

COMMISSIONERS RECORD 51
FRANKLIN COUNTY
Commissioners' Proceedings for December 5, 2012

This document is a summarized version of the Board of Commissioners proceedings. The minutes are paraphrased, not verbatim. Access to an electronic audio recording of the meeting is available upon request.

The Honorable Board of Franklin County Commissioners met on the above date. Present for the meeting were Brad Peck, Chairman; Rick Miller, Chair Pro Tem; and Robert E. Koch, Member; Fred Bowen, County Administrator; and Mary Withers, Clerk to the Board. Meeting convened at 9:00 am.

OFFICE OF PUBLIC DEFENSE

Eric Hsu met with the Board. Present in audience: Superior Court Administrator Pat Austin, Rich Lahtinen, Jim and Pam Follansbee, Roger Lenk, Yanni Chowriamah, Kathleen Neuman, David McDonald and four other men.

Superior Court public defense contracts

Mr. Hsu told the Board about reasons that modifications to Superior Court public defense contracts are needed. Mr. Hsu told the Board about *Dolan v. King County* case and the new Public Defense Standards. Benton County Commissioners have asked Mr. Hsu to find out if the Franklin County Commissioners would like to use the same contract. The cost is expected to be \$6000 with half of it paid by Benton County and half by Franklin County. Mr. Koch believes we need to share the cost. Mr. Miller agreed.

Motion – Mr. Koch: Mr. Chairman, I move to approve a proposal to share the cost equally with Benton County for modifications to a contract with the anticipated benefit to protect each county equally and with approval for the chairman's signature on the resolution. Second by Mr. Miller. 3:0 vote in favor. Resolution 2012-400 was approved.

AUDITOR

Auditor Matt Beaton and Director of Finance Thomas Westerman met with the Board. Present in audience: Superior Court Administrator Pat Austin, Rich Lahtinen, Jim and Pam Follansbee, Roger Lenk, Yanni Chowriamah, Kathleen Neuman, David McDonald, Robin Stanco, Jeff Burekhard and three other men. Others joined the audience during the meeting including Tri-City Herald Reporter Kristi Pihl, Ryan Verhulp and six other men.

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2013 Budget discussion

Mr. Westerman gave a summary of the 2013 budget and said it is tentatively prepared for adoption next Wednesday. He reviewed some differences between the 2012 budget and the 2013 budget.

Public Hearing: Adoption of 2013 Franklin County Budget (continued from November 21, 2012)

Public Hearing convened at 9:28 am. Present: Commissioners Peck, Miller and Koch; County Administrator Fred Bowen; Auditor Matt Beaton; Director of Finance Thomas Westerman; and Clerk to the Board Mary Withers. Present in audience: Rich Lahtinen, Pat Austin, Jim and Pam Follansbee, Roger Lenk, Steven Schlegel, Yanni Chowriamah, Kathleen Neuman, David McDonald, Robin Stanco, Jeff Burckhard, Kristi Pihl, Ryan Verhulp and eight other men.

Mr. Peck said the Public Hearing will be continued to December 12 for formal adoption. Comments will also be taken today. He asked three times if anyone in the audience would like to comment on the budget. There was no response. Hearing was continued to Wednesday, December 12, 2012.

PUBLIC HEARING: The purpose of the public hearing shall be to review the petition for incorporation of the City of Riverview (Franklin County Auditor's Office number 2012-1) as set forth in RCW 35.02.070. The petition for incorporation, description of proposed boundaries of the territory to be incorporated, and map thereof may be inspected or copied during normal business hours at the Franklin County Auditor's Office located at 1016 North 4th Avenue, Pasco, Washington. (9:30 am)

Present: Commissioners Peck, Miller and Koch; County Administrator Fred Bowen; and Clerk to the Board Mary Withers. At least 29 people were present in the audience including: Rich Lahtinen, Jim and Pam Follansbee, Roger Lenk, Steven Schlegel, Yanni Chowriamah, Kathleen Neuman, David McDonald, Jeff Burckhard, Kristi Pihl, Ryan Verhulp, Ed Thornbrugh, Margo Hines, Matt Beaton, Leland Kerr, David McDonald, Mark Mcfarlan and others. (Sign-in sheet is attached as Exhibit 1.)

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Mr. Peck opened the public hearing for public comment on the petition submitted for incorporation of the City of Riverview, Auditor's Office number 2012-1.

Attorney Leland Kerr as city attorney for the City of Pasco read a letter (Exhibit 2). He requested that the Commissioners find the incorporation petition does not meet the applicable statutory requirements.

Roger Lenk requested continuance of the hearing for up to 60 days to review the number of individuals that still reside within the proposed boundaries of the City of Riverview and review additional areas that may be taken into the boundary.

Steven Schlegel also asked for a continuance.

Mr. Peck asked three times if anyone else wished to comment. There was no response.

Hearing was closed to public comment. Questions from the Board members were answered by Ryan Verhulp, Leland Kerr and Ryan Verhulp. Mr. Peck noted that the efforts of the Board have been to ensure that all residents have an equitable and fair representation of their interest.

Motion – Mr. Koch: Mr. Chairman, I would move to extend this hearing to Wednesday, January 23, 2013. Second by Mr. Miller. 3:0 vote in favor.

PUBLIC WORKS

Kathleen Neuman met with the Board on behalf of County Engineer Matthew Rasmussen.

Bid Opening: CRP 600 Filbert Road #408-0.69 (continued from November 28, 2012)

Bid opening convened at 10:10 am. Present: Commissioners Peck, Miller and Koch; County Administrator Fred Bowen; Kathleen Neuman; and Clerk to the Board Mary Withers. Present in audience: Margo Hines, Rosie Rumsey, Dave Gyll, Rich Lahtinen, Jim and Pam Follansbee, Ed Thornbrugh, Kristi Pihl, and seven other men.

The Engineer's estimate is \$317,000.

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Eleven bids were received:

William Charles West	\$284,637.50
D. L. Edmondson, Inc.	\$278,244.00
Premier Excavation	\$222,680.55
Culbert Construction	\$225,940.30
Granite Construction Company	\$272,821.75
C&E Trenching, LLC	\$300,112.87
Apollo, Inc.	\$232,969.45
S & L Underground, Inc.	\$296,787.00
Halme Construction, Inc.	\$248,443.25
Harry Johnson Plumbing & Excavation, Inc.	\$252,767.00
Johansen Excavating, Inc.	\$337,964.25

The bids will be reviewed with bid award expected on December 12, 2012.

HUMAN RESOURCES

Human Resources Director Rosie H. Rumsey and Conover Insurance representative Dave Guyll met with the Board. Present in audience: Jim and Pam Follansbee, Rich Lahtinen, Margo Hines, Ed Thornbrugh and Kristi Pihl.

Medical Insurance Contracts

Motion – Mr. Koch: Mr. Chairman, I would move for approval of allowing the chairman to sign the application for insurance to Premera. Second by Mr. Miller. 3:0 vote in favor.

OFFICE BUSINESS (10:28 am)

Administrative Assistant Margo Hines met with the Board. Present in audience: Jim and Pam Follansbee, Rich Lahtinen, Ed Thornbrugh and Kristi Pihl.

Vouchers

Motion – Mr. Koch moved for approval of County Road payroll and Motor Vehicle payroll in the bottom line of \$89,444.86, approved by Jeff Burckhard with payroll prepared by Kristina Bahovich. Second by Mr. Miller. Mr. Bowen did not review the payroll vouchers. 3:0 vote in favor. (Exhibit 3)

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<u>Fund</u>	<u>Warrant</u>	<u>Amount</u>
County Road		
Payroll	74959-74978	25,610.84
Direct Deposit		40,369.09
		65,979.93
Benefits	74979-74982	10,831.01
	Total	\$76,810.94
 Motor Vehicle		
Payroll	74983-74997	\$4,960.35
Direct Deposit		5,860.45
		\$10,820.80
Benefits	74998-75001	1,813.12
	Total	\$12,633.92

Grand Total All Payrolls **\$89,444.86**

Motion – Mr. Koch moved for approval of fund expenditures with a bottom line of \$112,941.67.

Second by Mr. Miller. Mr. Bowen did review the vouchers. 3:0 vote in favor. (Exhibit 4)

<u>Fund Expenditures</u>	<u>Warrants</u>		<u>Amount Issued</u>
Current Expense	74870	74892	\$24,690.09
Current Expense	74893	74934	\$48,903.34
Supplemental Preservation Fund	74935	-	\$31.20
TRAC Operations Fund	74936	74955	\$14,116.16
Franklin County RV Facility	74956	74957	\$4,131.67
Current Expense	74958	-	\$3,594.95
Current Expense	75002	75003	\$2,245.12
Courthouse Facilitator Program	75004	-	\$1,199.00
Jail Commissary	75005	-	\$1,383.37
Law Library	75006	75008	\$8,423.54
Ending Homelessness Fund	75009	75011	\$888.00

Total: \$112,941.67

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Consent Agenda

Motion - Mr. Miller: I move for approval of the consent agenda as presented. Second by Mr. Koch.

The Board decided to ask for the contract in item #1 to be a continuous contract that would terminate on notice from either party.

The motion was withdrawn.

Motion – Mr. Miller: Mr. Chairman, I move that we approve the consent agenda absent item #1, approving items 2 through 7. Second by Mr. Koch. 3:0 vote in favor.

(Clerk's Note: Item 1 was removed from the consent agenda.)

1. Approval of Resolution 2012-_____, Amendment No. 1 to Subscriber Agreement between Franklin County and Public Safety Testing, amending the termination date to December 31, 2015
2. Approval of Resolution 2012-401, Second Amendment to Agreement #11/13-SA-SCC-00 between Benton and Franklin Counties Department of Human Services and Somerset Counseling Center, previously approved by Franklin County Resolution 2011-367
3. Approval of Resolution 2012-402, First Amendment to Agreement #CHG-DVSBF-2012 between Benton and Franklin Counties Department of Human Services and Domestic Violence Services of Benton and Franklin Counties, approved by Franklin County Resolution 2012-230
4. Approval of Resolution 2012-403, Second Amendment to Agreement #11/13-SA-NECC-00 between Benton and Franklin Counties Department of Human Services and Nueva Esperanza Counseling Center, approved by Franklin County Resolution 2011-379
5. Approval of Resolution 2012-404, Second Amendment to Agreement #11/13-SA-FSCCS-00 between Benton and Franklin Counties Department of Human Services and First Steps Community Counseling Services, approved by Franklin County Resolution 2011-365
6. Approval of Resolution 2012-405, First Amendment to Professional Services Agreement #PSA-2011-12 Shelter Plus Care-NECC-00 between Nueva Esperanza Counseling Center and Benton and Franklin Counties Department of Human Services, for the reimbursement of expenses of eligible participants in the Shelter Plus Care Program, approved by Franklin County Resolution #2011-378
7. Approval of Resolution 2012-406, First Amendment to Professional Services Agreement #PSA-2011-12 Shelter Plus Care-CFCC-00 between Catholic Family & Child Service of the Tri-Cities and Benton and Franklin Counties Department of Human Services, for the reimbursement of expenses of eligible participants in the Shelter Plus Care Program, approved by Franklin County Resolution #2011-388

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COUNTY ADMINISTRATOR (10:38 am)

County Administrator Fred Bowen met with the Board. Present in audience: Jim and Pam Follansbee, Rich Lahtinen, Ed Thornbrugh, Kristi Pihl and Mike Rio.

Recessed at 10:46 am.

Reconvened at 10:55 am.

COUNTY ADMINISTRATOR (continuing)

Present in audience: Rich Lahtinen and Kristi Pihl.

Setting Tax Levies for 2013 (10:57 am)

Mr. Peck asked that the following items be put on next week's agenda following budget adoption.

Letter to Assessor re: 2013 Road Department Tax Levy
2013 Veteran's Assistance Fund Property Tax Levy

Resolutions setting: 2013 County Road Regular Property Tax Levy
2013 County Current Expense Regular Property Tax Levy

Jail Construction Manager

Mr. Bowen told the Board about two applicants for the jail construction manager job.

Motion – Mr. Koch: Mr. Chairman, I would move for approval of offering Mr. Hueter the position for Clerk of the Works Project Manager for our jail project. Second by Mr. Miller. 3:0 vote in favor.

Mr. Bowen asked for approval to bring Mr. Hueter on board right away. The Board **gave approval.**

ADJOURNMENT

Motion – Mr. Miller: Mr. Chairman, I move that we adjourn at 11:09. Second by Mr. Koch. 3:0 vote in favor.

Adjourned at 11:09 am.

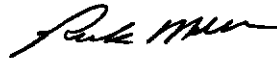
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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until December 12, 2012.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON



Brad Peck, Chairman

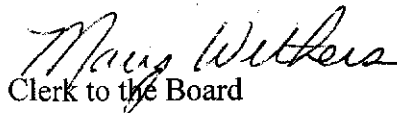


Rick Miller, Chairman Pro Tem



Robert E. Koch, Member

Attest:



Clerk to the Board

Approved and signed December 19, 2012.

Tim Winters	WSU Extension
Doreen Hauser Lindstrom	WSU Extension
Shawn Smit	FOPA

November 28, 2012.

Jerrold MacPherson	Co. Planning
Greg Wendt	" "
Jim Follansbee	Self
Fred Bowen	Co. Admin.
Rich Laitinen	
Michelle Dupler	Tri-City Herald
MATT MAHONEY	F.C.P.W.
Matt Rasmussen	PW
Ed Thornby	BEHNS

December 5, 2012.

Rich Laitinen	
Yanni Ghobrialah (inten)	
Steve Culbert	
Greg Robbins	
Curtis Wray	
Donny Wright	
Johanna Winko	
PAUL FOLLANSBEE	Self
Jim Follansbee	Self
Steven Schlegel	BCFC Sups Court
Jack Austin	Co Admin.
Fred Bowen	
Greg Wray	Self
Robert E. Fox	Co Auditor
Matt Beaton	FC Auditor
Tom Westerman	Auditor
Robin Franco	PUBLIC DEFENSE
ERIC HSV	Auditor
Jeb A. Burchard	FOPA 1 Deputy
Ryan Vorhulp	will run Charles / Bid
Dustin Beck	

Leland Kerr City Attorney for Pasco
 Sid Thornby
 Jan Tomlinson
 Nick Wright
 Don Edmondson
 Rosie Rumsey
 DAVE GUYL
 MARK MACFARLAN
 Kristi Pihl

BROOKS
 PASCO
 Premier Excavator
 P.L. Edmondson
 H.R. FC
 CONOVER INSURANCE
 - PASCO
 Tri-City Herald



CITY MANAGER (509) 545-3404 / Fax (509) 545-3403
P.O. Box 293, (525 North 3rd Avenue) Pasco, Washington 99301 / www.pasco-wa.gov

December 4, 2012

RECEIVED

DEC - 5 2012

Franklin County Commissioners

Board of County Commissioners
Franklin County
1016 N. 4th Avenue
Pasco, WA 99301

RE: Incorporation Hearing

Dear Commissioners:

Please regard this correspondence as a formal statement by the City of Pasco for the record of the public hearing to be conducted by the Franklin County Board of Commissioners on December 5, 2012 regarding a citizen petition to incorporate much of the western portion of the Pasco Urban Growth Area (UGA). Incorporated into this letter by reference, as though recited herein, is the attached June 13, 2012 letter from Pasco Mayor Matt Watkins addressed to the Board of County Commissioners. The referenced letter provides a succinct reminder of the background in the matter embodied by the subject of the current public hearing – the incorporation petition.

We wish to register three significant legal deficiencies associated with the subject incorporation petition. First, the legal description of the proposed city contains two geographically separate islands of presently unincorporated portions of the Pasco UGA. Under RCW 35.02.010, all portions of a city must be “contiguous.” A city must be contained within a single, continuous boundary; it cannot contain geographically separate portions, with two separate boundaries. The subject petition also reflects a legal description which does not “close”; that is, the boundary is not legally continuous, as there are four apparent “breaks” in the described boundary. For both reasons, the subject incorporation petition is invalid.

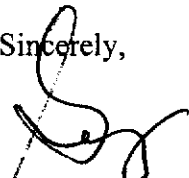
Second, and most importantly, is the fact that the city annexed a substantial portion of the Pasco UGA on October 29, 2012 (copy of Pasco’s Ordinance No. 4077 attached). That ordinance, effective January 1, 2013, will remove approximately 1,500 residents from the geographic area described within the incorporation petition. Pursuant to RCW 35.02.155, the City of Pasco is authorized to act on a petition or resolution proposing the annexation of any portion of the territory included in the incorporation proposal. That section of law further provides that territory ultimately annexed “shall be withdrawn from the incorporation proposal.” Consequently, as provided under RCW 35.02.155, the petition no longer represents a geographic area containing at least 3,000 persons, a requisite element (RCW 35.02.010) for any incorporation petition (within five miles of Pasco) to be placed on a ballot.

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RE: Incorporation Hearing
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Third, withdrawal of Area 2 from the incorporation proposal (as required by RCW 35.02.155), will result in the existence of three smaller but individual islands, none of which are contiguous to another. Again, none of the remaining geographic areas can meet the statutory requirements for "contiguous area" and "three-thousand inhabitants."

In view of the history of this matter, the City of Pasco respectfully requests the Board of County Commissioners find that the proposed incorporation petition, after being reduced in population by virtue of the city's annexation Ordinance No. 4077, does not meet the applicable statutory requirements to be placed on a ballot and, thus, terminate any further consideration of such petition.

Sincerely,



Gary Crutchfield
City Manager

GC/tlz
cc: City Council
attachments



OFFICE OF THE MAYOR (509) 545-3404 / Fax (509) 545-3403

P. O. Box 293, 525 N. 3rd Avenue, Pasco, WA 99301

June 13, 2012

Board of County Commissioners
Franklin County

RE: Incorporation

Dear Commissioners:

There has been much public discussion over the past year about potential annexation of the so called "donut hole." To this is now added the concept of incorporating a new city, completely surrounded by the City of Pasco. As is usual with such issues, misinformation is being shared in the community. This letter is intended to provide the background and some of the facts about the City of Pasco position regarding both of these issues. It is requested that it be read into the record at the June 13, 2012 meeting on potential incorporation to be held at TRAC.

Background:

Most all of the Pasco area west of Road 36 was outside the city until 1982, when the city (with the full support of the Franklin County Commission) annexed "the plateau" (the area above the FCID irrigation canal and west of Road 52). Both the city and county wanted to plan for extension of urban services to accommodate expected development of the new transportation corridor created by the construction of the I-182 freeway.

In the early 1990s, the state adopted the Growth Management Act (GMA), requiring counties to designate "Urban Growth Areas" (UGA) for each city. Because western Pasco was already surrounded by the city, the Board of County Commissioners designated all of it to be within the "Pasco UGA." About the same time, the city was planning extension of water and sewer services to the plateau and, under GMA, needed to plan for services to all of the UGA (including the donut hole). A board of five Franklin County citizens conducted hearings on the city's plans and, after much public discussion (which included the fact that the city would require annexation commitments from those connecting to the city's utility systems), the Franklin County board approved both the UGA and the city's utility plans in 1992.

Since that time, the city has made substantial investments in both its water and sewer systems so it can accommodate future connections in the donut hole area. Its new fire station was located on Road 68 near Argent Road so it would be well-placed to serve the

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donut hole in the future. In addition, a committee largely composed of non-city residents made recommendations for changes in the city's rules so that annexation of the donut hole over time would not present significant conflicts with the general lifestyle enjoyed by residents of that area. The Pasco City Council enacted those changes in the mid-1990s and the city has accommodated annexation of about one-third of the original area (representing more than 1,000 homes and 2,000+ people) since that time.

A law approved by the state legislature in 2009 allows for a city, county and fire district to enter into an agreement to spell out an annexation plan for an Urban Growth Area and permits annexation without requiring commitments from individual property owners. City and Franklin County Fire District #3 officials met in early 2011 and determined there was probability of an appropriate agreement with the District.

Upon invitation by the city, the Franklin County Commission agreed to enter into discussions toward an annexation agreement in September 2011. Suggested provisions of an agreement were provided by the city to Franklin County in October but no revisions or alternative provisions were offered by Franklin County. Through meetings in January and February, Franklin County made it clear it would not entertain discussion of an agreement until a "matrix" was completed to compare the regulatory and cost considerations for affected residents. Once completed (in early May), the matrix clearly reflects:

- No meaningful difference in regulatory matters (except dog control)
- Very similar annualized household costs, and
- Improved service levels (police, fire, garbage, etc.) would result from annexation.

In May, a group of "donut hole" residents advised the Franklin County Commission of its desire to incorporate all of the donut hole (as a new and separate city) rather than be annexed by Pasco. The law explicitly requires an incorporation proposal to have at least 3,000 inhabitants in order to be eligible for a public vote. The same law also explicitly recognizes the potential interest of an adjacent city, by allowing the adjacent city to initiate annexation of any portion of the proposed "new city" area; if such an annexation reduces the population of the new city area below 3,000 inhabitants, the incorporation proposal cannot go forward. In other words, state law forbids creation of a new city of less than 3,000 people adjacent an existing city.

Given the filing of the incorporation effort, coupled with lack of substantive progress in negotiating an interlocal agreement with Franklin County, the City of Pasco has turned its focus to the incorporation effort. Though the concept and costs of a new city clearly have not been thoroughly evaluated by the proponents, the prospect of voter approval based on emotional reaction to a myriad of "annexation myths" is not in the greater public interest. Obvious problems created for Pasco by allowing a city to be formed within its city limits include:

- Perpetuation of gross inefficiencies in Pasco's daily operations (police, utilities, parks, streets and animal control) associated with the requirement to drive through another city to serve portions of Pasco west and north of the donut hole;

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- Potential dead-ending of the city's utility systems (water and sewer) and/or exorbitant franchise fees/onerous conditions required by the new city;
- Relocation of city Fire Station #3 (Road 68 and Argent) so that it is not on the edge of Pasco;
- Continued impact on the city's traffic system without contribution by development in the new city via traffic impact fees;
- Use of Pasco facilities created and maintained at Pasco taxpayer expense without financial participation by residents of the separate city (senior citizens' center, Chiawana Park, etc.).

In short, creation of a new city in the donut hole would result in increasingly higher costs (taxes and fees) to Pasco residents and unavoidable indirect subsidies by Pasco residents and taxpayers. The donut hole, as a separate city, would experience an inadequate tax base (it is virtually all residential) to financially support the most basic of city services. Most new cities struggle financially, even with a commercial tax base; the donut hole would face even more challenging financial hurdles. It is also worth noting that of the 16 cities that have incorporated in the past 30 years, not a single one of these is surrounded by another city.

The City Council is scheduled to consider one or more annexation areas at its meeting of June 18. Given an estimated population of approximately 4,000 within the donut hole, an annexation of somewhat more than 1,000 residents will terminate the incorporation process – thus ending the prospects for adversely impacting Pasco taxpayers; but also putting to rest the idea that having a “city within a city” makes sense for any group of taxpayers.

The City Council may approve an annexation process which will effectively terminate the incorporation effort but still reserve a significant portion of the donut hole to be considered under a renewed process of negotiation for an interlocal annexation agreement as noted earlier. That option, after all, offers the best opportunity for a rational action plan – one which accommodates valid objectives of donut hole residents while respecting the plans and investments already committed by Pasco and Franklin County officials over the past 20 years.

Sincerely,



Matt Watkins
Mayor

cc: City Council
Gary Crutchfield, City Manager

WHEN RECORDED, PLEASE RETURN TO:

City of Pasco
Attn: City Planner
525 N. Third Avenue
Pasco, WA 99301

ORDINANCE NO. 4077

AN ORDINANCE of the City of Pasco, Washington relating to annexation and annexing certain real property to the City of Pasco.

WHEREAS, the City Council of the City of Pasco has declared its intent to annex the following described territory known as Riverview Annexation Area #2 to the City of Pasco pursuant to RCW Chapter 35A.14; and

WHEREAS, a legally sufficient intent to commence annexation proceedings by the petition method of annexation was prepared by City officers and received by the City; and

WHEREAS, the Pasco City Council passed Resolution No. 3407 on June 18, 2012 accepting the proposed territory for annexation, determining that zoning will be established with input from affected property owners and that the annexation area will not require the assumption of existing City bonded indebtedness; and

WHEREAS, the Franklin County Assessor on October 23, 2012 officially certified the sufficiency of the petitions prepared and filed by City officers as representing more than 60% of the assessed value of the Riverview Annexation Area #2; and

WHEREAS, the Riverview Annexation Area #2 is situated within the designated Pasco Urban Growth Area; and

WHEREAS, City of Pasco utilities, police, fire and other services are adequate and available to serve the proposed annexation area; and

WHEREAS, notice of the public hearing on the proposed annexation has been published and posted as required by law; and

WHEREAS, a public hearing on the proposed annexation was held on October 29, 2012; and

WHEREAS, the City Council finds that annexation of Area #2 will improve the efficiency and distribution of necessary municipal services within the City's designated Urban Growth Area, to the benefit of all Pasco residents and taxpayers; **NOW, THEREFORE,**

THE CITY COUNCIL OF THE CITY OF PASCO, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. That the following described area, situated in Franklin County, Washington to-wit, shall be annexed to the City of Pasco:

Beginning at the southwest corner of Lot 4, Lamb Estates, said corner being the TRUE POINT OF BEGINNING; Thence easterly along the south line of Lots 4, 3, 2 and 1 of Lamb Estates to the intersection with the west right-of-way line of Road 62; Thence easterly along the easterly projection of the south line of Lot 1, Lamb Estates to the east right-of-way line of Road 62; Thence northerly along said east right-of-way line to the north line of Lot 8, Sunflower Estates; Thence easterly along the north line of said Lot 8 to the intersection with the west right-of-way line of Road 60; Thence easterly along the easterly projection of the north line of said Lot 8 to the intersection with the east right-of-way line of Road 60; Thence southerly along the east right-of-way line of Road 60 to the intersection with the north right-of-way line of Sylvester Street; Thence easterly along the north right-of-way line of Sylvester Street to the intersection with the east right-of-way line of Road 52; Thence northerly along the east right-of-way line of Road 52 to the intersection with the easterly projection of the south right-of-way line of West Agate Street; Thence westerly along the easterly projection of the south right-of-way line of West Agate Street to west right-of-way line of Road 52; Thence westerly along the south right-of-way line of West Agate Street to the northwest corner of Lot 7, Farrell Addition said northwest corner being on the east line of the west half of the southeast quarter of the southeast quarter of Section 22, Township 9, North, Range 29 East W.M.; Thence northerly along the east line of west half of the southeast quarter of the southeast quarter of Section 22, Township 9, North, Range 29 East W.M to the intersection with the northeast corner of Lot 4, Bales Place; Thence westerly along the north line of Lots, 4, 3, 2, and 1 of Bales Place to the intersection with the east right-of-way line of Road 56; Thence northerly along the east right-of-way line of Road 56 to the intersection with the easterly projection of the north line of Lot 1, Block 2, Jensen Estates; Thence westerly along the easterly projection of the north line of said Lot 1 to the intersection with the west right-of-way line of Road 56; Thence northerly along the west right-of-way line of Road 56 to the intersection with the easterly projection of the south line of Lot 13, Park Knoll Subdivision ; Thence easterly along the easterly projection of said Lot 13, to the point on the north right-of-way line of West Wernett Road said point being 89.71 feet west of the southeast corner of Lot 40, Park Knoll Subdivision; Thence easterly along the north right-of-way line of West Wernett Road to the intersection with a point on the north right-of-way line of West Wernett Road said

point being 101.28 feet east of the southwest corner of Lot 1, Diamond Ridge; Thence along a 25 foot radius to the left having an arc distance of 38.81 feet and a central angle of 88 degrees, 57 minutes, and 2 seconds to a point on the west right-of-way line of Road 52 said point being 174.49 feet south of the northeast corner of said Lot 1; Thence northerly along the west right-of-way line of Road 52 to a point on said right-of-way being 245.23 feet north of the southeast corner of Lot 2, Short Plat 2008-13; Thence along a 25 foot radius to the left having an arc distance of 39.75 feet and a central angle of 91 degrees, 05 minutes and 31 seconds to a point on the south right-of-way line of Richardson Road, said point being 155.12 feet east of the northwest corner of Lot 2, Short Plat 2008-13; Thence westerly along the south right-of-way line of Richardson Road to a point 223.49 feet west of the northeast corner of Lot 9, Diamond Ridge; Thence north to the north right-of-way line of Richardson Road; Thence westerly along the north right-of-way line of Richardson Road to the intersection with the southerly projection of Lot 7, Riverhills Addition; Thence northerly along the southerly projection of said Lot 7, to the southeast corner of said Lot 7; Thence northerly along the east line of said Lot 7, and northerly along the east line of Lot 5, Riverhills Addition to the south right-of-way line of West Livingston Road; Thence northerly along the northerly projection of the east line of said Lot 5, to a point on the north right-of-way line of West Livingston Road, said point being the southeast corner of Lot 3, Riverhills Addition; Thence northerly along the east line of said Lot 3, and northerly along the east line of Lot 1, Riverhills Addition to the south right-of-way line of West Dradie Street; Thence northerly along the northerly projection of said Lot 1, to the intersection with the northwest corner of Lot 1, Short Plat 76-23, said northwest corner being on the south right-of-way line of West Dradie Street; Thence easterly along the south right-of-way line of West Dradie Street to the intersection with the southerly projection of the east line of Lot 1, Bosch Estates II; Thence northerly along the southerly projection of said Lot 1 to the southeast corner of said Lot 1; Thence northerly along the east line of said Lot 1 and the east line of Lots 2, 3, and 4 Bosch Estates II to the south right-of-way line of West Argent Road; Thence northerly along the northerly projection of the east line of Lot 4, Bosch Estates to the north line of West Argent Road; Thence easterly along the north right-of-way line of Argent Road to the intersection with the east line of Section 15, Township 9 North, Range 29 East W.M.; Thence northerly along the east line of said Section 15 to the south right-of-way line of the Franklin County Irrigation District No. 1 canal; Thence westerly along the south line of said irrigation canal right-of-way to the intersection with northeast corner of Lot 2, Binding Site Plan 2006-06. Thence southerly along the east line of said Lot 2 to the north right-of-way line of West Argent Road; Thence easterly along the north right-of-way line of West Argent Road to the intersection with the northerly projection of the east line of the North 210' of East 150' of the east half of the northeast quarter of the northwest quarter of the northwest quarter of Section 22, Township 9 North, Range 29 East, W.M.; Thence southerly along the northerly projection of said east line to the south right-of-way line of West Argent Road; Thence easterly along the south line of West Argent Road to the intersection with the northerly projection of the west line of Lot 1, Quail Run; Thence southerly along said northerly projection to a point on the east right-of-way line of Road 64 said point being 221.81 feet from the southwest corner of said Lot 1; Thence southerly along the east right-of-way line of Road 64 to the intersection with the southwest corner of Lot 4, Quail Run; Thence easterly along the south line of said Lot 4 and easterly along the south line of Lot 5, Quail Run to the southwest corner of Lot 5, Shaundee Estates; Thence easterly along the south line of said Lot 5, to the intersection with the west right-of-way line of Road 61; Thence easterly

along the easterly projection of the south line of said Lot 5 to the southwest corner of Lot 6, Shaundee Estates; Thence easterly along the south line of said Lot 6 and easterly along the south line of Lot 7, Shaundee Estates to the west right-of-way line of Road 60; Thence northerly along the west right-of-way line of Road 60 to the intersection with a point on the west right-of-way line of Road 60 said point being 115.73 feet north of the southeast corner of Lot 10, Shaundee Estates; Thence easterly to the east right-of-way line of Road 60; thence northerly along the east right-of-way line of Road 60 to the south right-of-way line of West Argent Road; Thence easterly along the south right-of-way line of West Argent Road to the intersection with a line 825 east of the west line of the northwest quarter of the northeast quarter of Section 22, Township 9 North, Range 29 East W.M.; Thence southerly along said line to the intersection with the westerly projection of the south line of Lot 4, Bosch Estates said intersection being on the west right-of-way line of Road 57; Thence southerly along the west right-of-way line of Road 57 to the intersection with the south line of the northwest quarter of the northeast quarter of Section 22, Township 9 North, Range 29 East W.M.; Thence westerly along said south line to the west right-of-way line of Road 57; Thence southerly along the west right-of-way line of Road 57 to the intersection with the north line of Lot 1, Short Plat 2000-09; Thence westerly along the north line of said Lot 1 to the intersection with the northeast corner of a parcel described as follows: The south 594.16 feet of the west 227.73 feet of the east 495 feet of the west 825 feet of southeast quarter of the northwest quarter of Section 22, Township 9 North, Range 29 East W.M., except 30 feet for Wernett Road; Thence westerly along the north line of said described parcel to the northwest corner thereof; Thence southerly along the west line of said described parcel to the intersection with the northeast corner of Lot 1, Short Plat 76-9; Thence westerly along the north line of said Lot 1 to the east right-of-way line of Road 60; Thence westerly along the westerly projection of the north line of said Lot 1 to the intersection with the west right-of-way line of Road 60; Thence northerly along the west right-of-way line of Road 60 to the intersection with the northeast corner of Lot 6, Block 2, Deschane's Subdivision the same being the intersection of Road 60 and West Richardson Road; Thence westerly along the south right-of-way line of West Richardson Road to a point on the north line of Lot 1, Block 1 Buttercreek Estates Phase 1 said point being 133.70 feet west of the northeast corner of said Lot 1; Thence along a 25 foot radius to the left having an arc distance of 38.68 feet and a central angle of 88 degrees, 39 minutes, and 10 seconds to a point on the east right-of-way line of Road 68 said point being 127.66 feet north of the southwest corner of said Lot 1; Thence southerly along the east right-of-way line of Road 68 to the intersection with the westerly projection of the south line of Buttercreek Estates Phase 2; Thence easterly along said westerly projection and along the south line of Buttercreek Estates Phase 2 to the east line of Buttercreek Estates Phase 2; Thence southerly bearing south 00 degrees, 47 minutes and 36 seconds west for a distance of 15 feet; Thence easterly bearing north 89 degrees, 36 minutes and 44 seconds to the intersection with the east right-of-way line of Road 64; Thence southerly along the east right-of-way line of Road 64 to the intersection with the westerly projection of the north line of Binding Site Plan 2001-05; Thence easterly along the westerly projection of the north line of said Binding Site Plan to the east right-of-way line of Road 64; Thence southerly along the east right-of-way line of Road 64 to the point of beginning.

Section 2. That the Comprehensive Plan of the City of Pasco be and the same is hereby adopted for the above described properties.

Section 3. That the above described properties shall not assume any portion of the existing bonded indebtedness of the City of Pasco.

Section 4. That the above described properties shall be in Voting District #5.

Section 5. That a certified copy of this ordinance be and the same shall be filed with the Franklin County Commissioners.

Section 6. This ordinance shall be in full force and effect on January 1, 2013.

PASSED by the City Council of the City of Pasco this 29th day of October, 2012.



Matt Watkins, Mayor

ATTEST:

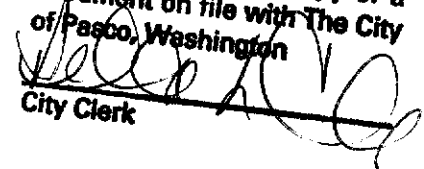


Debra L. Clark, City Clerk

APPROVED AS TO FORM:



Leland B. Kerr, City Attorney

I hereby certify that this is
a True and Correct Copy of a
document on file with The City
of Pasco, Washington

City Clerk

WHEN RECORDED, PLEASE RETURN TO:

City of Pasco
Attn: City Planner
525 N. Third Avenue
Pasco, WA 99301

AFN # 1790538 ORDIN
10/31/2012 10:19 AM
5 Page(s) \$76.00
Matt Beaton, Auditor
Franklin Co., WA

ORDINANCE NO. 4077

AN ORDINANCE of the City of Pasco, Washington relating to annexation and annexing certain real property to the City of Pasco.

WHEREAS, the City Council of the City of Pasco has declared its intent to annex the following described territory known as Riverview Annexation Area #2 to the City of Pasco pursuant to RCW Chapter 35A.14; and

WHEREAS, a legally sufficient intent to commence annexation proceedings by the petition method of annexation was prepared by City officers and received by the City; and

WHEREAS, the Pasco City Council passed Resolution No. 3407 on June 18, 2012 accepting the proposed territory for annexation, determining that zoning will be established with input from affected property owners and that the annexation area will not require the assumption of existing City bonded indebtedness; and

WHEREAS, the Franklin County Assessor on October 23, 2012 officially certified the sufficiency of the petitions prepared and filed by City officers as representing more than 60% of the assessed value of the Riverview Annexation Area #2; and

WHEREAS, the Riverview Annexation Area #2 is situated within the designated Pasco Urban Growth Area; and

WHEREAS, City of Pasco utilities, police, fire and other services are adequate and available to serve the proposed annexation area; and

WHEREAS, notice of the public hearing on the proposed annexation has been published and posted as required by law; and

WHEREAS, a public hearing on the proposed annexation was held on October 29, 2012; and

WHEREAS, the City Council finds that annexation of Area #2 will improve the efficiency and distribution of necessary municipal services within the City's designated Urban Growth Area, to the benefit of all Pasco residents and taxpayers; **NOW, THEREFORE**,

THE CITY COUNCIL OF THE CITY OF PASCO, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. That the following described area, situated in Franklin County, Washington to-wit, shall be annexed to the City of Pasco:

Beginning at the southwest corner of Lot 4, Lamb Estates, said corner being the TRUE POINT OF BEGINNING; Thence easterly along the south line of Lots 4, 3, 2 and 1 of Lamb Estates to the intersection with the west right-of-way line of Road 62; Thence easterly along the easterly projection of the south line of Lot 1, Lamb Estates to the east right-of-way line of Road 62; Thence northerly along said east right-of-way line to the north line of Lot 8, Sunflower Estates; Thence easterly along the north line of said Lot 8 to the intersection with the west right-of-way line of Road 60; Thence easterly along the easterly projection of the north line of said Lot 8 to the intersection with the east right-of-way line of Road 60; Thence southerly along the east right-of-way line of Road 60 to the intersection with the north right-of-way line of Sylvester Street; Thence easterly along the north right-of-way line of Sylvester Street to the intersection with the east right-of-way line of Road 52; Thence northerly along the east right-of-way line of Road 52 to the intersection with the easterly projection of the south right-of-way line of West Agate Street; Thence westerly along the easterly projection of the south right-of-way line of West Agate Street to west right-of-way line of Road 52; Thence westerly along the south right-of-way line of West Agate Street to the northwest corner of Lot 7, Farrell Addition said northwest corner being on the east line of the west half of the southeast quarter of the southeast quarter of Section 22, Township 9, North, Range 29 East W.M.; Thence northerly along the east line of west half of the southeast quarter of the southeast quarter of Section 22, Township 9, North, Range 29 East W.M to the intersection with the northeast corner of Lot 4, Bales Place; Thence westerly along the north line of Lots, 4, 3, 2, and 1 of Bales Place to the intersection with the east right-of-way line of Road 56; Thence northerly along the east right-of-way line of Road 56 to the intersection with the easterly projection of the north line of Lot 1, Block 2, Jensen Estates; Thence westerly along the easterly projection of the north line of said Lot 1 to the intersection with the west right-of-way line of Road 56; Thence northerly along the west right-of-way line of Road 56 to the intersection with the easterly projection of the south line of Lot 13, Park Knoll Subdivision ; Thence easterly along the easterly projection of said Lot 13, to the point on the north right-of-way line of West Wernett Road said point being 89.71 feet west of the southeast corner of Lot 40, Park Knoll Subdivision; Thence easterly along the north right-of-way line of West Wernett Road to the intersection with a point on the north right-of-way line of West Wernett Road said

point being 101.28 feet east of the southwest corner of Lot 1, Diamond Ridge; Thence along a 25 foot radius to the left having an arc distance of 38.81 feet and a central angle of 88 degrees, 57 minutes, and 2 seconds to a point on the west right-of-way line of Road 52 said point being 174.49 feet south of the northeast corner of said Lot 1; Thence northerly along the west right-of-way line of Road 52 to a point on said right-of-way being 245.23 feet north of the southeast corner of Lot 2, Short Plat 2008-13; Thence along a 25 foot radius to the left having an arc distance of 39.75 feet and a central angle of 91 degrees, 05 minutes and 31 seconds to a point on the south right-of-way line of Richardson Road, said point being 155.12 feet east of the northwest corner of Lot 2, Short Plat 2008-13; Thence westerly along the south right-of-way line of Richardson Road to a point 223.49 feet west of the northeast corner of Lot 9, Diamond Ridge; Thence north to the north right-of-way line of Richardson Road; Thence westerly along the north right-of-way line of Richardson Road to the intersection with the southerly projection of Lot 7, Riverhills Addition; Thence northerly along the southerly projection of said Lot 7, to the southeast corner of said Lot 7; Thence northerly along the east line of said Lot 7, and northerly along the east line of Lot 5, Riverhills Addition to the south right-of-way line of West Livingston Road; Thence northerly along the northerly projection of the east line of said Lot 5, to a point on the north right-of-way line of West Livingston Road, said point being the southeast corner of Lot 3, Riverhills Addition; Thence northerly along the east line of said Lot 3, and northerly along the east line of Lot 1, Riverhills Addition to the south right-of-way line of West Dradie Street; Thence northerly along the northerly projection of said Lot 1, to the intersection with the northwest corner of Lot 1, Short Plat 76-23, said northwest corner being on the south right-of-way line of West Dradie Street; Thence easterly along the south right-of-way line of West Dradie Street to the intersection with the southerly projection of the east line of Lot 1, Bosch Estates II; Thence northerly along the southerly projection of said Lot 1 to the southeast corner of said Lot 1; Thence northerly along the east line of said Lot 1 and the east line of Lots 2, 3, and 4 Bosch Estates II to the south right-of-way line of West Argent Road; Thence northerly along the northerly projection of the east line of Lot 4, Bosch Estates to the north line of West Argent Road; Thence easterly along the north right-of-way line of Argent Road to the intersection with the east line of Section 15, Township 9 North, Range 29 East W.M.; Thence northerly along the east line of said Section 15 to the south right-of-way line of the Franklin County Irrigation District No. 1 canal; Thence westerly along the south line of said irrigation canal right-of-way to the intersection with northeast corner of Lot 2, Binding Site Plan 2006-06. Thence southerly along the east line of said Lot 2 to the north right-of-way line of West Argent Road; Thence easterly along the north right-of-way line of West Argent Road to the intersection with the northerly projection of the east line of the North 210' of East 150' of the east half of the northeast quarter of the northwest quarter of the northwest quarter of Section 22, Township 9 North, Range 29 East, W.M.; Thence southerly along the northerly projection of said east line to the south right-of-way line of West Argent Road; Thence easterly along the south line of West Argent Road to the intersection with the northerly projection of the west line of Lot 1, Quail Run; Thence southerly along said northerly projection to a point on the east right-of-way line of Road 64 said point being 221.81 feet from the southwest corner of said Lot 1; Thence southerly along the east right-of-way line of Road 64 to the intersection with the southwest corner of Lot 4, Quail Run; Thence easterly along the south line of said Lot 4 and easterly along the south line of Lot 5, Quail Run to the southwest corner of Lot 5, Shaundee Estates; Thence easterly along the south line of said Lot 5, to the intersection with the west right-of-way line of Road 61; Thence easterly

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Section 2. That the Comprehensive Plan of the City of Pasco be and the same is hereby adopted for the above described properties.

Section 3. That the above described properties shall not assume any portion of the existing bonded indebtedness of the City of Pasco.

Section 4. That the above described properties shall be in Voting District #5.

Section 5. That a certified copy of this ordinance be and the same shall be filed with the Franklin County Commissioners.

Section 6. This ordinance shall be in full force and effect on January 1, 2013.

PASSED by the City Council of the City of Pasco this 29th day of October, 2012.



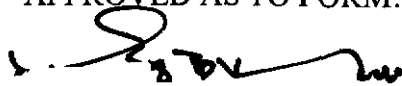
Matt Watkins, Mayor

ATTEST:



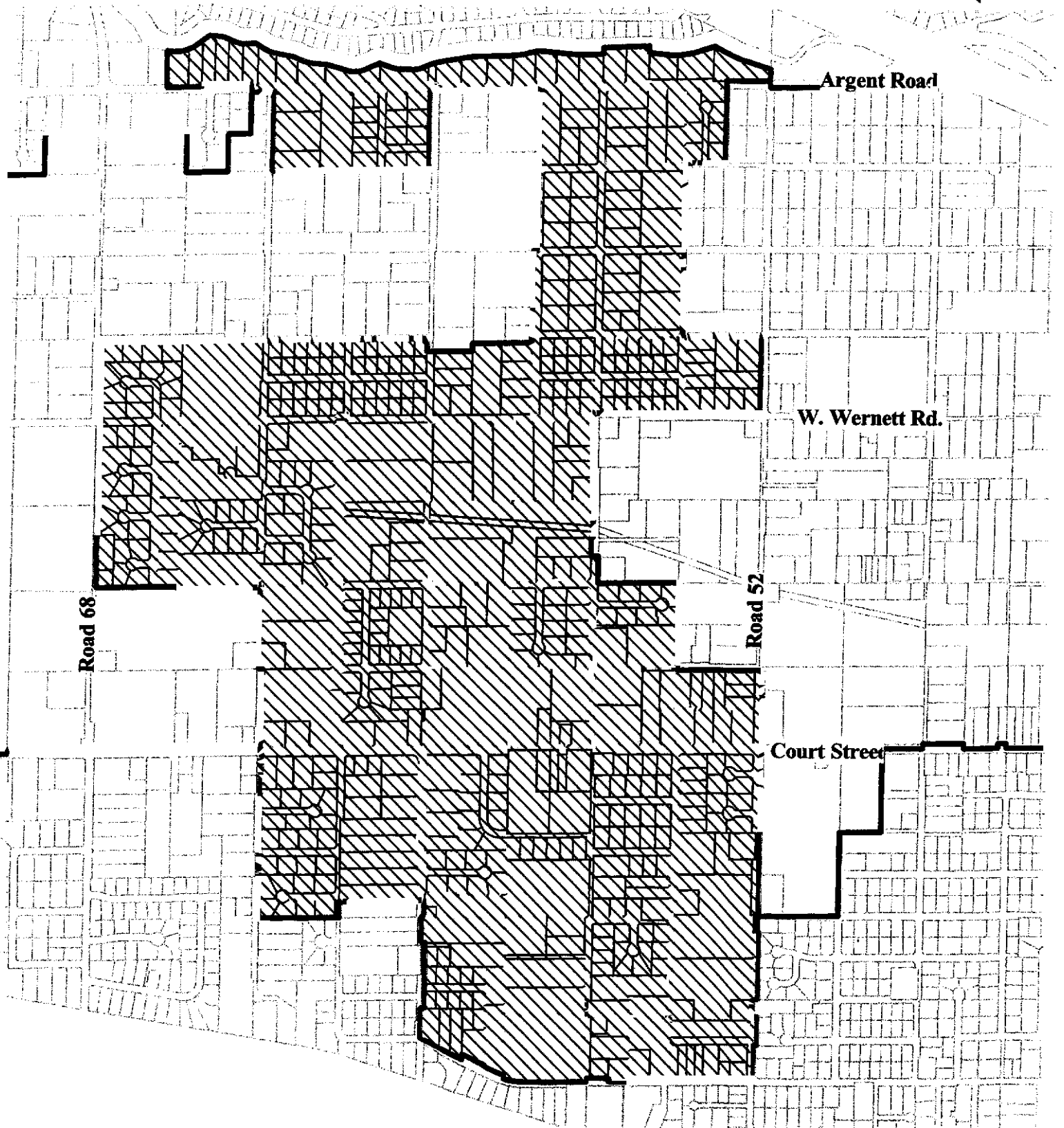
Debra L. Clark, City Clerk

APPROVED AS TO FORM:



Leland B. Kerr, City Attorney

Riverview Area #2



Argent Road

W. Wernett Rd.

Road 68

Road 52

Court Street



FRANKLIN COUNTY AUDITOR

Matt Beaton, Auditor

December 6, 2012

Franklin County Commissioners:

Vouchers audited and certified by the auditing officer by RCW 42.24.080, expense reimbursement claims certified by RCW 42.24.090, have been recorded on a listing, which has been sent to the board members.

Action: As of this date, December 6, 2012
 move that the following warrants be approved for payment.

<u>FUND</u>	<u>WARRANT</u>	<u>AMOUNT</u>
County Road		
Payroll	74959-74978	25,610.84
Direct Deposit		40,369.09
		65,979.93
Benefits	74979-74982	10,831.01
	Total	\$76,810.94
Motor Vehicle		
Payroll	74983-74997	\$4,960.35
Direct Deposit		5,860.45
		\$10,820.80
Benefits	74998-75001	1,813.12
	Total	\$12,633.92
	Grand Total All Payrolls	\$89,444.86

In the total amount of **\$89,444.86**

(\$76,810.94 + \$12,633.92)

The motion was seconded by *Paul Miller*

and passed by a vote of 3 to 0

J. A. Beaton
 The attached payroll has been approved by Auditor or Deputy

Kristen Rosenthal
 Payroll Prepared By



FRANKLIN COUNTY AUDITOR

Matt Beaton, Auditor

12/5/2012

Franklin County Commissioners:

Vouchers audited and certified by the auditing officer by RCW 42.24.080, expense reimbursement claims.

Action: As of this date, 12/5/2012

Move that the following warrants be approved for payment:

certified by RCW 42.24.090, have been recorded on a listing, which has been sent to the board members.

FUND Expenditures	WARRANTS		AMOUNT ISSUED
Current Expense	74870	74892	\$24,690.09
Current Expense	74893	74934	\$48,903.34
Supplemental Preservation Fund	74935	-	\$31.20
TRAC Operations Fund	74936	74955	\$14,116.16
Franklin County RV Facility	74956	74957	\$4,131.67
Current Expense	74958	-	\$3,594.95
Current Expense	75002	75003	\$2,245.12
Courthouse Facilitator Program	75004	-	\$1,199.00
Jail Commissary	75005	-	\$1,383.37
Law Library	75006	75008	\$8,423.54
Ending Homelessness Fund	75009	75011	\$888.00
Landfill Closure Trust Fund	75012	-	\$3,335.23

In the amount of

\$112,941.67

The motion was seconded by *Pat Brown*

And passed by a vote of 3 to 0

Matt Beaton
The attached vouchers have been approved by Auditor or Deputy

Patricia Jordan
Vouchers Audited By