

From: Mark Freiberger <mfreiberger@Sedro-Woolley.gov>
Sent: Wednesday, August 24, 2022 2:04 PM
To: Charlie Bush <cbush@Sedro-Woolley.gov>; CityCouncil <CityCouncil@Sedro-Woolley.gov>
Cc: Senior Management Team <SMT@Sedro-Woolley.gov>
Subject: RE: Council Packet Questions

My input on the SR20/SR9 Intersection is inserted below.
Thanks,

Mark A. Freiberger, PE
Director of Public Works
325 Metcalf
Sedro-Woolley, Washington 98284
Telephone: 360-855-9933
Cel: 360-661-6445

From: Charlie Bush <cbush@Sedro-Woolley.gov>
Sent: Wednesday, August 24, 2022 12:54 PM
To: CityCouncil <CityCouncil@Sedro-Woolley.gov>
Cc: Senior Management Team <SMT@Sedro-Woolley.gov>
Subject: FW: Council Packet Questions

Council,

Please see questions from Councilmember McGoffin and staff answers below regarding tonight's City Council meeting. As soon as Mark has a chance to respond to question 4, I will send that answer along as well.

Thanks,

Charlie Bush

MPA, ICMA-CM
City Administrator
City of Sedro-Woolley, WA
360-855-9921 direct
360-391-4906 mobile



Pronouns: he; him; his

From: Nikki Thompson <NikkiT@trustedguidancelaw.com>
Sent: Wednesday, August 24, 2022 11:56 AM
To: John Coleman <jcoleman@Sedro-Woolley.gov>; Charlie Bush <cbush@Sedro-Woolley.gov>; Brendan McGoffin <bmcgoffin@Sedro-Woolley.gov>
Cc: Julia Johnson <jjohnson@Sedro-Woolley.gov>; Mark Freiberger <mfreiberger@Sedro-Woolley.gov>
Subject: RE: Council Packet Questions

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Hi Brendan,

My response is below in red.

Nikki

From: John Coleman <jcoleman@Sedro-Woolley.gov>

Sent: Wednesday, August 24, 2022 9:12 AM

To: Charlie Bush <cbush@Sedro-Woolley.gov>; Brendan McGoffin <bmcgoffin@Sedro-Woolley.gov>

Cc: Julia Johnson <jjohnson@Sedro-Woolley.gov>; Nikki Thompson <NikkiT@trustedguidancelaw.com>; Mark Freiberger <mfreiberger@Sedro-Woolley.gov>

Subject: RE: Council Packet Questions

Brendan,

My responses are below in blue.

Thank you,

John Coleman

From: Charlie Bush <cbush@Sedro-Woolley.gov>

Sent: Wednesday, August 24, 2022 8:14 AM

To: Brendan McGoffin <bmcgoffin@Sedro-Woolley.gov>

Cc: Julia Johnson <jjohnson@Sedro-Woolley.gov>; Nikki Thompson, City Attorney <NikkiT@trustedguidancelaw.com>;

Mark Freiberger <mfreiberger@Sedro-Woolley.gov>; John Coleman <jcoleman@Sedro-Woolley.gov>

Subject: RE: Council Packet Questions

Hi Brendan,

My responses are below in green. The rest will be coming from other staff (Nikki, Mark, and John).

Thanks,

Charlie Bush

MPA, ICMA-CM

City Administrator

City of Sedro-Woolley, WA

360-855-9921 direct

360-391-4906 mobile



Pronouns: he; him; his

From: Brendan McGoffin <bmcgoffin@Sedro-Woolley.gov>

Sent: Tuesday, August 23, 2022 10:18 PM

To: Charlie Bush <cbush@Sedro-Woolley.gov>

Cc: Julia Johnson <jjohnson@Sedro-Woolley.gov>

Subject: Council Packet Questions

Hi Charlie,

Hope all is going well and just wanted to chat regarding a few questions from the packet.

1. Exhibit B of the opioid agreement. I was curious what metric was used to determine what percentage goes to each city? Looking at the breakdown of Skagit county Burlington seems to have been allocated almost double that of Sedro-Woolley even though they have a smaller population. They may generate more sales tax revenue but it just seems like population would be more impacted by opioid addiction and not sales revenue. **This is a really excellent question! And a rather complicated one. The simplified version is this. The way that the money is distributed to the counties is based on (1) the amount of opioids shipped to the county, (2) the number of opioid deaths, and (3) the number of people within the county that suffer from opioid addiction. The next level of distribution to the cities is determined either by agreement or a default methodology. The default methodology at play here looks at historical data to determine how much cities have put out on opioid related expenditures. What that theoretically means is that Burlington has had greater expenditures, historically, related to opioids. That's the best answer I can give. Hopefully that is helpful!**
2. We are fortunate to have a distinguished member presenting at a conference and I'm just curious what the topic of your presentation is about? Is it something you can share after being presented?

Here is a link to [our session](#) at the conference. The audience for this one is other ICMA members but I'd be happy to share more context/information in the future if there is interest from the Council in this topic.

3. Has any other executive staff voiced interest in attending a conference? With the remaining budget it would seem we have availability for only one or two more given approval of this one is that correct?

The Executive Budget covers the Mayor and I and you are correct that we have enough budget remaining to attend one or two additional conferences this year between the two of us. As of this writing, we don't anticipate any further significant expenses in these areas the rest of this year.

We've been supportive of executive staff (thinking broadly of our directors as well – they have separate travel/training budgets in their departments) attending conferences. Historically, most of these conferences have been in Washington and so they have not come forward to the Council (the Council has a policy for approving out of state travel). Executive staff have generally not planned to attend national conferences unless they've been in Washington. I've encouraged executive staff in the current budget process to think about conferences they may want to attend at the national level moving forward through the 2023-24 budget. One of the key considerations is the increasing complexity of issues that our city is facing and will face over the coming decade. In addition, if anyone were to express an interest today and we had the budget to support their attendance, we would support it. Some of our budgets are lean in the area of travel and training and we will be looking to improve them in the next budget cycle. Staff training overall represents a relatively small expense with a significant return on investment (new skills, new knowledge, higher employee engagement = better performance).

4. Colacurcio Brothers, Inc. is receiving ~400k for the Hwy9 / Hwy20 intersection but I've noticed they've stopped and haven't been working. I know they received a stop from WSDOT but they don't seem to have resumed after being cleared. Could we get a status update on this issue. I am hearing concerns from Cascade school about it being finished on time.

Thank you for your note regarding the construction project at the intersection of SR20 and SR9-Township. We share your concern for the safety of our students and are working with the contractor to get the project restarted. It's a long story about why the delay, but suffice it to say we ran into an issue with the Department of Transportation on approval of a traffic control plan for the signal installation that led to the contractor pulling off the job. The traffic control plan has since been approved and the contractor will resume work on Wednesday evening, 8/24/22. We are looking for a contingency plan from them for the likelihood that the work is not complete by 8/31/22. We are in contact with the School District about this project and will keep them informed as the project continues. The District plans to have a crossing guard at the intersection until the signal is complete. Once we have a completion schedule from the contractor, we will post this on the city website as well.

5. For the annexation request could we get an overview of what an R5 allows during the meeting so everyone is on the same page? Is it possible to change the zone ahead of an annexation and if so what would a different zoning offer or is R5 the recommended one by the planning department? I can definitely explain what is allowed in the R-5 at the council meeting, thank you for the suggestion. In general, the R-5 zone is low-density zoning and allows one single-family residence per lot (along with the typical uses allowed with a single family home such as one ADU, home occupations, child care centers meeting state requirements and adult day care facilities meeting state requirements) and low-intensity agriculture. The minimum lot size is 8,400 square feet, which is roughly a quarter of an acre (some exceptions may apply if a planned residential subdivision is performed). If you want to look at the zoning further, here is the link to the R-5 zoning code that specifies what uses are allowed (<https://www.codepublishing.com/WA/SedroWoolley/#!/SedroWoolley17/SedroWoolley1708.html#17.08>).

The zoning for the property (if annexed) is specified as R-5 in the Comprehensive Plan (specifically on the Comprehensive Plan map). All areas in the urban growth area (UGA) are assigned a zoning designation during the UGA designation process. That designation is based on the city's projected population and employment growth over a twenty year period. The entire UGA is sized and zoned to accommodate the city's projected 20-year population and employment growth. The last UGA designation process was in 2016 for the period of 2016 to 2036. Planning recommends that the property be annexed as R-5 as planned for in the Comprehensive Plan. It is not possible to change the zoning at the time of the annexation because zoning changes must be processed as a Comprehensive Plan amendment, which is a separate process from the annexation request. It would be possible to look at changing the zoning during the 2023 Comprehensive Plan update process, but that would not be complete until late 2023 or early 2024. For what it's worth, the property is on the edge of town and the adjacent properties in city limits are also zoned R-5, so a low-density R-5 designation seems like the most appropriate zoning for the property. No properties to the south are likely to ever be included in the UGA (or annexed) because of the flood plain. No properties to the east are

likely to ever be included in the UGA (or annexed) because that area is zoned by the county as agricultural land. If annexed, the properties in the requested annexation area would likely be the edge of the city limits forever. Low-density zoning seems appropriate.

6. On the council goals I was a bit confused on the inclusion of the 3 fire department's vehicles being received as an economic development goal?

We are in the process of aligning our Departmental Operational Plans (tied to the 23-24 budget) with the Council's strategic goals. Departments will be identifying projects/programs/investments/approaches that are being enhanced directly to the Council goals. Public Safety is tied to economic development. An example of this is the ISO fire rating performed on the City's fire department every 4-5 years. We are evaluated on our ability to respond effectively and quickly to emergency calls. The resulting rating impacts insurance rates for all residents and businesses throughout the city. In addition, have a generally safe city supports investment by business owners, homeowners, and developers. We'll be adding more departmental information to the Department Operational Plans document in the future.

7. For the master fee schedule there was previously some discussion about lowering the food vendor pricing. I think if we're looking to promote sports events and our parks we need to seriously consider dropping the food truck fees way down to line up with other nearby cities. Is that a committee discussion or something we can talk about during the meeting?

When the Council discussed the topic of mobile vendors fees there was a request to engage the business community. We are planning to do that in September and then to return, likely in October or November, with a City Council action item on this topic. It would be a separate full City Council item. I anticipate taking feedback from engaging the business community back to the City Council Business Development Committee prior to bringing the item forward to the full Council.

Thank you!
-Brendan

From: Nick Lavacca <nlavacca@Sedro-Woolley.gov>

Sent: Wednesday, August 24, 2022 4:56 PM

To: John Coleman <jcoleman@Sedro-Woolley.gov>; Julia Johnson <jjohnson@Sedro-Woolley.gov>

Cc: Charlie Bush <cbush@Sedro-Woolley.gov>; CityCouncil <CityCouncil@Sedro-Woolley.gov>; David Lee <dlee@Sedro-Woolley.gov>; Mark Freiburger <mfreiburger@Sedro-Woolley.gov>

Subject: Re: Comprehensive Plan/City Municipal Code amendments

Thanks so much for that response John.

I know Burlington has adopted the LID requirement but i was not clear if the Phase 2 for North Sound was in effect. Sounds like that all of Western Washington is in phase 2 right now?

Like I said, I think they do a lot of good and have been shown to save money overall on projects and developments and look great overall. But if they do require maintenance and proper installation.

I also feel way better about encouraging rather than making when ever possible.

I do understand about the public notices, but I would suggest to the council that we do send out a notice within the CBD since it's not a huge section.

I don't think anyone was apposed to guidelines but I think they want to add in input and maybe felt they missed the opportunity.

Thanks again John,

Nick

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From: John Coleman <jcoleman@Sedro-Woolley.gov>

Sent: Wednesday, August 24, 2022 4:27:35 PM

To: Nick Lavacca <nlavacca@Sedro-Woolley.gov>; Julia Johnson <jjohnson@Sedro-Woolley.gov>

Cc: Charlie Bush <cbush@Sedro-Woolley.gov>; CityCouncil <CityCouncil@Sedro-Woolley.gov>; David Lee <dlee@Sedro-Woolley.gov>; Mark Freiburger <mfreiburger@Sedro-Woolley.gov>

Subject: RE: Comprehensive Plan/City Municipal Code amendments

Councilman Lavacca,

You brought up a couple of topics, so I will attempt to address them one-by-one. Your first topic was the stormwater code updates. Those updates were proposed by the Public Works Department to address the requirements of the city's Western Washington Phase II Municipal Stormwater Permit (Phase 2 Permit). This is the permit the city must meet to make sure stormwater in the city is handled in a way that meets Department of Ecology standards and requirements. According to David Lee, City Engineer, that permit *requires* that the city require applicants to use LID Principals and LID best management practices (BMPs) unless LID is infeasible. Section S5.C.1.c of the permit says (emphasis added):

c. Low impact development code-related requirements.

Permittees [City of Sedro-Woolley] shall continue to require LID Principles and LID BMPs when updating, revising, and developing new local development-related codes, rules, standards, or other enforceable documents, as needed. The intent shall be to make LID the preferred and commonly-used approach to site development. The local development-related codes, rules, standards, or other enforceable documents shall be designed to minimize impervious surfaces, native vegetation loss, and stormwater runoff in all types of development situations, where feasible.

(a) Annually, each Permittee shall assess and document any newly identified administrative or regulatory barriers to implementation of LID Principles or LID BMPs since local codes were updated in accordance with the

2013 Permit, and the measures developed to address the barriers. If applicable, the report shall describe mechanisms adopted to encourage or require implementation of LID principles or LID BMPs.

The updates were proposed to make sure the city is in compliance with this and other requirements of the Phase 2 Permit. The City Engineer reviews all proposed stormwater infrastructure to make sure it will operate per accepted engineering practices and comply with various city and state stormwater regulations. There is also a reporting component to the Phase 2 Permit that requires the city to make sure stormwater systems (whether they are city-owned or privately owned) to operate as intended. The city's stormwater utility collects money in part to pay for the cost of regulating stormwater infrastructure. David and Wally spend a lot of time making sure stormwater infrastructure is working properly. I don't want to speak too much for the City Engineer, so I encourage you to discuss the specifics with David Lee if you have additional questions.

You also mentioned outreach about the proposed CBD Design Standards update. The usual process for code and Comprehensive Plan updates is to post the Planning Commission agenda on the Planning Commission page and post notice of their public hearings in the newspaper and on the city website. The Planning Commission held seven meetings on the topic, two of which were public hearings. Similar to Council members, Planning Commission members also speak with members of the public about Planning Commission agenda items outside the meetings. It is not possible to quantify how much individual outreach the Planning Commission made on this topic. Direct notices such as mailers or fliers are very useful. Unfortunately we do not usually employ them because they are costly, time-intensive and it is possible to miss intended audience members because we don't have access to good contact information. If the council is interested in direct notices to CBD business owners before the Council acts on the proposed CBD Design Standards updates, we can certainly make that happen, please give staff guidance on what they would like.

Your comments and suggestions are much appreciated. I hope my email addresses your comments and concerns. If not, I am happy to continue our discussion. I wanted to get back to you before the meeting tonight, and that is just an hour and a half away. Please forgive me if my answers were brief.

*John Coleman, AICP
Planning Director
City of Sedro-Woolley
(360) 855-0771*

From: Nick Lavacca <nlavacca@Sedro-Woolley.gov>

Sent: Tuesday, August 23, 2022 5:52 PM

To: John Coleman <jcoleman@Sedro-Woolley.gov>; Julia Johnson <jjohnson@Sedro-Woolley.gov>

Cc: Charlie Bush <cbush@Sedro-Woolley.gov>

Subject: Comprehensive Plan/City Municipal Code amendments

Hey John,

Hope you are doing well.

I wanted to reach out about the Stormwater section in the Comprehensive Plan as well as in the City Municipal Code amendments and give you some feedback from my end.

I wanted to express my concerns about changing the wording from "encourage" to "make" when it comes to LID's. Low Impact Development zones are relatively new the concept is great and many have been engineered and work wonderfully. They have been shown to save money overall in the areas and be a tremendous benefit to the communities.

However, they rely on engineering the system correctly and that is engineering nature, hard to do. There are many variables and sediment collection, failure at one of multi parts it takes, or low maintenance due to staffing and priorities

can lead to failures of the intent and huge costs to repair. I am in favor of continuing to encourage and even do above and beyond by gathering data and providing input on ideas that have worked in similar areas but I believe the plans that are put forth should be sound. We could offer an impact reduction rather than “Make” someone use LID’s. That way they are even more so encouraged to use them.

As far as the first read on Municipal Code proposals, it is great to see the desire and focus. I spoke to a lot of Business owners this week about it and plan to speak with more. None that I spoke with were aware of the changes being proposed or the public hearings. I wonder if we plan on changes, if we could send a flyer to those businesses since it is a small area in the CBD that would be affected.

Many like the idea or design specifications. We have a beautiful downtown because we have standards to work from and that makes it easier.

However, many businesses when they come in only have so much to start with and they feel they should have the freedom, within reason, to build out their business model with the capital they have available.

It would be great to see our community thriving with parking spaces, places to go, and areas of recreation while here and all in all, residents and visitors having a great time.

In my discussions, their top concerns were:

- Parking
- Empty stores
- Getting more patrons to visit

Not sure if that helps, looking forward to hearing your thoughts.

Thanks again,

Nick Lavacca
Councilman At Large
360-298-6543
nlavacca@Sedro-Woolley.gov



From: Charlie Bush
Sent: Wednesday, August 24, 2022 2:05 PM
To: Nikki Thompson, City Attorney <NikkiT@trustedguidancelaw.com>
Subject: Question from Joe Burns

This came in from Joe Burns via text:

Hi Charlie, I have one question I forgot to ask of you or Nikki in regards of the new Fee Schedule (20-1322 & 1099-22) that I believe I already know but will ask for verification at the meeting. "Were any fees amounts actually changed, or is this as it looks just a rearrangement for the purpose of simplicity?"

Sorry to put that forward last minute but again I have a feeling nothing changed and just want a verbal ask at the meeting for public clarity, I always try to give a heads up on a question when I can.

I answered this one via text:

Thanks for the heads up. The fees are not changing. We are rearranging the code to simplify it. Rates and fees get adjusted through the budget process later in the fall. We'll be prepared to cover that at the meeting when you ask.

Sent from my iPhone