

Next Ord: 2029-22  
Next Res: 1110-22

## **CITY COUNCIL AGENDA**

### **IN PERSON OR VIA ZOOM**

**November 9, 2022**

**6:00 PM**

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

- a. Call to Order**
- b. Pledge of Allegiance**
- c. Roll Call**
- d. Approval of Agenda**
- e. Consent Agenda**

Note: Items on the Consent Agenda are considered routine in nature and may be adopted by the Council by a single motion, unless any Councilmember wishes an item to be removed. The Council on the Regular Agenda will consider any item so removed after the Consent Agenda.

- 1. Check Register - Regular
- 2. Lodging Tax Advisory Committee Recommendations
- 3. Minutes - Regular Session - October 26, 2022
- 4. Minutes - Study Session - November 2, 2022

- f. Introduction of Special Guests and Presentations**
- g. City Administrator Reports**

- h. Councilmember and Mayor's Report**

- i. Proclamation(s)**

- j. Public Comments**

*Written comments or questions will be accepted by letter or via email at [finance@ci.sedro-woolley.wa.us](mailto:finance@ci.sedro-woolley.wa.us).*

- k. Public Hearing(s)**

- 1. Proposed 2023 and 2024 Budget - Ordinance 2025-22 - 1st Read

- l. Unfinished Business**

- 1. Property Tax Budgeted Levy - Ordinance 2024-22 - 2nd Read
- 2. Amending SWMC 5.04.030, License Fees and Regulations Related to Mobile Vendors - Ordinance 2023-22 - 2nd Read
- 3. Revising the City Council Governance Handbook - Resolution 1109-22 - 2nd Read

- m. New Business**

- 1. Repealing and Replacing Sedro-Woolley Municipal Code Chapter 8.04 'Refuse Collection and Disposal System' - Ordinance 2022-22 - 1st Read
- 2. Add Chapter 8.50 'Littering' to the Sedro-Woolley Municipal Code - Ordinance 2021-22 - 1st Read
- 3. Utility Rates - Ordinances 2026-22, 2027-22, 2028-22 - 1st Read

**n. Information Only Items**

1. Fire Department Monthly Data
2. Building Permit and Planning Permit Review Status

**o. Good of the Order**

**p. Executive Session**

**q. Adjournment**

**Next Meeting(s November 15th, 2022 Planning Commission Meeting)**

*The City of Sedro-Woolley assures that no person shall on the grounds of race, color, national origin, sex, age, disability, income, or Limited English Proficiency (LEP) as provided by Title VI of the Civil Right Act of 1964, Title II of the American with Disabilities Act of 1990, and related nondiscrimination authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any City of Sedro-Woolley sponsored program or activity. The City of Sedro-Woolley will make every effort to ensure non-discrimination in all of its programs and activities, whether those programs and activities are federally funded or not.*

## **Topic: Sedro-Woolley City Council Meeting**

### ***Join Zoom Meeting***

<https://zoom.us/j/91786850179?pwd=Vys0Y29XalZmQTRmemJBM2txVDIUQT09>

*Meeting ID: 917 8685 0179*

*Passcode: 091845*

### ***OR One tap mobile***

*+12532158782,,91786850179#,,,,\*091845# US (Tacoma)*

*+16699006833,,91786850179#,,,,\*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 DC)*

*+1 312 626 6799 US (Chicago)*

*Meeting ID: 917 8685 0179*

*Passcode: 091845*



Agenda  
Item No.

Date: November 9, 2022

Subject: Check Register - Regular

**FROM:**

Kelly Kohnken, Finance Director

**RECOMMENDED ACTION:**

Review only.

**ISSUE:**

**BACKGROUND/SUMMARY INFORMATION:**

Claims Checks #198649 through #198734, plus EFTs Payroll Checks #60800 through #60811, plus EFT's

**FISCAL IMPACT, IF APPROPRIATE:**

Claims Checks, plus EFTs totaling \$503,827.55 Payroll Checks, plus EFT's totaling \$449,240.98

**ATTACHMENTS:**

1. Check Register 11-09-22

# CHECK REGISTER

City Of Sedro-Woolley

Time: 10:45:40 Date: 11/01/2022

11/09/2022 To: 11/09/2022

Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
<b>11037</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>EFT</b>	<b>Comcast</b>	<b>445.14</b>	
					001 - 518 80 42 021 - Internet Services	445.14	
<b>11038</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>EFT</b>	<b>FirstNET/AT&amp;T Mobility</b>	<b>45.94</b>	
					001 - 522 20 42 020 - Telephone	45.94	
<b>11039</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>EFT</b>	<b>Cellco Partnership dba Verizon Wireless</b>	<b>3,173.64</b>	
					001 - 513 10 42 020 - Telephone	153.80	
					001 - 514 23 42 020 - Telephone	84.06	
					001 - 518 80 42 020 - Telephone	164.06	
					001 - 521 20 42 020 - Telephone	964.68	
					001 - 522 20 42 020 - Telephone	196.26	
					401 - 535 80 42 030 - Cell Phones	451.89	
					102 - 536 20 42 020 - Telephone	124.07	
					412 - 537 80 42 025 - Cell Phones	294.21	
					103 - 542 30 42 020 - Telephone	232.86	
					001 - 558 60 42 020 - Telephone	82.04	
					101 - 576 80 42 020 - Telephone	299.62	
					001 - 595 10 42 025 - Cell Phones	126.09	
<b>11040</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>EFT</b>	<b>Cellco Partnership dba Verizon Wireless</b>	<b>1,323.21</b>	
					001 - 521 20 42 020 - Telephone	881.29	
					001 - 522 20 42 020 - Telephone	401.91	
					101 - 576 80 42 020 - Telephone	40.01	
<b>11041</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198649</b>	<b>Addink Turf Farms, dba A-G Sod Farms</b>	<b>30.60</b>	
					102 - 536 20 48 040 - Repair/Maint-Equip & Bldg	-25.00	
					102 - 536 20 48 040 - Repair/Maint-Equip & Bldg	55.60	
<b>11042</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198650</b>	<b>Rick Severson, dba ATV Signs</b>	<b>548.43</b>	
					412 - 537 80 31 000 - Operating Supplies	146.61	
					001 - 595 10 31 001 - Address & Street Signs-Reimb	108.60	
					001 - 595 10 31 001 - Address & Street Signs-Reimb	65.16	
					001 - 595 10 31 001 - Address & Street Signs-Reimb	76.02	
					001 - 595 10 31 001 - Address & Street Signs-Reimb	152.04	
<b>11043</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198651</b>	<b>Aaron Edward Logue</b>	<b>945.00</b>	
					412 - 537 80 31 000 - Operating Supplies	945.00	
<b>11044</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198652</b>	<b>Applied Industrial Tech</b>	<b>15,607.36</b>	
					401 - 535 50 48 050 - Maint Of General Equip	15,607.36	
<b>11045</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198653</b>	<b>Aramark Uniform &amp; Career Apparel Group</b>	<b>56.00</b>	
					401 - 535 80 49 000 - Laundry	14.20	
					401 - 535 80 49 000 - Laundry	14.20	
					102 - 536 20 49 030 - Misc-laundry	1.04	
					102 - 536 20 49 030 - Misc-laundry	1.04	
					412 - 537 80 49 000 - Misc-Laundry	3.97	
					412 - 537 80 49 000 - Misc-Laundry	3.97	
					103 - 542 30 49 000 - Misc-Laundry	8.79	
					103 - 542 30 49 000 - Misc-Laundry	8.79	
<b>11046</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198654</b>	<b>Baker Septic Tank Pumping Inc.</b>	<b>48.87</b>	
					001 - 522 45 49 000 - Training Facilities	48.87	
<b>11047</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198655</b>	<b>Bio Bug Northwest, Inc</b>	<b>190.05</b>	
					001 - 521 20 41 001 - Professional Services	190.05	
<b>11048</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198656</b>	<b>Birch Equipment Co Inc</b>	<b>2,963.43</b>	
					425 - 531 50 45 000 - Rental Equipment	2,963.43	
<b>11049</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198657</b>	<b>Boulder Park Inc</b>	<b>10,853.81</b>	

# CHECK REGISTER

City Of Sedro-Woolley

Time: 10:45:40 Date: 11/01/2022

11/09/2022 To: 11/09/2022

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
			401 - 535 80 35 020 - Solids Handling			10,853.81	
<b>11050</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198658</b>	<b>Bound Tree Medical LLC</b>	<b>5,218.23</b>	
			001 - 522 21 31 000 - Operating Supplies - Medical			5,218.23	
<b>11051</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198659</b>	<b>Carl's Towing</b>	<b>275.84</b>	
			001 - 521 20 41 001 - Professional Services			275.84	
<b>11052</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198660</b>	<b>Carletti Architects Ps</b>	<b>3,977.00</b>	
			505 - 594 35 60 010 - Const - WWTP Lab/Ops Bldg			1,666.50	
			505 - 594 48 60 010 - Const - PW Building			2,310.50	
<b>11053</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198661</b>	<b>Carrot-Top Industries Inc</b>	<b>577.99</b>	
			001 - 522 20 31 001 - Flags			577.99	
<b>11054</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198662</b>	<b>Cities Insurance Assoc</b>	<b>2,433.56</b>	
			001 - 514 23 46 000 - Insurance & Bonds			2,806.86	
			001 - 514 23 46 000 - Insurance & Bonds			-373.30	
<b>11055</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198663</b>	<b>Colacurcio Brothers, Inc.</b>	<b>146,042.78</b>	
			104 - 595 30 63 076 - Const-SR20/SR9-Township Int l			146,042.78	
<b>11056</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198664</b>	<b>Concentric, LLC</b>	<b>171.75</b>	
			401 - 535 50 48 000 - Maintenance Contracts			171.75	
<b>11057</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198665</b>	<b>Crawford Garage Doors Inc</b>	<b>3,111.39</b>	
			001 - 522 50 48 020 - Repair/Maint-Garage			3,111.39	
<b>11058</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198666</b>	<b>DS Services of America, Inc.</b>	<b>124.15</b>	
			412 - 537 80 31 000 - Operating Supplies			43.90	
			103 - 542 30 31 000 - Operating Supplies			80.25	
<b>11059</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198667</b>	<b>Daily Journal Of Commerce</b>	<b>113.95</b>	
			001 - 515 41 41 001 - Ext Legal-Prosecutor			113.95	
<b>11060</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198668</b>	<b>Travis Dills</b>	<b>92.00</b>	
			412 - 537 80 31 000 - Operating Supplies			92.00	DOT Phys.
<b>11061</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198669</b>	<b>A. Dykstra, dba Dykstra Farms LLC</b>	<b>420.00</b>	
			412 - 537 60 47 020 - Site Yard Waste Disposal			420.00	Site recycle yard waste
<b>11062</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198670</b>	<b>E &amp; E Lumber, Inc.</b>	<b>1,922.97</b>	
			401 - 535 80 31 010 - Operating Supplies			0.51	
			401 - 535 80 35 000 - Small Tools & Minor Equip			27.10	
			412 - 537 80 31 000 - Operating Supplies			64.96	
			412 - 537 80 31 000 - Operating Supplies			53.29	
			412 - 537 80 31 000 - Operating Supplies			-20.85	
			412 - 537 80 31 000 - Operating Supplies			56.29	
			412 - 537 80 31 000 - Operating Supplies			96.37	
			101 - 576 80 31 008 - Operating Sup - Memorial			10.41	
			101 - 576 80 48 006 - Memorial Park			133.73	
			101 - 576 80 48 006 - Memorial Park			20.76	
			101 - 576 80 48 007 - Bingham Park			18.99	
			101 - 576 80 48 007 - Bingham Park			23.08	
			101 - 576 80 48 009 - Hammer Square			140.57	
			505 - 594 48 60 010 - Const - PW Building			1,297.76	
<b>11063</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198671</b>	<b>Edge Analytical Inc</b>	<b>946.57</b>	
			401 - 535 80 41 000 - Professional Services			59.74	
			401 - 535 80 41 000 - Professional Services			716.88	
			401 - 535 80 41 000 - Professional Services			169.95	
<b>11064</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198672</b>	<b>Ewing Irrigation Prod Inc.</b>	<b>223.74</b>	
			101 - 576 80 48 006 - Memorial Park			223.74	

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City Of Sedro-Woolley

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
<b>11065</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198673</b>	<b>Faber Construction Corp</b>	<b>136,730.54</b>	
					505 - 594 35 60 010 - Const - WWTP Lab/Ops Bldg	75,335.04	
					505 - 594 48 60 010 - Const - PW Building	61,395.50	
<b>11066</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198674</b>	<b>Fastenal Company</b>	<b>283.57</b>	
					401 - 535 80 31 010 - Operating Supplies	100.02	
					401 - 535 80 31 010 - Operating Supplies	27.77	
					401 - 535 80 31 010 - Operating Supplies	115.06	
					412 - 537 80 31 000 - Operating Supplies	10.77	
					412 - 537 80 31 000 - Operating Supplies	29.95	
<b>11067</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198675</b>	<b>Ferguson US Holdings, Inc</b>	<b>3,988.60</b>	
					401 - 535 50 48 010 - Maintenance Of Lines	3,781.16	W State St - pump repair
					101 - 576 80 48 006 - Memorial Park	17.68	
					101 - 576 80 48 006 - Memorial Park	22.08	
					101 - 576 80 48 006 - Memorial Park	167.68	
<b>11068</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198676</b>	<b>Sylvia Garcia</b>	<b>100.00</b>	
					101 - 582 10 01 101 - Community Center Deposit Ref	100.00	
<b>11069</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198677</b>	<b>Grainger Parts</b>	<b>388.35</b>	
					401 - 535 80 31 010 - Operating Supplies	110.12	
					401 - 535 80 31 010 - Operating Supplies	168.11	
					401 - 535 80 31 010 - Operating Supplies	110.12	
<b>11070</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198678</b>	<b>Guardian Security Systems, Inc.</b>	<b>527.61</b>	
					101 - 576 80 48 005 - Senior Center	256.11	
					101 - 576 80 48 016 - City Hall	271.50	
<b>11071</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198679</b>	<b>HD Fowler Co, Inc.</b>	<b>201.64</b>	
					401 - 535 50 48 020 - Maint Of Pumping Equip	201.64	
<b>11072</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198680</b>	<b>Home Depot Credit Services</b>	<b>498.20</b>	
					412 - 537 80 31 000 - Operating Supplies	281.11	
					101 - 576 80 48 005 - Senior Center	217.09	
<b>11073</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198681</b>	<b>Hose Shop Inc (the)</b>	<b>567.50</b>	
					401 - 535 80 31 010 - Operating Supplies	359.88	
					401 - 594 35 64 401 - Machinery & Equip	207.62	
<b>11074</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198682</b>	<b>ICONIX Waterworks (US) Inc</b>	<b>4,774.54</b>	
					401 - 535 50 48 020 - Maint Of Pumping Equip	583.80	W State St - Pump rebuild
					401 - 535 50 48 020 - Maint Of Pumping Equip	764.18	W State St - pump rebuild
					101 - 576 80 48 006 - Memorial Park	72.77	
					101 - 576 80 48 006 - Memorial Park	200.64	
					101 - 576 80 48 006 - Memorial Park	3,153.15	
<b>11075</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198683</b>	<b>Ideal Rent All</b>	<b>85.95</b>	
					401 - 535 50 48 010 - Maintenance Of Lines	39.17	W State St - pump rebuild
					401 - 535 50 48 010 - Maintenance Of Lines	46.78	W State St - pump rebuild
<b>11076</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198684</b>	<b>Jordan &amp; Anna Kitchener</b>	<b>146.63</b>	1A 1271 00 - 1271 ARREZO DR
					425 - 343 10 00 000 - Stormwater Fees	-19.09	
					401 - 343 50 00 000 - Sewer Service Charges	-106.57	
					412 - 343 70 00 000 - Garbage/Solid Waste Fees	-52.41	
					412 - 361 40 00 412 - Interest On Accts	31.44	
<b>11077</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198685</b>	<b>L N Curtis &amp; Sons</b>	<b>80.34</b>	
					001 - 521 20 26 000 - Uniforms/Accessories	80.34	
<b>11078</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198686</b>	<b>Lenz Enterprises, Inc</b>	<b>1,030.66</b>	
					412 - 537 60 47 021 - Curbside Yard Waste Disposal	490.11	Curbside recycle
					412 - 537 60 47 021 - Curbside Yard Waste Disposal	540.55	
<b>11079</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198687</b>	<b>Les Schwab Tire Center</b>	<b>7,241.43</b>	

# CHECK REGISTER

City Of Sedro-Woolley

Time: 10:45:40 Date: 11/01/2022

11/09/2022 To: 11/09/2022

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
			001 - 521 20 48 010		- Repair & Maint - Auto	1,666.66	Veh#257
			001 - 522 20 48 000		- Repairs/Maint-Equip	1,193.40	
			401 - 535 50 48 040		- Maintenance Of Vehicles	108.59	
			102 - 536 20 48 040		- Repair/Maint-Equip & Bldg	371.22	
			412 - 537 50 48 000		- Repairs/maint-equip	74.15	Unit 521
			412 - 537 50 48 000		- Repairs/maint-equip	3,729.67	
			412 - 537 60 47 011		- Site Recycling Disposal	97.74	Recycle tires - yard
<b>11080</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198688</b>	<b>Life Assist Inc.</b>	<b>2,421.61</b>	
			001 - 522 21 31 000		- Operating Supplies - Medical	1,807.21	
			001 - 522 21 31 000		- Operating Supplies - Medical	499.28	
			001 - 522 21 31 000		- Operating Supplies - Medical	115.12	
<b>11081</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198689</b>	<b>NW Center Svcs, Inc dba Lithtex NW</b>	<b>803.67</b>	
			001 - 512 50 31 000		- Supplies	296.61	
			001 - 512 50 31 000		- Supplies	507.06	
<b>11082</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198690</b>	<b>Nicole McGowan</b>	<b>122.14</b>	
			001 - 558 60 43 000		- Travel	122.14	
<b>11083</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198691</b>	<b>Motor Trucks International</b>	<b>552.33</b>	
			412 - 537 50 48 000		- Repairs/maint-equip	28.28	Unit 522
			412 - 537 50 48 000		- Repairs/maint-equip	467.79	Unit 522
			103 - 542 30 48 010		- Repair/Maintenance-Equip	56.26	Unit 324
<b>11084</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198692</b>	<b>Municipal Emergency Services Inc</b>	<b>2,385.95</b>	
			001 - 522 20 31 000		- Operating Supplies	54.30	
			001 - 522 20 35 000		- Small Tools & Minor Equip	2,331.65	
<b>11085</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198693</b>	<b>Walter E Nelson Co. of N. WA</b>	<b>1,024.61</b>	
			412 - 537 80 31 000		- Operating Supplies	176.81	
			412 - 537 80 31 000		- Operating Supplies	847.80	
<b>11086</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198694</b>	<b>Nelson Dist, Inc. dba Nelson Petroleum</b>	<b>1,208.30</b>	
			001 - 522 20 32 000		- Auto Fuel/Diesel	25.13	
			425 - 531 50 32 000		- Vehicle Fuel	54.71	
			412 - 537 80 32 000		- Auto Fuel/Diesel	249.15	
			501 - 548 30 31 000		- Operating Supplies	879.31	
<b>11087</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198695</b>	<b>Nordic Temperature Control</b>	<b>868.80</b>	
			101 - 576 80 48 026		- CS Library	868.80	
<b>11088</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198696</b>	<b>North Coast Electric Co</b>	<b>39.03</b>	
			401 - 535 50 48 020		- Maint Of Pumping Equip	39.03	
<b>11089</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198697</b>	<b>North Hill Resources Inc</b>	<b>1,331.43</b>	
			412 - 537 60 47 020		- Site Yard Waste Disposal	1,225.00	
			103 - 542 30 31 000		- Operating Supplies	79.82	
			101 - 576 80 48 001		- Riverfront	26.61	
<b>11090</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198698</b>	<b>Office Depot Inc.</b>	<b>84.00</b>	
			001 - 595 10 31 000		- Supplies	84.00	
<b>11091</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198699</b>	<b>Oliver-Hammer, Inc</b>	<b>264.83</b>	
			401 - 535 80 35 010		- Safety Equipment	108.47	Nate boots
			103 - 542 30 35 010		- Safety Equipment	156.36	
<b>11092</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198700</b>	<b>Pape' Group, dba Pape' Machinery Inc.</b>	<b>24.03</b>	
			101 - 576 80 48 007		- Bingham Park	6.53	
			101 - 576 80 48 007		- Bingham Park	17.50	



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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
<b>11093</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198701</b>	<b>Pet Emergency Center</b>	<b>113.72</b>	
		001 - 521 20 41 020 - Veterinary Services				113.72	
<b>11094</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198702</b>	<b>Pitney Bowes</b>	<b>378.56</b>	
		001 - 514 23 42 010 - Postage				378.56	
<b>11095</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198703</b>	<b>Puget Sound Energy</b>	<b>28,264.56</b>	
		001 - 521 20 47 000 - Public Utilities				113.98	
		001 - 521 20 47 000 - Public Utilities				28.34	
		001 - 522 50 47 000 - Utility Services				605.98	
		425 - 531 50 47 000 - Public Utilities				29.59	
		401 - 535 80 47 000 - Public Utilities				31.50	
		401 - 535 80 47 000 - Public Utilities				134.60	
		401 - 535 80 47 000 - Public Utilities				11,181.14	
		401 - 535 80 47 000 - Public Utilities				94.69	
		401 - 535 80 47 000 - Public Utilities				240.67	
		401 - 535 80 47 000 - Public Utilities				100.97	
		401 - 535 80 47 000 - Public Utilities				58.50	
		401 - 535 80 47 000 - Public Utilities				173.35	
		401 - 535 80 47 000 - Public Utilities				141.69	
		401 - 535 80 47 000 - Public Utilities				168.35	
		102 - 536 20 47 000 - Public Utilities				33.21	
		412 - 537 80 47 000 - Public Utilities				150.92	
		103 - 542 63 47 000 - Public Utilities				10,152.53	
		103 - 542 63 47 000 - Public Utilities				59.07	
		103 - 542 63 47 000 - Public Utilities				14.54	
		103 - 542 63 47 000 - Public Utilities				78.88	
		103 - 542 63 47 000 - Public Utilities				130.60	
		101 - 576 80 47 000 - Riverfront				225.76	
		101 - 576 80 47 000 - Riverfront				111.21	
		101 - 576 80 47 000 - Riverfront				10.86	
		101 - 576 80 47 000 - Riverfront				12.48	
		101 - 576 80 47 010 - Community Center				214.45	
		101 - 576 80 47 020 - Senior Center				434.80	
		101 - 576 80 47 030 - Museum Apartments				12.35	
		101 - 576 80 47 030 - Museum Apartments				7.97	
		101 - 576 80 47 030 - Museum Apartments				12.03	
		101 - 576 80 47 040 - Train				14.92	
		101 - 576 80 47 050 - Hammer Square				130.82	
		101 - 576 80 47 051 - Bingham / Memorial				147.22	
		101 - 576 80 47 051 - Bingham / Memorial				76.80	
		101 - 576 80 47 052 - Bingham Caretaker				99.58	
		101 - 576 80 47 053 - Other Utilities				49.71	
		101 - 576 80 47 053 - Other Utilities				10.86	
		101 - 576 80 47 053 - Other Utilities				323.76	
		101 - 576 80 47 070 - City Hall				2,618.27	
		104 - 595 20 63 082 - RW Trail Road Extension				27.61	
<b>11096</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198704</b>	<b>Red's Mobile 24-Hour Truck &amp; Equip Repai</b>	<b>38.01</b>	
		412 - 537 50 48 000 - Repairs/maint-equip				38.01	
<b>11097</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198705</b>	<b>Rick's Refrigeration Inc</b>	<b>306.00</b>	
		412 - 537 60 47 011 - Site Recycling Disposal				306.00	Site recycle - fridges
<b>11098</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198706</b>	<b>Ricoh USA, Inc</b>	<b>217.35</b>	
		001 - 518 80 41 000 - Professional Services				93.43	
		001 - 595 10 31 000 - Supplies				123.92	
<b>11099</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198707</b>	<b>Ricoh USA, Inc</b>	<b>462.16</b>	
		001 - 524 20 31 000 - Off/Oper Supps & Books				154.05	
		001 - 558 60 31 000 - Supplies/Books				154.05	
		001 - 595 10 31 000 - Supplies				154.06	
<b>11100</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198708</b>	<b>SBA Structures, LLC</b>	<b>580.28</b>	

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
			001 - 591 28 70 001 - Lease - SBA			290.14	
			401 - 591 28 70 401 - Lease - SBA			290.14	
<b>11101</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198709</b>	<b>Solid Waste Syst Inc dba SWS Equipment</b>	<b>3,287.17</b>	
			412 - 537 50 48 000 - Repairs/maint-equip			3,287.17	Unit 516
<b>11102</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198710</b>	<b>Scholten's Equipment Inc.</b>	<b>371.35</b>	
			101 - 576 80 48 021 - Equipment			371.35	Land pride 4014
<b>11103</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198711</b>	<b>Sedgwick Claims</b>	<b>2,586.24</b>	
			001 - 511 60 21 001 - Industrial Insurance			4.00	
			001 - 512 50 21 001 - Industrial Insurance			6.45	
			001 - 513 10 21 001 - Industrial Insurance			5.29	
			001 - 514 23 21 001 - Industrial Insurance			9.03	
			001 - 518 80 21 001 - Industrial Insurance			10.97	
			001 - 521 10 21 001 - Industrial Insurance			59.99	
			001 - 521 20 21 001 - Industrial Insurance			516.06	
			001 - 522 20 21 001 - Industrial Insurance			551.53	
			001 - 522 21 21 001 - Industrial Insurance			322.54	
			001 - 523 20 21 001 - Industrial Insurance			19.35	
			001 - 524 20 21 001 - Industrial Insurance			38.70	
			425 - 531 50 21 001 - Industrial Insurance			148.37	
			401 - 535 80 21 001 - Industrial Insurance			318.67	
			102 - 536 20 21 001 - Industrial Insurance			42.58	
			412 - 537 80 21 001 - Industrial Insurance			216.75	
			103 - 542 30 21 001 - Industrial Insurance			118.69	
			501 - 548 30 21 001 - Industrial Insurance			22.71	
			001 - 558 60 21 001 - Industrial Insurance			6.84	
			101 - 576 80 21 001 - Industrial Insurance			141.92	
			001 - 595 10 21 001 - Industrial Insurance			25.80	
<b>11104</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198712</b>	<b>Sedro-Woolley Auto Parts Inc</b>	<b>460.62</b>	
			401 - 535 50 48 020 - Maint Of Pumping Equip			16.49	
			401 - 535 50 48 020 - Maint Of Pumping Equip			65.15	
			102 - 536 20 31 010 - Operating Supplies			111.20	
			412 - 537 50 48 000 - Repairs/maint-equip			20.87	Unit 525
			412 - 537 80 31 000 - Operating Supplies			60.73	
			412 - 537 80 31 000 - Operating Supplies			32.58	
			103 - 542 30 31 000 - Operating Supplies			13.01	
			103 - 542 30 31 000 - Operating Supplies			28.26	
			103 - 542 30 31 000 - Operating Supplies			24.86	
			103 - 542 30 31 000 - Operating Supplies			33.28	
			103 - 542 30 31 000 - Operating Supplies			18.13	
			103 - 542 30 48 010 - Repair/Maintenance-Equip			12.25	Unit 325
			101 - 576 80 35 010 - Safety Equipment			23.81	
<b>11105</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198713</b>	<b>Sirchie Acquisition Co LLC</b>	<b>159.83</b>	
			001 - 521 20 31 002 - Office/Operating Supplies			159.83	
<b>11106</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198714</b>	<b>Skagit Cnty Treasurer</b>	<b>66,701.45</b>	
			114 - 523 60 41 022 - Jail Sales Tax Pass Through 2/11			66,701.45	
<b>11107</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198715</b>	<b>Skagit Council Of Governments</b>	<b>3,364.14</b>	
			001 - 558 60 41 050 - SCOG			3,364.14	
<b>11108</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198716</b>	<b>Skagit Farmers Supply</b>	<b>241.04</b>	
			103 - 542 30 31 000 - Operating Supplies			130.31	
			103 - 542 30 31 000 - Operating Supplies			35.83	
			101 - 576 80 31 003 - Operating Sup - Parks Shop			74.90	
<b>11109</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198717</b>	<b>PNG Media LLC, dba Skagit Publishing</b>	<b>548.76</b>	
			001 - 511 60 31 001 - Legal Publication City Council Packet			172.16	

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
			001 - 515 41 41 001 - Ext Legal-Prosecutor			269.00	
			001 - 558 60 41 010 - Advertising			107.60	
<b>11110</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198718</b>	<b>Skagit Regional Health</b>	<b>524.00</b>	
			001 - 522 20 41 010 - Prof Service-Medical Exams			524.00	
<b>11111</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198719</b>	<b>Skagit River Steel</b>	<b>1,612.49</b>	
			412 - 537 80 31 000 - Operating Supplies			1,612.49	
<b>11112</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198720</b>	<b>Cheryl Taylor</b>	<b>408.00</b>	
			001 - 517 90 43 002 - Employee Wellness (lunch & Le			408.00	
<b>11113</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198721</b>	<b>Fifth Third Bank TrojanUV</b>	<b>385.62</b>	
			401 - 535 50 48 050 - Maint Of General Equip			514.31	
			401 - 535 50 48 050 - Maint Of General Equip			-128.69	
<b>11114</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198722</b>	<b>Truck Toys Inc</b>	<b>753.20</b>	
			101 - 576 80 48 021 - Equipment			753.20	Unit 150
<b>11115</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198723</b>	<b>Uline, Inc.</b>	<b>265.77</b>	
			412 - 537 80 31 000 - Operating Supplies			265.77	
<b>11116</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198724</b>	<b>UniFirst Corp.</b>	<b>1,147.96</b>	
			001 - 522 20 26 000 - Uniforms			385.04	
			001 - 522 20 26 000 - Uniforms			381.46	
			001 - 522 20 26 000 - Uniforms			381.46	
<b>11117</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198725</b>	<b>Universal Field Services, Inc.</b>	<b>1,257.00</b>	
			104 - 595 20 63 082 - RW Trail Road Extension			1,257.00	
<b>11118</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198726</b>	<b>UpCodes, Inc</b>	<b>396.00</b>	
			001 - 522 20 41 000 - Professional Services			396.00	
<b>11119</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198727</b>	<b>Util Underground Loc Ctr</b>	<b>78.54</b>	
			401 - 535 80 31 010 - Operating Supplies			78.54	
<b>11120</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198728</b>	<b>Janette Valdez</b>	<b>100.00</b>	
			101 - 582 10 01 101 - Community Center Deposit Ref			100.00	
<b>11121</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198729</b>	<b>WA Assoc Of Building Off</b>	<b>50.00</b>	
			001 - 524 20 41 000 - Professional Services			50.00	
<b>11122</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198730</b>	<b>WA Assoc Of Sheriffs &amp;</b>	<b>75.00</b>	
			001 - 521 20 49 010 - Dues/Subscriptions			75.00	
<b>11123</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198731</b>	<b>Woiwood, Joel &amp; Darlene</b>	<b>100.00</b>	
			101 - 582 10 01 101 - Community Center Deposit Ref			100.00	
<b>11124</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198732</b>	<b>Woods Acquisition Corp</b>	<b>189.67</b>	
			401 - 535 80 31 010 - Operating Supplies			60.32	Spray cans
			103 - 542 30 31 000 - Operating Supplies			8.15	
			103 - 542 30 48 010 - Repair/Maintenance-Equip			121.20	
<b>11125</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198733</b>	<b>World Kinect Energy Services, dba</b>	<b>14,607.89</b>	
			001 - 514 23 43 001 - Meals/Travel - EMS Billing			60.76	
			001 - 518 20 32 000 - Auto Fuel			89.51	
			001 - 521 20 32 000 - Auto Fuel			3,296.45	
			001 - 522 20 32 000 - Auto Fuel/Diesel			2,161.93	
			425 - 531 50 32 000 - Vehicle Fuel			137.19	
			425 - 531 50 32 000 - Vehicle Fuel			199.33	
			425 - 531 50 32 000 - Vehicle Fuel			136.47	
			425 - 531 50 32 000 - Vehicle Fuel			687.10	
			401 - 535 80 32 000 - Auto Fuel/Diesel			188.76	
			401 - 535 80 32 000 - Auto Fuel/Diesel			335.79	
			401 - 535 80 32 000 - Auto Fuel/Diesel			369.07	

# CHECK REGISTER

City Of Sedro-Woolley

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		401 - 535 80 32 000 - Auto Fuel/Diesel				266.13	
		412 - 537 80 32 000 - Auto Fuel/Diesel				31.77	
		412 - 537 80 32 000 - Auto Fuel/Diesel				3,403.52	
		412 - 537 80 32 000 - Auto Fuel/Diesel				2,171.07	
		412 - 537 80 32 000 - Auto Fuel/Diesel				103.69	
		103 - 542 30 32 000 - Auto Fuel/Diesel				87.36	
		103 - 542 30 32 000 - Auto Fuel/Diesel				259.17	
		103 - 542 30 32 000 - Auto Fuel/Diesel				99.68	
		103 - 542 30 32 000 - Auto Fuel/Diesel				364.98	
		101 - 576 80 32 000 - Auto Fuel/Diesel				22.68	
		101 - 576 80 32 000 - Auto Fuel/Diesel				135.48	
<b>11126</b>	<b>11/09/2022</b>	<b>Claims</b>	<b>2</b>	<b>198734</b>	<b>Zoll Medical Corporation</b>	<b>4,135.48</b>	
		001 - 522 21 31 000 - Operating Supplies - Medical				3,804.25	
		001 - 522 21 31 000 - Operating Supplies - Medical				331.23	
		001 Current Expense Fund				44,904.47	
		101 Parks & Facilities Fund				12,546.24	
		102 Cemetery Fund				714.96	
		103 Street Fund				12,413.91	
		104 Arterial Street Fund				147,327.39	
		114 Law Enforcement Sales Tax				66,701.45	
		401 Sewer Operations Fund				49,765.62	
		412 Solid Waste Operations Fund				22,170.91	
		425 Stormwater Operations				4,375.28	
		501 Equipment Replacement Fund				902.02	
		505 Public Works Facility Fund				142,005.30	
							Claims: 503,827.55
		* Transaction Has Mixed Revenue And Expense Accounts				503,827.55	

CERTIFICATION: I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described, or that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Sedro Woolley, and that I am authorized to authenticate and certify to said claim.

\_\_\_\_\_  
Finance Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Finance Committee Member

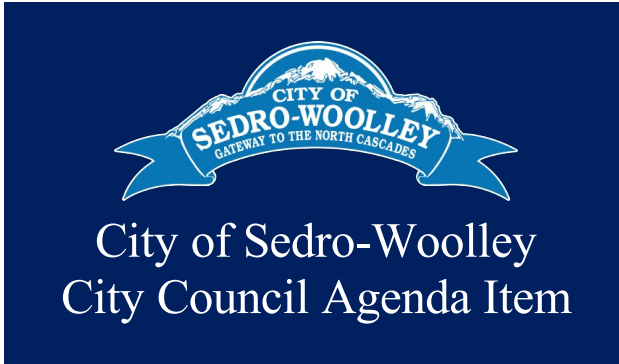
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Date

\_\_\_\_\_  
Finance Committee Member

\_\_\_\_\_  
Date

\_\_\_\_\_  
Finance Committee Member

\_\_\_\_\_  
Date



Agenda  
Item No.

Date:

November 9, 2022

Subject:

Lodging Tax Advisory Committee  
Recommendations

**FROM:**

Kelly Kohnken, Finance Director

**RECOMMENDED ACTION:**

Approve the Lodging Tax Advisory Committee's 2023 award recommendations.

**ISSUE:**

**BACKGROUND/SUMMARY INFORMATION:**

The Lodging Tax Advisory Committee meets annual to review applications and recommend awards for the full Council's approval.

Lodging tax is also known as Hotel/Motel tax.

**FISCAL IMPACT, IF APPROPRIATE:**

Fiscal year 2023 \$35,000 out of Fund 108 Lodging Tax.

**ATTACHMENTS:**

1. LTAC Recommendations

CITY OF SEDRO-WOOLLEY  
Lodging Tax Advisory Committee  
Meeting Minutes  
November 2,2022  
5:15 PM in Council Chambers

Members Present: Mayor Julia Johnson, Chair, Sedro-Woolley Riding Club Doug Wood, Committee Member, Sedro-Woolley Farmers Market Jeremy Kindlund, staff liaison, Finance Director Kelly Kohnken

Members Absent: Committee Member, Sedro-Woolley Loggerodeo Dottie Chandler

City staff reached out to several impacted businesses for inclusion on this committee and received no response.

1) Meeting called to order by Mayor Johnson at 5:15 PM.

2) Reviewed packets, discussed budgets, application requests, and applicability of applications to lodging tax goals and regulations.

3) Committee developed recommendation of the following awards of lodging tax revenues for 2023:

Organization	Requested	Recommended
Loggerodeo	10,000.00	10,000.00
Sedro-Woolley Chamber of Commerce	12,000.00	12,000.00
Sedro-Woolley Farmers Market	2,250.00	2,250.00
Sedro-Woolley Rotary	4,500.00	4,500.00
Skagit Tulip Festival	100.00	100.00
Sedro-Woolley Riding Club	10,000.00	6,150.00
Lincoln Theatre Center Foundation	5,000.00	0.00
Sedro-Woolley Public Works	10,000.00	0.00
	<u>\$53,850.00</u>	<u>\$35,000.00</u>

4) Meeting adjourned at 5:30 PM.



Agenda  
Item No.

Date:

November 9, 2022

Subject:

Minutes - Regular Session - October 26,  
2022

**FROM:**

Kelly Kohnken, Finance Director

**RECOMMENDED ACTION:**

Review only

**ISSUE:**

Minutes taken during regular City Council Meeting held on October 26, 2022

**BACKGROUND/SUMMARY INFORMATION:**

**FISCAL IMPACT, IF APPROPRIATE:**

**ATTACHMENTS:**

1. City Council Minutes 10-26-22

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## CITY OF SEDRO-WOOLLEY

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Regular Meeting of the City Council  
October 26, 2022– 6:00 P.M. Hybrid Meeting

### **Call to Order**

Mayor Julia Johnson called the meeting to order at 6:00 P.M.

### **Pledge of Allegiance and Roll Call:**

Present: Mayor Julia Johnson, Councilmember Brendan McGoffin, Councilmember Chuck Owen, Councilmember JoEllen Kesti, Councilmember Sarah Diamond, Councilmember Glenn Allen, Councilmember Joe Burns, and Nick Lavacca.

### **Approval of Agenda**

Motion made by Councilmember Burns seconded by Councilmember McGoffin to approve the agenda, but removing Item 1, Resolution 1103-22 from New Business. Motion carried (7-0).

### **Consent Agenda**

1. Memorial Park Play Toys & Restroom Surplus Items – Resolution 1107-22
2. Check Register -Regular
3. Minutes – Regular Session – September 28, 2022
4. Minutes – Regular Session – October 12, 2022

Motion made by Councilmember Owen, seconded by Councilmember Diamond, to approve the consent agenda. Motion carried (7-0).

### **City Administrator Report**

City Administrator Charlie Bush, introduced Finance Director Kelly Kohnken who spoke about the upcoming state audit the city will be participating in.

### **Police Department Report**

Police Chief McIlraith shared with the Mayor, Council and public that there is an upcoming Sedro-Woolley R.I.S.E. event, partnering with WIC, Schaffner Pharmacy, and Skagit County Public Health, for a Drug Take Back Day at City Hall on Saturday, October 29<sup>th</sup> from 10am to 2pm. Also, 1<sup>st</sup> ever Family University is coming up. This is comprised of eight must have conversations to have with children about drugs. Nov 3<sup>rd</sup> 1800-1900 at SW HS Library.



## **Councilmember and Mayor's Report**

Councilmember Owen – Nothing tonight. Councilmember McGoffin – Skagit County is preparing to do work to install pedestrian crossing to Janicki Fields on Cook Road. Work begins October 31<sup>st</sup> and will last about two weeks. Councilmember Diamond reported that the Utilities Committee met earlier today to discuss services provided to the community and the budget affecting the utilities. Councilmember Burns – nothing to report. Councilmember Kesti – nothing to report. Councilmember Allen discussed being present for the next meeting but may or may not be able to remote in for November 9, 2022. Councilmember Lavacca – thanked the police department for their continued efforts to keep the community safe. The Mayor announced there will be a position open on the Planning Commission soon and anyone interested may submit a one-page letter of interest to the Planning Department/Planning Director, 325 Metcalf St, Sedro-Woolley, WA 98284. The Mayor also announced that the City Scene Magazine is still available online and they are looking for anyone that wants to submit a story.

## **Public Comments**

6:08 P.M.— Mayor opened the meeting up for public comment.

- Phillip Murray of Woodworth St – voiced that he feels we do not need any taxes raised and also stated that he felt that all committee meetings should be public and posted in the lobby and online for each meeting.

6:09 P.M.— Mayor closed the meeting to public comments.

## **Public Hearing**

1. Preliminary 2023-2024 Budget and Budget Message – 2<sup>nd</sup> Public Hearing  
Finance Director, Kelly Kohnken, presented information on the budget for the next two years. Slides and documents will be made available online as Late Materials for tonight's meeting. No action taken tonight
2. Property Tax 2023 Budgeted Levy – Ordinance 2024-22 – 1<sup>st</sup> Read, no action taken tonight
  - Phil Murray of Woodworth St – stated that people cannot afford the proposed 1% property tax increase.
  - Tony Splane of Sapp Road – told Council that he is on a fixed income and doesn't want to see his taxes raised.

## **New Business**

- ~~1. Honoring Sedro Woolley Chamber of Commerce Executive Director Pola Kelley – Resolution 1103-22 – Removed during approval of Agenda.~~
2. October 28 Designated as Honoring Skagit County's First Responders Day - Resolution 1108-22 – City Administrator, Charlie Bush stated that Skagit County Commissioners honored the 1<sup>st</sup> Responders, as did Sheriff McDermott. Mr. Bush stated he is hoping council will act on this tonight.

Motion made my Councilmember Burns seconded by Councilmember Diamond. Motion carried (7-0).

3. Fire Hydrant Maintenance Interlocal Agreement with Skagit Public Utility District –City Administrator Charlie Bush and Fire Chief Frank Wagner presented information and answered questions. Currently, our Fire Department is responsible for inspecting and maintaining all fire hydrants in the city. For 28 years, the city has owned about 500 hydrants and the fire department has had to flow them, weed-eat, and check pressure with a two person crew. That is over 1000 hours of labor each year. Crews are excited about the professionals taking care and ensuring that the hydrants are in top condition. Total work is in the ballpark of \$35,000 but is capped at \$50,000 for Skagit PUD to get everything up to spec before they take over the maintenance of the hydrants. Motion made Councilmember Diamond and seconded by Councilmember McGoffin to approve the Interlocal Agreement with Skagit PUD. Motion carried (7-0).
4. Amending SWMC 5.04.030, License Fees and Regulations Related to Mobile Vendors - Ordinance 2023-22 –City Administrator Charlie Bush stated he tried to meet with business owners in the community, but no one showed up. He provided information about the constraints of businesses obtaining the Mobile Vendor License. 1<sup>st</sup> Read, no action taken tonight.
5. Amending Master Fee Schedule – Resolution 1106-22—City Administrator Charlie Bush presented information about amending the mobile vendor fee from \$1000 to a lower cost of \$75.00. In looking at the region, the price is average with \$40 in Anacortes and in Burlington, it can be up to \$100. Councilmember Lavacca thinks it will add more to parks and community and bring in a change in flavors. Councilmember Burns thinks it might be nice to have designated spaces in the city that trucks can rent out. Councilmember McGoffin thinks \$75 sound good. 1<sup>st</sup> Read. Councilmember Lavacca made motion to Amend the Master Fee Schedule, per Resolution 1106-22, seconded by McGoffin. Motion carried (7-0).

### **Information Only Items**

1. Building Permit and Planning Permit Review Status 2.
2. PD Staff Reports

### **Executive Session**

At 7:32 P.M., the Mayor announced the start of the Executive Session and anticipated it lasting ten minutes. At 7:41 P.M., everyone returned and the Mayor announced that no action was taken during the executive session.

**Adjournment**

The meeting adjourned at 7:42 P.M.

ATTEST:

APPROVED:

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Kelly Kohnken, Finance Director

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Julia Johnson, Mayor

DRAFT



Agenda  
Item No.

Date:

Subject:

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November 9, 2022

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Minutes - Study Session - November 2,  
2022

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**FROM:**

Kelly Kohnken, Finance Director

**RECOMMENDED ACTION:**

Review only.

**ISSUE:**

Minutes taken during work session held on November 2, 2022

**BACKGROUND/SUMMARY INFORMATION:**

**FISCAL IMPACT, IF APPROPRIATE:**

**ATTACHMENTS:**

1. City Council Minutes 11-2-22

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**CITY OF SEDRO-WOOLLEY**  
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Regular Meeting of the City Council  
November 2, 2022– 6:00 P.M. Hybrid Meeting

**Call to Order**

Mayor Julia Johnson called the meeting to order at 6:00 P.M.

**Roll Call**

**City Council Members Present:** Sara Diamond, Joe Burns, Nick Lavacca, JoEllen Kesti & Brendan McGoffin, Chuck Owen and Glenn Allen.

**New Business**

1. 2023/2024 Utility Rate Discussion: Fund 401 Sewer, Fund 412 Solid Waste and Fund 425 Stormwater. Public Works Director Mark Freiburger and Solid Waste Supervisor Leo Jacobs presented facts and figures to the Mayor and Council.
2. 2023-2024 Budget Follow-Up. Finance Director Kelly Kohnken presented information on the budget and answered questions that came up during the last City Council Meeting.
3. Community Development Grant Program – Councilmember Burns presented information to help recruit younger folks to volunteer to serve the community and share a sense of ownership among citizens of the city. Some of the suggestions were awning replacements, new murals, killing weeds in alleyways, historical markers, advertising for the city, and street carnivals. There would be very strict rules to qualify for funding from the Grant Program.
4. Revising the City Council Governance Handbook – Resolution 1109-22 – 1<sup>st</sup> read City Administrator Charlie Bush reviewed proposed changes to the handbook. No action taken.

**Adjournment**

The meeting adjourned at 8:00 P.M.

ATTEST:

APPROVED:

\_\_\_\_\_  
Kelly Kohnken, Finance Director

\_\_\_\_\_  
Julia Johnson, Mayor

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Agenda  
Item No.

Date:

November 9, 2022

Subject:

Proposed 2023 and 2024 Budget -  
Ordinance 2025-22 - 1st Read

**FROM:**

Kelly Kohnken, Finance Director

**RECOMMENDED ACTION:**

1st read, no action necessary

**ISSUE:**

**BACKGROUND/SUMMARY INFORMATION:**

First budget hearing was held in a regular Council meeting on September 7, 2022. Second budget hearing was held in conjunction with the property tax public hearing at a regular Council meeting on October 26, 2022. Budget and property tax questions were answered at the November 2, 2022 work session.

**FISCAL IMPACT, IF APPROPRIATE:**

**ATTACHMENTS:**

1. Ordinance 2025-22
2. 2023-24 Proposed Budget

ORDINANCE NO. 2025-22

AN ORDINANCE ADOPTING THE BIENNIAL BUDGET FOR THE CITY OF SEDRO-WOOLLEY, WASHINGTON, FOR THE YEARS 2023 AND 2024, SETTING FORTH THE ESTIMATED APPROPRIATIONS.

WHEREAS, the Mayor of the City of Sedro-Woolley, Washington, completed and placed on file with the City Finance Director, a proposed budget and estimate of the amount of moneys required to meet the public expenses, bond retirement and interest, reserve funds and expenses for the City of Sedro-Woolley for the fiscal years ending December 31, 2023 and December 31, 2024, and a notice was published that the Sedro-Woolley City Council would meet on the 9th day of November, 2022, at the hour of 6:00 P.M., at the Sedro-Woolley City Hall, for the purpose of reviewing a budget for the years 2023 and 2024, and giving taxpayers within the city limits of Sedro-Woolley an opportunity to be heard upon said budget; and

WHEREAS, the Sedro-Woolley City Council did meet at said time and place and did then consider the matter of said proposed budget; and

WHEREAS, the proposed budget does not exceed the lawful limit of taxation allowed by law to be levied on the property within the City of Sedro-Woolley for the purposes set forth in said budget, and the estimated expenditures set forth in said budget being all necessary to carry on the government of said City for said years and being sufficient to meet the various needs of said City during said periods.

NOW, THEREFORE, the City Council of the City of Sedro-Woolley do ordain as follows:

Section 1. The biennial budget for the City of Sedro-Woolley, Washington, for the years 2023 and 2024 is hereby adopted, by this reference, at the fund level in its final form and content as set forth in the document entitled City of Sedro-Woolley 2023-2024 Biennial Budget, which is on file in the Office of the City Clerk.

Section 2. Estimated revenues and expenditures, including fund balances or working capital for each separate fund of the City of Sedro-Woolley, and the aggregate total for all such funds combined, for each year 2023 and 2024, are hereby appropriated for expenditure at the fund level as set forth below:

Section 3. The City Finance Director is directed to transmit a certified copy of the budget, hereby adopted, to the Washington State Auditor's Office, and to the Association of Washington Cities.

Section 4. This ordinance shall be in force and take effect five (5) days after its publication according to law.



Section 5. If any section, sentence, clause or phrase of this ordinance should be held to be invalid of unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of constitutionality of any other section, sentence, clause or phrase of this ordinance.

FUND	DESCRIPTION	2023			2024		
		Beginning Cash	Revenues	Expenditures	Beginning Cash	Revenues	Expenditures
001	Current Expense Fund	2,766,593.21	10,606,843.11	10,426,648.00	2,946,788.32	10,617,857	10,760,722
101	Parks & Facilities Fund	107,998.59	3,703,307.27	3,702,527.15	108,778.71	1,752,830	1,752,131
102	Cemetery Fund	70,960.88	168,300.00	165,549.00	73,711.88	223,580	217,502
103	Street Fund	304,239.30	1,029,622.65	1,019,739.00	314,122.95	1,056,203	1,045,030
104	Arterial Street Fund	743,192.67	4,764,090.00	4,655,248.00	852,034.67	100,000	100,000
105	Library Fund	251,951.59	428,500.00	427,916.82	252,534.77	428,500	427,917
106	Cemetery Endowment Fund	60,606.76	3,250.00	-	63,856.76	3,250	50,000
108	Lodging Tax Fund	22,462.28	24,460.00	35,000.00	11,922.28	24,580	-
109	Special Investigation Fund	47,908.91	7,630.00	1,000.00	54,538.91	7,650	1,000
112	Code Enforcement Fund	122,110.97	1,200.00	2,500.00	120,810.97	1,200	2,500
114	Law Enforcement Sales Tax	66,701.45	632,300.00	632,300.00	66,701.45	658,600	658,600
115	City Council Strategic Reserve	495,635.29	75,350.00	88,000.00	482,985.29	75,350	101,000
116	Affordable Housing	214,022.72	239,420.00		453,442.72	239,420	
189	American Rescue Plan Act	3,175,510.90	-	2,356,500.00	819,010.90	-	291,500
205	2008 G/O Bond Fund	58,562.37	157,594.00	200,558.04	15,598.33	157,594	200,555
301	1st 1/4% Real Estate Excise Tax Fund	764,006.52	352,000.00	565,481.00	550,525.52	352,000	112,500
302	2nd 1/4% Real Estate Excise Tax Fund	814,002.85	352,000.00	590,481.00	575,521.85	352,000	-
303	Building Maintenance Reserve	67,672.79	3,050.00	30,000.00	40,722.79	3,050	5,000
304	Transportation Benefit District	555,062.94	211,000.00	393,485.00	372,577.94	211,000	100,000
310	Police Mitigation Reserve Fund	186,499.48	8,300.00	-	194,799.48	8,300	-
311	Parks Impact Fee Reserve Fund	602,842.83	41,200.00	278,000.00	366,042.83	41,200	178,000
312	Fire Impact Fee Reserve Fund	275,871.86	26,550.00	-	302,421.86	26,550	-
314	Transportation Impact Fee Reserve Fund	837,160.82	62,000.00	193,000.00	706,160.82	62,000	-
401	Sewer Operations Fund	3,125,835.98	5,567,820.00	5,607,292.00	3,086,363.98	5,925,100	5,607,253
410	Sewer Capital Projects	4,459,395.28	1,189,144.00	1,854,000.00	3,794,539.28	689,144	1,773,130
412	Solid Waste Operations	678,016.47	3,589,200.00	3,536,486.00	730,730.47	3,662,200	3,659,341
413	Solid Waste Reserve Fund	602,233.01	127,000.00	-	729,233.01	127,000	100,000
425	Stormwater Operations	338,364.80	1,240,977.00	1,237,664.00	341,677.80	1,130,677	1,131,406
426	Stormwater Reserve Fund	819,790.03	250.00	150,000.00	670,040.03	250	-
501	Equipment Replacement Fund	2,286,509.89	1,429,572.00	1,428,072.00	2,288,009.89	1,488,680	2,540,680
505	Public Works Facility Fund	3,393.59	289,998.00	253,500.00	39,891.59	289,998	253,500
	Total	24,925,117	36,331,928	39,830,947	21,426,098	29,715,763	31,069,267

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR THIS 22nd  
DAY OF, NOVEMBER, 2022.

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Julia Johnson, Mayor

ATTEST:

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Kelly Kohnken, Finance Director

APPROVED AS TO FORM:

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Nikki Thompson, City Attorney

# 2023 - 2024 BUDGET

City Of Sedro-Woolley

Time: 15:43:39 Date: 11/03/2022

Page: 1

## 001 Current Expense Fund

Account	2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
310 Taxes	5,561,349.30	4,604,476.56	5,486,884.00	6,239,595.82	6,385,613.25	
320 Licenses & Permits	606,575.21	264,359.31	510,900.00	333,790.00	342,260.00	
330 Intergovernmental Revenues	3,778,728.89	1,702,983.86	3,566,268.00	2,216,457.00	2,137,569.00	
340 Charges For Goods & Services	1,735,961.00	1,240,281.40	1,498,950.00	1,422,400.00	1,372,400.00	
350 Fines & Penalties	70,216.05	40,458.87	72,300.00	58,100.00	58,100.00	
360 Interest & Other Earnings	13,233.60	126,427.33	25,550.00	30,000.00	30,500.00	
380 Non Revenues	0.00	0.00	0.00	0.00	0.00	
390 Other Financing Sources	300.00	0.00	0.00	0.00	0.00	
397 Interfund Transfers	324,527.89	140,070.00	155,070.00	306,500.00	291,500.00	
398 Insurance Recoveries	0.00	0.00	0.00	0.00	0.00	
<b>TOTAL REVENUES:</b>	<b>12,090,891.94</b>	<b>8,119,057.33</b>	<b>11,315,922.00</b>	<b>10,606,842.82</b>	<b>10,617,942.25</b>	
511 Legislative	109,733.72	37,716.18	70,420.00	67,854.00	41,243.00	
512 Judicial	190,757.71	182,477.66	206,068.00	263,337.00	232,515.00	
513 Executive	186,459.23	166,420.09	263,047.00	302,807.00	308,088.00	
514 Financial, Recording & Elections	542,175.13	634,181.48	464,191.00	466,819.00	514,921.00	
515 Legal Services	166,185.92	264,530.88	302,543.00	274,017.00	271,273.00	
516 Civil Service	77.35	451.78	2,400.00	2,000.00	0.00	
517 Information Technology Services	242,509.08	276,262.58	290,350.00	340,484.00	319,198.00	
518 Centralized Services	13,659.31	5,441.99	16,597.00	10,419.00	10,353.00	
519 Planning & Community Development Servi	235,292.70	207,051.27	267,262.00	261,427.00	343,860.00	
520 Engineering	126,338.66	316,955.08	391,831.00	215,935.00	222,394.00	
521 Law Enforcement	3,765,708.58	3,423,057.44	3,885,280.00	4,161,310.00	4,314,880.00	
522 Fire Control	3,566,767.34	2,687,989.02	3,452,217.00	3,564,150.00	3,684,750.00	
524 Protective Inspections	185,277.32	148,240.09	240,545.00	203,080.00	207,930.00	
525 Disaster Services	21,720.40	17,745.57	27,000.00	25,500.00	25,500.00	
553 Conservation	4,091.50	4,161.50	4,300.00	6,165.00	6,473.00	
557 Community Services	5,000.00	0.00	0.00	0.00	500.00	
558 Planning & Community Devel	6,400.00	18,435.50	127,500.00	12,500.00	8,000.00	
562 Public Health	320.55	889.07	2,100.00	2,100.00	2,100.00	
565 Welfare	8,700.00	458.45	0.00	7,000.00	7,000.00	
566 Substance Abuse	3,558.25	2,701.96	3,060.00	3,200.00	3,200.00	
569 Aging & Adult Services	26,632.50	16,266.75	1,471,054.00	112,000.00	112,000.00	
580 Non Expenditures	-4,071.42	2,273.15	0.00	0.00	0.00	
594 Capital Expenditures	0.00	20,873.32	2,000.00	0.00	0.00	
595 Capital Expenditures- Streets	0.00	0.00	0.00	0.00	0.00	
597 Interfund Transfers	178,125.56	1,676,771.64	124,550.00	124,544.00	124,544.00	
<b>TOTAL EXPENDITURES:</b>	<b>9,581,419.39</b>	<b>10,111,352.45</b>	<b>11,614,315.00</b>	<b>10,426,648.00</b>	<b>10,760,722.00</b>	
<b>FUND GAIN/LOSS: Sedro-Woolley</b>	<b>2,509,472.55</b>	<b>-1,992,295.12</b>	<b>-298,393.00</b>	<b>180,194.82</b>	<b>-142,779.75</b>	

## 2023 - 2024 BUDGET

City Of Sedro-Woolley

Time: 15:43:39 Date: 11/03/2022

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### 101 Parks & Facilities Fund

Account	2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
310 Taxes	618,232.35	453,729.95	661,489.00	744,102.27	760,935.00	
330 Intergovernmental Revenues	32,016.46	102,895.86	0.00	900,000.00	500,000.00	
340 Charges For Goods & Services	1,095.89	10,808.00	0.00	12,630.00	12,740.00	
360 Interest & Other Earnings	64,629.92	89,971.25	39,200.00	81,575.00	81,155.00	
380 Non Revenues	5,300.00	21,882.96	8,500.00	20,500.00	20,500.00	
390 Other Financing Sources	3,450.00	0.00	0.00	0.00	0.00	
397 Interfund Transfers	164,381.74	0.00	1,525,000.00	1,944,500.00	377,500.00	
<b>TOTAL REVENUES:</b>	<b>889,106.36</b>	<b>679,288.02</b>	<b>2,234,189.00</b>	<b>3,703,307.27</b>	<b>1,752,830.00</b>	
576 Park Facilities	1,053,903.06	874,470.15	2,448,551.00	3,682,027.15	1,731,631.00	
580 Non Expenditures	5,100.00	15,725.00	15,600.00	20,500.00	20,500.00	
<b>TOTAL EXPENDITURES:</b>	<b>1,059,003.06</b>	<b>890,195.15</b>	<b>2,464,151.00</b>	<b>3,702,527.15</b>	<b>1,752,131.00</b>	
<b>FUND GAIN/LOSS:</b>	<b>-169,896.70</b>	<b>-210,907.13</b>	<b>-229,962.00</b>	<b>780.12</b>	<b>699.00</b>	

## 2023 - 2024 BUDGET

City Of Sedro-Woolley

Time: 15:43:39 Date: 11/03/2022

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### 102 Cemetery Fund

Account	2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
310 Taxes	32,807.60	55,612.96	91,000.00	70,000.00	72,000.00	
330 Intergovernmental Revenues	0.00	24,428.00	0.00	0.00	0.00	
340 Charges For Goods & Services	98,034.00	83,845.00	60,000.00	98,000.00	101,280.00	
360 Interest & Other Earnings	267.50	882.94	250.00	300.00	300.00	
380 Non Revenues	0.00	0.00	2,000.00	0.00	0.00	
397 Interfund Transfers	5,000.00	0.00	5,000.00	0.00	50,000.00	
<b>TOTAL REVENUES:</b>	<b>136,109.10</b>	<b>164,768.90</b>	<b>158,250.00</b>	<b>168,300.00</b>	<b>223,580.00</b>	
536 Cemetery	155,737.01	150,351.34	166,780.00	165,549.00	167,502.00	
580 Non Expenditures	0.00	0.00	3,500.00	0.00	0.00	
594 Capital Expenditures	43,602.59	20,162.75	15,000.00	0.00	50,000.00	
<b>TOTAL EXPENDITURES:</b>	<b>199,339.60</b>	<b>170,514.09</b>	<b>185,280.00</b>	<b>165,549.00</b>	<b>217,502.00</b>	
<b>FUND GAIN/LOSS:</b>	<b>-63,230.50</b>	<b>-5,745.19</b>	<b>-27,030.00</b>	<b>2,751.00</b>	<b>6,078.00</b>	

## 2023 - 2024 BUDGET

City Of Sedro-Woolley

Time: 15:43:39 Date: 11/03/2022

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### 103 Street Fund

Account	2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
310 Taxes	427,519.72	438,178.33	522,950.00	593,464.65	609,241.00	
330 Intergovernmental Revenues	253,157.13	207,702.96	253,000.00	259,858.00	270,662.00	
340 Charges For Goods & Services	100.00	0.00	100.00	100.00	100.00	
360 Interest & Other Earnings	598.32	1,823.45	1,300.00	1,200.00	1,200.00	
380 Non Revenues	0.00	147.66	0.00	0.00	0.00	
390 Other Financing Sources	15,205.00	0.00	0.00	0.00	0.00	
397 Interfund Transfers	68,033.76	0.00	150,000.00	175,000.00	175,000.00	
<b>TOTAL REVENUES:</b>	<b>764,613.93</b>	<b>647,852.40</b>	<b>927,350.00</b>	<b>1,029,622.65</b>	<b>1,056,203.00</b>	
542 Streets - Maintenance	805,905.33	789,776.24	933,485.00	1,019,739.00	1,045,030.00	
580 Non Expenditures	0.00	0.00	0.00	0.00	0.00	
591 Debt Service - Principal Repayment	0.00	0.00	0.00	0.00	0.00	
597 Interfund Transfers	0.00	0.00	0.00	0.00	0.00	
<b>TOTAL EXPENDITURES:</b>	<b>805,905.33</b>	<b>789,776.24</b>	<b>933,485.00</b>	<b>1,019,739.00</b>	<b>1,045,030.00</b>	
<b>FUND GAIN/LOSS:</b>	<b>-41,291.40</b>	<b>-141,923.84</b>	<b>-6,135.00</b>	<b>9,883.65</b>	<b>11,173.00</b>	

# 2023 - 2024 BUDGET

City Of Sedro-Woolley

Time: 15:43:39 Date: 11/03/2022

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## 104 Arterial Street Fund

Account	2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
330 Intergovernmental Revenues	697,887.92	1,273,622.38	526,729.00	2,768,643.00	0.00	
340 Charges For Goods & Services	1,924.00	3,555.98	0.00	0.00	0.00	
360 Interest & Other Earnings	483.31	2,186.83	3,000.00	3,000.00	0.00	
380 Non Revenues	0.00	0.00	500,000.00	500,000.00	0.00	
390 Other Financing Sources	0.00	0.00	0.00	0.00	0.00	
397 Interfund Transfers	271,126.00	0.00	2,163,637.00	1,492,447.00	100,000.00	
<b>TOTAL REVENUES:</b>	<b>971,421.23</b>	<b>1,279,365.19</b>	<b>3,193,366.00</b>	<b>4,764,090.00</b>	<b>100,000.00</b>	
544 Road & Street Operations	26,503.72	21,692.92	23,417.00	8,900.00	0.00	
580 Non Expenditures	0.00	0.00	500,000.00	500,000.00	0.00	
591 Debt Service - Principal Repayment	0.00	0.00	0.00	0.00	0.00	
594 Capital Expenditures	13,128.42	151,441.60	179,716.00	2,223,848.00	0.00	
595 Capital Expenditures- Streets	944,651.32	1,500,036.36	2,321,456.00	1,922,500.00	100,000.00	
597 Interfund Transfers	0.00	0.00	0.00	0.00	0.00	
<b>TOTAL EXPENDITURES:</b>	<b>984,283.46</b>	<b>1,673,170.88</b>	<b>3,024,589.00</b>	<b>4,655,248.00</b>	<b>100,000.00</b>	
<b>FUND GAIN/LOSS:</b>	<b>-12,862.23</b>	<b>-393,805.69</b>	<b>168,777.00</b>	<b>108,842.00</b>	<b>0.00</b>	

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## 105 Library Fund

Account	2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
310 Taxes	444,472.09	238,693.00	456,400.00	428,000.00	428,000.00	
330 Intergovernmental Revenues	0.00	0.00	0.00	0.00	0.00	
340 Charges For Goods & Services	0.00	0.00	0.00	0.00	0.00	
350 Fines & Penalties	33.23	0.00	0.00	0.00	0.00	
360 Interest & Other Earnings	698.07	2,260.11	500.00	500.00	500.00	
380 Non Revenues	0.00	0.00	0.00	0.00	0.00	
<b>TOTAL REVENUES:</b>	<b>445,203.39</b>	<b>240,953.11</b>	<b>456,900.00</b>	<b>428,500.00</b>	<b>428,500.00</b>	
572 Libraries	75,648.61	0.00	441,506.00	75,000.00	75,000.00	
591 Debt Service - Principal Repayment	193,624.00	0.00	0.00	206,254.00	212,875.00	
592 Debt Service - Interest Costs	159,426.80	76,538.82	0.00	146,662.82	140,042.06	
597 Interfund Transfers	0.00	0.00	0.00	0.00	0.00	
<b>TOTAL EXPENDITURES:</b>	<b>428,699.41</b>	<b>76,538.82</b>	<b>441,506.00</b>	<b>427,916.82</b>	<b>427,917.06</b>	
<b>FUND GAIN/LOSS:</b>	<b>16,503.98</b>	<b>164,414.29</b>	<b>15,394.00</b>	<b>583.18</b>	<b>582.94</b>	



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### 106 Cemetery Endowment Fund

Account	2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
340 Charges For Goods & Services	3,600.00	3,100.00	3,500.00	3,250.00	3,250.00	
<b>TOTAL REVENUES:</b>	<b>3,600.00</b>	<b>3,100.00</b>	<b>3,500.00</b>	<b>3,250.00</b>	<b>3,250.00</b>	
536 Cemetery	66.50	47.25	0.00	0.00	0.00	
597 Interfund Transfers	5,000.00	0.00	5,000.00	0.00	50,000.00	
<b>TOTAL EXPENDITURES:</b>	<b>5,066.50</b>	<b>47.25</b>	<b>5,000.00</b>	<b>0.00</b>	<b>50,000.00</b>	
<b>FUND GAIN/LOSS:</b>	<b>-1,466.50</b>	<b>3,052.75</b>	<b>-1,500.00</b>	<b>3,250.00</b>	<b>-46,750.00</b>	

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### 107 Parks Reserve Fund

Account		2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
360	Interest & Other Earnings	211.11	110.79	510.00	0.00	0.00	
TOTAL REVENUES:		211.11	110.79	510.00	0.00	0.00	
576	Park Facilities	0.00	0.00	500.00	0.00	0.00	
597	Interfund Transfers	0.00	0.00	0.00	0.00	0.00	
TOTAL EXPENDITURES:		0.00	0.00	500.00	0.00	0.00	
FUND GAIN/LOSS:		211.11	110.79	10.00	0.00	0.00	

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### 108 Lodging Tax Fund

Account	2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
310 Taxes	32,164.88	30,669.21	19,764.00	24,460.00	24,460.00	
360 Interest & Other Earnings	40.46	291.93	125.00	0.00	120.00	
380 Non Revenues	0.00	0.00	0.00	0.00	0.00	
<b>TOTAL REVENUES:</b>	<b>32,205.34</b>	<b>30,961.14</b>	<b>19,889.00</b>	<b>24,460.00</b>	<b>24,580.00</b>	
557 Community Services	24,359.60	8,279.17	30,350.00	35,000.00	0.00	
<b>TOTAL EXPENDITURES:</b>	<b>24,359.60</b>	<b>8,279.17</b>	<b>30,350.00</b>	<b>35,000.00</b>	<b>0.00</b>	
<b>FUND GAIN/LOSS:</b>	<b>7,845.74</b>	<b>22,681.97</b>	<b>-10,461.00</b>	<b>-10,540.00</b>	<b>24,580.00</b>	

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### 109 Special Investigation Fund

Account		2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
360	Interest & Other Earnings	1,014.82	904.50	7,640.00	7,630.00	7,650.00	
390	Other Financing Sources	0.00	0.00	0.00	0.00	0.00	
<b>TOTAL REVENUES:</b>		<b>1,014.82</b>	<b>904.50</b>	<b>7,640.00</b>	<b>7,630.00</b>	<b>7,650.00</b>	
521	Law Enforcement	56.42	563.63	5,500.00	1,000.00	1,000.00	
<b>TOTAL EXPENDITURES:</b>		<b>56.42</b>	<b>563.63</b>	<b>5,500.00</b>	<b>1,000.00</b>	<b>1,000.00</b>	
<b>FUND GAIN/LOSS:</b>		<b>958.40</b>	<b>340.87</b>	<b>2,140.00</b>	<b>6,630.00</b>	<b>6,650.00</b>	

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### 112 Code Enforcement Fund

Account	2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
340 Charges For Goods & Services	100.00	30.00	0.00	0.00	0.00	
350 Fines & Penalties	16,926.65	574.60	10,100.00	1,000.00	1,000.00	
360 Interest & Other Earnings	151.98	679.81	450.00	200.00	200.00	
<b>TOTAL REVENUES:</b>	<b>17,178.63</b>	<b>1,284.41</b>	<b>10,550.00</b>	<b>1,200.00</b>	<b>1,200.00</b>	
515 Legal Services	670.62	6,602.65	10,200.00	2,500.00	2,500.00	
597 Interfund Transfers	0.00	0.00	0.00	0.00	0.00	
<b>TOTAL EXPENDITURES:</b>	<b>670.62</b>	<b>6,602.65</b>	<b>10,200.00</b>	<b>2,500.00</b>	<b>2,500.00</b>	
<b>FUND GAIN/LOSS:</b>	<b>16,508.01</b>	<b>-5,318.24</b>	<b>350.00</b>	<b>-1,300.00</b>	<b>-1,300.00</b>	

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### 113 Paths And Trails Fund

Account		2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
330	Intergovernmental Revenues	1,142.95	868.09	1,025.00	0.00	0.00	
360	Interest & Other Earnings	10.41	51.56	50.00	0.00	0.00	
<b>TOTAL REVENUES:</b>		<b>1,153.36</b>	<b>919.65</b>	<b>1,075.00</b>	<b>0.00</b>	<b>0.00</b>	
594	Capital Expenditures	0.00	0.00	0.00	0.00	0.00	
597	Interfund Transfers	0.00	0.00	0.00	0.00	0.00	
<b>TOTAL EXPENDITURES:</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	
<b>FUND GAIN/LOSS:</b>		<b>1,153.36</b>	<b>919.65</b>	<b>1,075.00</b>	<b>0.00</b>	<b>0.00</b>	

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### 114 Law Enforcement Sales Tax

Account	2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
310 Taxes	633,156.30	601,491.21	545,000.00	632,300.00	658,600.00	
<b>TOTAL REVENUES:</b>	<b>633,156.30</b>	<b>601,491.21</b>	<b>545,000.00</b>	<b>632,300.00</b>	<b>658,600.00</b>	
523 Detention/Correction	633,156.30	601,491.21	545,000.00	632,300.00	658,600.00	
<b>TOTAL EXPENDITURES:</b>	<b>633,156.30</b>	<b>601,491.21</b>	<b>545,000.00</b>	<b>632,300.00</b>	<b>658,600.00</b>	
<b>FUND GAIN/LOSS:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	

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### 115 City Council Strategic Reserve

Account	2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
310 Taxes	187,816.44	166,344.58	162,500.00	75,000.00	75,000.00	
360 Interest & Other Earnings	634.06	3,033.67	350.00	350.00	350.00	
<b>TOTAL REVENUES:</b>	<b>188,450.50</b>	<b>169,378.25</b>	<b>162,850.00</b>	<b>75,350.00</b>	<b>75,350.00</b>	
558 Planning & Community Devel	0.00	0.00	0.00	0.00	0.00	
562 Public Health	0.00	0.00	0.00	0.00	0.00	
575 Cultural & Recreational Facilities	0.00	10,000.00	20,000.00	0.00	0.00	
594 Capital Expenditures	1,000.00	0.00	0.00	0.00	0.00	
597 Interfund Transfers	185,961.43	56,250.00	50,000.00	88,000.00	101,000.00	
<b>TOTAL EXPENDITURES:</b>	<b>186,961.43</b>	<b>66,250.00</b>	<b>70,000.00</b>	<b>88,000.00</b>	<b>101,000.00</b>	
<b>FUND GAIN/LOSS:</b>	<b>1,489.07</b>	<b>103,128.25</b>	<b>92,850.00</b>	<b>-12,650.00</b>	<b>-25,650.00</b>	



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### 116 Affordable Housing

Account		2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
310	Taxes	0.00	191,547.73	0.00	239,420.00	239,420.00	
397	Interfund Transfers	0.00	22,474.99	0.00	0.00	0.00	
TOTAL REVENUES:		0.00	214,022.72	0.00	239,420.00	239,420.00	
FUND GAIN/LOSS:		0.00	214,022.72	0.00	239,420.00	239,420.00	

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### 189 American Rescue Plan Act Fund

Account	2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
330 Intergovernmental Revenues	0.00	1,686,583.00	0.00	0.00	0.00	
397 Interfund Transfers	0.00	1,538,927.90	0.00	0.00	0.00	
<b>TOTAL REVENUES:</b>	<b>0.00</b>	<b>3,225,510.90</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	
558 Planning & Community Devel	0.00	0.00	0.00	600,000.00	0.00	
597 Interfund Transfers	0.00	0.00	0.00	1,756,500.00	291,500.00	
<b>TOTAL EXPENDITURES:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2,356,500.00</b>	<b>291,500.00</b>	
<b>FUND GAIN/LOSS:</b>	<b>0.00</b>	<b>3,225,510.90</b>	<b>0.00</b>	<b>-2,356,500.00</b>	<b>-291,500.00</b>	

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### 205 2008 G/O Bond Fund

Account	2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
310 Taxes	58,606.69	45,767.82	92,000.00	49,000.00	49,000.00	
360 Interest & Other Earnings	31.31	27.18	275.00	50.00	50.00	
397 Interfund Transfers	187,125.56	122,118.75	108,550.00	108,544.00	108,544.00	
<b>TOTAL REVENUES:</b>	<b>245,763.56</b>	<b>167,913.75</b>	<b>200,825.00</b>	<b>157,594.00</b>	<b>157,594.00</b>	
594 Capital Expenditures	200,549.75	150,549.75	200,550.00	200,558.04	200,555.20	
<b>TOTAL EXPENDITURES:</b>	<b>200,549.75</b>	<b>150,549.75</b>	<b>200,550.00</b>	<b>200,558.04</b>	<b>200,555.20</b>	
<b>FUND GAIN/LOSS:</b>	<b>45,213.81</b>	<b>17,364.00</b>	<b>275.00</b>	<b>-42,964.04</b>	<b>-42,961.20</b>	

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### 230 1996 G/O Bond Redemption Func

Account	2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
310 Taxes	0.00	0.00	0.00	0.00	0.00	
<b>TOTAL REVENUES:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	
591 Debt Service - Principal Repayment	0.00	0.00	0.00	0.00	0.00	
597 Interfund Transfers	0.00	0.00	0.00	0.00	0.00	
<b>TOTAL EXPENDITURES:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	
<b>FUND GAIN/LOSS:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	

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### 301 1st 1/4% Real Estate Excise Tax Fu

Account	2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
310 Taxes	450,131.50	275,033.21	315,000.00	350,000.00	350,000.00	
360 Interest & Other Earnings	1,054.65	6,597.32	2,800.00	2,000.00	2,000.00	
397 Interfund Transfers	0.00	0.00	0.00	0.00	0.00	
<b>TOTAL REVENUES:</b>	<b>451,186.15</b>	<b>281,630.53</b>	<b>317,800.00</b>	<b>352,000.00</b>	<b>352,000.00</b>	
597 Interfund Transfers	199,264.32	0.00	502,500.00	565,481.00	112,500.00	
<b>TOTAL EXPENDITURES:</b>	<b>199,264.32</b>	<b>0.00</b>	<b>502,500.00</b>	<b>565,481.00</b>	<b>112,500.00</b>	
<b>FUND GAIN/LOSS:</b>	<b>251,921.83</b>	<b>281,630.53</b>	<b>-184,700.00</b>	<b>-213,481.00</b>	<b>239,500.00</b>	

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## 302 2nd 1/4% Real Estate Excise Tax F

Account	2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
310 Taxes	450,131.50	275,033.20	315,000.00	350,000.00	350,000.00	
360 Interest & Other Earnings	1,053.94	6,595.41	2,800.00	2,000.00	2,000.00	
380 Non Revenues	0.00	0.00	0.00	0.00	0.00	
390 Other Financing Sources	0.00	0.00	0.00	0.00	0.00	
<b>TOTAL REVENUES:</b>	<b>451,185.44</b>	<b>281,628.61</b>	<b>317,800.00</b>	<b>352,000.00</b>	<b>352,000.00</b>	
580 Non Expenditures	0.00	0.00	0.00	0.00	0.00	
594 Capital Expenditures	0.00	0.00	0.00	0.00	0.00	
597 Interfund Transfers	199,265.35	0.00	452,500.00	590,481.00	0.00	
<b>TOTAL EXPENDITURES:</b>	<b>199,265.35</b>	<b>0.00</b>	<b>452,500.00</b>	<b>590,481.00</b>	<b>0.00</b>	
<b>FUND GAIN/LOSS:</b>	<b>251,920.09</b>	<b>281,628.61</b>	<b>-134,700.00</b>	<b>-238,481.00</b>	<b>352,000.00</b>	

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### 303 Building Maintenance Reserve

Account		2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
360	Interest & Other Earnings	1,682.31	2,941.24	1,350.00	3,050.00	3,050.00	
397	Interfund Transfers	0.00	0.00	0.00	0.00	0.00	
<b>TOTAL REVENUES:</b>		<b>1,682.31</b>	<b>2,941.24</b>	<b>1,350.00</b>	<b>3,050.00</b>	<b>3,050.00</b>	
597	Interfund Transfers	5,442.29	0.00	25,000.00	30,000.00	5,000.00	
<b>TOTAL EXPENDITURES:</b>		<b>5,442.29</b>	<b>0.00</b>	<b>25,000.00</b>	<b>30,000.00</b>	<b>5,000.00</b>	
<b>FUND GAIN/LOSS:</b>		<b>-3,759.98</b>	<b>2,941.24</b>	<b>-23,650.00</b>	<b>-26,950.00</b>	<b>-1,950.00</b>	

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### 304 Transportation Benefit District

Account		2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
310	Taxes	220,532.00	186,139.80	220,000.00	210,000.00	210,000.00	
360	Interest & Other Earnings	442.11	2,703.97	550.00	1,000.00	1,000.00	
<b>TOTAL REVENUES:</b>		<b>220,974.11</b>	<b>188,843.77</b>	<b>220,550.00</b>	<b>211,000.00</b>	<b>211,000.00</b>	
597	Interfund Transfers	116,562.00	0.00	400,000.00	393,485.00	100,000.00	
<b>TOTAL EXPENDITURES:</b>		<b>116,562.00</b>	<b>0.00</b>	<b>400,000.00</b>	<b>393,485.00</b>	<b>100,000.00</b>	
<b>FUND GAIN/LOSS:</b>		<b>104,412.11</b>	<b>188,843.77</b>	<b>-179,450.00</b>	<b>-182,485.00</b>	<b>111,000.00</b>	



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### 305 Library Construction Fund

Account	2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
330 Intergovernmental Revenues	25,000.00	0.00	0.00	0.00	0.00	
340 Charges For Goods & Services	0.00	0.00	0.00	0.00	0.00	
360 Interest & Other Earnings	0.00	0.00	0.00	0.00	0.00	
380 Non Revenues	0.00	0.00	0.00	0.00	0.00	
390 Other Financing Sources	0.00	0.00	0.00	0.00	0.00	
397 Interfund Transfers	0.00	0.00	0.00	0.00	0.00	
<b>TOTAL REVENUES:</b>	<b>25,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	
511 Legislative	0.00	0.00	0.00	0.00	0.00	
572 Libraries	2,309.71	355.54	0.00	0.00	0.00	
580 Non Expenditures	0.00	0.00	0.00	0.00	0.00	
591 Debt Service - Principal Repayment	0.00	0.00	0.00	0.00	0.00	
594 Capital Expenditures	137,057.41	272,334.11	271,000.00	0.00	0.00	
<b>TOTAL EXPENDITURES:</b>	<b>139,367.12</b>	<b>272,689.65</b>	<b>271,000.00</b>	<b>0.00</b>	<b>0.00</b>	
<b>FUND GAIN/LOSS:</b>	<b>-114,367.12</b>	<b>-272,689.65</b>	<b>-271,000.00</b>	<b>0.00</b>	<b>0.00</b>	

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### 310 Police Mitigation Reserve Fund

Account	2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
340 Charges For Goods & Services	99,564.88	25,288.15	5,000.00	8,000.00	8,000.00	
360 Interest & Other Earnings	127.54	955.70	310.00	300.00	300.00	
<b>TOTAL REVENUES:</b>	<b>99,692.42</b>	<b>26,243.85</b>	<b>5,310.00</b>	<b>8,300.00</b>	<b>8,300.00</b>	
597 Interfund Transfers	0.00	0.00	5,000.00	0.00	0.00	
<b>TOTAL EXPENDITURES:</b>	<b>0.00</b>	<b>0.00</b>	<b>5,000.00</b>	<b>0.00</b>	<b>0.00</b>	
<b>FUND GAIN/LOSS:</b>	<b>99,692.42</b>	<b>26,243.85</b>	<b>310.00</b>	<b>8,300.00</b>	<b>8,300.00</b>	

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### 311 Parks Impact Fee Reserve Fund

Account		2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
340	Charges For Goods & Services	311,865.00	84,330.00	45,000.00	40,000.00	40,000.00	
360	Interest & Other Earnings	407.75	3,095.74	1,300.00	1,200.00	1,200.00	
<b>TOTAL REVENUES:</b>		<b>312,272.75</b>	<b>87,425.74</b>	<b>46,300.00</b>	<b>41,200.00</b>	<b>41,200.00</b>	
597	Interfund Transfers	1,733.00	0.00	0.00	278,000.00	178,000.00	
<b>TOTAL EXPENDITURES:</b>		<b>1,733.00</b>	<b>0.00</b>	<b>0.00</b>	<b>278,000.00</b>	<b>178,000.00</b>	
<b>FUND GAIN/LOSS:</b>		<b>310,539.75</b>	<b>87,425.74</b>	<b>46,300.00</b>	<b>-236,800.00</b>	<b>-136,800.00</b>	

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### 312 Fire Impact Fee Reserve Fund

Account		2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
340	Charges For Goods & Services	135,712.64	26,474.20	27,000.00	26,000.00	26,000.00	
360	Interest & Other Earnings	218.82	1,481.99	600.00	550.00	550.00	
<b>TOTAL REVENUES:</b>		<b>135,931.46</b>	<b>27,956.19</b>	<b>27,600.00</b>	<b>26,550.00</b>	<b>26,550.00</b>	
597	Interfund Transfers	0.00	0.00	10,000.00	0.00	0.00	
<b>TOTAL EXPENDITURES:</b>		<b>0.00</b>	<b>0.00</b>	<b>10,000.00</b>	<b>0.00</b>	<b>0.00</b>	
<b>FUND GAIN/LOSS:</b>		<b>135,931.46</b>	<b>27,956.19</b>	<b>17,600.00</b>	<b>26,550.00</b>	<b>26,550.00</b>	

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### 313 Public Safety Sales Tax Fund

Account		2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
310	Taxes	210,833.10	174,267.37	140,070.00	0.00	0.00	
360	Interest & Other Earnings	55.65	0.00	100.00	0.00	0.00	
<b>TOTAL REVENUES:</b>		<b>210,888.75</b>	<b>174,267.37</b>	<b>140,170.00</b>	<b>0.00</b>	<b>0.00</b>	
597	Interfund Transfers	138,000.00	140,070.00	140,070.00	0.00	0.00	
<b>TOTAL EXPENDITURES:</b>		<b>138,000.00</b>	<b>140,070.00</b>	<b>140,070.00</b>	<b>0.00</b>	<b>0.00</b>	
<b>FUND GAIN/LOSS:</b>		<b>72,888.75</b>	<b>34,197.37</b>	<b>100.00</b>	<b>0.00</b>	<b>0.00</b>	

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### 314 Transportation Impact Fee Reserv

Account	2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
340 Charges For Goods & Services	543,432.83	103,275.00	302,200.00	61,000.00	61,000.00	
360 Interest & Other Earnings	428.35	4,371.04	0.00	1,000.00	1,000.00	
397 Interfund Transfers	0.00	0.00	0.00	0.00	0.00	
<b>TOTAL REVENUES:</b>	<b>543,861.18</b>	<b>107,646.04</b>	<b>302,200.00</b>	<b>62,000.00</b>	<b>62,000.00</b>	
597 Interfund Transfers	56,841.00	0.00	1,008,637.00	193,000.00	0.00	
<b>TOTAL EXPENDITURES:</b>	<b>56,841.00</b>	<b>0.00</b>	<b>1,008,637.00</b>	<b>193,000.00</b>	<b>0.00</b>	
<b>FUND GAIN/LOSS:</b>	<b>487,020.18</b>	<b>107,646.04</b>	<b>-706,437.00</b>	<b>-131,000.00</b>	<b>62,000.00</b>	

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### 401 Sewer Operations Fund

Account	2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
330 Intergovernmental Revenues	0.00	29,517.50	0.00	0.00	0.00	
340 Charges For Goods & Services	4,374,496.29	3,849,552.43	4,410,448.00	4,751,420.00	4,938,000.00	
360 Interest & Other Earnings	14,395.63	36,951.72	14,900.00	16,400.00	17,100.00	
370 Capital Contributions	0.00	0.00	0.00	0.00	0.00	
397 Interfund Transfers	0.00	0.00	0.00	800,000.00	970,000.00	
<b>TOTAL REVENUES:</b>	<b>4,388,891.92</b>	<b>3,916,021.65</b>	<b>4,425,348.00</b>	<b>5,567,820.00</b>	<b>5,925,100.00</b>	
535 Sewer	4,120,252.52	2,575,443.96	4,160,065.00	5,587,622.00	5,587,583.00	
580 Non Expenditures	0.00	0.00	0.00	0.00	0.00	
597 Interfund Transfers	19,670.04	27,009.86	19,670.00	19,670.00	19,670.00	
<b>TOTAL EXPENDITURES:</b>	<b>4,139,922.56</b>	<b>2,602,453.82</b>	<b>4,179,735.00</b>	<b>5,607,292.00</b>	<b>5,607,253.00</b>	
<b>FUND GAIN/LOSS:</b>	<b>248,969.36</b>	<b>1,313,567.83</b>	<b>245,613.00</b>	<b>-39,472.00</b>	<b>317,847.00</b>	

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### 402 Sewer Facilities Reserve Fund

Account		2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
360	Interest & Other Earnings	0.00	0.00	0.00	0.00	0.00	
397	Interfund Transfers	0.00	0.00	0.00	0.00	0.00	
TOTAL REVENUES:		0.00	0.00	0.00	0.00	0.00	
594	Capital Expenditures	0.00	0.00	0.00	0.00	0.00	
597	Interfund Transfers	0.00	0.00	0.00	0.00	0.00	
TOTAL EXPENDITURES:		0.00	0.00	0.00	0.00	0.00	
FUND GAIN/LOSS:		0.00	0.00	0.00	0.00	0.00	



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### 407 1998 Sewer Revenue Bond Fund

Account	2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
350 Fines & Penalties	0.00	0.00	0.00	0.00	0.00	
360 Interest & Other Earnings	0.00	0.00	0.00	0.00	0.00	
397 Interfund Transfers	0.00	0.00	0.00	0.00	0.00	
<b>TOTAL REVENUES:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	
591 Debt Service - Principal Repayment	0.00	0.00	0.00	0.00	0.00	
597 Interfund Transfers	0.00	0.00	0.00	0.00	0.00	
<b>TOTAL EXPENDITURES:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	
<b>FUND GAIN/LOSS:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	

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### 410 Sewer Capital Projects Reserve

Account	2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
360 Interest & Other Earnings	7,431.34	33,239.51	22,000.00	9,000.00	9,000.00	
370 Capital Contributions	1,181,360.59	568,296.23	241,000.00	215,000.00	215,000.00	
380 Non Revenues	5,186.00	2,578.31	515,400.00	505,244.00	5,244.00	
397 Interfund Transfers	459,900.00	344,925.00	459,900.00	459,900.00	459,900.00	
<b>TOTAL REVENUES:</b>	<b>1,653,877.93</b>	<b>949,039.05</b>	<b>1,238,300.00</b>	<b>1,189,144.00</b>	<b>689,144.00</b>	
535 Sewer	609,900.00	606,948.19	1,106,949.00	1,854,000.00	1,773,130.00	
580 Non Expenditures	0.00	0.00	0.00	0.00	0.00	
<b>TOTAL EXPENDITURES:</b>	<b>609,900.00</b>	<b>606,948.19</b>	<b>1,106,949.00</b>	<b>1,854,000.00</b>	<b>1,773,130.00</b>	
<b>FUND GAIN/LOSS:</b>	<b>1,043,977.93</b>	<b>342,090.86</b>	<b>131,351.00</b>	<b>-664,856.00</b>	<b>-1,083,986.00</b>	

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### 411 1998 Sewer Rev Bond Res Fund

Account	2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
597 Interfund Transfers	0.00	0.00	0.00	0.00	0.00	
<b>TOTAL EXPENDITURES:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	
<b>FUND GAIN/LOSS:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	

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### 412 Solid Waste Operations Fund

Account	2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
330 Intergovernmental Revenues	0.00	0.00	0.00	0.00	0.00	
340 Charges For Goods & Services	3,209,605.80	2,916,777.83	3,146,093.00	3,577,200.00	3,649,200.00	
360 Interest & Other Earnings	8,476.24	14,392.19	13,000.00	9,000.00	10,000.00	
380 Non Revenues	5,657.30	2,420.36	0.00	3,000.00	3,000.00	
390 Other Financing Sources	0.00	32,290.69	0.00	0.00	0.00	
397 Interfund Transfers	0.00	0.00	0.00	0.00	0.00	
398 Insurance Recoveries	791.49	0.00	0.00	0.00	0.00	
<b>TOTAL REVENUES:</b>	<b>3,224,530.83</b>	<b>2,965,881.07</b>	<b>3,159,093.00</b>	<b>3,589,200.00</b>	<b>3,662,200.00</b>	
537 Garbage & Solid Waste	3,020,444.18	2,437,133.71	2,938,007.00	3,389,398.00	3,512,253.00	
580 Non Expenditures	6,709.68	2,013.31	8,000.00	0.00	0.00	
597 Interfund Transfers	147,087.96	102,828.64	147,088.00	147,088.00	147,088.00	
<b>TOTAL EXPENDITURES:</b>	<b>3,174,241.82</b>	<b>2,541,975.66</b>	<b>3,093,095.00</b>	<b>3,536,486.00</b>	<b>3,659,341.00</b>	
<b>FUND GAIN/LOSS:</b>	<b>50,289.01</b>	<b>423,905.41</b>	<b>65,998.00</b>	<b>52,714.00</b>	<b>2,859.00</b>	

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### 413 Solid Waste Reserve Fund

Account		2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
360	Interest & Other Earnings	581.54	3,157.09	2,850.00	2,000.00	2,000.00	
397	Interfund Transfers	99,166.70	89,250.03	119,000.00	125,000.00	125,000.00	
<b>TOTAL REVENUES:</b>		<b>99,748.24</b>	<b>92,407.12</b>	<b>121,850.00</b>	<b>127,000.00</b>	<b>127,000.00</b>	
597	Interfund Transfers	0.00	0.00	0.00	0.00	100,000.00	
<b>TOTAL EXPENDITURES:</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>100,000.00</b>	
<b>FUND GAIN/LOSS:</b>		<b>99,748.24</b>	<b>92,407.12</b>	<b>121,850.00</b>	<b>127,000.00</b>	<b>27,000.00</b>	

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### 425 Stormwater Operations

Account	2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
310 Taxes	1,400.88	0.00	0.00	0.00	0.00	
330 Intergovernmental Revenues	95,000.00	8,695.20	0.00	41,305.00	50,000.00	
340 Charges For Goods & Services	970,462.34	837,034.53	964,828.00	1,043,550.00	1,074,855.00	
360 Interest & Other Earnings	8,092.87	12,654.29	7,900.00	6,122.00	5,822.00	
390 Other Financing Sources	0.00	0.00	0.00	0.00	0.00	
397 Interfund Transfers	0.00	0.00	0.00	150,000.00	0.00	
<b>TOTAL REVENUES:</b>	<b>1,074,956.09</b>	<b>858,384.02</b>	<b>972,728.00</b>	<b>1,240,977.00</b>	<b>1,130,677.00</b>	
531 Storm Water Services	826,499.49	555,281.62	777,470.00	1,180,424.00	1,074,166.00	
580 Non Expenditures	0.00	0.00	0.00	0.00	0.00	
597 Interfund Transfers	57,240.00	38,160.00	57,240.00	57,240.00	57,240.00	
<b>TOTAL EXPENDITURES:</b>	<b>883,739.49</b>	<b>593,441.62</b>	<b>834,710.00</b>	<b>1,237,664.00</b>	<b>1,131,406.00</b>	
<b>FUND GAIN/LOSS:</b>	<b>191,216.60</b>	<b>264,942.40</b>	<b>138,018.00</b>	<b>3,313.00</b>	<b>-729.00</b>	

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### 426 Stormwater Reserve Fund

Account		2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
360	Interest & Other Earnings	87.12	387.93	550.00	250.00	250.00	
397	Interfund Transfers	0.00	0.00	0.00	0.00	0.00	
<b>TOTAL REVENUES:</b>		<b>87.12</b>	<b>387.93</b>	<b>550.00</b>	<b>250.00</b>	<b>250.00</b>	
597	Interfund Transfers	0.00	0.00	0.00	150,000.00	0.00	
<b>TOTAL EXPENDITURES:</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>150,000.00</b>	<b>0.00</b>	
<b>FUND GAIN/LOSS:</b>		<b>87.12</b>	<b>387.93</b>	<b>550.00</b>	<b>-149,750.00</b>	<b>250.00</b>	

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### 501 Equipment Replacement Fund

Account	2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
330 Intergovernmental Revenues	0.00	0.00	0.00	0.00	0.00	
340 Charges For Goods & Services	86,195.70	68,895.81	91,861.00	92,172.00	96,180.00	
360 Interest & Other Earnings	2,847.11	12,379.24	3,955.00	4,000.00	4,000.00	
370 Capital Contributions	11,551.77	597.50	500.00	500.00	500.00	
397 Interfund Transfers	1,338,999.84	899,849.88	1,199,800.00	1,332,900.00	1,388,000.00	
<b>TOTAL REVENUES:</b>	<b>1,439,594.42</b>	<b>981,722.43</b>	<b>1,296,116.00</b>	<b>1,429,572.00</b>	<b>1,488,680.00</b>	
548 Public Works - Centralized Services	1,121,573.40	632,150.81	1,245,519.00	1,428,072.00	2,540,680.00	
594 Capital Expenditures	0.00	0.00	0.00	0.00	0.00	
<b>TOTAL EXPENDITURES:</b>	<b>1,121,573.40</b>	<b>632,150.81</b>	<b>1,245,519.00</b>	<b>1,428,072.00</b>	<b>2,540,680.00</b>	
<b>FUND GAIN/LOSS:</b>	<b>318,021.02</b>	<b>349,571.62</b>	<b>50,597.00</b>	<b>1,500.00</b>	<b>-1,052,000.00</b>	



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### 505 Public Works Facility Fund

Account		2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
360	Interest & Other Earnings	1,079.13	21,231.53	250.00	0.00	0.00	
390	Other Financing Sources	4,037,839.80	0.00	3,830,698.29	0.00	0.00	
397	Interfund Transfers	289,998.00	217,498.50	289,998.00	289,998.00	289,998.00	
<b>TOTAL REVENUES:</b>		<b>4,328,916.93</b>	<b>238,730.03</b>	<b>4,120,946.29</b>	<b>289,998.00</b>	<b>289,998.00</b>	
591	Debt Service - Principal Repayment	0.00	0.00	95,000.00	100,000.00	105,000.00	
592	Debt Service - Interest Costs	36,089.62	98,466.67	177,592.00	153,500.00	148,500.00	
594	Capital Expenditures	854,151.39	5,415,820.10	3,985,699.00	0.00	0.00	
<b>TOTAL EXPENDITURES:</b>		<b>890,241.01</b>	<b>5,514,286.77</b>	<b>4,258,291.00</b>	<b>253,500.00</b>	<b>253,500.00</b>	
<b>FUND GAIN/LOSS:</b>		<b>3,438,675.92</b>	<b>-5,275,556.74</b>	<b>-137,344.71</b>	<b>36,498.00</b>	<b>36,498.00</b>	

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### 631 Suspense Fund

Account		2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
380	Non Revenues	0.00	16,603.09	0.00	0.00	0.00	
TOTAL REVENUES:		0.00	16,603.09	0.00	0.00	0.00	
FUND GAIN/LOSS:		0.00	16,603.09	0.00	0.00	0.00	

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### 635 Custodial Fund

Account		2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated	Comment
380	Non Revenues	80,024.46	41,839.89	186,950.00	0.00	0.00	
TOTAL REVENUES:		80,024.46	41,839.89	186,950.00	0.00	0.00	
580	Non Expenditures	80,579.30	41,340.18	186,950.00	0.00	0.00	
TOTAL EXPENDITURES:		80,579.30	41,340.18	186,950.00	0.00	0.00	
FUND GAIN/LOSS:		-554.84	499.71	0.00	0.00	0.00	

# 2023 - 2024 BUDGET

City Of Sedro-Woolley

Time: 15:43:39 Date: 11/03/2022

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Account	2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated
001 Current Expense Fund	12,090,891.94	8,119,057.33	11,315,922.00	10,606,842.82	10,617,942.25
101 Parks & Facilities Fund	889,106.36	679,288.02	2,234,189.00	3,703,307.27	1,752,830.00
102 Cemetery Fund	136,109.10	164,768.90	158,250.00	168,300.00	223,580.00
103 Street Fund	764,613.93	647,852.40	927,350.00	1,029,622.65	1,056,203.00
104 Arterial Street Fund	971,421.23	1,279,365.19	3,193,366.00	4,764,090.00	100,000.00
105 Library Fund	445,203.39	240,953.11	456,900.00	428,500.00	428,500.00
106 Cemetery Endowment Fund	3,600.00	3,100.00	3,500.00	3,250.00	3,250.00
107 Parks Reserve Fund	211.11	110.79	510.00		
108 Lodging Tax Fund	32,205.34	30,961.14	19,889.00	24,460.00	24,580.00
109 Special Investigation Fund	1,014.82	904.50	7,640.00	7,630.00	7,650.00
112 Code Enforcement Fund	17,178.63	1,284.41	10,550.00	1,200.00	1,200.00
113 Paths And Trails Fund	1,153.36	919.65	1,075.00		
114 Law Enforcement Sales Tax	633,156.30	601,491.21	545,000.00	632,300.00	658,600.00
115 City Council Strategic Reserve	188,450.50	169,378.25	162,850.00	75,350.00	75,350.00
116 Affordable Housing		214,022.72		239,420.00	239,420.00
189 American Rescue Plan Act Fund		3,225,510.90			
205 2008 G/O Bond Fund	245,763.56	167,913.75	200,825.00	157,594.00	157,594.00
230 1996 G/O Bond Redemption Fund					
301 1st 1/4% Real Estate Excise Tax Fund	451,186.15	281,630.53	317,800.00	352,000.00	352,000.00
302 2nd 1/4% Real Estate Excise Tax Fund	451,185.44	281,628.61	317,800.00	352,000.00	352,000.00
303 Building Maintenance Reserve	1,682.31	2,941.24	1,350.00	3,050.00	3,050.00
304 Transportation Benefit District	220,974.11	188,843.77	220,550.00	211,000.00	211,000.00
305 Library Construction Fund	25,000.00				
310 Police Mitigation Reserve Fund	99,692.42	26,243.85	5,310.00	8,300.00	8,300.00
311 Parks Impact Fee Reserve Fund	312,272.75	87,425.74	46,300.00	41,200.00	41,200.00
312 Fire Impact Fee Reserve Fund	135,931.46	27,956.19	27,600.00	26,550.00	26,550.00
313 Public Safety Sales Tax Fund	210,888.75	174,267.37	140,170.00		
314 Transportation Impact Fee Reserve Fund	543,861.18	107,646.04	302,200.00	62,000.00	62,000.00
401 Sewer Operations Fund	4,388,891.92	3,916,021.65	4,425,348.00	5,567,820.00	5,925,100.00
402 Sewer Facilities Reserve Fund					
407 1998 Sewer Revenue Bond Fund					
410 Sewer Capital Projects Reserve	1,653,877.93	949,039.05	1,238,300.00	1,189,144.00	689,144.00
412 Solid Waste Operations Fund	3,224,530.83	2,965,881.07	3,159,093.00	3,589,200.00	3,662,200.00
413 Solid Waste Reserve Fund	99,748.24	92,407.12	121,850.00	127,000.00	127,000.00
425 Stormwater Operations	1,074,956.09	858,384.02	972,728.00	1,240,977.00	1,130,677.00
426 Stormwater Reserve Fund	87.12	387.93	550.00	250.00	250.00
501 Equipment Replacement Fund	1,439,594.42	981,722.43	1,296,116.00	1,429,572.00	1,488,680.00
505 Public Works Facility Fund	4,328,916.93	238,730.03	4,120,946.29	289,998.00	289,998.00
631 Suspense Fund		16,603.09			
635 Custodial Fund	80,024.46	41,839.89	186,950.00		
	35,163,382.08	26,786,481.89	36,138,777.29	36,331,927.74	29,715,848.25
001 Current Expense Fund	9,581,419.39	10,111,352.45	11,614,315.00	10,426,648.00	10,760,722.00
101 Parks & Facilities Fund	1,059,003.06	890,195.15	2,464,151.00	3,702,527.15	1,752,131.00

# 2023 - 2024 BUDGET

City Of Sedro-Woolley

Time: 15:43:39 Date: 11/03/2022

Page: 43

Account	2021 Actual	2022 Actual	2022 Appropriated	2023 Appropriated	2024 Appropriated
102 Cemetery Fund	199,339.60	170,514.09	185,280.00	165,549.00	217,502.00
103 Street Fund	805,905.33	789,776.24	933,485.00	1,019,739.00	1,045,030.00
104 Arterial Street Fund	984,283.46	1,673,170.88	3,024,589.00	4,655,248.00	100,000.00
105 Library Fund	428,699.41	76,538.82	441,506.00	427,916.82	427,917.06
106 Cemetery Endowment Fund	5,066.50	47.25	5,000.00		50,000.00
107 Parks Reserve Fund			500.00		
108 Lodging Tax Fund	24,359.60	8,279.17	30,350.00	35,000.00	
109 Special Investigation Fund	56.42	563.63	5,500.00	1,000.00	1,000.00
112 Code Enforcement Fund	670.62	6,602.65	10,200.00	2,500.00	2,500.00
113 Paths And Trails Fund					
114 Law Enforcement Sales Tax	633,156.30	601,491.21	545,000.00	632,300.00	658,600.00
115 City Council Strategic Reserve	186,961.43	66,250.00	70,000.00	88,000.00	101,000.00
189 American Rescue Plan Act Fund				2,356,500.00	291,500.00
205 2008 G/O Bond Fund	200,549.75	150,549.75	200,550.00	200,558.04	200,555.20
230 1996 G/O Bond Redemption Fund					
301 1st 1/4% Real Estate Excise Tax Fund	199,264.32		502,500.00	565,481.00	112,500.00
302 2nd 1/4% Real Estate Excise Tax Fund	199,265.35		452,500.00	590,481.00	
303 Building Maintenance Reserve	5,442.29		25,000.00	30,000.00	5,000.00
304 Transportation Benefit District	116,562.00		400,000.00	393,485.00	100,000.00
305 Library Construction Fund	139,367.12	272,689.65	271,000.00		
310 Police Mitigation Reserve Fund			5,000.00		
311 Parks Impact Fee Reserve Fund	1,733.00			278,000.00	178,000.00
312 Fire Impact Fee Reserve Fund			10,000.00		
313 Public Safety Sales Tax Fund	138,000.00	140,070.00	140,070.00		
314 Transportation Impact Fee Reserve Fund	56,841.00		1,008,637.00	193,000.00	
401 Sewer Operations Fund	4,139,922.56	2,602,453.82	4,179,735.00	5,607,292.00	5,607,253.00
402 Sewer Facilities Reserve Fund					
407 1998 Sewer Revenue Bond Fund					
410 Sewer Capital Projects Reserve	609,900.00	606,948.19	1,106,949.00	1,854,000.00	1,773,130.00
411 1998 Sewer Rev Bond Res Fund					
412 Solid Waste Operations Fund	3,174,241.82	2,541,975.66	3,093,095.00	3,536,486.00	3,659,341.00
413 Solid Waste Reserve Fund					100,000.00
425 Stormwater Operations	883,739.49	593,441.62	834,710.00	1,237,664.00	1,131,406.00
426 Stormwater Reserve Fund				150,000.00	
501 Equipment Replacement Fund	1,121,573.40	632,150.81	1,245,519.00	1,428,072.00	2,540,680.00
505 Public Works Facility Fund	890,241.01	5,514,286.77	4,258,291.00	253,500.00	253,500.00
635 Custodial Fund	80,579.30	41,340.18	186,950.00		
	25,866,143.53	27,490,687.99	37,250,382.00	39,830,947.01	31,069,267.26
FUNDS GAIN/LOSS:	9,297,238.55	-704,206.10	-1,111,604.71	-3,499,019.27	-1,353,419.01



Agenda  
Item No.

Date:

November 9, 2022

Subject:

Property Tax Budgeted Levy -  
Ordinance 2024-22 - 2nd Read

**FROM:**

Kelly Kohnken, Finance Director

**RECOMMENDED ACTION:**

**OPTION 1:** Approve Ordinance 2024-22 with 1% and banked capacity, setting the budgeted levy payable in 2023.

**OPTION 2:** Approve Ordinance 2024-22 with 1% (NO banked capacity), setting the budgeted levy payable in 2023.

**ISSUE:**

Ordinance 2024-22 outlines the budgeted property tax levy payable in 2023. Two options are provided based on Council discussion.

**BACKGROUND/SUMMARY INFORMATION:**

A public hearing was held, in conjunction with the 2023-2024 proposed budget, at a regular Council meeting on October 26, 2022. The first read of this ordinance was presented.

Budget and property tax questions were answered at a work session on November 2, 2022

**FISCAL IMPACT, IF APPROPRIATE:**

OPTION 1: Fiscal year 2023 revenues of \$29,903.

OPTION 2: Fiscal year 2023 revenue of \$42,328.

**ATTACHMENTS:**

1. Ordinance 2024-22 (1%+Banked)
2. Ordinance 2024-22 (1% increase)

ORDINANCE NO. 2024-22

AN ORDINANCE OF THE CITY OF SEDRO-WOOLLEY APPROVING THE PROPERTY TAX LEVY AT AN INCREASE OF 1.0% AND BANKED CAPACITY.

WHEREAS, The City Council of the City of Sedro-Woolley has properly given notice of the public hearing held October 26, 2022, to consider the City of Sedro-Woolley 2023 Real Estate Property Tax Levy; and

WHEREAS, the City Council, after hearing, and after duly considering all relevant evidence and testimony presented, has determined that the City of Sedro-Woolley will require an increase in general property tax revenue from the previous year, in addition to the increase resulting from the addition of new construction and improvements to property, addition of properties as a result of annexation and any increase in the value of state assessed property, in order to discharge the expected expenses and obligations of the City of Sedro-Woolley and in its best interest; and

WHEREAS, the City's actual levy amount from the previous year (2022) was \$2,977,848 (\$29,769 senior/disabled exemption, \$2,948,079 non-exempt); and

WHEREAS, the population of this City is more than 10,000; and now, therefore,

IT IS HEREBY ORDAINED, by the City Council of the City of Sedro-Woolley, an increase in the regular property tax levy shall be imposed in addition to the increase resulting from the addition of new construction and improvements to property, addition of properties as a result of annexation and any increase in the value of state-assessed property. It is further ordained that the City Council hereby authorizes the 2023 levy in the amount of an increase of 1.0% from the maximum allowed in the prior year \$29,903 and the banked capacity of \$12,425, totaling \$42,328, not to exceed the levy limit as allowed by law.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR THIS 9th DAY OF NOVEMBER, 2022.

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Julia Johnson, Mayor

ATTEST:

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Kelly Kohnken, Finance Director

APPROVED AS TO FORM:

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City Attorney

ORDINANCE NO. 2024-22

AN ORDINANCE OF THE CITY OF SEDRO-WOOLLEY APPROVING THE PROPERTY TAX LEVY AT AN INCREASE OF 1.0%.

WHEREAS, The City Council of the City of Sedro-Woolley has properly given notice of the public hearing held October 26, 2022, to consider the City of Sedro-Woolley 2023 Real Estate Property Tax Levy; and

WHEREAS, the City Council, after hearing, and after duly considering all relevant evidence and testimony presented, has determined that the City of Sedro-Woolley will require an increase in general property tax revenue from the previous year, in addition to the increase resulting from the addition of new construction and improvements to property, addition of properties as a result of annexation and any increase in the value of state assessed property, in order to discharge the expected expenses and obligations of the City of Sedro-Woolley and in its best interest; and

WHEREAS, the City's actual levy amount from the previous year (2022) was \$2,977,848 (\$29,769 senior/disabled exemption, \$2,948,079 non-exempt); and

WHEREAS, the population of this City is more than 10,000; and now, therefore,

IT IS HEREBY ORDAINED, by the City Council of the City of Sedro-Woolley, an increase in the regular property tax levy shall be imposed in addition to the increase resulting from the addition of new construction and improvements to property, addition of properties as a result of annexation and any increase in the value of state-assessed property. It is further ordained that the City Council hereby authorizes the 2023 levy in the amount of an increase of 1.0% from the maximum allowed in the prior year \$29,903, not to exceed the levy limit as allowed by law.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR THIS 9th DAY OF NOVEMBER, 2022.

---

Julia Johnson, Mayor

ATTEST:

---

Kelly Kohnken, Finance Director

APPROVED AS TO FORM:

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City Attorney





Agenda  
Item No.

Date:

Subject:

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November 9, 2022

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Amending SWMC 5.04.030, License  
Fees and Regulations Related to Mobile  
Vendors - Ordinance 2023-22 - 2nd  
Read

---

**FROM:**

Charlie Bush, City Administrator

**RECOMMENDED ACTION:**

This is a second read. Staff recommend approval if and when the Council is ready to take action.

**ISSUE:**

Should the City Council change the operating regulations for mobile vendors?

**BACKGROUND/SUMMARY INFORMATION:**

In the past year, staff and the Mayor heard from a developer and two potential potential mobile vendors about the City's business license of \$1,000 annually for mobile vendors.

The City's virtual intern, Richie Coleman, researched the topic (Attachment 1) and determined that the City's business license fee for mobile vendors was more than ten times higher than in surrounding communities.

The Council Business Development Committee and the City Council since had conversations about reducing the fee. The City Council requested a meeting with existing businesses and staff conducted the meeting on September 27th. Unfortunately, no businesses attended. On September 29th, the Council Business Development Committee met and collaborated with staff on the attached revised code. The Committee added a request for a distance separation for mobile vendors serving food from existing restaurants, unless the restaurant provided consent. That request is included in the ordinance presented.

The other significant change in this code section was correcting a discrepancy. The code had conflicting amounts of time that a mobile vendor could operate on a public street. In 5.04.010 it was 10 minutes and in 5.04.030 it was one hour. Staff are recommending changing 5.04.030 to 10 minutes for consistency as it was clear by the words used in 5.04.010 that these provisions in the Code were intended for food vendors, such as ice cream trucks, that pass through the City relatively quickly completing sales on the street. This approach is consistent with regulations in surrounding communities. Anacortes does not permit food trucks to do business on city streets while Burlington has a 10 minute limit similar to the one proposed and Mount Vernon limits its food trucks to three geographic areas.

During its discussion about this ordinance on October 26, the City Council inquired about how a shaved ice truck that sets up at the Sedro-Woolley Farmer's Market would be impacted by these regulations. I confirmed that the ice truck is a part of the Farmer's Market and therefore falls under their permit to operate in that location when the market operates.

A reduction of the annual business license fee was presented in Resolution 1106-22, which the City Council approved on October 26, 2022. That resolution does not take effect without passage of some variation of this ordinance.

**FISCAL IMPACT, IF APPROPRIATE:**

N/A

**ATTACHMENTS:**

1. Ordinance 2023-22 Amending SWMC 5.04.030 License Fees
2. Staff Analysis Mobile Vendor Fees and Regulation

ORDINANCE NO. 2023-22  
AN ORDINANCE OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON, AMENDING  
SEDRO-WOOLLEY MUNICIPAL CODE SECTION 5.04.030 "LICENSE FEES"

WHEREAS, staff, the Mayor, and members of the City Council received feedback that the City's mobile vendor fees are too high in comparison to surrounding communities; and,

WHEREAS, staff reviewed the fees in the area and found the City's licensing fees for mobile vendors to be sometimes ten times higher than neighboring communities; and,

WHEREAS, the City held a meeting, at the Council's direction, to hear from non-mobile vendors that may be impacted by changes to the fees and regulations and no businesses attended; and,

WHEREAS, The City Council's Business Development Committee recently met to discuss mobile vendor fees and regulations and collaborated with staff on this recommendation;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sedro-Woolley as follows:

**Section One.** Section 5.04.030 "License Fees" of the Sedro-Woolley Municipal Code, last modified by Ord. 2013-22 § 10 in 2022, is hereby amended to read as follows:

- A. No person shall engage in business in the city without first having applied for, paid for and obtained the license therefor for the current year, as provided herein, and without having first complied with any and all applicable provisions of this chapter.
- B. Regulatory Business License. Each person engaged in the following businesses in the city shall pay an annual basic license fee as indicated below:
  - 1. Businesses, clubs or societies selling or serving beer, wine and/or spirits, operating under license or authority of the Washington State Liquor and Cannabis Board, an annual license fee as listed in the master fee schedule adopted by resolution of the city council.
  - 2. Pawnbrokers. An annual license fee as listed in the master fee schedule adopted by resolution of the city council and no person shall be issued a license to operate as a pawnbroker unless he or she possesses the following qualifications:
    - a. Is at least twenty-one years of age;
    - b. Is a resident of the state of Washington for at least six months prior to filing application;

c. Has not been convicted of any offense involving moral turpitude or intent to defraud or any property crime, within three years prior to the time of application.

i. When an application for a license to operate as a pawnbroker, duly signed and notarized, and accompanied by required information, has been received by the police chief, he shall investigate the statements contained therein and may obtain such other information concerning the applicant's character, integrity, personal habits, past conduct and general suitability to maintain a pawnshop within the city.

ii. Each application for a pawnbroker's license shall be accompanied by a complete set of fingerprints of the applicant, utilizing a fingerprint form provided by the city police department.

iii. All applications shall become null and void after sixty days from the date of filing if the application for any reason is denied or is not obtained by the applicant.

3. Mobile Vendors. An annual license fee as listed in the master fee schedule adopted by resolution of the city council and compliance with the following requirements:

a. Mobile vending is allowed on private property when invited by the property owner. If the mobile vendor serves food, it must not be located with 100 feet of an existing restaurant without the restaurant owner's consent; and

b. Mobile vending is allowed on public streets provided the following conditions are met: (i) the vehicle must be legally parked and cannot use more than a single designated parking space; (ii) the vehicle or cart may not obstruct any street or sidewalk for the passage of other vehicles or pedestrians or result in noncompliance with the Americans with Disabilities Act, as amended (ADA); (iii) the vehicle must not operate in a single location for more than ~~one hour~~ ten minutes at a time. For purposes of this section, one location is defined as one city block; and

c. Nothing in this section shall relieve any person who is operating as a mobile vendor from compliance with all other requirements of the Sedro-Woolley Municipal Code, including, but not limited to, for example, zoning, sewer, and mandatory solid waste service requirements.

4. Taxicabs.

a. An annual license fee as listed in the master fee schedule adopted by resolution of the city council and no taxicab license or driver's permit shall be issued to any person who:

i. Has been convicted of an offense of such a nature to indicate that he or she is unfit to hold a license or a permit;

ii. Is guilty of committing two or more offenses for which mandatory revocation of driver's license is provided by law;

iii. Has been convicted of manslaughter resulting from the operation of a motor vehicle or convicted of negligent homicide;

iv. Is intemperate or addicted to the use of narcotics.

b. Any license or permit issued may be revoked if the holder is found guilty of the above-mentioned disabilities or physically or mentally unfit upon complaint of the police chief or a committee of the city council designated for that purpose by the council as a whole, at which hearing the holder or licensee may appear and be heard on his own behalf.

c. No person may be issued a taxicab license or driver's permit within one year after his conviction in any local, state, or federal court or authority, of the violation of any ordinance or law pertaining to the sale or possession of alcoholic beverages, and any license or permit issued shall be revoked for one year upon the conviction of the holder of a violation of local, state, or federal ordinances, laws, or regulations pertaining to the sale or possession of alcoholic beverages.

d. The payment of such license fee shall permit the owner or operator to operate as many taxicabs under one license as he may desire.

e. Nothing herein contained shall prevent the operator of a taxicab licensed to operate in another city or town or within this or other county, from entering and leaving the city for picking up or depositing passengers in the usual course of business.

5. Extension Vendors. An annual license fee as listed in the master fee schedule adopted by resolution of the city council per location and compliance with the following requirements:

a. Extension vending is allowed only on private property when invited by the property owner; and

b. Nothing in this section shall relieve any person who is operating as an extension vendor from compliance with all other requirements of this

code, including, but not limited to, for example, zoning, sewer, and mandatory solid waste service requirements.

6. Businesses growing, processing or selling marijuana operating under license or authority of the Washington State Liquor and Cannabis Board, an annual license fee as listed in the master fee schedule adopted by resolution of the city council.
- C. General Business License. All persons engaged in business in the city not included in regulatory or nonprofit business license sections shall pay an annual basic license fee as listed in the master fee schedule adopted by resolution of the city council.
  - D. Nonprofit Business License. Businesses and organizations which have IRS 501(c)(3) nonprofit tax status, for activities within the scope of their IRS 501(c)(3) purpose, are exempted from any fees in this chapter; however, they are not exempted from registering with the city of Sedro-Woolley; provided, that:
    1. The organization shall provide proof of IRS 501(c)(3) status;
    2. The activity shall not include the sale of food, beverages, cigarettes or gambling; and
    3. The owner of property used for this exempt purpose shall obtain a fire inspection certificate if required by this chapter.
  - E. The license required by this chapter shall have a term as established by the state of Washington BLS, in cooperation with the city.
  - F. Each branch establishment or separate location of a business conducted by any person shall, for the purpose thereof, be a separate business and subject to the license therefor provided for herein.
  - G. If any person be engaged in operating or carrying on in the city more than one business, then such person shall pay the license herein prescribed for as many of said businesses as are carried on by such person.
  - H. A change of physical location of a business inside the city will require approval by the city before business may commence at the new location, and may require the filing of a new master business application.

**Section Two. Severability.** If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances is not affected.

**Section Three. Effective Date.** This Ordinance shall be in full force and effect five days after publication.

PASSED AND ADOPTED by the City Council of the City of Sedro-Woolley, Washington, on this 26<sup>th</sup> day of October, 2022.

\_\_\_\_\_  
Julia Johnson, Mayor

ATTEST:

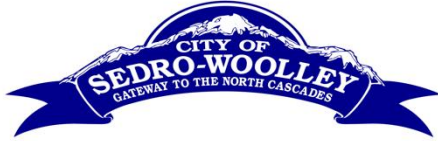
\_\_\_\_\_  
\_\_\_\_\_, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Nikki Thompson, City Attorney

## CITY OF SEDRO-WOOLLEY

Sedro-Woolley Municipal Building  
325 Metcalf Street  
Sedro-Woolley, WA 98284



Richard Coleman  
City Administrator Intern  
Phone (619) 228-3856  
rcoleman@sedro-woolley.gov

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MEMO TO: City Administrator  
FROM: Richard Coleman  
RE: Mobile Vendor Policy  
DATE: April 28, 2022

**Executive Summary:** Inflation is at a 40-year high and rising costs are putting pressure on budgets; however, inflation has also led to an increase in sales tax revenues (with a consumer shift to goods). Additionally, analysts predict economic expansion over the next 12-24 months.<sup>1</sup> Aligning Sedro-Woolley's mobile vendor policy with its' strategic vision of a thriving community offering an ideal balance of where one chooses to live and work, may incentivize small business / entrepreneurship, and help stimulate sales tax revenue.

**Issue:** Sedro-Woolley charges four times the amount of business fees for mobile vendors compared to other categories of business fees.

### **Background – Analysis:** Sedro-Woolley Annual Business License Fee Table

Mobile Vender	External Venders	Regulated Business (Alcohol / MJ)	Pawnbrokers	Taxi	General Fee	Non-Profit	Exemption
<b>\$1,000.00</b>	\$250.00	\$250.00	\$135.00	\$135.00	\$35.00	\$0.00	<\$2,000.00

**Issue:** Sedro-Woolley charges a greater amount of mobile vender business fees compared to neighboring cities (suggesting more competitive rates may affect economic development).

**Anacortes.** A joint licensing program through the State Dept of Revenue, Business Licensing Service treats mobile vendors like any other business. A “non-resident business fee endorsement” of \$40.00 is required for mobile vendors in addition to a town endorsement of \$40.00 plus a general licensing fee of \$90.00 to open any business (a total fee of \$170.00).

**Burlington.** Requires mobile vendors pay a business license fee (of \$25.00, \$75.00 or \$100.00) based upon a range of gross revenue (note chart below).

**Mount Vernon.** Does not specify policy for mobile vendors. There is no separate mobile vendor licenses fee - only a (general) new business license fee of \$50.00.

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<sup>1</sup> Chief Economist at Moody Analytics, Mark Zandi, predicts US economy will evolve into a self-sustaining economic expansion over the next 12-24 months assuming COVID-19 will not cause increased economic disruption, Russia's economic fallout will be contained, and the Fed will raise rates to calm inflation to within 2.5% by 2023 (Source: Governing- The Future of States and Localities; 4/25/22 (Alan Greenblott)).



### Background – Analysis: Mobile Vender Annual Business Fee Cost Table

Category	Non-Resident (Mobile Vender)	Gen New Business Fee	Town Endorsement Fee	Other Purpose (than listed categories)	Annual Renewal Fee
Anacortes	<b>\$40.00</b>	<b>\$90.00</b>	<b>\$40.00</b>	\$19.00	\$10.00
Burlington	TBD by Council per Rev Amount \$50.00 < \$20K Rev \$75.00 > \$20K, < \$75K Rev \$100.00 > \$100K Rev	TBD by Council per Rev Amount	TBD by Council	N/A	
Mt Vernon	N/A	<b>\$50.00</b>	N/A	N/A	\$50.00
Sedro-Woolley	<b>\$1,000.00</b>	<b>\$35.00</b>	N/A	N/A	

**Issue:** Sedro-Woolley provides detailed guidance regarding mobile vender operations compared to other cities; however, does not specify operating distance from other open establishments. It restricts mobile vender operations less than Anacortes and Burlington. Mt Vernon does not specify mobile vender guidelines.

### Background – Analysis: Comparison of Mobile Vender Restrictions / Exemption Table

Restriction	Corp Limit Public St Right of Way	Operations Near Other Business	General	Pvt Property	Exempts
Anacortes	<b>NOT PERMITTED</b> No Food Trucks	<b>NOT PERMITTED</b> No Food Trucks		<b>PERMITS</b> Food Trucks during business hours	< \$2K Rev Trade Shows
Burlington	<b>NOT PERMITTED</b> , except for frozen/prepackaged/individually wrapped food items, as long as vendors are at one location no more than 10 minutes	<b>NOT PERMITTED W/N 100 FT &amp; without other establishment consent</b> ; Permitted to set up & serve local business employees	Permitted 7:00am – 9:30pm;  Alcohol Prohibited		< \$2K Rev, Farmer FFVegs, St Fairs, Carnivals, Trade Shows
Mt Vernon	<b>No Info Available</b>				< \$2K Rev
Sedro-Woolley	PERMITTED if: (i) Legally parked (one space) (ii) Not Obstructing Street (iii) Operating less than <b>60 minutes at a time</b> , per city block	Permitted to set up & serve local business employees; <b>Not Specified relative to distance from another business establishment</b>		PERMITTED When allowed by owner	< \$2K Rev, Farmer FFVegs, St Community Fairs, Carnivals, Trade Shows, special events, Minors, <10 Min per block

**Recommendation:** Creating mobile vender cost parity may stimulate Sedro-Woolley economic development. Additionally, emphasizing streamlined administration of applications through a joint licensing program with State Department of Revenue (DOR) Business Licensing Service may incentivize mobile vender owners to meet local / state requirements with one efficient online transaction.



Agenda  
Item No.

Date:

November 9, 2022

Subject:

Revising the City Council Governance  
Handbook - Resolution 1109-22 - 2nd  
Read

**FROM:**

Charlie Bush, City Administrator

**RECOMMENDED ACTION:**

This is a second read. Staff recommends approval if, and when, the Council is ready.

**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. Between the Work Session discussion on November 2 and this meeting, staff made revisions to Sections 16 and 17 on page 18. The document has manual formatting and will need some manual reformatting after Council action and before final posting. 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 Marked Up
3. Council Governance Handbook Proposed Revisions Clean

**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.

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Julia Johnson, Mayor

Attest:

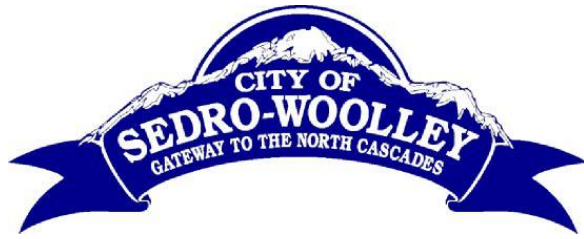
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Kelly Kohnken, Finance Director

Approved as to form:

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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 13<sup>th</sup>, 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 42.30.110<sup>1</sup> (Executive Sessions), or RCW 42.30.140<sup>2</sup> (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.13.035<sup>3</sup>]. 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 2<sup>nd</sup> and 4<sup>th</sup> 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, "1<sup>st</sup> Reading". Any member of the public who wishes to verbally address the Council on an item on the current agenda listed as a "1<sup>st</sup> 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 "2<sup>nd</sup> 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 1<sup>st</sup> 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~~<sup>Supervisor</sup>, 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~~<sup>Supervisor</sup> 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.

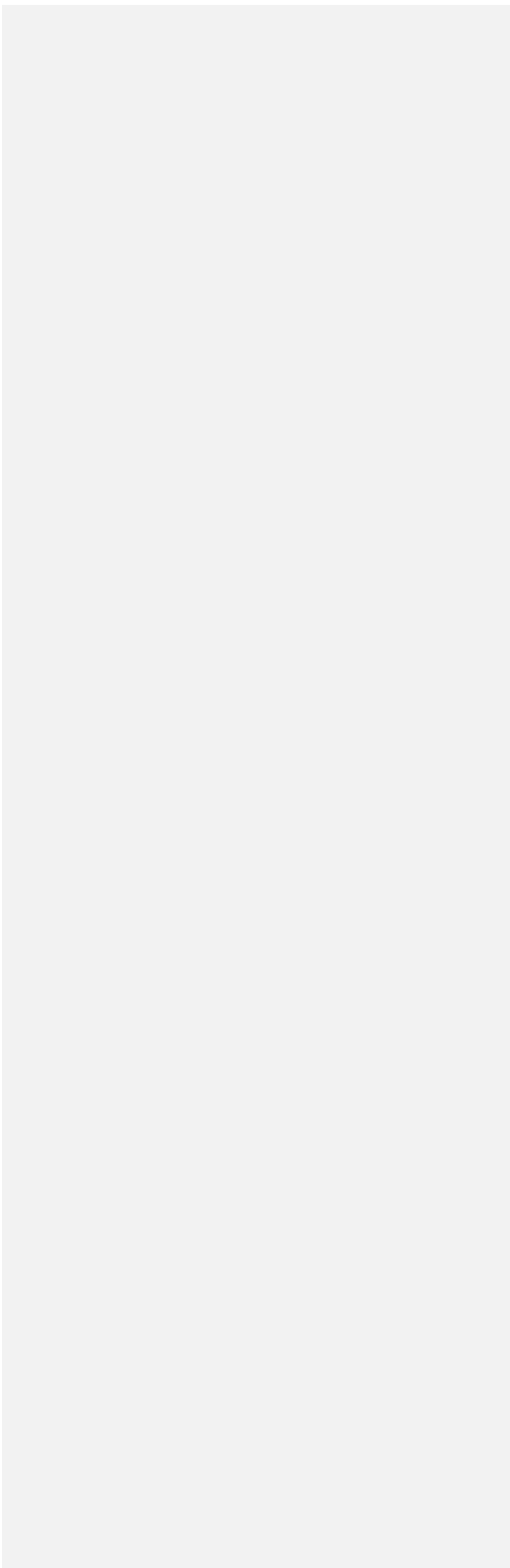
a. At the close of the executive session and upon Council's return to chambers, the Presiding Officer will declare Council out of executive session, and will ask for the appropriate motion (i.e. an action motion or a motion to adjourn).

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 42.52<sup>4</sup>) and/or the Public Records Act (RCW 42.56<sup>5</sup>). 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.12.160<sup>6</sup> 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.13.170<sup>7</sup>, 35A.12.110<sup>8</sup>). 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.12.110<sup>9</sup>).

The notices provided in this section may be dispensed within the circumstances provided by RCW 42.30.080<sup>10</sup>, 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~~

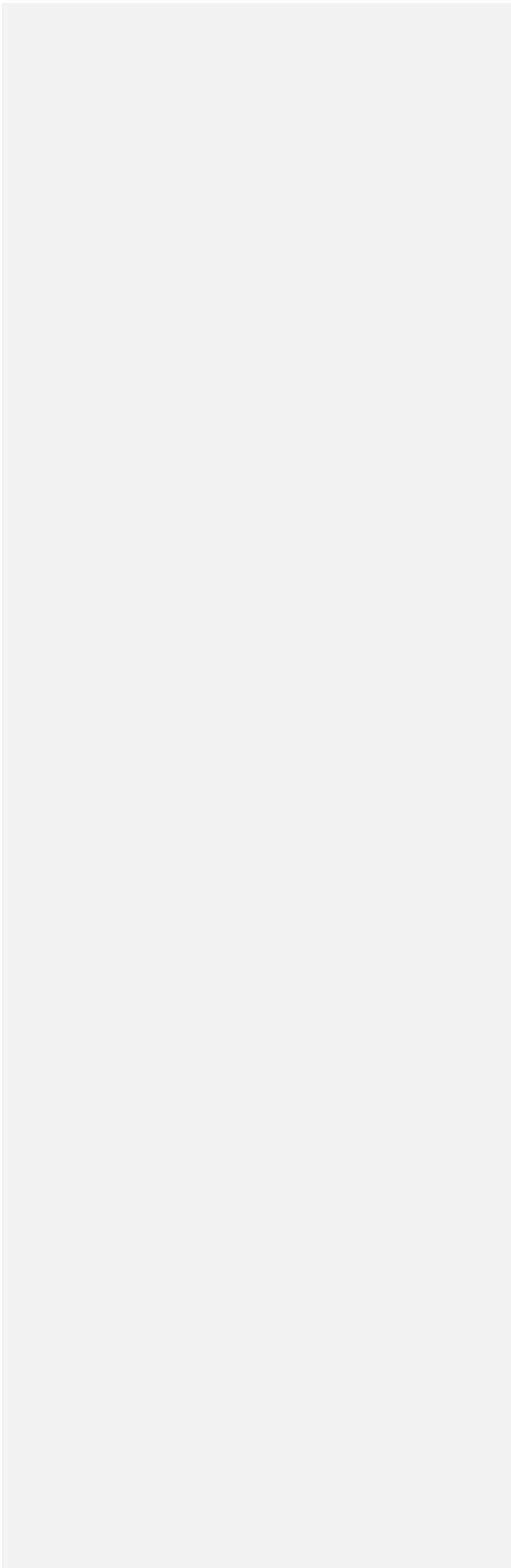
~~b.~~

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~~<sup>Supervisor</sup> or come directly from the Mayor or City ~~Supervisor~~<sup>Administrator</sup> 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.12.060<sup>11</sup> 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~~<sup>Supervisor</sup>.

### **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 Council<sup>1</sup>. 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.13.190<sup>12</sup>).

<sup>1</sup> 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 <sup>ND</sup> ?	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, 10<sup>th</sup> 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. In addition:

~~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 ~~two~~ 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 for ordinances 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;

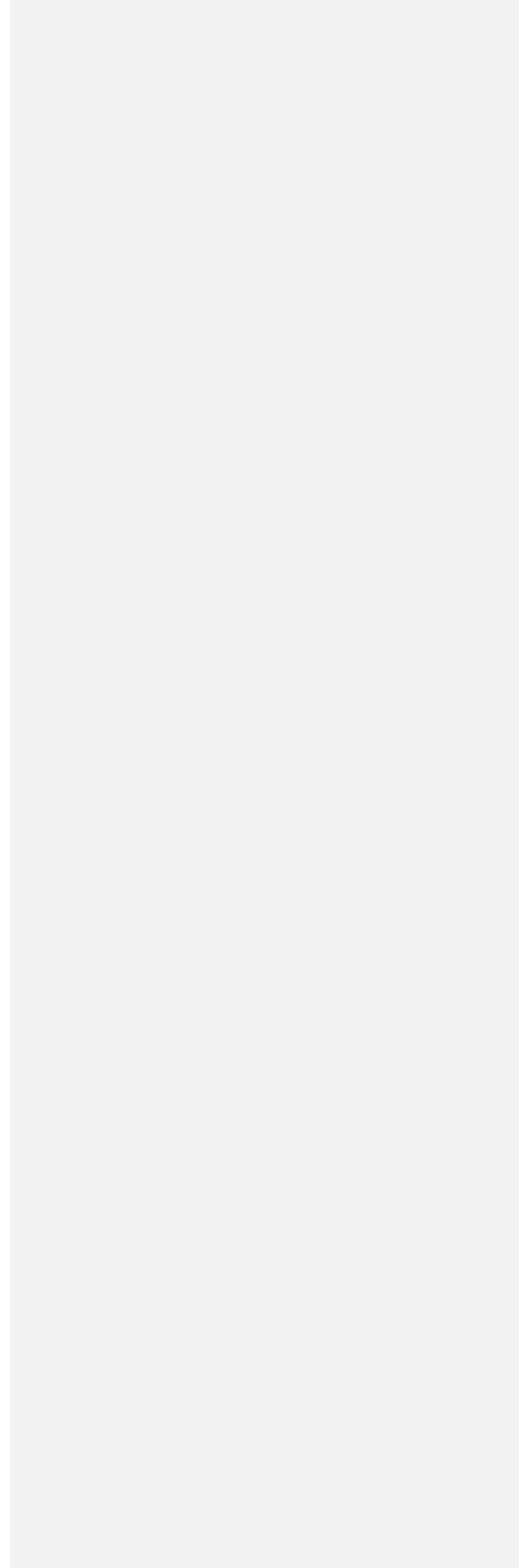
2. must be called up when no business is pending (no action is pending);

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, ~~and~~ 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.12.050<sup>13</sup> and Council's adopted procedure in compliance with RCW 35A.12.050<sup>14</sup>, 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;~~

8. ~~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 ~~Administrator~~Supervisor 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 6<sup>7</sup> 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 42.36.040<sup>15</sup>, 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 42.36.060<sup>16</sup>)

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 42.36.010<sup>17</sup>). 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 42.30.010<sup>18</sup>, 42.30.020(3)<sup>19</sup>].

**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](http://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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<sup>1</sup> RCW 42.30.110 – Open Public Meeting Act, Executive Sessions

<sup>2</sup> RCW 42.30.140- Open Public Meeting Act,

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

<sup>4</sup> RCW 42.52 – Ethics in Public Service

<sup>5</sup> RCW 42.56 – Public Records Act

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

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

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

<sup>9</sup> RCW 35A.12.110 – *ibid.*

<sup>10</sup> RCW 42.30.080 - Open Public Meetings Act, Special Meetings, procedures for calling Special Meetings

<sup>11</sup> 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.

<sup>12</sup> 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.

<sup>13</sup> RCW 35A.12.050 – Vacancies

<sup>14</sup> RCW 35A.12.050 – *ibid.*

<sup>15</sup> RCW 42.36.040 – Appearance of Fairness – public discussion by candidate for public office

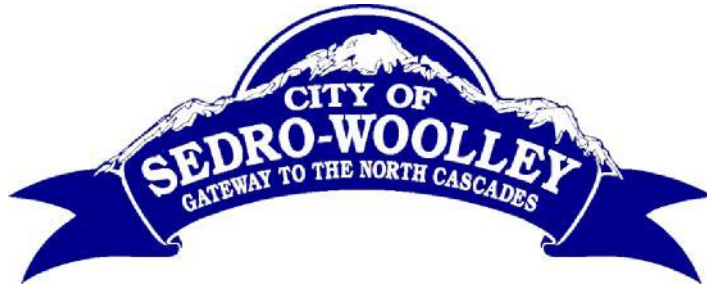
<sup>16</sup> RCW 42.36.060 – Quasi-judicial proceedings, ex-parte communications prohibited, exceptions.

<sup>17</sup> RCW 42.36.010 Appearance of fairness doctrine – local land use decisions.

<sup>18</sup> 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.

<sup>19</sup> RCW 42.30.020(3) – Definitions – defines “action”





# *City Council Governance Handbook*

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

**Adopted September 13<sup>th</sup>, 2017  
Updated November 9, 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,  
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 6:00 p.m. The City Council also meets on the first Wednesday at the Sedro-Woolley Fire Department Training Room beginning at 6:00 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 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 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 42.30.110<sup>1</sup> (Executive Sessions), or RCW 42.30.140 <sup>2</sup> (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.13.035<sup>3</sup>]. 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 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 sixp.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 2<sup>nd</sup> and 4<sup>th</sup> Wednesdays. The City Administrator, 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 at least ten days prior to the appropriate Council meeting. The City Administrator 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.

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 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.*

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, "1<sup>st</sup> Reading".* Any member of the public who wishes to verbally address the Council on an item on the current agenda listed as a "1<sup>st</sup> 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. *Comment shall 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 "2<sup>nd</sup> 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 1<sup>st</sup> 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, 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 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.

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.

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 Administrator Comments. The purpose of this agenda item is to allow the City 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 42.52<sup>4</sup>) and/or the Public Records Act (RCW 42.56<sup>5</sup>). 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.12.160<sup>6</sup> 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 Administrator in consultation with the City Attorney.

## **2. Special Meetings**

Meetings set at days, times, and places other than Wednesdays at 6:00 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.13.170<sup>7</sup>, 35A.12.110<sup>8</sup>). 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.12.110<sup>9</sup>).

The notices provided in this section may be dispensed within the circumstances provided by RCW 42.30.080<sup>10</sup>, 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: 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 taken by Council to decide whether to add the item to a future agenda for full consideration

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 or come directly from the Mayor or City Administrator as part of the normal course of business.



## **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.12.060<sup>11</sup> 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 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 nondebateable. 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. Under circumstances identified in RCW 42.30.070 and RCW 42.30.230, the City Council may meet as a body by video conference without a physical meeting location...

### **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.

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.

## **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 Council<sup>1</sup>. 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.13.190<sup>12</sup>).

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<sup>1</sup> 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 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 <sup>ND</sup> ?	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, 10<sup>th</sup> 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**

Prior to final passage of all ordinances such documents shall be designated as drafts. In addition:

- a. Ordinances shall normally have readings at two separate Council meetings.
- 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.)
- 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.
- 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.

## **17. Resolutions**

A resolution may be approved on the same day it is introduced. Council may invoke the two reading procedures described above for ordinances 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 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 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.



## 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..

**2. Finance, , and Information Technology:** To consider policy issues and make policy recommendations to the full Council related to financial management policies, financial reports, 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.

**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.

#### **C. The Role of City Council Committees**

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

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

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 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 Administrator on the preparation of the agenda to determine whether items will be presented to a Committee or placed on the Council's agenda to be considered by the full City Council. Any item may be recommended 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 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 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.

Sedro-Woolley c. Coordinate with the Committee chair to prepare agendas.

d. Schedule meetings.

e. Prepare Committee minutes within 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.12.050<sup>13</sup> and Council's adopted procedure in compliance with RCW 35A.12.050<sup>14</sup>, 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. 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.

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.

**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.

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 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)]**

6:00 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.

### **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 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 Administrator for review, if said complaint has not been so reviewed. The City Council may direct that the Mayor/City 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 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. 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. 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.

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.

## **B. Staff Contacts and Interactions**

### **1. Role of the City Administrator**

The City Administrator is the chief appointed officer of the City of Sedro-Woolley. The City Administrator 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 or his/her designee shall attend all meetings of the City Council, unless excused by the Mayor or Council.

### **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 6 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 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 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 42.36.040<sup>15</sup>, 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 42.36.060<sup>16</sup>)

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 42.36.010<sup>17</sup>). 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 42.30.010<sup>18</sup>, 42.30.020(3)<sup>19</sup>].

**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](http://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



Endnotes:

<sup>1</sup> RCW 42.30.110 – Open Public Meeting Act, Executive Sessions

<sup>2</sup> RCW 42.30.140- Open Public Meeting Act,

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

<sup>4</sup> RCW 42.52 – Ethics in Public Service

<sup>5</sup> RCW 42.56 – Public Records Act

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

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

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

<sup>9</sup> RCW 35A.12.110 – *ibid.*

<sup>10</sup> RCW 42.30.080 - Open Public Meetings Act, Special Meetings, procedures for calling Special Meetings

<sup>11</sup> 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.

<sup>12</sup> 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.

<sup>13</sup> RCW 35A.12.050 – Vacancies

<sup>14</sup> RCW 35A.12.050 – *ibid.*

<sup>15</sup> RCW 42.36.040 – Appearance of Fairness – public discussion by candidate for public office

<sup>16</sup> RCW 42.36.060 – Quasi-judicial proceedings, ex-parte communications prohibited, exceptions.

<sup>17</sup> RCW 42.36.010 Appearance of fairness doctrine – local land use decisions.

<sup>18</sup> 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.

<sup>19</sup> RCW 42.30.020(3) – Definitions – defines “action”



Agenda  
Item No.

Date:

November 9, 2022

Subject:

Repealing and Replacing Sedro-  
Woolley Municipal Code Chapter 8.04  
'Refuse Collection and Disposal System'  
- Ordinance 2022-22 - 1st Read

**FROM:**

Leo Jacobs, Solid Waste

**RECOMMENDED ACTION:**

Adopt Ordinance 2022-22 amending the Sedro-Woolley Municipal Code by repealing and replacing Chapter 8.05.

**ISSUE:**

Should Council approve changes to the Municipal Code provisions regarding solid waste that will update and modernize the Code?

**BACKGROUND/SUMMARY INFORMATION:**

The City's Municipal Code provisions relating to solid waste are outdated. Staff has spent significant amounts of time reviewing codes from other jurisdictions and analyzing the current needs of the City. The resulting draft Ordinance updates the Code and better reflects the needs of the City.

**FISCAL IMPACT, IF APPROPRIATE:**

**ATTACHMENTS:**

1. Ordinance 2022-22

ORDINANCE NO. 2022-22

AN ORDINANCE OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON, REPEALING  
AND REPLACING SEDRO-WOOLLEY MUNICIPAL CODE CHAPTER 8.04 REFUSE  
COLLECTION AND DISPOSAL SYSTEM

**WHEREAS**, the City of Sedro-Woolley has previously adopted regulations related to solid waste as set forth in Sedro-Woolley Municipal Code (SWMC) Chapter 8.04 REFUSE COLLECTION AND DISPOSAL SYSTEM; and,

**WHEREAS**, pursuant to the authority granted under the Washington State Constitution Art. XI Sec. 11, the City of Sedro-Woolley “may make and enforce within its limits all such local police, sanitary and other regulations as are not in conflict with general laws”; and,

**WHEREAS**, the City of Sedro-Woolley is a code city organized under Title 35A RCW; and,

**WHEREAS**, RCW 35A.21.160 provides that “a code city organized or reorganized under this title shall have all the powers which any city of any class may have and shall be governed in matters of state concern by statutes applicable to such cities in connection with such powers to the extent to which such laws are appropriate and are not in conflict with the provisions specifically applicable to code cities”; and,

**WHEREAS**, pursuant to the powers granted to cities or towns in RCW 35.21.120, the City of Sedro-Woolley “may provide for solid waste handling by or under the direction of officials and employees of the city or town or may award contracts for any service related to solid waste handling including contracts entered into under RCW 35.21.152”; and,

**WHEREAS**, the solid waste code chapters from time to time need to be updated to align with the City’s current solid waste system; and,

**WHEREAS**, after discussion and review of the existing provisions, the City Council wishes to update by repealing and replacing SWMC Chapter 8.04 REFUSE COLLECTION AND DISPOSAL SYSTEM and replacing that Chapter with a new Chapter 8.04 entitled SOLID WASTE, RECYCLING, AND HAZARDOUS WASTE.

**WHEREAS**, the City of Sedro-Woolley adopted Ordinance No. 2016-22 creating and adopting a master fee schedule to contain all City fees on August 24, 2022; and,

**WHEREAS**, this ordinance is necessary for the protection of public health, safety, and welfare;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEDRO-WOOLLEY  
DO ORDAIN AS FOLLOWS:**

**Section One.** SWMC Chapter 8.04 REFUSE COLLECTION AND DISPOSAL SYSTEM is hereby repealed in its entirety and replaced with the provisions as set forth in Section 2 below.



**Section Two.** A new Chapter 8.04 entitled SOLID WASTE, RECYCLING, AND HAZARDOUS WASTE is hereby adopted to read as follows:

Chapter 8.04 Solid Waste, Recycling, and Hazardous Waste.

Sections:

8.04.010 Purpose.

8.04.020 Authority.

8.04.030 Definitions.

8.04.040 General requirements.

8.04.050 Transportation.

8.04.060 Requirements for containers.

8.04.070 Special permits.

8.04.080 Assistance to elderly and/or disabled individuals.

8.04.090 Rate reduction for low-income senior and low-income disabled individuals.

8.04.100 Collection.

8.04.110 Pilot projects.

8.04.120 Collection charges.

8.04.130 Fuel surcharge for garbage service.

8.04.140 Discontinuance of refuse collection.

8.04.150 Recycling – general.

8.04.160 Enforcement.

8.04.170 Violations – penalties.

8.04.180 Notice of violations – civil penalties.

8.04.190 Anti-scavenging.

#### **8.04.010 Purpose.**

The purpose of this chapter is to set forth the requirements for collection, management, and proper handling of all solid waste, including recyclable materials, originating from residential, commercial, agricultural, and industrial operations and other sources within the City of Sedro-Woolley in order to prevent land, air, and water pollution, fly and rodent infestation, fire hazards, and damage to recreational values and to the environment; to conserve resources; and to maintain aesthetic values.

#### **8.04.020 Authority.**

The collection and disposal of solid waste within the City of Sedro-Woolley is compulsory and universal. The City of Sedro-Woolley asserts exclusive and universal control over all of the solid waste collection, management, and disposal within the Sedro-Woolley city limits. It shall be a violation of this chapter for anyone other than the City of Sedro-Woolley, acting through its Solid Waste Department, to engage in the business of collection, removal, and disposal of solid waste within the Sedro-Woolley city limits, except as provided in SWMC Section 8.04.070, "Special permits." There are hereby levied and imposed within the City of Sedro-Woolley mandatory service charges, at the rates and charges set forth in the Master Fee Schedule adopted by the City of Sedro-Woolley for the collection, management, and disposal of all such solid waste, including recyclable materials, or for the availability of such services.

#### **8.04.030 Definitions.**

"Automated collection." The method of collecting waste using mechanical collection equipment and special containers to accommodate the collection.

"Automated collection container." A City-owned container designed specifically for the Solid Waste Department's automated collection operation.

"Bulk waste." Large items of solid waste including, but not limited to, appliances, furniture, trees, stumps, and other oversized waste.

"City." The City of Sedro-Woolley, Washington.

"Collection vehicle." A vehicle used for the collection and/or transportation of commercial, industrial or residential solid waste.

"Commercial customer." Any business premises, industry, and mobile home park; organization (either private/public, profit/nonprofit); multi-family dwellings (triplex or larger); and dwelling units with one or more utilities paid for by a single entity and located on contiguous property.

“Construction, demolition, and land-clearing waste (CDL wastes).” Any recyclable or non-recyclable waste that results from construction, remodeling, repair or demolition of buildings, roads, or other structures, or from land-clearing for development, and that is removed from the site of construction, demolition or land clearing “Curbside container.” An approved solid waste or recycling container that is to be placed on the curb in such a way as to allow for safe automated or semi-automated collection or an approved container that is to be placed on the curb for manual pickup.

“Container.” An approved Solid Waste Department or customer-owned portable container, e.g., cart, can, recycling container, front load box, compactor, and drop-off box to be used for the deposit of solid waste therein.

“Customer.” Any person or entity receiving service from Solid Waste Department.

“Dangerous/hazardous waste.” Solid waste presently defined in WAC 173-303 or as hereafter amended.

“Disposal site.” The location where any treatment, utilization, collection, processing, or final deposition of solid waste occurs.

“Drop-off box (DOB).” A large-volume (10 cubic yards or greater) detachable City- or customer-owned container that can be pulled onto a collection vehicle mechanically for transportation.

“Extra solid waste.” Any solid waste placed on, in, or around the vicinity of the collection container in excess of the capacity of the container.

“Front-load container.” A City- or customer-owned container, from one yard to eight yards in capacity, designed to be emptied by an automated front-loading truck.

“Health Department.” The Skagit County Health Department.

“Household hazardous waste.” A waste product derived from a residential or apartment customer which has the characteristic of dangerous waste presently defined under WAC 173-303 or as hereafter amended. This waste includes, but is not limited to, household cleaners, automotive products, pesticides, and herbicides.

“Infectious waste.” Waste from medical, dental, intermediate care facilities, research centers, veterinary clinics, and other similar facilities that have the potential to cause an infectious disease via exposure to a pathogenic organism of sufficient virulence and dosage, through a portal of entry in a susceptible host.

“Junk Collector.” Any person having no fixed place of business in the City engaged in or carrying on the business of collecting, buying or selling any old materials, bottles, cans, papers, goods, metals, rubbish, recycling material, used matter of any kind or other articles of junk any items relating to recycling, garbage, rubbish or solid waste.

“Liquid waste.” Any material which would produce measurable liquids when the Paint Filter Liquids Test Method 9095 of EPA Publication Number SW-846 is used.

“Mandatory service.” Compulsory and universal City collection, and disposal of solid waste within the City at the applicable rates established herein.

“Minimum service.” The minimum level of service established by Solid Waste Department for residential and commercial customers.

“Month” or “Monthly.” The 28- to 31-day period corresponding to the billing cycle for that account.

“Multi-family dwelling.” Any building or portion thereof that contains three or more dwelling units.

“New construction” Residential or Commercial new building or buildings being built, newly constructed.

“Nonprofit material salvage/recycling corporation.” A corporation approved by the Supervisor as eligible for special projects.

“Nuisance.” An unreasonable or unlawful act, or omission from performing a duty, which act or omission either injures or endangers the comfort, health, or safety of others, obstructs or tends to obstruct any lake or navigable river, bay, stream, canal, basin, public park, square, street, highway, or in any way renders other persons insecure in life or in the use of property and produces such material annoyance, inconvenience, or discomfort that the law will presume resulting damage.

“Operator.” The person responsible for the overall operation of a public disposal area.

“Overloaded.” A container that exceeds its rated capacity or the height of the container opening.

“Person.” An individual, firm, lessor, association, co-partnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever.

“Public disposal area.” A transfer station, public tipping area and/or Recycling area.

“RCW.” Revised Code of Washington.

“Recyclable material.” Means those solid wastes that are source separated from the waste stream for the purpose of recycling or reuse.

“Recycling.” Transforming or remanufacturing waste materials into usable or marketable material for use other than landfill disposal.

“Recycling container.” A stationary or portable container under City or customer ownership utilized for the collection of recyclable material and serviced mechanically or manually.

“Recycling drop-off box.” A drop-off box utilized for the collection of recyclable material only.

“Reload.” Additional material placed in a container after initial pickup.

“Remodel” commercial or residential intent to refinish or alter structure, you're definitively changing the look and layout of its space, not merely updating, or tweaking it.

“Residential customer.” An individual who physically occupies the subject dwelling unit and is directly responsible for payment of all public utilities serving the residential unit to which solid waste service is provided.

“Scavenging.” The unauthorized removal of materials from a public disposal area, solid waste collection container, recycling drop-off box, or any container used for the collection of recyclable material.

“Sludge.” A semi-solid substance consisting of settled sewage solids and/or other solids combined with varying amounts of water and dissolved materials generated from a wastewater treatment plant or other source.

“Small quantity generator (SQG) waste.” A waste defined in WAC 173-303 that exhibits the characteristics of a dangerous or extremely hazardous waste as defined by WAC 173-303 but is generated by a commercial entity in quantities of less than 220 pounds for dangerous waste, or 2.2 pounds for extremely hazardous waste.

“Solid waste.” All putrescible and non-putrescible solid or semi-solid waste, including, but not limited to, garbage, refuse, rubbish, ash, industrial waste, swill, demolition, and construction waste, abandoned or junk vehicles or parts thereof, and discarded commodities, bulk waste, recyclable material, and unwanted vegetation or debris on publicly owned land or improved rights-of-way.

“Solid Waste Department.” The Solid Waste Department of the City of Sedro-Woolley.

“Special permit.” A permit issued by the city’s Solid Waste Department.

“Source separated.” The separation of different kinds of materials from the solid waste at the place where the waste originates.

“Swill.” All accumulation of animal, fruit, or vegetable matter, liquid or otherwise, intended to be used as feed for livestock, including, but not limited to, garbage waste from food service establishments or waste from wholesale/retail food processing facilities.

“SWMC”. Sedro-Woolley Municipal Code.

“Treated wastes.” The collection, removal, or disposal of infectious waste or infectious waste which has been rendered noninfectious.

“Vector.” A living animal, insect, or arthropod that may transmit an infectious disease from one organism to another.

“WAC.” Washington Administrative Code.

“Walk in Service.” The transport of a container by Solid Waste Department personnel from the customer’s premises or other designated location to a location accessible for collection.

“Yard waste.” Vegetation material generated as a result of normal maintenance of residential yards. These wastes include above-ground cuttings such as grass clippings, pruning cut limbs (up to 4 feet in length and 8 inches in diameter), and clean beauty bark, and food waste. Not included in yard waste are sod, dirt, rocks, and animal wastes.

“Yard waste container.” A container provided by Solid Waste Department. Plastic and biodegradable bags are not acceptable yard waste containers.

#### **8.04.040 General requirements.**

1. It shall be the customer’s responsibility to ensure that, prior to the arrival of the collection vehicle on the scheduled collection day, containers are placed curbside, or where a curb is not present, at street side or alley, or such other location as may be designated or approved by Solid Waste Department Management. Solid Waste Department personnel shall not be required to negotiate steep ramps, stairs, or hazards, or to remove containers from wells or storage bins in the performance of their duties. Such location shall be easily accessible for collection. All containers must face in the proper direction with the lids completely closed with unobstructed access for collection. It shall be the responsibility of each customer to remove the container from street-side or alley on the same day as collection.

Walk-in service on the customer’s premises may be approved by Solid Waste Department on a case-by-case basis for customers who establish that it is impractical or infeasible to place containers in a location directly accessible to collection trucks from the street or alley and that access is available on the customer’s premises. The walk-in service distance shall not exceed 100 feet unless approved by Solid Waste Department. Walk-in service charges will apply to all walk-in service regardless of whether such service is approved in advance of service. Walk-in service customers are responsible for maintaining an accessible, unobstructed, paved pathway on ground level of the customer’s premises with acceptable grades and ramps to allow for carry service to be provided. For walk-in service, the customer must control the customer premises or acquire and maintain right of access for the walk-in service to be provided by Solid Waste Department personnel.

Any waste exceeding the rated capacity of the container shall be subject to an extra charge at applicable rates established herein. Overloading containers in a manner which is likely to: (i)

cause damage to the collection vehicle or container; (ii) create a litter condition; or (iii) impede collection is prohibited.

Solid Waste Department may collect extra solid waste on or around automated containers. If additional solid waste is generated on the premises that cannot be accommodated by regularly scheduled service in the automated containers provided, the customer shall request and use additional automated containers or be subject to additional charges as set forth in this chapter. "Extra refuse" is any material placed for collection in addition to the regular collection service, which is within acceptable weight limits, can be reasonably handled by one person, and is placed within a five-foot radius of the container.

Solid Waste Department shall not be responsible for solid waste collection if there is a violation of any part of this section or circumstances are beyond the control of the Solid Waste Department. Circumstances or violations include, but are not limited to, container overload, improperly loaded container, blocked access, container inaccessibility, or dangerous situations.

Automated collection within the City is mandatory in those areas designated by Solid Waste Department. Any materials that, in the discretion of Solid Waste Department, has not been securely wrapped or bagged shall not be collected.

It shall be a violation hereof to place or deposit any solid waste whatsoever in or around a solid waste container owned or provided for the use of another customer without that customer's written approval.

Solid Waste Department shall reserve the right to inspect any or all solid waste prior to and/or during disposal for compliance with local, state, or federal laws or regulations. Solid waste placed or deposited in the manner other than described in Section above shall be considered improper disposal of solid waste. In such instances of improper disposal of solid waste, Solid Waste Department shall notify the property owner and/or current utility customer and request them to correct the condition within 48 hours by legally disposing of such waste. If the condition is not corrected after 48 hours, Solid Waste Department shall dispose of the solid waste and charge the property owner and/or current utility customer at the rate listed in the master fee schedule adopted by resolution of the city council.

Solid Waste Department, or the City's contractor, may enter property to collect, remove, and dispose of solid waste and assess costs for such collection, removal, and disposal in accordance with the nuisance abatement process set forth in Title 18 SWMC. Any unpaid collection, removal, and disposal costs incurred by Solid Waste Department, under this subsection, may be collected in any lawful manner authorized for the collection of utility bills.

New construction or remodels of business and homes shall have a minimum amount of solid waste and recycling services sized to the extent of the project. The decision on the minimum amount of service under this section and the determination of how to deliver solid waste services is solely within the Solid Waste Supervisors discretion, and the Solid Waste Supervisors decision is final.

## 2. Private Hauling Prohibited – Special Reports – Commercial Recycling – Construction, Demolition and Land clearing Waste.

Except where preempted by state law or pursuant to a written City contract or franchise as provided hereafter, no person may provide solid waste collection or solid waste disposal services or residential recycling collection services otherwise provided by the city solid waste collection and disposal departments within the City. Specifically, the use of roll-off boxes or tilt-frame trucks by persons other than the solid waste collection department or persons authorized by City contract, City franchise, or City solid waste permit (as defined in SWMC Section 8.04.070 is prohibited.

A “roll-off box or container” is defined as a non-motorized container that is left at a site in which there is materials deposited including trash, recycling, construction debris and/or garbage. It is normally metal and capable of being hauled to be dumped elsewhere.

The following specialized solid waste handling equipment is prohibited from use in the city without a solid waste special permit or written approval from the solid waste department:

- a. Front, rear, or side load waste collection vehicle.
- b. Tilt-frame, hook lift or cable collection vehicle for the hauling of roll-off waste containers or waste compactors.
- c. Private roll-off waste container.
- d. Intermodal container used for solid waste disposal.
- e. Container carrier truck or container delivery truck for the hauling of solid waste containers;

Private junk removal or hauling services are prohibited to the extent they involve collection or hauling of solid waste, including construction, demolition, and land clearing wastes. Private junk removal, hauling or cleanup services will need to have a special permit (as defined in SWMC Section 8.04.070), abide by all disclosure and reporting requirements as prescribed by the Solid Waste Supervisor.

It is unlawful for any person to bury, burn, dump, collect, remove, or in any other manner dispose of garbage or refuse upon any street, alley, public place, or private property within the city, except as permitted herein or by such rules and regulations as from time to time may be promulgated by the refuse collection and disposal system.

## 3. Commercial Recycling Hauling.

Persons engaged in commercial recycling hauling for hire will need to have a special permit as defined in SWMC Section 8.04.070 and must submit a written location disclosure report to be reviewed by the Solid Waste supervisor. The report must contain the following information: destination of haul, resulting useful product showing recycling use, and proof of commercial value of said product. The report is due at or before the time of placement of any containers for recyclables collection. All recycling containers placed must be clearly labeled “recyclables only” in large twelve-inch block letters of contrasting colors on all exterior sides.



Haulers and transporters are also responsible to explain and provide written information about City requirements to segregate recyclables from solid waste to their customers. Additionally, recycling haulers, transporters and Private junk removal or hauling services must file separate written annual report with the Solid Waste Supervisor no later than February 1st for the prior year's recycling activities. In a format acceptable to the solid waste department.

“Commercial recycling hauling” for purposes of reporting requirements consists of collection and transportation of mixed or source-separated (that is, separated by the original generator) recyclable materials from a drop-off box, or from a commercial or industrial generator of recyclable materials to a processor of recyclable materials or end user of recyclable materials.

Recyclable materials must contain no solid waste (non-recyclable materials). However, adjustments to this requirement may be made by the Solid Waste Supervisor, granted only in writing, if the applicant can demonstrate to the Solid Waste Supervisor that its activities are in the best interests of the public health and safety for meeting the recycling goals set forth in the Skagit County Solid Waste Management Plan. All recyclable materials shall be processed and marketed in such a way that they are recycled rather than disposed of as solid waste.

All persons engaged in commercial recycling shall provide documentation of the final disposition of all recyclable materials upon request by the solid waste supervisor. These records shall be maintained for a minimum of three years.

#### 4. Construction, demolition and land clearing waste.

Construction, demolition, and land clearing wastes are defined in SWMC Section 8.04.020, and are a result of construction, demolition, and land clearing activities, which are generated under a valid building or demolition permit issued by the City of Sedro-Woolley.

Collection and hauling for hire by private haulers is prohibited without possession of a current valid special permit issued by the City of Sedro-Woolley Solid Waste department.

Persons who create construction, demolition and/or land clearing wastes as a result of construction, demolition or land clearing activities shall require that all construction demolition and land clearing wastes if recycled, be hauled to a permitted facility located within Skagit county.

All building or demolition permitted sites must have a City of Sedro-Woolley solid waste container for putrescible waste generated at the job site. The decision on the amount of service under this section and the determination of how to deliver solid waste services is solely within the Solid Waste Supervisors discretion, and the Solid Waste Supervisors decision is final. All building or demolition permitted sites must be able to show all receipts or recycling tickets for recyclables taken off site and must be submitted to the Solid Waste Department at the end of every job and available for inspection by the solid waste collection department staff. The solid waste collection department will provide hauling services for construction, demolition and land clearing wastes upon request.

The City of Sedro-Woolley retains all rights permitted to cities concerning the management of all solid waste as provided for under Washington State law.

Construction, demolition and land clearing wastes collected and hauled by the City of Sedro-Woolley which are refused will either be returned to the generator or hauled to the Skagit County Transfer facility or other appropriate transfer station, at generator's expense.

All records of any party engaged in activities relating to collection of solid waste or recycling as identified under this section are subject to inspection and copying by the Solid Waste Supervisor. Such parties shall furnish promptly such records or information as the Solid Waste Supervisor may require, at no cost to the City.

In addition to any other provision, any person in violation of applicable requirements in this section shall be subject to revocation of said party's Special permits.

5. Upon cancellation of any collection privileges, the holder thereof shall peacefully surrender all territory, providing such information related thereto at no cost to the City, as the Solid Waste Supervisor may require.

6. The Solid Waste Supervisors of solid waste collection is vested with the duty of administering the provisions of this section. The Solid Waste Supervisor may prepare and require the use of such forms as deemed needed for administering the requirements of this section.

#### **8.04.050 Transportation.**

It shall be a misdemeanor for any person other than Solid Waste Department to transport solid waste generated within the City to destinations outside the City without the written approval of the Solid Waste Supervisor. Solid waste transported within the City shall be tarped and secured as necessary to prevent a nuisance and/or littering. Transportation of solid waste shall comply with all ordinances of the City and all laws of the state of Washington, including but not limited to those set forth in Chapter 70.93 RCW, the Waste Reduction, Recycling, and Model Litter Control Act. The operator of a vehicle transporting solid waste to the public disposal or recycling area shall secure or cover the vehicle's waste in a manner that will prevent solid waste from spilling out of the vehicle.

#### **8.04.060 Requirements for containers.**

The 32, 64, 96-, and 200 gallon automated and semi-automated collection containers are the property of the City of Sedro-Woolley and provided exclusively by Solid Waste Department. These containers shall be used only for the collection and disposal of solid wastes by Solid Waste Department. The 32, 64, and 96 gallon automated and semi-automated collection containers, including contents, shall not exceed its rated capacity at the time of collection. Bulk solid waste collection containers, i.e., front-load container, drop-off box, and compactor, may be used only upon prior approval of Solid Waste Department. Solid Waste Department reserves the right to refuse solid waste collection service if, in the opinion of Solid Waste Department, the access to or the dumping of these containers presents a hazard. Customers may

request two container or service change, per premise, per year. Additional requests for changes will be billed in addition to the monthly rate, as set forth in Section 8.04.110.

#### **8.04.070 Special permits.**

A special permit from the City of Sedro-Woolley Solid Waste Department shall be required for the collection of any solid waste or recyclables including junk removal, source separated recycling including mixed or commingled recyclable materials from within the City limits, by anyone other than City personnel or by anything other than City equipment. Such collection, removal, processing, or disposal without a special permit is a violation of this chapter. The Supervisor is authorized to approve or disapprove applications for special permits. The Supervisor may prepare and require the use of such forms as deemed essential for administering the requirements of this section. Permittees shall comply with applicable state laws and City ordinances, and obtain all applicable City permits.

#### **8.04.080 Assistance to elderly and/or disabled individuals.**

Elderly and/or disabled residents who cannot place their containers and have no other alternative for complying with the requirements of this chapter may notify The Solid Waste Department for assistance in providing special collection service to such individuals.

#### **8.04.090 Rate reduction for low-income senior and low-income disabled individuals.**

The maximum charge for garbage collection service at the residence of an eligible head of household, as defined in SWMC Section 8.08.020, shall be eighty percent of applicable residential rate, provided, however, that no more than one garbage can per week shall be picked up at such residence without additional charge being made at the regular rate. This discount will not apply to recycling or other special services.

Eligible Head of Household Defined. For purposes of this section, an “eligible head of household” shall be defined as follows: Any person who has qualified for exemption from all or a portion of the amount of excess and regular property taxes for the claimed residence pursuant to RCW [84.36.381](#). Proof of entitlement may consist of documents or copies of documents from the county assessor’s office showing that the applicant meets the necessary qualification as set forth in RCW [84.36.381](#).

No person, however qualified, shall be entitled to the reduced sanitary sewer service rates provided in this section until such person has made official application for the same with the clerk of the city. Reductions of rates made pursuant to this chapter shall be effective only for the billing period during which application is made in accordance with this section and for those billing periods occurring thereafter during which time the applicant remains eligible to receive reduced sanitary sewer service rates.

The clerk of the city is hereby directed to maintain a supply of affidavits and application forms establishing qualifications of applicants for reduced collection rates in a form to be approved by the city council.

Any person making false representations in order to secure reduced garbage collection rates pursuant to this chapter shall be guilty of a misdemeanor.

#### **8.04.100 Collection.**

Except as set forth in SWMC Section 8.04.105, Solid Waste Department shall provide for the collection and disposal of all solid waste from all residential, commercial, and industrial premises within the City and from all other occupied premises as often as required by The Solid Waste Department. The Solid Waste Department reserves the right to establish the appropriate level of service.

If more than one pickup per week is required on a continuing basis, the City may require a larger container.

#### **8.04.110 Pilot projects.**

The Solid Waste Supervisors may alter the frequency of residential solid waste collection required under SWMC Section 8.04.100 from time to time, in certain areas of the City, as part of a pilot project to evaluate more efficient and sustainable solid waste collection services.

#### **8.04.120 Collection charges.**

Charges for solid waste, refuse and garbage collection and disposal shall be compulsory. Charges not paid within twenty-five days of billing date shall be delinquent and the charge may become a lien against the property which is serviced by the garbage collection and disposal system. The city, at its discretion, may also reduce or eliminate service on delinquent accounts.

Residential includes single-family, duplex, triplex, apartments and condominium residences. Each living unit of such residences shall be subject to the rates established in this chapter.

Multifamily, apartments, cabin courts and trailer park units, etc. shall be at the applicable solid waste commercial rate plus per unit for recycling.

Yard Trimmings. Yard trimmings, including but not limited to weeds, grass, sod, trees, shrubs, foliage parts, rocks, cement or other material not generally considered regular household refuse, shall be excluded from sanitation collection services unless special arrangements are made with the Solid Waste Department. Extra charges for such collection shall be determined by the mayor or his designee.

Interest Charges. All charges for sanitation services shall be due and payable when rendered. Sanitation service charges shall be delinquent if not paid in full within twenty-five days after the date of billing. Delinquent charges shall bear interest at the rate as listed in the master fee

scheduled adopted by resolution of the city council beginning on the first day of the month following delinquency until paid in full. In addition, a late penalty as listed in the master fee schedule adopted by resolution of the city council shall be charged for any solid waste account that is delinquent for more than sixty days.

The mayor or his or her designee may charge any resident or customer such additional service charges when he or she determines that special circumstances make it necessary to do so in order to compensate the city for the actual cost of solid waste collection, disposal and administration, when the foregoing fee schedule is not adequate for this purpose. Any resident or customer may appeal the assessment of this additional charge to the city council. Notice of appeal shall be by written request to the city clerk within ten days of mailing of the bill or receipt of payment for such services by the city, whichever is less. The decision of the city council shall be final.

As a condition of commercial garbage service, the City may require that the financially responsible party provide a credit report, personal guaranty, security deposit, bond, written agreement, or other commercially reasonable assurances of payment. The City may terminate service for a past due commercial account upon twenty-four (24) hours of notice to the customer mailed to the billing address.

The customer shall be responsible for any damage to the container other than normal wear and tear and damage caused by the city. The cost of replacement of a damaged container shall be added to the customer's bill.

Rates include a three and six-tenths percent state of Washington refuse tax.

Solid Waste Department reserves the right to collect advance payment for container placement and up to four months of charges for rental and service charges associated with the provision of temporary service. The City Utility Billing Department may accept satisfactory securities or surety bond in lieu of cash payment. Such payment or security may be applied toward the payment of service charges whenever the same shall become due. Solid Waste Department reserves the right to require additional advance payment for subsequent service that may be requested by the customer.

The charges for garbage and recycling services shall be as set out in the Master Fee Schedule currently adopted or as modified or amended in the future.

#### **8.04.130 Fuel surcharges.**

A fuel surcharge is added to each account as set out in the Master Fee Schedule currently adopted or as modified or amended in the future.

#### **8.04.140 Discontinuance of refuse collection.**

A property owner may discontinue service for garbage and refuse collection for a period of not less than two calendar months, in monthly increments beginning on the first day of a billing cycle period, upon prior written request to the city. The city-owned refuse container must be

made accessible for pickup at the time of the request for suspension of service. Reinstatement of service must be made seven days prior to re-occupancy of the property. Garbage and refuse collection service may only be discontinued if the parcel is completely unoccupied for the entire billing cycle period for which discontinuance of service is requested; provided, garbage and refuse collection service may not be discontinued during remodeling or construction work.

The City will discontinue billing for the billing cycle period for which service is discontinued.

The owner of an apartment building or other multi-unit dwelling, or owner of multiple units or structures, or parcel with multiple occupants which share a common refuse container or receive a single bill for more than one unit or structure or parcel, may not discontinue service if any unit, structure, portion, or the parcel is occupied.

#### **8.04.150 Recycling – general.**

The City reserves the right to, and may at its discretion, require the separation of recyclable material, including food and yard waste or other component parts of solid waste, or may require the deposit thereof in separate cans or receptacles, and may prescribe the method of collection and reuse.

It is the intent of the City to promote and encourage the recycling of materials and to achieve and maintain a fifty (50) percent recycling goal.

Recyclable material is considered to be solid waste for the purposes of this chapter. It shall be unlawful for any person other than Solid Waste Department to engage in the business or activity of removing, collecting, salvaging, or destroying any recyclable material, as defined elsewhere in this chapter, that has been set out for collection by Solid Waste Department or has been deposited into a permitted recycling drop-off container or center, either private or public, except by special permit issued under SWMC Section 8.04.070.

No person may divert to personal or commercial use any recyclable material placed in a container as part of a recycling program without the consent of the generator of such recyclable material or Solid Waste Department.

Recyclable material becomes the property of the City at the moment the material is set out at the curb for collection by Solid Waste Department or at the moment it is deposited into Solid Waste Department -owned recycling containers.

Recyclable materials shall mean the materials described in SWMC Section 8.04.030.

It shall be unlawful for any person to place any material in or around a recycling container other than the recycling material intended for that container.

The Solid Waste Supervisor is authorized and directed to establish and promulgate reasonable regulations, including, but not limited to, regulations governing the permitting of recycling activities and the establishment of standards and conditions for recycling containers and centers.

The manner, day, location, and time for the collection of recyclable material, including yard and food waste, shall be designated by Solid Waste Department.

It is unlawful to collect, haul, or convey recyclables, including yard and food waste, from any premises in the City, other than from one's own premises or place of business, without a special permit issued under SWMC Section 8.04.070.

It shall be the responsibility of the customer to separate and keep separated from other solid waste any yard and food waste placed at the curb for pickup by Solid Waste Department. Solid Waste Department shall not be held responsible for failure to collect the yard and food waste if there is a violation of any part of this chapter or if circumstances are beyond the control of Solid Waste Department. It is also the responsibility of the customer to keep any yard and food waste separated for disposal into the designated areas at Solid Waste Department public disposal area.

All new multi-family residences and new commercial developments shall provide adequate and conveniently located space to store and dispose of recyclable materials and solid waste. These spaces must be in compliance with the Solid Waste department enclosure specifications and City Building Code as adopted by the City and any applicable zoning codes. A Solid Waste Department inspection may be required prior to completion and occupancy.

#### **8.04.160 Enforcement.**

Officers or employees of the Solid Waste Department designated by the Solid Waste Supervisor are authorized to enforce the provisions of this chapter.

#### **8.04.170 Violations – penalties.**

Any person violating or failing to comply with any of the provisions of SWMC Chapter 8.04 shall be subject to the enforcement provisions and penalties contained in Title 18 SWMC, Code Enforcement.

#### **8.04.180 Notice of violations – civil penalties.**

Any person violating or failing to comply with any of the provisions of SWMC Chapter 8.04 shall be cited according to the procedural provisions set out in Title 18 SWMC, Code Enforcement.

#### **8.04.190 Anti-scavenging.**

Once residential recyclable materials and residential yard waste materials have been set out on the curbside or other such location as authorized by the City, ownership of those recyclables and yard waste materials passes to the contractor. It is unlawful for any person other than the City or City approved contractor to remove or collect any such recyclable materials or yard waste materials once they are set out on the curbside or other approved location.

**Section Three. Severability.** If any section, sentence, clause, or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any section, sentence, clause, or phrase of this Ordinance.

**Section Four. Authority to Make Necessary Corrections.** The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener's clerical errors, references, ordinance numbers, section/subsection numbers, and any references thereto.

**Section Five. Conflict.** In the event that there is a conflict between the provision of this Ordinance and any other City ordinance, the provision of this Ordinance shall control.

**Section Six. Effective date.** This Ordinance shall take effect five days after its publication by summary.

PASSED by the City Council this 9<sup>th</sup> day of November, 2022.

THE CITY OF SEDRO-WOOLLEY

By \_\_\_\_\_  
Julia Johnson, Mayor

Dated: \_\_\_\_\_

Attest:

\_\_\_\_\_  
\_\_\_\_\_, City Clerk

Approved as to Form:

\_\_\_\_\_  
Nikki Thompson, City Attorney

Published: \_\_\_\_\_





Agenda  
Item No.

Date:

November 9, 2022

Subject:

Add Chapter 8.50 'Littering' to the  
Sedro-Woolley Municipal Code -  
Ordinance 2021-22 - 1st Read

**FROM:**

Nikki Thompson, City Attorney

**RECOMMENDED ACTION:**

Adopt Ordinance 2021-22 adding Chapter 8.50 "Littering" to the Sedro-Woolley Municipal Code.

**ISSUE:**

Should the Council adopt Ordinance 2021-22, adding Chapter 8.50 "Littering" to the Sedro-Woolley Municipal Code?

**BACKGROUND/SUMMARY INFORMATION:**

Littering is illegal under State law and in many, if not most, municipalities. Sedro-Woolley does not currently have prohibitions in Code relating to littering. If adopted, this Ordinance would create both civil and criminal penalties for litterings. The severity of the penalties depend on the quantity and frequency of the littering offenses. This Code also addresses situations where landlords place evicted tenant property in the public right of way.

**FISCAL IMPACT, IF APPROPRIATE:**

**ATTACHMENTS:**

1. Ordinance 2021-22

ORDINANCE NO. 2021-22

AN ORDINANCE OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON, AMENDING  
TITLE 8 OF THE SEDRO-WOOLLEY MUNICIPAL CODE TO ADD CHAPTER 8.50  
“LITTERING.”

**WHEREAS**, the City of Sedro-Woolley has previously adopted regulations related to solid waste as set forth in Sedro-Woolley Municipal Code (SWMC) Chapter 8.04; and,

**WHEREAS**, pursuant to the authority granted under the Washington State Constitution Art. XI Sec. 11, the City of Sedro-Woolley “may make and enforce within its limits all such local police, sanitary and other regulations as are not in conflict with general laws;” and,

**WHEREAS**, the City of Sedro-Woolley is a code city organized under Title 35A RCW; and,

**WHEREAS**, RCW 35A.21.160 provides that “a code city organized or reorganized under this title shall have all the powers which any city of any class may have and shall be governed in matters of state concern by statutes applicable to such cities in connection with such powers to the extent to which such laws are appropriate and are not in conflict with the provisions specifically applicable to code cities”; and,

**WHEREAS**, pursuant to the powers granted to cities or towns in RCW 35.21.120 the City of Sedro-Woolley “may provide for solid waste handling by or under the direction of officials and employees of the city or town or may award contracts for any service related to solid waste handling including contracts entered into under RCW 35.21.152”; and,

**WHEREAS**, littering regulations are a form of solid waste control and handling; and,

**WHEREAS**, after discussion and review of the existing provisions, the City Council wishes to add Chapter 8.50 entitled “Littering” to Title 8 of the Sedro-Woolley Municipal Code; and,

**WHEREAS**, this ordinance is necessary for the protection of public health, safety, and welfare;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEDRO-WOOLLEY  
DO ORDAIN AS FOLLOWS:**

**Section One.** SWMC Chapter 8.50 “Littering” is hereby added to Title 8 Health and Safety as set forth in Section 2 below.

**Section Two.** A new Chapter 8.50 entitled “Littering” is hereby adopted to read as follows:

Chapter 8.50 Littering.

Sections:

- 8.50.010 Citation
- 8.50.020 Purpose
- 8.50.030 Definitions
- 8.50.040 Prohibited – Exceptions
- 8.50.050 Enforcement
- 8.50.060 Receptacles – Placement – Maintenance responsibility
- 8.50.070 Receptacles – Responsibility for emptying
- 8.50.080 Receptacles in public places not to be used for garbage from businesses and/or residences
- 8.50.090 Receptacles – Damaging
- 8.50.100 Streets and sidewalks to be kept free of litter
- 8.50.110 Littering from vehicles
- 8.50.120 Spilled or lost cargo – Responsibility for cleanup
- 8.50.130 Removal of evicted personal property and/or solid waste onto public access
- 8.50.140 Severability
- 8.50.150 Conflicting provisions
- 8.50.160 Violation – Penalty

#### **8.50.010        Citation**

The ordinance codified in this chapter shall be known and may be commonly referred to as the “Sedro-Woolley Litter Control Code.”

#### **8.50.020        Purpose**

The purpose of this chapter is to accomplish litter control in the city. This chapter is intended to place upon all persons within the city the duty of contributing to the public cleanliness of the city and appearance in order to promote the public health, safety and general welfare and to protect

the economic interests of the people of the city against unsanitary and unsightly conditions. It is further the intent of this chapter to protect the people against the health and safety menace and the expense incident to littering.

#### **8.50.030 Definitions**

“Abate.” To take steps deemed necessary by the director, including but not limited to rehabilitation, demolition, removal, replacement, or repair, in the interest of the general health, safety, and welfare of the community.

“City.” The City of Sedro-Woolley, Washington.

“Garbage.” All waste and discarded materials from dwellings, flats, rooming houses, hotels, clubs, restaurants, boardinghouses, eating places, shops and places of business, including rubbish and debris, waste and discarded food, animal and vegetable matter, brush, grass, weeds, wastepaper, cans, glass, ashes and similar material.

“Litter.” Has the same definition as garbage.

“Nuisance.” As specified in SWMC Chapter 8.16.

“Person.” An individual, firm, lessor, association, co-partnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever.

“Personal Property.” All property that is not otherwise real property.

“Premises.” Any building, lot, parcel, real estate, land, or portion of land, whether improved or unimproved, including adjacent sidewalks and parking strips.

“Property.” Any object of value that a person may lawfully acquire and hold, including real or personal property, and that which is affixed, incidental, or appurtenant to real property, including but not limited to any structure, fence, wall, sign, or any separate part thereof, whether permanent or not.

“Public Place.” That portion of any building or vehicle used by and open to the public, regardless of whether the building or vehicle is owned in whole or in part by private persons or entities, the state of Washington, or other public entity, and regardless of whether a fee is charged for admission. A public place does not include a private residence unless the private residence is used to provide licensed childcare, foster care, adult care, or other similar social service care on the premises or operates as a business.

“RCW.” Revised Code of Washington.

“Receptacles.” Those containers designed and designated for holding litter and meeting the minimum requirements of Washington State regulations.

“Refuse.” Has the same definition as garbage.

“Roadway.” That portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the sidewalk or shoulder even though such sidewalk or shoulder is used by persons riding bicycles. In the event a highway includes two or more separated roadways, the term “roadway” shall refer to any such roadway separately but shall not refer to all such roadways collectively.

“Sidewalk.” That property between the curb lines or the lateral lines of a roadway or street and the adjacent property, set aside and intended for the use of pedestrians or such portion of private property parallel and in proximity to a public highway and dedicated to use by pedestrians.

“Solid waste.” All putrescible and nonputrescible solid and semi-solid waste, including, but not limited to, garbage, refuse, rubbish, ash, industrial waste, swill, demolition and construction wastes, abandoned or junk vehicles or parts thereof, and discarded commodities, bulk waste, recyclable material, and unwanted vegetation or debris on publicly owned land or improved rights-of-way.

“State regulations.” The regulations duly promulgated and adopted by the State Department of Ecology pursuant to Chapter 34.04 RCW and codified or prepared for codification as part of the Washington Administrative Code, and are by this reference are incorporated herein as if set forth in full.

“Street.” Any public roadway, sidewalk, or portions thereof in the city of Sedro-Woolley dedicated to the public use.

“SWMC”. Sedro-Woolley Municipal Code.

“Vehicle.” Every device capable of being moved upon a roadway and in, upon, or by which any person or property is or may be transported or drawn upon a roadway, and includes, without limitation, automobiles, trucks, trailers, motorcycles and tractors, excepting devices moved by human or animal power or used exclusively upon stationary rails or tracks.

#### **8.50.040 Prohibited – Exceptions**

No person shall throw, drop, deposit, discard or otherwise dispose of litter as that term is defined in RCW [70.93.030\(4\)](#), upon any public place in the city or upon any private property not owned by him, or in any waters within the jurisdiction of the city whether from a vehicle or otherwise, including but not limited to any sidewalk, street, alley, highway or park, except:

A. When such property is designated by the state or by any of its agencies or the city for disposal of garbage and refuse, and such person is authorized by the proper public authority to use such property;

B. Into a litter receptacle or other container in such manner that the litter will be prevented from being carried away or deposited by the elements upon any part of said public place or any private property; or

C. When such person is the owner or does have control or custody of the property, or has prior consent of the owner or tenant in lawful possession of such, or unless the act is done under the personal direction of said owner or tenant and provided said litter will not cause a public nuisance or be in violation of any other state or local laws, rules or regulations.

#### **8.50.050      Enforcement**

Enforcement of this chapter may be by any law enforcement officer. All such enforcement officers are empowered to issue citations to persons violating the provisions of this chapter. Said enforcement officers may serve and execute all warrants, citations and other process issued by the courts.

#### **8.50.060      Receptacles – Placement – Maintenance responsibility**

A. Litter receptacles shall be placed in all places in respect to the service of transient habitation, parks, trailer parks, gasoline service stations, tavern parking lots, shopping centers, grocery store parking lots, marinas, boat launching areas, beaches, bathing areas and other such public places in numbers appropriate to the need as specified by state regulations.

B. It shall be the responsibility of any person owning or operating any establishment or public place in which litter receptacles are required by this section to procure and place and maintain such litter receptacles at their own expense on the premises in accord with such state regulations.

#### **8.50.070      Receptacles – Responsibility for emptying**

It shall be the responsibility of the local municipality, or other agency or person owning or maintaining park, beach, campground or other public place to remove the litter from the litter receptacles placed on such property.

#### **8.50.080      Receptacles in public places not to be used for garbage from businesses and/or residences**

Litter receptacles placed on sidewalks and other public places shall be used only for such litter material as persons may have for disposal while passing along the street or other public places and in no event shall be used for the disposal of other solid waste accumulated in residences or places of business.

#### **8.50.090      Receptacles – Damaging**

It is unlawful for any person to willfully damage or deface any litter receptacle.

#### **8.50.100      Streets and sidewalks to be kept free of litter**

No person shall sweep into or deposit in any gutter, street, alley or other public place the accumulation of litter from any building, lot, or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalks in front of their premises free of litter.

#### **8.50.110      Littering from vehicles**

No person, while a driver or passenger in a vehicle, shall throw or otherwise deposit litter upon any public place or upon any private property.

#### **8.50.120      Spilled or lost cargo – Responsibility for cleanup**

A. No vehicle shall be driven or moved on any public street unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, shifting, leaking or otherwise escaping therefrom, except that sand and gravel may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a roadway surface in the cleaning or maintaining of such roadway by public authority having jurisdiction for the same or by person under contract or other authorization from such public authority.

B. Any person owning or operating a vehicle from which any glass or other objects of its load have fallen or escaped, which would constitute an obstruction or injure a vehicle or otherwise endanger travel upon such public street shall immediately cause such public street to be cleaned of all such glass or other objects and shall pay any cost therefor.

#### **8.50.130      Removal of evicted personal property and/or solid waste onto public access**

Once personal property and/or solid waste belonging to an evicted tenant has been placed onto public right-of-way pursuant to a court-ordered eviction per RCW Title [59](#), the evicted tenant/owner of the personal property and/or solid waste or his/her designee shall have 24 hours to remove said personal property and/or solid waste from the public right-of-way. Notice of such

removal after 24 hours shall be given to the evicted tenant/owner of the personal property and/or solid waste or his/her designee, or if unavailable, posted on the property. If, after 24 hours, the evicted tenant/owner or his/her designee has not removed the personal property and/or solid waste from the public right-of-way, the personal property and/or solid waste shall be deemed a nuisance, and the landlord/property owner or his/her designee shall remove the personal property and/or solid waste for proper disposal within 48 hours of issuing notice or the city shall seek to abate the nuisance, pursuant to SWMC Chapter 18.40 to be billed to the landlord/property owner or his/her designee.

#### **8.50.140 Severability**

If any section, word or words of this chapter is found to be unconstitutional or otherwise invalid, such unconstitutionality or invalidity shall not affect the remaining portions of this chapter.

#### **8.50.150 Conflicting provisions**

In the event any other city ordinance, whether or not codified, is in conflict with any of the terms of this chapter the more stringent shall be construed as applicable.

#### **8.50.160 Violation – Penalty**

- A. Any person, firm or corporation violating any of the provisions of this chapter is guilty of a class 2 civil infraction with a fine amount as listed in the Master Fee Schedule adopted by Resolution of the City Council. It is a class 1 civil infraction with a fine amount as listed in the Master Fee Schedule adopted by Resolution of the City Council for a person to discard, in violation of this chapter, a cigarette, cigar or other tobacco product that is capable of starting a fire.
- B. Any person, firm or corporation violating any of the provisions of this chapter more than two times in a calendar year or in an amount equal to or greater than 1 cubic foot but less than 1 cubic yard is guilty of misdemeanor punishable by up to 90 days in jail and a \$1000 fine.
- C. Any person, firm, or corporation violating any provisions of this chapter in an amount equal to or greater than 1 cubic yard is a guilty of a gross misdemeanor punishable by up to 364 days in jail and a \$5000 fine.

**Section Three. Severability.** If any section, sentence, clause, or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any section, sentence, clause, or phrase of this Ordinance.

**Section Four. Authority to Make Necessary Corrections.** The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not



limited to, the correction of scrivener's clerical errors, references, ordinance numbers, section/subsection numbers, and any references thereto.

**Section Five. Conflict.** In the event that there is a conflict between the provision of this Ordinance and any other City ordinance, the provision of this Ordinance shall control.

**Section Six. Effective date.** This Ordinance shall take effect five days after its publication by summary.

PASSED by the City Council this 9<sup>th</sup> day of November, 2022.

THE CITY OF SEDRO-WOOLLEY

By \_\_\_\_\_  
Julia Johnson, Mayor

Dated: \_\_\_\_\_

Attest:

\_\_\_\_\_  
\_\_\_\_\_, City Clerk

Approved as to Form:

\_\_\_\_\_  
Nikki Thompson, City Attorney

Published: \_\_\_\_\_



Agenda  
Item No.

Date: November 9, 2022

Subject: Utility Rates - Ordinances 2026-22,  
2027-22, 2028-22 - 1st Read

**FROM:**

Mark A. Freiburger, PE

**RECOMMENDED ACTION:**

1st Reading: The adoption of these three Ordinances is not required this evening.

A Public Hearing will be held at the November 22, 2022 Council Meeting.

**ISSUE:**

To balance the 2023 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, storm water and garbage and recycling services, effective January 1, 2023.

**BACKGROUND/SUMMARY INFORMATION:**

After considerable work by all the departments and discussion by Council at the November 2, 2022 Study Session, the 2023 Rate Ordinances are a reflection of the level of service demands and the related market conditions of our three utilities. In a general sense, city utilities are run as Enterprise Funds, meaning they have to operate almost as competitive businesses as they have the same market pressures and business environments as private companies. The difference is that our utility funds operate as 'break even' entities - we do not generate profit margins or excess surpluses of cash. Accordingly, where private companies may have relatively larger reserves to tap into to flex with market conditions, municipal utilities may not have that same level of flexibility. Rate adjustments are required to ensure that we keep our businesses solvent and able to provide a proper level of service to our customers.

What this means, though, is that our businesses will be more sensitive to changes in the economy and require rate adjustments to remain solvent. The rate adjustments we do on an annual basis are primarily for: 1) the costs of inflation on goods and services (CPI-U increased 9.5% in Sedro-Woolley), 2) the cost of increased regulation by State Agencies, and 3) the cost to replace equipment and infrastructure that deteriorates over time. The proposed rate adjustment for 2023 for the sewer and storm water utilities is a utility rate increase of 4%. For the solid waste utility the increase is 8.1%, and represents adjustments to selected rates within the utility. These increases are included in the 2023 -2024 Draft Budget.

With these Ordinances being a 1st read, we will be having further discussion at the November 22, 2022 City Council meeting regarding these rate requirements. This agenda item is to introduce the Ordinances to you, prior to holding a Public Hearing on November 22, 2022.

**FISCAL IMPACT, IF APPROPRIATE:**

Fund 401 Sanitary Sewer Est. Rate Revenue Increase.....\$181,297

Fund 412 Solid Waste Est. Rate Revenue increase .....\$180,890

Fund 425 Stormwater Est. Rate Revenue Increase.....\$43,356

Total Revenue Increase.....\$417,678....net 5.4%

Note that these projections are updated from the 11/2/2022 Study Session memorandum and reflect updated Fund 412 rate adjustments and customer counts. See the attached Fund 412 Solid Waste - Proposed 2023/2024 Rate Adjustments dated 11/4/2022 for revisions.

**ATTACHMENTS:**

1. Ordinance 2026-22 Sewer
2. Ordinance 2027-22 Stormwater
3. Ordinance 2028-22 Solid Waste
4. 2022-11-2 Council Study Session 2023/2024 Utility Rate Discussion Funds 401 412 and 425
5. Fund 412 Solid Waste Proposed 2023-2024 Rate Adjustments

**ORDINANCE NO. 2026-22**

**AN ORDINANCE AMENDING CHAPTER 13.30 OF THE SEDRO-WOOLLEY  
MUNICIPAL CODE TO UPDATE THE 2023 FEES AND CHARGES FOR THE USE OF  
THE SANITARY SEWER SYSTEM**

WHEREAS, the City has established a Sewer Utility; and

WHEREAS, the purpose of this utility is to collect funds to regulate and operate a system of collection and treatment of wastewater; and

WHEREAS, it is recognized that wastewater collection and treatment benefits all citizens of Sedro-Woolley; and

WHEREAS, the cost of doing business continues to increase and one measure of that increase is the Consumer Price Index for Seattle-Tacoma-Bellevue which increased 9.5% from June of 2021 to June of 2022; and

WHEREAS, the Wastewater Treatment Plant requires additional capital investment including additional space, real estate and physical improvements to the plant; and

WHEREAS, the City Council desires to balance the capital investment between rates and debt financing; and

WHEREAS, the City Council desires to balance the financial stability and fiscal sustainability of its utilities with the services needed by the community; and

WHEREAS, the City Council finds that it is in the interests of the public health, safety and welfare to adopt the fee schedules set forth below, now therefore,

**THE CITY COUNCIL OF THE CITY OF SEDRO-WOOLLEY DO HEREBY ORDAIN  
AS FOLLOWS:**

**Section 1:** SWMC Section 13.30.010 is hereby amended to read as follows:

*13.30.010 Effective date.*

Commencing on **January 1, 2023**, the sewer service charges specified in this chapter shall take effect. For buildings which have a public sewer available after that date, a sewer service charge shall commence thirty days after such public sewer has been available and notice of such availability is given.

**Section 2:** SWMC Section 13.30.020 is hereby amended to read as follows:

*13.30.020 Residential rates.*

Unless, exempt from connection to the sewer, there shall be charged to each single residential dwelling unit (including mobile or manufactured homes on individual lots or in a

mobile home park), and to each unit of a residential duplex (two units) or triplex (three units) dwelling, to which sewer service is available a basic monthly sewer service charge **approved by ordinance and listed in the Master Fee Schedule.**

The City Council shall review and adjust these rates annually or as needed.

**Section 3:** Title 13 – Water and Sewers, Master Fee Schedule, is hereby amended to include:

<b>TITLE 13- WATER AND SEWERS</b>		
<b>CHAPTER / SECTION</b>	<b>FEE TYPE</b>	<b>AMOUNT</b>
13.30.020	Sewer – Residential	<b>\$70.83</b>
13.30.040	Sewer – Nonresidential – volume rate (in cubic feet)	<b>\$6.55</b>
13.30.130	Sewer Rates- Low Income Citizen Discount- Maximum Charge	<b>\$56.65</b>
13.16.035	Sewer Connections General Facilities Charge—Separate Fund.1- Connection or Commencement of Use	<b>\$9,256</b> per ERU
13.16.035	Sewer Connections General Facilities Charge—Separate Fund.1- Plumbing Fixtures	<b>\$385</b> Per Fixture Unit
13.16.035	Sewer Connections General Facilities Charge—Separate Fund.1- Plumbing Fixtures Water Consumption	<b>\$385</b> Per 234 Gal. of Water Consumption Per Month

**Section 4:** The effective date of this ordinance shall be January 1, 2023, more than 5 days after passage and publication.

Passed by the City Council and approved by the Mayor this 22<sup>nd</sup> day of, November, 2022.

\_\_\_\_\_  
Julia Johnson, Mayor

ATTEST:

\_\_\_\_\_  
Kelly Kohnken, Finance Director

APPROVED AS TO FORM:

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Nikki Thompson, City Attorney

Public Hearing	November 22, 2022
First Reading:	November 9, 2022
Second Reading:	November 22, 2022
Passed by the City Council:	November 22, 2022
Date of Publication:	November 9, 2022 and November 16, 2022
Effective Date:	January 1, 2023

**ORDINANCE NO. 2027-22**

**AN ORDINANCE TO UPDATE THE FEES AND CHARGES FOR USE OF THE  
STORM AND SURFACE WATER UTILITY SYSTEM**

WHEREAS, the City has established a Stormwater Utility; and

WHEREAS, the purpose of this utility is to collect funds to regulate and operate a system of collection and treatment of storm and surface water; and

WHEREAS, it is recognized that storm and flood control measures benefit all citizens of Sedro-Woolley; and

WHEREAS, State and Federal laws and regulations mandate that the city regulate non-point pollution within the City of Sedro-Woolley; and

WHEREAS, the cost of doing business continues to increase and one measure of that increase is the Consumer Price Index for Seattle-Tacoma-Bellevue which increased 9.5% from June of 2021 to June of 2022; and

WHEREAS, the city is not keeping up with basic maintenance of the stormwater collection infrastructure; and

WHEREAS, the City Council desires to balance the financial stability and fiscal sustainability of its utilities with the services needed by the community; and

WHEREAS, the City Council finds that it is in the interests of the public health, safety and welfare to adopt the fee schedules set forth below, now therefore,

NOW THEREFORE, THE CITY COUNCIL DOES HEREBY ORDAIN AS  
FOLLOWS:

**Section 1:** Title 2 – Administration and Personnel, Master Fee Schedule, is hereby amended to as follows:

TITLE 2- ADMINISTRATION AND PERSONNEL		
CHAPTER / SECTION	FEE TYPE	AMOUNT
2.16.220	Municipal Court System- Civil Jury Trials- Jury Pay	\$10 Daily
2.46.080	Storm and Surface Water Utility- Rates- Methodology-ERU	<b>\$12.70</b> Per Month
2.46.090	Storm and Surface Water Utility- Rates- Fee Calculation- Class 1 Single-family/Multifamily/Condos with 1 Unit	<b>\$12.70</b> Per Month
2.46.090	Storm and Surface Water Utility- Rates- Fee Calculation- Class 2 Multifamily/Condos with 2 or more units	50% of Class 1/Per-Unit Basis
2.46.090	Storm and Surface Water Utility- Rates- Fee Calculation- Class 3 Commercial / Industrial	<b>\$12.70</b> Per 10,000 Sq. Ft. of land or <b>\$25.40</b> Per 10,000 Sq. Ft. of impervious surface
2.46.090	Storm and Surface Water Utility- Rates- Fee Calculation- Class 4 Public-Use Customers (schools, government buildings, etc.)	<b>\$12.70</b> Per 10,000 Sq. Ft. of land or <b>\$25.40</b> Per 10,000 Sq. Ft. of impervious surface
2.46.090	Storm and Surface Water Utility- Rates- Fee Calculation- Class 5 Mixed Use Structures	<b>\$12.70</b> Per Month/Per Commercial Unit for every 10,000 Sq. Ft. of land and <b>\$12.70</b> Per Month/Per Unit, Unless 3+ Residential, the fee shall be 50% of the Class 1/ <u>Per-Unit Basis</u>
2.100.040	Service Award Recognition Program for Employees-Employee Recognition Program Token Appreciation Award	Up to \$50

**Section 2:** This ordinance shall be effective January 1, 2023, which is more than five (5) days after passage and publication as provided by law.

Passed by the City Council and approved by the Mayor this 22<sup>nd</sup> day of, November, 2022.

\_\_\_\_\_  
Julia Johnson, Mayor

ATTEST:

\_\_\_\_\_  
Kelly Kohnken, Finance Director



APPROVED AS TO FORM:

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Nikki Thompson, City Attorney

Public Hearing	November 22, 2022
First Reading:	November 9, 2022
Second Reading:	November 22, 2022
Passed by the City Council:	November 22, 2022
Date of Publication:	November 9, 2022 and November 16, 2022
Effective Date:	January 1, 2023

**ORDINANCE NO. 2028-22**

**AN ORDINANCE TO INCREASE 2023 SOLID WASTE UTILITY RATES AND CHARGES**

WHEREAS, the cost of doing business continues to increase and one measure of that increase is the Consumer Price Index for Seattle-Tacoma-Bellevue which increased 9.5% from June of 2021 to June of 2022; and

WHEREAS, the City Council desires to balance the financial stability and fiscal sustainability of its utilities with the services needed by the community; and

WHEREAS, notice of this pending rate change was published in the City's newspaper of record on November 9, 2022 and November 16, 2022 and a public hearing was held on November 22, 2022; and

WHEREAS, the cost of disposing of recyclables has increased significantly as a result of the world market; and

WHEREAS, Skagit County is increases tipping fees for garbage disposal in 2023; and

WHEREAS, the solid waste utility is in dire need of a facility that will safely, securely and effectively accommodate its vehicles, equipment and staffing; and

WHEREAS, the City Council finds that adoption of the user fees, based on the 2023 Fund 412 Proposed Rate Adjustments prepared by the Sedro-Woolley Public Works Department, set forth in this ordinance will support the operation of the refuse collection system with the lowest possible rates; and

WHEREAS, the City Council finds that it is in the interests of the public health, safety and welfare to adopt the fee schedules set forth below, now therefore;

THE CITY COUNCIL OF THE CITY OF SEDRO-WOOLLEY DO HEREBY ORDAIN AS FOLLOWS:

**Section 1:** Title 8 – Health and Safety, Master Fee Schedule, is hereby amended to include:

TITLE 8- HEALTH AND SAFETY		
CHAPTER / SECTION	FEE TYPE	AMOUNT
8.04.130	Refuse Collection and Disposal System- Residential Curbside Food and Yardwaste Collection Charges- Residential 96 Gal. Can	<b>\$12.25</b>

Section 8.04.075 COLLECTION CHARGES.		
TABLE 1: RESIDENTIAL		
TYPE OF SERVICE	GARBAGE	RECYCLING
Residential, 20-gal. can	\$13.80	\$8.00
Residential, 32-gal. can	\$24.20	\$8.00
Residential, 68-gal. can	\$34.50	\$8.00
Residential, 96-gal. can	\$45.00	\$8.00
Each, Additional Recycling Tote		\$8.00
Residential, low income	80% OF APPLICABLE RESIDENTIAL RATE	
TABLE 2: COMMERCIAL AND MULTIFAMILY		
Commercial, 32-gal. can	\$26.25	
Commercial, 68-gal. can	\$35.35	
Commercial, 95-gal. can	\$47.55	
Commercial, 1-yard container	\$114.60	
Commercial, 2-yard container	\$151.50	
Commercial, 3-yard container	\$225.65	
Commercial, 4-yard container	\$297.15	
Commercial, 6-yard container	\$438.43	
Commercial, 8-yard container	\$586.12	
Commercial, all Roll Offs (20 to 40 yard) containers	\$230.78 haul fee, actual charges for disposal, and \$71.34 delivery fee, plus rental fee of \$71.34 per month	
Multifamily, apartments, cabin courts and trailer park units, etc.	Applicable commercial rate plus \$8.00 per unit for recycling	

Commercial recycling	Mixed paper	Cardboard	Mixed recycling
95-gallon container	\$35.00	Not available	\$35.00
2-yard container	\$50.00	\$30.00	\$70.00
3-yard container	\$70.00	\$35.00	\$100.00
4-yard container	\$90.00	\$50.00	\$120.00
6-yard container	\$100.00	\$60.00	\$153.00
8-yard container	\$110.00	\$75.00	\$200.00

**Section 2:** This ordinance shall be effective January 1, 2023, which is more than five (5) days after passage and publication as provided by law.

Passed by the City Council and approved by the Mayor this 22<sup>nd</sup> day of, November, 2022.

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Julia Johnson, Mayor

ATTEST:

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Kelly Kohnken, Finance Director

APPROVED AS TO FORM:

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Nikki Thompson, City Attorney

Public Hearing	November 22, 2022
First Reading:	November 9, 2022
Second Reading:	November 22, 2022
Passed by the City Council:	November 22, 2022
Date of Publication:	November 9, 2022 and November 16, 2022
Effective Date:	January 1, 2023



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).

<b>TIMELINE</b>	<b>CPI-U</b>	<b>SW Adopted</b>
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
<b>Total</b>	<b>\$435,122</b>

**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

**City of Sedro-Woolley**  
**Sewer Financial Outlook**

Draft 10/26/22

after Util. Comm. with salaries adj. per budget

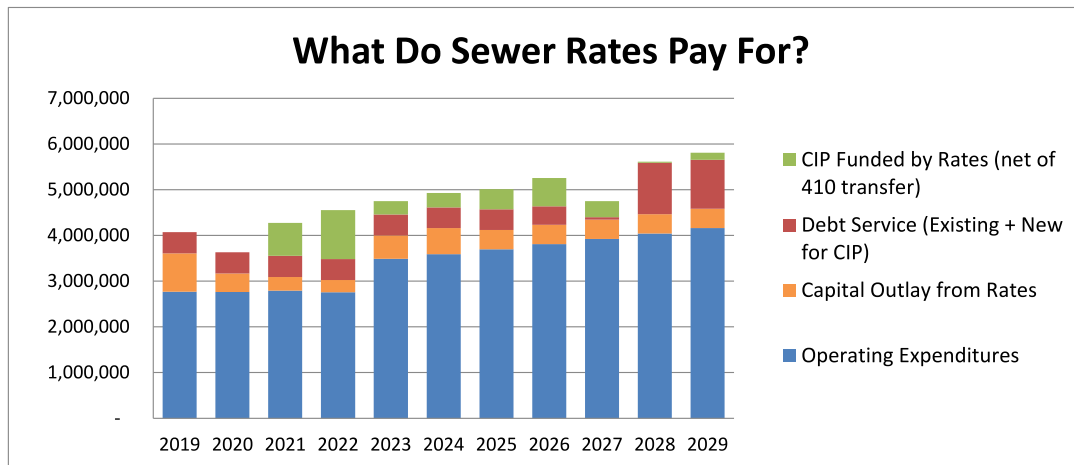


**1. SEWER OUTLOOK CONCLUSION**

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+.

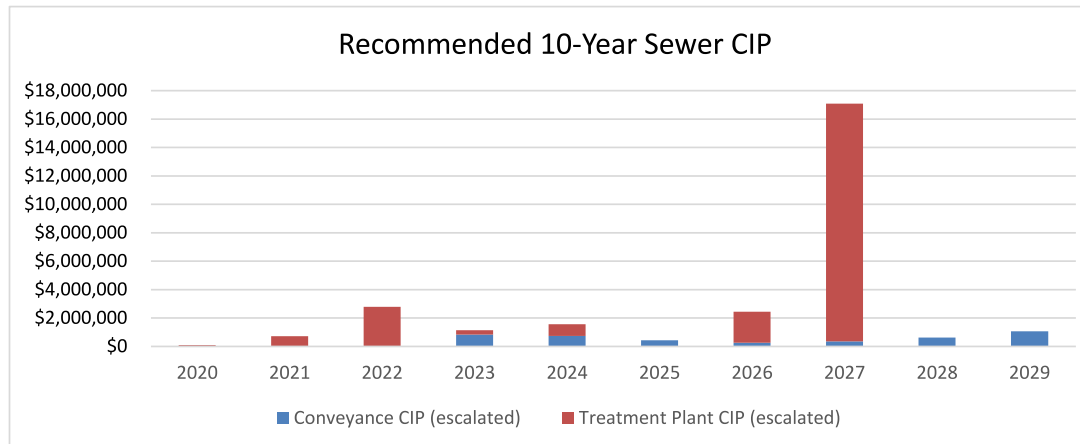
RATES/GFC ADJ. BY ASSUMED CPI	2022	2023	2024	2025	2026	2027	2028	2029
<b>Annual Cost Escalation</b>	<b>2.3%</b>	<b>4.0%</b>	<b>3.0%</b>	<b>3.0%</b>	<b>3.0%</b>	<b>3.0%</b>	<b>3.0%</b>	<b>3.0%</b>
Monthly Rate Increase - by year	\$1.53	\$2.72	\$2.12	\$2.19	\$2.25	\$2.32	\$2.39	\$2.46
<b>Connection Fee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

\*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
<b>ASSUMPTIONS:</b>								
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
<b>Total Operating Revenue - 401</b>	<b>6,286,750</b>	<b>5,608,533</b>	<b>6,184,713</b>	<b>5,098,179</b>	<b>7,097,554</b>	<b>5,443,580</b>	<b>6,236,364</b>	<b>6,726,016</b>
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
<b>Total Expenditures - 401</b>	<b>6,272,557</b>	<b>5,593,047</b>	<b>6,179,207</b>	<b>5,012,910</b>	<b>7,085,544</b>	<b>4,750,188</b>	<b>6,222,972</b>	<b>6,719,491</b>
<b>Annual Surplus (Deficit)</b>	<b>14,193</b>	<b>15,486</b>	<b>5,507</b>	<b>85,269</b>	<b>12,010</b>	<b>693,392</b>	<b>13,393</b>	<b>6,524</b>
<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
<b>Total 10-Year CIP</b>	<b>\$2,786,322</b>	<b>\$1,134,455</b>	<b>\$1,563,399</b>	<b>\$442,862</b>	<b>\$2,446,317</b>	<b>\$17,087,336</b>	<b>\$634,662</b>	<b>\$1,063,628</b>

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
<b>Total 10-Yr CIP Funding</b>	<b>\$2,786,322</b>	<b>\$1,134,455</b>	<b>\$1,563,399</b>	<b>\$442,862</b>	<b>\$2,446,317</b>	<b>\$15,587,336</b>	<b>\$634,662</b>	<b>\$1,063,628</b>

**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
2020 includes one-time increase of \$0.17/mo surcharge for new PW Op Fac												
<b>ASSUMPTIONS:</b>	New ERU 2019-29: 739											
New Connections (ERU's)	89	51	139	70	70	70	50	50	50	50	50	
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
<b>SEWER FUND 401</b>												
<b>Operating Revenue</b>	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	
<b>Operating Expenditures</b>												
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
<b>Capital Outlay from Rates</b>	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 belc	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
<b>Transfers</b>												
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	
<b>Net Available for Debt &amp; CIP</b>	<b>499,069</b>	<b>1,067,497</b>	<b>1,295,831</b>	<b>3,260,415</b>	<b>1,609,841</b>	<b>2,019,951</b>	<b>976,224</b>	<b>2,865,190</b>	<b>1,097,495</b>	<b>1,773,147</b>	<b>2,142,152</b>	
<b>Existing Debt Service</b>												
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	-	
<b>Sewer Capital Improvements (CIP)</b>												
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)										
<b>Annual Surplus (Deficit)</b>	<b>34,713</b>	<b>1,418,265</b>	<b>114,045</b>	<b>14,193</b>	<b>15,486</b>	<b>5,507</b>	<b>85,269</b>	<b>12,010</b>	<b>693,392</b>	<b>13,393</b>	<b>6,524</b>	
<b>Cumulative % Impact on Rates</b>												
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	
<b>Beginning Fund Balance - Fund 401</b>	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	
<b>Ending Fund Balance (estimated)</b>	<b>882,801</b>	<b>2,299,449</b>	<b>2,392,871</b>	<b>2,541,988</b>	<b>2,557,474</b>	<b>2,562,980</b>	<b>2,648,249</b>	<b>2,660,259</b>	<b>3,353,652</b>	<b>3,367,044</b>	<b>3,373,569</b>	must meet target minimum
<b>Target Ending Balance - Fund 401</b>	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
<b>WASTEWATER RESERVES FUND 410 (Includes Cum Reserve/Sewer Facilities Fund 410 and Sewer Facilities Reserve 402)</b>												
<b>Revenue</b>				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	
<b>Expenditures</b>												
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	
<b>Annual Surplus (Deficit)</b>	<b>1,232,403</b>	<b>371,718</b>	<b>1,043,888</b>	<b>(744,015)</b>	<b>(274,776)</b>	<b>(673,920)</b>	<b>392,900</b>	<b>(1,418,350)</b>	<b>412,600</b>	<b>(192,650)</b>	<b>(343,850)</b>	
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
<b>Ending Fund Balance (estimated)</b>	<b>3,632,560</b>	<b>4,153,326</b>	<b>5,347,214</b>	<b>4,603,289</b>	<b>4,328,513</b>	<b>3,654,593</b>	<b>4,047,493</b>	<b>2,629,143</b>	<b>1,541,743</b>	<b>1,349,093</b>	<b>1,005,243</b>	must meet target minimum
<b>Target Minimum Balance - Fund 410</b>	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&amp;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 &amp; 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 Fourt	\$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	\$919,000							*	\$350,000	\$350,000	560,344	\$1,260,344
R-9	Along Northern Ave fr Metcalf to Murdock/Puget Alley. Along f	\$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. Scopin	\$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 (Sd	\$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

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
<b>Total Funding Sources</b>	<b>\$94,915</b>	<b>\$721,886</b>	<b>\$2,786,322</b>	<b>\$1,134,455</b>	<b>\$1,563,399</b>	<b>\$442,862</b>	<b>\$2,446,317</b>	<b>\$17,087,336</b>	<b>\$634,662</b>	<b>\$1,063,628</b>	<b>\$27,975,782</b>

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	\$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

<b>Total Annual Rate Contribution</b>	<b>\$350,000</b>	<b>\$350,000</b>	<b>\$2,786,322</b>	<b>\$1,134,455</b>	<b>\$1,563,399</b>	<b>\$442,862</b>	<b>\$2,446,317</b>	<b>\$350,000</b>	<b>\$1,706,662</b>	<b>\$2,135,628</b>	<b>\$13,265,645</b>
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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
<b>Total 10-Year CIP (escalated)</b>	<b>\$27,975,782</b>	<b>\$94,915</b>	<b>\$721,886</b>	<b>\$2,786,322</b>	<b>\$1,134,455</b>	<b>\$1,563,399</b>	<b>\$442,862</b>	<b>\$2,446,317</b>	<b>\$17,087,336</b>	<b>\$634,662</b>	<b>\$1,063,628</b>	<b>\$27,975,782</b>

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
<b>Total 10-Year CIP Funding Sources</b>	<b>\$26,475,782</b>	<b>\$94,915</b>	<b>\$721,886</b>	<b>\$2,786,322</b>	<b>\$1,134,455</b>	<b>\$1,563,399</b>	<b>\$442,862</b>	<b>\$2,446,317</b>	<b>\$15,587,336</b>	<b>\$634,662</b>	<b>\$1,063,628</b>	<b>\$26,475,782</b>

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 could 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 raised 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 monels 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%
LI 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 Woolley 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 categories.			
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

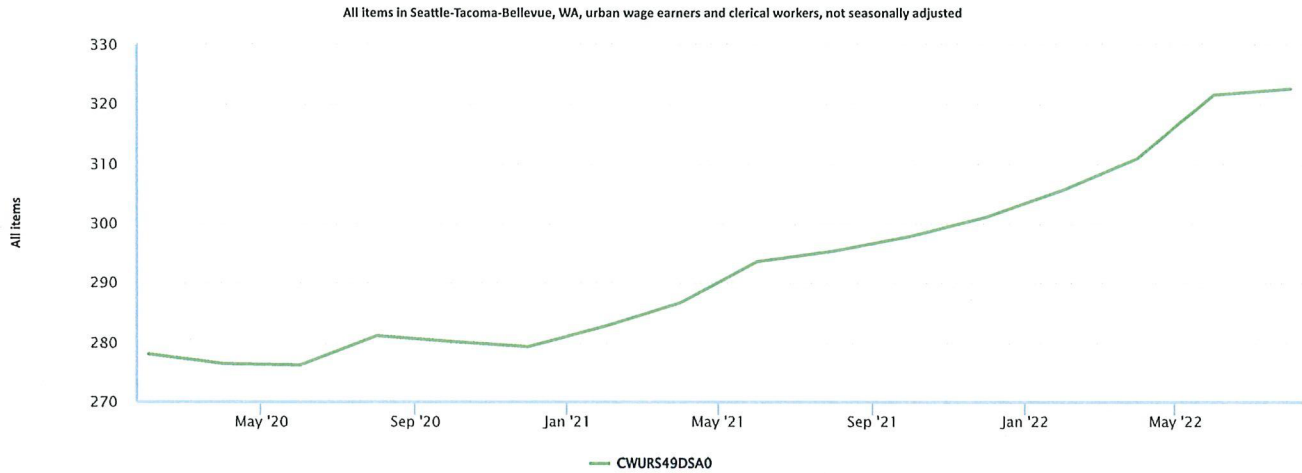
- ☐ 3-Month Net Change  
☐ 12-Month Net Change

## 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

FUND 412 SOLID WASTE - PROPOSED 2023/2024 RATE ADJUSTMENTS								
11/4/2022	2022 MSW Rates	Recommended 2023 Rate	Recommended 2024 Rate	2022 Customer Count updated 11/4/22	Estimated Annual Additional Revenue 2023	Estimated Additional Revenue 2024	2023 vs 2022	2024 vs 2023
<b>RESIDENTIAL RATES MSW</b>								
20 Gal. Toter	\$12.54	\$13.80	\$15.20	698	10,554	11,726	10.0%	10.1%
32 Gal. Toter	\$23.11	\$24.20	\$25.20	1,541	20,156	18,492	4.7%	4.1%
68 Gal. Toter	\$33.50	\$34.50	\$35.35	1,118	13,416	11,404	3.0%	2.5%
96 Gal. Toter	\$44.73	\$45.00	\$45.50	138	447	828	0.6%	1.1%
Low Income - 20 Gal	\$10.04	\$11.04	\$12.16	95	1,140	1,277	10.0%	10.1%
Low Income - 32 Gal	\$18.49	\$19.36	\$20.16	85	887	816	4.7%	4.1%
Low Income - 32 Gal (Every Other Week pickup)	N/A	\$14.36	\$15.16	-	-	-		5.6%
Low Income - 68 Gal	\$26.80	\$27.60	\$28.28	16	154	131	3.0%	2.5%
Low Income - 96 Gal	\$35.79	No change	No change	4	-	-		
Curbside Recycling	\$5.02	\$8.00	\$9.00	3,884	138,892	46,608	59.4%	12.5%
Food & Yard Waste Service - optional	\$12.17	12.25	\$12.50	1,658	1,592	4,974	0.7%	2.0%
<b>COMMERCIAL RATES (PERMANENT) MSW</b>								
32 Gal. Toter	\$26.17	\$26.25	\$26.50	49	47	147	0.3%	1.0%
68 Gal. Toter	\$41.51	35.35	35.35	28	(2,070)	-	-14.8%	0.0%
96 Gal. Toter	\$56.56	47.55	47.55	40	(4,325)	-	-15.9%	0.0%
1 Yard Dumpster	\$114.60	No change	No change	53				
2 Yard Dumpster	\$151.50	No change	No change	56				
3 Yard Dumpster	\$225.65	No change	No change	26				
4 Yard Dumpster	\$297.15	No change	No change	43				
6 Yard Dumpster	\$438.43	No change	No change	43				
8 Yard Dumpster	\$586.12	No change	No change	6				
Haul Fee - all roll off 20, 30 & 40 Yd Dumpsters -	\$230.78	No change	\$235.00	19	-	962		1.8%
<b>Commercial Recycling Optional</b>								
<b>Mixed paper</b>								
95 gallon container	\$20.38	\$35.00	\$70.00	25	4,386	10,500	71.7%	100.0%
2 yard container	\$33.95	\$50.00	\$80.00	1	193	360	47.3%	60.0%
3 yard container	\$47.52	\$70.00	\$110.00	-	-	-	47.3%	57.1%
4 yard container	\$88.25	\$90.00	\$130.00	-	-	-	2.0%	44.4%
6 yard container	\$115.40	\$100.00	\$163.00	-	-	-	-13.3%	63.0%
8 yard container	\$153.07	\$110.00	\$215.00	-	-	-	-28.1%	95.5%
<b>Cardboard</b>								
95 gallon container	Not available-	Not available-	Not available-					
2 yard container	\$27.17	\$30.00	\$40.00	20	679	2,400	10.4%	33.3%
3 yard container	\$33.95	\$35.00	\$45.00	3	38	360	3.1%	28.6%
4 yard container	\$47.52	\$50.00	\$50.00	5	149	-	5.2%	0.0%
6 yard container	\$61.10	\$60.00	\$55.00	5	(66)	(300)	-1.8%	-8.3%
8 yard container	\$74.67	\$75.00	\$60.00	1	4	(180)	0.4%	-20.0%
<b>Mixed recycling</b>								
95 gallon container	\$20.38	\$35.00	\$70.00	25	4,386	10,500	71.7%	100.0%
2 yard container	\$61.10	\$70.00	\$80.00	15	1,602	1,800	14.6%	14.3%
3 yard container	\$95.05	\$100.00	\$110.00	4	238	480	5.2%	10.0%
4 yard container	\$108.61	\$120.00	\$130.00	5	683	600	10.5%	8.3%
6 yard container	\$142.57	\$153.00	\$163.00	2	250	240	7.3%	6.5%
8 yard container	\$190.08	\$200.00	\$215.00	-	-	-	5.2%	7.5%
<b>TOTALS</b>					<b>193,432</b>	<b>124,125</b>		
% of 2022 Projected Final Revenue					<b>8.1%</b>	<b>4.8%</b>		



Agenda  
Item No.

Date:

Subject:

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November 9, 2022

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Fire Department Monthly Data

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**FROM:**

**RECOMMENDED ACTION:**

**ISSUE:**

**BACKGROUND/SUMMARY INFORMATION:**

**FISCAL IMPACT, IF APPROPRIATE:**

**ATTACHMENTS:**

1. Incidents by Year and Month
2. Transports by SWFD October 2022
3. Incident Types OCTOBER 2022
4. Incident Count per Zone OCTOBER 2022

Incidents by Month and Year										
	2014	2015	2016	2017	2018	*2019	2020	2021	2022	2023
January	155	175	231	202	225	247	320	259	312	
February	143	151	177	171	187	247	246	250	260	
March	139	155	173	234	203	251	272	256	262	
April	162	152	186	200	167	244	267	307	257	
May	149	157	178	190	234	279	268	275	305	
June	148	164	172	203	229	274	271	330	293	
July	189	236	193	205	257	245	319	338	353	
August	178	211	221	222	216	323	317	355	279	
September	183	185	175	222	212	249	317	300	304	
October	163	186	172	228	201	308	302	283	325	
November	146	162	191	199	180	283	285	291		
December	176	188	209	196	217	253	245	343		
Yearly Total	1931	2122	2278	2472	2528	3203	3429	3587	2950	0
% Increase	3%	10%	7%	9%	2%	27%	7%	5%		
*First year of Paramedic Services for Sedro-Woolley Fire										
Busiest Month in History										



Previous Month ▾

Oct 1, 2022 - Oct 31, 2022 ▾

142

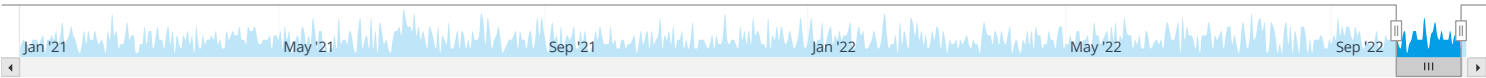
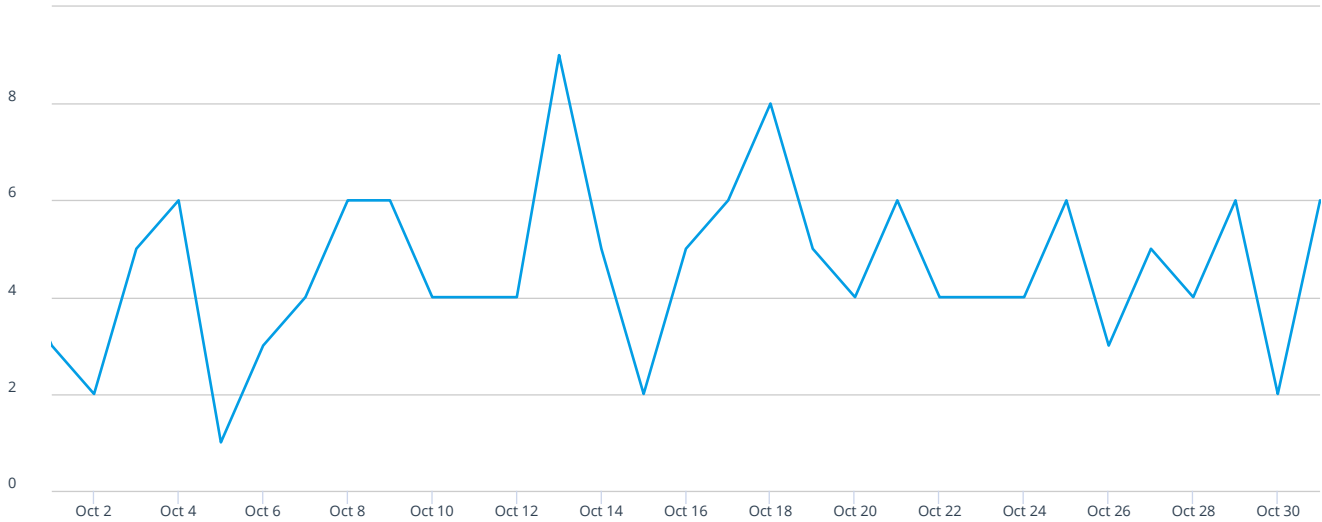
RECORDS

In Selected Time Slice

31

DAYS

In Selected Time Slice



Counts

% Rows

% Columns

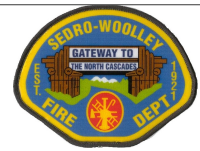
% All

Week Ending	10/2/22	10/9/22	10/16/22	10/23/22	10/30/22	11/6/22	11/13/22	11/20/22	11/27/22	12/4/22	12/11/22	12/18/22	12/25/22	Total
PeaceHealth United General Medical Center	4	23	27	24	20	5								103
Skagit Valley Hospital	1	8	6	13	10	1								39
Total	5	31	33	37	30	6								142

# Sedro-Woolley Fire Department

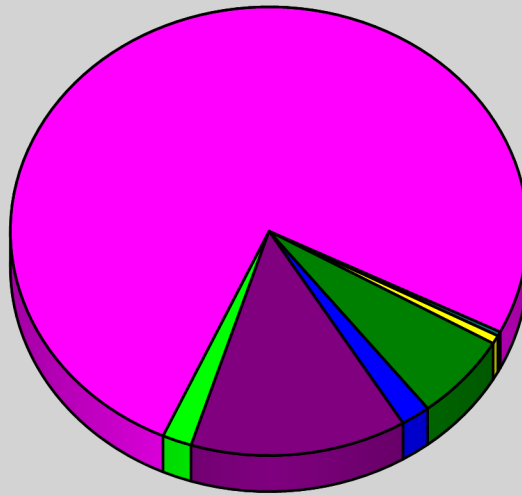
Sedro-Woolley, WA

This report was generated on 11/3/2022 1:08:33 PM



## Major Incident Types by Month for Date Range

Start Date: 10/01/2022 | End Date: 10/31/2022



False Alarm & False Call	Hazardous Condition (No Fire)	Service Call
Fire	Rescue & Emergency Medical	Special Incident Type
Good Intent Call	Service Incident	

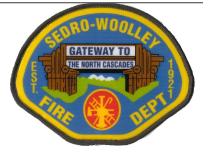
INCIDENT TYPE	OCT	TOTAL
False Alarm & False Call	20	20
Fire	6	6
Good Intent Call	44	44
Hazardous Condition (No Fire)	6	6
Rescue & Emergency Medical Service Incident	246	246
Service Call	1	1
Special Incident Type	2	2
<b>Total</b>	<b>325</b>	<b>325</b>

Only REVIEWED incidents included

# Sedro-Woolley Fire Department

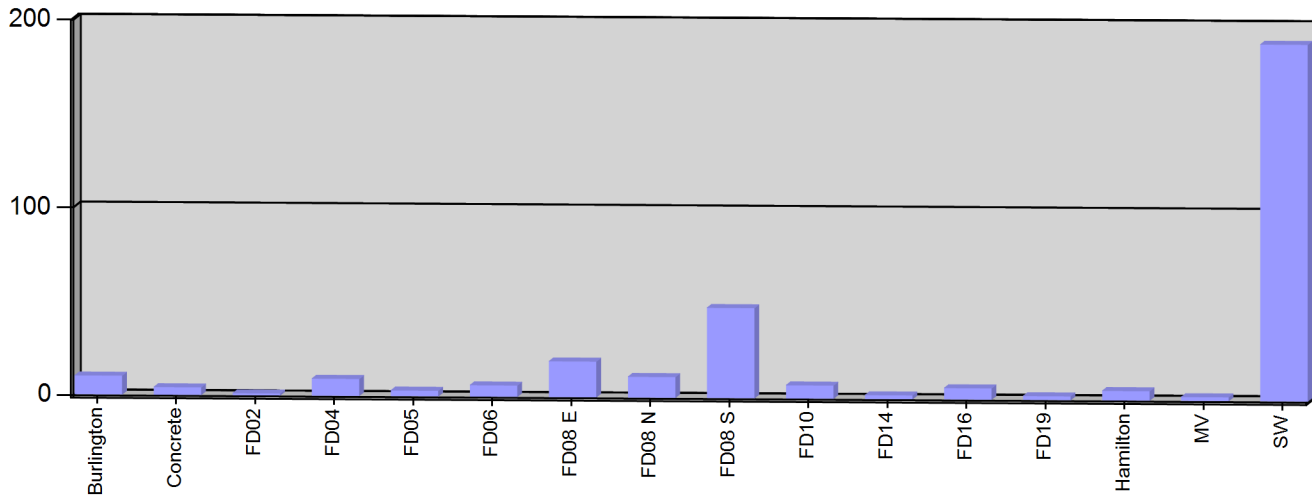
Sedro-Woolley, WA

This report was generated on 11/3/2022 1:06:49 PM



## Incident Count per Zone for Date Range

Start Date: 10/01/2022 | End Date: 10/31/2022



ZONE	# INCIDENTS
Burlington - City of Burlington	10
Concrete - Town of Concrete	4
FD02 - Fire District 2	1
FD04 - Fire District 4	9
FD05 - Fire District 5	3
FD06 - Fire District 6	6
FD08 E - Outside city limits East D8	19
FD08 N - Outside the City Limits North D8	11
FD08 S - Outside City limits South D8	48
FD10 - Fire District 10	7
FD14 - Fire District 14	2
FD16 - Fire District 16	6
FD19 - Fire District 19	2
Hamilton - Town of Hamilton	5
MV - City of Mount Vernon	2
SW - Inside the City Limits of SW	190

**TOTAL: 325**

Zone information is defined on the Basic Info 3 screen of an incident. Only REVIEWED incidents included. Archived Zones cannot be unarchived.



Agenda  
Item No.

Date:

November 9, 2022

Subject:

Building Permit and Planning Permit  
Review Status

**FROM:**

John Coleman, AICP, Planning Director

**RECOMMENDED ACTION:**

Information only, no action.

**ISSUE:**

This status sheet shows the active Building and Planning permits. This information is being provided for your review and no action is required.

Please let me know if you have any questions.

**BACKGROUND/SUMMARY INFORMATION:**

**FISCAL IMPACT, IF APPROPRIATE:**

**ATTACHMENTS:**

1. Building Permit Tracking Data
2. Land Use Permit Tracking Data

APPLIED BUILDING PERMITS							
X = COMPLETE      R = REVISIONS RECEIVED      W = WAITING FOR RESPONSE      NO ENTRY = INITIAL REVIEW NOT COMPLETE							
APPL. DATE	PERMIT #	NAME	ADDRESS		REVIEW		COMMENTS
			PARCEL #	BLDG	PLNG	ENGR	
1/28/2021	2021-062	BYK Construction	820 Trail Road	X	W		New Mixed Use Bldng. <b>Waiting for Army Corps approval to fill wetland. Working Up fees per applicant request 11/3/2022- KQ</b>
3/19/2021	2021-124	BYK Construction	100 State Street	W	W		Mixed use above existing grocery store - <b>waiting for applicant to submit add'l info</b>
3/31/2022	2022-101	Jason Williard	1855 Turning Point Court (SWIFT Center Building 13)		N/A		Reroof permit. <b>Travis will email in ~4 weeks with contractor info. Do not issue until contractor is known.</b>
7/18/202	2022-236	Patrick Grant/Conrad Grant LLC	616 Puget Street	W	W		New Duplex. Planning comments sent 7-21-22. Revised plans received 8-5-22. Building Plan review letter sent 8-18-22. Revised plans received 10/12/22 - with Jack. <b>Planning ready to sign off when final revised plans are received.</b>
7/20/22	2022-227	Jodi Boyden/Reliance Food Mart	755 Cook	X	W		New Wall and gas pump pole sign. <b>Planning comments sent 7-22-22.</b>
7/20/22	2022-235	MINA Investments/Adam Clark	616 Sunset Park Dr				New Manufacturing/Galvanizing Building for Seattle Galvanizing- Shell Only. <b>Requiring CUP approval prior to BP.</b>
10/10/22	2022-325	BYK Construction	842 Parkland Loop	X	W		New SFR. <b>Planning comments sent 11-3-22.</b>
10/14/22	2022-326	BYK Construction	840 Parkland Loop				New SFR.
10/14/22	2022-327	BYK Construction	839 Parkland Loop	X	W		New SFR. <b>Planning comments sent 11-2-22.</b>
10/26/22	2022-332	Solgen	1030 Warner		N/A		Roof repair for solar panels.
	2022-339	Christian Cherie/Tri Power	605 Fidalgo Street	X	N/A		Pole Building- Car port
	2022-343	Aaron Parrish	806 Metcalf		N/A		Mixed use building, 2 commercial and 1 Residential space

## APPLIED PLANNING/ ENGINEERING PERMITS

**X = COMPLETE**

**R = REVISIONS RECEIVED**

**W = WAITING FOR RESPONSE**

**NO ENTRY = INITIAL REVIEW NOT COMPLETE**

**W/R = Waiting for Comment period to end**

APPL. RECEIVED	APPL. COMPLETE	PERMIT #	NAME	ADDRESS/ PARCEL #	REVIEW		COMMENTS
					PLNG	ENGR	
6/8/2017	6/12/2017	2017-181	Josh Anderson	564 Cook and 530 Cook BLA	W	X	Sent planning comments 6-16-17.
2/14/2019		2019-042	Double Barrel BBQ-Jim Lee	108 West Moore St	W	NA	Sent review letter 3-15-19. Needs a site plan
7/1/2019	7/11/2019	2019-183	AA Spruce Investments LLC	201 Garden of Eden Rd	X	X	Short plat application for 4 Lots, 6 units. Preliminary short plat approval issued 1/22/21. Approval expires 1/21/24. Applicant may submit civil plans. Waiting for applicant to submit civil plans for site work.
10/10/2019	10/15/2019	2019-370	BYK Construction	100 State Street	W	NA	BLA, Sent Review Letter 1/2/20. Planning comment letter sent 7/29/20
10/11/2019	3/12/2020	2019-375	RJ Group	Dukes Hill - N. Township to Portobello	R	W	201- lot PRD located between Portobello Ave and N Township St. SEPA MDNS with comment period issued 5/18/20, comment period over 6/1/20. Third Party wetland review report received 9/10/20, Planning comments (including report) sent 9/15/20. Revisions received 9-12-22.
4/9/2020	4/21/2020	2020-096	Lindboom Construction	709 W Jones Rd	X	X	Caden Ridge. Short Plat application for a 4 lot, 6 unit subdivision. Two lots are duplex lots. Preliminary plat approval issued 11-30-21. Approval expires 11-29-24. Civil plans for site work submitted for review (file #2022-015)
12/11/2020		2020-352	Ginger Pennington	1402 Third St.	X	X	Conditional Use Permit for a multi-family development in the industrial zone. Notice of Decision 12-28-21. Applicant may submit civil plans & bldg permits. Approval expires 12-27-26.
2/10/2021		ADU-2021-078	Christina and Derek Schmidt	826 Jameson Street	X	NA	ADU Application. Converting existing garage into an ADU. Planning review letter sent 4/2/21. Revisions received 9-26-22. Planning approved 9-28-22. Covenant recorded 10/14/22
3/10/2022	4/26/2021	2021-113	BYK Construction	820 Trail Rd.	W/R	X	Exc & Gd for mixed-use building with commercial below and 67 res units above. MDNS 2-11-22. Email confirmation of NPDES construction stormwater app 2-17-22. Planning can sign Civil Plans once fill permit approved by Army Corps

3/4/2021	4/30/2021	2021-109	Bob Ruby	1288 N. Fruitdale Road	R	W	Long plat and PRD application for a 95 lot PRD at golf course. Letter of complete app sent 4/30/21. Third party wetland review required significant wetland study to be done. <b>Received applicant's revised wetland study 8-11-22. Routed to Lyndon Lee for response.</b>
2/3/2022	2/11/2022	2022-030	Stakkeland	863 Cook Road	X	X	Fill and grade with SEPA. MDNS issued 4-29-22. Planning approved landscaping and site plans. Civil plans approved and pre-con meeting complete. <b>Construction has begun.</b>
4/8/2022	6/16/2022	2022-113	Dan Reichel, WA DNR	919 N Township St.	X	W	Exc. & Grade w/ SEPA for site improvements at WA DNR site. Sent planning comments 6-27-22. MDNS issued 7-12-22. Revised plans received 10-19-22. <b>Planning approved 10-20-22.</b>
4/11/2022	4/21/2022	2022-131	Buckwood LLC	P37250	X	X	Excavating and fill permit for Bucko Estates Phase Lots 1 - 30. Planning and engineering approved 6-3-22. Pre-con 8/1/2022. <b>Construction has begun.</b>
6/10/2022	6/9/2022	2022-188	Monte Petersen	528 F & S Grade Rd.	X	X	Excavating and Fill & Gd permit (no SEPA) for Baker Estates, 4 lot short plat. Revisions rec'd electronically 8-15-22. <b>Need cost estimate for demo of barn.</b> Final civil plans received 8-26-22 and routed to City Engineer. <b>Planning signed.</b>
8/4/2022	8/4/2022	2022-255	BYK Construction	Zoning Code Amendment	R	NA	Request to modify Accessory Dwelling Unit regulations in SWMC 17.100.030. SEPA Checklist included. 1st review at PC 9-21-22. Next PC review scheduled 11-15-22
8/16/2022		2022-274	MINA Properties LLC	616 Sunset Park Drive	R		CUP for Galvanizing Facility (Seattle Galvanizing). Sent letter of incomplete app 9-12-22. Received additional submittals 10-12-22. Letter of complete app and NOA and SEPA comment period sent 10-19-22. <b>Mailing went out 11-1-22.</b>
5/16/2022	9/1/2022	2022-166	Josh Speck	835 North Fruitdale	W	W	Fill and grade for 40-pad RV park. David requested an update 9-7-22. Received. Planning comments sent 9-14-22. Engineering comments sent 9-15-22. <b>Application withdrawn.</b>
9/7/2022		2022-297	Dan & Elizabeth Peterson/Taylor Designs	1122 East State Street			Demo carport and add ADU-Can not be approved until owner covenant and Affidavit are signed by owner.
10/11/2022	10/11/2022	2022-330	Virginia Salt/Bob Ruby/Kristen Tuttle	24604 and 24656 Hoehn Road	W		Annexation. Sent petition to Assessor for

