



City of Cashmere

101 Woodring Street
Cashmere, WA 98815
Ph (509) 782-3513 Fax (509) 782-2840
Website www.cityofcashmere.org

CASHMERE CITY COUNCIL MEETING
MONDAY, OCTOBER 10, 2016 6:00 P.M., CITY HALL

AGENDA

CALL TO ORDER

FLAG SALUTE

EXCUSED ABSENCE

ANNOUNCEMENTS & INFORMATION

- September Financial Report is on the website

PUBLIC COMMENT PERIOD (For Items Not on the Agenda)

APPROVAL OF AGENDA

CONSENT AGENDA

1. Minutes of September 26, 2016 Regular Council Meeting
2. Payroll and Claims Packet Dated October 10, 2016
3. Set Public Hearing for October 24th on Revenue Sources and possible increase in property tax
4. Set Public Hearing for November 14th on the Preliminary Budget for 2017
5. Set Public Hearing for November 28th on the Final Budget for 2017

BUSINESS ITEMS

1. Public Hearing on Tanager Lane Annexation
2. Public Hearing on Hensley Annexation
3. Public Hearing on the Cashmere's Comprehensive Transportation Plan
4. Ordinance No. 1253 Providing for the annexation of the Tanager Lane Area property
5. Ordinance No. 1254 Providing for the annexation of the Hensley property
6. 2017 Prosecution Services Agreement
7. Explanation of Mulching Center closure to public

PROGRESS REPORTS

ADJOURNMENT

TO ADDRESS THE COUNCIL, PLEASE BE RECOGNIZED BY THE MAYOR AND STATE YOUR NAME WHEN YOU BEGIN YOUR COMMENTS
Americans with Disabilities Act (ADA) accommodations provided upon request (48-hour notice required)

MINUTES OF THE CASHMERE CITY COUNCIL MEETING
MONDAY, SEPTEMBER 26, 2016 AT CASHMERE CITY HALL

OPENING

Mayor Gomes opened the regular city council meeting at 6:00 p.m. at City Hall. Clerk-Treasurer Kay Jones took minutes.

ATTENDANCE

	<u>Present</u>	<u>Not Present</u>
Mayor:	Jeff Gomes Skip Moore Jim Fletcher Dave Erickson Kameon Smith Derrick Pratt	
Staff:	Kay Jones, Clerk-Treasurer Mark Botello, Dir. of Planning/Building	Chuck Zimmerman, City Attorney

FLAG SALUTE

PROCLAMATION

Mayor Gomes proclaimed October 2-8, 2016 as Public Power Week.

ANNOUNCEMENTS & INFORMATION

Councilor Fletcher updated the council regarding the request to relocate the bus stop on Mission Avenue. Greg Taylor from Liberty Orchards spoke with the Link Board. They are working together on solutions to address congestion and safety. They are discussing a Shelter on Mission Avenue, which would be on City right-of-way, so Link will be contacting the City. Councilor Fletcher stated they are making progress.

Mayor Gomes reported that the invoice for Boulder Park is for hauling off the solids from the wastewater treatment plant. This invoice in the amount of \$4,836.66 is for 16 months of solids. Before the asphalt drying pads were installed the city was paying this amount per month.

Director Botello informed the council that the three public hearings the council set for September 26th have been moved to October 10th in order to meet the timeline requirements for public hearings.

Councilors Pratt and Smith volunteered to be on the School Resource Committee. Councilors Pratt and Smith reported that they met with School Superintendent Glenn Johnson to discuss a full-time School Resource Officer (SRO) and they believe it sounds like a good program.

School Superintendent Johnson explained that Leavenworth and Cashmere have been sharing an SRO. There was grant funding available in previous years that paid for an SRO, those funds no longer exist. There are approximately 1,800 kids and 2,000 staff members in the Cashmere School District. The School District would prefer to have a full-time SRO in Cashmere and is requesting financial help from the City. The Sheriff has informed the School District that the cost of a full-time deputy with benefits is approximately \$100,000. The request is for the City to pay \$26,000, which is a quarter of the cost.

The Committee will gather more information and then the item will be put on a future agenda.

PUBLIC COMMENT PERIOD

Candis Int-hout residing at 103 Meadowsweet presented the Mayor and Council with a letter listing the reasons why the City should not close the Mulching Center and requested the topic be placed on a future agenda for discussion.

APPROVAL OF AGENDA

MOVED by Councilor Erickson and seconded by Councilor Smith to approve the agenda as presented. Motion carried.

CONSENT AGENDA

Minutes of September 12, 2016 Regular Council Meeting

Payroll and Claims Packet Dated September 26, 2016

Claims Check #EFT 08/2016 and #37275 and #37279 through 37313 totaling
\$154,754.63

Manual Checks #37273, #37274, #37276 through #37278

MOVED by Councilor Moore and seconded by Councilor Fletcher to approve the items on the consent agenda. Motion carried.

LINK TRANSIT

Link Manager Richard DeRock gave a presentation on the new program Link launched in January of 2016; a community conversation called ThinkLink, Our Future Our Freedom Our Public Transit. This conversation is intended to bring to the forefront the ideas and suggestions on how link Transit can better serve the residents of Chelan and Douglas Counties. Link has conducted on-line surveys, on-board surveys and open houses in the cities Link serves.

ORDINANCE NO. 1252 AMENDING THE BUDGET FOR 2016

The majority of the budget amendments are regarding project change orders or additions, which the council has previously approved.

MOVED by Councilor Fletcher and seconded by Councilor Erickson to adopt Ordinance No. 1252 amending the budget for 2016. Motion carried.

2017 AGREEMENT FOR EMERGENCY SERVICES

The Emergency Services Agreement is the same agreement as in previous years. \$8,026.00 is the per capita cost for services.

MOVED by Councilor Fletcher and seconded by Councilor Moore to approve the 2017 Agreement for Emergency Services. Motion carried.

FINAL ACCEPTANCE OF THE APLETS WAY PROJECT

MOVED by Councilor Erickson and seconded by Councilor Smith to approve the final acceptance of the Aplets Way project. Motion carried.

PROGRESS REPORTS

Director Botello reported that the Cottage Avenue underwater bridge inspection has been completed and there were no defects. The next underwater inspection will in 5 years.

The Army Corp of Engineers has completed the inspection of trees on the City's levies. The City is in the Flood Control Zone District so the trees on the levies will need to be removed or mitigated.

ADJOURNMENT

Mayor Gomes adjourned the meeting at 7:26 p.m.

Jeff Gomes, Mayor

Attest:

Kay Jones, City Clerk-Treasurer



City of Cashmere

101 Woodring Street

Cashmere, WA 98815

Ph (509) 782-3513 Fax (509) 782-2840

Website www.cityofcashmere.org

NOTICE OF PUBLIC HEARING ON CITY OF CASHMERE REVENUE SOURCES AND POSSIBLE INCREASE IN PROPERTY TAXES

The Cashmere City Council will hold a public hearing on Monday, October 24, 2016 at 6:00 p.m. at the Cashmere City Hall on the City of Cashmere Revenue Sources and possible increase in Property Taxes. The public is invited to attend said hearing and make comment.

Kay Jones
City Clerk-Treasurer
CITY OF CASHMERE

Please publish one time only on October 12, 2016.

The City of Cashmere is an equal opportunity provider and employer.

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue SW, Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202)720-6382 (TDD).



City of Cashmere

101 Woodring Street
Cashmere, WA 98815
Ph (509) 782-3513 Fax (509) 782-2840
Website www.cityofcashmere.org

NOTICE OF PUBLIC HEARING ON CITY OF CASHMERE PRELIMINARY 2017 BUDGET

The Cashmere City Council will hold a public hearing on Monday, November 14, 2016 at 6:00 p.m. at the Cashmere City Hall on the City of Cashmere preliminary 2017 budget. The public is invited to attend said hearing and make comment.

Kay Jones
City Clerk-Treasurer
CITY OF CASHMERE

Please publish one time only on November 2, 2016.

The City of Cashmere is an equal opportunity provider and employer.

To file a complaint of discrimination, write USDA, Director, Office of Civil rights, 1400 Independence Avenue SW, Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202)720-6382 (TDD).



City of Cashmere

101 Woodring Street

Cashmere, WA 98815

Ph (509) 782-3513 Fax (509) 782-2840

Website www.cityofcashmere.org

NOTICE OF PUBLIC HEARING ON CITY OF CASHMERE FINAL 2017 BUDGET

The City of Cashmere preliminary 2017 budget has been filed with the City Clerk-Treasurer. The Cashmere City Council will hold a public hearing on the final 2017 budget for the City of Cashmere on Monday, November 28, 2016, at 6:00 p.m. at the Cashmere City Hall, 101 Woodring Street. Copies of the preliminary budget are available by November 18th at Cashmere City Hall, 101 Woodring Street, between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday. The public is invited to attend said hearing and make comment.

Kay Jones
City Clerk
CITY OF CASHMERE

Publish twice, November 9 and November 16

The City of Cashmere is an equal opportunity provider and employer.

To file a complaint of discrimination, write USDA, Director, Office of Civil rights, 1400 Independence Avenue SW, Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202)720-6382 (TDD).

Staff Summary

Date: October 10, 2016
To: Cashmere City Council
Mayor Gomes
From: Mark Botello
RE: Public hearing on Tanager Lane annexation

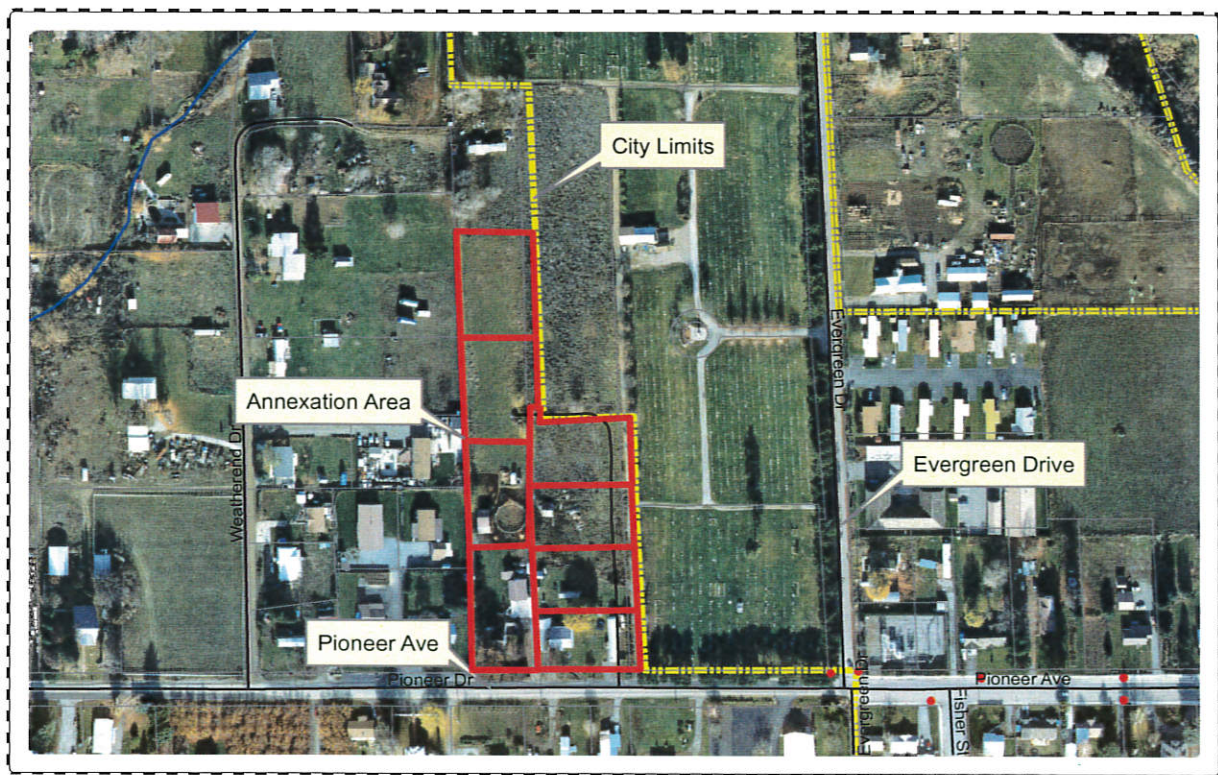
NOTICE OF PUBLIC HEARING ON TANAGER LANE AREA ANNEXATION

Pursuant to RCW 35.13, the Cashmere City Council will hold a public hearing on Monday, October 10, 2016 at 6:00 p.m. at the Cashmere City Hall, 101 Woodring Street on the following petition for annexation into the incorporated City Limits of Cashmere:

The proposed annexation is located at 5770 Pioneer Drive, 5798 Pioneer Ave, 104 Tanager Lane, 112 Tanager Lane, 101 Tanager Lane, 73 Tanager Lane, 51 Tanager Lane and 29 Tanager Lane, Cashmere, WA 98815 also identified by Chelan County Assessor's Parcel Number's 231905240400, 231905240465, 231905240455, 231905240460, 231905240420, 2319055240410, 231905240450 and 231905240430.

Complete legal description and site survey of the proposed annexation and petition are available at Cashmere City Hall for viewing by request.

The public is invited to attend and make comment or send written comments c/o Mark Botello, Director of Planning & Building, City of Cashmere, 101 Woodring Street, Cashmere, WA 98815.



Staff Summary

Date: October 10, 2016
To: Cashmere City Council
Mayor Gomes
From: Mark Botello
RE: Public hearing on Hensley annexation

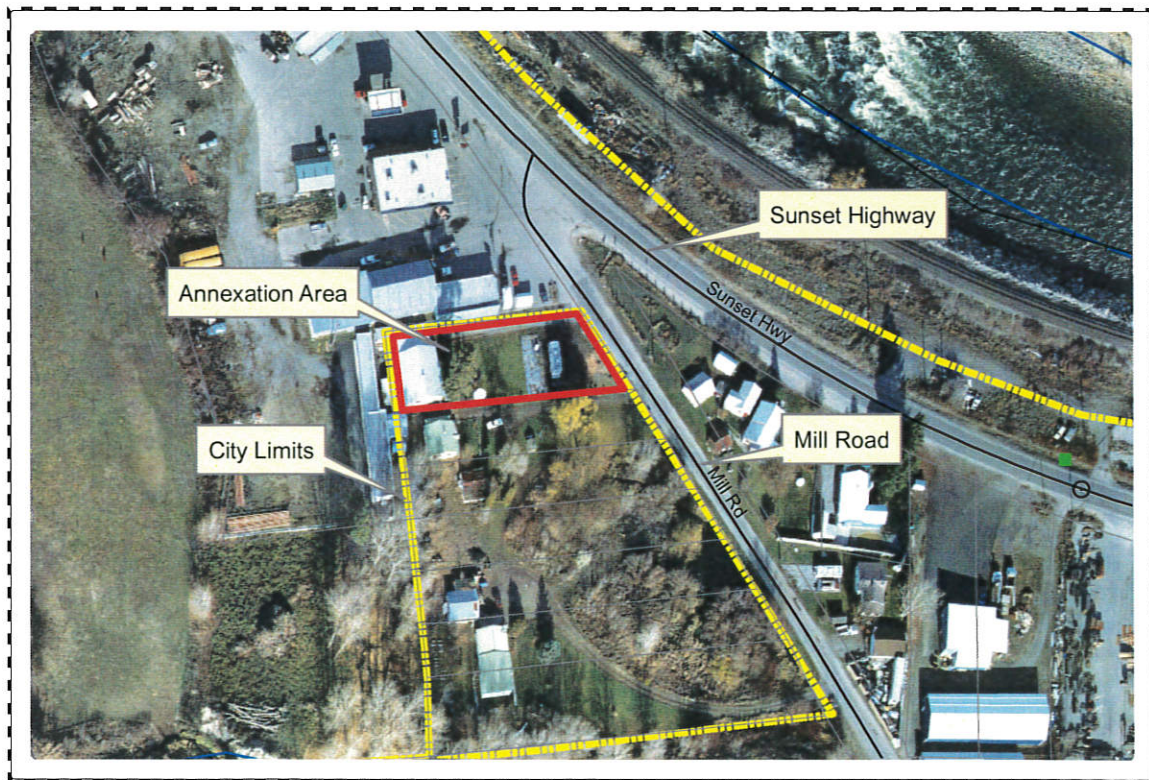
NOTICE OF PUBLIC HEARING ON HENSLEY ANNEXATION

Pursuant to RCW 35.13, the Cashmere City Council will hold a public hearing on Monday, October 10, 2016 at 6:00 p.m. at the Cashmere City Hall, 101 Woodring Street on the following petition for annexation into the incorporated City Limits of Cashmere:

The proposed annexation is located at 5585 Mill Road, Cashmere, WA 98815 also identified by Chelan County Assessor's Parcel Number 23-19-05-924-033.

Complete legal description and site survey of the proposed annexation and petition are available at Cashmere City Hall for viewing by request.

The public is invited to attend and make comment or send written comments c/o Mark Botello, Director of Planning & Building, City of Cashmere, 101 Woodring Street, Cashmere, WA 98815.



Staff Summary

Date: October 10, 2016
To: Cashmere City Council
Mayor Gomes
From: Mark Botello
RE: Public hearing on the Cashmere's Comprehensive Transportation Plan.

NOTICE OF PUBLIC HEARING CITY OF CASHMERE'S COMPREHENSIVE TRANSPORTATION PLAN & DEVELOPMENT REGULATIONS

The Cashmere City Council will hold a public hearing on Monday, October 10, 2016 at 6:00 p.m. at the Cashmere City Hall, 101 Woodring Street on the recommendation from the Cashmere Planning Commission on the proposed adoption of City of Cashmere's Comprehensive Transportation Plan and Development Standards.

This plan includes community characteristics, traffic volumes, transportation network and design standards, applications for variance, storm water management, the transportation improvement program, capital facilities plan, and relationships, reference design specifications and the overall planning process. The Transportation Plan is available for viewing at Cashmere City Hall or by contacting Mark Botello at Mark@Cityofcashmere.org for an electronic copy.

The public is invited to attend and make comment or send written comments c/o Mark Botello, Director of Planning & Building, City of Cashmere, 101 Woodring Street, Cashmere, WA 98815.

Published in the Cashmere Valley Record 9/21/16

Staff Summary

Date: October 10, 2016

To: Cashmere City Council
Mayor Gomes

From: Mark Botello

RE: Ordinance No. 1253 providing for the annexation of the Tanager Lane area property.

Please see attached Ordinance No. 1253 providing for the annexation of the Tanager Lane property area, which is located adjacent to Pioneer Ave. The parcel legal and boundary map are included in the annexation request are shown within Ordinance No. 1253. The City followed the procedures identified with RCW 35A.14 "Annexation by Code Cities", Cashmere Municipal Code and other applicable federal, state and local regulations.

Staff will go over this in more detail at the Monday meeting.

Recommendation:

Staff recommends approval of Ordinance No. 1253 providing for the annexation of the Hensley property.

ORDINANCE NO. 1253

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN REAL PROPERTY COMMONLY KNOWN AS THE TANGER LANE AREA ANNEXATION TO THE CITY PURSUANT TO THE PETITION METHOD, SAID ANNEXATION BEING LEGALLY DESCRIBED AS SET FORTH IN EXHIBIT "A" TO THIS ORDINANCE, AND GENERALLY DEPICTED IN THE SURVEY MAP AS SET FORTH IN EXHIBIT "B" TO THIS ORDINANCE; DESIGNATING THE ZONING OF THE ANNEXATION AREA; APPROVING THE TITLE OF THE ORDINANCE; CONTAINING A SEVERABILITY PROVISION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Petitioners, being the owners as defined in RCW 35A.01.040, of not less than ten percent (10%) in value, according to the assessed valuation of the property for which annexation is petitioned, prior to initiation of the petition, notified the City Council of petitioners' intention to commence annexation proceedings for the area commonly known as the Tanager Lane Area annexation to the City of Cashmere (City); and

WHEREAS, the City Council met with said initiating owner on Monday, August 22, 2016 and determined by Council action that the City would accept the proposed annexation providing that existing City indebtedness shall be assumed by the area to be annexed and further providing that the City's Comprehensive Plan shall be deemed to apply to the area upon such annexation; and

WHEREAS, a sufficient petition for annexation was subsequently filed with the City Council pursuant to RCW 35A.14.120, signed by the owner of not less than 60 percent in value, according to the assessed valuation for general taxation, of the property for which annexation is petitioned, seeking annexation to the City as legally described in Exhibit "A"; and

WHEREAS, pursuant to RCW 35A.14.130, the City fixed Monday, October 10, 2016, at the hour of 6:00 p.m. as the date and time for a public hearing on said proposed annexation and caused notice of such hearing to be published and posted in accordance with the law, and the hearing having been held on that date and all interested parties appearing at said hearing and desiring to be heard in regard to the proposed annexation having been heard by the Council; now therefore,

The City Council of the City of Cashmere, Washington do ordain as follows:

Section 1. Annexation. The real property commonly known as the Tanager Lane Area Annexation in Chelan County, Washington described below, contiguous to the City of Cashmere, Washington, and within the City of Cashmere Urban Growth Boundary, is hereby annexed to and incorporated in the city limits of the City of Cashmere, Washington, on the terms and conditions set forth in this ordinance.

The real property annexed by this ordinance is legally described on the attached Exhibit "A" and generally depicted in the survey map on the attached Exhibit "B" incorporated herein by this reference.

Section 2. Zoning. Zoning of the annexation area shall be Single-Family (SF), the zoning depicted for the annexation in the "Map of the Cashmere Zoning Ordinance". The City Clerk/Treasurer is directed to insert this zoning for the annexation area on the "Map of the Cashmere Zoning Ordinance" when this Ordinance becomes effective.

Section 3. Comprehensive Plan. The annexed real property shall be subject to the Comprehensive Land Use Plan adopted heretofore by the City of Cashmere, Washington. The annexed real property is hereby zoned in accordance with the Comprehensive Plan as Single-Family (SF), as set forth in the City of Comprehensive Plan Land Use Designation Map.

Section 4. Taxation. The annexed real property described herein shall be assessed and taxed at the same rate and on the same basis as other properties in the City of Cashmere, Washington to pay for all or any portion of the outstanding indebtedness of the City of Cashmere, approved by the voters, contracted or incurred prior to or existing at the date of annexation.

Section 5. Summary. The title of this Ordinance is hereby approved as a summary of this Ordinance.

Section 6. Publication. The City Clerk/Treasurer is hereby directed to cause a summary of this Ordinance to be published in a newspaper of general circulation in the City and the City's official newspaper. The City Clerk/Treasurer is further directed to file certified copies of this ordinance with the Board of Commissioners for Chelan County, Chelan County Auditor and Chelan County Assessor.

Section 7. Severability. If any section, sentence clause or phrase of this Ordinance shall be held invalid or unconstitutional by court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence clause or phrase of this ordinance.

Section 8. Effective Date. This ordinance shall take effect and be in full force five (5) days after the ordinance or a summary thereof consisting of the title is published.

Passed by the City Council of the City of Cashmere and approved by the Mayor at a regular open public meeting this 10th day of October, 2016.

CITY OF CASHMERE

By: _____
Jeff Gomes, Mayor

Attest:

Kay Jones, City Clerk-Treasurer

Approved as to form:

By: _____
Charles D. Zimmerman, City Attorney

Passed by the City Council: 10/10/2016
Published in the Cashmere Valley Record: 10/19/2016
Effective date: 10/24/2016
Ordinance No: 1253

Exhibit "A"

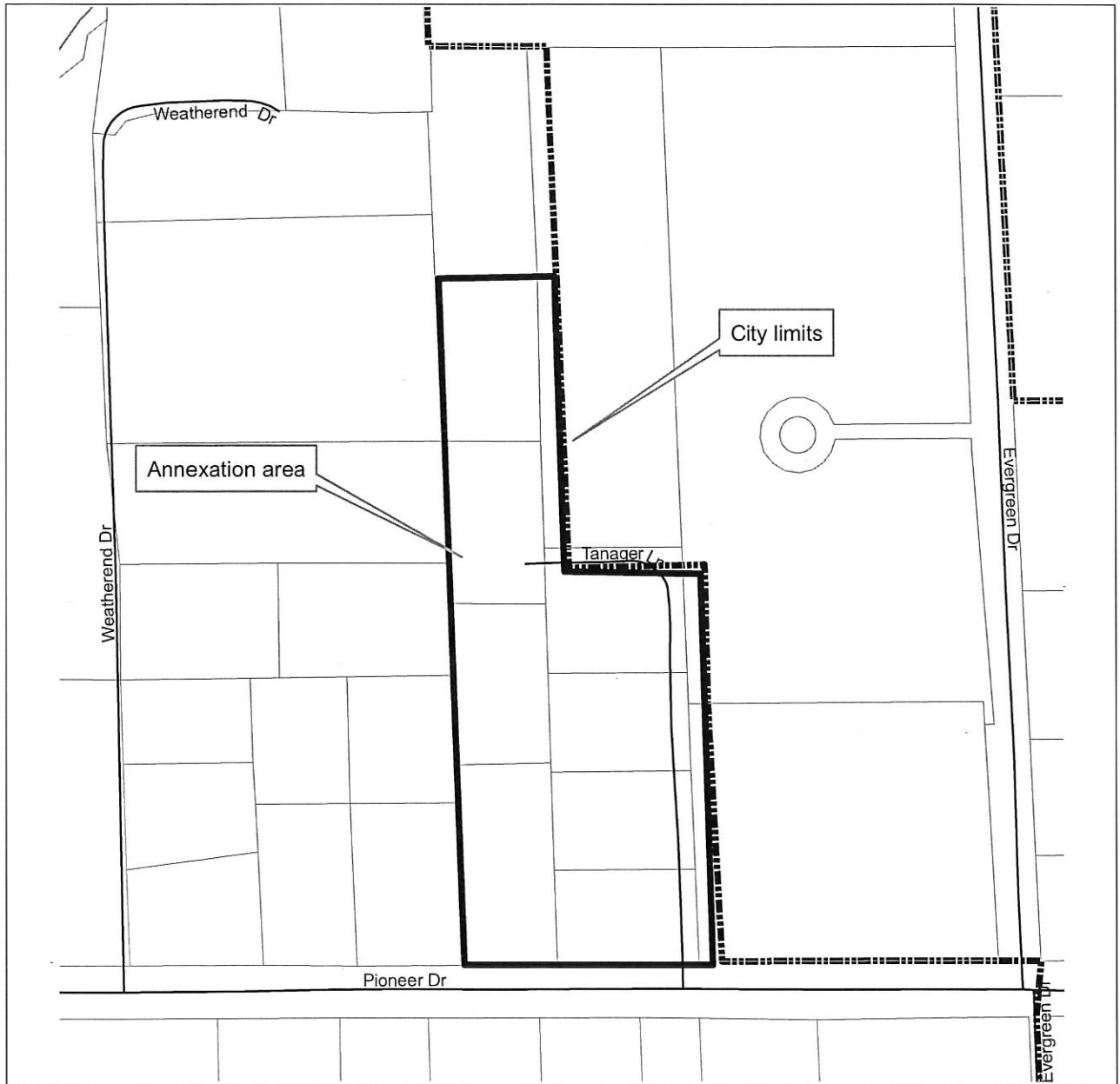
A parcel of land being a portion of the Northwest quarter of Section 5, Township 23 North, Range 19 East of the Willamette Meridian, also known as Chelan County Short Plat No's. 2006-155 and 2006-113 described as follows:

Commencing at the Center of section 5, a 3-1/4" aluminum cap in monument case from which the West 1/4 corner section 5 bears S 89°35'07" W a distance of 2603.62 feet; thence S 89°35'07" W a distance of 348.01; thence N 02°35'17" W a distance of 30.02 feet to the TRUE POINT OF BEGINNING; thence N 02°35'17" W a distance of 445.17 feet; thence S 89°35'07" W a distance of 149.99 feet; thence N 02°35'17" W a distance of 293.13 feet; thence N 89°34'33" W a distance of 104.58 feet; thence S 02°35'07" E a distance of 739.83 feet; thence N 89°35'07" E a distance of 104.52 feet; thence N 89°35'07" E a distance of 149.99 feet to the point of beginning.

Area = 3.30 acres



Exhibit "B"



SUMMARY OF ORDINANCE NO.

of the City of Cashmere, Washington

On the 10th day of October, 2016, the City Council of the City of Cashmere, Washington, passed Ordinance No._____. A summary of the content of said Ordinance, consisting of the title, provides as follows:

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN REAL PROPERTY COMMONLY KNOWN AS THE TANGER LANE AREA ANNEXATION TO THE CITY PURSUANT TO THE PETITION METHOD, SAID ANNEXATION BEING LEGALLY DESCRIBED AS SET FORTH IN EXHIBIT "A" TO THIS ORDINANCE, AND GENERALLY DEPICTED IN THE SURVEY MAP AS SET FORTH IN EXHIBIT "B" TO THIS ORDINANCE; DESIGNATING THE ZONING OF THE ANNEXATION AREA; APPROVING THE TITLE OF THE ORDINANCE; CONTAINING A SEVERABILITY PROVISION; AND PROVIDING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this _____ day of _____, 2016.

Kay Jones, City Clerk-Treasurer

Staff Summary

Date: October 10, 2016

To: Cashmere City Council
Mayor Gomes

From: Mark Botello

RE: Ordinance No. 1254 providing for the annexation of the Hensley property.

Please see attached Ordinance No. 1254 providing for the annexation of the Hensley property, which is located adjacent to Mill Road. The parcel legal and boundary map are included in the annexation request are shown within Ordinance No. 1254. The City followed the procedures identified with RCW 35A.14 "Annexation by Code Cities", Cashmere Municipal Code and other applicable federal, state and local regulations.

Staff will go over this in more detail at the Monday meeting.

Recommendation:

Staff recommends approval of Ordinance No. 1254 providing for the annexation of the Hensley property.

ORDINANCE NO. 1254

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN REAL PROPERTY COMMONLY KNOWN AS THE HENSLEY ANNEXATION TO THE CITY PURSUANT TO THE PETITION METHOD, SAID ANNEXATION BEING LEGALLY DESCRIBED AS SET FORTH IN EXHIBIT "A" TO THIS ORDINANCE, AND GENERALLY DEPICTED IN THE SURVEY MAP AS SET FORTH IN EXHIBIT "B" TO THIS ORDINANCE; DESIGNATING THE ZONING OF THE ANNEXATION AREA; APPROVING THE TITLE OF THE ORDINANCE; CONTAINING A SEVERABILITY PROVISION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Petitioners, being the owners as defined in RCW 35A.01.040, of not less than ten percent (10%) in value, according to the assessed valuation of the property for which annexation is petitioned, prior to initiation of the petition, notified the City Council of petitioners' intention to commence annexation proceedings for the area commonly known as the Hensley annexation to the City of Cashmere (City); and

WHEREAS, the City Council met with said initiating owner on Monday, August 22, 2016 and determined by Council action that the City would accept the proposed annexation providing that existing City indebtedness shall be assumed by the area to be annexed and further providing that the City's Comprehensive Plan shall be deemed to apply to the area upon such annexation; and

WHEREAS, a sufficient petition for annexation was subsequently filed with the City Council pursuant to RCW 35A.14.120, signed by the owner of not less than 60 percent in value, according to the assessed valuation for general taxation, of the property for which annexation is petitioned, seeking annexation to the City as legally described in Exhibit "A"; and

WHEREAS, pursuant to RCW 35A.14.130, the City fixed Monday, October 10, 2016, at the hour of 6:00 p.m. as the date and time for a public hearing on said proposed annexation and caused notice of such hearing to be published and posted in accordance with the law, and the hearing having been held on that date and all interested parties appearing at said hearing and desiring to be heard in regard to the proposed annexation having been heard by the Council; now therefore,

The City Council of the City of Cashmere, Washington do ordain as follows:

Section 1. Annexation. The real property commonly known as the Hensley Annexation in Chelan County, Washington described below, contiguous to the City of Cashmere, Washington, and within the City of Cashmere Urban Growth Boundary, is hereby annexed to and incorporated in the city limits of the City of Cashmere, Washington, on the terms and conditions set forth in this ordinance.

The real property annexed by this ordinance is legally described on the attached Exhibit "A" and generally depicted in the survey map on the attached Exhibit "B" incorporated herein by this reference.

Section 2. Zoning. Zoning of the annexation area shall be Mixed Commercial/Light Industrial (C/LI), the zoning depicted for the annexation in the "Map of the Cashmere Zoning Ordinance". The City Clerk/Treasurer is directed to insert this zoning for the annexation area on the "Map of the Cashmere Zoning Ordinance" when this Ordinance becomes effective.

Section 3. Comprehensive Plan. The annexed real property shall be subject to the Comprehensive Land Use Plan adopted heretofore by the City of Cashmere, Washington. The annexed real property is hereby zoned in accordance with the Comprehensive Plan as Mixed Commercial/Light Industrial (C/LI), as set forth in the City of Comprehensive Plan Land Use Designation Map.

Section 4. Taxation. The annexed real property described herein shall be assessed and taxed at the same rate and on the same basis as other properties in the City of Cashmere, Washington to pay for all or any portion of the outstanding indebtedness of the City of Cashmere, approved by the voters, contracted or incurred prior to or existing at the date of annexation.

Section 5. Summary. The title of this Ordinance is hereby approved as a summary of this Ordinance.

Section 6. Publication. The City Clerk/Treasurer is hereby directed to cause a summary of this Ordinance to be published in a newspaper of general circulation in the City and the City's official newspaper. The City Clerk/Treasurer is further directed to file certified copies of this ordinance with the Board of Commissioners for Chelan County, Chelan County Auditor and Chelan County Assessor.

Section 7. Severability. If any section, sentence clause or phrase of this Ordinance shall be held invalid or unconstitutional by court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence clause or phrase of this ordinance.

Section 8. Effective Date. This ordinance shall take effect and be in full force five (5) days after the ordinance or a summary thereof consisting of the title is published.

Passed by the City Council of the City of Cashmere and approved by the Mayor at a regular open public meeting this 10th day of October, 2016.

CITY OF CASHMERE

By: _____
Jeff Gomes, Mayor

Attest:

Kay Jones, City Clerk-Treasurer

Approved as to form:

By: _____
Charles D. Zimmerman, City Attorney

Passed by the City Council: 10/10/2016
Published in the Cashmere Valley Record: 10/19/2016
Effective date: 10/24/2016
Ordinance No: 1254

Exhibit "A"

A parcel of land being a portion of the Northeast quarter of Section 5, Township 23 North, Range 19 East of the Willamette Meridian, Chelan County, Washington, described as follows:

Commencing at the North 1/4 corner Section 5, a 3" brass cap on 1" iron pipe from which the C-N 1/16 corner section 5 a 5/8" steel rod in monument case bears S 02°32'35" E a distance of 1380.66 feet; thence S 48°13'43" E a distance of 1112.97 feet more or less to a found 5/8" rebar shown on that Record of Survey recorded Book 19 at Page 92, thence S 81°14'46" W a distance of 189.39 feet more or less to an angle point corner said survey; thence S 06°12'23" E a distance of 78.55 feet more or less to an angle point corner said survey; thence N 83°54'27" E a distance of 234.74 feet more or less to the westerly right of way Mill Road; thence northerly along the westerly right of way Mill Road a distance of 98.62 feet more or less to the point of beginning.

Area = 0.41 acres



Exhibit "B"





CHELAN COUNTY PROSECUTING ATTORNEY
DOUGLAS J. SHAE

401 WASHINGTON STREET, 5TH FLOOR – P.O. BOX 2596 – WENATCHEE, WA 98807-2596

MAIN OFFICE/FELONY DIV: (509) 667-6202
 MAIN OFFICE FAX: (509) 667-6490
 DISTRICT COURT DIVISION: (509) 667-6271
 JUVENILE COURT DIVISION: (509) 667-6453
 DIST/JUV DIVISION FAX: (509) 667-6476
 CIVIL DIVISION: (509) 667-6330
 CIVIL DIVISION FAX: (509) 667-6511

JAMES A. HERSHEY – *CHIEF CRIMINAL DEPUTY*

ALLEN F. BLACKMON
 GENE A. PEARCE
 CONOR C. JOHNSON
 LEE O'BRIEN
 ANDREW B. VAN WINKLE
 NICOLE HANKINS
 RYAN S. VALAAS

CIVIL DEPUTIES
 SUSAN E. HINKLE
 LOUIS N. CHERNAK
 APRIL HARE

September 30, 2016

Kay Jones
 Cashmere City Clerk-Treasurer
 101 Woodring Street
 Cashmere, WA 98815

Re: Statistics and Proposed Agreement for 2017 Budget Year
 Prosecution Services for City of Cashmere

Dear Kay:

Enclosed please find the proposed Prosecution Service Agreement for the budget year 2017 between the City of Cashmere and Chelan County. This agreement is based upon the total number of 40 cases which were prosecuted during the 12-month period of September 1, 2015 through August 31, 2016 for misdemeanor crimes occurring within the city limits of Cashmere. Also enclosed for your review is the report we received from the Chelan County Sheriff's Office on which we base our calculations for the contract.

As background, RiverCom's mapping system is used to automatically assign arrests to the various reporting districts within Chelan County whenever a call out is received. The enclosed report from the Sheriff's Office shows, among other things, the name of the defendant, incident number, location of the incident, location of the arrest, the charges, and the date/time of the arrest. All cases listed on this report occurred during the 12-month time period of September 1, 2015 through August 31, 2016.

Kay Jones
Cashmere City Clerk-Treasurer
Re: 2017 Prosecution Service Agreement
September 30, 2016
Page 2

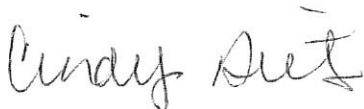
Upon receiving this report from the Sheriff's Office, I search our office's computer case index to determine whether our office was involved in the prosecution of any of the gross misdemeanor and misdemeanor cases listed on the report. All the cases with a "Y" in the right-hand margin are cases we prosecuted for your city, with the total number of cases circled at the top of the report. This total number of cases is what we use to calculate our annual agreements.

For the 2017 budget year, we are asking for a slight increase of \$15.00 per case, in the prosecution fees we request from our contract cities. This results in an increase in prosecution fees from \$210.00 per case to \$225.00 per case. We feel this is not an unreasonable request. Thus, we would ask that you budget the amount of \$9,000.00 (40 cases at \$225 per case) for your 2017 prosecution costs. This will result in an increase of \$390.00 from your 2016 contract.

Please review the enclosed report and proposed agreement and let me know by October 21, 2016, if you have any questions or concerns. Approval of this agreement by your Mayor and City Council would be appreciated. After the agreement has been executed by your Mayor and City Clerk, please return it to me by for presentation to the Chelan County Commissioners. I will provide you a copy of the completed agreement once all signatures have been obtained.

Thank you for your time. If you have any questions or concerns, please don't hesitate to contact me or Doug Shae at 667-6204.

Sincerely,



Cindy Dietz
Legal Administrative Supervisor

Enclosures

1
2
3 PROSECUTION SERVICE AGREEMENT
4

5 THIS AGREEMENT, made and entered into this ____ day of _____, 20__ by
6 and between the County of Chelan, a legal subdivision of the State of Washington, hereinafter
7 referred to as the "County" and the City of Cashmere, a municipal corporation of the State of
8 Washington, hereinafter referred to as the "City".

9 WITNESSETH:

10 WHEREAS, the City is desirous of contracting with the County for the performance of the
11 hereinafter described prosecution services for cases arising within its boundaries by the County
12 of Chelan through the Prosecuting Attorney thereof, and,

13 WHEREAS, the County of Chelan through the Prosecuting Attorney is agreeable to
14 rendering such services on terms and conditions hereinafter set forth, and,

15 WHEREAS, such contracts are authorized and provided for by the provisions of Chapter
16 39.34 RCW;

17 NOW, THEREFORE, it is agreed as follows:

18 1. The County agrees, by and through its Prosecuting Attorney, to provide
19 prosecution services for misdemeanor and gross misdemeanor cases filed in District Court and
20 arising within the corporate limits of the City.

21 Such services shall encompass the duties and functions of the type coming within the
22 jurisdiction of and customarily rendered by the Prosecuting Attorney of the County under the
23 laws of the State of Washington.
24
25

1 2. The rendition of such services, the standards of performance, the discipline of
2 attorneys and other matters incident to the performance of such services and the control of
3 personnel so employed shall remain in the county Prosecuting Attorney.

4 3. The County shall furnish and supply all necessary personnel, supervision,
5 equipment, supplies and support staff necessary to maintain the level of service to be rendered
6 hereunder, and shall pay all salaries and employee benefits and other costs in connection
7 therewith.

8 4. The fee for prosecution services is to be computed at the rate of \$225.00 per case
9 based upon the total cases handled by the Prosecuting Attorney's Office for the City for the last
10 four months of the preceding year and the first eight months of the current year.

11 5. For 2017 prosecution services the City shall pay to the County \$9,000.00 (40 total
12 cases at \$225.00 per case) for said prosecution services to be paid in quarterly installments of
13 \$2,250.00; each installment payable in advance on or before the fifteenth day of each quarter.
14 Said payment shall be credited in full as revenue to the Prosecuting Attorney's Office in the
15 Chelan County budget.

16 6. For purposes of computing case statistics, a case shall be attributed to the City
17 based upon the arresting officer's coding of the citation indicating an offense occurred with the
18 corporate limits of the City.

19 7. Upon the City's failure to make payment within 30 days, Chelan County shall be
20 entitled to include interest at 12% per annum on the unpaid balance.

21 8. All persons employed in the performance of such services and functions pursuant
22 to this Agreement for said City shall be County employees and no City employee, as such, shall
23 be taken over by the said County.
24
25

1 9. The City shall not be liable for compensation or indemnity to any County employee
2 for injury or sickness arising out of his employment, or by reasons of the performance of any of
3 the services provided for herein. The County indemnifies the City against any loss or expense
4 by reason of injury or sickness compensation or indemnity arising out of employment of any
5 County personnel serving the City hereunder.

6 10. Unless sooner terminated as provided for herein, this Agreement shall take effect
7 on the 1st day of January, 2017 and shall terminate on the 31st day of December, 2017.

8 11. Either party may renew this Agreement upon the same terms and conditions for
9 another year upon giving notice in writing of its intention to renew on or before September first of
10 each year, except the consideration under this Agreement shall be negotiable, the renewal shall
11 be effective unless the other party notifies the first party in writing on or before September
12 fifteenth of its refusal to renew.

13 IN WITNESS WHEREOF, the City of Cashmere by Resolution duly appointed by its
14 Council, caused this Agreement to be signed by its Mayor and attested by its Clerk, and the
15 County of Chelan by Resolution of its Board of County Commissioners has caused these
16 present to be subscribed by said Board of County Commissioners and the seal of said Board to
17 be affixed thereto and attested by the Clerk of said Board, all on the day and year first above
18 written.

19
20 CITY OF CASHMERE

21
22 By: _____
 Mayor

23
24 ATTEST: _____
 Clerk

1 BOARD OF CHELAN COUNTY COMMISSIONERS

2

3

4 _____
Keith W. Goehner, Chairman

5

6 _____
Doug England, Commissioner

7

8 _____
Ron Walter, Commissioner

9

10 ATTEST: Carlye Baity

11

12 _____
Clerk of the Board

13 APPROVED:

14

15 _____
Douglas J. Shae
16 Chelan County Prosecuting Attorney

17

18

19

20

21

22

23

24

25