

**TOWN OF WOODWAY
COUNCIL MEETING AGENDA**

**MONDAY, NOVEMBER 21, 2022
6:00 P.M.**

Woodway Town Hall | 23920 113th Place W. | Woodway, WA

6:00 P.M.		Call to Order, Flag Salute, & Roll Call
6:00 P.M.		Public Comments*
6:05 P.M.	I	Approval of Payments – <i>November 21, 2022 Claims</i>
6:10 P.M.	II	Approval of Minutes – <i>October 17, 2022; October 25, 2022; November 7, 2022</i>
6:15 P.M.	III	Council Reports
6:20 P.M.	IV	Mayor’s Report
6:25 P.M.	V	Town Administrator’s Report
6:30 P.M.	VI	Ordinance 2022-645: 2022 Budget Amendment – First Reading
6:40 P.M.	VII	Ordinance 2022-646: Salary Schedule
6:45 P.M.	VIII	Agreement to Relinquish Real Property Interest – Snohomish County
6:50 P.M.		Public Comments*
6:55 P.M.		General Council Discussion – Choice of Subjects
7:00 P.M.		Adjournment

Council agendas are subject to change before or during the council meetings upon motion. All times are approximate.

**Anyone with a disability requiring special accommodations or anyone wishing to make a public comment for this meeting via video or audio connection should contact the Town Clerk's Office at Town Hall or call (206)542-4443 before 1:00 p.m. the Thursday preceding the Council Meeting. For TDD relay service, call (206)587-5500, or outside the Seattle area #1-800-833-6388.*



TOWN OF WOODWAY
CLAIMS APPROVAL

“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 herein and that the claim is a just, due, and unpaid obligation against the Town of Woodway, Snohomish County, Washington, and that I am authorized to authenticate and certify to said claims.”

Clerk Treasurer

The following transactions are approved for 2022 payment:

Claims checks #13997 through 14005 and EFT #1479\$111,227.24

This 21st day of November 2022.

Mayor

Councilmember

Councilmember

Councilmember

*Note: Two large items are being paid

- \$94,920.63 for the 2022 bond payment & 2nd half interest payment
- \$13,814.50 for engineering services, including \$8,815.75 for the SW comp plan update

**TOWN OF WOODWAY
COUNCIL MEETING MINUTES**

**MONDAY, OCTOBER 17, 2022
6:00 P.M.**

Woodway Town Hall | 23920 113th Place W. | Woodway, WA

Members Present	<input checked="" type="checkbox"/> Mayor Mike Quinn	<input checked="" type="checkbox"/> Councilmember Andrew DeDonker
	<input checked="" type="checkbox"/> Councilmember Elizabeth Mitchell	<input checked="" type="checkbox"/> Councilmember John Brock
	<input checked="" type="checkbox"/> Councilmember Brian Bogen*	<input type="checkbox"/> Councilmember Rajeev Thakur
Staff & Guests Present	<input checked="" type="checkbox"/> Town Administrator Eric Faison	<input type="checkbox"/> Clerk-Treasurer Heidi Napolitano
	<input type="checkbox"/> Town Attorney Greg Rubstello	<input type="checkbox"/> Town Engineer John Forba
	<input type="checkbox"/> Fire Chief Matt Cowan*	<input checked="" type="checkbox"/> Public Works Director Terry Bryant*

*Attended virtually

CALL TO ORDER, FLAG SALUTE, ROLL CALL

Mayor Quinn called the meeting to order at 6:09 p.m. Councilmember Thakur had an excused absence.

PUBLIC COMMENTS

Resident Bill Kreppick commented on police services and costs.

I - APPROVAL OF PAYMENTS – OCTOBER 17, 2022 CLAIMS

It was moved and seconded to approve the October 17, 2022 claims checks #13961 through 13971 and EFT #1337 totaling \$39,183.01. The motion passed unanimously.

II - COUNCIL REPORTS

Councilmember DeDonker commented on the timing of the possible sewer installation in Twin Maples and messaging to the neighborhood.

Councilmember Brock commented on the blue reflectors installed by Olympic View Water & Sewer District.

III - MAYOR'S REPORT

- Recently sent out e-newsletter.
- Commented on mayors' public safety consortium.
- Upcoming meeting with the Consul General of Korea.

IV - TOWN ADMINISTRATOR'S REPORT

- Shared staffing changes in the police department.

V - DISCUSSION: UNLAWFUL OCCUPATION OF PUBLIC PROPERTY

Town Administrator Faison presented additional information about available shelter beds as requested at a previous meeting and clarified how current case law would interact with Woodway's regulations. Discussion followed including:

- Current trespassing laws
- The history of why the topic was being discussed
- Challenges of administering the code
- Fines
- Distance to available shelter beds
- The potential cost for additional police services

ACTION:

Councilmember DeDonker moved to adopt Ordinance 2022-641: WMC Chapter 7.14 - Unlawful Occupation of Public Property. *Councilmember Bogen* seconded the motion.

Councilmember Mitchell moved to amend Ordinance 2022-641: WMC Chapter 7.14 - Unlawful Occupation of Public Property to change the distance to the shelter from 35 miles to 10 miles and reduce the fine to \$500. *Councilmember Brock* seconded the motion. The motion failed 2-2, with Councilmembers Mitchell & Brock voting in favor and Councilmembers DeDonker & Bogen voting against.

Councilmember Bogen moved to amend Ordinance 2022-641: WMC Chapter 7.14 - Unlawful Occupation of Public Property to reduce the fine to \$500. *Councilmember Brock* seconded the motion. The motion passed unanimously.

Councilmember Mitchell moved to amend Ordinance 2022-641: WMC Chapter 7.14 - Unlawful Occupation of Public Property to reduce the jail time to "up to 10 days". *Councilmember DeDonker* seconded the motion. During discussion, *Councilmember Mitchell* moved and *Councilmember DeDonker* seconded to reduce the jail time to "up to 30 days" instead of 10 days. The motion passed 3-1 with Councilmember Bogen voting against.

The motion, to adopt Ordinance 2022-641: WMC Chapter 7.14 - Unlawful Occupation of Public Property with the fine reduced to \$500 and the possible jail time reduced to "up to 30 days", passed 3-1 with Councilmember Mitchell voting against.

VI - DISCUSSION: RIGHT-OF-WAY PERMIT – ROAD CUT AND PAVEMENT MITIGATION FEES

Town Administrator Faison presented a brief history of the fee amendment discussion. Public Works Director Bryant shared a recommendation to amend the fees as included in the memo in

the packet. The Council directed staff to prepare a resolution amending the fee schedule as outlined in the memo.

VII - RESOLUTION 2022-440: SURPLUS PROPERTY

Mayor Quinn presented Resolution 2022-440: Surplus Property, listing the 2013 Konica Minolta bizhubC364e copier/printer/scanner/fax as surplus property.

ACTION:

Councilmember DeDonker moved to approve Resolution 2022-440: Surplus Property.

Councilmember Brock seconded the motion. The motion passed unanimously.

PUBLIC COMMENTS

Resident Gil Holzmeyer commented on rain gardens in Twin Maples.

GENERAL COUNCIL DISCUSSION – CHOICE OF SUBJECTS

Mayor Quinn urged the Council to watch the upcoming Snohomish County Council meeting regarding homelessness services.

ADJOURNMENT

Councilmember Bogen moved to adjourn the meeting. *Councilmember DeDonker* seconded the motion. The motion passed unanimously. The meeting was adjourned at 7:27 p.m.

Respectfully Submitted,

APPROVED BY THE TOWN COUNCIL

Heidi K. S. Napolitano, Clerk-Treasurer

Michael S. Quinn, Mayor

(These minutes accurately reflect what was said at the Council Meeting. Publication does not vouch for the veracity of these statements.)

**TOWN OF WOODWAY
COUNCIL MEETING MINUTES**

**TUESDAY, OCTOBER 25, 2022
12:00 P.M.**

Woodway Town Hall | 23920 113th Place W. | Woodway, WA

Members Present	<input type="checkbox"/> Mayor Mike Quinn	<input checked="" type="checkbox"/> Councilmember Andrew DeDonker*
	<input checked="" type="checkbox"/> Councilmember Elizabeth Mitchell*	<input checked="" type="checkbox"/> Councilmember John Brock*
	<input checked="" type="checkbox"/> Councilmember Brian Bogen*	<input type="checkbox"/> Councilmember Rajeev Thakur
Staff & Guests Present	<input checked="" type="checkbox"/> Town Administrator Eric Faison*	<input checked="" type="checkbox"/> Clerk-Treasurer Heidi Napolitano
	<input type="checkbox"/> Town Attorney Greg Rubstello	<input type="checkbox"/> Town Planner Bill Trimm
	<input type="checkbox"/> Police Chief Alan Correa	<input type="checkbox"/> Public Works Director Terry Bryant

*Attended virtually

CALL TO ORDER, ROLL CALL

Mayor Pro Tem Mitchell called the meeting to order at 12:00 p.m.

I - ORDINANCE 2022-643: INVESTMENT POLICY

Town Administrator Faison presented Ordinance 2022-643: Investment Policy, allowing greater flexibility in types of investments and increasing the allowed investment length. Discussion of liquidity and laddering followed.

There were no members of the public present to give public comment.

ACTION:

Councilmember DeDonker moved to approve Ordinance 2022-643: Investment Policy.
Councilmember Brock seconded the motion. The motion passed unanimously.

ADJOURNMENT

Councilmember Bogen moved to adjourn the meeting. *Councilmember DeDonker* seconded the motion. The motion passed unanimously. The meeting was adjourned at 12:06 p.m.

Respectfully Submitted,

APPROVED BY THE TOWN COUNCIL

Heidi K. S. Napolitano, Clerk-Treasurer

Michael S. Quinn, Mayor

(These minutes accurately reflect what was said at the Council Meeting. Publication does not vouch for the veracity of these statements.)

**TOWN OF WOODWAY
COUNCIL MEETING MINUTES**

**MONDAY, NOVEMBER 7, 2022
6:00 P.M.**

Woodway Town Hall | 23920 113th Place W. | Woodway, WA

Members Present	<input checked="" type="checkbox"/> Mayor Mike Quinn	<input checked="" type="checkbox"/> Councilmember Andrew DeDonker*
	<input checked="" type="checkbox"/> Councilmember Elizabeth Mitchell	<input checked="" type="checkbox"/> Councilmember John Brock
	<input checked="" type="checkbox"/> Councilmember Brian Bogen	<input type="checkbox"/> Councilmember Rajeev Thakur
Staff & Guests Present	<input checked="" type="checkbox"/> Town Administrator Eric Faison	<input checked="" type="checkbox"/> Clerk-Treasurer Heidi Napolitano
	<input type="checkbox"/> Town Attorney Greg Rubstello	<input type="checkbox"/> Town Engineer John Forba
	<input type="checkbox"/> Fire Chief Matt Cowan	<input checked="" type="checkbox"/> Public Works Director Terry Bryant*

*Attended virtually

CALL TO ORDER, FLAG SALUTE, ROLL CALL

Mayor Quinn called the meeting to order at 6:01 p.m. Councilmember Thakur had an excused absence.

PUBLIC COMMENTS

Resident Bill Krepick commented on email he sent during the week related to cost-control suggestions.

V - APPROVAL OF PAYMENTS – NOVEMBER 7, 2022 CLAIMS

Councilmember Mitchell moved to approve the November 7, 2022 claims checks #13973 through 13996 and EFT #1442 totaling \$379,241.39. *Councilmember Brock* seconded the motion. The motion passed unanimously.

I - APPROVAL OF PAYMENTS – OCTOBER 2022 PAYROLL

Councilmember Brock moved to approve the October 2022 payroll transactions #1392 through 1394, 1396 through 1408, and check #13972 totaling \$60,340.72. *Councilmember Mitchell* seconded the motion. The motion passed unanimously.

II - APPROVAL OF MINUTES – OCTOBER 3, 2022 MINUTES

Councilmember Bogen moved to approve the October 3, 2022 council meeting minutes. *Councilmember Brock* seconded the motion. The motion passed unanimously.

III - COUNCIL REPORTS

Councilmember DeDonker shared concerns about the new turtles being installed between the lanes on the bottom of Wachusett Road. Discussion followed.

Councilmember Brock

- Attended a recent Port of Edmonds meeting.
- Commented on repair work being done at Point Wells.
- Commented on email from a resident.
- Shared that the members of the Edmonds marsh cleanup volunteers were recognized by the state for their work and offered to share photos.

Councilmember Mitchell attended a recent WCIA meeting. They discussed increased insurance costs and held a risk management training session. Discussion followed.

IV - MAYOR'S REPORT

- Briefly commented on several items and asked for a longer report on those items from Town Administrator Faison.

V - TOWN ADMINISTRATOR'S REPORT

- Edmonds' proposed budget includes several new police officers.
- Public Works Director Bryant commented on the bioswales in Twin Maples that are currently under construction. Discussion followed.
- Shared reports on recent investment transactions and additional investment revenue. Discussion followed.

VI - 3RD QUARTER 2022 FINANCIAL REPORT

Mayor Quinn presented the 3rd quarter 2022 financial report and commented on several items including the timing of property tax receipts and REET revenue. Town Administrator Faison commented on police department staffing. Clerk-Treasurer Napolitano presented the treasurer's report and quarterly investment report.

VII - RESOLUTION 2022-441: ADOPTING SNOHOMISH COUNTY SOLID WASTE COMPREHENSIVE PLAN

Town Administrator Faison presented Resolution 2022-441: Adopting Snohomish County Solid Waste Comprehensive Plan. A brief discussion followed.

ACTION:

Councilmember Brock moved to approve Resolution 2022-441: Adopting Snohomish County Solid Waste Comprehensive Plan. *Councilmember Mitchell* seconded the motion. The motion passed unanimously.

VIII - ORDINANCE 2022-641: WMC CHAPTER 7.14 - UNLAWFUL OCCUPATION OF PUBLIC PROPERTY

Town Administrator Faison shared the language that had changed based on comments made at the previous meeting.

ACTION:

Councilmember Bogen moved to adopt Ordinance 2022-641: WMC Chapter 7.14 - Unlawful Occupation of Public Property. *Councilmember DeDonker* seconded the motion. The motion passed 3-1 with Councilmember Mitchell voting against.

IX - PUBLIC HEARING: FINAL 2023 BUDGET

Mayor Quinn opened the public hearing at 6:58 pm.

The following people commented:

- Carla Nichols
- Bill Krepick – also submitted written comments

The following subjects were addressed:

- Thanks to the Council for their fiscal responsibility
- Requested that the Council consider adding a bridge to the budget to connect the Town Hall lawn to the pavilion in the Reserve.
- Perceived inconsistencies in public information
- Police service cost
- Public Works services/cost

Town Administrator Faison gave additional information related to:

- Public Works services/costs
- Employee benefit costs.
- Police costs & services compared to other entities

Council discussion included a request that staff collect data on Public Works tasks to be compared to a Request for Proposals from outside contractors.

Mayor Quinn closed the public hearing at 7:35 pm.

X - RESOLUTION 2022-443: 2023 PROPERTY TAX

Mayor Quinn presented Resolution 2022-443: 2023 Property Tax, authorizing a 1% property tax increase for 2023.

ACTION:

Councilmember Mitchell moved to approve Resolution 2022-443: 2023 Property Tax. *Councilmember Brock* seconded the motion. The motion passed unanimously.

XI - ORDINANCE 2022-644: 2023 BUDGET

Council discussion included:

- A request that staff collect data on Public Works tasks
- The possible cost of the bridge to the pavilion
- How to prioritize Public Works projects

ACTION:

Councilmember Mitchell moved to adopt Ordinance 2022-644: 2023 Budget. *Councilmember Brock* seconded the motion. The motion passed unanimously.

XII - RESOLUTION 2022-442: FEE SCHEDULE

Staff presented the proposed changes that incorporated discussion at previous meetings. Discussion followed.

ACTION:

Councilmember Bogen moved to approve Resolution 2022-442: Fee Schedule. *Councilmember Mitchell* seconded the motion. The motion passed unanimously.

PUBLIC COMMENTS

Resident Diane Cashman commented on a new bioswale in front of her home in Twin Maples.

Resident Bill Krepick commented on the Public Works task data collection and police & fire costs.

Resident Steve Gunn commented on bioswales in Twin Maples.

GENERAL COUNCIL DISCUSSION – CHOICE OF SUBJECTS

Councilmember Mitchell requested an update on the Twin Maples bioswales project at the next meeting.

Councilmember Brock requested that the Coffee with the Mayor dates be added to the calendar on the Town's website.

ADJOURNMENT

Councilmember Bogen moved to adjourn the meeting. *Councilmember Mitchell* seconded the motion. The motion passed unanimously. The meeting was adjourned at 8:06 p.m

Respectfully Submitted,

APPROVED BY THE TOWN COUNCIL

Heidi K. S. Napolitano, Clerk-Treasurer

Michael S. Quinn, Mayor

(These minutes accurately reflect what was said at the Council Meeting. Publication does not vouch for the veracity of these statements.)

Town of Woodway
October 2022
Investment Transaction Report

Investment Type	Transaction Type	Transaction Date	Amount
LGIP	Withdrawal	10/25/2022	\$ (2,000,000.00)
LGIP	Net Interest	10/31/2022	\$ 6,120.07
Agency Bond - 2023	Purchase	10/27/2022	\$ 501,106.42
Agency Bond - 2024	Purchase	10/27/2022	\$ 499,620.64
Agency Bond - 2025	Purchase	10/27/2022	\$ 1,000,974.31

TOWN OF WOODWAY

ORDINANCE 2022-645

AN ORDINANCE OF THE TOWN OF WOODWAY AMENDING THE BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2022; PROVIDING FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND AUTHORIZING SUMMARY PUBLICATION BY ORDINANCE TITLE ONLY.

WHEREAS, the Town Council of the Town of Woodway wishes to make an amendment to the Budget to allocate additional expenditure authority from certain funds in order to meet necessary expenditures of money not provided for in the annual budget and not reasonably foreseen at the time of filing the preliminary budget; and

WHEREAS, pursuant to RCW 35A.33.090, five days have elapsed after the introduction of this ordinance, and any taxpayer appearing at the meeting that this ordinance is voted on has been given opportunity to be heard for or against the adoption thereof; and

WHEREAS, pursuant to RCW 82.46.010 (8), the Town Council desires to use Real Estate Excise Tax revenue for the operation of, maintenance of, and service support for, existing capital projects;

NOW, THEREFORE, the Town Council of the Town of Woodway does hereby ordain as follows:

Section 1. The adopted expenditures for the 2022 budget are hereby amended as follows:

Fund	Description	Adopted Expenditures	Amendment	Total Expenditures
001	General	\$2,111,601	\$80,000	\$2,191,601
002	Replacement Reserve	0	25,000	25,000
004	Deposit Fund	0	0	0
107	Affordable Housing Sales Tax Fund	1,700	0	1,700
301	Capital Projects (REET)	835,000	0	835,000
420	Stormwater Utility	155,063	15,000	170,063
Totals		\$3,103,364	\$120,000	\$3,223,364

Section 2. The Stormwater Utility Fund shall transfer \$45,569 to the General Fund to offset work done by the Public Works staff on stormwater system maintenance & repair.

Section 3. The Capital Projects (REET) Fund shall transfer \$310,000 to the General Fund to offset work done by the Public Works staff and other costs related to the operation of, maintenance of, and service support for, existing capital projects.

Section 4. The Capital Projects (REET) Fund shall transfer \$21,843.77 to the General Fund to offset a previous accounting error where General Fund revenue was deposited into the Capital Projects Fund.

Section 5. If any part or portion of this Ordinance is declared invalid for any such reason, such declaration of invalidity shall not affect any remaining portion.

Section 6. This Ordinance shall take effect 5 days after date of publication by ordinance title only.

PASSED this 6th day of December 2022 by the Town Council of the Town of Woodway.

TOWN OF WOODWAY

Michael S. Quinn, Mayor

ATTEST:

Heidi K. S. Napolitano, Clerk-Treasurer

APPROVED AS TO FORM:

Greg Rubstello, Town Attorney

Date Introduced to the Town Council:

Date Passed by the Town Council:

Date Published:

Effective Date:

Town of Woodway | 2022 Budget Amendment

<i>General Fund</i>	2022 Budget	2022 Proj. YE	2023 Proposed		
Beginning Fund Balance	2,055,031	2,055,031	2,412,088	2022	
Revenues	2,402,635	2,533,949	2,236,403	Difference in revenue:	131,314
Expenses	2,111,601	2,176,892	2,434,182	Difference in expenses:	65,291
Ending Fund Balance	2,346,065	2,412,088	2,214,309		
<i>Replacement Reserve Fund</i>	2022 Budget	2022 Proj. YE	2023 Proposed		
Beginning Fund Balance	60,709	60,709	57,019	2022	
Revenues	20,000	20,000	20,000	Difference in revenue:	-
Expenses	-	23,691	10,710	Difference in expenses:	23,691
Ending Fund Balance	80,709	57,019	66,309		
<i>Deposit Fund</i>	2022 Budget	2022 Proj. YE	2023 Proposed		
Beginning Fund Balance	-	-	-	2022	
Revenues	-	-	-	Difference in revenue:	-
Expenses	-	-	-	Difference in expenses:	-
Ending Fund Balance	-	-	-		
<i>Affordable Housing Sales Tax Fund</i>	2022 Budget	2022 Proj. YE	2023 Proposed		
Beginning Fund Balance	2,738	2,738	2,738	2022	
Revenues	1,700	1,700	1,700	Difference in revenue:	-
Expenses	1,700	1,700	1,700	Difference in expenses:	-
Ending Fund Balance	2,738	2,738	2,738		
<i>Capital Projects Fund (REET)</i>	2022 Budget	2022 Proj. YE	2023 Proposed		
Beginning Fund Balance	870,932	870,932	467,499	2022	
Revenues	200,000	193,410	120,000	Difference in revenue:	(6,590)
Expenses	835,000	596,844	268,436	Difference in expenses:	(238,156)
Ending Fund Balance	235,932	467,499	319,063		
<i>Stormwater Utility Fund</i>	2022 Budget	2022 Proj. YE	2023 Proposed		
Beginning Fund Balance	79,624	79,624	8,495	2022	
Revenues	80,000	94,963	172,000	Difference in revenue:	14,963
Expenses	155,063	166,091	153,878	Difference in expenses:	11,028
Ending Fund Balance	4,561	8,495	26,617		

2022 Budget Amendment – Difference Summary

General Fund

Difference in revenue: \$131k

- Sales tax – 44k
- Utility tax – 11k
- Interest income – 28k
- Town Hall repair insurance reimbursement – 16k
- REET transfer – 21k
- Additional permit revenue – 15k

Difference in expenses: \$80k

- General legal (geologic hazard code update, short-term rentals, camping) – 10k
- Snohomish County Comp Plan Amendment – 11k
- New prosecutor contract – 2k
- Jail costs – \$5k
- Police investigation – \$14k
- Police car computer – \$4k
- Reimbursable engineering/planning – 8k
- Pass-through transfer to Fire District – 5k
- Vehicle maintenance – \$2k
- Contingency – \$15k

Replacement Reserve Fund

Difference in expenses: \$24k

- Network equipment – 11k
- Copy machine – 13k

Stormwater Utility Fund

Difference in revenue: \$15k

- New home capital facility charge – 10k

Difference in expenses: \$11k

- Phase 1 of Comp Plan – 6k
- Richmond Beach Drive cleanup – 3k

Town of Woodway
2022 Budget Amendment Financial Forecast
11/21/2022

Operating Funds	2020	2021	2022	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Beginning Balances	\$ 1,727,103	\$ 1,647,164	\$ 2,115,740	\$ 2,115,740	\$ 2,469,106	\$ 2,280,617	\$ 2,069,344	\$ 1,744,143	\$ 1,358,257	\$ 840,286	\$ 274,674	\$ (401,335)	\$ (1,140,179)	\$ (1,961,892)	\$ (2,830,619)

Operating Funds	2020	2021	2022 Budget	2022 Projected	2023 Proposed	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Revenues	\$ 2,124,552	\$ 2,615,315	\$ 2,422,635	\$ 2,553,949	\$ 2,256,403	\$ 2,092,574	\$ 2,042,787	\$ 2,032,947	\$ 2,016,128	\$ 2,028,941	\$ 2,041,242	\$ 2,058,429	\$ 2,082,222	\$ 2,106,515	\$ 2,131,313
Expenses	\$ 2,204,491	\$ 2,146,739	\$ 2,111,601	\$ 2,200,583	\$ 2,444,892	\$ 2,303,848	\$ 2,367,987	\$ 2,418,833	\$ 2,534,099	\$ 2,594,552	\$ 2,717,251	\$ 2,797,272	\$ 2,903,935	\$ 2,975,243	\$ 3,120,034

TOWN OF WOODWAY

ORDINANCE 2022-646

AN ORDINANCE OF THE TOWN OF WOODWAY AMENDING CHAPTER 2.16,
REVISING THE SALARY SCHEDULE; PROVIDING FOR SEVERABILITY;
ESTABLISHING AN EFFECTIVE DATE; AND AUTHORIZING SUMMARY
PUBLICATION BY ORDINANCE TITLE ONLY.

WHEREAS, Title 2 of the Town of Woodway Municipal code (WMC) identifies certain positions and associated compensation amounts for Town employees; and

WHEREAS, the Town Council of the Town of Woodway is authorized by Washington statute to set the compensation for Town officers and employees; and

WHEREAS, the Town Council wishes to revise the compensation range for certain positions;

NOW, THEREFORE, the Town Council of the Town of Woodway does hereby ordain as follows:

Section 1. Section 2.16.010 of the Woodway Municipal Code, concerning the Compensation of Officers and Employees is hereby amended to read as follows (deletions shown by strike out and additions shown by underline):

2.16.010 SCHEDULE.

Compensation for certain officers and employees of the Town shall be paid, as determined by the Mayor, within the ranges provided below. Retention bonuses pursuant to the Town's adopted retention policy are excluded from the range limitations provided below.

A. Clerk-Treasurer, a rate not to exceed ten thousand dollars per month.

B. Public Works Director, a rate not to exceed ten thousand dollars per month.

C. Deputy Clerk-Treasurer/Permit Technician, a rate not to exceed seven ~~six~~ thousand five hundred dollars per month.

~~D. Deputy Clerk-Treasurer, a rate not to exceed thirty-six dollars per hour.~~

~~E. Permit Technician, a rate not to exceed thirty-six dollars per hour.~~

~~F.D.~~ Public Works Crew Lead, a rate not to exceed seven thousand five hundred dollars per month.

~~G.E.~~ Public Works Crew Member, a rate not to exceed six thousand five hundred dollars per month.

~~H.F.~~ Building Official, a rate not to exceed three thousand dollars per month.

~~I.G.~~ Building Inspector, a rate not to exceed three thousand dollars per month.

~~J.H.~~ Police Chief, a base salary not to exceed six hundred dollars per month for administrative responsibilities, plus a rate not to exceed sixty-seventy dollars

per hour.

~~K.I.~~ Assistant Police Chief, a base salary not to exceed three hundred dollars per month for administrative responsibilities, plus a rate not to exceed sixty dollars per hour.

~~L.J.~~ Police Officer, a rate not to exceed sixty dollars per hour.

~~M.K.~~ Administrative Staff Member, Temporary Staff Member, and/or Part-Time Staff or Public Works Member, a range of fifteen dollars to fifty dollars per hour.

Section 2. If any part or portion of this Ordinance is declared invalid for any such reason, such declaration of invalidity shall not affect any remaining portion.

Section 3. This Ordinance shall take effect 5 days after date of publication by ordinance title only.

PASSED this 21st day of November 2022 by the Town Council of the Town of Woodway.

TOWN OF WOODWAY

Michael S. Quinn, Mayor

ATTEST:

Heidi K. S. Napolitano, Clerk-Treasurer

APPROVED AS TO FORM:

Greg Rubstello, Town Attorney

Date Passed by the Town Council:

Date Published:

Effective Date:

AGREEMENT TO RELINQUISH REAL PROPERTY INTEREST

THIS AGREEMENT TO RELINQUISH REAL PROPERTY INTEREST (this “Agreement”) is made and entered into as of this ____ day of _____, 2022 (the “Effective Date”), by and between the Town of Woodway, a municipal corporation of the State of Washington (the “Town”), and Snohomish County, a political subdivision of the State of Washington (the “County”).

RECITALS

A. As contemplated in a 1990 memorandum of understanding and a 1990 interlocal agreement, both the Town and the County contributed funds to the Snohomish Health District (the “District”). Those funds, along with funds from other cities and towns in Snohomish County, were used by the District to acquire real property commonly known as the Rucker Building, located at 3020 Rucker Avenue, Everett, Washington 98201 (the “Rucker Building”). The District acquired the Rucker Building for purposes of delivering public health service as required under chapter 70.05 and 70.46 RCW.

B. In 1995, the District amended its Charter at Article VII, Section 2, to provide processes by which: (a) the District would repay the County and each city and town that contributed to the purchase of the Rucker Building in the event that the District sold the Rucker Building, and (b) the County would repay each city and town that contributed to the purchase of the Rucker Building in the event that the County assumed sole responsibility for public health in Snohomish County.

C. In 2018, the District entered into a purchase and sale agreement for the sale of the Rucker Building. The District contemplated using the sale proceeds to acquire another, smaller facility with any remaining balance to be used for District purposes consistent with state law. All the cities and towns that contributed to the acquisition of the Rucker Building executed quit claim deeds to the District: (a) for purposes of clearing title and facilitating the sale, and (b) to relinquish any and all interest in the sale proceeds. Ultimately, the sale did not close, and the District remains the fee owner of the Rucker Building.

D. Pursuant to District Board of Health Resolution 22-16, dated May 31, 2022, the District voted unanimously to support the County’s withdrawal from the District. Pursuant to Motion 22-248, the County Council voted to authorize issuance of a notice of intent to withdraw from the District with a withdrawal date of December 31, 2022, with the intent to form a unified County health department. The District and the County are currently working towards the transition of public health services from the District to the County with an effective date of

December 31, 2022. This transition includes the transfer of title in the Rucker Building from the District to the County.

E. Beginning January 1, 2023, the County intends to use the Rucker Building for the operation of a County Health Department and delivery of public health services as required by state law. The County has asked all cities and towns that made contributions toward the purchase of the Rucker Building to relinquish any and all interest in the Rucker Building, including proceeds from any future sale, and the Town has agreed to the same.

AGREEMENT

NOW, THEREFORE, in consideration of the respective agreements set forth below and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the County and the Town agree as follows:

1. RELINQUISHMENT OF INTEREST. The Town hereby relinquishes, releases and conveys to the County any and all right, title and interest held by the Town in the Rucker Building, including, but not limited to, proceeds from any future sale or other right to reimbursement. In order to more fully effectuate its relinquishment of interest, the Town shall executed a quitclaim deed in favor of the County in substantially the form attached to this Agreement as Exhibit A.

2. CONTINUATION OF PUBLIC HEALTH SERVICES. The parties agree and acknowledge that the County's operation of a County Health Department in the Rucker Building comprises a public benefit, and further, that this Agreement ensures the uninterrupted and continuous delivery of public health services in Snohomish County to the direct benefit of the Town and its residents. The Town's decision to relinquish its rights as described in Section 1 above is in consideration for these benefits and for the costs to be incurred by the County upon the creation of a County Health Department and the transition of uninterrupted public health services thereto. Further, the County agrees that proceeds from any future sale of the Rucker Building will be used exclusively for the provision of public health services in Snohomish County.

3. BINDING EFFECT. This Agreement shall be binding on and inure to the benefit of the County, the Town, and their respective successors in interest and assigns.

4. COMPLETE AGREEMENT. This Agreement constitutes the entire agreement between the parties regarding the subject matter hereof and supersedes any and all prior oral or written agreements between the parties regarding the subject matter contained herein, including, but not limited to any memorandum of understanding, interlocal agreement, or District Charter Article VIII, Section 2. Any written or verbal agreements that are not set forth herein or incorporated herein by reference are expressly excluded.

5. EXECUTION IN COUNTERPARTS. This Agreement may be executed in counterparts, each of which shall constitute an original and all of which shall constitute one and the same Agreement.

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the date first above written.

SNOHOMISH COUNTY, a political
subdivision of the State of Washington,

TOWN OF WOODWAY, a municipal
corporation of the State of Washington,

Sign: _____
Print: _____
Date: _____

Sign: _____
Print: Michael S. Quinn, Mayor
Date: _____

Approved as to Form:

Approved as to Form:

Deputy Prosecuting Attorney

Greg Rubstello
Town Attorney

EXHIBIT A

Form of Quit Claim Deed

Return Address:

Snohomish County
Attn: Property Officer
3000 Rockefeller Ave. M/S 404
Everett, WA 98201

Document Title(s) (or transactions contained therein):

Quit Claim Deed

Reference Number(s) of Related Documents: n/a**Grantor(s)** (Last name first, then first name and initials):

Town of Woodway, a municipal corporation of the State of Washington

Grantee(s) (Last name first, then first name and initials):

Snohomish County, a political subdivision of the State of Washington

Legal description (abbreviated: i.e. lot, block, plat or section, township, range)

Section 30 Township 29 Range 5 Quarter NE EVERETT DIV H PLAT OF BLK 720 D-00 - LOTS 22-23-24-25-26-27-28-29 BLK 720 TGW TH PTN LOT 21 BLK 720 SD PLAT DAF BEG NW COR SD LOT 21 TH S00*00 07E ALGWLY LN THOF 0.37FT TH S89*47 16E 91.39FT TO N LN SD LOT 21 TH N89*58 55W ALG SD N LN 91.38FT TO POB EXC TH PTN LOT 22 BLK 720 SD PLAT DAF BEG SE COR SD LOT 22 TH N00*00 00W ALG ELY LN THOF 0.11FT THS89*47 16W 28.50FT TO S LN SD LOT 22 TH S89*58 55E ALG SD LN 28.50FT TO TPB PER BDY LN AGRMNT REC AFN 201811070134 & SURV REC AFN 201811075001
Situate in the County of Snohomish, State of Washington

Assessor's Property Tax Parcel/Account Number

004375-720-022-00

QUIT CLAIM DEED

Grantor, Town of Woodway, a municipal corporation of the State of Washington, for and in consideration of ten and 00/100s dollars (\$10.00) and other good and valuable consideration, in hand paid, conveys and quitclaims to Snohomish County, a political subdivision of the State of Washington, that certain real property situated in the County of Snohomish, State of Washington, that is more particularly described on Schedule 1 attached hereto.

DATED: _____, 2022

Grantor: TOWN OF WOODWAY

By: _____
Michael S. Quinn

Its: Mayor

STATE OF WASHINGTON)
 : §
COUNTY OF SNOHOMISH)

On this _____ day of _____, 2022, before me personally appeared Michael S. Quinn, to me known to be the mayor of the Town of Woodway, that executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said municipal corporation, for the uses and purposes therein mentioned, and on oath stated that ____ was duly elected, qualified and acting as said officer or member of the municipal corporation, and that ____ was authorized to execute said instrument on behalf of said municipal corporation.

GIVEN under my hand and official seal the day and year last above written.

Signature: _____
 Notary (print name) _____
 Notary Public in and for the State of Washington,
 residing at _____
 My commission expires _____

**Schedule 1
to Quit Claim Deed**

Assessor's Tax Parcel No.: 004375-720-022-00

Lots 22, 23, 24, 25, 26, 27, 28 and 29, Block 720, Plat of Everett, Division "H," according to the Plat thereof recorded in Volume 4 of Plats, page 50, records of Snohomish County, Washington. Together with that portion of Lot 21, Block 720, Plat of Everett Division "H," according to the Plat thereof recorded in Volume 4 of Plats, page 50, records of Snohomish County, Washington, described as follows:

Beginning at the Northwest corner of said Lot 21;
thence South 00°00'07" East along the Westerly line thereof a distance of 0.37 feet;
thence North 89°47'16" East a distance of 91.39 feet to the North line of said Lot 21;
thence North 89°58'55" West along said North line a distance of 91.38 feet to the true point of beginning;

Except that portion of Lot 22, Block 720, Plat of Everett Division "H," according to the Plat thereof recorded in Volume 4 of Plats, page 50, records of Snohomish County, Washington, described as follows:

Beginning at the Southeast corner of said Lot 22;
thence North 00°00'00" West along the Easterly line thereof a distance of 0.11 feet;
thence South 89°47'16" West a distance of 28.50 feet to the South line of said Lot 22;
thence South 89°58'55" East along said line a distance of 28.50 feet to the Point of Beginning.

Situate in the County of Snohomish, State of Washington