCE for services performed under this Agreement, and COMMERCE shall not pay the Contractor, if the Contractor is entitled to payment or has been or will be paid by any other source, including grants, for that service.

Disallowed Costs

The Contractor is responsible for any audit exceptions or disallowed costs incurred by its own organization or that of its subcontractors.

Should the Contractor be found to spent funds inconsistent with federal laws, rules, guidelines, or otherwise inappropriately, it is the responsibility of the Contractor to reimburse Commerce for any amount spent on disallowed costs.

8. AUDIT

Contractor shall maintain internal controls providing reasonable assurance it is managing federal awards in compliance with laws, regulations, and provisions of contracts or grant agreements that could have a material effect on each of its federal programs; and prepare appropriate financial statements, including a schedule of expenditures of federal awards.

If the Contractor is a subrecipient and expends \$750,000 or more in federal awards from any and/or all sources in any fiscal year, the Contractor shall procure and pay for a single audit or a program-specific audit for that fiscal year. Upon completion of each audit, the Contractor shall:

**SPECIAL TERMS AND CONDITIONS
INTERAGENCY AGREEMENT
FEDERAL FUNDS**

- A. Submit to COMMERCE the reporting package specified in OMB Super Circular 2 CFR 200.501, reports required by the program-specific audit guide (if applicable), and a copy of any management letters issued by the auditor.
- B. Submit to COMMERCE follow-up and developed corrective action plans for all audit findings.

If the Contractor is a subrecipient and expends less than \$750,000 in federal awards from any and/or all sources in any fiscal year, the Contractor shall notify COMMERCE they did not meet the single audit requirement.

The Contractor shall send all single audit documentation to auditreview@commerce.wa.gov.

9. DEBARMENT

- A. Contractor, defined as the primary participant and its principals, certifies by signing these General Terms and Conditions that to the best of its knowledge and belief that they:
 - i. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency.
 - ii. Have not within a three-year period preceding this Contract, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public or private agreement or transaction, violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice;
 - iii. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of federal Executive Order 12549; and
 - iv. Have not within a three-year period preceding the signing of this Contract had one or more public transactions (Federal, State, or local) terminated for cause of default.
- B. Where the Contractor is unable to certify to any of the statements in this Contract, the Contractor shall attach an explanation to this Contract.
- C. The Contractor agrees by signing this Contract that it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by COMMERCE.
- D. The Contractor further agrees by signing this Contract that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," as follows, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions:

LOWER TIER COVERED TRANSACTIONS

- i. The lower tier Contractor certifies, by signing this Contract that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
 - ii. Where the lower tier Contractor is unable to certify to any of the statements in this Contract, such contractor shall attach an explanation to this Contract.
- E. The terms **covered transaction, debarred, suspended, ineligible, lower tier covered transaction, person, primary covered transaction, principal, and voluntarily excluded**, as used in this section, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact COMMERCE for assistance in obtaining a copy of these regulations.

10. LAWS

The Contractor shall comply with all applicable laws, ordinances, codes, regulations, and policies of local, state, and federal governments, as now or hereafter amended, including, but not limited to:

**SPECIAL TERMS AND CONDITIONS
INTERAGENCY AGREEMENT
FEDERAL FUNDS**

United States Laws, Regulations and Circulars (Federal)

Contractor shall comply with Uniform Administrative Requirements, Cost Principles, and Audit Requirement for Federal Award, 2 CFR 200, Subpart F – Audit Requirements.

Contractor shall comply with the applicable requirements of 2 CFR Part 200, including any future amendments to 2 CFR Part 200, and any successor or replacement Office of Management and Budget (OMB) Circular or regulation.

Contractor shall comply with Omnibus Crime Control and Safe streets Act of 1968, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, Title IX of the Education Amendments of 1972, The Age Discrimination Act of 1975, and The Department of Justice Non-Discrimination Regulations, 28 C.F.R. Part 42, Subparts C.D.E. and G, and 28 C.F.R. Part 35 and 39.

11. ORDER OF PRECEDENCE

In the event of an inconsistency in this Contract, the inconsistency shall be resolved by giving precedence in the following order:

- Applicable federal and state of Washington statutes and regulations
- Special Terms and Conditions
- General Terms and Conditions
- Attachment A – Scope of Work
- Attachment B – Budget & Invoicing
- Attachment C – A-19 Certification
- Attachment D – A-19 Activity Report

**GENERAL TERMS AND CONDITIONS
INTERAGENCY AGREEMENT
FEDERAL FUNDS**

1. DEFINITIONS

As used throughout this Contract, the following terms shall have the meaning set forth below:

- A. "Authorized Representative" shall mean the Director and/or the designee authorized in writing to act on the Director's behalf.
- B. "COMMERCE" shall mean the Department of Commerce.
- C. "Contract" or "Agreement" means the entire written agreement between COMMERCE and the Contractor, including any attachments, documents, or materials incorporated by reference. E-mail or facsimile transmission of a signed copy of this contract shall be the same as delivery of an original.
- D. "Contractor" shall mean the entity identified on the face sheet performing service(s) under this Contract, and shall include all employees and agents of the Contractor.
- E. "Personal Information" shall mean information identifiable to any person, including, but not limited to, information that relates to a person's name, health, finances, education, business, use or receipt of governmental services or other activities, addresses, telephone numbers, social security numbers, driver license numbers, other identifying numbers, and any financial identifiers.
- F. "State" shall mean the state of Washington.
- G. "Subcontractor" shall mean one not in the employment of the Contractor, who is performing all or part of those services under this Contract under a separate contract with the Contractor. The terms "subcontractor" and "subcontractors" mean subcontractor(s) in any tier.

2. ALL WRITINGS CONTAINED HEREIN

This Contract contains all the terms and conditions agreed upon by the parties. No other understandings, oral or otherwise, regarding the subject matter of this Contract shall be deemed to exist or to bind any of the parties hereto.

3. AMENDMENTS

This Contract may be amended by mutual agreement of the parties. Such amendments shall not be binding unless they are in writing and signed by personnel authorized to bind each of the parties.

4. ASSIGNMENT

Neither this Contract, work thereunder, nor any claim arising under this Contract, shall be transferred or assigned by the Contractor without prior written consent of COMMERCE.

5. CONFIDENTIALITY AND SAFEGUARDING OF INFORMATION

- A. "Confidential Information" as used in this section includes:
 - i. All material provided to the Contractor by COMMERCE that is designated as "confidential" by COMMERCE;
 - ii. All material produced by the Contractor that is designated as "confidential" by COMMERCE; and
 - iii. All personal information in the possession of the Contractor that may not be disclosed under state or federal law.
- B. The Contractor shall comply with all state and federal laws related to the use, sharing, transfer, sale, or disclosure of Confidential Information. The Contractor shall use Confidential Information solely for the purposes of this Contract and shall not use, share, transfer, sell or disclose any Confidential Information to any third party except with the prior written consent of COMMERCE or as may be required by law. The Contractor shall take all necessary steps to assure that Confidential Information is safeguarded to prevent unauthorized use, sharing, transfer, sale or disclosure of Confidential Information or violation of any state or federal laws related thereto. Upon request, the Contractor shall provide COMMERCE with its policies and procedures on confidentiality.

**GENERAL TERMS AND CONDITIONS
INTERAGENCY AGREEMENT
FEDERAL FUNDS**

COMMERCE may require changes to such policies and procedures as they apply to this Contract whenever COMMERCE reasonably determines that changes are necessary to prevent unauthorized disclosures. The Contractor shall make the changes within the time period specified by COMMERCE. Upon request, the Contractor shall immediately return to COMMERCE any Confidential Information that COMMERCE reasonably determines has not been adequately protected by the Contractor against unauthorized disclosure.

- C. Unauthorized Use or Disclosure. The Contractor shall notify COMMERCE within five (5) working days of any unauthorized use or disclosure of any confidential information, and shall take necessary steps to mitigate the harmful effects of such use or disclosure.

6. COPYRIGHT

Unless otherwise provided, all Materials produced under this Contract shall be considered "works for hire" as defined by the U.S. Copyright Act and shall be owned by COMMERCE. COMMERCE shall be considered the author of such Materials. In the event the Materials are not considered "works for hire" under the U.S. Copyright laws, the Contractor hereby irrevocably assigns all right, title, and interest in all Materials, including all intellectual property rights, moral rights, and rights of publicity to COMMERCE effective from the moment of creation of such Materials.

"Materials" means all items in any format and includes, but is not limited to, data, reports, documents, pamphlets, advertisements, books, magazines, surveys, studies, computer programs, films, tapes, and/or sound reproductions. "Ownership" includes the right to copyright, patent, register and the ability to transfer these rights.

For Materials that are delivered under the Contract, but that incorporate pre-existing materials not produced under the Contract, the Contractor hereby grants to COMMERCE a nonexclusive, royalty-free, irrevocable license (with rights to sublicense to others) in such Materials to translate, reproduce, distribute, prepare derivative works, publicly perform, and publicly display. The Contractor warrants and represents that the Contractor has all rights and permissions, including intellectual property rights, moral rights and rights of publicity, necessary to grant such a license to COMMERCE.

The Contractor shall exert all reasonable effort to advise COMMERCE, at the time of delivery of Materials furnished under this Contract, of all known or potential invasions of privacy contained therein and of any portion of such document which was not produced in the performance of this Contract. The Contractor shall provide COMMERCE with prompt written notice of each notice or claim of infringement received by the Contractor with respect to any Materials delivered under this Contract. COMMERCE shall have the right to modify or remove any restrictive markings placed upon the Materials by the Contractor.

7. DISPUTES

In the event that a dispute arises under this Agreement, it shall be determined by a Dispute Board in the following manner: Each party to this Agreement shall appoint one member to the Dispute Board. The members so appointed shall jointly appoint an additional member to the Dispute Board. The Dispute Board shall review the facts, Agreement terms and applicable statutes and rules and make a determination of the dispute. The Dispute Board shall thereafter decide the dispute with the majority prevailing. The determination of the Dispute Board shall be final and binding on the parties hereto. As an alternative to this process, either of the parties may request intervention by the Governor, as provided by RCW 43.17.330, in which event the Governor's process will control.

8. GOVERNING LAW AND VENUE

This Contract shall be construed and interpreted in accordance with the laws of the state of Washington, and any applicable federal laws, and the venue of any action brought hereunder shall be in the Superior Court for Thurston County.

**GENERAL TERMS AND CONDITIONS
INTERAGENCY AGREEMENT
FEDERAL FUNDS**

9. INDEMNIFICATION

Each party shall be solely responsible for the acts of its employees, officers, and agents.

10. LICENSING, ACCREDITATION AND REGISTRATION

The Contractor shall comply with all applicable local, state, and federal licensing, accreditation and registration requirements or standards necessary for the performance of this Contract.

11. RECAPTURE

In the event that the Contractor fails to perform this Contract in accordance with state laws, federal laws, and/or the provisions of this Contract, COMMERCE reserves the right to recapture funds in an amount to compensate COMMERCE for the noncompliance in addition to any other remedies available at law or in equity.

Repayment by the Contractor of funds under this recapture provision shall occur within the time period specified by COMMERCE. In the alternative, COMMERCE may recapture such funds from payments due under this Contract.

12. RECORDS MAINTENANCE

The Contractor shall maintain books, records, documents, data and other evidence relating to this contract and performance of the services described herein, including but not limited to accounting procedures and practices that sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this contract.

The Contractor shall maintain records that identify, in its accounts, all federal awards received and expended and the federal programs under which they were received, by Catalog of Federal Domestic Assistance (CFDA) title and number, award number and year, name of the federal agency, and name of the pass-through entity.

The Contractor shall retain such records for a period of six (6) years following the date of final payment. At no additional cost, these records, including materials generated under the contract, shall be subject at all reasonable times to inspection, review or audit by COMMERCE, personnel duly authorized by COMMERCE, the Office of the State Auditor, and federal and state officials so authorized by law, regulation or agreement.

If any litigation, claim or audit is started before the expiration of the six (6) year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved.

13. SAVINGS

In the event funding from state, federal, or other sources is withdrawn, reduced, or limited in any way after the effective date of this Contract and prior to normal completion, COMMERCE may suspend or terminate the Contract under the "Termination for Convenience" clause, without the ten calendar day notice requirement. In lieu of termination, the Contract may be amended to reflect the new funding limitations and conditions.

14. SEVERABILITY

The provisions of this contract are intended to be severable. If any term or provision is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of the contract.

15. SUBCONTRACTING

The Contractor may only subcontract work contemplated under this Contract if it obtains the prior written approval of COMMERCE.

If COMMERCE approves subcontracting, the Contractor shall maintain written procedures related to subcontracting, as well as copies of all subcontracts and records related to subcontracts. For cause, COMMERCE in writing may: (a) require the Contractor to amend its subcontracting procedures as they

**GENERAL TERMS AND CONDITIONS
INTERAGENCY AGREEMENT
FEDERAL FUNDS**

relate to this Contract; (b) prohibit the Contractor from subcontracting with a particular person or entity; or (c) require the Contractor to rescind or amend a subcontract.

Every subcontract shall bind the Subcontractor to follow all applicable terms of this Contract. Contractor shall incorporate 2 CFR Part 200, Subpart F audit requirements into all subcontracts. The Contractor is responsible to COMMERCE if the Subcontractor fails to comply with any applicable term or condition of this Contract. The Contractor shall appropriately monitor the activities of the Subcontractor to assure fiscal conditions of this Contract. In no event shall the existence of a subcontract operate to release or reduce the liability of the Contractor to COMMERCE for any breach in the performance of the Contractor's duties.

Every subcontract shall include a term that COMMERCE and the State of Washington are not liable for claims or damages arising from a Subcontractor's performance of the subcontract.

16. SURVIVAL

The terms, conditions, and warranties contained in this Contract that by their sense and context are intended to survive the completion of the performance, cancellation or termination of this Contract shall so survive.

17. TERMINATION FOR CAUSE

In the event COMMERCE determines the Contractor has failed to comply with the conditions of this contract in a timely manner, COMMERCE has the right to suspend or terminate this contract. Before suspending or terminating the contract, COMMERCE shall notify the Contractor in writing of the need to take corrective action. If corrective action is not taken within 30 calendar days, the contract may be terminated or suspended.

In the event of termination or suspension, the Contractor shall be liable for damages as authorized by law including, but not limited to, any cost difference between the original contract and the replacement or cover contract and all administrative costs directly related to the replacement contract, e.g., cost of the competitive bidding, mailing, advertising and staff time.

COMMERCE reserves the right to suspend all or part of the contract, withhold further payments, or prohibit the Contractor from incurring additional obligations of funds during investigation of the alleged compliance breach and pending corrective action by the Contractor or a decision by COMMERCE to terminate the contract. A termination shall be deemed a "Termination for Convenience" if it is determined that the Contractor: (1) was not in default; or (2) failure to perform was outside of his or her control, fault or negligence.

The rights and remedies of COMMERCE provided in this contract are not exclusive and are in addition to any other rights and remedies provided by law.

18. TERMINATION FOR CONVENIENCE

Except as otherwise provided in this Contract, COMMERCE may, by ten (10) business days written notice, beginning on the second day after the mailing, terminate this Contract, in whole or in part. If this Contract is so terminated, COMMERCE shall be liable only for payment required under the terms of this Contract for services rendered or goods delivered prior to the effective date of termination.

19. TERMINATION PROCEDURES

Upon termination of this contract, COMMERCE, in addition to any other rights provided in this contract, may require the Contractor to deliver to COMMERCE any property specifically produced or acquired for the performance of such part of this contract as has been terminated. The provisions of the "Treatment of Assets" clause shall apply in such property transfer.

COMMERCE shall pay to the Contractor the agreed upon price, if separately stated, for completed work and services accepted by COMMERCE, and the amount agreed upon by the Contractor and COMMERCE for (i) completed work and services for which no separate price is stated, (ii) partially completed work and services, (iii) other property or services that are accepted by COMMERCE, and (iv) the protection and preservation of property, unless the termination is for default, in which case the Authorized Representative shall determine the extent of the liability of COMMERCE. Failure to agree

**GENERAL TERMS AND CONDITIONS
INTERAGENCY AGREEMENT
FEDERAL FUNDS**

with such determination shall be a dispute within the meaning of the "Disputes" clause of this contract. COMMERCE may withhold from any amounts due the Contractor such sum as the Authorized Representative determines to be necessary to protect COMMERCE against potential loss or liability.

The rights and remedies of COMMERCE provided in this section shall not be exclusive and are in addition to any other rights and remedies provided by law or under this contract.

After receipt of a notice of termination, and except as otherwise directed by the Authorized Representative, the Contractor shall:

- A. Stop work under the contract on the date, and to the extent specified, in the notice;
- B. Place no further orders or subcontracts for materials, services, or facilities except as may be necessary for completion of such portion of the work under the contract that is not terminated;
- C. Assign to COMMERCE, in the manner, at the times, and to the extent directed by the Authorized Representative, all of the rights, title, and interest of the Contractor under the orders and subcontracts so terminated, in which case COMMERCE has the right, at its discretion, to settle or pay any or all claims arising out of the termination of such orders and subcontracts;
- D. Settle all outstanding liabilities and all claims arising out of such termination of orders and subcontracts, with the approval or ratification of the Authorized Representative to the extent the Authorized Representative may require, which approval or ratification shall be final for all the purposes of this clause;
- E. Transfer title to COMMERCE and deliver in the manner, at the times, and to the extent directed by the Authorized Representative any property which, if the contract had been completed, would have been required to be furnished to COMMERCE;
- F. Complete performance of such part of the work as shall not have been terminated by the Authorized Representative; and
- G. Take such action as may be necessary, or as the Authorized Representative may direct, for the protection and preservation of the property related to this contract, which is in the possession of the Contractor and in which the Authorized Representative has or may acquire an interest.

20. TREATMENT OF ASSETS

Title to all property furnished by COMMERCE shall remain in COMMERCE. Title to all property furnished by the Contractor, for the cost of which the Contractor is entitled to be reimbursed as a direct item of cost under this contract, shall pass to and vest in COMMERCE upon delivery of such property by the Contractor. Title to other property, the cost of which is reimbursable to the Contractor under this contract, shall pass to and vest in COMMERCE upon (i) issuance for use of such property in the performance of this contract, or (ii) commencement of use of such property in the performance of this contract, or (iii) reimbursement of the cost thereof by COMMERCE in whole or in part, whichever first occurs.

- A. Any property of COMMERCE furnished to the Contractor shall, unless otherwise provided herein or approved by COMMERCE, be used only for the performance of this contract.
- B. The Contractor shall be responsible for any loss or damage to property of COMMERCE that results from the negligence of the Contractor or which results from the failure on the part of the Contractor to maintain and administer that property in accordance with sound management practices.
- C. If any COMMERCE property is lost, destroyed or damaged, the Contractor shall immediately notify COMMERCE and shall take all reasonable steps to protect the property from further damage.
- D. The Contractor shall surrender to COMMERCE all property of COMMERCE prior to settlement upon completion, termination or cancellation of this contract

All reference to the Contractor under this clause shall also include Contractor's employees, agents or Subcontractors.

**GENERAL TERMS AND CONDITIONS
INTERAGENCY AGREEMENT
FEDERAL FUNDS**

21. WAIVER

Waiver of any default or breach shall not be deemed to be a waiver of any subsequent default or breach. Any waiver shall not be construed to be a modification of the terms of this Contract unless stated to be such in writing and signed by Authorized Representative of COMMERCE.

Scope of Work

This funding is made available under section 601(a) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") and Section V and VI of the CARES Act, for costs incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19). Under the CARES Act, the Coronavirus Relief Fund may be used to cover costs that:

1. **Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); AND**
2. **Are not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government.**

These funds may be used to reimburse for expenditures incurred during the period of March 1, 2020 thru Oct. 31, 2020. Please note: In order to ensure all funds have been fully utilized prior to the US Treasury's December 30, 2020 end date, the State of Washington must closeout contracts by October 31, 2020. All final requests for reimbursement must be received no later than November 15, 2020.

Expenditures must be used for necessary actions taken to respond to the public health emergency. These may include expenditures incurred to allow the local government to respond directly to the emergency, such as by addressing medical or public health needs, as well as expenditures incurred to respond to second-order effects of the emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures.

Funds may not be used to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify under the statute. Although a broad range of uses is allowed, revenue replacement is not a permissible use of Fund payments.

Payments may be used only to cover costs not accounted for in the budget most recently approved as of March 27, 2020. A cost meets this requirement if either:

1. The cost cannot lawfully be funded using a line item, allotment, or allocation within that budget; OR
2. The cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation.

The "most recently approved" budget is the enacted budget for the relevant fiscal period for the particular government. A cost is not considered to have been accounted for in a budget merely because it could be met using a budgetary stabilization fund, rainy day fund, or similar reserve account.

Allowable expenditures include, but are not limited to:

1. Medical expenses such as:
 - a. COVID-19-related expenses of public hospitals, clinics, and similar facilities.
 - b. Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs.
 - c. Costs of providing COVID-19 testing, including serological testing.
 - d. Emergency medical response expenses, including emergency medical transportation, related to COVID-19.
 - e. Expenses for establishing and operating public telemedicine capabilities for COVID-19-related treatment.
2. Public health expenses such as:

- a. Expenses for communication and enforcement by State, territorial, local, and Tribal governments of public health orders related to COVID-19.
 - b. Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency.
 - c. Expenses for disinfection of public areas and other facilities, e.g., nursing homes, in response to the COVID-19 public health emergency.
 - d. Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety.
 - e. Expenses for public safety measures undertaken in response to COVID-19.
 - f. Expenses for quarantining individuals.
3. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
4. Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as:
 - a. Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions.
 - b. Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.
 - c. Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions.
 - d. Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions.
 - e. COVID-19-related expenses of maintaining state prisons and county jails, including as relates to sanitation and improvement of social distancing measures, to enable compliance with COVID-19 public health precautions.
 - f. Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions.
5. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as:
 - a. Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.
 - b. Expenditures related to a State, territorial, local, or Tribal government payroll support program.
 - c. Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.
6. Any other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund's eligibility criteria.

Budget & Invoicing

The Contractor shall determine the appropriate budget and use of funds within the following 6 budget categories and their sub-categories:

1. Medical
2. Public Health
3. Payroll
4. Actions to Comply with Public Health Measures
5. Economic Support
6. Other Covid-19 Expenses

The Contractor shall submit invoice reimbursement requests to the Commerce Representative using the Commerce Contract Management System's (CMS) Online A-19 Portal. Each reimbursement request must include:

1. A-19 Certification form – An authorized party of the local government will certify each invoice (A19) submitted for reimbursement and attest that all incurred expenditures meet the US Treasury Department's guidance: <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf>
2. A-19 Activity Report
3. A detailed breakdown of the expenditures incurred within each applicable budget sub-category on the A-19 Activity Report.

The A-19 Certification and Activity Report templates will be provided with the executed contract. The documents are included in Attachment C and Attachment D for reference.

Receipts and proof of payment for costs incurred do not need to be submitted with A-19s. All contractors are required to maintain accounting records in accordance with state and federal laws. Records must be sufficient to demonstrate the funds have been used in accordance with section 601(d) of the Social Security Act. Commerce reserves the right to audit any costs submitted for reimbursement. The Contractor shall comply with Commerce A-19 audits and provide the appropriate records upon request.



LOCAL GOVERNMENT CORONAVIRUS RELIEF FUNDS CERTIFICATION

I, **<FIRST, LAST NAME>**, am the **<TITLE>** of **<LOCAL GOVERNMENT>**, and I certify that:

1. I have the authority and approval from the governing body on behalf of the Local Government to request reimbursement from the Department of Commerce (Commerce) per contract number **<COMMERCE CONTRACT NUMBER>** from the allocation of the Coronavirus Relief Fund as created in section 5001 of H.R.748, the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") for eligible expenditures included on the corresponding A-19 invoice voucher for report period **<REPORT PERIOD FROM A-19>**.
2. I understand that as additional federal guidance becomes available, a contract amendment to the agreement between Commerce and the Local Government may become necessary.
3. I understand Commerce will rely on this certification as a material representation in processing this reimbursement.
4. I certify the use of funds submitted for reimbursement from the Coronavirus Relief Funds under this contract were used only to cover those costs that:
 - a. Are *necessary expenditures* incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
 - b. Were not accounted for in the budget most recently approved as of March 27, 2020; and
 - c. Were incurred during the period that begins on March 1, 2020, and ends on October 31, 2020.
5. I understand the use of funds pursuant to this certification must adhere to official federal guidance issued or to be issued on what constitutes a necessary expenditure. We have reviewed the guidance established by U.S. Department of the Treasury¹ and certify costs meet the required guidance. Any funds expended by the Local Government or its subcontractor(s) in any manner that does not adhere to official federal guidance shall be returned to the State of Washington.

Footnote:

1 – Guidance available at <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf> (4/30/2020)

LOCAL GOVERNMENT CORONAVIRUS RELIEF FUNDS CERTIFICATION

Page 2 of 2

6. I understand the Local Government receiving funds pursuant to this certification shall retain documentation of all uses of the funds, including but not limited to invoices and/or sales receipts in a manner consistent with §200.333 *Retention requirements for records* of 2 CFR Part 200 *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Such documentation shall be produced to Commerce upon request and may be subject to audit by the State Auditor.
7. I understand any funds provided pursuant to this certification cannot be used as a revenue replacement for lower than expected tax or other revenue collections.
8. I understand funds received pursuant to this certification cannot be used for expenditures for which the Local Government has received any other emergency COVID-19 supplemental funding (whether state, federal or private in nature) for that same expense.

I certify that I have read the above certification and my statements contained herein are true and correct to the best of my knowledge.


 Printed Name


 Title

 Signature


 Date:

CRF A-19 Activity Report
INSTRUCTIONS

INSTRUCTIONS:

A completed CRF A-19 Certification and Activity Report must be submitted with each A-19 reimbursement request. The A-19 Activity Report must be submitted as an Excel spreadsheet, not a PDF. You must also include a detailed breakdown of the individual expenditures reported in **Column F** for each applicable sub-category included on the A-19 Activity Report.

There are 6 primary budget categories;

1. Medical Expenses
2. Public Health Expenses
3. Payroll expenses for public employees dedicated to COVID-19
4. Expenses to facilitate compliance with COVID-19-measures
5. Economic Supports
6. Other COVID-19 Expenses

Each primary budget category includes sub-categories and provides an option to add "other" sub-categories not listed.

Follow the below instructions when completing the A-19 Activity Report:

- 1 **REPORT PERIOD** - Enter the report period into **Cell D1** of the A-19 Activity Report.
 - a This should match the report period entered on the corresponding A-19.
 - b Report period should include MM/YY to MM/YYYY, i.e. 03/20, March 2020, 03/2020, etc.
- 2 **COLUMN E** - Enter the total amount of all previous reimbursement requests submitted to Commerce for each applicable sub-category.
- 3 **COLUMN F** - Enter the total amount being requested in the current reimbursement request for each applicable sub-category.
- 4 **COLUMN H: USE OF FUNDS** - You must include a general description of the use of the funds being requested for each applicable sub-category. Keep descriptions as concise as possible, but include adequate context to demonstrate how these funds helped address the COVID-19 emergency. If applicable, please consider:
 - a Providing a brief description of the specific activities performed.
 - b Identifying specific populations served.
 - c Identifying specific programs created or utilized.
 - d Including any known or intended outcomes, results, or community impacts.
- 5 **OTHER SUB-CATEGORIES** - Budget categories 1-5 include a placeholder to add an additional sub-category if necessary.
 - a Enter a **Title** for other expenses added within the appropriate budget category.
 - b Enter titles into **Cells: D10, D19, D27, D36, and D41**.
 - c There is only one "other" placeholder in each budget category section. Please combine multiple "other" sub-categories added to the same budget category.
- 6 **OTHER BUDGET CATEGORIES** - Budget category 6 is where you should include any eligible expenditures that don't fall under budget categories 1-5.
 - a Enter a **Title** for these "other" expenses within budget category 6.
 - b Enter titles into **Cells D44 - D48**.
 - c There are only 5 entry fields available within Budget Category 6.

Coronavirus Relief Fund
A-19 Activity Report

Report Period:

Eligible Expenditures	Previously Reported Expenditures	Current Expenditures this Invoice	Total Cumulative Expenditures	Brief Description of Use of Funds
1 Medical Expenses				
A. Public hospitals, clinics, and similar facilities	\$ -	\$ -	\$ -	
B. Temporary public medical facilities & increased capacity	\$ -	\$ -	\$ -	
C. COVID-19 testing, including serological testing	\$ -	\$ -	\$ -	
D. Emergency medical response expenses	\$ -	\$ -	\$ -	
E. Telemedicine capabilities	\$ -	\$ -	\$ -	
F. Other:	\$ -	\$ -	\$ -	
Sub-Total:	\$ -	\$ -	\$ -	
2 Public Health Expenses				
A. Communication and enforcement of public health measures	\$ -	\$ -	\$ -	
B. Medical and protective supplies, including sanitation and PPE	\$ -	\$ -	\$ -	
C. Disinfecting public areas and other facilities	\$ -	\$ -	\$ -	
D. Technical assistance on COVID-19 threat mitigation	\$ -	\$ -	\$ -	
E. Public safety measures undertaken	\$ -	\$ -	\$ -	
F. Quarantining individuals	\$ -	\$ -	\$ -	
G. Other:	\$ -	\$ -	\$ -	
Sub-Total:	\$ -	\$ -	\$ -	
3 Payroll expenses for public employees dedicated to COVID-19				
A. Public Safety	\$ -	\$ -	\$ -	
B. Public Health	\$ -	\$ -	\$ -	
C. Health Care	\$ -	\$ -	\$ -	
D. Human Services	\$ -	\$ -	\$ -	
E. Economic Development	\$ -	\$ -	\$ -	
F. Other:	\$ -	\$ -	\$ -	
Sub-Total:	\$ -	\$ -	\$ -	
4 Expenses to facilitate compliance with COVID-19-measures				
A. Food access and delivery to residents	\$ -	\$ -	\$ -	
B. Distance learning tied to school closings	\$ -	\$ -	\$ -	
C. Telework capabilities of public employees	\$ -	\$ -	\$ -	
D. Paid sick and paid family and medical leave to public employees	\$ -	\$ -	\$ -	
E. COVID-19-related expenses in county jails	\$ -	\$ -	\$ -	
F. Care and mitigation services for homeless populations	\$ -	\$ -	\$ -	
G. Other:	\$ -	\$ -	\$ -	
Sub-Total:	\$ -	\$ -	\$ -	
5 Economic Supports				
A. Small Business Grants for business interruptions	\$ -	\$ -	\$ -	
B. Payroll Support Programs	\$ -	\$ -	\$ -	
C. Other:	\$ -	\$ -	\$ -	
Sub-Total:	\$ -	\$ -	\$ -	
6 Other COVID-19 Expenses				
A. Other:	\$ -	\$ -	\$ -	
B. Other:	\$ -	\$ -	\$ -	
C. Other:	\$ -	\$ -	\$ -	
D. Other:	\$ -	\$ -	\$ -	
E. Other:	\$ -	\$ -	\$ -	
Sub-Total:	\$ -	\$ -	\$ -	
TOTAL:	\$ -	\$ -	\$ -	



Ridgefield Small Business Stabilization Grant Program

I. Purpose

The purpose of this temporary emergency program is to assist small, locally owned Ridgefield-based for-profit businesses to survive the COVID-19 crisis, to minimize disruptions to workers and maintain availability of local goods and services in Ridgefield. The Ridgefield City Council has committed a portion of CARES Act funding to the COVID-19 Ridgefield Small Business Stabilization Grant Fund, an emergency fund that provides small working capital grants to qualifying small businesses to mitigate the direct impacts of business interruption due to operations limits during the initial phases of the COVID-19 response.

II. Funding

The City Council has allocated \$50,000 of CARES Act funding for grants. The grant awards will be between \$1,000 and \$5,000 per business in compliance with the business and fund use criteria. Grants will be provided on a first come first served basis for eligible expenses incurred between March 1 and October 31, 2020. The program may be terminated on October 31st, or such date as allocated funding has been used, whichever is earlier. Program may be extended in the event additional funding is allocated or the CARES Act grant funding deadlines are extended.

III. Business Criteria

- Business must be a private, for profit business. *Independent Contractors are not eligible for this program.
- Business and/or any owner may not be suspended, debarred, proposed for debarment, declared ineligible, or voluntarily excluded from participation in federal transactions.
- Business must have less than 25 FTE (full-time equivalent employees.) with priority given to those with 10 or fewer FTE.
- Business must have a physical storefront establishment within Ridgefield's city limits.
- Business must have a current Ridgefield business license and must be current on all state licensing and other regulatory requirements, as applicable.
- Business must have experienced a negative direct impact of business interruption due to operational limitations during initial phases of the COVID-19 pandemic response.
- Business must not be a national chain. National chains are defined as franchises/for-profit corporations;
- Business must have been in operation for at least 12 months.

IV. Uses of Program Grant Funds:

1. Eligible Uses of Program Grant Funds
 - a. Payment of rent or required monthly loan payments.
 - b. Payments of regular wages, employee benefits and taxes; provided such expenses have not been and, to the best knowledge of the Recipient, will not be reimbursed under any federal, state or regional program, including any grant or loan programs.
 - c. Expenditures involved in typical operating costs, including those set forth on an income statement as a regular, ongoing cost of operating the business.

- d. Typical draws or wages paid on a regular interval to the owner; provided such draws or wages are consistent with those paid to the owner in previous corresponding quarters, years or other appropriate time intervals.
- e. Expenses for compliance with COVID-19-related public health measures, including personal protective equipment and supplies, plexiglass barriers or other similar equipment and expenses reasonably necessary for the protection of public health and the health of Recipient owners and employees.
- f. Expenses for equipment to enable outdoor seating in compliance with COVID-19 related public health measures such as temporary covers, heaters, air conditioning, fencing and other similar equipment reasonably necessary to promote ongoing business activities and protection of public health and the health of Recipient owners and employees.

2. Ineligible Uses of Program Grant Funds.

- a. Political campaign contributions or donations.
- b. Charitable contributions or gifts.
- c. Bonus payments to Recipient owners, officers or employees.
- d. Payment of wages to any member of the Recipient owner's family who is not a bona fide employee.
- e. Draws or salary to Recipient owner that exceeds the amount paid over a corresponding interval, quarter, or year in 2019.
- f. Paydown or payoff of debt by more than the monthly amount required by the underlying debt instrument.
- g. Payroll and other employee- or business-associated costs for which the Recipient has received or expects to receive reimbursement from other federal, state or regional funds (e.g. Payroll Protection Program or unemployment insurance).
- h. Damages covered by insurance.
- i. Reimbursement to donors for donated items or services.
- j. Severance pay.
- k. Legal settlements.
- l. Any expenses not considered an eligible business expense by the Department of the Treasury Internal Revenue Service.

V. Application process and award process

- 1. Applicants must complete and submit a grant application to the City's Finance Department. Only one application per business. [*See Exhibit A--Application]
- 2. Applications will be reviewed on a first-come, first-eligible served basis. All required supporting documentation **MUST** be submitted with completed application in order to be considered for grant funding.
- 3. Applicants will be notified of their application's approval or rejection and funding amount, by City staff. Amount of funding awarded to a business will be based on eligible expenses with a maximum award amount of **\$5,000.**
- 4. To receive the award, the Applicant must enter into an Agreement with the City governing the use of the funds. [See Exhibit B—Grant Award Agreement]

VI. Administration and internal control measures

The City will receive completed applications electronically at finance@ci.ridgefield.wa.us or in person at City Hall, 230 Pioneer Street, Ridgefield, WA 98642 and will time and date stamp application upon receipt. The City will review each application for completeness and for business eligibility and expense eligibility. The City will document each review and notify the applicant of their eligibility or ineligibility and the amount of the grant to be funded, if any. Upon notification, the applicant must execute an agreement with the City prior to receiving the funds.

All promotional materials must contain the following: “This program was supported by a grant awarded by the US Department of Treasury. Points of view in this document are those of the City and do not necessarily represent the official position or policies of the US Department of the Treasury. Grant funds are administered by the Local Government Coronavirus Relief Fund through the Washington State Department of Commerce.”



Ridgefield Small Business Stabilization Grant Application

Please provide the following information:

Registered Business Name:	Doing Business As: (Other names of business.)
Business License No: (UBI with Ridgefield Endorsement Number)	Primary Contact Name and telephone number:
Business Address: (Must be within City limits)	Mailing Address: (If different)
Telephone No.:	Email Address:
Business Description:	
How long has this business been in operation in Ridgefield? _____	How many full-time equivalent employees does this business have? _____
Is this business current on all federal and state business licensing requirements? _____ Yes _____ No	
Is this business a private, for profit business? _____ Yes _____ No	
Is this business an independent contracting business? _____ Yes _____ No	
Is this business a franchise or national chain? _____ Yes _____ No	
Is this business or any of its owners currently suspended, debarred, proposed for debarment, declared ineligible, or voluntarily excluded from participation in any federal transactions? _____ Yes _____ No	
Grant Amount Requested? (\$ _____ limit)	
What eligible uses will the funds be used for?	
Did this business receive a paycheck protection loan or economic injury disaster loan? _____ Yes _____ No	
Certification: I, (name) _____, the (title) _____ of (business name) _____, have approved the submission of this application and certify that the information is true and correct. If I/we receive a grant, I/we agree to enter into an agreement with the City of Ridgefield and promise to use the grant funds in the intended manner consistent with the City's eligibility requirements and to provide all documentation necessary for the City to verify use of the funds, if requested. Signature: _____ Date: _____	
Internal Use Only: Received: (date and time) _____ By: _____ Reviewed By: _____ Eligible _____; Amount of Award _____ Ineligible _____; Reason _____ Receipt of Executed Agreement Payment: Date: _____ Check No. _____	



Ridgefield Small Business Stabilization Grant Agreement

AGREEMENT BETWEEN THE CITY OF RIDGEFIELD AND _____ FOR
RIDGEFIELD SMALL BUSINESS STABILIZATION GRANT

THIS AGREEMENT is made this ____ day of _____ 2020 (“Effective date”), by and between the City of Ridgefield, a Washington municipal corporation (“the City”) and _____ (“the Recipient”), the recipient of a grant award from the City’s Small Business Stabilization Grant Fund, collectively referred to as the “Parties.”

WHEREAS, on March 26, 2020, the Ridgefield City Council declared a public health emergency in Ridgefield arising from the COVID-19 pandemic, pursuant to declarations from the CDC and Governor

WHEREAS, on March 27, 2020, the United States Congress adopted the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”) which, among other things, amended Section 601(a) of the Social Security Act and established the Coronavirus Relief Fund, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”) (PL 116-136), established the Coronavirus Relief Fund and appropriated \$150 billion to the Fund to be used to make payments for specified uses to States and certain local governments; and

WHEREAS, guidance issued by the U.S. Treasury Department indicates that necessary expenditures incurred due to the COVID-19 public health emergency include costs incurred to support local businesses that suffered losses due to COVID-19 business interruptions, or incurred costs for personal protective equipment or other materials, supplies and equipment needed to safely operate following a COVID-19-related closure; and

WHEREAS, the Washington State allocation of Fund resources has been designated to reimburse certain additional local governments in the state for specified expenditures through contracts administered by the State Department of Commerce; and

WHEREAS, the City entered into an Interagency Agreement with the Washington State Department of Commerce (“Commerce”) regarding the Funding for the period March 1, 2020 through October 31, 2020, attached hereto as Exhibit 2 and incorporated herein, which incorporates Special Terms and Conditions – Interagency Agreement – Federal Funds (“Special Terms and Conditions”), pages 1 – 4 of the Interagency Agreement and incorporated herein; and

WHEREAS, on September 24, 2020 the Ridgefield City Council adopted Resolution Number 585, which established the Ridgefield Small Business Stabilization Grant Program, utilizing monies to be reimbursed to the City from the state of Washington’s Coronavirus Relief Funds; and

WHEREAS, the Recipient applied for and has been selected by the City to receive a grant from the Ridgefield Small Business Stabilization Fund by the City (“Grant Funds”) for allowable expenses, as set forth herein.

NOW THEREFORE, the Parties do hereby agree as follows:

1. Incorporation of Recitals/Exhibits. The Recitals and referenced Exhibits are incorporated herein by this reference.

2. Award Amount and Eligible Expenses. The total amount of Grant Funds to be awarded to Recipient is \$_____. Recipient shall use Grant Funds only to pay or reimburse Recipient for Eligible Expenses incurred during the time period set forth in Section 3. A list of Eligible and Ineligible Expenses is included in Exhibit 1. In the event an expenditure is submitted that is ineligible for payment per Exhibit 1, it will not be reimbursed by Commerce or the City.

3. Time Period. All Eligible Expenses must be incurred by the Recipient between March 1, 2020 and October 31, 2020. Any expenses incurred before or after this period are not Eligible Expenses for Grant Funds. The Recipient understands that any expenses incurred in excess of Grant Funds are the Recipient's sole responsibility and will not be paid by the City.

4. Interagency Agreement. The Parties to this Agreement agree to be bound to the provisions of the Interagency Agreement Number 20-6541C-303 between the City and the Washington State Department of Commerce, included as Exhibit 2 to this Agreement, and any amendments thereto.

5. Compliance with Federal, State and Local Laws. The Recipient shall comply with and obey all applicable federal, state and local laws, regulations, and ordinances. Should the Recipient's spending of the Grant Funds be inconsistent with applicable laws, provisions of this Agreement, or otherwise inappropriate, the City shall have the right to the return of any portion of the Funds that are later determined to have been spent in violation of applicable laws. In the alternative, the City may recapture such funds from payments due under this Agreement. The City shall not exercise this right until it has given written notice of noncompliance with applicable laws or this Agreement to Recipient and allowed Recipient a period of ten (10) days from the date of notice for Recipient to cure the noncompliance. The right of recapture provided in this section is in addition to and not in lieu of any right which Washington law provides for breach of contract.

a. Requirement to Provide Accurate Information. The Recipient understands and acknowledges that providing false information on any documents submitted to the City or its designees as part of the Recipient's participation in the Program may constitute fraud and may be subject to civil and/or criminal penalties and/or sanctions.

b. No Use of Grant Funds for Expenses Covered by Other Programs. The Recipient shall not use Grant Funds to cover payroll or other employee-related or business-associated costs for which the Recipient has received other federal, state or regional funds, including without limitation funds made available under the Payroll Protection Program ("PPP") or unemployment insurance compensation.

c. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction. Recipient certifies, by signing this Agreement that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal or State department or agency.

6. Maintenance of Records; Public Records. The Recipient shall maintain accurate written records, including accounting records such as invoices, sales receipts, and proof of payment, books, documents,

data and other evidence that reflects all of Recipient's direct and indirect expenditures of Grant Funds. These records must be sufficient to demonstrate that the funds have been used in accordance with Section 601(d) of the Social Security Act. The City may at any time review the documentation to determine the Recipient's conformance with the requirements of the Grant Funds program, and the Recipient shall make available to the City, upon request, all of the Recipient's records and documents with respect to all matters covered by this Agreement.

a. The City may require the Recipient to provide additional documentation if the existing documentation is deemed incomplete.

b. The Recipient shall retain all records related to this Agreement for a period of six (6) years following the receipt of Grant Funds. These records, including materials generated under the contract, shall be subject at all reasonable times to inspection and review by the City, and to an audit by the Washington State Department of Commerce, personnel duly authorized by Commerce, the Office of the State Auditor, and federal and state officials so authorized by law, regulation or agreement.

c. If any litigation, claim or audit is started before the expiration of the six (6) year period provided in Section 7(b) above, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved.

d. All Recipient documents and records comprising this Agreement, and all other documents and records provided to the City by the Recipient, are deemed public records subject to disclosure under the Washington State Public Records Act, Chapter 42.56 RCW. Thus, the City may be required, upon request, to disclose the Agreement and documents or records related to it unless an exemption under the Public Records Act or other laws applies.

7. Nondiscrimination. During the performance of this Agreement, the Recipient shall comply with all federal and state nondiscrimination laws, including but not limited to, chapter 49.60 RCW, Washington's Law Against Discrimination, and 42 U.S.C. 12101 et seq., the Americans with Disabilities Act (ADA). In the event of the Recipient's noncompliance or refusal to comply with any nondiscrimination law, regulation, or policy, this Agreement may be rescinded, canceled, or terminated in whole or in part.

8. Termination. If the Recipient fails to fulfill its obligations under this Agreement, the City may terminate this Agreement upon written notice to the Recipient specifying the reason for termination. The termination date shall be specified in the notice of termination.

9. Governing Law and Venue. This Agreement shall be governed by and interpreted and enforced in accordance with the laws of the State of Washington and the venue will be in Clark County, Washington.

10. Assignment of Contract. The Recipient shall not assign this contract without the prior written consent of the City.

11. Entire Agreement. The Parties agree that this Agreement, including referenced exhibits, is the complete expression of the terms agreed to by the Parties. No other understandings or representations, oral or otherwise, regarding the subject matter of this contract shall be deemed to exist or to bind the Parties

12. Waiver. Any waiver by the Recipient or the City of the breach of any provision of this Agreement by the other party will not operate, or be construed, as a waiver of any subsequent breach by either party or prevent either party from thereafter enforcing any such provisions.

13. Modification. This Agreement may only be amended by written agreement signed by both Parties.

14. Notices.

A. Notices to the City of Ridgefield shall be sent to the following address:

City of Ridgefield
Attn: Kirk Johnson
Finance Director
230 Pioneer Street
PO Box 608
Ridgefield, WA 98642

B. Notices to the Recipient shall be sent to the following address:

Business Name
Contact Name
Address
City, State Zip Code

15. Severability. In the event any term or condition of this Agreement or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other terms, conditions, or applications of this Agreement that can be given effect without the invalid term, condition, or application. To this end, the terms and conditions of this Agreement are declared severable.

Executed by the Grantee on

_____, 2020.

Signature

Printed

Title

Attest:

Executed by the City of Ridgefield

_____, 2020.

Signature

Printed

Title

City Clerk

CITY OF RIDGEFIELD REQUEST FOR COUNCIL ACTION

MEETING DATE: September 24, 2020

ITEM:

AGENDA ITEM TITLE: Motion - Approval of Art Installation in Arts Quarter

GOVERNING LEGISLATION:

RMC 18.235.025 – Special Provisions for the Downtown Arts Quarter

PREVIOUS COUNCIL ACTION TAKEN:

None.

SUMMARY/BACKGROUND:

In 2018, City Council created a Downtown Arts Quarter to support revitalization of the downtown core by providing opportunities for visible public art. The intent of the Arts Quarter, in part, is to accommodate public art that reflects Ridgefield's history, culture and downtown vitality; support collaboration between the City, the Ridgefield Art Association, and downtown businesses; and to activate public space. The design features encouraged by the Arts Quarter include: "Active alleys. Art, including murals and overhead installations, that activates alleys for public use and enjoyment."

In order to be eligible for installation, public art must meet the following standards:

1. Located within city right of way or visible from publicly-owned property within the Downtown Arts Quarter.
2. Appropriate size, scale and form for the site in which it is to be placed.
3. Composed of high-quality durable materials that are easy to maintain.
4. Reflect and promote Ridgefield's history, culture, natural environment or downtown vitality.
5. Recommended for approval by the Ridgefield Art Association to the city council.

Ridgefield Main Street submitted a request to the City for the installation of public art comprised of a series of "arches" over the alley between 3rd and Main. The required information has been provided as follows:

-
1. A photograph depiction of the arches, attached as Exhibit A.
 2. Material description: 1/8" powder-coated steel to coordinate with the artwork on the back of the stage at Overlook Park.
 3. A recommendation from the Ridgefield Art Association, attached as Exhibit B.

The application requirements for this art installation have been met and the art pieces (arches) are eligible for installation according to RMC.

Council approval of the art installation would be conditioned on obtaining required City permits and approvals and a written agreement between the city and Ridgefield Main Street outlining the terms of installation and maintenance.

BUDGET/FINANCIAL IMPACTS:

None.

RECOMMENDED ACTION OR MOTION:

"I move to approve the installation of the public art as presented and direct the City Manager to enter into an agreement with Ridgefield Main Street."

STAFF CONTACT: Lee Knottnerus, Deputy City Manager

ATTACHMENTS: Otis Final (PNG)
Otis Alley.RAA Letter (PDF)



Attachment: Otis Final (Approval of Art Installation in Arts Quarter)



Ridgefield Art Association
PO Box 746
Ridgefield, WA 98642

September 17th, 2020

Ridgefield City Council
City of Ridgefield
230 Pioneer St.
Ridgefield, WA 98642

Dear Ridgefield City Council,

The Ridgefield Art Association Board has reviewed the proposed 'Otis Alley' Metal Art Sign for the alley way between Main and 3rd Avenues that the Ridgefield Mainstreet Board has approved funding for.

The RAA Board recommends that the Ridgefield City Council approve this project.

It would be a wonderful addition to the Ridgefield Arts Quarter and help make Downtown Ridgefield a destination for our growing community.

Sincerely,


Patricia Thompson

Ridgefield Art Association President
360-931-9573
ridgefieldartassociation@gmail.com

Attachment: Otis Alley.RAA Letter (Approval of Art Installation in Arts Quarter)