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- The public may also watch, listen to, or participate in the meeting live by visiting <https://us02web.zoom.us/j/89255646791> or by telephoning 1-253-215-8782 and entering Meeting ID 892 5564 6791.
- The public is encouraged to comment via email to cityclerk@cityofanacortes.org or via written comment addressed to City Clerk, P.O. Box 547, Anacortes, WA 98221. Public comments received by the [City Clerk](#) prior to 3:00 p.m. the day of the meeting will become part of the record for the meeting, just as if presented in person.
- Complete guidelines for virtual participation in Anacortes City Council meetings are available [here](#). View the quick video example for connecting to the meeting [here](#).



Anacortes City Council
Municipal Building Council Chambers
904 6th Street

July 5, 2022
6:00 PM

PRELIMINARY AGENDA
[Packet Materials](#) / [Watch Meeting](#)

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Announcements and Committee Reports**
 - a. Housing Affordability and Community Services Committee (Report)
 - b. Public Works Committee (Report)
 - c. Public Safety Committee (Report)
 - d. Personnel Committee (Report)
 - e. Port - City Liaison (Report)
4. **Public Comment**
5. **Consent Agenda**
 - a. Minutes of June 27, 2022 (Action)
 - b. Approval of claims in the amount of \$655,538.40 (Action)
 - c. Street Fair Application - Rock Ridge Chili Cook Off (Action)
 - d. Street Fair Application - Anacortes Gut Run (Action)
 - e. Interlocal Agreement: Economic Development Grant Award for Guemes View Fiberoptic Expansion Project #22-175-FBR-001 (Action)
 - f. Resolution 3094: Updating Council Procedures to include new Council Committees (Action)
6. **Other Business**
 - a. Contract Modification: Wastewater Treatment Plant Outfall Permitting Services #20-032-SEW-003 (Discussion/Action)
 - b. * Ordinance 4023: Source Control Program (Discussion)

Per Resolution 3051, citizens wishing to comment on items not on the agenda may do so under Public Comment. Citizens wishing to comment on items indicated with an asterisk () may do so as those items are considered by Council during the course of the meeting.*

The City of Anacortes is committed to making public meetings available and accessible to all members of the community. For assistance with special needs, please contact the City Clerk at 360-299-1960 in advance of the meeting.

7. Adjournment

Per Resolution 3051, citizens wishing to comment on items not on the agenda may do so under Public Comment. Citizens wishing to comment on items indicated with an asterisk () may do so as those items are considered by Council during the course of the meeting.*

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Anacortes City Council Minutes - June 27, 2022

Call to Order

Mayor Matt Miller called to order the Anacortes City Council meeting of June 27, 2022 at 6:00 p.m. Councilmembers Ryan Walters, Anthony Young, Christine Cleland-McGrath, Carolyn Moulton, Bruce McDougall and Amanda Hubik were present. Councilmember Jeremy Carter was absent. Mr. Young moved, seconded by Mr. McDougall, to excuse the absence of Mr. Carter. The motion carried unanimously by voice vote.

Pledge of Allegiance

The assembly joined in the Pledge of Allegiance.

Announcements and Committee Reports

Mayor Miller shared current COVID-19 case statistics for Anacortes, with Island Hospital reporting zero hospitalizations as of today. He continued with a construction project update and detailed the 4th of July schedule of events. He concluded with a reminder that fireworks are prohibited within city limits.

Housing Affordability and Community Services Committee

Ms. Moulton reported from the Housing Affordability and Community Services Committee meeting held the previous week at the Senior Center. The topics discussed included Mr. Walters presentation of a report given to Council in January with verbal updates.

Planning Committee

Ms. Moulton reported from the Planning Committee meeting held earlier in the evening attended by Ms. Cleland-McGrath and Mr. Walters. The topics discussed included a possible addition to Fire Station 1 for an antique fire truck exhibit, the Anacortes Arts Festival potential purchase of the Anacortes Cinema and proposed uses for the space. She then talked about the Critical Areas Ordinance and staff efforts to become compliant with best available science in accordance with the recent order from the Growth Management Hearings Board that would change stream buffers to riparian management zones. She then detailed the legislative agenda for the update. Ms. Moulton continued relating a brief discussion about temporary commercial signs, including the number allowed per business and the associated time limits for display. She then mentioned R4 zone bonus height issue to be addressed on tonight's agenda and the Housing Action Plan survey. Ms. Moulton concluded the update by previewing coming discussions before Council on July 11th, including floodplain management and daycare 2 interim regulations.

Fiber Committee

Administrative Services Director, Emily Schuh, reported on the award of a \$500,000 grant from Skagit County funded through their distressed rural counties sales and use tax, which will offset approximately 13% of the \$3.8 million project cost for Guemes View expansion. The project grant award will be coming before Council as an interlocal agreement on the consent agenda next week.

Public Comment

Mayor Miller invited the public to comment on any item not on the agenda. No one present wished to address the Council on any topic not already on the agenda.

Consent Agenda

Mr. Young moved, seconded by Ms. Moulton, to approve the following Consent Agenda items.

a. Minutes of June 21, 2022

b. Approval of claims in the amount of \$304,183.74

The following vouchers/checks were approved for payment:

EFT numbers: 103534 through 103560, total \$108,142.85

Check numbers: 103532 through 103567, total \$180,802.77

Wire transfer numbers: 305720 through 306002, total \$15,238.12

The motion carried unanimously by voice vote.

OTHER BUSINESS

Anacortes Chamber of Commerce Update

Planning, Community and Economic Development Director, Don Measamer, introduced Ms. Jessica Kiser, President and Chief Executive Officer of the Chamber of Commerce. Ms. Kiser introduced her co-presenter Tourism Director, Ms. Christy Lyman. The report slide deck had been included in the packet materials for the meeting. Ms. Kiser and Ms. Lyman responded to councilmember questions.

Mayor Miller invited the public to comment.

Ms. Andrea Dahl from 1319 8th Street wondered if they survey visitors to ask if they want something more out of their visit to Anacortes. Ms. Lyman responded that they only have the ability to survey tourists who come to the Visitors Center or events, so it is difficult to capture data from all visitors.

Rochelle Kealoha asked what DEI meant to the Chamber of Commerce. Ms. Kiser said it is defined as Diversity, Equity and Inclusion and that the committee is being formed with 3-4 members so far with objectives and mission in draft.

Mary Ellen West of 301 Sterling Drive commented that the Anacortes Farmers Market was not included in the presentation and wondered if the Chamber of Commerce actively promotes this event. Ms. Lyman responded that promotional information is on the website, social media pages and times and participants are on the Chamber's events calendar.

Contract Award: Pump Station #8 Emergency Relocation: Construction Management #22-154-ENG-002

Acting Public Works Director, Brian McDaniel, detailed the proposed contract for construction management for the emergency relocation of Pump Station #8 (Contract #22-154-ENG-002) in the amount of \$108,156.60 to Widener and Associates.

Ms. Moulton thanked Mr. McDaniel and asked him to differentiate between this contract and the construction contract. Mr. McDaniel responded that this contract is for consulting services related to the Federal Emergency Management Agency funded portion of the project.

Mr. Walters mentioned that the City has many contracts with Widener and Associates and wondered if the work could be spread to other vendors in the future.

ANTHONY YOUNG moved, seconded by Amanda Hubik, to authorize the Mayor to sign contract 22-154-ENG-002 with Widener and Associates in the amount of \$108,156.60 to perform the Pump Station #8 Emergency Relocation Construction Management. Vote: Ayes - ANTHONY YOUNG, RYAN WALTERS,

CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, BRUCE MCDOUGALL, Amanda Hubik.
Nays - None. Result: Passed

Resolution 3092 - Lodging Tax award to Anacortes Music Project

Planning, Community and Economic Development Director, Don Measamer, introduced Resolution 3092 which would award lodging tax to Anacortes Music Project (AMP). The original request for \$36,520, which was reduced by postponing the website upgrade until next year at the request of the Lodging Tax Advisory Committee. "Show Chime" was also reduced to explore a better distribution package. Last year LTAC and City Council authorized a \$10,000 allocation that was not used, and this year LTAC unanimously recommended the amount of \$25,520 for approval. Mr. Measamer responded to councilmember questions.

RYAN WALTERS moved, seconded by CHRISTINE CLELAND-MCGRATH, to Approve Resolution 3092 Lodging Tax Award to the Anacortes Music Project. Vote: Ayes - ANTHONY YOUNG, RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, BRUCE MCDOUGALL, Amanda Hubik.
Nays - None. Result: Passed

Resolution 3091 Amending Resolution 3070 to include an Economic Development Committee and appointing City Council members to the Council Committees and appointing Council Representatives for 2022-2023.

Planning, Community and Economic Development Director, Don Measamer, introduced Resolution 3091, which would amend Resolution 3070 to establish an Economic Development Committee in accordance with the Comprehensive Plan policy ED 1.12 and appoint City Councilmembers Young, Hubik and Cleland-McGrath to the committee for 2022-2023. The committee will meet monthly on the 2nd Tuesday from 11:00am - 12:00pm.

Mr. Young presented the reasons for the establishment of the Economic Development Committee including addressing development holes while considering housing and jobs, citing the MJB property development and the Port of Anacortes North basin project as examples of areas where the committee could work with all stakeholders to achieve a symbiotic process that focuses on Anacortes' best interests. He concluded that this is an initial step in determining the best way forward for future development in Anacortes.

Mayor Miller invited the public to comment.

Joe Arellano of Anacortes commented that the City needs a vision of where to park vehicles coming into Anacortes for commerce and tourism. He advocated for creative solutions to transform the City into an area with less vehicle traffic. He mentioned the example of a trolley that would bring people from designated public parking areas or peripheral neighborhoods into the City's commercial center.

CHRISTINE CLELAND-MCGRATH moved, seconded by BRUCE MCDOUGALL, to Approve Resolution 3091 as presented. Vote: Ayes - ANTHONY YOUNG, RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, BRUCE MCDOUGALL, Amanda Hubik. Nays - None. Result: Passed

R4 Bonus Height Concepts

Planning, Community and Economic Development Director, Don Measamer, opened the discussion regarding bonus heights in the R4 zone. The supporting slide deck had been included in the packet materials for the meeting. Mr. Measamer asked if Council could narrow down the list of code revision concepts a.-k. related to bonus height regulations to assist City Staff and the Planning Commission in their work.

Mr. Young desired clarification on what Mr. Measamer is attempting to achieve. Mayor Miller clarified that

there will be ample opportunity for public comment on all of these concepts through October. Mr. Measamer confirmed that the concepts would come before the Planning Commission on multiple occasions where public comment is welcome. Mr. Walters suggested that Mr. Measamer run through the concepts quickly and then have Mayor Miller solicit public comment. He further recommended striking the 'rent control' provision in concept e., as it is not in accordance with state law. Mr. Measamer agreed to alter the language accordingly.

Mayor Miller invited the public to comment on bonus height considerations in the R4 zone. No one present wished to address the Council.

Ms. Moulton wondered if Mr. Measamer could address the concepts individually with Council asking questions or offering comments on the concepts in list fashion. Mayor Miller concurred and directed that unanimous Council support was required for removal of a development concept from further consideration. After further discussion, Mayor Miller confirmed concepts e., j. and k. were removed from continued consideration.

Adjournment

There being no further business, at approximately 8:10 p.m. the Anacortes City Council meeting of June 27, 2022 was adjourned.

The following claims against the City of Anacortes have been preaudited and certified by the Clerk-Treasurer as ready for City Council approval at the July 5, 2022 City Council meeting:

[Download this file in OpenDocument spreadsheet format.](#)

Invoice Doc #	Invoice Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
306350	11/19/2021	71484	CODE PUBLISHING, LLC	CODIFICATION SERVICES -	\$ 1,205.84	legal
306237	2/9/2022	SIN008080	CARTEGRAPH SYSTEMS LLC	CARTEGRAPH ORANGE ADVANTAGE - 01/21/2022-01/20/2023	\$ 4,975.00	pw1
306056	2/19/2022	318697	DOORMAN COMMERCIAL, LLC	CITY WIDE AUTOMATED DOOR MAINTENANCE	\$ 3,973.72	pwfac
306328	4/12/2022	FB21922	CAROLLO ENGINEERS, INC.	WATER SYSTEM PLAN UPDATE - THROUGH 3/31/22	\$ 9,912.00	dwtpt
306339	4/23/2022	AN001337	FLOORING CONNECTIONS	WWTP FLOORING REMOVAL AND INSTALLATION	\$ 32,563.84	pw1
306349	5/4/2022	2102	THE CLEAN TEAM	2022 JANITORIAL SERVICES - APRIL 2022	\$ 4,300.00	pw1
306175	5/12/2022	AHA CDBG-CV 2022 PS	ANACORTES HOUSING AUTHORITY	COMMERCE CDBG-CV PUBLIC SERVICES FUNDING RENTAL RELIEF	\$ 8,073.00	plan
306329	5/12/2022	FB23021	CAROLLO ENGINEERS, INC.	WATER SYSTEM PLAN UPDATE - THROUGH 4/30/22	\$ 9,837.50	dwtpt
306061	5/13/2022	2122	THE CLEAN TEAM	JANITORIAL SERVICE FOR CITY HALL AND ASAC 5/13/22	\$ 120.00	pwfac
306232	5/19/2022	18767	TRANSPORTATION SOLUTIONS INC	TRANSPORTATION CONCURRENCY MANAGEMENT - JOHNSON SHORT PLAT PERMIT SPL-2022-0003	\$ 1,483.00	plan
306231	5/19/2022	18770	TRANSPORTATION SOLUTIONS INC	TRANSPORTATION CONCURRENCY MANAGEMENT - FIDDLEHEAD SCHOOL PERMIT (BLD-2022-0137)	\$ 1,452.00	plan
306100	5/26/2022	ReimbMacdonald	MACDONALD, TERRY	98221 GALLERY SUPPLIES	\$ 15.04	parks1
306233	5/27/2022	OC-02	H W LOCHNER, INC	ON-CALL PROFESSIONAL PLAN REVIEW CONSULTANT SERVICES - 5/1/22-5/27/22	\$ 3,588.42	pw1
306234	5/27/2022	WO01-02	H W LOCHNER, INC	ON-CALL PROFESSIONAL PLAN REVIEW - R AVENUE GRANT FUNDING - 5/1/22-5/27/22	\$ 4,349.82	pw1

Invoice Doc #	Invoice Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
306235	5/27/2022	WO02-02	H W LOCHNER, INC	ON-CALL PROFESSIONAL PLAN REVIEW SERVICES - INTERIM CITY ENGINEER MAY 2022	\$ 183.20	pw1
306351	5/31/2022	GC0007599	CODE PUBLISHING, LLC	CODIFICATION SERVICES	\$ 191.06	legal
306236	5/31/2022	INV1379	CARTEGRAPH SYSTEMS LLC	CARTEGRAPH WATER TREATMENT PLANT IMPLEMENTATION TRAINING	\$ 2,750.00	pw1
306364	6/1/2022	0542005-001	UNUM LIFE INS CO OF AMERICA	JULY UNUM LONG TERM CARE INSURANCE	\$ 1,024.90	hr
306057	6/1/2022	1395005-0043-8	WASTE MANAGEMENT	MAY 2022 CONTRACTED SERVICES	\$ 128,654.08	finance
306172	6/3/2022	812-26498	GCR TIRES & SERVICE	TIRE #805	\$ 108.88	dshop
306171	6/3/2022	812-26499	GCR TIRES & SERVICE	TIRES #873	\$ 138.21	dshop
306170	6/3/2022	812-26501	GCR TIRES & SERVICE	TIRES #605	\$ 481.63	dshop
306332	6/3/2022	Pay App 1	C JOHNSON CONSTRUCTION, INC	2022 WATERLINE REPLACEMENTS	\$ 130,366.88	pw1
306230	6/7/2022	1200439065	HDR ENGINEERING, INC	WASTEWATER TREATMENT PLANT OUTFALL - DESIGN - 4/24/22-5/21/22	\$ 30,471.38	dwwtp
306347	6/10/2022	INV-2021088	CRALEY GROUP LIMITED	SENSING PERMASENSE LEAK MONITORING AND ASSET SECURITY SYSTEM	\$ 55,045.00	pw1
306331	6/13/2022	2022-0963	THE WATERSHED COMPANY	SHORELINE MASTER PROGRAM (SMP) USER GUIDE & WEBSITE PROJECT - MAY 2022	\$ 1,200.00	plan
306101	6/13/2022	RE 41 JZ1417 L004	WASHINGTON STATE DEPARTMENT	PERMIT FEE, WATERLINE INSTALL SR20	\$ 303.04	wdist
306333	6/14/2022	1841-061422	CHAVOND-BARRY ENGINEERING CORP	INCINERATOR GENERAL ADVICE	\$ 625.00	dwwtp
306063	6/14/2022	322219A	BAY CITY SUPPLY	FACILITY SUPPLIES	\$ 318.69	pwfac
306060	6/15/2022	2121	THE CLEAN TEAM	JANITORIAL SERVICES FOR CITY HALL/ASAC	\$ 120.00	pwfac
305996	6/15/2022	265020	NAPA	BATTERY #612	\$ 321.94	dshop
306062	6/15/2022	S3833986.001	BUILDERS' HARDWARE & SUPPLY	LOCK CORES	\$ 1,455.80	pwfac
306167	6/16/2022	1029108	FERGUSON ENTERPRISES, INC	REPLACEMENT OMNI REGISTER	\$ 375.20	wdist
306348	6/16/2022	2825786	FOSTER GARVEY PC	HUMAN RESOURCES MATTER NO. 32	\$ 429.00	legal
306169	6/17/2022	11792	PARTNER CONSTRUCTION PRODUCTS	ROAD SEALANT	\$ 2,268.48	dshop

Invoice Doc #	Invoice Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
306226	6/17/2022	989	SKAGIT SHOOTING RANGE, LLC	CLASSROOM/RANGE FOR NEW OFFICER; OFC DANIEL	\$ 35.81	apd
306059	6/18/2022	2154	THE CLEAN TEAM	JANITORIAL SERVICES FOR CITY HALL/ASAC 6/10/22, 6/15/22 AND 6/16/22	\$ 360.00	pwfac
306224	6/20/2022	00308382	ORION SAFETY PRODUCTS	FLARES	\$ 672.96	apd
306055	6/20/2022	018975	USA BLUE BOOK	CHLORINE SWIFTEST DISPENSERS X 5	\$ 455.33	dwtpt
306225	6/20/2022	021455146	GALLS, LLC.	UNIFORM VEST; CHIEF FLOYD	\$ 923.58	apd
306228	6/20/2022	038 200 0000 2	CASCADE NATURAL GAS CORP.	APD 5/18-6/17/22	\$ 697.10	apd
306342	6/20/2022	199 800 0000 4	CASCADE NATURAL GAS CORP.	R AVENUE 5/18-9/17/22	\$ 28.19	museum
306330	6/20/2022	2022-1038	THE WATERSHED COMPANY	PERIODIC REVIEW OF SHORELINE MASTER PROGRAM - THROUGH MAY 31, 2022	\$ 2,377.50	plan
306352	6/20/2022	2132-4	MAKERS ARCHITECTURE	AFFORDABLE HOUSING ACTION PLAN - MAY 2022	\$ 10,664.07	plan
306052	6/20/2022	260 037 3822 1	CASCADE NATURAL GAS CORP.	611 R AVENUE 5/18-6/17/22	\$ 103.66	parks1
306049	6/20/2022	440 400 0000 0	CASCADE NATURAL GAS CORP.	FIDALGO CENTER 5/18-6/17/22	\$ 150.10	parks1
306053	6/20/2022	538 000 0000 1	CASCADE NATURAL GAS CORP.	411 HILLCREST DR. 5/18-6/17/22	\$ 31.01	parks1
306048	6/20/2022	638 000 0000 0	CASCADE NATURAL GAS CORP.	411 HILLCREST DR. #B, 5/18-6/17/22	\$ 15.84	parks1
306054	6/20/2022	710 300 0000 5	CASCADE NATURAL GAS CORP.	OPS 05/18- 06/17/2022	\$ 307.14	dshop
306340	6/20/2022	912 800 0000 0	CASCADE NATURAL GAS CORP.	CARNEGIE 5/18 - 6/17/22	\$ 88.53	museum
306050	6/20/2022	917 600 0000 9	CASCADE NATURAL GAS CORP.	1915 13TH ST. 5/18-6/17/22	\$ 33.86	parks1
306166	6/20/2022	98063876	ECO SERVICES OPERATIONS CORP	ALUMINUM SULFATE	\$ 4,486.03	dwtpt
306051	6/20/2022	989 800 0000 8	CASCADE NATURAL GAS CORP.	WWTP 5/18-6/17/22	\$ 13.00	dwwtpt
305998	6/21/2022	265645	NAPA	AIR CONDITIONING CONDENSER #172	\$ 219.98	dshop
305997	6/21/2022	265650	NAPA	PAG OIL #172	\$ 38.21	dshop
305999	6/21/2022	265663	NAPA	FLASHER THERMAL #410	\$ 4.20	dshop
306215	6/21/2022	265665	NAPA	HEATER CORE #143	\$ 60.72	dshop
306099	6/21/2022	301 713 4234 2	CASCADE NATURAL GAS CORP.	607 R AVE SERVICE DATES 5/17-6/17/22	\$ 15.87	parks1
306097	6/22/2022	10926	FIRE CATT, LLC	FIRE HOSE TESTING	\$ 4,116.00	medic
306168	6/22/2022	11801	PARTNER CONSTRUCTION PRODUCTS	ROAD SEALANT	\$ 2,268.48	dshop
306368	6/22/2022	12P14822	MOTOR TRUCKS, INC	LIGHT #203	\$ 196.33	dshop
306098	6/22/2022	220769	T-SHIRTS BY DESIGN	REC PROGRAM SUPPLIES	\$ 487.42	pkrec

Invoice Doc #	Invoice Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
306107	6/22/2022	265805	NAPA	PARTS VEH #030	\$ 263.56	dshop
306102	6/22/2022	265818	NAPA	PRIMARY WIRE #171	\$ 10.76	dshop
306336	6/22/2022	826196	HASA, INC	CHEMICAL FOR THE PLANT	\$ 6,433.72	dwwtp
306104	6/23/2022	111583	WALTON BEVERAGE COMPANY, INC	CITY HALL BREAK ROOM SUPPLIES	\$ 198.00	finance
306163	6/23/2022	111584	WALTON BEVERAGE COMPANY, INC	OPS BREAKROOM SUPPLIES	\$ 151.00	dshop
306103	6/23/2022	2156	THE CLEAN TEAM	JANITORIAL SERVICE FOR CITY HALL/ASAC 6/21/22 & 6/23/22	\$ 240.00	pwfac
306165	6/23/2022	323054	BAY CITY SUPPLY	FACILITY SUPPLIES FIRE STATIONS	\$ 275.53	pwfac
306222	6/23/2022	47274	PUREZA, ANA	UNIFORMS	\$ 141.18	dwwtp
306343	6/23/2022	6/23/2022	FIDALGO CLEANING	CLEANING	\$ 60.00	museum
306064	6/23/2022	ContraVolleyballCamp	SEAHAWK ATHLETIC BOOSTER ASSOC	VOLLEYBALL TEAM FOR CAMP	\$ 965.00	pkrec
306108	6/23/2022	E 202206230145	SIMPLIFILE, LC	LEMBERG FIBER EASEMENT - 1601 OUAILE DRIVE	\$ 217.38	fiber
306216	6/24/2022	266140	NAPA	A/C CORE #143	\$ 88.61	dshop
306217	6/24/2022	266177	NAPA	A/C FUEL LINE	\$ 15.22	dshop
306176	6/24/2022	AN 873550	CENTRAL WELDING SUPPLY CO, INC	O2 FOR AMBULANCE	\$ 106.31	medic
306238	6/25/2022	6-63	SKAGIT COUNTY INVESTIGATIONS	PUB DEF INVEST	\$ 126.50	court
306326	6/27/2022	6/27/2022	WESTERN DISPLAY FIREWORKS, LTD	FOURTH OF JULY FIREWORKS 2022 - FINAL INVOICE	\$ 15,000.00	parks1
306229	6/27/2022	ContractBasketball	SEAHAWK ATHLETIC BOOSTER ASSOC	PAYMENT FOR GIRLS BASKETBALL CAMP	\$ 1,487.00	pkrec
306334	6/28/2022	0286604-IN	REISNER DISTRIBUTOR INC	INCINERATOR FUEL	\$ 2,170.48	dwwtp
306354	6/28/2022	21-251-FAC-0011	VECA ELECTRIC & TECHNOLOGIES	RETAINAGE RELEASE	\$ 600.00	pw1
306362	6/28/2022	21-264-WTR-0011	WELCH BROTHERS CONSTRUCTION	RETAINAGE RELEASE	\$ 3,799.88	pw1
306357	6/28/2022	22-075-FAC-0011	BLYTHE MECHANICAL, INC	RETAINAGE RELEASE	\$ 1,487.30	pw1
306337	6/28/2022	4209*1	IMCO GENERAL CONSTRUCTION	OLD WATER TREATMENT PLANT 36-INCH LINE DISCONNECT	\$ 48,327.00	dwwtp
306346	6/28/2022	4209*2	IMCO GENERAL CONSTRUCTION	WTP CHEMICAL FILL STATION RE-PLUMBING	\$ 43,440.00	dwwtp
306345	6/28/2022	4209*3	IMCO GENERAL CONSTRUCTION	WTP LAGOON #1 DIKE ARMORING	\$ 52,942.50	dwwtp
306370	6/28/2022	LTAC 98221 Inv #1	RHOADES, LISA	LTAC 2022 98221 STUDIO TOUR	\$ 2,550.00	plan

Invoice Doc #	Invoice Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
306358	6/28/2022	R57977897	YOURMEMBERSHIP.COM, INC.	JOB POSTING ANNOUNCEMENT - LEGAL ASSISTANT	\$ 250.00	hr
306325	6/28/2022	ReimbSuit	SUIT, MELINDA	APA MEMBERSHIP AND CLASS	\$ 2,659.00	finance
Total					\$ 655,538.40	



City Council Agenda Bill

Meeting Date: July 5, 2022

Agenda Item: 5.c.

Agenda Item Title: Street Fair Application - Rock Ridge Chili Cook Off

Staff Contact(s): DON MEASAMER

Approved for Submittal to Council by **Action Type**

Joann Stewart

Motion

DON MEASAMER

Item Summary: 1st Annual community party. Event is expected to be held in community park but if it is rainy, event will be held in cul-de-sac as outlined in attached map. Chili Cook-Off on 8/6 from 3 p.m. to 7 p.m.

Budget Impact:

None

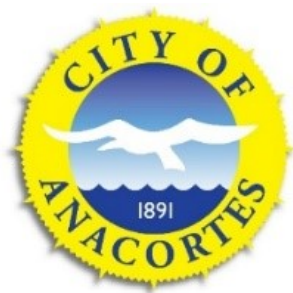
Previous Action: Prior review and approval by Dept. Heads/Managers

Recommended Motion: Approve as submitted

Alternative Actions: Deny application

Attachments (listed in order presented):

1. Rock Ridge App Approved



Street Fair Application Processing

Administrator adds this event to the City Council agenda, creates the agenda bill, downloads the reviewed application and any attachments using the link in the email, and uploads those attachments in CivicClerk to go into the City Council packet.

View Anacortes Municipal Code [Chapter 7.04, Special Events](#)

Application

Application Date *

6/1/2022

Event Name *

ROCK RIIDGE COMMUNITY PARTY & CHILI-COOK

Applicant/Organization Name *

ROCK RIDGE COMMUNITY ASSOCIATION

Mailing Address *

2404 Antone Way

Event Contact Person *

Geno Spatafore

Event Contact Email *

geno.spatafore@gmail.com

Event Contact Phone *

(760) 586-3208

Event Website

<https://www.rockridge98221.com/>

Estimated Number of Participants/Attendees *

100

Event Description *

Event is our first annual community party to be held in development's park (private property). The cul-de-sac on this street (Antone Way) will only be used as a contingency if weather conditions impact the use of the park due to (wet grass/soggy conditions).

Will food vendors participate in this event? *

All Food Vendors must be inspected by the Fire Marshall on site prior to the start of the event.

☐ Yes ☒ No

Date Event Starts *

8/6/2022

Time Event Starts *

3:00:00

PM ▼

Date Event Ends *

8/6/2022

Time Event Ends *

7:00:00

PM ▼

Date Street Closure Starts *

Include requested closures before and after the event hours if required for set up and tear down.

8/6/2022

Time Street Closure Starts *

1:00:00

PM ▼

Date Street Closure Ends *

8/6/2022

Time Street Closure Ends *

7:00:00

PM ▼

Event Location *

List end points of each street that will be closed (e.g. 6th Street from O Ave to Q Ave). Also include location and dimensions of any structures that will be erected and locations of the event that will not be on city street right of way.

If necessary, the event will take place in the cul-de-sac on Antone Way in Rock Ridge. (See uploaded map)

Parking Location

List any public parking areas that the event requests to use for dedicated event parking, including handicapped parking.

No parking needed. Attendees will walk from their homes

Event Map (optional)

Upload one or more maps of the event

Upload

[Event Map.pdf](#)

1.18MB

Indemnification Agreement *

Upload scan of SIGNED indemnification agreement

Upload

[Indemnification Agreement.pdf](#) 553.02KB

Download the Indemnification Agreement [here](#).

Signage

Street closure signs will be provided by the City of Anacortes. Applicants must contact City staff one week prior to the event to arrange sign delivery. Event sponsor personnel are responsible for placing street closure signs, which may not be posted more that 48 hours prior to the approved closure, must be removed immediately following the event, and must be returned to city staff the first business day following the event.

Insurance

The applicant may be required to provide public liability insurance subject to the provisions of AMC 7.04.100. Applicants will be notified following application approval of insurance requirements for the specific event.

Electronic Signature Agreement

By checking the "I agree" box below, you agree and acknowledge that 1) your application will not be signed in the sense of a traditional paper document, 2) by signing in this alternate manner, you authorize your electronic signature to be valid and binding upon you to the same force and effect as a handwritten signature, and 3) you may still be required to provide a traditional signature at a later date.

I state that I am over the age of 18, that I agree to assume responsibility for the above-described event and to abide by all conditions stipulated by the approval of the application.*

☒ Yes

Signature

GENO A SPATAFORE

Admin Review

Council Meeting Date *

Target date for presentation to City Council; no later than 30 days prior to event

7/5/2022



Staff Review Deadline *

Staff review/approval required no later than 7 days prior to City Council meeting to allow packet preparation

6/28/2022

Administrator comments and conditions of approval

Mr. Spatafore submitted a new application from one submitted last month as the location for the event changed.

Insurance Certificate

Upload

Insurance certificate may be required by staff or as a condition of Council approval

Departmental Review

Building Department will provide the following services for this event:

Building Department concerns, objections, or conditions of approval *

None

Fire Department will provide the following services for this event:**Fire Department concerns, objections, or conditions of approval ***

None

Parks Department will provide the following services for this event:**Parks Department concerns, objections, or conditions of approval ***

None

Police Department will provide the following services for this event:

routine police services

Police Department concerns, objections, or conditions of approval *

None

Public Works Department will provide the following services for this event:**Public Works Department concerns, objections, or conditions of approval ***

None

Departmental attachments

Upload any staff memos, guidelines, or requirements that will be in effect for this event.

Upload

Comments

Council Packet Complete

Cancel Application



iMap

Additional Maps

Currently Viewing:
Property Map

Common Maps

Comprehensive Plan/Zoning
Crime Related Incidents
Property Map
Aerial Images

Map Categories

Districts
Elections
Lost Communities
Planning and Development
Property Assessment and Sales
Public Health
Public Safety
Public Works
Utilities

Build-A-Map

Topographic Basemap

After choosing a map from above,
select the Layer List tab to see
more options.

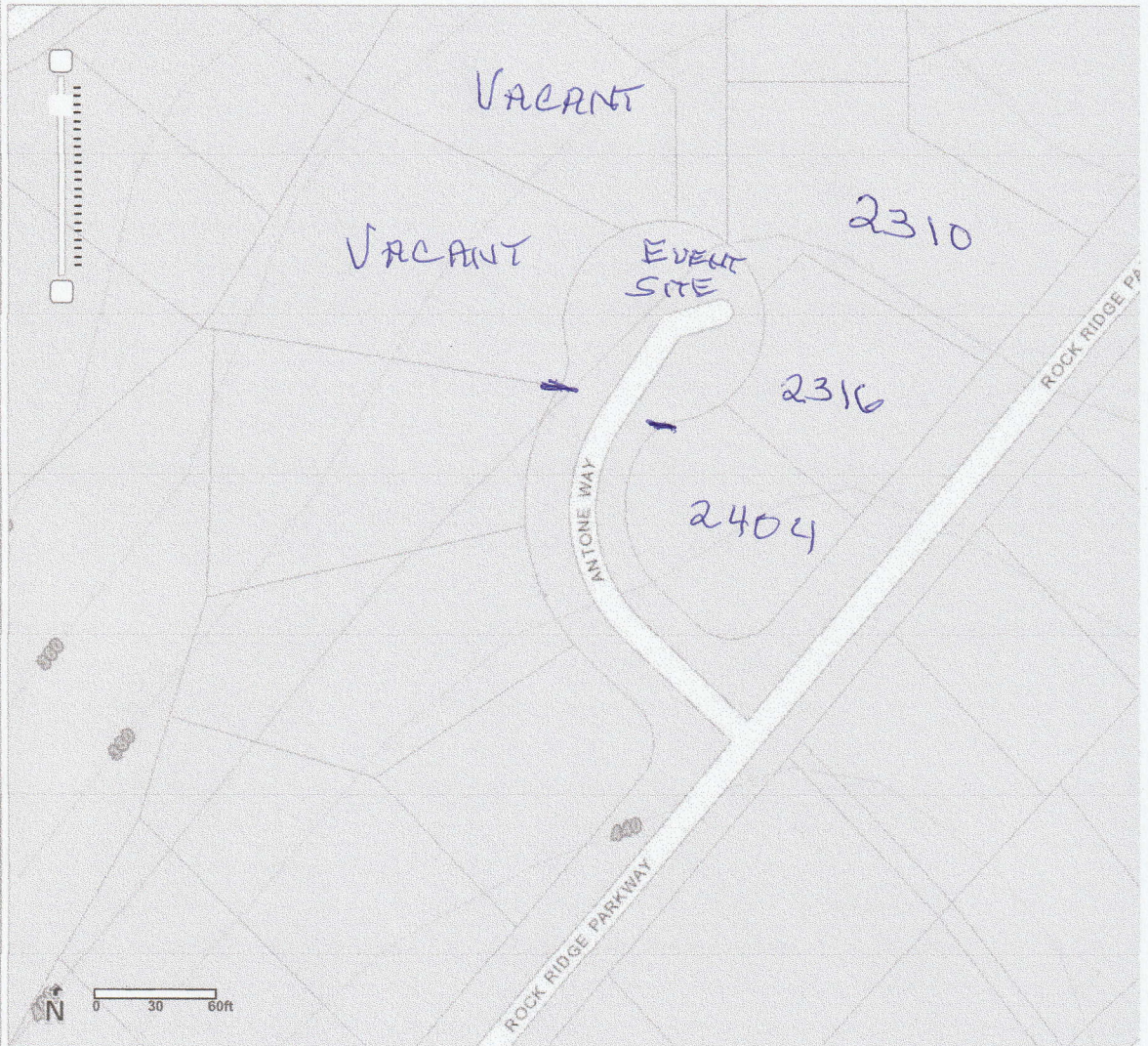
[See iMap Help for more info.](#)

Legend

Layer List

Search

Map Description

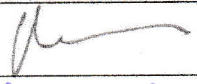
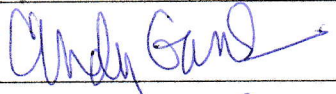
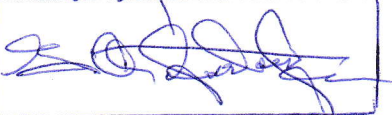


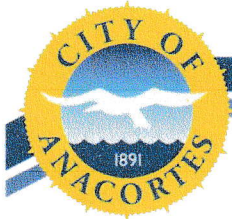
ROCK RIDGE COMMUNITY ASSOCIATION (RRCA)

The RRCA will be holding our summer party and chili cook-off between 3:00 – 7:00 PM on **Saturday August 6th in the community's park**. However, should weather conditions make the park unusable on that date due to excessively wet grass and/or soggy conditions, we would like to have the option of holding the event on a community cul-de-sac. Specifically, the cul-de-sac at the terminus of Antone Way. Only the circular end of the cul-de-sac and the properties at 2310 and 2316 will be impacted by this closure.

Accordingly, we are in the process of submitting a request to the City of Anacortes, to close the cul-de-sac during the hours of 1:00 – 7:00 PM on August 6th. This closure will obviously impact traffic flow into/out of the two residences on the Antone Way cul-de-sac. Additionally, there will be a PA system for music & announcements. **Both the Board and the City want to ensure your "buy-in" on this contingency plan. Please keep in mind that this is just a contingency. We're hoping that we don't need to use it but better safe than sorry.** Should the contingency location be required, we will endeavor to provide a minimum of 24 hours' notice to ensure enough time to relocate any vehicles that are subject to the closure. Most importantly, closure of the cul-de-sac will naturally be subject to any emergency that might arise requiring exit from your property or entrance by emergency vehicles.

In view of the above and as indicated by my signature below, I have acknowledged that my residence has no objection to the above contingency plan.

ADDRESS	PRINTED NAME	SIGNED NAME
2310 Antone Way	Thomas C Brodersen	
2316 Antone Way	Andy Garrison	
12404 Antone Way	Gene Spence	



SPECIAL EVENT INDEMNIFICATION AGREEMENT

The undersigned applicant, by signing below, certifies that the applicant is the authorized officer of the sponsoring organization and agrees as follows:

Pursuant to Anacortes Municipal Code Title 7.04.090, the undersigned applicant agrees to defend, indemnify and hold the City of Anacortes, its agents, employees and officers, harmless from any and all claims, injuries, suits, damages, losses, demands and judgments including the attorneys' fees and other costs of their defense, arising out of in whole or in part, the activities, omissions or appliances of the applicant, his employees, agents, volunteers or otherwise, except any claims arising from the sole negligence of the City. The applicant further agrees to comply with all provisions of pertinent laws, rules and regulations, and agrees that any failure to so comply may lead to revocation of an applicant's permit. This Indemnification Agreement constitutes substantial adequate consideration in return for the City's issuance of a special event permit.

Date: 4-29-22

GENO SPATAFORE, SOCIAL
Name and Title – Printed CLUB

Name and Title – Printed

[Signature]
Signature

Signature



City Council Agenda Bill

Meeting Date: July 5, 2022

Agenda Item: 5.d.

Agenda Item Title: Street Fair Application - Anacortes Gut Run

Staff Contact(s): DON MEASAMER

Approved for Submittal to Council by **Action Type**

Joann Stewart

Motion

DON MEASAMER

Item Summary: Car Show, BBQ, & music at the Depot Arts Center

Budget Impact:

None

Previous Action: Reviewed and approved by Department Heads/Managers

Recommended Motion: Approve application as submitted

Alternative Actions: Deny application

Attachments (listed in order presented):

1. Anacortes Gut Run App Approved



Street Fair Application Processing

Administrator adds this event to the City Council agenda, creates the agenda bill, downloads the reviewed application and any attachments using the link in the email, and uploads those attachments in CivicClerk to go into the City Council packet.

View Anacortes Municipal Code [Chapter 7.04, Special Events](#)

Application

Application Date *

5/2/2022

Event Name *

Anacortes Gut Run

Applicant/Organization Name *

Johnnypicasso's

Mailing Address *

501 commercial ave

Event Contact Person *

john archibald

Event Contact Email *

johnjarchibald@gmail.com

Event Contact Phone *

(360) 395-5923

Event Website

Anacortes Gut Run

Estimated Number of Participants/Attendees *

200

Event Description *

BBQ, music, and car show at the Depots Art Center. Car show will be on the street in front of Depot from 6th Street on R up to 9th and Q. Street will be closed 6th & R up to 9th & Q.

Will food vendors participate in this event? *

All Food Vendors must be inspected by the Fire Marshall on site prior to the start of the event.

☒ Yes ☐ No

Date Event Starts *

8/28/2022

Time Event Starts *

12:00:00

PM ▾

Date Event Ends *

8/28/2022

Time Event Ends *

4:00:00

PM ▾

Date Street Closure Starts *

Include requested closures before and after the event hours if required for set up and tear down.

8/28/2022

Time Street Closure Starts *

10:00:00

AM ▾

Date Street Closure Ends *

8/28/2022

Time Street Closure Ends *

4:00:00

PM ▾

Event Location *

List end points of each street that will be closed (e.g. 6th Street from O Ave to Q Ave). Also include location and dimensions of any structures that will be erected and locations of the event that will not be on city street right of way.

R street north from 7th to 9th street
9th street east from Q to R

Parking Location

List any public parking areas that the event requests to use for dedicated event parking, including handicapped parking.

Event Map (optional)

Upload one or more maps of the event

Upload

[Anacortes Gut Run Map.pdf](#)

32.89KB

Indemnification Agreement *

Upload scan of SIGNED indemnification agreement

Upload

[City of Anacortes Indemnific...](#)

285.53KB

Download the Indemnification Agreement [here](#).

Signage

Street closure signs will be provided by the City of Anacortes. Applicants must contact City staff one week prior to the event to arrange sign delivery. Event sponsor personnel are responsible for placing street closure signs, which may not be posted more that 48 hours prior to the approved closure, must be removed immediately following the event, and must be returned to city staff the first business day following the event.

Insurance

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Electronic Signature Agreement

By checking the "I agree" box below, you agree and acknowledge that 1) your application will not be signed in the sense of a traditional paper document, 2) by signing in this alternate manner, you authorize your electronic signature to be valid and binding upon you to the same force and effect as a handwritten signature, and 3) you may still be required to provide a traditional signature at a later date.

I state that I am over the age of 18, that I agree to assume responsibility for the above-described event and to abide by all conditions stipulated by the approval of the application.*

☒ Yes

Signature

john j archibald

Admin Review

Council Meeting Date *

Target date for presentation to City Council; no later than 30 days prior to event

7/5/2022



Staff Review Deadline *

Staff review/approval required no later than 7 days prior to City Council meeting to allow packet preparation

6/28/2022

Administrator comments and conditions of approval

Insurance Certificate

Upload

Insurance certificate may be required by staff or as a condition of Council approval

Departmental Review

Building Department will provide the following services for this event:

Building Department concerns, objections, or conditions of approval *

None

Fire Department will provide the following services for this event:

None

Fire Department concerns, objections, or conditions of approval *

None

Parks Department will provide the following services for this event:**Parks Department concerns, objections, or conditions of approval ***

None

Police Department will provide the following services for this event:

Routine police patrols and response to calls for service

Police Department concerns, objections, or conditions of approval *

None

Public Works Department will provide the following services for this event:**Public Works Department concerns, objections, or conditions of approval ***

None

Departmental attachments

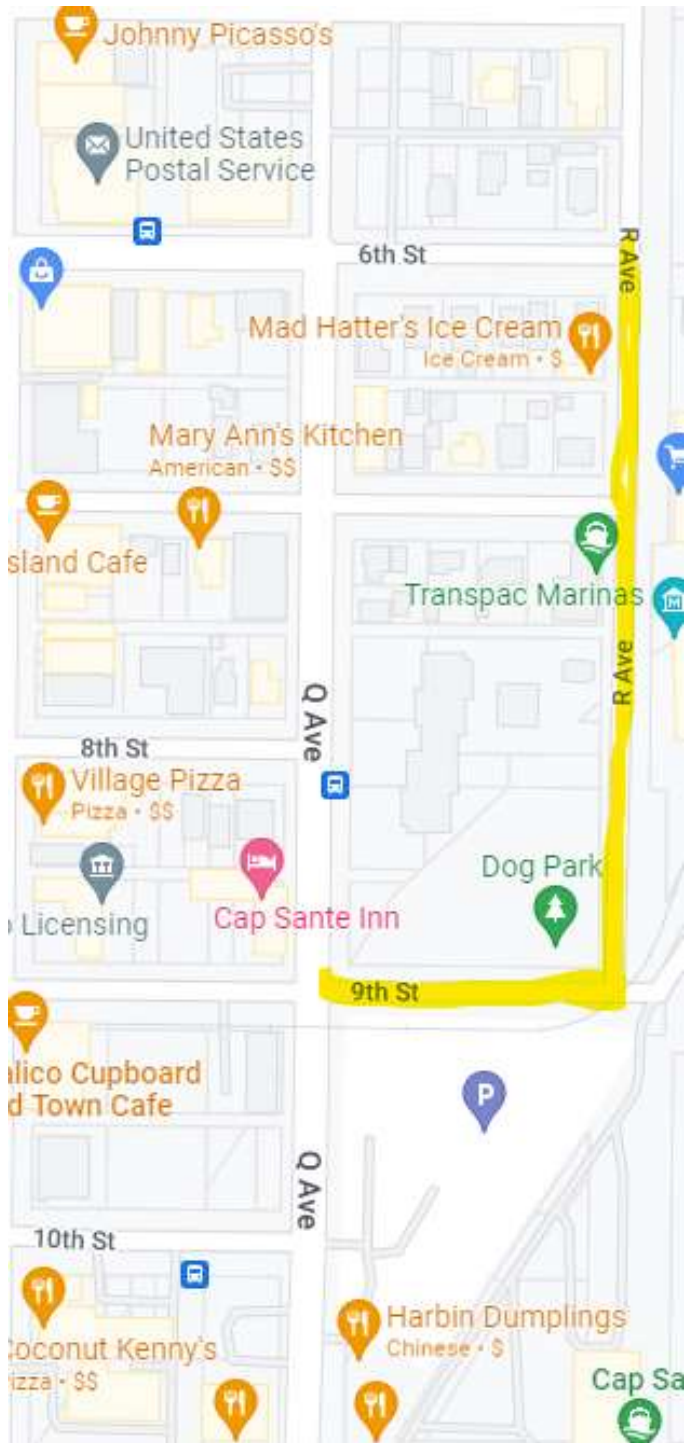
Upload any staff memos, guidelines, or requirements that will be in effect for this event.

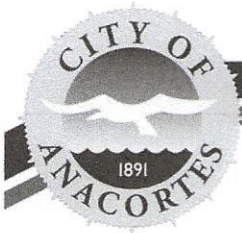
Upload

Comments

Council Packet Complete

Cancel Application





SPECIAL EVENT INDEMNIFICATION AGREEMENT

The undersigned applicant, by signing below, certifies that the applicant is the authorized officer of the sponsoring organization and agrees as follows:

Pursuant to Anacortes Municipal Code Title 7.04.090, the undersigned applicant agrees to defend, indemnify and hold the City of Anacortes, its agents, employees and officers, harmless from any and all claims, injuries, suits, damages, losses, demands and judgments including the attorneys' fees and other costs of their defense, arising out of in whole or in part, the activities, omissions or appliances of the applicant, his employees, agents, volunteers or otherwise, except any claims arising from the sole negligence of the City. The applicant further agrees to comply with all provisions of pertinent laws, rules and regulations, and agrees that any failure to so comply may lead to revocation of an applicant's permit. This Indemnification Agreement constitutes substantial adequate consideration in return for the City's issuance of a special event permit.

Date: 8-11-2021

John J. Archibald

Name and Title – Printed

John Archibald

Name and Title – Printed

Owner Johnny Pizaros LLC

Signature

[Signature]

Signature



City Council Agenda Bill

Meeting Date: July 5, 2022

Agenda Item: 5.e.

Agenda Item Title: Interlocal Agreement: Economic Development Grant Award for Guemes View Fiberoptic Expansion Project #22-175-FBR-001

Staff Contact(s): Emily Schuh

<u>Approved for Submittal to Council by</u>	<u>Action Type</u>
TIFFANY MATSON	Contract Award

Item Summary: The City of Anacortes applied for and was awarded a \$500,000 grant from Skagit County's Economic Development Public Facility grant application process. This project is funded by Skagit County's Economic Development Public Facilities Distressed/Rural County Sales and Use Tax. To accept the terms of the grant the City is entering into an interlocal agreement with Skagit County. The grant proceeds will be used to help fund the Guemes View Fiberoptic Expansion project which installs 55,000 feet of underground fiber conduit and 8,500 feet of aerial fiber conduit and passes 900 premises. The total project cost is projected to be \$3.8 million and the grant will offset 13% of the cost.

Background: The grant application required per RCW 82.14.370(3)(a) that the project be aligned and incorporated into the City's Comprehensive Plan and the City's Capital Facilities Plan. Both the City's Comprehensive Plan and the City's Capital Facilities Plan seek to increase fiberoptic connectivity as a means of increasing economic development in Skagit County. The Guemes View Fiberoptic Expansion Project is Phase 3 of a four phase project. The project deploys a gigabit passive optical network over which fiber broadband service is offered to 900 homes and businesses within the Anacortes city limits. Phase I is complete and Phase 2 (expansion in the west end of Anacortes) construction will complete in July 2022. The City has passed 60% of city premises (residences and businesses) in the first two phases. Phase 4 will be constructed in 2023.

Budget Impact:

The funds will be used to offset \$500,000 of the Guemes View Fiberoptic Expansion project. This use is consistent with the parameters of the grant.

Previous Action:

Recommended Motion: I move that City Council authorize the Mayor to execute Interlocal Cooperation Agreement 22-175-FBR-001 between the City of Anacortes and Skagit County.

Alternative Actions: Not approve the interocal.

Attachments (listed in order presented):

1. 22-175-FBR-001

**INTERLOCAL COOPERATIVE AGREEMENT
BETWEEN
SKAGIT COUNTY AND CITY OF ANACORTES
GUEMES VIEW FIBEROPTIC EXPANSION PROJECT**

THIS INTERLOCAL AGREEMENT is entered into this _____ day of _____, 2022 between Skagit County, Washington (the “County”) and City of Anacortes, a Washington Municipal Corporation (the “Recipient”) pursuant to the authority granted by Chapter 39.34 RCW, INTERLOCAL COOPERATION ACT, and in consideration of the mutual benefits do hereby agree as follows:

1. Purpose: The purpose of the contract is to distribute economic development funds pursuant to RCW 82.14.370.
2. Scope of Work: Recipient will use the funds distributed under this agreement pursuant to the intent and purpose of RCW 82.14.370. Further, Recipient is to use such funds only for the Public Facility Project described in Recipient’s Economic Development Application submitted to the County which is attached to this document as Exhibit “A”.
3. Payment: County will compensate Recipient a maximum of \$500,000, chargeable to GL expenditure code # 342 58502424109. Recipient shall submit an invoice describing the use of funds to be distributed by the County and the County upon receipt of appropriate documentation shall distribute a portion of the awarded funding as determined by the County Contract Representative described in Paragraph 6.1 of this Contract. However, such payments shall not occur more often than monthly, through the County voucher system. The County Contract Representative has the sole discretion of determining what appropriate documentation is required in order for Recipient to receive a distribution of funds under this Agreement.
4. Recipient agrees that in the event the county or other state or federal agency finds that the funds distributed pursuant to this agreement violate any state or federal laws including but not limited to the primary purpose for which funds pursuant to this agreement are being given, Recipient agrees to return the funds provided by County under this agreement to County including any penalties and interest, and agrees to hold County harmless and indemnify County for distributing such funds contrary to state or federal law. Further, in the event that funds provided to Recipient under this agreement are used for a purpose other than what was originally described in its application of funds, then Recipient agrees to return such funds to the County upon demand.
5. The parties agree that Recipient is an independent contractor and not an employee, or agent of Skagit County. Recipient hereby agrees not to make any representations to any third party or to allow such third party to remain under the misimpression that Recipient is an employee, independent contractor, or agent of Skagit County. All payments made hereunder and all services performed shall be made and performed pursuant to this Agreement. Recipient will defend, indemnify and hold harmless the

County, its officers, agents or employees from any loss or expense, including but not limited to settlements, judgments, setoffs, attorneys' fees or costs incurred by reason of claims or demands because of breach of the provisions of this paragraph. Further the Recipient represents that all employees and sub-contractors are covered under Industrial Insurance in compliance with R.C.W. Title 51.

6. Administration: The following individuals are designated as representatives of the respective parties. The representatives shall be responsible for administration of this Agreement and for coordinating and monitoring performance under this Agreement. In the event such representatives are changed, the party making the change shall notify the other party in writing.

6.1 The County's representative shall be the Budget and Finance Director:
Trisha Logue
1800 Continental Place, Suite 100
Mount Vernon, WA 98273

6.2 Recipient's representative shall be Administrative Services Director:
Emily Schuh
PO Box 547
Anacortes, WA 98221

All notices and payments mailed by regular post (including first class) shall be deemed to have been given on the second business day following the date of mailing, if properly mailed and addressed. Notices and payments sent by certified or registered mail shall be deemed to have been given on the day next following the date of mailing, if properly mailed and addressed. For all types of mail, the postmark affixed by the United States Postal Service shall be conclusive evidence of the date of mailing.

7. Defense & Indemnity Agreement: The Recipient agrees to defend, indemnify and save harmless the County, its appointed and elective officers and employees, from and against all loss or expense, including but not limited to judgments, settlements, attorney's fees and costs by reason of any and all claims and demands upon the County, its elected or appointed officials or employees for damages because of personal or bodily injury, including death at any time resulting therefrom, sustained by any person or persons and on account of damage to property including loss of use thereof, whether such injury to persons or damage to property is due to the negligence of the Recipient, its subcontractors, its elected officers, employees or their agents, except only such injury or damage as shall have been occasioned by the sole negligence of the County, its appointed or elected officials or employees. It is further provided that no liability shall attach to the County by reason of entering into this contract, except as expressly provided herein. Recipient insurance shall be primary. Any insurance or self-insurance maintained by the County, its officers, officials, employees or volunteers shall be excess of Recipient's insurance and shall not contribute to it.

8. This Agreement shall become effective upon execution per Resolution No. R20220121. Work on the project shall be substantially complete and contract shall expire June 30, 2023. For the purposes of this paragraph, the term “substantially complete” shall mean “when the contract work has progressed to the extent that the Recipient has full use and benefit of the facilities, both from the operational and safety standpoint, and only minor incidental work, replacement of temporary substitute facilities, or correction or repair remains to physically complete the total contract.” Upon termination of this Agreement, all property acquired by the Recipient shall remain the Recipient’s property, with no obligation to pay the County therefore.

9. The Recipient shall not assign any interest in this Contract and shall not transfer any interest in same without prior written County consent.

10. The Recipient will secure, at his own expense, all personnel required in performing said services under this Contract. Recipient shall be personally liable for applicable payroll, Labor and Industries premiums, and all taxes, and shall hold the County harmless from any claims related thereto.

11. Right to Review: This contract is subject to review by the State Auditor's office. The County or its designee shall have the right to review and monitor the financial components of this project. Such review may include, but is not limited to, on-site inspection by County agents or employees, and inspection of all records of other materials, which the County deems pertinent to the Agreement and its performance. Recipient shall preserve and maintain all financial records and records relating to this project under this Agreement for 3 years after contract termination, and shall make them available for such review, within Skagit County, State of Washington, upon request.

12. Acknowledgement of Funding: All books, informational pamphlets, press releases, research reports, articles, requests for information, signs or other public notices developed for or referring to the activities or programs funded by this agreement shall include the statement, “This project received funding from Skagit County,” or similar language acknowledging Skagit County’s funding contribution. Further, Recipient shall notify the County (or Administrative Services) no later than two weeks before a dedication ceremony or public event for any activities or programs funded by this agreement. Recipient shall also make efforts to verbally acknowledge the County’s contributions to the Recipient at all dedication ceremonies or other public events relating to any programs or projects funded by this agreement.

13. Prevailing Wages: If Prevailing Wages are applicable to the work provided under the Agreement then Recipient shall submit a “Statement of Intent to Pay Prevailing Wages” prior to submitting first application for payment. Each statement of intent to pay prevailing wages must be approved by the Industrial Statistician of the Department of Labor and Industries before it is submitted to the County. Unless otherwise authorized by the Department of Labor and Industries, each voucher claim submitted by a Recipient for payment on a project estimate shall state that the prevailing wages have been paid in

accordance with the pre-filed statement or statements of Intent to Pay Prevailing Wages on file with the public agency.

14. Nondiscrimination: During the performance of this contract, the Recipient shall comply with all federal and state nondiscrimination statutes and regulations. These requirements include, but are not limited to:

a. Nondiscrimination in Employment: The Recipient shall not discriminate against any employee or applicant for employment because of race, color, sex, religion, national origin, creed, marital status, age, Vietnam era or disabled veterans status, or the presence of any sensory, mental, or physical handicap. Such action shall include, but not be limited to, the following: Employment, upgrading, demotion, or transfer, recruitment or recruitment selection for training, including apprenticeships and volunteers. This requirement does not apply, however, to a religious corporation, association, educational institution or society with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, educational institution or society of its activities.

15. Compliance with Applicable Law: The Recipient and all subcontractors of Recipient shall comply with, and the Department is not responsible for determining compliance with, any and all applicable federal, state, and local laws, regulations, and/or policies. This obligation includes, but is not limited to, nondiscrimination laws and/or policies; the Americans with Disabilities Act (ADA); Ethics in Public Service (RCW 42.52); Covenant Against Contingent Fees (48 C.F.R. Sec. 52.203-5); safety and health regulations. In the event of the Recipient's or a subcontractor's noncompliance or refusal to comply with any law or policy, the Department may rescind, cancel, or terminate the contract in whole or in part. The Recipient is responsible for any and all costs or liability arising from the Recipient's failure to so comply with applicable law.

16. Venue and Choice of Law: In the event that any litigation should arise concerning the construction or interpretation of any of the terms of this Agreement, the venue of such action of litigation shall be in the Superior Court of the State of Washington in and for the County of Skagit. This Agreement shall be governed by the laws of the State of Washington.

17. No Separate Legal Entity: It is understood and agreed that this Agreement is solely for the benefit of the parties hereto and gives no right to any other party. No joint venture or partnership is formed as a result of the Agreement.

18. Termination of Contract for Cause

a. If, through any cause, the Recipient shall fail to fulfill in a timely and proper manner its obligations under this contract or if the Recipient shall violate any of its covenants, agreements, or stipulations of this contract, the County shall thereupon have the right to terminate this contract and withhold the remaining allocation if such default or violation is not corrected within thirty (30) days after submitting written notice to the Recipient describing such default or violation. Further, in the event Recipient fails to

expend funds under this contract in accordance with State or Federal laws and/or the provisions of the agreement, the County reserves to right to recapture funds expended to Recipient in an amount equal to the extent of the noncompliance.

b. The County may unilaterally terminate all or part of this contract, or may reduce its scope of work and budget, if there is a reduction in funds by the source of those funds, and if such funds are the basis for this contract.

19. Termination for Public Convenience: The County may terminate the contract in whole or in part whenever the County determines, in its sole discretion, that such termination is in the best interests of the County. Whenever the contract is terminated in accordance with this paragraph, the Recipient shall be entitled to payment for actual work performed at unit contract prices for completed items of work. An equitable adjustment in the contract price for partially completed items of work will be made, but such adjustment shall not include provision for loss of anticipated profit on deleted or uncompleted work. Termination of this contract by the County at any time during the term, whether for default or convenience, shall not constitute a breach of contract by the County. If sufficient funds are not appropriated or allocated for payment under this contract for any future fiscal period, the County will not be obligated to make payments for services or amounts incurred after the end of the current fiscal period. No penalty or expense shall accrue to the County in the event this provision applies.

20. Nonassignability: Neither this contract, nor any claim arising under this contract, shall be transferred or assigned by the Recipient.

21. Taxes: All payments accrued on account of payroll taxes, unemployment contributions, any other taxes, insurance or other expenses for the Recipient or its staff shall be the sole responsibility of the Recipient.

City of Anacortes

Signature

(Date _____)

Matt Miller

Print Name

Mayor

Title

Mailing Address:

904 6th Street
PO Box 547
Anacortes, WA 98221

Telephone No. 360-293-1900
Fed. Tax ID # 91-6001227
Contractor Lic. #. N/A

DATED this ____ day of _____, 2022.

**BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Peter Browning, Chair

Ron Wesen, Commissioner

Attest:

Lisa Janicki, Commissioner

Clerk of the Board

For contracts under \$5,000:
Authorization per Resolution R20030146

Recommended:

County Administrator

Department Head

Approved as to form:

Civil Deputy Prosecuting Attorney

Approved as to indemnification:

Risk Manager

Approved as to budget:

Budget & Finance Director

Exhibit A

Attached.



Economic Development Public Facility Project Application

Board of County Commissioners · 1800 Continental Place · Mount Vernon WA 98273

voice 360-416-1300 · www.skagitcounty.net

Part 1	Applicant Information					
Organization	City of Anacortes					
Address	PO Box 547			State	WA	Zip 98221
Primary Contact	Emily Schuh			Phone	360-299-1941	
E-mail Address	emilys@cityofanacortes.org					

Part 2		Project Information	
RCW 82.14.370 (3) defines “public facilities” as bridges, roads, domestic and industrial water facilities, sanitary sewer facilities, earth stabilization, storm sewer facilities, railroad, electricity, natural gas, buildings, structures, telecommunications infrastructure, transportation infrastructure, commercial infrastructure, and port facilities in the state of Washington.			
Project Name	Guemes View Fiberoptic Expansion Project	Location	City of Anacortes
Project Type	Telecommunications Infrastructure	Start Date	5/16/22
Description	The City of Anacortes seeks a \$500,000 grant to expand the fiberoptic network in Anacortes which will further increase broadband connectivity throughout Skagit County. The City of Anacortes is currently interconnected with the City of Burlington and the City of Mount Vernon. The Guemes View Fiberoptic Expansion project installs 55,000 feet of underground fiber conduit and 8,500 feet of aerial fiber conduit which passes 900 premises. When the project is complete the City will be able to provide access to highspeed fiber internet to each of these premises. In 2004, Skagit County commissioned a study on the impact of fiberoptic broadband services and economic development in Skagit County. https://skagitcounty.net/BudgetFinance/Documents/Fiber/TMC%20Report%20for%20Skagit%20County%20Fiber%202004.pdf Significant progress has been made since 2004 and this project continues that goal of expanding fiber optics to support economic development. The Guemes View Fiberoptic Expansion construction project is shovel ready. The design is complete and the materials are being procured. The project will include (1) digging a trench at the edge of the paved roadway approximately 12 inches wide and 18 inches deep, (2) placing a 2-inch conduit in the trench, (3) restoring the trench and pavement, (4) placing underground vaults and handholes, (5) pulling fiber optic cables through the conduit, vaults, and handholes, (6) entering existing microducts, (7) pulling micro-cable through microducts, (8) placing passive outdoor fiber distribution closures, and (9) restoring sidewalk panels. The aerial work will generally require (1) placing of steel strand between existing utility poles, (2) overlashing fiber optic cable to the strand, (3) placing aerial cable storage devices (“snowshoes”), (4) placing risers on existing utility poles, and (5) pulling fiber optic cable through risers.		
Use of funds	The requested funding amount includes construction of the telecommunications infrastructure. PROJECT DETAIL PERCENTAGE ESTIMATED COSTS Right of Way Acquisition 0% \$0 Design 0%, \$0 Construction & Materials 0% \$500,000 Construction Management 0%, (in house) \$0		

Part 3		Required Resources	
Provide a budget that shows a breakdown of project costs. Please also provide a breakdown of current and proposed funding that clearly illustrates the total funding required for the project listed by individual funding source, including any money from the Public Facilities fund. Specify any conditions attached to any funding sources.			
Budget	Total funding requested from Distressed/Rural County Sales and Use Tax to fund public facilities projects in Skagit County (not to exceed \$500,000)	\$	500000.00
	Amount primary sponsor/organization is contributing to the project	\$	3300000.00
	Other Funding Source:	\$	
	Total Project Cost	\$	3800000.00
Comments	The Guemes View Fiberoptic Construction Project is not fully funded and a loan will be necessary for the project to move forward. The City is seeking this grant to offset 13% of the cost of the project.		

Part 4**Growth Management****Planning**

Per RCW 82.14.370(3)(a), the project must be listed as an item in the County's adopted overall economic development plan, or the economic development section of the County's comprehensive plan, or your city or town's comprehensive plan. Under which plan is the proposed project contained? (Please attach a resolution or ordinance documenting that the appropriate authority has included the project in one of the above plans.)

This project is aligned and incorporated into the City's Comprehensive Plan and the City's Capital Facilities Plan which both seek to increase fiberoptic connectivity as a means of increasing economic development in Skagit County.

The City of Anacortes' Comprehensive Plan (Ordinance 2982 Updating of the Comprehensive Plan under RCW 36.70A.130(5) (b) specifies the importance of broadband fiber infrastructure and the Guemes View Fiberoptic Expansion Project aligns with the plan's goals and policies.

GOAL ED-1. Balanced Economy.

Foster a balanced, diversified and sustainable local economy that contributes to Anacortes's high quality of life.

- Policy ED-1.14: Provide state of the art broadband infrastructure, including high-capacity fiber optic cable, for business, education, public affairs, and consumer uses.

GOAL CF-1. Support Existing Development and Future Growth.

Provide capital facilities and public services necessary to support existing and new development envisioned in the land use element.

- Policy CF-1.11: Evaluate the feasibility of the City providing broadband services. A. Conduct a fiber-optic infrastructure feasibility study and business model analysis. B. Author and work toward implementation of a Broadband Strategic Plan which describes in detail the technology and economic context and outlines the community's options and intended plan to address its broadband needs.

GOAL U-1. Quality Utility Services.

Facilitate provision of quality utility services throughout Anacortes to meet the needs of residents and businesses.

- Policy U-1.5. Explore options for improving telecommunication services in Anacortes, with high speed internet being a high priority, including potential development of a broadband/ fiber master plan and policies requiring installation of conduit where needed

The City of Anacortes Capital Facility Plan (Ordinance 3999: Adopting the City of Anacortes Capital Facilities Plan (CFP) for the 6-year period 2022-2027) also includes this municipal fiber broadband project. The Guemes View Fiberoptic Expansion project is included in the CFP located on page 61:
<https://www.anacorteswa.gov/DocumentCenter/View/20747/Final-2022---2027-CFP>

Project location

City of Anacortes

Zoning

R2 Multi-family residential and R2A Residential Low Density

Part 5

Value Proposition

Business Is this project supportive of a specific business? If so, how many? Please provide names of businesses if known.

Recognizing that high quality broadband access is critical to the future and growth of communities, the City of Anacortes is building a fiberoptic telecommunication network to pass nearly every premise (business and residential) within the City limits. The City has already deployed infrastructure to pass over 4400 of the City's 7500 premises. The Guemes View Fiberoptic Expansion project will pass approximately 900 residential homes and a marina business.

The City of Anacortes routinely receives inquiries from community members who work remotely from home and businesses inquiring about the availability of fiber infrastructure to support their professional and business needs. High-speed, affordable and reliable internet connection is essential, not optional, for educational attainment, starting and growing businesses, attracting and retaining talent, and connecting the local economy to global opportunities. Access Anacortes Fiber Internet supports community businesses by enhancing their business footprint beyond their brick and mortar storefront and expanding their reach beyond Skagit County.

The construction of broadband infrastructure impacts how community members participate in our society and economy. Living wage jobs are increasingly difficult to secure without technology skills and high speed internet access, telemedicine is not feasible on a limited data plan, and online schooling without reliable high speed internet is not sustainable long-term. The benefits of broadband extend to small business growth, telework opportunities, individual quality of life, and the economic competitiveness of rural places like Skagit County. Providing broadband infrastructure will help our community to attract businesses, retain current positions, and create additional job growth with the overall effect of supporting the growing economy. The City is aware of a business with over 100 employees who shared that availability of fiber internet influenced their decision to relocate here from King County.

Jobs Describe, in specific detail, how this project will create jobs and/or allow for the retention of current jobs.

To support the City's broadband initiative to provide access to high speed fiber internet to all City of Anacortes businesses and residents a new municipal division was formed and 9 new full-time employees were hired to undertake this business venture. These positions include a business manager, network operator, business coordinator, outside plant technician and five fiber technicians. The City has also employed multiple design and construction contractors for the initiative which provides indirect economic benefits for the community.

It is also important to acknowledge that the municipal fiber project's long term impact on the Anacortes economy as the dollars otherwise paid to other, non-local Internet Service Providers "leak" out of the local economy are instead retained in and recirculate in the Skagit County economy. The City conservatively estimates that the citywide project will generate slightly over \$2.1 million of annual revenue. The City further conservatively estimates that \$1.4 million of those local-economy-retained amounts will recirculate several times in the Skagit County economy. The Guemes View Fiberoptic Expansion Project comprises approximately 12% of the Citywide project, and will contribute approximately \$168,000 of the \$1.4 million annual local economy retained amounts that subsequently recirculate in the local economy.

Job Detail Provide information on the following: (a) the average wage, including benefits, and the number of new jobs/FTEs; and (b) the average wage, including benefits, as the result of the project. Please be specific as possible. *Generic* information may not be scored. Do not include any construction-related jobs.

	Jobs/FTEs Retained	Jobs/FTEs Created 1-3 Years	Jobs/FTEs Created 4 Years
Number of Jobs/FTEs	9	10	13
Average Wage/FTE	52.95	54.54	56.18

Part 6	Project Timelines
Timeline	Provide a timeline for the project. Please include specific deadlines for segments or phases of the project, including total project begin date and completion date. Intent to Bid Released Early May 2022 Contract Awarded Late May 2022 Backbone Construction Underway Late summer 2022, approximately 180 days Customer Installations Begin Winter 2022
Phasing	If this is a phased project, for which phase are you applying for funding? The Guemes View Fiberoptic Expansion Project is Phase 3 of a 4 phase project. This project deploys a gigabit passive optical network over which fiber broadband service is offered to 900 homes and businesses within the Anacortes city limits. Phase I is complete and Phase 2 (expansion in the west end of Anacortes) construction will be complete in June 2022. The City has passed 60% of city premises (residences and businesses) in the first two phases. Phase 4 will be constructed in 2023.
Completion	By what date will the project (or this phase) be complete? Funds will lapse and may not be spent after this date. 6/30/23
Efforts So Far	Summarize efforts taken to date regarding the project. What planning has taken place? Have engineering reports and feasibility studies been prepared? If so, describe them. As a result of undertaking similar projects, the City's Fiber Division has established processes and relationships in place to successfully see this project to completion. The City has obtained right of way and construction permits from the City and Skagit County. The City has a master pole attachment agreement with Puget Sound Energy, owner of the utility poles in the service areas. The City has completed the SEPA review for this project with a Determination of Nonsignificance issued. The City has identified and is obtaining easements with homeowner associations and private residents where deployment of infrastructure is on private streets or private property. The City has completed design plans for the project area including both the underground and aerial deployment. The City has staff trained and prepared to complete the project management, fiber splicing, and customer installations. The City has already received orders from over 200 potential customers in this project area.

Part 7	Action Plan
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What quantifiable measures are you going to track to measure the success of the project?

The Guemes View Fiberoptic Expansion Project construction involves the installation of 55,000 linear feet of underground fiber installation and 8500 feet of aerial fiber.

The quantifiable measure that we will use to track the success of the project will be the accomplishment of these construction tasks:

For the underground portion:

1. digging a trench at the edge of the paved roadway approximately 12 inches wide and 18 inches deep,
2. placement of a 2-inch conduit in the trench,
3. restoration of the trench and pavement,
4. placement of underground vaults and handholes,
5. pulling fiber optic cables through the conduit, vaults, and handholes,
6. entering existing FuturePath™ microducts,
7. pulling micro-cable through microducts,
8. placing passive outdoor fiber distribution closures (OFDC), and
9. restoring sidewalk panels.

For the aerial portion:

1. placement of steel strand between existing utility poles,
2. overloading fiber optic cable to the strand,
3. placing aerial cable storage devices ("snowshoes"),
4. placing risers on existing utility poles, and
5. pulling fiber optic cable through risers.

The qualitative measure that we will use to track the success of the project addresses the project's economic development and will measure the number of customers who connect to the City's fiber internet service. As of April 12, 2022 the City has received 208 pre-orders for service in the Guemes View Fiberoptic Expansion area. This equates to a 24% take rate. We expect this to increase once the construction begins. In our other service areas we consistently achieve a 40% take rate which exceeds our business model projections.

Part 8	Miscellaneous
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Include information related to the project, if any, that would assist the Economic Development Advisory Committee and the Board of County Commissioners in evaluating the funding request, such as emergency declarations, bird-in-hand industry, volunteer efforts, links to other priority projects, etc.

The Guemes View Fiberoptic Expansion project aligns with Skagit County's desire to expand fiberoptic access throughout the county as a means of economic development. This shovel ready project is the third phase of a four phase project and the City has a thorough understanding in designing, constructing, and installing fiberoptic telecommunication systems.

Part 9**Presentation**

Name(s) of presenter(s) for the project

Emily Schuh, City of Anacortes

Part 10**Applicant Certification**

The applicant here certifies and affirms (1) that it does not now, nor will it during the performance of any contract arising from this application, unlawfully discriminate against any employee, applicant for employment, client, customer, or other person who might benefit from said contract, by reason of age, race, color, ethnicity, sex, religion, creed, place of birth, or degree of handicap; (2) that it will abide by all relevant local, state and federal laws and regulations; and (3) that it has read and understood the provisions and restrictions in each part above and will comply with all provisions thereof.

Signature

online / e-signature

Date

04/14/2022

Printed Name

Matt Miller

Title

Mayor



City Council Agenda Bill

Meeting Date: July 5, 2022

Agenda Item: 5.f.

Agenda Item Title: Resolution 3094: Updating Council Procedures to include new Council Committees

Staff Contact(s): STEVE HOGLUND

Approved for Submittal to Council by **Action Type**

STEVE HOGLUND

Resolution

DARCY SWETNAM

Item Summary: The currently adopted City Council Procedures adopted December 6, 2021 by [Resolution 3051](#) do not include all Council Committees as identified in [Resolution 3091](#) adopted by Council on June 27, 2022 which added a new Economic Development Committee to the existing standing Council Committees. There are other Committees that have been established that are not included in the Council Procedures. This resolution updates Council Procedures to include all committees specified in [Resolution 3091](#).

Budget Impact:

NA

Previous Action: [Resolution 3051](#), [Resolution 3091](#)

Recommended Motion: I move to approve Resolution 3094 updating the City Council Procedures

Alternative Actions: Do not approve resolution and direct staff as to next steps

Attachments (listed in order presented):

1. Resolution 3094 adopting updated council procedures - draft
2. City Council Procedures 7.5.22 clean
3. City Council Procedures 7.5.22 redline
4. Resolution 3091

RESOLUTION NO. 3094

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ANACORTES ADOPTING UPDATED CITY COUNCIL PROCEDURES**

WHEREAS, On April 4, 2016, City Council adopted Resolution 1949 repealing Resolutions 1867 and 1923, and adopting new Council procedures, which have since been updated from time to time as Council has identified policy changes that were determined to be in the best interest of the City, and

WHEREAS, On June 27, 2022 City Council adopted resolution 3091, which identified all standing City Council Committees including several that are not currently listed in the City Council Procedures, and

WHEREAS, City Council has determined that all standing committees should be listed in the Council Procedures.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Anacortes, Washington, that the City Council Procedures are hereby amended to include the following Council Committees: Access – Anacortes Fiber Internet, Economic Development, Finance, Housing Affordability and Community Services, Information Technology, Library and Museum, Personnel, Planning, Parks and Recreation, Public Works, and Public Safety.

**INTRODUCED, PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY
OF ANACORTES on this 5th day of July 2022.**

MATT MILLER, MAYOR

Approved as to form and legality:

ATTEST:

Darcy Swetnam, WSBA #40530
City Attorney

Steven D. Hoglund, City Clerk Treasurer

City Council Procedures

Revised through Resolution 3094 adopted July 5, 2022

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1 General Provisions

1.1 Authority

- (a) RCW 35A.11.020 provides that “the legislative body of each code city shall have power to organize and regulate its internal affairs...and to define the functions, powers, and duties of its officers and employees.”
- (b) RCW 35A.12.120 provides that “the council shall determine its own rules and order of business, and may establish rules for the conduct of council meetings and the maintenance of order.”

1.2 Definitions

- (a) “Chair” means the presiding officer of a meeting; for council meetings, usually the Mayor.
- (b) “Clerk/Treasurer” means the City Clerk/Treasurer or designee.
- (c) “Final action” has the same meaning as in RCW 42.30.020: a collective positive or negative decision, or an actual vote by a majority of the members of a governing body when sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance.

- 1.3 Savings.** These rules are meant to provide assistance to the Council and Mayor for orderly, cordial, and constructive proceedings. The failure to adhere to any of these rules shall not be cause to nullify, invalidate, void or render unenforceable any action taken or any non-action by the Council or any action by the City in reliance thereon. Without affecting rights otherwise provided by law, no person has any cause of action to challenge any ordinance, resolution, motion, decision, or any act whatsoever taken by the Council or the City based on any action or nonaction by the Council in violation of, or in alleged violation of, these rules.

2 Officers

2.1 Mayor

- (a) Per RCW 35A.12.100, the Mayor “shall preside over all meetings of the city council when present.”
- (b) The Mayor is an independently elected official of the City of Anacortes with duties and powers established by statute and city code. These procedures do not affect the Mayor’s duties and powers as established by statute or city code; instead, they govern the role of the Mayor in City Council meetings as presiding officer.
- (c) The Mayor does not have a vote on matters before the City Council except in the case of a tie vote as permitted by RCW 35A.12.100 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.
- (d) The Mayor may participate in discussion of all issues that come before the Council.

2.2 Mayor Pro Tem.

- (a) Election. The City Council must elect a Mayor Pro Tem from among the Councilmembers at the first Council meeting in January after each general municipal election, and whenever a vacancy occurs.
- (b) Duties and Powers.
 - (1) In case of the absence or temporary disability of the Mayor, the Mayor Pro Tem may perform the duties of the Mayor.
 - (2) In the event of a vacancy in the office of Mayor pursuant to RCW 35A.12.050 or RCW 42.12.010, the Mayor Pro Tem shall perform the duties of mayor and preside over the Council during the interim period starting when the vacancy commences and ending upon the appointment to fill the vacancy pursuant to RCW Chapter 42.12.
 - (3) When acting for the Mayor, the Mayor Pro Tem has the power to:
 - (i) call special meetings;
 - (ii) administer oaths and affirmations;
 - (iii) take affidavits and certify them;
 - (iv) sign all conveyances made by the City and all instruments that require the seal of the City. See RCW 35A.12.100, Duties and Authority of the Mayor.
- (c) Right to vote. The appointment of a councilmember as Mayor Pro Tem does not in any way abridge that councilmember's right to vote upon all questions coming before the Council.

2.3 Clerk/Treasurer.

- (a) Duties. The City Clerk/Treasurer must:
 - (1) Prepare the council meeting agenda.
 - (2) Maintain and publish the list of council committees and their meeting schedules.

3 Council Meetings—Types

3.1 Regular Meetings.

- (a) Regular meetings of the City Council are held on the first, second, third, and fourth Monday of each month at 6:00 p.m., except that when any of these days falls on a holiday, the City Council meets on the next business day.
- (b) The City Council may cancel, postpone, or advance the date of any regular Council meeting, except per RCW 35A.12.110 the City Council may not hold fewer than one regular business meeting in each month.
- (c) Regular meetings are held in in the Council Chambers at City Hall.
- (d) In the event there are no agenda items to be considered at a scheduled meeting, such meeting may be canceled by notification by the Mayor to members of the City Council, the public, and other affected parties.

3.2 Special Meetings.

- (a) A special meeting is any meeting of the City Council other than a regular meeting.
- (b) Per RCW 35A.12.110, a special meeting may be called at any time by the Mayor or by any three council members.
- (c) Notice of special meetings must be provided in accordance with RCW 42.30.080.
- (d) Per RCW 42.30.080(3), final action at special meetings may only be taken on the items on the agenda.

3.4 Adjournment. Any regular, adjourned regular, special, or adjourned special meeting may be adjourned in the manner set forth in RCW 42.30.090.

3.5 Continuances. Any meeting or hearing being held, noticed, or ordered to be held by the City Council may be continued to a specified time and place in the manner set forth in RCW 42.30.100.

3.6 Executive Sessions.

- (a) The City Council may hold an executive session without the public as allowed by RCW 42.30.110.
- (b) When the Council adjourns to an executive session, the Mayor must:
 - (1) announce the general topic and the specific RCW authorizing the executive session;
 - (2) specify whether or not the City Council will reconvene afterward and the expected time the City Council will reconvene;
 - (3) announce that the Council will not take any final action in executive session.
- (c) Consistent with RCW 42.30.910, the authorized purposes for executive sessions are to be strictly construed.
- (d) Attendance at executive sessions is limited to councilmembers, the Mayor, and those staff necessary to discuss the subject of the executive session.
- (e) No Councilmember, employee of the City, or any other person present during an executive session may disclose the content or substance of any discussion or action that took place during the executive session, unless authorized to make such disclosure.
- (f) Any discussions in an executive session with its City Attorney or other legal counsel are subject to the attorney-client privilege.
- (g) The Council may not take any votes or any “final action” as defined by RCW 42.30.020(3) at any executive session.

3.7 Retreats

- (a) The Council may meet in an informal conversation setting for a variety of purposes related to City business. Such meetings constitute special meetings under RCW 42.30.

4 Council Meetings—Attendance

4.1 Quorum.

- (a) **Defined.** Per RCW 35A.12.120, a majority of all the members of the City Council constitutes a quorum.
- (b) No business may be conducted without a quorum of councilmembers present or participating in absentia.
- (c) If a quorum is not present at the beginning of a meeting, or if the absence of a quorum arises during a meeting, the presiding officer must adjourn the meeting.

4.2 Attendance Required.

- (a) All Councilmembers must attend all regular meetings of the City Council. Any Councilmember who cannot attend a meeting should notify the Mayor of the reason he or she cannot attend. The Mayor must advise the Council of the reason and entertain a motion to excuse the absence, if any.
- (b) At any regular meeting where a Councilmember is absent, any other Councilmember may move to excuse the absent member. A motion to excuse requires a second and majority vote for passage.
- (c) Per RCW 35A.12.060, a Councilmember is automatically removed from office after failure to attend three consecutive regular meetings without being excused.
- (d) A Councilmember participating in absentia is not considered absent for the purpose of RCW 35A.12.120 or RCW Chapter 42.30.

4.3 Participation in Absentia.

- (a) **Defined.** Participation in absentia means participation in a council meeting without being physically present.
- (b) A Councilmember participating in absentia must login to the City Council meeting using City provided login credentials, and use the electronic meeting link published by the Assistant to the City Clerk.

5 Council Meetings—Agenda

5.1 Preparation.

- (a) The City Clerk/Treasurer is responsible for preparation of the City Council's meeting agenda.

- (b) The City Clerk/Treasurer must distribute the agenda to Councilmembers and publish it to the City website for regular meetings at least five days prior the meeting.

5.2 Form and Standard Order of Business. Unless modified by the Chair for a single meeting, the agenda must list business in the following order:

- (a) Call to Order / Pledge of Allegiance;
- (b) Announcements and Committee Reports (including a list of Council Committees that met since the prior meeting);
- (c) Public Comment;
- (d) Consent Agenda;
- (e) any public hearings;
- (f) any high-priority business that must be conducted at that meeting;
- (g) any other business.

5.3 Addition of items to the agenda

- (a) A City Department Head may request addition of an item to a Council meeting agenda. An agenda item coversheet is required for all such agenda items.
- (b) Any two Councilmembers, by submitting a written request to the Clerk/Treasurer, may add an item to a Council meeting agenda for a specific date at least 6 days after the request. The Mayor may decline to put a requested item on an agenda if it is inappropriate, untimely, or unrelated to the business of the City. However, if three Councilmembers support the agenda request, the item must be included on the agenda. An agenda item coversheet is required for all such agenda items.
- (c) A member of the public may suggest or request, in writing, an item for a future Council meeting agenda. The Mayor has discretion to decide whether to add such an item to a Council meeting agenda, and may recommend the item be presented instead to a Council Committee.
- (d) On the second and fourth regular meeting of each month, items requiring final action, other than those qualifying for the consent agenda, should not be scheduled.

6 Council Meetings—Standard Business

6.1 Call to Order.

- (a) The Clerk/Treasurer must note the absence of any councilmember.
- (b) Attendees stand and recite the pledge of allegiance.

6.2 Announcements and Committee Reports.

Councilmembers and the Mayor should make any announcements related to city business that are relevant to the Council or the public.

6.3 Public Comment. See Rule 8 Council Meetings—Public Comment.

6.4 Consent Agenda.

- (a) The Consent Agenda is a list of routine items not requiring discussion or independent action.
- (b) The Council must approve the items on the Consent Agenda as a group, but any Councilmember may remove any item from the Consent Agenda to be considered separately.
- (c) All items on the Consent Agenda (except for minutes and routine payment of claims) require:
 - (1) a completed agenda item coversheet;
 - (2) the complete document for which approval is requested;
 - (3) approval as to content by the relevant department head;
 - (4) approval as to budget by the Clerk/Treasurer;
 - (5) approval as to form by the City Attorney.
- (d) Items eligible for consent agenda include the following.
 - (1) meeting minutes.
 - (2) payment of claims per AMC Chapter 3.02;
 - (3) street fair applications;
 - (4) resolutions to set the date of a public hearing;
 - (5) final decisions on land use applications that received unanimous preliminary approval at a previous meeting;
 - (6) grant agreements $\leq$ \$250,000;
 - (7) Public Works contracts that have been publicly bid $\leq$ \$200,000;
 - (8) purchased or personal services contracts on standard city forms $\leq$ \$100,000;
 - (9) any item the council has indicated may be placed on the Consent Agenda at a previous meeting.

7 Council Meetings—Motions, Voting, and Types of Action

7.1 Debate. Debate must follow the rules in Attachment B.

7.2 Voting.

- (a) All votes may be taken by voice vote except for final votes on the adoption of an ordinance or resolution, which must be by roll call.
- (b) Per RCW 35A.12.120, any vote must be by roll call vote if a council member requests it.
- (c) Per RCW 35A.12.120, the passage of any ordinance, grant or revocation of franchise or license, and any resolution for the payment of money requires the affirmative vote of at least a majority of the whole membership of the council.

7.3 Resolutions.

- (a) **Defined.** A resolution is a written form of a motion.
- (b) The City Council may use a resolution to formalize rules, recommendations, administrative policies, or expressions of opinion; to authorize contracts; and to take other actions that do not require an ordinance.
- (c) A resolution does not require approval of the Mayor. The Mayor's signature on a resolution indicates the Mayor's certification, as presiding officer, that the Council approved the resolution as written.

7.4 Ordinances

- (a) **Defined.** An ordinance is a law of the City. An ordinance is generally required for the following actions:
 - (1) imposing a tax;
 - (2) establishing fees or charges for city services;
 - (3) regulating the conduct of business;
 - (4) revising the Anacortes Municipal Code and other city regulations;
 - (5) adopting or revising the Comprehensive Plan;
 - (6) other items that State law or City policy requires to be enacted by means of an ordinance.
- (b) **Two-read rule.** An ordinance must be heard at two separate council meetings before it can be adopted.

8 Council Meetings—Public Comment

- (a) **Generally.**
 - (1) The chair should preserve order and decorum at all regular and special meetings of the City Council, in accordance with RCW 43.30.050.
 - (2) Meetings are intended to be of a neutral and businesslike atmosphere.
 - (3) These rules are intended to promote an orderly system of holding a public hearing or meeting, to give every person who wishes to speak an opportunity to be heard, and to ensure that no individual is embarrassed by exercising the right to free speech.
- (b) **Opportunities.**
 - (1) The agenda may indicate when opportunities for public comment are allowed or invited.
 - (2) The mayor or councilmembers may invite additional information, questions, or comments from the public, pertinent to the matters under discussion.
 - (3) Public input for quasi-judicial proceedings and other actions covered by specific rules of procedure are governed by the applicable rules.
 - (4) Comments on certain matters may be restricted to the date and time they are considered under an agenda, such as those requiring a public hearing or subject to a public participation plan.

(c) Time limits.

- (1) The chair may set uniform time limits or time allocations for testimony as necessary to manage the orderly progress of the meeting.
- (2) As time allows, additional time may be allowed by the chair to an individual or group, after everyone else has spoken.
- (3) Spokesperson for a group. In order to expedite matters and to avoid repetitious presentation, delay or interruption of the orderly business of the Council, whenever any group of persons wishes to address the Council on the same subject matter, the chair may request that a spokesperson be chosen by the group to address the Council. However, being a member of a group shall not preclude an individual from stating that they agree or disagree with the spokesperson, or from presenting additional comments not addressed by the spokesperson.

(d) Method of addressing Council.

- (1) A person desiring to address the Council must first obtain the permission of the chair.
- (2) A person addressing the Council must:
 - (i) provide their name for the record;
 - (ii) confine their remarks to those relevant the issues being considered.

(e) Disruptions.

- (1) The chair should maintain control over interruptions and disruptive behavior.
- (2) No person may:
 - (i) engage in any indecorous, abusive or inappropriate language;
 - (ii) make personal attacks on any other person;
 - (iii) impugn the integrity, honesty, or motives of any person;
 - (iv) in any way make slanderous remarks;
 - (v) wave signs, cheer or applaud, or take disruptive actions.
- (3) Any person whose comments have been ruled out of order by the chair must immediately cease and refrain from further improper comments. Anyone who persists in making “out of order” comments, interrupting others, or otherwise disrupting the meeting is subject to removal from the meeting.
- (4) In the event that any meeting is interrupted by a person or group of persons so as to render the orderly conduct of such meeting unfeasible, and order cannot be restored by the removal of individuals who are interrupting the meeting, the members of the Council may vote to order the meeting room cleared and continue in session or may adjourn the meeting and reconvene at another location selected by majority vote of the members.

9 Council Meetings—Records

9.1 Recording. City staff must make audio and video recordings of all City Council meetings, and maintain an archive of all such recordings on the City website for access by the public.

9.2 Minutes

- (a) City staff must prepare minutes of all Council meetings and provide to each Councilmember for approval at a subsequent meeting.
- (b) Approved meeting minutes must be published on the City website.

10 Council Committees

10.1 Purpose.

- (a) Council Committees are for the purpose of studying and considering policy issues, and bringing recommendations on issues forward to the full Council for consideration. Issues may be referred to a Committee by the Council for the Committee to review and make a recommendation back to the Council. Issues may also be brought to a Committee's attention by any Councilmember, by City staff, or by the public through a Councilmember or staff. Committees will also assist staff by reviewing issues in advance of their presentation to the full Council.

10.2 Council Committees do not represent, and may not speak for, the City Council.

10.3 Standing Committees.

- (a) The Mayor Pro-Tem must appoint three Councilmembers to each standing committees at the second regular meeting of each year that follows a general municipal election. The appointments must be confirmed by the City Council.
- (b) The following standing committees are established for the purposes described:
 - (1) **Access – Anacortes Fiber Internet;** to make recommendations on Access projects, processes, and procedures.
 - (2) **Economic Development;** to make recommendations regarding economic development within the City of Anacortes.
 - (3) **Finance;** to make recommendations on the municipal budget, capital facilities financing, and to approve transactions as authorized by municipal code.
 - (4) **Housing Affordability and Community Services;** to develop a draft strategic plan to improve housing affordability and make recommendations on budget and CDBG grant allocations for social services.
 - (5) **Information Technology;** to make recommendations regarding City computing policies and procedures.
 - (6) **Library and Museum;** to make recommendations regarding Library and Museum policies and procedures.
 - (7) **Personnel;** to make recommendations regarding positions and personnel policies.
 - (8) **Planning;** to make recommendations regarding land use, comprehensive planning,

and development regulations.

- (9) **Parks and Recreation:** to make recommendations regarding park, recreation, and trail facilities, activities, and policies.
- (10) **Public Works:** to make recommendations regarding public works and city utilities.
- (11) **Public Safety:** to make recommendations regarding public safety, including the police and fire departments and emergency medical services.

10.4 Ad Hoc Committees. The Mayor Pro-Tem may appoint Ad Hoc Committees to consider and make reports or policy recommendations on specific topics. The appointments must be confirmed by the City Council.

10.5 Committee Meetings.

- (a) Council Committees may set their own meeting times, agendas, and work programs.
- (b) The regular Council Committee meeting schedule must be posted on the City website and upcoming meeting times should included on Council agendas.
- (c) A Committee may call a special meeting or re-schedule a regular meeting at any time with 24-hour notice consistent with RCW 42.30.080.
- (d) The Committees may prioritize the various issues that are put before them, and determine which ones to work on.
- (e) If an issue is referred to a Committee by Council vote, with a request for the Committee to make a recommendation back to Council, that issue shall have a high priority.
- (f) Duty to avoid a quorum. No more than three Councilmembers may attend any Committee meeting. A Councilmember may attend a committee meeting in the absence of a regular member if asked to do so by the remaining regular Committee members to facilitate the work of the Committee.

10.6 Committee Reports.

- (a) At regular council meetings, each committee that has met since a prior council meeting should provide a report of the committee's business.
- (b) Committees may request time at a full Council meeting for:
 - (1) discussion of an issue that the Committee is working on; or
 - (2) presentation of the Committee's formal recommendations to the Council with a request for Council action.
- (c) When the Committee members are not unanimous in their recommendation, a minority viewpoint may be presented.

10.7 Council Representatives

- (a) The Mayor Pro-Tem may appoint a Councilmember to be a Council representative or liaison to a community organization, a neighborhood group, a committee or group of another governmental entity, or in some way to coordinate between the Council or City and another group. The appointment must be confirmed by the City Council.
- (b) Council representatives must regularly report to the City Council.

11 Suspension and Amendment of these Procedures

- 11.1 Suspension of the Rules.** Any provision of these rules not governed by other laws may be suspended until the next meeting by 2/3 vote of those Councilmembers present.
- 11.2 Amendment of the Rules.** These rules may be amended or new rules adopted by a vote of at least four Councilmembers, provided that the proposed amendments or new rules must have been introduced at a prior Council meeting.

Attachment B—Rules of Debate

1.1 Generally

- (a) Unless otherwise stated in this document, or unless in conflict with state law, the Mayor shall maintain order, control the manner of discussion among the Councilmembers, and implement the City Council's rules. If a question arises regarding the application of the rules, any two members can appeal to the Council for a decision.
- (b) The presiding officer shall determine all points of order subject to the right of any Councilmember to appeal to the Council. If any appeal is taken, the point of order shall be decided by vote of the Council.

1.2 Introduction of Business

- (a) The presiding officer shall state all questions coming before the Council, provide opportunity for discussion from the floor where required by ordinance or statutes, or these rules of procedure, and at other times at his or her discretion, and announce all decisions of the Council.
- (b) The Mayor shall introduce each item of business and refer it to the appropriate spokesperson for explanation to the entire Council.

1.3 Right to Speak.

- (a) Each Councilmember desiring to speak shall address the presiding officer, and the Mayor shall recognize members of the Council in the order that they request the floor.
- (b) Upon recognition, each Councilmember shall confine his or her comments to the issues being considered. At the discretion of the Council, an informal conversational format may be utilized for discussion of some issues.
- (c) Interruptions. A member of the Council, once recognized, shall not be interrupted when speaking unless it is to call him or her to order. The Mayor shall maintain control over interruptions.

1.4 Motion Procedures.

- (a) Any Councilmember may make a motion with respect to the item of business on the floor.
- (b) Motions shall be clear and concise and not include statements for the motion within the motion.
- (c) If a motion does not receive a second, it dies. After a motion and a second, the Mayor shall restate the motion.
- (d) Motions that do not need a second include: nominations, agenda order, point of order, and adjournment. After consideration of the Mayor's ability to break a tie vote, according to State law, a motion that receives a tie vote is deemed to have failed.
- (e)
- (f) A motion to amend a motion, upon a second, may be discussed and must be decided before the principal motion is further considered.

- (g) A motion to postpone to a certain time, including later in the same meeting, is debatable, is amendable, and may be reconsidered at the same meeting. The question being postponed must be considered at a later time at the same meeting or at a future regular or special Council meeting.
- (h) Where there is insufficient information available to the Council to decide an issue, a motion to postpone to a time when the issue is deemed ready for further consideration may be made. A motion for consideration at such an indefinite time shall state with specificity the conditions to be met or deemed not meetable before the Council is to again consider the issue. If such a motion is seconded, it is debatable, amendable, and may be reconsidered at the same meeting. The question so postponed will be considered when the conditions have been met or are deemed impossible to meet.

1.5 Discussion.

- (a) Discussion of an issue may occur before a motion on the issue has been made. After a motion has been made and seconded, the Councilmembers may discuss their opinions on the issue prior to the vote; the post-motion discussion shall focus on the issue within the context of the merits of the motion.
- (b) All Councilmembers must be afforded an opportunity to speak on the issue. Public comment shall not be allowed when a motion is pending except at the request of a Councilmember to the Mayor to clarify the details of the issue at hand, for limited inquiry made to staff or legal counsel, or to a person who previously provided formal or informal testimony concerning the issue at hand. The Mayor shall insure that any response is limited to the inquiry made.

1.6 Closing Discussion.

- (a) A motion calling for the question shall close discussion on the main motion and is not debatable. Such a motion must receive a second and fails without a two-thirds (2/3) vote of those Councilmembers present.
- (b) Discussion is re-opened if the motion fails.

1.7 Voting.

- (a) The Mayor or recording secretary shall restate the motion prior to voting.
- (b) The recording secretary shall conduct any roll call votes.
- (c) No Councilmember shall be allowed to pass when called upon and then vote later in the order.
- (d) Councilmembers may abstain from the entire vote only where disqualified by reason of conflict of interest or where approved by the Mayor due to the Councilmember's non-participation in earlier proceedings concerning the subject of the motion. Should any Councilmember nonetheless fail to vote when his/her name is called or otherwise abstain, his/her vote will be counted as an "aye" on the question.
- (e) To meet a "two thirds of Councilmembers present" requirement, the vote must be as follows:
 - (1) if seven (7) members are present, then five (5) must vote in the affirmative;
 - (2) if six or five (6 or 5) members are present, then four (4) must vote in the affirmative;

(3) if four (4) members are present, then three (3) must vote in the affirmative.

(f) At the conclusion of any vote, the Mayor shall inform the Council of the result of the vote. The recording secretary may confirm the result.

1.8 Informal Concurrence. When the Council concurs or agrees with an item that does not require a formal motion, the Mayor will summarize the agreement at the conclusion of the discussion. Unless objection is made by a Councilmember after such a summary, the summary stands. If objection is made, the matter should be decided by formal motion.

1.9 Reconsideration. When a question other than: (a) a bond resolution; (b) a quasijudicial decision; (c) an ordinance enacting or amending a comprehensive plan, a development regulation, or the Shoreline Master Program; or (d) in reliance on which City staff has already acted and has been decided by vote of the Council, any Councilmember who voted in the majority may move for reconsideration. A motion for reconsideration may occur no later than the next following regular business meeting of the Council. Any such motion must receive a second to be considered.

City Council Procedures

Revised through Resolution ~~3051-3094~~ adopted ~~December 6, 2021~~July 5, 2022

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1 General Provisions

1.1 Authority

- (a) RCW 35A.11.020 provides that “the legislative body of each code city shall have power to organize and regulate its internal affairs...and to define the functions, powers, and duties of its officers and employees.”
- (b) RCW 35A.12.120 provides that “the council shall determine its own rules and order of business, and may establish rules for the conduct of council meetings and the maintenance of order.”

1.2 Definitions

- (a) “Chair” means the presiding officer of a meeting; for council meetings, usually the Mayor.
- (b) “Clerk/Treasurer” means the City Clerk/Treasurer or designee.
- (c) “Final action” has the same meaning as in RCW 42.30.020: a collective positive or negative decision, or an actual vote by a majority of the members of a governing body when sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance.

- 1.3 Savings.** These rules are meant to provide assistance to the Council and Mayor for orderly, cordial, and constructive proceedings. The failure to adhere to any of these rules shall not be cause to nullify, invalidate, void or render unenforceable any action taken or any non-action by the Council or any action by the City in reliance thereon. Without affecting rights otherwise provided by law, no person has any cause of action to challenge any ordinance, resolution, motion, decision, or any act whatsoever taken by the Council or the City based on any action or nonaction by the Council in violation of, or in alleged violation of, these rules.

2 Officers

2.1 Mayor

- (a) Per RCW 35A.12.100, the Mayor “shall preside over all meetings of the city council when present.”
- (b) The Mayor is an independently elected official of the City of Anacortes with duties and powers established by statute and city code. These procedures do not affect the Mayor’s duties and powers as established by statute or city code; instead, they govern the role of the Mayor in City Council meetings as presiding officer.
- (c) The Mayor does not have a vote on matters before the City Council except in the case of a tie vote as permitted by RCW 35A.12.100 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.
- (d) The Mayor may participate in discussion of all issues that come before the Council.

2.2 Mayor Pro Tem.

- (a) Election. The City Council must elect a Mayor Pro Tem from among the Councilmembers at the first Council meeting in January after each general municipal election, and whenever a vacancy occurs.
- (b) Duties and Powers.
 - (1) In case of the absence or temporary disability of the Mayor, the Mayor Pro Tem may perform the duties of the Mayor.
 - (2) In the event of a vacancy in the office of Mayor pursuant to RCW 35A.12.050 or RCW 42.12.010, the Mayor Pro Tem shall perform the duties of mayor and preside over the Council during the interim period starting when the vacancy commences and ending upon the appointment to fill the vacancy pursuant to RCW Chapter 42.12.
 - (3) When acting for the Mayor, the Mayor Pro Tem has the power to:
 - (i) call special meetings;
 - (ii) administer oaths and affirmations;
 - (iii) take affidavits and certify them;
 - (iv) sign all conveyances made by the City and all instruments that require the seal of the City. See RCW 35A.12.100, Duties and Authority of the Mayor.
- (c) Right to vote. The appointment of a councilmember as Mayor Pro Tem does not in any way abridge that councilmember's right to vote upon all questions coming before the Council.

2.3 Clerk/Treasurer.

- (a) Duties. The City Clerk/Treasurer must:
 - (1) Prepare the council meeting agenda.
 - (2) Maintain and publish the list of council committees and their meeting schedules.

3 Council Meetings—Types

3.1 Regular Meetings.

- (a) Regular meetings of the City Council are held on the first, second, third, and fourth Monday of each month at 6:00 p.m., except that when any of these days falls on a holiday, the City Council meets on the next business day.
- (b) The City Council may cancel, postpone, or advance the date of any regular Council meeting, except per RCW 35A.12.110 the City Council may not hold fewer than one regular business meeting in each month.
- (c) Regular meetings are held in in the Council Chambers at City Hall.
- (d) In the event there are no agenda items to be considered at a scheduled meeting, such meeting may be canceled by notification by the Mayor to members of the City Council, the public, and other affected parties.

3.2 Special Meetings.

- (a) A special meeting is any meeting of the City Council other than a regular meeting.
- (b) Per RCW 35A.12.110, a special meeting may be called at any time by the Mayor or by any three council members.
- (c) Notice of special meetings must be provided in accordance with RCW 42.30.080.
- (d) Per RCW 42.30.080(3), final action at special meetings may only be taken on the items on the agenda.

3.4 Adjournment. Any regular, adjourned regular, special, or adjourned special meeting may be adjourned in the manner set forth in RCW 42.30.090.

3.5 Continuances. Any meeting or hearing being held, noticed, or ordered to be held by the City Council may be continued to a specified time and place in the manner set forth in RCW 42.30.100.

3.6 Executive Sessions.

- (a) The City Council may hold an executive session without the public as allowed by RCW 42.30.110.
- (b) When the Council adjourns to an executive session, the Mayor must:
 - (1) announce the general topic and the specific RCW authorizing the executive session;
 - (2) specify whether or not the City Council will reconvene afterward and the expected time the City Council will reconvene;
 - (3) announce that the Council will not take any final action in executive session.
- (c) Consistent with RCW 42.30.910, the authorized purposes for executive sessions are to be strictly construed.
- (d) Attendance at executive sessions is limited to councilmembers, the Mayor, and those staff necessary to discuss the subject of the executive session.
- (e) No Councilmember, employee of the City, or any other person present during an executive session may disclose the content or substance of any discussion or action that took place during the executive session, unless authorized to make such disclosure.
- (f) Any discussions in an executive session with its City Attorney or other legal counsel are subject to the attorney-client privilege.
- (g) The Council may not take any votes or any “final action” as defined by RCW 42.30.020(3) at any executive session.

3.7 Retreats

- (a) The Council may meet in an informal conversation setting for a variety of purposes related to City business. Such meetings constitute special meetings under RCW 42.30.

4 Council Meetings—Attendance

4.1 Quorum.

- (a) **Defined.** Per RCW 35A.12.120, a majority of all the members of the City Council constitutes a quorum.
- (b) No business may be conducted without a quorum of councilmembers present or participating in absentia.
- (c) If a quorum is not present at the beginning of a meeting, or if the absence of a quorum arises during a meeting, the presiding officer must adjourn the meeting.

4.2 Attendance Required.

- (a) All Councilmembers must attend all regular meetings of the City Council. Any Councilmember who cannot attend a meeting should notify the Mayor of the reason he or she cannot attend. The Mayor must advise the Council of the reason and entertain a motion to excuse the absence, if any.
- (b) At any regular meeting where a Councilmember is absent, any other Councilmember may move to excuse the absent member. A motion to excuse requires a second and majority vote for passage.
- (c) Per RCW 35A.12.060, a Councilmember is automatically removed from office after failure to attend three consecutive regular meetings without being excused.
- (d) A Councilmember participating in absentia is not considered absent for the purpose of RCW 35A.12.120 or RCW Chapter 42.30.

4.3 Participation in Absentia.

- (a) **Defined.** Participation in absentia means participation in a council meeting without being physically present.
- (b) A Councilmember participating in absentia must login to the City Council meeting using City provided login credentials, and use the electronic meeting link published by the Assistant to the City Clerk.

5 Council Meetings—Agenda

5.1 Preparation.

- (a) The City Clerk/Treasurer is responsible for preparation of the City Council's meeting agenda.

- (b) The City Clerk/Treasurer must distribute the agenda to Councilmembers and publish it to the City website for regular meetings at least five days prior the meeting.

5.2 Form and Standard Order of Business. Unless modified by the Chair for a single meeting, the agenda must list business in the following order:

- (a) Call to Order / Pledge of Allegiance;
- (b) Announcements and Committee Reports (including a list of Council Committees that met since the prior meeting);
- (c) Public Comment;
- (d) Consent Agenda;
- (e) any public hearings;
- (f) any high-priority business that must be conducted at that meeting;
- (g) any other business.

5.3 Addition of items to the agenda

- (a) A City Department Head may request addition of an item to a Council meeting agenda. An agenda item coversheet is required for all such agenda items.
- (b) Any two Councilmembers, by submitting a written request to the Clerk/Treasurer, may add an item to a Council meeting agenda for a specific date at least 6 days after the request. The Mayor may decline to put a requested item on an agenda if it is inappropriate, untimely, or unrelated to the business of the City. However, if three Councilmembers support the agenda request, the item must be included on the agenda. An agenda item coversheet is required for all such agenda items.
- (c) A member of the public may suggest or request, in writing, an item for a future Council meeting agenda. The Mayor has discretion to decide whether to add such an item to a Council meeting agenda, and may recommend the item be presented instead to a Council Committee.
- (d) On the second and fourth regular meeting of each month, items requiring final action, other than those qualifying for the consent agenda, should not be scheduled.

6 Council Meetings—Standard Business

6.1 Call to Order.

- (a) The Clerk/Treasurer must note the absence of any councilmember.
- (b) Attendees stand and recite the pledge of allegiance.

6.2 Announcements and Committee Reports.

Councilmembers and the Mayor should make any announcements related to city business that are relevant to the Council or the public.

6.3 Public Comment. See Rule 8 Council Meetings—Public Comment.

6.4 Consent Agenda.

- (a) The Consent Agenda is a list of routine items not requiring discussion or independent action.
- (b) The Council must approve the items on the Consent Agenda as a group, but any Councilmember may remove any item from the Consent Agenda to be considered separately.
- (c) All items on the Consent Agenda (except for minutes and routine payment of claims) require:
 - (1) a completed agenda item coversheet;
 - (2) the complete document for which approval is requested;
 - (3) approval as to content by the relevant department head;
 - (4) approval as to budget by the Clerk/Treasurer;
 - (5) approval as to form by the City Attorney.
- (d) Items eligible for consent agenda include the following.
 - (1) meeting minutes.
 - (2) payment of claims per AMC Chapter 3.02;
 - (3) street fair applications;
 - (4) resolutions to set the date of a public hearing;
 - (5) final decisions on land use applications that received unanimous preliminary approval at a previous meeting;
 - (6) grant agreements $\leq$ \$250,000;
 - (7) Public Works contracts that have been publicly bid $\leq$ \$200,000;
 - (8) purchased or personal services contracts on standard city forms $\leq$ \$100,000;
 - (9) any item the council has indicated may be placed on the Consent Agenda at a previous meeting.

7 Council Meetings—Motions, Voting, and Types of Action

7.1 Debate. Debate must follow the rules in Attachment B.

7.2 Voting.

- (a) All votes may be taken by voice vote except for final votes on the adoption of an ordinance or resolution, which must be by roll call.
- (b) Per RCW 35A.12.120, any vote must be by roll call vote if a council member requests it.
- (c) Per RCW 35A.12.120, the passage of any ordinance, grant or revocation of franchise or license, and any resolution for the payment of money requires the affirmative vote of at least a majority of the whole membership of the council.

7.3 Resolutions.

- (a) **Defined.** A resolution is a written form of a motion.
- (b) The City Council may use a resolution to formalize rules, recommendations, administrative policies, or expressions of opinion; to authorize contracts; and to take other actions that do not require an ordinance.
- (c) A resolution does not require approval of the Mayor. The Mayor's signature on a resolution indicates the Mayor's certification, as presiding officer, that the Council approved the resolution as written.

7.4 Ordinances

- (a) **Defined.** An ordinance is a law of the City. An ordinance is generally required for the following actions:
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 - (3) regulating the conduct of business;
 - (4) revising the Anacortes Municipal Code and other city regulations;
 - (5) adopting or revising the Comprehensive Plan;
 - (6) other items that State law or City policy requires to be enacted by means of an ordinance.
- (b) **Two-read rule.** An ordinance must be heard at two separate council meetings before it can be adopted.

8 Council Meetings—Public Comment

- (a) **Generally.**
 - (1) The chair should preserve order and decorum at all regular and special meetings of the City Council, in accordance with RCW 43.30.050.
 - (2) Meetings are intended to be of a neutral and businesslike atmosphere.
 - (3) These rules are intended to promote an orderly system of holding a public hearing or meeting, to give every person who wishes to speak an opportunity to be heard, and to ensure that no individual is embarrassed by exercising the right to free speech.
- (b) **Opportunities.**
 - (1) The agenda may indicate when opportunities for public comment are allowed or invited.
 - (2) The mayor or councilmembers may invite additional information, questions, or comments from the public, pertinent to the matters under discussion.
 - (3) Public input for quasi-judicial proceedings and other actions covered by specific rules of procedure are governed by the applicable rules.
 - (4) Comments on certain matters may be restricted to the date and time they are considered under an agenda, such as those requiring a public hearing or subject to a public participation plan.

(c) Time limits.

- (1) The chair may set uniform time limits or time allocations for testimony as necessary to manage the orderly progress of the meeting.
- (2) As time allows, additional time may be allowed by the chair to an individual or group, after everyone else has spoken.
- (3) Spokesperson for a group. In order to expedite matters and to avoid repetitious presentation, delay or interruption of the orderly business of the Council, whenever any group of persons wishes to address the Council on the same subject matter, the chair may request that a spokesperson be chosen by the group to address the Council. However, being a member of a group shall not preclude an individual from stating that they agree or disagree with the spokesperson, or from presenting additional comments not addressed by the spokesperson.

(d) Method of addressing Council.

- (1) A person desiring to address the Council must first obtain the permission of the chair.
- (2) A person addressing the Council must:
 - (i) provide their name for the record;
 - (ii) confine their remarks to those relevant the issues being considered.

(e) Disruptions.

- (1) The chair should maintain control over interruptions and disruptive behavior.
- (2) No person may:
 - (i) engage in any indecorous, abusive or inappropriate language;
 - (ii) make personal attacks on any other person;
 - (iii) impugn the integrity, honesty, or motives of any person;
 - (iv) in any way make slanderous remarks;
 - (v) wave signs, cheer or applaud, or take disruptive actions.
- (3) Any person whose comments have been ruled out of order by the chair must immediately cease and refrain from further improper comments. Anyone who persists in making “out of order” comments, interrupting others, or otherwise disrupting the meeting is subject to removal from the meeting.
- (4) In the event that any meeting is interrupted by a person or group of persons so as to render the orderly conduct of such meeting unfeasible, and order cannot be restored by the removal of individuals who are interrupting the meeting, the members of the Council may vote to order the meeting room cleared and continue in session or may adjourn the meeting and reconvene at another location selected by majority vote of the members.

9 Council Meetings—Records

9.1 Recording. City staff must make audio and video recordings of all City Council meetings, and maintain an archive of all such recordings on the City website for access by the public.

9.2 Minutes

- (a) City staff must prepare minutes of all Council meetings and provide to each Councilmember for approval at a subsequent meeting.
- (b) Approved meeting minutes must be published on the City website.

10 Council Committees

10.1 Purpose.

- (a) Council Committees are for the purpose of studying and considering policy issues, and bringing recommendations on issues forward to the full Council for consideration. Issues may be referred to a Committee by the Council for the Committee to review and make a recommendation back to the Council. Issues may also be brought to a Committee's attention by any Councilmember, by City staff, or by the public through a Councilmember or staff. Committees will also assist staff by reviewing issues in advance of their presentation to the full Council.

10.2 Council Committees do not represent, and may not speak for, the City Council.

10.3 Standing Committees.

- (a) The Mayor Pro-Tem must appoint three Councilmembers to each standing committees at the second regular meeting of each year that follows a general municipal election. The appointments must be confirmed by the City Council.

- (b) The following standing committees are established for the purposes described:

(1) Access – Anacortes Fiber Internet; to make recommendations on Access projects, processes, and procedures.

(2) Economic Development; to make recommendations regarding economic development within the City of Anacortes.

(1)(3) Finance; to make recommendations on the municipal budget, capital facilities financing, and to approve transactions as authorized by municipal code.

(4) Housing Affordability and Community Services; to develop a draft strategic plan to improve housing affordability and make recommendations on budget and CDBG grant allocations for social services.

(5) Information Technology; to make recommendations regarding City computing policies and procedures.

(6) Library and Museum; to make recommendations regarding Library and Museum policies and procedures.

(2) _____

(3)(7) Personnel; to make recommendations regarding positions and personnel policies.

(4)(8) **Planning:** to make recommendations regarding land use, comprehensive planning, and development regulations, ~~and community and economic development.~~

(5)(9) **Parks and Recreation:** to make recommendations regarding park, recreation, and trail facilities, activities, and policies.

(6)(10) **Public Works:** to make recommendations regarding public works and city utilities.

(7)(11) **Public Safety:** to make recommendations regarding public safety, including the police and fire departments and emergency medical services.

10.4 Ad Hoc Committees. The Mayor Pro-Tem may appoint Ad Hoc Committees to consider and make reports or policy recommendations on specific topics. The appointments must be confirmed by the City Council.

10.5 Committee Meetings.

- (a) Council Committees may set their own meeting times, agendas, and work programs.
- (b) The regular Council Committee meeting schedule must be posted on the City website and upcoming meeting times should included on Council agendas.
- (c) A Committee may call a special meeting or re-schedule a regular meeting at any time with 24-hour notice consistent with RCW 42.30.080.
- (d) The Committees may prioritize the various issues that are put before them, and determine which ones to work on.
- (e) If an issue is referred to a Committee by Council vote, with a request for the Committee to make a recommendation back to Council, that issue shall have a high priority.
- (f) Duty to avoid a quorum. No more than three Councilmembers may attend any Committee meeting. A Councilmember may attend a committee meeting in the absence of a regular member if asked to do so by the remaining regular Committee members to facilitate the work of the Committee.

10.6 Committee Reports.

- (a) At regular council meetings, each committee that has met since a prior council meeting should provide a report of the committee's business.
- (b) Committees may request time at a full Council meeting for:
 - (1) discussion of an issue that the Committee is working on; or
 - (2) presentation of the Committee's formal recommendations to the Council with a request for Council action.
- (c) When the Committee members are not unanimous in their recommendation, a minority viewpoint may be presented.

10.7 Council Representatives

- (a) The Mayor Pro-Tem may appoint a Councilmember to be a Council representative or liaison to a community organization, a neighborhood group, a committee or group of another governmental entity, or in some way to coordinate between the Council or City and another group. The appointment must be confirmed by the City Council.
- (b) Council representatives must regularly report to the City Council.

11 Suspension and Amendment of these Procedures

- 11.1 Suspension of the Rules.** Any provision of these rules not governed by other laws may be suspended until the next meeting by 2/3 vote of those Councilmembers present.
- 11.2 Amendment of the Rules.** These rules may be amended or new rules adopted by a vote of at least four Councilmembers, provided that the proposed amendments or new rules must have been introduced at a prior Council meeting.

Attachment B—Rules of Debate

1.1 Generally

- (a) Unless otherwise stated in this document, or unless in conflict with state law, the Mayor shall maintain order, control the manner of discussion among the Councilmembers, and implement the City Council's rules. If a question arises regarding the application of the rules, any two members can appeal to the Council for a decision.
- (b) The presiding officer shall determine all points of order subject to the right of any Councilmember to appeal to the Council. If any appeal is taken, the point of order shall be decided by vote of the Council.

1.2 Introduction of Business

- (a) The presiding officer shall state all questions coming before the Council, provide opportunity for discussion from the floor where required by ordinance or statutes, or these rules of procedure, and at other times at his or her discretion, and announce all decisions of the Council.
- (b) The Mayor shall introduce each item of business and refer it to the appropriate spokesperson for explanation to the entire Council.

1.3 Right to Speak.

- (a) Each Councilmember desiring to speak shall address the presiding officer, and the Mayor shall recognize members of the Council in the order that they request the floor.
- (b) Upon recognition, each Councilmember shall confine his or her comments to the issues being considered. At the discretion of the Council, an informal conversational format may be utilized for discussion of some issues.
- (c) Interruptions. A member of the Council, once recognized, shall not be interrupted when speaking unless it is to call him or her to order. The Mayor shall maintain control over interruptions.

1.4 Motion Procedures.

- (a) Any Councilmember may make a motion with respect to the item of business on the floor.
- (b) Motions shall be clear and concise and not include statements for the motion within the motion.
- (c) If a motion does not receive a second, it dies. After a motion and a second, the Mayor shall restate the motion.
- (d) Motions that do not need a second include: nominations, agenda order, point of order, and adjournment. After consideration of the Mayor's ability to break a tie vote, according to State law, a motion that receives a tie vote is deemed to have failed.
- (e)
- (f) A motion to amend a motion, upon a second, may be discussed and must be decided before the principal motion is further considered.

- (g) A motion to postpone to a certain time, including later in the same meeting, is debatable, is amendable, and may be reconsidered at the same meeting. The question being postponed must be considered at a later time at the same meeting or at a future regular or special Council meeting.
- (h) Where there is insufficient information available to the Council to decide an issue, a motion to postpone to a time when the issue is deemed ready for further consideration may be made. A motion for consideration at such an indefinite time shall state with specificity the conditions to be met or deemed not meetable before the Council is to again consider the issue. If such a motion is seconded, it is debatable, amendable, and may be reconsidered at the same meeting. The question so postponed will be considered when the conditions have been met or are deemed impossible to meet.

1.5 Discussion.

- (a) Discussion of an issue may occur before a motion on the issue has been made. After a motion has been made and seconded, the Councilmembers may discuss their opinions on the issue prior to the vote; the post-motion discussion shall focus on the issue within the context of the merits of the motion.
- (b) All Councilmembers must be afforded an opportunity to speak on the issue. Public comment shall not be allowed when a motion is pending except at the request of a Councilmember to the Mayor to clarify the details of the issue at hand, for limited inquiry made to staff or legal counsel, or to a person who previously provided formal or informal testimony concerning the issue at hand. The Mayor shall insure that any response is limited to the inquiry made.

1.6 Closing Discussion.

- (a) A motion calling for the question shall close discussion on the main motion and is not debatable. Such a motion must receive a second and fails without a two-thirds (2/3) vote of those Councilmembers present.
- (b) Discussion is re-opened if the motion fails.

1.7 Voting.

- (a) The Mayor or recording secretary shall restate the motion prior to voting.
- (b) The recording secretary shall conduct any roll call votes.
- (c) No Councilmember shall be allowed to pass when called upon and then vote later in the order.
- (d) Councilmembers may abstain from the entire vote only where disqualified by reason of conflict of interest or where approved by the Mayor due to the Councilmember's non-participation in earlier proceedings concerning the subject of the motion. Should any Councilmember nonetheless fail to vote when his/her name is called or otherwise abstain, his/her vote will be counted as an "aye" on the question.
- (e) To meet a "two thirds of Councilmembers present" requirement, the vote must be as follows:
 - (1) if seven (7) members are present, then five (5) must vote in the affirmative;
 - (2) if six or five (6 or 5) members are present, then four (4) must vote in the affirmative;

(3) if four (4) members are present, then three (3) must vote in the affirmative.

(f) At the conclusion of any vote, the Mayor shall inform the Council of the result of the vote. The recording secretary may confirm the result.

1.8 Informal Concurrence. When the Council concurs or agrees with an item that does not require a formal motion, the Mayor will summarize the agreement at the conclusion of the discussion. Unless objection is made by a Councilmember after such a summary, the summary stands. If objection is made, the matter should be decided by formal motion.

1.9 Reconsideration. When a question other than: (a) a bond resolution; (b) a quasijudicial decision; (c) an ordinance enacting or amending a comprehensive plan, a development regulation, or the Shoreline Master Program; or (d) in reliance on which City staff has already acted and has been decided by vote of the Council, any Councilmember who voted in the majority may move for reconsideration. A motion for reconsideration may occur no later than the next following regular business meeting of the Council. Any such motion must receive a second to be considered.

RESOLUTION NO. 3091

A RESOLUTION AMENDING RESOLUTION 3070 TO INCLUDE AN ECONOMIC DEVELOPMENT COMMITTEE AND APPOINTING CITY COUNCIL MEMBERS TO COUNCIL COMMITTEES AND APPOINTING COUNCIL REPRESENTATIVES FOR 2022-2023

Whereas the City Council has adopted rules of procedure by Resolution 3051 (2021); and

Whereas Section 10 of that resolution provides that council committees may be formed by appointment of councilmembers to each committee by the mayor pro tem with the approval of the City Council; and

Whereas the mayor pro tem has made the appointments listed below;

Now therefore be it resolved by the City Council that:

Section 1. The following **standing committees** are hereby established, and the following appointments approved:

Access - Anacortes Fiber Internet (Bruce McDougall, Amanda Hubik, Ryan Walters) *Purpose: To make recommendations regarding fiber optic network construction and Access - Anacortes ISP operations.*

Economic Development (Anthony Young, Amanda Hubik, Christine Cleland-McGrath) *Purpose: To develop and maintain a strategic plan prioritizing goals and policies for healthy economic growth.*

Finance (Ryan Walters, Bruce McDougall, Anthony Young) *Purpose: To make recommendations on the municipal budget, capital facilities financing, and other financing transactions, policies and status.*

Housing Affordability and Community Services (Christine Cleland-McGrath, Carolyn Moulton, Ryan Walters) *Purpose: To maintain a strategic plan to improve housing affordability and make recommendations on budget and CDBG grant allocations for social services.*

Information Technology (Bruce McDougall, Ryan Walters, Amanda Hubik) *Purpose: To make recommendations regarding IT needs.*

Library & Museum (Christine Cleland-McGrath, Bruce McDougall, Jeremy Carter) *Purpose: To support and make recommendations regarding Library & Museum needs.*

Parks and Recreation (Bruce McDougall, Carolyn Moulton, Amanda Hubik) *Purpose: To make recommendations regarding park, recreation, and trail facilities, activities, and policies.*

Personnel (Christine Cleland-McGrath, Carolyn Moulton, Anthony Young)

Purpose: To make recommendations regarding staff positions and personnel policies.

Planning (Christine Cleland-McGrath, Carolyn Moulton, Ryan Walters)

Purpose: To make recommendations regarding land use, comprehensive planning, development regulations, and community and economic development.

Public Safety (Jeremy Carter, Christine Cleland-McGrath, Amanda Hubik)

Purpose: To make recommendations regarding public safety, including the police and fire departments and emergency medical services.

Public Works (Carolyn Moulton, Ryan Walters, Anthony Young)

Purpose: To make recommendations regarding public works and city utilities.

Section 2. The following appointments as **council representatives** to external committees are approved:

Lodging Tax Advisory Committee: Anthony Young

Port/City Liaison Committee: Jeremy Carter, Amanda Hubik, Anthony Young

Skagit County Law & Justice Council: Jeremy Carter; Alternate: Anthony Young

Traffic Safety Committee: Jeremy Carter, Anthony Young, Carolyn Moulton

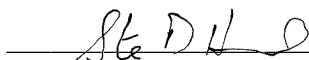
Community Center/Pool: Jeremy Carter, Christine Cleland-McGrath, Amanda Hubik

PASSED by the City Council this 27th day of June 2022.

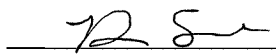
CITY OF ANACORTES:


Matt Miller, Mayor

ATTEST:


Steve Hoglund, City Clerk/Treasurer

APPROVED AS TO FORM:


Darcy Swetnam, City Attorney

Certificate Of Completion

Envelope Id: B11F4E09BBAA4083960662CC0E6DBDED

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Signer Events

Darcy Swetnam

darcys@cityofanacortes.org

City Attorney

Security Level: Email, Account Authentication
(None)**Signature**

Signature Adoption: Drawn on Device

Signed by link sent to darcys@cityofanacortes.org

Using IP Address: 174.247.147.136

Signed using mobile

Timestamp

Sent: 6/28/2022 9:54:59 AM

Resent: 6/28/2022 3:08:21 PM

Viewed: 6/29/2022 6:46:48 AM

Signed: 6/29/2022 6:47:02 AM

Electronic Record and Signature Disclosure:

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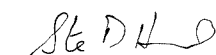
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Steve Hoglund

steveh@cityofanacortes.org

City Clerk/Treasurer

City of Anacortes

Security Level: Email, Account Authentication
(None)

Signature Adoption: Drawn on Device

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Electronic Record and Signature Disclosure:

Accepted: 1/8/2019 2:26:27 PM

ID: 9b1630a8-aa5f-4ac5-93eb-5700d104d979

Matt Miller

mattm@cityofanacortes.org

Mayor

City of Anacortes

Security Level: Email, Account Authentication
(None)

Signature Adoption: Uploaded Signature Image

Signed by link sent to mattm@cityofanacortes.org

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Signed: 6/29/2022 8:04:52 AM

Electronic Record and Signature Disclosure:

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In Person Signer Events**Signature****Timestamp****Editor Delivery Events****Status****Timestamp****Agent Delivery Events****Status****Timestamp**

Intermediary Delivery Events	Status	Timestamp
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Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	6/28/2022 9:54:59 AM
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Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		



City Council Agenda Bill

Meeting Date: July 5, 2022

Agenda Item: 6.a.

Agenda Item Title: Contract Modification: Wastewater Treatment Plant Outfall Permitting Services #20-032-SEW-003

Staff Contact(s): TIM HOHMANN

<u>Approved for Submittal to Council by</u>	<u>Action Type</u>
TIFFANY MATSON	Contract Modification

Item Summary: City staff seeks Council consent to issue a contract modification to Widener & Associates in the amount of \$165,218.00, increasing the total contract price to \$568,802.77, and extending the end date to December 31, 2023.

Background:

1. **Reason for Contract Change:** This modification provides for the ongoing environmental compliance reviews of the project during the marine construction phase.
2. **History:** The City is proceeding ahead with the design and construction of a new wastewater treatment plant outfall and improvements to replace aging infrastructure. The new outfall pipe will also increase discharge of treated sewage to the new outfall.
3. **Key Terms:** increase of \$165,218.00, extend the end date to December 31, 2023.
4. **Competitive Bidding:** Per RCW 39.80 this consultant was selected from the City's MRSC Architectural, Landscape Architectural, and Engineering Service Roster to provide a proposal for this scope of work, after which a price was negotiated.

Budget Impact:

Consultant	Widener & Associates
Original Agreement Amount	\$284,607.20
Modification 1 approved 9/7/21	\$118,977.57
Current Agreement Amount	\$403,584.77

Change Per this Modification	\$165,218.00
Total After Modification	\$568,802.77
Total % Increase from Original Contract Amount	99.85%
Earmarked Funds	\$1,450,000.00
BARS #	440.000.594.35.63
Paid on Contract as of 6/27/22	\$364,944.27
Budget Amendment Required?	No
Start Date	Notice to Proceed
End Date	12/31/2023

Previous Action: Council approved contract [18-179-SEW-001](#) for the Sanitary Sewer Storage Study – Phase 1 Planning-10% Design at the [12/17/18](#) Council meeting. Contract [20-032-SEW-001](#) with Dalton, Olmsted & Fuglevand, Inc. was executed on 4/16/20, and [Modification 01](#) for the contract was approved at the [10/26/20](#) Council meeting. Contract [20-032-SEW-002](#) for HDR to perform the Pre-Design Phase 2 work was approved at the [2/3/20](#) Council meeting. Contract [20-032-SEW-003](#) for Widener and Associates to provide permitting services was also approved at the [2/3/20](#) Council meeting. Contract [20-032-SEW-007](#) with HDR Engineering, Inc. for final design services was approved at the [1/25/2021](#) Council meeting. [Modification 01](#) for Contract 20-032-SEW-003 was approved at the [9/7/21](#) Council meeting. Contract [20-032-SEW-008](#) with Pacific Pile & Marine for the construction of the marine phase was approved at the [3/7/22](#) Council meeting.

Recommended Motion: I move that City Council authorize the Mayor to sign a contract modification with Widener & Associates, under Contract 20-032-SEW-003, in the amount of \$165,218.00, increasing the total contract price to \$568,802.77.

Alternative Actions: Not approve the modification.

Attachments (listed in order presented):

1. 20-032-SEW-003 Mod 02



Date July 5, 2022
Page 1 of 1 Pages

Project Title Wastewater Treatment Plant Outfall Permitting Services
Prime Contractor Widener & Associates

BACKGROUND

In accordance with Article 15. Changes/Additional Work, this modification provides an equitable price adjustment in consideration of changes in Work as described below under Article I. Accordingly, the contract price is increased from \$403,584.77 by \$165,218.00 to \$568,802.77, and the following changes are incorporated under this contract:

ARTICLE I. WORK. Insert the following as the *third paragraph* under Article 1:

“The work as described above is hereby amended per Modification 02. The Consultant shall provide additional services in accordance with Exhibit C, which is attached hereto and incorporated by reference. Work shall be performed under the direction of the City’s Project Manager Tim Hohmann, or his designee.”

ARTICLE 2. PRICE. The paragraph is hereby deleted and replaced with the following:

“The services provided under this Agreement shall be provided on a time-and-materials basis not-to-exceed **Five Hundred Sixty-Eight Thousand Eight Hundred Two Dollars and Seventy-Seven Cents (\$568,802.77)**. Payments shall be made in accordance with attached Exhibits A, B and C, which are hereby incorporated into this Agreement by reference. Other direct costs and Subconsultant costs shall be invoiced at actual costs.”

ARTICLE 3. PERIOD OF PERFORMANCE. The paragraph is hereby deleted and replaced with the following:

“The period of performance is from inception through December 31, 2023.”

All other terms of the contract remain unchanged.

CITY OF ANACORTES

WIDENER & ASSOCIATES

By _____
Matt Miller, Mayor

By _____

Date _____

Date _____

Original Agreement Amount	<u>\$403,584.77</u>	Original Contract Completion Date	<u>12/31/2022</u>
Current Agreement Amount	<u>\$403,584.77</u>	Current Contract Completion Date	<u>12/31/2022</u>
Change Per this Modification	<u>\$165,218.00</u>	Net Change	<u>365</u>
Total After Modification	<u>\$568,802.77</u>	Contract Completion Date After Change	<u>12/31/2023</u>

Contract 20-32-SEW-003
Exhibit C

Wastewater Treatment Plant Outfall
Widener & Associates
Scope of Work
Environmental Services for Construction

PROJECT UNDERSTANDING

The City of Anacortes is currently undertaking the construction of a new outfall for the Wastewater Treatment Plant. This project will construct a new 42” outfall for the end of U Avenue out into the Guemes Channel.

This scope of work provides for the ongoing environmental compliance reviews of the project during construction. The work will be performed in accordance with the FEMA PAPPG manual. The following tasks identify the work needed:

TASKS:

1. Update environmental documentation as needed to address construction changes needed to keep the project moving forward.
2. Provide daily inspections sampling and assistance in Section 401 oversight with the CM team to assure contractor compliance with the City’s permit during in water work activities.
3. Respond to contractor RFI’s concerning environmental issues and commitments.
4. Provide Marine Mammal Monitoring
5. Provide public outreach to the local community as the project progresses.

DELIVERABLES

1. Permit Compliance Reports
2. Update permit documents as needed.

Project Name		WWTP Outfall Construction Support Services (20-032-SEW-003)		
Client		City of Anacortes - Tim Hohmann		
Location		Anacortes, WA	Date	5/21/2022
Tasks	Project Management	Senior Biologist	Project Biologist	
Permitting Work for Construction updates				
ESA	10	10	15	
WDFW HPA	5	10	20	
US Army Corp. JARPA	20	30	40	
Construction				
Marine Mammal Monitoring /Turbidity Sampling	10	640	0	
Public Out Reach		192		
Total Hours	45	882	75	
Summary	Hours	Rate	Cost	
Project Management	45	\$ 170.40	\$ 7,668.00	
Senior Biologist	882	\$ 120.00	\$ 105,840.00	
Project Biologist	75	\$ 86.80	\$ 6,510.00	
Total Labor				\$ 120,018.00
Outside Services				
Turbidity Monitoring	640	\$ 30.00		\$ 19,200.00
Bayview Consulting				\$ 26,000.00
TOTAL ESTIMATED COST				\$ 165,218.00

Bayview Consulting
Wastewater Treatment Plant Outfall
Scope of Work

PROJECT UNDERSTANDING

The City of Anacortes is currently undertaking the construction of a new outfall for the Wastewater Treatment Plant. This project will construct a new 42” outfall from the end of U Avenue into the Guemes Channel.

This scope of work provides for public outreach to the local community as the project progresses.

The following tasks identify the work needed:

TASKS:

1. Provide public outreach to the local community as the project progresses.
2. Provide reports to project team regarding neighborhood concerns.

DELIVERABLES

1. Weekly reports to project team

May 2022					
BAYVIEW CONSULTING LLC					
ANACORTES Outfall					
Emergency relocation	Note	Hours	Rate	Cost	
General Outfall Support					
Public Outreach	2	160	\$162.50	\$ 26,000.00	
Mileage IRS 2022					
Expenses					
				\$ 26,000.00	Total estimated budget
Note 2 estimate 5 hour /week for 8 months	5	32	160		



City Council Agenda Bill

Meeting Date: July 5, 2022

Agenda Item: 6.b.

Agenda Item Title: Ordinance 4023: Source Control Program

Staff Contact(s): DIANE HENNEBERT

Approved for Submittal to Council by **Action Type**

DIANE HENNEBERT

Discussion

BRIAN MCDANIEL

Item Summary:

Budget Impact:

Estimated annual cost: \$40,000

Previous Action: On [June 6, 2022](#) City Council approved [Ordinance 4022](#) adopting the Stormwater Management Manual for Western Washington.

Recommended Motion:

Alternative Actions:

Attachments (listed in order presented):

1. Ordinance 4023
2. Source Control adoption bullet points
3. Planning Commission recommendation
4. City Council presentation July 5

**City of Anacortes
Ordinance No. 4023**

An Ordinance of the City of Anacortes, Washington, amending Chapters 18.30 and 19.12 of the Anacortes Municipal Code regarding Illicit Discharges and Connections to the Stormwater Drainage System and Definitions and Interpretation

Whereas the Anacortes Municipal Code regulates Illicit Discharges and Connections to the Stormwater Drainage System at Chapter 18.30 and provides associated definitions and interpretation thereof at Chapter 19.12; and

Whereas Department of Ecology recently released guidance for development of Source Control Programs for Phase II jurisdictions; and

Whereas The City is required to implement a Source Control Program as a requirement of the City's Municipal Phase II Stormwater Permit issued by the Washington State Department of Ecology.

Whereas the City's National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater permit requires maintenance of an inspection inventory of publicly and privately owned institutional, commercial, and industrial businesses/sites, which have the potential to generate pollutants to the storm system; and

Whereas the City desires update Chapter 18.30 AMC to implement an effective and compliant Source Control Program that will educate and provide technical assistance to local businesses, enhancing environmental protection against harmful pollutants being discharged into local waterways through the stormwater system.

Now, therefore, the City Council of the City of Anacortes does ordain as follows:

Section 1. Chapter 18.30 of the Anacortes Municipal Code entitled "Illicit Discharges and Connections to the Stormwater Drainage System" and Chapter 19.12 entitled "Definitions and Interpretation" are revised to read as shown in Attachment A, which is hereby adopted and incorporated herein by reference; and

Section 2. This ordinance shall take effect five (5) days from and after its passage, approval and publication in the manner required by law.

PASSED and APPROVED this ____ day of _____, 2022.

CITY OF ANACORTES:

Matt Miller, Mayor

Attest:

Steve Hoglund, City Clerk-Treasurer

Approved as to Form:

Darcy Swetnam, City Attorney

Chapter 18.30

ILLICIT DISCHARGES AND CONNECTIONS TO THE STORMWATER DRAINAGE SYTEM

18.30.010 Purpose.

The purpose of this chapter is to protect surface and groundwater quality by controlling the discharge of pollutants and to ensure ongoing compliance with the city's NPDES permit. (Ord. 2991 § 1 (Att. A), 2016)

18.30.020 Applicability.

Unless specifically exempted herein, this chapter applies to all discharges that occur in the City limits of Anacortes.

This chapter applies to the discharge of contaminants to surface water, stormwater and groundwater as set forth in Section 18.30.040 and requires certain sites and activities to utilize best management practices as set forth in Section 18.30.040E.

18.30.02030 Definitions.

The definitions in AMC ~~19.05.400~~ 19.12 apply to this chapter and are incorporated by reference. (Ord. 2991 § 1 (Att. A), 2016)

18.30.03040 Illicit discharges.

A. Illicit Discharges Prohibited.

1. No person may throw, drain, or otherwise discharge, or cause or allow others under its control to throw, drain, or otherwise discharge into the stormwater system any materials other than stormwater.

2. Illicit discharges include, but are not limited to solid waste; yard waste; dirt; sand; gravel, cement; paint products; human and animal waste; soap; detergent; antifreeze, oil, gasoline, grease, and all other automotive and petroleum products; pesticides; herbicides; fertilizers; flammable or explosive materials, metals in excess of naturally occurring amounts, whether in liquid or solid form; chemicals not normally found in uncontaminated water; solvents and degreasers; drain cleaners; commercial and household cleaning materials; acids; alkalis; ink; steam-cleaning waste; laundry waste; ammonia; chlorine; chlorinated swimming pool or hot tub water; domestic or sanitary sewage; animal carcasses; food and food waste; plaster and dry-wall compound.

B. Allowable Discharges. The following types of discharges are not illicit discharges for the purpose of this Chapter unless the Director determines that the type of discharge, whether singly

or in combination with others, is causing or is likely to cause pollution of surface water or groundwater:

1. Diverted stream flows.
2. Rising groundwater.
3. Uncontaminated groundwater infiltration as defined in 40 CFR 35.2005(20).
4. Uncontaminated pumped groundwater.
5. Foundation drains.
6. Air conditioning condensation.
7. Irrigation water from agricultural sources that is commingled with urban stormwater.
8. Springs.
9. Water from crawl space pumps.
10. Footing drains.
11. Flows from riparian habitats and wetlands.
12. Discharges from emergency firefighting activities.

C. *Conditionally Allowed Discharges.* The following types of discharges are not illicit discharges for the purposes of this chapter if they meet the stated conditions, unless the director determines that the type of discharge, whether singly or in combination with others, is causing or is likely to cause pollution of surface water or groundwater:

1. Potable water, including water from water line flushing, fire hydrant system flushing, and pipeline hydrostatic test water. Planned discharges must be dechlorinated to a concentration of 0.1 ppm or less, pH-adjusted, if necessary and in volumes and velocities controlled to prevent resuspension of sediments in the stormwater system.
2. Lawn watering and other irrigation runoff are permitted but must be minimized.
3. *Dechlorinated swimming pool discharges.* These discharges must be dechlorinated to a concentration of 0.1 ppm or less, pH-adjusted, if necessary and in volumes and velocities controlled to prevent resuspension of sediments in the stormwater system. Discharges must be thermally controlled to prevent an increase in temperature of the receiving water.
4. Street and sidewalk wash water, water to control dust, and routine external building wash down that does not use detergents are permitted if the amount of street wash and dust control water is minimized. At active construction sites, street sweeping must be performed prior to washing the street.

5. Other non-stormwater discharges that are in compliance with the requirements of a stormwater pollution prevention plan (SWPPP) reviewed and approved by the City which addresses control of such discharges by applying AKART to prevent pollutants from entering surface or groundwater.

D. Exemptions.

1. The following discharges are exempt from the provisions of this section:

- a. the regulated effluent from any commercial or municipal facility holding a valid State or Federal wastewater discharge permit or NPDES stormwater permit;
- b. acts of God or nature not compounded by human negligence;
- c. properly operating on-site domestic sewage systems.

2. A person does not commit an illicit discharge if:

- a. that person has properly designed, constructed, implemented and is maintaining BMPs and is carrying out AKART, even if pollutants continue to enter surface and stormwater or groundwater; or
- b. that person can demonstrate that there are no additional pollutants being discharged from the site above the background conditions of the water entering the site.

E. Best Management Practices (BMPs).

1. Compliance with this Chapter must be achieved through the use of best management practices described in the Stormwater Management Manual or as described below.

2. BMPs must be applied to any business or residential activity that might result in illicit discharges. Any person storing or using materials containing contaminants in any manner that may result in a prohibited discharge shall implement the source control BMPs described in the stormwater management manual. Any person operating a facility or performing an activity described in the stormwater management manual or the City's NPDES permit shall implement the source control BMPs described therein for the facility or activity. Full implementation of the source control BMPs described in the stormwater management manual constitutes the minimum required actions an owner, occupant or operator of real property must take toward preventing prohibited discharges from the real property. Full implementation of the BMPs required by this section does not exempt a person from also complying with any other requirement of this chapter. In applying the stormwater management manual, the director must first require the implementation of source control BMPs. If these are not sufficient to prevent pollutants from entering stormwater, the director may require implementation of treatment BMPs as set forth in AKART. Full implementation of all stormwater BMPs required by an NPDES industrial stormwater permit or State Waste Discharge Permit shall constitute compliance with this section. (Ord. 2991 § 1 (Att. A), 2016)

18.30.04050 Illicit connections and uses.

- A. No person may make, allow, use, or allow the continued existence of any connection to the stormwater system that could result in an illicit discharge.
- B. Connections to the stormwater drainage system from the interiors of structures are prohibited.
- C. Connections to the stormwater drainage system for any purpose other than to convey stormwater or groundwater are prohibited and must be eliminated. (Ord. 2991 § 1 (Att. A), 2016)

18.30.060 Inspections.

A. The City must inspect facilities that perform activities that might result in prohibited discharges as specified in the stormwater management manual and the City's NPDES Permit.

B. The City may enter onto and inspect properties or facilities to determine compliance with this chapter if (1) the City has the right to enter onto the property or facility for purposes of inspection pursuant to an easement, covenant, license, search warrant or other instrument, or (2) the owner, occupant or operator of the property, or another person having apparent control or authority over the property, grants the City permission to enter and perform an inspection.

C. Whenever there is cause to believe that a violation of this chapter has been or is being committed, the City may inspect per AMC Title 20, Civil Enforcement and Penalties.

18.30.05970 Violations.

- A. A violation of this chapter is a class 1 civil infraction for each day it continues.
- B. The director may impose a civil penalty of up to one thousand dollars per day per violation.
- C. To abate a violation, the director may:
 - 1. require implementation of stormwater BMPs described in the Stormwater Management Manual or AKART BMPs described in RCW 90.48.010 and 90.48.520.
 - 2. require the violator to sample and analyze any discharge, surface and stormwater, groundwater, or sediment, in accordance with the sampling and analytical procedures and requirements determined by the director, and provide that analysis to the director.
 - 3. make inspections as required to determine compliance, including observation of BMPs or sampling surface and stormwater or groundwater as often as may be necessary.
- D. The city attorney is authorized to take other actions, including actions for injunctive or other relief, to enforce the provisions of this chapter. (Ord. 2991 § 1 (Att. A), 2016)

18.30.080 Intent.

This chapter is enacted as an exercise of the City's power to protect and preserve the public health, safety, and welfare. Its provisions shall be liberally construed to give full effect to the objectives and purposes for which it was enacted. This chapter is not enacted to create or

otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefitted by the terms of this chapter.

18.30.90 Liability.

A. Nothing contained in this chapter is intended to be nor may be construed to create or form the basis for any liability on the part of the city, or its officers, employees or agents, for any injury or damage resulting from the failure of an owner of property or land to comply with the provisions of this chapter, or by reason or in consequence of any inspection, notice, order, certificate, permission or approval authorized or issued or done in connection with the implementation or enforcement of this chapter, or by reason of any action or inaction on the part of the city related in any manner to the enforcement of this chapter by its officers, employees or agents.

B. Any city employee charged with the enforcement of this chapter, acting in good faith and without malice on behalf of the city in the discharge of his/her duties, may not be personally liable for any damage that may accrue to persons or property as a result of any act required or by reason of any act or omission in the discharge of his/her duties. Any suit brought against an employee because of such act or omission performed by him/her in the enforcement of any provision of this chapter shall be defended by the city.

Chapter 19.12 DEFINITIONS AND INTERPRETATION

19.12.020 Definitions.

G. G Definitions.

“Groundwater” means water in a saturated zone or stratum beneath the land surface or a surface waterbody.

I. I Definitions.

“Illicit discharge” means any discharge to the stormwater system that is not composed entirely of stormwater or of allowable stormwater discharges as adopted in AMC 18.30.030

N. N Definitions.

“National Pollutant Discharge Elimination System (NPDES)” means the part of the federal Clean Water Act, which requires point source dischargers to obtain permits. These permits are referred to as NPDES permits and, in Washington State, are administered by the Washington State Department of Ecology.

O. O Definitions.

“Operational source control BMP” means a schedule of activities, prohibition of practices, and other managerial practices to prevent or reduce pollutants from entering stormwater.

R. R Definitions.

“Receiving waters” means bodies of water or surface water systems to which surface runoff is discharged via a point source of stormwater or via sheet flow. Groundwater to which surface runoff is directed by infiltration.

S. S Definitions.

“Source control BMP” means a structure or operation intended to prevent pollutants from coming into contact with stormwater through physical separation of areas or careful management of activities that are sources of pollutants.

“Stormwater” means that portion of precipitation that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, pipes and other features of a stormwater drainage system into a defined surface waterbody, or a constructed infiltration facility.

“Structural source control BMP” means a physical, structural, or mechanical device or facility that is intended to prevent pollutants from entering stormwater.

T. T Definitions.

“Treatment BMP” means a best management practice that is intended to remove pollutants from stormwater.

Notes on the Source Control Program

The Source Control Program for Existing Development requirement is located in section S5.C.8 of the Permit. Staff recommends that the program focus is on education and technical assistance for local businesses, with code enforcement process used when necessary.

Code Amendment

The Source Control code is proposed as an update to the Illicit Discharge code section. The primary code amendments include:

- Proposed 18.30.020 Applicability – Clarifies that the chapter applies to the discharge of contaminants to surface water and the storm system.
- Proposed 18.30.040(E) Best Management Practices - Specific language requiring implementation of source control BMPs from the SWMMWW.
 - The suggested language states that the first step towards compliance is the implementation of source control BMPs and installation of a treatment system is only required when source control BMPs are insufficient to prevent the discharge of pollutants.
- Proposed 18.30.060 Inspections – The City must inspect facilities that perform activities that might result in prohibited discharges. The inspection inventory is based on industrial codes contained in Appendix 8 of the Permit.
- Proposed 18.30.080 Intent – A statement that the section is to be interpreted to protect water quality and human health and safety.
- Proposed 18.30.090 Liability – The City does not incur liability for its employees/officers.

Source Control Program Basics

- The Source Control Program is heavily focused on education and technical assistance.
- Examples of Source Control BMPs that are included in the program:
 - Dumpsters – lids closed, basic maintenance (not leaking), not located next to a storm drain.
 - Secondary containment for any outdoor chemical storage
 - Spill kit onsite
 - Good housekeeping – not washing pollutants to the storm drain, chemical storage indoors when possible, sweeping outdoor surfaces regularly
 - Specialized BMPs for businesses such as gas stations, boat building, vehicle repair, etc.
 - Full list of BMPs can be found in the 2019 SWMMWW Volume IV at https://fortress.wa.gov/ecy/ezshare/wq/Permits/Flare/2019SWMMWW/2019SWMMWW.htm#Topics/VolumeIV/VolIV_TitlePage.htm?TocPath=2019%2520SWMMWW%257CVolume%2520IV%2520-%2520Source%2520Control%2520BMP%2520Library%257C_0
- Requirement is to complete the number of inspections equal to 20% of the businesses listed in the source control inventory. Follow-up inspections count towards that total. We must investigate all credible complaints. Staff expects our inspection requirement to be roughly 40 inspections per year.



Anacortes Planning Commission
Recorded Motion Regarding an Amendment to Anacortes Municipal Code
Chapter 18.30 Illicit Discharges and Connections To The Stormwater
Drainage System

Proposal Description:	The proposed non-project legislative action is to amend the Anacortes Municipal Code Chapter 18.30 regarding Illicit Discharges and Connections to the Stormwater Drainage System consistent with Department of Ecology current guidance for development of Source Control Programs for compliance with the Citi's Phase II Storm Water permit.
Public hearing body:	Anacortes Planning Commission
Public hearing date:	May 25, 2022
PC deliberations:	May 25, 2022

After considering the written and spoken comments and considering the record before it, the Planning Commission enters the following findings of fact, reasons for action, and recommendations to the Anacortes City Council.

A. Findings of Fact

Procedural & Public Engagement

1. The proposed amendments to AMC Chapter 18.30 Illicit Discharge and Connections to the Stormwater Drainage System was initiated by the City based on updated guidance from the Department of Ecology for Phase II Stormwater Permit holders.
2. The Planning Commission held a public hearing on May 25, 2022 to review the proposed amendment, take public comment, deliberate and make a recommendation to City Council. The meeting was broadcast on Channel 10 and streamed live on the City's website.
3. The proposed amendments were transmitted to the Washington State Department of Commerce for state agency expedited review in accordance with RCW 36.70A.106 on May 26, 2022, and have met the Growth Management notice to state agency requirements.

4. A State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS) was issued for the proposal on May 26, 2022. The SEPA public comment and appeal deadline was June 15, 2022. No comments or appeals were received.
5. Timely and sufficient notice of public hearings and written comment periods was provided in accordance with AMC 19.16.070, including publishing notice on the project website, and publishing a paid notice in the Anacortes American. The notice was also posted in City Hall, and the Public Library.

A Public hearing was held before the Planning Commission on May 25, 2022. There were no public comments at the meeting.

6. The written comment period ended on May 25, 2022. No comments were submitted over the course of the project process.
7. The Planning Commission deliberated on the proposal on May 25, 2022.

Criteria for Approval

8. The proposed amendments are legislative actions under AMC Chapter 19.16, which applies to adoption and amendment of implementing various regulations.
9. AMC 19.16.080(B) provides the elements that the Planning Commission must consider in making its recommendation to City Council. These elements are:

a. Public hearing testimony and written comment received during any public comment period;

The public engagement process undertaken is outlined in the Procedural and Public Engagement section of these findings. Written public comments received were compiled by city staff and transmitted to the Planning Commission.

b. Staff recommendations and analysis;

Throughout the Planning Commission meeting, based on feedback received during the meeting, the project team provided recommendations containing analysis and potential options for Planning Commission consideration and direction. The discussions were helpful to the Planning Commission in refining their recommendation.

c. Legal advice;

The Planning Commission has considered the advice of the City Attorney's office in making these findings.

The City utilized the State Attorney General Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property for evaluating constitutional issues, in conjunction with and to inform its review of the proposal to assure that proposed

regulatory or administrative actions did not result in an unconstitutional taking of private property, consistent with RCW 36.70A.370(2).

d. Consistency of the proposal with the Comprehensive Plan.

The Development Regulation amendment objective is to implement key goals and policies of the 2016 Anacortes Comprehensive Plan. The goals and policies provide guidance and policy direction in the establishment of said regulations.

The Planning Commission finds and concludes that the Regulation Amendment proposed in attachment A is consistent with the Comprehensive Plan goals and policies as detailed below.

Consistency with the Anacortes Comprehensive Plan

10. The proposal integrates strategic updates to improve organization and usability, clarity, and new content to implement the 2016 Comprehensive Plan, which is supported by the following Comprehensive Plan policies:

EC-4.3 – Reduce pollution of surface and groundwater resources through regulations, programs and education.

EC-4.4 – Conduct regular inspections and maintenance of City sewer and stormwater infrastructure according to Public Works policies to minimize negative impacts to surface and groundwater.

EC -4.5 – Require new and redevelopment to utilize stormwater best management practices, such as low impact development and other natural drainage techniques.

B. Reasons for Action

Having made the Findings set forth above, the Planning Commission makes the following conclusions:

1. The proposed Regulation was reviewed through the review process as required by AMC 19.16 Legislative Actions. The Planning Commission is responsible for reviewing and making a recommendation to City Council on development regulations.
2. The Planning Commission determined that the proposed amendments are consistent with the:
 - Anacortes Comprehensive Plan
 - Anacortes Municipal Code (Chapter 19.16 Legislative Actions)

C. Recommendation

The Planning Commission recommends that the City Council:

1. Approve the proposed amendment to the development regulations as presented in **Attachment A.**
2. **This recorded motion** approved May 25, 2022:

Commission Vote	Support	Oppose	Absent	Abstain
Ward MacKenzie, Chair	x			
Jeffery Graf			x	
Sarah Ruether	x			
Linda Martin	x			
Frank Jeretzky	x			
Jack Curtis	x			
Gary Molyneaux	x			
Total	6	0	1	0

ANACORTES PLANNING COMMISSION
ANACORTES, WASHINGTON



Ward MacKenzie, Planning Commission Chair

05/25/22
Date

An aerial photograph of a coastal town. In the foreground, there's a large marina filled with many white sailboats. Behind the marina, a residential area with houses and streets is visible. To the right, there are industrial buildings and a pier extending into the water. The town is bordered by a steep, forested hill on the right side. The water is a deep blue color.

Ordinance 4023 Amendment to Chapter 18.30 Illicit Discharges and Connections to the Stormwater Drainage System

Source Control Program for Existing Businesses

Diane Hennebert

Stormwater Program Manager



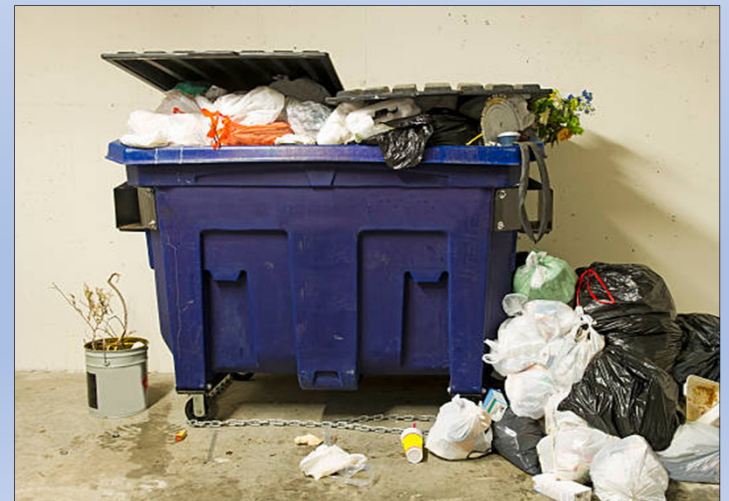
What is Source Control?

Source Control is stopping pollution before it enters the storm system.

Rain washes what it touches in our parking lots and uncovered storage areas into the storm drains and out to the Salish Sea.

Source Control is as simple as:

- Keep dumpster lids closed
- Repair leaky dumpsters
- Secondary containment around chemical storage



Why is the City proposing a Source Control Program?

- Requirement of our NPDES stormwater permit through the Department of Ecology
- Code adoption deadline is August 1, 2022
- Program launch by January 1, 2023



Program Basics

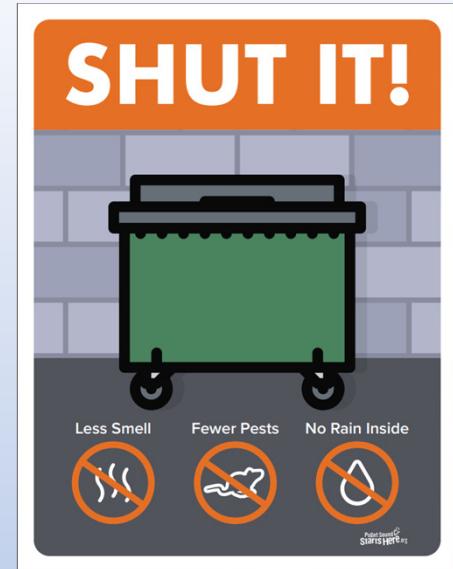
- Inspection of properties that have potential for pollution generation
- Emphasis is on education and technical assistance
- Enforcement used only when necessary
- Inspection frequency



Best Management Practices for Local Businesses

- Dumpster maintenance
- Good housekeeping practices
- Secondary containment for chemicals
- Spill kit and spill response
- Specialized Best Management Practices by industry type, such as:
 - Gas stations
 - Boat building
 - Vehicle repair
 - Construction activities

<https://www.anacorteswa.gov/1443/Source-Control-Program>



Questions?

Diane Hennebert
Stormwater Program Manager

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(360) 661-3747

<https://www.anacorteswa.gov/1443/Source-Control-Program>

