



EPHRATA CITY COUNCIL

MAYOR BRUCE REIM MAYOR PRO-TEM WILLIAM COE
COUNCIL MEMBERS: KATHLEEN ALLSTOT, KATHLEEN HARRIS,
SARAH McDONNELL, VALLI MILLARD, MATT MOORE, TONY MORA,

– AGENDA FOR OCTOBER 05, 2022 –

7:00 PM

REGULAR SESSION

1. Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Recording of Meeting: **YES**
5. Additions or corrections to published Agenda
6. Presentations:

II CONSENT AGENDA

1. Approval of Claim Fund Bills and Checks Issued
2. Approval of Council Minutes: September 21, 2022
3. Approval of Special Event Application:
 - Amended Halloween Trunk or Treat – change location to 1st Ave SW between Basin and Alder Streets

III STAFF, COMMITTEE, & AGENCY REPORTS

IV CLOSED RECORD DECISIONS (RCW CHAPTERS 36, 42. OPEN PUBLIC INPUT NOT PERMITTED)

1. Desert Plains Subdivision Preliminary Plat

RESOLUTIONS

1. Resolution 22-08 Approve Desert Plains Subdivision Preliminary Plat

V PUBLIC HEARINGS

1. Desert Plains Subdivision Development Agreement - CONTINUED

VI ORDINANCES & RESOLUTIONS

VII ITEMS FOR COUNCIL CONSIDERATION

1. 2023 Budget Update

VIII ITEMS FOR COUNCIL ACTION

1. Approve Uncollectible Debt Write-Off

IX ADMINISTRATION REPORTS

EXECUTIVE SESSION THE CITY OF EPHRATA CONDUCTS EXECUTIVE SESSION IN ACCORDANCE WITH RCW 42.30.110 OF THE OPEN PUBLIC MEETING ACT

1. Litigation or potential litigation (RCW 42.30.110 (1)(i))
2. Collective Bargaining Strategy/Position (RCW 42.30.140(4)(b))
3. Evaluation of Employee or Applicant (RCW 42.30.110(1)(g))



CITY COUNCIL MINUTES September 21, 2022

City Council of the City of Ephrata, Grant County Washington met in regular session on September 21, 2022. The meeting was called to order at 6:00 p.m. by Mayor Bruce Reim and adjourned to executive session to discuss Collective Bargaining Strategy/Position (RCW42.30.140 (4)(b)) and Evaluation of Employee or Applicant (RCW 42.30.110 (1)(g)) for one hour. Executive session adjourned, no decisions were made or action taken. Meeting reconvened at 7:14 p.m.

Members Present: Mayor Bruce Reim, Mayor Pro Tem William Coe, Council members Sarah McDonnell, Valli Millard, Matt Moore and Tony Mora

Staff Present: City Attorney Anna Franz, Public Works Director Bill Sangster, Community Relations Director Traci Bennett, Fire Chief Jeremy Burns, City Clerk/Finance Director Leslie Trachsler and Deputy City Clerk Carrie Lnenicka

Motion to excuse Council members Allstot and Harris (m/s) Motion carried.

Pledge of Allegiance was said.

No public signed up to speak.

Agenda: There were no additions/correction to the agenda.

Presentations:

Katie Johnson – Middle School Civic Project: Katie Johnson is the new Ephrata Middle School U.S. History teacher. She has given her students the option to attend a City Council meeting or School Board meeting as an extended learning project outside of the classroom. The students would need to arrive on time and introduce themselves after the meeting and obtain a signature on their agenda as proof of attendance.

Nick Moore – Ephrata Municipal Code – Chapters 5 and 19: Nick Moore addressed City Council with questions regarding “outdated” laws in the Ephrata Municipal Code. His intent is to find out if those sections of the code are still useful. Areas that were addressed are:

EMC 5.28- City tax on pool tables and video games: Is enough revenue generated in order to keep this in the code and is the revenue helpful to the City?

EMC 5.24.01(2) – Liquor Consumption on Sunday: Is no alcohol on election day or before 2pm on Sunday enforced?

EMC5.44 – Charitable Solicitation License: What is the purpose of obtaining a permit to conduct a fundraiser?

EMC 19.05.040 – Commercial Parking Requirements: Are these parking requirements productive? Are they too restrictive?

Nick mentioned that if his family’s business, Moore Furniture, were to remodel, they would not have enough parking space to do so following the current code. Yet their parking lot is one of the largest in town.

Council discussion ensued. Council members Millard, Moore, and Coe voiced concerns regarding the parking needs in city limits. Staff will reevaluate.

Consent Agenda: Motion was made to approve consent agenda. (m/s McDonnell/Millard) Motion carried.

Items on the consent agenda are as follows:

Claims #95522 through #95529 in the amount of \$5,697.99

Claims #95530 through #95589 in the amount of \$220,883.28

Checks #86092022, 87092022, 88092022 and 89092022 in the amount of \$5,385.56

EFT in the amount of \$33,606.69

Minutes of the September 7, 2022, Council meeting

Special Event Applications:

- EHS Homecoming Bonfire/Fireworks – October 5 and October 7

Set closed Record Hearing for Desert Plains Subdivision Preliminary Plat for October 5, 2022, at 7:00 p.m.

Set Public Hearing for Desert Plains Subdivision Development Agreement for October 5, 2022, at 7:00 p.m.

2022 Splash Zone Report: Director Bennett gave her season report to Council. The statistics were:

- Splashzone was open for 83 days
- All schools were able to have their end of year parties
- There were no closures due to smoke or biohazard contamination
- The only mechanical issue was a heater failing towards the end of the season
- Tigersharks Swim Team returned after 3 seasons off. They hosted 3 swim meets, usually only host 1
- Concessions revenue was \$29,158. The 2021 revenue was \$23,300

- Admissions revenue was \$66,127. The 2021 revenue was \$52,129
- Pool rental revenue was \$11,774. The 2021 revenue was \$2,007
- General attendance was over 20,000
- Swimming lesson revenue was \$28,875. The 2021 revenue was \$33,974
- Two large rentals in 2022, Columbia Basin Foundation and Grace Point Church. These organizations rented the facility but opened it to the public.

Council member Coe asked how the new pool liner held up. Director Bennett reported there were zero bloody toes!

Confirm Mayor’s Appointment of Valli Millard to Grant County Disability Board:

The composition of the Grant County Disability Board is established by RCW, which states that the City representative shall be a member of the legislative body. Director Trachsler has stepped down and the Mayor has appointed Council member Millard.

Motion to Confirm Mayor’s Appointment of Valli Millard to Grant County Disability Board (m/s Mora/Moore) Motion carried.

Approve and Authorize Temporary/Part-time Support Staff for Police Department:

Police Chief Kurt Adkinson has requested Council approve a temporary/part time employee. Currently the department is facing a potential long term medical absence which would reduce staff from three personnel down to two. The primary functions would be answering phones, conduct counter interactions, and provide other help as necessary. Legal council reported that Council can create this part time position and it is not subject to Civil Service rules.

Motion to Approve and Authorize Temporary/Part-time Support Staff for Police Department (m/s Moore/Millard) Motion carried.

Administration Report:

Schedule for City Administrator Interviews: Director Trachsler reported to council on the schedule of events for the City Administrator Interviews.

- September 26th – press release for open house introducing candidates
- October 4th – Open house at City Hall from 5-7 p.m.
- October 5th – Interviews will be conducted as well as an all-hands staff luncheon

Interviews will be 1 hour with a 30 minute debrief afterwards. There will be 3 panels interviewing simultaneously. The fourth candidate will accompany Director Trachsler on a tour of Ephrata and the City’s facilities.

Director Trachsler is working on a welcome packet for the candidates that will provide information about our community.

There being no further business meeting adjourned at 7:40 p.m.

Bruce Reim, Mayor

ATTEST:

Carrie Lnenicka, Deputy City Clerk

RECEIVED

9/29/22

SPECIAL EVENT PERMIT APPLICATION

City of Ephrata
121 Alder Street SW
Ephrata, WA 98823
(509) 754-4601 ph
(509) 754-0912 fax

PERMIT APPROVED: YES NO

Authorized City Signature: _____ Date: _____

1. Name of Event: Halloween Trunk or Treat Date(s) of Event: October 31, 2022

2. Setup Start Time/Date: 3:00 pm/Oct. 31, 2022 Event Start Time: 5:00 pm

3. Event End Time: 7:30 pm Clean Up End Time/Date: 8:00 pm/Oct. 22

4. Sponsoring Organization: Ephrata Chamber of Commerce
Ephrata School Dist.

5. Event Coordinator/Primary Contact: Rita Witte

6. Mailing Address: P.O. Box 275, Ephrata WA 98823

7. Day Phone: 509-750-6183 Cell Phone: 509-750-6183

8. Email: ephratawachamber@gmail.com Fax:

9. Secondary Contact: Britney MacLeod Phone: 509-398-6333

10. Is alcohol being served? YES NO^{XX} If YES include a copy of the State Liquor Permit.

11. Do you wish to utilize any City property, such as a park? YES XX NO
If YES, which one(s)? please see attached street closure request

12. Will this event include Food Vendors of any type? YES NO x
If yes, all vendors must apply for a Temporary Food Service Permit with the County Health District. A list of vendors is required to be submitted with the application.

13. Anticipated number of attendees? 1500

THE PRIMARY CONTACT MUST LIST A DAY OF EVENT PHONE NUMBER IF NOT LISTED ABOVE.

FOR OFFICE USE ONLY:

Park & Rec.		Code Enforcement	
Community Development		Police	
Fire		Public Works	

STAFF - INITIAL AND DATE UPON APPROVAL OR ATTACH MEMORANDUM WITH CONDITIONS.

PAYMENT AMOUNT: _____ CASH CC CHECK # _____

RECEIVED BY: _____ DATE: _____

INDEMNIFICATION/ HOLD HARMLESS AGREEMENT

IN CONSIDERATION OF BEING PERMITTED TO PRODUCE THIS SPECIAL EVENT OR ACTIVITY OR USE OF ANY CITY PROPERTY OR FACILITIES IN CONNECTION WITH THIS ACTIVITY, THE UNDERSIGNED APPLICANT ("INDEMNITOR") AGREES TO THE FOLLOWING:

1. THE INDEMNITOR HEREBY AGREES TO RELEASE, INDEMNIFY AND HOLD HARMLESS the City of Ephrata from any and all liability, claims, demands, causes of action, charges, expenses, and attorney fees (including attorney fees to establish the City's right to indemnity or incurred on appeal) resulting from involvement in this event whether caused by any negligent act or omission of the City or otherwise. This agreement shall not apply to any liability resulting from the sole negligence of the City.
2. The INDEMNITOR agrees to reimburse the City for any loss, theft of, or damage to City property, equipment and/or facilities.
3. The INDEMNITOR agrees to comply with all applicable laws, statutes, ordinances, rules and requirements including, but not limited to, not admitting more attendees than designated by Fire Department as safe for the particular event or facility.
4. The INDEMNITOR expressly agrees that this release and hold harmless agreement is intended to be as broad and inclusive as permitted by Washington law and that if any portion thereof is held invalid, notwithstanding, the balance shall continue in full legal force and effect.
5. Falsification and/or misrepresentation in completing this application may result in rate adjustment or event cancellation. I UNDERSTAND THAT CHANGES TO THE ABOVE DETAILED PROGRAM REQUIRE IMMEDIATE NOTIFICATION TO CITY.

I, the undersigned representative, have read the Special Events Application and the Policies and Procedures contained herein, and I am duly authorized by the event organization/business to submit this application on its behalf. The information herein is complete and accurate.

APPLICANT: Rita M Witte Ephrata Chamber of Commerce
PRINT NAME AUTHORIZED AGENT FOR

SIGNATURE OF APPLICANT: Rita M Witte 9-29-22
SIGN NAME DATE

APPROVAL, DENIAL OR INCLUSION OF RESTRICTIONS OR SPECIAL CONDITIONS OF USE PERMIT IS AT THE SOLE DISCRETION OF THE CITY PURSUANT TO EMC 05.10. All applications must be reviewed and approved before a permit can be issued.

Submit completed original application, along with required attachments to:

OFFICE OF THE CITY ADMINISTRATOR
CITY OF EPHRATA
121 ALDER ST. SW
EPHRATA, WA 98823

Ephrata Chamber of Commerce and the Ephrata School District will be collaborating for the Halloween Trunk or Treat event on October 31st from 3:30 pm – 8 pm.

We would like to move the annual Trunk or Treat event from the high school and as in the past, Basin St. to 1st Ave SW, between Basin and Alder, using the ERC property as well as City parking, as per our discussion with Christian Roeder.

Thank you.

Rita Witte
Ephrata Chamber of Commerce



DATE: September 14, 2022
TO: EDC Officers, Directors & Ex-Officio Directors
FROM: Brant Mayo, Executive Director
VISION: *Economic Prosperity & Quality Growth*
MISSION: *To work for the continued orderly growth of the Grant County economy while improving quality of life*

BOARD OF DIRECTORS MEETING

7:00 AM WED. SEPTEMBER 21ST, 2022 | BBCC HARDIN ROOM/VIRTUAL

BOARD MEETING AGENDA

- 1) Welcome & Call meeting to OrderLouis Szablya
- 2) Approve July 2022 Board Meeting MinutesDale Pomeroy
- 3) Review August 2022 Financial Reports.....Juliann Dodds
 - a. Audit Update
- 4) SBDC- Introduction of New StaffBrant Mayo
- 5) Report on EDC ActivitiesBrant Mayo/Staff
- 6) Unfinished (Old) BusinessBrant Mayo
 - a. Board Retreat Oct 6
 - b. Feasibility Study Update
- 7) New Business
 - a. Any Topics Board Members Would Like to Discuss
- 8) Board Member Round TableBoard Members
- 9) AdjournLouis Szablya

2022 FUTURE EDC MEETINGS & EVENTS

Board Retreat	October 6, 2022	BBCC Hardin Room
Board of Directors	October 19, 2022	7:00AM BBCC/Virtual

Board of Directors Meeting Minutes July 20, 2022

Meeting called to order: 7:03 am by Louis Szablya

Directors Present: Gregg Fletcher, Brian Meiners, Juliann Dodds, Dale Pomeroy, Marvin Price, Cash Brown, Ktherine Ryf, Jim McCullough, Matt Moore, Don Kersey, Lars Leland, Dr. Sara Thompson Tweedy, Louis Szablya, Rob Jones

Directors Absent: Sarah McDonnell, Peggy Nevsimal, Scott Freidig, Lisa Karstetter, Juanita Richards, Erik Skaug, Curt Morris

Ex-Officio Director Present: Mark Fancher

Ex-Officio Directors Absent: None

Staff Present: Brant Mayo, Allan Peterson, Rachelle Lange, Rebecca Jones

Staff Absent: None

Guest Present: Chris Nelson, Chuck Sutton, Susan Mann, LeAnne Parton, Bob Richardson, Doug Robins, Chris Dougher

Board Meeting Minutes for June 2022: Matt Moore motioned to approve the June minutes and Gregg Fletcher seconded; the motion passed.

Financial Report for June 2022: Juliann Dodds presented the financial statements. Total Revenue increase from increased membership dues, otherwise, all on track.

Sila Nanotechnologies Presentation:

- Chris Dougher with Sila presented to the group about Sila's purchase of a facility across from REC, their plans here in Grant County, their goals as a company, and what to expect over the next 5 or so years.

Report on EDC Activities:

With our presenter today and being considerate of time, the group collectively agreed to skip EDC activities (refer to agenda with all current activities listed) and moved to unfinished business.

Unfinished Business:

- **SBDC Update:** There is a candidate that has gone through the interview process, and once this person goes through the background check, will be offered the position. We hope to know more in the coming weeks.
- **Feasibility Study Update:** Staff have received the draft contract from Convergent to review. The board and staff will need to work through the timeline given and tasks required of the EDC.
- **Wage & Benefits Survey Update:** We have received the wage and benefits survey report back from EWU earlier than anticipated. We will be sending the report out to those who were asked to participate in the survey first, and then the public over the next couple of weeks.

New Business

- **August Board Meeting:** Dale Pomeroy made the motion to cancel the August board meeting. Matt Moore second, all in favor.

Board Member Round Table:

Brian Meiners: Maintenance on plan during this time.

Don Kersey: Automated greenhouse company is currently looking at some port property out by MLI. The port is looking at demoing the hanger west of terminal. Lots of fire fighting flights coming through.

Port of Ephrata: Gregg Becken is no longer at the Port of Ephrata. Mike Rhen is back in the interim. This does not change plans for an all ports meeting on August 25th.

Adjourn: 7:55am meeting adjourned by Louis Szablya

X

Louis Szablya
President

X

Dale Pomeroy
Secretary

(11 board members members must be present to make a quorum)

Board of Directors/Private	16-Mar-22	20-Apr-22	18-May-22	15-Jun-22	20-Jul-22	17-Aug-22	21-Sep-22	Total
Gregg Fletcher	1	1	1	1	1	0		5
Lisa Karstetter	1	1	0	1	0	0		4
Brian Meiners	1	1	1	1	1	0		6
Scott Freidig	1	1	1	0	0	0		4
Juliann Dodds	1	1	1	1	1	0		6
Dale Pomeroy	1	1	1	1	1	0		6
Marvin Price	1	1	1	1	1	0		6
Juanita Richards	0	1	1	1	0	0		4
Katherine Ryf	1	1	1	1	1	0		6
Cash Brown	1	1	1	1	1	0		6
Eric Skaug	1	1	1	1	0	0		4
Jim McCullough	1	1	1	1	1	0		6
Sarah McDonnell	1	1	1	0	0	0		4
Matt Moore	1	1	1	1	1	0		6
Board of Directors/Public								
Don Kersey	1	1	1	1	1	0		5
Lars Leland	0	1	1	1	1	0		5
Peggy Nevsimal	0	1	1	0	0	0		3
Curt Morris	1	1	1	1	0	0		5
Dr. Sara Thompson Tweedy	1	1	1	1	1	0		6
Louis Szablya	0	1	1	1	1	0		5
Rob Jones	1	1	1	1	1	0		5
EDC Staff								
Brant Mayo	1	1	0	1	1	0		5
Allan Peterson	1	1	1	1	1	0		6
Rachelle Lange	0	1	1	1	1	0		5
Rebecca Jones	1	1	1	1	1	0		6
Brandon Nicholas	0	0	0	0	0	0		0

(5 executive committee members must be present to make a quorum)

Executive Committee	13-Apr-22	11-May-22	8-Jun-22	13-Jul-22	10-Aug-22	14-Sep-22	12-Oct-22	Total
Louis Szablya	1	1	1	1	1	1		7
Gregg Fletcher	1	1	1	1	1	1		7
Juliann Dodds	0	1	1	0	1	0		4
Dale Pomeroy	1	1	1	1	1	1		7
Lars Leland	1	1		1	0	1		5
Dr. Sara Thompson Tweedy	1	1	1	1	0	1		6
Katherine Ryf	1	1	1	1	1	1		7
EDC Staff								
Brant Mayo	1	1	1	1	1	1		7
Allan Peterson	1	1	1	1	1	1		7
Rachelle Lange	1	1	1	1	1	1		7
Rebecca Jones	0	1	1	1	1	1		6
Brandon Nicholas	0	0	0	0	0	1		1



Grant County
Economic Development Council

Our Mission...To bring continued, orderly growth to Grant County and promote quality of life
Our Vision...To be the number one resource for business development

Director's Report

August 4, 2022 to September 9, 2022

Existing Business Development

- Visits with Current Company Regarding Start Up
- Genie Visit
- Port Visits
- 65 Visits in 2022

Business Recruitment and Attraction

- Project Zion – Manufacturing – Call with PUD-Port of Quincy
- Project Y2K– Clean Tech -Landed- Doing Community Introductions
- Project Riser- Clean Tech – Site visit, several meetings, continued dialog/meetings/calls
- Project Vision – Clean Tech – Call with Consultants
- Project Symbiosis – Ag-Food Processing- Continued Discussion with State
- Project Catch- Manufacturing- Site Visit, Still looking in County
- Project Epsilon- Clean Tech, Submitted Site to Commerce
- Project Kemp-Data Center- Follow up call, signed NDA
- Project X- Recycling, Submitting sites to Commerce
- Project Delorean-Manufacturing/Distribution- Site Selector currently engaged with site
- Project 14- Clean Tech, several visits, meeting with Company
- Project EA- Electric Aviation
- Project Gamma- Aerospace
- Project Sigma- Aerospace
- Project Echo- Clean Tech
- Project Scout – Clean Energy – State RFP
- Project Metcalf – Clean Energy – State RFP
- Call with Site Selectors
- Call with Hydrogen Companies
- Site Visit with Possible Ag Company

Workforce Development

- Workforce Alliance Meeting
- Wage & Benefit Survey Feedback
- CTE & Counselor Social

Infrastructure Development



Grant County
Economic Development Council

Our Mission...To bring continued, orderly growth to Grant County and promote quality of life

Our Vision...To be the number one resource for business development

- Calls with PUD on current Projects
- SIP Committee

Communication and Investor Development

- Department of Comm – Visit with Staff
- Visit with Ports
- IEDC- Prep
- NW Tech Alliance
- EWEDA Planning 2023
- Calls with Real Estate Developers
- ADO Data Collection Webinar and Calls
- WSBDC Weekly Calls
- Host Cybersecurity Meetings
- Audit Completion
- All Ports Meeting
- WEDA Weekly Calls and Legislative Call
- CHI Calls and Meeting
- Kiwanis Meeting
- IEDC Mentor Visit
- Capital Campaign/Feasibility Study Work
- Grant Co Industrial Alliance

Retail and Services Development

- SBDC 1 on 1 Meetings
- SBDC Position Filled





DATE: October 05, 2022

ITEM: CLOSED RECORD HEARING

SUMMARY

1. Desert Plains Subdivision Preliminary Plat.

Attachments:

- Planning Commission Minutes for 8-25-2022
- Planning Commission Resolution 22-03
Recommending Conditional Approval
- Staff Report for 8-25-2022 from Rachel Granrath,
Contract Planner SCJ Alliance with Attachments



BUDGET IMPACTS

1. N/A

If you have any questions, concerns, or require additional information; please contact me prior to the meeting.



PLANNING COMMISSION MINUTES

Date: August 25, 2022

The Ephrata Planning Commission, Grant County, Washington met on August 25, 2022. The meeting is called to order at 7:00 p.m. by Chairman Tom Moncrief and roll was taken.

Members present: Tom Moncrief, David Spencer, Joe Dennis, and Don Guillemette.

Staff present: Anna Franz, City Attorney; Rachel Granrath, Contract Planner; Jeremy Burns, Fire Chief; Bill Sangster, Public Works Director; Bill Cox, Building Official; and Stacy Hooper, Secretary.

The commission reviewed the minutes of the August 11, 2022, Planning Commission meeting. Tom Moncrief asked that Dan Leavitt be removed from Staff Present; Stacy Hooper will remove. Motion made to approve minutes from August 11, 2022, with requested change. Don Guillemette moves to accept motion with changes; David Spencer second's motion; motion approved.

Correspondence: Nothing added

Nothing added and no revisions to published agenda.

7:02 pm Planning Commission begins Desert Plains preliminary plat open record hearing with a closed session with City Attorney and Contract Planner.

7:08 pm Planning commission returns, and Public Hearing is opened by Tom Moncrief introductions of Planning Commission, Staff introductions.

Public Present:

Sherry Lewis, 3230 13th Avenue NE, Lake Stevens, WA 98258

Brandon Bernard, The Consult Me Group – 2909 S. Quillian Street Ste 146, Kennewick, WA 99337

Jeff Fairchild, 4801 S. Morain Street, Kennewick, WA 99337

Randy Fairchild, 448 Sharon Avenue E, Moses Lake, WA 98837

Brett Yancey, 9810 Coho Court, Pasco WA 99301

Jeff Sutton, 250 Simon Street, East Wenatchee WA 98802

Eric Pentico, 15580 Alder Street NW, Ephrata WA 98823

Paul Snyder, 1011 8th Avenue NE, Ephrata WA 98823

Valerie Weaver, 906 8th Avenue NE, Ephrata WA 98823

Donna Chase, 909 8th Avenue NE, Ephrata WA 98823

James Tillotson, 909 8th Avenue NE, Ephrata WA 98823

Vicki Ziemer, 1013 8th Avenue NE, Ephrata WA 98823

Tom Moncrief reviews the application that is before the Planning Commission, and the role the Planning Commission has.

Anna Franz reviews the Appearance of Fairness Disclosures with Planning Commission as follows:

1. Have you had any contact, including through written or other media, with any interested parties in this matter? If "yes", please disclose the nature and substance of the contact. All Commissioners answered "no."
2. Do you have a financial, material, or personal interest in this matter? All Commissioners answered "no."

3. Can you render fair and impartial judgment, without undue or improper influence, over this matter? All Commissioners answered "yes."
4. Does any member of the Public or the Council have a specific objection to any member of the Council hearing this matter? No objections were made.

Tom Moncrief reviews the ground rules for the Public Hearing.

Anna Franz addresses the public, anyone wanting to testify please stand to be sworn in. In response to a question from the public, Anna Franz explains to the public that this is not a question-and-answer session; if you would like to speak you will be sworn in at this time and will be given a chance to speak.

Tom Moncrief swears in three members from the Public.

Tom Moncrief asks for a Staff Report from Rachel Granrath.

Rachel Granrath gives brief introduction and an overview of the proposed project application; an in-depth discussion will be presented addressing property to the North that is the BNSF railroad line; to the East is Undeveloped land; to the South is a single-family home subdivision and to the West is undeveloped land. The applicant has proposed phasing; there are habitat implications on the property that will be discussed; the SEPA process is explained and the MDNS is explained. The Fee in Lieu of parks, or open space dedication is briefly discussed and will be addressed by the developer, comment letters that were received by the public will also be addressed by the developer.

Power Point slide one, Ephrata Zoning Map, location of proposed development is marked in red; land is in the zone R-2 residential housing zone that allows a range of homes that can be developed. Overview of Future Land Use map. Overview of phasing with entrances and grid pattern through the development of 57 acres into about 329 lots. Applicable codes have been evaluated and applied.

Rachel Granrath would like to focus on a few of the approval conditions. There are eleven conditions proposed, some are boiler plate; and a few are project specific. Fish and Wildlife and Traffic Impact will be discussed in more detail.

Developer Agreement - The developer is working with the city on a development agreement. Rachel Granrath explains the purpose of a Development Agreement. This has not been final, staff is being asked for input on this agreement, and it will be presented to council for final approval.

Phasing – Applicant is proposing eleven phases over 7 years, about forty lots in each phase; this can be negotiated in the development agreement. As for part of the phasing of this development; points of access will be considered. Aerial photos indicate that parts have been built out, there are a couple of key connections that are typically required for emergency access that may be missing depending on phasing. Part of the development agreement will determine at what phase the emergency egress will be built. Landscaping plan proposed by developer is proposed throughout entire development on street frontage. One of the staff concerns is the land buffering requirements. City Code has a landscaping buffer requirement with different uses and developments in EMC section 19.07.040; this property is zoned R-2-, one- and two-family home residences requires a type 2 landscape buffer between land uses; this would be around the outside of the development between different land uses. Staff is concerned that the current proposal does not have specific buffering other than a fence along the BNSF railway, the applicant will provide information regarding the buffering along the BNSF railway. Staff and Applicant have had discussion with the Washington State Department of Fish and Wildlife, there is a shrub steppe habitat, priority habitat that is protected by the state. The applicant has worked out with the Department of Fish and Wildlife that there will be an offsite mitigation requiring that the offsite parcel of land will be deeded as restricted and will be dedicated as land preservation. Staff would like the applicant to address street alignment concerns, there is one specific property adjacent to Ivy Street that has alignment issues. An agreement with this property owner must be entered into or applicant must show another access point.

Tom Moncrief asks commission for questions. No questions.

Tom Moncrief introduces Bill Cox, City of Ephrata Building official, after late arrival.

Tom Moncrief asks for report from Applicant or representative of applicant.

Jeff Sutton, 250 Simon St. East Wenatchee, representing the applicant, agrees with the general staff report and asks for clarifications on some of the conditions within the resolution.

4.1 Attachment One - Developer is asking for a longer phase window to allow both the City and developer to better meet market demands, as opposed to putting 300+ homes on the market in the next 7 years, would like to extend the phasing to 10-15 years, allowing each phase an extra 5 years to allow the developer to respond to the market needs.

4.3 Landscaping Buffering-Applicant would like to propose a site obscuring fence, as the landscape buffering becomes an enforcement issue. Just along BNSF a solid fence is being requested as opposed to landscaping.

Jeff addresses Ivy alignment, there is a Purchase and Sale Agreement with the adjacent property owner addressing the challenges with the shown alignments. The Purchase and Sale Agreement is for the 5 acres that splits the property line hindering the access.

Jeff Sutton asks that the offsite mitigation with the Fish and Wildlife Department be tied to the issuance of the first 14 or 15 building permits. This allows more time to work on the agreement, to work on the legal pieces of the puzzle and the restricted covenants will also allow time to purchase the seventy acres and allows more time for cash flow management. Builder would not be able to pull a 17th or 18th building permit until the offsite mitigation is fulfilled. Applicant is asking for more time to make sure they have the home sales, and the development is going in the right direction.

Tom Moncrief asks for questions from commission, no questions.

Tom Moncrief asks if there are any experts to speak on behalf of the application. No experts to speak.

Tom Moncrief asks for Public Testimony from proponents, for the application, no public testimony.

Tom Moncrief asks for public testimony from opponents, against the application, please limit testimony to 5 minutes.

Vicki Ziemer, 1013 8th Ave NE, neighboring property owner. Vicki Ziemer would like to address four specific concerns regarding the Desert Plains development. The concerns are traffic access, intersection alignments, water and sewer connections, and consistency with neighboring design establishments. Traffic access: the application materials show that the primary access to the 300+ lot Major Plat will be through the Prairie Bluff Neighborhood primarily off of K and L streets and filter indirectly West to 8th and 7th to connect with Ivy and eventually lead to 3rd, which is classified by the City as a collector street not as an arterial. Design features of the Prairie Bluff plat will not allow direct access to K and L; streets from the proposed development do not lead to 3rd Ave NE, they will be concentrating the traffic into utilizing residential streets 8th and 7th to Ivy Street which are already serving the Prairie Bluff neighborhood. There does not appear to be any direct arterials or collector street access to this proposal, or the proposal does not indicate the development of a street designation that can facilitate the traffic volume that will be generated. Suggests looking into access to the north and east of development. Vicki Ziemer discusses the Ephrata Comprehensive Major Street plan. Intersection alignment: she was not aware of the Purchase and Sale Agreement but would like the agreement to be recorded prior to approving the plat. Water and Sewer connections: although it is being done in phases, is the proposal able to meet the city concurrency requirements for these services? Consistency with neighboring design standards: design proposal appears to conflict with the intent of the Ephrata Comprehensive Plan. Vickie Ziemer sites the Ephrata Comprehensive Plan Housing Element goal fifteen.

Point of order was called by Anna Franz and Tom Moncrief in response to disruption from the public.

Pedro Howard, 907 8th NE, concerns as neighbor, no parks or public spaces being proposed. What would happen if easement were not given on Ivy. Ivy is the only way in and out, K and L do not go through, Ivy is the only access point.

Tom Moncrief asks for closing statement from the applicant.

Jeff Sutton, applicant was aware that this is a challenging development. The development does not have direct access; however, the applicant has met the requirements of the City Code and comprehensive plan and hired a traffic engineer to conduct a traffic study and provided the city with a traffic impact analysis, looking at the impacts and any mitigation to those impacts. At this point the only mitigation was potential stop signs, the applicant supports that. Applicant is working with the city on water and sewer availability. Applicant is aware due to gravity they will need to pump sewage in the future. Density proposed is lower; allowed in this zone is eight dwelling units per acre, being proposed is about 5.6. If the Purchase and Sale Agreement does not work out with the Ivy access, they can still make a connection with Ivy to get into the plat.

Ephrata Municipal Code allows for the fee in lieu of parks. This allows the city to invest into the existing larger community parks. Mr. Sutton states that in working with smaller communities he has found that families do not feel safe using the smaller parks, they utilize the larger community parks.

There are some transportation issues with BNSF regarding an additional crossing. Applicant has tried to work these issues out with BNSF, however, there is not an opportunity at this time.

Tom Moncrief asks for additional staff comments.

Rachel Granrath states the applicant is correct that they are meeting the code regarding parks dedication. Rachel suggests, as the city goes through changes to the comprehensive plan, if the city would like to look at park plans being incorporated into developments like these, that is something to look at that could be addressed in the Comprehensive Plan update. Rachel recommends to the Commission looking at the parks fee for future projects for updates to the Comprehensive plan.

Tom Moncrief asked Planning Commission for questions, no questions. Planning Commission closes public hearing at 7:45 and adjourns to closed session.


Planning Commission returns at 8:10 pm

Tom Moncrief- Planning Commission has concluded their deliberation for the matter at hand. The resolution recommending the conditional approval of the Desert Plains Preliminary Plat major subdivision. Besides the recommendations and conditions that are written into the resolution, there is one condition to be revised by staff. Anna Franz, condition 4.2 will be modified to require installation of landscaping buffer on exterior side of fence in a common area, to be maintained and irrigated in accordance with the terms of the development agreement to be established under 4.1.

Tom Moncrief entertains motion to approve resolution and send to council for final decision. Dave Spencer makes motion, Don Guillemette seconds. Resolution approved.

No further business for planning commission.

August 25, 2022, Planning commission meeting adjourns at 8:12 pm.



Tom Moncrief, Planning Commission Chairman

Attest: 

Stacy Hooper, Secretary

Resolution No. 22-03

A RESOLUTION RECOMMENDING THE CONDITIONAL
APPROVAL OF THE DESERT PLAINS PRELIMINARY PLAT,
A MAJOR SUBDIVISION

THE EPHRATA PLANNING COMMISSION DOES HEREBY RESOLVE AS FOLLOWS:

**PLANNING COMMISSION FOR THE CITY OF EPHRATA
FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATION
In the Matter of
Desert Plains Subdivision Preliminary Plat Proposal**

Description of Subject Property: The real property which is the subject of this proposal is located North of Prairie Bluff Major Plat and 8th Ave NE and approximately 1.5 miles northeast of Ephrata City Hall in a portion of the Southeast quarter of the Northeast Quarter South of the Railroad Right of Way and the Northeast Quarter of the Southeast Quarter of Section 10, Township 21 North, Range 25 East, WM, Grant County, Washington (Grant County Assessor's Parcel #13-0425-005). Said real property will hereinafter be referred to as the "Subject Parcel."

1. Public Hearing.

- 1.1 The Ephrata Planning Commission is vested with the authority to make recommendations to the Ephrata City Council on major subdivision proposals.
- 1.2 A public hearing was held before the Ephrata Planning Commission on the Desert Plains Subdivision Preliminary Major Plat on August 25, 2022.
- 1.3 Applicant: Jeff and Lisa Fairchild
P.O. Box 2756
Pasco, WA 99302
- 1.4 Purpose: Action on the Desert Plains Subdivision Preliminary Major Plat, a 329 lot residential major subdivision on 57 acres in a Residential-2 zoning district. Said proposal shall hereinafter be referred to as the "proposed subdivision," the "subdivision proposal," or the "development."
- 1.5 Evidence: Major Plat Application
Site location maps
Testimony from Developer and/or Developer's Agent
Testimony from City staff
Staff report (entered into the record)
Written and oral public testimony

2. Findings of Fact. Based on the evidence presented at the public hearing, the Ephrata Planning Commission makes the following Findings of Fact:

- 2.1 The development is consistent with the Ephrata Comprehensive Plan and meets the requirements and intent of the Ephrata Municipal Code, hereinafter referred to as the "EMC".
- 2.2 The proposed subdivision does make adequate and appropriate provisions for the public health, safety, and general welfare, and for roads, streets, curbs, gutters, sidewalks, street lighting circuits, alleys, the extension of municipal utilities (sewer and potable water), irrigation water rights-of-way, public rights-of-way, public easements, drainage ways, other public ways, public access, and municipal improvements deemed necessary in conformance with Community Street and Utility Standards and City Design Standards in effect at the time of plat approval.
- 2.3 The development adequately mitigates impacts identified under Chapters 16 through 20 of the EMC and in response to conditions from the Department of Fish and Wildlife, the applicant has addressed preservation of Shrub Steppe habitat by offsetting a mitigation ratio of 1:1.2 preservation of a deed restricted property of quality habitat to mitigate the 57 acre development as proposed.
- 2.4 The public interest will be served by the proposed subdivision and the dedications made therein.
- 2.5 The development does not lower the level of service of transportation and/or neighborhood park facilities below the minimum standards established within the Ephrata Comprehensive Plan.
- 2.6 The Ephrata Planning Commission has determined that the proposed subdivision conforms to the General Purpose of the Comprehensive Plan and the Ephrata Municipal Code.
- 2.7 The current comprehensive land use designation of the subject property under the Ephrata Comprehensive Plan is Urban Residential, Mixed Residential Density.
- 2.8 The subject parcel is currently zoned Residential - 2.
- 2.9 The lot sizes within the proposed subdivision are consistent with EMC Section 19.04.170.
- 2.10 The proposed subdivision is compliant with all requirements as listed in Chapter 18.04 EMC. The subdivision proposal complies with all applicable health and zoning regulations and is consistent with the City's Comprehensive Plan.

- 2.11 The area, location, and features of land proposed for dedication under the subdivision proposal are a direct result of the development proposal, are reasonably needed to mitigate the effects of the development, and are proportional to the impacts created by the development.
- 2.12 Notice of the public hearing on the subdivision proposal was published in the Grant County Journal, the City of Ephrata's official newspaper of general circulation, on May 5, 2022, and was mailed to all property owners within 500 feet of the boundaries of the subject parcel on May 5, 2022, consistent with the applicable provisions of the EMC. Notices of the continuances of the public hearing were mailed to all property owners and commenters.
- 2.13 SEPA review was completed on this subdivision proposal. A Determination of Mitigation Non-Significance (MDNS) was issued on this subdivision proposal on May 19, 2022; a revised MDNS was issued on August 16, 2022.

3. Conclusions of Law.

Based on the evidence presented at the public hearing on the Desert Plains Subdivision Preliminary Major Plat Proposal and the foregoing Findings of Fact, the Ephrata Planning Commission makes the following Conclusions of Law:

- 3.1 The subdivision proposal meets the applicable development standards under the EMC.
- 3.2 The subdivision proposal is consistent with the Ephrata Comprehensive Land Use Plan and with the applicable zoning and health regulations of the EMC.
- 3.3 The subdivision proposal is in the best interests of the community and provides for the orderly and efficient division of land.
- 3.4 The proposed subdivision makes adequate and appropriate provisions for the public health, safety, and general welfare, and for roads, streets, curbs, gutters, sidewalks, street lighting circuits, alleys, the extension of municipal utilities (sewer and potable water), irrigation water rights-of-way, public rights-of-way, public easements, drainage ways, other public ways, public access, and municipal improvements deemed necessary in conformance with Community Street and Utility Standards and City Design Standards in effect at the time of plat approval. The development is beneficial to the public health, safety, and welfare and is in the public interest.
- 3.5 The public interest will be served by the proposed subdivision and the dedications made therein.

3.6 The Ephrata Planning Commission shall recommend to the Ephrata City Council that it approve the subdivision proposal subject to the conditions set forth in Paragraph 4.1 below.

4. Recommendation.

The Ephrata Planning Commission, having considered testimony during the public hearing on the Desert Plains Subdivision Preliminary Major Plat Proposal at a public hearing held on August 25, 2022, and having taken and received evidence regarding said Proposal, recommends that the Ephrata City Council approve the Desert Plains Subdivision Preliminary Major Plat Proposal subject to and with the conditions set forth below and directs the Clerk of the Ephrata Planning Commission to forward this Resolution to the Ephrata City Council for its review and consideration.

- 4.1 The Developer will enter into a mutually agreed upon Development Agreement approved by City Council, to be executed prior to recording of the Preliminary Plat, and shall include recommendations from Planning Commission as set forth herein. This agreement shall outline the mitigation requirements and development phasing over the 7 year period. The agreement shall run with the land.
- 4.2 Landscaping shall be installed adjacent to the sidewalk throughout the development, the applicant will submit a final landscape plan at the time of final platting in accordance with the approved preliminary plat.
- 4.3 Properties along the BNSF railroad right of way will require landscape buffering, including an exterior perimeter fence, in a common area maintained by an entity or association with the authority and responsibility to maintain the landscaping and irrigation system, to mitigate noise and visual affects to the development. The developer will include a deed restriction on the properties affected that all required landscape improvements, including but not limited to plants, irrigation, and hardscape (fences), must be maintained and making participation in such entity or association a condition of lot ownership.
- 4.4 The City of Ephrata Public Works Department will conduct an onsite pre-construction conference with before written authorization to proceed will be issued.
 - 4.4.1 During construction, any release of oil, hydraulic fluids, fuels, other petroleum products, paints, solvents, or other deleterious materials must be contained and removed in a manner that will prevent their discharge into water or soil. The cleanup of spills shall take precedence over other work on the site.
- 4.5 The developer is required to obtain all state, local and federal permits including but not limited to the following required permits:

- 4.5.1 The proponent must apply for coverage under the Department of Ecology's Construction Stormwater General Permit at least 60 days prior to start of construction. Additionally, discharge from the dry wells must comply with the ground water quality requirement (non-endangerment standard) at the top of the ground water table.
- 4.5.2 City of Ephrata approval of Erosion, Sediment and Dust Control Plans integrated with Interim Stormwater Management Plans prepared in accordance with the Department of Ecology Stormwater Manual for the Eastern Washington as adopted and implemented by the City of Ephrata.
- 4.5.3 City of Ephrata Mass Grading Permit; Building Permits
- 4.6 Since ground disturbance leads to weeds and dust, the portions of the site not proposed for development at this time shall remain undisturbed as much as possible. Disturbed areas that will not be built on, paved, or landscaped for more than 45 days shall be stabilized through long-term methods such as establishing dryland grasses or native shrub/steppe. The proponent shall ensure that nuisances, such as weeds and dust, do not develop.
- 4.7 To facilitate orderly flow of traffic, provide safe pedestrian facilities, and provide sufficient utility connections, the developer shall construct full-width street and utility improvements to Community Standards for all streets within the plat and shall connect the streets to existing improved City streets. Street construction should also be designed to connect the subdivision with the vacant property to the east of the proposed development. These connections should create a block length not greater than 600 feet and a right of way width of no less than 60 feet.
- 4.8 The Washington State Department of Archaeological and Historic Preservation (DAHP) has determined the proposed subdivision to be an area characterized as moderate to high probability of encountering cultural resources. These resources would be destroyed by ground-disturbing activities. Identification during construction is not a recommended detection method because inadvertent discoveries often result in costly construction delays and damage to the resource. Therefore, a professional archaeological survey of the project area shall be conducted, and a report produced prior to ground disturbing activities. This report shall meet DAHP's Standards for Cultural Resource Reporting.
- 4.9 After review of the proposed site by the Washington State Department of Fish and Wildlife (WDFW) it has been determined that the project site contains City of Ephrata Fish and Wildlife Habitat Conservation Areas, including shrub steppe habitat. WDFW designates shrub steppe habitat as a Washington State Priority Habitat. A site analysis and habitat assessment review have been conducted and a mitigation/habitat management plan has been developed. To mitigate for the impacts to the moderate shrub steppe rating found on the site the proposed development, the proponent has identified 70 acres as an off-site mitigation site to


mitigate the 57 acre parcel to be developed. These sites are identified by the Grant County Auditor as parcels #16- 18260-16 and #16-18260-15. The land is adjacent to land owned and managed by the WDFW and surrounded by large areas of undeveloped shrub steppe habitat and has been determined to be a quality shrub steppe habitat which off sets the site to be developed. The habitat management plan will mitigate impacts of the proposed development at a ratio of 1:1.2 for the 70 acres of low to moderate quality shrub steppe located within the City of Ephrata, with 70 acres of moderate to high quality shrub steppe in an identified wildlife corridor/linkage area. The mitigation site will have a Native Growth Protection Deed Restriction (NGPDR) placed on it and be recorded and 'run with' the title of the property. The restrictions on the 70 acres of land include the following:

- 4.9.1 No structures of any kind allowed.
 - 4.9.2 No driveways, wells, drain fields or other improvements.
 - 4.9.3 Fencing will be minimized.
 - 4.9.4 Any livestock grazing will not be allowed or restricted by a WDFW approved grazing plan.
 - 4.9.5 Motorized vehicles will be restricted to the existing power line maintenance road.
- 4.10 A traffic impact analysis was submitted to the City on July 13, 2022. The city Engineer, Gray & Osborne Consulting Engineers, has provided comments in their Letter Dated July 13, 2022, and determined that the following mitigation efforts are required:
- 4.10.1 Compliance with Ephrata's Comprehensive Plan forecasting for a minimum of 10 years and using an estimated growth rate of 2%.
 - 4.10.2 Verify the level of service standard used in the traffic impact analysis is measured equivalently to the City's standard of a ratio of hourly demand volume versus hourly capacity.
 - 4.10.3 Provide a letter to the City and City Engineer before any final plat is approved from the Fire Department approving the development access points for emergency management purposes.
 - 4.10.4 Intersection alignment to the development on Ivy Street must be worked out prior to final approvals of the preliminary plat.
 - 4.10.5 The development is increasing traffic at existing city streets of Ivy, K, and L street. There is a nexus for improvements to these intersections and the

developer shall mitigate with stop signs and intersection improvements, if necessary, at final plat consideration.

- 4.11 The applicant resubmitted a road alignment exhibit on August 4, 2022, which did not address previous discussions relating to the alignment of Ivy Street NE. The applicant will be required to revise this exhibit to illustrate the access solely on the applicant's property, reworking turning radius, lot alignment, etc., or shall purchase land from neighboring properties to address the alignment.
- 4.12 The proposed subdivision shall meet all Community Street and Utility Standards and Improvement requirements as adopted by the City of Ephrata.
- 4.13 The subdivision proposal shall comply with all local, state, and federal rules, regulations, and laws pertaining to this proposed subdivision.
- 4.14 A street lighting plan as may be required by the City Engineer must be provided. The plan must be approved by the Grant County PUD and include certification that all street lighting fees have been paid or that arrangements acceptable to the city and the PUD have been made for the payment of the required fees.

THIS RESOLUTION was passed and adopted at the regular meeting of the Planning Commission of the City of Ephrata, Washington, on the 25th day of August, 2022.



Tom Moncrief, Chair

ATTEST:

Stacy Hooper, Secretary



DATE: October 05, 2022

ITEM: Resolutions

SUMMARY

1. Resolution 22-08 – Approving the Desert Plains Preliminary Plat, a Major Subdivision.

BUDGET IMPACTS

1. N/A

RECOMMENDATION

Staff recommends acceptance and approval of all Items.

ENABLING ACTIONS

Motion to Authorize, Confirm, or Approve and Accept All Items.

If you have any questions, concerns, or require additional information; please contact me prior to the meeting.

Resolution No. 22-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
EPHRATA, WASHINGTON, CONDITIONALLY APPROVING
THE DESERT PLAINS PRELIMINARY PLAT, A MAJOR
SUBDIVISION

WHEREAS, Jeff and Lisa Fairchild (“Developer”) have submitted an application to the City of Ephrata for the Desert Plains Subdivision Preliminary Major Plat, a 329 lot residential major subdivision on 57 acres in a Residential-2 zoning district located North of Prairie Bluff Major Plat and 8th Ave NE and approximately 1.5 miles northeast of Ephrata City Hall in a portion of the Southeast quarter of the Northeast Quarter South of the Railroad Right of Way and the Northeast Quarter of the Southeast Quarter of Section 10, Township 21 North, Range 25 East, WM, Grant County, Washington (Grant County Assessor’s Parcel #13-0425-005); and

WHEREAS, following a duly noticed open record public hearing held before the City of Ephrata Planning Commission on August 25, 2022, to consider the preliminary plat application for the Desert Plains Subdivision, as provided by Chapter 18.04 EMC, the Planning Commission received exhibits and testimony into evidence, and issued Findings of Fact, Conclusions of Law, and Recommendation to the City Council; and

WHEREAS, the City Council held a duly noticed closed record public hearing during the regularly scheduled Ephrata City Council Meeting on October 5, 2022, regarding the preliminary plat application for the Desert Plains Subdivision; and

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Ephrata, Washington, as follows:

Section 1. Findings of Fact. Based on the evidence presented at the public hearing, the Ephrata Planning Commission makes the following Findings of Fact:

- 1.1 The development is consistent with the Ephrata Comprehensive Plan and meets the requirements and intent of the Ephrata Municipal Code, hereinafter referred to as the “EMC”.
- 1.2 The proposed subdivision does make adequate and appropriate provisions for the public health, safety, and general welfare, and for roads, streets, curbs, gutters, sidewalks, street lighting circuits, alleys, the extension of municipal utilities (sewer and potable water), irrigation water rights-of-way, public rights-of-way, public easements, drainage ways, other public ways, public access, and municipal improvements deemed necessary in conformance with Community Street and Utility Standards and City Design Standards in effect at the time of plat approval.
- 1.3 The development adequately mitigates impacts identified under Chapters 16 through 20 of the EMC and in response to conditions from the Department of Fish and Wildlife, the Developer has addressed preservation of Shrub Steppe habitat

by offsetting a mitigation ratio of 1:1.2 preservation of a deed restricted property of quality habitat to mitigate the 57 acre development as proposed.

- 1.4 The public interest will be served by the proposed subdivision and the dedications made therein.
- 1.5 The development does not lower the level of service of transportation and/or neighborhood park facilities below the minimum standards established within the Ephrata Comprehensive Plan.
- 1.6 The Ephrata Planning Commission has determined that the proposed subdivision conforms to the General Purpose of the Comprehensive Plan and the Ephrata Municipal Code.
- 1.7 The current comprehensive land use designation of the subject property under the Ephrata Comprehensive Plan is Urban Residential, Mixed Residential Density.
- 1.8 The subject parcel is currently zoned Residential - 2.
- 1.9 The lot sizes within the proposed subdivision are consistent with EMC Section 19.04.170.
- 1.10 The proposed subdivision is compliant with all requirements as listed in Chapter 18.04 EMC. The subdivision proposal complies with all applicable health and zoning regulations and is consistent with the City's Comprehensive Plan.
- 1.11 The area, location, and features of land proposed for dedication under the subdivision proposal are a direct result of the development proposal, are reasonably needed to mitigate the effects of the development, and are proportional to the impacts created by the development.
- 1.12 Notice of the open public hearing on the subdivision proposal before the Ephrata Planning Commission was published in the Grant County Journal, the City of Ephrata's official newspaper of general circulation, on May 5, 2022, and was mailed to all property owners within 500 feet of the boundaries of the subject parcel on May 5, 2022, consistent with the applicable provisions of the EMC. Notices of the continuances of the public hearing were mailed to all property owners and commenters.
- 1.13 SEPA review was completed on this subdivision proposal. A Determination of Mitigation Non-Significance (MDNS) was issued on this subdivision proposal on May 19, 2022; a revised MDNS was issued on August 16, 2022.

Section 2. Conclusions of Law. Based on the record before the City Council on the Desert Plains Subdivision Preliminary Major Plat Proposal and the foregoing Findings of Fact, the Ephrata City Council makes the following Conclusions of Law:

- 2.1 The subdivision proposal meets the applicable development standards under the EMC.
- 2.2 The subdivision proposal is consistent with the Ephrata Comprehensive Land Use Plan and with the applicable zoning and health regulations of the EMC.
- 2.3 The subdivision proposal is in the best interests of the community and provides for the orderly and efficient division of land.
- 2.4 The proposed subdivision makes adequate and appropriate provisions for the public health, safety, and general welfare, and for roads, streets, curbs, gutters, sidewalks, street lighting circuits, alleys, the extension of municipal utilities (sewer and potable water), irrigation water rights-of-way, public rights-of-way, public easements, drainage ways, other public ways, public access, and municipal improvements deemed necessary in conformance with Community Street and Utility Standards and City Design Standards in effect at the time of plat approval. The development is beneficial to the public health, safety, and welfare and is in the public interest.
- 2.5 The public interest will be served by the proposed subdivision and the dedications made therein subject to the conditions of approval.

Section 3. The preliminary plat of the Desert Plains Subdivision is hereby approved by the Ephrata Council subject to the following conditions of approval, which shall apply to the Developer and the Developer's heirs, successors in interest, and assigns:

- 3.1 The Developer will enter into a mutually agreed upon Development Agreement approved by City Council, to be executed prior to recording of the Preliminary Plat and within three (3) months of the approval of this Resolution, and shall include the conditions of approval as set forth herein. This agreement shall outline the mitigation requirements and development phasing over the seven (7) year period. The agreement shall run with the land.
- 3.2 Landscaping shall be installed adjacent to the sidewalk throughout the development, the Developer will submit a final landscape plan at the time of final platting in accordance with the approved preliminary plat.
- 3.3 Properties along the BNSF railroad right of way will require landscape buffering, including an exterior perimeter fence, in a common area maintained by an entity or association with the authority and responsibility to maintain the landscaping and irrigation system, to mitigate noise and visual affects to the development. The developer will include a deed restriction on the properties affected that all

required landscape improvements, including but not limited to plants, irrigation, and hardscape (fences), must be maintained and making participation in such entity or association a condition of lot ownership.

3.4 The City of Ephrata Public Works Department will conduct an onsite pre-construction conference with the Developer before written authorization to proceed will be issued.

3.4.1 During construction, any release of oil, hydraulic fluids, fuels, other petroleum products, paints, solvents, or other deleterious materials must be contained and removed in a manner that will prevent their discharge into water or soil. The cleanup of spills shall take precedence over other work on the site.

3.5 The developer is required to obtain all state, local and federal permits including but not limited to the following required permits:

3.5.1 The Developer must apply for coverage under the Department of Ecology's Construction Stormwater General Permit at least 60 days prior to start of construction. Additionally, discharge from the dry wells must comply with the ground water quality requirement (non-endangerment standard) at the top of the ground water table.

3.5.2 City of Ephrata approval of Erosion, Sediment and Dust Control Plans integrated with Interim Stormwater Management Plans prepared in accordance with the Department of Ecology Stormwater Manual for the Eastern Washington as adopted and implemented by the City of Ephrata.

3.5.3 City of Ephrata Mass Grading Permit; Building Permits

3.6 Since ground disturbance leads to weeds and dust, the portions of the site not proposed for development at this time shall remain undisturbed as much as possible. Disturbed areas that will not be built on, paved, or landscaped for more than 45 days shall be stabilized through long-term methods such as establishing dryland grasses or native shrub/steppe. The Developer shall ensure that nuisances, such as weeds and dust, do not develop.

3.7 To facilitate orderly flow of traffic, provide safe pedestrian facilities, and provide sufficient utility connections, the developer shall construct full-width street and utility improvements to Community Standards for all streets within the plat and shall connect the streets to existing improved City streets. Street construction should also be designed to connect the subdivision with the vacant property to the east of the proposed development. These connections should create a block length not greater than 600 feet and a right of way width of no less than 60 feet.

- 3.8 The Washington State Department of Archaeological and Historic Preservation (DAHP) has determined the proposed subdivision to be an area characterized as moderate to high probability of encountering cultural resources. These resources would be destroyed by ground-disturbing activities. Identification during construction is not a recommended detection method because inadvertent discoveries often result in costly construction delays and damage to the resource. Therefore, a professional archaeological survey of the project area shall be conducted, and a report produced prior to ground disturbing activities. This report shall meet DAHP's Standards for Cultural Resource Reporting. Any conditions or mitigation measures recommended by this report shall become conditions of approval for this project.
- 3.9 After review of the proposed site by the Washington State Department of Fish and Wildlife (WDFW) it has been determined that the project site contains City of Ephrata Fish and Wildlife Habitat Conservation Areas, including shrub steppe habitat. WDFW designates shrub steppe habitat as a Washington State Priority Habitat. A site analysis and habitat assessment review have been conducted and a mitigation/habitat management plan has been developed. To mitigate for the impacts to the moderate shrub steppe rating found on the site the proposed development, the Developer has identified 70 acres as an off-site mitigation site to mitigate the 57 acre parcel to be developed. These sites are identified by the Grant County Auditor as Parcel Numbers 16-18260-16 and 16-18260-15. The land is adjacent to land owned and managed by the WDFW and surrounded by large areas of undeveloped shrub steppe habitat and has been determined to be a quality shrub steppe habitat which off sets the site to be developed. The habitat management plan will mitigate impacts of the proposed development at a ratio of 1:1.2 for the 70 acres of low to moderate quality shrub steppe located within the City of Ephrata, with 70 acres of moderate to high quality shrub steppe in an identified wildlife corridor/linkage area. The mitigation site will have a Native Growth Protection Deed Restriction (NGPDR) placed on it and be recorded and 'run with' the title of the property. The NGPDR shall be secured by the Developer prior to any construction. The restrictions on the 70 acres of land include the following:
- 3.9.1 No structures of any kind allowed.
 - 3.9.2 No driveways, wells, drain fields or other improvements.
 - 3.9.3 Fencing will be minimized.
 - 3.9.4 Any livestock grazing will not be allowed or restricted by a WDFW approved grazing plan.
 - 3.9.5 Motorized vehicles will be restricted to the existing power line maintenance road.

- 3.10 A traffic impact analysis was submitted to the City on July 13, 2022. The city Engineer, Gray & Osborne Consulting Engineers, has provided comments in their Letter Dated July 13, 2022, and determined that the following mitigation efforts are required:
- 3.10.1 Compliance with Ephrata's Comprehensive Plan forecasting for a minimum of 10 years and using an estimated growth rate of 2%.
 - 3.10.2 Verify the level of service standard used in the traffic impact analysis is measured equivalently to the City's standard of a ratio of hourly demand volume versus hourly capacity.
 - 3.10.3 Provide a letter to the City and City Engineer before any final plat is approved from the Fire Department approving the development access points for emergency management purposes.
 - 3.10.4 Intersection alignment to the development on Ivy Street must be worked out prior to recording the preliminary plat.
 - 3.10.5 The development is increasing traffic at existing city streets of Ivy, K, and L street. There is a nexus for improvements to these intersections and the developer shall mitigate with stop signs and intersection improvements, if necessary, at final plat consideration.
- 3.11 The Developer resubmitted a road alignment exhibit on August 4, 2022, which did not address previous discussions relating to the alignment of Ivy Street NE. The Developer will be required to revise this exhibit to illustrate the access solely on the Developer's property, reworking turning radius, lot alignment, etc., or shall purchase land from neighboring properties to address the alignment prior to construction of any phases identified by the City as requiring access through Ivy Street NE.
- 3.12 The proposed subdivision shall meet all Community Street and Utility Standards and Improvement requirements as adopted by the City of Ephrata.
- 3.13 The subdivision proposal shall comply with all local, state, and federal rules, regulations, and laws pertaining to this proposed subdivision.
- 3.14 A street lighting plan as may be required by the City Engineer must be provided. The plan must be approved by the Grant County PUD and include certification that all street lighting fees have been paid or that arrangements acceptable to the city and the PUD have been made for the payment of the required fees.

ADOPTED by the City Council of the City of Ephrata, Washington, this 5th day of October, 2022.

Bruce Reim, Mayor

ATTEST:

Leslie Trachsler, City Clerk/Finance Director



DATE: October 05, 2022

ITEM: Items for Council Action

SUMMARY

1. Approve Write-Off of Uncollectible Debt

BUDGET IMPACTS

1. -\$1,668.00

Staff recommends acceptance and approval of all Items.

**ENABLING
ACTIONS**

Motion to Authorize, Confirm, or Approve and Accept All Items.

If you have any questions, concerns, or require additional information; please contact me prior to the meeting.



**CITY OF EPHRATA
STAFF REPORT**

To: Mayor and City Council
From: Finance Director, Leslie Trachsler
Date: September 29, 2022
Proceeding Type: Council Action
Subject: Uncollectible Debt

Legislative History:

- | | |
|------------------------|------------------|
| • First Presentation: | October 05, 2022 |
| • Second Presentation: | N/A |
| • Requested Action: | Council Motion |
-

Staff Report Summary: Staff has identified 19 accounts that have become legally uncollectible due to the statute of limitations.

Discussion/Analysis: Per Policy 4060, accounts are considered uncollectible after the appropriate collection procedures have been followed. There are 19 accounts that have been deemed by Central Bonded Collectors as uncollectible. All are beyond the statute of limitations (10 years). Citations issued were from 2012 and were for various parking, nuisance and animal code violations.

Staff Recommendation: Council approve the write-off of nineteen legally uncollectible accounts for total debt write-off of \$1,668.00.

Financial Implications: Loss of \$1,668.00 plus staff time

Attachments

A.	List of Uncollectible Accounts
----	--------------------------------

Legal Review

The following documents are attached and subject to legal review:

Type of Document	Title of Document	Date Reviewed
•	N/A	

CENTRAL BONDED COLLECTORS

<u>CITATION NO.</u>	<u>JUDGMENT DATE</u>	<u>CITATION DESCRIPTION</u>	<u>AMOUNT</u>	<u>WRITE OFF DESIGNATION</u>
#011479	1/24/2012	Wrong way parking	\$30.00	Beyond statues
EPI#030581	1/24/2012	Dog at large-1st offense	\$57.00	Beyond statues
EPI#030699	1/24/2012	Dog at large-2nd offense	\$133.00	Beyond statues
#011911	1/24/2012	Wrong way parking	\$30.00	Beyond statues
#011770	1/24/2012	Wrong way parking	\$30.00	Beyond statues
#011910	1/24/2012	Wrong way parking	\$30.00	Beyond statues
EPI#030629	1/24/2012	No license on dog/dog at large	\$114.00	Beyond statues
EPI#030529	1/24/2012	Noise violation-1st offense	\$181.00	Beyond statues
#011764	1/24/2012	Wrong way parking	\$30.00	Beyond statues
#011415	1/24/2012	Display vehicle for sale	\$57.00	Beyond statues
#011922	3/1/2012	Wrong way parking	\$135.00	Beyond statues
#011926	3/1/2012	Night parking	\$75.00	Beyond statues
#011914	3/1/2012	Wrong way parking	\$30.00	Beyond statues
#011937	4/2/2012	Wrong way parking	\$75.00	Beyond statues
#011950	5/31/2012	Wrong way parking	\$135.00	Beyond statues
#012014	5/31/2012	Night parking	\$75.00	Beyond statues
#011935	5/31/2012	Wrong way parking	\$135.00	Beyond statues
#011948	5/31/2012	Wrong way parking	\$135.00	Beyond statues
EPI#030532	8/28/2012	Residential loud music	\$181.00	Beyond statues
			TOTAL \$,1668.00	