



ABERDEEN CITY COUNCIL

June 29, 2016

AMENDED

COUNCIL MEETING AGENDA

7:15 PM – 3rd Floor, City Hall

COMMITTEE OF THE WHOLE

- A. Guest Speakers
 - 1. *Presentation by John Barclay & Brian Little – “Every great city deserves a great city flag”.
- B. Additions to Agenda
- C. Department Heads
- D. Mayor’s Report
- E. Non-Standing Committee Reports

COUNCIL MEETING

- I. ROLL CALL
- II. FLAG SALUTE
- III. APPROVAL OF MINUTES
- IV. ADDITIONS / DELETIONS
- V. PUBLIC COMMENT Re: Agenda Items (Please limit your comments to 3 minutes)
- VI. FINANCE COMMITTEE
 - A. Committee Chair Report
 - B. Approval of expenditures
 - 1. Recommend approval of expenditures and payroll.
 - C. Reports & Communications
 - 1. Report from Finance and the Parks Director recommending that the Council approve the request to waive the permitting fees for the Aberdeen Art Walk event on July 23rd.
 - D. Resolutions
 - 1. Resolution authorizing an interfund loan in the amount of \$185,000 from the Equipment Rental Reserve (Fund 502) to Aberdeen Police Department (Fund 001.45) upon certain terms and conditions.
- VII. PUBLIC WORKS
 - A. Committee Chair Report
 - B. Reports & Communication
 - 1. Report from Public Works and Public Works recommending that the city council bring forward an ordinance to annex the area adjacent to Bishop Athletic Complex for municipal purposes.

2. *Report from Public Works and the Public Works Director recommending that the Engineering Department be authorized to issue a conditional contract for Pioneer Blvd Slide Repair prior to City Council approval.
 3. *Report from Public Works and the Public Works Director recommending that the City council pass the Resolution adopting the 2017-2022 Six Year Transportation Improvement Plan and setting a public hearing to receive comments on the proposed plan.
- C. Public Hearings
1. *This is the date set for public hearing to receive comments on the 2017-2022 Six Year Transportation Improvement Plan for the City of Aberdeen.
- D. Resolutions
1. *Resolution establishing a Six Year Transportation Improvement Plan for the period of 2017-2022 for which local, state and federal funds, if available, will be expended.
 2. *Resolution expressing the City of Aberdeen's support for the Fry Creek habitat restoration and flood risk reduction project.

VIII. PUBLIC SAFETY

- A. Committee Chair Report
- B. Reports & Communications

IX. SPECIAL AGENDA ITEMS

- A. Reports & Communications
 1. Report from Personnel and Mayor Larson recommending personnel policy exceptions related to starting pay and benefits for Finance Director.
- B. Appointments
 1. Appointment of Finance Director.
 2. Appointment of Tawni Andrews & Bill Simpson to the Historical Seaport Board.
- C. Resolutions
 1. *Resolution adopting the Flag of the City of Aberdeen.
- D. Ordinances
 1. First reading of Bill No. 16-06 prohibiting the location of bulk crude oil storage and handling facilities in the City of Aberdeen, amending Section 17.56.010 of the AMC and adding a new Section 17.56.075.

X. CITY COUNCIL COMMENT PERIOD

XI. PUBLIC COMMENT PERIOD (Please limit your comments to 3 minutes)

XII. EXECUTIVE SESSION

* Item added

The City of Aberdeen does not discriminate against or exclude anyone from participation in public meetings. Requests for assistance should be made by contacting the Finance Department at 360-537-3236, 48 hours in advance of the meeting. Thank you.


 ABERDEEN REVITALIZATION MOVEMENT

BOARD OF DIRECTORS

June 28, 2016

OFFICERS

Brian Little, President
 Jamie Judkins, Vice-President
 Jennifer Province, Sec/Treas.

Aberdeen City Council
 c/o Acting Finance Director Ms. Sandy Mullin
 City of Aberdeen
 200 E. Market Street
 Aberdeen, Washington 98520
smullin@aberdeenwa.gov

DIRECTORS

Bob Ford
 Gary Jones
 Paul Metke
 Douglas Orr
 Scott Reynvaan
 Troy Richart
 Alan Richrod
 Colleen Simpson
 Tonya Wood

Re: City Flag

Honorable Mayor and Council,

Sometimes we chance to happen upon an idea whose time has come. This is one of those times. I am writing in support of Aberdeen resident Mr. John Barclay's proposal that the City adopt a City Flag and request that this correspondence be received and considered at the next regular Council meeting.

Stemming in part from an ongoing community conversation regarding finding meaningful opportunities to express civic pride Mr. Barclay on June 24, 2015 first approached Council to propose the creation and adoption of a city flag. At that meeting he offered that: "Every great city deserves a great city flag". The idea was met with enthusiasm and, encouraged by the Council's response, has since championed the idea and enlisted other likeminded citizens and together they have worked to bring forward a suitable City Flag for Council's consideration.

We herein respectfully request that the Mayor and Council consider the adoption of a City Flag for our great City of Aberdeen, Washington. Attached is a proposed Resolution together with a suitable design crafted in accordance with the 5 basic principles of good flag design as presented by the North American Vexillological Association.

Thank you in advance for accepting this proposal in the spirit in which it is offered. A spirit of community and civic interest and pride.

Sincerely,
 ABERDEEN REVITALIZATION MOVEMENT



Brian Little, President

cc: City of Aberdeen Mayor & Council
 Mr. John Barclay, Ward 4
 ARM Board & File

Encl.: City Flag Resolution (1 page)
 Attachment A – Flag Description (1 page)
 Attachment B – Flag Depiction (1 page)

**LEGISLATIVE DEPARTMENT
CITY OF ABERDEEN**


Mayor: Erik Larson

**The Members of Your
Committee on:** Finance and the Parks & Recreation Director

To whom was Referred: **Waiver of special event permit fees for Art Walk**

Reports and Recommends as Follows: ARM submitted an application for a special event permit for Art Walk 2016. AMC 12.72.060A(4) authorizes the Parks & Recreation Director to require reimbursement of city costs associated with the event. The Public Works Department has requested that the following costs be imposed as a permit condition: staffing fees of 8 hours \$45/hour for traffic control set up and take down. ARM has requested a waiver of these costs. The Parks & Recreation Director has submitted the request for a waiver directly to the city council as provided in AMC 12.72.080. The Director will issue the permit after the city council's decision on the requested waiver.

It is recommended, for the reasons set forth in ARM's request, that the city council waive reimbursement of the costs requested by the Public Works Dept.


Stacie Barnum
Parks & Recreation Director

Denny Lawrence, Chair

Jeff Cook, Vice Chair

Reported June 29, 2016

Alice Phelps

Adopted _____, 2016

Kathi Prieto



Stacie Barnum <sbarnum@aberdeenwa.gov>

Aberdeen Art Walk

Tawni Andrews <tawniandrews@comcast.net>

Tue, Jun 21, 2016 at 4:47 PM

To: smullin@aberdeenwa.gov

Cc: sbarnum@aberdeenwa.gov

City of Aberdeen

On behalf of Aberdeen Art Walk I respectfully ask that the \$360.00 fees be waived for this year. ARM will be providing the event insurance and I will make sure that you are forwarded a copy. I appreciate in advance the consideration of waiving of the fees. We are a small event however, this year, with waiving the artists' exhibition fees we are drawing 48 artists right now and over 20 vendors! We will fill downtown Aberdeen on July 23rd with multiple different types of art and music. We hope everyone will join us.

Thank you in advance.

Tawni Andrews

Chair, Aberdeen Art Walk



This email has been checked for viruses by Avast antivirus software.
www.avast.com

RESOLUTION No. 2016 - _____

A RESOLUTION AUTHORIZING AN INTERFUND LOAN IN THE AMOUNT OF \$185,000 FROM THE EQUIPMENT RENTAL RESERVE FUND (FUND 502) TO ABERDEEN POLICE DEPARTMENT(FUND 001.45) UPON CERTAIN TERMS AND CONDITIONS

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ABERDEEN: That \$185,000 shall be loaned from the Equipment Rental Reserve Fund (Fund 502) to the Aberdeen Police Department (Fund 001.45) for a term of 6 years beginning with the date of this Resolution. The loan shall be repaid in annual payments of at least \$30,800.00 plus interest. The initial annual interest rate shall be one-half of one percent, the current rate of return from the Washington State Local Government Investment Pool (LGIP). The Finance Director shall review the interest rate in December of each year and shall increase the annual interest rate, if necessary, to match the then current rate of return from the Washington State Local Government Investment Pool (LGIP).

PASSED and APPROVED this _____ day of _____, 2016.

Erik Larson, Mayor

ATTESTED:

Sandy Mullin, Acting Finance Director

**LEGISLATIVE DEPARTMENT
CITY OF ABERDEEN**

Mayor: Erik Larson

**The Members of Your
Committee on:** Public Works and the Directors of Public Works and Community
Development

To whom was Referred: Annexation of city-owned property adjacent to Bishop Athletic
Complex for municipal purposes

Reports and Recommends as Follows: The city owns two parcels in the Charley Creek vicinity in unincorporated Grays Harbor County (see map on reverse). Annexation of this area would connect the city's Charley Creek properties to the existing city limits and would allow the city to adopt zoning and development regulations for the area. The Public Works Department will continue to operate its facilities in the area and construction of a new Aberdeen Police Department firing range has been proposed. There is no pre-annexation comprehensive plan for the area and interim zoning controls should be imposed to provide the Planning Commission and City Council time to adopt appropriate zoning regulations.

It is recommended that the city council bring forward an ordinance to annex the area shown on the attached map (see reverse) for municipal purposes and to adopt interim zoning controls.

Rick Sangder
Public Works Director

Council member

Lisa Scott
Community Development Director

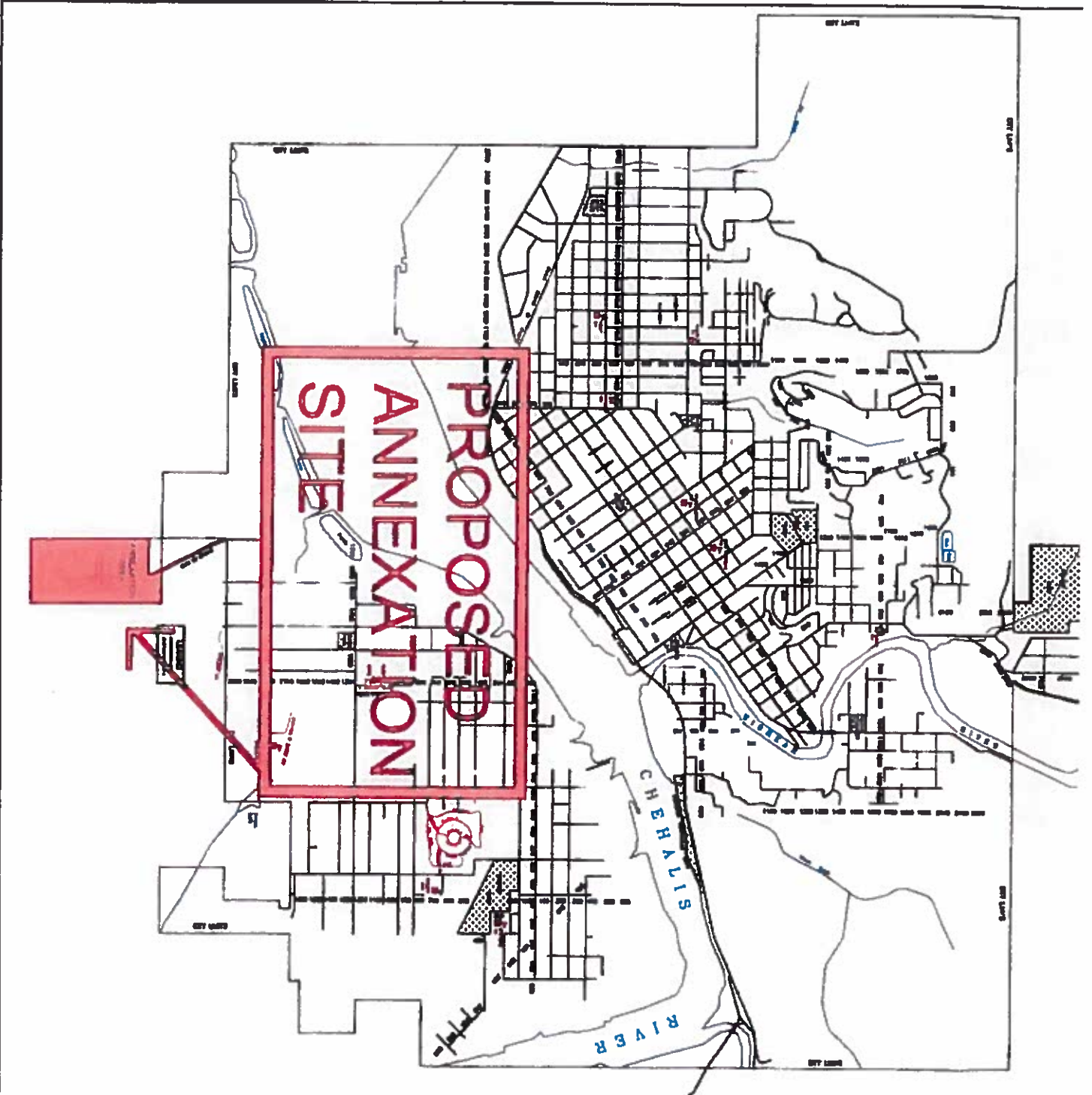
Council member

Reported _____, 2016

Council member

Adopted _____, 2016

Council member





CITY OF ABERDEEN LEGAL DEPARTMENT
ERIC NELSON (3233) • FOREST WORGUM (3232) • KIRSTEN WILLIAMS (3231)

TO: Public Works Committee
FROM: Eric S. Nelson, Corporation Counsel
DATE: June 22, 2016
RE: Annexation of city's Charley Creek and Charley Creek Road parcels
CC: Mayor & City Council
Department Heads

*Note: ① revised legal description and schedule
② revised schedule*

ACTION REQUESTED: Report to city council recommending annexation of city-owned property at Charley Creek.

SUMMARY: Proposed committee report and ordinance are attached.

BACKGROUND: Property owned by the city may be annexed for municipal purposes by ordinance, without circulating annexation petitions and without a public election. If the property is adjacent to the current city limits the annexation is exempt from review by the county's Boundary Review Board.

The proposed annexation area is shown on Exhibit A attached to the draft ordinance. It includes the area where the new Police Department Firing Range will be located.

The proposed schedule for the annexation is:

1. June 28 – Public Works Committee approves the proposed report
2. June 29 – City council adopts the report
3. July 13 – First reading of Bill No. 16-05
4. July 27 – Second reading and public hearing
5. August 10 – Third reading and final passage
6. August 24 (or within 45 days of passage) – Public hearing on interim zoning controls

The schedule can be shortened if the city council suspends the rules at the second reading.

ATTACHMENTS:

- [1] Proposed Committee Report
- [2] Bill No. 16-05
- [3] Exhibit A (map of annexation area)

CITY OF ABERDEEN.....LEGISLATIVE DEPARTMENT

Mr. MAYOR:

The Members of

Your Committee on: PUBLIC WORKS AND THE PUBLIC WORKS DIRECTOR

To whom was Referred: Pioneer Blvd Slide Repair

REPORTS AS FOLLOWS: The Engineering Department submitted documents for bid through the Small Public Works process on a project to repair the Pioneer Blvd slide. Bid documents were sent out to six contractors from the Roster for the specified work on June 21st, 2016. .

Due to the nature of the project and the need to move forward immediately, the project timeline and specifications have been compressed as follows to insure the earliest starting date possible.

- July 5th, 2016 at 3:00 pm – Bid Opening.
- July 5th, 2016 – Determine lowest responsible bidder
- July 6th, 2016 - Conditional contract award letter contingent on Aberdeen City Council approval.
- July 11th, 2016 – Receive signed contract from Contractor.
- July 13th, 2016 - Contract Award by Aberdeen City Council, execute and approve signed contract documents
- July 19th, 2016 – Contractor assembles all required documentation; intents, subcontractor list, insurance, etc.
- July 20th, 2016 – Pre-Construction meeting and notice to proceed.
- July 25th, 2016 – Contractor required onsite to begin work.

In order for the Contractor to meet such an aggressive schedule it is requested that the Engineering Department be allowed to send out a conditional contract award letter on July 16th, 2016 which would authorize the contractor to begin compilation of required documents.

THEREFORE, IT IS RECOMMENDED: That the Engineering Department be allowed to issue a conditional contract award prior to City Council approval.

Rick Sangder.
Public Works Director

Kathi Hoder

Alan Richrod

Reported _____, 2016

Dee Anne Shaw

Adopted _____, 2016

Tawni Andrews

**LEGISLATIVE DEPARTMENT
CITY OF ABERDEEN**

MR. MAYOR:

THE MEMBERS OF
YOUR COMMITTEE ON: Public Works and the Public Works Director

TO WHOM IT WAS REFERRED: Consideration and Adoption of the 2017-2022 City of Aberdeen Six Year Transportation Improvement Plan

REPORTS AS FOLLOWS: In accordance with the Revised Code of Washington (RCW) 35.77.010, city staff has prepared the perpetual advanced 2017 – 2022 City of Aberdeen Transportation Improvement Plan (TIP) which is available for review. A public hearing will be held on June 29, 2016, for any comments on the proposed plan. The approved program will be filed with the Secretary of Transportation in accordance with said RCW. Selected projects will be incorporated into State Transportation Improvement Plan (STIP).

THEREFORE, IT IS RECOMMENDED: That the City Council pass the resolution adopting the City's 2017 – 2022 Transportation Improvement Plan.

Rick Sangder
Public Works Director

Kathi Hoder

Reported _____ 2016

Alan Richrod

Adopted _____ 2016

Dee Anne Shaw

Tawni Andrews

City of
Aberdeen



Public Works Administration
200 E. Market St. • Aberdeen, WA 98520-5207
Tel (360) 537-3228 or (360) 537-3224

NOTICE OF HEARING

THE CITY OF ABERDEEN WILL BE CONDUCTING A PUBLIC HEARING ON WEDNESDAY, JUNE 29, 2016 AT 7:15 PM IN THE CITY COUNCIL CHAMBERS ON THE THIRD FLOOR OF ABERDEEN CITY HALL ON THE FOLLOWING MATTER:

- ADOPTION OF THE 2017 - 2022 CITY OF ABERDEEN SIX YEAR TRANSPORTATION IMPROVEMENT PLAN

THE PUBLIC IS INVITED TO ATTEND AND TO OFFER COMMENTS ON THE PROPOSED PLAN. COPIES OF THE AFOREMENTIONED ARE AVAILABLE FOR REVIEW. PLEASE CONTACT PUBLIC WORKS AT (360) 537-3228 OR 537- 3224 FOR FURTHER INFORMATION, OR FORWARD WRITTEN COMMENTS TO THE PUBLIC WORKS DEPARTMENT AT 200 E. MARKET STREET, ABERDEEN, WA 98520-5207.

RICK SANGDER
PUBLIC WORKS DIRECTOR
CITY OF ABERDEEN

RESOLUTION No. 2016 - _____

A RESOLUTION ESTABLISHING THE CITY OF ABERDEEN'S SIX YEAR TRANSPORTATION IMPROVEMENT PLAN FOR THE PERIOD OF 2017-2022 FOR COORDINATED TRANSPORTATION PROGRAM EXPENDITURES.

WHEREAS, pursuant to RCW 35.77.010, the City of Aberdeen has prepared the perpetually advanced Six Year Transportation Improvement Plan for the time period of 2017 through 2022, which includes proposed improvements for motorized and non-motorized modes of transportation for which local, state and federal funds, if available, will be expended; and,

WHEREAS, the City Council of the City of Aberdeen, having held a public hearing on the City of Aberdeen's Six Year Transportation Improvement Plan on June 29, 2016 at 7:15 P.M. at the City Hall in Aberdeen, Washington; and,

WHEREAS, any public comments in regards to the Transportation Improvement Plan as prepared by the City of Aberdeen for ensuing six (6) years in the City of Aberdeen have been fully considered; **NOW, THEREFORE**,

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ABERDEEN: That the attached Six Year Transportation Improvement Plan for the period of 2017 through 2022 is hereby adopted.

BE IT FURTHER RESOLVED: That copies of said Six Year Transportation Improvement Plan for the period of 2017 through 2022 together with copies of this Resolution be filed with the Secretary of the Department of Transportation.

PASSED and APPROVED on June 29, 2016.

Erik Larson, Mayor

ATTESTED:

Sandy Mullin, Acting Finance Director

RESOLUTION No. 2016 - _____

A RESOLUTION EXPRESSING THE CITY OF ABERDEEN'S SUPPORT FOR THE FRY CREEK HABITAT RESTORATION AND FLOOD RISK REDUCTION PROJECT.

WHEREAS, The City of Aberdeen Public Works Department has presented a proposal to the Washington Coast Recreation Initiative (WCRI) steering committee for a project on Fry Creek that would address habitat restoration and flood risk reduction; and

WHEREAS, the Washington Coast Recreation Initiative requires support letters showing local support from stakeholders to be considered for funding regardless of rank; and,

WHEREAS, the Aberdeen City council and Mayor find and agree that the project provides benefit to the local environment and community; and,

WHEREAS, the Mayor and City Council of the City of Aberdeen consider it in the best public interest to complete the currently proposed project described in the application; and,

WHEREAS, the Mayor and City Council of the City of Aberdeen wish to express their support for the Fry Creek Habitat Restoration and Flood Risk Reduction Project; **NOW, THEREFORE**,

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ABERDEEN: that the Mayor and City Council are authorized and directed to execute the attached letters of support.

PASSED and APPROVED on June 29, 2016.

Erik Larson, Mayor

ATTESTED:

Sandy Mullin, Acting Finance Director

**LEGISLATIVE DEPARTMENT
CITY OF ABERDEEN**

To: City Council

From: Personnel Committee and Mayor

Re: Request for exceptions to starting pay and benefits for Mayor's selection of Finance Director candidate Mike Folkers

Reports and Recommends as Follows: On June 16, 2016, the Personnel Committee reviewed the Mayor's requests for exceptions to the starting range and benefits for Mike Folkers, the Finance Director candidate he has selected. The requested exemptions are:

- 1) Salary set at Step 4, instead of Step 3, of the established range for the position. This would be \$8,590 per month (Step 4, Range 30). Step 4 is recommended based on the exceptional qualifications, years of experience as a city Finance Director, and minimal learning curve required for Mr. Folkers to hit the ground running.
- 2) Vacation accrual starting at 16 hours per month (credit for 84 months of service on accrual schedule) instead of 12 hours per month.
- 3) Vacation balance of 40 hour effective upon his first day of work, instead of zero hours.

The above exemptions to starting benefits are authorized by Personnel Policies 1.45 and 7.20 but require review by the Personnel Committee and approval by the City Council.


It is recommended that the City Council approve the Mayor's request for the above exceptions to starting salary and benefits effective on Mr. Folker's start date.

PERSONNEL COMMITTEE



Erik Larson, Chair

Reported: June 29, 2016



Peter Schave, Council President

Adopted: _____, 2016



Jeff Cook, Member

City of
Aberdeen



Erik Larson, Mayor
200 E. Market St. • Aberdeen, WA 98520
Tel (360) 537-3227 • Fax (360) 537-3350 • Cell (360) 581-4415
mayor@aberdeenwa.gov

June 29, 2016

Members of the City Council
City of Aberdeen

RE: Appointment of Mike Folkers to Finance Director

It is a pleasure to ask for your confirmation of the appointment of Mike Folkers to the position of Finance Director for the City of Aberdeen. Mr. Folkers comes to us with several years of experience as a Finance Director, both for the City of Ocean Shores and the City of Hoquiam.

Mr. Folkers has a Bachelor's of Science in Aeronautics and Astronautics Engineering from the University of Washington and an MBA from Washington State University. He is current pursuing his Certified Government Financial Manager certification from the Association of Government Accountants.

After a thorough interview process, Mr. Folkers proved himself to be a very qualified candidate. With the limited pool of qualified applicants for positions such as these in local government, the City is very fortunate to have a candidate with many years of municipal government experience and an extensive knowledge of our community. Mr. Folkers will be an asset for the City.

Therefore, I am seeking your confirmation of this appointment, effective Monday, July 18, 2016.

Sincerely,

A handwritten signature in black ink, appearing to be "Erik Larson", written over a horizontal line.

Erik Larson
Mayor



Dianne Hill <dhill@aberdeenwa.gov>

Verbage for 6/29 council agenda

1 message

Debbie Lund <dlund@aberdeenwa.gov>
To: Dianne Hill <dhill@aberdeenwa.gov>

Thu, Jun 16, 2016 at 5:16 PM

Special Agenda Items

A. Reports

1. Report from Personnel and Mayor Larson recommending personnel policy exceptions related to starting pay and benefits for Finance Director

C. Appointments

1. Appointment of Finance Director



Dianne Hill <dhill@aberdeenwa.gov>

Seaport Board

2 messages

Erik Larson <elarson@aberdeenwa.gov>
To: Dianne Hill <dhill@aberdeenwa.gov>
Cc: Lisa Scott <lscott@aberdeenwa.gov>

Fri, Jun 17, 2016 at 12:18 PM

Dianne,

Can you please add the the 6/29 meeting agenda the appointment of Tawni Andrews and Bill Simpson to the Historical Seaport Board? Tawni is already on as an ex-officio, this will be to make her a full board member.

Thanks!

Erik Larson

Dianne Hill <dhill@aberdeenwa.gov>
To: Erik Larson <elarson@aberdeenwa.gov>

Fri, Jun 17, 2016 at 1:01 PM

Will do!

Dianne Hill
City of Aberdeen, Finance Dept.
Phone 360-537-3236
Fax 360-537-5741

"Excellence is doing ordinary things extraordinarily well."

[Quoted text hidden]

RESOLUTION No. 2016 - _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABERDEEN,
WASHINGTON ADOPTING THE FLAG OF THE CITY OF ABERDEEN**

WHEREAS, City of Aberdeen municipal records give no indication of a City Flag ever having ever been adopted; and

WHEREAS, the establishment and use of a City Flag will instill pride and spirit within the city; and

WHEREAS, a City Flag serves an important governmental function and expenditures for the creation, acquisition, and use of a City Flag relates directly to the City's municipal purposes;
NOW, THEREFORE,

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ABERDEEN, WASHINGTON:

SECTION 1: That the City Council of the City of Aberdeen, Washington officially adopts the City Flag, as described in Attachment A, and depicted in part in Attachment B, attached to this Resolution and incorporated herein.

SECTION 2: That the Mayor, City Representatives, and their designees are authorized to use the City Flag in conjunction with official City Purposes and events, and the Mayor may issue policies and directives to City staff regarding the flying of and care of the City Flag and other appropriate uses of same.

SECTION 4: That the Mayor be authorized to procure City Flags of appropriate quality and in appropriate sizes as are desired, to sell such Flags to the public, and to make all necessary purchases and budget transfers in conjunction with this authorization.

PASSED and APPROVED on _____, 2016.

Erik Larson, Mayor

ATTESTED:

Sandy Mullin, Acting Finance Director

ATTACHMENT A

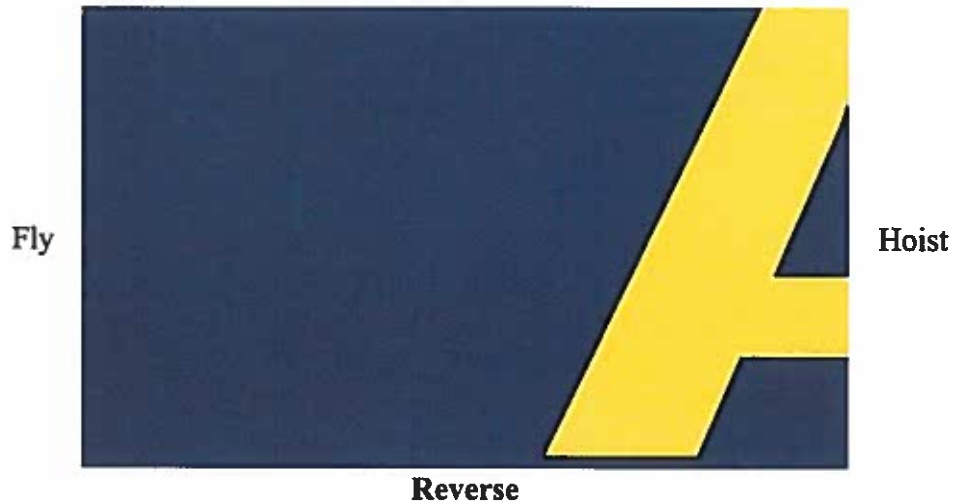
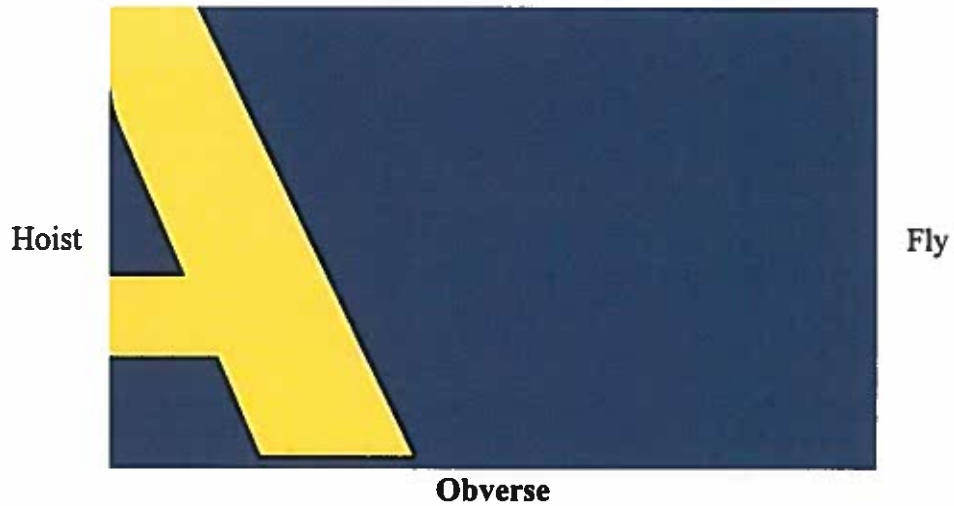
Description of the Flag of the City of Aberdeen, Washington

A canton comprised of a diagonal gold stroke extending from the upper hoist corner towards the fly and terminating just short of the bottom of the blue field, and a thinner horizontal gold stroke extending from the lower middle hoist towards the fly and intersecting with the diagonal gold stroke.

The gold canton thus described being symbolic of the City of Aberdeen, Washington situated at the confluence of the Chehalis and Wishkah Rivers, and the blue field symbolic of the Harbor and Pacific Ocean beyond. Together the symbolism represents Founder Sam Benn's deeply held dream of "someday building a great city at the confluence of the Chehalis and Wishkah Rivers." His dream is not just our city's legacy but also our vision purpose. Building a great city!

ATTACHMENT B

Representation of the Flag of the City of Aberdeen and Colors



Font: Segoi UI Bold

Colors

Canton
RGB 252\229\37
CMYK 1%\10%\89%\0%
HEX #fce525
Pantone Solid Uncoated 3965 U

Field
RGB 3\24\24
CMYK 69%\53%\42%\80%
HEX #03182f
Pantone Solid Coated 289 C

ORDINANCE NO. _____

AN ORDINANCE PROHIBITING THE LOCATION OF BULK CRUDE OIL STORAGE AND HANDLING FACILITIES IN THE CITY OF ABERDEEN, AMENDING 17.56.010 OF THE ABERDEEN MUNICIPAL CODE AND ADDING A NEW SECTION 17.56.075.

WHEREAS, the city council, having considered the report of the Planning Commission and the findings in support of the moratorium adopted in Resolution 2015-09; **NOW, THEREFORE**,

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ABERDEEN:

SECTION 1. CODE SECTION AMENDED. Ordinance 6026, in part, codified as AMC 17.56.010, is hereby amended to read as follows:

17.56.010 Purpose. This chapter contains supplementary regulations applicable to all zoning districts by providing for the location and control of certain accessory uses and structures and general prohibitions applicable to all zoning districts.

SECTION 2. NEW CODE SECTION ADOPTED. The following Section 17.56.075 "Storage of Crude Oil Prohibited" is hereby added to the Aberdeen Municipal Code:

A. Bulk crude oil storage and handling facilities shall not be located within the city limits of Aberdeen.

B. "Bulk crude oil storage and handling facility" means any structure, group of structures, equipment, or device that stores or transfers crude oil. The term does not include facilities that store and handle finished products derived from petroleum.

C. "Crude oil", "Crude", and "Crude Petroleum" mean any naturally occurring liquid petroleum extracted from geological formations beneath the earth's surface which require further refinement before consumer use, including conventional crude oil, heavy oil, extra heavy oil, tight oil, light tight oil, and oil sands/bitumen. The terms include material with USDOT placard numbers 1267 and 1288. The terms do not include biofuel.

SECTION 3. SEVERABILITY. Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance or its application to any person or situation be declared

unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to any other person or situation.

SECTION 4. PUBLICATION BY SUMMARY. The Finance Director is authorized and directed to publish the attached summary in lieu of this ordinance.

SECTION 5. EFFECTIVE DATE. This ordinance is hereby declared and designated a public emergency ordinance necessary for the protection of public health and safety and for the protection of public property and shall be effective immediately upon its adoption.

PASSED and APPROVED this ____ day of _____, 2016.

Erik Larson, Mayor

ATTESTED:

Sandy Mullin, Acting Finance Director