

Next Ord: 2025-22
Next Res: 1110-22

**CITY COUNCIL STUDY SESSION
AGENDA**

November 2, 2022

6:00 PM via ZOOM

**Sedro-Woolley Municipal Building
Council Chambers
325 Metcalf Street**

a. New Business

1. 2023/2024 Utility Rate Discussion; Fund 401 Sewer, Fund 412 Solid Waste and Fund 425 Stormwater
2. 2023-2024 Budget Follow-Up
3. Community Development Grant Program
4. Revising the City Council Governance Handbook - Resolution 1109-22 - 1st Read

Next Meeting(s) November 9th, 2022 City Council Meeting

Topic: Sedro-Woolley City Council Study Session
Time: 6:00 PM to 8:00 PM

Join Zoom Meeting

<https://zoom.us/j/9178585U179?pwd=Vys0Y29XalZmOTRmem1BM2txVDIUQT09>

Meeting ID: 917 8685 0179

Passcode: 091845

OR One tap mobile

+12532158782,,91786850179#,,,,,0#,,091845# US (Tacoma)

+16699006833,,91786850179#,,,,,0#,,091845# US (San Jose)

OR Dial by your location

+1 253 215 8782 US (Tacoma)

+1 669 900 6833 US (San Jose)

+1 346 248 7799 US (Houston)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington D.C)

+1 312 626 6799 US (Chicago)

Meeting ID: 917 8685 0179

Passcode: 091845



Agenda Item No.	
Date:	November 2, 2022
Subject:	2023/2024 Utility Rate Discussion; Fund 401 Sewer, Fund 412 Solid Waste and Fund 425 Stormwater

FROM:

Mark A. Freiburger, PE, Director of Public Works

RECOMMENDED ACTION:

Information items only; action will be requested at the November 9 and 23 Council meetings.

ISSUE:

To balance the 2023 and 2024 utility budgets, to fund the City Council's priorities, and to meet the City's Capital Facilities Plan requirements, the City Council needs to consider the City's utility rates for sewer, solid waste and recycling, and for storm water services, effective January 1, 2023.

BACKGROUND/SUMMARY INFORMATION:

Staff annually reviews the Sanitary Sewer, Solid Waste and Storm Water Utility rates to determine the need for rate adjustments to reflect inflation, increased operation and maintenance costs and capital improvement costs. The ordinances amending the 2022 Fees and Charges for use of the Sedro-Woolley Sewer, Storm Water and Solid Waste Utilities each provide for annual adjustment of the charges and fees based on the Consumer Price Index – Urban for Seattle,-Tacoma-Bellevue. The rates were last amended under Ordinance 1997-21 Sanitary Sewer System, Ordinance 1998-21 Solid Waste and 1999-21 Storm and Surface Water Utility System, each adopted November 23, 2021. All three ordinances were effective on January 1, 2022. The 2022 increases for all three utilities were 2.3%.

Following are comments general to all three funds, followed by specific notes on the individual utilities.

GENERAL COMMENTS

Consumer Price Index – Urban (CPI-U)

Annual rate adjustment in recent years have used the Consumer Price Index – Urban for Seattle/Tacoma/Bremerton as reference. Following is a breakdown of the past three years. A more detailed chart is also attached. Recent Covid-19 impacts to the supply chain have resulted in an ongoing spike in CPI-U (see BLS Data Viewer 10/24/2022 attached).

TIMELINE	CPI-U	SW Adopted
June 2018 – June 2019	2.3%	2.3%
June 2019 - June 2020	0.95%	2.3%

June 2020 – June 2021	6.3%	2.3%
June 2021 – June 2022	9.5%	2.3%

While the most recent rate is 9.5%, the previous year actual was 6.3%. The two year average would be 8.2%. The recent spike is ongoing as of September 2022, and likely to continue into 2023.

What the Utility Rate Structure supports

The utility rate structure is designed to support ongoing operations and maintenance (OM) of each utility, support the Equipment Repair and Replacement Fund (ERR), and support for the city's planned Capital Improvements (CIP) related to each utility. Each of these functions is addressed in turn.

Operations and Maintenance. OM includes the annual increases in salaries and benefits. Salaries have increased on average 2% per year prior to 2021, and by 3.75% in 2022, driven by our AFSCME collective bargaining agreement. The AFSCME agreement is currently under negotiation; the 2023 Budget assumes 5%. Benefits have also increased 7-8% due to ongoing health care premium increases from our provider. General operating expenses are also subject to ongoing price inflation for services, fuel, materials and equipment to support the utility. The 2023 budget includes approximately 10% increases 2023 for O&M items except labor, and 4% for 2024.

Equipment Repair and Replacement. Equipment replacement costs continue to increase at levels near or exceeding the CPI. Staff adjusts the ERR on an annual basis to reflect the actual cost on new equipment, and adjusts deposits from each fund to the fund 501 ERR account accordingly. It should be noted that the general fund departments are experiencing this same level of inflation. Police and Fire in particular have seen recent increases on new vehicles and apparatus on the order of 5% to 6% per year. The ERR was adjusted in 2021 to reflect the higher Public Safety inflation rates. The 2023 ERR includes increases of 6% for Public Safety and 17.6% for other funds, mainly driven by significant price increases for Solid Waste trucks.

Capital Improvement Program. Utility rate revenue funds support required infrastructure improvements to maintain our existing Wastewater, Solid Waste and Stormwater infrastructure. Expansion of the system to support growth is handled primarily through the sewer General Facilities Charges (GFC) or Impact Fees paid by new development. The Sewer Fund includes GFC collection to address growth impacts to the system. The Stormwater and Solid Waste Utilities currently does not include a GFC or Impact Fee. The Sewer Utility GFC was last adjusted by 2.3% in conjunction with the 2022 rate adjustment.

City Council adopted Comprehensive Financial Management Policies. Council has adopted the GFOA best practices recommendation for Ending Fund Balances at 16.67% of Cash Balance plus Revenues. This is reflected in the comments below. Finance plans to review this practice later in the year.

FUND 401 SEWER UTILITY

Council adopted the 2022 rate and General Facilities Charge (GFC) adjustment on 11/23/2021 under Ordinance 1997-21 effective 1/1/ 2022. The 2021 adjustment was 2.3% for both monthly rates and GFC.

This utility is regulated under a WA Department of Ecology Wastewater Permit. The system includes the Wastewater Treatment Plant, 12 Pump Stations and 262,540 LF of collection piping. Eight Full Time Employees (FTE) maintain this system, including 5 Plant Operators, 2 Collections System operators and 1 Administrative position. An additional FTE Plant Operator will be added in 2023 to fill an existing vacancy and address staffing shortages and growth. The 2023 Draft Budget includes the new position.

2022 Revenue was budgeted at \$4,634,664, excluding a \$1,700,000 transfer from Fund 410 for CIP. 2022 Operating Expenses (including debt, transfers and excluding \$1,700,000 CIP Projects from Fund 410) are budgeted at \$4,572,557. 2022 Ending Fund Balance estimate is \$2,589,902, which meets the target EFB of \$1,193,982. Fund 410 Sewer Reserve 2022 estimated EFB is \$5,347,304, well in excess of the target of \$1,000,000. Between the Fund 401 and Fund 410 estimated fund balances the utility meets the recommended GFOA policy.

The **General Sewer System Plan Update** was adopted by council on 12/9/2020 and approved by Ecology on 7/9/2021. The Plan reviews Capital Improvements (CIP) planned over the next ten years to maintain and improve the Wastewater Treatment Plant and the Sewer Collection System. These projects include an anticipated WWTP upgrade currently planned for the period 2026-2027 with an estimated cost of \$18.9 million. Planning for the plant upgrade will be the subject of a Facility plan. Timing of the plan will be determined based on Department of Ecology Permit requirements for plant flow and treatment. Current projections call for the Facility Plan process to start in 2024 and complete in 2025. Collection system rehabilitation projects average \$400,000 per year over the planning period.

As noted in the Sewer Comprehensive Plan and the related **2021 Sewer Outlook** incorporated in the Plan, annual adjustments to the Sewer utility rate are vital to the support of both OM and the CIP. The 2021 Sewer Outlook assumed growth in sewer services totaling 790 ERUs for the period 2019-2019. The Plan recommended 2.3% annual rate increases for both rates and GFC throughout the planning horizon, with annual review and adjustment as needed. With this assumption, the Sewer Utility can construct CIP prior to the WWTP expansion without new debt, and pay off the remaining PWTF loans used to reconstruct the trunk sewer system incurred between 2006 and 2009. New debt will be required when the WWTP expansion is built (estimated for 2026-2027); but with the assumption of continuing annual rate increases, and retirement of the PWTF loan, major rate increases are avoided. Conversely reduction in the recommended annual rate increases would result in significantly larger required increases in future years.

As noted above, the June 2021-June 2022 CPI-U for Seattle-Tacoma-Bellevue is estimated at approximately 9.5%. The 2023 Budget for Fund 401 assumes 10% increase in operation & maintenance costs other than labor to reflect the current CPI. The 2023 Budget for Fund 401 assumes 4% increase in O&M costs.

Estimated significant increases from 2022 to 2023:

- Added FTE Operator (to fill vacancy)..... \$114,800
- Assistant City Engineer (\$164,000 funded from CIP).....\$0
- Biosolids Disposal Increases..... \$57,750
- ERR Transfer increase.....\$10,000
- **Total Significant Increases 2023 vs 2022.....\$182,550**

Katy Isaksen (KIA) has updated the 2019 Sewer Outlook to reflect actual 2021 revenues and costs, and to reflect the recent CPI-U costs on the expenditure side of the utility. The 2022 Outlook has also been updated to reflect a total of 801 new services for the period 2019-2029, an increase of 11 services over the 2021 update. The update uses the 2023 Budget as the basis for future years, and includes a new full time operator, and an additional engineering position for 2023-2024 to support the CIP. The 2023 Budget also includes an expected significant increase in Biosolids disposal fees. The attached 10/22/22 version is the result. Katy will be present at the Utility Committee session via videoconference to review the updated Outlook. Katy is not available for the full Council Work Session planned for 11/2/22, but will be available on request for the First Reading planned at the 11/9/22 Council Session.

With these factors considered, staff recommends remaining with the 4.0% escalator for 2023 for both

the Sewer monthly charge and GFC. The Outlook assumes 3.0% escalation for 2024 through the end of the study period in 2029. As usual, the Outlook will be updated annually to verify that the utility is on track to support ongoing O&M costs and planned system upgrades.

FUND 412 SOLID WASTE UTILITY

The 2022 adjustment for Solid Waste was adopted by council 11/23/21 under Ordinance 1998-21 effective 1/1/2022. The Solid Waste container rates were increased by 2.3% with the 2022 adjustment.

Six FTE currently operate this system. The fleet consists of two front loading trucks, a side loader truck, a roll off vehicle and a Toter delivery vehicle. We maintain one surplus Side loader truck as backup. Solid Waste Supervisor Leo Jacobs has recommended adding an additional driver in 2023 to lower the overall workload on staff. See the attached **FTE for Solid Waste** memorandum on this subject. The 2023 Draft Budget includes this new position. The ERR will eventually need to be updated to add an additional truck, but we plan to operate with the existing fleet and spare for the immediate future (2023/2024 budget cycle).

2022 Revenue is budgeted at \$3,159,093. 2022 Operating Expenses (including transfers) are budgeted at \$3,093,095. 2022 Ending Fund Balance budget is \$65,998, which is below the recommended EFB of \$532,862. However the Fund 413 Solid Waste Reserve 2022 EFB is \$531,078, representing 17.2% of the 2023 proposed budget, which is within the GFOA recommendation.

Leo Jacobs, Solid Waste Supervisor, has prepared the attached **2023 Proposed Fund 412 Solid Waste Rate Adjustments** and **2023 FTE for Solid Waste** memorandums. Due to growth of the city, we have exceeded the capacity of the existing crew to maintain solid waste pickup without significant overtime and frequent coverage of routes by the Supervisor. The proposed rate increase includes an additional Solid Waste Operator, as well as slightly higher maintenance costs for the new Public Works Facility. The increase in ERR costs reflects recent price increases for Solid Waste equipment.

Estimated significant increases from 2022 to 2023:

- Added FTE Operator..... \$106,000
- County Tipping Fee Increases..... \$17,000
- ERR Transfer increase.....\$65,000
- **Total Significant Increases 2023 vs 2022...\$188,000**

The **Rate Study** proposes to fund the additional operator position by a combination of an increase in Curbside Recycle fees from \$5.02/cart/month to \$8.00/cart per month, generating \$138,463 for 2023. In addition certain selected rates will be adjusted amounting to 1.9% of 2022 estimated revenue generating an additional \$36,430 in 2023. The overall impact is an increase of \$174,893 in rate revenue for 2023. Expected growth in rate revenue from additional customers, with 70 each additional expected in both 2022 and 2023, will provide the balance of the funds needed.

Sedro-Woolley Curbside Recycle Fees are currently significantly under market; the average for similar agencies is \$10.13 per 32 gal cart. Other Solid Waste rates vary but are at or above comparable rates in our area (see 2022 Utility Rate Comparison table attached).

With these factors considered, staff recommends updating Solid Waste fees as proposed in the 2023 Fund 412 Proposed Rate Adjustments spreadsheet.

FUND 425 STORMWATER UTILITY

The 2021 adjustment for Stormwater was adopted by council 11/24/20 under Ordinance 1967-20 effective 1/1/2021. Stormwater utility rates were increased by 2.3% with the 2021 adjustment.

This system is regulated under a WA Ecology Stormwater Permit similar to the Sewer system. The system includes two pump stations, 26 flow control or water quality systems and 216,820 LF of collection pipe and culverts, and 37,950 LF of ditch and 4.5 miles of Brickyard Creek. For comparison purposes, the Stormwater System has approximately the same footage of collection system piping as the Sanitary Sewer system. The Stormwater utility does not include a centralized treatment system like the WWTP but relies rather a system of regional treatment ponds, detention pipes and infiltration.

Two field FTE currently operate this system. The 2023 Draft Budget includes 50% of a new FTE for this utility.

2022 Revenue is budgeted at \$972,728. 2022 Operating Expenses (including transfers) are budgeted at \$834,710. 2022 Ending Fund Balance budget is \$138,018, above the recommended EFB of \$256,126. Fund 426 Stormwater Reserve 2021 targeted EFB is \$269,815. Fund 426 Stormwater Reserve BFB is \$269,815.

Estimated significant increases from 2022 to 2023:

- Added FTE Operator (50%)..... \$40,600
- Moved Sweeper O&M from Streets..... \$23,700
- Skagit County ILA for Source Control inspections....\$40,000
- **Total Significant Increases 2023 vs 2022.....\$104,300**

The Skagit County ILA is to address an unfunded mandate from the State requiring that permitted agencies develop and fund a Source Control inspection program. Rather than doing this individually, the city has elected to join the other Skagit County agencies in funding a position at Skagit County Public Works to do the Source Control inspections and tracking. The estimated annual cost of this ILA will be \$40,000. This was discussed in the 2021 memorandum recommending 2022 rate adjustments.

The 2023/2024 Draft Budget includes update of the **1997 Stormwater** Management Plan Update, estimated at \$150,000. This plan update has been deferred for budget and staffing purposes over the past few years. It can be expected that the plan update will include a recommendation to add a general facilities charge to fund Capital Improvement Projects identified in the Plan. The GFC would provide funding for stormwater facility improvements that are needed to provide regional stormwater treatment and retention functions related to growth and infill. The current utility does not collect GFC charges.

With these factors considered, staff recommends remaining with the 4% escalator for 2023 and a 3% escalator for 2024 for the Stormwater utility fees.

FISCAL IMPACT, IF APPROPRIATE:

Fund 401 Sanitary Sewer Est. Rate Revenue Increase	\$181,297
Fund 412 Solid Waste Est. Rate revenue increase	\$174,893
Fund 425 Stormwater Est Rate revenue increase	\$78,932
Total	\$435,122

ATTACHMENTS:

1. KI&A SEDRO Sewer Outlook & Summary DRAFT 10-26-22
2. 2023 Proposed Fund 412 Solid Waste Rate Adjustments
3. Proposed FTE for Fund 412 Solid Waste Dept for 2023
4. USBLS CPI for Urban Wage Earner (CPI-W) June 2021-June 2022

Draft 10/26/22

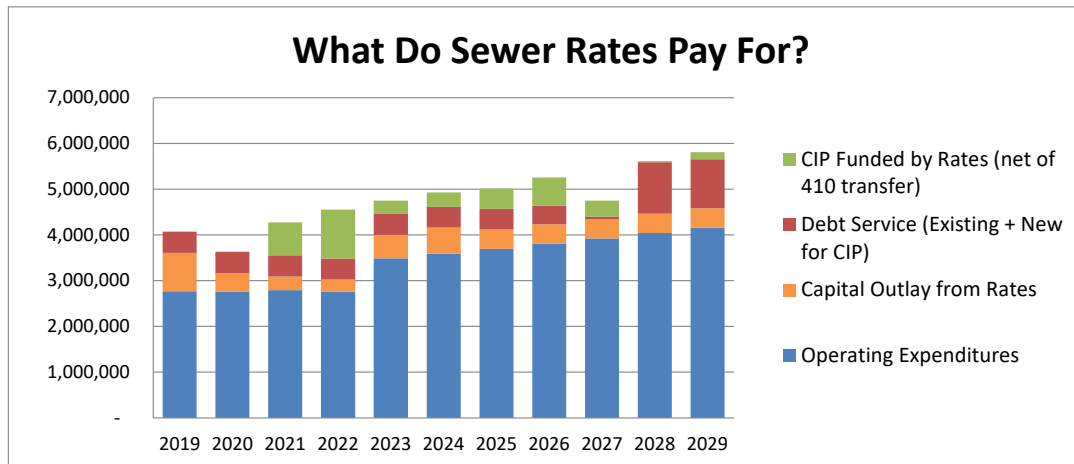
after Util. Comm. with salaries adj. per budget

1. SEWER OUTLOOK CONCLUSION

After updating the sewer rate model with actual and preliminary 2023 budget revenue, expenditures and capital improvement plan (CIP), it appears that the plan of continued modest increases in rates and connection fees to keep up with inflationary cost escalation meets the plan. Growth was stronger in 2021 with the equivalent of 139 new homes, and is assumed to be back to 70 per year 2022-24 and down to a conservative 50 per year 2025+.

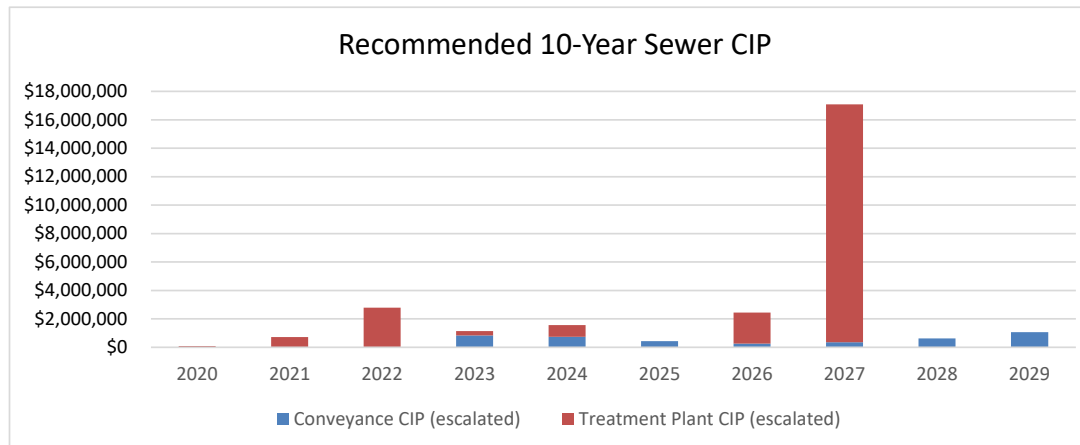
RATES/GFC ADJ. BY ASSUMED CPI	2022	2023	2024	2025	2026	2027	2028	2029
Annual Cost Escalation	2.3%	4.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%
Monthly Rate Increase - by year	\$1.53	\$2.72	\$2.12	\$2.19	\$2.25	\$2.32	\$2.39	\$2.46
Connection Fee (GFC)	\$8,900	\$9,256	\$9,534	\$9,820	\$10,115	\$10,418	\$10,731	\$11,053
Single Family Monthly Rate	\$68.11	\$70.83	\$72.95	\$75.14	\$77.39	\$79.71	\$82.10	\$84.56

*2022 Rates & GFC's increased 2.3% (less than anticipated 5.0% cost escalation) due to higher growth



Existing debt service ends 2028, new debt for CIP 2028+

2023 Operating Expense includes additional engineering position for in-house design



City of Sedro-Woolley
Sewer Financial Outlook

Draft 10/26/22



2. CURRENT DRAFT OUTLOOK

- the 2019 financial plan was to continue steady annual increases to keep up with cost escalation, to monitor capacity and growth to optimize the schedule, and save for the anticipated WWTP upgrade that will require borrowing and significant new debt payments. The connection fees will be used to reduce the amount of borrowing required.
- Reasonably conservative growth estimates were used in the model and growth has actually come in faster than the 2019 outlook. This means that the capital fund balance is growing faster and the funds are available for capital improvements, however the intent is that they are saved in large part for the WWTP upgrade after near-term improvements are complete.
- The rate revenue must pay for operations, existing debt (after first \$150k from connection fees), new debt for CIP and a contribution to CIP - particularly focused on system replacement. I added a row near bottom "net rate-funded CIP after transfer" to track.
- With continued higher cost escalation (has not yet peaked), it is recommended that monthly rates be increased by cost escalation. The CIP will continue to be adjusted to meet available funding, and the timing for the WWTP upgrade will depend on capacity limitations.

2022 OUTLOOK SUMMARY - Lower ERU's 2022-24, include new employee in 2023+, upd. 10/26 for salary costs per 2023 budget
SCEN 22-1: GFC conn. fee & rate increases equal to inflation on the expense side (4% 2023, 3% 2024+)



OUTLOOK SUMMARY 10/26/22	2022	2023	2024	2025	2026	2027	2028	2029
ASSUMPTIONS:								
New Connections (ERU's)	70	70	70	50	50	50	50	50
Monthly Rate Increase - by year	\$1.53	\$2.72	\$2.12	\$2.19	\$2.25	\$2.32	\$2.39	\$2.46
Single Family Monthly Rate	\$68.11	\$70.83	\$72.95	\$75.14	\$77.39	\$79.71	\$82.10	\$84.56
Connection Fee (GFC)	\$8,900	\$9,256	\$9,534	\$9,820	\$10,115	\$10,418	\$10,731	\$11,053
Sewer Service Charges	4,100,000	4,281,297	4,431,686	4,579,619	4,732,900	4,892,199	5,057,615	5,229,245
Utility Tax Collected	430,500	449,536	465,327	480,860	496,954	513,681	531,050	549,071
Other Revenue & Charges	36,250	37,700	37,700	37,700	37,700	37,700	37,700	37,700
Transfer from Reserve 410	1,720,000	840,000	1,250,000	-	1,830,000	-	610,000	910,000
Total Operating Revenue - 401	6,286,750	5,608,533	6,184,713	5,098,179	7,097,554	5,443,580	6,236,364	6,726,016
Operating Expenditures	3,026,335	3,998,692	4,164,763	4,121,955	4,232,364	4,346,085	4,463,217	4,583,864
Existing Debt Service	459,900	459,900	451,045	448,093	406,863	54,103	53,092	-
Sewer Capital Improvements (CIP)								
CIP Funded by Rates	2,786,322	1,134,455	1,563,399	442,862	2,446,317	350,000	634,662	1,063,628
New Debt for CIP	-	-	-	-	-	-	1,072,000	1,072,000
Total Expenditures - 401	6,272,557	5,593,047	6,179,207	5,012,910	7,085,544	4,750,188	6,222,972	6,719,491
Annual Surplus (Deficit)	14,193	15,486	5,507	85,269	12,010	693,392	13,393	6,524
<i>Net rate-funded CIP (after 410 transfer)</i>	<i>1,066,322</i>	<i>294,455</i>	<i>313,399</i>	<i>442,862</i>	<i>616,317</i>	<i>350,000</i>	<i>24,662</i>	<i>153,628</i>

WW Facilities Reserve Activity

General Facilities Charges from new connections are deposited into the WW Facilities Reserve Fund 410 and will be used as part of the "Transfer from Reserve 410" to fund the CIP and New Debt for CIP. It is anticipated that available funds will be used to reduce the necessary borrowing for the next WWTP upgrade and maintain the target minimum balance of \$1,000,000.

Use of Reserves toward WWTP	-	(1,500,000)	-	
Est. WW Facilities Reserve 410	2,629,143	1,541,743	1,349,093	1,005,243
Includes Minimum Target Reserve	1,000,000	1,000,000	1,000,000	1,000,000
Estimated WWTP Debt Payment 2029*			1,072,000	1,072,000

*Can also use surplus from 401 to reduce borrowing and lower debt payment

Key Assumptions:

- Annual cost escalation: 4% in 2023, 3% 2024+
- Base year in model = Preliminary 2023 Budget for most accurate operating expenses

City of Sedro-Woolley
Sewer Financial Outlook

Draft 10/26/22



3. CAPITAL IMPROVEMENT PLAN & FUNDING SUMMARY

- the 2019 CIP and financial plan anticipate that the City focus on near-term improvements to the WWTP and monitor capacity to determine the timing of the expected WWTP upgrade. The WWTP upgrade is expected to be very costly and will require significant borrowing - currently planned for \$2 million design in 2026 and \$17 million construction in 2027. No other borrowing is planned. \$1.5 million in available reserves, above a minimum fund balance of \$1,000,000, is planned to reduce the amount of borrowing needed. The model assumes a low-interest loan from Ecology SRF program (20-years, 3.5% interest) to be reasonably conservative.
- work on the conveyance system is also planned on an annual basis.

SEWER CAPITAL IMPROVEMENT PLAN (CIP) SUMMARY

Estimated costs have been escalated from 2019 dollars to year scheduled at 4.0% per year.

Recommended 10-Year CIP	2022	2023	2024	2025	2026	2027	2028	2029
Conveyance CIP	\$0	\$840,236	\$742,158	\$442,862	\$263,186	\$350,000	\$634,662	\$1,063,628
Treatment Plant CIP	\$2,786,322	\$294,219	\$821,241	\$0	\$2,183,131	\$16,737,336	\$0	\$0
Total 10-Year CIP	\$2,786,322	\$1,134,455	\$1,563,399	\$442,862	\$2,446,317	\$17,087,336	\$634,662	\$1,063,628

10-Year CIP Funding Sources	2022	2023	2024	2025	2026	2027	2028	2029
Loans (Ecology, PWTF)	\$0	\$0	\$0	\$0	\$0	\$15,237,336	\$0	\$0
Rates/Reserves	\$2,786,322	\$1,134,455	\$1,563,399	\$442,862	\$2,446,317	\$350,000	\$634,662	\$1,063,628
Total 10-Yr CIP Funding	\$2,786,322	\$1,134,455	\$1,563,399	\$442,862	\$2,446,317	\$15,587,336	\$634,662	\$1,063,628

4. SUMMARY UPDATES TO MODEL

- SWR HISTORY** - revenue, expenses and year end fund balances have been updated for 2021 actuals and 2022 budget (from KK, Finance), and 2023 prelim budget (from MF, PW). MF adjusted 2022 sewer revenue, utility taxes & GFC revenue based on activity.
- The summary at the top feeds the 10-YR OUTLOOK

10-YR OUTLOOK - this sheet projects future revenue & expenditures, by applying the assumptions to the "base year".

- base year in model is "preliminary 2023 budget" as the most accurate picture of utility plans (salary costs per 10/26 budget)
- new connections adjusted: 139 in 2021, 70 in 2022-2024, 50 in 2025+. Last year version assumed 100 in 2021-24. This was average for 2021-22 but reduced for 2022-24 given current conditions. Year to Date GFC as of 10/25/22 is 64 based on revenue.
- annual cost escalation: continues at last year's adjusted values of 4% in 2023, 3% 2024-28. Model uses this value to escalate costs from one year to the next.
- Monthly Rate Increases - the 2019 outlook assumed annual increases of 2.3%, which was equal to "cost escalation". Last year's proposal held the rate increase at 2.3% which was lower than inflation (cost escalation) assumed to be 5%, because of higher growth. With growth figures stepping back (70 ERU vs. original 75 ERU), it is more sustainable to adjust the rates annually to keep up with the cost of operations by using "cost escalation". Model has been changed to increase rates by cost escalation (not flat 2.3%).
- Connection Fee (GFC) - last year also held this annual increase at the 2.3%. Model now increases GFC by cost escalation.

CIP - the CIP has been updated to reflect current plans and schedule. Many of the projects have been delayed another year, however the WWTP plant upgrade remains in 2026-27.

10-YR OUTLOOK C

SEDRO-WOOLLEY SEWER SCEN C: Bump GFC, then by inflation	Actual 2019	Actual 2020	Actual 2021	Budget 2022	Pre.Budget 2023	Projected 2024	Projected 2025	Projected 2026	Projected 2027	Projected 2028	Projected 2029	Draft 10/26/22 Comments
ASSUMPTIONS:	2020 includes one-time increase of \$0.17/mo surcharge for new PW Op Fac											
New Connections (ERU's)	89	51	139	70	70	70	50	50	50	50	50	New ERU 2019-29: 739
Ratepaying ERU's	4,831	4,856	4,995	5,065	5,135	5,205	5,255	5,305	5,355	5,405	5,455	calc: svcs chg/rate
Monthly Rate Increase - by year			\$1.50	\$1.53	\$2.72	\$2.12	\$2.19	\$2.25	\$2.32	\$2.39	\$2.46	At Cost Escalation
Connection Fee (GFC)	\$6,995	\$8,495	\$8,690	\$8,900	\$9,256	\$9,534	\$9,820	\$10,115	\$10,418	\$10,731	\$11,053	At Cost Escalation
Annual Cost Escalation		2.3%	2.3%	2.3%	4.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	
Investment Interest	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	
Single Family Monthly Rate	\$63.45	\$65.08	\$66.58	\$68.11	\$70.83	\$72.95	\$75.14	\$77.39	\$79.71	\$82.10	\$84.56	eff jan1=11 mos rev
SEWER FUND 401												
Operating Revenue	Adj for YTD/planned											
Sewer Service Charges	3,678,370	3,792,423	3,945,998	4,100,000	4,281,297	4,431,686	4,579,619	4,732,900	4,892,199	5,057,615	5,229,245	new cust=6 mos next yr.
Utility Tax Collected	345,910	400,420	422,990	430,500	449,536	465,327	480,860	496,954	513,681	531,050	549,071	as % of svcs chgs
Fertilizer Sales	1,151	797	1,293	1,350	1,300	1,300	1,300	1,300	1,300	1,300	1,300	flat
Misc. (collection recoveries, misc)	69,875	24,929	4,241	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	flat
Investment Interest	10,256	6,579	2,742	6,900	7,600	7,600	7,600	7,600	7,600	7,600	7,600	flat
Late Penalties & Interest	-	7,234	11,628	8,000	8,800	8,800	8,800	8,800	8,800	8,800	8,800	flat
Covid-19 Non-grant Assistance	-	2,671	-	-	-	-	-	-	-	-	-	flat
Transfer from Sewer Facilities 410	-	-	-	1,720,000	840,000	1,250,000	-	1,830,000	-	610,000	910,000	from Cum Res. Fund 410
Transfer from Sewer Rev Bond 407	1,554	2,395	-	-	-	-	-	-	-	-	-	closed out 2020
Subtotal Oper. Revenue	4,107,116	4,237,449	4,388,892	6,286,750	5,608,533	6,184,713	5,098,179	7,097,554	5,443,580	6,236,364	6,726,016	
Operating Expenditures												
Maintenance	179,309	225,172	179,261	220,450	243,815	251,129	258,663	266,423	274,416	282,648	291,128	cost escal
General Operations	2,303,756	2,275,859	2,502,429	2,421,215	3,126,407	3,220,199	3,316,805	3,416,309	3,518,799	3,624,363	3,733,093	cost escal
Capital Outlay from Rates	add 150k for design cip											
Engineering Services	231,263	152,164	83,840	50,000	302,000	350,000	200,000	200,000	200,000	200,000	200,000	incl. design for cip except ww
Other Improvements	512,970	119,725	see CIP belo	see CIP belo	see CIP below							see CIP funded by Rates
Portable Equipment	17,633	8,978	20,087	20,000	22,000	22,000	22,000	22,000	22,000	22,000	22,000	
Machinery & Equipment	78,449	123,383	192,774	200,000	186,000	200,000	200,000	200,000	200,000	200,000	200,000	incl. plant repairs
Transfers												
Parks Fund 101	8,300	-	-	-	-	-	-	-	-	-	-	cost escal
Equip Replacement Fund 501	101,004	95,000	95,000	95,000	98,800	101,764	104,817	107,961	111,200	114,536	117,972	cost escal
Operations Reserve 402	148,992	150,000	merged into 410									merged into 410 & closed
Fleet M&O 501	16,536	-	-	-	-	-	-	-	-	-	-	cost escal
PW Operations Facility Fund 505	9,835	19,670	19,670	19,670	19,670	19,670	19,670	19,670	19,670	19,670	19,670	new ops facility,20-yr,2019+
Subtotal Oper. Expen. & Cap. Outlay	3,608,047	3,169,951	3,093,061	3,026,335	3,998,692	4,164,763	4,121,955	4,232,364	4,346,085	4,463,217	4,583,864	
Net Available for Debt & CIP	499,069	1,067,497	1,295,831	3,260,415	1,609,841	2,019,951	976,224	2,865,190	1,097,495	1,773,147	2,142,152	
Existing Debt Service												
PWTF payment - Xfer to Cap Proj 410	464,356	464,360	459,900	459,900	459,900	451,045	448,093	406,863	54,103	53,092	-	pmts less150k fr conn fees
Subtotal Existing Debt Service	464,356	464,360	459,900	459,900	459,900	451,045	448,093	406,863	54,103	53,092	-	
Sewer Capital Improvements (CIP)												
CIP Funded by Rates	-	-	721,886	2,786,322	1,134,455	1,563,399	442,862	2,446,317	350,000	634,662	1,063,628	See CIP Tab
New Debt for CIP	-	-	-	-	-	-	-	-	-	1,072,000	1,072,000	See CIP Tab
Subtotal Capital Improvements	-	-	721,886	2,786,322	1,134,455	1,563,399	442,862	2,446,317	350,000	1,706,662	2,135,628	
Subtotal Oper, Cap Outlay & Debt	4,072,403	3,634,311	4,274,847	6,272,557	5,593,047	6,179,207	5,012,910	7,085,544	4,750,188	6,222,972	6,719,491	
Prior Period Adjustment		(815,128)										
Annual Surplus (Deficit)	34,713	1,418,265	114,045	14,193	15,486	5,507	85,269	12,010	693,392	13,393	6,524	
Cumulative % Impact on Rates												
Net rate-funded CIP (after 410 transfer)			721,886	1,066,322	294,455	313,399	442,862	616,317	350,000	24,662	153,628	
Beginning Fund Balance - Fund 401	848,088	881,184	2,278,826	2,527,795	2,541,988	2,557,474	2,562,980	2,648,249	2,660,259	3,353,652	3,367,044	2022 = 2021 actual end bal.
Annual Surplus (Deficit)	34,713	1,418,265	114,045	14,193	15,486	5,507	85,269	12,010	693,392	13,393	6,524	
Ending Fund Balance (estimated)	882,801	2,299,449	2,392,871	2,541,988	2,557,474	2,562,980	2,648,249	2,660,259	3,353,652	3,367,044	3,373,569	must meet target minimum
Target Ending Balance - Fund 401	826,032	852,831	1,111,509	1,182,661	1,218,664	1,248,948	1,277,115	1,319,564	1,350,910	1,496,969	1,530,816	16.67% x (Beg.Cash Bal+Re
Ending balance meets minimum?	ok	ok	ok	ok	ok	ok	ok	ok	ok	ok	ok	

10-YR OUTLOOK C

SEDRO-WOOLLEY SEWER SCEN C: Bump GFC, then by inflation	Actual 2019	Actual 2020	Actual 2021	Budget 2022	Pre.Budget 2023	Projected 2024	Projected 2025	Projected 2026	Projected 2027	Projected 2028	Projected 2029	Draft 10/26/22 Comments
WASTEWATER RESERVES FUND 410 (Includes Cum Reserve/Sewer Facilities Fund 410 and Sewer Facilities Reserve 402)												
Revenue				Adj for YTD								
Investment Interest	80,518	30,234	7,431	22,000	46,000	43,300	36,500	40,500	26,300	15,400	13,500	calc on end bal
Sewer Connection Fee (GFC)	621,620	433,418	1,160,469	564,633	647,920	667,380	491,000	505,750	520,900	536,550	552,650	# ERU's x Conn Fee
Special Sewer Connections	20,608	41,217	20,892	21,000	included in GFC for projections							In specific areas
Loan Pmt fr Arterial Streets/Streets	500,000	300,000	-	500,000								Loan for cash flow
Interfund Loan Repayment	161,161	15,342	5,186	15,400	15,400	15,400	15,400	15,400	15,400	15,400		Storm ongoing
Xfer fr 401 for PWTF Loan Pmts	464,356	464,360	459,900	459,900	459,900	451,045	448,093	406,863	54,103	53,092	-	fr 401 for pwtf debt
Subtotal Revenue	1,848,263	1,284,570	1,653,878	1,582,933	1,169,220	1,177,125	990,993	968,513	616,703	620,442	566,150	
Expenditures												
Loan to Arterial Streets 104	-	300,000										Loan for cash flow
PWTF Loan Pmts	615,860	612,852	609,990	606,948	603,996	601,045	598,093	556,863	204,103	203,092		from debt tab, ends 2028
Xfer to Sewer Fund 401 - Capital Proj.	-	-	-	1,720,000	840,000	1,250,000	-	1,830,000	-	610,000	910,000	read by 401
Subtotal Expenditures	615,860	912,852	609,990	2,326,948	1,443,996	1,851,045	598,093	2,386,863	204,103	813,092	910,000	
Annual Surplus (Deficit)	1,232,403	371,718	1,043,888	(744,015)	(274,776)	(673,920)	392,900	(1,418,350)	412,600	(192,650)	(343,850)	
Beginning Fund Balance - Fund 410/402	2,400,157	3,781,608	4,303,326	5,347,304	4,603,289	4,328,513	3,654,593	4,047,493	2,629,143	1,541,743	1,349,093	2022 = 2021 actual end bal.
Annual Surplus (Deficit)	1,232,403	371,718	1,043,888	(744,015)	(274,776)	(673,920)	392,900	(1,418,350)	412,600	(192,650)	(343,850)	
Use of Reserves toward WWTP									(1,500,000)			can also use surplus in 401
Ending Fund Balance (estimated)	3,632,560	4,153,326	5,347,214	4,603,289	4,328,513	3,654,593	4,047,493	2,629,143	1,541,743	1,349,093	1,005,243	must meet target minimum
Target Minimum Balance - Fund 410	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	minimum of \$1,000,000
Ending balance meets minimum?	ok	ok	ok	ok	ok	ok	ok	ok	ok	ok	ok	

City of Sedro-Woolley Sewer Financial Plan

Draft 10/10/22

per MF Edits

Prepared by KI&A based on CIP provided by PACE Engineers, Table 8-1

KI added notes * and ** to indicate items moved from Other Improvements to Engineering Services or Mach & Equip in the Sewer Fund 401.

Escalated at 4% per year for Construction Cost escalation

CIP #	Project	Est. Project Cost (\$2019)	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2020-2029
10-YEAR COLLECTION SYSTEM PROJECTS													
Rehab/Replacement													
R-1	Alley btwn Fidalgo St & Sterling St, W of Township, E of Fourth St	\$610,000			\$0	\$0	\$742,158	moved from 2021 + escalation - MF showed 642,156					\$742,158
R-2	N or Warner St & E of Township	\$350,000					\$0	\$442,862					\$442,862
R-3	N of Railroad Ave & S of Talcott Ave	\$215,000			\$0	\$251,520							\$251,520
R-4	S of Ferry & N of Pacific & W of Ball St	\$65,000			\$0	\$76,041							\$76,041
R-5	N of Ferry & W of Ball St	\$66,000			\$0	\$77,211							\$77,211
R-6	Alley btwn Reed St & Haines St	\$100,000						\$0	\$131,593				\$131,593
R-7	Alley btwn Gibson St & Northern Ave	\$100,000							\$131,593	\$0			\$131,593
R-8	Along E side of Hwy 9 fr Alderwood Ln to Sapp Rd & W side of Hwy 9	\$919,000							*	\$350,000	\$350,000	560,344	\$1,260,344
R-9	Along Northern Ave fr Metcalf to Murdock/Puget Alley. Along N of Metcalf	\$250,000			\$0	\$292,465							\$292,465
Infill Projects - allow 1/3 from Special Connection Fee, 2/3 from Rates													
I-1	North Ball Street Infill	\$380,000											\$0
I-2	Rowland Road Infill	\$300,000											\$0
I-3	Burrows Lane Infill	\$160,000											\$0
I-4	F&S Grade Road Infill	\$270,000											\$0
I-5	Carter Street Infill	\$500,000											\$0
Expansion Projects													
E-1, 2, 3, 4 and 9 not included in the financial section - to be funded by developers as needed - refer to Table 8-1. E-5-8 will be constructed as part of the Jones/John Liner/Trail Road Corridor Projects.													
E-5	Jones Road Sewer Expansion - Corridor Project C1A Scoping	\$340,000							\$0			\$503,283	\$503,283
E-6	Patrick Road Sewer Expansion - Corridor Project C1B. Scoping	\$260,000			\$0								\$0
E-7	Trail Road Sewer Exp F&S Grade to Jones - Corridor Project	\$225,000	developer funded										\$0
E-8	Trail Road Sewer Exp Cook to F&S - Corridor Project C9A (Scoping)	\$200,000						\$0			\$284,662		\$284,662
E-9	Olmsted Park Sewer - \$50K in 2019 Budget; deferred to 2021	\$100,000			\$0	\$143,000							\$143,000
Total 10-year Conveyance CIP (\$2019)		\$5,410,000											\$0
10-Year Conveyance CIP (escalated)		\$4,336,732	\$0	\$0	\$0	\$840,236	\$742,158	\$442,862	\$263,186	\$350,000	\$634,662	\$1,063,628	\$4,336,732
10-YEAR TREATMENT PLANT PROJECTS													
Capacity Upgrades													
TP-1	Digester aeration upgrade-diffusers	25,000	\$94,915										\$94,915
TP-2	Digester aeration upgrade-blowers	\$675,000				\$0	\$821,241						\$821,241
TP-3	Lab/Operations building replacement	\$1,359,000	\$0	\$148,000	\$2,752,000								\$2,900,000
TP-4	Replace Street Shop to allow for relocated Lab/Ops Building	\$335,000	\$0	\$0	\$0								\$0
TP-5	Anoxic tank mixer upgrade	\$207,500			\$0	\$242,746							\$242,746
TP-6	Facilities plan	\$250,000					\$0	\$0					\$0
TP-7	WWTP Upgrade to 10 MGD	\$13,375,000							\$2,112,071	16,192,541			\$18,304,611
TP-8	WWTP Upgrade - Relocate Displaced Street Shop Buildings	\$450,000							\$71,060	544,796			\$615,856
Mechanical													
TP-9	Replace diaphragm pumps with rotary lobe pumps	\$30,000	\$0	\$0									\$0
TP-10	Replace the polymer mixers with auto polymer mixing system	\$13,000			\$0								\$0
TP-11	Varcor Biosolids Processor (Total cost \$2.5; local cost \$250,000)	\$250,000	\$0	\$0	\$0								\$0
Structural													
TP-12	Inject grouting into concrete	\$10,000	\$0	\$0		\$11,699	moved from 2021 + escalation - MF did not show escal.					\$11,699	
TP-13	Silicone joint sealant to expansion joints	\$10,000	\$0	\$0		\$11,699	moved from 2021 + escalation - MF did not show escal.					\$11,699	
TP-14	Fill the base of the walls with injection grouting	\$20,000	\$0	\$0		\$23,397	moved from 2021 + escalation - MF did not show escal.					\$23,397	
Electrical													
TP-15	Perform an arc flash study for the plant	\$20,000	\$0	\$0	\$6,925				*				\$6,925
TP-16	WWTP electrical system upgrades	\$385,000	\$0	\$573,886	\$27,397								\$601,283
TP-17	Upgrade aerator motors and add variable frequency drives	\$100,000	\$0	\$0									\$0
TP-18	Install bollards to protect plant service cables adjacent to road	\$4,000	\$0			\$4,679							\$4,679
Total 10-year Treatment Plant CIP (\$2019)		\$17,518,500											\$0
Total 10-Year Treatment Plant CIP (escalated)		\$23,639,050	\$94,915	\$721,886	\$2,786,322	\$294,219	\$821,241	\$0	\$2,183,131	\$16,737,336	\$0	\$0	\$23,639,050
Total 10-year CIP (\$2019)													
Total 10-year CIP (\$2019)		\$22,928,500											
Total 10-Year CIP (escalated)		\$27,975,782	\$94,915	\$721,886	\$2,786,322	\$1,134,455	\$1,563,399	\$442,862	\$2,446,317	17,087,336	\$634,662	\$1,063,628	\$27,975,782

Annual construction cost escalation

4.0%

1.0400

1.0816

1.1249

1.1699

1.2167

1.2653

1.3159

1.3686

1.4233

1.4802

		Escalated to Year Scheduled at 4.0% per year										
Annual CIP Cost	Average (\$2019)	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2020-2029
Collection System CIP	\$541,000	\$0	\$0	\$0	\$840,236	\$742,158	\$442,862	\$263,186	\$350,000	\$634,662	\$1,063,628	\$4,336,732
Treatment Plant CIP	\$1,751,850	\$94,915	\$721,886	\$2,786,322	\$294,219	\$821,241	\$0	\$2,183,131	\$16,737,336	\$0	\$0	\$23,639,050
Annual CIP Cost	\$2,292,850	\$94,915	\$721,886	\$2,786,322	\$1,134,455	\$1,563,399	\$442,862	\$2,446,317	\$17,087,336	\$634,662	\$1,063,628	\$27,975,782

CIP Funding Sources (escalated costs)	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2020-2029
Grants											\$0
Revenue Bonds											\$0
Loans (Ecology, PWTF)		\$0					-	15,237,336			\$15,237,336
Capital Reserves toward WWTP Upgrade								1,500,000			
Reserves-2019 \$445,000 budgeted from Sewer Capital Projects	(\$255,085)										(\$255,085)
Rates-2019 Budget \$664,000, less Capital Projects transfer	\$350,000	\$721,886	\$2,786,322	\$1,134,455	\$1,563,399	\$442,862	\$2,446,317	\$350,000	\$634,662	\$1,063,628	\$11,493,531
Total Funding Sources	\$94,915	\$721,886	\$2,786,322	\$1,134,455	\$1,563,399	\$442,862	\$2,446,317	\$17,087,336	\$634,662	\$1,063,628	\$27,975,782

Notes on amount to be borrowed:

do not borrow design \$2M from reserves

New Debt for CIP - estimated payments	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2020-2029
2021 Ecology, 20 year, interest =	2.0%		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
2026 Ecology, 20 year, interest = (Do Not Borrow Design)	3.5%							\$0	\$0	\$0	\$0
2027 Ecology, 20 year, interest =	3.5%								\$1,072,000	\$1,072,000	\$2,144,000
OR Total New Debt Payments for CIP			\$0	\$0	\$0	\$0	\$0	\$0	\$1,072,000	\$1,072,000	\$2,144,000

Total Annual Rate Contribution	\$350,000	\$350,000	\$2,786,322	\$1,134,455	\$1,563,399	\$442,862	\$2,446,317	\$350,000	\$1,706,662	\$2,135,628	\$13,265,645
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Equals the budgeted rate contribution toward CIP of \$350,000 + new debt payments planned for CIP

Notes on Ecology Grant Funding - different for preconstruction and construction

- Preconstruction: can be used for facility plan, or design of WWTP upgrade. Ecology determines whether community is eligible and publishes in Funding Guidelines each year - SEDRO is NO LONGER ELIGIBLE for up to 50% forgivable principal, per SFY 2023 Funding Guidelines (Aug 2021). Also for Aug 2022

- Construction: requires Ecology approved plans & specs in order to apply. SEDRO is an affordable system & does not qualify for grant/principal forgiveness. Aug 2021, Aug 2022

Residential monthly sewer rate \$63.45 \$65.08 \$66.58 \$68.11
 "Affordable" monthly sewer rate (Ecology Hardship @ 2% MHI) \$101.44 \$106.40

Sedro-Woolley NO LONGER ELIGIBLE for Pre-Construction Hardship - up to 50% forgivable principal (assuming \$\$ is available).

SUMMARY

Recommended 10-Year CIP	Total 2020-29	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2020-2029
Conveyance CIP (escalated)	\$4,336,732	\$0	\$0	\$0	\$840,236	\$742,158	\$442,862	\$263,186	\$350,000	\$634,662	\$1,063,628	\$4,336,732
Treatment Plant CIP (escalated)	\$23,639,050	\$94,915	\$721,886	\$2,786,322	\$294,219	\$821,241	\$0	\$2,183,131	\$16,737,336	\$0	\$0	\$23,639,050
Total 10-Year CIP (escalated)	\$27,975,782	\$94,915	\$721,886	\$2,786,322	\$1,134,455	\$1,563,399	\$442,862	\$2,446,317	\$17,087,336	\$634,662	\$1,063,628	\$27,975,782

10-Year CIP Funding Sources	Total 2020-29	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2020-2029
Loans (Ecology, PWTF)	\$15,237,336	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$15,237,336	\$0	\$0	\$15,237,336
Rates/Reserves	\$11,238,446	\$94,915	\$721,886	\$2,786,322	\$1,134,455	\$1,563,399	\$442,862	\$2,446,317	\$350,000	\$634,662	\$1,063,628	\$11,238,446
Total 10-Year CIP Funding Sources	\$26,475,782	\$94,915	\$721,886	\$2,786,322	\$1,134,455	\$1,563,399	\$442,862	\$2,446,317	\$15,587,336	\$634,662	\$1,063,628	\$26,475,782

Sedro is No Longer Eligible for preconstruction hardship (Aug. 2021) so no reason to borrow for design (was planned to bring in potential 50% subsidy/grant)

2023 FUND 412 PROPOSED RATE ADJUSTMENTS					10/7/2022	MAF 10/25/2022			
RESIDENTIAL RATES MSW	2022 MSW Rate	Leos recommendation for 2023 rates	2024	2025	2026	Notes	2022 Customer Count	Estimated Annual Additional Revenue 2023	Estimated Additional Revenue 2024
20 GAL.TOTER	\$12.54	discontinue 20 gallons we can make a 32 gal. go everyother week for low income or a 32 gal once per month in place of a 20 gal.	N/A	N/A	N/A	20 gallons to phase out, once they change service it will no longer be offered. And alternatively help with our inventory control.	98	-	-
32 GAL.TOTER	\$23.11	\$24.20	\$25.20	\$26.75	\$27.25		1,439	18,822	17,268
68 GAL. TOTER	\$33.50	\$34.50	\$35.35	\$35.35	\$35.35	rename to 65 gal cart	1,118	13,416	11,404
96 GAL.TOTER	\$44.73	\$45.00	\$45.50	\$46.00	\$47.55	rename to 95 gal cart	125	405	750
LOW INCOME-20 GAL	\$10.04	discontinue 20 gallons /phase out over time.	discontinue 20 gallons /phase out over time.	discontinue 20 gallons /phase out over time.	discontinue 20 gallons /phase out over time.	discontinue 20 gallons /phase out over time.		-	-
LOW INCOME-32 GAL	\$18.49	\$19.36	\$20.16	\$21.40	\$21.80		98	1,023	941
LOW INCOME-32 GAL (EOW)	N/A	\$14.36	\$15.16	\$16.40	\$16.80	possible new rate to help with low income. And may take place of 20 gallon, if we discontinue, must get ok by solid waste dept to get low income rates EOW. this was not based on a percentage but \$5.00 for EOW. discount but we can do that			-
LOW INCOME-68 GAL	\$26.80	\$27.60	\$28.28	\$28.28	\$28.28		125	1,200	1,020
LOW INCOME -96 GAL	\$35.79	no increase	discontinue 95 gallons	discontinue 95 gallons	discontinue 95 gallons	discontinue low income 96 gallons, they sould not be producing this much as low income.	4	-	-
Plus curbside Recycling fee per cart	\$5.02	\$8.00	\$9.00	\$10.00	\$11.00	if we rasied the rate from \$5.02 to \$9.00 this will give is 2.98 x 3,872 customers = \$11,538.56 extra per month. X 12 months = \$138,462.72 each extra dollar added in the next years will add a total \$46,464.00 per year.	3,872	138,463	46,464
OPTIONAL Food and Yard Waste Service	\$12.17	12.25	\$12.50	\$12.75	\$13.00		1,629	1,564	4,887
COMMERCIAL RATES (PERMANENT) MSW	MSW Is Garbage					We can leave rates in place or decrease costs for most commercial accounts.			
32 GAL. TOTER	\$26.17	\$26.25	\$26.50	\$27.00	\$27.25				
68 GAL. TOTER	\$41.51	decrease to \$35.35	no increase	no increase	\$35.35	rename to 65 gal cart			
96 GAL. TOTER	\$56.56	decrease to \$47.55	no increase	no increase	\$47.55	rename to 95 gal cart			
1 YARD DUMPSTER	\$114.60	no increase	no increase	no increase	\$114.60				
2 YARD DUMPSTER	\$151.50	no increase	no increase	no increase	\$151.50				
3 YARD DUMPSTER	\$225.65	no increase	no increase	no increase	\$225.65				
4 YARD DUMPSTER	\$297.15	no increase	no increase	no increase	\$297.15				
6 YARD DUMPSTER	\$438.43	no increase	no increase	no increase	\$438.43				
8 YARD DUMPSTER	\$586.12	no increase	no increase	no increase	\$586.12				
All roll off 20, 30 & 40 YARD DUMPSTERS	\$230.78	no increase	\$235.00	\$240.00	\$250.00				
Commercial Recycling Optional									
Mixed paper						MP has a cost to drop at recycling centers current is \$95.00 per ton			
95 gallon container	\$20.38	\$60.00	\$70.00	\$80.00	\$90.00				
2 yard container	\$33.95	\$70.00	\$80.00	\$90.00	\$99.00				
3 yard container	\$47.52	\$100.00	\$110.00	\$115.00	\$122.00				
4 yard container	\$88.25	\$120.00	\$130.00	\$140.00	\$154.00				
6 yard container	\$115.40	\$153.00	\$163.00	\$173.00	\$182.00				
8 yard container	\$153.07	\$200.00	\$215.00	\$225.00	\$235.00				
Cardboard									
95 gallon container	Not available-	Not available-	Not available-	Not available-	Not available-	We get some moneis back depending on market conditions			
2 yard container	\$27.17	\$30.00	\$40.00	\$50.00	\$60.00				
3 yard container	\$33.95	\$35.00	\$45.00	\$55.00	\$65.00				
4 yard container	\$47.52	\$40.00	\$50.00	\$60.00	\$70.00				
6 yard container	\$61.10	\$45.00	\$55.00	\$65.00	\$75.00				
8 yard container	\$74.67	\$50.00	\$60.00	\$70.00	\$80.00				
Mixed recycling						Cost for disposal is \$194.98 per ton to drop off			
95 gallon container	\$20.38	\$60.00	\$70.00	\$80.00	\$90.00				
2 yard container	\$61.10	\$70.00	\$80.00	\$90.00	\$99.00				
3 yard container	\$95.05	\$100.00	\$110.00	\$115.00	\$122.00				
4 yard container	\$108.61	\$120.00	\$130.00	\$140.00	\$154.00				
6 yard container	\$142.57	\$153.00	\$163.00	\$173.00	\$182.00				
8 yard container	\$190.08	\$200.00	\$215.00	\$225.00	\$235.00				
TOTALS					TOTAL PROPOSED INCREASE			174,893	82,733
					% INCR ON RATES INCLUDING RECYCLE			8.1%	3.8%
					WITHOUT RECYCLE INCREASE			36,430	36,269
					% INCR ON RATES WITHOUT RECYCLE			1.9%	1.9%
LJ Notes									
All current SW rates should already have a \$2.00 per customer or account to cover the public works building	I did not add the \$2.00 to the recommended rates at this time for the new PW building.					Sedro Wolley has a different make up of customers than other cities we have a higher amount of residential to commercial accounts hence the current higher rates in some commercial catergoies.			
The adage in the garbage business is “cans vote, containers don’t,” meaning that elected bodies	are willing to increase rates on a small group of customers to appease the larger residential voting	base. However, this is a short-sighted strategy because changes to the local business cycle	typically require a significant adjustment to the rates somewhere in the future.	The residential customer base is not dynamic. Over the last three years, the number of customers	service has slowly increased. However, during the state-wide shutdowns in 2020 and the	continuing effect of Washington State’s policies, the commercial customer base has decreased.			
Therefore, relying on local businesses to overpay for services is not a reliable method to ensure	the fiscal soundness of the City’s utility services.								



CITY OF SEDRO-WOOLLEY
Sedro-Woolley Municipal Building
325 Metcalf Street
Sedro-Woolley, WA 98284
Phone (360) 855-0771
Fax (360) 855-0733

DRAFT

Leo Jacobs,
Solid Waste & Fleet Supervisor

MEMO TO: Mark A. Freiburger, PE
FROM: Leo Jacobs
RE: FTE for Solid Waste department for 2023.
DATE: September 17, 2022

ISSUE: FTE for Solid Waste

Mark,

Here is my proposal for an FTE in the 2023 budget.

When I was hired in the year 2000. I designed the routes with Tuesday and Wednesday at full capacity and Thursday and Friday below capacity so we could accommodate some future growth.

Fast forward 23 years and we still have the same routes that have been in-filling and of course we added residential recycling, commercial recycling, and organics services which takes up Monday's. Also, we have a recycling drop off area that we added.

We are now at or exceed capacity every day. Tuesday has seen an unexpected amount of infilling with added lots or subdividing of lots, ADU's & duplexes. Wednesday has also seen some infilling and a large annexation of carter road and mobile home park, which put us over capacity on Wednesday.

Thursday, we did expect growth, but it has caught up with us and now those routes are over capacity and if we see any new development go in around Portobello area, or the golf course area, it will put heavy strain on staff and equipment for Thursdays. Friday we also expected growth but the large new developments that occurred have put us at capacity and again with every new proposed development or new home built on Friday's route it will create even more strain on our ability to provide services.

Monday's curbside Yard Waste routes, which has been growing tremendously. We are now at 1,629 up from 900 in 2015. While this does not sound like a lot, the yard waste is very heavy, and we can usually only pick up 200- 250 customers before going to the recycler due to the weight on the truck. That could be up to 3 trips for each truck to the recycling site depending on how many customers are out that day, how heavy each cart is and the time of the year.

Residential garbage and recycling routes: Our automated trucks are designed for about 800-1,200 stops per day for garbage and recycling. 800 being optimum for staff to keep up with some maintenance of the trucks. What's happening without getting into too much detail is. We are now going to the transfer site on Tuesdays thru Fridays more than one time per day for both garbage and recycling, we use to go one time per day also, the drivers are not having enough time to keep their equipment adjusted, this usually would fall on to a fully staffed fleet department, but we only have a part time mechanic, that is still learning the entire 110 plus pieces of equipment the city has. Our trucks are also specialized, and they have certain details that the drivers or fleet staff need to keep up on, to keep them adjusted correctly and with the routes at or over capacity we are not able to keep them adjusted as well as I would like.

2023 Staff: We are asking to add one FTE to our staff, to help relieve some of the pressures on our department and drivers. We can hold off adding a new truck at this time and use our back up truck. The extra driver will help with relieving the residential routes but will help department wide with staff time off and sick days.

How to pay for the FTE: I have been working on a rate compassion, study of other local municipalities and counties to get a sense of our rates. (I will send a separate memo). The bottom line is we could pay for the additional FTE through a curbside recycling rate increase. I feel we can hold off on some of our garbage rates increasing at this time and I will be working with the finance director and city staff on a multiyear plan on garbage and recycling rates. We are about \$5.00-6.00 per cart behind other municipalities and if we were able to increase the recycling rate by \$2.98 for 2023 to a total cost of \$8.00 per month per cart, we would be able to cover the additional staff and cover the increases we are seeing in the recycling sector.



BLS Data Viewer

Permalink

Time Period: Start Year: 2020 End Year: 2022

Net Monthly Changes:

- ☐ 1-Month Net Change
☐ 6-Month Net Change

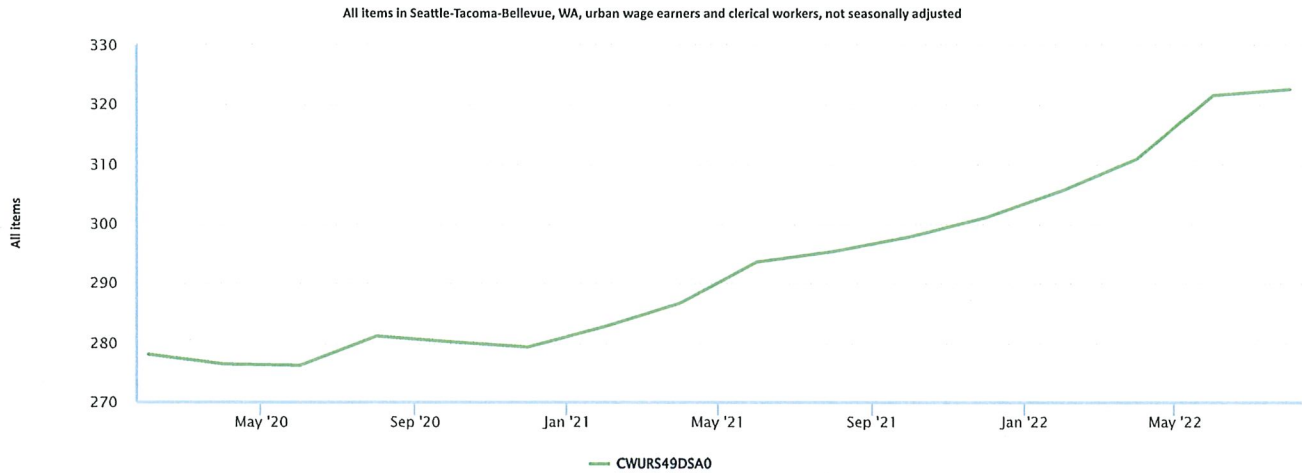
- ☐ 3-Month Net Change
☐ 12-Month Net Change

Percent Monthly Changes:

- ☐ 1-Month % Change
☐ 6-Month % Change

- ☐ 3-Month % Change
☒ 12-Month % Change

Update



Data extracted on: Oct 24, 2022 (10:15:35 PM)

CPI for Urban Wage Earners and Clerical Workers (CPI-W)

Series Title : All items in Seattle-Tacoma-Bellevue, WA, urban wage earners and clerical workers, not seasonally adjusted
Series ID : CWURS49DSA0
Seasonality : Not Seasonally Adjusted
Survey Name : [CPI for Urban Wage Earners and Clerical Workers \(CPI-W\)](#)
Measure Data Type : All items
Area : Seattle-Tacoma-Bellevue WA
Item : All items

Latest Observation:

August 2022

322.664

Feb 2020 - Aug 2022

Minimum Value: June 2020
276.244

Maximum Value: August 2022
322.664

Data Availability:

1914 - 2022

.XLSX

.CSV

Year	Period	Label	Value	12-Month % Change
2022	M02	2022 Feb	305.702	8.1
2022	M04	2022 Apr	310.928	8.5
2022	M06	2022 Jun	321.626	9.5
2022	M08	2022 Aug	322.664	9.2
2021	M02	2021 Feb	282.795	1.7
2021	M04	2021 Apr	286.700	3.7
2021	M06	2021 Jun	293.607	6.3



Agenda
Item No.

Date: November 2, 2022

Subject: 2023-2024 Budget Follow-Up

FROM:

Kelly Kohnken, Finance Director and Charlie Bush, City Administrator

RECOMMENDED ACTION:

N/A

ISSUE:

This item will include follow-up information and answers to Council budget questions posed during the budget process so far.

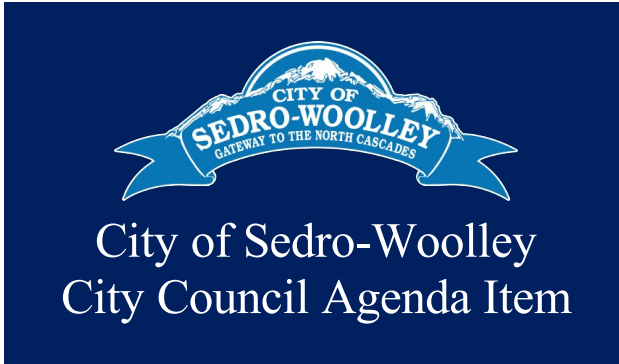
BACKGROUND/SUMMARY INFORMATION:

N/A

FISCAL IMPACT, IF APPROPRIATE:

N/A

ATTACHMENTS:



Agenda Item No.	
Date:	November 2, 2022
Subject:	Community Development Grant Program

FROM:

Joe Burns, City Council member and Business Development Committee Chair

RECOMMENDED ACTION:

This item is form information only.

ISSUE:

The Business Development Committee is checking in with the City Council regarding an idea for how to expend ARPA economic development funds.

BACKGROUND/SUMMARY INFORMATION:

The City Council Business Development Committee recently had a conversation about how to generate energy in the community and how to further beautify the community, helping to spur economic development. Without a strong commitment from the community towards the community's appearance and future, the City's actions in economic development will not be as effective. The attached Community Development Grant Program idea would utilize \$140,000 of the City Council's allotment for economic development from the American Rescue Plan Act (ARPA). This amount would fund at least 28 community development grants.

To kick off the program, the Committee, and staff, are working to secure the services of author and speaker, Peter Kageyama. Peter authored several books on how people express love and emotional connection for their cities. He also has a background as an economic development consultant. Peter travels the world conducting workshops in communities. The workshops help to generate the kind of expression that this grant program would support. The idea is to have Peter conduct a workshop here to generate energy, kicking off this grant program, and building momentum towards its success. The Committee is looking to set aside \$10,000 to support the workshop.

FISCAL IMPACT, IF APPROPRIATE:

None additional, these funds are already allocated for economic development in the City's ARPA Plan.

ATTACHMENTS:

1. Community Development Grant Program Initial Concept

Community Development Grant Program

\$140,000 total funds available
Reimbursement grants of up to \$5,000

The purpose of this grant program would be to get more citizens involved in taking care of our community. When people work together to help beautify Sedro-Woolley they will develop a stronger sense of community, bond with neighbors and local businesses, become more likely to help with future projects, and invite friends and family to participate. The funds are not for labor but project materials (exception for special circumstance where specialty labor not locally available would need to be hired)

Example Projects

- **New Murals and Mural Refurbishment (see mural ordinance)**
- **Clean-up costs (ex. stains on sidewalks)**
- **More bike and pedestrian friendly elements (ex. bike racks, benches)**
- **Landscaping**
- **Exterior paint**
- **Awning replacement/maintenance**
- **Upgrades to signs or new neighborhood signs**
- **Broken sidewalks that could be repaired**
- **Loggerrodeo art**
- **Street trees (from restricted list to limit later issues)**
- **Lighting**
- **Pop-up parks (with owner permission + additional requirements)**
- **Neighborhood or business cleanup of publicly visible areas**
- **Historical markers**
- **Advertising for city tourism (No more than 2 per year)**
- **Street carnival, live music, movie in the park, and other family friendly events.**

Requirements

- **Application must be approved PRIOR to project start date.**

- **Names and addresses of applicant(s) within the neighborhood or business area responsible for the project.**
- **Three (3) Photos of the area or areas needing improvement**
- **Address and or location of project**
- **An explanation of the project - please include who, what, when, where and why; how the project will benefit the community when complete; and who will maintain any improvements'**
- **A line-item budget, including any outside/additional funding sources**
- **Applicants must provide documentation of project completion, including an inspection by City staff, prior to reimbursement for the project.**



Agenda
Item No.

Date:

November 2, 2022

Subject:

Revising the City Council Governance
Handbook - Resolution 1109-22 - 1st
Read

FROM:

Charlie Bush, City Administrator

RECOMMENDED ACTION:

This is a first read and is for discussion only.

ISSUE:

Should the City Council update its Governance Handbook?

BACKGROUND/SUMMARY INFORMATION:

The Mayor, staff, and Council have noticed some items in the Council Governance Handbook that could use clarification and/or revision. This update, if approved by the Council, is an opportunity to make those changes.

The attached resolution is the method by which the Council Governance Handbook is revised.

FISCAL IMPACT, IF APPROPRIATE:

N/A

ATTACHMENTS:

1. Resolution 1109-22
2. Council Governance Handbook Proposed Revisions

RESOLUTION NO. 1109-22

A RESOLUTION REVISING THE CITY COUNCIL GOVERNANCE HANDBOOK

WHEREAS, the City Council adopted Resolution 546 on May 23, 1994 which established City Council meeting procedures; and,

WHEREAS, the City Council repealed and replaced its original meeting procedures with the Governance Handbook through action on September 13, 2017; and,

WHEREAS, the City Council made further revisions through Resolutions 978-18 and 1023-19; and,

WHEREAS, the City Council amended the Governance Handbook on February 23, 2022 to allow for the appointment of the Mayor Pro Temp annually through Resolution 1087-22; and,

WHEREAS, the Governance Handbook is due for a more complete review to sync handbook policies with emerging practices; and,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Sedro-Woolley further updates the City Council Governance Handbook with needed and timely updates.

PASSED by majority vote of the members of the Sedro-Woolley City Council this 9th day of November, 2022 and signed in authentication of its passage this 10th day of November, 2022.

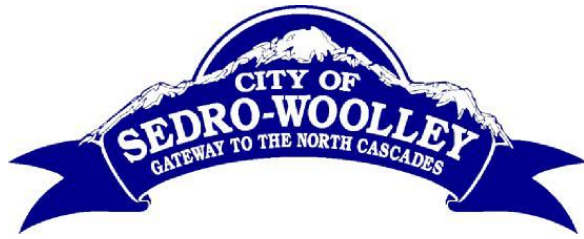
Julia Johnson, Mayor

Attest:

Kelly Kohnken, Finance Director

Approved as to form:

Nikki Thompson, City Attorney



City Council Governance Handbook

**Adopted by Resolution 972-17
A Comprehensive Collection of
Rules and Procedures for
the City Council**

**Adopted September 13th, 2017
Updated ~~February~~ November 923, 2022**

Resolution 546 adopted 5-23-1994, repealed and replaced by
Resolution 972-17 adopted 9-13-2017, amended by Resolutions 978-18, 980-18, 1023-19, ~~and~~
1087-22, and 1109-22

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CHAPTER 1

Council Meetings





A. General

1. Council Meetings - Time and Location

Unless otherwise specified in a meeting notice, regular meetings of the City Council shall be held at the Sedro-Woolley Municipal Building, Council Chambers on the second and fourth Wednesdays beginning at 7:00 p.m. The City Council also meets on the first Wednesday at the Sedro-Woolley Fire Department Training Room beginning at 7:00 p.m. for a study session meeting. There are no regularly scheduled study session meetings in the months of June, July and August. Pursuant to RCW 42.30.070, Open Public Meetings Act, "if at any time any regular meeting falls on a holiday, such regular meeting shall be held on the next business day." SWMC 2.04.010 provides more detail on meetings in November and December as follows, "The city council shall hold regular meetings at seven-six p.m. on the first, second and fourth Wednesday of each month throughout the year, but whenever a regular meeting falls on a legal holiday now or hereafter designated as such by the laws of the state of Washington, such meeting shall be held at seven-six p.m. of the first day following which is not itself a legal holiday; and provided, that the meeting immediately before the Thanksgiving holiday each year shall be held on the Tuesday before Thanksgiving rather than the fourth Wednesday; and provided further, that no meeting is scheduled for the fourth Wednesday in December."

2. Council Meetings - Open to the Public

All meetings of the City Council shall be open to the public, except as provided for in RCW 42.30.110¹ (Executive Sessions), or RCW 42.30.140² (Open Public Meetings Act). Councilmembers will notify appropriate staff of Councilmember's plans to attend any of the various outside public meetings hosted by other organizations or agencies, or City meetings hosted by various City Departments, so that notice may be published concerning such attendance in order not to risk any real or perceived violation of the Open Public Meetings Act.

3. Presiding Officer

The Mayor shall preside at meetings of the Council. In case of the Mayor's absence or temporary disability, the Mayor Pro Tempore shall act as Mayor during the continuance of the absence. In case of the absence or temporary inability of the Mayor and Mayor Pro Tempore, an acting Mayor Pro Tempore selected by majority vote of the remaining members of the Council, shall act as Mayor during the continuance of the absences [RCW 35A.13.035³]. The Mayor, Mayor Pro Tempore (in the Mayor's absence) or acting Mayor Pro Tem are referred to as "Presiding Officer" from time to time in these Rules of Procedure.

B. Types of Meetings

1. Regular Meeting

The city council shall hold regular meetings at ~~seven-six~~ p.m. on the first, second and fourth Wednesday of each month throughout the year, but whenever a regular meeting falls on a legal holiday now or hereafter designated as such by the laws of the state of Washington, such meeting shall be held at ~~sixseven~~ p.m. of the first day following which is not itself a legal holiday; and provided, that the meeting immediately before the Thanksgiving holiday each year shall be held on the fourth Tuesday of November rather than the fourth Wednesday; and provided further, that fourth Wednesday meeting in December is cancelled as detailed in SWMC 2.04.010.

a. Formal Format

1. Normally held 2nd and 4th Wednesdays. The City ~~Administrator~~~~Supervisor~~, in consultation with the Mayor, shall arrange a list of proposed matters according to the order of business and prepare an agenda for the Council. On or before close of business on a Friday preceding a Wednesday Council meeting, or at the close of business at least 24 hours preceding a special Council meeting, a copy of the agenda and supporting materials shall be prepared for Councilmembers, appropriate staff, and the media who have filed a notification request. Agendas may be amended as required, and expeditiously distributed to Council and appropriate staff.

2. Requests from outside entities or individuals for presentations to be scheduled on any Council agenda imply that the presentation is the official business of the City, and such requests should be submitted to the City ~~Administrator~~~~Supervisor~~ at least ten days prior to the appropriate Council meeting. The City ~~Administrator~~~~Supervisor~~ and the Mayor will make a determination of whether the matter is an administrative issue, and whether it should be placed on an upcoming Council agenda. ~~Playing of video tapes, DVD's, PowerPoints, or other electronic presentations shall be pre-screened and pre-approved by the Mayor or City Supervisor who shall determine the appropriateness of the material. In the event the presenter has no PowerPoint or other material to submit prior to the meeting, the presenter shall be requested to provide a brief written summary of the topic and items to be discussed. All written materials, including the written summary, must be submitted to the City Clerk at least ten days prior to the appropriate Council meeting.~~

3. Forms of Address. Everyone in attendance at a formal format meeting, including all members of Council, are to address the Mayor as "Mayor (surname)." The Mayor Pro Tempore, when acting in that capacity, shall be addressed as "Mayor Pro Tempore (surname)." Everyone in attendance at a formal format meeting, including Members of the Council as they address each other, shall be addressed as "Councilmember (surname)."

4. Order of Business. The business of all regular formal meetings of the Council shall be transacted as follows, provided, however, that the Presiding Officer may, during a Council meeting, rearrange items on the agenda to conduct Council business more expeditiously, without the necessity of a formal action or motion. However, adding or removing items from the agenda once a meeting has been called to order requires Council to make a motion and vote on approving the "amended agenda."

a. *Call to Order by the Presiding Officer.*

b. *Pledge of Allegiance.*

c. *Roll Call.* (See Chapter 1, C3 [page 13] for procedure to excuse an absence)

d. *Approval of Agenda.* In case of an emergency or an extremely time-sensitive issue which neither the administration nor the entire Council was aware of prior to the distribution of the agenda and accompanying materials, a new item may be introduced by the Presiding Officer, by a concurrence of at least three Councilmembers, or by the City ~~Supervisor~~~~Administrator~~ and suggested as an amended agenda item for the present meeting. If a new item(s) is added, Council will then consider a motion to approve the amended agenda. ("Three-Touch Principle" should be followed whenever possible.)

e. *Consent Agenda.*

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1. Items which may be placed on the Consent Agenda are those which: (1) have been previously discussed by the Council; (2) based on the information delivered to members of the Council by administration can be reviewed by a Councilmember without further explanation; (3) are so routine, technical or non-substantive in nature that passage without discussion is likely; or (4) otherwise deemed in the best interest of the City.

2. The proper Council motion on the Consent Agenda is: "I move approval of the Consent Agenda." This motion will have the effect of moving to approve all items on the Consent Agenda. Since approval of any item on the Consent Agenda implies unanimous consent, any member of the Council shall have the right to remove any item from the Consent Agenda. Therefore, prior to the vote on the motion to approve the Consent Agenda, the Presiding Officer shall inquire if any Councilmember wishes an item to be withdrawn from the Consent Agenda. If any matter is withdrawn, the Presiding Officer shall place the item at an appropriate place on the agenda for the current or a future meeting, including addressing the issue immediately after passage of the remaining items on the Consent Agenda.

f. Introduction of Special Guests and Presentations.

g. Staff Reports.

Councilmember and Mayor's Reports. Council or government-related activities (e.g. synopsis of committee, commission, task force or other board meetings). These verbal reports are intended to be brief, city work-related reports of significance in keeping the Council informed of pertinent policy issues or events stemming from their representation of the City on a regional board, committee, task force or commission, whether as a formal member or as a liaison. Extended reports shall be placed as future agenda items for presentation or submitted in writing as an informational memo.

h. Proclamation(s).

i. Public Comments.

1. An opportunity for public comments on subjects not on the agenda for action (as well as comments connected with action items) are limited to three minutes each unless modified by the Presiding Officer. Although the City Council desires to allow the opportunity for public comment, the business of the City must proceed in an orderly, timely manner. At any time, the Presiding Officer, in the Presiding Officer's sole discretion, may set such reasonable limits as are necessary to prevent disruption or undue delay of other necessary business.

a. Subjects Not on the Current Agenda. Although it is not necessary for members of the public to sign in to speak, the Presiding Officer may invoke a sign-in procedure for speakers. Any member of the public may request time to address the Council. Speakers shall state their name and address, and the subject of their comments, and spell their last name for the record. The Presiding Officer may allow the verbal comments subject to such time limitations as the Presiding Officer deems necessary. Following such verbal comments, the Presiding Officer may place the matter on a future agenda, or refer the matter to administration for investigation and/or report. The Presiding Officer may ask Council or Staff to address factual issues raised by public comments, if appropriate.

b. Subjects on the Current Agenda, "1st Reading". Any member of the public who wishes to verbally address the Council on an item on the current agenda listed as a "1st reading", shall proceed to the podium at the time when comments from the public are invited during the agenda item discussion. The Council may hear such comments before or after initial Council discussion. The Presiding Officer may also invoke a sign-in procedure. If necessary, the Presiding Officer in consultation with the City Attorney shall rule on the appropriateness of verbal public comments as the agenda item is reached. The Presiding Officer may change the order of speakers so that comment is heard in the most logical groupings.

c. Comments shall ~~only~~ be made from the podium microphone or via video conference, by first giving name, city of residence and subject. No comments shall be made from any other location, and anyone making "out of order" comments shall be subject to removal from the meeting. The public shall be reminded that a Council meeting is a business meeting of the city and is not intended as a public forum and this is not an opportunity for dialogue or questions and answers, but public comment. When appropriate, staff will research issues and report back to those making

the comment as well as to Council. Verbal public comments are opportunities for speakers to briefly address Council, and those speaking are to address members of Council and not the audience. Since this is an opportunity for verbal public comment, in the interest of time and keeping in mind all documents submitted during Council meetings become the property of the City, graphs, charts, posterboards, PowerPoint presentations, or other display materials will not be allowed, although written comments and written materials including photographs and petitions, may be submitted to Council via the City Clerk.

d. Demonstration, applause or other audience participation before, during or at the conclusion of anyone's presentation is prohibited. Any disruptive behavior, as determined by the Presiding Officer, shall be cause for removal from the meeting room.

e. Any ruling by the Presiding Officer relative to the subsections 1 and 2 above may be overruled by a vote of a majority of Councilmembers present.

f. Council shall not permit public comments if they relate to any matter upon which a quasi-judicial hearing has been required, scheduled, or held. (See Chapter 4 for procedure for taking public comment on legislative matters.) Unless solicited and scheduled, comments shall not be permitted relative to any future or possible/probable future ballot issue. (See Chapter 2, E Ballot Measures for further direction concerning ballot measures.)

g. Public comments will not typically be allowed for items on the consent agenda and items on the agenda for a "2nd reading".

h. Consistent with RCW 42.17A.555, no public comments will be allowed regarding support for or opposition to political campaigns, candidates or elections other than for Ballot Measures as addressed in Chapter 2.

2. Written Public Comments. Citizens have the option of submitting written views, opinions, comments, data, and arguments to Council on any topic and at any time, not just prior to or during public Council meetings. Unless the citizen reads their own prepared written comments, such comments will not be read aloud during regular or special Council meetings although they will be included as part of the public record on the topic and if appropriate, may be publicly acknowledged. Any written comments submitted to Council via the City Clerk will be distributed to Council by placing copies at each Councilmember's seat at the dais; or in the case of e-mailed or other electronic comments, will be forwarded to Council via e-mail. If individual Councilmembers receive written (including electronic) public comments or materials for the purpose of reading/sharing those materials during Council meetings, those materials should be submitted to the City Clerk prior to the Council meeting so the Clerk can make copies for later distribution to members of Council. (See No. 6 above and Chapter 2, Ballot Measures; see also Public Hearings section regarding public comments.) Written comments should clearly state that they are intended for the full council to ensure inclusion in a council packet.

Councilmembers will avoid accessing any electronic message during Council meetings. Accessing such communication could be construed as receiving public comment without the benefit of having the citizen in person to address their concerns.

k. Public Hearings. (See Chapter 4 for procedural details)

l. Unfinished Business [includes matters that were pending when a previous meeting adjourned, or matters specifically postponed to the present meeting.]

m. New Business. [Action items are designated as New Business]

n. Information Only Items. These items will generally not be discussed or reported.

o. Good of the Order. Last call from Council and Staff for items to be discussed.

p. Executive Session (as required). (See Chapter 1, section B1c below)

q. Adjournment. No Council meeting should be permitted to continue beyond approximately 9:00 p.m. without approval of a majority of the Councilmembers present. A new time limit shall be established before taking a Council vote to extend the meeting.

When a motion is made to adjourn into Executive Session for a specified period of time, no additional motion is needed to extend the meeting beyond 9:00 p.m. since that is implied as part of the motion to adjourn into Executive Session.

In the event that a meeting has not been closed or continued by Council as herein specified, the items not acted on shall be deferred to the next regular formal Council meeting, unless the Council by a majority vote of members present determines otherwise.

b. Study Session Format

1. Normally held the 1st Wednesday. The purpose of the study session format is to allow Councilmembers to be made aware of impending business, including first readings of agenda items, and allow informal discussion of issues that might be acted on at a future meeting. Council preference is that action items should not be included on a study session agenda, but there may be times when, due to deadlines or other pertinent issues, action items must be included. Study sessions shall be in a less formal setting than regular formal meetings. Council may be seated other than at the dais, but shall not discourage public observation. Unless there are designated action items which permit public comment, there will be no public comment at study sessions although the Council may request staff or other participation in the same manner as a regular formal Council meeting. The City ~~Administrator~~^{Supervisor}, under the direction of the Mayor, shall arrange a Council study session agenda for the meeting. For each item, the agenda shall contain the discussion subject, the discussion leader, the activity and the discussion goal. A copy of the agenda and accompanying background materials shall be prepared for Councilmembers, appropriate staff and the press, on or before 4:30 p.m., one day before the meeting. Councilmembers have the option of accessing their Council packet via the City's website. During a Council meeting, the Presiding Officer may rearrange items on the agenda to conduct Council business more expeditiously without the necessity of a formal action or motion. However, adding or removing items from the agenda once a meeting has been called to order requires Council to make a motion and vote on approving the "amended agenda."

a. *Voting.*

1. Action Items on the Agenda. Although action items may occasionally be included on a study session agenda, it is the practice of Council to keep those instances to a minimum. Because a study session is a recognized meeting according to the "Open Public Meetings Act," it is permissible for Council to take final action during these meetings.

2. Non-action Items on the Agenda. Because study sessions are usually understood by the public and media as referring to meetings at which Council will only consider and discuss items and not take final action or vote, voting or making a motion when neither is included on an agenda does not violate state law, but for consistency sake and to avoid any surprises to the public and media, the practice is discouraged.

2. Discussion Leader's Role. During the Council study session, the discussion leader should introduce the subject and give background information, identify the discussion goal, act as facilitator to keep the discussion focused toward the goal, and alert the Presiding Officer when it is appropriate, to schedule the topic for a motion or official direction of the Council.

3. The role of the Presiding Officer is to facilitate Councilmembers engaged in free flowing discussion without the necessity of each Councilmember being recognized by the Presiding Officer. The Presiding Officer retains the option of assuming the function of the discussion leader at any time in order to maintain decorum and ensure all Councilmembers have the opportunity to be heard, and to keep the discussion properly focused.

4. Requests from outside entities or individuals for presentations to be scheduled on any Council agenda imply that the presentation is the official business of the City, and such requests should be submitted to the City Clerk at least ten days prior to the appropriate Council meeting. The City Clerk will consult with the City ~~Administrator~~^{Supervisor} and the Mayor for a determination of whether the matter is an administrative issue, and whether it should be placed on an upcoming Council agenda. ~~Playing of video tapes, DVD's, PowerPoints, or~~

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~~other electronic presentations shall be pre-screened and pre-approved by the City Supervisor who shall determine the appropriateness of the material. In the event the presenter has no PowerPoint or other material to submit prior to the meeting, the presenter shall be requested to provide a brief written summary of the topic and items to be discussed. All written materials, including the written summary, must be submitted to the City Clerk at least ten days prior to the appropriate Council meeting.~~

5. Council Comments. The purpose of this agenda item is to allow Councilmembers an opportunity to report on an activity or key issue which either just arose, needs immediate or imminent action, or to simply report on something in connection with their role as a Councilmember that transpired since the last Council meeting. It is also an opportunity for Councilmembers to bring up topics for clarification, or to address other upcoming concerns. Pre-scheduled materials Council wishes to share as part of the Council packet, could also be included on study session agendas under "Council Comments."

6. City ~~Supervisor-Administrator~~ Comments. The purpose of this agenda item is to allow the City ~~Supervisor-Administrator~~ the opportunity to brief Council on an activity or issue which either just arose, needs immediate or imminent action, or to simply inform Council of items that transpired since the last Council meeting.

7. Forms of Address. Councilmembers and staff have the option of addressing each other on a first name basis during the study session format meetings.

c. Executive Sessions

1. If Council holds an executive session, it will be held in accordance with the Open Public Meetings Act, RCW Chapter 42.30. The Council may hold an executive session during a regular or special meeting. Before convening in executive session, the Presiding Officer shall publicly announce the purpose for adjourning into executive session; the approximate length of time for the executive session; and the likelihood of Council taking action at the close of the executive session and return to open session.

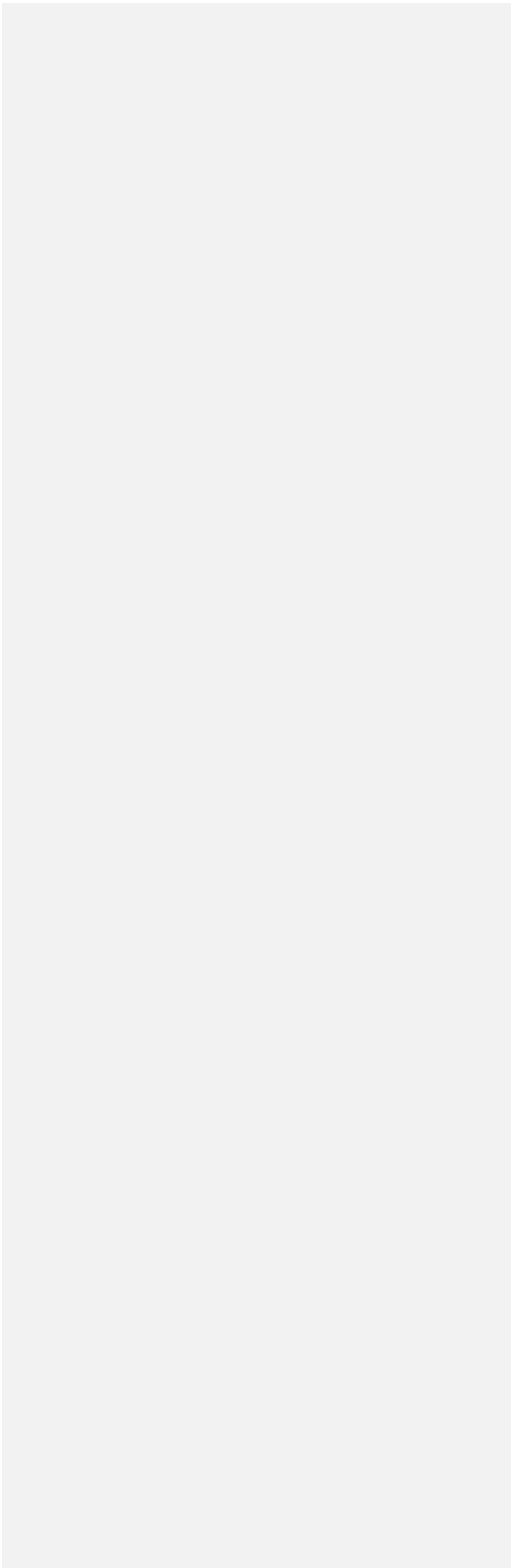
a. At the close of the executive session and upon Council's return to chambers, the Presiding Officer will declare Council out of executive session, and will ask for the appropriate motion (i.e. an action motion or a motion to adjourn).

b. To protect the best interests of the City, Councilmembers shall keep confidential all verbal and written information provided during executive sessions. Confidentiality also includes information provided to Councilmembers outside of executive sessions when the information is considered exempt from disclosure under the Code of Ethics for Municipal Officers (RCW 42.52⁴) and/or the Public Records Act (RCW 42.56⁵). See also, Washington AGO 2017-5 (councilmembers have an affirmative duty to maintain the confidentiality of topics discussed in executive session).

2. RCW 42.30.110 explains the purpose for holding an executive session, some of which include:

a. RCW 42.30.110(1)(b). To consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price (*pending land acquisition*);

b. RCW 42.30.110(1)(g). To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee. However, subject to RCW 42.30.140(4) (*labor negotiations*), discussion by a governing body of salaries, wages, and other conditions of employment to be generally applied within the agency shall occur in a meeting open to the public, and when a governing body elects to take final action hiring, setting the salary of an individual employee or class of employees, or discharging or disciplining an employee, that action shall be taken in a meeting open to the public; [note that stating that an executive session is to discuss a "personnel matter" is not



sufficient because only certain types of personnel matters are appropriate for discussion in an executive session.] (*review qualifications of a public employee*)

c. RCW 42.30.110(1)(h). To evaluate the qualifications of a candidate for appointment to elective office. However, any interview of such candidate and final action appointing a candidate to elective office shall be in a meeting open to the public (*review qualifications of an elected official*)

d. RCW 42.30.110(1)(i). To discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency *litigation or potential litigation* to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency.

For purposes of this subsection (1)(i), "potential/pending litigation" means matters protected by Rules of Professional Conduct (RPC) 1.6 or RCW 5.60.060(2)(a) concerning:

(i) Litigation that has been specifically threatened to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party;

() Litigation that the agency reasonably believes may be commenced by or against the agency, the governing body, or a member acting in an official capacity; or

(i) Litigation or legal risks of a proposed action or current practice that the agency has identified when public discussion of the litigation or legal risks is likely to result in an adverse legal or financial consequence to the agency.

3. Council may adjourn into executive session even if it is not listed on the meeting agenda. There is a requirement in RCW 35A.12.160⁶ that the public be made aware of the preliminary agendas of meetings in advance of the meeting, but that does not mean that an item that arises after the agenda has been posted cannot be discussed at the meeting, even in executive session. Since final action on the matter would not be taken at the executive session, it would not violate any provision in state law to hold an executive session at a regular Council meeting even if the executive session was not listed on the agenda. [per MRSC Index-General Government-Executive sessions.] Although amending the agenda is not required in order to adjourn into executive session, it is a good practice for the Mayor to announce at the beginning of the meeting, that Council will be adjourning into an executive session at the end of the regular meeting.

4. Attendance at Executive Sessions. The City Attorney will be present at executive sessions and is required to attend executive sessions which address litigation or potential litigation. The question of who may attend an executive session other than the Council is determined by the Mayor and City ~~Supervisor~~ Administrator in consultation with the City Attorney.

2. Special Meetings

Meetings set at days, times, and places other than Wednesdays at ~~67~~:00 p.m. in the Sedro-Woolley City Council Chambers or Fire Training Room shall be deemed "special meetings," such as joint meetings with other jurisdictions or entities (Board of County Commissioners, Planning Commissioners), and Council workshops or retreats.

A special meeting may be called by the Mayor or any three members of the Council. (RCW 35A.13.170⁷, 35A.12.110⁸). The notice shall contain information about the meeting, including date, time, place, and business to be transacted and shall be posted on the City's website and displayed at the main entrance of the meeting location (RCW 42.30.080). The notice shall be delivered to each member of Council at least 24 hours before the time specified for the proposed meeting (RCW 35A.12.110⁹).

The notices provided in this section may be dispensed within the circumstances provided by RCW 42.30.080¹⁰, that is: (a) As to any member who, at or prior to the time the meeting convenes, files with the City Clerk a written waiver of notice, (b) As to any member who was actually present at the meeting at the time it convenes, and (c) In the event a special meeting is called to deal with an emergency involving injury or damage to persons

or property or the likelihood of such injury or damage, when time requirements of such notice would make notice impractical and increase the likelihood of such injury or damage; or as otherwise provided by law.

The processes and rules for agenda content apply to regular formal, study session format, as well as special meetings.

3. Placing Items on an Agenda:

a. Routine Council Business: Through the normal course of business, Council may move items forward to a future agenda by consensus.

b. New Item Council Business: At the appropriate time during a Council meeting (such as Council Comments), Councilmembers may request to have items placed on a future agenda. Each request shall be treated separately. The City Supervisor is most familiar with staff's workload and will advise when the item can be prepared and brought forward to Council. Any Councilmember may request the addition of an item to a future Council agenda for initial consideration by making a motion. The item will be placed on a future agenda upon receipt of a second. This initial consideration of the item will not involve staff time and shall occur at the next council meeting or as soon thereafter as practical. The purpose of the initial consideration is to allow the maker of the motion to briefly present the item to the Council for discussion. Once briefly presented, a simple majority vote will be of taken by Council to decide whether to add the item to a future agenda for full consideration

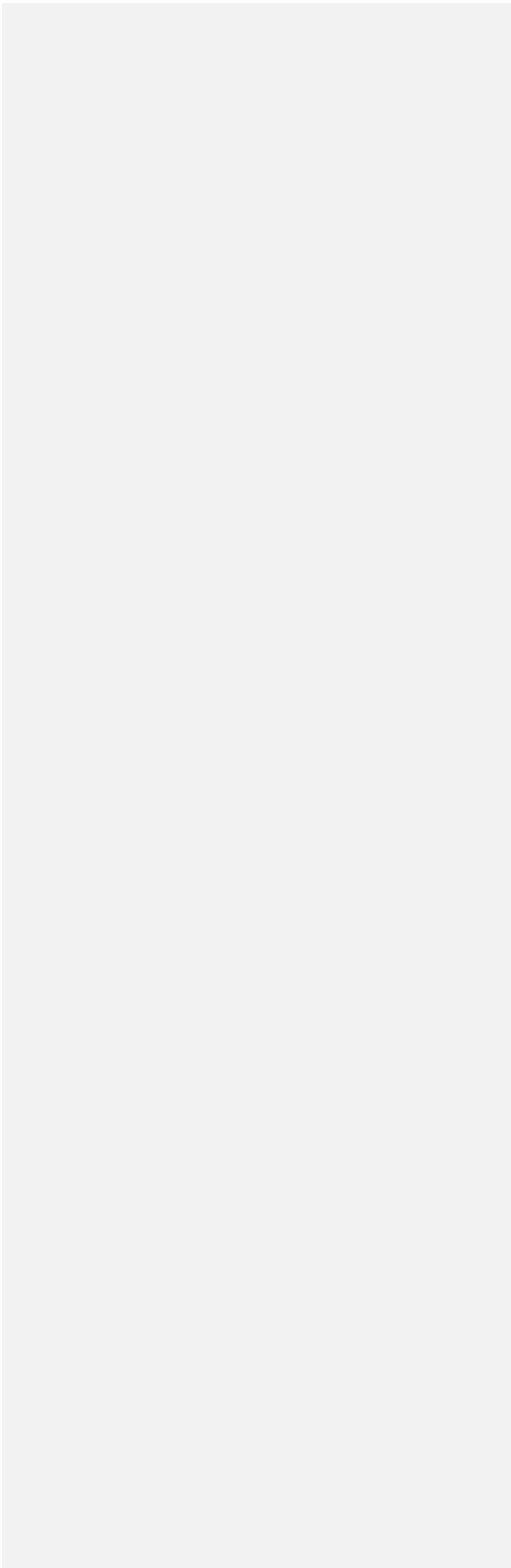
~~b.~~

c. Staff: except for routine items such as those found on most Consent Agendas, requests for items to come before Council shall be routed through the Mayor or City ~~Administrator~~~~Supervisor~~ or come directly from the Mayor or City ~~Supervisor~~~~Administrator~~ as part of the normal course of business.

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C. Meeting Rules and Procedures

1. Council Rules of Order

The City Attorney shall serve as the official parliamentarian for all Council meetings, and will keep a copy of the most current "*Robert's Rules of Order*" (RONR) in Council Chambers during Council meetings. The Council will generally follow RONR, however, the Mayor is the chairperson of the meeting and may depart from strict adherence to RONR as he or she deems appropriate. The Council, by a majority vote, can require strict adherence to RONR.

2. Quorum

At all regular and special meetings of the Council, a majority of the Councilmembers who hold office shall constitute a quorum for the transaction of business.

3. Attendance, Excused Absences

RCW 35A.12.060¹¹ provides that a Councilmember shall forfeit his/her office by failing to attend three consecutive regular meetings of the Council without being excused by the Council. Members of the Council may be so excused by complying with this section. The member shall contact the Mayor, City Clerk, or City ~~Supervisor-Administrator~~ prior to the meeting and state the reason for his/her inability to attend the meeting. Following roll call, the Presiding Officer shall inform the Council of the member's absence, and inquire if there is a motion to excuse the member. This motion shall be nondebtable. Upon passage of such motion by a majority of members present, the absent member shall be considered excused and the City Clerk will make an appropriate notation in the minutes.

4. Respect and Decorum

It is the duty of the Mayor and each Councilmember to maintain dignity and respect for their offices, City staff and the public. While the Council is in session, Councilmembers shall preserve order and decorum and a Councilmember shall neither by conversation or otherwise, delay or interrupt the proceedings of the Council, nor disrupt or disparage any Councilmember while speaking. Councilmembers and the public shall comply with the directives of the Presiding Officer. Any person making disruptive, disparaging or impertinent remarks or unreasonably disturbing the business of the Council, either while addressing the Council or attending its proceedings, shall be asked to cease such disruption, or may be asked to leave, or be removed from the meeting. At any time during any Council meeting, any Councilmember may object to personal affront or other inappropriate comments, by calling for a "point of order." After the Councilmember is recognized by the Presiding Officer and the Councilmember explains their point concerning respect and decorum, or lack thereof, the Presiding Officer shall rule on the remark and may ask the person making the disturbance to cease or leave the room. Continued disruptions may result in a recess or adjournment as set forth in #8 below.

5. Seating Arrangement

Councilmembers shall occupy the respective seats in the Council Chamber assigned to them by the Mayor.

6. Dissents and Protests

Any Councilmember shall have the right to express dissent from or protest verbally or in writing, against any motion, ordinance or resolution of the Council and have the reason therefore entered or retained in the minutes.

7. Councilmember Meeting Participation by Telephone/Video Conference

Telephone/video conference participation by Councilmembers may be allowed on a case-by-case basis, ~~as approved by the Council Mayor. Under certain circumstances identified in RCW 42.30.070 and RCW 42.30.230, as determined by the Mayor, the City Council may meet as a body by video conference without a physical meeting location, for special circumstances, and provided further that a quorum of Councilmembers will be physically present for the Council meeting in question, and provided technical availability and compatibility of electronic equipment enables the conferencing Councilmember(s) to hear the proceedings, be heard by those present, and participate in Council discussion.~~

~~a. Requests to use telephone/video conference participation shall be approved by the Council by motion. Such participating Councilmember(s) should be present and counted. So as not to disrupt the~~

~~Council meeting, adequate notice must be given to allow appropriate setup in time for the beginning of the meeting.~~

~~b. Telephone/video conference participation for voting purposes shall be allowed for public hearings or any quasi-judicial proceedings, and the requesting Councilmember(s) shall declare that (s)he has reviewed the associated material (if any) provided for those hearings and/or proceedings prior to the time the vote will be taken by Council.~~

8. Internet Use

Use of the City's network systems implies Council is aware of and understands that the system is provided to assist in the performance of their roles as Councilmembers, and as such, Councilmembers are obligated to use, conserve and protect electronic information and information technology resources and to preserve and enhance the integrity of those resources which belong to the citizens of Sedro-Woolley.

a. As noted on page 8, Councilmembers will avoid accessing any electronic message during Council meetings. Accessing such communication could be construed as receiving public comment without the benefit of having the citizen in person to address their concerns. Likewise, Councilmembers will avoid doing any browsing of the Internet of non-City business during Council meetings in order that Council's full attention can be given to the topic at hand.

b. Information technology resources are provided for the purpose of conducting official City business. The use of any of the City's information technology resources for campaign or political use, unless such use has been determined not a violation of RCW 42.17A.555 by the City Attorney, Washington State Attorney General, or Washington Public Disclosure Commission, or as otherwise authorized by law, is absolutely prohibited.

c. Confidential material shall not be sent via e-mail.

a. All letters, memoranda, and interactive computer communication (e-mail) involving Councilmembers, the subject of which relates to the conduct of government or the performance of any governmental function, with specific exceptions stated in the Public Records Act (RCW 42.56) are public records. Copies of such letters, memoranda and interactive computer communication shall not be provided to the public or news media without filing of a public disclosure request with the City Clerk.

d. E-mail communications that are intended to be distributed among all Councilmembers, whether concurrently or serially, shall be considered in light of the Open Public Meetings Act. If the intended purpose of an e-mail is to have a discussion that should be held at an open meeting, the electronic discussion should not occur, and Council discussion should wait until everyone has had ample opportunity to view the message before including such topic(s) on an upcoming agenda.

9. Adjournment Due to Emergency or Disruption

In the event of an emergency such as a fire or other natural or catastrophic disaster, threatened violence, or inability to regain good order, the Presiding Officer shall forthwith declare a recess, adjourn, or continue the meeting, and the City Council as well as everyone in the room shall immediately leave the meeting room. The Presiding Officer may reconvene the meeting when it has been determined by the appropriate safety officials that it is safe to do so.

10. Permission Required to Address the Council

Persons other than Councilmembers and staff shall be permitted to address the Council upon recognition and/or introduction by the Presiding Officer or City ~~Administrator~~^{Supervisor}.

11. Approaching the Dais

Once a Council meeting has been called to order, stepping between the podium and the dais will not be allowed, and stepping behind any part of the dais, including those parts occupied by staff is also not permitted. This includes, but is not limited to, video recording, still photography, tape recording, and distributing written handouts. Council reserves the right to invite anyone forward to the podium to be addressed by Council.

12. Out of Order Requests

Occasionally a member of the public may wish to speak on an agenda item but cannot remain until the item is reached on the agenda. During “Open Comments From the Public,” such person may request permission to speak by explaining the circumstances. The Presiding Officer in his/her sole discretion shall rule on allowing or disallowing the out of order request.

13. Photographs, Motion Pictures or Video Tape Requiring Artificial Illumination – Prior Permission Required

No overhead projection, photographs, motion pictures, or video tapes that require the use of floodlights, or similar artificial illumination shall be used by the public at City Council meetings without the prior consent of the Presiding Officer.

14. Voting

The votes during all meetings of the Council shall be transacted as follows:

- a. The Presiding Officer shall first call for a vote from those in favor of the motion, followed by a call for those opposed to the motion, and afterwards shall state whether the motion passed or failed. Unless otherwise provided by statute, ordinance, or resolution, all votes shall be taken by voice. At the request of any Councilmember or the City Clerk, a roll call vote shall be taken by the City Clerk. The order of the roll call vote shall be determined by the City Clerk.
- b. In case of a tie vote on any proposal, the motion shall be considered lost (Note that in some instances the Mayor is authorized to break a tie vote, see RCW 35A.12.100 which allows the Mayor to cast a tie-breaking vote with respect to matters other than the passage of any ordinance, grant, or revocation of franchise or license, or any resolution for the payment of money).
- c. Every member who was present when the question was called, shall give his/her vote. If any Councilmember refuses to vote “aye” or “nay,” their vote shall be counted as an “aye” vote unless the Councilmember has abstained or recused themselves due to actual or perceived appearance of a conflict of interest, which shall be so stated prior to the vote at hand.
- d. The passage of any ordinance, grant or revocation of franchise or license, and any resolution for the payment of money and any approval of warrants, shall require the affirmative vote of at least a majority of the whole membership of the Council¹. Except as provided in “e” below, all other motions or resolutions shall require an affirmative vote of at least a majority of the quorum present.
- e. Majority Plus One: The passage of any public emergency ordinance (an ordinance that takes effect immediately), expenditures for any calamity, violence of nature, riot, insurrection, or war; and provisions for a lesser emergency, such as a budget amendment (RCW 35A.33.090), shall require the affirmative vote of at least a majority plus one of the whole membership of the Council. (RCW 35A.13.190¹²).

¹ RCW 35A.12.120 Council-Quorum-Rules-Voting

15. Motions and Discussion

a. Order of Procedure:

1. Staff makes their presentation.
Mayor asks Council if there are any questions for staff.
Member of Council makes a motion by stating: “**I move . . .**”
The motion is seconded.
5. If public comments are allowed on the item, the Mayor invites public comments. Public comments should be limited to one comment per person per topic and limited to three minutes. Mayor reminds the public this is time for comments and not discussion; and if the public has questions, those questions will be addressed by staff at another time outside the meeting.
2. Mayor opens the floor to Council for discussion.
The maker of the motion normally begins the discussion.
The discussion must have bearing on whether the pending motion should be adopted (RONR §43); and can be prefaced by a few words of explanation, but must not become a speech (RONR §4). All Council remarks should be addressed through the Mayor.
3. When discussion has ended, the Mayor re-states the motion or asks the Clerk to re-state the motion. Once the motion is re-stated, the Mayor calls for the vote, which is normally taken by voice. The Mayor then states whether the motion passed or failed.

b. In General:

1. Except in rare circumstances, Council motions shall be in the form of an affirmative motion. Affirmative motions are preferred to prevent “approval by default” of a failed negative motion.
2. Agenda items scheduled for Council action shall require a motion by a Councilmember before discussion unless the Council suspends the requirement by majority vote. Upon failure of either a prior motion or rule suspension, the agenda item shall be passed over and may not be reintroduced until the next regular meeting. (Mayoral appointments excepted. See Committees for further discussion.)
4. Councilmembers should direct questions to the City ~~Supervisor~~ Administrator or the designated presenter.
5. Main motions are made when no other motion is pending (see chart below). They are debatable and subject to amendment. Since seconding a motion means “let’s discuss it,” if there is no second but discussion ensues, the matter of having a second to proceed is moot and the motion can proceed. However, if there is no second and no discussion, the motion does not progress. Note that the motion does not “die for a lack of a second” but it merely does not progress.
6. The maker of a motion can withdraw their motion without the consent of the seconder, and if the mover modifies the motion, the seconder can withdraw the second. The person making the motion is entitled to speak first to the motion. A maker of the motion can vote against the motion but cannot speak against their own motion.
7. No one should be permitted to speak twice to the same issue until everyone else wishing to speak has spoken. All remarks must be directed to the Presiding Officer and must be courteous in language and deportment (*Robert’s Rules of Order Newly Revised*, Article VII, Section 43, Decorum in Debate), keeping in mind it is not the Councilmember, but the measure that is the subject of debate.
8. When an amended motion is on the floor, the vote is taken on whether to adopt the amendment. If adopted, the next vote is on the fully amended motion.
9. Motions should be reserved for items marked on the agenda for action, so as to avoid any surprises for Council, staff and the public.

Parliamentary Procedure at a Glance

Roberts Rules of Order §	IF YOU WANT TO	YOU SAY	INTERRUPT ?	NEED 2 ND ?	Can be Debated ?	Can be Amended?	VOTE
11	Postpone indefinitely (the purpose is to prevent action or kill an issue.)	I move to postpone . . . (an affirmative vote can be reconsidered; a negative vote cannot.) indefinitely	No	Yes	Yes	No	Majority
12	Modify wording of motion	I move to amend the motion by . . .	No	Yes	Yes	Yes**	Majority
14	Postpone to a certain time	Ex: I move to postpone the motion to the next Council meeting.	No	Yes	Yes	Yes	Majority
16	Close debate	I move the previous question, or I call for the question	No	Yes	No	No	Majority*
17	To Table a motion	I move to lay on the table, the motion to	No	Yes	No	No	Majority
19	Complain about noise, room temperatures, etc.	Point of Privilege	Yes	Yes	Yes	Yes	Chair decision
20	Take break	I move to recess for . . .	No	Yes	No	Yes	Majority
21	Adjourn meeting	I move to adjourn	No	Yes	No	No	Majority
23	Object to procedure or personal affront	Point of Order	Yes	No	No	No	Chair decision
25	Suspend rules	I move to suspend the rules and . . .	No	Yes	No	No	Majority*
34	Take matter from table	I move to take from the table the motion to . . .	No	Yes	No	No	Majority
35	Reconsider something already disposed of	I move we reconsider action on . . .	No	Yes	Yes	Yes	Majority

It should be noted that the purpose of tabling a motion is not to simply postpone an issue or a vote. If the intended purpose is to postpone, then the motion to postpone should be used. If more information is needed or desired in order to make the most informed vote possible, then an option would be for the maker of the motion to simply withdraw the motion. The consent of the seconder is not needed to withdraw a motion. While a motion is still on the table, no other motion on the same subject is in order. **The motion to table enables the assembly to lay the pending question aside temporarily when something else of immediate urgency has arisen. The motion to "Lay on the Table" is out of order if the evident intent is to kill or avoid dealing with a measure. (Robert's Rules of Order Newly Revised, 10th Edition)** *(Robert's Rules of Order Newly Revised states 2/3 vote required. Council direction is to base vote on majority except on matters where 2/3 (or majority plus one) is required by state statute.

** If the main motion to amend can be amended.

Call for the Question: if it is felt that debate on a motion on the floor has dragged on longer than warranted, a member of Council may "call the question." The "call for the question" is a motion to end debate

and vote immediately. If this "call for the question" motion is passed by a majority vote, then the vote must be taken on the original debated motion on the floor.

16. Ordinances

Except for unusual circumstances or emergencies, ordinances and resolutions will customarily be prepared, introduced and proceed in accordance with the "Three Touch Principle." Prior to final passage of all ordinances or resolutions, such documents shall be designated as drafts.

~~a. A Councilmember may, in open session, request of the Mayor that the Council consider enacting an ordinance for a specific purpose. The Mayor then may assign the proposed ordinance to the administration, a committee, or the Council for consideration. The committee or administration shall report its findings to the Council. Citizens, Boards and Commissions may also propose consideration of ordinances and resolutions.~~

~~e. Sponsorship. When a Councilmember wishes to assume sponsorship of an ordinance or resolution, once on the agenda, he or she should so announce, make the initial motion and provide an introduction of the measure.~~

~~f.a.~~ Ordinances shall normally have two separate readings at separate Council meetings.

~~g.~~ ~~b.~~ The provision requiring two separate readings of an ordinance may be waived at any meeting of the Council by a majority vote of all members present. (This would require a successful motion to suspend the rules and pass the ordinance on a first reading.)

~~h.~~ ~~c.~~ If a motion to pass an ordinance to a second reading fails, the ordinance shall be considered lost, unless a subsequent motion directs its revision and resubmission to first reading.

~~i.~~ ~~d.~~ Any ordinance repealing any portion of the Sedro-Woolley Municipal Code shall also repeal the respective portions of the underlying ordinance(s). Ordinances repealing earlier ordinances shall not apply to acts, incidents, transactions or decisions occurring before such repeal.

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17. Resolutions

A resolution may be approved on the same day it is introduced. Council may invoke the two reading procedures described above to facilitate public understanding and/or comment on the resolution.

18. Reconsideration

The purpose of reconsidering a vote is to permit correction of hasty, ill-advised, or erroneous action, or to take into account added information or a changed situation that has developed since the taking of the vote. Any action of the Council, including final action on applications for legislative changes in land use status, shall be subject to a motion to reconsider except:

1. any action previously reconsidered;
2. motions to adjourn or motions to suspend the rules;
3. an affirmative vote to lay an item on, or take an item from, the table;
4. a previously passed motion to suspend the rules; or
5. a vote electing to office one who is present and does not decline.

Such motion for reconsideration:

1. must be reconsidered ~~during the same Council meeting~~ within the two following Council meetings;

2. must be called up when no business is pending (no action is pending);
0. if action is pending, the Mayor asks the Clerk to note that the motion to reconsider has been made and is to be taken up when a member calls the motion to reconsider the vote when no other business (action) is pending;

3. must be made by a member who voted on the prevailing side on the original motion.

This means a reconsideration can be moved only by one who voted aye if the motion involved was adopted, or no if the motion was lost. It is permissible for a Councilmember who cannot make such a motion, but believes there are valid reasons for one, to try to persuade someone who voted on the prevailing side, to make such a motion.

4. a member who makes this motion should state that he or she voted on the prevailing side;
5. needs a second, and can be seconded by any member;
6. is debatable if the type of motion it reconsiders is debatable; and

8. is not amendable and requires a majority vote to adopt.

Step 1: A Councilmember who voted on the prevailing side makes the motion, such as "I move to reconsider the vote on the resolution relating to holidays. I vote for [or against] the resolution." This motion needs a second and can be seconded by any Councilmember. If the motion for reconsideration is adopted, the original motion is then placed before Council as if that motion had not been voted on previously; and **Council again takes that motion under discussion, followed by a new vote.**

Any motion for reconsideration of a matter which was the subject of a required public hearing or which is a quasi-judicial matter, may not be discussed or acted upon unless and until the parties or their attorneys and the persons testifying have been given at least five days advance notice of such discussion and/or action.

19. Council Materials

a. Council Material

Councilmembers and staff should read the agenda material and ask clarifying questions of the City ~~Supervisor-Administrator~~ or other appropriate staff prior to the Council meeting when possible. Council recognizes there are times when Councilmembers may wish to bring additional documentation to a meeting on a specific subject, whether that subject is on the agenda or not, in order to share with Council and staff. When possible, the materials should be distributed to Councilmembers and staff prior to the Council meeting, or if distributed during a meeting, Councilmembers should indicate the materials are for future reading, since except in an emergency, Councilmembers would normally not take time at the dais to read material just received. Pre-scheduled materials Council wishes to share as part of the Council packet could also be included on study session agendas under "Council Comments." [See also page 10]

b. Council Packets

Councilmembers shall personally download their Council packet via the City's website on their City provided tablet device.

c. Packet Materials

Council memos: This is a cover memo used by staff to introduce an agenda item. It includes the background on the topic and options for Council consideration as well as a staff recommended action or motion. The options and recommended action or motion should be viewed as aids to Council in making a motion or taking action, but should not be thought of as obligatory, as Council always has the option of making a motion different from what is included on the memo. Generally, by the time an item is ready for a motion, Council has already read, heard, and/or discussed the item at least three times (as an informational item, an administrative report, and lastly as an action item), and the wording of a motion would not normally be controversial, although it is important to state the motion as a motion, such as "I move to" or "I move that" or other similar language.

20. "Three Touch Principle"

~~Decision makers and citizens at all levels of the City should have adequate time to thoroughly consider the issues prior to final decisions. It is the intent of the Council that the Council and administration shall abide by the "Three Touch Principle" whenever possible. These procedural guidelines are designed to avoid "surprises" to the City Council, citizens and administrative personnel.~~

~~Any request or proposal for adopting or changing public policy, ordinances, resolutions or City Council directives which will require a decision of the City Council, or administration, should "touch" the decision makers three separate times. This includes verbal or written reports, "information only" agenda items, or any combination thereof. To facilitate the Council's strategic use of legislative time at its meeting, staff may satisfy the first touch by issuing an informational memorandum, unless the subject matter is complex in nature. Quasi-judicial matters and any subject discussed in executive sessions are excluded from application of the "Three Touch Principle."~~

~~It is recognized that unexpected circumstances may arise wherein observance of the “Three Touch Principle” is impractical. However, when unusual circumstances arise which justify a “first discussion” decision, the persons requesting the expedited decision should also explain the timing circumstances. This principle excludes staff reports and other general communications not requiring a Council decision.~~

~~The City Supervisor Administrator is most familiar with staff’s workload and will determine when the item can be prepared and brought forward to Council.~~

CHAPTER 2

Legislative Process



A. Election of Officers and Selection/Operation of Council Committees

I. Election of Officers

Procedures for electing officers are as follows: annually, at the first meeting of the new Council, the members thereof shall appoint a Mayor-pro-tempore. In addition to the powers conferred upon him/her as Mayor-pro-tem, he/she shall continue to have all the rights, privileges and immunities of a member of the Council.

II. Council Committees

A. Annually, at the first meeting of the year, the Mayor shall appoint two councilmembers and a council chairperson to each standing committee of the Council, subject to confirmation by the city council. In making the appointments, the Mayor shall consider councilmembers' expressed interests and shall attempt to match councilmembers to their committees of choice.

B. Standing Committees

1. Public Safety: To consider policy issues and make policy recommendations to the full Council related to the police department, fire department, municipal court, and emergency management, and public policies relevant to those departments.

2. Utilities: To consider issues and make recommendations to the full Council related to the City's sewer, storm water and solid waste utilities including operational policies, rates and related policies.

2. Finance, -& Personnel, and Information Technology: To consider policy issues and make policy recommendations to the full Council related to financial management policies, financial reports, and personnel issues including personnel policies, and information technology issues.

3. Strategic Planning: To consider policy issues and make policy recommendations to the full Council related to development and implementation of the City's strategic plan.

4. Public Works: To consider policy issues and make policy recommendations to the full Council related to the City's utilities, parks, streets, and other public works related issues.

3.5. Planning and Business Development: To consider policy issues and make policy recommendations to the full Council related to long-term planning and growth in the City. In addition, considering policy issues and making policy recommendations related to the attraction of new businesses and the retention of existing businesses within the City.

4. Parks & Recreation: To consider issues and make recommendations to the full Council related to the parks department and the provisioning of parks and recreation programming in the City.

5. Business Development: To consider issues and make recommendations to the full Council related to the attraction of new businesses and the retention of existing businesses within the City.

6. Planning: To consider issues and make recommendations to the full Council related to long term planning and growth in the City.

C. The Role of City Council Committees

1. City Council Committees are intended to enhance communication between the Legislative Branch and the Executive Branch at the early phase of in the development of significant public policy action items affecting public policy questions.

2. These Committees will enable City administration to obtain early feedback from representative members of the City Council on issues affecting public policy prior to their presentation, as necessary, to the full City Council.

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3. City Council Committee members develop and maintain a deeper level of knowledge on matters of a technical nature which might affect public policy in order to increase the positive exchange of information and discussions between City Council members, City staff, and the public.

15. When appropriate, items may be considered by a City Council Committee before a final recommendation from the appropriate City Board or Commission (i.e., Planning Commission, Parks Board).

4. City Council Committees do not replace the City Council as final decision makers on behalf of the full City Council. Council Committees make no staff direction on administrative matters, specific assignments, or work tasks. If Committee members seek additional information from an outside party

or consultant resulting in additional cost to the City, approval to incur such cost must be approved by the full City Council. City Council committees may take action on policy items in the form of recommendations to the full City Council that the City Council may consider as a first read. When appropriate by meeting the criteria for the consent agenda, these items may appear on the Council's consent agenda for action.

6. Any discussion or feedback expressed or received at a Committee meeting should not be construed or understood to be a decision by or for the City Council. Further, any recommendation the Committee may make to the City Council is based on information possessed by the Committee at the time the recommendation is made and may be revised or amended upon receipt by the Committee of additional or newer information.

D. Operational Guidelines and Functional Structure

1. City Council Committees consist of three Council members, with the exception of one committee that will have two Council members. One Council member will serve as of whom is the committee chair. The Mayor may attend and participate in all Committee meetings.

2. No member of the City Council may serve on more than three Committees.

3. Council Committees will meet at least quarterly. The intent of the Council committee structure is to have all Council Committees hold their meetings prior to City Council meetings, with occasional exceptions. One committee meeting would occur prior to each City Council meeting and work session.

4. Council Committees have no delegated authority from the City Council and shall not take testimony from the public.

5. The Staff Liaison will coordinate with the Mayor and City ~~Supervisor-Administrator~~ on the preparation of the agenda to determine whether items will be presented to a Committee or placed on the Council's ~~regular~~ agenda to be considered by the full City Council. Any item may be ~~recommended~~ referred to the full Council by the Committee considering that item.

6. The full City Council, by majority vote, may refer any item on its agenda to an appropriate Committee for further review and recommendation.

7. Committee meetings are intended to allow regular attendance by City Council Committee members, as well as the Staff Liaison, staff, the Mayor and the City ~~Supervisor-Administrator~~, as necessary. In order to prevent inadvertent violations of the Open Public Meetings Act, attendance by non-member Council members that will result in a quorum of the full City Council is prohibited.

8. The regular Council meeting agenda shall include an opportunity for Committee reports at which time any appointed Committee member may report to the Mayor and City Council on pertinent and timely issues before a Committee.

E. City Liaison Role

1. The City ~~Supervisor-Administrator~~ serves as an advisor to each City Council Committee; however, each Committee has an identified staff liaison at the Director-level. The responsibilities of the Staff Liaison are as follows:

- a. Attend all meetings of the City Council Committee.
 - . Research information and prepare reports and correspondence as required for the Committee.
- b. Provide administrative support to the Committee, including distribution of documents to the Committee as required.
- c. Coordinate with the Committee chair to prepare agendas.
- d. Schedule meetings.

| e. Prepare Committee minutes within ~~one~~-three weeks of the meeting and submit to the City Clerk for posting and distribution to the full City Council.

g. Serve as the communication link between the Committee and City administration, City departments, and Council as appropriate.

B. Filling Council Vacancies or Extended Absences

I. Filling a Vacancy

If a vacancy occurs on the City Council, the Council shall follow the procedures outlined in RCW 35A.12.050¹³ and Council's adopted procedure in compliance with RCW 35A.12.050¹⁴, as well as RCW 42.12.070. The timeline may vary depending on when the process begins. The City Council has within 90 days of the vacancy to appoint a qualified person to the vacant position. If this timeframe is not met, the City's authority in this matter would cease and the Skagit County Board of Commissioners would appoint a qualified person to fill the vacancy. Public comment will not be taken during this entire process.

PROCEDURE FOR FILLING A COUNCIL VACANCY

~~A. A.~~ Timeline/Procedure (any of the meetings, dates and times, may be adjusted and/or combined as determined by the Council):

1. Publication

The City Clerk will publish the vacancy announcement inviting citizens of the City who are interested and qualified to sit as a Councilmember, to apply by submitting a letter of interest. Qualifications to sit as a Councilmember are set forth in RCW 35A.12.030. If possible, the vacancy announcement will be published for two consecutive weeks.

1. Deadline for the City Clerk to receive applications shall be no later than 4:00 p.m.

2. Special Meeting, Executive Session, set for _____. [RCW 42.30.110(1)(h)]

6:00 p.m. Council will meet and adjourn to executive session to review and discuss all of the applications. After the review and discussion, Council will return to Council Chambers and the Special Meeting will be adjourned.

Regular Meeting, same evening as above Special Meeting. [RCW 42.30.110(1)(h)]

7:00 p.m. Council will meet in open session and part of this agenda will include selection of applicants to interview. Selection will be by nomination and second. A vote will be taken and candidates receiving three or more votes will be interviewed. Immediately after this Council meeting or as soon as practicable, the Clerk will send a list of potential questions to all those to be interviewed.

3. Regular or Special Meeting, _____. [RCW 42.30.110(1)(h)]

The interviews will be conducted during an open Council meeting. Each interview will be a maximum of 30 minutes.

4. Executive Session set for _____. [RCW 42.30.110(1)(h)]

Council will meet and adjourn to executive session (closed session) to discuss [qualifications of the](#) applicants. After the discussion.

Regular or Special Meeting, same evening as above [RCW 42.30.110(1)(h)]

Council will meet in open session and the agenda will include a vote to fill the vacancy. Upon selection of the new Councilmember, that person will be sworn in by the City Clerk, and take their seat at the dais.

B. Interview Questions/Process:

1. During the interview, each Councilmember and the Mayor may ask each candidate up to three questions. Follow-up questions are to be counted as one of the three questions.

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2. Candidates will be interviewed in alphabetical order of last name.

C. Nomination and Voting Process:

1. NOMINATION PROCESS.

Councilmembers may nominate an applicant to fill the vacancy. A second is required. If no second is received, that applicant shall not be considered further unless no applicant receives a second, in which case all applicants who were nominated may be considered again. Once the nominations are given, **the Mayor will close the nominations and Council will proceed to vote.**

2. VOTING PROCESS. RCW 42.12.070 states that where one position is vacant, **the remaining members** of the governing body shall **appoint** a qualified person to fill the vacant position. By adoption of this policy, Council has chosen the following process for making such appointment:

a. A vote for an applicant shall be by voice or raised hand.

b. The vacancy can only be filled when **a majority of the whole City Council affirmatively votes** for the applicant or in the case of a 3-3 tie, the mayor breaks the tie (See RCW 35A.12.100), i.e. if five City Councilmembers are present, this would require at least four City Councilmembers voting for an applicant. If subsequent rounds of voting are needed, each round of voting follows the same process. The Mayor may ask for Council discussion between voting rounds.

Round One Vote:

The applicant receiving the majority of votes will be the new Councilmember.

If no applicant receives a majority of votes from the City Council, then the three applicants receiving the most affirmative votes would be considered in a second round.

Round Two Vote:

Round Two shall proceed the same as Round One. If one of the three applicants still fails to receive a majority of affirmative votes, then the two applicants of the three who received the most affirmative votes would then be considered in a third round; or if there are only two applicants and they receive tie votes, a third round will be taken. Councilmembers may change their vote between rounds.

Round Three Vote:

Round Three shall proceed the same as Rounds One and Two. If after this round, the vote of the two applicants results in a tie, then the City Supervisor, with concurrence of Council, shall flip a coin to determine who shall fill the vacancy, with the applicant whose last name is closest to the letter "A" being assigned "heads" and the other person assigned "tails." In the rare circumstance where both applicants have the same last name, the applicant whose entire last name is closest to the letter "A" will be assigned "heads" and the other person assigned "tails."

D. Seating of New City Councilmember:

1. Once an applicant either has received a majority of votes or wins the coin flip, if the appointed applicant is at the meeting, the Mayor shall administer the oath of office, and the new Councilmember will be officially seated as a City Councilmember.

II. Temporary Councilmember

A. Process for Appointment of a Temporary Councilmember

~~Any member of Council may request that the Council discuss the extended excused absence of a Councilmember. This could either be an impromptu discussion, or one scheduled for an upcoming Council meeting. Once the issue has been discussed, a motion may be made to begin the process of temporarily filling the Council position. Public comment shall not be taken during this entire appointment process on this item. If such motion is approved:~~

~~1. Publication. The City Clerk shall publish the vacancy announcement inviting citizens of the City who are interested and qualified to sit as a Temporary Councilmember (maximum of one year), to apply on an~~

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application form provided by the City. Qualifications to sit as a Councilmember are set forth in RCW 35A.12.030. If possible, the vacancy announcement will be published for three consecutive weeks.

2. Deadline for the City Clerk to receive applications shall be no later than 4:00 p.m. on the date set by Council.

~~16.~~ Once applications are received and the due date has passed, the City Clerk shall send each Councilmember copies of all the applications for Council's review.

3. Council has the option of holding an executive session to discuss applicants [RCW 42.30.110(1)(h)].

B. NOMINATION AND VOTING PROCESS:

1. Qualifications:

- a. ~~registered voter of the City at the time of appointment~~
- b. ~~by the time of appointment, continuously resided within the City limits of Sedro-Woolley for at least one year~~
- c. ~~never been convicted of a felony~~
- d. ~~no member of appointee's family may be currently employed by the City~~
- e. ~~appointment shall not create a conflict of interest or an appearance of a conflict of interest~~
- f. ~~Councilmembers shall not hold any other office or employment within the City government [RCW 35A.12.030].~~

2. Considerations and Process:

Appointments shall be for a maximum of one year and shall terminate upon the return of the absent Councilmember or the permanent vacation of the position, whichever of those three instances occurs first. Appointments shall not be made for a Councilmember's absence whose term is set to expire within six months or less.

If the disability or absence of the Councilmember becomes permanent (through resignation or other reason), Council shall follow the procedures set forth in RCA 35A.12.050 and Council's adopted procedure for filling Council vacancies. The pro tempore individual may apply for the Council position if it is permanently vacated, if so desired. If the pro tempore individual's appointment is set to expire prior to the selected timeframe for filling a Council vacancy, Council may, by majority vote of the whole Council (including the pro tempore Councilmember), move to permit the pro tempore individual to remain in that capacity until such Council vacancy has been filled.

3. Nomination Process for Conducting Interviews:

A. After holding an executive session to review applications, during a subsequent open session, any Councilmembers may:

- 1. ~~nominate an applicant to be interviewed;~~
- 2. ~~the nomination must be seconded;~~
- 3. ~~the Mayor will ask if there are further nominations;~~
- 4. ~~if no further nominations, the Mayor will close the nominations;~~
- 5. ~~votes will be taken on each applicant in the order of nomination;~~
- 6. ~~votes shall be by voice or raised hand;~~
- ~~Applicants receiving three or more votes will be interviewed;~~

7. ~~Once all voting has taken place, the City Clerk will summarize which applicants will be interviewed based on the voting outcome; and~~

- 9. ~~As soon as possible after the Council meeting, the City Clerk shall:~~
 - a. ~~notify each applicant to inform them if they will or will not be interviewed;~~
 - b. ~~notify those to be interviewed, of the date and time for their interview; and~~
 - c. ~~send each person to be interviewed, the list of possible interview questions.~~

4. Nomination and voting Process for Temporarily Filling the Position

A. Council again has the option of holding an Executive Session to discuss applicants [RCW 42.30.110(1)(h)].

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B. Voting Process: must be done in open session

— Any Councilmember may nominate an applicant to fill the position. A second is required. If no second is received, the applicant shall not be considered further.

1. —

— Additional nominations shall continue in the same manner.

10. —

— The Mayor shall ask if there are any further nominations. If there are no further nominations, the Mayor will close the nominations and either make a motion, or ask for a motion from Council to appoint a nominee.

11. —

— Any vote for appointment shall be by voice or raised hand in the affirmative or negative.

12. —

— The position shall only be filled if a majority of the remaining (six, assuming there is one Council position to consider) City Council affirmatively votes for the applicant and/or a majority is reached by the mayor casting a tie-breaking vote. If there are only five members present at the time the vote is taken, this would require at least four out of those five Councilmembers voting for an applicant.

13. —

— Votes shall be taken on the applicants in the order of nomination.

14. —

— If the vote to appoint the first nominated individual fails, voting shall continue on the remaining nominated individuals until a majority of affirmative votes is received.

15. —

— If no one applicant receives a majority vote, City staff shall re-advertise for the position, and the appointment will be scheduled for a future Council meeting.

16. —

17. Once either the first vote or a subsequent vote passes, if the approved applicant is at the meeting, the Mayor shall immediately administer the oath of office and the temporary Councilmember shall be officially seated at the Council dais. If the approved applicant is not at the meeting, such action is not official until the applicant takes the oath of office.

C. INTERVIEW QUESTION PROCESS:

1. — During the interview, each Councilmember and the Mayor may ask each candidate up to three questions. Follow-up questions are to be counted as one of the three questions.

2. — Candidates will be interviewed in alphabetical order of last name.

B-1. Filling a Vacancy in the office of Mayor

I. Filling a Vacancy

If a vacancy occurs in the office of Mayor, the Council shall follow the procedures outlined in RCW 35A.12.050 and Council's adopted procedure in compliance with RCW 35A.12.050, as well as RCW 42.12.070. The timeline may vary depending on when the process begins. Pursuant to RCW 35A.12.050, City Council has within 90 days of the vacancy to appoint a qualified person to the vacant position. If this timeframe is not met, the City's authority in this matter would cease and the Skagit County Board of Commissioners would appoint a qualified person to fill the vacancy. Public comment will not be taken during this entire process.

PROCEDURE FOR FILLING A MAYORAL VACANCY

A. Timeline/Procedure (any of the meetings, dates and times, may be adjusted and/or combined as determined by the Council):

1. Candidates

The City Council will appoint a new mayor from among the members of the City Council.

2. Special Meeting, Executive Session, set for _____ . [RCW 42.30.110(1)(h)]

At 6:00 p.m. prior to the next regularly scheduled Council meeting, the Council will meet to solicit interest from councilmembers and adjourn to executive session to review and discuss all of the

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councilmembers interested in serving as mayor. After the review and discussion, Council will return to Council Chambers and the Special Meeting will be adjourned.

Regular Meeting, same evening as above Special Meeting. [RCW 42.30.110(1)(h)]

7:00 p.m. Council will meet in open session and part of this agenda will include the appointment of a new mayor. The nomination and voting process is detailed at Section A, below.

A. Nomination and Voting Process:

1. **NOMINATION PROCESS.**

Councilmembers may nominate any councilmember to fill the vacancy. A second is required. If no second is received, that applicant shall not be considered further unless no applicant receives a second, in which case all applicants who were nominated may be considered again. Once the nominations are given, **the Mayor-Pro-Tem will close the nominations and Council will proceed to vote.**

2. **VOTING PROCESS.** By adoption of this policy, Council has chosen the following process for making such appointment:

a. A vote for an applicant shall be by voice or raised hand.

b. The vacancy can only be filled when **a majority of the whole City Council affirmatively votes** for the applicant, i.e. if five City Councilmembers are present, this would require at least four City Councilmembers voting for an applicant. If subsequent rounds of voting are needed, each round of voting follows the same process. The Mayor-Pro-Tem may ask for Council discussion between voting rounds.

Round One Vote:

The applicant receiving the majority of votes will be the new Mayor.

If no applicant receives a majority of votes from the City Council, then the three applicants receiving the most affirmative votes would be considered in a second round.

Round Two Vote:

Round Two shall proceed the same as Round One. If one of the three applicants still fails to receive a majority of affirmative votes, then the two applicants of the three who received the most affirmative votes would then be considered in a third round; or if there are only two applicants and they receive tie votes, a third round will be taken. Councilmembers may change their vote between rounds.

Round Three Vote:

Round Three shall proceed the same as Rounds One and Two. If after this round, the vote of the two applicants results in a tie, then the City Supervisor, with concurrence of Council, shall flip a coin to determine who shall fill the vacancy, with the applicant whose last name is closest to the letter "A" being assigned "heads" and the other person assigned "tails." In the rare circumstance where both applicants have the same last name, the applicant whose entire last name is closest to the letter "A" will be assigned "heads" and the other person assigned "tails."

D. Seating of the New Mayor:

1. Once an applicant either has received a majority of votes or wins the coin flip, the City Clerk shall administer the oath of office, and the new Mayor will be officially seated as Mayor.

C. Legislative Agenda

Councilmembers work each year (or sometimes every two years) to draft a "legislative agenda" to address Council ideas, suggestions and specific legislative programs in terms of upcoming or pending legislative activity in Olympia that would or could have an effect on our City. Additionally, Councilmembers have the option of creating a similar legislative agenda to address concerns on a national level.

D. Ballot Measures:

1. State Law

RCW 42.17A.555. State law has enacted statutory prohibitions (with limited exceptions) against the use of public facilities to support or oppose ballot propositions:

“No elective official nor any employee of his or her office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition. Facilities of a public office or agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of employees of the office or agency during working hours, vehicles, office space, publications of the office or agency, and clientele lists of persons served by the office or agency. However, this does not apply to the following activities:

(1) Action taken at an open public meeting by members of an elected legislative body or by an elected board, council, or commission of a special purpose district including, but not limited to, fire districts, public hospital districts, library districts, park districts, port districts, public utility districts, school districts, sewer districts, and water districts, to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the legislative body, members of the board, council, or commission of the special purpose district, or members of the public are afforded an approximately equal opportunity for the expression of an opposing view.

(2) A statement by an elected official in support of or in opposition to any ballot proposition at an open press conference or in response to a specific inquiry;

(3) Activities which are part of the normal and regular conduct of the office or agency.” [emphasis added]

2. City’s Implementation of RCW 42.17A.555:

In the City’s implementation of RCW 42.17A.555, the City Council shall not, during any part of any Council meeting, consider requests from outside agencies for Council to support or oppose ballot measures; nor will Council permit any public comment on any proposed or pending ballot issue, whether or not such comments seek endorsement or are just to inform Council of upcoming or proposed ballot issues; nor shall Councilmembers disseminate ballot-related information.

3. Providing Informative Materials to Council

The requestor has the option of mailing materials to individual Councilmembers via the United States Postal Office. Because even the use of e-mail for ballot purposes could be construed as use of public facilities and could be interpreted as being in violation of RCW 42.17A.555, materials should be sent via regular mail through the United States Postal Office. Information shall be objective only and not soliciting a pro or con position.

4. Public Comment.

Council has chosen not to support or oppose ballot issues as those are left to the will of the people voting. The use of any of the City’s facilities including the use of the Council chambers and/or broadcast system would likely be construed as being in violation of RCW 42.17A.555 and therefore, general public comment on ballot issues, or proposed ballot issues will not be permitted.

CHAPTER 3

Council Contacts



A. Citizen Contact/Interactions Outside of a Council Meeting

Per state law, all documents, files, communications and messages created, reviewed or altered that are related to the conduct of City business, regardless of format, are property of the City. As a result, these documents, files, communications and messages are not private or confidential unless otherwise noted in the Revised Code of Washington. The City reserves the right to request, access, monitor, and disclose the contents of electronic messages and any record, regardless of format, related to the conduct of City business on City-issued or personal devices that Council members use. Council members should have no expectation of privacy in either sending or receiving electronic messages, or other information on the Internet, City network or other electronic media related to City Business whether done on their own personal device or on a City issued device. The City may review the public records for legal exemption or redaction pursuant to the Public Records Act RCW 42.56 or other applicable state or federal laws and may provide third party notice providing affected parties the opportunity to file for a court order to prevent or limit disclosure.

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1. Concerns, Complaints and Suggestions to Council

When citizen concerns, complaints or suggestions are brought to any, some, or all Councilmembers, the Mayor shall, in consultation with the City ~~Supervisor~~Administrator, first determine whether the issue is legislative or administrative in nature and then:

- a. If legislative, and a concern or complaint is about the language or intent of legislative acts or suggestions for changes to such acts, and if such complaint suggests a change to an ordinance or resolution of the City, the Mayor and City Supervisor may refer the matter to a future Council agenda for Council's recommendation in forwarding the matter to a committee, administration, or to the Council for study and recommendation.
- d. If administrative, and a concern or complaint regards administrative staff performance, execution of legislative policy or administrative policy within the authority of the Executive Branch, the complaint is referred directly to the Mayor and/or City ~~Supervisor~~Administrator for review, if said complaint has not been so reviewed. The City Council may direct that the Mayor/City ~~Supervisor~~Administrator brief the Council when the response is made.

2. Administrative Complaints Made Directly to Individual Councilmembers

When administrative policy or administrative performance complaints are made directly to individual Councilmembers, the Councilmember shall then refer the matter directly to the Mayor or City ~~Supervisor~~Administrator for review and/or action. The individual Councilmember may request to be informed of the action or response made to the complaint.

Although citizens' direct access to elected officials is to be encouraged to help develop public policy, City Councilmembers should not develop a "personal intervention" pattern in minor calls for service or administrative appeals which may actually delay a timely customer service response. The best policy is to get the citizen into direct contact with customer service unless an unsatisfactory result has occurred in the past. In that case, refer to the paragraph above.

3. Social Media

Councilmembers shall not use their personal social media platforms as a mechanism for conducting official City business. Personal social media accounts should be identified by the Councilmember as such and a disclaimer added that indicates the views expressed are those of the individual member, not those of the City. although it is permissible to use social media to informally communicate with the public. Examples of what may not be communicated through the use of personal social media platforms include making policy decisions, official public noticing, and discussing items of legal or fiscal significance to the City that have not been released to the public. Social media accounts created specifically for the purpose of communicating with constituents must be retained as public records using SMARSH. As with telephone and e-mails, communication between and among Councilmembers via social media could constitute a "meeting" under the Open Public Meetings Act, and for this reason, Councilmembers are strongly discouraged from "friending" other Councilmembers.

3. Text Messages

Text Messages generated or received by individual Councilmembers for conducting City business on any personal device whether issued by the City or not, are subject to public disclosure laws and records retention schedules. Text messages must be retained and archived according to City and State retention schedules. Councilmembers are responsible for preserving all City business records on their personal devices, systems and servers.

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B. Staff Contacts and Interactions

1. Role of the City ~~Administrator~~Supervisor

The City ~~Administrator~~Supervisor is the chief appointed officer of the City of Sedro-Woolley. The City ~~Administrator Supervisor~~ reports to the Mayor and is directly accountable to the Mayor and City Council for the execution of the City Council's policy directives, and for the administration and management of all City departments.

2. City Staff Attendance at Meetings

The City ~~Administrator Supervisor~~ or his/her designee shall attend all meetings of the City Council, unless excused by the e Mayor or Council.

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3. City Clerk - Minutes

The City Clerk, or in the Clerk's absence the Deputy City Clerk, shall keep minutes as required by law, and shall perform such other duties in the meeting as may be required by the Council or Mayor. In the absence of the City Clerk and the Deputy City Clerk, the City Clerk shall appoint a replacement to act as Clerk during the Council meeting. The Clerk shall keep minutes which identifies the general discussion of the issue and complete detail of the official action or agreement reached, if any. As a rule and when possible and practical, regular meetings, or those Council meetings held at 6⁷ p.m. on Wednesdays, (includes only formal format meetings) shall be both audio and video-recorded. Executive Sessions shall not be video or audio recorded.

Original, signed and approved minutes shall be kept on file in the City Clerk's office and archived according to State Record Retention Schedules. Copies of the approved minutes shall also be posted on the City's website as soon as practical after such minutes are approved and signed. Whenever possible, video recordings of Council meetings shall be posted on the City's website.

4. Administrative Interference by Councilmembers

Neither the Council nor any of its committees or members shall direct or request the appointment of any person to, or his/her removal from, any office by the Mayor or any of his/her subordinates. Except for the purpose of inquiry, the Council and its members shall deal with the administrative branch solely through the Mayor and/or City ~~Administrator Supervisor~~ and neither the Council nor any committee or member thereof shall give any directives, tasks, or orders to any subordinate of the Mayor, either publicly or privately; provided, however, that nothing herein shall be construed to prohibit the Council, while in open session, from fully and freely discussing with the Mayor and/or City ~~Administrator Supervisor~~ anything pertaining to appointments and removals of City officers and employees and City affairs.

5. Informal Communications Encouraged

Members of the Council are encouraged to interact informally and casually with City staff for the purpose of gathering information, obtaining explanations of policies and programs or providing incidental information to staff relevant to their assignment. Such informal contacts can serve to promote better understanding of specific City functions and problems. However, Councilmembers must be careful in such interaction to avoid giving direction or advice to members of City staff. While maintaining open lines of communication, City staff responding to information requests from Councilmembers will inform their supervisor of such contact and provide the supervisor with the same information shared with the Councilmember.



A. General Public Hearings

1. Purpose

Legislative public hearings are hearings held to obtain public input on legislative decisions on matters of policy. Legislative public hearings are required by state law when a city or county addresses matters such as comprehensive land use plans, or the annual budget. They are generally less formal than quasi-judicial public hearings. They do not involve the legal rights of specific, private parties in a contested setting, but rather affect a wider range of citizens or perhaps the entire jurisdiction. The wisdom of legislative decisions reached as a result of such hearings is not second-guessed by the courts; if challenged, they are reviewed only to determine if they are constitutional or violate state law. For example, a court will not review whether the basic budgetary decisions made by a city were correctly made.

2. Legislative Public Hearings

a. State statutes do not specify how public hearings should be conducted. Because legislative hearings are generally informal, the main concern is to provide an opportunity for all attending members of the public to speak if they so desire. Time limits should be placed on individual comments if many people are intending to speak, and the public should be advised that comments must relate to the matter at hand. The “ground rules” for the conduct of the hearing may be stated by the Presiding Officer at the beginning of the hearing:

1. All public comments shall be made from the speaker’s podium, shall be directed to the Mayor and Council, and any individual making comments shall first give their name and city of residence. This is required because an official recorded transcript of the public hearing is being made.
2. No comments shall be made from any other location, and anyone making “out of order” comments shall be subject to removal from the meeting.
3. Unless otherwise determined by the Presiding Officer, all comments by the public shall be limited to three minutes per speaker.
4. There will be no demonstrations, applause or other audience participation, before, during or at the conclusion of anyone’s presentation. Such expressions are disruptive and take time away from the speakers.
5. Unless read and/or handed in by the individual speaker during the public hearing, previously received written public comments will be read by the City Clerk at the pleasure of the Mayor. In the interest of time, the Mayor may limit the reading of such comments, to the Clerk reading whom the letter or written material is from, and if easily discernible, whether that person is for or against the issue at hand. All written comments become an official part of the record.
6. These rules are intended to promote an orderly system of holding a public hearing, to give persons an opportunity to be heard, and to ensure that individuals are not embarrassed by exercising their right of free speech.

b. The Presiding officer declares the public hearing on _____ (topic) open, notes the time for such opening, and asks staff to make their presentation.

c. After staff presentations, the Presiding Officer calls for public comments.

d. The Presiding Officer asks if any members of Council have questions of any of the speakers or staff. If any Councilmember has questions, the appropriate individual will be recalled to the podium.

e. The Presiding Officer declares the public hearing closed and notes the time for such closing.

B. Quasi-Judicial Hearings

1. Purpose

Quasi-judicial public hearings involve the legal rights of specific parties, and the decisions made as a result of such hearings must be based upon and supported by the “record” developed at the hearing. Quasi-judicial hearings are subject to stricter procedural requirements than legislative hearings. Most quasi-judicial hearings held by local government bodies involve land use matters, including site specific rezones, preliminary plats, variances, and conditional uses. (*MRSC Public Hearings When and How to Hold Them by Bob Meinig, MRSC Legal Consultant August 1998*)

2. Specific Statutory Provisions

a. Candidates for the City Council may express their opinions about pending or proposed quasi-judicial actions while campaigning, per RCW 42.36.040¹⁵, except that sitting Councilmembers shall not express their opinions on any such matter which is or may come before the Council.

b. *Ex-parte* communications should be avoided whenever possible. During the pendency of any quasi-judicial proceeding, no Councilmember may engage in *ex parte* communications with proponents or opponents about a proposal involved in the pending proceeding unless the Councilmember: (1) places on the record the substance of such verbal or written communications; and (2) provides that a public announcement of the content of the communication and of the parties’ rights to rebut the substance of the communication shall be made at each hearing where action is taken or considered on the subject. This does not prohibit correspondence between a citizen and his or her elected official if the correspondence is made a part of the record, when it pertains to the subject matter of a quasi-judicial proceeding. (RCW 42.36.060¹⁶)

c. Procedure On Application. Any person making application for any action leading to a quasi-judicial hearing before the Planning Commission and/or City Council shall be provided with a document containing the following information: (1) the names and address of all members of the City Council, and the Planning Commission, (2) a statement that public disclosure information is available for public inspection regarding all such Councilmembers, and (3) a statement that if the applicant intends to raise any appearance of fairness issue, the applicant should do so at least two weeks prior to any public hearing, if the grounds for such issue are then known and in all cases, no later than before the opening of the public hearing. The applicant shall sign a receipt for such document.

3. Appearance of Fairness Doctrine

a. “The test of whether the Appearance of Fairness Doctrine has been violated is ... as follows: Would a disinterested person, having been apprised of the totality of a board member's personal interest in a matter being acted upon, be reasonably justified in thinking that partiality may exist? If answered in the affirmative, such deliberations, and any course of conduct reached thereon, should be voided.” *Swift vs. Island County*, 87 Wn.2d 348 (1976); *Smith vs. Skagit County*, 75 Wn.2d 715 (1969).

b. Types of Hearings to Which the Doctrine Applies. The Appearance of Fairness Doctrine shall apply only to those actions of the Council which are quasi-judicial in nature. Quasi-judicial actions are defined as actions of the City Council which determine the legal rights, duties, or privileges of specific parties in a hearing or other contested proceeding. Quasi-judicial actions do not include the legislative actions adopting, amending, or revising comprehensive, community, or neighborhood plans or other land use planning documents or the adoption of area-wide zoning ordinances or the adoption of a zoning amendment that is of area-wide (versus site-specific) significance (RCW 42.36.010¹⁷). Street vacations are typically legislative actions, unless clearly tied to, and integrated into, a site-specific development proposal which is quasi-judicial in nature.

c. Obligations of Councilmembers - Procedure.

1. Immediate self-disclosure of interests that may appear to constitute a conflict of interest is hereby encouraged. Councilmembers should recognize that the Appearance of Fairness Doctrine does not require establishment of a conflict of interest, but whether there is an appearance of conflict of interest to the

average person. This may involve the Councilmember or a Councilmember's business associate, or a member of the Councilmember's immediate family. It could involve *ex parte* (outside the hearing) communications, ownership of property in the vicinity, business dealings with the proponents or opponents before or after the hearing, business dealings of the Councilmember's employer with the proponents or opponents, announced predisposition, and the like. Prior to any quasi-judicial hearing, each Councilmember should give consideration to whether a potential violation of the Appearance of Fairness Doctrine exists. If the answer is in the affirmative, no matter how remote, the Councilmember should disclose such facts to the Mayor who will seek the opinion of the City Attorney as to whether a potential violation of the Appearance of Fairness Doctrine exists. The Mayor and/or City Attorney shall communicate such opinion to the Councilmember.

2. Anyone seeking to disqualify a Councilmember from participating in a decision on the basis of a violation of the Appearance of Fairness Doctrine must raise the challenge as soon as the basis for disqualification is made known, or reasonably should have been made known, prior to the issuance of the decision. Upon failure to do so, the doctrine may not be relied upon to invalidate the decision consistent with state law. The party seeking to disqualify the Councilmember shall state with specificity the basis for disqualification; for example: demonstrated bias or prejudice for or against a party to the proceedings, a monetary interest in outcome of the proceedings, prejudgment of the issue prior to hearing the facts on the record, or *ex parte* contact. Should such challenge be made prior to the hearing, the City Attorney shall interview the Councilmember and render an opinion as to the likelihood that an Appearance of Fairness Doctrine violation would be sustained in Superior Court. Should such challenge be made in the course of a quasi-judicial hearing, the Councilmember shall either recuse him/herself or the Mayor shall call a recess to permit the City Attorney to make such interview and render such opinion.

3. The Mayor shall have authority to request a Councilmember to excuse him/herself on the basis of an Appearance of Fairness Doctrine violation. Further, if two or more Councilmembers believe that an Appearance of Fairness Doctrine violation exists, such individuals may move to request a Councilmember to excuse him/herself on the basis of an Appearance of Fairness Doctrine violation. In arriving at this decision, the Mayor or other Councilmembers shall give due regard to the opinion of the City Attorney.

d. When Council conducts a hearing to which the Appearance of Fairness Doctrine applies, the Mayor (or in the case of a potential violation by that individual, the Mayor Pro Tem) will ask if any Councilmember knows of any reason which would require such member to excuse themselves pursuant to the Appearance of Fairness Doctrine. The form of the announcement is as follows:

All Councilmembers should now give consideration as to whether they have:

1. A demonstrated bias or prejudice for or against any party to the proceedings;
2. A direct or indirect monetary interest in the outcome of the proceedings;
3. A prejudgment of the issue prior to hearing the facts on the record; or
4. Had *ex parte* contact with any individual, excluding administrative staff, with regard to an issue prior to the hearing. If any Councilmember should answer in the affirmative, then the Councilmembers should state the reason for his/her answer at this time, so that the Chair may inquire of administration as to whether a violation of the Appearance of Fairness Doctrine exists.

CHAPTER 5

Disclaimer



A. Purpose

These City Council Rules of Procedure are designed to provide guidance for the City Council. They are not to be considered restrictions or expansions of City Council authority. These rules have been prepared from review of many statutes, ordinances, court cases and other sources but they are not intended to be an amendment or substitute for those statutes, ordinances, court decisions or other authority.

B. Use

No action taken by a Councilmember or by the Council which is not in compliance with these rules, but which is otherwise lawful, shall invalidate such Councilmember's or Council action or be deemed a violation of oath of office, misfeasance or malfeasance. No authority other than the City Council may enforce these rules or rely on these rules. Failure of the City Council to follow any of these rules shall be considered a Council decision to waive such rule. No notice of such waiver need be given.

C. Reliance

Public Use or Reliance Not Intended. Because these rules are designed to assist the City Council and not to provide substantive rules affecting constituents, it is expressly stated that these rules do not constitute land use regulations, official controls, "appearance of fairness rules," public hearing rules, or other substantive rules binding upon or to be used by or relied upon by members of the public. These rules do not amend statutory or other regulatory (such as ordinance) requirements.

Appendix A: Definitions

Action: All transactions of a governing body's business, including receipt of public testimony, deliberations, discussions, considerations, reviews, and evaluations, as well as "final" action. [RCW 42.30.010¹⁸, 42.30.020(3)¹⁹].

Codified: The process of forming a legal code (i.e., a codex or book of laws) by collecting and including the laws of a jurisdiction or municipality.

Consensus: A collective judgment or belief; solidarity of opinion: "*The consensus of the group was that they should meet twice a month.* General agreement or harmony. [*Random House Webster's College Dictionary*, April 2001] [Wikipedia: explains it as a group decision making process; not necessarily the agreement. In other words, the question to the group is: "Is this something you can live with?" or, Does anyone object?] It is not unanimity, but more a process for deciding what is best overall. Members of the group reach a decision to which they **consent** because they know it is the best one overall. It differs from voting which is a procedure for tallying preferences. Sometimes knowing there will be an up-down vote at the end often polarizes the discussion. It does not require each member of the group to justify their feelings. [Taken from: *Consensus Is Not Unanimity: Making Decisions Cooperatively*, by Randy Schutt."] Similar to a type of verbal "show of hands" on who feels particularly strong on this?" Sometimes thought of as preliminary approval without taking final "action." A show of hands is not an action that has any legal effect. ["Voting and Taking Action in Closed Sessions" by Frayda Bulestein.]

Ex-parte: from a one-sided or partisan point of view; on the application of one party alone. An ex-parte judicial proceeding is conducted for the benefit of only one party. Ex-parte may also describe contact with a person represented by an attorney, outside the presence of the attorney.

Motion: An enacted motion is a form of action taken by the Council to direct that a specific action be taken on behalf of the municipality. A motion, once approved and entered into the record, is the equivalent of a resolution in those instances where a resolution is not required by law, and where such motion is not in conflict with existing state or federal statutes, City ordinances or resolutions.

Ordinance: An enacted ordinance is a law passed [enacted] by a municipal organization legislatively prescribing specific rules of organization or conduct relating to the corporate affairs of the municipality and those citizens and businesses therein. Council action shall be taken by ordinance when required by law, or where prescribed conduct may be enforced by penalty. Special ordinances such as adopting the budget, vacating a street, amending the Comprehensive Plan and/or Map, and placing a matter on an election ballot, including general obligation bonds, are not codified into the City's municipal code.

Resolution: An enacted resolution is an administrative act which is a formal statement of policy concerning matters of special or temporary character. Council action shall be taken by resolution when required by law and in those instances where an expression of policy more formal than a motion is desired.

Regular Meeting: Any Council meeting that meets in the Sedro-Woolley City Council Chambers or the Fire Department Training Room on the First, Second and Fourth Wednesdays at 7:00 p.m. shall be deemed a "regular meeting."

Social Media: A term used to define the various activities that integrate technology, social interaction and content creation. Through social media, individuals or collaborations of individuals create on-line web content, organize content, edit or comment on content, combine content, and share content. Social media uses many technologies and forms including syndicated web feeds, weblogs (blogs), wiki, photo-sharing, video-sharing, podcasts, and social networking. (From MRSC, and Social Media and Web2.0 in Government, WebContent.gov)

Appendix B: Frequently Used Acronyms

ADA - Americans with Disabilities Act
ADT - Average Daily Traffic
ATF - Bureau of Alcohol, Tobacco & Firearms
AWC - Association of Washington Cities
BOCC - Board of County Commissioners
CAFR - Comprehensive Annual Financial Report
CDBG - Community Development Block Grant
CIAW - Cities Insurance Authority of Washington
CIP - Capital Improvement Plan
CTED - Community, Trade, & Economic Development (now Department of Commerce)
CUP - Conditional Use Permit
DEIS - Draft Environmental Impact Statement
DEM - Department of Emergency Management
DNR - Department of Natural Resources
DNS - Declaration of Non-Significance
DOE - Department of Ecology; Department of Energy
DOT - Department of Transportation
E911 - Enhanced 911
EA - Environment Assessment
EDASC - Economic Development Alliance of Skagit County
EEO/AA - Equal Employment Opportunity/Affirmative Action
EEOC - Equal Employment Opportunity Commission
EIS - Environmental Impact Statement
EOE - Equal Opportunity Employer
EPA - Environmental Protection Agency
ERU - Equivalent Residential Unit (for measuring sewer capacity and demand)
F & WS - Federal Fish & Wildlife Service
FAA - Federal Aviation Administration
FCC - Federal Communications Commission
FEIS - Final Environmental Impact Statement
FEMA - Federal Emergency Management Agency
FICA - Federal Insurance Contribution Act
FIRM - Flood Insurance Rate Maps
FLSA - Fair Labor Standards Act

FMLA - Family Medical Leave Act
GAAP - Generally Accepted Accounting Principles
GASB - Governmental Accounting Standards Board
GIS - Geographic Information System
GMA - Growth Management Act
GPM - Gallons Per Minute
HOV - High-Occupancy Vehicle
HR - Human Resources
HUD - Housing & Urban Development (Department of)
ICMA - International City/County Management Association
L & I - Labor & Industries (Department of)
LID - Local Improvement District
MGD - Million Gallons per Day
MOA - Memorandum of Agreement
MOU - Memorandum of Understanding
MPO - Metropolitan Planning Organization
MRSC - Municipal Research Services Center
NEPA - National Environment Policy Act
NIMBY - Not In My Backyard
NPDES - National Pollutant Discharge Elimination System
PE - Preliminary Engineering; Professional Engineer
PERC - Public Employment Relations Commission
PMS - Pavement Management System
PPE - Personal Protective Equipment
PPM - Parts Per Million; Policy & Procedure Manual
PUD - Public Utility District
PW - Public Works
QA - Quality Assurance
RCW - Revised Code of Washington
REET - Real Estate Excise Tax
RONR - *Robert's Rules of Order Newly Revised*
ROW - Right of Way
SAO - State Auditor's Office
SBA - Small Business Administration
SEPA - State Environmental Policy Act
SMA - Shorelines Management Act

SWAC - Solid Waste Advisory Committee
TIB - Transportation Improvement Board
TIP - Transportation Improvement Program
TMDL - Total Maximum Daily Load
UBC - Uniform Building Code
UFC - Uniform Fire Code
UGA - Urban Growth Area
WAC - Washington Administrative Code
WACO - Washington Association of County Officials
WCMA - Washington City/County Management Association
WSDOT - Washington State Department of Transportation
WSP - Washington State Patrol
WUTC - Washington Utilities & Transportation Commission
WWTP - Wastewater Treatment Plant

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¹ RCW 42.30.110 – Open Public Meeting Act, Executive Sessions

² RCW 42.30.140- Open Public Meeting Act,

³ RCW 35A.13.035- Optional Municipal Code (35A) – Council-manager plan of government

⁴ RCW 42.52 – Ethics in Public Service

⁵ RCW 42.56 – Public Records Act

⁶ RCW 35A.12.160 Optional Municipal Code (35A) – Council manager plan of government; public notice of hearings and meeting agendas

⁷ RCW 35A.13.170 – Optional Municipal Code (35A) – Council manager plan of government; council meetings – quorum, rules - voting

⁸ RCW 35A.12.110 – Council meetings, shall meet regularly, at least once a month.

⁹ RCW 35A.12.110 – ibid.

¹⁰ RCW 42.30.080 - Open Public Meetings Act, Special Meetings, procedures for calling Special Meetings

¹¹ RCW 35A.12.060 – A council position shall become vacant if the councilmember fails to attend three consecutive regular meetings of the council without being excused by the council.

¹² RCW 35A.13.190 – Ordinances, emergencies, may be effective upon adoption if passed by a majority plus one of the whole membership of the council and have the ordinance designated as a public emergency; but such ordinance may not levy taxes, grant, renew or extend a franchise, or authorize the borrowing of money.

¹³ RCW 35A.12.050 – Vacancies

¹⁴ RCW 35A.12.050 – ibid.

¹⁵ RCW 42.36.040 – Appearance of Fairness – public discussion by candidate for public office

¹⁶ RCW 42.36.060 – Quasi-judicial proceedings, ex-parte communications prohibited, exceptions.

¹⁷ RCW 42.36.010 Appearance of fairness doctrine – local land use decisions.

¹⁸ RCW 42.30.010 - Open Public Meetings Act; legislative declaration. It is the intent of this chapter that their actions be taken openly and that their deliberations be conducted openly.

¹⁹ RCW 42.30.020(3) – Definitions – defines “action”