



## WASHINGTON STATE BOUNDARY REVIEW BOARD FOR YAKIMA COUNTY

128 North Second Street  
Fourth Floor Courthouse  
Yakima, Washington 98901

(509) 574-2300 • FAX (509) 574-2301

Date: December 21, 2017

TO: John Puccinelli, Jim Sewell, Juan Aguilar, Joseph Buchanan, City of Yakima, BOCC, Planning-Lynn Deitrick, Public Services - Vern Redifer, Transportation - Gary Ekstedt, Water Resources - Chris Saunders, WSDOT SCR, Elections, Treasurer, Assessor, Sheriff's Office, Don Anderson, GIS, YVCOG, Fire District #12, West Valley School District, Yakima Health District, Department of Ecology CRO, Yakima Valley Libraries, Ahtanum Irrigation District, North Yakima Conservation District

FROM: Phil Hoge   
Chief Clerk - Boundary Review Board

SUBJ: **File No.: BRB2017-010, City of Yakima – Fairway Annexation**

Enclosed is the Notice of Intention packet which proposes the annexation into the City of Yakima of approximately 14.26 acres (including the internal street rights-of-way) having an assessed valuation of \$2,610,500. The annexation is known as the **“Fairway Annexation”**.

Note that the adjacent right-of-way for S. 64<sup>th</sup> Avenue is currently within the city limits, and is therefore not included in this annexation.

The 45-day time period for this proposed annexation expires February 3, 2018. Please keep this proposed annexation packet until that time.

Any governmental unit affected by this proposed action may compel the Board's review of this proposal by filing a request for review with the Chief Clerk by the expiration date. Certain registered voters and property owners may compel review in accordance with RCW 36.93.100(3) and (4).

If you have any questions, please let me know.

Enclosure: Notice of Intention

*Yakima County ensures full compliance with Title VI of the Civil Rights Act of 1964 by prohibiting discrimination against any person on the basis of race, color, national origin, or sex in the provision of benefits and services resulting from its federally assisted programs and activities. For questions regarding Yakima County's Title VI Program, you may contact the Title VI Coordinator at 509-574-2300.*

*If this letter pertains to a meeting and you need special accommodations, please call us at 509-574-2300 by 10:00 a.m. three days prior to the meeting. For TDD users, please use the State's toll free relay service 1-800-833-6388 and ask the operator to dial 509-574-2300.*

# WASHINGTON STATE BOUNDARY REVIEW BOARD FOR YAKIMA COUNTY

## NOTICE OF INTENTION

for office use only:

**BRB FILE #** 2017-10

1. Name of City, Town or special purpose district: Yakima
2. Action Sought:  Annexation  
 Formation of a Special Purpose District  
 Incorporation  
 Other Boundary Change  
 Merger/Consolidation of Special Purpose District  
 Dissolution of Special Purpose District  
 Water or Sewer Extension \_\_\_\_\_ Size of Water Line \_\_\_\_\_ Sewer Line
3. This proposal shall be known as: Fairway Annexation
4. Driving directions to location of proposed action: From I-82, take the Nob Hill Boulevard Exit and head west. In approximately 5.7 miles, turn south onto S. 64<sup>th</sup> Avenue. Travel approximately 1.5 miles. The annexation area is on the west side of S. 64<sup>th</sup> Avenue.
5. Briefly describe proposal: The annexation of approximately 14.26 acres of contiguous properties into the city limits of Yakima.
6. Method used to initiate the proposed action:  Petition       Election       Resolution
7. State statute under which action is sought: RCW 35.13.125

## FACTORS THE BOARD MUST CONSIDER

### **POPULATION AND LAND USE:**

1. Provide the following information:

POPULATION OF PROPOSED AREA		POPULATION OF EXISTING ENTITY	
	EXISTING	10-YEAR PROJECTION	EXISTING
People	0	+/- 140	93,900
Residences	0	+/- 60	35,922
Businesses	0	+/- 5	3,688

2. What source is the basis for this projection information? City of Yakima Comprehensive Plan 2040 and SEIS, Business License data, Yakima County Population Projection, Office of Financial Management estimate, and analysis of existing conditions on-site

3. Acres within the proposed area 14.26 Acres within existing entity 18.032
4. Assessed valuation of proposed area \$ 2,610,500 of existing entity \$ 5,957,828.341
5. Existing land use of the proposed area: Mostly vacant with four-plexes being constructed on R-2 zoned lots. Land is zoned for Residential (R-2) and Commercial (GC) uses
6. Existing land use of the area surrounding the proposal: Single family residential is the primary use in the surrounding area with limited commercial and industrial uses in the vicinity.
7. Are all surrounding & interior roads included in the annexation?  Yes  No  
If no, why not? The interior roadways, as part of the Plat of Ahtanum Crossing, are included in the Fairway Annexation area.

The proposal does not include South 66<sup>th</sup> Avenue to the west or Ahtanum Road to the South. The City of Yakima's reasons for not including those specific street segments are detailed below. Regarding the inclusion of rights-of-way in general, it should be noted that the Interlocal Agreement between the County and all Cities in the County does not require the inclusion of all right-of-way adjacent to an annexation area. Section G.2. of the ILA (page 13 of 18) states:

"Final plats or other dedications of public property will be transmitted to the City for City Council acceptance of dedication of right-of-way or public easements, if dedication occurs after the effective date of annexation." Dedications, deeds, or conveyances will be in the name of the City after the effective date of the annexation and will be forwarded to the City Council for acceptance by the City even if the County is continuing to process the permit application." *(emphasis added)*

The Adjacent rights of way for South 66<sup>th</sup> Avenue and Ahtanum Road have already been dedicated to the County and are not subject to an ongoing permit application that will dedicate additional property subsequent to the annexation.

South 66th Avenue is not built to City Standards. It is paved to an approximate width of 28 feet from Ahtanum Road to Woolsey Drive (360 feet), with curb and gutter. From Woolsey Drive to the northern boundary of the Fairway Annexation (580 feet), South 66th Avenue is a narrow roadway (18 feet) with a bituminous surface treatment. North of the Fairway Annexation, the roadway consists of gravel only. As the roadway is not built to City Standards, annexing South 66th Avenue would result in maintenance and safety concerns for the City, as well as, place the burden to improve this section of South 66th Avenue onto the City. The only portion of South 66th Avenue, if any, that would be used by the new development would be south of Woolsey Drive, which only amounts to 360 feet of the 940 foot length of 66th Avenue adjacent to the Fairway Annexation area. The following pictures illustrate the condition of 66<sup>th</sup> Avenue:



66th Avenue looking north of Annexation Area – Gravel Roadway, no curb, gutter or sidewalk



66<sup>th</sup> Avenue looking south towards Ahtanum – Bituminous surface, no curb, gutter or sidewalk



66<sup>th</sup> Avenue looking south towards Ahtanum – Bituminous surface transitions to asphalt pavement. No curb, gutter or sidewalk north of Woolsey Road. Curb and gutter but no sidewalk south of Woolsey Road.

Ahtanum Road is not built to City standards. The current Yakima City Limits include the intersection of South 64<sup>th</sup> Avenue and Ahtanum Road, and continue east along Ahtanum Road to South 62<sup>nd</sup> Avenue. From there the road transitions back to County jurisdiction until the approximate alignment of South 27<sup>th</sup> Avenue where it transitions back to the City. Including the portion of Ahtanum Road directly adjacent to the Annexation Area would only further the small island of City Jurisdiction in the middle of County Jurisdiction. This type of scenario will provide uncertainty regarding maintenance and operations. Furthermore, the City of Yakima's Urban Growth Boundary does not include the area south of Ahtanum Road. If the UGA continued south of Ahtanum Road, there could be an argument that would make sense regarding its inclusion with this Annexation. However, since the City is not capable of annexing south of Ahtanum Road at this time, there is no logical nexus to include Ahtanum Road as part of the Fairway Annexation. The following picture illustrates the condition of Ahtanum Road:



Ahtanum Road looking east from S 66<sup>th</sup> Avenue. No curb, gutter, sidewalk, or street lights. The South side of Ahtanum Road is outside of the UGA.

8. Is there new residential, commercial, or industrial development that is associated with this proposal?  
Yes

If yes, describe any projects being considered or proposed: Anticipated projects include continued residential construction on the 15 R-2 lots. The three GC zoned lots are anticipated to be developed with future commercial uses.

9. If the proposal is approved, will there be land use changes within the next 18 months?

- o Land Use Continued residential construction on the R-2 property
- o Zoning Zoning will remain R-2 and GC
- o Comprehensive Plan For the R-2 zoned lots, Future Land use will remain Mixed Residential. The GC Zoned lots which are currently designated Community Mixed Use will be amended to Commercial Mixed Use during the 2018 update cycle.

10. Has the proposed area been the subject of land use action by Yakima County? Yes

If so, please explain Yakima County Processed the Plat of Ahtanum Crossing – AF 7927762

11. a. Yakima County Comprehensive Plan designation for the proposed area: Urban Commercial, Urban Residential

- b. For surrounding areas: Rural Transitional, Low Density Residential
- c. Yakima County Zoning for the proposed area: R-2, GC
- d. For surrounding areas: R-1 and RT

12. Is this proposal consistent with the coordinated water system plan, if any?  Yes  No

13. Does your jurisdiction have an adopted comprehensive plan? Yes Date Adopted: 6/6/17

14. Describe how this proposal is consistent with the adopted comprehensive plan: Within the Annexation area, the parcels zoned R-2 are consistent with the City of Yakima Comprehensive Plan Future Land Use (FLU) Designation of Mixed Residential. The parcels zoned GC are consistent with the FLU Designation of Commercial Mixed Use.

a. Proposed city zoning upon annexation: R-2 and GC

15. Has any portion of this area been previously reviewed by the Boundary Review Board? No  
Explain \_\_\_\_\_

16. Describe the following as required by RCW 36.93.170 and the effects on land use, accessibility and potential development:

a. Topography: Flat

b. Natural Boundaries: None

c. Drainage Basins: Ahtanum Creek

17. Is the proposed area within the Urban Growth Area for your municipality? Yes

## MUNICIPAL SERVICES

1. What services will be provided in the proposed area?

	EXISTING PROVIDER	PROPOSED PROVIDER	TIME FRAME for SERVICES	HOW FINANCED
Water	Nob Hill Water	Nob Hill Water	No Change	Developer
Sewer	City of Yakima	City of Yakima	No Change	Developer
Fire	Yakima County Fire District 12	City of Yakima	Upon Annexation	City of Yakima
Stormwater	Yakima County	City of Yakima	Upon Annexation	City of Yakima
Roads	Yakima County	City of Yakima	Upon Annexation	City of Yakima
Parks	Yakima County	City of Yakima	Upon Annexation	City of Yakima
Police	Yakima County	City of Yakima	Upon Annexation	City of Yakima
School	West Valley School District	West Valley School District	No Change	No Change
Library	Yakima Valley Regional Library	Yakima Valley Regional Library	No Change	No Change

2. Does your jurisdiction have a current Capital Facilities Plan?

Yes

Does it consider the proposed area?

Yes

3. Describe the effect your jurisdiction's ordinances, governmental codes, regulations and resolutions will have on existing uses in the proposed area: Little to no effect. The allowed zoning uses between City and County are similar for the R-2 and GC zoning districts.

4. Describe the probable future needs for services and additional regulatory controls in the area?  
Future needs will include additional sewer and water (Nob Hill) service for expected future development.
5. Describe the probable effects of the proposal on the cost and adequacy of services and regulatory controls:
  - a. In the proposed area? This annexation should extend urban services without minimal effect on the cost of services to residents. The rates for sewer service will be lower for all parties connected and the cost to connect will be lower for properties not yet connected.
  - b. In the adjacent area? No effect
6. Estimate the following to be incurred under the proposal:
  - a. Proponent Expenditures to be incurred: \$ Unknown
  - b. Proponent Revenues to be gained: \$ Unknown Aprx 8050
  - c. County Revenue Lost: \$ 2,694 approximately
  - d. County Expenditure Reduction: \$ Unknown
  - e. Fire District Revenue Lost: \$ 2,162 approximately
  - f. Fire District Expenditure Reduction: \$ Unknown
  - g. Financial Impact to Special Districts (library, parks, hospital): \$ No change
7. What is the future impact of your proposal on the school district? No effect.

## **ENVIRONMENTAL INFORMATION**

1. Is there an existing environmental review pertinent or related to this proposal?  Yes  
 No  
If No, answer questions 2 through 5.
2. Expected impact of any proposed development to adjacent roads and highways: Impacts to the roadway system will be assessed when future development occurs.
3. Expected impact of any proposed development on air quality: No expected impact.
4. Does the area under consideration contain "critical areas"? (floodplain, wetland, steep slope wildlife habitat area, etc.): A portion of the property contains mapped FEMA Floodplain.
5. Please describe any potential adverse impacts that could occur upon development: Future development will undergo land use and environmental review, as appropriate. Potential adverse impacts will be mitigated as required by City Ordinance.

## **OBJECTIVES OF THE BOUNDARY REVIEW BOARD**

**Describe fully which objectives of RCW 36.93.180 this proposal meets and which objectives this proposal does not meet. Please give your reasons for each of the objectives chosen:**

1. Preservation of natural neighborhoods and communities: The proposed Fairway Annexation, comprised of the plat of Ahtanum Crossing and three vacant commercial sites, is within the City

of Yakima UGA. Annexation would enhance a sense of community for those who would reside and work within the annexation area.

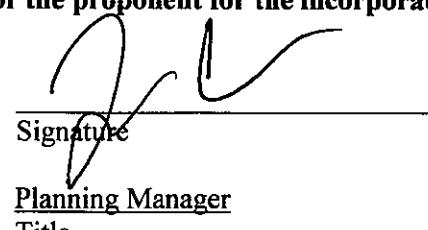
2. Use of physical boundaries, including but not limited to bodies of water, highways, and land contours: The annexation uses the existing City Limits, road Rights-of-way, and property boundaries.
3. Creation and preservation of logical service areas: The proposed annexation will result in minimal to no change in the services. The properties are currently served by City of Yakima Sewer and Nob Hill Water, which will not change as a result of annexation. The library and school district service will remain the same. For those services that would be affected: street maintenance, planning and permitting, police, fire and EMT, the annexation would help create a more logical service boundary in the urbanized area.
4. Prevention of abnormally irregular boundaries: The boundary is regular in shape and is accessed by the arterial street system.
5. Discouragement of multiple incorporations of small cities and encouragement of incorporation of cities in excess of ten thousand (10,000) population in heavily populated urban areas:  
N/A
6. Dissolution of inactive special purpose districts: N/A
7. Adjustment of impractical boundaries: N/A
8. Incorporation as cities or towns or annexation to cities and towns of unincorporated areas which are urban in character: The Fairway Annexation is intended for urban densities. The Plat of Ahtanum Crossing includes 15 R-2 lots at a moderate density. The remaining vacant commercial property zoned GC is of sufficient size to provide urban services and the allowed uses in that zone are urban in character.
9. Protection of agricultural and rural lands which are designated for long term productive agricultural and resource use by a comprehensive plan adopted by the county legislative authority: N/A

## EXHIBITS

See attached **Notice of Intention Filing Instrucitons** for explanation of Exhibits A, B, C, D, E, and F. Applicable Exhibits must accompany the Notice of Intention document.

**I certify that the above is true and accurate, and that I am an official or employee of the governmental jurisdiction seeking boundary change action or the proponent for the incorporation or formation.**

Dated this 18 day of December, 2017.



Signature  
Joseph Calhoun  
Planning Manager  
Title

Joseph Calhoun  
Name of person completing this form

509-575-6042

Phone Number

509-575-6105

Fax Number

129 N 2<sup>nd</sup> St, Yakima, WA 98901

Mailing Address

Names and Addresses of other persons who should receive correspondence from the BRB in regard to this Notice:

Tom Durant  
513 N Front St #Q  
Yakima, WA 98901

Fairway Investments, LLC  
6 S 2<sup>nd</sup> St, STE 918  
Yakima, WA 98901

DH Construction &  
Associates, LLC  
1611 Perry St  
Yakima, WA 98902



# Exhibit A

# Public Services

128 North Second Street • Fourth Floor Courthouse • Yakima, Washington 98901  
(509) 574-2300 • 1-800-572-7354 • FAX (509) 574-2301 • [www.co.yakima.wa.us](http://www.co.yakima.wa.us)

VERN M. REDIFER, P.E. - Director

October, 6 2017

RECEIVED

OCT 03 2017

CITY OF YAKIMA  
PLANNING DIV.

Joan Davenport  
City of Yakima  
129 N. Second Street  
Yakima, Washington 98901

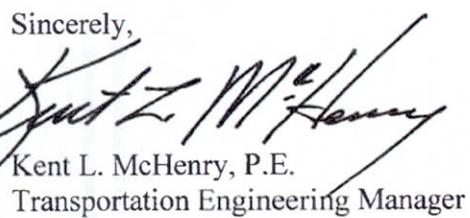
**RE: Fairway Annexation**

Dear Ms. Davenport:

The attached legal was prepared by a Professional Surveyor and is accurate for annexation.

If you have any questions or require any additional information, please don't hesitate to contact me.

Sincerely,



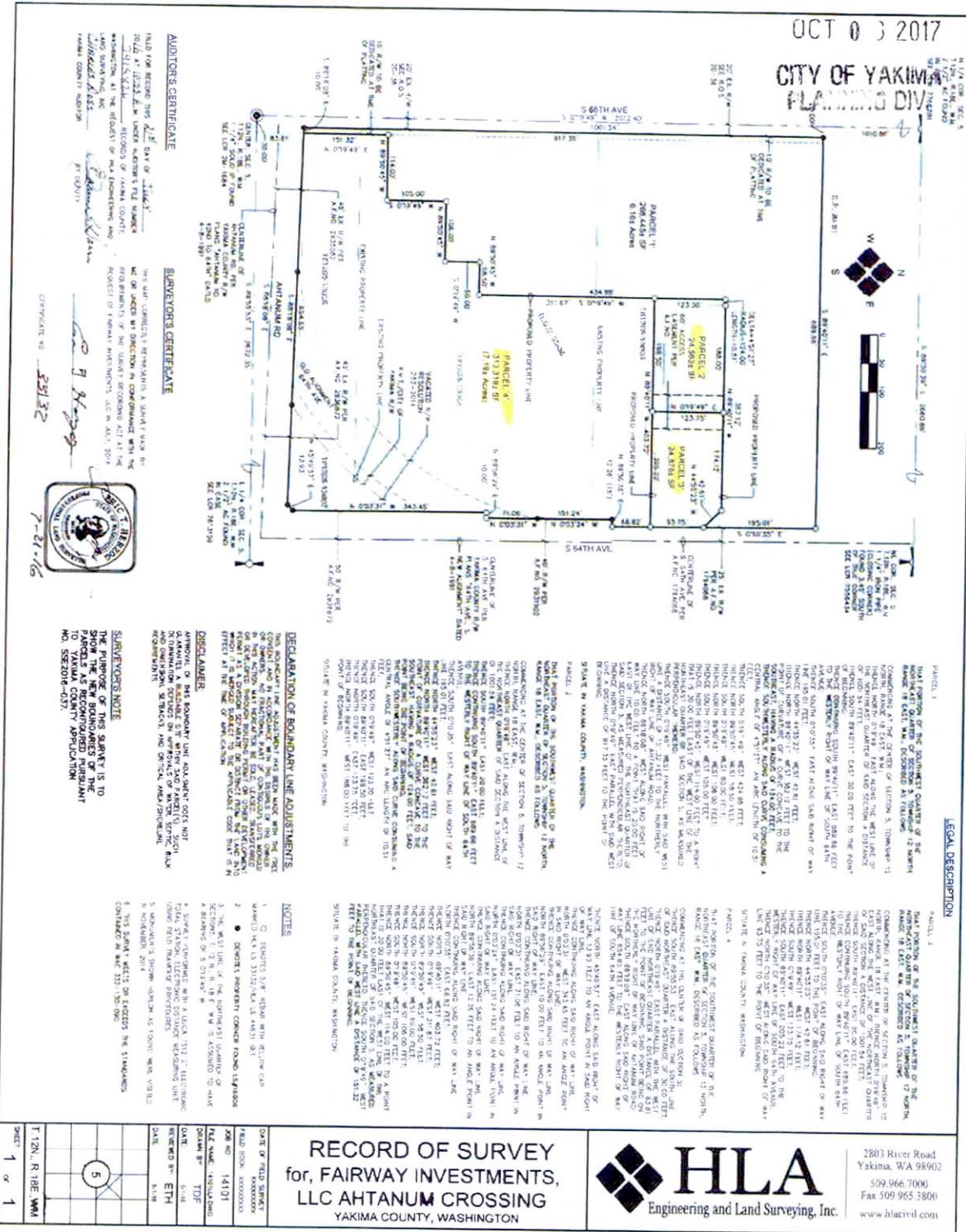
Kent L. McHenry, P.E.  
Transportation Engineering Manager

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## Exhibit A

SUR 7915826 RECEIVED



LEGAL DESCRIPTION

2803 River Road  
Takoma, WA 98902  
509.966.7000  
Fax 509.965.3800  
[www.hlbcivil.com](http://www.hlbcivil.com)

RECORD OF SURVEY  
for, FAIRWAY INVESTMENTS,  
LLC AHTANUM CROSSING  
YAKIMA COUNTY, WASHINGTON

# Exhibit A

# PLAT 7927762

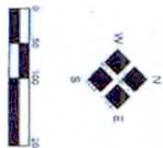
SUB 14-006

pg 1 of 2

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OCT 03 2017

CITY OF YAKIMA  
PLAT DIV



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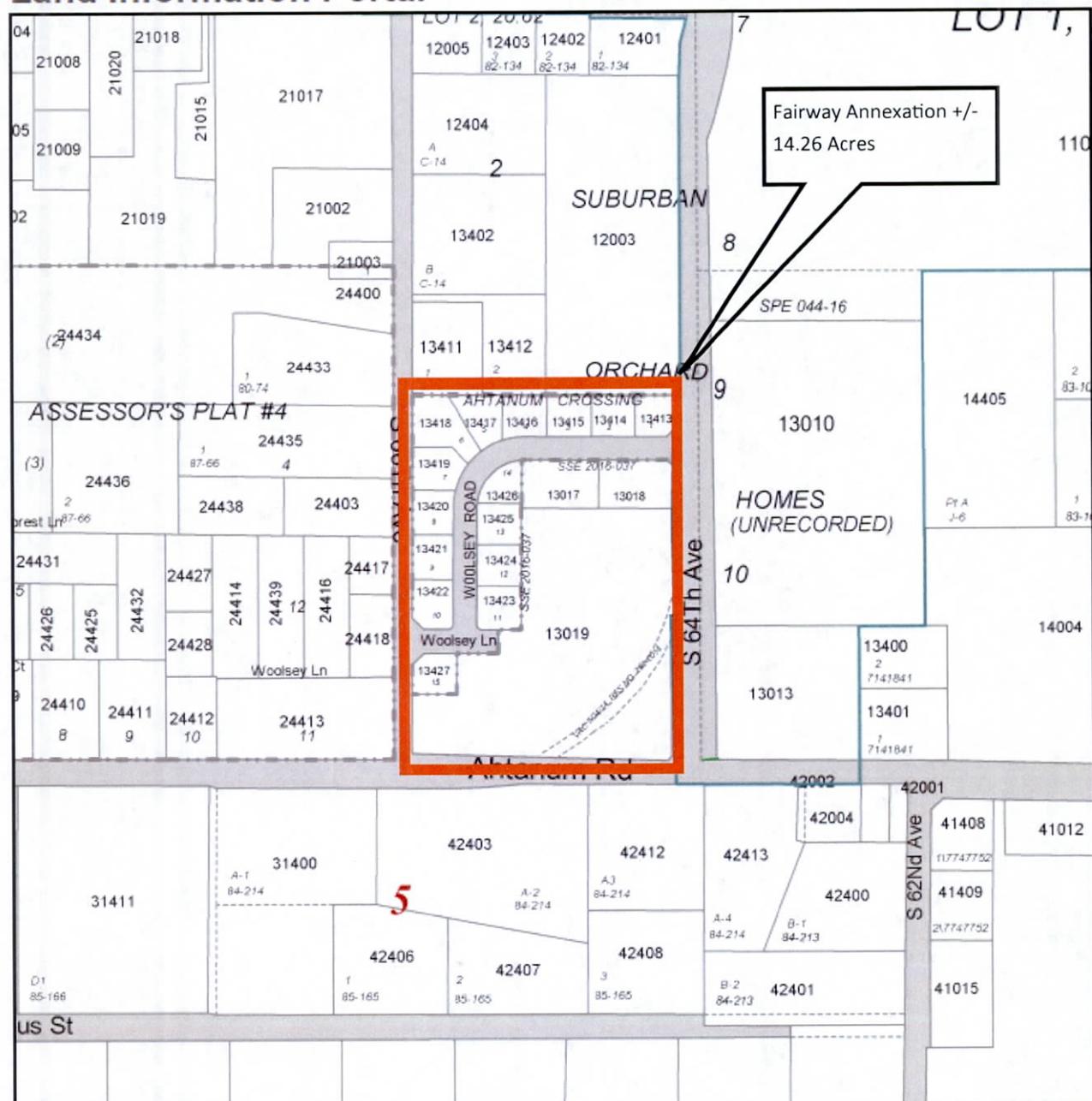


## Exhibit B

# Yakima County GIS - Washington Land Information Portal

[\[Print Map\]](#)  
[\[Close Map\]](#)

[Yakimap.com](http://Yakimap.com)



Map Center: Range: 18 Township: 12 Section: 5

#### Parcel Numbers in Annexation Area:

18120513017, 18120513018, 18120513019, 18120513413,  
18120513414, 18120513415, 18120513416, 18120513417,  
18120513418, 18120513419, 18120513420, 18120513421,  
18120513422, 18120513423, 18120513424, 18120513425,  
18120513426, 18120513427

WWW.YAKIMAP.COM  
Yakima County GIS  
128 N 2nd Street  
Yakima, WA 98901  
(509)574-2992

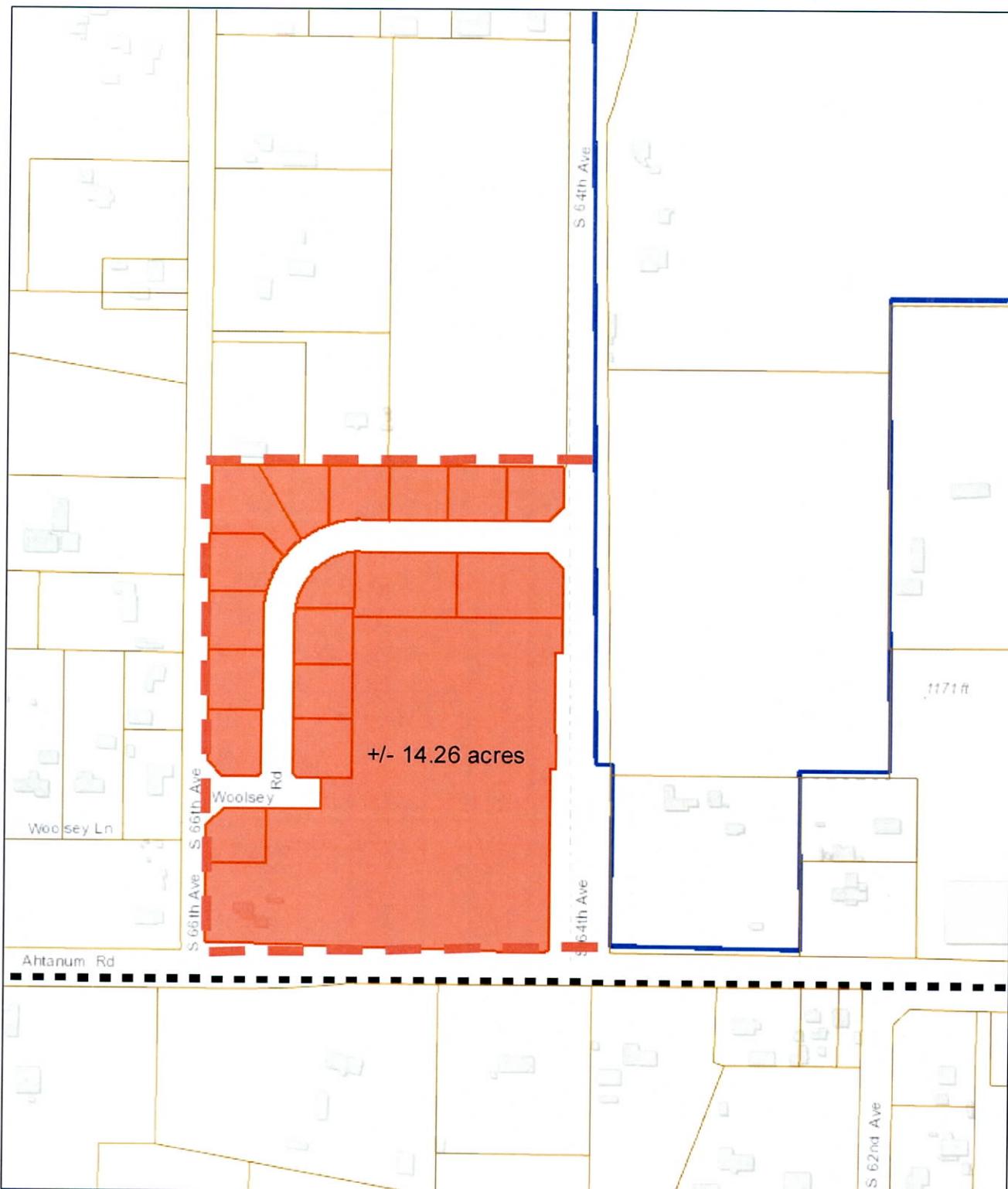


One Inch = 400 Feet

MAP AND PARCEL DATA ARE BELIEVED TO BE ACCURATE, BUT ACCURACY IS NOT GUARANTEED. THIS IS NOT A LEGAL DOCUMENT AND SHOULD NOT BE SUBSTITUTED FOR A TITLE SEARCH, APPRAISAL, SURVEY, FLOODPLAIN OR ZONING VERIFICATION

Copyright (C) Yakima County GIS  
Printed On: 10/27/2017 9:58:10 AM

## Exhibit C.1. Fairway Annexation Boundary



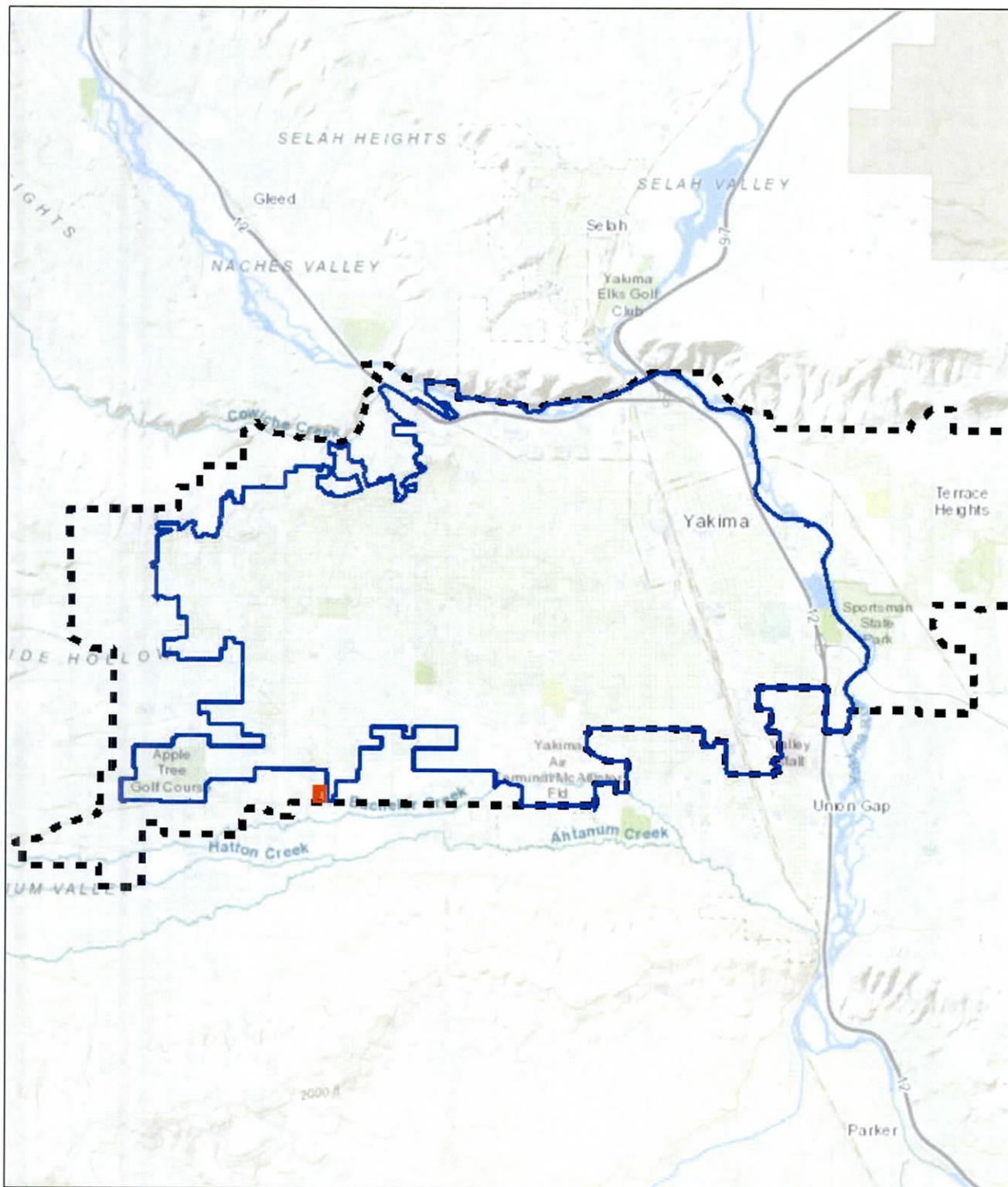
December 13, 2017

### Search Results: Situs Address

- Override 1
- Parcels
- Yakima City Limits
- Yakima Urban Area

Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community  
Yakima GIS

## Exhibit C.2 Yakima City Boundary



December 13, 2017

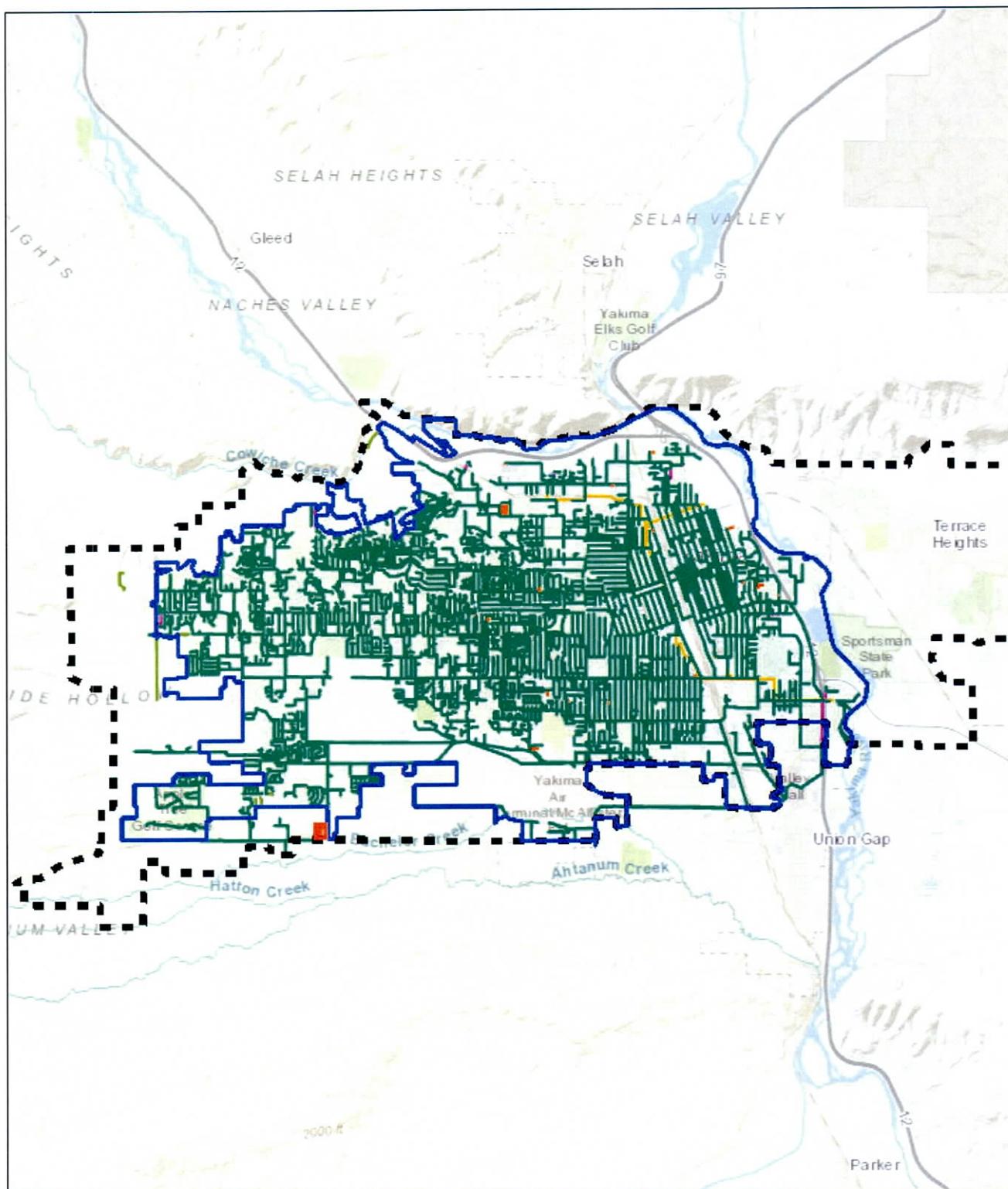
1:144,448  
0 1.25 2.5 5 mi  
0 2 4 8 km

### Search Results: Situs Address

- Override 1
- Yakima City Limits
- Yakima Urban Area

Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community  
Yakima GIS

## Exhibit C.3 Sewer Service Areas



December 13, 2017

1:144,448  
0 1.25 2.5 4 5 mi  
0 2 4 8 km

### Search Results: Situs Address

- Override 1
- Yakima City Limits
- Yakima Urban Area

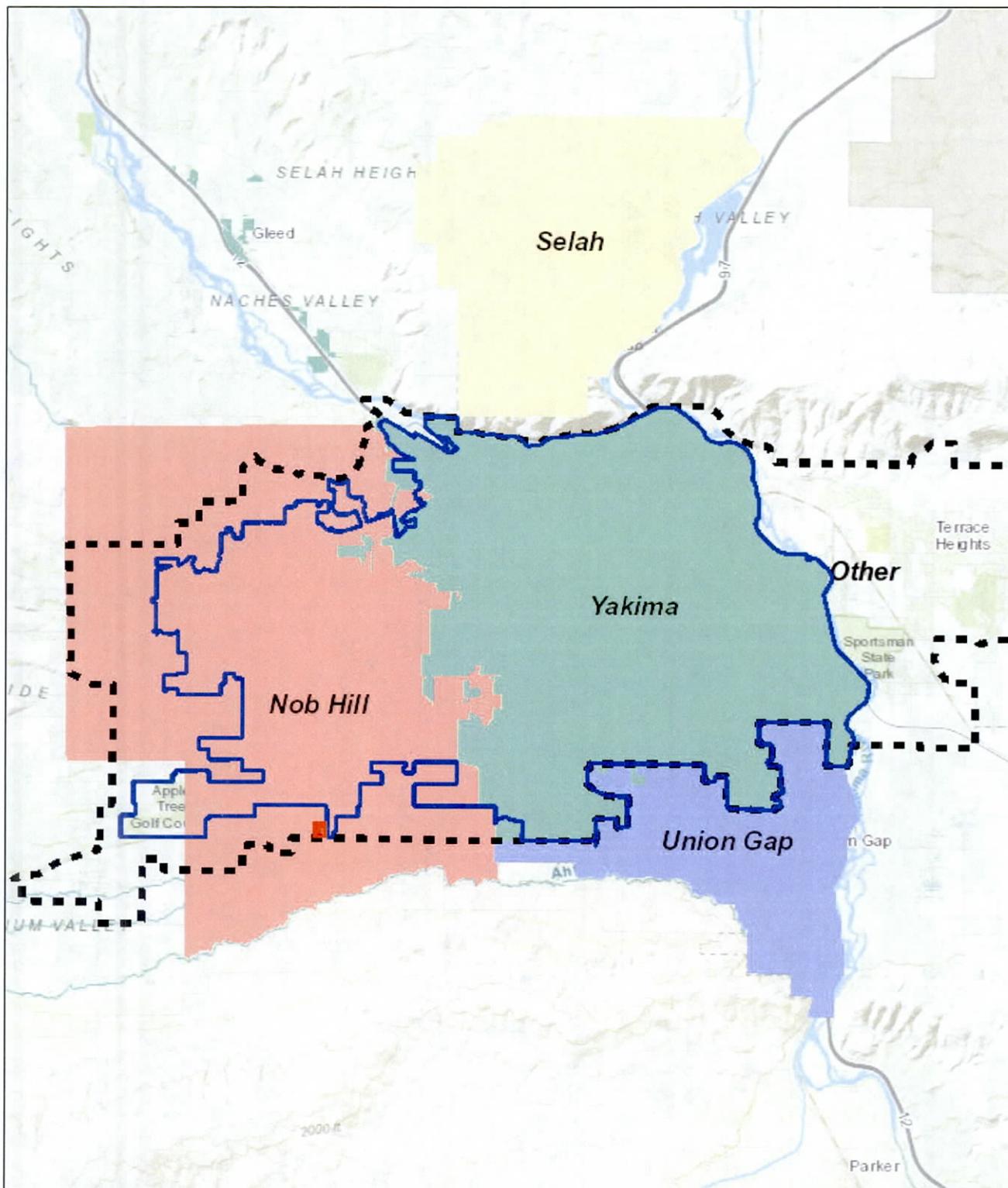
### Sewer Pipes

- Dry Line Pipe

- Industrial Waste Pipe
- Lift Station Pipe
- Private Pipe Line
- Sewer Pipes

Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCan, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community  
Yakima GIS

## Exhibit C.3 Water Service Areas

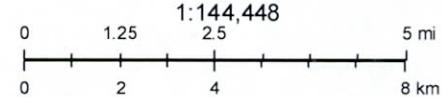


December 13, 2017

### Search Results: Situs Address

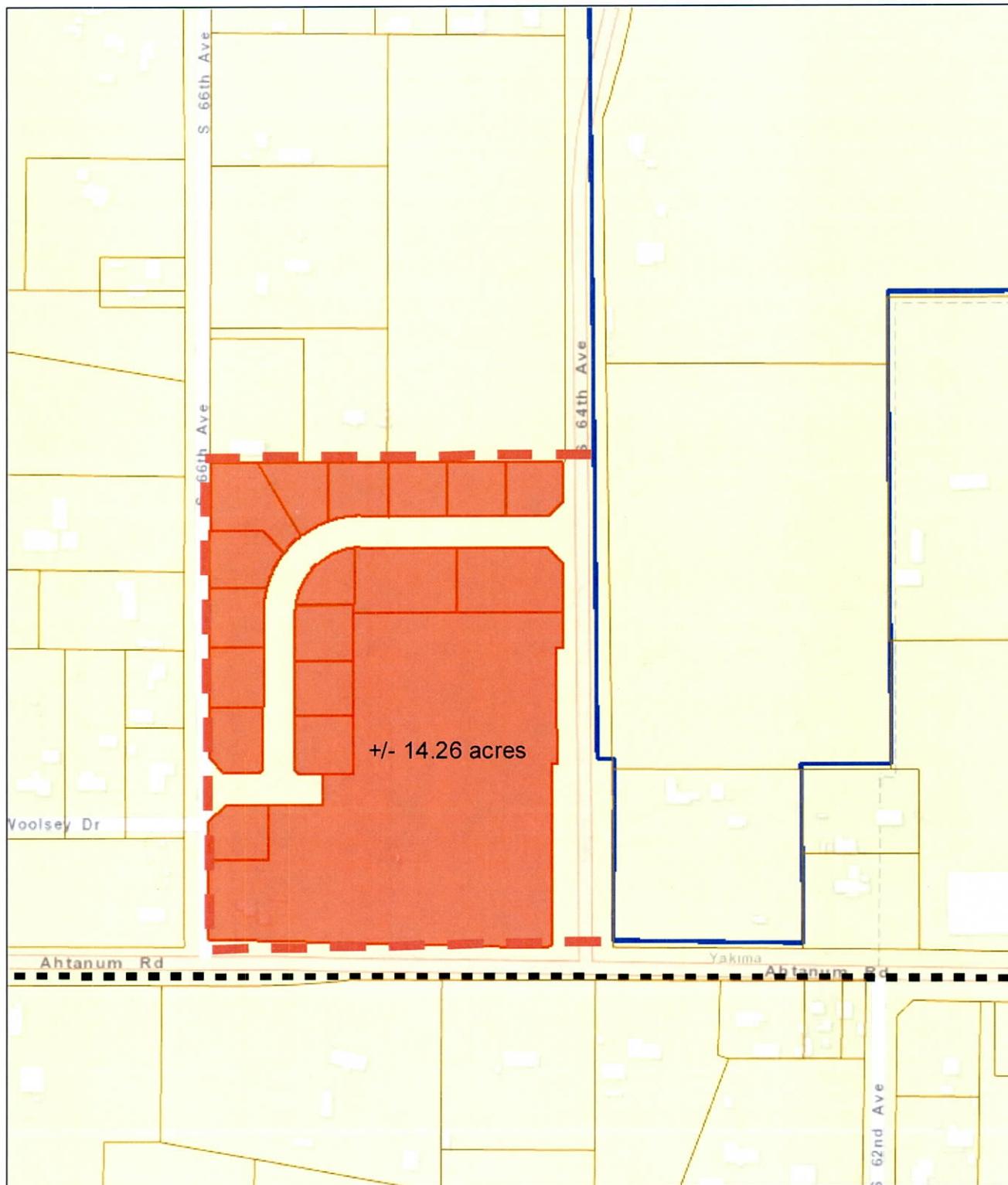
- Override 1
- Yakima City Limits
- Yakima Urban Area
- Moxee

- Naches
- Nob Hill
- Selah
- Tieton
- Union Gap



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCan, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community  
Yakima GIS

## Exhibit C.4. Streets



December 13, 2017

### Search Results: Situs Address

Override 1

□ Parcels

□ Yakima City Limits

— Yakima Urban Area

**Yakima GIS**  
 Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community

## Exhibit C.6. Utility Service Points

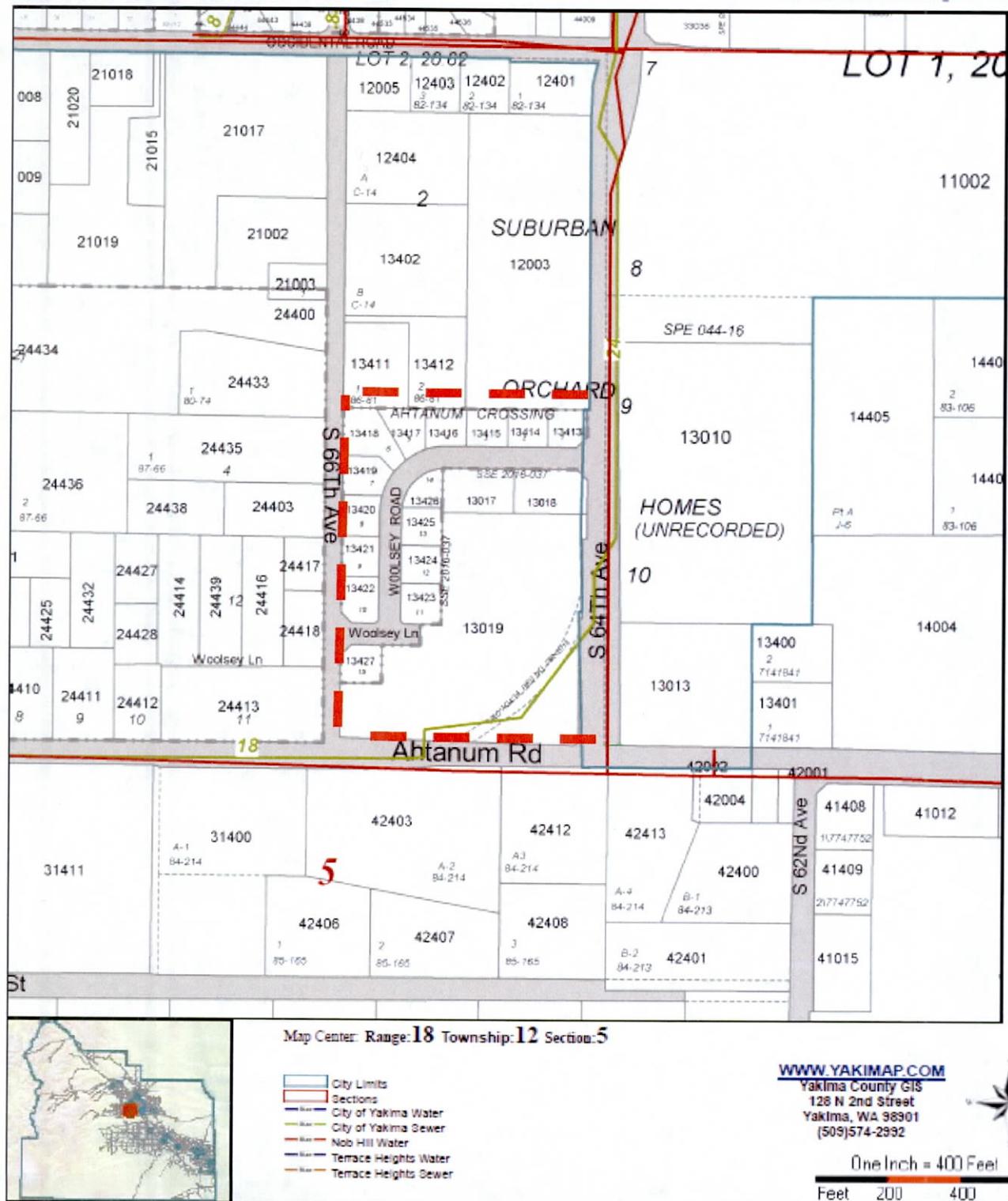
12/13/2017

Yakima County GIS

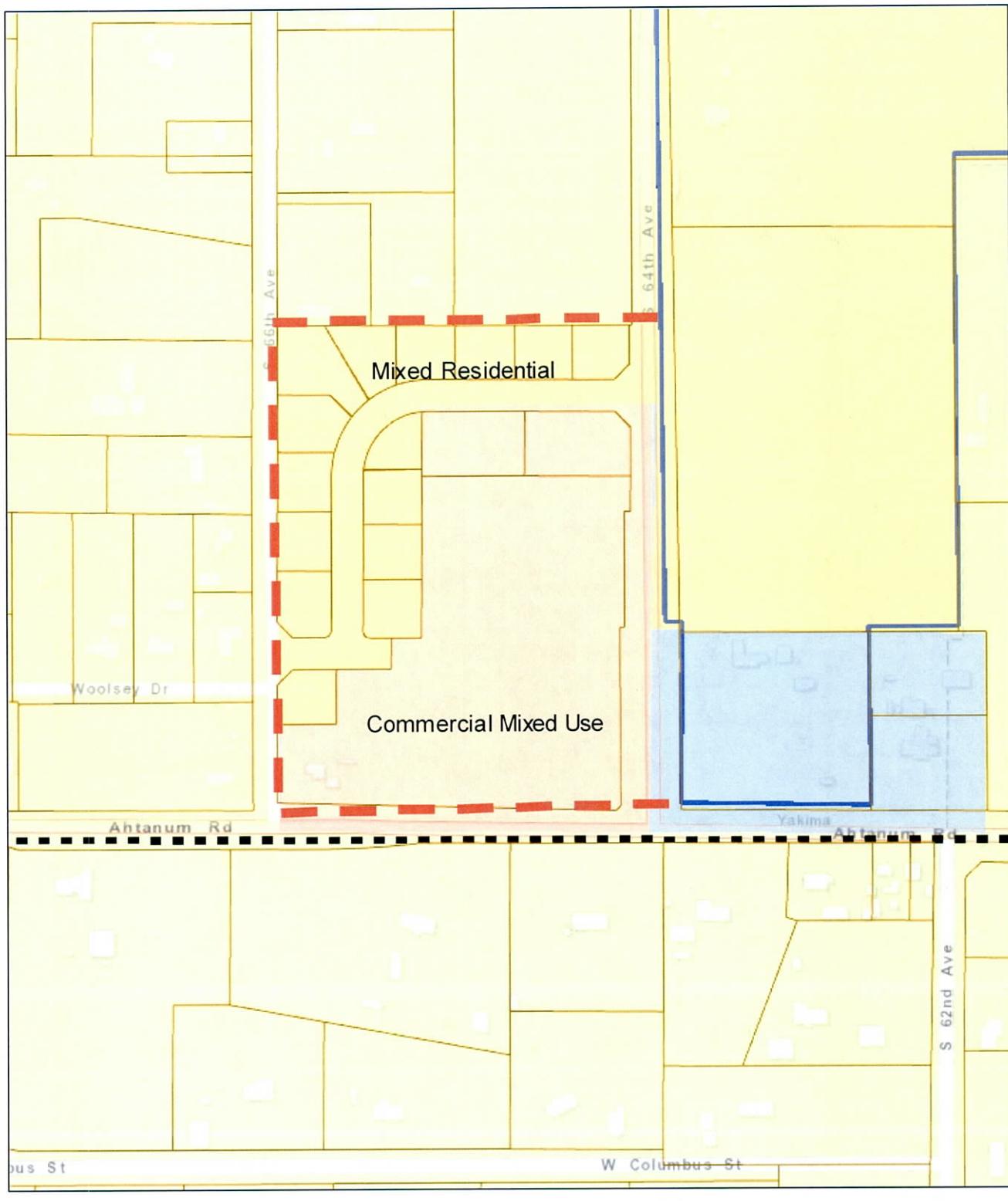
Yakima County GIS - Washington  
Land Information Portal

[\[Print Map\]](#)  
[\[Close Map\]](#)

**Yakimap.com**



## Exhibit C.7. City Future Land Use



December 13, 2017

1.4,514  
0 0.0375 0.075 0.15 mi  
0 0.05 0.1 0.2 km

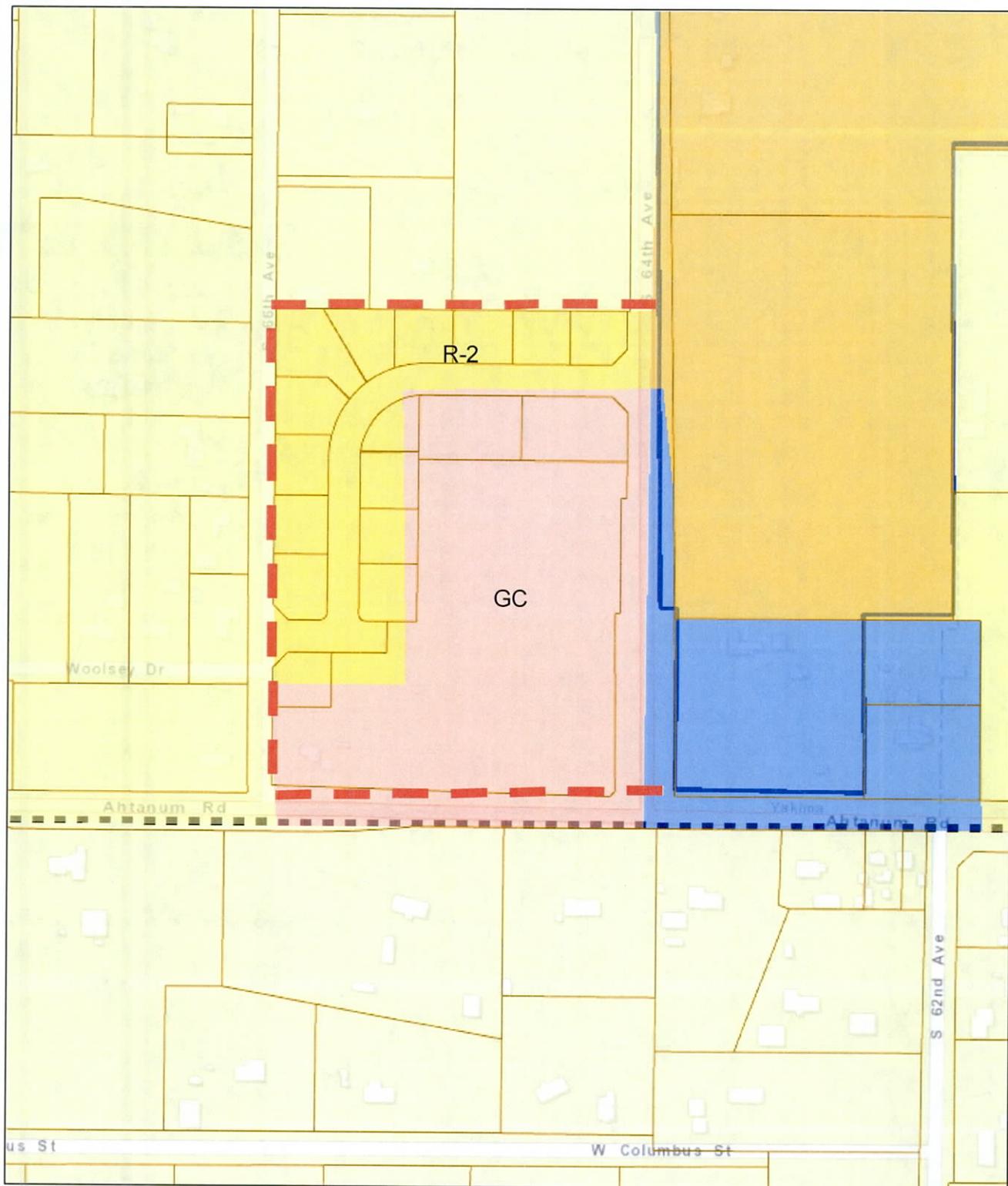
### Future Land Use

- Low Density Residential
- Mixed Residential
- Central Business Core Commercial
- Commercial Mixed Use

- Parcels
- Regional Commercial
- Community Mixed Use
- Industrial
- Yakima City Limits
- Yakima Urban Area

**Yakima GIS**  
Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community

## Exhibit C.7. City Zoning



December 13, 2017

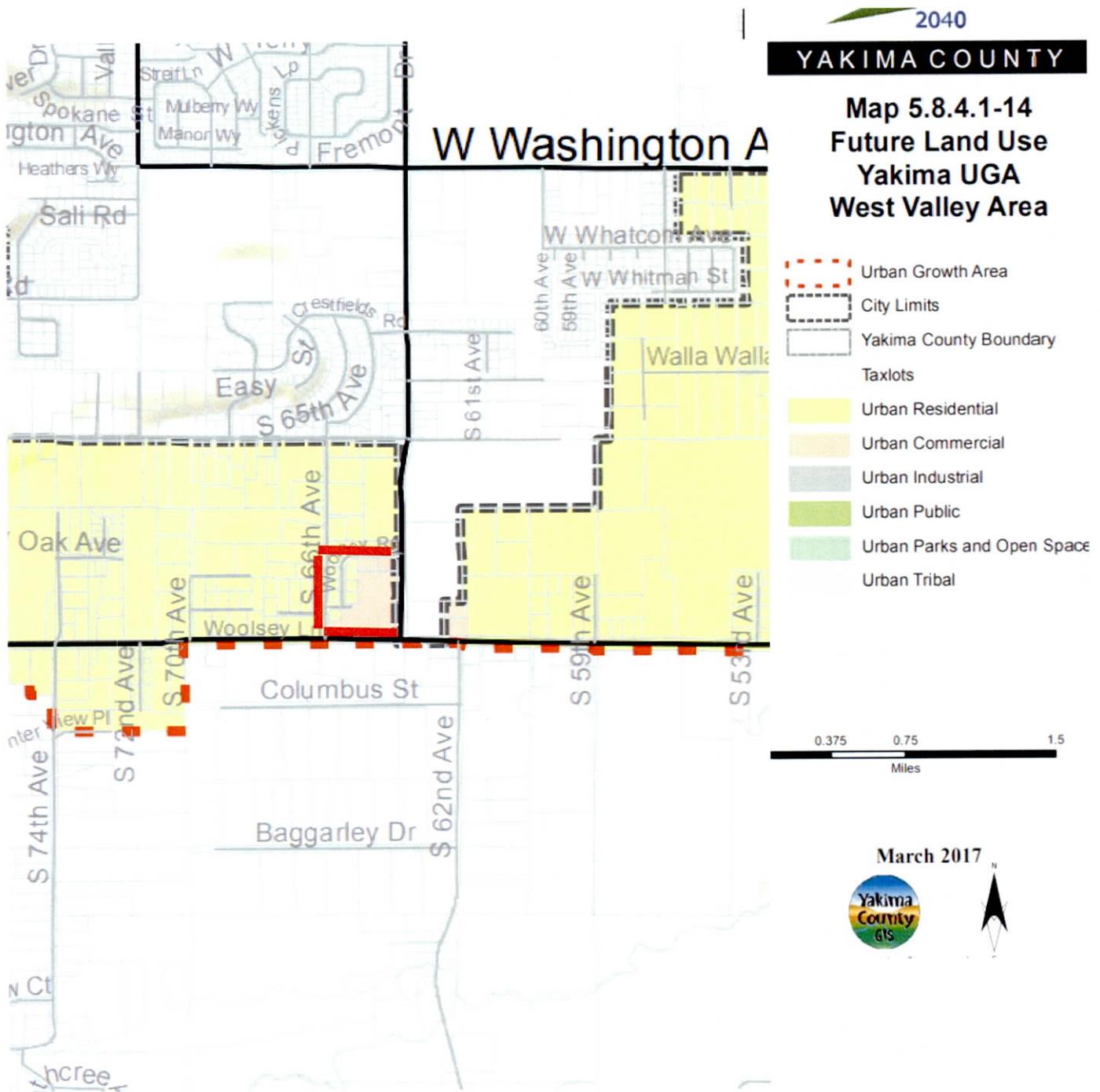
Parcels

1:4,514  
0 0.0375 0.075 0.1 0.2 km  
0 0.05 0.1 0.15 mi

Yakima GIS  
Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community

City of Yakima, Washington  
City of Yakima, Washington - 2017

## Exhibit C.7. County Future Land Use



## Exhibit C.7. County Zoning

12/13/2017

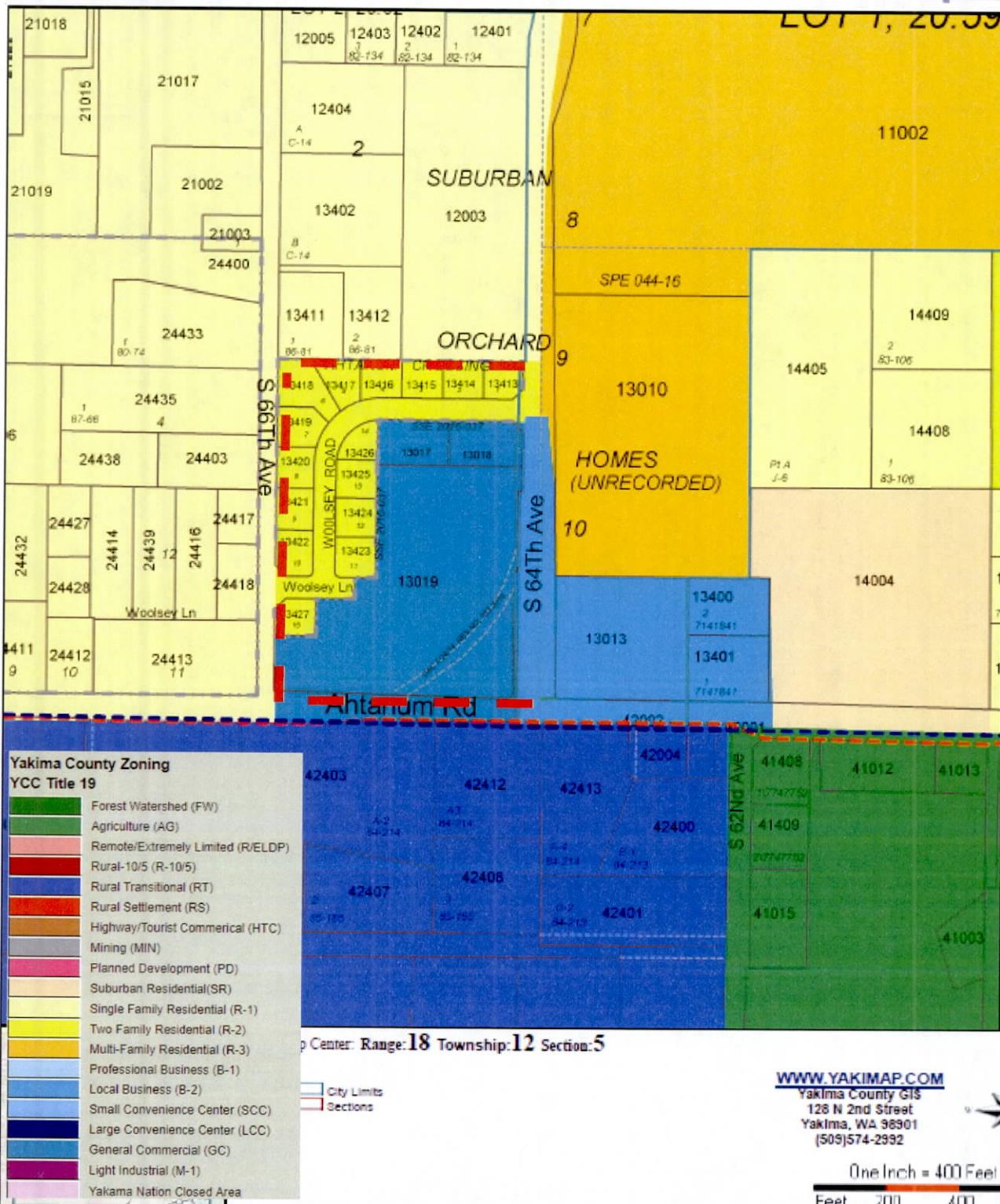
Yakima County GIS

# Yakima County GIS - Washington Land Information Portal

[\[Print Map\]](#)

[Close Map](#)

[Yakimap.com](http://Yakimap.com)

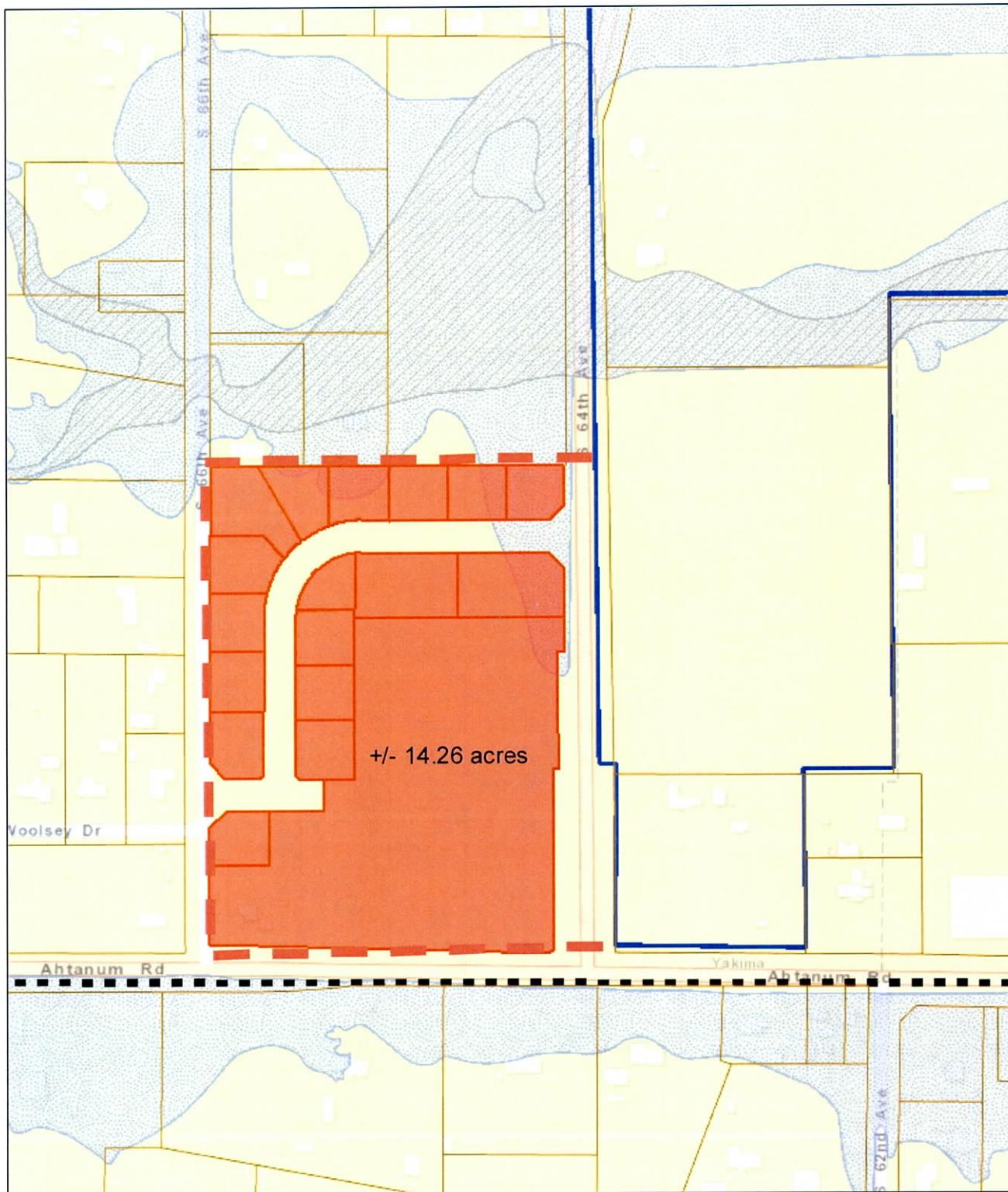


MAP AND PARCEL DATA ARE BELIEVED TO BE ACCURATE, BUT ACCURACY IS NOT GUARANTEED; THIS IS NOT A LEGAL DOCUMENT AND SHOULD NOT BE SUBSTITUTED FOR A TITLE SEARCH, APPRAISAL, SURVEY, FLOODPLAIN OR ZONING VERIFICATION

Copyright (C) Yakima County GIS  
Printed On: 4/12/2017 10:22:56 AM

One Inch = 400 Feet

## Exhibit C.8. Floodways and Floodplains



December 13, 2017

1:4,514  
0 0.0375 0.075 0.15 mi  
0 0.05 0.1 0.2 km

### Search Results: Situs Address

  Override 1

  Parcels

  Yakima City Limits

  Yakima Urban Area

### Floodway Areas

  A

  AE

Yakima GIS  
Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community



# Exhibit D Dave Cook, Assessor

Courthouse • Room 112 • Yakima, WA 98901 • (509) 574-1100  
Toll Free 800-572-7354 • FAX (509) 574-1101  
website: [www.co.yakima.wa.us/assessor](http://www.co.yakima.wa.us/assessor)

## Determination of Sufficiency of Annexation Petition; City of Yakima – Fairview Annexation (RCW 35A.01.050(4))

To: Joseph Calhoun, Planning Manager  
City of Yakima

On July 7<sup>th</sup> 2017 a petition for annexation was received by this office for determinations of the sufficiency of the petition per RCW 35.13.130 and 35.21.005 from the City of Yakima.

The determination of the sufficiency was begun by this office on the terminal date of July 24<sup>th</sup> 2017, and has now been completed based on the records of this office, the above-mentioned Certificate of Transmittal, and the agreements and legal authorities cited therein.

The owners of and real properties comprising not less than 60% of the assessed value of real property in the areas proposed for annexation are signers of an annexation petition, and the above numbered petition is determined and declared sufficient.

Done this 24<sup>th</sup> day of July 2017

  
Dave Cook, Yakima County Assessor

**RECEIVED**

JUL 26 2017

CITY OF YAKIMA  
PLANNING DIV.

Determination of Sufficiency of Annexation Petition



DEPARTMENT OF **Exhibit D** CITY DEVELOPMENT  
Joan Davenport, AICP, Director

Planning Division  
Joseph Calhoun, Manager  
129 North Second Street, 2<sup>nd</sup> Floor, Yakima, WA 98901  
[ask.planning@yakimawa.gov](mailto:ask.planning@yakimawa.gov) • [www.yakimawa.gov/services/planning](http://www.yakimawa.gov/services/planning)

July 6, 2017

To: Yakima County Assessor's Office  
Attn: Dave Cook  
128 N 2<sup>nd</sup> St, Room 112  
Yakima, WA 98901

Subject: Certification of Annexation Signatures.

Mr. Cook,

The City of Yakima has received the attached Petition for annexation in the vicinity of South 64<sup>th</sup> Avenue and Ahtanum Road, known as the "Fairway Annexation." The parcels involved in the annexation include:

181205-13017; 181205-13018; 181205-13019; 181205-13413; 181205-13414; 181205-13415; 181205-13416; 181205-13417; 181205-13418; 181205-13419; 181205-13422; 181205-13423; 181205-13424; 181205-13425; 181205-13426; 181205-13427; 181205-13420; and 181205-13421.

Please review the attached signature pages and verify the property owner's signatures.

I can be reached at 509-575-6042 or [joseph.calhoun@yakimawa.gov](mailto:joseph.calhoun@yakimawa.gov) if you have any questions.

Thanks,

A handwritten signature in black ink, appearing to read "JC".

Joseph Calhoun  
Planning Manager

Petition no. 11-07  
Exhibit D

BEFORE THE CITY COUNCIL OF THE CITY OF YAKIMA

IN THE MATTER OF THE PETITION )  
FOR THE ANNEXATION OF THE )  
PROPERTY DESCRIBED BELOW ) PETITION FOR ANNEXATION

Comes now, the following named person(s), firm(s) or corporation(s)  
181205-13017; 181205-13018; 181205-13019; 181205-13413; 181205-13414; 181205-13415; 181205-  
13416; 181205-13417; 181205-13418; 181205-13419; 181205-13422; 181205-13423; 181205-13424;  
181205-13425; 181205-13426; 181205-13427

Fairway Investments LLC  
6 S 2<sup>nd</sup> St, STE 918  
Yakima, WA 98901

and petition the City Council of the City of Yakima that the following described property situate in Yakima County, Washington, to-wit:

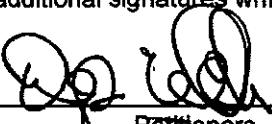
See attached Legal Description

Be annexed to the City of Yakima, and in support of said Petition, we, the undersigned person(s), firm(s) or corporation(s) being the owners of not less than 60 percent in value according to the assessed valuation of said property for which annexation is petitioned; that said property is not now within the limits of any incorporated town; that said property is contiguous to the City of Yakima; that a plat or drawing of the boundaries of said property which is sought to be annexed is attached hereto; that the City Council of the City of Yakima has determined that it will accept the proposed annexation, that it will not require the adoption of a Comprehensive Plan, and that there is not existing city indebtedness to be incurred by the area proposed by this petition to be annexed, as reflected in the minutes of the May 16, 2017 meeting of the Yakima City Council.

WHEREFORE, petitioners pray that the City Council make and enter an Order fixing the time and place of hearing this petition pursuant to RCW 35.13.140; that due notice be given of such hearing and that upon a hearing the said property be annexed to the City of Yakima.

The petitioners subscribing hereto agree that all property within the territory hereby sought to be annexed shall be assessed and taxed at the same rate and on the same basis as other property within the City of Yakima, including assessments or taxes in payment of any bonds issued or debts contracted prior to or existing at the date of annexation.

This page is one of a number of identical pages forming one petition intended by the signers of this petition to be presented and considered as one petition and may be filed with other pages containing additional signatures which cumulatively may be considered as a single petition.

  
Petitioners  
Douglas W. Rich  
Member

  
Petitioners  
Doug J. Hughes  
Member

CITY OF YAKIMA CODE ADMIN.DIVISION	
JUN - 7 2017	
C. Bellanca	
REC'D	PAID
FAXED	FYI

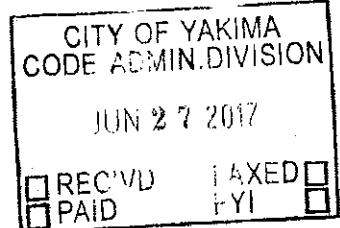
## Exhibit D

### BEFORE THE CITY COUNCIL OF THE CITY OF YAKIMA

IN THE MATTER OF THE PETITION )  
FOR THE ANNEXATION OF THE ) PETITION FOR ANNEXATION  
PROPERTY DESCRIBED BELOW )

Comes now, the following named person(s), firm(s) or corporation(s)  
181205-13420  
181205-13421

DH Construction & Associates LLC  
1611 Perry St  
Yakima, WA 98902



and petition the City Council of the City of Yakima that the following described property situate in Yakima County, Washington, to-wit:

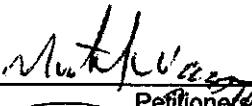
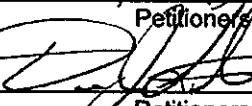
See attached Legal Description

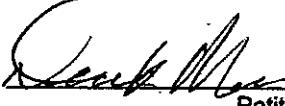
Be annexed to the City of Yakima, and in support of said Petition, we, the undersigned person(s), firm(s) or corporation(s) being the owners of not less than 60 percent in value according to the assessed valuation of said property for which annexation is petitioned; that said property is not now within the limits of any incorporated town; that said property is contiguous to the City of Yakima; that a plat or drawing of the boundaries of said property which is sought to be annexed is attached hereto; that the City Council of the City of Yakima has determined that it will accept the proposed annexation, that it will not require the adoption of a Comprehensive Plan, and that there is not existing city indebtedness to be incurred by the area proposed by this petition to be annexed; as reflected in the minutes of the May 16, 2017 meeting of the Yakima City Council.

WHEREFORE, petitioners pray that the City Council make and enter an Order fixing the time and place of hearing this petition pursuant to RCW 35.13.140; that due notice be given of such hearing and that upon a hearing the said property be annexed to the City of Yakima.

The petitioners subscribing hereto agree that all property within the territory hereby sought to be annexed shall be assessed and taxed at the same rate and on the same basis as other property within the City of Yakima, including assessments or taxes in payment of any bonds issued or debts contracted prior to or existing at the date of annexation.

This page is one of a number of identical pages forming one petition intended by the signers of this petition to be presented and considered as one petition and may be filed with other pages containing additional signatures which cumulatively may be considered as a single petition.

  
\_\_\_\_\_  
Petitioners  
  
\_\_\_\_\_  
Petitioners

  
\_\_\_\_\_  
Petitioners

## Exhibit D

**From:** [Calhoun, Joseph](#)  
**To:** [Jacob Tate](#)  
**Subject:** RE: Fairway Annexation Valuation  
**Date:** Wednesday, December 13, 2017 1:07:00 PM  
**Attachments:** [image001.png](#)

---

Thanks Jacob. The second sheet is 2017 taxes for all the parcels, and was used to provide the estimated loss to the county from road tax and fire dist tax if annexation occurs.

**Joseph Calhoun**

**From:** Jacob Tate [mailto:[jacob.tate@co.yakima.wa.us](mailto:jacob.tate@co.yakima.wa.us)]  
**Sent:** Wednesday, December 13, 2017 1:01 PM  
**To:** Calhoun, Joseph <[Joseph.Calhoun@YAKIMAWA.GOV](mailto:Joseph.Calhoun@YAKIMAWA.GOV)>  
**Subject:** RE: Fairway Annexation Valuation

Correction: That situs address is on 181205-13416.

**From:** Jacob Tate  
**Sent:** Wednesday, December 13, 2017 1:00 PM  
**To:** Joseph Calhoun <[joseph.calhoun@yakimawa.gov](mailto:joseph.calhoun@yakimawa.gov)>  
**Subject:** RE: Fairway Annexation Valuation

Hello Joseph,

The only change is that we now have a situs address of 2406 Woolsey Rd on 181205-13418. Everything else looks great. Let me know if I can help with anything else. I did not verify the second sheet as I was not 100% sure what you are listing there. I believe it is taxes, but I was not sure.

**From:** Calhoun, Joseph [mailto:[Joseph.Calhoun@YAKIMAWA.GOV](mailto:Joseph.Calhoun@YAKIMAWA.GOV)]  
**Sent:** Wednesday, December 13, 2017 9:40 AM  
**To:** Jacob Tate <[jacob.tate@co.yakima.wa.us](mailto:jacob.tate@co.yakima.wa.us)>  
**Subject:** Fairway Annexation Valuation

Good morning, Jacob.

As I'm wrapping the annexation documents for the Boundary Review Board, one of the required items is proof of assessed valuation. For that, I've assembled the data contained in the attached spreadsheet for all the parcels involved. Can you please verify this for me as being accurate?

Thanks,

**Joseph Calhoun**  
Planning Manager

City of Yakima  
509-575-6042  
[joseph.calhoun@yakimawa.gov](mailto:joseph.calhoun@yakimawa.gov)

Parcel Number	Situs Address	Situs City	Situs Zip Code	Acres	TCA	Tax Year
18120513017	UN-ASSIGNED			0.56	584	2018
18120513018	UN-ASSIGNED			0.56999999	584	2018
18120513019	UN-ASSIGNED			7.19000006	584	2018
18120513413	UN-ASSIGNED			0.25	584	2018
18120513414	UN-ASSIGNED			0.27000001	584	2018
18120513415	2404 WOOLSEY RD	YAKIMA	98903	0.27000001	584	2018
18120513416	UN-ASSIGNED			0.28	584	2018
18120513417	UN-ASSIGNED			0.30000001	584	2018
18120513418	2410 WOOLSEY RD	YAKIMA	98903	0.44	584	2018
18120513419	UN-ASSIGNED			0.31	584	2018
18120513420	2414 WOOLSEY RD	YAKIMA	98903	0.28	584	2018
18120513421	2500 WOOLSEY RD	YAKIMA	98903	0.27000001	584	2018
18120513422	UN-ASSIGNED			0.30000001	584	2018
18120513423	UN-ASSIGNED			0.28999999	584	2018
18120513424	UN-ASSIGNED			0.28	584	2018
18120513425	UN-ASSIGNED			0.28	584	2018
18120513426	UN-ASSIGNED			0.20999999	584	2018
18120513427	UN-ASSIGNED			0.25999999	584	2018

Use Code	Land Value	Improvement \ New Construction Value	
99 Other Undeveloped Land	\$49,100	\$0	0
99 Other Undeveloped Land	\$49,700	\$0	0
99 Other Undeveloped Land	\$626,400	\$0	0
99 Other Undeveloped Land	\$48,900	\$0	0
99 Other Undeveloped Land	\$49,100	\$0	0
99 Other Undeveloped Land	\$49,300	\$0	0
99 Other Undeveloped Land	\$49,400	\$0	0
99 Other Undeveloped Land	\$50,100	\$0	0
12 Two-to-Four Unit	\$62,700	\$310,600	320100
99 Other Undeveloped Land	\$50,400	\$0	0
12 Two-to-Four Unit	\$58,300	\$401,700	410700
12 Two-to-Four Unit	\$58,100	\$401,700	410500
99 Other Undeveloped Land	\$50,100	\$0	0
99 Other Undeveloped Land	\$49,900	\$0	0
99 Other Undeveloped Land	\$49,300	\$0	0
99 Other Undeveloped Land	\$49,300	\$0	0
99 Other Undeveloped Land	\$47,300	\$0	0
99 Other Undeveloped Land	\$49,100	\$0	0
	<b>\$1,496,500</b>	<b>\$1,114,000</b>	

Sum of land  
and  
improvement  
value                    \$2,610,500



Exhibit D

**YAKIMA HERALD-REPUBLIC**

**Affidavit of Publication**

STATE OF WASHINGTON, )

)

COUNTY OF YAKIMA )

Danielle Rogers, being first duly sworn on oath deposes and says that she/he is the Accounting clerk of Yakima Herald-Republic, Inc., a daily newspaper. Said newspaper is a legal newspaper approved by the Superior Court of the State of Washington for Yakima County under an order made and entered on the 13th day of February, 1968, and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continually as a daily newspaper in Yakima, Yakima County, Washington. Said newspaper is now and has been during all of said time printed in an office maintained at the aforesaid place of publication of said newspaper.

That the annexed is a true copy of a:

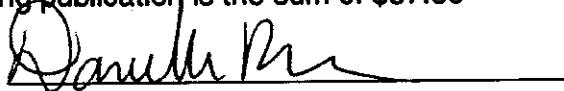
CITY OF YAKIMA NOTICE OF PUBLIC HEAR

it was published in regular issues (and not in supplement form) of said newspaper once each day and for a period of 1 times, the first insertion being on 11/24/2017 and the last insertion being on 11/24/2017

Yakima Herald-Republic 11/24/17

YakimaHerald.com 11/24/17

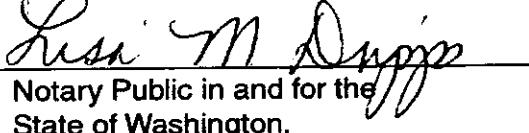
and the such newspaper was regularly distributed to its subscribers during all of the said period. That the full amount of the fee charged for the foregoing publication is the sum of \$87.60



Accounting Clerk



Sworn to before me this 24th day of November 2017



Notary Public in and for the  
State of Washington,  
residing at Yakima

## Exhibit D

CITY OF YAKIMA  
NOTICE OF PUBLIC  
HEARING  
FAIRWAY ANNEXATION

NOTICE IS HEREBY GIVEN that the Yakima City Council will conduct a Public Hearing on Tuesday, December 12, 2017 at 2:30 p.m. or as soon thereafter as the matter may be heard, in the Council Chambers at City Hall located at 129 North 2nd Street, Yakima, WA to consider a petition for annexation of certain property contiguous to the present boundaries of said City, and more particularly described in the legal description, in Yakima County, Washington, to wit: **LEGAL DESCRIPTION FOR THE ANNEXATION** The Plat of Ahtanum Crossing (AFN 7927762), together with Parcel's 2, 3, and 4 from Record of Survey AFN 7915826. Any citizen wishing to comment on this request is invited to attend such public hearing and voice their approval or disapproval of the annexation or contact the City Council in the following manner: 1) Send a letter via regular mail to "*Yakima City Council, 129 N. 2nd Street, Yakima, WA 98901*", or, 2) E-mail your comments to citycouncil@yakimawa.gov. Include in the e-mail subject line, "*FAIRWAY Annexation*." Please also include your name and mailing address. Dated and mailed this 22nd day of November, 2017.  
Sonya Claar Tee, City Clerk

(777723) November 24, 2017

Courtesy of Yakima Herald-Republic

# Exhibit D



OFFICE OF THE CITY CLERK  
129 North Second Street  
Yakima, Washington 98901  
Phone (509) 575-6037 • Fax (509) 576-6614

**CITY OF YAKIMA  
NOTICE OF PUBLIC HEARING  
FAIRWAY ANNEXATION**

NOTICE IS HEREBY GIVEN that the Yakima City Council will conduct a Public Hearing on **Tuesday, December 12, 2017 at 2:30 p.m.** or as soon thereafter as the matter may be heard, in the Council Chambers at City Hall located at 129 North 2nd Street, Yakima, WA to consider a petition for annexation of certain property contiguous to the present boundaries of said City, and more particularly described in the legal description, in Yakima County, Washington, to wit:

**LEGAL DESCRIPTION FOR THE ANNEXATION**

**The Plat of Ahtanum Crossing (AFN 7927762), together with Parcel's 2, 3, and 4 from Record of Survey AFN 7915826.**

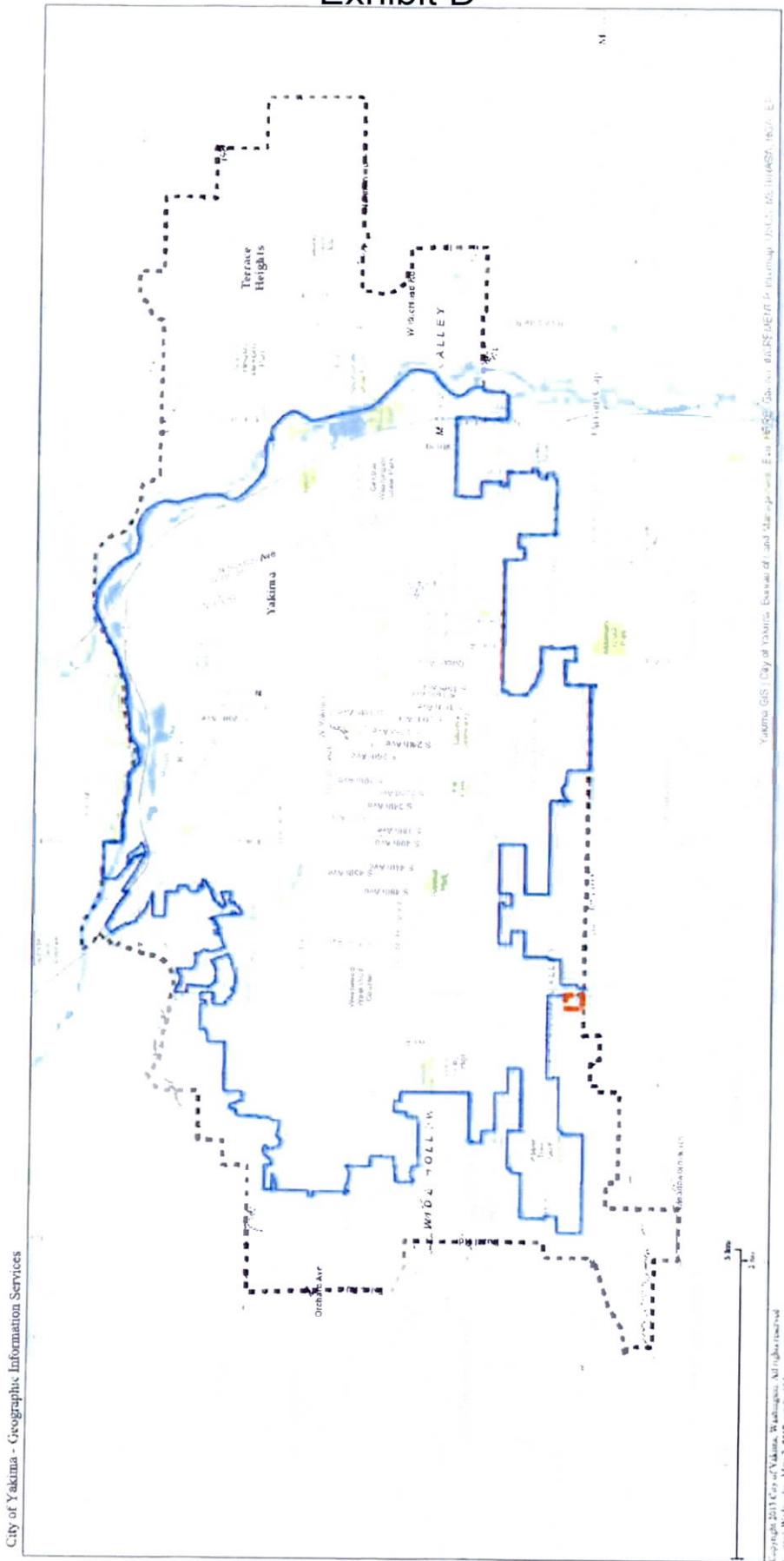
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- 1) Send a letter via regular mail to "Yakima City Council, 129 N. 2<sup>nd</sup> Street, Yakima, WA 98901"; or,
- 2) E-mail your comments to [citycouncil@yakimawa.gov](mailto:citycouncil@yakimawa.gov). Include in the e-mail subject line, "FAIRWAY Annexation." Please also include your name and mailing address.

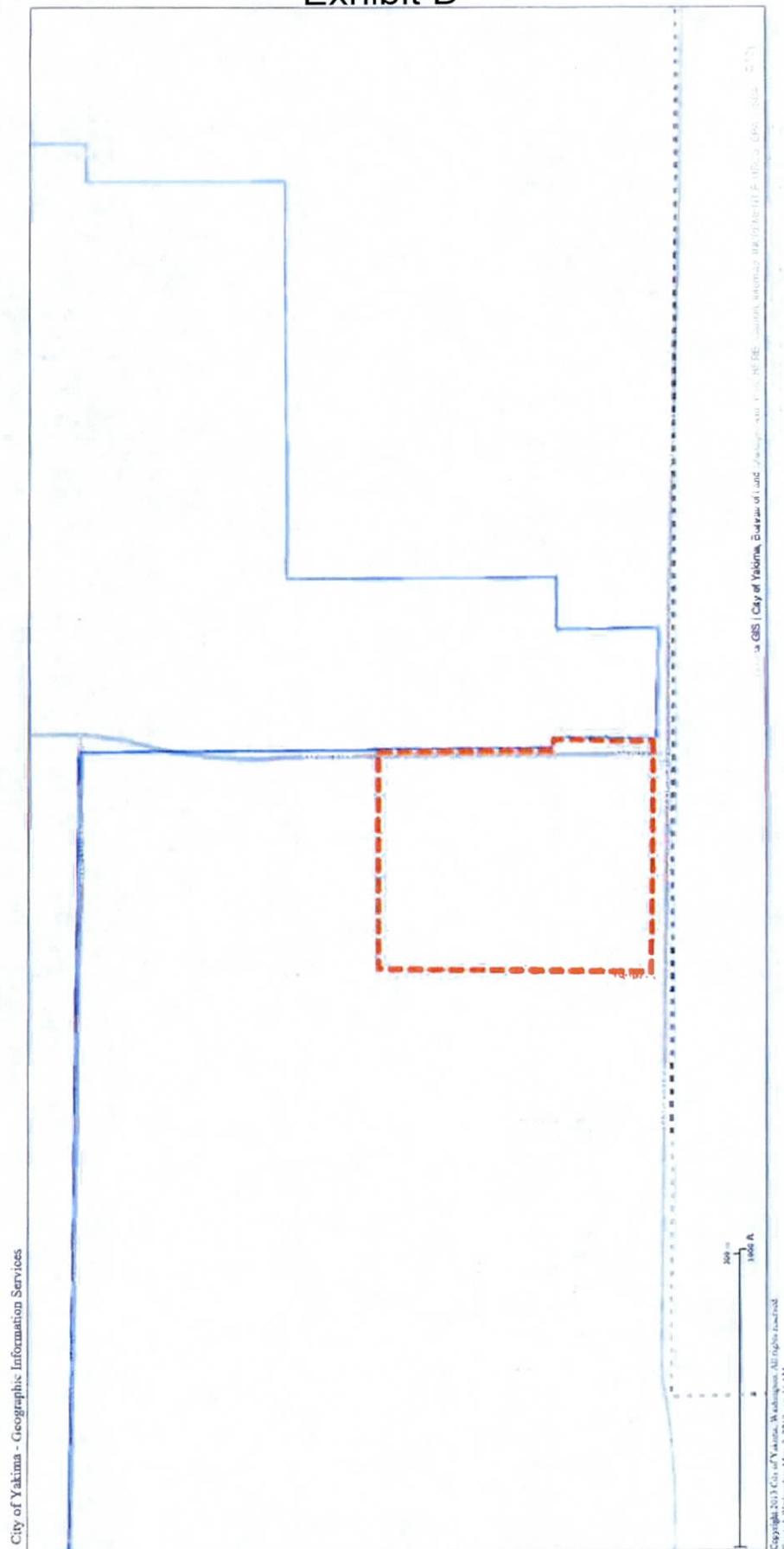
Dated and mailed this 22<sup>nd</sup> day of November, 2017.

Sonya Claar Tee, CMC  
City Clerk

## Exhibit D



## Exhibit D



## Exhibit D

CITY OF YAKIMA  
NOTICE OF PUBLIC HEARING  
FAIRWAY ANNEXATION

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The Plat of Antanum Crossing (AFN 7927782), together with Parcel's 2, 3, and 4 from Record of Survey AFN 7915826. Any citizen wishing to comment on this request is invited to attend such public hearing and voice their approval or disapproval of the annexation or contact the City Council in the following manner: 1) Send a letter via regular mail to "Yakima City Council, 129 N. 2nd Street, Yakima, WA 98901" or, 2) E-mail your comments to [citycouncil@yakimawa.gov](mailto:citycouncil@yakimawa.gov). Include in the e-mail subject line, "FAIRWAY Annexation." Please also include your name and mailing address. Dated and mailed this 22nd day of November, 2017.

Sonya Claar Tee, City Clerk

(777723) November 24, 2017

# Exhibit D



## **AFFIDAVIT OF POSTING**

### **STATE OF WASHINGTON**

**RE:** Fairway Annexation – Notice of Hearing  
**File#** Petition 17-07  
**Applicant Name:** Fairway Investments  
**Project Name:** Fairway Annexation  
**Site Location:** Vicinity of S 64<sup>th</sup> and Ahtanum

As an employee of the City of Yakima Planning Division, I have posted a copy of the Notice of Public Hearing for the Fairway Annexation.

The City Council Public Hearing is scheduled for the 5th day of December,  
20 17.

Notices were posted on the 27th day of November 20 17 at the following locations: Lobby of City Hall, County Courthouse and the Central Library.

  
\_\_\_\_\_  
Signed

Planning Manager  
Job Title

11/27/17  
Date



Exhibit D  
CITY OF YAKIMA

LAND USE ACTION INSTALLATION  
CERTIFICATE

File Number:	Annexation Petition 17-07
Applicant/Project Name:	Fairway Annexation
Site Address:	Vic of S 64th & Altonum
Date of Posting:	November 17, 2017

Location of Installation (Check One):

Land Use Action Sign is installed per standards described in YMC §15.11.080(C).

Land Use Action Sign is installed in an alternate location on the site.

*Note: this alternate location (if not pre-approved by the Planning Manager) may not be acceptable by the Planning Division and is subject to relocation (at the owner's expense) to a more visible site on the property.*

**RECEIVED**

The alternative location is:

NOV 17 2017

**CITY OF YAKIMA**

The required notice of application will be sent to the applicant and property owners within a 300 foot radius after the Planning Division has received this Land Use Action Installation Certification. Failure to post a Land Use Action sign and return this form signed in a timely manner may cause a delay in the application review process.

I hereby testify that the installed sign fully complies with the Land Use Action sign installation standards (see pg. 2), that the sign will be maintained until a decision has been rendered, and that the sign will be returned within 30 days from the date the final decision is issued.

Thomas R. Durant

Applicant's Signature

Nov 17, 2017

Date

Thomas R. Durant

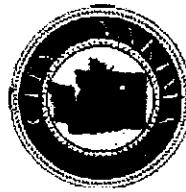
Applicant's Name (Please Print)

248-4156

Applicant's Phone Number

Please remit the above certification and deliver to the City of Yakima Planning Division via email to [ask.planning@yakimawa.gov](mailto:ask.planning@yakimawa.gov) or in person/by mail to: City of Yakima, Planning Division, 129 North 2<sup>nd</sup> Street, Yakima, WA 98901.

# Exhibit D



## YAKIMA CITY COUNCIL

May 16, 2017

City Hall – Council Chambers

6 p.m. Business Meeting; 6:30 p.m. Public Hearings

---

### BUSINESS MEETING

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Interpreter Services**
- 4. Open Discussion for the Good of the Order**
  - A. Proclamations**
    - i. Yakima Hispanic Academic Achievers Program (HAAP) day
    - ii. Police Week Proclamation
    - iii. Missing and Unidentified Persons Awareness month
  - B. Presentations / Recognitions / Introductions**
    - i. Recognition of Wastewater employees Rich Hunt and Greg Lemke

- 5. Council Reports**

- A. Neighborhood and Community Building Committee recommendation regarding contract with WSU Metro Center to analyze the City of Yakima Equity Study**

- 6. Consent Agenda**

Items listed are considered routine by the City Council and will be enacted by one motion without discussion. A citizen or Council member may request to remove an item from the Consent Agenda and, if approved, it will be placed on the regular agenda for discussion and consideration.

- A. Approval of the minutes from the April 18 and May 2, 2017, City Council Business meetings, April 25, 2017, City Council Study Session and April 20, 2017, City Council Retreat**
- B. Approve payment of disbursements for the period April 1 – 30, 2017**
- C. Set date of June 6, 2017, for a closed record public hearing to consider the Yakima Planning Commission's recommendation regarding the preliminary plat of Apple Tree Development - Phase 4 in the vicinity of Occidental Road & South 86th Avenue**
- D. Set June 6, 2017, as the date for a public hearing to review the Yakima Planning Commission's recommendation adopting the Yakima Urban Area Comprehensive Plan 2040 and the Yakima Urban Area Transportation Plan 2040**

## Exhibit D

- E. Resolution setting public hearings on June 6 and June 20, 2017, to review and adopt the Six-year Transportation Improvement Program and amend the Capital Facilities Element of the Yakima Urban Area Comprehensive Plan for the period of 2018 to 2023
- F. Resolution authorizing an addendum to the agreement with the United States Department of Justice, Drug Enforcement Administration, and the Yakima Police Department
- G. Resolution authorizing addendum no. 3 to the existing agreement with Golder Associates, Inc. for \$16,670 to complete Modeling efforts for the Naches River that meet WSDOT requests as well as other agency requests during the permit process
- H. Resolution authorizing a settlement agreement to resolve and settle the damage claim brought by Dayle and Paulette Champ
- I. Resolution authorizing a project review reimbursable agreement, in an amount not to exceed \$31,250, with the Washington State Department of Transportation (WSDOT) to have their Visual Engineering Resource Group create videos displaying what the East-West Corridor will look like after construction
- J. Resolution authorizing a 2017 National Highway System (NHS) Asset Management Program Grant application for a project that would improve North 1<sup>st</sup> Street from 'N' Street to 'H' Street

### 7. Audience Participation

Community members are invited to address items that are not listed on the regular business meeting agenda. A guideline of three (3) minutes per speaker is in place in order to allow as much opportunity as possible for audience participation. A speaker's time may be extended at the discretion of the Mayor and/or the consensus or vote of the Council. Written communication and e-mail messages are strongly encouraged.

### PUBLIC HEARINGS

- 8. Public Meeting to consider the Notice to Commence the Fairway Annexation in the Vicinity of South 64th Avenue and Ahtanum Road
- 9. Public Hearing and Resolution declaring certain property originally part of Drainage Improvement District #39, later abandoned by Yakima County and ceded to the City, to be surplus to the City needs

### DEPARTMENT ITEMS

- 10. Review of 2015 agreement between JEM Development and the City of Yakima for parking lot utilization in the downtown core
- 11. Resolution approving supplemental agreement No. 2 with Yakima County, in an amount not to exceed \$1,066,405, intended to apportion the costs of work previously agreed upon in Contract Number 2011-66, relating to road design and development for an East-West Corridor
- 12. Resolution authorizing purchase and sale of real property with Congdon Development Company, LLC for property to be developed by SOZO Sports of Central Washington into a public park and recreation area
- 13. Resolution authorizing an agreement for design services for Yakima Business Incubator and Public Market

## Exhibit D

14. Resolution authorizing an amendment to interagency agreement with the Washington Department of Enterprise Services for Project Management Services on the Citywide LED Streetlight Upgrade Project
15. Ordinance authorizing the execution of a financing contract with the Office of the State Treasurer and other related documentation relating to the Street Lighting Energy Project

### **CITY MANAGER UPDATE**

16. Public Safety update

- 17. Other Business**

- 18. Adjournment**

The next meeting will be a City Council Study Session on May 30, 2017 at 10 a.m. in the Council Chambers

- 19. Council General Information**

- A. Council General Information
- B. Report regarding the proposed safety modifications to be made at the intersection of 40th Avenue and Chestnut Avenue

- 20. Confidential**

- A. Confidential

*Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council, and the Council does not endorse the religious beliefs or views of this, or any other speaker.*

*A Council packet is available for review at the City Clerk's Office and the Library. A packet is also available on-line at [www.yakimawa.gov](http://www.yakimawa.gov).*

*The City provides special accommodations, such as hearing devices, wheelchair space or language interpreters, for City meetings. Anyone needing special assistance please contact the City Clerk's office at (509) 575-6037 at least two business days prior to the meeting.*

# Exhibit D

1



## BUSINESS OF THE CITY COUNCIL YAKIMA, WASHINGTON AGENDA STATEMENT

Item No. 8.  
For Meeting of: May 16, 2017

**ITEM TITLE:** Public Meeting to consider the Notice to Commence the Fairway Annexation in the Vicinity of South 64th Avenue and Ahtanum Road

**SUBMITTED BY:** Joan Davenport, AICP, Director of Community Development  
Joseph Calhoun, Planning Manager

### **SUMMARY EXPLANATION:**

A Notice of Intent to Commence Annexation (attachment 1) was received by the Planning Division on April 13, 2017. On May 2, 2017, Council set the date of May 16, 2017 (per RCW 35.13.125), to consider this annexation request. The area proposed for annexation is approximately 14 acres in size, consisting of 18 parcels, zoned R-2 and GC. See attached maps (attachment 2).

The purpose of this meeting is for the City Council to determine the following: whether to accept, reject, or geographically modify the proposed annexation; whether it will require the simultaneous adoption of a comprehensive plan for the area to be annexed; and whether it will require the assumption of all or any portion of existing city indebtedness by the area to be annexed. The Comprehensive Plan designation for the area is a mixture of Medium Density Residential and Neighborhood Commercial, which is consistent with the Yakima Urban Area Comprehensive Plan 2025. Under the pending 2040 comprehensive plan, these designations will become Mixed Residential and Commercial Mixed Use, respectively. A separate Comprehensive Plan for the area is not required.

The assumption of indebtedness relates to the rate at which the parcels, if annexed, would be taxed. Council can decide to tax the parcels at the same rate and on the same basis as other parcels in the City of Yakima and to pay for outstanding indebtedness.

### **ITEM BUDGETED:**

### **STRATEGIC PRIORITY:**

**APPROVED FOR  
SUBMITTAL:**

*Cliff Morse* City Manager

## Exhibit D

2

### **STAFF RECOMMENDATION:**

If Council wishes to accept and begin the annexation process, direct staff to draft the Petition and collect signatures from property owners to begin the annexation review procedures. The Annexation Ordinance will be brought to City Council at a later date.

### **BOARD/COMMITTEE RECOMMENDATION:**

The Neighborhood & Community Building Committee, at their April 20th meeting, were in consensus to send this to the entire City Council for consideration.

### **ATTACHMENTS:**

<b>Description</b>	<b>Upload Date</b>	<b>Type</b>
<input type="checkbox"/> 1. Fairway_notice of intent to commence annexation	5/3/2017	Backup Material
<input type="checkbox"/> 2. Fairway annexation maps	5/3/2017	Backup Material

# Exhibit D

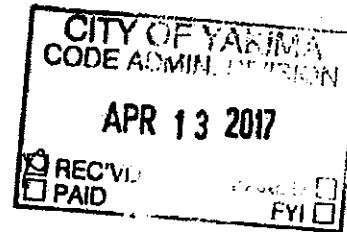
3

## NOTICE OF INTENTION TO COMMENCE ANNEXATION PROCEEDINGS

TO: The City Council  
City of Yakima, Washington

Comes now the following:

+ Fairway Investments LLC  
6 S. 2<sup>nd</sup> St. Ste 918  
Yakima, WA 98901



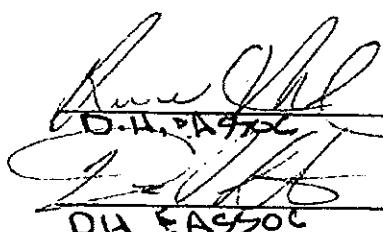
+ DH CONSTRUCTION & ASSOCIATES LLC  
1611 PERRY ST  
Yakima, WA 98902

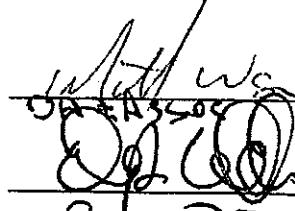
18120513413, 18120513414, 18120513415, 18120513416, 18120513417,  
18120513418, 18120513419, 18120513420, 18120513421, 18120513422,  
18120513423, 18120513424, 18120513425, 18120513426, 18120513427,  
18120513017, 18120513018, 18120513019

and hereby notifies the City Council of the City of Yakima that they intend to commence annexation proceedings to have the above referenced real property annexed to the City of Yakima. That the above named, owner(s) of the properties for which annexation will be petitioned, respectfully request the City council to meet with its officers within 60 days to determine whether the City will accept the proposed annexation.

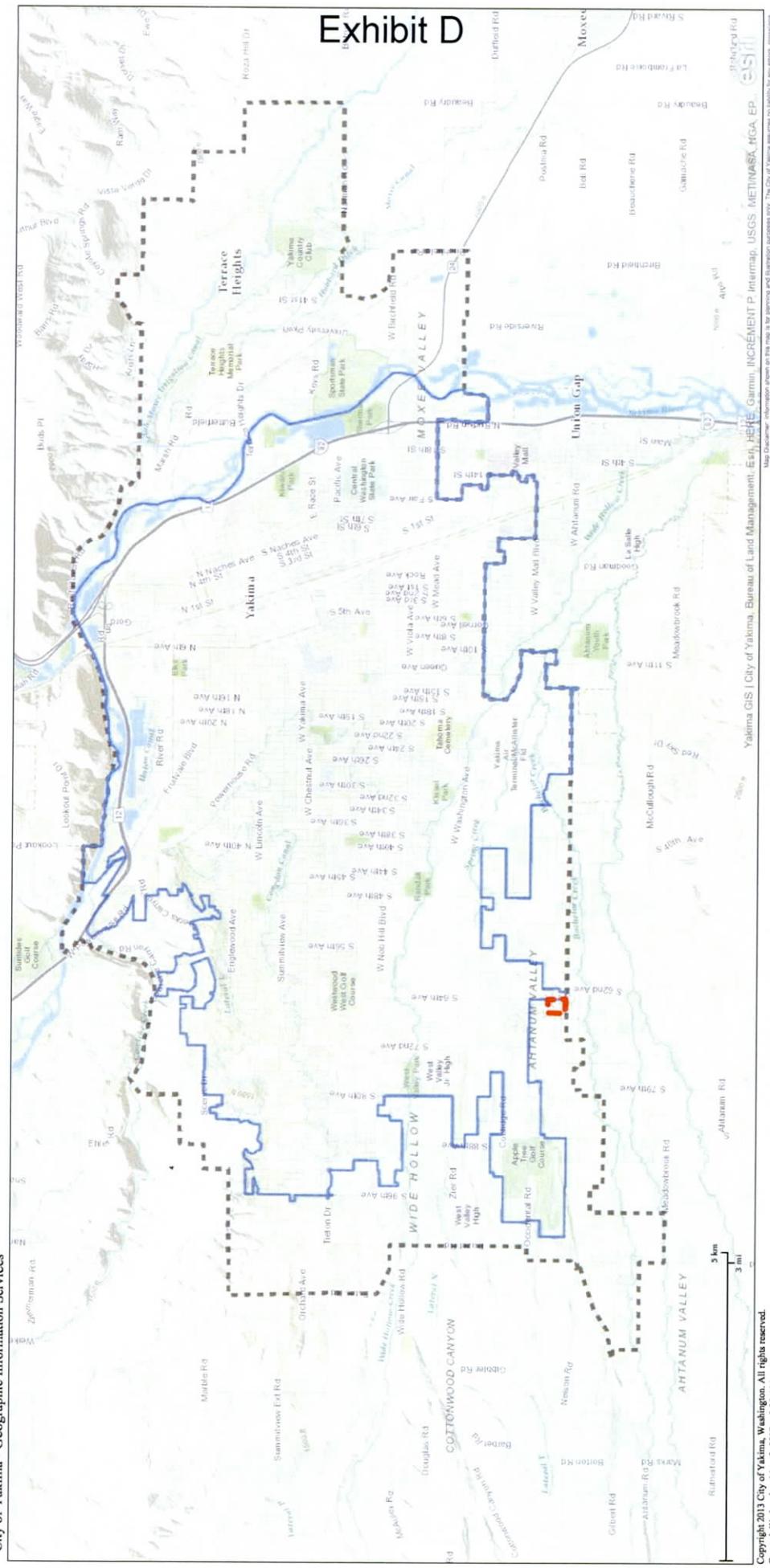
This page is one of a number of identical pages forming one notice intended by the signers of this document to be presented and considered as one notice and may be filed with other pages containing additional signatures which cumulatively may be considered as a single notice.

Dated at Yakima, Washington, this 11<sup>th</sup> day of Apr. 1, 2017.

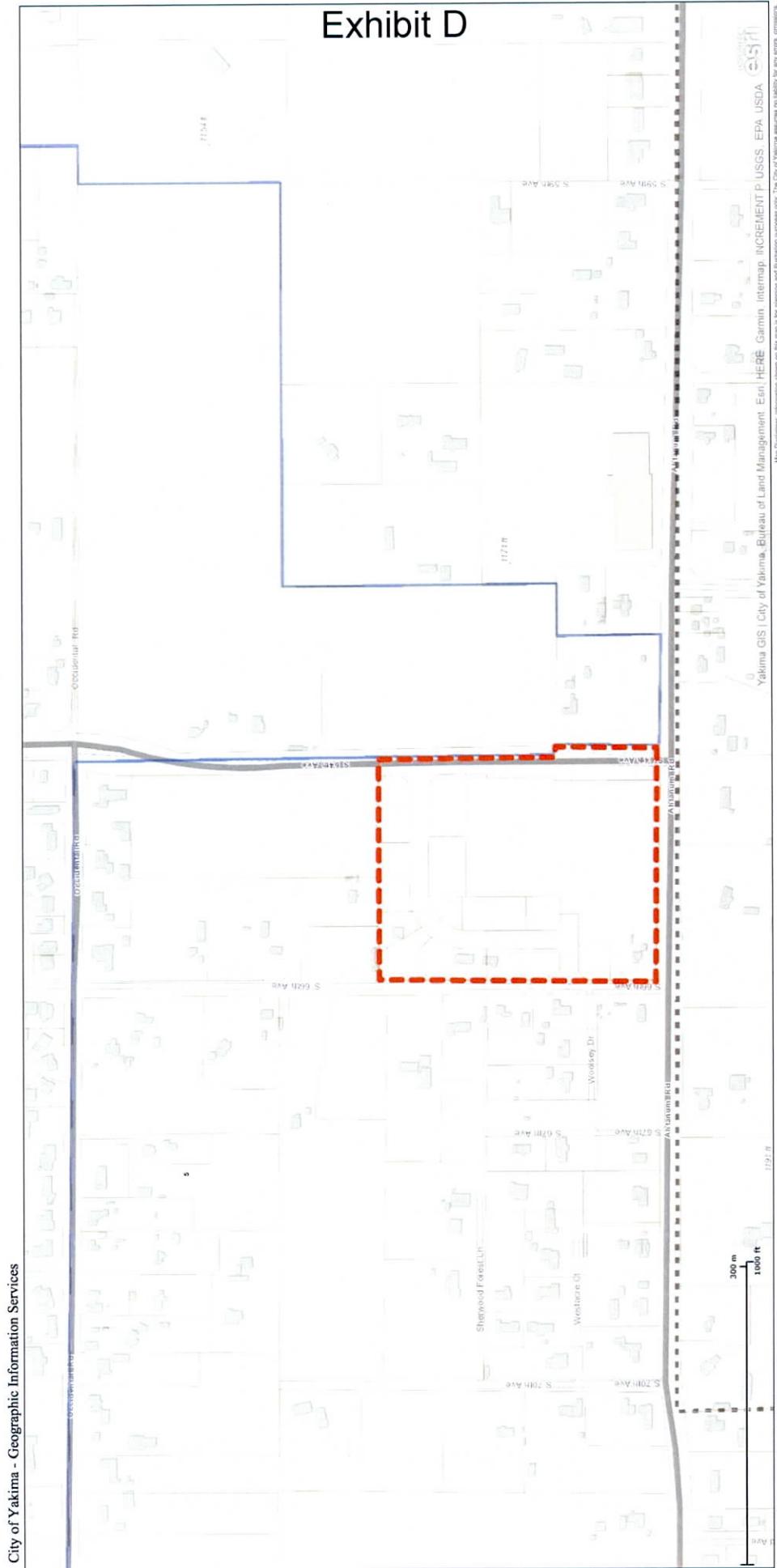
  
D.H. & Assoc.  
DH & ASSOC.

  
D.H. & Assoc.  
Fairway Investments

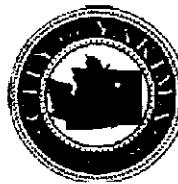
## Exhibit D



## Exhibit D



# Exhibit D



## YAKIMA CITY COUNCIL

May 16, 2017

City Hall – Council Chambers

6 p.m. Business Meeting; 6:30 p.m. Public Hearings – MINUTES

---

### **BUSINESS MEETING**

#### **1. Roll Call**

Council: Mayor Kathy Coffey, presiding, Assistant Mayor Carmen Mendez, Council Members Maureen Adkison, Avina Gutierrez, Dulce Gutierrez and Bill Lover

Staff: City Manager Moore, City Attorney Cutter and City Clerk Claar Tee

Absent: Council Member Holly Cousens (excused)

#### **2. Pledge of Allegiance**

Mayor Coffey led the Pledge of Allegiance.

#### **3. Interpreter Services**

Mayor Coffey introduced Jorge Villasenor who announced interpreter services are available.

#### **4. Open Discussion for the Good of the Order**

##### **A. Proclamations**

###### **i. Yakima Hispanic Academic Achievers Program (HAAP) day**

Assistant Mayor Mendez proclaimed May 26, 2017, as "Hispanic Academic Achievers Program Day." Andy Torres, President of Hispanic Academic Achievers Program, accepted the proclamation.

###### **ii. Police Week Proclamation**

Mayor Coffey proclaimed May 14-20, 2017, as Police Week and May 15, 2017, as Law Enforcement Memorial Day. Chief Rizzi accepted the proclamation.

###### **iii. Missing and Unidentified Persons Awareness month**

Council Member Adkison proclaimed May 2017 as " Missing and Unidentified Persons Awareness Month" and Jennifer Kramer-Paul accepted the proclamation.

##### **B. Presentations / Recognitions / Introductions**

###### **i. Recognition of Wastewater employees Rich Hunt and Greg Lemke**

## Exhibit D

Public Works Director Schafer and Wastewater Treatment Plant Manager Price recognized Rich Hunt and Greg Lemke for helping victims at an accident scene. Mayor Coffey presented them with a City award.

### 5. Council Reports

A. Neighborhood and Community Building Committee recommendation regarding contract with WSU Metro Center to analyze the City of Yakima Equity Study

Council Member D. Gutierrez briefed Council on the potential contract with WSU Metro Center to analyze the City of Yakima Equity Study.

**MOTION:** Lover moved and Adkison seconded *to discontinue negotiations with WSU and direct the City Manager to form an internal ad hoc committee to analyze the equity study for use with distribution of funds, services, and improvements and upon completion deliver the analysis to the City Council for review and acceptance.* The motion failed by a 4-2 vote, with Coffey, A. Gutierrez, D. Gutierrez and Mendez voting no, Cousens absent.

Council Member Lover shared his thoughts that there may be stipulations and staff would be writing the budget. Council Member D. Gutierrez raised a point of order and stated Council should refrain from making disparaging comments towards staff. Mayor Coffey stated the point is well taken. After Council discussion,

**MOTION:** D. Gutierrez moved and Mendez seconded *to have a study session on Tuesday, June 6, 2017, on the equity study for the City of Yakima.* The motion carried by unanimous vote, Cousens absent.

### 6. Consent Agenda

Mayor Coffey referred to the items placed on the Consent Agenda, questioning whether there were any additions or deletions from Council members or citizens present. There were no changes. The City Clerk read the Consent Agenda items, including resolutions and ordinances, by title. (Items on the Consent Agenda are handled under one motion without further discussion—see motion directly below.)

**MOTION:** Mendez moved and Adkison seconded *to approve the consent agenda.* The motion carried by unanimous vote, Cousens absent.

A. Approval of the minutes from the April 18 and May 2, 2017, City Council Business meetings, April 25, 2017, City Council Study Session and April 20, 2017, City Council Retreat

B. Approve payment of disbursements for the period April 1 – 30, 2017

C. Set date of June 6, 2017, for a closed record public hearing to consider the Yakima Planning Commission's recommendation regarding the preliminary plat of Apple Tree Development - Phase 4 in the vicinity of Occidental Road & South 86th Avenue

D. Set June 6, 2017, as the date for a public hearing to review the Yakima Planning

## Exhibit D

Commission's recommendation adopting the Yakima Urban Area Comprehensive Plan 2040 and the Yakima Urban Area Transportation Plan 2040

- E. Resolution setting public hearings on June 6 and June 20, 2017, to review and adopt the Six-year Transportation Improvement Program and amend the Capital Facilities Element of the Yakima Urban Area Comprehensive Plan for the period of 2018 to 2023

**RESOLUTION NO. R-2017-055, A RESOLUTION** setting the times and place for hearings on June 6, 2017 and June 20, 2017 in the City of Yakima Council Chambers to review and adopt the Six-year Transportation Improvement Program and amend the Capital Facilities Element of the Yakima Urban Area Comprehensive Plan for the period of 2018 to 2023.

- F. Resolution authorizing an addendum to the agreement with the United States Department of Justice, Drug Enforcement Administration, and the Yakima Police Department

**RESOLUTION NO. R-2017-056, RESOLUTION** authorizing an addendum to the agreement between the United States Department of Justice, Drug Enforcement Administration, and the Yakima Police Department.

- G. Resolution authorizing addendum no. 3 to the existing agreement with Golder Associates, Inc. for \$16,670 to complete Modeling efforts for the Naches River that meet WSDOT requests as well as other agency requests during the permit process

**RESOLUTION NO. R-2017-057, A RESOLUTION** authorizing execution of addendum 3 to the engineering and consulting services agreement with Golder Associates, Inc. for \$16,670 to complete Modeling efforts for the Naches River that meet WSDOT requests as well as other agency requests during the permit process.

- H. Resolution authorizing a settlement agreement to resolve and settle the damage claim brought by Dayle and Paulette Champ

**RESOLUTION NO. R-2017-058, A RESOLUTION** authorizing a settlement entered into by the City of Yakima to resolve and settle the damage claim brought by Dayle and Paulette Champ.

- I. Resolution authorizing a project review reimbursable agreement, in an amount not to exceed \$31,250, with the Washington State Department of Transportation (WSDOT) to have their Visual Engineering Resource Group create videos displaying what the East-West Corridor will look like after construction

**RESOLUTION NO. R-2017-059, A RESOLUTION** authorizing a Project Review Reimbursable Agreement, in an amount not to exceed \$31,250, with the Washington State Department of Transportation (WSDOT) to have their Visual Engineering Resource Group create videos displaying what the East-West Corridor will look like after construction.

- J. Resolution authorizing a 2017 National Highway System (NHS) Asset

## Exhibit D

Management Program Grant application for a project that would improve North 1<sup>st</sup> Street from 'N' Street to 'H' Street

**RESOLUTION NO. R-2017-060, A RESOLUTION** authorizing a 2017 NHS Asset Management Program Grant application for a project that would improve North 1st Street from 'N' Street to 'H' Street.

7. **Audience Participation**

Tony Sandoval, City resident, spoke in support of Assistant Mayor Mendez. Council Member Lover raised a point of order regarding Mr. Sandoval's comments saying he believed Mr. Sandoval's comments were political and inappropriate. Mayor Coffey stated the point was not well taken.

Cassie Collins, non-resident, suggested Council members would benefit from cultural sensitivity classes and conflict of interest training.

Susan Soto Palmer, City resident, thanked Council for having the recent public safety meeting and would like the Council to reach out and engage youth.

Tony Courcy, City resident, spoke on a variety of issues.

### **PUBLIC HEARINGS**

8. Public Meeting to consider the Notice to Commence the Fairway Annexation in the Vicinity of South 64th Avenue and Ahtanum Road

Planning Manager Calhoun briefed Council on the issue. Mayor Coffey opened the public hearing.

Tom Durant, President of Durant Services Development, representing his client Fairway Investment, spoke in favor of the annexation. Mayor Coffey closed the hearing.

**MOTION: Lover moved and Mendez seconded to accept and begin the annexation process and direct staff to draft the petition and collect the signatures for property owners to begin the annexation review process.** The motion carried by unanimous vote, Cousens absent.

9. Public Hearing and Resolution declaring certain property originally part of Drainage Improvement District #39, later abandoned by Yakima County and ceded to the City, to be surplus to the City needs

Wastewater Treatment Plant Manager Price and Sara Watkins, Senior Assistant City Attorney, briefed Council on the public hearing.

Mayor Coffey opened the public hearing and, with no one coming forward to speak, closed the hearing. The City Clerk read the resolution by title only.

**MOTION: Mendez moved and Adkison seconded to adopt the resolution.** The motion carried by unanimous vote, Cousens absent.

**RESOLUTION NO. R-2017-061, A RESOLUTION** declaring certain property originally part of Drainage Improvement District #39 later abandoned by Yakima County to be

## Exhibit D

surplus to City needs and abandoning all interest to the property owners over which the pipeline extends.

### DEPARTMENT ITEMS

10. Review of 2015 agreement between JEM Development and the City of Yakima for parking lot utilization in the downtown core

Sean Hawkins, Economic Development Manager, briefed Council on the JEM Development agreement. After Council discussion,

**MOTION: A. Gutierrez moved and D. Gutierrez seconded to cancel the agreements and return the lots to private usage.** The motion failed by a 4-2 vote, with Adkison, Coffey, Lover and Mendez voting no, Cousens absent.

**MOTION: Lover moved and Mendez seconded to accept item two—alter the agreement to allow parking in only one parking lot on 4th Street and Staff Sgt. Pendleton Way.** The motion carried by a 5-1 vote, with A. Gutierrez voting no and Cousens absent.

11. Resolution approving supplemental agreement No. 2 with Yakima County, in an amount not to exceed \$1,066,405, intended to apportion the costs of work previously agreed upon in Contract Number 2011-66, relating to road design and development for an East-West Corridor

Chief Engineer Sheffield briefed Council on the project. The City Clerk read the resolution by title only.

**MOTION: D. Gutierrez moved and Mendez seconded to adopt the resolution.** The motion carried by unanimous vote, Cousens absent.

**RESOLUTION NO. R-2017-062, A RESOLUTION** approving Supplemental Interlocal Agreement No. 2 between the City and Yakima County, in an amount not to exceed \$1,066,405, intended to apportion the costs of work previously agreed upon between the City and County in City Contract Number 2011-66, relating to road design and development of the East-West Corridor.

12. Resolution authorizing purchase and sale of real property with Congdon Development Company, LLC for property to be developed by SOZO Sports of Central Washington into a public park and recreation area

City Attorney Jeff Cutter briefed Council on the resolution.

Rody Rodich, City resident, asked if any consideration was given to placing soccer fields on the eastside of town.

City Manager Moore shared the Council will have a study session on May 30th at 10:00 a.m. regarding eastside pool locations. The City Clerk read the resolution by title only.

**MOTION: Adkison moved and Lover seconded to adopt the resolution.** The motion carried by a 5-1 vote, with A. Gutierrez voting no and Cousens absent.

## Exhibit D

**RESOLUTION NO. R-2017-063, A RESOLUTION** authorizing the execution of an Agreement of Purchase and Sale between the City and Congdon Development Company, LLC to accomplish the City's purchase of 32 acres of Congdon property to complete the agreement with SOZO Sports of Central Washington to provide additional property supportive to the SOZO soccer complex and the public, all as set forth in the proposed Agreement between SOZO Sports of Central Washington and the City.

13. Resolution authorizing an agreement for design services for Yakima Business Incubator and Public Market

Sean Hawkins, Economic Development Manager, briefed Council on the project. Mayor Coffey noted although Council Member Cousens is absent, she had prepared a statement for the City Clerk to read on her behalf. City Clerk Claar Tee read Ms. Cousens' statement of support for the resolution.

The City Clerk read the resolution by title only.

**MOTION: Adkison moved and Mendez seconded to adopt the resolution.** The motion carried by a 4-2 vote, with D. Gutierrez and A. Gutierrez voting no, Cousens absent.

**RESOLUTION NO. R-2017-064, A RESOLUTION** authorizing an agreement for design services for Yakima Business Incubator and Public Market.

14. Resolution authorizing an amendment to interagency agreement with the Washington Department of Enterprise Services for Project Management Services on the Citywide LED Streetlight Upgrade Project

Scott Schafer, Public Works Director, briefed Council on the project.

Rob Leaming, non-resident, shared his concerns about the cost for this project. Streets and Traffic Operations Manager Rosenlund discussed the costs associated with the project.

The City Clerk read the resolution by title only.

**MOTION: D. Gutierrez moved and Mendez seconded to adopt the resolution.** The motion carried by unanimous vote, Cousens absent.

**RESOLUTION NO. R-2017-065, A RESOLUTION** authorizing an Amendment to the Interagency Agreement K1411, (Resolution No. R-2013-047) with the Department of Enterprise Services, not to exceed \$60,000, for project management services on the Citywide Streetlight Upgrade project.

15. Ordinance authorizing the execution of a financing contract with the Office of the State Treasurer and other related documentation relating to the Street Lighting Energy Project

Tara Lewis, Interim Director of Finance and Budget, briefed Council on the ordinance. The City Clerk read the ordinance by title only.

**MOTION: D. Gutierrez moved and Mendez seconded to pass the ordinance.** The motion carried by unanimous vote, Cousens absent.

## Exhibit D

**ORDINANCE NO. 2017-016, AN ORDINANCE** authorizing the acquisition of personal property and execution of a financing contract and related documentation relating to the acquisition of said PERSONAL PROPERTY.

### **CITY MANAGER UPDATE**

**16. Public Safety update**

Chief Rizzi briefed Council on the Yakima Police Department's efforts to curb gang violence including working with the FBI, DEA and Homeland Security.

**17. Other Business**

Council Member Lover shared his concerns about the Bins of Light art project possibly being installed backwards. Mayor Coffey added she is also discouraged with the appearance. It was Council consensus to have a report on the progression of the project.

Assistant Mayor Mendez asked if it is Council policy to allow Council members to have statements read at Council meetings they are not attending. Council Member Adkison noted she has done this in the past.

**18. Adjournment**

**MOTION: Mendez moved and D. Gutierrez seconded to adjourn to a Council Study Session on May 30, 2017, at 10 a.m. in the Council Chambers at City Hall.** The motion carried by unanimous vote, Cousens absent. The meeting adjourned at 8:13 p.m.

### **CERTIFICATION**

READ AND CERTIFIED ACCURATE BY

---

COUNCIL MEMBER

DATE

---

COUNCIL MEMBER

DATE

ATTEST:

---

CITY CLERK

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MAYOR

## Exhibit D

### ORDINANCE NO. 2017-036

**AN ORDINANCE** annexing the Fairway Annexation area to the City of Yakima, contingent on Boundary Review Board approval.

**WHEREAS**, on April 13, 2017, the owners of not less than ten percent (10%) of the acreage in property within the proposed Fairway Annexation submitted a Notice of Intent to Commence Annexation, pursuant to the direct petition method form of annexation found in RCW 35.13.125 through RCW 35.13.170; and

**WHEREAS**, on May 16, 2017, the City Council, at an open public meeting, accepted the Notice of Intent to Commence Annexation and directed staff to draft the petition and collect signatures from property owners; and

**WHEREAS**, following acceptance of the Notice of Intent, Petition number 17-07, was drafted and circulated for signature; and

**WHEREAS**, the proponents presented the City with petitions reflecting the signatures of parties who own more than 60% of the acreage in the proposed Fairway Annexation area, and on July 24 2017 the Yakima County Assessor issued a Determination of Sufficiency which identifies that the owners of not less than 60% of the assessed value of the property signed the petition, consistent with RCW 35.13.130 and 35.21.005; and

**WHEREAS**, the Fairway Annexation area is approximately 14.26 acres of unincorporated Yakima County, contiguous to and generally located west of South 64<sup>th</sup> Avenue and North of Ahtanum Road, but does not include South 66<sup>th</sup> Avenue nor Ahtanum Road Rights-of-Way; and

**WHEREAS**, garbage and refuse collection within the Fairway Annexation area is presently capable of being served by Yakima Waste Systems, Inc., under authority issued by the Washington Utilities and Transportation Commission (WUTC) to both residential and commercial accounts and the City desires to provide such services to residential accounts only in accordance with RCW 35.13.280; and

**WHEREAS**, RCW 35.13.280 requires the City to grant Yakima Waste Systems, Inc., as the current WUTC-authorized provider of garbage and refuse collection and disposal service within the Fairway Annexation area, a franchise to continue such service to residential properties within the Fairway Annexation area for a term of not less than seven years after annexation becomes effective, such franchise does not apply to garbage and refuse generated by commercial establishments because the City does not provide or contract for such service.

**WHEREAS**, pursuant to due and legal notice, the City Council held a public hearing on said annexation on December 12, 2017 and;

**WHEREAS**, the City Council has been fully advised and finds that all statutory requirements have been satisfied in order and accomplish the proposed annexation, and that it is in the best interest of the City and its residents to annex said property; **NOW, THEREFORE,**

# Exhibit D

## BE IT ORDAINED BY THE CITY OF YAKIMA:

### Section 1. Findings

1. The annexation petition requirements of RCW 35.13.120 have been satisfied by annexation petitions signed by not less than 60% in value according to the assessed valuation for general taxation of the Fairway Annexation area.
2. The Fairway Annexation should be annexed to the City of Yakima.
3. The Fairway Annexation area's Comprehensive Plan Designations of Mixed Residential and Commercial Mixed Use shall be in effect.
4. The City of Yakima shall file a completed Notice of Intention to the Yakima County Boundary Review Board.

**Section 2.** The real property identified on the map attached hereto as Exhibit "A" and legally described in Exhibit "B" attached hereto and incorporated by reference herein, referred to as the "Fairway Annexation," is hereby annexed into the City of Yakima, Washington, pending approval of the Yakima County Boundary Review Board of the proposed annexation as presented to it.

**Section 3.** The Fairway Annexation area's Comprehensive Plan designation shall be Mixed Residential and Commercial Mixed Use, and the zoning shall be Two-Family Residential (R-2) and General Commercial (GC), as outlined in Exhibit "C."

**Section 4.** The next regularly amended Zoning District Map prepared by the City of Yakima shall show the Fairway Annexation area zoned and classified as set forth in Section 3 above.

**Section 5.** The City Clerk is hereby authorized and directed to file, pending approval of the Yakima County Boundary Review Board to the proposal as specifically outlined herein, a certified copy of this ordinance with the Yakima County Auditor and with the Board of County Commissioners of Yakima County, Washington, and to transmit a certified copy of this ordinance to the Washington Utilities and Transportation Commission to notify it of the City's intent to annex and to provide residential refuse collection and disposal service to the Fairway Annexation area.

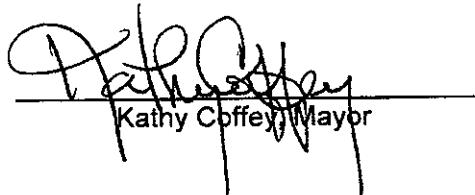
**Section 6.** As required by RCW 35.13.270, the City Clerk is hereby authorized and directed to provide, pending approval of the Yakima County Boundary Review Board, notification by certified mail that includes a list of the Assessor's tax parcel numbers of all properties within the Fairway Annexation area to the Yakima County Treasurer and Assessor at least sixty days before the effective date of the annexation.

**Section 7.** There is hereby granted to Yakima Waste Systems, Inc., in accordance with and for the term provided by RCW 35.13.280, an exclusive franchise to provide garbage and refuse collection and disposal service to residential properties in the Fairway Annexation area for a record of seven years from the effective date of the annexation. Such franchise does not apply to garbage and refuse generated by commercial establishments.

**Section 8.** This ordinance shall be in full force and effect 60 days after consideration and approval of the Yakima County Boundary Review Board, and publication as provided by law and by the City Charter.

## Exhibit D

PASSED BY THE CITY COUNCIL, signed and approved this 12<sup>th</sup> day of December, 2017.



Kathy Coffey, Mayor

ATTEST:



Sonya Claar Tee, City Clerk



SEAL  
WASHINGTON

Publication Date: December 15, 2017

Effective Date: February 13, 2017

Section 6 above is accepted by Franchisee this \_\_\_\_\_ day of

Yakima Waste Systems, Inc.

By: \_\_\_\_\_

Signer's Name Printed: \_\_\_\_\_

Signer's Title: \_\_\_\_\_

# Exhibit D

## EXHIBIT "A"



## Exhibit D

**EXHIBIT "B"**

SUR 7915826 RECEIVED



## Exhibit D

PLAT 7927762

SUB 14-006

## Exhibit D

### EXHIBIT "C"



## Exhibit D

**R-2 and Mixed Residential Parcels:**

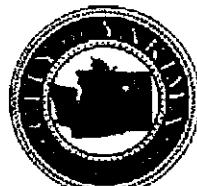
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181205-13426  
181205-13427

**GC and Commercial Mixed Use Parcels:**

181205-13017  
181205-13018  
181205-13019

# Exhibit D

CLOSE



**YAKIMA CITY COUNCIL**

**December 12, 2017**

**City Hall -- Council Chambers**

**2 p.m. Business Meeting; 2:30 p.m. Public Hearings**

---

## **BUSINESS MEETING**

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Interpreter Services**
- 4. Open Discussion for the Good of the Order**
  - A. Proclamations**
    - i. Proclamation and recognition for Council Members Avina Gutierrez, Mar Adkison, and Bill Lover**
    - ii. Homeless Persons Memorial proclamation**
  - B. Appointments to Boards, Commissions and Council Committees**
    - i. Appointment of Luis Lopez to the Planning Commission**  
Item Action: Failed
- 5. Council Reports**
  - A. Presentation of Final Equity Study Assessment from WSU Metro Center**  
Item Action: Approved

## Exhibit D

B. Accept Council Neighborhood & Community Building Committee minutes of October 2017

Item Action: Approved

### 6. Consent Agenda

A. Approval of the minutes from the December 5, 2017, City Council Business meeting and December 7, 2017, Special Meeting

Item Action: Approved

B. Approve payment of disbursements for the period November 1 – 30, 2017

Item Action: Approved

C. Resolution authorizing a facility rental agreement and a professional services agreement for continuing the Community Diversion Program through December 2018

Item Action: Approved

D. Resolution authorizing an Engineering Services Agreement with JUB Engineering, Inc. for Engineering Services to rehabilitate the West General Aviation Apron

Item Action: Approved

E. Resolution authorizing an interlocal agreement to provide building inspection and plan review services for the City of Selah

Item Action: Approved

F. Ordinance amending the 2017 Budget and making appropriations from unappropriated balances for expenditure during 2017 (Second Reading)

Item Action: Approved

### 7. Public Comment

#### **PUBLIC HEARINGS**

8. Public hearing and Ordinance on the Fairway Annexation in the vicinity of S 64th Ave and Ahta Rd.

Item Action: Approved

#### **DEPARTMENT ITEMS**

## Exhibit D

9. Resolution announcing Council Business meeting schedule for 2018  
Item Action: Postponed
10. Ordinance adopting a 2018 Budget for the City of Yakima  
Item Action: Approved

### **CITY MANAGER UPDATE**

11. Naches Parkway Evaluation and Discussion  
Item Action: Approved
12. **Other Business**
13. **Adjournment**

### **CERTIFICATION**

READ AND CERTIFIED ACCURATE BY

---

COUNCIL  
MEMBER

DATE

---

COUNCIL  
MEMBER

DATE

ATTEST:

---

CITY CLERK

---

MAYOR

## Exhibit E

SEPA Environmental Review was not required for this annexation per RCW 43.21C.222:

**Annexation by city or town exempt from chapter.**

Annexation of territory by a city or town is exempted from compliance with this chapter.

# Exhibit F

## **MASTER INTERLOCAL AGREEMENT** **FOR GROWTH MANAGEMENT ACT IMPLEMENTATION** **IN YAKIMA COUNTY**

### **TABLE OF CONTENTS**

#### **I. PREAMBLE**

A. Purpose .....	1
B. Background .....	2

#### **II. AGREEMENT**

A. Parties to Agreement.....	3
B. Authority .....	3
C. Objectives.....	3
D. Cooperative Planning System .....	4
E. Planning Implementation .....	5
F. Infrastructure Services and Level of Service .....	8
G. Annexation.....	12
H. Sub-Agreements.....	14
I. General Provisions .....	15

#### **III. SIGNATURES**

#### **I. PREAMBLE**

##### **A. PURPOSE**

The primary purpose of this Agreement is to provide a management structure for growth and development occurring in Urban Growth Areas (UGAs) to ensure that coordinated Growth Management Act (GMA) goals will be met. In areas that are outside of city limits but within the UGA, the County continues to have legal jurisdiction but both the County and respective City have interests. The purpose of UGA designation is to target these areas for urban growth and urban levels of services, and eventual annexation or incorporation. Consequently, the County and cities' must have coordinated visions for urban density land use in these areas with appropriate development standards to assure consistency with the GMA. This Agreement is intended to meet the objectives of the GMA, set out processes for coordination of planning, provide public improvements, and to clarify

## Exhibit F

administrative and development processes for citizens, the Cities and the County.

### **B. BACKGROUND**

Outlined below are statute, regulation, and agreements that provide the framework for this Agreement.

#### **1. Growth Management Act**

The enactment of GMA by the Washington State Legislature in 1990 fundamentally changed the way comprehensive land use planning is carried out in the state. The GMA requires that counties and cities update their comprehensive land use plans consistent with statewide goals and to coordinate their planning efforts with each other.

#### **2. County-wide Planning Policies (CWPPs)**

To assure that this coordination is carried out, the 1991 Legislature passed companion legislation (RCW 36.70A.210) requiring counties and cities to coordinate the development of local comprehensive plans through a set of mutually developed CWPPs.

Following review and recommendation by the Cities, the CWPPs were adopted by the Board of Yakima County Commissioners in June 1993 and updated in 2003. This agreement implements the Yakima County-wide Planning Policies (CWPP) as adopted by Yakima County and its cities.

#### **3. Urban Growth Areas**

The GMA states that urban growth should first be located in areas already characterized by urban growth that have adequate existing public facility and service capacities to serve such development, second in areas already characterized by urban growth that will be served adequately by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources, and third in the remaining portions of the urban growth areas. [RCW 36.70A.110(3)]

Therefore, the CWPPs include specific policies to encourage growth in UGAs and discourage urban growth outside of these areas. Also, these policies strive for development within UGAs in a logical fashion outward from the edge of developed land in conjunction with the provision of infrastructure and urban services.

# Exhibit F

## 4. Provision of Services within UGAs

The GMA recognizes that, in general, the Cities are the units of government most appropriate to provide urban governmental services. RCW 36.70A.110(4). This preference does not preclude provision of services by other providers, but suggests if all factors were equal in an evaluation of potential service, the City is the preferred provider of urban governmental services.

## II. AGREEMENT

### A. PARTIES TO AGREEMENT

This Agreement is entered into individually between Yakima County (hereinafter referred to as the "County") and each of the following municipalities: the Cities of Grandview, Granger, Mabton, Moxee, Selah, Sunnyside, Tieton, Toppenish, Union Gap, Wapato, Yakima and Zillah, the Towns of Harrah and Naches (hereinafter referred to as the "City" or "Cities").

### B. AUTHORITY

This Agreement constitutes an exercise of authority granted to the Cities and the County under Chapter 39.34 RCW, the Interlocal Cooperation Act, and Chapter 36.70A, the Growth Management Act. Copies of this Agreement and any sub-agreements shall be filed by Yakima County with the Yakima County Auditor and the Washington State Department of Commerce.

### C. OBJECTIVES

The objectives of this Agreement are:

1. To implement the provisions of GMA and the CWPPPs, including facilitation of urban growth within UGAs, while maintaining consistency with the County's and City's comprehensive plan.
2. To assure allowable growth and development within UGAs is clearly understood by the Cities, the County, other service providers and citizens in these areas.
3. To assure that the policies and procedures leading to such development are clearly defined.
4. To define responsibility for the provision of urban services and the level of service to be provided.
5. To assure communication among the Cities, the County and citizens as planning, growth, and development decisions are made.

## Exhibit F

6. To use decision-making processes that are consistent with the County's and City's responsibilities, and which consider the long term objectives, plans and development standards of the Cities.
7. To provide for common and joint processes of the Cities and the County to foster overall operational partnership, efficiency, and unified policy and direction.
8. To assure that public participation processes targeting property owners and residents of affected UGAs areas are undertaken as this Agreement is implemented.
9. To encourage economic development with a balanced application of the goals, policies, and strategies of the various comprehensive plans.
10. To establish the protocols and responsibilities for developing and maintaining the common system for data collection and analysis.

### **D. COOPERATIVE PLANNING SYSTEM**

#### **1. UGA Boundaries**

The record of official UGA boundaries designated by the County pursuant to the Growth Management Act shall be maintained as a part of the future land use map in the County's adopted comprehensive plan. Copies of the official UGA boundary shall be provided to the City. Cities shall notify the County of any disparities.

The County adopts UGA boundaries consistent with the provisions of the Growth Management Act, CWPPs, YCC Title 16B.10 and this Agreement.

#### **2. Urban Growth Area Future Land Use Designations**

To ensure consistency between future land use designations and zoning for property within unincorporated urban growth areas not covered by adopted subarea plans, the County will adopt common future land use designations for those properties and zone them accordingly. The plan designations and zoning within these areas will be determined in a coordinated effort between the County and each city as part of the scheduled County-wide UGA updates process, set forth in YCC Title 16B.10 and this Agreement. The County will ensure that land use designations and zoning for property within unincorporated urban growth areas covered under an adopted subarea plan are consistent with the applicable subarea plan.

## Exhibit F

The Cities may provide the County with pre-zoning map(s) during the County-wide UGA update process depicting the City's preferred zoning for the unincorporated portions of their respective UGA. Said pre-zoning shall be consistent with comprehensive plan land use designations. When utilized, the pre-zoning map shall serve as an indication of the City's intentions with respect to land uses in the area upon annexation, and shall be considered by the County when making revisions.

### **E. PLANNING IMPLEMENTATION**

Since UGAs are intended to accommodate urban growth and eventually be part of cities, a mechanism is needed to assure that planning and permitting decisions of the County are generally consistent with the planning objectives and development standards of the Cities.

#### **1. Amending Urban Growth Boundaries**

Urban Growth Areas are intended to implement the planning goals of the Growth Management Act (GMA), CWPPs and the planning and land use objectives of adopted comprehensive plans by encouraging development in urban areas where adequate public facilities and services exist or as documented in each jurisdictions capital facilities plan. To implement the goals of this Agreement, all jurisdictions shall adhere to the following requirements for the review of urban growth areas and amendments to the boundaries:

##### **a. Urban Growth Boundary Amendment Cycle**

Yakima County shall conduct a county-wide UGA review according to the schedules established in YCC Title 16B.10.040 (5), or at a minimum the timeframes established under RCW 36.70A.130.. Cities may request amendments to UGA boundaries outside of the county-wide UGA review schedules listed above under the emergency amendment process allowed under RCW 36.70A.130(2)(b).

Emergency amendment requests must be made in writing to the Board of Yakima County Commissioners and if accepted, the proposed amendment will be evaluated based on the criteria and requirements under YCC 16B.10, this Agreement and the most recent LCA information and population allocations used by the County during the most recent UGA review process.

## Exhibit F

b. Population Allocations

The baseline for the twenty-year County-wide population forecasts shall be based on the State of Washington's Office of Financial Management (OFM) 20-year GMA population projections. The population forecasts will be allocated to the Cities and the unincorporated urban areas by Yakima County, as set forth in YCC 16B.10.040 and the GMA.

c. Buildable Lands Model (BLM)

The BLM allows local jurisdictions to compare anticipated growth against actual development over time to determine if there is enough suitable land inside the UGA to accommodate the growth anticipated during the remaining portion of the 20-year planning period and if jurisdictions are achieving their adopted urban densities inside urban growth areas. This process may be used by Yakima County if determined necessary.

d. Land Capacity Analysis (LCA)

The LCA is to establish an objective approach by which to determine the current supply of land and how much population and development each jurisdiction can expect to accommodate under current zoning and development regulations in the existing incorporated and unincorporated UGAs. Yakima County shall conduct the LCA, using the LCA methodology outlined in the Yakima County Comprehensive Plan Land Use Element, YCC 16B.10.095 (2), the CWPPs and this Agreement.

e. Capital Facilities Planning

Cities must submit an adopted Capital Facilities Plan that includes any capital assets that are needed to accommodate future growth within the proposed or existing urban growth area as part of any UGA update process. To determine what is needed, the levels of service (LOS) standards for transportation facilities must be identified. LOS standards on other capital facilities are strongly encouraged. This should be consistent with the 20-year planning horizon and the densities and distribution of growth identified during the UGA update process. This forecast must include those capital facilities required by RCW 36.70A that are planned to be provided within the planning period, including the general locations and anticipated capacity needed. The lack of an adopted Capital Facilities Plan

## Exhibit F

for any proposed expansion area or areas currently within an urban growth area indicates that the area is not ready for urban growth and that the proposal will be denied or the area will be removed from the UGA.

2. Amending Urban Growth Area Future Land Use Designations and Zoning Districts

a. Future Land Use Designation Amendments

Amendment requests to change future land use designations for properties located within unincorporated urban growth areas will be accepted by the County during the scheduled biennial amendment cycle, set forth in YCC 16B.10. Amendment requests by property owners and/or jurisdictions will be evaluated based on the criteria and requirements under YCC 16B.10 and this Agreement.

Future land use designations and zoning for properties located within unincorporated urban growth areas were developed as part of a coordinated effort between Yakima County and the cities during the county-wide UGA review process. Therefore, if a property owner requests a future land use designation amendment outside of the scheduled five year UGA review process Yakima County will notify the applicable city of the proposed amendment request for their recommendation. The city's recommendation will be forwarded to the Yakima County Planning Commission and to the Board of Yakima County Commissioners for consideration as part of the legislative amendment review process. Amendment requests by property owners and/or jurisdictions outside of a scheduled county-wide UGA review process will be evaluated based on the criteria and requirements under YCC 16B.10, this Agreement and the most recent LCA information and population allocations used by the County during the most recent UGA review process.

Amendments to future land use designation for property located within the unincorporated urban growth area, must refer to the applicable County Future Land Use/Zoning Consistency Table to determine whether the desired plan designation is consistent with the plan designation as shown in the County Future Land Use Consistency Table.

b. Zoning District Amendments

Property owners wishing to rezone land within the unincorporated urban growth area to a different zoning district must show that the

## Exhibit F

rezone is consistent with the applicable County Future Land Use/Zoning Consistency Table. Rezones that are contingent upon legislative approval of a comprehensive plan map amendment, as indicated in Table 19.36-1 shall be considered a major rezone and subject to the procedures and requirements set forth in subsection a. above, YCC 16B.10 and YCC 19.36.

### **F. INFRASTRUCTURE SERVICES AND LEVEL OF SERVICE**

#### **General Provisions for Capital Facilities Planning and Mapping - Consistency with GMA**

In accordance with RCW 36.70A.070(3) and WAC 365-196-415, the Cities and the County will develop Capital Facilities Plans that cover the entire UGA. Cities shall provide the County with a copy of their most current adopted Capital Facilities Plan at least six months prior to any scheduled UGA update process. Maps of City and County utilities and transportation infrastructure not contingent to a Capital Facilities Plan amendment will be provided to the County's GIS's Department when updated, which will maintain the regional GIS database, so as to be accessible to all parties.

Opportunities for focused and targeted public investment, which directs capital improvement expenditures into specific geographic areas to produce "fully-serviced land" for development, will be encouraged. This strategy is intended to maximize the use of limited public funds by coordinating government expenditures and focusing development first in some areas, then in others. Selection of targeted investment corridors will consider and be consistent with regional priorities. Separate sub-agreements or interlocal agreements may be entered into by the affected parties to provide the details for the concepts of particular focused targeted public investment corridors.

The following provisions apply to the review and permitting process for proposed developments in unincorporated portions of Urban Growth Areas:

#### **1. Streets**

##### **a. Responsibility**

Yakima County and cities will be responsible for assuring that all streets within the UGA are constructed concurrently with development and that the impacts generated by the development on the transportation facilities within both the unincorporated and incorporated UGA are properly considered and the appropriate mitigation is required.

## Exhibit F

### b. Design Standards

Yakima County will utilize the provisions of Yakima County Code Title 19 as design standards for urban development of streets, and associated structures, unless otherwise specified in a sub-agreement. It is intended that County design standards will be generally consistent with standards adopted by the City; therefore the County may modify its required design standards when a City identifies the specific standards that may apply and demonstrates that applying the City's development standards are consistent with RCW 36.70A.110(3) and the applicable Capital Facilities Plan.

### c. Level of Service (LOS)

#### Transportation Policy – LOS

The establishment of level of service policies for streets within the urban growth area will be done cooperatively to assure that service level thresholds are agreed upon for all transportation facilities. This effort will be coordinated with the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Organization (RTPO) pursuant to RCW 47.80.023.

#### Performance Evaluation – LOS

The Cities and the County will monitor and review transportation LOS policies and their effect in the urban growth area and make adjustments as mutually agreed upon.

## 2. Water

### a. Responsibility

The Cities are the preferred provider of services within the Urban Growth Areas. Responsibility for the provision of water service by a water purveyor approved by Washington State Department of Health (DOH) will be depicted on a service area map. The service area map will be maintained by the County in the regional GIS database.

Consistent with DOH regulations, the designated water purveyor shall be responsible for planning and development of water service within the 20-year planning horizon to meet the level of service standards for the land uses and populations indicated in the most recent comprehensive plan.

## Exhibit F

b. Financial and Service Policies

- (1) Water Service – It is the intent of all parties to this Agreement to require adequate water service to potential customers within the UGA consistent with the capital facilities plans.
- (2) Costs - The costs of system extension will be as enumerated in the capital facilities plan. This does not preclude programmed extensions undertaken at the initiative of the developer.
- (3) Rates - Water rates are the responsibility of the purveyor.

c. Standards

Design and construction of water systems shall, at a minimum meet DOH regulations and guidelines and the purveyor's standards. The Cities shall submit to the County any specific standards which are to be applied within their respective UGA.

3. Sewer

a. Responsibility

Sewer service is expected to be provided by cities or sewer service providers approved by the Washington State Department of Ecology (DOE) or the United States Department of Environmental Protection Agency (EPA) within boundaries of the Yakama Nation.,

Responsibility for the provision of sewer service will be depicted on a service area map in the regional GIS database maintained by the County in cooperation with the Cities and sewer service providers. Consistent with DOE, DOH and EPA regulations, the designated sewer purveyor shall be responsible for planning and development of sewer service to meet the level of service standards for the land uses and populations indicated in the most recent comprehensive plan within the 20-year planning horizon.

b. Financial and Service Policies

- (1) Sewer Service – It is the intent of all parties to this Agreement to require adequate sewer service to potential

## Exhibit F

customers within the UGA consistent with the capital facilities plans.

(2) Costs - The costs of system extension will be as enumerated in the capital facilities plan. This does not preclude programmed extensions undertaken at the initiative of the provider.

(3) Rates - Sewer rates are the responsibility of the provider.

c. Standards

The minimum design standards for design and construction of sewer facilities shall be those contained in the applicable city, DOE, DOH or EPA statutes and regulations or guidance documents.

4. Stormwater

a. Responsibility

The County will have responsibility for assuring that stormwater generated from development outside City limits will be handled in a manner consistent with standards outlined below.

b. Financial and Service Policies

Design and construction of stormwater collection, retention, conveyance, treatment and disposal systems will be the responsibility of the developer.

It is current County policy to require on-site retention, treatment, and disposal of stormwater. Exceptions to this policy will only be allowed if off-site collection, treatment, and disposal services are available from a municipality, or other entity properly authorized to collect and dispose of such flows.

c. Standards

All stormwater shall be retained and disposed on-site according to processes and design(s) approved by the County unless an agreement with a public entity is in place for conveyance, treatment, and disposal of such flows.

## Exhibit F

### G. ANNEXATION

It is the intent of the parties to promote orderly and contiguous development of the City through annexation

1. Development Contiguous to City Boundaries – Annexation to be Promoted

The County agrees that it will not provide utility services to properties within a city's UGA without the specific approval of the respective City, unless the property is in an existing utility service area of the County. It is the City's responsibility to provide utility service to properties within their respective UGA's within the 20-year planning horizon.

2. Development Review Within Pending Annexation Areas

a. Early Transfer of Authority

It is the intent of the parties to facilitate timely processing of development applications for properties which are included within areas subject to active annexation proceedings. When a Notice of Intent to Commence Annexation has been approved by the City and submitted to the Boundary Review Board, the city may in writing, request from the County transfer of authority to accept and review project permits prior to the effective date of annexation.

b. County Review of Submitted Project Permits

Complete project permit applications submitted to the County prior to the effective date of annexation will be processed and reviewed by the County to the review stage covered by the project permit application fee.

"Review stage" is defined for subdivisions and short subdivisions to include preliminary plat approval, plat construction plan approval, inspection, or final plat processing. "Review stage" for all other land use permit applications includes preliminary approval, construction plan approval, construction inspections and final sign-off, but does not include related building permit applications unless a complete building permit application is submitted to the County prior to the effective date of the annexation.

## Exhibit F

(1) Vesting

Any complete project permit application submitted to the County that has vested under statutory or common law shall be subject to the Yakima County laws and regulations in effect at the time the County deemed the project permit application complete.

(2) Land Use Dedications, Deeds, or Conveyances

Final plats or other dedications of public property will be transmitted to the City for City Council acceptance of dedication of right-of-way or public easements, if dedication occurs after the effective date of annexation. Dedications, deeds, or conveyances will be in the name of the City after the effective date of the annexation and will be forwarded to the City Council for acceptance by the City even if the County is continuing to process the permit application.

(3) Appeals of Land use Permits

The County agrees to be responsible for defending, all permits decisions issued by the county for complete project permit applications submitted prior to annexation.

(4) Permit Renewal or Extension

After the effective date of annexation, any request to renew a building permit or to renew or extend a land use permit issued by the County in the annexation area is to be made to and administered by the City.

(5) Land use Code Enforcement Cases

Any pending land use code enforcement cases in the annexation area will be transferred to the City on the effective date of the annexation. Any further action in those cases will be the responsibility of the City at the City's discretion.

(6) Enforcement of County Conditions

Following the effective date of the annexation, the City agrees to enforce any conditions imposed by the county

## Exhibit F

relating to the issuance of a building or land use permit in an area that has been annexed; to the same extent it enforces its own conditions.

(7) Financial Considerations/Revenue Adjustments and Transfers

If the County intends to upgrade or replace infrastructure in a UGA, and such an investment would result in significant expense or indebtedness, then the County may seek a specific agreement with the other City to address the financial impacts of future annexation. Negotiations will provide for coordinated infrastructure development, appropriate allocation of costs and/or revenue sharing arrangements, and optimal leveraging of local funds to obtain available grants and loans.

(8) Administration of Bonds

Any performance, maintenance or other bond issued by the County to guarantee performance, maintenance or completion of work associated with the issuance of a permit will be administered by the County to completion. Any additional bonding required after annexation occurs will be determined, accepted and administered by the City along with responsibility for enforcement of conditions tied to said bonds. It shall be the City's responsibility to notify the County of the acceptance of said bonds in order for the County to release interest in any bonds the County may still hold.

(9) Records Transfer

The City may copy and/or transfer necessary County records, as appropriate, prior to and following annexation. The City may arrange for off-site duplication of records under appropriate safeguards for the protection of records as approved by the County.

### H. SUB-AGREEMENTS

Sub-agreements that provide additional detail for implementing various aspects of this Agreement are anticipated, provided that the sub-agreements

# Exhibit F

do not conflict with the provisions of this Agreement. Copies of sub-agreements shall be distributed to all parties to this Agreement.

## I. GENERAL PROVISIONS

### 1. Relationship to Existing Laws and Statutes

Except as specifically provided herein, the Cities and the County do not abrogate the decision-making authority vested in them by law. This Agreement in no way modifies or supersedes existing state laws and statutes.

### 2. Oversight

The County-wide Planning Policy Committee, or its successor, shall be designated as responsible for overseeing implementation of this Agreement.

### 3. ILA Noncompliance

The Cities and the County believe this ILA is in the best interests of the public and therefore will fully adhere to this ILA. In the event any party identifies an issue they believe is not consistent with this ILA the following process may be undertaken:

- a. The party shall give written notification within 30 days to the other parties of concern. In addition, the party shall give notice to all non-affected parties of this agreement. The affected parties shall document the nature of the dispute and their respective options for resolution, if the parties are not able to resolve the matter within 10 business days they shall seek mediation through the Dispute Resolution Center.
- b. If the disputing parties are still at an impasse, following mediation they shall seek resolution through the Yakima County Superior Court.
- c. If final resolution results in the need for amendments to the ILA, said amendments shall be processed in accordance with subsection (4) of this Agreement.

The dispute resolution process identified above does not preclude any party with standing from filing an appeal with the Washington State Growth Management Hearing Board or LUPA court if applicable.

## Exhibit F

### 4. Amendments to the ILA

The Cities and the County recognize that amendments to this Agreement may be necessary to clarify the requirements of particular sections or to update the Agreement. Amendments not involving all parties shall be handled as sub-agreements as provided for in Section H, above.

### 5. Amendments to the CWPP

The CWPPs have set a framework for comprehensive planning under GMA, but lack a process for amending the CWPPs and integrating the amendments into the comprehensive planning and implementation process. Since joint and cooperative planning will be accomplished through the provisions of the CWPPs it is important to provide for policy adjustments from time to time. The parties agree to the following process:

- a. Policy amendments shall be consistent with the framework and purpose of the CWPPs.
- b. Amendments require approval by 60% of the jurisdictions representing at least 51% of the County population prior to adoption by the Board of County Commissioners.
- c. The County-wide Planning Policy Committee will consider amendments to the CWPPs annually. The Committee should schedule review of these amendments six months in advance of the process for consideration of annual comprehensive plan changes.
- d. Proposed amendments will be provided to all Committee members at least four weeks prior to consideration by the Committee.
- e. Committee members are not expected to be able to commit their respective jurisdictions, but they are expected to fully represent the balance of concerns and views which may affect their jurisdiction's ability to approve the proposed amendments.
- f. Within 30 days of a decision by the Policy Committee, jurisdictions will be asked to indicate approval by signing the revised document.

## Exhibit F

### 6. The County-wide Planning Policy Committee

The CWPPC shall hold a meeting each year to report on the progress of implementing the CWPPs and this Agreement. This meeting will provide an opportunity for jurisdictions to discuss planning and development related issues and suggest changes to this Agreement as necessary. Each City and the County will be responsible for maintaining its designated member.

### 7. Effective Date and Term of the ILA Agreement

This Agreement shall be effective upon passage by the County and all of the Cities. The term of this Agreement shall be for five years from the effective date hereof and shall automatically be renewed for subsequent five year terms. No later than 180 days before the automatic renewal date, any party may notify the other parties in writing of a desire to revise the Agreement.

### 8. Severability

If any provision of this Agreement or its application to any person or circumstance is held invalid, the remainder of the provisions and/or the application of the provisions to other persons or circumstances shall not be affected.

If any section, subsection, paragraph, sentence, clause or phrase of this Agreement is adjudicated to be invalid, such action shall not affect the validity of the remaining portions of the Agreement.

### III. SIGNATURES

IN WITNESS WHEREOF, this agreement has been executed by each party to this Agreement as evidenced by signature pages affixed to this agreement.

## Exhibit F

# **MASTER INTERLOCAL AGREEMENT** **FOR GROWTH MANAGEMENT ACT IMPLEMENTATION** **IN YAKIMA COUNTY**

### **SIGNATURE PAGE**

The legislative body of the undersigned jurisdiction has authorized execution of the Master Interlocal Agreement for Growth Management Act Implementation in Yakima County.

IN WITNESS WHEREOF

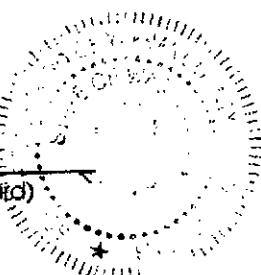
This agreement has been executed by Yakima County  
(Name of City/Town/County)

J. Rand Elliott  
J. Rand Elliott, Chairman  
Board of Yakima County Commissioners

Date: December 29, 2015

Attest:

By: Vivian L. S.  
(City Clerk/Town Clerk/Clerk of the Board)



Approved as to Form:

By: Mark L. Anderson  
(City Attorney/Corporate Counsel)

SEAL:

Page 18 of 18

# Exhibit F

## **MASTER INTERLOCAL AGREEMENT** **FOR GROWTH MANAGEMENT ACT IMPLEMENTATION** **IN YAKIMA COUNTY**

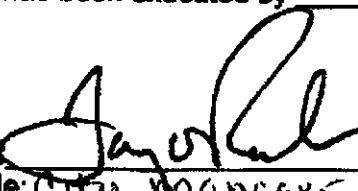
### **SIGNATURE PAGE**

The legislative body of the undersigned jurisdiction has authorized execution of the Master Interlocal Agreement for Growth Management Act Implementation in Yakima County.

#### **IN WITNESS WHEREOF**

This agreement has been executed by

City of Yakima  
(Name of City/Town/County)

By:   
Title: City Manager

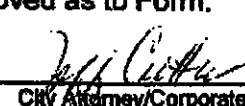
Date: 11/18/15

Attest:

By:   
City Clerk/Town Clerk/Clerk of the Board

CITY CONTRACT NO: 2015-342  
RESOLUTION NO: R-2815-139

Approved as to Form:

By:   
City Attorney/Corporate Counsel

SEAL:

**Exhibit F**  
**BOARD OF YAKIMA COUNTY COMMISSIONERS**

IN THE MATTER OF ADOPTING )  
AMENDMENTS TO THE MASTER )  
INTERLOCAL AGREEMENT FOR )  
GROWTH MANAGEMENT ACT )  
IMPLEMENTATION IN YAKIMA COUNTY )

RESOLUTION 462-2015

**WHEREAS**, growth planning in Yakima County requires the concerted and coordinated efforts of all governmental entities; and,

**WHEREAS**, the Washington State Growth Management Act (RCW 36.70A) requires Yakima County to adopt a county-wide planning policy in cooperation with the cities and towns; and,

**WHEREAS**, in June 1993, and subsequently amended in October 2003, the Board of Yakima County Commissioners adopted the County-wide Planning Policies; and,

**WHEREAS**, in 1999 the Board of Yakima County Commissioners and the legislative authority from each of the fourteen cities and towns adopted the *Master Interlocal Agreement for Growth Management Act Implementation in Yakima County* (ILA); and,

**WHEREAS**, the primary purpose of the ILA is to provide a management structure for growth and development occurring in Urban Growth Areas (UGA) to ensure that coordinated Growth Management Act (GMA) goals will be met; and,

**WHEREAS**, in 2012, the Board of Yakima County Commissioners initiated amendments to the ILA and presented them to the County-wide Planning Policy Committee for review; and,

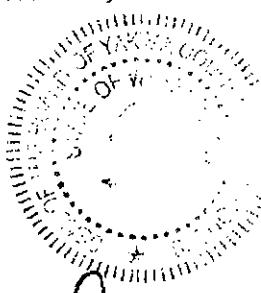
**WHEREAS**, the amendments to the ILA were necessary to ensure proper urban growth area development and coordination between Yakima County and each of the fourteen cities and towns; and,

**WHEREAS**, after careful and deliberate review, Yakima County and each of the fourteen cities and towns have concluded their review of the proposed changes to the ILA; and,

**BE IT HEREBY RESOLVED** by the Board of Yakima County Commissioners that the amendments, set forth in the attached *Master Interlocal Agreement for Growth Management Act Implementation*, and by this reference incorporated herein, is approved; and,

**BE IT FURTHER RESOLVED** that the Chairman is hereby authorized and directed to execute said ILA.

DONE this 29th day of December, 2015



Attest: Tiera L. Girard  
Clerk of the Board

J. Rand Elliott, Chairman

Michael D. Leita, Commissioner

Kevin J. Bouchey, Commissioner  
*Constituting the Board of County Commissioners  
for Yakima County, Washington*