

**City of Deer Park
City Council Agenda
December 04, 2019
7:00 p.m.**

This preliminary agenda is subject to change in order to conduct business in a timely manner.

- 1. Call to Order**
Roll Call: Mayor Tim Verzal
Councilmember's: Dee Cragun, Mary Babb, Richie Schut,
Don Stevens and Joe Polowski
Clerk/Treasurer: Deby Cragun
- 2. Invocation**
- 3. Pledge of Allegiance & Welcome**
- 4. Approval of Agenda**
- 5. Approval of November 20, 2019 regular council meeting minutes**
- 6. Public Hearings**
A. 2020 Preliminary Budget.
- 7. New Business**
A. Spokane Regional Clean Air Agency Presentation ~ Julie Oliver
B. Deer Park School District Presentation ~ Land Purchase
- 8. Resolutions**
A. Resolution 2019-010 ~ Fee Resolution Update
B. Resolution 2019-011 ~ Comprehensive Plan Amendment 2019-011 Parks
Element Update
- 9. Ordinances ~ First Reading**
A. Ordinance 2019-991 ~ Adopting the 2020 Annual City Budget
- 10. Consent Agenda**
A. Approval of Voucher Claim Check Nos. 38163 through 38182 in the amount of
\$192,404.70 for the Last Half of November 2019
B. Approval of Payroll Check Nos. 13567 through 13598 including PFML & 941 Taxes
in the amount of \$106,265.10 for the month of November 2019.
C. Deer Park Municipal Airport Use Agreement ~ Spokane County
- 11. Interested Citizens: Oral Communications, Requests, Comments from Audience**
- 12. Report of Officers**
- 13. Executive Session**
- 14. Adjournment**

**City of Deer Park
City Council Minutes
November 20, 2019**

Mayor Verzal called the meeting to order at 7:00 p.m.

1. ROLL CALL

Mayor Verzal called roll and the following were:

Present:	Councilmember's: Dee Cragun, Mary Babb, Richie Schut, Don Stevens and Joe Polowski
Community Services Director:	Roger Krieger
City Staff:	Brad Wainwright and Don Harper
Airport Manager:	Darold Schultz, Schultz's Aviation, L.L.C.
Clerk/Treasurer:	Deby Cragun
Audience:	13

2. Invocation

Pastor Duane Anderson from Zion Lutheran Church gave the invocation.

3. Pledge of Allegiance & Welcome

4. Approval of Agenda

Mayor Verzal requested to add RFQ Approval for Airport Masterplan Update as item C under New Business to tonight's Agenda.

IT WAS MOVED BY CRAGUN, SECONDED BY SCHUT; MOTION CARRIED (5-0) TO APPROVE THE AGENDA AS AMENDED.

5. Approval of November 06, 2019 regular council meeting minutes

IT WAS MOVED BY CRAGUN, SECONDED BY POLOWSKI MOTION CARRIED (5-0) TO APPROVE THE NOVEMBER 06, 2019 REGULAR COUNCIL MEETING MINUTES AS PRESENTED.

6. Public Hearings

Mayor Verzal reviewed the Public Hearing procedures and opened the hearings at 7:04 p.m.

Mayor Verzal asked for comments from the public

- A. Ad Valorem Taxes for 2020~ Ordinance 2019-990
- B. 2020 Revenue Sources
- C. Comprehensive Parks, Recreation and Conservation Plan Update.

There were no public comments.

The Public Hearings were closed at 7:05 p.m.

7. Resolutions

- A. Resolution 2019-009 ~ Authorizing Mayor to apply for DWSRF for Reservoir

Mayor Verzal read the heading to Resolution 2019-009.

Roger Krieger reviewed Resolution 2019-009.

Following discussion,

IT WAS MOVED BY CRAGUN, SECONDED BY STEVENS, TO:

APPROVE RESOLUTION 2019-009 ~ AUTHORIZING MAYOR TO APPLY FOR FUNDING FROM DWSRF FOR A NEW CITY WATER RESERVOIR.

MOTION CARRIED 5-0.

8. Ordinances (Second Readings and Public Input)

- A. Ordinance 2019-990 ~ 2020 Ad Valorem Taxes (Waive the Third Reading)

Discussion occurred on this matter as part of the public hearing identified above in these minutes.

IT WAS MOVED BY CRAGUN, SECONDED BY STEVENS, TO:

WAIVE THE THREE READING PROCESS.

MOTION CARRIED: 5-0.

IT WAS MOVED BY CRAGUN, SECONDED BY POLOWSKI, TO:

APPROVE ORDINANCE 2019-990 ~ 2020 AD VALOREM TAXES.

MOTION CARRIED: 5-0.

9. New Business

- A. Legal Property Parcel Exhibits Task Order # 2019-12 ~ JUB Engineers, Inc.

Roger Krieger reviewed Task Order 2019-12 with JUB Engineers, Inc.

Following discussion:

IT WAS MOVED BY CRAGUN, SECONDED BY POLOWSKI, TO:

APPROVE TASK ORDER # 2019-12 LEGAL PROPERTY PARCEL EXHIBITS WITH JUB ENGINEERS, INC.

MOTION CARRIED 5-0.

- B. Council Compensation

Mayor Verzal started the discussion by suggesting Council compensation should stay at \$200.00 per month plus \$50.00 for extra meetings/max of \$350.00/month. City Clerk/Treasurer was asked to look into the additional extra meeting compensation.

Following further discussion:

IT WAS MOVED BY CRAGUN, SECONDED BY POLOWSKI, TO:

TABLE COUNCIL COMPENSATION UNTIL THE NEXT MEETING ON DECEMBER 4, 2019.

MOTION CARRIED 5-0.

C. RFQ Masterplan Update Approval ~ JUB Engineers, Inc.

Darold Schultz reviewed the RFQ Masterplan Update with JUB Engineers, Inc.

Following discussion:

IT WAS MOVED BY CRAGUN, SECONDED BY POLOWSKI, TO:

APPROVE RFQ MASTERPLAN UPDATE WITH JUB ENGINEERS, INC.

MOTION CARRIED 5-0.

10. Consent Agenda

Items listed below were distributed to Council Members in advance for study and were enacted with one motion.

IT WAS MOVED BY CRAGUN, SECONDED BY POLOWSKI; MOTION CARRIED (5-0) TO APPROVE THE CONSENT AGENDA.

- A. Approval of Voucher Claim Check Nos. 38124 through 38162 including EFT Debits in the amount of \$182,091.92 for the First Half of November 2019.
- B. Approval of Labor Agreements by and Between the City of Deer Park and Teamster Union Local 690 for Hourly and Supervisory Employees.
- C. Memorandum of Understanding between the City and School District for the School Resource Deputy for the 2019-2020 School Year.

11. Interested Citizens: Oral Communications, Requests, Comments from Audience

Public comment was given.

12. Report of Officers

Councilmember Stevens congratulated the newly elected Councilmembers.

Councilmember Polowski stated he was impressed by the voter turnout.

Councilmember Cragun thanked Carla Phillips for being thoughtful and caring. She also stated Carla was a very tough opponent in a hard fought race.

13. Report of Departments

Roger Krieger spoke to the Resolution that was passed this evening. He also updated those in attendance with the Shamrock Glen Sub-Division.

Brad Wainwright stated he and his crew have been very busy with cleaning sewers, securing the parks for the winter and getting the road equipment ready for the upcoming snowfall.

Darold Schultz stated he has been working on his snow equipment as well.

14. Executive Session

There was no Executive Session.

15. Adjournment

There being no further business before the Council, Mayor Verzal adjourned the meeting at 7:50 P.M.

Mayor Timothy Verzal

Deby Cragun, City Clerk/Treasurer



November 12, 2019

Mayor Tim Verzal and Deer Park City Council Members
316 East Crawford
P.O. Box "F"
Deer Park, WA 99006

RE: City Parcel 28013.0086

Mayor Verzal and Council Members:

On behalf of Deer Park School District's Board of Directors and, by extension, its Citizen's Facilities Committee, I am submitting a property acquisition request for the council's consideration. In my fourteen years with district, the last seven as Superintendent of Schools, growth in student enrollment has generally been slow, but steady. That said, two fairly recent developments have us thinking in new ways about the impact of growth within our district's boundaries and how we can most effectively meet current and future facility needs.

The first development, the impact of which is not unique to Deer Park, is the implementation of Initiative 1351 - Washington's Class Size Reduction Measure passed in 2014. The intent of the measure was to direct legislators to allocate funding for smaller K-12 class sizes, *with extra class-size reductions for all grades in defined high-poverty schools and for grades K-3 in all schools*, as well as for increased student support staffing, to include counselors, teaching assistants, and other staff directly serving students.

Second, recent spikes in student enrollment in Deer Park Schools confirms what is visibly evident as we look around the city and surrounding area – Deer Park is growing. **This growth, combined with the prospect of accelerated growth in the future (i.e. – significant numbers of platted residential dwellings within and around the City of Deer Park), makes it clear that our district must begin to plan for even more impactful increases to enrollment in quickly-filling and aging facilities.**

Our schools are starting to feel the impact of these mandated class-size reductions and the regional population growth. At Deer Park and Arcadia Elementary Schools, we recently completed the addition of four new classrooms, in the form of two "portable" buildings added outside the footprint of our existing school structures. While this is the first portable building at Deer Park Elementary, it is the third such building at Arcadia Elementary. In addition to these projects, we have significant construction planned for the fall of 2020 at Deer Park Middle School; this capital project will replace an old portable structure presently serving our 6th graders and Special Education students, while also adding necessary additional classroom space to the building and removing a portable building added to the campus in 2010. We are pleased to be able to take on these projects without need for additional monies from taxpayers.

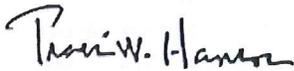
With all that said, and as we look at ways to manage future growth in enrollment, our facilities committee has discussed ways to maximize use of existing facilities while also maintaining the benefit of having schools in close proximity. Given the impact of the state K-3 enhancement monies (the state dollars provided by Initiative 1351 to lower class sizes), the need to address expansion at Deer Park Elementary is particularly important.

It is our understanding that the City of Deer Park presently owns **Parcel 28013.0086**; this lot is directly south of the parking lot at Deer Park Elementary and directly north of the City's softball complex. The entirety of the parcel is approximately 17.3 acres (755,300 sq. ft). We understand that the southern portion of the parcel provides necessary ingress and egress to the City's ball fields.

The District requests that the Deer Park City Council consider selling a portion of this parcel nearest the district's property (Deer Park Elementary). Ideally, we would propose a boundary-line adjustment that creates a parcel approximately 345' in width (North/South along Weber) and 1200' deep (East/West). I have attached a rough map of our proposed purchase for your review. The total area of the land we are proposing to purchase would be approximately 9.5 acres, or 414,000 sq. ft. This piece of land, directly adjacent to Deer Park Elementary, would provide opportunity for the potential of future expansion of the existing building into what is presently a parking lot south of the building, while still providing the City with access to the ball fields.

I greatly appreciate your consideration and know we share a common responsibility to make thoughtful decisions that work to serve the greater good of the Deer Park community. I am available to attend any future meetings at the Council's request to further discuss this proposal and/or answer any of your questions.

Sincerely,



Travis W. Hanson, Superintendent

n Rd

Deer Park Elementary School

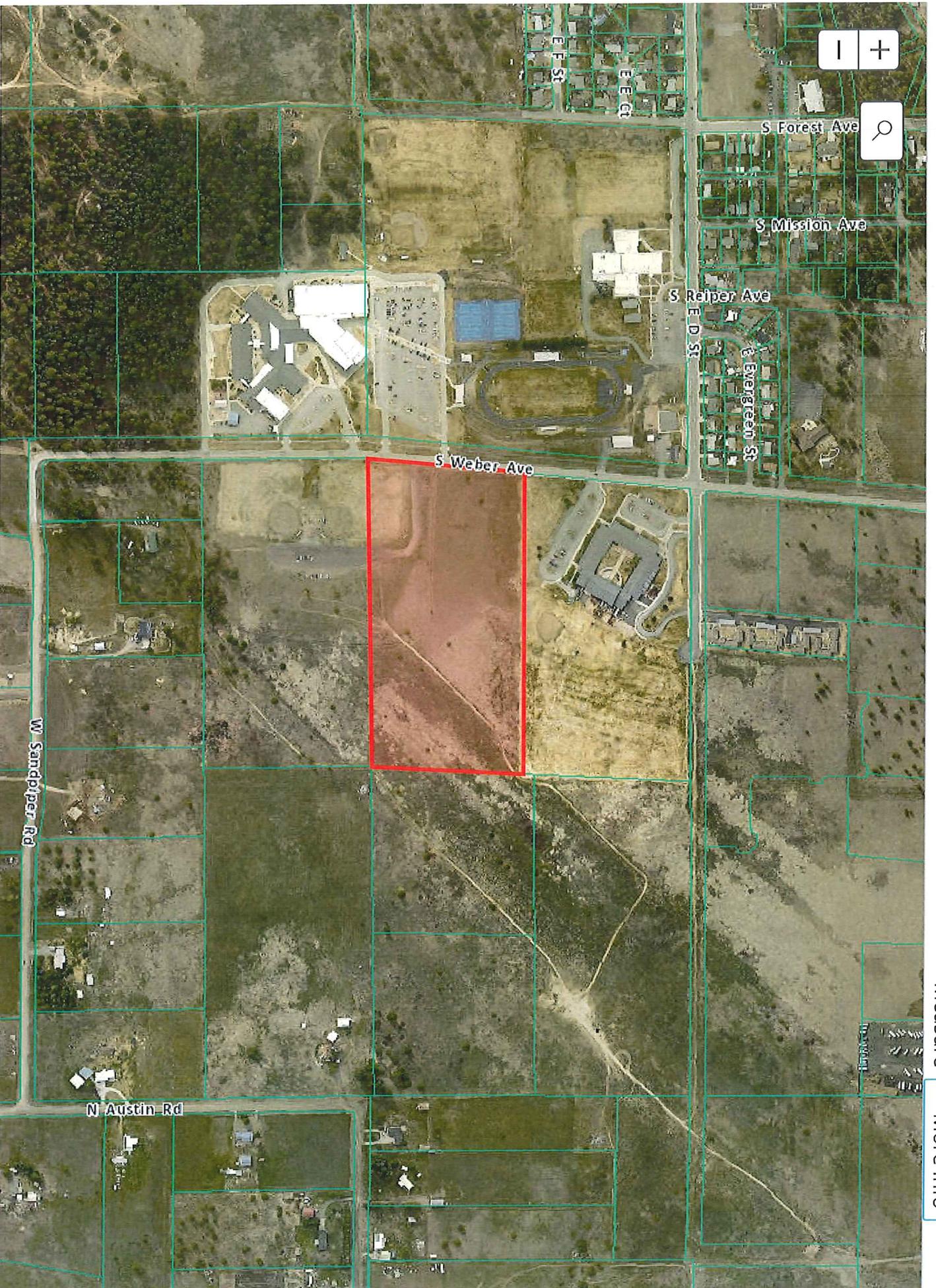
ED St

Weber Rd



Measure

More Info



RESOLUTION NO. ~~2019-002~~2019-010

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEER PARK, WASHINGTON, SETTING ADMINISTRATIVE AND UTILITY FEES WITHIN THE CITY OF DEER PARK AND REPEALING RESOLUTION ~~2018-005~~2019-002

WHEREAS, the City of Deer Park has, by Ordinance 564, and other ordinances of the City, ordained that several fees shall be set by City Council Resolution;

NOW THEREFORE, the City Council of the City of Deer Park, Washington hereby resolves as follows:

Section 1. Administrative ~ Licenses, Registries, and Permit Fees

A. Auditor filing/recording fees	current county rate
B. Business registry fee ~ Chapter 5.02 (annual, prorated)2013-002	30.00
C. City facility use cleaning deposit (per event)	40.00
D. City facility use key deposit (per key on loan)	30.00
E. Copies (per page)	0.15
F. Council chamber use fee (per day ~ no charge to non-profit organizations)	25.00
G. Fax fee – incoming (per page)	1.00
H. Fax fee – outgoing (per page)	2.00
I. Gazebo use fee (per day)	25.00
J. Mobile vending unit license fee ~ Chapter 5.36 (annual, not prorated, insurance required)	60.00
K. Return check fee	30.00
L. Sport complex commercial user fee (per event, for profit)	100.00

Section 2. Airport Fees

A. Airplane tie-down fee	
1. Single engine – grass (per month)	18.00
2. Single engine – pavement (per month)	25.00
3. Twin engine and large single engine <12,500# - pavement (per month)	32 35.00
Large aircraft >12,500# - pavement (per month)	55.00
B. Fuel flow fee (per gallon)	.20
C. Credit Card Payment Administrative Costs	Actual Costs*
D. Land lease (except agricultural)	
1. Aeronautical (depending upon infrastructure in place)	0.14 0.22.22/sq.ft.*
2. Non-Aeronautical & Aeronautical large parcel (>10 acres)	Negotiable*

* Subject to a reduction of \$.02 if water is not available to the parcel and \$.02 if Electricity is not available to the parcel; subject to further negotiation for a reduction If tenant extends water and/or electricity to the parcel. Base lease rate for all new Parcel leases shall be adjusted annually. Adjustment shall be based upon the most Immediate complete full previous year Consumer Price Index, Pacific Cities West – B/C (Dec. 1996 – 100 for all Urban Consumers (CPI-U).

E. Late charge for non-contractual accounts (after 30 days, 1.5%) minimum fee	10.00
F. Lease application for undeveloped parcel	250.00
G. Lease application fee for developed parcel (non-refundable)	250.00
H. Long-term vehicle parking (aviation related only / per month)	20.00
I. Proprietary card activation or replacement fee	5.00
J.I. Short-term rental fee (per day) Airport Use Fee	117 120.00
K.J. Non-public recreational use fee for driving (per day plus \$5.00 per vehicle)	117 120.00

L. Through the fence fee (per year)	300.00
M.K. Daily Ramp Parking – Large Aircraft > 12,500 # if no fuel purchase	50.00/night
N.L. Full Service Fueling Operations Surcharge	.20/gallon
O.M. Lavatory Service (Free with purchase of 250+ gallons of fuel)	50.00
P.N. De-Ice Service	16.00/gallon

*Credit card payments will be charged the administrative fee charged by the processor (currently 3%)

Section 3. Animal Control and Licensing Fees (Title 6)

A. Cleaning up after pets ~ Chapter 6.04	
1. First offense	10.00
2. Second offense	20.00
3. Third offense	40.00
4. Fourth offense	80.00
5. All subsequent offenses	100.00
B. Kennel, Groomer, and/or Pet Store Permit Fee (Chapter 6.10)	50.00

Section 4. Building Code Permit Fees

The building code permit fees are collected at the time of the issuance of the building permit. Other fees are also to be collected at the time of the building permit issuance. Each department for whom the fee is collected is to advise the permit specialist of fees due.

STRUCTURAL CODE (Chapter 15.04)

Building permit fees for each project are set by the following fee schedule. The table below is to be used to determine the building permit fees and plan check fees based on the value of the construction work as state by the applicant or the value calculated by the Building Official using the latest valuation data published in the Building Safety Journal by the International Code Council, whichever value is greatest.

Valuation Table

Total Valuation	Fee
\$1.00 to \$25,000	\$69.25 for the first \$2,000 plus \$14.00 for each additional \$1,000, or fraction thereof, up to and including \$25,000
\$25,001 to \$50,000	\$391.25 for the first \$25,000 plus \$10.10 for each additional \$1,000, or fraction thereof, up to and including \$50,000
\$50,001 to \$100,000	\$643.75 for the first \$50,000 plus \$7.00 for each additional \$1,000, or fraction thereof, up to and including \$100,000
\$100,001 to \$500,000	\$993.75 for the first \$100,000 plus \$5.60 for each additional \$1,000, or fraction thereof, up to and including \$500,000
\$500,001 to \$1,000,000	\$3,233.75 for the first \$500,000 plus \$4.75 for each additional \$1,000, or fraction thereof, up to and including \$1,000,000
\$1,000,001 and up	

	\$5,608.75 for the first \$1,000,000 plus \$3.15 for each additional \$1,000, or fraction thereof
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Valuation Exceptions	Value Reduction Per Square Foot
Second story of dwelling	50%
Basement - Finished	60%
Basement – Unfinished or Crawl Space	70%
Open carport, decks, porches	20%

ENERGY CODE (Chapter 15.04)

Energy code plan check fee is also established to meet the requirements of Chapter 51-11 WAC. These are in addition to the Building Code Fees. If the city inspector is assigned to verify Energy Plans, the following fees apply. If an outside energy inspector is required, that fee will be determined by the outside agency.

- | | |
|----------------------------------|-------|
| 1. New single family | 0.00 |
| 2. Residential remodel/addition | 0.00 |
| 3. Tenant improvement | |
| a. 0 to 10,000 square feet | 35.00 |
| b. 10,001 square feet and over | 45.00 |
| c. Multi-family (per building) | 60.00 |
| d. New commercial and industrial | 90.00 |

PLAN REVIEW FEES

Portions of the plan review fees as determined by the Building Official are to be collected at the time of receiving the application for permit if the plan review fee is over \$50.00. If less than \$50.00, it may be collected at the time of permit issuance.

- | | |
|---|----------------------------|
| General plan review fee | 65% of building permit fee |
| Temporary tent or structure plan review fee | 25% of building permit fee |
| U occupancy plan review fee (sheds, barns, garage, carport) | 45% of building permit fee |

Plan review fees are not refundable once the plan review process has been started. This fee is in addition to the full basic fee. The Washington State Building Code Council (WSBCC) fee is to be collected at this time.

PLUMBING CODE (Chapter 15.04)

The plumbing code fees will be collected when the associated permit is issued.

- | | |
|---|-------|
| A. Basic fees: | |
| 1. Basic fee for issuing each permit | 35.00 |
| 2. Basic fee for each supplemental permit | 7.50 |
| B. Unit fees (in addition to the basic fee) | |
| 1. Alteration or repair of water piping, drainage (each fixture or vent piping) | 6.00 |
| 2. Atmospheric type vacuum breaker (each) | 6.00 |

3. Backflow protective device other than atmospheric type vacuum breakers (each)	6.00
4. Industrial waste pretreatment interceptor including its trap and vent, Except kitchen type grease interceptors functioning as fixture traps	15.00
5. Lawn sprinkler system on any one meter	25.00
6. Medical gas (per outlet)	6.00
7. Plumbing fixture on a trap (including garbage disposals, dishwashers, backflow Device, drainage, hot tubs, built in water softener, water closets, lavatories, sinks, drains, etc.) (each)	6.00
8. Private sewage disposal system	20.00
9. Water heater (each)	6.00

MECHANICAL CODE (Chapter 15.04)

The mechanical code fees will be collected when the associated permit is issued.

A. Basic fees:

1. Basic fee for issuing each permit	35.00
2. Basic fee for each supplemental permit	7.50

B. Unit fees (in addition to the basic fees)

1. Additions or repairs	15.00
2. Air handlers	
a. Each unit up to 10,000 CFM, including ducts	12.00
b. Each unit over 10,000 CFM	15.00
3. Appliances (each)	10.00
4. Appliance vent installation or relocation (each replacement)	10.00
5. Appliances – unlisted – under 400,000 BTU	50.00
6. Appliances – unlisted – over 400,000 BTU	100.00
7. Boilers, compressors, and absorption systems	
a. 0 to 3 HP ~ 100,000 BTU or less	12.00
b. Over 3 to 15 HP ~ 100,001 to 500,000 BTU	20.00
c. Over 15 to 30 HP ~ 500,001 to 1,000,000 BTU	25.00
d. Over 30 HP ~ 1,000,001 to 1,750,000 BTU	35.00
e. Over 50 HP ~ over 1,750,001 BTU	60.00
8. Duct work system	10.00
9. Evaporative coolers (other than portable)	10.00
10. Furnaces and suspended heaters ~ Installation or relocation	
f. Up to and including 100,000 BTU	12.00
g. Over 100,000 BTU	15.00
11. Gas log, fireplace, and/or gas insert installation	10.00
12. Gas piping system (per outlet)	1.00
13. Gas water heater	10.00
14. Heat pump and air conditioner	
a. 0 to 3 tons	12.00
b. Over 3 to 15 tons	20.00
c. Over 15 to 30 tons	25.00
d. Over 30 to 50 tons	35.00
e. Over 50 tons	60.00
15. Hood (commercial)	
a. Type I	50.00

b. Type II	10.00
16. Incinerators	
a. Commercial installation or relocation	22.00
b. Residential installation or relocation	19.00
17. Liquid Propane storage tank	10.00
18. Ventilation and exhaust	
a. Each fan connected to a single duct	10.00
b. Each hood served by mechanical exhaust	12.00
c. Each ventilation system	12.00
19. Wood or Pellet stove insert	10.00
20. Wood stove system ~ free standing	25.00

GRADING

Permit Fees

Cubic Yards	Fee
100 or less	\$20.00
101 to 1,000	\$20.00 for the first 100 cubic yards, plus \$7.00 for each additional 100 cubic yards
1,001 to 10,000	\$83.00 for the first 1,001 cubic yards, plus \$6.00 for each additional 1,000 cubic yards
10,001 to 100,000	\$147.00 for the first 10,000 cubic yards, plus \$15.00 for each additional 10,000 cubic yards
100,001 to 200,000	\$368.00 for the first 100,000 cubic yards, plus \$15.00 for each additional 100,000 cubic yards
200,000 or more	\$503.00 for the first 200,000 cubic yards, plus \$15.00 for each additional 200,000 cubic yards
Land Clearing Only	\$65.00 without earth being moved

Plan Check Fees

Cubic Yards	Fee
50 or less	No fee
51 to 100	\$12.00
101 to 1,000	\$20.00
1,001 to 10,000	\$25.00
10,001 to 100,000	\$25.00 for the first 10,000 cubic yards, plus \$7.00 for each additional 10,000 cubic yards
100,001 to 200,000	\$98.00 for the first 100,000 cubic yards, plus \$6.00 for each additional 100,000 cubic yards
200,001 or more	\$158.00

OTHER BUILDING CODE & MISCELLANEOUS FEES

1. Change of use or occupancy classification permit	47.00
2. Condominium conversion plan review/inspection fee	based on value of project and building code valuation
3. Demolition permit	
a. Commercial buildings	125.00
b. Garage or accessory building associated with a residence or commercial building	20.00

c. Septic tank or underground flammable tank associated with a residence or commercial building (each)	10.00
d. Single family residence	44.00
4. Early start agreements (foundations)	25% of building permit fee
5. Excess inspections for a given project created by the developer, owner or contractor (per inspection or re-inspection)	50.00
6. Illegal work on any structure or building without a permit if City permit required	
a. Minimum investigative inspection fee	55.00
b. Total investigative fee to be equal to the permit fee determined for the Value of the illegal work accomplished	
7. Minimum housing inspection fee ~ family day care, adult family home, etc.	60.00
8. Mobile home location permit and inspection	
a. Manufactured home inspection (per section) plus basement/crawlspace valuation permit fee	95.00
b. Temporary mobile home	85.00
9. Re-roof permit ~ fee based on the value of the project. No plan review Fee will be charged unless plans are submitted for review	
10. Sign fees (plus plan check fee for signs erected in accordance with Sign Code)	
a. Signs mounted on buildings (plus \$6.50 WSBCC fee)	45.00
b. Sign and pole mounting (plus \$6.50 WSBCC fee)	65.00
11. Special inspections (requested by owner or tenant)	
a. Daycare	60.00
b. Fire, wind, mud slide or flood damage	60.00
c. Nursing homes, hospitals, et al (plus \$47.00 per hour after 1 st hour)	60.00
d. Special occupancies	60.00
12. Swimming pools over 5,000 gallons (plus plumbing fees)	50.00
13. Temporary tents, canopies, and air supported structures for public use; inclusive of all tents for a single event. Does not apply to tents less than 200 square foot, canopies less than 400 square foot, camping tents, or to tents used for private, non-commercial events	
a. Basic permit fee	60.00
b. Plan check fee	13.00
14. Towers, elevated tanks, antennas	based on value of project
15. Washington State Building Code Council (WSBCC) surcharge	6.50
<i>There is imposed a fee of six dollars and fifty cents (\$6.50) on each building permit issued by a county or city, plus an additional surcharge of two dollars (\$2.00) for each residential unit, but not including the first unit, on each building containing more than one residential unit, and a fee of \$25.00 for each commercial building permit, plus an additional surcharge of \$2.00 for each residential unit after the first unit.</i>	

BUILDING CODE FEE REFUND POLICY

- No permit fee refund is allowed once the work has been started. If a refund is requested, the request shall be addressed to the Building Official in writing, and shall be received at the City of Deer Park within 180 days of the date of issuance of the permit.
- Any fee refund request after 180 days of the date of permit issuance shall be denied. Any refund approved shall be limited to 80% of the total permit fee paid.
- Refunds shall be limited to Building, Plumbing and Mechanical permit fees paid to the City of Deer Park.

Section 5. Equipment Fees with Operator (all fees per hour)

A. Backhoe	100.00
B. Dump truck (6 yard)	85.00
Dump truck (10 yard)	105.00
C. Grader	110.00
D. Loader	110.00
E. Vactor Truck	300.00

Section 6. Planning Fees

A. Annexation fee (deposit non-refundable, plus actual costs)	500.00
B. Appeal (deposit non-refundable, plus full cost if unsuccessful)	200.00
C. Comprehensive plan amendment	250.00
D. Environmental check list review	350.00
E. Environmental impact statement review (deposit non-refundable, plus full cost)	500.00
F. Environmental impact statement preparation (deposit non-refundable, plus full cost)	1,000.00
G. Permitted activity time extension	170.00
H. Planned unit development (plus \$10.00 per lot)	400.00
1. Plus full cost of application processing including Legal, Engineering and Inspections costs.	
I. Boundary Lot Line Adjustment	100.00
J. Long plat – preliminary (plus \$10.00 per lot)	625.00
K. Long plat –final (plus \$10.00 per lot)	200.00
1. Plus full cost of application processing including Legal, Engineering and Inspections costs.	
L. Short plat	
1. 2 lots	300.00
2. 3 lots	425.00
3. 4 lots	650.00
M. Special Use/Conditional Use/ Home occupation permit fee	300.00
N. Street Vacation	500.00**
O. Zoning code text change	250.00
P. Zoning reclassification (plus \$25.00 per ten acre increment)	500.00
Q. Variances	750.00 deposit*
R. Conditional Use	750.00 deposit*
S. Appeals of administrative Decisions or Determinations related to City Development Regulations or Zoning Provisions pursuant to Deer Park Municipal Code 2.48.030 (C)	750.00 deposit*
T. Motions for Reconsideration of Decisions of the Hearing Examiner pursuant to Deer Park Municipal Code 2.48.140	750.00 deposit*

*The \$750.00 deposit for Section 6, Items P-S, shall be a deposit which covers: (1) \$100 for the City staff time associated with processing the application; and (2) a deposit toward the actual costs incurred by the City for Hearing Examiner Services provided by the Office of the Spokane County Hearing Examiner (“Hearing Examiner”), pursuant to the Interlocal Agreement with the City at the rates in effect at the time the Hearing Examiner Services are provided, plus all of the actual costs of postage and publication costs associated with the application, 100% of the fees for which the applicant shall be responsible to pay and all of which shall be required to be paid before the final decision of the Hearing Examiner shall be effective with respect to the matter to which the fees relate.

** Deposit plus actual costs paid prior to survey, appraisal, and legal documentation.

Section 7. Wastewater Rates and Fees (Title 13, Article II)

A. Indebtedness monthly rate	23.92
B. Wastewater monthly rate for residential accounts (all taxes included)	52,5953.64
C. Wastewater monthly rate for commercial accounts (all taxes included)	47,0648.01
D. Wastewater Overage fee for commercial accounts (per 1,000 gallons over 4,000 usage)	-62.63
E. Temporary Non-Use Fee	94.00

Section 8. Wastewater Development Fees

- B. All new connections to the City wastewater system shall be charged a development fee of:
- 1. 3/4" meter 3451.00
 - 2. 1" meter 5,780.00
 - 3. 1 1/2" meter 11,219.00
 - 4. 2" meter 18,018.00
 - 5. 3" meter 33,996.00
 - 6. 4" meter 56,772.00
 - 7. 6" meter 113,203.00
 - 8. 8" meter 181,194.00
 - 9. 10" meter 323,536.00
 - 10. 12" meter 524,201.00

All development fees are to be paid in full at the time of issuance of a building permit.

Please refer to Chapter 13.04 and 13.08 for temporary service connections.

- C. Wastewater hook-up inspection fee 36.00
- D. Wastewater on-site disposal system fee 51.00

Section 9. Water Rates and Fees (Title 13, Article 1)

- A. Administrative turn on fee 16.00
- B. Administrative turn off fee 16.00
- C. After hours call out turn on or off fee 72.00
- D. Bulk water (per 1,000 gallons) ~~5,295.55~~
- E. Delinquency fee 26.00
- F. Hydrant meter deposit 330.00
- G. Hydrant meter rental fee per month, first 3 months free 75.00
- H. Indebtedness monthly rate ~~13,2114.00~~
- I. Meter test fee 15.00
- J. Overage fee (per 1,000 gallons over 4,000 usage) ~~-70.72~~
- K. Water rate for first 4,000 gallons of usage (all taxes included) ~~27,8628.42~~
- L. Temporary Voluntary Shut-off Fee (DPMC 13.04.200©) 64.00

Section 10. Water Development Fees

- E. All new connections to the City water system shall be charged a development fee of:
- 11. 3/4" meter 634.00
 - 12. 1" meter 1,076.00
 - 13. 1 1/2" meter 2,100.00
 - 14. 2" meter 3,356.00
 - 15. 3" meter 6,330.00
 - 16. 4" meter 10,570.00
 - 17. 6" meter 21,078.00
 - 18. 8" meter 33,336.00
 - 19. 10" meter 50,004.00
 - 20. 12" meter 75,006.00

Water meters will be billed at the city's cost for the meter at the time of request.

- F. Water service hook-up inspection fee 36.00

Section 11. Swimming Pool Fees

- A. Pool rental – 2 lifeguards, 20 maximum participants (per hour rate) 60.00
 - Additional guard required for participants over 20 (per hour, per guard required) 15.00
- B. Swimming lessons
 - 1. Group lessons ~ eight 30 minute sessions 50.00

2. Private lessons (one on one) ~ five 30 minute sessions 50.00

Section 12. Traffic Mitigation Impact Fees (Chapter 10.28)

- A. Non-residential uses (per Title 18 zoning, per parking space required) 250.00
- B. Residential uses (per Title 18 zoning, per parking space required) 350.00
- C. Uses not listed in Zoning Title 18 determine by independent calculation
- D. The independent fee calculation review charge stipulated in Chapter 10.28.150C shall be \$200.00 unless the Community Services Director determines that a lesser amount is appropriate out of fairness to the calculation review in question.
 - 1. In addition to the non-residential use fee for each parking space, said fee shall also be applied to each twenty (20) feet of length of an individual drive-through aisle, and where such aisle's length is not clearly delineated, the minimum length for fee calculation purposes shall be sixty (60) feet (being the stacking of three (3) vehicles in an individual drive-through aisle).
 - 2. In addition to the non-residential use fee for each required parking space at any gasoline station with a mini-market, said fee shall also be applied to each side of each pumping station (i.e. a two-sided pump station equates to the assessment of two fees).
 - 3. The nonresidential use fee for each required parking space shall not be reduced for any individual use in the event that uses are allowed "shared parking" under the provisions of Chapter 18.74.080.

Section 13. Resolution ~~20182019-005-002~~ is hereby repealed.

Section 14. This Resolution shall be effective 12:01 a.m. on 01/02/~~20192020~~.

Approved by the City Council at an
Open Public Meeting this ~~2nd~~ ___ day
Of ~~January~~ ___ ~~201920~~ .

TIMOTHY VERZAL, Mayor

ATTEST/AUTHENTICATED:

Debra Cragun, City Clerk/Treasurer

FILED WITH THE CITY CLERK: ~~1211/2718/2018-2019-010~~ PASSED BY THE CITY COUNCIL:
~~01/02/2019~~

CITY OF DEER PARK
RESOLUTION NO. 2019-011

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF DEER PARK, WASHINGTON, CERTIFYING THAT THE COMPREHENSIVE PLAN AMENDMENT NO. CA2019-1, AND ITS RELATED SEPA MATERIALS, FOR THE CITY OF DEER PARK AND ITS URBAN GROWTH AREA, HAVE BEEN PREPARED PURSUANT TO THE STATE GROWTH MANAGEMENT ACT AND STATE ENVIRONMENTAL POLICY ACT AND ADOPTING SAID COMPREHENSIVE PLAN AMENDMENT NO. CA2019-1 AND ITS DETERMINATION OF NONSIGNIFICANCE.

WHEREAS, Comprehensive Plan Amendment No. CA2019-1, and its associated State Environmental Policy Act (SEPA) Checklist and Determination of Nonsignificance, have been prepared and processed on behalf of the City of Deer Park and its Urban Growth Area; and

WHEREAS, Comprehensive Plan Amendment No. CA2019-1, updates provisions within the Comprehensive Parks, Recreation Plan and Conservation Plan; and

WHEREAS, said Comprehensive Plan Amendment No. CA2019-1, together with its companion SEPA Checklist and DNS, contain all of the materials presented to the City Council; and

WHEREAS, the City established a public participation program for the periodic review in accordance with RCW 36.70A.10(2), which provided opportunities for early and continuous involvement by the public in the update process; and

WHEREAS, the completed draft was distributed to public agencies and made available to interested parties on September 13, 2019, and the Planning Commission and City Council held duly noticed public hearings on said Comprehensive Plan Amendment No. CA2019-1 and its companion SEPA documentation (October 28, 2019, and continued to November 11, 2019 by the Planning Commission, and November 20, 2019, by the City Council), and all relevant testimony from such distributions and hearings have been incorporated into the record for Comprehensive Plan Amendment No. CA2019-1 and its companion SEPA documents, and all such testimony has been discussed, evaluated, analyzed, reviewed and considered by the City Council; and

WHEREAS, notice of all amendments to the comprehensive plan adopted to fulfill the requirements of RCW 36.70A.130 was sent to the Washington State Department of

Community, Trade and Economic Development at least sixty days before the amendments were adopted, in accordance with RCW 36.70A.106; and

WHEREAS, the members of the City Council have read, reviewed, and considered the information contained in Comprehensive Plan Amendment No. CA2019-1 and its associated SEPA documentation, including all printed matter and exhibits of record; and

WHEREAS, the City Council considers long range planning, as embodied in Comprehensive Plan Amendment No. CA2019-1, in conjunction with the existing adopted Comprehensive Plan's components, essential to protect the health, safety, welfare, and quality of life of the citizens of the City of Deer Park and its Urban Growth Area, and vital in establishing a stable development environment in which a sound economic and employment base may develop; and

WHEREAS, Revised Code of Washington (RCW) Chapter 36.70A (Growth Management Act) requires certain jurisdictions, including the City of Deer Park to adopt a Comprehensive Plan pursuant to its requirements, which was done in 1997 and later amended and augmented, and Comprehensive Plan Amendment No. CA2019-1 is consistent with the adopted Comprehensive Plan's components and with RCW Chapter 36.70A; and

WHEREAS, Revised Code of Washington (RCW) Chapter 43.21C (State Environmental Policy Act) requires an environmental assessment of the Comprehensive Plan and any amendment thereto, which may be integrated with such Plan or amendment pursuant to Washington Administrative Code (WAC) Chapter 197-11, and the previous SEPA Checklist and Determination of Nonsignificance are consistent with RCW Chapter 43.21C and WAC Chapter 197-11; and

WHEREAS, the City Council finds Comprehensive Plan Amendment No. CA2019-1 and its companion SEPA materials to be consistent with the County-Wide Planning Policies adopted for Spokane County; and

WHEREAS, the City Council finds that Comprehensive Plan Amendment No. CA2019-1, in conjunction with the previously adopted and amended Comprehensive Plan components, combine to represent the most practical and sensitive means of balancing future urban needs against preservation of sensitive areas such as surface waters and wetlands, and further provides growth locations where municipal services can be economically and efficiently provided;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Deer Park that it hereby certifies that Comprehensive Plan Amendment No. CA2019-1 and its companion SEPA materials for the City and its Urban Growth Area were prepared pursuant to the State Growth Management Act and State Environmental Policy Act, that such documentation has been presented to the City Council, that the City Council has reviewed and considered all information contained therein, that the City Council approves

the responses to comments received during the public review process and public hearings, and that the City Council adopts Comprehensive Plan Amendment No. CA2019-1 and its associated Determination of Nonsignificance for the City and its Urban Growth Area.

BE IT FURTHER RESOLVED by the City Council of the City of Deer Park that the adopted Comprehensive Plan's current components, together with the revisions to the Urban Growth Area, Future Land Use Plan Map, and selected text sections in Comprehensive Plan Amendment No. CA2019-1, combine to serve as the official guide for future growth and development in the City of Deer Park and its revised Urban Growth Area.

Adopted this 4th Day of December, 2019.

Timothy Verzal, Mayor

ATTEST:

Deby Cragun, City Clerk

ORDINANCE 2019-991

AN ORDINANCE OF THE CITY OF DEER PARK, WASHINGTON, ADOPTING THE ANNUAL CITY BUDGET, FOR THE YEAR ENDING DECEMBER 31, 2020

WHEREAS, the Mayor of the City of Deer Park, Washington completed and placed on file with the City Clerk/Treasurer a proposed budget and estimate of the amount of the moneys required to meet the public expenses, bond retirement and interest, reserve funds and expenses of government of the City for the fiscal year ending December 31, 2020, and a notice was published that the City Council would meet on the 6th day of November, 2019, the 20th day of November and the 4th day of December, 2019 at the hour of 7:00 p.m. at the Council Chambers in the City Hall for the purpose of making a budget for said fiscal year and giving taxpayers within the limits of the City an opportunity to be heard upon the budget; and

WHEREAS, the City Council did meet at the times and place and did then consider the matter of the proposed budget; and

WHEREAS, the proposed budget does not exceed the lawful limit of taxation allowed by law to be levied on the property within the City of Deer Park for the purposes set forth in the budget, and the estimated expenditures set forth in the budget being all necessary to carry on the government of the City for said year and being sufficient to meet the various needs of the City during said period;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DEER PARK, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Adoption of the Budget. The budget for the City of Deer Park for the year 2020 is hereby adopted at the fund level and as the balanced budget for the City with appropriations limited to the total estimated revenues of the City. The final budget of \$17,342,971.00 by this reference is incorporated herein pursuant to RCW 35A.33.075.

Estimated resources for each separate fund of the City of Deer Park, and aggregate expenditures for all such funds for the year 2020 are set forth in summary form below.

**City of Deer Park
2020 Budget**

Func	Description	Est. Beginning Fund Balance	Revenues	Expenditures	Est. Ending Fund Balance
001	General Fund	771,927.00	2,408,445.00	2,680,372.00	500,000.00
002	General Reserve Fund	465,000.00	0	0	465,000.00
003	Light Industrial Area	211,055.00	963,045.00	994,100.00	180,000.00
101	Street Fund	200,000.00	848,025.00	933,041.00	114,984.00
102	Arterial Street	104,029.00	2,127,521.00	2,168,000.00	63,550.00
106	Civic Improvement Fund	23,400.00	1,750.00	3,000.00	22,150.00
110	Airport Maintenance Reserve Fund	17,500.00	24,500.00	39,500.00	2,500.00
201	Water Debt Service Fund	32,258.00	0.00	0.00	32,258.00
202	Wastewater Revenue Bond Debt Service	75,670.00	0.00	0.00	75,670.00
204	2014 LTGO Bonds	125,810.00	94,100.00	94,050.00	125,860.00
304	Facilities Capital Improvement	209,000.00	71,000.00	30,000.00	250,000.00
305	Capital Improvement Fund	33,250.00	750.00	0.00	34,000.00
306	Golf Course Reserve Fund	82,000.00	1,000.00	20,000.00	63,000.00
400	Water Operations Fund	300,000.00	958,467.00	1,056,839.00	201,628.00
401	Wastewater Operations Fund	232,929.00	1,449,500.00	1,332,429.00	350,000.00
402	Wastewater's Loan Payment Fund	273,100.00	335,494.00	333,594.00	275,000.00
403	State Loan Debt Service	150,000.00	50,000.00	70,455.00	129,545.00
404	Water Improvement fund	350,000.00	210,500.00	250,000.00	310,500.00
405	Wastewater Improvement Fund	800,000.00	775,000.00	815,000.00	760,000.00
406	Golf Course Fund	1,000.00	83,852.00	20,352.00	64,500.00
415	Airport Fund	150,000.00	664,800.00	663,655.00	151,145.00
416	Airport Grant Fund	0.00	404,250.00	375,000.00	29,250.00
501	Equipment Rental fund	148,824.00	170,500.00	169,324.00	150,000.00
505	Equipment Rental Replacement Reserve	800,000.00	140,720.00	302,000.00	638,720.00
602	Cable TV Trust Fund	3,000.00	0.00	0.00	3,000.00
631	Treasurer's Suspense Fund	0.00	0.00	0.00	0.00
TOTALS		5,559,752.00	11,783,219.00	12,350,711.00	4,992,260.00

Section 2. The City Clerk/Treasurer is directed to transmit a certified copy of the final budget as adopted herein to the Division of Municipal Corporations in the office of the Washington State Auditor and to the Association of Washington Cities.

Section 3. This Ordinance shall take effect and be in force five (5) days after this Ordinance or a summary thereof consisting of the title is published.

Approved by the City Council of the City of Deer Park, Washington, at a regular meeting thereof this ____ day of December, 2019.

APPROVED:

ATTEST:

Timothy Verzal, Mayor

Deby Cragun, City Clerk/Treasurer

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

By:

Charles D. Zimmerman

FILED WITH THE CITY CLERK:	<u>11/26/2019</u>
PASSED BY THE CITY COUNCIL:	<u>00/00/2019</u>
PUBLISHED:	<u>00/00/2019</u>
EFFECTIVE DATE:	<u>00/00/2019</u>
ORDINANCE NO.:	<u>2019-991</u>

SUMMARY OF ORDINANCE NO. 2019-991

of the City of Deer Park, Washington

On the 0 day of December, 2019 the City Council of the City of Deer Park, Washington, passed Ordinance No. 2019-991. A summary of the content of said Ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF DEER PARK, WASHINGTON, ADOPTING THE ANNUAL CITY BUDGET, FOR THE YEAR ENDING DECEMBER 31, 2020

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

DATED this 0th day of December, 2019

Deby Cragun, CITY CLERK/TREASURER

CITY OF DEER PARK
CLAIMS CERTIFICATION AND APPROVAL

Auditing Officer's Certification

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the Claim is a just, due and unpaid obligation against the *City of Deer Park*, and that I am authorized to authenticate and certify said Claims Checks numbered **38163 through 38182 in the amount of \$192,404.70.**

City Clerk/Treasurer

Council Approval

We, the undersigned Council Members of the *City of Deer Park* approve the payment of Claims Checks **38163 through 38182 in the amount of \$192,404.70 this 4th day of December 2019.**

Vouchers 2nd Half November

Fiscal: : 2019

Period: 2019 December

Number	Vendor Name	Account Description	Amount
38163	American Linen	Supplies	\$110.05
		Mat Change Out	\$118.12
		Check Total:	\$228.17
38164	Anatek Labs	Water Testing	\$505.00
38165	Autozone	Repair & Maintenance	\$160.86
38166	Canon Financial Services, INC	Airport Graphics Equipment	\$56.97
38167	Centurylink	Communications	\$1,826.98
38168	City Service Valcon, LLC	Airport Resale Fuel	\$25,162.28
38169	Deer Park Gazette	Airport Advertisement	\$11.40
38170	Department of Ecology	EL 150052 Interest Lagoon St Loan	\$32,443.40
		Lagoon State Loan EL 150052 Principle	\$77,494.52
		Check Total:	\$109,937.92
38171	Fastenal	Supplies	\$73.59
		Shop Tools & Equipment	\$208.82
		Check Total:	\$282.41
38172	H.D. Fowler Company	Tools & Equipment	\$153.57
38173	Office Depot	Central Services Supplies	\$187.10
		Supplies	\$135.11
		Check Total:	\$322.21
38174	Ogden/Murphy/Wallace PLLC	Legal Services Rendered	\$6,441.00
		Airport/Water and Wastewater Services	\$1,336.50
		Check Total:	\$7,777.50
38175	Reliance Janitorial	City Hall Janitorial Services	\$525.00
38176	Ricoh USA, Inc	City Hall Copier Contract	\$208.62
		Supplies	\$244.81
		Check Total:	\$453.43
38177	Road Products, Inc.	FAA AIP #25 Final Pavement	\$30,088.28
38178	Schultz's Aviation, LLC	Airport Management Contract	\$9,166.67
38179	Spokane County District Court	Judicial Services	\$1,006.98
38180	Spokane County Treasurer/SCRAPS	Spokane County Regional Animal Control	\$894.07
38181	Tokay Software	Backflow Software	\$380.00
38182	Traffic Sign Solutions	Street Sign	\$3,465.00
	Grand Total		\$192,404.70
	Total Accounts Payable for Checks #38163 Through #38182		

CITY OF DEER PARK
PAYROLL CERTIFICATION AND APPROVAL

Auditing Officer's Certification

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services and/or the labor has been performed as described herein and is a just, due and unpaid obligation against the *City of Deer Park*, and that I am authorized to authenticate and certify said Payroll Checks numbered 13567 through 13598 including 941 and PMFL Taxes in the amount of \$106,265.10.

City Clerk/Treasurer

Council Approval

We, the undersigned Council Members of the *City of Deer Park* approve the payment of Payroll Checks numbered 13567 through 13598 including 941 and PMFL Taxes in the amount of \$106,265.10 this 4th day of December 2019.

Deer Park Municipal Airport USE AGREEMENT

The City of Deer Park, Washington (hereinafter the "City") and Spokane County, Washington (hereinafter "SPOKANE COUNTY" or "Lessee"), sometimes hereinafter individually referred to as a "party" or collectively referred to as "parties", effective as of the 15th day of October, 2019 agree as follows:

1. **PREMISES.**

A. **Premises.** The City shall allow access to SPOKANE COUNTY the following premises (the "Premises"):

Eastern one-half of Airport Storage Building located at 712 N. Cedar Road, Deer Park, WA.

B. **Use of Premises.** The Premises shall only be used for storage of the SKID CAR and TRAILER, and for no other purpose without the prior written approval of the City.

C. **Rules and Regulations.** SPOKANE COUNTY shall comply with all reasonable rules and regulations regarding the use and care of the Premises and City's DEER PARK MUNICIPAL AIRPORT as adopted or amended from time to time. SPOKANE COUNTY agrees it will not disturb the City by making or permitting any unreasonable disturbance or unusual noise, vibration, emission, sense of order, discharge, traffic or road obstruction, general nuisance or other condition in, on or adjoining the Premises inconsistent with the contemplated use specified herein.

2. **TERM.** The term of this Use Agreement is for six (6) month's beginning on October 15, 2019 and terminating May 15, 2020.

3. **RENTAL.** SPOKANE COUNTY shall pay to the City rental as follows:

One Hundred dollars (\$100.00) per month use.

Rent shall be due and payable within thirty (30) days of receipt of invoice from the City of Deer Park. Unless other arrangements have been agreed upon, the City shall invoice the County at the end December 2019, and May 15, 2020, or upon earlier vacation of the space. If SPOKANE COUNTY does not pay the rent by the due date, the City may add a late charge of up to ten percent (10%) of the rent for each month rent is delinquent. If rent is not paid, SPOKANE COUNTY shall be deemed to be in default of this Use Agreement. See paragraph 13 for default terms.

4. **MAINTENANCE AND REPAIR.** SPOKANE COUNTY has viewed the Premises, and accepts them in their present "AS-IS" condition, with all faults and defects. The City makes no representations about the condition or fitness for purpose of the Premises.

5. **ALTERATIONS AND IMPROVEMENTS.** SPOKANE COUNTY shall make no alterations or improvements to the Premises without first having obtained the written consent of the City. Upon termination, the City has the option to require SPOKANE COUNTY to remove such improvements at SPOKANE COUNTY's sole expense. If not removed, improvements shall become the property of the Deer Park Municipal Airport.

6. **COMPLIANCE WITH LAWS.** SPOKANE COUNTY shall comply with all state, federal and local laws and regulations and the rules of the City, as amended from time to time. SPOKANE COUNTY

shall indemnify, defend, and hold the City harmless from all expense directly or indirectly related to the noncompliance by SPOKANE COUNTY of governing law, regulations and/or rules of the City.

SPOKANE COUNTY expressly represents that all of SPOKANE COUNTY's operations on the Premises shall be in strict compliance with governing environmental, land use, regulations and ordinances, and that SPOKANE COUNTY specifically shall not use, store, keep or maintain in, on or about the Premises any hazardous substances and/or wastes, toxic materials, or solid wastes within Deer Park Municipal Airport and immediate properties bordering the City's properties.

8. **SITE SPECIFIC REQUIREMENTS.** SPOKANE COUNTY shall limit access to the SKID CAR and TRAILER to SPOKANE COUNTY, its officials, employees, and volunteers. All participants and visitors shall remain clear of active runways and taxiways. No participant shall cross any active runway to access the training site. Access shall be via Cedar Road only. Participants and visitors shall not consume or expose themselves to water from the irrigation sprinklers. This water is treated municipal waste water. Sprinklers shall not be tampered with or disabled.

9. **SAFETY RULES, TIME OF USE.** SPOKANE COUNTY shall be solely responsible for the safety and security of all participants and visitors. The City of Deer Park and Deer Park Municipal Airport assume no responsibility for the safety of participants or visitors.

10. **INDEMNIFICATION, LIABILITY INSURANCE.** The City and its employees/agents shall not be liable for any injury to any persons or for damage to any property, including , but not limited to, damage by rain, flood or bursting water pipes, abnormal temperature, mechanical or electrical failure, sewage/septic system failure, fire, smoke, water from sprinklers, earthquake, environmental damage, aircraft accident, or any infestation, or otherwise, regardless of how such injury or damage may be caused, as a result of the condition which in any way is related to the use of the Premises or the operations of the SPOKANE COUNTY in, on or about the Premises by SPOKANE COUNTY, its employees, agents, volunteers and invitees. SPOKANE COUNTY agrees to indemnify, defend and hold harmless the City from and against all liability, claims, to include liability, claims and actions brought by SPOKANE COUNTY its employees, agents, volunteers and invitees based upon or arising out of injuries, death, damages to person or property, caused by or resulting from the negligence of SPOKANE COUNTY's employees, agents, volunteers and invitees while engaging in or arising from SPOKANE COUNTY'S use of the Airport pursuant to the terms of this Use Agreement.

In addition Spokane COUNTY certifies that it is a member of the Washington Counties Risk Pool (WCRP), as provided by RCW 48.62.031. SPOKANE COUNTY is covered by the WCRP's Joint Memorandum of Liability Coverage Document.

As evidence of the coverage required by this Use Agreement, SPOKANE COUNTY shall furnish an acceptable Memorandum of Liability Coverage (MLC) as proof of membership in the Washington Counties Risk Pool to the CITY within fourteen (14) days of approval of this Use Agreement by SPOKANE COUNTY.

There shall be no cancellation, material change, reduction of limits or intent not to renew the liability coverage(s) without thirty (30) days written notice from SPOKANE COUNTY or the WCRP to the CITY.

11. **ASSIGNMENT OR SUBLEASE.** SPOKANE COUNTY shall not assign, transfer or sublet the Premises.

12. **TERMINATION-HOLDING OVER.** Upon termination, SPOKANE COUNTY shall return the Premises and adjoining areas used by SPOKANE COUNTY to the City in clean condition, and in a condition acceptable to the City. If SPOKANE COUNTY shall, without the consent of the City, hold over

after the expiration or termination of the tenancy, SPOKANE COUNTY shall pay to the City the rate of one and one-half (1 ½) times the then current rent, and SPOKANE COUNTY shall be bound by all of the provisions of this Use Agreement.

The City reserves the right to terminate said Use Agreement upon ten (10) days written notice to the SPOKANE COUNTY without cause.

13. **DEFAULTS.** Time is of the essence, and if SPOKANE COUNTY is in default under this Use Agreement the City may immediately terminate this tenancy after having given SPOKANE COUNTY three (3) days' notice in writing in the event of nonpayment of rent, or ten (10) days notice in writing for other defaults and giving SPOKANE COUNTY an opportunity to cure such defaults. If not so cured within the specified time, then the City may immediately terminate this tenancy and repossess the Premises and store any personal property found thereon, and later sell such property to reimburse the City for part of its damages. In the event of such default, SPOKANE COUNTY shall be fully liable for any and all direct or indirect damages suffered by the City.

14. **ATTORNEY'S FEES.** Should a dispute arise between the parties hereto as to the effect of any provision hereof and refer said dispute to an attorney, the losing party shall pay the prevailing party's reasonable attorney's fees and costs of court, including such fees and costs on any appeal.

15. **WAIVER.** The acceptance of rent by the City after default by SPOKANE COUNTY shall not be deemed a waiver of such default. No waiver by the City of any default by SPOKANE COUNTY shall be construed to be a waiver of any subsequent default by SPOKANE COUNTY.

16. **BINDER.** This Use Agreement is binding upon the parties hereto, their heirs, personal representative, successors in interest and assigns.

17. **MISCELLANEOUS.**

A. **Inspection.** The City reserves the right to enter and inspect the Premises at any reasonable time without prior notification or authorization.

B. **Rules and Regulations.** SPOKANE COUNTY agrees to comply with all applicable rules, regulations and covenants of the City pertaining to the Premises for the general safety and convenience of the City, SPOKANE COUNTY, invitees, licensees and the general public, including but not limited to vehicle posted speed, litter enforcement, SPOKANE COUNTY signs, excessive noise, annoying lights, irritating odors, or discarding of any type of liquids or solids to either the City's property or adjoining property.

C. **Environmental and Premises Cleanup Costs.** SPOKANE COUNTY shall be fully and completely liable to the City for any and all cleanup costs and any and all other charges, fees and penalties imposed by any governmental authority with respect to dangerous or waste substances, or discharges to the water, ground water or air, in or about the Premises, common areas or City facilities by SPOKANE COUNTY. SPOKANE COUNTY shall indemnify, defend and save the City harmless from any and all of the costs, fees, penalties and charges assessed against or imposed upon the City, as well as the City's attorneys' and engineers' fees and costs, as a result of SPOKANE COUNTY's use, disposal, transportation, generation and/or sale of hazardous, dangerous or waste substances, or discharges to the water, ground water or air on the Premises.

18. **NOTICES**

All notices required herein shall be deemed to be properly served if hand delivered, or if sent by mail, postage prepaid, to the last address previously furnished by the parties hereto. SPOKANE COUNTY is

obligated to notify the City of current address and phone numbers. Until hereafter changed by the parties in writing, notices shall be addressed as follows:

City of Deer Park	Lessee
E 316 Crawford Ave.	Spokane County Office:
PO Box F	Stephen R. Bartel, Director
Deer Park WA 99006	Spokane County Risk Management
(509)276-8802	1033 W. Gardner
	Spokane, WA. 99260
	(509)477-6101

Date of service of such notice shall be the date of postmark by the U.S. Post Office Service.

The parties hereto have executed this Use Agreement as of the day and year first above written.

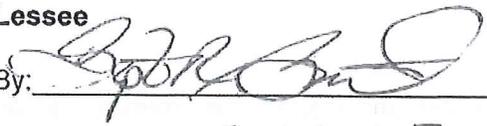
CITY OF DEER PARK

ATTEST:

By: _____
Timothy Verzal, Mayor

By: _____
Deby Cragun, City Clerk/Treasurer

Lessee

By:  _____

Printed Name: STEPHEN R. BARTEL