



City Council Meeting Schedule July 2019

July 2, 2019
Tuesday, 6:30 p.m. REGULAR COUNCIL MEETING

July 9, 2019
Tuesday, 6:30 p.m. WORKSHOP MEETING
1. MyTri 2030
2. WATV on City ROW

July 16, 2019
Tuesday, 6:30 p.m. REGULAR COUNCIL MEETING

July 23, 2019
Tuesday, 6:30 p.m. WORKSHOP MEETING
1. 2020 Census Update
2. Development Process & Project Update
3. Council Code of Ethics
4. Legislative Priorities

July 30, 2019
Tuesday, 6:30 p.m. NO MEETING

To assure disabled persons the opportunity to participate in or benefit from City services, please provide twenty-four (24) hour advance notice for additional arrangements to reasonably accommodate special needs.

Please be advised that all Kennewick City Council Meetings are Audio Taped

Council Workshop Coversheet



Agenda Item Number	1.	Meeting Date	07/09/2019
Agenda Item Type	Presentation		
Subject	Regional Chamber MyTri 2030 Update		
Ordinance/Reso #		Contract #	
Project #		Permit #	
Department	City Manager		

Info Only	<input checked="" type="checkbox"/>
Policy Review	<input type="checkbox"/>
Policy DevMnt	<input type="checkbox"/>
Other	<input type="checkbox"/>

Summary

Lori Mattson, President and CEO of the Tri-City Regional Chamber of Commerce will provide an update on the myTRI 2030 initiative.

Through

Attachments:

Dept Head Approval

City Mgr Approval

Marie Mosley
Jul 05, 09:04:30 GMT-0700 2019



Shaping the Future of Our Region



Find us on Facebook
facebook.com/MyTri2030

mytri2030.com

Tri-City Regional Chamber of Commerce



Through community engagement, myTRI 2030 creates a shared vision for the region and drives collaborative action.

SIX OPPORTUNITY AREAS FOR COMMUNITY COLLABORATION

Agriculture

Energy

Life

Education

Inclusion

Prosperity





myTRI
2030

Ecosystem Survey

Community survey designed the map
the eco-system for people, projects and
organizations in each opportunity area.

March-April 2019



Next Steps: Identify the ideas, projects, and initiatives to be pursued within each opportunity

JULY



AUGUST



Our Objective

Gauge level of interest/engagement

Cultivate buy-in and ownership

Leverage wide range of insights

Provide a platform to collect ideas

Elevate current projects



COMMUNITY FIT

- ü Fosters collective impact
- ü Creates opportunities for growth
- ü Strengthens the region
- ü Transforms the quality of life
- ü Leverages current community assets
- ü Inspires us to be greater



OUTPUT –

All ideas, projects and initiatives have been sequenced and vetted.





NEXT STEPS -
Leaders and champions drive action on specific goals



myTRI
2030

FOUNDERS

BATTELLE

HAPO
COMMUNITY CREDIT UNION



KADLEC

**CASCADE
NATURAL GAS**
CORPORATION
A Subsidiary of MDU Resources Group, Inc.

AECOM

 **NewEdge**

TRI-CITY REGIONAL
CHAMBER OF COMMERCE



Gravis Law



CG Public House & Catering
Columbia Basin College
Trios Health



American Rock Products
Franklin PUD
HPM Corporation
Moon Security Services, Inc.



Lampson International
Port of Kennewick

INVESTORS



- § QUESTIONS
- § COMMENTS
- § SUGGESTIONS



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Tri-City Regional Chamber of Commerce

Council Workshop Coversheet



Agenda Item Number	2.	Meeting Date	07/09/2019
Agenda Item Type	Presentation		
Subject	Wheeled All-Terrain Vehicles on City Roadways		
Ordinance/Reso #		Contract #	
Project #		Permit #	
Department	City Attorney		

Info Only	<input type="checkbox"/>
Policy Review	<input type="checkbox"/>
Policy DevMnt	<input checked="" type="checkbox"/>
Other	<input type="checkbox"/>

Summary

In May of 2019, Council was asked to consider allowing the use of Wheeled All-Terrain Vehicles (WATVs) on City roadways by citizens who appeared at a council meeting. Revised Code of Washington (RCW) Section 46.09.455, passed in 2013, allows citizens to ride WATVs on public roadways with a speed limit of 35 miles per hour or less subject to certain restrictions. RCW 46.09.455 provides that in order for citizens to operate WATVs within the limits of a City, the City must adopt an ordinance allowing WATV use on its roadways. Cities are permitted to adopt unique regulations on WATVs as long as the regulations are not less stringent than state law requirements.

Information regarding ordinances adopted by other cities in Washington and the parameters of a potential ordinance for Kennewick were presented to the Budget and Administrative Committee on June 4, 2019. Additional research was done based on the feedback from that meeting, and an updated proposal was presented to the Traffic Safety Commission on June 27, 2019 with no significant concerns noted.

The current proposal includes restricting the definition of WATV in RCW 46.09.310, which includes ATVs with handlebars and straddle seating, to vehicles known as "side-by-sides" which have bucket-type seating and a steering wheel. This proposal would mirror the requirements for state law with respect to equipment (lights, horn, brakes mirrors, turn signals, seatbelts, etc.), the requirement that the driver have a driver's license, and the minimum age limit for passengers (5 years of age). This proposal differs from state law in that it would require the driver of a WATV to be 18 years of age or older and would require car seats and automobile liability insurance as required by sections of state law applicable to motor vehicles. Based on feedback from Public Works and KPD, this proposal would exclude the following Kennewick streets from WATV use: Columbia Center Boulevard, Clearwater Avenue, Columbia Drive, and Canal Drive.

Through	Jessica Foltz Jul 02, 15:39:51 GMT-0700 2019	Attachments: <input type="text" value="Presentation"/>
Dept Head Approval	Lisa Beaton Jul 03, 16:09:30 GMT-0700 2019	
City Mgr Approval	Marie Mosley Jul 05, 09:13:35 GMT-0700 2019	

WHEELED ALL-TERRAIN VEHICLES ON KENNEWICK ROADWAYS

City Council Workshop
July 9, 2019

Jessica Foltz
City Attorney's
Office

RCW CHAPTER 46.09.455

- i Took effect in July 2013.
- i Generally provides that citizens may operate wheeled all-terrain vehicles (WATVS) on public roadways of the state with a speed limit of 35 mph or less, subject to restrictions.
- i In order for WATV use to be allowed in Counties with a population of 15,000 or more or Cities of any size, individual jurisdictions must adopt an ordinance specifically allowing WATV use on their roadways.

WATV: STATE DEFINITION

- i RCW 46.09.310(19) defines “Wheeled all-Terrain Vehicles” as:
 - § (a) any motorized nonhighway vehicle with handlebars that is fifty inches or less in width, has a seat height of at least twenty inches, weighs less than one thousand five hundred pounds, and has four tires having a diameter of thirty inches or less, or
 - § (b) a utility-type vehicle designed for and capable of travel over designated roads that travels on four or more low-pressure tires of twenty psi or less, has a maximum width less than seventy-four inches, has a maximum weight less than two thousand pounds, has a wheelbase of one hundred ten inches or less, and satisfies at least one of the following: (i) Has a minimum width of fifty inches; (ii) has a minimum weight of at least nine hundred pounds; or (iii) has a wheelbase of over sixty-one inches.

STATE REGULATIONS ON WATVS – WHO CAN DRIVE AND RIDE?

- Must be driven by a **Licensed Driver**. RCW 46.09.444(1).
- If **16** or younger, must be supervised by a licensed driver at least **18**. RCW 46.09.460.
- **No children under 5** years of age may ride. RCW 46.09.444(2) and RCW 46.37.530(1)(c).

STATE REGULATIONS ON WATVS – REGISTRATION REQUIREMENTS

- i Registration of WATVs is required with the Department of Licensing. RCW 46.09.442.
- i A person who operates a WATV upon a public roadway must provide a declaration that includes the following (RCW 46.09.457(b)):
 - § Documentation of a safety inspection to be completed by a licensed repair shop in the state of Washington that states that all WATV equipment required under the law meets the requirements outlined in state and federal law
 - § Documentation that the licensed repair shop did not charge more than fifty dollars per safety inspection and that the entire safety inspection fee is paid directly and only to the repair shop;
 - § A statement that the licensed repair shop is entitled to the full amount charged for the safety inspection;
 - § A vehicle identification number verification that must be completed by a licensed repair shop in the state of Washington;
 - § A release, on a form to be supplied by the department, signed by the owner of the WATV and verified by the department, county auditor or other agent, or subagent appointed by the director that releases the state, counties, cities, and towns from any liability; and
 - § A statement that outlines that the owner understands that the original WATV was not manufactured for on-road use and that it has been modified for use on public roadways.
- i Vehicle will be issued a metal plate (same size as motorcycle plate) and must have an on-road tab in the bottom right hand corner of the plate. RCW 46.09.442.

STATE REGULATIONS ON WATVS - EQUIPMENT

- Motorcycle Helmet unless has steering wheel, seat belts, and partially or completely enclosed seating area for driver and passenger. RCW 46.09.444(2) and RCW 46.37.530(1)(c).
- Headlights RCW 46.09.457(1)(a)(i).
- Tail lamp(s) RCW 46.09.457(1)(a)(ii).
- Stop lamp RCW 46.09.457(1)(a)(iii).
- Reflectors RCW 46.09.457(1)(a)(iv).
- Turn signals after the hours of darkness or if vehicle is a certain size, otherwise hand signals required. RCW 46.09.457(1)(a)(v).
- Rearview mirror(s) - attached to handlebar or, for utility type vehicles, one mirror on each side of the vehicle or one mirror on the left side and one mirror mounted in the center. RCW 46.09.457(1)(a)(vi).
- Windshield unless driver wears glasses, goggles, or a face shield. RCW 46.09.457(1)(a)(vii).
- Horn or warning device. RCW 46.09.457(1)(a)(viii).
- Brakes RCW 46.09.457(1)(a)(ix).
- Spark arrester and muffling device. RCW 46.09.457(1)(a)(x).
- Seatbelts (in utility-type vehicles only). RCW 46.09.457(1)(a)(xi)

LOCAL AUTHORITY

- i RCW 46.09.455(d)(i) provides that citizens **may not** operate WATVS on public roadways within a city unless the city by ordinance has approved the operation.
- § Cities can allow WATVs on all City streets with a speed limit of 35 mph or lower or can allow on a limited group of streets meeting that criteria, excluding others. RCW 46.09.455(1)(d)(i).
- § Cities can prohibit WATV riders from crossing some or all highways that have a speed limit between 35 and 60 miles per hour. RCW 46.09.455(1)(b)(ii).
- § Cities can impose regulations on WATV use on City streets as long as those regulations are not less stringent than those of the State. RCW 46.09.360(1).
- § Cities may not establish requirements for the registration of WATVs.

OTHER JURISDICTIONS

Requirement	State	Moses Lake	Prosser	East Wenatchee	Pullman	Chelan	Lake Stevens
Driver's License	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Age limit for driver	16	18	21	No, but must be licensed	No, but must be licensed	No, but must be licensed	18
Age limit for passenger	5	No	No	No passengers allowed	5	No	No
Helmet	Yes, unless steering wheel, seatbelts, and is enclosed	Yes if under 16, yes over 16 unless seatbelts and rollbars or is enclosed	Yes	Yes	Yes, unless steering wheel, seatbelts, and is enclosed	Yes, unless seatbelts and rollbars or is enclosed	Yes, unless seatbelts and rollbars or is enclosed
Headlights	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Tail lamp(s)	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Stop Lamp	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Reflectors	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Turn Signals/ hand signals	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Rearview Mirror(s)	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Windshield	Yes unless glasses, goggles, or face shield	Yes unless glasses, goggles, or face shield	Yes unless glasses, goggles, or face shield	Yes unless glasses, goggles, or face shield	Yes unless glasses, goggles, or face shield	Yes unless glasses, goggles, or face shield	Yes unless glasses, goggles, or face shield
Horn	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Spark Arrester/Muffler	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Seatbelts	Yes, for UTV's only	Yes	Yes, for UTV's only	Yes, for UTV's only	Yes, for UTV's only	Yes, for UTV's only	Yes, for UTV's only
Carseats	No	Yes	No	No	No	No	No
Insurance	No	Yes	No	No	No	No	Yes

CONSIDERATIONS

i Public Safety

- § WATVs not designed for roadway use.
- § Many manufacturers warn against using WATVs on paved surfaces.
- § State makes owners certify that they are aware that these vehicles were not designed for use on public roadways during the registration process.

i Liability

- § City has a duty to design and maintain roads in a condition that is reasonably safe for ordinary use – this duty may be extended to persons negligently using the roadway at the time of the accident depending on the circumstances.
- § Liability depends on whether the City had actual or constructive notice of the dangerous condition and what they did (or did not) do about it.
- § State does require riders to defend, indemnify and hold the State and local jurisdictions harmless during the registration process.

PARAMETERS OF POTENTIAL ORDINANCE

- Can allow WATVs on all City streets with a speed limit of 35 mph or lower or can allow on a limited group of streets meeting that criteria, excluding others. RCW 46.09.455(1)(d)(i).
- If ordinance is passed, list of streets allowed must be made accessible from the main page of the City website. RCW 46.09.455(1)(d)(ii).
- Can prohibit WATV riders from crossing some or all highways that have a speed limit between 35 and 60 miles per hour. RCW 46.09.455(1)(b)(ii).
- Can impose regulations on WATV use on City streets as long as those regulations are not less stringent than those of the State. RCW 46.09.360(1).

PROPOSAL

- i Modify the statutory definition of WATV found in RCW 46.09.310(19) to allow only “side-by-sides”.
- § “Wheeled All-Terrain Vehicle” or “WATV” means (1) a utility-type vehicle designed for and capable of travel over designated roads that travels on four or more low-pressure tires of twenty psi or less, has a maximum width less than seventy-four inches, has a maximum weight less than two thousand pounds, has a wheelbase of one hundred ten inches or less, and satisfies at least one of the following: (a) Has a minimum width of fifty inches; (b) has a minimum weight of at least nine hundred pounds; or (c) has a wheelbase of over sixty-one inches, and (2) has a steering wheel for steering control, (3) Has nonstraddle seating with the operator and passenger sitting side by side in the vehicle manufactured primarily for recreational nonhighway all-terrain use.

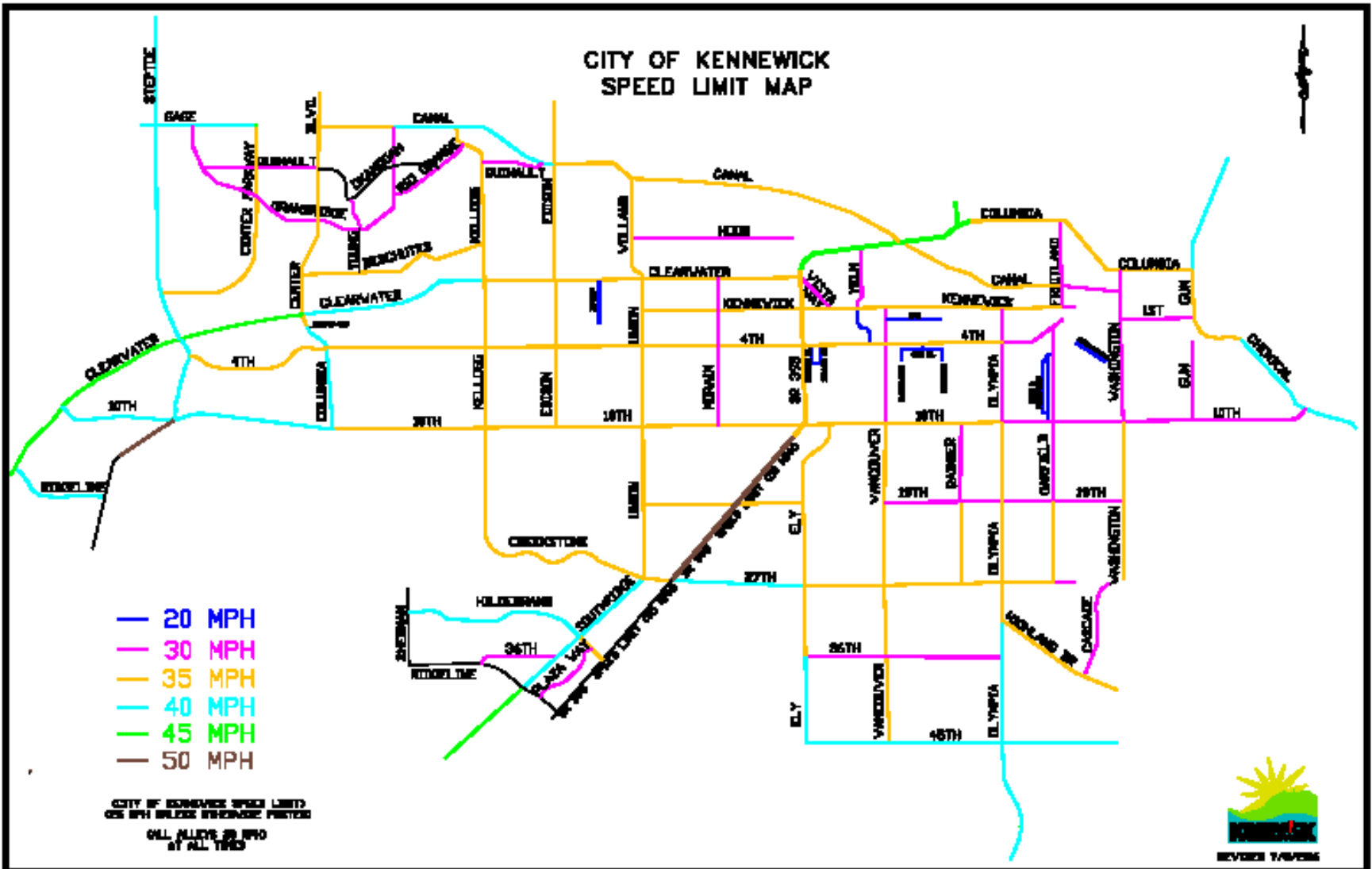
PROPOSAL CONTINUED

Driver's License:	Yes
Age limit for Driver:	18
Age limit for Passenger:	5
Helmet:	Yes, unless rollbars or enclosed
Headlights:	Yes
Tail Lamp(s):	Yes
Stop Lamp:	Yes
Reflectors:	Yes
Turn Signals:	Yes
Rearview Mirrors:	Yes
Windshield:	Yes
Horn:	Yes
Spark Arrester and Muffler:	Yes
Seatbelts:	Yes
Carseats:	Yes, as required by state law
Insurance:	Yes, as required by state law for motor vehicles

PROPOSAL CONTINUED

- i Restrict crossing at intersections?
- i Exclude Columbia Center Boulevard, Clearwater Avenue, and potentially Columbia Drive and Canal Drive from allowed streets.
 - § Exclusions based on number of businesses on streets, speed limit variance on streets, and/or other traffic issues.
- i Proposal will allow WATV use on all other Kennewick streets with a speed limit of 35 mph or below.

CITY OF KENNEWICK SPEED LIMIT MAP



NOTICE

- i If ordinance is passed, are required to make a list of streets on which WATVs are allowed accessible from the main page of the City website.

- i Consider additional, optional, methods of notice?
 - § Signs
 - § DOL handout

QUESTIONS?



City Council Meeting Schedule August 2019

August 6, 2019
Tuesday, 6:30 p.m.

REGULAR COUNCIL MEETING - Tentatively Canceled

CITY/NATIONAL NIGHT OUT - Southridge Sports &
Events Complex, 2901 Southridge Blvd, 5:00 p.m.-
7:30 p.m.

August 13, 2019
Tuesday, 6:30 p.m.

WORKSHOP MEETING

1. BF Coalition Update
2. 4th of July/Water Follies Update
3. CTUIR MOU

August 20, 2019
Tuesday, 6:30 p.m.

REGULAR COUNCIL MEETING

August 27, 2019
Tuesday, 6:30 p.m.

WORKSHOP MEETING

1. 2020 Legislative Priorities

To assure disabled persons the opportunity to participate in or benefit from City services, please provide twenty-four (24) hour advance notice for additional arrangements to reasonably accommodate special needs.

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