



**RIDGEFIELD CITY COUNCIL
MEETING AGENDA**

**Thursday, July 28, 2016
Ridgefield Community Center
210 N. Main, Ridgefield, WA 98642**

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

Meeting to begin 5 minutes late.

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

II. PUBLIC COMMENT

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

III. CONSENT AGENDA

- 1. Approval of Minutes from July 14, 2016 Meeting**

IV. PRESENTATION

- 1. 2017 Budget - Economic Update**

V. BUSINESS

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

- 1. Motion - Declaring Certain Accounts as Uncollectible and Authorizing Write-Off**
- 2. Ordinance No. 1211 - Second Reading on Kennedy Development Agreement Amendment-**

VI. PUBLIC COMMENT

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

VII. COUNCIL/PRESIDING OFFICER/STAFF REPORTS

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

VIII. FROM THE COUNCIL

IX. ADJOURN

**CITY OF RIDGEFIELD
REQUEST FOR COUNCIL ACTION**

MEETING DATE: July 28, 2016
ITEM: CONSENT AGENDA
AGENDA ITEM TITLE: Approval of Minutes from July 14, 2016 Meeting

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:

"I move to approve the consent agenda"

STAFF CONTACT: Julie Basarab, City Clerk
ATTACHMENTS: City Council 20160714 (DOC)

Approved to be placed on City Council Agenda:

CITY OF RIDGEFIELD, WASHINGTON

CITY COUNCIL MEETING MINUTES

DATE: July 14, 2016

ATTENDANCE:

COUNCIL: Mayor Pro Tem Lee Wells, Council member David Taylor, Sandra Day, John Main, Don Stose, Darren Wertz.

ABSENT: Council member Mayor Ron Onslow.

STAFF: City Manager Steve Stuart, Deputy City Manager Lee Knottnerus, Community Development Director Jeff Niten, Public Works Director Bryan Kast, Finance Director Kirk Johnson, City Attorney Janean Parker, City Clerk Julie Basarab.

CALL TO ORDER [6:30:30 PM](#)

FLAG SALUTE

ROLL CALL

MOTION: Council member Don Stose moved to excuse Mayor Onslow from the meeting.

SECOND: Council Member John Main.

[6:31:21 PM](#)

Vote: 6-0

Yes: Mayor Pro Tem Lee Wells; Council member David Taylor, Darren Wertz, Don Stose, John Main and Sandra Day

No: None

Abstained: None

Absent: Mayor Ron Onslow

Motion unanimously passed.

LATE CHANGES TO THE AGENDA:

Following items are being removed off the agenda:

Public Hearing and First Reading of Ordinance No. 1213 – Brown Development Agreement
Resolution No. 511 – Notice of Intent to Annex for Brown Property

Move the following item to follow right after consent agenda:

Ordinance No. 1210 - Second Reading on Walker-Rohrer Development Agreement
Amendment

PUBLIC COMMENT: [6:33:02 PM](#)

Clyde Burkle – Resident

Laurel Heights Subdivision – 12 trees are dead in the strip right in front of the subdivision on Pioneer Street.

Mayor Pro Tem Lee Wells introduced new City engineer Brenda Howell.

CONSENT AGENDA: [6:37:00 PM](#)

- 1. Approval of Minutes from June 9, 2016**
- 2. Approval of Minutes from June 20, 2016**
- 3. Approval of Claims/Payroll**

MOTION: Council member David Taylor moved to approve consent agenda as presented.

SECOND: Council Member Sandra Day.

[6:37:30 PM](#)

<u>Vote:</u>	6-0
Yes:	Mayor Pro Tem Lee Wells; Council member David Taylor, Darren Wertz, Don Stose, John Main and Sandra Day
No:	None
Abstained:	None
Absent:	Mayor Ron Onslow

Motion unanimously passed.

BUSINESS [6:37:38 PM](#)

1. Ordinance No. 1210

Second Reading on Walker-Rohrer Development Agreement Amendment

The proposed amendment to the Development Agreement applies primarily to properties owned or controlled by Holt (formerly Walker and Rohrer). However, similar provisions will apply to the property owned by Urban Downs subject to several requirements that must be met prior to July 31, 2017. Those requirements include submission of a Concept Plan similar to what Holt has provided to the City, and a request to lift Urban Holding 10 by showing how public services, particularly transportation, water and sanitary sewer service, can be provided to serve the anticipated impacts on public infrastructure. The amended development agreement will allow the Holt properties to develop at densities shown on the attached concept plan, and that Holt will dedicate 2.0 acres of parkland to the City as shown on the Concept Plan. Holt will also make 6.0 acres of parkland available for purchase as shown on the Concept Plan. Trail development in compliance with the 2014 Comprehensive Parks and Trails Plan shall also be provided as shown on the attached Concept Plan. As part of this amendment the applicant has agreed to comply with the neighborhood design standards (18.210.060) for this development, as well as the lighting standards (18.715) requiring LED lighting throughout the development.

Mayor Pro Tem Wells opened for public comment.

Jim Wilson – Helens View Resident [6:40:28 PM](#)

Helens view HOA member.

City annexed lot 26 into the City limits and did not take the rest of the HOA lots.

Legal services have been obtained, City received a letter.

Concerns regarding the plat.

Serious issues with this proposal.

Minimum lot size in Helens View subdivision is 31,000 square feet.

Susan Rasmussen – Helens View Resident [6:42:52 PM](#)

Lot that was annexed into the City is integrated with the Helens View Subdivision.

Parcel is included in the HOA.

Concerns of integrity of our neighborhood character.

Impact of housing value.

Development is out of place.

Richard Bustamante – Helens View Resident [6:45:04 PM](#)

When we purchased our property we received CC&R's packet.

Lot#26 is subject to the same CC&R's.

Concern regarding value of my property based on this proposal.

Judy Beal – Helens View Resident [6:47:19 PM](#)

Requesting City Council to reject this ordinance.

Been advised by our attorney – questioning the annexation of Walker property, was it legal to begin with.

Illegal amount of houses for this proposal.

Not in the interest of our community.

Legal action will happen.

Needs to meet the CC&R's and the requirements of our neighborhood.

Ed Madden – Helens View Resident [6:48:54 PM](#)

Lives in the Helens View.

Peaceful subdivision.

Requesting to conform to the requirements of the Helens View HOA on lot sizes.

May not be responsible for my actions.

Matt Shifflette - Helens View Resident [6:50:21 PM](#)

Member of the HOA board.

Moved from Vancouver, WA.

Disappointed in the proposed development.

Requesting Council to deny the proposal.

Randy Printz – Representative [6:51:33 PM](#)

Have gone through number of meetings with City Council, nothing has changed.

Amendments to the original CC&R's which created the density restrictions are not enforceable.

This is urban zoning and in the City.

Larger lots around the Helens View subdivision is proposed in this agreement compare to the original agreement. [6:54:18 PM](#)

Steve Shirley – Helens View Resident [7:02:00 PM](#)

We were here several time protesting the annexation of the Walker property.

City Council conducted discussion [7:02:39 PM](#)

Mayor Pro Tem Wells asked for a motion – none made – Motion dies.

PRESENTATION [7:06:24 PM](#)

1. Presentation on Cloverhill Farms (Royle) Concept Plan

Representatives of the Royle property have submitted a Conceptual Development Plan, showing how the 128.5-acre site proposed as Cloverhill Farms could be developed into 465 residential lots with provision of transportation, water, sewer and parks capital facilities. Staff has worked with the Royle representatives to refine the plan as a precursor to a formal PUD application and land use review process. Staff has determined that the plan satisfies the terms of the Concomitant Rezone Agreement by showing how the site could conceptually provide 453 residential lots or greater, and how capital facilities for transportation, water, sewer and parks could be provided.

PUBLIC HEARING/BUSINESS [7:15:06 PM](#)

1. Hearing on Kennedy Development Restriction Removal

On April 10, 2008 the City Council approved Ordinance 990 adopting an annexation and development agreement with William Kennedy, Art Kennedy, and Ridgefield South Investments, LLC. Section 4 of the adopted development agreement outlines a restrictive covenant applied to all the properties that restricts development of the subject properties until such time that the City Council determines that public facilities including water, sanitary sewer, and transportation are adequately funded in City and/or service district Capital Facilities Plans. The Public Works Director has determined that the required public facilities projects necessary to serve the properties at the proposed densities including water, sanitary sewer, and transportation are identified in Capital Facilities Plans and are adequately funded.

Mayor Pro Tem Opened the Hearing [7:16:42 PM](#)

Jamie Howsley - Representative [7:16:52 PM](#)

Here to ask for City Council support and answer any questions

Mayor Pro Tem Closed the Hearing [7:17:32 PM](#)

2. Resolution No. 510 [7:17:39 PM](#)

Approval of Kennedy Development Restriction Removal

MOTION: Council Member John Main moved to adopt Resolution No. 510 as presented.

SECOND: Council Member Sandra Day.

[7:18:14 PM](#)

<u>Vote:</u>	6-0
Yes:	Mayor Pro Tem Lee Wells; Council member David Taylor, Darren Wertz, Don Stose, John Main and Sandra Day
No:	None
Abstained:	None
Absent:	Mayor Ron Onslow

Motion unanimously passed.

PUBLIC HEARING/BUSINESS [7:18:21 PM](#)

1. Hearing on Kennedy Development Agreement Amendment

The development agreement proposes a number of items that will control development of the property: The agreement identifies the areas to be dedicated (2.5 acres) and purchased (5.0 acres) by the City. The agreement also shows how the tax segregation process will proceed to allow the City to acquire fee simple ownership to the 7.5 acres mentioned above. The agreement allows the Kennedy West property to be processed as a standard subdivision application, and requires the subdivision application be submitted to the City within 180 days of approval of this agreement. Kennedy East property to be developed as a Planned Unit Development. The agreement outlines the process for lifting of the Urban Holding (UH-10) overlay that applies to the Kennedy West property following the lifting of the restrictive covenant (RES 510) outlined in the 2008 Development Agreement. The agreement requires the Kennedy East property to be developed as a Planned Unit Development, and that within one year of the execution of this agreement a Property Master Plan is required to be filed with the City. This agreement extends the timeline outlined in the 2008 development agreement for three additional years. The 2008 agreement contained a 15 year timeframe, the provisions of the agreement would no longer apply in 2023. This agreement extends the timeframe to 2026 provided the applicant submits the Kennedy West subdivision application within 180 days, and the Kennedy East master plan within one year. If either timeframe is not met, the three year extension no longer applies. The agreement provides for a split of the costs associated with the frontage improvements for City owned property along Hillhurst Road. The agreement provides for a Latecomers Agreement so that any improvements made to sanitary sewer services will be reimbursed for a pro-rata share of costs based on frontage length. The Latecomers Agreement will be administered according to the Clark Regional Wastewater standard process. The Property Master Plans, and preliminary subdivision applications, must all show the locations of a pedestrian trail network to and through the Property that provides pedestrian connections throughout the site and provides future connectivity. The agreement outlines the expectation for densities between 4 and 6 units per acre.

Mayor Pro Tem Opened the Hearing [7:21:34 PM](#)

Jamie Howsley - Representative [7:21:42 PM](#)

Thanked Steve Stuart, Jeff Niten and Janean Parker for all the hard work on the proposed amendment

Mayor Pro Tem Closed the Hearing [7:22:44 PM](#)

2. Ordinance No. 1211 [7:22:53 PM](#)

First Reading on Kennedy Development Agreement Amendment

First Reading conducted

PUBLIC HEARING/BUSINESS [7:23:24 PM](#)

1. Hearing on Taverner Ridge Development Agreement Amendment

The original development agreement for the Taverner Ridge development was approved by Council on March 13, 1997. Subsequent to the adoption of the agreement an Amendment to the Development Agreement was proposed to clarify timelines associated with the expiration of the Development Agreement, and deadlines for preliminary plat approval. A second amendment to the Development

Agreement was approved by City Council in 2012 that extended the term of the agreement to March 13, 2017, and provided submittal requirements for the remaining phases that will ensure the terms of the original agreement will apply. This third proposed amendment to the Development Agreement is intended to exclude parcel # 220010-000 known as Teal Crest from the provisions of the original Development Agreement and subsequent amendments. The property owners, through this amendment request, are seeking clarity because the original properties were in large, undivided holdings, and the legal descriptions attached to the Development Agreement adopted by City Council in 1997 include a small portion of the subject site. The provisions of the Development Agreement were never intended to apply to the parcel proposed for exclusion.

Mayor Pro Tem Opened the Hearing [7:30:32 PM](#)

No testimony received

Mayor Pro Tem Closed the Hearing [7:30:54 PM](#)

2. Ordinance No. 1212 [7:31:03 PM](#)

First Reading on Taverner Ridge Development Agreement Amendment

MOTION: Council member Darren Wertz moved to waive the second reading of Ordinance No. 1212.

SECOND: Council Member Sandra Day.

[7:31:33 PM](#)

<u>Vote</u> :	6-0
Yes:	Mayor Pro Tem Lee Wells; Council member David Taylor, Darren Wertz, Don Stose, John Main and Sandra Day
No:	None
Abstained:	None
Absent:	Mayor Ron Onslow

Motion unanimously passed.

MOTION: Council member Don Stose moved to adopt Ordinance No. 1212 as presented.

SECOND: Council Member Sandra Day.

[7:32:30 PM](#)

<u>Vote</u> :	6-0
Yes:	Mayor Pro Tem Lee Wells; Council member David Taylor, Darren Wertz, Don Stose, John Main and Sandra Day
No:	None
Abstained:	None
Absent:	Mayor Ron Onslow

Motion unanimously passed.

PUBLIC COMMENT [7:32:59 PM](#)

None

COUNCIL/PRESIDING OFFICER/STAFF REPORTS: [7:33:35 PM](#)

Council member Taylor – no report.

Council member Main – attended C-Tran board and update provided.

Council member Stose – attended school board meeting.

Council member Day – attended AWC Conference, reappointed to AWC Committee, friends of the refuge meeting, market study presentation for RORC.

Council Member Wertz – attended 4th of July Parade, briefing with City Manager.

Mayor Pro Tem Wells – attended business meeting (Pacific Crest Cabinets).

City Manager Steve Stuart – no report

Community Development Director Jeff Niten – CDD report provided.

Public Works Director Bryan Kast – Update on new employee at Public Works facilities, thanked staff for all the prep for the 4th of July event.

Finance Director Kirk Johnson – Investment portfolio report provided.

Deputy City Manager Lee Knottnerus – Planning commission vacancy update, upcoming events update provided.

FROM THE COUNCIL

ADJOURN [7:52:28 PM](#)

Attachment: City Council 20160714 (1042 : Approval of Minutes)

Julie Basarab, City Clerk

Ron Onslow, Mayor

**CITY OF RIDGEFIELD
REQUEST FOR COUNCIL ACTION**

MEETING DATE: July 28, 2016
ITEM: PRESENTATION
AGENDA ITEM TITLE: 2017 Budget - Economic Update

PRESENTATION ON 2017 ECONOMIC UPDATE

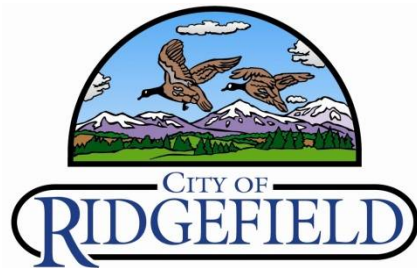
STAFF CONTACT: Kirk Johnson, Finance Director
ATTACHMENTS: Ridgefield Council Economic Indicators_08_13_2015_Revised (PPT)

Approved to be placed on City Council Agenda:

City of Ridgefield Economic Update

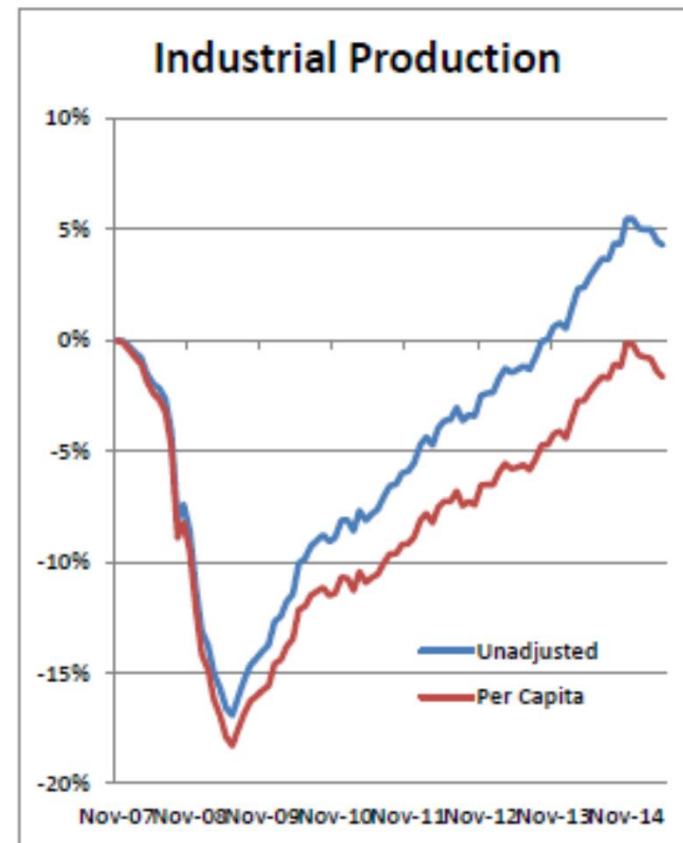
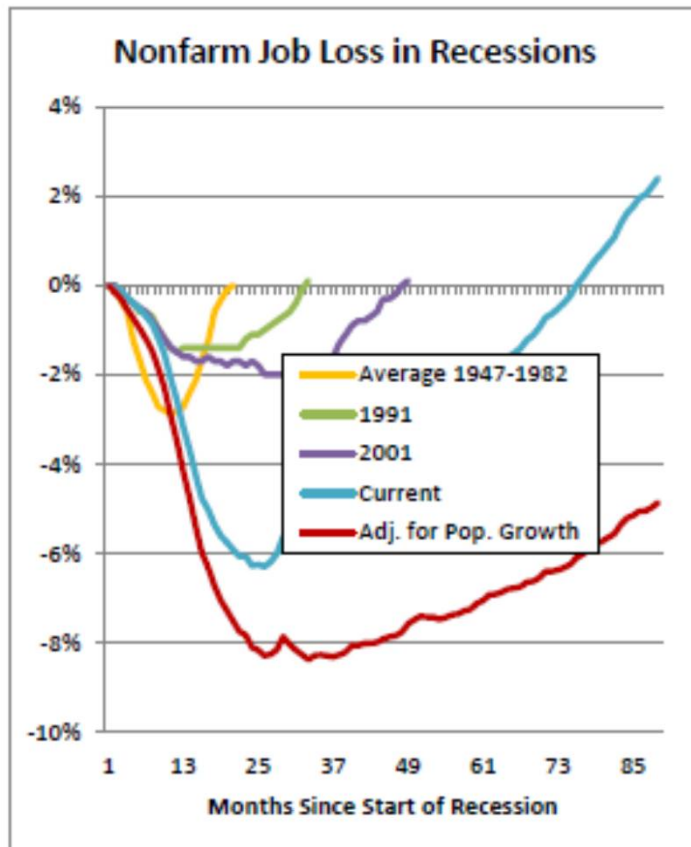
City Council Study Session

August 13, 2015



Economic Update

National Indicators: Scott Bailey



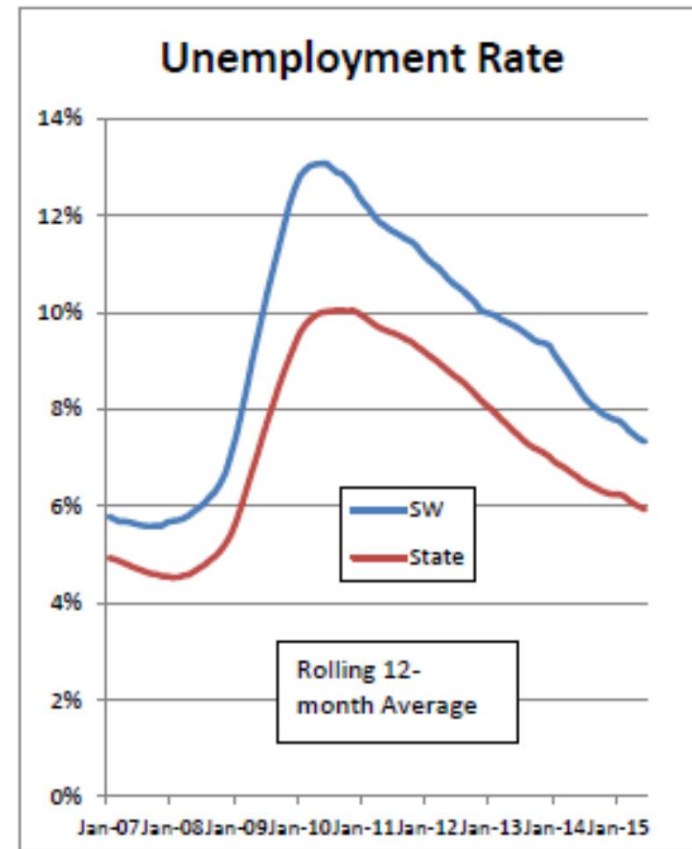
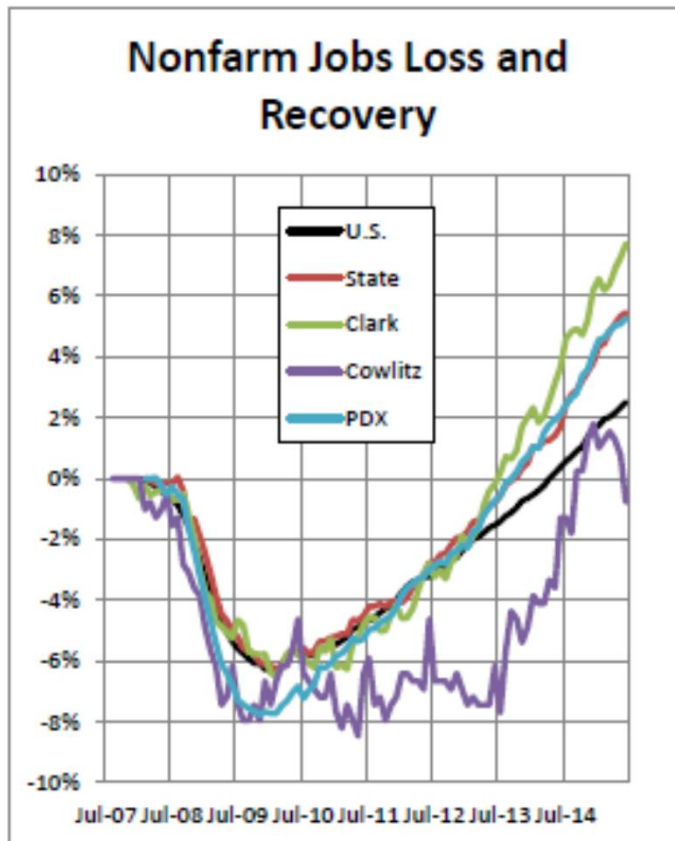
August 13, 2015

Ridgefield City Council Study Session
Economic Update

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Economic Update

Labor Market Indicators: Scott Bailey



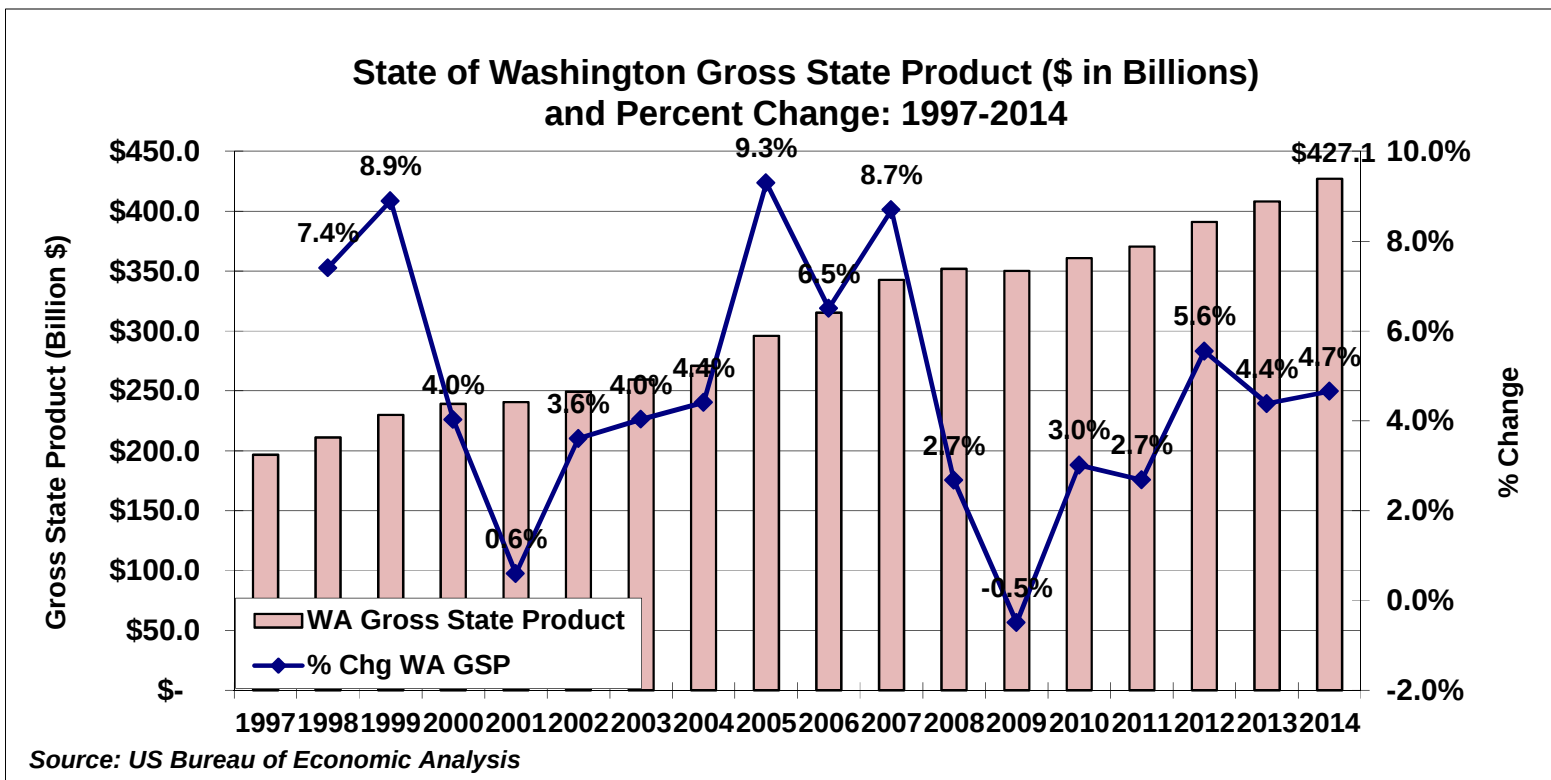
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Ridgefield City Council Study Session
Economic Update

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Economic Update

Gross State Product - Nominal



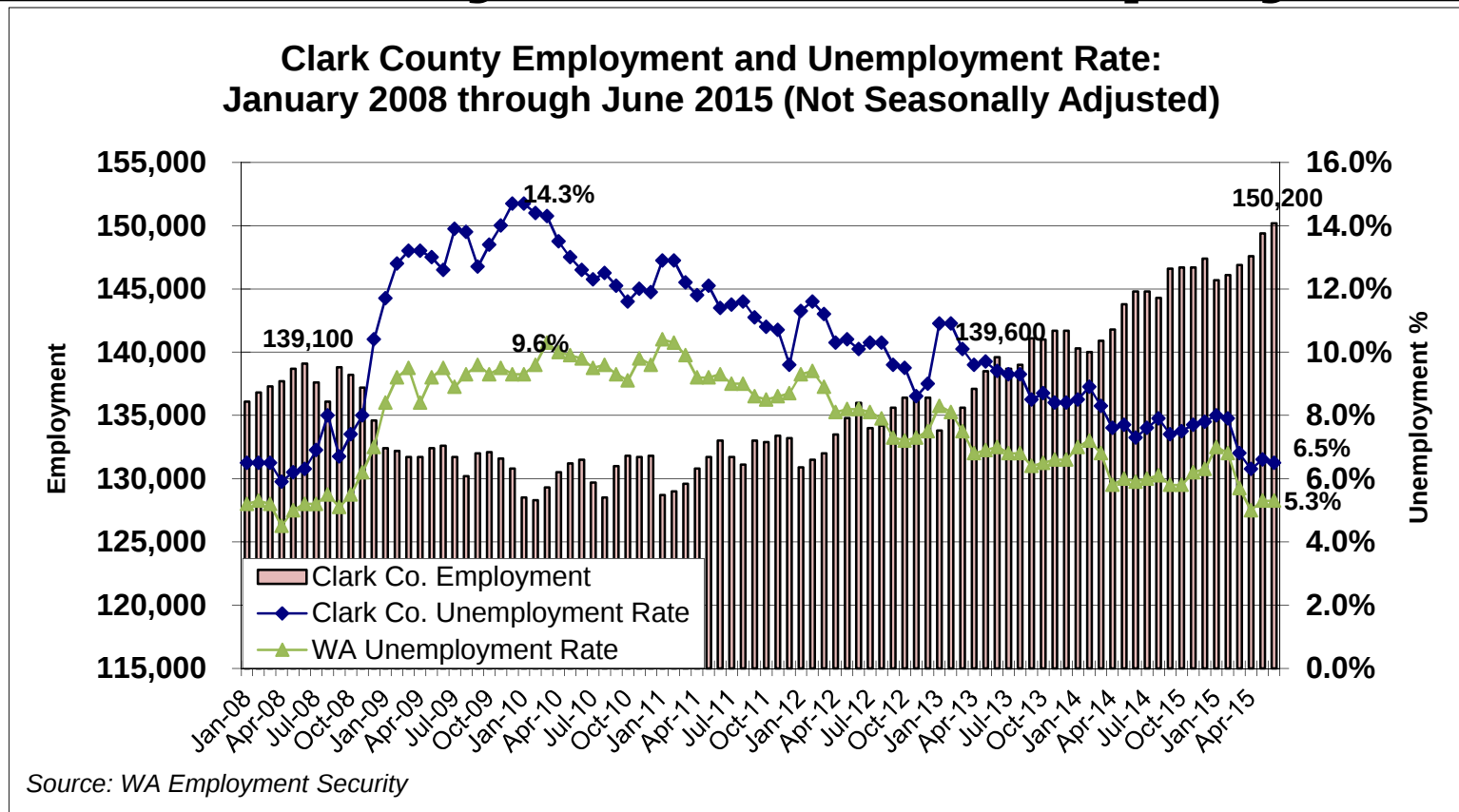
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Ridgefield City Council Study Session
Economic Update

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Economic Update

Clark County Jobs & Unemployment



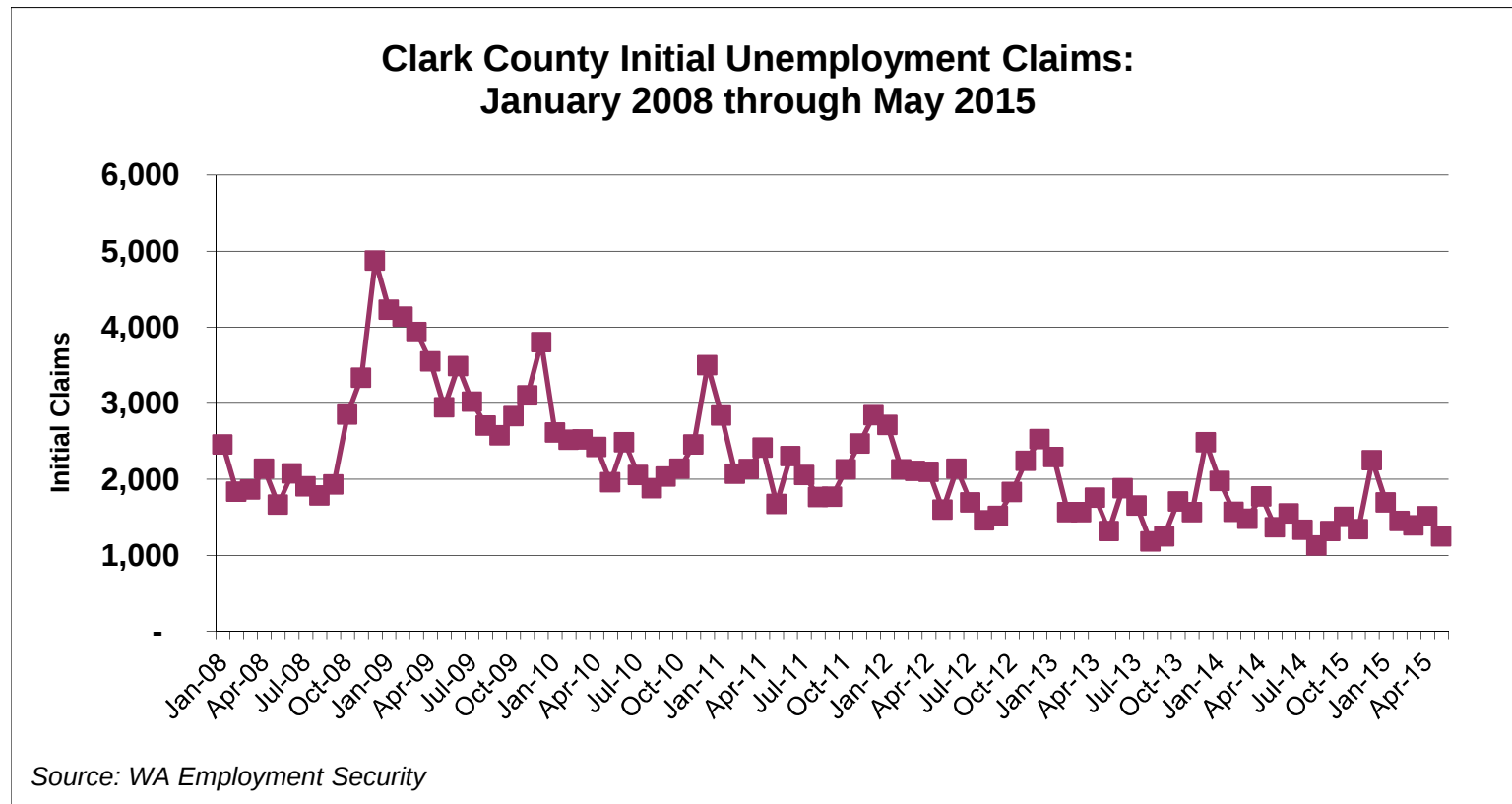
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Economic Update

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Economic Update

Initial Unemployment Claims



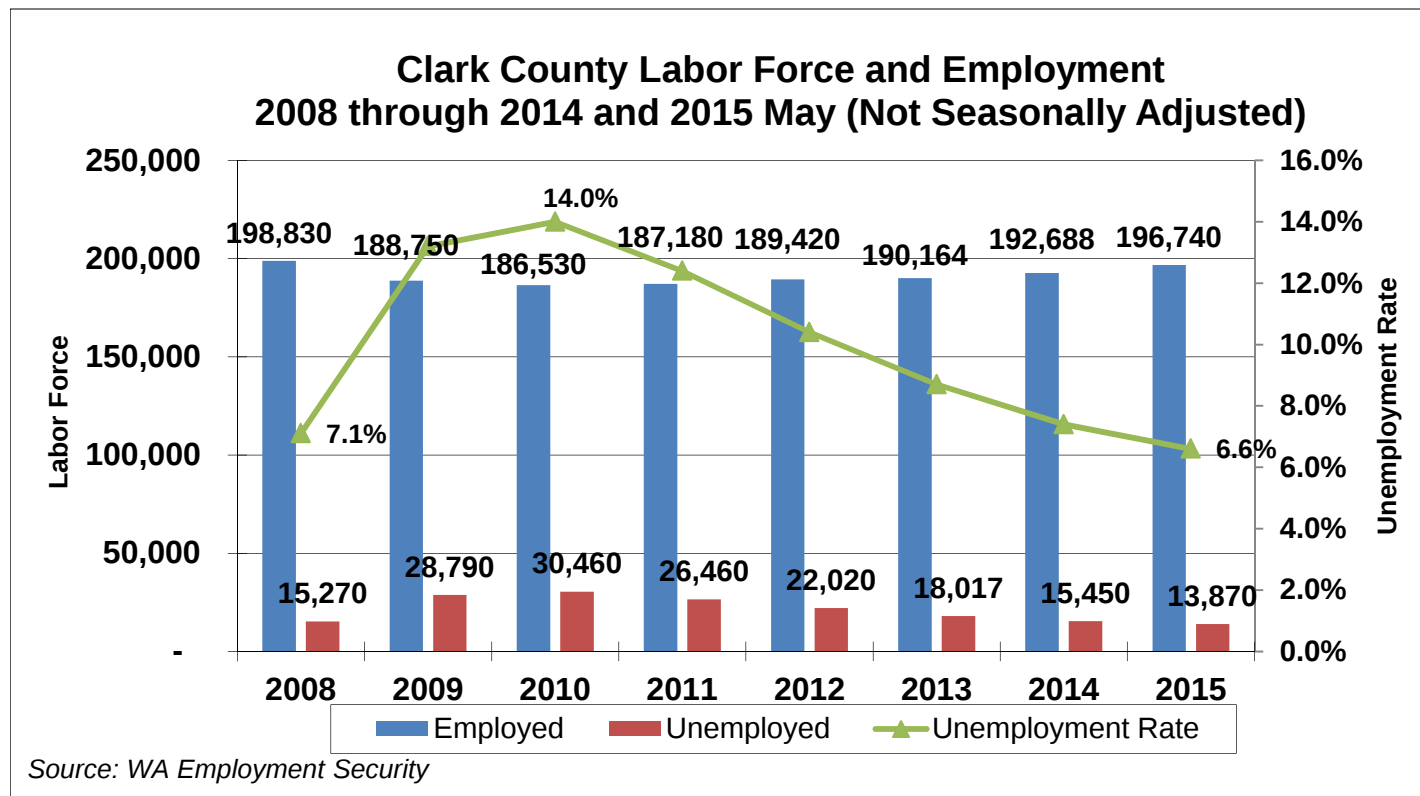
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Economic Update

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Economic Update

Labor Force and Employment



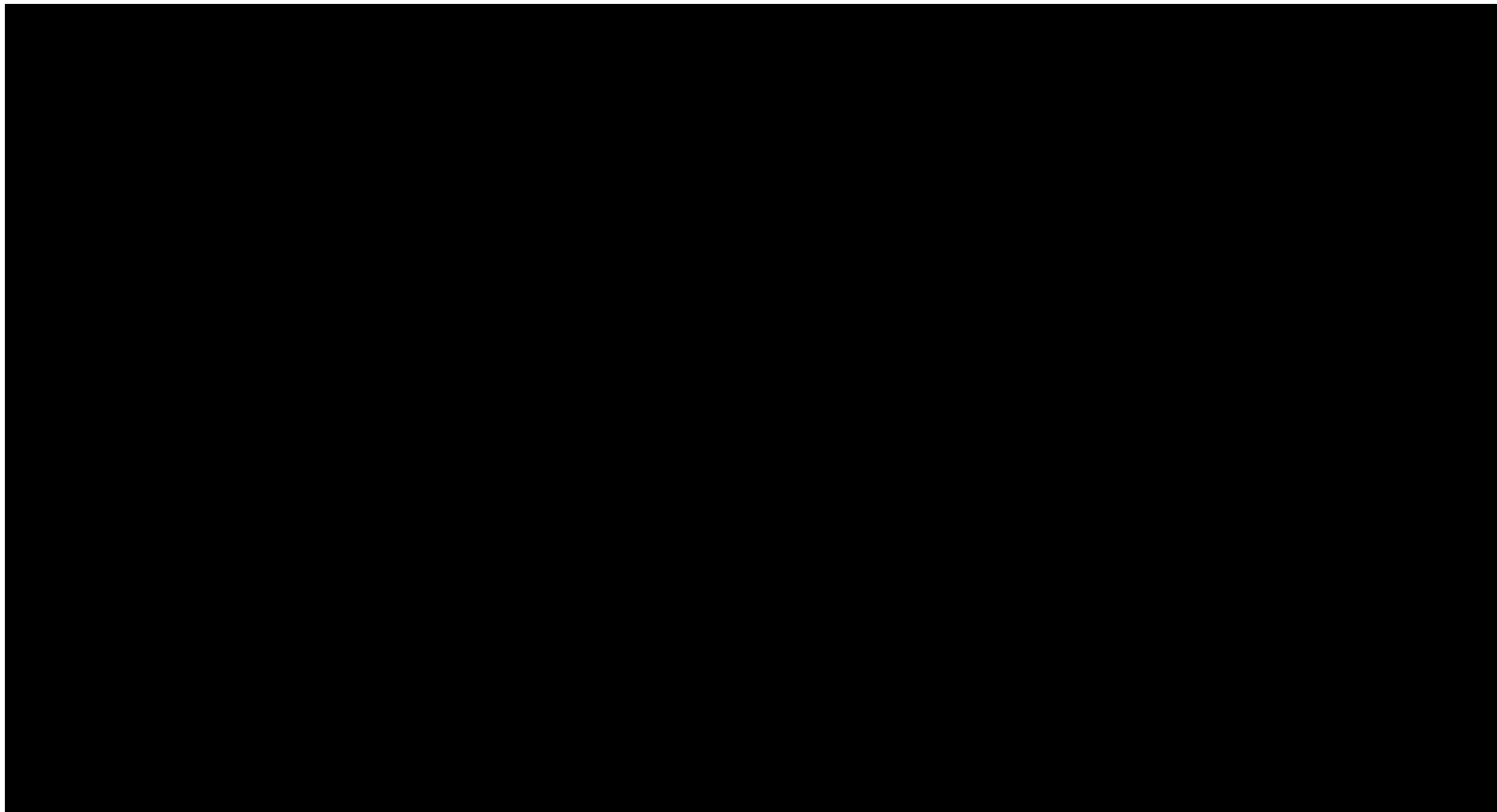
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Economic Update

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Economic Update

Inflation



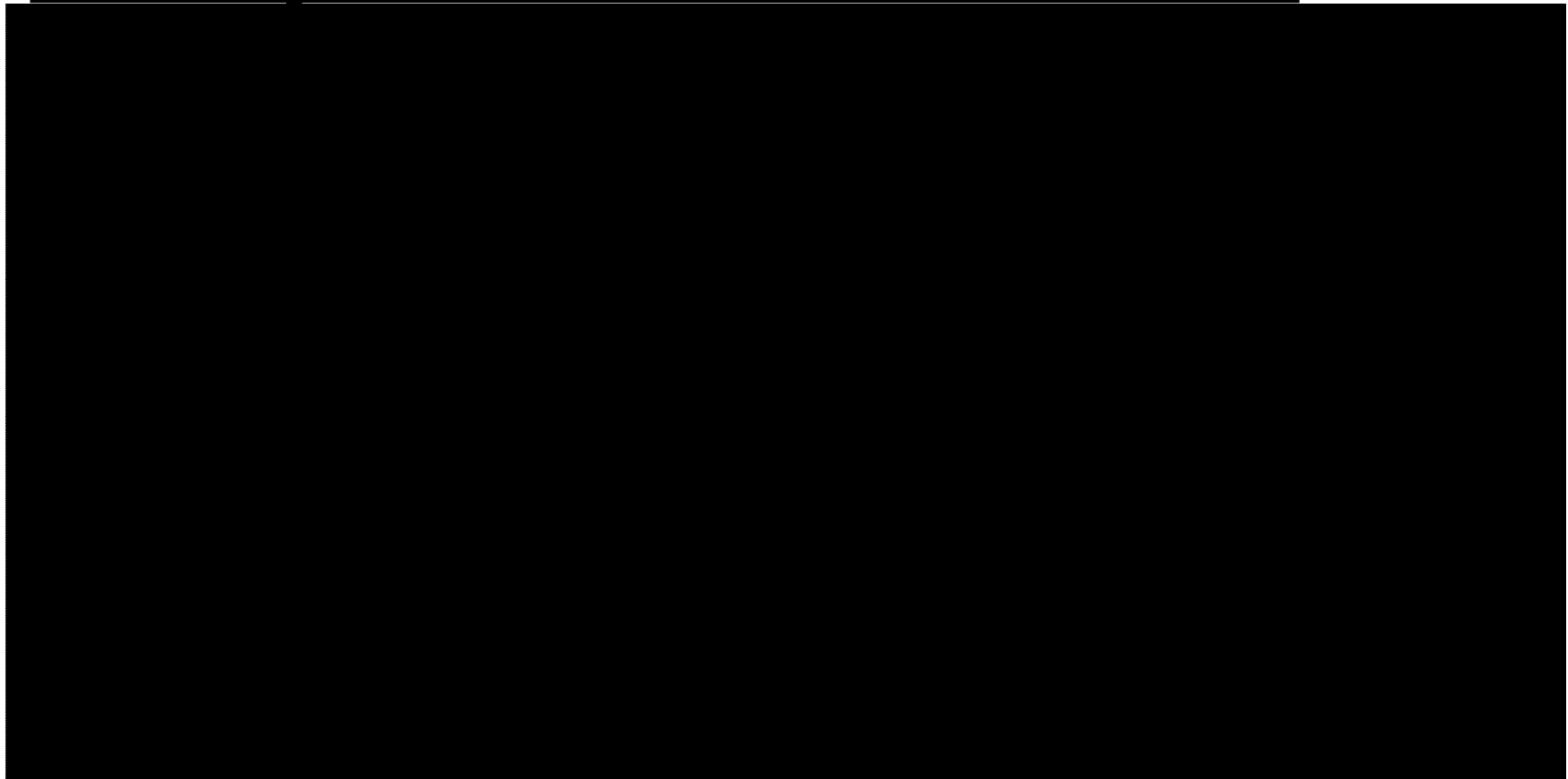
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Economic Update

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Economic Update

County Home Sales and Prices



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Ridgefield City Council Study Session
Economic Update

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Economic Update

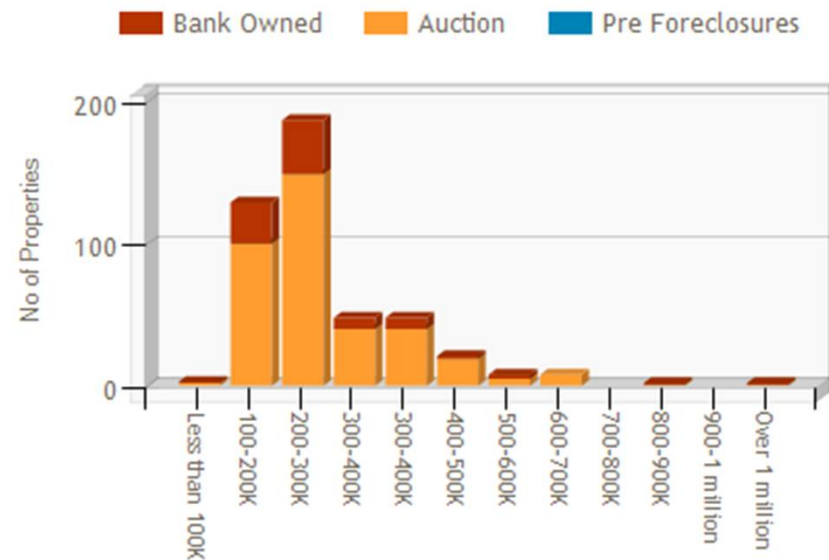
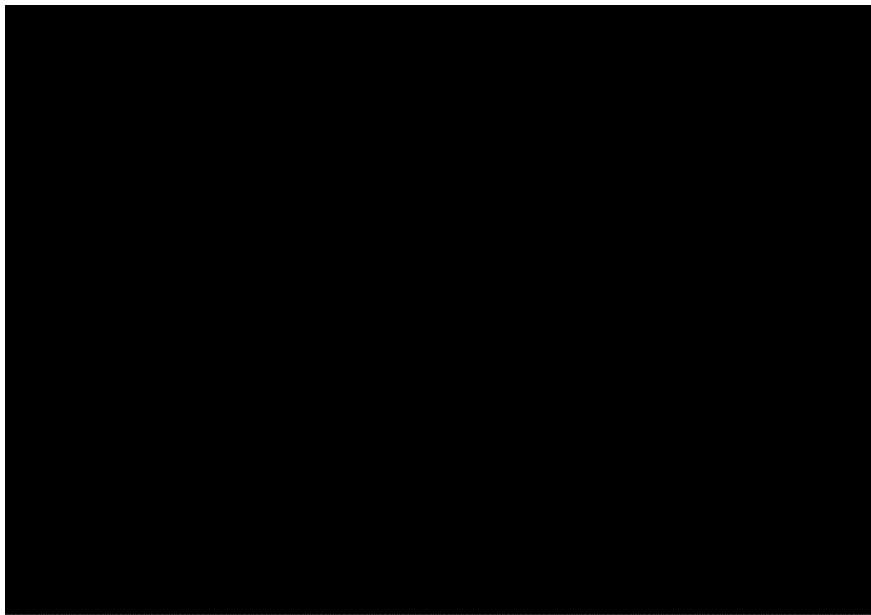
County Housing Market

“The current supply of homes for sale is enough to satisfy market demand for just 2.1 months, a dramatic tightening of the market from June 2014, when the housing supply would last 3.9 months. ”

- The Columbian July 26, 2015

Economic Update

Foreclosures (Clark County)



Source: RealtyTrac

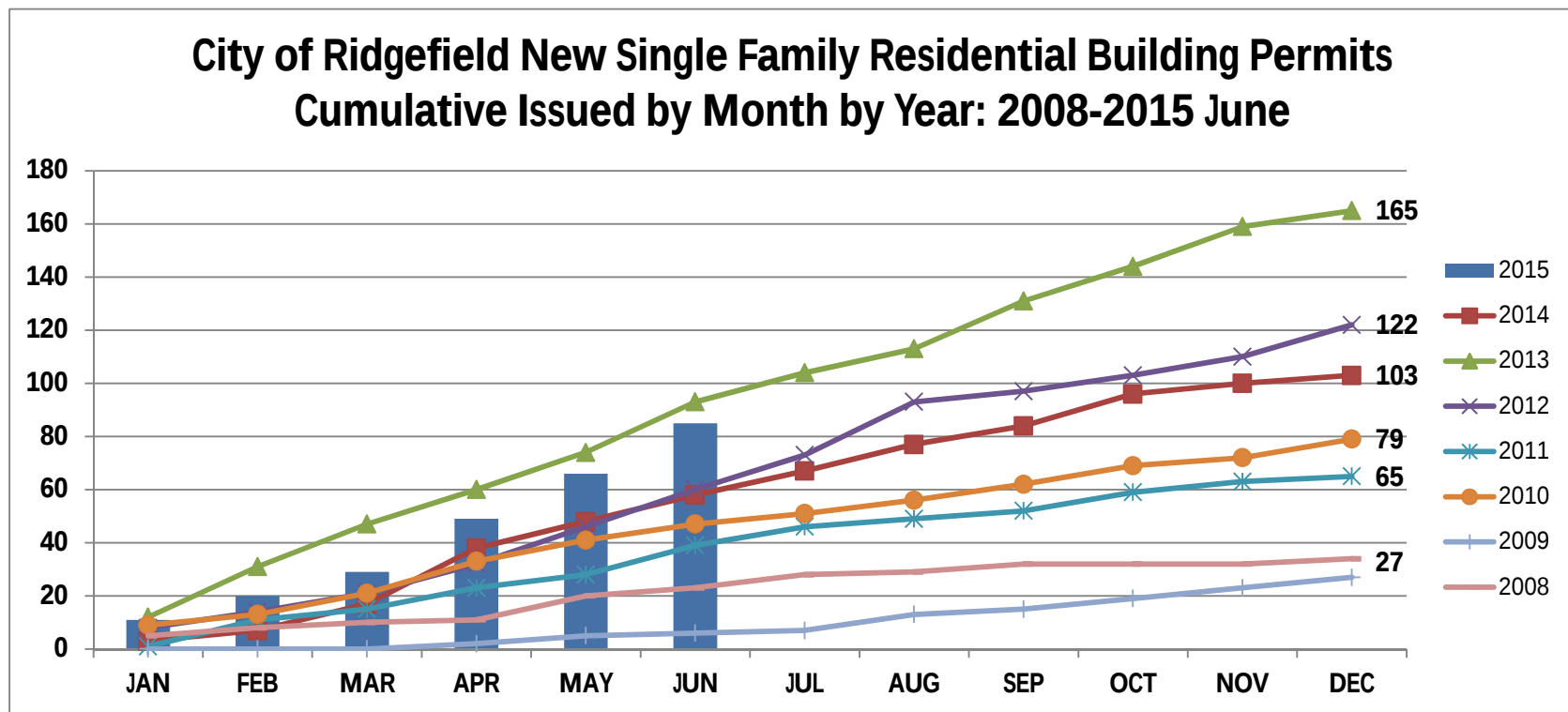
August 13, 2015

Ridgefield City Council Study Session
Economic Update

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Economic Update

Residential Building Permit Activity



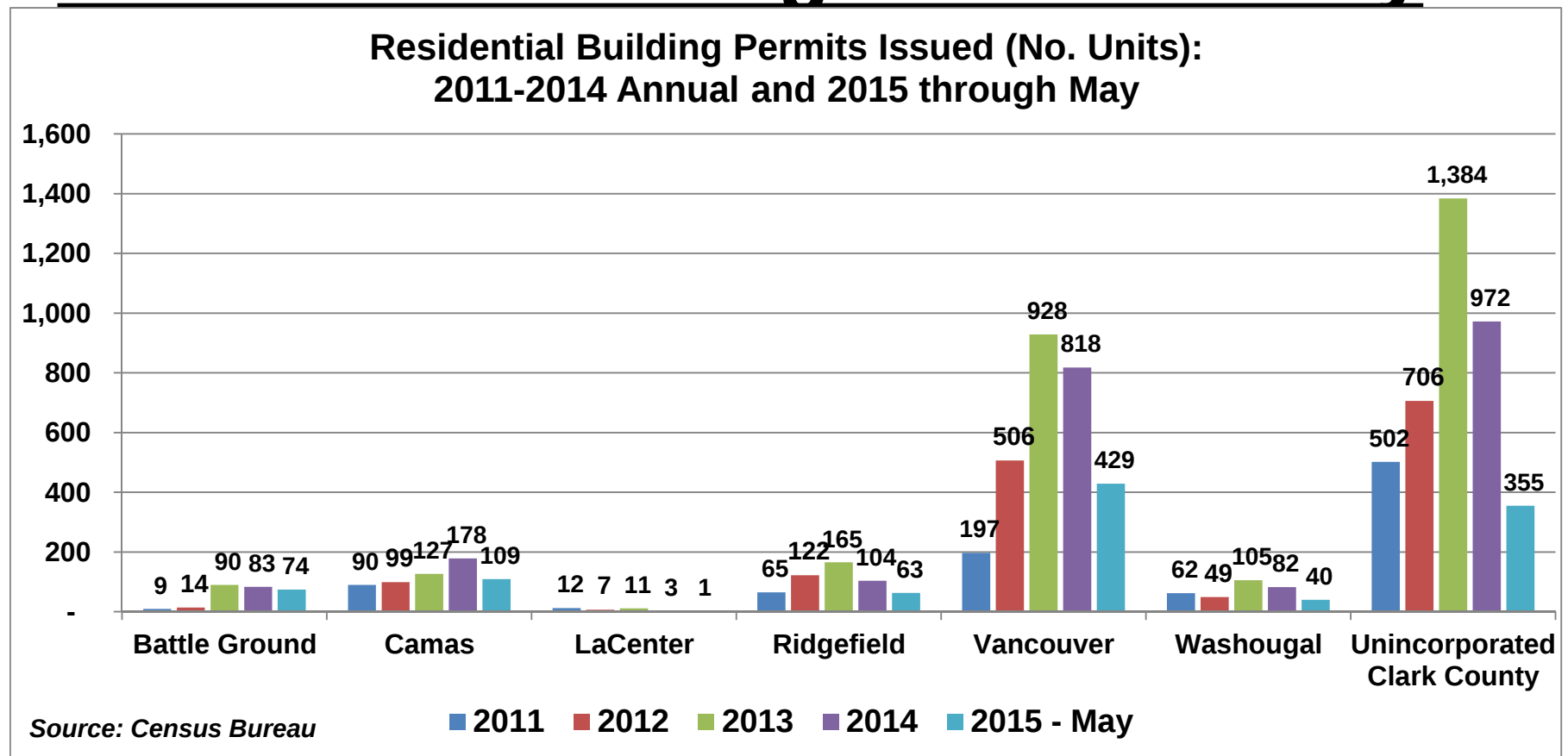
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Economic Update

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Economic Update

Residential Building Permit Activity



August 13, 2015

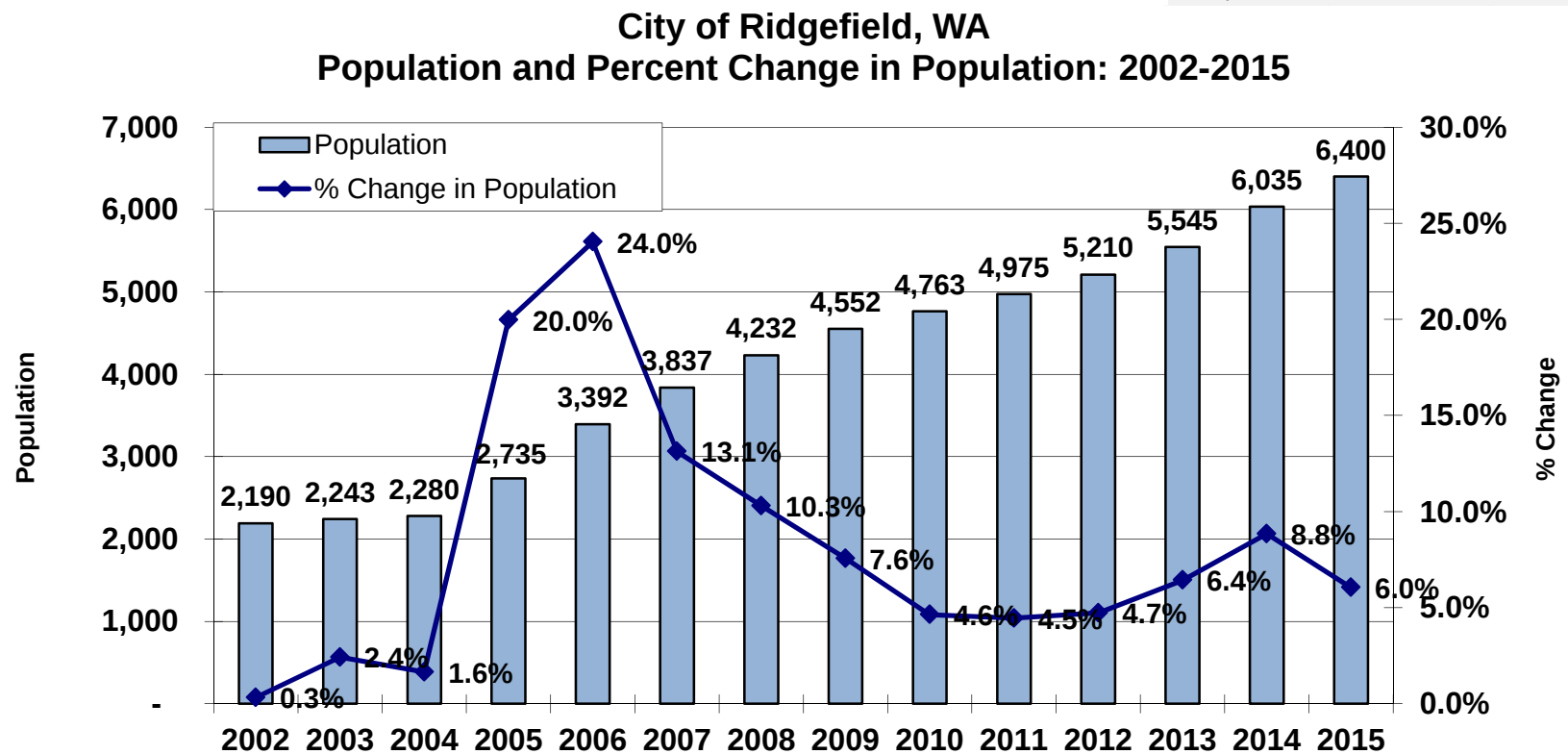
Ridgefield City Council Study Session
Economic Update

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Economic Update

Population

City	2015 Population	2015 Population Increase
Elmer City	285	18.8%
Ruston	905	9.0%
Gig Harbor	8,555	7.1%
Ridgefield	6,400	6.0%
Snoqualmie	12,850	5.9%



Source: WA Office of Financial Management

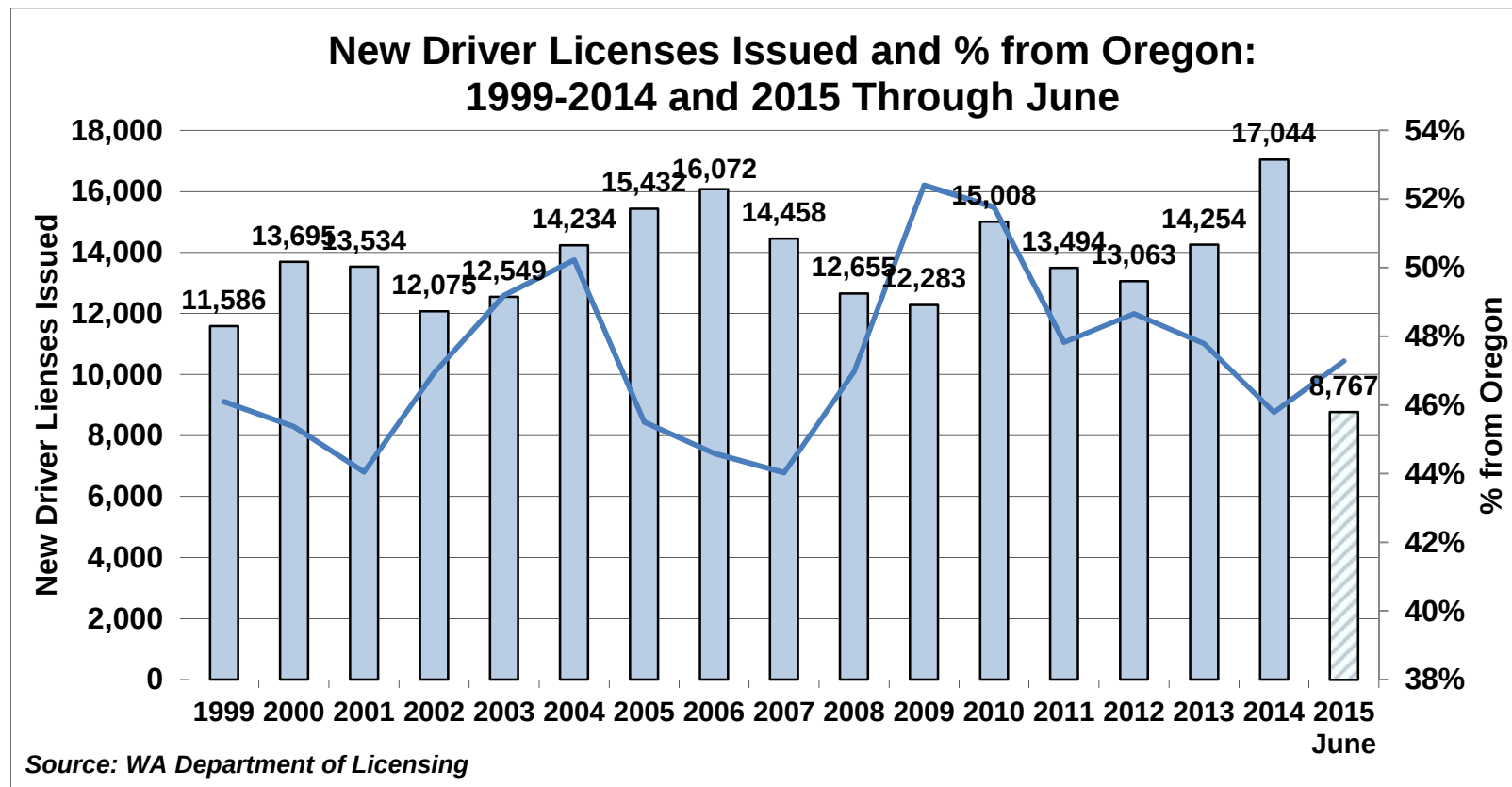
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Ridgefield City Council Study Session
Economic Update

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Economic Update

County In Migration



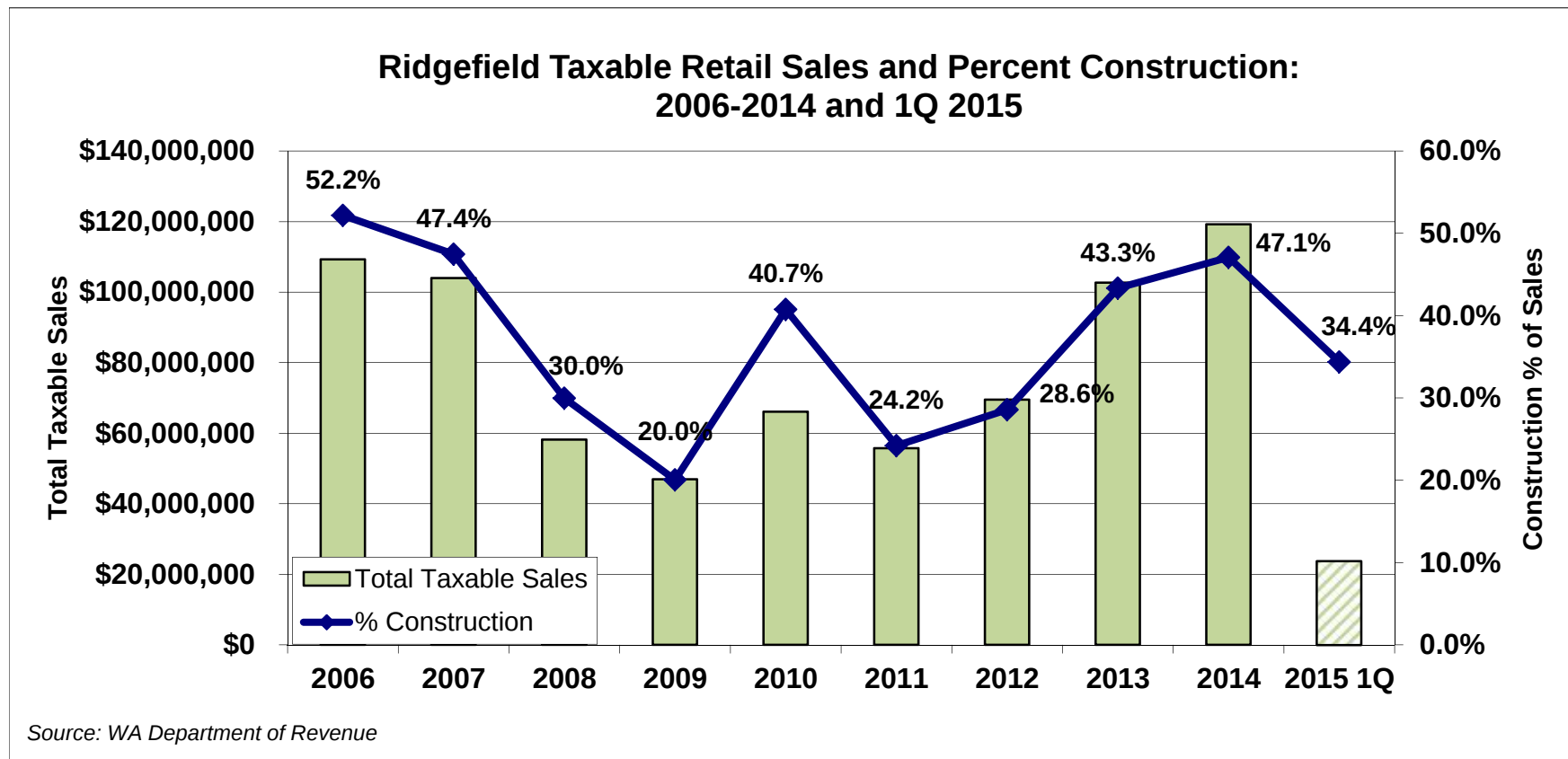
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Economic Update

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Economic Update

Sales Tax Base



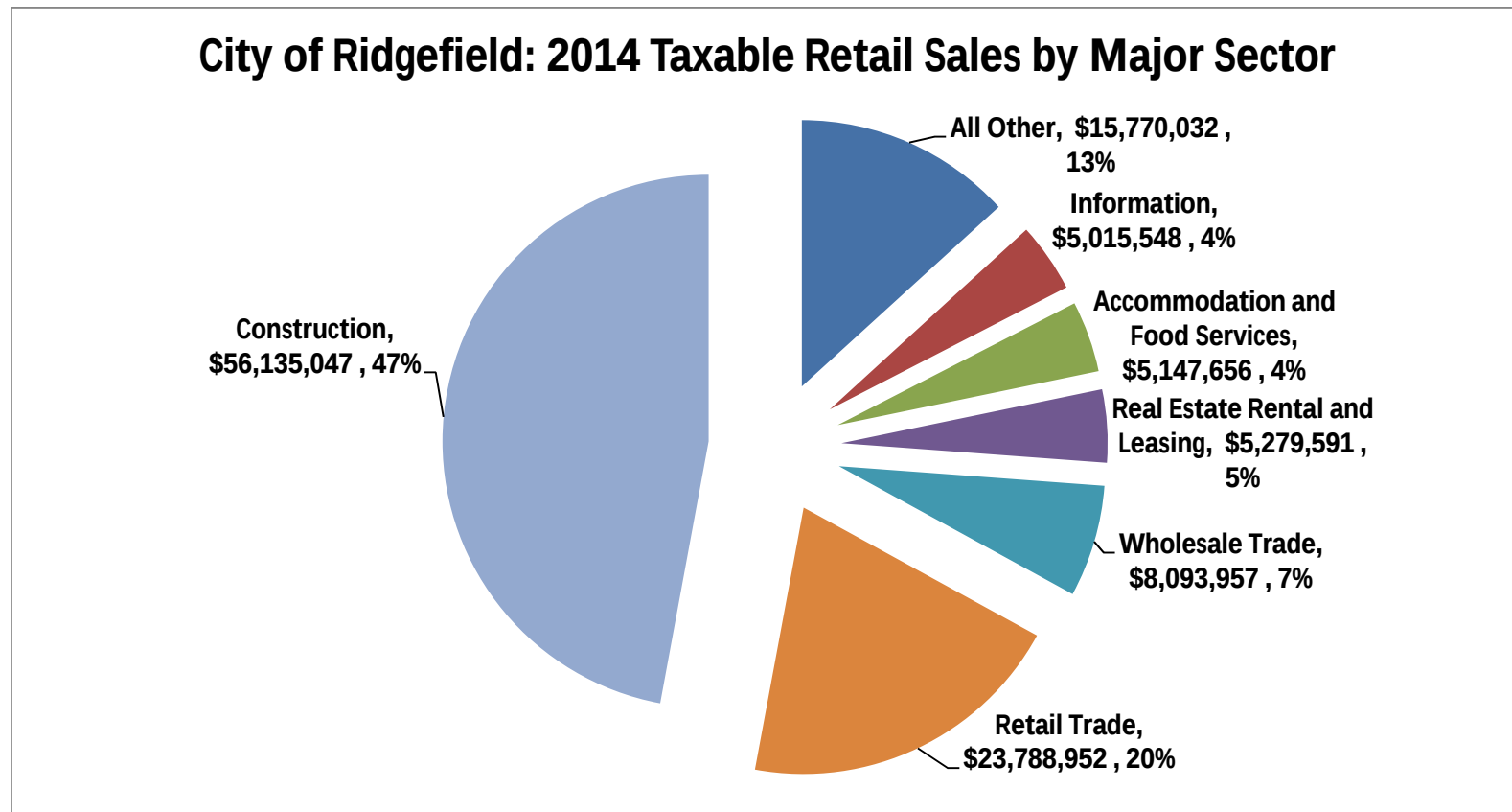
August 13, 2015

Ridgefield City Council Study Session
Economic Update

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Economic Update

Sales Tax Base



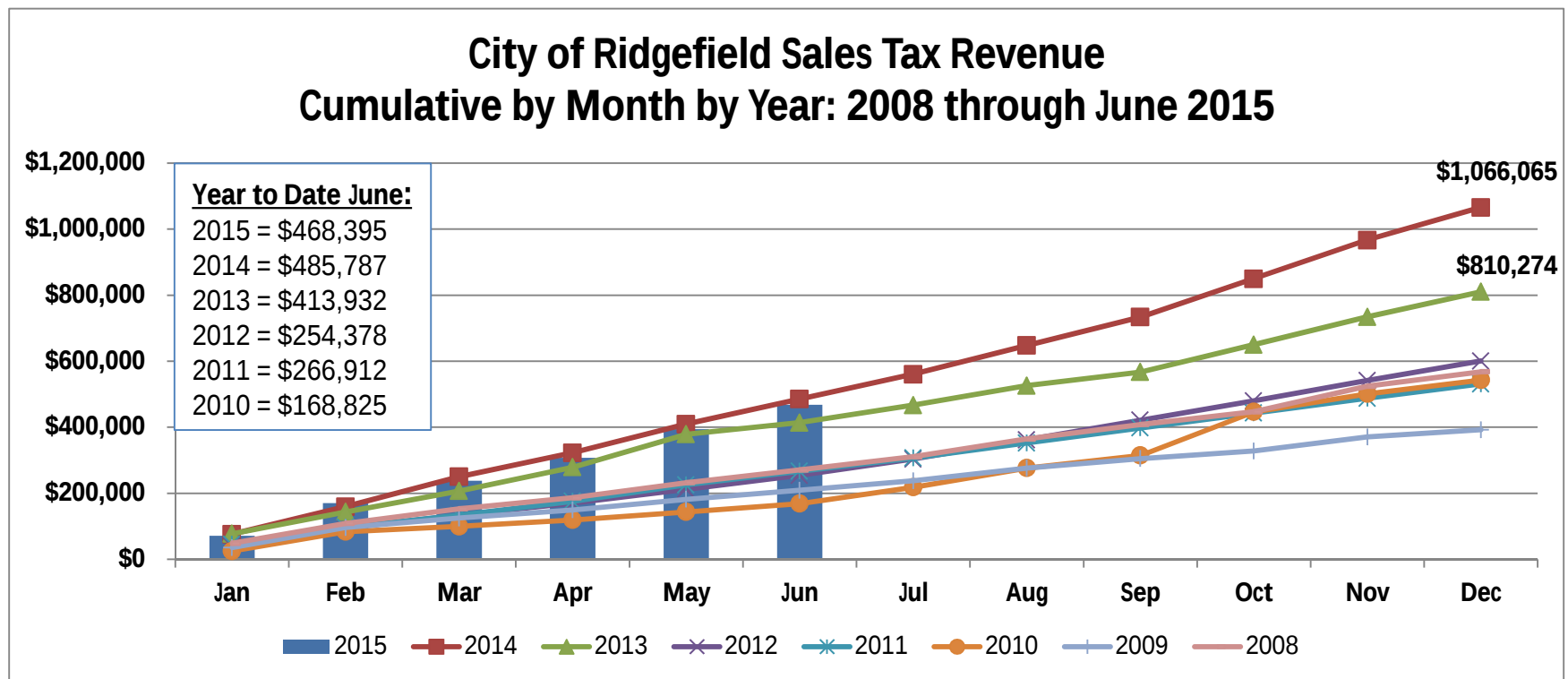
August 13, 2015

Ridgefield City Council Study Session
Economic Update

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Economic Update

Sales Tax Revenue



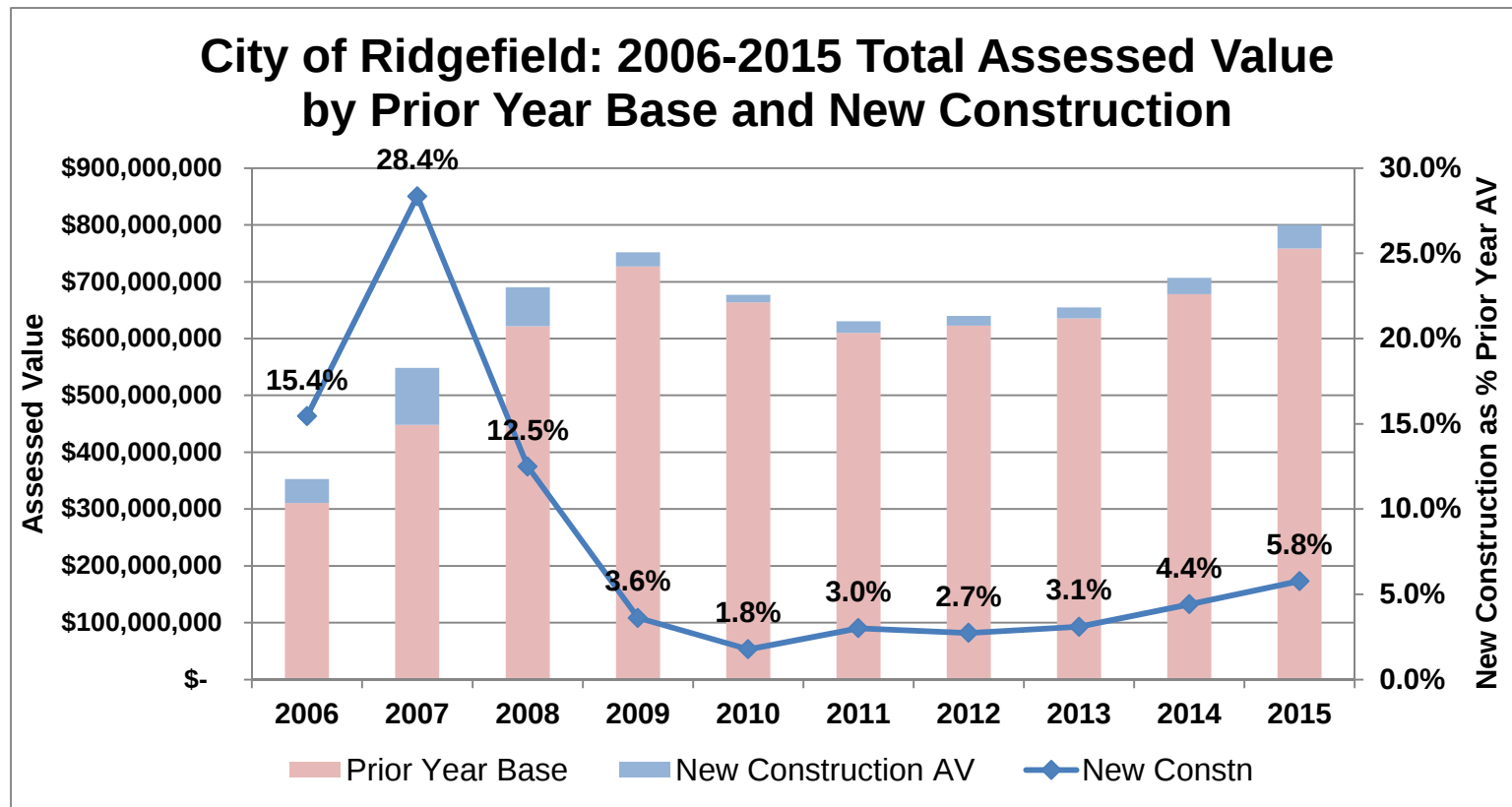
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Ridgefield City Council Study Session
Economic Update

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Economic Update

Property Tax Base



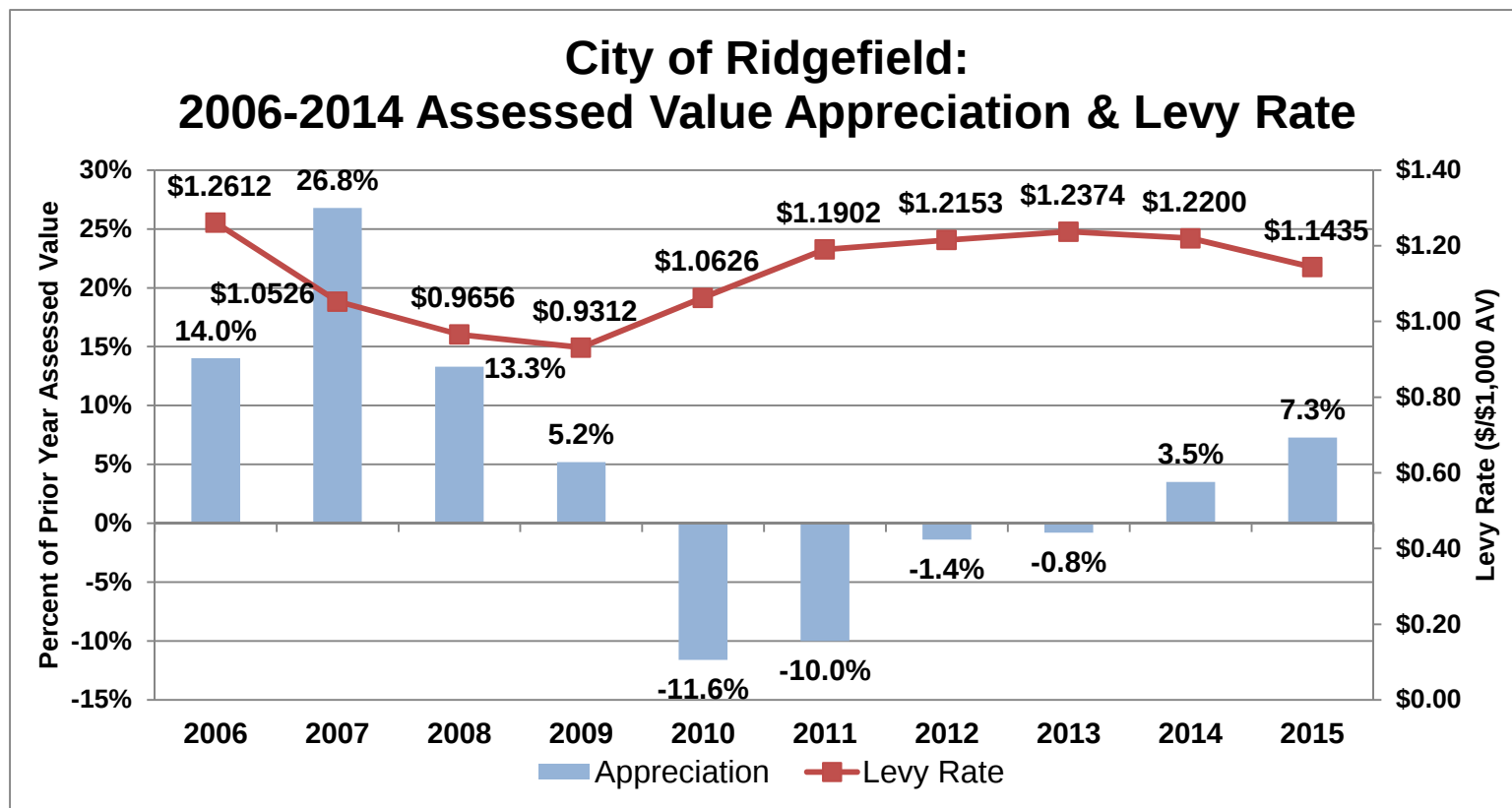
August 13, 2015

Ridgefield City Council Study Session
Economic Update

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Economic Update

Property Tax Base



August 13, 2015

Ridgefield City Council Study Session
Economic Update

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Thank You

† Questions?

CITY OF RIDGEFIELD REQUEST FOR COUNCIL ACTION

MEETING DATE: July 28, 2016

ITEM: BUSINESS

AGENDA ITEM TITLE: Motion - Declaring Certain Accounts as Uncollectible and Authorizing Write-Off

GOVERNING LEGISLATION: None

PREVIOUS COUNCIL ACTION TAKEN: Council action has been previously taken to write-off accounts deemed uncollectible, with the most recent action in May of 2014.

SUMMARY/BACKGROUND: The City reviews reports monthly to determine past due accounts for both utility and building related billings. During the review the Finance Department actively contacts account holders who are past due via telephone or correspondence to follow-up on past due balances.

The City has seen a significant decline in 90+ day past due balances since 2013. The City currently averages approximately \$2,500 in past due utility and building related charges compared to \$13,200 in 2013. The City established collection procedures in 2014 to guide follow-up for past due balances and potential collection and/or lien filings on past due accounts. The City has contracted with Discovery Financial Services to assist with collection activity to follow-up after staff efforts have not been successful. Staff will follow-up with a more detailed collection policy that also provides authority for small balances to be written off by the City Manager or designee.

The City has determined that eleven accounts are no longer collectible due to the length of time since the charge was assessed, or the amount is too small to warrant any follow-up. Seven of the eleven accounts have been sent to collections. Discovery Financial Services will continue to attempt to collect balances due, however the likelihood of these accounts being paid are limited. As a result the City should write off the balances of these accounts. An additional three accounts are small and do not warrant collection activity. One account is past due and was the result of an error in fee calculations by the City.

BUDGET/FINANCIAL IMPACTS: Water and Storm water revenue will be reduced in the amount of \$896.74, as a result of writing off 8 utility accounts. Building revenue will be reduced by \$932.05, as a result of writing off 3 accounts. In anticipation of this action the City has reserved amounts for uncollectible accounts during the financial statement process.

RECOMMENDED ACTION OR MOTION: Staff recommends that Council approve these write-offs by making the following motion:

“I move to authorize the write-off of the accounts as presented.”

Approved to be placed on City Council Agenda:

STAFF CONTACT: Kirk Johnson, Finance Director
ATTACHMENTS:

CITY OF RIDGEFIELD REQUEST FOR COUNCIL ACTION

MEETING DATE: July 28, 2016

ITEM: BUSINESS

AGENDA ITEM TITLE: Ordinance No. 1211 An Ordinance of the City of Ridgefield, Washington Approving a First Amendment Development Agreement with the Kennedy Family and Urban Nw Holdings

GOVERNING LEGISLATION:

RCW 36.70B.170 - 36.70B.210 (Development Agreements)

RDC 18.310.150, Development Agreements

PREVIOUS COUNCIL ACTION TAKEN:

Approval of Ordinance 990 and 991 – April 10, 2008.

SUMMARY/BACKGROUND:

The original annexation and development agreement was approved by Council on April 10, 2008 through adoption of Ordinance 990. The properties were then annexed into the City on April 10, 2008 through adoption of Ordinance 991. Both ordinances were effective on April 20, 2008.

The development agreement proposes a number of items that will control development of the property:

- The agreement identifies the areas to be dedicated (2.5 acres) and purchased (5.0 acres) by the City. The agreement also shows how the tax segregation process will proceed to allow the City to acquire fee simple ownership to the 7.5 acres mentioned above.
- The agreement allows the Kennedy West property to be processed as a standard subdivision application, and requires the subdivision application be submitted to the City within 180 days of approval of this agreement. Kennedy East property to be developed as a Planned Unit Development.
- The agreement outlines the process for lifting of the Urban Holding (UH-10) overlay that applies to the Kennedy West property following the lifting of the restrictive covenant (RES 510) outlined in the 2008 Development Agreement.
- The agreement requires the Kennedy East property to be developed as a Planned Unit Development, and that within one year of the execution of this agreement a Property Master Plan is required to be filed with the City.

Approved to be placed on City Council Agenda:

Jeff Niten	Pending	
Steve Stuart	Pending	
City Council	Pending	07/28/2016 6:30 PM

- This agreement extends the timeline outlined in the 2008 development agreement for three additional years. The 2008 agreement contained a 15 year timeframe, the provisions of the agreement would no longer apply in 2023. This agreement extends the timeframe to 2026 provided the applicant submits the Kennedy West subdivision application within 180 days, and the Kennedy East master plan within one year. If either timeframe is not met, the three year extension no longer applies.
- The agreement provides for a split of the costs associated with the frontage improvements for City owned property along Hillhurst Road.
- The agreement provides for a Latecomers Agreement so that any improvements made to sanitary sewer services will be reimbursed for a pro-rata share of costs based on frontage length. The Latecomers Agreement will be administered according to the Clark Regional Wastewater standard process.
- The Property Master Plans, and preliminary subdivision applications, must all show the locations of a pedestrian trail network to and through the Property that provides pedestrian connections throughout the site and provides future connectivity.
- The agreement outlines the expectation for densities between 4 and 6 units per acre.

BUDGET/FINANCIAL IMPACTS:

Staff does not foresee any budget or financial impacts as a result of an approval of this development agreement amendment.

RECOMMENDED ACTION OR MOTION:

Staff recommends that City Council waive the second reading and adopt Ordinance No. 1211 as presented using the following motion:

“I move to adopt Ordinance No. 1211 as presented.”

STAFF CONTACT: Jeff Niten, Community Development Director

ATTACHMENTS:

ORDINANCE NO. 1211

ORDINANCE NO. 1211 AN ORDINANCE OF THE CITY OF RIDGEFIELD, WASHINGTON APPROVING A FIRST AMENDMENT DEVELOPMENT AGREEMENT WITH THE KENNEDY FAMILY AND URBAN NW HOLDINGS

WHEREAS, the Kennedy family, (hereinafter collectively referred to as "Kennedy" and/or "Owner") is the owner of that certain real property legally described in the attached Exhibit "A" which is incorporated herein by this reference (hereinafter generally referred to as the "Property"); and

WHEREAS, Urban NW Holdings, LLC, a Washington limited liability company (hereinafter referred to as "UNH") has entered into a contract with Kennedy for the purchase of the Property; and

WHEREAS, The City and Kennedy entered into a development and annexation agreement for the annexation and development of the Property on April 10, 2008, and the Property was annexed to the City on April 20, 2008.

WHEREAS, the City is a Washington municipal corporation with land use planning and permitting authority over property within its corporate limits; and

WHEREAS, the City has the authority to enter into development agreements pursuant to RCW 36.70B.170; and

WHEREAS, the City, Kennedy, and UNH wish to enter into an amended development agreement related to the development of the Property; and

WHEREAS, the City Council conducted a public hearing and took testimony on the proposed amended development agreement at a regular meeting held on July 14, 2016; and

WHEREAS, the City Council conducted a first reading of the ordinance on July 14, 2016;

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

Section 1. **Public Interest.** The City Council for the City of Ridgefield, Washington finds, following a public hearing process, that it is in the public interest for the City of Ridgefield to approve the Amended Development Agreement with Kennedy and UNH.

Section 2. **Development and Pre-Annexation Agreement Approved.** The City Council for the City of Ridgefield hereby approves the Amended Development Agreement ("Agreement") attached hereto as Exhibit "A" hereby incorporated fully herein by this reference, and authorizes the City Manager to execute the Agreement substantially in the form attached and to take such other actions as may be necessary to effect this Agreement.

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.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF RIDGEFIELD, WASHINGTON THIS 28th DAY OF JULY 2016.

CITY OF RIDGEFIELD

Mayor, Ron Onslow

ATTEST:

Julie Basarab
Deputy City Clerk

APPROVED AS TO FORM:

Janean Parker, City Attorney

Public Hearing: July 14, 2016

First reading: July 14, 2016

Second Reading/Passage:

Date of Publication:

Effective Date: