



Town of Yacolt
Town Council Agenda
Monday, November 19, 2018
7:00 PM
Town Hall

Call to Order

Flag Salute

Roll Call

Late Changes to the Agenda

Minutes of Previous Meeting(s)

- [1.](#) Approve 11-5-18 Draft Minutes

Citizen Communication

Anyone requesting to speak to the Council regarding items not on the agenda may come forward at this time. Comments are limited to 3 minutes. Thank you.

Old Business

- [2.](#) Business License Ordinance # 571
- [3.](#) Business License Resolution # 574
4. Nuisance Letters - Update 407 E Jones, 404 E Jones, 110 S Pine, and 105 W Yacolt Rd.
5. Dennis Chrisman 305 N Pine- Update on property clean up
- [6.](#) Approve Yacolt Trading Post Liquor License Renewal
7. RFP for Legal Services - Update

New Business

- [8.](#) EMS Levy Resolution
- [9.](#) Levy Resolution
- [10.](#) Engineering Services RFQ

- [11.](#) Resolution 573 repealing Resolution 521
- [12.](#) Resolution #575 The Reflector
- [13.](#) Building Inspector RFP
- [14.](#) Public Hearing for Periodic update Checklist of Yacolt's Comprehensive Growth Plan

Public Works Department Report

Town Clerk's Report

Council's Comments

Mayor's Comments

Pay Bills on Behalf of the Town

Adjourn

Town of Yacolt
Town Council Minutes
Monday, November 05, 2018
7:00 PM
Town Hall

Call to Order

Mayor Myers called the meeting to order at 7:00 pm.

Flag Salute

Roll Call

PRESENT

Mayor Vince Myers

Council Member Tami Bryant

Council Member Amy Boget

Council Member Malita Moseley

Council Member Herb Noble

Council Member Rhonda Rowe-Tice

Clerk Salisbury

Public Works Director Ross

Late Changes to the Agenda

1. Feral Cats added as item # 8 under new business
2. CTRAN Interlocal added as Item # 9 under new business

Council Member Boget asked for this item to be moved up to #5 under new business to follow CTRAN CEO presentation.

Minutes of Previous Meeting(s)

3. Approve 10/15/18 meeting minutes with changes made by Council Member Bryant

Motion made by Council Member Bryant, Seconded by Council Member Boget.

Voting Yea: Council Member Bryant, Council Member Boget, Council Member Moseley, Council Member Noble

Voting Abstaining: Council Member Rowe-Tice

Citizen Communication

Larry Blakeman with Friends of the Library voiced concern over lack of communication about library awning. Public Works Director Ross meeting with Library maintenance this week to discuss solutions.

Old Business

None

New Business

4. C-TRAN CEO Shawn Donaghy

Shawn Donaghy and Scott Patterson from CTRAN gave short overview of services and let council know that quality of life and access to education are top priorities. Lack of service is same need for all small towns they service. Would like to come to town meetings at least twice a year to hear concerns and ideas.

5. CTRAN Interlocal Agreement

Council rejected CTRAN Interlocal Agreement with La Center and Ridgefield. Not happy with rotation representation. Mayor Myers to draft letter with new proposal. Questioned CTRAN about what happens if we don't agree to Interlocal. Scott or Shawn to get back to us with an answer.

6. Approve Backroads Liquor License Renewal

Question if renewal belongs to Backroads or Yacolt Trading Post. Tabled till 11-19-18

7. RFP for Legal Services

Council Member Boget, Council Member Moseley and Clerk Salisbury will be the evaluation committee for RFP for legal services. Proposals will be due 12-14-18 by 5 pm. RFP for legal services will go out week of 11-12-18.

8. Approve to move investments from current accounts to Washington State Local Government Investment Pool per State Auditors

Motion made by Council Member Boget, Seconded by Council Member Bryant.

Voting Yea: Council Member Bryant, Council Member Boget, Council Member Moseley

Voting Nay: Council Member Noble, Council Member Rowe-Tice

9. Feral Cat Issue- Carrie Martin with Clark County Animal Control and Angela Rowand with Southwest Washington Humane Society will be presenting a plan to address our feral cat issue.

Carrie Martin with Animal Control presented some possible solutions to our feral cat issue. Animal Control and SW Wash Humane Society will be working with town staff to initiate a program to deal with feral cats.

Mayor's Comments

Audit coming to a close. Should have initial report around the 15th or so. Christmas tree lighting Saturday Dec 1st. Tallest live Christmas tree in the state.

Attorney's Comments

Council's Comments

Council member Bryant inquired about rats around dumpster at Backroads. Public Works has not checked into as of yet. Requested RFP for building inspector be submitted by next meeting. Requested clerk check into timeline for renewing RFQ for town engineer. Requested timeline for town welcome sign installation. Railroad Ave sign will be installed by Dec. 1st. Requested someone check with Verizon to see if they can review their film by the Rec Park for Saturdays antics. Inquired about flooding at Yacolt Crossings. Public Works director to contact Town engineer to see what our options are to get this taken care of. Newspaper of record. Resolution 560 lists the wrong RCW. Clerk Salisbury to check into RCW requirements and update resolution as necessary.

Council member Noble thanked the seniors for coming to meeting and stated his objection to trees being removed for houses to be built.

Public Works Department Report

None

Town Clerk's Report

Budget workshop to be held 11/14/18 at 5:30 pm.

Council member Bryant asked for public meeting to hold executive session concerning employee reviews for 11/13/2018 at 5:30 pm with no action taken to be taken.

Pay Bills on Behalf of the Town

10. Approve bills to be paid on behalf of Town

Check # 16682 – 16690
Payroll 10/19/2018 & 11/2/2018

001 Current Expense	5,678.11
101 Streets	18,887.94
103 Cemetery	57.69
403 Storm Water	1,469.51

26,093.25

Claims: 4,503.88

Payroll: 21,589.37

Motion made by Council Member Boget, Seconded by Council Member Moseley.
Voting Yea: Council Member Boget, Council Member Moseley, Council Member Noble
Voting Nay: Council Member Rowe-Tice
Voting Abstaining: Council Member Bryant

Executive Session

11. None

Adjourn

Mayor Myers adjourned the meeting at 9:00 pm.

Vince Myers, Mayor

Dawn Salisbury, Clerk

DRAFT

ORDINANCE # 571

AN ORDINANCE RELATING TO BUSINESS LICENSES AND REGULATIONS; PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ORDINANCES #402 AND #526

WHEREAS: The Town Council of Yacolt, Washington, is in regular session this 19th day of November, 2018; and

WHEREAS, each member of the Town Council has had notice of time, place and purpose of said meeting; and

WHEREAS, The Town Council desires to repeal the Town of Yacolt's Business License Ordinances, Ordinance # 402 and Ordinance # 526.

WHEREAS, ESHB 2005, enacted by the 2017 Legislature, requires local governments to review their business license regulations to address entities with certain limited business connections to a jurisdiction, but no physical presence or contact; and

WHEREAS, the State of Washington operates a cooperative Business Licensing Service on behalf of local governments in the state as a centralized business license registration and fee collection service for local governments, which can facilitate business registration for out-of-state business entities wishing to conduct business in jurisdictions throughout the state; and

WHEREAS, The Town of Yacolt has the authority pursuant to RCW 35.27.370(14) to impose fines, penalties and forfeitures for any and all violations of ordinances, and to provide that violations of ordinances constitute a civil violation subject to monetary penalty, but no act which is a state crime may be made a civil violation; and

WHEREAS, The Town of Yacolt has the authority pursuant to RCW 35.27.370(9) to license, for purpose of regulation and revenue, all kind of businesses, authorized by law and transacted or carried on in the Town;

WHEREAS, The Town Council is of the opinion that it would be in the best interest for the Town to adopt this Ordinance; and

NOW THEREFORE, be it ordained by the Town Council of Yacolt, Washington, as follows:

SECTION 1: Repeal Ordinances # 402 and # 526.

Ordinances # 402, adopted October 16, 2000 and Ordinance # 526, adopted January 20, 2015, are hereby repealed in their entireties.

Section 2: Adoption.

The provisions set forth in Exhibit A attached hereto and incorporated herein by reference are adopted by the Town of Yacolt Town Council

SECTION 3: Severability.

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason by a court of competent jurisdiction, the remaining portion of this Ordinance shall remain in full force and effect.

APPROVED AND ADOPTED This 19th day of November, 2018, following publication of the following summary, according to law.

Town of Yacolt – Summary of Ordinance # 271

The Town Council of the Town of Yacolt adopted Ordinance # 271 at its regularly scheduled Town Council meeting held on November 19, 2018. The content of the Ordinance is summarized in its title as follows:

AN ORDINANCE RELATING TO BUSINESS LICENSES AND REGULATIONS; PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ORDINANCES #402 AND #526.

A copy of the full text of the Ordinance will be mailed upon request to the undersigned at the Town of Yacolt Town Hall, P.O. Box 160, Yacolt, WA 98675: (360) 686-3922.

Published this ____ Day of _____, 2018.

Dawn Salisbury, Town Clerk

PASSED by the Town Council of the Town of Yacolt, Washington, at a regular meeting thereof this 19th day of November, 2018.

TOWN OF YACOLT

Vince Myers, Mayor

Attest:

Dawn Salisbury, Clerk

Ayes: _____
Nays: _____
Absent: _____
Abstain: _____

TOWN CLERK'S CERTIFICATION

I hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance # 571 of the Town of Yacolt, Washington, entitled AN ORDINANCE RELATING TO BUSINESS LICENSES AND REGULATIONS; PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ORDINANCES #402 AND #526 as approved according to the law by the Town Council on the date therein mentioned. The Ordinance has been published or posted according to law.

Attest:

Dawn Salisbury, Clerk
Published: _____
Effective Date: November 19, 2018
Ordinance Number: 571

Exhibit A

Business Licenses

SECTION 1: Exercise of revenue license power.

For the Town of Yacolt to carry out its duties delegated to it by the laws of Washington State, maintenance of current information with respect to business, trade, service, commercial and professional activities carried on within the Town is necessary and essential for the protection of public health, safety and welfare.

SECTION 2: Definitions.

In construing the provisions of this chapter, except when otherwise declared or clearly apparent from context, the following definitions shall be applied:

- A. "Canvasser" means any person, whether a resident of the Town or not, who goes from house to house, from place to place, or from street to street, soliciting or taking or attempting to take orders for the sale of goods, wares or merchandise, including magazines, books, periodicals, or personal property of any nature whatsoever for future delivery, or for service to be performed in the future, whether or not the individual has carries, or exposes for sale an example of such subject of such orders. Such definition shall include any person who for himself, or for another person, firm or corporation, hires, leases or occupies any building, motor vehicle, trailer, structure, apartment, shop, or other place within the Town for the primary purpose of exhibiting samples and taking orders for future delivery.
- B. "Engaging in business" means commencing, conducting or continuing in business and also the exercise of corporate or franchise powers as well as liquidating a business when the liquidators thereof hold themselves out to the public as conducting such business.
1. This section sets forth examples of activities that constitute engaging in business in the Town, and establish safe harbors for certain of those activities so that a person who meets certain criteria may engage in de minimus business activities in the Town without having to pay a business license fee. The activities listed in this section are illustrative only and are not intended to narrow the definition of "engaging in business" in this subsection. If an activity is not listed, whether it constitutes engaging in business in the Town shall be determined by considering all the facts and circumstances and applicable law.
 2. Without being all inclusive, any one of the following activities conducted within the Town by a person, or its employee, agent, representative, independent contractor,

broker or another acting on its behalf constitutes engaging in business and requires a person to register and obtain a business license.

- a. Owning, renting, leasing maintaining, or having the right to use, using, tangible personal property, intangible personal property, or real property permanently or temporarily located in the Town.
- b. Owning, renting, leasing, using, or maintaining an office, place of business, or other establishment in the Town.
- c. Soliciting sales.
- d. Making repairs or providing maintenance or service to real or tangible property, including warranty work and property maintenance.
- e. Providing technical assistance or service, including quality control, product inspections, warranty work, or similar services on or in connection with tangible personal property sold by the person or on its behalf.
- f. Installing, construction, or supervising installation or construction of, real or tangible personal property.
- g. Soliciting, negotiating, or approving franchise, license, or other similar agreements.
- h. Collecting current or delinquent accounts.
- i. Picking up and transporting tangible personal property, solid waste, construction debris, or excavated materials.
- j. Providing disinfecting and pesticide control services, employment and labor pool services, home nursing care, janitorial services, appraising, landscape architectural services, security system services, surveying, and real estate services including listing of homes and maintaining real property.
- k. Rendering personal services such as those provided by accountants, architects, attorneys, auctioneers, professional athletes, barbers, baseball clubs and other sports organizations, chemists, consultants, psychologists, court reporters, dentists, doctors, detectives, laboratory operators, teachers, veterinarians.
- l. Meeting with customers, potential customers, even when no sales or orders are solicited at the meetings.
- m. Training or recruiting agents, representatives, independent contractors, brokers or others, domiciled or operating on a job in the Town, acting on its behalf, or for customers or potential customers.
- n. Investigating, resolving, or otherwise assisting in resolving customer complaints.
- o. In-store stocking or manipulating products or goods, sold to and owned by a customer, regardless of where sale or delivery of goods took place.
- p. Delivering goods in vehicles owned, rented, leased, used, or maintained by the person or another acting on its behalf.

3. The Town expressly intends that engaging in business include any activity sufficient to establish nexus for the purpose of applying the license fee under the law and constitutions of the United States and the State of Washington. Nexus is presumed to continue as long as the taxpayer benefits from the activity that constituted the original nexus generating contact or subsequent contacts.

C. "Hawker" means every person, either as principal or agent, selling or offering for sale any goods, wares, or merchandise, articles, things, or personal property of whatsoever nature or description, by peddling the same from house to house, upon any street, highway, or public place, who shall make public outcry or give any musical or other public entertainment or make any public speech to draw customers or attract notice is hereby defined to be a hawker.

D. "Peddler" means any person, whether a resident of the Town or not, who goes from house to house, from place to place, or from street to street, conveying or transporting goods, wares or merchandise, or offering or exposing the same for sale, or making sales and delivering articles to purchasers.

E. "Person" means any individual, receiver, assignee, trustee in bankruptcy, trust, company, firm, co-partnership, joint venture company, joint stock company, business trust, corporation, association, or any group of individuals acting as a unit. It shall not include clubs, fraternities or any other type of association of a benevolent, charitable, religious or fraternal nature, nor shall it include any public or private school or members of associations thereof.

F. "Taxpayer" includes any individual, group of individuals, corporations or associations required to have a business license hereunder, or liable for any license fee, or for the collection of any license fee hereunder or who engages in any business, or who performs any act, service, or labor receiving wages, salary, commissions or other compensation having monetary value.

G. "Town" means Town of Yacolt.

H. "Transient Merchant" means any person, firm or corporation whether as owner, agent, consignee, or whether a resident of the Town of Yacolt or not, who engages in a temporary business of selling, delivering goods, wares and merchandise within said Town, and who in furtherance of such purpose, hires, leases, uses or occupies any building, structure, motor vehicle, trailer, tent, apartments, shops, or any street, alley, or other place within the town for the exhibition and sale of such goods, wares and merchandise, either privately or at public auction provided that such definition shall not be construed to include any person, firm, or corporation who while occupying such temporary location, does not sell from stock, but exhibits examples for the purpose of securing orders for future delivery only. The person, firm or corporation so engaged shall not be relieved from complying with the provisions of this ordinance merely by reason of associating temporarily with any local dealer, trader, merchant,

or auctioneer, or by conducting such transient business in connection with, as part of, or in the name of any local dealer, trader, merchant, or auctioneer.

I. Words in the singular shall include the plural, and the plural shall include the singular. Words in one gender shall include all other genders.

SECTION 3: Exemptions.

The provisions of this ordinance shall not apply to:

- A. Persons selling personal property at wholesale to dealers;
- B. Newspaper delivery people;
- C. Merchant or their employees delivering goods in the regular course of business;
- D. Persons conducting garage sales;
- E. Sales or solicitations conducted by a charitable, religious, patriotic or philanthropic organization; provided, however, that such organization, association or corporation shall furnish all of its members, agents and representatives conducting solicitation credentials, stating the name of the organization, the name of the agent and the purpose of the solicitation.
- F. To the extent set forth in this section, the following persons and businesses shall be exempt from the registration, license and/or license fee requirements as outlined in this section:
 - 1. Any person or business whose annual value of products, gross proceeds of sales, or gross income of the business in the city is equal to or less than \$2,000.00, and who does not maintain a place of business within the Town, shall be exempt from the general business license requirements in this section. The exemption does not apply to regulatory license requirements or activities that require a specialized permit.
 - 2. If a person, or its employees, agent, representative, independent contractor, broker or another acting on the person's behalf, engages in no other activities in or with the Town but the following, it need not register and obtain a business license.
 - a. Meeting with suppliers of goods and services as a customer.
 - b. Meeting with government representatives in their official capacity other than those performing contracting or purchasing functions.
 - c. Attending meetings, such as board meetings, retreats, seminars, and conferences, or other meetings wherein the person does not provide training in

connection with tangible personal property sold by the person or on its behalf. This provision does not apply to any board of director member or attendee engaging in business such as a member of a board of directors who attends a board meeting.

- d. Renting tangible or intangible property as a customer when the property is not used in the Town.
 - e. Conducting advertising through the mail.
 - f. Soliciting sales by phone from a location outside the Town.
3. A seller located outside the Town merely delivering goods into the Town by means of common carrier is not required to register and obtain a business license, provided that it engages in no other business activities in the Town. Such activities do not include those in subsection 2.

SECTION 4: Business license required.

- A. No person shall engage in any retail business or home business activity in the Town without first having obtained, and being the holder of, a valid and existing license to do so, to be known as a business license, issued under the provisions of this chapter as hereafter provided, without paying the license fee as set forth in The Town's fee schedule for Business License issuance. Such business licenses issued will expire one (1) year from the date it was issued, and a new business license shall be required for each ensuing year. Business licenses that are continually renewed on or before the anniversary date of the original issuing date shall be charged a renewal fee as set forth in the Town's Fee Schedule for Business License Issuance. A Peddler's licenses shall expire at the end of the day on the date the license was issued and is not renewable. A separate peddler's license is required for each day persons are conducting business. Application for the license shall be made to and issued by the Clerk of the Town.
- B. The license shall be personal and non-transferable. In case the same type of business is transacted under the same business name at two or more separate places by one taxpayer on a permanent basis, a separate license for each place at which business is transacted with the public shall be required, but for such additional license no additional fee shall be required. Each license shall be numbered, shall show the name, place and character of the business of the taxpayer, and such other information as the Clerk of the Town deems necessary, and shall at all times be conspicuously posted in the place of business for which it is issued. If the place of business of the taxpayer is changed, the taxpayer shall return to the Clerk of the Town and a new license shall be issued for the new place of business free of charge.

- C. No person to whom a license has been issued pursuant to this chapter shall suffer or allow any other person for whom a separate license is required to operate under or display such license.

SECTION 5: Additional license fees.

The license fees herein levied shall be additional to any license fee imposed or levied under any law or any other ordinance of the Town except as herein otherwise expressly provided.

SECTION 6: Violations – Penalties.

Any person violating or failing to comply with any of the provisions of this chapter shall be assessed a civil penalty not to exceed five hundred dollars (\$500.00) plus legal fees.

SECTION 7: Method of business license payment.

The license fee payable under this Ordinance shall be paid to the Town Clerk by certified check, cashier's check, personal check, money order or credit card. If payment is made by check, the fee shall not be deemed paid unless the draft or check is honored in the usual course of business; nor shall the acceptance of any sum by the Clerk to be a quittance or discharge of the fee due unless the amount of the payment is the full and actual amount due. The Clerk is authorized, but not required, to mail to persons forms for application for the license, but failure of the person to receive any such forms shall not excuse him from making application for and securing the license required as due under this chapter.

SECTION 8: Sale or transfer of business.

Upon the sale or transfer during any calendar year of a business on account of which a license fee is required by this Ordinance, the original license will be invalid and the purchaser or transferee shall be responsible for obtaining a new license.

SECTION 9: Fee constitutes debt.

Any license fee due and unpaid under this Ordinance, and all penalties thereon, shall constitute a debt to the Town and may be collected by court proceedings in the same manner as any other debt in like amount, which remedy shall be in addition to all other existing remedies.

SECTION 10: License Revocation.

The Town Council may revoke the license issued to any person who is in default of any payment of license fee hereunder, or who shall fail to comply with any provisions of this chapter. Notice of such revocation shall be mailed to the person by the Clerk, and on and after the date thereof any such person who continue to engage in business shall be deemed to be operating without a license and shall be subject to any and all penalties herein provided.

SECTION 11: Notices.

Any notice required by this chapter to be mailed shall be sent by ordinary mail, addressed to the address of the person or taxpayer shown by the records of the Town Clerk, or if no such address is shown, to such address as the Town Clerk is able to ascertain by reasonable effort. Failure of the person or taxpayer to receive such mailed notice shall not release the taxpayer from any license fee or penalties thereon, nor shall such failure to operate to extend any time limit set by the provisions of this chapter.

RESOLUTION # 574

A RESOLUTION OF THE TOWN OF YACOLT, WASHINGTON, ADOPTING A TOWN POLICY AND FEE SCHEDULE FOR THE TOWN OF YACOLT BUSINESS LICENSE ISSUANCE

WHEREAS, The Town Council of the Town of Yacolt, Washington is in regular session this 19th day of November, 2018; and

WHEREAS, The members of the Town Council have had notice of the time, place, and purpose of said meeting; and

WHEREAS, It is important to have clear policies in place, detailing the guidelines for the appropriate and consistent fees charged for services by the Town of Yacolt, for issuance of business licenses on behalf of the Town of Yacolt; and

WHEREAS, the Town Council wishes have a clear policy in effect for operation of the Town of Yacolt business license issuance; and

NOW THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Yacolt, Washington do hereby adopt the Res # 574 Business License fees as follows;

SECTION 1:

The business license fee imposed by Ordinance # 571. The sum in Exhibit A shall accompany the application for the business license.

SECTION 2:

The license fee payable under Ordinance # 571 shall be paid to the Town Clerk by certified check, cashier's check, personal check, money order or credit card. If payment is made by check, the fee shall not be deemed paid unless the draft or check is honored in the usual course of business; nor shall the acceptance of any sum by the Clerk to be a quittance or discharge of the fee due unless the amount of the payment is the full and actual amount due. The Clerk is authorized, but not required to, mail to persons forms for application for the license, but failure of the person to receive any such forms shall not excuse him from making application for and securing the license required as due under Ord # 571.

BE IT FURTHER RESOLVED that the attached fee schedules be resolved that Resolution # 574 shall become effective upon the date of adoption by the Town Council of Yacolt, Washington on this 19th day of November, 2018

APPROVED this 19th day of November, 2018

Town of Yacolt

Vince Myers, Mayor

Attest:

Dawn Salisbury, Town Clerk

Ayes: _____

Nays: _____

Absent: _____

Abstain: _____

Published: N/A

Effective Date: _____, 2018

DRAFT

Exhibit A

Fee Type	Fee Description	2018 Fee
Business License	New or Expired License	\$ 50.00
Business License	Yearly Renewal	\$ 45.00
Peddler's License	Daily (New License for each day)	\$ 5.00



**Washington State
Liquor and Cannabis Board**

PO Box 43098, 3000 Pacific Ave. SE, Olympia WA 98504-3098, (360) 664-1600
www.liq.wa.gov Fax #: (360) 753-2710

RECEIVED
OCT 12 2018
BY: _____

October 06, 2018

Dear Local Authority:

RE: Liquor License Renewal Applications in Your Jurisdiction - Your Objection Opportunity

Enclosed please find a list of liquor-licensed premises in your jurisdiction whose liquor licenses will expire in about 90 days. This is your opportunity to object to these license renewal requests as authorized by RCW 66.24.010 (8).

1) Objection to License Renewal

To object to a liquor license renewal: fax or mail a letter to the Washington State Liquor and Cannabis Board (WS-LCB) Licensing Division. This letter must:

- o Detail the reason(s) for your objection, including a statement of all the facts upon which your objection or objections are based. You may include attachments and supporting documents which contain or confirm the facts upon which your objections are based.
- o Please note that whether a hearing will be granted or not is within the Board's discretion per RCW 66.24.010 (8)(d).

Your letter or fax of objection must be received by the Board's Licensing Division at least 30 days prior to the license expiration date. If you need additional time you must request that in writing. Please be aware, however, that it is within the Board's discretion to grant or deny any requests for extension of time to submit objections. Your request for extension will be granted or denied in writing. If objections are not timely received, they will not be considered as part of the renewal process.

A copy of your objection and any attachments and supporting materials will be made available to the licensee, therefore, it is the Local Authority's responsibility to redact any confidential or non-disclosable information (see RCW 42.56) prior to submission to the WSLCB.

2) Status of License While Objection Pending

During the time an objection to a renewal is pending, the permanent liquor license is placed on hold. However, temporary licenses are regularly issued to the licensee until a final decision is made by the Board.

3) Procedure Following Licensing Division Receipt of Objection

After we receive your objection, our licensing staff will prepare a report for review by the Licensing Director. The report will include your letter of objection, as well as any attachments and supporting documents you send. The Licensing Director will then decide to renew the liquor license, or to proceed with non-renewal.

4) Procedure if Board Does Not Renew License

If the Board decides not to renew a license, we will notify the licensee in writing, stating the reason for this decision. The licensee also has the right to request a hearing to contest non-renewal of their liquor license. RCW 66.24.010 (8)(d). If the licensee makes a timely request for a hearing, we will notify you.

The Board's Licensing Division will be required to present evidence at the hearing before an administrative law judge to support the non-renewal recommendation. You may present evidence in support of your objection or objections. The administrative law judge will consider all of the evidence and issue an initial order for the Board's review. The Board members have final authority to renew the liquor license and will enter a final order announcing their decision.

5) Procedure if Board Renews License Over Your Objection

If the Board decides to renew the license over your objection, you will be notified in writing. At that time, you may be given an opportunity to request a hearing. An opportunity for a hearing is offered at the Board's discretion. If a hearing is held, you will be responsible for presenting evidence before an Administrative Law Judge in support of your objection to license renewal. The Board's Licensing Division will present evidence in support of license renewal. The Licensee may also participate and present evidence if the licensee desires. The administrative law judge will consider all of the evidence, and issue an initial order for the Board's review. The Board members have final authority to renew the liquor license and will enter a final order announcing their decision.

For questions about this process, contact the WSLCB Licensing Division at (360) 664-1600 or email us at wslcb@liq.wa.gov.

Sincerely,

Rebecca Smith

Rebecca Smith, Director,
Licensing and Regulation Division

LIQ 864 07/10

C091080-2

WASHINGTON STATE LIQUOR AND CANNABIS BOARD

DATE: 10/06/2018

LICENSED ESTABLISHMENTS IN INCORPORATED AREAS CITY OF YACOLT
(BY ZIP CODE) FOR EXPIRATION DATE OF 20190131

LICENSEE	BUSINESS NAME AND ADDRESS	LICENSE NUMBER	PRIVILEGES
1. THE YACOLT TRADING POST GROCER	YACOLT TRADING POST GROCERY 315 N AMBOY RD YACOLT WA 98675 0000	361261	GROCERY STORE - BEER/WINE



Town of Yacolt Request for Council Action

CONTACT INFORMATION FOR PERSON/GROUP/DEPARTMENT REQUESTING COUNCIL ACTION:

Name: Dawn Salisbury **Group Name:**
Address: **Phone:**
Email Address: **Alt. Phone:**

ITEM INFORMATION:

Item Title: EMS Levy Resolution
Proposed Meeting Date: 11/19/2018
Action Requested of Council: Approve WMS Levy Resolution
Proposed Motion:
Summary/Background: Yearly EMS Tax Levy approval
Staff Contact(s): Dawn Salisbury

Ordinance / Resolution No. _____ RCW 84.55.120

WHEREAS, the _____ Commissioners of _____ Clark County Fire District 13 has met and considered its budget for the calendar year _____ 2019 _____ ; and,

WHEREAS, the districts actual levy amount from the previous year was \$ _____ 44,491.86 _____ ; and,

WHEREAS, the population of this district is _____ more than or _____ less than 10,000; and now, therefore,

BE IT RESOLVED by the governing body of the taxing district that an increase in the regular property tax levy is hereby authorized for the levy to be collected in the _____ 2019 _____ tax year.

The dollar amount of the increase over the actual levy amount from the previous year shall be \$ _____ 444.92 _____ which is a percentage increase of _____ 101 _____ % from the previous year. This increase is exclusive of additional revenue resulting from new construction, improvements to property, newly constructed wind turbines, solar, biomass, and geothermal facilities, and any increase in the value of state assessed property, any annexations that have occurred and refunds made.

Adopted this _____ 19 _____ day of _____ November _____ , _____ 2018 _____ .

If additional signatures are necessary, please attach additional page.

This form or its equivalent must be submitted to your county assessor prior to their calculation of the property tax levies. A certified budget/levy request, separate from this form is to be filed with the County Legislative Authority no later than November 30th. As required by RCW 84.52.020, that filing certifies the total amount to be levied by the regular property tax levy. The Department of Revenue provides the "Levy Certification" form (REV 64 0100) for this purpose. The form can be found at: http://dor.wa.gov/docs/forms/PropTx/Forms/LevyCertf.doc.

To ask about the availability of this publication in an alternate format, please call 1-800-647-7706. Teletype (TTY) users may use the Washington Relay Service by calling 711. For tax assistance, call (360) 534-1400.

Ordinance / Resolution No. _____
RCW 84.55.120

WHEREAS, the Town of Yacolt of Clark County has met and considered
(Governing body of the taxing district) (Name of the taxing district)
its budget for the calendar year 2019; and,

WHEREAS, the districts actual levy amount from the previous year was \$ 200,704.00; and,
(Previous year's levy amount)

WHEREAS, the population of this district is more than or less than 10,000; and now, therefore,
(Check one)

BE IT RESOLVED by the governing body of the taxing district that an increase in the regular property tax levy is hereby authorized for the levy to be collected in the 2019 tax year.
(Year of collection)

The dollar amount of the increase over the actual levy amount from the previous year shall be \$ _____
which is a percentage increase of _____% from the previous year. This increase is exclusive of
(Percentage increase)

additional revenue resulting from new construction, improvements to property, newly constructed wind turbines, solar, biomass, and geothermal facilities, and any increase in the value of state assessed property, any annexations that have occurred and refunds made.

Adopted this 19 day of November, 2018.

If additional signatures are necessary, please attach additional page.

This form or its equivalent must be submitted to your county assessor prior to their calculation of the property tax levies. A certified budget/levy request, separate from this form is to be filed with the County Legislative Authority no later than November 30th. As required by RCW 84.52.020, that filing certifies the total amount to be levied by the regular property tax levy. The Department of Revenue provides the "Levy Certification" form (REV 64 0100) for this purpose. The form can be found at: <http://dor.wa.gov/docs/forms/PropTx/Forms/LevyCertf.doc>.

To ask about the availability of this publication in an alternate format, please call 1-800-647-7706. Teletype (TTY) users may use the Washington Relay Service by calling 711. For tax assistance, call (360) 534-1400.



Town of Yacolt Request for Council Action

CONTACT INFORMATION FOR PERSON/GROUP/DEPARTMENT REQUESTING COUNCIL ACTION:

Name: Dawn Salisbury **Group Name:**
Address: **Phone:**
Email Address: **Alt. Phone:**

ITEM INFORMATION:

Item Title: Levy Resolution
Proposed Meeting Date: 11/19/2018
Action Requested of Council: Approve Levy Resolution
Proposed Motion:
Summary/ Background: Figures will be updated after Budget workshop with Nick Deatherage
Staff Contact(s): Dawn Salisbury



Town of Yacolt

Request for Council Action

CONTACT INFORMATION FOR PERSON/GROUP/DEPARTMENT REQUESTING COUNCIL ACTION:

Name: Dawn Salisbury **Group Name:**
Address: **Phone:**
Email Address: **Alt. Phone:**

ITEM INFORMATION:

Item Title: Engineering Services RFQ
Proposed Meeting Date: 11/19/2018
Action Requested of Council: Approve to extend Engineering contract till 6/30/218
Proposed Motion:
Summary/ Background: Gray area on if need to be renewed annually. May extend existing contract if both parties agree. See attachment from MRSC.
Staff Contact(s): Dawn Salisbury

AGREEMENT FOR ENGINEERING SERVICES

THIS AGREEMENT is by and between the Town of Yacolt, a municipal corporation located in the County of Clark, State of Washington, (hereinafter referred to as the "Town"), and Jackson Civil Engineering, LLC, a Washington licensed limited liability company, (hereinafter referred to as the "Engineer").

The parties recite and declare that:

1. The Town is in need of an engineer to perform and render engineering services to the Town.
2. The Engineer employs persons who, through education and experience, possess the requisite skills to provide competent engineering services for the Town.
3. The Town is, therefore, desirous of engaging the services of the Engineer.
4. The Town performed a qualifications-based public competitive bidding and procurement process pursuant to RCW 39.80, and found the Engineer best met the qualifications required by the Town for the Town's forecasted engineering needs.

For the reasons set forth above and in consideration of the mutual covenants and promises of the parties hereto, the Engineer and the Town agree as follows:

Section One – Acceptance of Contractual Relationship:

The Town hereby retains the Engineer as its Town Engineer to perform and render engineering services as described in Section Five, below.

Section Two – Character of Contractual Relationship:

The Engineer is an independent contractor and not a Town employee. As the Engineer is customarily engaged in an independently established trade which encompasses the specific services provided to the Town hereunder, no agent, employee, representative or sub-consultant of the Engineer shall be or shall be deemed to be the employee, agent, representative or sub-consultant of the Town. In the performance of the work, the Engineer is an independent contractor with the ability to control and direct the performance and details of the work, the Town being interested only in the results obtained under this Agreement. None of the benefits provided by the Town to its employees, including, but not limited to, compensation, insurance, and unemployment insurance, are available from the Town to the employees, agents, representatives, or sub-consultants of the Engineer. The Engineer may not sign any contract on behalf of the Town, and may not obligate the Town in any way without the Town's express written consent.

Section Three – Duration and Scope of Relationship:

The term of this Agreement shall be from June 1, 2018, continuing thereafter through December 31, 2018, unless and until terminated pursuant to Section Eight, below. This Agreement may be extended for additional periods of time upon the mutual written agreement of the Town and the Engineer.

The Town reserves the right to contract with other engineers for project-specific engineering as required by Washington public contracting requirements, or as the Town deems appropriate.

Section Four - Place of Work:

It is understood that the Engineer's service will be rendered largely at the Engineer's office in Washougal, but that the Engineer will, on request and as work requires, come to the Yacolt Town Hall or such other places as designated by the Town, to work on Town projects and meet with the Town's representatives.

Section Five - Nature of Duties:

As Town Engineer, the Engineer shall perform engineering services as requested by the Town, manage and oversee construction contracts, prepare engineering and project estimates, prepare documents necessary and proper in connection with the business of the Town, and, in general, to render such engineering services of every kind and nature as the Town shall require or deem proper in its business. The Engineer shall exercise the degree of skill and diligence normally employed by professional engineers engaged in the same profession, and performing the same or similar services at the time such services are performed. The Engineer warrants that it has the requisite training, skill, and experience necessary to provide the engineering services and is appropriately accredited and licensed by all applicable agencies and governmental entities.

Section Six – Compensation:

The Town agrees to pay the Engineer:

- A. \$120.00 per hour for all services rendered by Devin Jackson Principal, in increments of ¼ hour.
- B. \$100.00 per hour for all services rendered by CAD designer, in increments of ¼ hour.
- C. Invoice amount plus 15% for all subcontractors rendering services on behalf of Jackson Civil Engineering, LLC.
- D. If Jackson Civil Engineering, LLC hires additional employees, the rate of compensation for services rendered by those employees shall be determined by mutual written agreement between the Town and Jackson Civil Engineering, LLC prior to the performance of work.
- E. In addition to the compensation set forth above, the Town shall reimburse the Engineer for all reasonable and necessary expenses which may be paid or incurred by Engineer on behalf of the Town, subject to Town review and audit of receipts in support thereof.

Section Seven - Other Employment:

The Engineer shall devote all time reasonably necessary to the business of the Town but shall not by this retainer be prevented or barred from taking other employment of a similar or other character by reason of the contractual services herein specified.

Section Eight – Termination:

This Agreement may be terminated by either party at any time on thirty (30) days' prior written notice to the other party.

Section Nine – Modification:

No modification or waiver of this Agreement or of any covenant, condition, or provision herein contained shall be valid unless in writing and duly executed by the party to be charged therewith.

Section Ten - Indemnification / Insurance:

The Engineer shall defend, indemnify and hold the Town, its officers, officials, employees, agents and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the acts, errors or omissions of the Engineer in performance of this Agreement, except for injuries and damages caused by the sole negligence of the Town.

Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Engineer and the Town, its officers, officials, employees, agents and volunteers, the Engineer's liability, including the duty and cost to defend, hereunder shall be only to the extent of the Engineer's negligence.

It is further specifically and expressly understood that the indemnification provided herein constitutes the Engineer's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

A. Insurance Term:

The Engineer shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Engineer, its agents, representatives, or employees.

B. No Limitation:

The Engineer's maintenance of insurance as required by this Agreement shall not be construed to limit the liability of the Engineer to the coverage provided by such insurance, or otherwise limit the Town's recourse to any remedy available at law or in equity.

C. Minimum Scope of Insurance:

The Engineer shall obtain insurance of the types and coverage described below:

1. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage.
2. Commercial General Liability insurance shall be at least as broad as ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, stop-gap independent contractors and personal injury and advertising injury. The Town shall be named as an additional insured under the Engineer's

Commercial General Liability insurance policy with respect to the work performed for the Town using an additional insured endorsement at least as broad as ISO CG 20 26.

3. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.
4. Professional Liability insurance appropriate to the Engineer's profession.

D. Minimum Amounts of Insurance:

The Engineer shall maintain the following insurance limits:

1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.
2. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate.
3. Professional Liability insurance shall be written with limits no less than \$1,000,000 per claim and \$1,000,000 policy aggregate limit.

E. Other Insurance Provision:

The Engineer's Automobile Liability and Commercial General Liability insurance policies are to contain, or be endorsed to contain a provision that they are primary insurance with respect to the Town. Any Insurance, self-insurance, or self-insured pool coverage maintained by the Town shall be in excess of the Engineer's insurance and shall not contribute with it.

F. Acceptability of Insurers:

Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

G. Verification of Coverage:

The Engineer shall furnish the Town with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Engineer before commencement of the work.

H. Notice of Cancellation:

The Engineer shall provide to the Town any written notice of any policy cancellation within two business days of its receipt of such notice.

I. Failure to Maintain Insurance:

Failure on the part of the Engineer to maintain the insurance as required shall constitute a material breach of this Agreement, upon which the Town may, after giving five business days' notice to the Engineer to correct the breach, immediately

terminate the Agreement, and/or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the Town on demand, or at the sole discretion of the Town, offset against funds due the Engineer from the Town.

J. Full Availability of Engineer's Limits:

If the Engineer maintains higher insurance limits than the minimums shown above, the Town shall be insured for the full available limits of Commercial General and Excess or Umbrella liability maintained by the Engineer, irrespective of whether such limits maintained by the Engineer are greater than those required by this contract or whether any certificate of insurance furnished to the Town evidences limits of liability lower than those maintained by the Engineer.

Section Eleven - Notice:

Any notice required under this Agreement shall be deemed sufficient if made in writing and personally delivered or sent by certified mail to either party at the following addresses, or such other address as may hereafter be specified by either party in writing:

Mailing Addresses:	Town of Yacolt P.O. Box 160 Yacolt, WA 98675	Jackson Civil Engineering, LLC P.O. Box 1748 Battle Ground, WA 98601-4687
Physical Addresses:	202 W. Cushman St. Yacolt, WA 98675	32603 S.E. 27 th Street Washougal, WA 98671

Section Twelve – Title VI of the Civil Rights Act of 1964:

Under Title VI of the Civil Rights Act of 1964, no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Section Thirteen - Access to Records Clause:

The Town and other authorized representatives of the state and federal governments shall have access to any books, documents, papers, and records of the Engineer which are directly pertinent to the Agreement for the purposes of making audit, examination, excerpts, and transcriptions.

The Engineer agrees to maintain such records and follow such procedures as the Town may prescribe. In general, such records will include information pertaining to the Agreement, obligations and unobligated balances, assets and liabilities, outlays, equal opportunity, labor standards (as appropriate), and performance.

All such records and all other records pertinent to this Agreement and work undertaken under this Agreement shall be retained by Engineer for a period of three (3) years, unless a longer period is required to resolve audit findings or litigation. In such cases, Town shall request a longer period of record retention.

///

Section Fourteen – Section 109 of the Housing and Community Development Act of 1974, as amended:

No person in the United States shall, on the grounds of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this title.

Section Fifteen - Public Law 101-336, Americans with Disabilities Act of 1990:

Subject to the provisions of this title, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.

Section Sixteen – Age Discrimination Act of 1975, as amended:

No person shall be excluded from participation, denied program benefits, or subjected to discrimination on the basis of age under any program or activity receiving federal funding assistance [42 U.S.C. 610 *et. seq.*]

Section Seventeen – Section 504 of the Rehabilitation Act of 1973, as amended:

No otherwise qualified individual shall, solely by reason of his or her handicap, be excluded from participation (including employment), denied program benefits, or subjected to discrimination under any program or activity receiving federal funds [29 U.S.C. 794]

Section Eighteen - Complete Agreement:

This written Agreement embodies the whole agreement between the parties and there are no inducements, promises, terms, conditions or obligations made or entered into by either the Town or the Engineer other than contained herein.

Section Nineteen – Confidentiality:

The Engineer may, from time to time, receive information which is deemed by the Town to be confidential. The Engineer shall not disclose such information without the prior express written consent of the Town or upon order of a court of competent jurisdiction.

Section Twenty - Applicable Laws and Standards:

The Parties, in the performance of this Agreement, agree to comply with all applicable federal, state, and local laws and regulations. The Engineer warrants that its designs, construction documents, and services shall conform to all applicable federal, state and local statutes and regulations.

The law of the State of Washington shall apply in interpreting this Agreement. Venue for any lawsuit arising out of this Agreement shall be in the Superior Court of the State of Washington, in and for Clark County.

Section Twenty-One - Binding Effect and Assignment:

This Agreement shall be binding upon and shall inure to the benefit of the Town and its successors and assigns. Neither this Agreement nor any rights hereunder may be assigned by the Engineer

without the written consent of the Town.

Section Twenty-Two - Saving Clause:

If any provision of this Agreement, or the application of such provision to any person or under any circumstances, shall be held invalid, the remainder of this Agreement, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

Section Twenty-Three - No Waiver:

The failure of either party to this Agreement to insist upon the performance of any of the terms and conditions of this Agreement, or the waiver of any breach of any of the terms and conditions of this Agreement, shall not be construed as thereafter waiving any such terms and conditions, but the same shall continue and remain in full force and effect as if no such forbearance or waiver had occurred.

Section Twenty-Four - Costs and Attorney's Fees:

In the event of any claim or dispute arising out of this Agreement, the party that substantially prevails shall be awarded, in addition to all other relief, all legal fees and other costs and expenses incurred in connection with such claim or dispute.

Section Twenty-Five - Business License:

Prior to commencement of work under this Agreement, the Engineer shall register for a business license in the Town.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the dates of the signatures below.

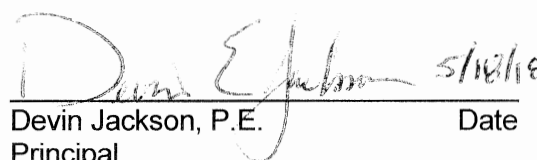
TOWN OF YACOLT:



Amy Boget, Mayor Pro Tem
Town of Yacolt

5/21/18
Date

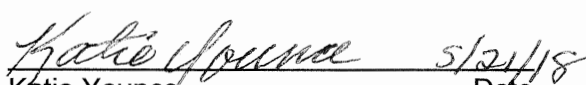
ENGINEER:



Devin Jackson, P.E.
Principal

5/18/18
Date


ATTEST:



Katie Younce
Assistant Clerk

5/21/18
Date

Approved as to Form:



David Ridenour
Town Attorney

Date

RCW 39.80.040

Procurement of architectural and engineering services—Submission of statement of qualifications and performance data—Participation by minority and women-owned firms and veteran-owned firms.

In the procurement of architectural and engineering services, the agency shall encourage firms engaged in the lawful practice of their profession to submit annually a statement of qualifications and performance data. The agency shall evaluate current statements of qualifications and performance data on file with the agency, together with those that may be submitted by other firms regarding the proposed project, and shall conduct discussions with one or more firms regarding anticipated concepts and the relative utility of alternative methods of approach for furnishing the required services and then shall select therefrom, based upon criteria established by the agency, the firm deemed to be the most highly qualified to provide the services required for the proposed project. Such agency procedures and guidelines shall include a plan to ensure that minority and women-owned firms and veteran-owned firms are afforded the maximum practicable opportunity to compete for and obtain public contracts for services. The level of participation by minority and women-owned firms and veteran-owned firms shall be consistent with their general availability within the professional communities involved. For the 2015-2017 biennium the procurement for services related to modular classrooms may be expedited.

[2016 sp.s. c 35 § 6010; 2010 c 5 § 10; 1981 c 61 § 4.]

NOTES:

Effective date—2016 sp.s. c 35: See note following RCW **28B.10.027**.

Purpose—Construction—2010 c 5: See notes following RCW **43.60A.010**.

Effective date—1981 c 61: See note following RCW **39.80.010**.

From: [Sarah Doar](mailto:dawn.salisbury@townofyacolt.com)
To: dawn.salisbury@townofyacolt.com
Subject: MRSC Inquiry - RFQ renew
Date: Wednesday, November 14, 2018 11:05:23 AM

Good morning. You asked: What is the RCW that requires going out for a new RFQ for engineering services every year? Can contracts just be extended?

Response: If there is existing contract language that allows for renewals or extensions, then I think you can rely on that language without going out for a new RFQ. If the contract is silent on extensions, the practice that would likely avoid possible litigation is to go out for a new RFQ. Here is the analysis from a prior inquiry:

+++Start+++

The relevant statute is RCW 39.80.040, which provides:

In the procurement of architectural and engineering services, the agency shall *encourage* firms engaged in the lawful practice of their profession to submit annually a statement of qualifications and performance data. The agency shall evaluate current statements of qualifications and performance data on file with the agency, together with those that may be submitted by other firms regarding the proposed project, and shall conduct discussions with one or more firms regarding anticipated concepts and the relative utility of alternative methods of approach for furnishing the required services and then shall select therefrom, based upon criteria established by the agency, the firm deemed to be the most highly qualified to provide the services required for the proposed project. *Such agency procedures and guidelines* shall include a plan to insure that minority and women-owned firms and veteran-owned firms are afforded the maximum practicable opportunity to compete for and obtain public contracts for services. The level of participation by minority and women-owned firms and veteran-owned firms shall be consistent with their general availability within the professional communities involved.

The statute doesn't address contract term extension. We have previously opined that the better practice is to seek new RFQs instead of extending a term; this may not make sense for all scenarios (e.g., when Phase II of grant funding was secured, allowing for the architect to continue with Phase II), but it's the safest, most conservative route. Here is how another legal consultant in our office explained that thinking:

The statute "encourages" firms to provide annual statements of qualifications. That at least suggests that new firms should be allowed to be considered and further assumes, possibly, that a new firm might now be the most highly qualified. Since the contract with the current consultant is now up, it appears to me that the process set out in RCW 39.80.040 should be followed, and new RFQs should be solicited. Obviously nothing would prohibit the agency from contracting again with the current consultant. And, of course, depending upon what criteria the agency establishes to determine who is most highly qualified, it may well be that, due to the current firm's familiarity with the agency, it remains the most highly qualified.

The statute, as you can see, “encourages” rather than “requires.” And, if there are no more recent RFQs that have been filed, presumably the current consultant remains the most highly qualified. While the statute, though, sets out no penalty for failure to follow the process, it may well be that a disgruntled consultant, one who wasn’t considered for the new contract, could go to court to challenge the agency’s renewal process. For that reason, I believe the better course to take, now that a new contract is required, would be to seek new RFQs, evaluate them based upon some criteria, and then seek to contract with the now most highly qualified firm.

+++End+++

Extensions are also arguably amendments. MRSC advises that cities adopt policies and procedures for contract amendments. See the suggested guidelines on page 21 of MRSC’s [Contracting for Services](#) publication.

Please let me know if you have any further questions.

Sarah M. Doar

MRSC Legal Consultant

206.625.1300 | MRSC.org | Local Government Success

RESOLUTION # 573

A RESOLUTION REPEALING RESOLUTION # 521, AUTHORIZING STEVE RADER AS FINANCIAL CONSULT FOR THE TOWN OF YACOLT TO PROVIDE INFORMATION ON MATTERS OF INVESTMENTS.

WHEREAS, The Town Council of the Town of Yacolt, Washington in its regular session this 19th day of November, 2018; and

WHEREAS, The members of the Town Council have had notice of the time, place, and purpose of said meeting; now

THEREFORE, BE IT RESOLVED by the Town Council of the Town of Yacolt, Washington, that Resolution # 521 be repealed in its entirety.

APPROVED this 19th day of November, 2018.

Vince Myers, Mayor

Attest:

Dawn Salisbury, Town Clerk

Ayes: _____

Nays: _____

Abstain: _____

Absent: _____

RESOLUTION # 521

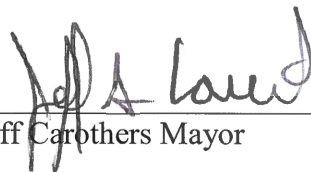
A RESOLUTION AUTHORIZING STEVE RADAR AS FINANCIAL CONSULT FOR THE TOWN OF YACOLT TO PROVIDE INFORMATION ON MATTERS OF INVESTMENTS

WHEREAS: The Town Council of the Town of Yacolt, Washington is in regular session this 4th day of May, 2015; and

WHEREAS: The members of the Town Council have had notice of the time, place, and purpose of said meeting; now

THEREFORE, BE IT RESOLVED by the Town Council of the Town of Yacolt, Washington, that Steve Radar will serve as a consult on matters of investment; any decisions on investments remain in the control of the Town of Yacolt, Town Council.

APPROVED this 18th day of May, 2015



Jeff Carothers Mayor

Attest:



Cindy Marbut, Clerk/Treasurer

Ayes: Urias, Myers, Hancock, Karl

Nays: Ø

Absent: Ø

Resolution # 575

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YACOLT, WASHINGTON DESIGNATING THE OFFICIAL NEWSPAPER FOR THE TOWN OF YACOLT AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, State Law requires under RCW 35A.21.230 that the official newspaper of record be designated by Resolution; and

WHEREAS, the members of the Town Council of Yacolt, Washington have had notice of time, place and purpose of said meeting; and

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Yacolt, Washington that The Reflector Newspaper , a weekly newspaper of general circulation pursuant to RCW 65.16, is hereby officially designated as the official newspaper for the Town of Yacolt.

Adopted by the Town Council of the Town of Yacolt, Washington, at a regularly scheduled meeting thereof this 19th day of November, 2018.

This Resolution # 575 becomes effective immediately upon adoption.

Town of Yacolt

Vince Myers, Mayor

Attest:

Dawn Salisbury
Clerk

Ayes: _____

Nays: _____

Absent: _____

Abstain: _____

Effective Date: _____

**TOWN OF YACOLT
REQUEST FOR PROPOSALS
BUILDING INSPECTOR – INDEPENDENT CONTRACTOR
Proposals due by 5:00 pm on _____, 2018**

PROPOSAL REQUIREMENTS

The Town of Yacolt is seeking general building inspector services.

Nature of Work

This position performs a wide range of field and office duties including: Customer service, technical assistance, field inspection and plan review.

Performance of field inspections requires review of approved documents, proper interpretation and application of adopted codes, review proposed material evaluations, verifying materials and special testing results to ensure compliance with the International Codes as well as Yacolt Municipal Code, State, and federal codes and standards.

The duties are performed in office and field environments and may include exposure to adverse weather conditions.

Responsibilities

Perform administrative services including acting in the capacity of Building Official. Perform plan reviews and inspections to verify conformance with applicable State of Washington, International Building Codes and their related standards and jurisdiction of the Town of Yacolt, Washington Titles relative to commercial and residential construction.

Provide the jurisdiction with a list of building code regulations of items needing clarification or correction to achieve compliance with applicable regulations. Each correction shall reference the applicable code section that generated the correction.

Communicate with the jurisdiction to perform all necessary re-checks to achieve compliance with the jurisdictions' Titles relative to commercial and residential construction.

Maintain contact with the jurisdiction to ensure compliance with the administrative requirements of the applicable codes and to ensure consistency with local policies, procedures and interpretations.

Job Requirements and Qualifications

Provide quality review at time of intake to insure the adequacy of information submitted for plan review and to be considered a complete submittal.

Provide a single point-of-contact for communications and problem resolution.

Coordinate site reviews to be performed by other Jurisdiction Department (e.g. storm water, traffic transportation, engineering. etc.)

Coordinate review of planning and zoning requirements.

Process and rule on any appeals generated by the project.

Maintain records as required by Washington State Law.

Process contractor approved revisions and “deferred submittals” items.

The jurisdiction shall have the final decision authority over plan approval and permit issuance.

Experience/Education

High School diploma or GED equivalent: and

Two (2) years of related construction experience; including at least one (1) year field inspection experience; or

Equivalent combination of education, training, and experience that provides the knowledge, skills and ability to perform the duties of this position.

Certification/License

IBC

ICC

Valid Driver’s License

Plan Review Certification Preferred

Physical Demands

Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the contractor to discern verbal instructions and communicate effectively with others in person and by telephone;

Sufficient visual acuity, with or without reasonable accommodations, which permits the contractor to comprehend written work instructions, technical documents, review plans and diagrams, and move through unfamiliar buildings, climb ladders, crawl around and under buildings and ditches and across steep and/or rough terrain.

Sufficient manual dexterity, with or without reasonable accommodation, which permits the contractor to operate standard office equipment, including a personal computer and calculator;

Sufficient body mobility, flexibility and agility to work in an office environment as well as perform field inspections and building sites in adverse weather conditions.

Requested Information:

Proposals should include the following information

For proposers, building official history since 2010.

Qualifications for providing building inspection services including the names and contact information for three professional references. The Town will conduct reference checks for the finalist. The Clerk will notify the winning proposer as determined by the Evaluation Committee.

The Town is requesting that proposals include fees and how they are calculated.

The Town of Yacolt reserves the right to reject any or all proposals, waive technicalities or irregularities, and to accept any proposal if such action is believed to be in the best interest of the Town.

All inquiries about this Request for Proposal and current legal services received by the city should be directed by email to Dawn Salisbury, Town Clerk, at dawn.salisbury@townofyacolt.com.

Delivery: Proposals may be mailed or hand delivered to the Town of Yacolt, Town Clerk, P.O. Box 160 Yacolt, WA 98675.

The statements contained herein reflect general details as necessary to describe the principal functions of this position. The level of knowledge and skills typically required and the scope of responsibilities should not be considered an all inclusive listing of the work requirements. Individuals may perform other duties as required.

Evaluation Criteria

Fees or costs

Quality of previous performance

Ability to meet deadlines

Responsiveness to Request for Proposal requirements

Compliance with statutes and rules relating to contracts or services

References

Staff readily available to the Town

Licensing and certification

Ability to meet necessary response times for unscheduled work and emergencies

Qualifications and experience.



Town of Yacolt Request for Council Action

CONTACT INFORMATION FOR PERSON/GROUP/DEPARTMENT REQUESTING COUNCIL ACTION:

Name: Dawn Salisbury **Group Name:**
Address: **Phone:**
Email Address: **Alt. Phone:**

ITEM INFORMATION:

Item Title: Periodic update Checklist of Yacolt's Comprehensive Growth Plan –Periodic update performed by Clark County Planner Gary Albrecht to make sure we are in compliance with laws passed since 2013 for our Comprehensive Growth Plan. Next required update will be 2021.

Proposed Meeting Date: 11/19/2018

Action Requested of Council: Review checklist as completed by Gary Albrecht

Proposed Motion:

Summary/Background: Update should have been done in 2016. Out of compliance until completed.

Staff Contact(s): Dawn Salisbury



Department of Commerce

Contact Information:

Paul Johnson, Senior Planner, Growth Management Services
Phone:360-7253048, email: paul.johnson@commere.wa.gov

Periodic Update Checklist for Cities – Updated June 2016

Covers laws through 2016

This checklist is intended to help cities that are fully planning under the Growth Management Act (GMA) to conduct the “periodic review and update” of comprehensive plans and development regulations required by [RCW 36.70A.130\(4\)](#). Cities can use the checklist to identify components of their comprehensive plan and development regulations that may need to be updated to reflect the latest local conditions or to comply with changes to the GMA since their last update.

This checklist includes components of the comprehensive plan and development regulations that are specifically required by the GMA. **Statutory requirements adopted since 2003 are emphasized in highlighted text** to help identify new components of the GMA that may not have been addressed in annual updates or other amendments outside of the required periodic update process. Cities within the Puget Sound Regional Council boundaries may want to use this checklist in tandem with PSRC checklists. A separate checklist is available for counties.

How to fill out the checklist

With the most recent version of your comprehensive plan and development regulations in hand, fill out each item in the checklist. Select the check box or type in text fields, answering the following questions:

Is this item addressed in your current plan or regulations? If YES, fill in the form with citation(s) to where in the plan or code the item is addressed. We recommend using citations rather than page numbers because they stay the same regardless of how the document is printed. If you have questions about the requirement, follow the hyperlinks to the relevant statutory provision or rules. If you still have questions, visit the [Commerce Web page](#) or the Commerce planner assigned to your region.

Is amendment needed to meet current statute? Check YES to indicate a change to your plan or regulations will be needed. Check NO to indicate that the GMA requirement has already been met. Local updates may not be needed if the statute hasn’t changed since your previous update, if your county has kept current with required inventories, or if there haven’t been many changes in local circumstances.

Use the “Notes” column to add additional information to note areas where your county may elect to work on or amend sections of your plan or development regulations that are not strictly required by the GMA, or to indicate if the item is not applicable to your jurisdiction.

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Notes
--	---	---	-------

How to use the completed checklist

Commerce strongly encourages you to use the completed checklist to develop a [detailed work plan](#) (see *Appendix B*) for your periodic update. The checklist can be used to inform the contents of a council resolution that defines what actions will be taken as part of the GMA periodic update.

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Notes
--	---	---	-------

I. Required Comprehensive Plan Elements and Components

1. A Land Use Element that is consistent with countywide planning policies (CWPPs) and RCW 36.70A.070(1) .			
a. A future land use map showing city limits and urban growth area (UGA) boundaries. RCW 36.70A.070(1) and RCW 36.70A.110(6) WAC 365-196-400(2)(d) , WAC 365-196-405(2)(i)(ii)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) Appendices	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b. Consideration of urban planning approaches that increase physical activity. RCW 36.70A.070(1) , Amended in 2005 WAC 365-196-405 (2)(j)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) I. Land use goals and policies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
c. A consistent population projection throughout the plan which should be consistent with the Office of Financial Management forecast for the county or the county's sub-county allocation of that forecast. RCW 43.62.035 , WAC 365-196-405(f)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) B. Existing and Projected Population	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Section B projected population is 2,280. Clark County 2016 Comprehensive Plan projected Yacolt population is 1,964.
d. Estimates of population densities and building intensities based on future land uses. RCW 36.70A.070(1) ; WAC 365-196-405(2)(i)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) F. Future Land Use	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
e. Provisions for protection of the quality and quantity of groundwater used for public water supplies. RCW 36.70A.070(1)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) F. Future Land Use Parks and Open Space	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Notes
f. Identification of lands useful for public purposes such as utility corridors, transportation corridors, landfills, sewage treatment facilities, stormwater management facilities, recreation, schools, and other public uses. RCW 36.70A.150 and WAC 365-196-340	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) F. Future Land Use. Public Facilities	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
g. Identification of open space corridors within and between urban growth areas , including lands useful for recreation, wildlife habitat, trails, and connection of critical areas. RCW 36.70A.160 and WAC 365-196-335	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) F. Future Land Use. Parks & Open Space	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
h. <i>If there is an airport within or adjacent to the city:</i> policies, land use designations (and zoning) to discourage the siting of incompatible uses adjacent to general aviation airports. [RCW 36.70A.510 , RCW 36.70.547 , New in 1996] <i>Note:</i> The plan (and associated regulations) must be filed with the Aviation Division of WSDOT. WAC 365-196-455	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Location(s)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No airport near or adjacent to the Town of Yacolt.
i. <i>If there is a Military Base within or adjacent to the jurisdiction employing 100 or more personnel:</i> policies, land use designations, (and consistent zoning) to discourage the siting of incompatible uses adjacent to military bases. RCW 36.70A.530(3) , New in 2004. See WAC 365-196-475	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Location(s)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No Military Base within or adjacent to the Town of Yacolt.
j. Where applicable, a review of drainage, flooding, and stormwater run-off in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state. RCW 36.70A.70(1) and WAC 365-196-405(2)(c) <i>Note:</i> RCW 90.56.010(26) defines waters of the state.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) F. Future Land Use. Parks & Open Space	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
k. Policies to designate and protect critical areas including wetlands, fish and wildlife habitat protection areas, frequently flooded areas, critical aquifer recharge areas, and geologically hazardous areas. In developing these policies, the city must have included the best available science (BAS) to protect the functions and values of critical areas, and give “special consideration” to conservation or protection measures necessary to preserve or enhance anadromous	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) I. Land Use Goal and Policies, Policy 1-4.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	BAS included in YMC 16.20.080.

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Notes
<p>fisheries. RCW 36.70A.030(5), RCW 36.70A.172, BAS added in 1995. See WAC 365-195-900 through -925, WAC 365-190-080</p> <p><i>Note:</i> A voluntary stewardship program was created in 2011 as an alternative for protecting critical areas in areas used for agricultural activities. Counties had the opportunity to opt into this voluntary program before January 22, 2012. See requirements of the voluntary stewardship program. RCW 36.70A.700 through .904.</p>			
<p>1. <i>If forest or agricultural lands of long-term commercial significance are designated inside city: a program authorizing Transfer (or Purchase) of Development Rights.</i> RCW 36.70A.060(4), Amended in 2005</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Location(s)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	None inside the Town of Yacolt.
<p>2. A Housing Element to ensure the vitality and character of established residential neighborhoods and is consistent with relevant CWPPs, and RCW 36.70A.070(2).</p>			
<p>a. Goals, policies, and objectives for the preservation, improvement, and development of housing. RCW 36.70A.070(2)(b) and WAC 365-196-410(2)(a)</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) C. Housing Goals and Policies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>b. An inventory and analysis of existing and projected housing needs over the planning period. RCW 36.70A.070(2)(a) and WAC 365-196-410(2)(b) and (c)</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) A. Introduction	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>c. Identification of sufficient land for housing, including but not limited to, government-assisted housing, housing for low-income families, manufactured housing, multifamily housing, group homes, and foster care facilities. RCW 36.70A.070(2)(c)</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) A. Introduction B. Housing Development Strategies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>d. Adequate provisions for existing and projected housing needs for all economic segments of the community. RCW 36.70A.070(2)(d) and WAC 365-196-410</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) B. Housing Development	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Notes
--	---	---	-------

	Strategies		
e. If enacting or expanding an affordable housing program under RCW 36.70A.540: identification of land use designations within a geographic area where increased residential development will assist in achieving local growth management and housing policies. RCW 36.70A.540, New in 2006. WAC 365-196-870	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) B. Housing Development Strategies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
f. Policies so that manufactured housing is not regulated differently than site built housing. RCW 35.21.684, 35.63.160, 35A.21.312, and 36.01.225, Amended in 2004	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) C. Housing Goals and Policies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
g. If the city has a population of over 20,000: provisions for accessory dwelling units (ADUs) to be allowed in single-family residential areas. RCW 36.70A.400, RCW 43.63A.215(3)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) B. Housing Development Strategies. C. Housing Goals and Policies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
3. A Capital Facilities Plan (CFP) Element to serve as a check on the practicality of achieving other elements of the plan, covering all capital facilities planned, provided, and paid for by public entities including local government and special districts, etc.; including water systems, sanitary sewer systems, storm water facilities, schools, parks and recreational facilities, police and fire protection facilities. Capital expenditures from Park and Recreation elements, if separate, should be included in the CFP Element. The CFP Element must be consistent with CWPPs, and RCW 36.70A.070(3) , and include:			
a. Policies or procedures to ensure capital budget decisions are in conformity with the comprehensive plan. RCW 36.70A.120	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) D. Capital Facilities Goal and Policies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b. An inventory of existing capital facilities owned by public entities. RCW 36.70A.070(3)(a) and WAC 365-196-415(2)(a)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) Land Use Element. D.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Notes
	Existing Land Use. Public Facilities		
c. A forecast of needed capital facilities. RCW 36.70A.070(3)(b) and WAC 365-196-415 (b) <i>Note:</i> The forecast of future need should be based on projected population and adopted levels of service (LOS) over the planning period.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) B. Existing Public Services and Facilities and Future Needs	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Public Facilities will be updated as projects and dates are updated.
d. Proposed locations and capacities of expanded or new capital facilities. RCW 36.70A.070(3)(c) and WAC 365-196-415 (3)(C)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) B. Existing Public Services and Facilities and Future Needs	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Public Facilities will be updated as projects and dates are updated.
e. A six-year plan (at least) identifying sources of public money to finance planned capital facilities. RCW 36.70A.070(3)(d) and RCW 36.70A.120 WAC 365-196-415	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	As new projects are identified, the CFP will be updated for consistency with the plan.
f. A policy or procedure to reassess the Land Use Element if probable funding falls short of meeting existing needs. RCW 36.70A.070(3)(e) WAC 365-196-415(2)(d)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) Procedural Guidelines, Policy 8-5.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
g. <i>If</i> impact fees are collected: identification of public facilities on which money is to be spent. RCW 82.02.050(4) and WAC 365-196-850	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) C. Current and Future Financial Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
4. A Utilities Element which is consistent with relevant CWPPs and RCW 36.70A.070(4) and includes:			

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Notes
<p>a. The general location, proposed location and capacity of all existing and proposed utilities. RCW 36.70A.070(4) and WAC 365-196-420</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) Land Use Element. D. Existing Land Use. Capital Facilities. B. Existing Public Services and Facilities and Future Needs.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5. A Transportation Element which is consistent with relevant CWPPs and RCW 36.70A.070(6) and includes:			
<p>a. An inventory of air, water, and ground transportation facilities and services, including transit alignments, state-owned transportation facilities, and general aviation airports. RCW 36.70A.070(6)(a)(iii)(A) and WAC 365-196-430(2)(c).</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) B. Existing Transportation Conditions	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>b. Adopted levels of service (LOS) standards for all arterials, transit routes and highways. RCW 36.70A.070(6)(a)(iii)(B), New in 1997. WAC 365-196-430</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) C. Level of Service Standards	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>c. Identification of specific actions to bring locally-owned transportation facilities and services to established LOS. RCW 36.70A.070(6)(a)(iii)(D), Amended in 2005. WAC 365-196-430</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) D. Future Transportation Needs E. Transportation Goal and Policies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>d. A forecast of traffic for at least 10 years, including land use assumptions used in estimating travel. RCW 36.70A.070(6)(a)(i), RCW 36.70A.070(6)(a)(iii)(E) WAC 365-196-430(2)(f).</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) D. Future Transportation Needs E.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Notes
	Transportation Goal and Policies		
e. A projection of state and local system needs to meet current and future demand. RCW 36.70A.070(6)(a)(iii)(F) and WAC 365-196-430(2)(f)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) D. Future Transportation Needs	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
f. A pedestrian and bicycle component. RCW 36.70A.070(6)(a)(vii), Amended 2005 WAC 365-196-430(2)(j)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) D. Future Transportation Needs	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
g. A description of any existing and planned transportation demand management (TDM) strategies , such as HOV lanes or subsidy programs, parking policies, etc. RCW 36.70A.070(6)(a)(vi) and WAC 365-196-430(2)(i)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) E. Transportation Goal and Policies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
h. An analysis of future funding capability to judge needs against probable funding resources. RCW 36.70A.070(6)(a)(iv)(A) and WAC 365.196-430(2)(k)(iv)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) Capital Facilities B. Existing Public Services and Facilities and Future Needs.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
i. A multiyear financing plan based on needs identified in the comprehensive plan, the appropriate parts of which serve as the basis for the 6-year street, road or transit program. RCW 36.70A.070(6)(a)(iv)(B) and RCW 35.77.010 WAC 365-196-430(2)(k)(ii)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) Capital Facilities E. Six-Year Capital Facilities Program	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Will need to update with current projects and timeline as needed.

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Notes
<p>j. <i>If</i> probable funding falls short of meeting identified needs: a discussion of how additional funds will be raised, or how land use assumptions will be reassessed to ensure that LOS standards will be met. RCW 36.70A.070(6)(a)(iv)(C) and WAC 365-196-430(2)(I)(ii)</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) Capital Facilities D. Capital Facilities Goal and Policies E. Six-Year Capital Facilities Program	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>k. A description of intergovernmental coordination efforts, including an assessment of the impacts of the transportation plan and land use assumptions on the transportation systems of adjacent jurisdictions and how it is consistent with the regional transportation plan. RCW 36.70A.070(6)(a)(v); WAC 365-196-430(2)(a)(iv)</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) Capital Facilities D. Capital Facilities Goal and Policies E. Six-Year Capital Facilities Program	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>6. Provisions for siting essential public facilities (EPFs), consistent with CWPPs and RCW 36.70A.200. This section can be included in the Capital Facilities Element, Land Use Element, or in its own element. Sometimes the identification and siting process for EPFs is part of the CWPPs.</p>			
<p>a. A process or criteria for identifying and siting essential public facilities (EPFs). [RCW 36.70A.200, Amended in 1997 and 2001] <i>Notes:</i> EPFs are defined in RCW 71.09.020(14). Cities should consider OFM's list of EPFs that are required or likely to be built within the next six years. Regional Transit Authority facilities are included in the list of essential public facilities RCW 36.70A.200, amended 2010. WAC 365-196-550(d)</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) Introduction D. Goals and Policies. Town of Yacolt Goals and Policies Regional Public Facilities, Goal 7.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>b. Policies or procedures that ensure the comprehensive plan does not preclude the siting of EPFs. RCW 36.70A.200(5) <i>Note:</i> If the EPF siting process is in the CWPPs, this policy</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) Introduction	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Notes
may be contained in the comprehensive plan as well. WAC 365-196-550(3)	D. Goals and Policies. Town of Yacolt Goals and Policies Regional Public Facilities, Goal 7.		
7. Consistency is required by the GMA.			
a. All plan elements must be consistent with relevant county-wide planning policies (CWPPs) and, where applicable, Multicounty Planning Policies (MPPs), and the GMA. RCW 36.70A.100 and 210 WAC 365-196-400(2)(c) , 305 and 520	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) Introduction D. Goals and Policies.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b. All plan elements must be consistent with each other. RCW 36.70A.070 (preamble), and WAC 365-197-400(2)(f)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) Introduction D. Goals and Policies.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
c. The plan must be coordinated with the plans of adjacent jurisdictions. RCW 36.70A.100 and WAC 365-196-520	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) Introduction D. Goals and Policies.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
a. Shoreline Provisions			
Comprehensive plan acknowledges that for shorelines of the state, the goals and policies of the shoreline management act as set forth in RCW 90.58.020 are added as one of the goals of this chapter as set forth in RCW 36.70A.020 without creating an order of priority among the fourteen goals. The goals and policies of the shoreline master program approved under RCW 90.58 shall be considered an element of the comprehensive plan. RCW 36.70A.480 , WAC 365-196-580	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Location(s)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No shorelines of the state exist inside the Town of Yacolt.
b. Public participation, plan amendments and monitoring. Note: House Bill 2834, passed in 2012, eliminates the requirement for cities planning under the			

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Notes
--	---	---	-------

GMA to report every 5 years on its progress in implementing its comprehensive plans.			
<p>a. A process to ensure public participation in the comprehensive planning process. RCW 36.70A.020(11), .035, and .140; WAC 365-196-600(3) The process should address annual amendments (if the jurisdiction allows for them) [RCW 36.70A.130(2), Amended in 2006], emergency amendments [RCW 36.70A.130(2)(b)], and may include a specialized periodic update process. Plan amendment processes may be coordinated among cities within a county [RCW 36.70A.130(2)(a)] and should be well publicized.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) Introduction D. Goals and Policies.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>b. A process to assure that proposed regulatory or administrative actions do not result in an unconstitutional taking of private property. See <i>Attorney General’s Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property</i> for guidance. RCW 36.70A.370</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) Introduction D. Goals and Policies. Growth Management Goals RCW 36.70A. Property Rights	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

II. Required Components of Development Regulations [WAC 365-196-810](#)

<p>10. Regulations designating and protecting critical areas are required by RCW 36.70A.170, RCW 36.70A.060(2) and RCW 36.70A.172(1). <i>Note:</i> A voluntary stewardship program was created in ESHB 1886 (2011) as an alternative for protecting critical areas in areas used for agricultural activities. Counties may choose to opt into this voluntary program before January 22, 2012. Go to http://scc.wa.gov/vsp/ for more information on the voluntary stewardship program.</p>			
<p>a. Classification and designation of each of the five types of critical areas (<i>wetlands, critical aquifer recharge areas, fish and wildlife habitat conservation areas, frequently flooded areas, and geologically hazardous areas</i>), if they are found within your city.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) YMC 16.20.070	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Updated in 2018

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Notes
<p>RCW 36.70A.170; WAC 365-196-830(2)</p> <p><i>Note: Senate Bill 5292 adopted in 2012 clarified that certain water-based artificial features or constructs are excluded from being considered part of a fish and wildlife habitat conservation areas.</i></p>			
<p>b. Findings that demonstrate Best Available Science (BAS) was included in developing policies and development regulations to protect the function and values of critical areas. In addition, findings should document special consideration given to conservation or protection measures necessary to preserve or enhance anadromous fisheries.</p> <p>RCW 36.70A.172(1); WAC 365-195, WAC 365-195</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) YMC 16.20.080	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>c. Regulations that protect the functions and values of wetlands. RCW 36.70A.060(2) and RCW 36.70A.172(1) WAC 365-190-090</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) YMC 16.45.020	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>d. A definition of wetlands consistent with RCW 36.70A.030(21) WAC 365-190-090, WAC 173-22-035</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) YMC 16.20.260	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>e. Delineation of wetlands using the approved federal wetlands delineation manual and applicable regional supplements [RCW 36.70A.175, RCW 90.58.380 (1995) (2011)] WAC 173-22-035</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) YMC 16.45.030 Standards. D. Wetland Delineation.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>f. Regulations that protect the functions and values of critical aquifer recharge areas (“areas with a critical recharging effect on aquifers used for potable water” RCW 36.70A.030(5)(b)). RCW 36.70A.060(2), RCW 36.70A.172(1) and WAC 365-190-100</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) YMC Chapter 16.25 Critical Aquifer Recharge Areas (CARA)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>g. Regulations to protect the quality and quantity of ground water used for public water supplies. RCW 36.70A.070(1)</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Notes
	YMC 16.25 CARA		
h. Regulations that protect the functions and values of fish and wildlife habitat conservation areas . RCW 36.70A.060(2) and RCW 36.70A.172(1) WAC 365-195-925(3) , 365-190-130	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) YMC 16.40	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
i. Regulations that protect the functions and values of frequently flooded areas . RCW 36.70A.060(2) and RCW 36.70A.172(1) WAC 365-190-110 , WAC 173-158-040	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) YMC 16.35	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
j. Definition of “fish and wildlife habitat conservation areas” does not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of and are maintained by a port district or an irrigation district or company. New in 2012. RCW 36.70A.030(5)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) YMC 16.20.260	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
k. Provisions to ensure water quality and stormwater drainage regulations are consistent with applicable Land Use Element policies. RCW 36.70A.070(1)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) YMC Chapter 16.25 CARAS	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
l. Regulation of geologically hazardous areas consistent with public health and safety concerns. RCW 36.70A.030(9) , RCW 36.70A.060(2) and RCW 36.70A.172(1) WAC 365-190-120	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) YMC 16.30	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
m. Provisions that allow “ reasonable use ” of properties constrained by presence of critical areas. RCW 36.70A.370 . See <i>Attorney General’s Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property</i> for guidance	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) YMC 16.20.110	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
n. If your city is assuming regulation of forest practices as provided in RCW 76.09.240: forest practices regulations that protect public resources, require appropriate approvals for all phases of conversion of forest lands, are guided by GMA planning goals, and are consistent with adopted critical areas regulations. RCW 36.70A.570 , Amended in 2007, 2010 and RCW 76.09.240 Amended in 2007, 2010 <i>Note: Applies only to counties fully planning under the GMA with a population greater than 100,000 and the cities and towns within those counties where a certain number of Class IV applications have been filed within a certain timeframe.</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) YMC 16.20.100 A (4) YMC 16.20.120 C (5) (C)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Notes
--	---	---	-------

11. Shoreline Master Program			
See Washington State Department of Ecology's SMP Submittal Checklist			
a. Zoning is consistent with Shoreline Master Program (SMP) environmental designations. RCW 36.70A.070 ; RCW 36.70A.480 and WAC 365-196-580	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Location(s)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No shorelines of the state exist inside the Town of Yacolt.
b. If SMP regulations have been updated to meet Ecology's shoreline regulations: protection for critical areas in shorelines is accomplished solely through the SMP. RCW 36.70A.480(4) , Amended in 2003 and 2010 and RCW 90.58.090(4) . WAC 365-196-580	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Location(s)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
12. The Zoning Code should contain the following provisions:			
a. Family daycare providers are allowed in areas zoned for residential or commercial uses. Zoning conditions should be no more restrictive than those imposed on other residential dwellings in the same zone, but may address drop-off and pickup areas and hours of operation. RCW 36.70A.450 , WAC 365-196-865	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) YMC 18.25.020 YMC 18.30.020	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b. Manufactured housing is regulated the same as site-built housing. RCW 35.21.684 , 35.63.160 , 35A.21.312 and 36.01.225 , All Amended in 2004	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) YMC 18.25.020 YMC 18.30.020	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
c. If the city has a population over 20,000 accessory dwelling units (ADUs) are allowed in single-family residential areas. RCW 43.63A.215(3)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) YMC 18.25.020 YMC 18.30.020	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
d. If there is an airport within or adjacent to the city: zoning that discourages the siting of incompatible uses adjacent to general aviation airports. RCW 36.70A.510 , RCW 36.70.547 , New in 1996) <i>Note:</i> The zoning regulations must be filed with the Aviation Division of WSDOT. WAC 365-196-455	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Location(s)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No airport within or adjacent to the Town of Yacolt.

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Notes
e. If there is a Military Base within or adjacent to the jurisdiction employing 100 or more personnel: zoning that discourages the siting of incompatible uses adjacent to military bases. RCW 36.70A.530(3), New in 2004. WAC 365-196-475	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Location(s)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No Military Base within or adjacent to the Town of Yacolt.
o. Residential structures that are occupied by persons with handicaps must be regulated the same as a similar residential structure occupied by a family or other unrelated individuals. RCW 36.70A.410 , WAC 365-196-860	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) YMC 18.65.030	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
p. Cities adjacent to I-5, I-90, I-405, or SR 520 and counties -- for lands within 1 mile of these highways -- must adopt regulations that allow electric vehicle infrastructure (EVI) as a use in all areas except those zoned for residential or resource use, or critical areas by July 1, 2011. RCW 36.70A.695, New in 2009	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Location(s)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Town of Yacolt is not Adjacent to I-5.
q. Development regulations of all jurisdictions must allow electric vehicle battery charging stations in all areas except those zoned for residential or resource use, or critical areas by July 1, 2011. RCW 36.70A.695, New in 2009	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Location(s)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
13. Subdivision Code regulations			
a. Subdivision code is consistent with and implements comprehensive plan policies. RCW 36.70A.030(7) and 36.70A.040(4)(d) , WAC 365-196-820	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) YMC Title 17 Subdivisions	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b. Code requires written findings documenting that proposed subdivisions provide appropriate provision under RCW 58.17.110(2)(a) for: Streets or roads, sidewalks, alleys, other public ways, transit stops, and other features that assure safe walking conditions for students; potable water supplies [RCW 19.27.097], sanitary wastes, and drainage ways (stormwater retention and detention); open spaces, parks and recreation, and playgrounds; and schools and school grounds. WAC 365-196-820(1)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) YMC 17.050.010	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
c. Subdivision regulations may implement traffic demand management (TDM) policies. RCW 36.70A.070(6)(a)(vi)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) Comprehensive Plan IV. Transportatio	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Notes
	n E. Transportation Goals and Policies		
<p>d. Preliminary subdivision approvals under RCW 58.17.140 are valid for a period of five, seven, or nine years. [RCW 58.17.140 and RCW 58.17.170. Amended 2010 by SB 6544. Expires 2014. Amended 2012 by HB 2152</p> <p>Note: House Bill 2152, adopted by the Legislature in 2012, modified timelines. The preliminary plat approval is valid for: seven years if the date of preliminary plat approval is on or before December 31, 2014; five years if the preliminary plat approval is issued on or after January 1, 2015; and ten years if the project is located within city limits, not subject to the shoreline management act, and the preliminary plat is approved on or before December 31, 2007.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) YMC 17.050.010	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Current Town of Yacolt practice is to use state statutes when undefined. Town will include in future update.
14. Concurrency , Impact Fees, and TDM			
<p>a. The transportation concurrency ordinance includes specific language that prohibits development when level of service standards for transportation facilities cannot be met. RCW 36.70A.070(6)(b)</p> <p>ESB 5923 (laws of 2015) requires counties, cities, and towns to delay the starting of the six-year time frame until after deferred impact fees are due. For more information see MRSCs Impact Fee Deferral Program web page. Adopted in 2015</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) YMC Chapter 3.15 Impact Fees	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>b. If adopted: impact fee methods are consistent with RCW 82.02.050 through 100</p> <p>Note: The timeframe for expending or encumbering impact fees has been extended to ten years. RCW 82.02.070 and RCW 82.02.080, Amended in 2011. WAC 365-196-850</p> <p>ESB 5923 (laws of 2015) requires counties, cities, and towns to adopt a deferral system for the collection of impact fees for new single-family detached and attached residential construction. by September 1, 2016. Adopted in 2015 For more information see MRSCs Impact Fee Deferral Program web page.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) YMC Chapter 3.15 Impact Fees	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>If required by RCW 70.94.527: a commute trip reduction (CTR) ordinance to reduce the proportion of single-occupant</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Notes
<p>vehicle commute trips. RCW 70.94.521-551, Amended in 2006. WAC 468-63 <i>Note:</i> See WSDOT's CTR web page for more information.</p>	<p>Location(s) Comprehensive Plan IV. Transportation E. Transportation Goals and Policies</p>		
15. Siting Essential Public Facilities (EPFs)			
<p>Regulations are consistent with Essential Public Facility siting process in countywide planning policies or city comprehensive plan, and do not preclude the siting of EPFs. RCW 36.70A.200(5) and WAC 365-196-550</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) YMC 18.10.010 YMC 18.30.020 YMC 18.35.030</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
16. Project Review Procedures			
<p>Project review processes integrate permit and environmental review for: notice of application; notice of complete application; one open-record public hearing; allowing applicants to combine public hearings and decisions for multiple permits; notice of decision; one closed-record appeal. RCW 36.70A.470, RCW 36.70B and RCW 43.21C WAC 365-196-845</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) YMC 18.95.010</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
17. General Provisions: The GMA requires that development regulations be consistent with and implement the comprehensive plan. RCW 36.70A.030(7) and .040(4)(d) . Regulations should also include:			
<p>a. A process for early and continuous public participation in the development regulation development and amendment process. RCW 36.70A.020(11), .035, .130 and .140</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) YMC 1.01 YMC 18.65.010</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>b. A process to assure that proposed regulatory or administrative actions do not result in an unconstitutional taking of private property. RCW 36.70A.370, WAC 365-196-855 <i>Note:</i> See <i>Attorney General's Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property.</i></p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location(s) YMC 18.05.020 YMC 16.20.110</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Notes
--	---	---	-------

This checklist covers the requirements of the Growth Management Act through the laws of 2016. It does not address related issues, or things that are not required but that are commonly found in comprehensive plans and the implementing regulations.

<http://www.commerce.wa.gov/serving-communities/growth-management/periodic-update/>