



Anacortes City Council
Municipal Building Council Chambers
904 6th Street

December 16, 2019
6:00 p.m.

PRELIMINARY AGENDA

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

1. **Call to Order**
2. **Pledge of Allegiance**
3. **New Business**
 - a. CR2A Settlement Agreement in the matter of Young and Mulcahy v. City of Anacortes, et al. (Action)
 - b. Consent Decree in the matter of Puget Soundkeeper Alliance v. City of Anacortes (Action)
4. **Announcements and Committee Reports**
 - a. Finance Committee
5. **Public Comment**
6. **Consent Agenda (Action)**
 - a. Minutes of December 9, 2019
 - b. Approval of Claims in the amount of: \$933,047.48
 - c. Resolution 2062: Updating Unified Fee Schedule for Updated Sewer Rates and Ordinance 3059: Updating AMC Title 13, Public Services
 - d. Contract Award: Prosecution Services 2020
7. **Public Hearings**
8. **Other Business**
 - a. * Skagit County Countywide Planning Policies Update (Discussion)
 - b. * Parks and Recreation Comprehensive Plan (Discussion/Possible Action)
 - c. Contract Award: Base Fiber Project #19-169-ENG-001 (Action)
 - d. * Year End Finance Update (Discussion)
 - e. * Ordinance 3060: Amending the 2019/2020 Budget (Action)
 - f. * Resolution 2069: Authorizing the Use of Emergency Reserve Funds for the Storm Sewer Utility Fund (Discussion/Possible Action)
 - g. * Ordinance 3061: Authorizing an Interfund Loan Between the Water Fund and the Storm Sewer Fund (Discussion/Possible Action)
9. **Adjournment**

Per Resolution 2044, citizens wishing to comment on items not on the agenda may do so under the Public Comment portion of the agenda. Citizens wishing to comment on agenda items indicated with an asterisk () may do so as those items are considered by Council during the course of the meeting. Citizens wishing to speak will please sign in at the back of the Council Chambers prior to the start of the meeting. The Mayor may limit comments to those who have signed in, and may limit the time allotted to each speaker to facilitate the orderly progress of the meeting.*



Anacortes City Council

Proposed Agenda Items for the Next Eight Weeks Beginning December 23, 2019

Subjects listed below have been tentatively suggested for consideration by the Anacortes City Council on the dates indicated. Items may be added to, removed from or rearranged on this list. Routine business such as approval of minutes and vouchers are not included. The complete Preliminary Agenda for each meeting is published at 3:00 on the Wednesday prior to the meeting. Published Agendas are subject to change and may be updated following the posting period. For additional information on agenda topics, please contact the City Clerk's office at 360-299-1960 to be directed to the sponsoring staff member.

December 23, 2019

- Interlocal Modification: NPDES Phase II Public Outreach and Education with Skagit Conservation District #IL259 (Consent)
- Interlocal Agreement: Use of Whatcom County Plantation Rifle Range 2020 #20-011-APD-001 (Consent)
- Interlocal Agreement: Mutual Assistance On Minor Projects with City of Oak Harbor #19-200-ENG-001 (Consent)
- Interlocal Agreement: Student Card Program with the Anacortes School District #19-201-LIB-001 (Consent)
- Contract Award: Anacortes Municipal Broadband Installation – CBD, Old Town Pilot, M Avenue Pilot #19-181-FBR-001 (Action)
- Oath of Office: City Councilmembers Ryan Walters, Christine Clelland-McGrath, Jeremy Carter and Carolyn Moulton
- Honor Outgoing Councilmembers Brad Adams and Eric Johnson

January 6, 2020

- Presentation: Anacortes Robotics Booster Club (Discussion)
- Ordinance 3052: Updating AMC Chapter 12.50, Street and Alley Vacation (Discussion/Possible Action)

January 13, 2020

- Presentation: 2020 Census (Discussion)

January 21, 2020

January 27, 2020

- Presentaion: Community Action of Skagit County (Discussion)

February 3, 2020

- Port of Anacortes Northwest Basin Redevelopment Plan Presentation (Discussion)

February 10, 2020

- State Auditor Presentation on Infrastructure and Security of City Computer Network (Discussion)
- Executive Session (30 Minutes) beginning 6:00 p.m. : Infrastructure and Security of City Computer Network (RCW 42.30.110(a)(ii))

February 18, 2020

Upcoming City Council Committee Meetings

The public is welcome to attend City Council Committee Meetings.

- Planning, Monday, Dec 9, 2019, 5:00 PM, Main Conference Room, City Hall
- Finance, Wednesday, Dec 11, 2019, 5:00 PM, Main Conference Room, City Hall
- Public Works, Monday, Dec 16, 2019, 5:00 PM, CANCELLED
- Planning, Monday, Dec 23, 2019, 5:00 PM, Main Conference Room, City Hall
- Finance, Wednesday, Dec 25, 2019, 12:00 AM, CANCELLED
- Public Works, Monday, Jan 6, 2020, 5:00 PM, Main Conference Room, City Hall



City Council Agenda Bill

Meeting Date: 12/16/2019

Agenda Item: 3a

Subject: Proposed Settlement Agreement in the matter of Anthony Young and Joseph Mulcahy v. City of Anacortes

Staff Contact: Darcy Swetnam

Approved for Submittal to Council by	
x	Laurie Gere, Mayor
x	Steve Hoglund, Finance Director
x	Darcy Swetnam, City Attorney

Action Type	
	Ordinance No.
	Code Revision?
	Resolution No.
x	Contract
	Public Hearing
	Staff Report

Summary Statement: Anthony Young and Joseph Mulcahy present the City Council with a settlement agreement in their lawsuit against the City.

Background: Anthony Young and his husband, Joseph Mulcahy, filed a lawsuit against the City and their neighbors, Erinn and Todd Welliver in 2018, based on what they allege were drainage problems caused by the Wellivers doing work in the unopened right-of-way between their properties. The City filed a motion for summary judgment, which was granted and the City was dismissed from the lawsuit. Mr. Young and Mr. Mulcahy filed an appeal of this decision with the Court of Appeals. Mr. Young and Mr. Mulcahy have presented the City with the attached settlement agreement and asked that Council consider this proposal at the December 16, 2019 Council meeting.

Budget Impact	
Amount Budgeted	
Budget Account (BARS)	
Proposed Expenditure	
Budget Amendment Required?	
Revenue Source	

Proposed Contract	
Contractor	
Amount	
Start Date	
End Date	

Previous Council/Committee Action: [Click here to enter text.](#)

Competing Viewpoints Considered: [Click here to enter text.](#)

Recommended Motion:

Alternative Actions: [Click here to enter text.](#)

Attachments (listed in order presented): Proposed CR2A Settlement Agreement

5CR 2A SETTLEMENT AGREEMENT

Young and Mulcahy v. City of Anacortes, et al.
Skagit County Superior Court No. 18-2-00646-29

THIS CR 2A SETTLEMENT AGREEMENT (hereinafter, "Agreement") is made between Anthony Young and Joseph Mulcahy, a married couple (hereinafter "Mulcahy/Young"), and the City of Anacortes, a Washington municipal corporation (hereinafter "City"), (collectively referred to as the "Parties") this _____ day of December, 2019.

I. RECITALS

- A. The parties are involved in litigation initiated by Mulcahy/Young against the City and Todd and Erinn Welliver (Welliver) which is pending in Skagit County Superior Court, Cause No. 18-2-00646-29, regarding drainage issues impacting the Mulcahy-Young Property, located at 2020 27th Place in Anacortes, Washington, and the Welliver Property, located at 2102 27th Place in Anacortes, Washington (the Dispute). While the City was previously dismissed from the Superior Court case under an order granting summary judgment, an appeal of that summary judgment order is pending before the Washington State Court of Appeals, Case No. 80002-7. The causes of action by Mulcahy/Young against Welliver have been settled, and that portion of the litigation, by agreement of Mulcahy/Young and Welliver, is subject to a Stipulated Dismissal which will be filed with the court in the near future.
- B. In 2005, the east 40 feet of "E" Avenue—a public right-of-way that was originally 80 feet wide—was vacated to the Plat of Pleasant Slope. The legal description of the Plat does not include the west half (the west 40 feet) of "E" Avenue located between the original 27th Street right-of-way and the newly platted 27th Place. This remaining portion of "E" Avenue is currently situated between the Mulcahy-Young Property and the Welliver Property. It is bounded by 27th Avenue to the south, and a Native Growth Protection Area to the north. For purposes of this Agreement, that remaining portion of the "E" Avenue right-of-way between the two homes is referred to as "the west 40 feet of "E" Avenue."
- C. The west 40 feet of "E" Avenue remains unvacated, but is not and has not been used by the public as a right-of-way. Mulcahy/Young do not believe that it is necessary, suitable, or useful for use as a public right-of-way as it abuts only the Mulcahy/Young and Welliver properties and it does not abut any other opened right of way to the north.
- D. Under Anacortes Municipal Code (AMC) 12.50, a petition to vacate a public right-of-way must be signed by the owners of two-thirds of abutting property owners. Further, in the case of a city council-initiated vacation, the City is prohibited from proceeding with a vacation if fifty percent or more of the abutting owners file written objections.
- E. Over a period of several years, fill-and-grade activities have been undertaken within the unvacated City right-of-way without required permits, and no enforcement action has been

undertaken by the City to require a permit, address drainage issues, or restore the right-of-way. Since the fill-and-grade activities began, the Mulcahy/Young property has experienced damages, including drainage issues related to excess water and earth movement. Mulcahy/Young believe that the drainage issues and resulting damage are the result of the fill-and-grade activities within the unvacated City right-of-way, which resulted in the litigation described in Recital A.

- F. As stated herein, Mulcahy/Young and Welliver have resolved their portion of the Dispute, and Mulcahy/Young believe that Welliver will support a vacation of the west 40 feet of “E” Avenue.¹ Expeditious vacation of said right-of-way will allow mitigation measures to correct the drainage issues and prevent further damage to the Mulcahy/Young property.
- G. Mulcahy/Young agree to resolve all their claims against the City related to the Dispute, based on certain terms as outlined below, subject to necessary approvals by the Anacortes City Council, including the City’s vacation of the west 40 feet of “E” Avenue.
- H. Resolution of the Dispute includes dismissal of the pending appeal, which benefits the City. The City will be further benefitted by the vacation of the west 40 feet of “E” Avenue since such vacation will relieve the City from future liability including maintenance obligations relating to the “E” Avenue right-of-way and the vacation will add the area to the City’s tax base.

THEREFORE, in consideration for and as a condition of the following covenants, the Parties agree, as follows:

II. AGREEMENTS

1. The City Council (pursuant to AMC 12.50.020) agrees to initiate, by resolution, a petition to vacate the west 40 feet of “E” Avenue between the Mulcahy/Young property and the Welliver property.² The City Council further agrees that (pursuant to AMC 12.50.060(F)), it will elect via motion *not* to refer the vacation to the Board of Adjustment.
2. The proposed resolution to initiate the vacation shall call for a hearing on said vacation, pursuant to AMC 12.50.100, within 30 days from the date of the resolution’s passing, and

¹ Upon vacation, the west 25 feet of “E” Avenue shall become part of the Welliver property, and the east 15 feet shall become part of the Mulcahy-Young property (with the exception of the south one (1) foot of “E” Avenue, which will be part of the Welliver property subject to an easement in favor of Mulcahy/Young over the east 15 feet thereof. The easement will be executed separately from the vacation process and will not involve the City).

² That portion of the “E” Avenue right-of-way located south of the southerly line of the Mulcahy/Young property (as extended westward) will remain unvacated, retaining the minimum lot/road frontage to 27th Place as required by City code/ordinance.

the Council shall consider the petition and vote to approve or deny it immediately following the public hearing.

3. Pursuant to AMC 12.50.130(B), neither Mulcahy/Young nor Welliver shall be required to pay compensation for the area to be vacated, and accordingly no appraisal shall be required.
4. The survey and information required under AMC 12.50.050 shall be provided by Mulcahy/Young, at Mulcahy/Young's expense.
5. Upon final vacation of the west 40 feet of "E" Avenue as outlined herein, the pending appeal of the City's dismissal from Cause No. 18-2-00646-29 (which appeal is pending under Case No. 80002-7) will be withdrawn by Mulcahy-Young within ten calendar days of completion of the vacation.
6. Nothing in this Agreement requires the Council to approve the petition for vacation of the west 40 feet of "E" Avenue. However, Mulcahy/Young's dismissal of the pending appeal is contingent upon the Council's approval of the petition.
7. Effective upon approval of the vacation, as outlined above, Young/Mulcahy and the City agree to mutually release the other party (and any insurer of the other party) from any and all claims that were or could have been brought in Skagit County Cause No. 18-2-00646-29.
8. The Parties shall each be responsible for their own costs and attorney's fees.
9. It is acknowledged that all of the terms of this Agreement are in settlement of a disputed claim and nothing in this Agreement or the performance thereof will be construed as an admission of liability by any Party.
10. A copy of this Agreement and any subsequent amendments hereto may be introduced into evidence in any proceeding to enforce the terms of this Agreement pursuant to CR 2A and RCW 2.44.010.
11. Notices pursuant to this Agreement shall be sent to the parties' attorneys of record at their current addresses as set forth in the pleadings.
12. No waiver or estoppel on any other issues is to be inferred.
13. The Parties' signatures below bind them to the above terms pursuant to CR 2A.
14. This Agreement is governed by and shall be construed in accordance with the laws of the State of Washington. In the event that any dispute arises concerning this Agreement, the substantially prevailing party shall be entitled to its reasonable attorney fees and costs.

15. Any suit brought concerning this Agreement shall be brought in Skagit County, Washington.
16. This Agreement (and Mulcahy/Young's obligations and releases hereunder) are subject to approval of this Agreement by the Anacortes City Council, and contingent upon final vacation as outlined herein.

DATED THIS _____ day of December, 2019

Anthony Young

Joseph Mulcahy

City of Anacortes

By: _____
(Print Name and Title)

APPROVED BY:

Dannon Traxler, WSBA #37158
Langabeer & Traxler, P.S.
Attorney for Plaintiffs

Kathleen Goodman, WSBA #46653
Williams, Kastner & Gibbs PLLC
Attorneys For Defendant
City of Anacortes

Bryan Telegin, WSBA #46686
Bricklin & Newman, LLP
Attorneys For Defendants Welliver

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PUGET SOUNDKEEPER ALLIANCE,	)	Case No. 2:18-CV-01745-RSM
	)	
Plaintiff,	)	CONSENT DECREE
v.	)	
	)	
CITY OF ANACORTES,	)	
	)	
Defendant.	)	
_____	)	

I. STIPULATIONS

WHEREAS, Puget Soundkeeper Alliance (“Soundkeeper”) filed this citizen suit on December 5, 2018, alleging violations of the Clean Water Act (“CWA”), 33 U.S.C. §§ 1251-1387, relating to the City of Anacortes’s (the “City’s”) implementation of its National Pollutant Discharge Elimination System (NPDES) Phase II Municipal Stormwater Permit (“the Permit”). In its complaint, Soundkeeper seeks declaratory and injunctive relief, civil penalties, and attorney’s fees and costs. The City denies the allegations in plaintiff’s Complaint.

WHEREAS, the parties agree that settlement of these matters is in the best interest of the parties and the public, and that entry of this Consent Decree is the most appropriate means of resolving this action.

WHEREAS, the parties stipulate to the entry of this Consent Decree without trial, adjudication, or admission of any issues of fact or law regarding Soundkeeper's claims or allegations set forth in its complaint and sixty-day notice dated September 26, 2018.

Dated: December ___, 2019.

CITY OF ANACORTES

PUGET SOUNDKEEPER ALLIANCE

By: _____

By: _____

Title: _____

Title: _____

II. ORDER AND DECREE

THIS MATTER came before the Court upon the Parties' Joint Motion for Entry of Consent Decree and the foregoing Stipulations of the parties. Having considered the Stipulations and the promises set forth below, the Court hereby ORDERS, ADJUDGES, and DECREES as follows:

1. For purposes of this Decree, this Court has jurisdiction over the parties and subject matter of this action.

2. Each signatory for the parties certifies for that party that he or she is authorized to enter into the agreements set forth below.

3. This Consent Decree applies to and binds the parties and their successors and assigns.

4. This Consent Decree is a full and complete settlement of the claims and allegations in the Complaint and all other claims known and unknown existing as of the date of entry of this Consent Decree that could be asserted under the CWA, 33 U.S.C. §§ 1251-1387,

1 concerning the City's compliance or non-compliance with the Permit, including any activities or
2 conduct performed for the purpose of complying with the Permit. These claims are released and
3 dismissed with prejudice. Enforcement of this Consent Decree is Soundkeeper's exclusive
4 remedy for any violation of its terms.

5 5. This Consent Decree is a settlement of disputed facts and law. It is not an
6 admission or adjudication regarding any allegations by Soundkeeper in this case or any fact or
7 conclusion of law related to those allegations, nor evidence of wrongdoing on the part of the
8 City.
9

10 6. Prior to executing this Consent Decree, the City performed the following actions
11 as part of its efforts to resolve this litigation:
12

13 a. Without admitting any violation of the Permit, the City substantially
14 revised and supplemented the content of its annual Stormwater Management Program Plan
15 ("SWMP Plan") to include more detail regarding actions the City would take to implement the
16 Permit in 2019. The City published its *2019 Stormwater Management Program Plan* in April
17 2019.
18

19 b. Without admitting any violation of the Permit, on July 22, 2019, the City
20 adopted Ordinance No. 3040, which contains updates to the City's Development Regulations.
21 The portions of Ordinance No. 3040 that were revised as part of the settlement of this matter are
22 highlighted and attached to this Consent Decree as Exhibit "A." The portions of future code
23 revisions the City will make as part the settlement of this matter are attached to this Consent
24 Decree as Exhibit "B."
25

26 7. Within sixty (60) days of entry of this Consent Decree, the City will prepare the
27 summary report described in Condition S5.C.4.f.ii of the Permit (as issued on August 1, 2012,
28
29

1 modified on January 16, 2014, and expiring July 31, 2018) regarding the results of the LID code
2 review and revision process, which will include, at a minimum, the list of participants (job title,
3 brief job description, and department represented), the codes, rules, standards and other
4 enforceable documents reviewed, and the revisions made to those documents which incorporate
5 and require LID principles and LID BMPs. The summary report will be organized as required
6 by Condition S5.C.4.f.ii as follows: (a) measures to minimize impervious surfaces; (b) measures
7 to minimize loss of native vegetation; and (c) other measures to minimize stormwater runoff.
8 Within five (5) days of completion of this summary report, the City will provide the report to
9 Soundkeeper and will submit the report to the Washington State Department of Ecology.
10

11
12 8. In lieu of a payment of penalty, the City will perform as follows in exchange for
13 the consideration provided by Soundkeeper in releasing its claims as specified herein and
14 entering into this Consent Decree:

15 a. For a period of three (3) years following entry of this Consent Decree, the
16 City will hold annual training sessions conducted by the Department of Ecology for staff
17 persons conducting the review of stormwater site plans for proposed development and
18 construction inspections under S5.C.6 of the Permit.
19

20 b. Within six (6) months of entry of this Consent Decree, the City will
21 organize and put on a presentation for students at Anacortes High School on stormwater
22 pollution and prevention. The City will put on this presentation annually for the term of the
23 Consent Decree.
24

25 c. Within thirty (30) days of entry of this Consent Decree, the City will
26 partner with the Skagit Conservation District to develop a new stormwater pollution prevention
27 program for Anacortes elementary schools. This program will consist of seven (7) presentations
28

1 to school children grades 2 to 6 at the Anacortes elementary schools. The subject matter of the
2 presentations will focus on stormwater education, including understanding watersheds,
3 discussions of sources of water pollution, the difference between point source and non-point
4 source pollution, and how to mitigate pollution in stormwater. These seven (7) presentations
5 will all be completed no later than two years from the date of entry of this Consent Decree.
6

7 d. For a period of three (3) years following entry of this Consent Decree, the
8 City will buy: (1) a full-page advertisement twice per year in the *Anacortes American Weekly*
9 regarding the City's spill hotline and procedures and requirements for reporting and responding
10 to spills; and (2) a column advertisement in every issue of *A-town is Our Town* regarding the
11 City's spill hotline and procedures and requirements for reporting and responding to spills, and a
12 full-page advertisement or story twice per year on Illicit Discharge Detection and Elimination.
13

14 e. Within eighteen months from the date of entry of the Decree, the City
15 will complete the City Hall Parking Lot LID Retrofit Projects, as described in Exhibit "C"
16 attached to this Decree and will complete the Q Avenue Parking Lot LID Demonstration
17 Project, as described in Exhibit "D" attached to this Decree. The two LID Projects referenced
18 as Exhibits "C" and "D" in this paragraph shall include a durable sign stating: "This project was
19 completed in coordination with Puget Soundkeeper Alliance."
20
21

22 9. For three (3) years following entry of this Decree, once each year, the City will
23 email Soundkeeper the total number of Low Impact Development ("LID") fixtures installed
24 during the prior year by the City and any LID fixtures permitted and installed by a private
25 developer and the total acreage of stormwater treated by each fixture.
26

27 10. From the effective date of this Consent Decree until the termination date set forth
28 in paragraph 16 below, the City agrees to provide Soundkeeper, on a twice per year basis, with a
29

1 detailed report on their progress towards accomplishing requirements in paragraph 8 this
2 Decree, along with the following Permit documents transmitted by or to the Washington State
3 Department of Ecology: annual reports and any attachments to the annual reports, SWMP Plans,
4 G20 notifications, notices of violation or penalty issued to the City by Ecology related to the
5 Permit, any Permit modifications issued to the City by Ecology, and any written
6 communications to or from Ecology regarding the Permit.
7

8 11. Within ten (10) days of entry of this Consent Decree, the City will pay a total of
9 \$73,000.00 (Seventy-Three Thousand Dollars) to cover Soundkeeper's litigation fees,
10 expenses, and costs (including reasonable attorney and expert witness fees) by check payable
11 and mailed to Smith & Lowney, PLLC, 2317 E. John Street, Seattle, Washington 98112, attn:
12 Richard Smith. This payment is full and complete satisfaction of any claims Soundkeeper may
13 have under the CWA for fees and costs.
14

15 12. A force majeure event is any event outside the reasonable control of the City that
16 causes a delay in performing tasks required by this decree that cannot be cured by due diligence.
17 Delay in performance of a task required by this decree caused by a force majeure event is not a
18 failure to comply with the terms of this decree, provided that the City notifies Plaintiff of the
19 event; the steps that the City will take to perform the task; the projected time that will be needed
20 to complete the task; and the measures that have been taken or will be taken to prevent or
21 minimize any impacts to stormwater quality resulting from delay in completing the task.
22

23 The City will notify Soundkeeper of the occurrence of a force majeure event as soon as
24 reasonably possible but, in any case, no later than fifteen (15) days after the occurrence of the
25 event. In such event, the time for performance of the task will be extended for a reasonable
26 period of time following the force majeure event.
27
28

1 By way of example and not limitation, force majeure events include

- 2 1. Acts of God, war, insurrection, or civil disturbance;
- 3 2. Earthquakes, landslides, fire, floods;
- 4 3. Actions or inactions of third parties over which defendant has no control;
- 5 4. Restraint by court order or order of public authority;
- 6 5. Strikes; and
- 7 6. Litigation, arbitration, or mediation that causes delay.

8
9 13. This Court retains jurisdiction over this matter. While this Consent Decree
10 remains in force, this case may be reopened without filing fee so the parties may apply to the
11 Court for any further order that may be necessary to enforce compliance with this decree or to
12 resolve any dispute regarding the terms or conditions of this decree. In the event of a dispute
13 regarding implementation of, or compliance with, this Consent Decree, the parties must first
14 attempt to resolve the dispute by meeting to discuss the dispute and any suggested measures for
15 resolving the dispute. Such a meeting should be held as soon as practical but must be held
16 within thirty (30) days after notice of a request for such a meeting to the other party and its
17 counsel of record. If no resolution is reached at that meeting or within thirty (30) days of the
18 notice, whichever occurs first, either party may file a motion with this Court to resolve the
19 dispute. The provisions of section 505(d) of the CWA, 33 U.S.C. § 1365(d), regarding awards of
20 costs of litigation (including reasonable attorney and expert witness fees) to any prevailing or
21 substantially prevailing party, shall apply to any proceedings seeking to enforce the terms and
22 conditions of this Consent Decree.

23
24 14. The parties recognize that, pursuant to 33 U.S.C. § 1365(c)(3), no consent
25 judgment can be entered in a CWA suit in which the United States is not a party prior to forty-

1 five (45) days following the receipt of a copy of the proposed consent judgment by the U.S.
2 Attorney General and the Administrator of the U.S. EPA. Therefore, upon the signing of this
3 Consent Decree by the parties, Soundkeeper shall serve copies of it upon the Administrator of
4 the U.S. EPA and the Attorney General.

5 15. This Consent Decree takes effect upon entry by the Court.

6 16. This Consent Decree terminates three years from the date of entry of this Consent
7 Decree.
8

9 17. This Consent Decree may not be used as evidence in any proceeding or as an
10 admission or adjudication with respect to any allegations in the Complaint or any fact or
11 conclusion of law with respect to any matter alleged in or arising out of the Complaint.
12

13 18. Both parties have participated in drafting this decree.

14 19. This Consent Decree may be modified only upon the approval of the Court.

15 20. If for any reason the Court should decline to approve this Consent Decree in the
16 form presented, this Consent Decree is voidable at the discretion of Soundkeeper or the City.
17 The parties agree to continue negotiations in good faith in an attempt to cure any objection
18 raised by the Court to entry of this Consent Decree.
19

20 21. Notifications required by this Consent Decree must be in writing. The sending
21 party may use any of the following methods of delivery: (1) personal delivery; (2) registered or
22 certified mail, in each case return receipt requested and postage prepaid; (3) a nationally
23 recognized overnight courier, with all fees prepaid; or (4) e-mail. For a notice or other
24 communication regarding this Consent Decree to be valid, it must be delivered to the receiving
25 party at the addresses listed below or to any other address designated by the receiving party in a
26 notice in accordance with this paragraph 21.
27
28

1 if to Soundkeeper:

2 Katelyn Kinn
3 Puget Soundkeeper Alliance
4 130 Nickerson Street, Suite 107
5 Seattle, WA 98109
6 Email: katelyn@pugetsoundkeeper.org

7 and to:

8 Alyssa Englebrecht
9 Smith & Lowney PLLC
10 2317 East John St.
11 Seattle, WA 98112
12 Email: alyssa@smithandlowney.com

13 if to City of Anacortes:

14 Darcy Swetnam
15 City Attorney
16 City of Anacortes
17 904 6th Street
18 P.O. Box 547
19 Anacortes, WA 98221
20 darcy@cityofanacortes.org

21 and to:

22 Fred Buckenmeyer
23 Director Public Works
24 City of Anacortes
25 904 6th Street
26 P.O. Box 547
27 Anacortes, WA 98221
28 fredb@cityofanacortes.org

29 A notice or other communication regarding this Consent Decree will be effective when
received unless the notice or other communication is received after 5:00 p.m. on a business day,
or on a day that is not a business day, then the notice will be deemed received at 9:00 a.m. on
the next business day. A notice or other communication will be deemed to have been received:

CONSENT DECREE - 9
Case No. 2:18-CV-01745-RSM

Smith & Lowney, p.l.l.c.
2317 East John Street
Seattle, Washington 98112
(206) 860-2883

1 (a) if it is delivered in person or sent by registered or certified mail or by nationally recognized
2 overnight courier, upon receipt as indicated by the date on the signed receipt; or (b) if the
3 receiving party rejects or otherwise refuses to accept it, or if it cannot be delivered because of a
4 change in address for which no notice was given, then upon that rejection, refusal, or inability to
5 deliver; or (c) for notice provided via e-mail, upon receipt of a response by the party providing
6 notice or other communication regarding this Consent Decree.
7

8
9 DATED this ____ day of December, 2019.
10
11

12 _____
13 HON. RICARDO S. MARTINEZ
14 UNITED STATES JUDGE

15 Presented by:

16 SMITH & LOWNEY, PLLC

17 By: s/ Richard Smith
18 s/ Alyssa Englebrecht
19 Richard Smith, WSBA #21788
20 Alyssa Englebrecht, WSBA #46773
21 Attorneys for Puget Soundkeeper Alliance

22 FOSTER GARVEY PC

23 By: s/ Lori A. Terry
24 s/ Joanne Kalas
25 Lori A. Terry, WSBA #22006
26 Joanne Kalas, WSBA #46735
27 Attorneys for City of Anacortes
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EXHIBIT A

Ordinance No. 3040

An Ordinance Amending the Development Regulations Contained in Anacortes Municipal Code Title 16 Subdivisions, Title 17 Zoning, Title 19 Unified Development Code, and the Official Zoning Map

Whereas, on July 18, 2016, the City Council adopted Ordinance 2982 adopting a new Comprehensive Plan pursuant to the City's periodic Growth Management Act Comprehensive Plan amendment and update process; and

Whereas, the Anacortes Comprehensive Plan provides guidance for amending the Anacortes Municipal Code (AMC) development regulations and official zoning map to implement its land use, housing, economic development, transportation, environment and conservation, and other goals and policies; and

Whereas, the proposed amendments to the development regulations and official zoning map were initiated by the City in accordance with the requirements of the Growth Management Act and AMC 19.16.030(B), subsequent to the adoption of the 2016 Comprehensive Plan; and

Whereas, the Anacortes Planning Commission reviewed proposed amendments to the development regulations and the official zoning map consistent with the process outlined in AMC 19.16.080, and subsequent to a public hearing on January 9, 2019 and January 23, 2019, entered findings of fact, reasons for action, and recommendations to the City Council in a recorded motion dated April 10, 2019; and

Whereas, the City Council considered the Planning Commission's recommendation pursuant to AMC 19.16.090 at meetings on April 15, 2019, April 22, 2019, April 29, 2019, May 6, 2019, May 13, 2019, May 20, 2019, June 3, 2019; and

Whereas, an additional public comment opportunity was provided for certain changes to the Planning Commission's recommendation identified during City Council's review;

Whereas, the City Council considered the additional comments received at a meeting on July 15, 2019;

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

Section 1. Findings. The above recitals are hereby adopted by reference as legislative findings in support of this ordinance. The City Council further enters the following findings:

- A. The Findings of Fact contained within Section A of the *Anacortes Planning Commission Recorded Motion Regarding Amendments to the Development Regulations and the Official Zoning Map* (approved April 10, 2019), analyze the proposal's consistency with the Growth

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“AMC” means the Anacortes Municipal Code.

“Appellant” means a person who files a complete and timely appeal of a city decision.

“Appellate body” means that officer or body prescribed by this Title as having the authority to hear the appeal of a development permit.

“Applicant” means a person seeking development or permit approval from the City.

“Articulation” means the giving of emphasis to architectural elements (like windows, balconies, entries, etc.) that create a complementary pattern or rhythm, dividing large buildings into smaller identifiable pieces. See AMC 19.63.040 for articulation provisions.

“Articulation interval” means the measure of articulation, the distance before architectural elements repeat. See AMC 19.63.040 for articulation provisions.

“Artisan manufacturing” means a light manufacturing use defined in AMC 19.45.030(B).

“Assisted living facility” means a type of group living use defined in AMC 19.43.020(C).

B. B definitions.

“Basement” means that portion of a building below the ground floor having less than four-feet of clearance from its ceiling to the average finished grade of the building perimeter.

“Bed and breakfast establishment” means an overnight lodging use defined in AMC 19.44.050(B).

“Best management practice” (BMP) means the schedules of activities, prohibitions of practices, maintenance procedures, and structural and/or managerial practices, that when used single or in combination, prevent or reduce the release of pollutants and other adverse impacts to waters of Washington State.

“Binding site plan” means a drawing to scale specified by AMC Chapter 19.32 Land Divisions which: (a) identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified by local regulations; (b) contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by the City of Anacortes; and (c) contains provisions making any development be in conformity with the site plan.

“Bioretention BMP” means engineered facilities that store and treat stormwater by passing it through a specified soil profile, and either retain or detain the treated stormwater for flow attenuation.

“Blank wall” means a ground floor wall or portion of a ground floor wall as described in AMC 19.63.070(B) that does not include a transparent window or door.

“Block” means a parcel of land bounded on all sides by city streets, which may be divided by an alley, and generally comprised of individual building lots.

“Block frontage” refers to the area between a street and building façades and other portions of a lot close to the street property line. This includes both streetscape elements (planting strips and sidewalks), street setbacks, and building façades. See AMC Chapter 19.61 Block Frontage Standards for applicable standards.

“Boarder” means a patron of a rooming house who is provided lodging, with or without meals, for compensation.

“Boundary line adjustment” means the adjustment of a boundary line between existing lots.

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“Division of land” means any transaction or action, not otherwise exempt or provided for under the provisions of this title, which alters or affects the shape, size or legal description of any part of an owner’s land as defined in this section. Sale of a condominium apartment and rental or lease of a building, facility or structure which does not alter or affect the legal description of an owner’s land does not constitute a division of land.

“Drive-in or drive-through restaurant or refreshment stand” means any place or premises used for sale, dispensing, or serving of food, refreshments, or beverages to customers in vehicles, including those establishments where customers may serve themselves and may eat or drink the food, refreshments, or beverages on or off the premises.

“Duplex dwelling” refers to a type of household living use defined in AMC 19.43.010(E).

“Dwelling unit” or “dwelling” means a building or portion thereof providing complete housekeeping facilities for one family. A “dwelling unit” does not include a motel or hotel, which is separately defined.

E. E definitions.

“Effective date” means the date a final decision becomes effective.

“Effective impervious surface” means those impervious surfaces that are connected via sheet flow or discrete conveyance to a drainage system.

“Essential public facility” (EPF) means any public facility or facilities owned or operated by a unit of local or state government, public or private utility, transportation company, or any other entity that provides a public service as its primary mission, and is difficult to site. EPFs include those facilities listed in RCW 36.70A.200.

F. F definitions.

“Façade” means the entire street wall face of a building extending from the grade of the building to the top of the parapet or eaves and the entire width of the building elevation.

“Family” means:

1. One person or two or more related persons living together.
2. No more than five unrelated persons living together as a single nonprofit housekeeping unit.
3. Unrelated persons living together in a state licensed adult family home pursuant to RCW 70.127.010, with the provider’s family counting as up to six persons not related to the providers living with them as one housekeeping unit for profit.
4. In a single-family dwelling, one roomer or boarder is permitted in addition to the family.

“Fence” means a structure which is built, constructed, or composed of parts joined together of material in some definite manner, in which the prime purpose is to separate and divide, partition, enclose or screen a parcel or parcels of land.

“Final decision” means the final City action, in writing, to approve, approve with conditions, or deny a permit application.

“Final plat” means a precise scale drawing of a subdivision and dedications which conforms to the approved preliminary plat, meets all the conditions of approval, and meets the requirements of the Skagit County Auditor for recording.

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“Final short plat” means a precise scale drawing of a short subdivision and dedications which conforms to the approved preliminary short plat, meets all conditions of approval, and meets the requirements of the Skagit County Auditor for recording.

“Floor” means the same thing as a “story”.

“Floor area, net (NFA)” means the actual occupied area not including unoccupied accessory areas such as corridors, stairways, ramps, toilet rooms, mechanical rooms, and closets. Shared residential storage areas and commercial and industrial storage/stock areas are considered occupied areas for the purpose of this definition.

“Floor area, gross (GFA)” means the floor area within the inside perimeter of the exterior walls of the building under consideration, exclusive of vent shafts and courts, without deduction for corridors, stairways, ramps, closets, the thickness of interior walls, columns, or other features. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. The gross floor area does not include shafts with no openings or interior courts.

“Freestanding sign” means a type of sign defined in AMC 19.67.030.

G. G definitions.

“Gateway block frontage” refers to a type of block frontage designation that emphasizes landscaping on frontages facing State Route 20. See AMC 19.61.100 for details.

“Garage” means a sheltered or enclosed accessory space used for the storage of the motor vehicles, recreational vehicles, or boats. The term “garage” includes carport.

“Garage sale” means all general sales, open to the public, conducted from or on a residential premises in any residential zone, for the purpose of disposing of personal property.

“General-service establishment” refers to a type of commercial use category defined in AMC 19.44.020(A).

“Grade” means the level of the surface of the ground.

“Grading” means any excavating or filling or combination thereof, of land.

“Gross acre” means acreage plus one-half the width of abutting right-of-way of streets and alleys.

“Groundcover” means small plants such as salal, ivy, ferns, mosses, grasses, or other types of vegetation which normally cover the ground.

“Ground floor” means the first floor of any building nearest, on, or above the same plane as the fronting right-of-way.

“Grubbing” means the removal of trees, shrubs, stumps and rubbish from the project site.

H. H definitions.

“Hard surface area” means an impervious surface, a permeable pavement, or a vegetated roof.

“Heavy industry” means a land use category defined in AMC 19.45.010(A).

“Hedge” means trees, vines, and/or shrubs which are planted in a substantially uniform configuration, grown and joined together in some definite manner and generally pruned to a uniform shape, creating a substantial barrier to sight.

“Home occupation” means a type of accessory use defined in AMC 19.47.040.

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“Hospital” means a type of medical use defined in AMC 19.44.030(C).

“Hotel” or “motel” means a type of overnight lodging use defined in 19.44.050(C).

I. I definitions.

“Impervious surface” means a non-vegetated surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. A non-vegetated surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development.

“Improved public street” means a platted public street, paved to city standards and specifications.

“Incidental sign” means a type of design defined in AMC 19.67.030.

“Infiltration device or facility” means a drainage device or facility designed to use the hydrologic process of surface and stormwater runoff soaking into the ground, commonly referred to as a percolation, to dispose of surface and stormwater runoff.

J. J definitions.

“Junk yard” means a lot, land, or structure, or part thereof, used for the collecting, storage, and sale of waste paper, rags, scrap metal, used building materials, or discarded material; or for the collecting, dismantling, storage, salvaging or sale of parts of machinery, or vehicles not in running condition. Junk yard includes auto wreckage yard or storage yard for wrecked automobiles.

K. K definitions.

“Kennel” means a type of personal service use defined in AMC 19.44.080. Also see AMC 6.06.090 Commercial kennels, catteries, pet shops and animal shelters—General conditions for applicable standards.

L. L definitions.

“Land clearing” means the act of removing or destroying trees or groundcover.

“Land disturbing activity” means any activity that results in a change in the existing soil cover (both vegetative and nonvegetative) and/or the existing soil topography. Land disturbing activities include, but are not limited to, clearing, grading, filling, and excavation. Compaction that is associated with stabilization of structures and road construction shall also be considered a land disturbing activity. Vegetation maintenance practices, including landscape maintenance and gardening, are not considered land-disturbing activity. Stormwater facility maintenance is not considered land disturbing activity if conducted according to established standards and procedures.

“Landmark building” means a structure recognized as historic or architecturally significant through designation on a local, state, or national historic register.

“Landscape” and “landscaped area” means an inclusive combination of trees, shrubs, flowers, ferns, groundcover, and other vegetation as defined in AMC 19.65.030.

“Landscaped block frontage” refers to a type of block frontage designation that emphasizes landscaped setbacks. See AMC 19.61.070 for details.

“Light industry” means a land use category defined in AMC 19.45.020(A).

“Live-work dwelling unit” refers to a type of household living use defined in AMC 19.43.010(J).

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dispersion, soil quality and depth, minimal excavation foundations, vegetated roofs, and water re-use.

“Low impact development principles” means land use management strategies that emphasize conservation, use of on-site natural features, and site planning to minimize impervious surfaces, native vegetation loss, and stormwater runoff.

M. M definitions.

“Major utility” means a type of utilities use defined in AMC 19.46.040(A).

“Manufactured home” refers to a type of household living use defined in AMC 19.43.010(K).

“Marijuana” means all parts of the plant cannabis, whether growing or not. See also “Cannabis.”

“Marine block frontage” refers to a type of block frontage designation that emphasizes use of either the Storefront or Landscaped block frontage standards but which also offers greater flexibility in site orientation. See AMC 19.61.090 for details.

“Medical office” means a type of medical use defined in AMC 19.44.030.

“Minimum requirement” means a technical minimum requirement described in Volume 1 of the Stormwater Management Manual for Western Washington (SWMMWW) and Appendix 1 of the City’s NPDES permit.

“Minor utility” means a type of utilities use defined in AMC 19.46.040(B).

“Mixed block frontage” refers to a type of block frontage designation that allows use of either the Storefront or Landscaped block frontage standards. See AMC 19.61.080 for details.

“Mixed-use” means a development that has a mix of uses such as but not limited to residential, office, retail, civic, dining, institutional, and industrial.

“Modulation” means stepping forward or backwards a portion of the façade as a means to articulate or add visual interest to the façade.

“Motel”. See “Hotel”.

“Multi-family restricted dwelling” refers to a type of household living use defined in AMC 19.43.010(I).

“Multifamily dwelling” refers to a type of household living use defined in AMC 19.43.010(H).

“Municipal service facility” means a type of general-service use defined in AMC 19.44.020(D).

“Museum” means a type of civic use defined in AMC 19.46.020(C)(4).

N. N definitions.

“Native vegetation” means vegetation composed of plant species, other than noxious weeds, that are indigenous to the coastal region of the Pacific Northwest and which reasonably could have been expected to naturally occur on the site. Examples include trees such as Douglas fir, Western Hemlock, Western Red Cedar, Alder, Big-leaf Maple, and Vine Maple; shrubs such as willow, elderberry, salmonberry, and salal; and herbaceous plants such as sword fern, foam flower, and fireweed.

“Neighborhood grocery store” means a type of retail sales use defined in AMC 19.44.120(D).

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“Nonconforming” or “pre-existing nonconforming” means a use or structure that was legally established when it was commenced or constructed but does not conform to laws or rules that were subsequently adopted.

“Nursery” means a type of agriculture use defined in AMC 19.46.010(E).

“Nursing home” means a type of group living use defined in AMC 19.43.020(D).

O. O definitions.

“Open record hearing” means a hearing conducted by a single hearing body or officer authorized by the city to conduct such hearings, that creates the city’s record through testimony and submission of evidence and information, under procedures prescribed by the city by ordinance or resolution.

“Open record pre-decision hearing” means an open record hearing held prior to the City’s decision on a project permit.

“Open record appeal hearing” means an open record hearing held on an appeal if no pre-decision hearing has been held on the project permit.

“Open space” means that part of a property which is unobstructed by structures from the ground upward, unless otherwise noted for internal open space provisions in AMC 19.62.040.

P. P definitions.

“Passive recreation” means a mix of uses on undeveloped land (including wetland buffers) or minimally improved lands which includes the following: naturally landscaped areas, non-landscaped greenspaces, picnic areas, water bodies, trails, interpretive trails and other similar structures or development.

“Parking space” means an off-street space plus room to enter and exit the space that is used temporarily to park a motor vehicle, and which has access to a public street or alley.

“Party of record” means a person who has testified at a public hearing, or submitted a written statement related to an application within the allowed timeframe, and who provides the City with a complete mailing address.

“Pedestrian-oriented space” means publicly accessible spaces that enliven the pedestrian environment by providing opportunities for outdoor dining, socializing, relaxing and provide visual amenities that can contribute to the character of the neighborhood. See AMC 19.62.040(D) for pedestrian-oriented space design criteria.

“Permanent sign” means a type of sign defined in AMC 19.67.030.

“Permeable pavement” means pervious concrete, porous asphalt, permeable pavers, or other forms pervious or porous paving material intended to allow passage of water through the pavement section. It often includes an aggregate base that provides structural support and acts as a stormwater reservoir.

“Permitted use” means any use authorized or permitted alone or in conjunction with another use in a specific zone and subject to the limitations of the regulation of such zone.

“Person” means and includes a human being or legal entities such as corporations, partnerships, etc.

“Personal service” means a category of land uses defined in AMC 19.44.080(A).

“Pervious surface” means any surface material that allows stormwater to infiltrate into the ground. Examples include lawn, landscape, pasture, native vegetation areas, and permeable pavements.

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“Rain garden” means a non-engineered shallow, landscaped depression, with compost-amended native soils and adapted plants. The depression is designed to pond and temporarily store stormwater runoff from adjacent areas, and to allow stormwater to pass through the amended soil profile. See AMC 19.65.060(F) for rain garden design standards.

“Real estate signs” means a type of sign defined in AMC 19.67.030.

“Recreational vehicle” means a type of temporary use defined in AMC 19.48.020(D).

“Religious institution” means any building used for non-profit purposes by an established religious organization holding either tax exempt status under Section 501(c)(3) of the Internal Revenue Code or under the state property tax law, where such building is primarily intended to be used as a place of worship. The term includes, but is not necessarily limited to, church, temple, synagogue, and mosque.

“Research and development” means a type of use category defined in AMC 19.45.040.

“Retail” means a type of use category defined in AMC 19.44.120(A).

“Retaining wall” means a structure that retains (holds back) any material (usually earth) and prevents it from sliding or eroding away.

“Rezone” means an amendment which changes the use classifications and/or boundaries upon the official zoning map.

“Right-of-way” means a strip of land in public ownership used for transportation, utility, open space, or other public purposes.

“Rockery” means placed rocks used to control soil erosion.

“Roofline” means the highest edge of the roof or the top of a parapet, whichever establishes the top line of the structure when viewed in a horizontal plane.

“Rooming house” means a type of group living use defined in AMC 19.43.020(E).

S. S definitions.

“School” means a type of civic use defined in AMC 19.46.020(C).

“Second floor” means the habitable floor above the ground floor.

“Sediment basin (pond)” means a temporary sediment pond installed at a construction site.

“Setback” means the minimum required distance between a property line and a line parallel to that property line. Types of setbacks include:

1. Street setback.
2. Street setback - garage.
3. Side street setback.
4. Interior side setback.
5. Interior side setback - second floor.
6. Rear setback.

Figure 19.12.020(S) shows the location of some setback types on a typical lot. See AMC 19.42.130 for clarification on how all setback types are measured.

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DIVISION 3 - PERMITS

New Chapter 19.30, *Site Plan Review*, is added as follows:

Chapter 19.30 – SITE PLAN REVIEW

19.30.010 - Purpose.

To ensure that site plans are reviewed to achieve the following purposes:

- A. Compliance with the provisions of the AMC and all other applicable laws.
- B. Coordination, as is reasonable and appropriate, with other known or anticipated development on private properties in the area and with known and anticipated right-of-way and other public projects in the area.
- C. The encouragement of proposals that embody good design principles that will result in high quality development on the subject property.
- D. The adequacy of streets and utilities in the area of the subject property to serve the anticipated demand from the proposal.
- E. Determination that the proposed street access to the subject property is the suitable location and configuration for access.
- F. **To ensure that low impact development (LID) principles and best management practices (BMPs) are integrated into site design.**

19.30.020 - Applicability.

All non-subdivision development proposals will be subject to site plan review and approval except: repair, maintenance, and interior remodeling.

19.30.030 - Application requirements.

- A. An application must be submitted to the department on forms provided by the department and include applicable fees and all required information in the application submittal checklist.
- B. Site plan review applications are reviewed per AMC Chapter 19.20 Application Procedures.
- C. The department may optionally request a three-dimensional visualization of proposed development that will exceed a building height of 40-feet to help determine compliance with applicable building design standards (AMC Chapter 19.63).

19.30.040 - Review criteria.

- A. Conformance with all other applicable laws, ordinances and regulations.
- B. Conformance with AMC Chapter 15.32 Underground Utilities.
- C. Conformance with AMC Chapter 19.22 Concurrency.
- D. Conformance with the applicable zoning provisions of Division 4, including:
 - 1. AMC Chapter 19.41 Allowed Uses.

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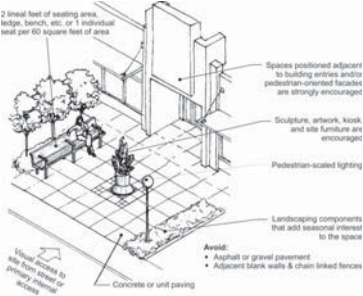
Table 19.42.070	
Height bonus incentive features for the portion of the MMU zone east of Q Avenue.	
Examples	
3	Provide additional ground level pedestrian-oriented space [meeting design requirements in AMC 19.62.040(C)] equal to at least 2% of the development site. Such space must be above and beyond minimum sidewalk, esplanade, and applicable pedestrian-oriented space requirements. This could include a small entry plaza (left image), or it could include a widened sidewalk (middle image). Examples 
4	Provide space for a public park equal to at least 5% of the gross floor area of the applicable building, but not less than 10,000sf in area, on a site agreed upon by, and dedicated to, the City. The space should be configured and located so it is able to incorporate common municipal park features such as playgrounds, fitness areas, picnic areas, pavilions, etc.
5	Integrate ornamental stormwater management features. Include creative and expressive techniques to celebrate stormwater management. The feature must be a significant visible design feature of the site and must include educational signage or a plaque explaining the incorporated stormwater techniques as determined and approved by the City. The design and management plan for the features must demonstrate long term success of the ornamental stormwater management element. See examples below. Examples 

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Table 19.42.070 Height bonus incentive features for the portion of the MMU zone east of Q Avenue.	
11	Provide indoor meeting space available for free to the general public (3,000sf min.). See example below.
Example	
12	Other similar features that function as a permanent public amenity. Such features must be comparable in cost and public benefit to the features above.

19.42.080 - Minimum lot size calculations.

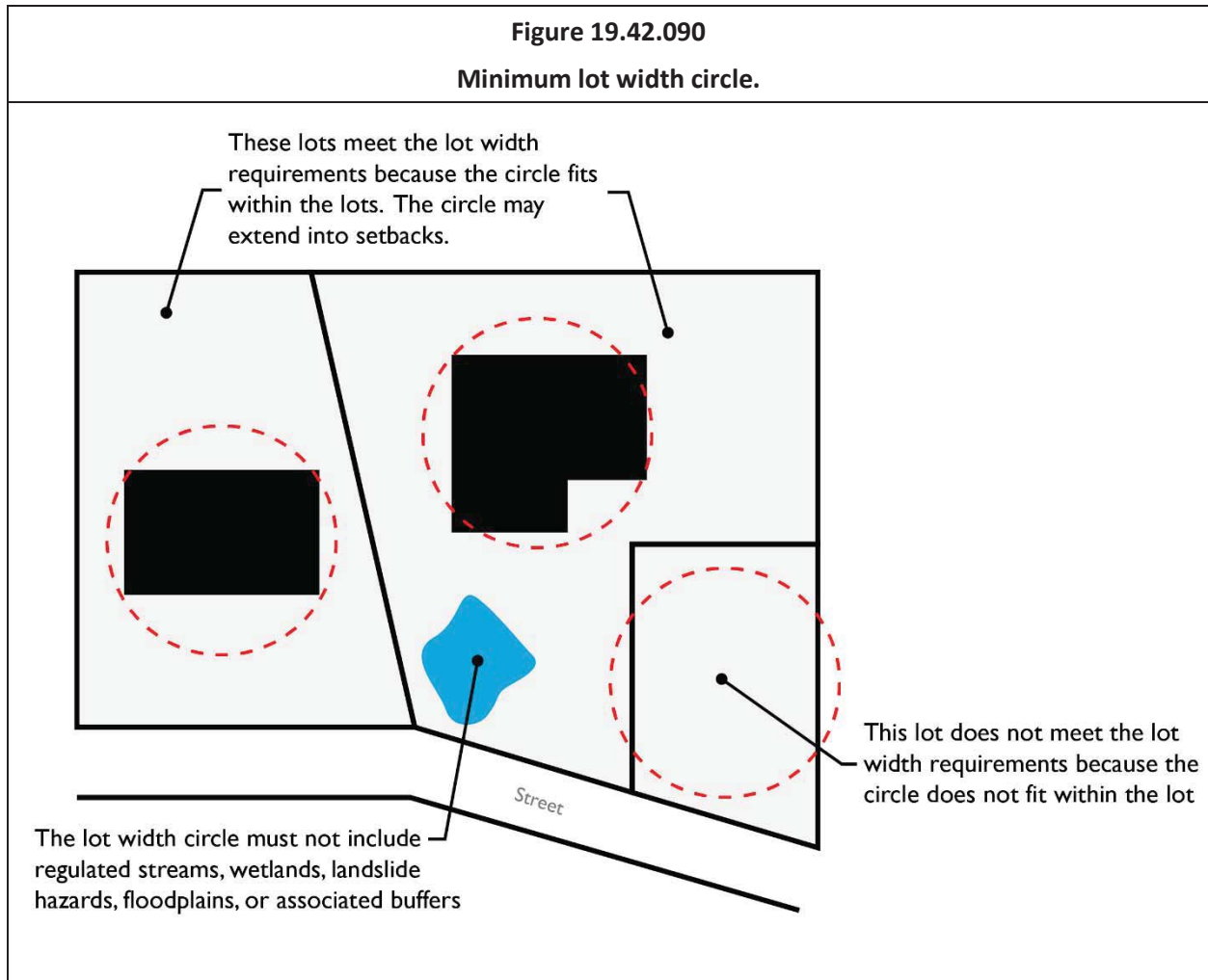
Minimum lot size calculations are based on net lot area, rather than gross lot area. The following areas are excluded from the minimum lot area calculations:

- A. Street right-of-way, or other areas reserved or dedicated for public use (such as parks, open space, and **stormwater facilities**).
- B. Submerged lands, landslide hazard areas and buffers, regulated wetlands and buffers, and Type-1, 2, 3 and 4 streams and buffers.

19.42.090 - Minimum lot width circle calculation and exceptions.

- A. Purpose. The purpose of the minimum lot width circle requirement is to:
 - 1. Ensure that each lot is wide enough to maintain a consistent and compatible land use pattern in residential neighborhoods; and
 - 2. Ensure that a minimum buildable area is included in each lot created.
- B. Requirement. Table 19.42.020 identifies the minimum lot width circle diameter that must fit within each newly created lot in residential zones. This circle establishes that at least some portion of a lot must be at least as wide as the minimum lot width. The lot width circle must not include submerged lands, landslide hazard areas and buffers, regulated wetlands and buffers, and Category 1, 2, 3 and 4 streams and buffers.
- C. The following lots are exempt from minimum lot width circle standards: Duplexes, triplexes, cottage and townhouse developments, where individual units are subdivided into separate lots via unit lot subdivision.

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19.42.100 - Density calculations.

A. Calculations for determining minimum density. The density minimum standard applies to single purpose residential developments (mixed-use developments are exempt). All site areas applicable to the residential development must be used in the calculation of minimum allowed residential density except the following:

1. Street right-of-way, or other areas reserved or dedicated for public use (such as parks, open space, and **stormwater facilities**).
2. Submerged lands, landslide hazard areas and buffers, regulated wetlands and buffers, and Type-1, 2, 3, and 4 streams and buffers.

B. Calculations for determining maximum density.

1. Maximum density for residential zones applies to all development with new residential dwelling units, unless otherwise noted herein.
2. Gross acreage of the site may be used in the calculation of the maximum allowed residential density (including half of existing street right-of-way around the perimeter of the site and any new street right-of-way internal to the site).

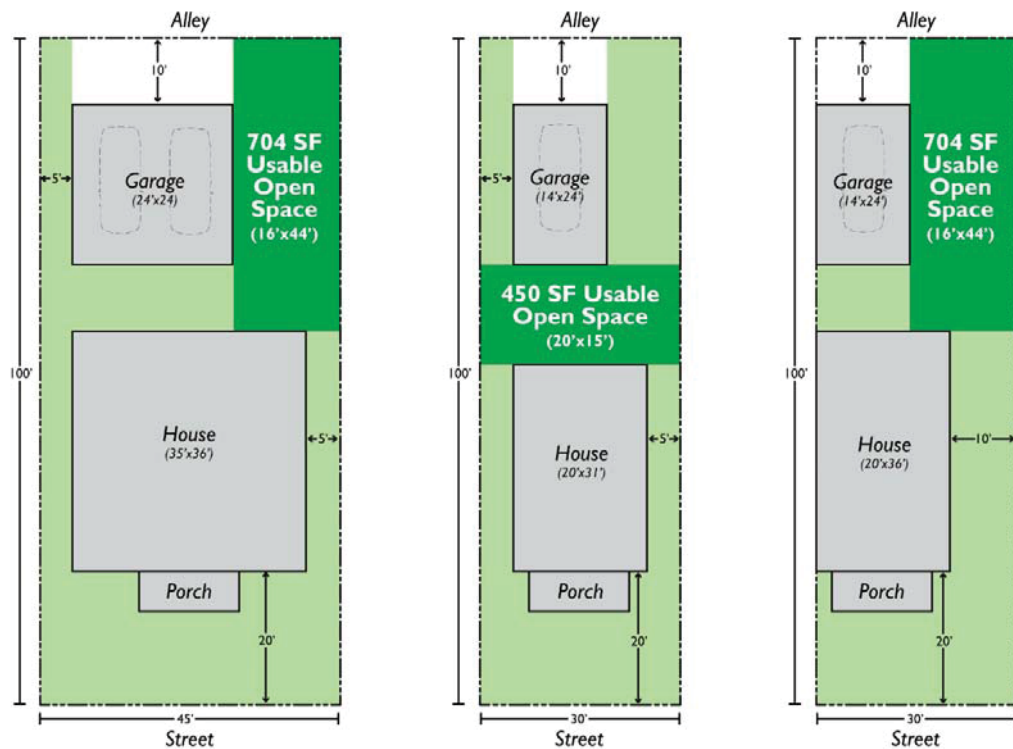
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- i. All new alley-loaded small lot dwelling units must provide a contiguous open space to the side or rear of the dwelling with a minimum dimension of 15-feet on all sides.
- ii. The open space(s) must be equivalent to 10-percent (minimum) of the lot area. For example, a 4,000-square foot lot would require a contiguous open space of at least 400-square-feet, or 20-feet by 20-feet in area.
- iii. Covered but unenclosed decks and porches may be used as a part of the usable open space provided they are a part of a space that meets the standards herein.
- iv. LID stormwater BMPs, like rain gardens, may be integrated in up to 25-percent of the minimum required usable open space area.
- v. Drive aisles must not count in the calculations for usable open space.
- vi. Additions must not create or increase any non-conformity with this standard.

Figure 19.43.010(C)(3)(c)

Examples of how to provide the minimum amount of usable open space.

See AMC 19.54.040(C) for zero lot line standards.



4,500 SF Lot

450 SF usable open space required

3,000 SF Lot

300 SF usable open space required

**3,000 SF Lot
Zero Lot Line**

300 SF usable open space required

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- iv. Cottages must be setback at least ten-feet from any internal access lanes that provide access to four or more cottages. For access lanes serving less than four cottages, at least five-feet of separation is required between access lanes and cottages. Permitted projections into required street setback in AMC 19.42.140 apply for setbacks to internal access lanes.
- e. Building height.
 - i. Cottages have a maximum building height of 25-feet. All parts of the roof above 18-feet must be pitched with a minimum roof slope of 6:12.
 - ii. Accessory structures in cottage housing developments are subject to the standards in AMC 19.47.020.
- f. Cottage size. Cottages must contain no more than 1,200-square-feet gross floor area in total, not including attached garages.
- g. Entries.
 - i. Clear and obvious pedestrian access between the sidewalk (or the street if there is no sidewalk) and the building entry is required for new dwellings.
 - ii. All new dwellings must provide a covered pedestrian entry with minimum weather protection of three-feet by three-feet (a covered porch or recessed entry).
- h. Façade transparency. Transparent windows and/or doors are required on at least eight-percent of façades featuring the primary entrance and facing streets and common open spaces. For corner lots, this standard is only applied to the elevation containing the primary entrance.
- i. Common open space.
 - i. Minimum size. Common open space must be at least 400-square-feet per cottage.
 - ii. Minimum dimensions. Common open space must have no dimension less than 15-feet. Areas used to meet private open space requirements may not be double-counted as common open space.
 - iii. Elements. Common open space may include a lawn, courtyard, plaza, garden, or other shared central open space and may not include parking areas. Common open space must be useable and may not include critical areas or critical area buffers, including steep slopes. LID stormwater BMPs, like rain gardens, may be integrated in up to 25-percent of the minimum required usable open space area.
 - iv. Orientation. Common open space must have cottages abutting on at least two sides. At least 50-percent of the cottages in each cottage housing cluster must abut common open space. Cottages abutting the common open space must be oriented around and have the primary entrance face the common open space.
 - v. Access. Cottages must be within 100-feet walking distance of the common open space and feature a direct pedestrian connection to the common open space.
- j. Shared community buildings.
 - i. A shared community building may be integrated into the common open space area required in subsection (3)(i) above but must not be included in the minimum common open space area calculations.

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- b. See AMC 19.53.030 for general driveway and access easement standards. Separate driveways are permitted for each unit provided each driveway is limited to 12-feet in width and meets driveway separation standards in AMC 19.53.030(D).
- c. Standards for minimum useable open space.
 - i. All new duplex units must provide a contiguous open space with a minimum dimension of 15-feet on all sides.
 - ii. The minimum collective size of usable open space is 10-percent of the lot area. For example, an 8,000-square foot lot would require at least 800-square-feet of usable open space, which could include separate 20-feet by 20-feet usable open spaces for each unit.
 - iii. Where the usable open space is configured within the street setback, the open space must be defined with a fence or wall (meeting the standards of AMC Chapter 19.66). See Figure 19.43.010(E)(2)(c) for an example.
 - iv. Covered but unenclosed decks and porches may be used as a part of the usable open space provided they are a part of a space that meets the standards herein.
 - v. LID stormwater BMPs, like rain gardens, may be integrated in up to 25-percent of the minimum required usable open space area.
 - vi. Drive aisles must not count in the calculations for usable open space.
 - vii. Additions must not create or increase any non-conformity with this standard.

Figure 19.43.010 (E)(2)(c)

Example of integrating a duplex's minimum usable open space into the street setback.

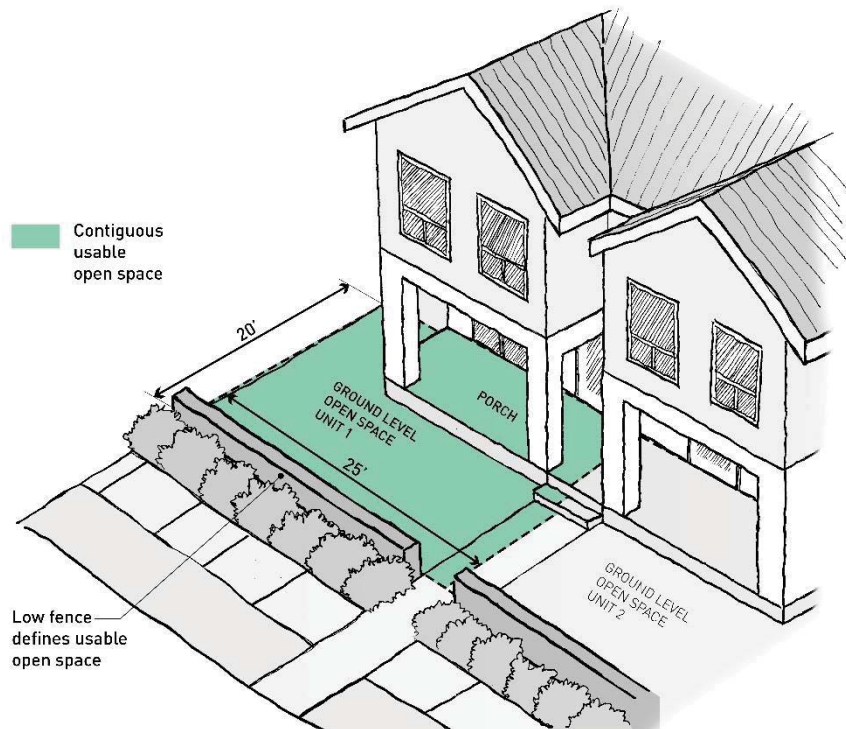


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3. Multiple duplexes may be built on the same lot provided the minimum lot size per duplex is met (see AMC Table 19.42.020) and other standards above are met.

F. Triplex

1. Definition. A building that is entirely surrounded by open space on the same lot and contains three dwelling units.
2. Standards.
 - a. Triplexes are subject to the entry and driveway access and garage standards for single-family small lot [AMC 19.43.010(C)(3)(a) and (b)]. The entries for individual units may be grouped (including a shared path connecting grouped entries to the sidewalk) or separated.
 - b. See AMC 19.53.030 for general driveway and access easement standards. Separate driveways are permitted for each unit provided each driveway is limited to 12-feet in width and meets driveway separation standards in AMC 19.53.030(D).
 - c. Standards for minimum useable open space.
 - i. All new triplex units must provide a contiguous open space with a minimum dimension of 15-feet on all sides.
 - ii. The minimum collective size of usable open space is 10-percent of the lot area. For example, an 8,000-square foot lot would require at least 800-square-feet of usable open space, which could include separate 20-feet by 20-feet usable open spaces for each unit.
 - iii. Where the usable open space is configured within the street setback, the open space must be defined with a fence or wall (meeting the standards of AMC Chapter 19.66). See Figure 19.43.010(E)(2)(c) for an example.
 - iv. Covered but unenclosed decks and porches may be used as a part of the usable open space provided they are a part of a space that meets the standards herein.
 - v. LID stormwater BMPs, like rain gardens, may be integrated in up to 25-percent of the minimum required usable open space area.
 - vi. Drive aisles must not count in the calculations for usable open space.
 - vii. Additions must not create or increase any non-conformity with this standard.
3. Multiple triplexes may be built on the same lot provided the “additional lot size needed for additional dwelling unit beyond duplex, minimum”, per AMC Table 19.42.020, is met.

EXHIBIT A

setbacks may be used to meet this standard, provided they are defined with a fence (meeting standards of AMC Chapter 19.66 Fences, Walls & Hedges).

- b. Balconies, roof decks or porches.
- c. Shared open space that meets the design requirements of AMC 19.62.040(B)(2), provided such space is visible and directly accessible to townhouse dwelling units.
- d. LID stormwater BMPs, like rain gardens, may be integrated in up to 25-percent of the minimum required usable open space area.

Individual private open spaces for one unit that exceed the open space standards may not be used to help meet the open space standards for other dwelling units. Shared open spaces that meet the standards of subsection (c) above, however, may be used to supplement private open spaces meeting subsections (a) and (b) above to help dwelling units meet the usable open space standards herein.

Figure 19.43.010(G)(10)

Examples of usable open space adjacent to townhouse units.



The townhouses above include private ground level open space (a) and balconies (b).



Private ground-level open spaces.



EXHIBIT A

Construction or provision of public right-of-way improvements consistent with the requirements in this chapter and AMC Chapter 19.52 Public Street Design is required as condition of approval of the following development activities:

- A. Creation of any new dwelling units, except for accessory dwelling units.
- B. Creation of any new non-residential development.
- C. The establishment of new lots with a subdivision, short subdivision, or binding site plan when such lots do not otherwise have access from a public right-of-way.
- D. Alteration of, or addition to, a single family residence when the estimated value of the proposed structural improvements exceeds 50-percent of the Skagit County Assessor's value of the existing structure(s) on the subject property within a 12-month period.
- E. Alteration of, or addition to, a commercial, industrial, or multi-family development when the estimated value of the proposed improvements exceeds 50-percent of the Skagit County Assessor's value of the existing structure(s) on the subject property, within a 12-month period.

Exception: Tenant improvements to existing buildings (no new increase in gross floor area) are exempt from the public right-of-way improvements in this chapter.

- F. A change of use to a more intensive use of property that will result in increased impact (as determined by the director) to the transportation system, based on the Trip Generation Manual published by the Institute of Transportation Engineers (ITE) for the land use, or other source approved by the City.
- G. A new access point to a public street will be created.
- H. When a nonresidential, multifamily, townhouse, or cottage development establishes internal roadways for the purpose of complying with the block design and connectivity standards of AMC 19.54.020.

19.51.030 - Minimum street improvement requirements.

Typical required improvements for right-of-way (ROW). The public works director or designee must determine required improvements based on the standards and criteria in this chapter, and the Anacortes Engineering Design Standards. Required improvements must be located within the public ROW and/or the block frontage. Typical required public improvements include the following:

- A. Paved roadway.
- B. Street lighting.
- C. Sidewalks or other pedestrian and non-motorized facilities.
- D. Curb and gutter. Curb cuts or curbless streets may be required to make use of bioretention treatment in the right-of-way. The landscaped areas shown in Figure 19.52.040(A) may be designed for bio-retention treatment.
- E. Utilities including storm drainage, wastewater, and domestic water systems.
- F. Street landscaping and appurtenances.
- G. Traffic control and other safety devices including, but not limited to, provisions for channelization, pavement markings, signage, pedestrian safety, and traffic calming where such improvements are only necessary or practical to provide on the same side of the street as the subject property.

EXHIBIT A

1. Factors to be considered in determining a street's classification include the following existing or proposed features:
 - a. Facility geometrics, including the number and width of traffic lanes, turning lanes, and parking lanes.
 - b. Access conditions, including any restrictions on access, the spacing of private accesses, and average lot frontage widths.
 - c. Traffic characteristics, including average daily traffic, percentage of trucks, average operating speed, percentage of turning movements, origin-destination characteristics of the traffic, and peak-hour characteristics of traffic.
 - d. Adjacent land uses.

19.52.040 - Street geometric design and streetscape.

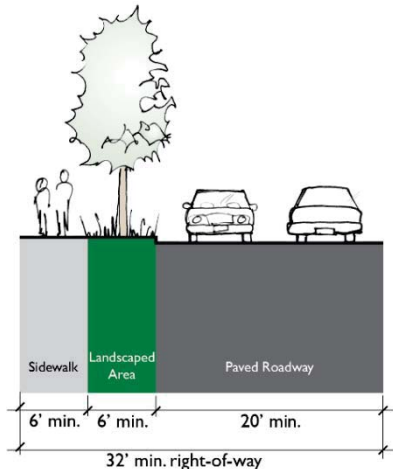
A. Applicability. Required street improvements must meet the standards herein except when either of the following apply:

1. **Capital improvement projects.** In cases where the City Council has approved a capital improvements plan for a particular public right-of-way, that plan will govern the improvements required for the right-of-way and the provisions of this section do not apply.
2. **Modified and special standards.** In cases where a modified standard for a particular street or neighborhood has been approved by City Council per AMC 19.51.060(C)(5), or where special design standards are otherwise identified the Engineering Design Standards, those standards will govern the improvements required for the right-of-way and the provisions of this section do not apply.

B. Interpretation of Table 19.52.040(A) through (E).

1. Right-of-way. Right-of-way width depends on number of travel lanes, parking lanes, type of curb and gutter, and other elements provided.
2. Landscaped area. Landscaped area contains vegetation, pedestrian amenities, utilities, LID BMPs such as bioretention, and other roadside infrastructure. Street trees must be included according to the installation standards and requirements in the Anacortes Engineering Design Standards. When included, curbs are part of the landscaped area width.
3. Pavement width. Pavement width refers to the minimum width of the traveled way, bike lanes, and parking lanes. Parking lanes are optional and may be required in special circumstances to accommodate guest parking [AMC 19.64.030(B)], traffic calming, and/or applicable service deliveries and activities appropriate to the street context and/or typical to the size, type, and density of the proposed development. When included, parking lanes must be eight-feet wide and designed to provide water quality treatment consistent with AMC Chapter 19.76 Stormwater and the adopted DOE Stormwater Management Manual. When included, gutters are part of the pavement width.
4. Grade. The maximum grade is as noted. The maximum grade may be increased with approval of the Fire Department based on review of emergency services access and water supply availability.
5. Sidewalks. Refers to minimum width of sidewalks.

EXHIBIT A

Table 19.52.040(E) Lane design standards.		
Lane street types are permitted for residential development accessing up to 9 dwelling units. For rules of interpretation, see subsection (B).		
Right-of-way width	32 ft.	
Landscaped area width	6 ft. minimum one side	
Pavement width	20 ft.	
Grade	12% maximum	
Sidewalk width	6 ft. minimum (one side)	
Bike lanes	NA	

19.52.050 - Dead end streets and cul-de-sacs.

- A. Limited application. Dead end streets and cul-de-sacs are limited in application and may only be permitted where, due to demonstrable physical constraints, no future connection to a larger street pattern is physically possible. See AMC 19.54.020 Block design and connectivity standards for related standards.
- B. Minimum requirements. Streets longer than 150' require an approved turnaround, such as a hammerhead or cul-de-sac. The Fire Department will determine the type of turnaround required based on the number of units accessing the street and other site specific characteristics.
- C. Hammerhead design. The hammerhead turnaround must comply with the Anacortes Engineering Design Standards and Fire Department requirements.
- D. Cul-de-sac design. The cul-de-sac turnaround must comply with the Anacortes Engineering Design Standards and Fire Department requirements. Cul-de-sacs may have a landscaped center area to implement **LID BMPS like bioretention**. The landscaping must be maintained by the homeowner's association or adjacent property owners.
- E. Waiver of turnaround. The requirement for a turnaround or cul-de-sac may be waived with approval of the Fire Department when the development proposal will not create an increased need for emergency operations or the impacts are otherwise mitigated.

19.52.060 - Street intersections.

The following standards apply to street intersections:

- A. Streets must intersect at right angles, except when topography dictates otherwise, and in no case may the angle of intersections be less than 60 degrees.
- B. Two streets meeting at a third street from opposite sides must meet at the same point, or their centerlines must be offset at least 125-feet.

¹Individual cottages, for the purposes of these shared driveway standards, count as one-half dwelling unit.

²Or as determined by the Fire Department based on the number of units and the provision of fire suppression sprinklers.

³See AMC 19.52.050 for related standards.

3. If a shared driveway abuts properties that are not part of the subdivision, a five-foot wide landscape buffer must be provided between the shared driveway and neighboring properties.
4. Stormwater **management (Minimum Requirements #5 & 7 of NPDES Permit may apply)** must be provided according to AMC Chapter 19.76 Stormwater.
5. The maximum grade must not exceed 12-percent. The maximum grade may be increased with approval of the Fire Department based on review of emergency services access and water supply availability.
6. The minimum base and surfacing must comply with the Anacortes Engineering Design Standards and be capable of supporting fire apparatus.
7. New lots served by shared driveways are subject to the design provisions of AMC 19.54.040(E).

C. Signage and addressing.

1. Traffic control devices including installation of “No Parking” signs as required by the city must be provided.
2. Lots served by the shared driveway must be addressed to the public street to which the shared driveway connects.

D. Easement or tract ownership and maintenance.

1. The easement or tract must be shown and recorded on the face of the plat or with the land division to be preserved in perpetuity. If a tract is created, the owners of the subject lots must have an equal and undivided interest in ownership of the tract.
2. Appropriate legal instruments ensuring that the shared driveway can be continually maintained to minimum standards listed in this section by the owners of the lots served by the driveway must be provided prior to recording of the short plat.

E. Obstructions. A restriction prohibiting any temporary or permanent physical obstructions within the easement, including, but not limited to, the parking of non-emergency vehicles, must be shown on the face of the short plat.

F. Timing of improvements. The shared driveway must be installed prior to recording of the plat unless approved for deferral/bonding.

19.53.050 - Internal circulation for cottage, townhouses, and multifamily developments.

Internal shared-access drives for cottages, townhouses, and multifamily development are subject to the following standards:

- A. Internal shared-access drives must be a minimum of 20-feet wide within a minimum 20-foot wide easement (if applicable). Alternative designs will be considered in consultation with the Fire Department based on whether fire apparatus can enter the site, location and distance of fire hydrants, provision of fire-suppression sprinklers, and water supply availability.

- B. Internal shared-access drives may provide direct access to off-street parking spaces and/or incorporate parallel parking spaces, provided the minimum dimensional standards of AMC 19.64.050 are met. Note that certain parking angles may require wider dimensions than those required in subsection (A) above.
- C. Pedestrian circulation.
 - 1. Sidewalk.
 - a. When required. Internal shared-access drives which serve four or more units must include at least one sidewalk on one side of the drive.
 - b. Dimensions. Sidewalks must be curbed and raised six-inches and have a minimum clear width of five-feet. Where a sidewalk is adjacent to perpendicular or angled parking, an extra two-feet of width must be provided to accommodate parked vehicles overhanging the sidewalk unless wheel stops are installed to prevent parked vehicles from overhanging the curb.
 - c. Ramps and other accessibility features must be provided in accordance with the Americans with Disabilities Act of 1990 and the current ADA Standards for Accessible Design.
 - d. The sidewalk must connect to a public street and must minimize walking distances to the extent practical.
 - e. Use of permeable pavements for sidewalks is required, when feasible.
 - 2. Sidewalks must be separated from structures with at least three-feet of landscaping.

Departures will be considered provided the location and design of the walkway and adjacent building elevation minimize privacy impacts to building residents and enhances the character of the development.
 - 3. Crosswalks are required when a pedestrian pathway crosses an on-site paved area accessible to vehicles. Crosswalks must contain contrasting material (such as concrete) and/or patterns (such as stamped asphalt), excluding painted surfaces.

DEPARTURES will be considered for alternative pedestrian circulation designs that provide an equivalent level of pedestrian safety and comfort. For example, a curbless woonerf (shared street) with special pavement, landscaping, bollards, and other design features may adequately calm traffic speeds and movements.

Chapter 19.54 - SUBDIVISION DESIGN & BLOCK STRUCTURE

Sections:

- 19.54.010 - Purpose.
- 19.54.020 - Block design and connectivity standards.
- 19.54.030 - Open space/parks.
- 19.54.040 - Lot design.
- 19.54.050 - Access, services, and utilities.

19.54.010 - Purpose.

The purpose of this chapter is to:

- A. Enhance the character and livability of Anacortes's neighborhoods.
- B. Encourage compact and walkable neighborhoods and connections between neighborhoods.

- C. Promote “eyes on the street” for safety.
- D. Promote subdivision design that reduces energy consumption and encourages low impact development.
- E. Integrate open spaces, natural elements, utilities, and recreational features into the design of developments.

19.54.020 - Block design and connectivity standards.

Anacortes’s comprehensive plan places a high priority on being a “walkable” community. In order to be walkable, there needs to be frequent accessible and attractive connections between destinations. Consequently, this requires a well-connected system of streets and pathways that encourages people to walk. Thus, block size and design has a direct impact on the walkability of a community.

A. All zones.

1. Connectivity to abutting lands. The street system of proposed subdivisions must be designed to connect with existing, proposed, and planned streets outside of the subdivision. Wherever a proposed development abuts unplatted land or other land with the capability of being further subdivided, street stubs must be provided to allow access to future abutting subdivisions and to logically extend the street system into the surrounding area. All street stubs must be provided with a temporary turn-around unless specifically exempted by the fire marshal, and the restoration and extension of the street must be the responsibility of any future developer of the abutting land.
2. Continuation of streets. Planned streets must connect with surrounding streets to permit the convenient movement of traffic between neighborhoods and to facilitate emergency access and evacuation. Connections must be designed to meet or exceed the block standards in subsections (B) and (C) below, and to avoid or minimize through traffic on local streets.
3. Pedestrian pathways. Short internal pathways can improve pedestrian mobility within developments. Examples could include a pathway in the middle of a block or at the end of a cul-de-sac. Such pathways must be located within an easement or common open space tract allowing for public access and maintained by the homeowner’s association unless the city or other public authority accepts an offer of dedication.

B. Residential zones. New residential developments must provide an integrated and connected network of streets to help provide a sense of place and orientation and provide multiple travel route options for all users. A street network dominated by long, irregular loop roads and cul-de-sacs is not appropriate. The following standards apply to new development in the residential zones.

1. Blocks must be designed to provide pedestrian and vehicular connections at intervals no greater than 660-feet.
2. DEPARTURES to the standard in paragraph (1) will be considered per AMC 19.20.220 provided the alternative design meets the purposes of the standards (see AMC 19.54.010 above) and meets the following criteria:
 - a. A departure provides the opportunity for a public open space or other public amenity that goes well beyond minimum standards herein. For example, a larger block could allow for the development of a compact village of homes around a centralized open space; and
 - b. Departures meeting criteria in paragraph (a) above allow configurations with pedestrian and vehicular connections at intervals greater than 660-feet, but no greater than 1,000-feet,

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Figure 19.54.030(B)(2)
Examples of inviting park design.



Examples of inviting park design, with design features and amenities that attract usage from the surrounding community.

3. Must be safe. Safe open spaces incorporate Crime Prevention through Environmental Design (CPTED) principles:
 - a. Natural surveillance - which occurs when parks or plazas are open to view by the public and neighbors. For example, a plaza that features residential units with windows looking down on space means that the space has good “eyes” on the park or plaza.
 - b. Lighting that reflects the intended hours of operation and is appropriate for the proposed activities.
 - c. Landscaping and fencing. Avoid configurations that create dangerous hiding spaces or minimize views.
 - d. Entrances should be prominent, well lit, and highly visible from inside and outside of the space.
 - e. Maintenance. Open spaces must utilize commercial grade materials that will last and require minimal maintenance costs. Walls, where necessary, must be designed and treated to deter graffiti. Use and maintain landscape materials that reduce maintenance cost and maintain visibility, where desired.
4. Provides for uses/activities that appropriately serve the anticipated residents and users of the development. For example, common open space that serves a variety of functions will attract greater usage. When designing open spaces, project applicants should consider a broad range of age groups, from small children, to teens, parents, and seniors.
5. Must be well maintained. Open space must be maintained by the land owner(s) unless the city or other public authority accepts an offer of dedication.
6. May include LID BMPs. Open spaces may include LID BMPs, like rain gardens, in up to 25-percent of subdivision open spaces (cumulative).

EXHIBIT A

DIVISION 6 - PROJECT DESIGN

Chapter 19.60, *Recreational Vehicle Parks*, is repealed.

Division 6, *Project Design*, is amended as follows:

Chapter 19.60 - INTRODUCTION

Sections:

19.60.010 - Purpose.

19.60.020 - Applicability and compliance.

19.60.030 - How the provisions of this division are applied.

19.60.010 - Purpose.

This division is authorized by the City Council as a major implementation tool of the Anacortes Comprehensive Plan. Overall, this division intends to:

- A. Provide clear objectives for the planning and design of development projects in Anacortes.
- B. Preserve and protect the public health, safety, and welfare of the citizens of Anacortes.
- C. Promote and accomplish the goals, policies, and objectives of the Anacortes Comprehensive Plan.
- D. Preserve and enhance the historic resources and character of the Central Business District.
- E. Ensure that new multifamily, mixed-use, and commercial development is of high quality and appropriate to Anacortes's character and context.
- F. Promote increased pedestrian, bicycling, and transit use in commercial and multifamily areas.
- G. Enhance the livability of residential developments.
- H. Enhance the public's physical and visual access to the water.
- I. Increase awareness of design considerations among the citizens of Anacortes.
- J. Maintain and enhance property values within Anacortes.

19.60.020 - Applicability and compliance.

- A. The project design provisions in this division generally apply to **all development** within the city, including, but not limited to, building additions, site improvements, and new signage. However, since each chapter addresses different design and development elements, the applicability of each chapter is clarified at the beginning of the chapter.
- B. Relationship to other codes and documents. Where provisions of this division conflict with provisions in any other section of the AMC, this division prevails unless otherwise noted.
- C. For building additions, remodels, and site improvements, three different thresholds have been established to determine how the standards herein are applied to such projects. See Figure 19.60.020 for examples of site development and the respective types of improvements required under each of the three levels of improvements.

EXHIBIT A

19.62.040 - Internal open space.

A. Purpose.

1. To create useable space that is suitable for leisure or recreational activities for residents.
2. To create open space that contributes to the residential setting.
3. To provide plazas that attract shoppers to commercial areas.
4. To provide plazas and other pedestrian oriented spaces in commercial areas that enhance the employees' and public's opportunity for active and passive activities, such as dining, resting, people watching, and recreational activities.
5. To enhance the development character and attractiveness of commercial development.

B. Usable residential open space.

1. All multifamily development, including multifamily portions of mixed-use development, must provide minimum usable open space equal to 100-square-feet per dwelling unit for studio and one-bedroom dwellings and 150-square-feet per dwelling unit for dwellings with two or more bedrooms. The required open space may be provided in a combination of ways:
 - a. Shared open space. All of the required open space may be in the form of shared open space available to all residents and meeting the requirements of subsection (B)(2) below.
 - b. Ground level individual outdoor space. All of the required open space may for a unit be provided by ground level outdoor space that is adjacent and directly accessible to the subject unit. Such open spaces must be:
 - i. Outdoor spaces may be located in the front, side, or rear yard provided they are generally level, feature no dimension less than ten-feet, and enclosed by a fence and/or hedge at least 32-inches in height to qualify

DEPARTURES will be considered for this provision.
 - ii. Private porches may qualify as outdoor space provided they are at least 36-square-feet in area, with no dimension less than six-feet.
 - iii. LID BMPs may be included in ground level individual outdoor space provided the LID BMP design and maintenance requirements are consistent with the purpose of the space and do not affect usability.

Individual ground level open space that is in excess of minimum requirements must not be used in the calculations for determining the minimum usable open space requirements for other units in the development.

- c. Balconies. Up to 50-percent of the required open space may be provided by private balconies provided such spaces are at least 32-square-feet in area, with no dimension less than four-feet (not including railings), to provide a space usable for human activity.
- d. Common indoor recreation areas. For mixed-use buildings up to 50-percent of the required open space may be provided by common indoor recreation areas meeting the following conditions:
 - i. The space must meet ADA standards and must be located in a visible area, such as near an entrance, lobby, or high traffic corridors.

EXHIBIT A

- ii. The space must be designed specifically to serve interior recreational functions and not merely be leftover unrentable space used to meet the open space requirement. Such space must include amenities and design elements that will encourage use by residents.
- e. Shared roof decks. For multifamily buildings, up to 50-percent of the required open space may be provided by shared roof decks located on the top of buildings which are available to all residents and meet the requirements below. For mixed-use buildings, 100-percent of the required open space may be provided by shared roof decks. Design requirements:
 - i. Space must feature hard-surfacing, provide amenities such as seating areas and other features that encourage use.
 - ii. Space must integrate landscaping elements that enhance the character of the space and encourage its use.
 - iii. Space must incorporate features that provide for the safety of residents, such as enclosures, railings, and appropriate lighting levels.
- 2. Shared open space design requirements. Shared open space can include landscaped courtyards or decks, entrance plazas, gardens with pathways, children's play areas, pools, and water features provided they are accessible to all residents of the development. Accessible areas with native vegetation and areas used for storm water retention, infiltration, or other multipurpose recreational and/or green spaces that meet the design criteria herein may qualify as shared open space.

Special requirements for shared open spaces include the following:

- a. Shared open space must be located in centralized areas that are visible from units within the development.
- b. Required setback areas must not count as shared open space unless the design of the space meets the standards herein.
- c. Shared open space must feature no dimension less than 15-feet in order to provide functional leisure or recreational activity (unless otherwise noted herein).
- d. Shared open space must feature paths or walkable lawns, landscaping, seating, lighting, and play structures, sports courts, or other pedestrian amenities to make the area more functional and enjoyable for a range of users.
- e. Shared open space must be separated from ground level windows, streets, service areas and parking lots with landscaping, fencing, and/or other acceptable treatments that enhance safety and privacy for both the shared open space and dwelling units.
- f. When possible, the space should be oriented to receive sunlight, facing east, west or preferably south.
- g. Stairways and service elements located within or on the edge of shared open space must not be included in the open space calculations.
- h. Shared porches may qualify as shared open space, provided they are at least eight-feet in depth and 96-square-feet in total area.
- i. The space must be accessible to all residents of the development.
- j. Shared open spaces may include LID BMPs, like rain gardens, in up to 25-percent of the required open space.

EXHIBIT A

D. Pedestrian-oriented open space design criteria. This subsection describes the requirements and desired characteristics of pedestrian oriented open space [which may be used to meet the requirements of subsection (C) above].

1. Required pedestrian-oriented open space features.
 - a. Visual and pedestrian access into the site from a street, private access road, or non-vehicular courtyard.
 - b. Paved walking surfaces of either concrete or approved unit paving. Form-in-place pervious concrete paving is allowed.
 - c. Lighting must conform to AMC 19.69.040.
 - d. The spaces must be located in or adjacent to areas with significant pedestrian traffic to provide interest and security, such as adjacent to or visible from a building entry.
 - e. At least two-feet of seating area (a bench or ledge at least 16-inches deep and appropriate seating height) or one individual seat per 60-square-feet of plaza area or open space.
 - f. Landscaping components that add visual interest and do not act as a visual barrier. This could include planting beds, raised planters, and/or potted plants, or both.
2. Desirable pedestrian-oriented open space features:
 - a. Pedestrian amenities, such as site furniture, artwork, drinking fountains, shade structures kiosks, or other similar features.
 - b. Adjacent buildings with transparent windows and doors covering at least 50-percent of the façade between 30-inches and ten-feet above the ground level.
 - c. Pedestrian weather protection, alcoves, seating, or other features along building edges to allow for outdoor gathering.
 - d. Pedestrian-oriented open spaces may include LID BMPs, like rain gardens, in up to 25-percent of the required open space.
3. Features prohibited within a pedestrian-oriented open space:
 - a. Asphalt pavement.
 - b. Adjacent service areas (e.g., trash areas, loading docks) that are not separated with landscaping, as required by AMC 19.62.070.
 - c. Adjacent chain-link fences.
 - d. Adjacent “blank walls” without “blank wall treatment” (see AMC 19.63.070).
 - e. Outdoor storage.

EXHIBIT A

D. Utility meters, electrical conduit, and other service utility apparatus.

These elements must be located and/or designed to minimize their visibility to the public. Project designers are strongly encouraged to coordinate with applicable service providers early in the design process to determine the best approach in meeting these standards. If such elements are mounted in a location visible from the street, pedestrian pathway, shared open space, or shared auto courtyards, they must be screened with vegetation and/or integrated into the building's architecture.

Figure 19.62.070(D)

Utility meter location and screening - good and bad examples.



Place utility meters in less visible locations. The upper and lower left examples are successfully tucked away in a less visible location and/or screened by vegetation. The right images are poorly executed and would not be permitted in such visible locations. Such meters must be coordinated and better integrated with the architecture of the building.



E. Location and screening of roof mounted mechanical equipment.

1. All rooftop mechanical equipment, including air conditioners, heaters, vents, and similar equipment must be fully screened from public view at the street level. Screening must be located so as not to interfere with operation of the equipment.

Exception: Roof-mounted wind turbines, solar energy systems, and rainwater reuse systems do not require screening.

EXHIBIT A

- i. If on a sidewalk, the total sidewalk width (including any planting area or landscaped strip) is at least 12-feet wide in a mixed-use or industrial zone or at least eight-feet wide in a residential zone.
 - ii. The bicycle parking spaces are within 100-feet of the development's primary pedestrian entry.
 - iii. The public works director certifies bicycle parking in the public right-of-way in the proposed location does not conflict with the Transportation Plan.
 - iv. The property owner maintains the bicycle parking in perpetuity per the terms of an encroachment permit recorded to the property title.
 - c. Short-term bicycle spaces on a public sidewalk or street for multiple businesses or properties are encouraged to be consolidated, where practical to comply with the requirements of subsection (b).
2. Long-term bicycle parking spaces must be located on the development site.

C. Design.

1. The design of short-term and long-term bicycle parking spaces must substantially comply with the current "Essentials of Bike Parking" maintained by the Association of Pedestrian and Bicycle Professionals, or similar standards approved for use by the director.
2. Locating all bicycle parking spaces under weather protection cover is encouraged.

19.64.110 - Parking area design and construction standards.

- A. **Parking area plans.** Developments featuring new off-street parking areas must submit plans of such parking area(s) showing adjacent streets, proposed circulation of traffic, proposed **stormwater management**, lighting, landscaping, and fencing.
- B. **Parking lot access.** Ingress and egress to the parking lot or area must be provided at locations approved by the city engineer.
- C. **Surfacing and grading.** All required off-street parking area must be graded and surfaced to a standard comparable to the street which serves the parking area as determined by the city engineer. Off-street parking areas must have dust-free, all-weather surfacing. Off-street parking areas must conform to City of Anacortes development standards.
- D. **Drainage.** Drainage and erosion/sedimentation control facilities must be provided in accordance with City of Anacortes development standards.
- E. **Parking space markings.** Asphalt or concrete surfaced parking areas must have parking spaces marked by surface paint lines or suitable substitute traffic marking material. Wheel stops or curbing are required where a parked vehicle would encroach on adjacent property, pedestrian access or circulation areas, right-of-way, or landscaped areas.
- F. **Traffic control devices.** All traffic control devices such as parking strips, designated car stalls, directional arrow or signs, bull rails, curbs, and other developments must be installed and completed as shown on the approved plans. Hard surfaced parking areas must use paint or similar devices to delineate car stalls and direction of traffic.

EXHIBIT A

4. Planting type: Type-C Landscaping must be used in required planting areas. Rain gardens, or **other vegetated LID BMPs**, may be integrated into planting strips provided they integrate the same number of trees as for Type-C Landscaping.
5. Distribution: Landscaped areas must be distributed throughout the parking lot.
6. Parking lot perimeters:

- a. For parking lots adjacent to public streets, use Type-C Landscaping at a width equal to or greater than the minimum building setback specified for the applicable block frontage type specified in AMC Chapter 19.61 Block Frontage Standards.

DEPARTURES to this standard will be considered via AMC 19.20.220 provided they meet the purpose of the standards noted above.

- b. For parking lots along internal lot lines, use Type-A, B, or C Landscaping at least ten-feet deep, except where a greater buffer width is required per the standards in subsections (A) and (B). Where recorded cooperative parking agreements are in place between adjacent properties, sites must be exempted from the subject parking lot landscaping buffer.

DEPARTURES to this standard will be considered via AMC 19.20.220 provided they meet the purpose of the standards noted above. Examples of acceptable departures may include decorative low walls with landscaping, decorative elevated planters, landscaping with a trellis, a shared-access drive, or a shared pathway.

Figure 19.65.070(D)

Examples of alternative parking lot landscaping buffers.

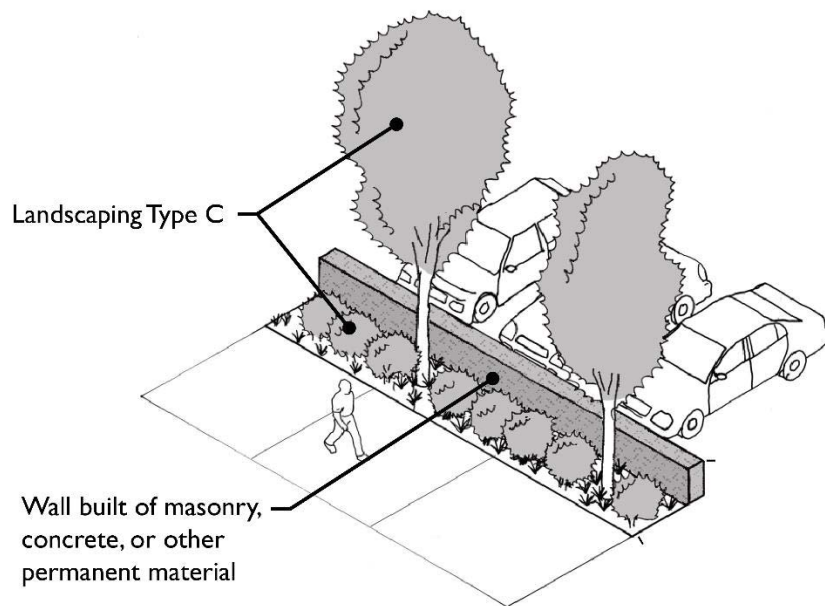
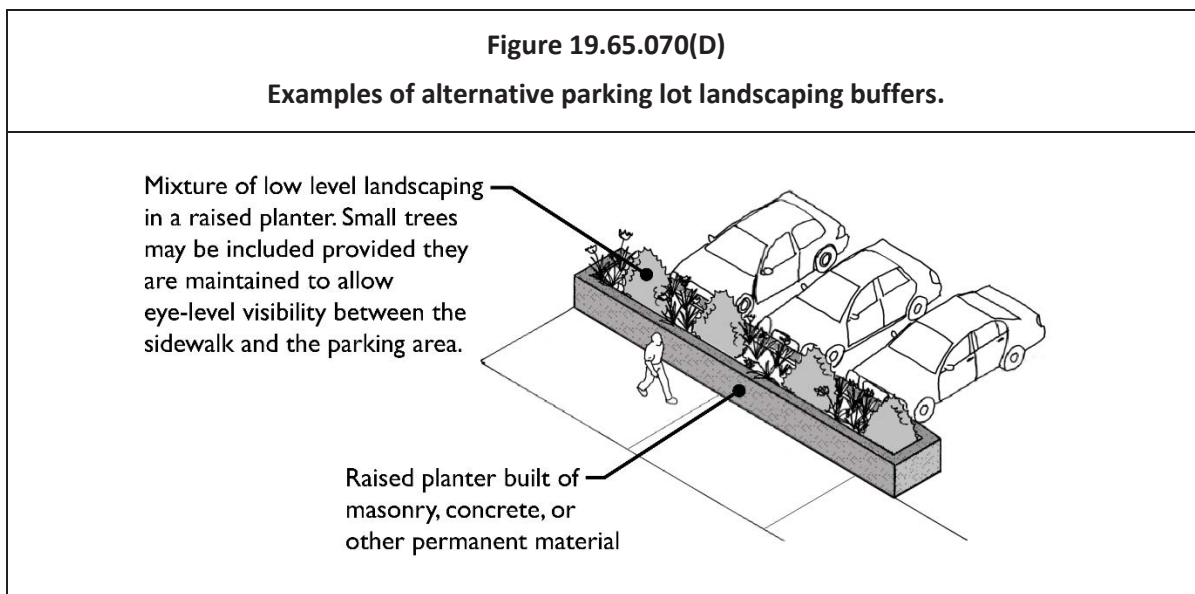


EXHIBIT A



E. Existing site vegetation.

1. General. Applicants are encouraged to retain existing native vegetation, including indigenous shrubs and herbaceous plants, and significant trees on the subject property. Significant tree means deciduous or evergreen trees at least six-inches in diameter at a point five-feet above the ground.
2. Bonus for retention. For each significant tree as defined in subsection (E)(1) of this section, the applicant may measure the canopy of the tree and receive a bonus of 200-percent of the square-footage of the canopy to count as landscaped area for the purpose of complying with the standards for the applicable zone in AMC Chapter 19.42 Form and Intensity Standards, provided that the soil within the drip line of the tree is undisturbed, root systems are protected from damage, and approved methods are utilized to ensure proper irrigation.
3. Required review. The city will review the proposed retention of significant existing vegetation as part of the application for development. Any bonus for retention must be approved only after on-site inspection.
4. If any tree used for bonus credit is removed or lost, it must be replaced promptly with the same species or an approved substitute under AMC 19.65.080(C), at a ratio of three replacement trees at least 12-feet in height for each bonus tree lost.

F. Use of right-of-way.

In addition to the required planting areas above, landscaping of excess (unused) street and alley right-of-way and/or LID stormwater BMPs is encouraged.

1. Excess right-of-way is defined as the area of an undeveloped alley or street right-of-way, or the area between the property line and the street pavement, whether or not it contains a sidewalk.
2. All landscaping materials proposed to be installed in the right-of-way must be reviewed to ensure that traffic safety considerations are met and future sidewalks can be added if they do not currently exist.
3. Irrigation or sprinkling systems are subject to the standards in AMC 19.65.090

EXHIBIT A

- D. Any engineered soil amendments must be maintained **and replaced as needed** to continue the original function of stormwater best management practices.

19.65.090 - Irrigation standards.

The purpose of this standard is to ensure that plants will survive the critical establishment period when they are most vulnerable due to lack of watering.

All required landscaped areas in the city must comply with at least one of the following:

- A. A permanent built-in irrigation system with an automatic controller will serve the proposed landscape area, and the system will be installed and operational before the city grants an occupancy permit or final inspection for the development.
- B. A temporary irrigation system will serve the proposed landscape area, provided the applicant can successfully demonstrate that the proposed temporary irrigation system will provide sufficient water to ensure that the plant materials to be planted will survive installation and, once established, will survive without watering other than natural rainfall.
- C. A permanent or temporary irrigation system will not serve the proposed landscape area, provided:
 - 1. The director finds the landscape area otherwise fulfills the requirements of this section, and
 - 2. The applicant submits all of the following with the site plan application:
 - a. A statement from a Washington state licensed landscape architect or Washington-Certified Professional Horticulturalist (CPH) certifying that the materials to be planted will survive without watering other than natural rainfall.
 - b. A plan for monitoring the survival of required vegetation on the approved site plan for at least one year and for detection and replacement of required vegetation that does not survive with like-kind material or other material approved by the reviewing authority.
 - c. A statement from the applicant agreeing to install an irrigation system if the reviewing authority finds one is needed to ensure survival of required vegetation, based on the results of the monitoring plan.

19.65.100 - Performance assurance/bonding.

In the event that landscaping improvements cannot be installed prior to formal certificate of occupancy, a cash deposit, letter of credit or other assurance acceptable to the city equal to 150-percent of the estimated construction costs must be required. Such deposit must be accompanied by a letter which stipulates completion of all landscape development no later than the next autumn planting season following issuance of the certificate of occupancy or date of final approval, whichever is later. If these conditions are not met, the city may use the deposit to install the landscaping.

EXHIBIT B

- The City will replace the term “drainage facility” with “stormwater facility” in the following sections:
 - o 17.70.050(A)(2)
 - o 17.70.230(C)(1)(b)
- 17.70.240(A)(4) and 17.70.240(A)(4): The City will replace the reference to Chapter 13.36 (now repealed) with reference to Chapter 19.76.
- The following underlined text will be added to 17.70.050(A)(2)(d):
 - d. Description of the extent to which a water course will be altered or relocated as a result of proposed development, and an explanation as to why the watercourse must be moved and why other options are not feasible.
- 17.70.150(C): The City will replace the reference to Chapter 13.36 (now repealed) with reference to Chapter 19.76.
- 18.30.020: The City will replace the reference to AMC 19.05.100 with reference to 19.12.020.
- 18.30.040(D): The City will add the following text:
 - D. The director may hire outside maintenance professionals to maintain storm drainage or LID facilities at the owner’s expense if the owner does not provide maintenance within the requested time period.
- 19.76.010: The City agrees to link the following terms in this code section to the definitions found in 19.12: Low Impact Development (LID); impervious surfaces, and native vegetation.
- 19.78.010: The City will add the following underlined text:
 - B. To preserve and enhance the city’s physical and aesthetic character by preventing indiscriminate removal or destruction of trees and ground cover on undeveloped and partially developed property, and also to retain native vegetation and soils consistent with the Permit and its Appendix I;

EXHIBIT C

CITY HALL PARKING LOT LID RETROFIT PROJECT

PROJECT DESCRIPTION

The City Hall Parking Lot LID Retrofit Project is a 0.25 acre site immediately adjacent to the City of Anacortes Municipal Building. The parking lot and street crossing improvements incorporated into this paving project will be used as demonstration projects for contractors, permit applicants, and the general public. The parking lot will be reconfigured and paved. The parking lot improvements include a rain garden prominently located to improve water quality and provide infiltration onsite, while offering education and outreach opportunities on rain gardens and bioretention facilities. The street crossing on Q Avenue from the northeast end of the parking lot will be upgraded and will include bulb outs that will contain permeable pavers. This project will remove pollution generating pavement for both the rain garden and the bulb outs.

PROJECT GOALS

The City Hall Parking Lot LID Retrofit Project reduces the volume of stormwater runoff and pollutants generated by impervious surfaces and will demonstrate to the public viable alternatives to conventional development and construction methods. Since the parking lot is located amidst City Services, the site provides constant exposure to the public and serves as an LID education and outreach tool. The parking lot is where homeowners and contractors park when visiting the building department. City staff can walk down to the parking lot with permit applicants to discuss the benefits and functions of rain gardens, biofiltration facilities and permeable surfaces and show how the City’s installations function.

The downtown core area has a large amount of impervious surface, and is served by a mature, traditional stormwater system. By implementing and evaluating how LID techniques can impact the area, the City can find ways to manage its stormwater in more effective and sustainable ways.



-  Demonstration Rain Garden
-  Bulb-outs with permeable pavers
-  RRFB Enhanced Pedestrian Crossing
-  City Hall Public Parking

- GOALS**
- Show City committment to clean stormwater
 - Reduce impervious surface in downtown core
 - Provide education and outreach to contractors and general public

EXHIBIT D

Q AVENUE PARKING LOT LID RETROFIT PROJECT

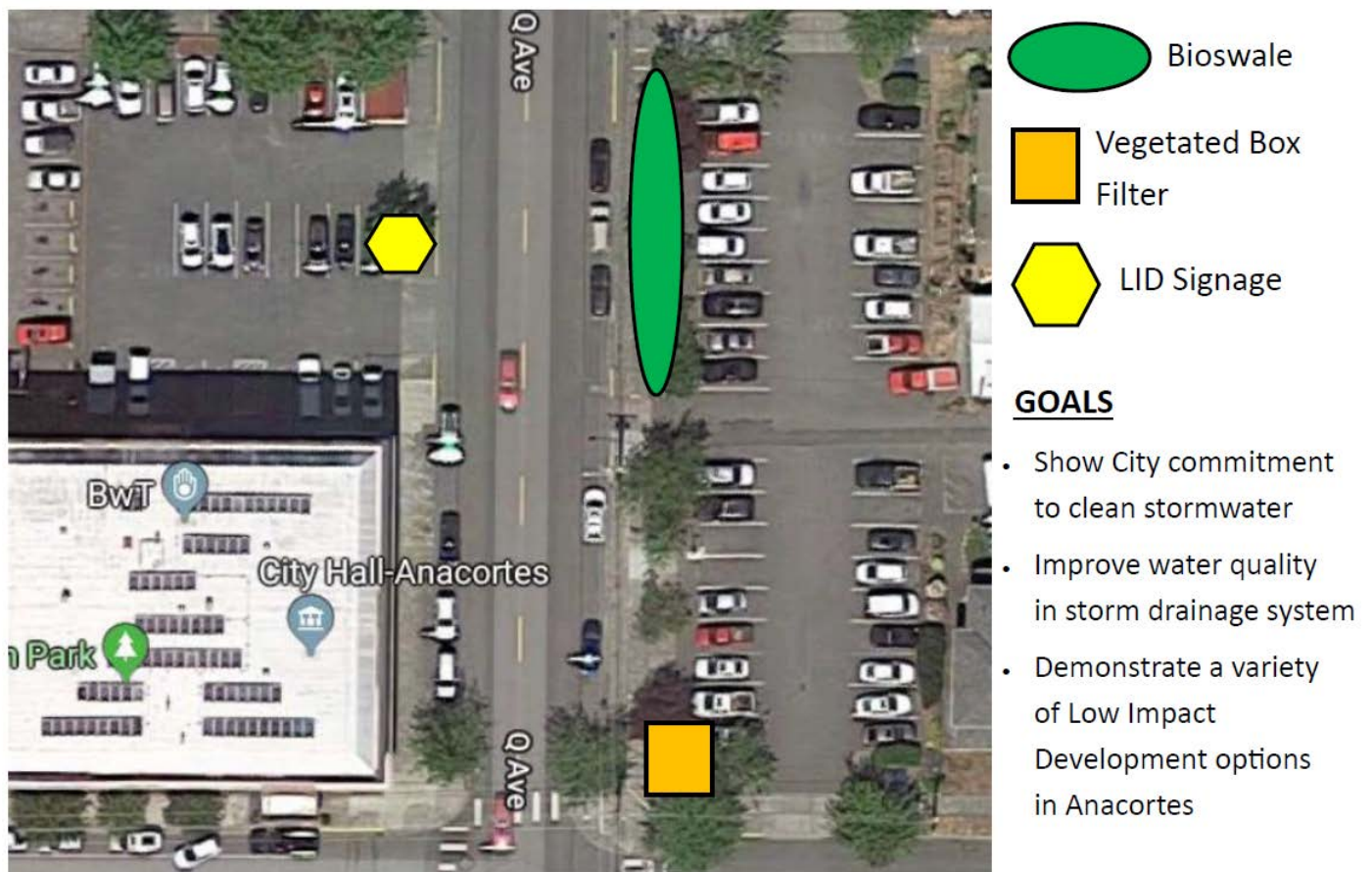
PROJECT DESCRIPTION

The Q Avenue Parking Lot LID Retrofit Project is a 0.5 acre site across the street from the City of Anacortes Municipal Building. This public parking lot attracts a variety of people, from contractors and developers to downtown shoppers. This project paired with the City Hall Parking Lot LID Retrofit Project will create an LID demonstration complex. The parking lot and street crossing improvements incorporated into this paving project will be used as demonstration projects for contractors, permit applicants, and the general public. The parking lot will be split into two drainage basins, each highlighting a different LID feature. The northern half of the parking lot will drain to a bioswale located along Q Ave. The southern half of the parking lot will drain to a manufactured vegetated box filter for treatment prior to entering the storm drainage system (along the lines of Forterra Modular Wetland System, Oldcastle BioPod or Silva Cell). The City will include an informational sign on LID practices which includes the phrasing "This project was completed in coordination with Puget Soundkeeper Alliance."

PROJECT GOALS

The Q Avenue Parking Lot LID Retrofit Project reduces the pollutants entering the storm drainage system that are generated by impervious surfaces. It will demonstrate to the public viable alternatives to conventional catch basin and pipe storm drainage systems. The parking lot is located close to both City Hall and downtown businesses and available to the general public for parking. It is an ideal location for outreach to citizens and business owners, as well as an opportunity for City staff to showcase LID options to developers and contractors. With a variety of LID features to look at and talk through, the developers can assess which option would be best for their sites.

The downtown core area has a large amount of impervious surface, and is served by a mature, traditional stormwater system. By implementing and evaluating how LID techniques can impact the area, the City can find ways to manage its stormwater in more effective and sustainable ways while educating the public on LID options.





Rene A. Janzen
713 34th St
Anacortes, WA 98221



IMPACT ANACORTES, CC, v1, 121619

12/16/19

Anacortes City Council

Good evening Madam Mayor, City Council Members, Members of the audience.

I'm here to comment on the proposed 65' high, 25-unit apartment house at 18th and O Avenue.

A week or so ago one Councilman, Mr. McDougall commented that he felt he may not have given a full consideration of the "Bonus Height Ordinance" and perhaps it's unintended consequences.

These are my words and if I have misrepresented him or them, then I apologize and ask to be corrected.

Pause...

People have mentioned to me that other council members may have expressed similar concerns and I wonder if you folks, who are charged with the public's interest, really have any idea of how the public has reacted to this project?

I would appreciate a rough tally of how many calls, emails, letters, etc., you have received, and the approximate percentage of pro or con of those communications.

I would say that **ALMOST** everyone I have spoken with over the last 2 months or so has been against the building... AT THAT LOCATION.

LET ME REPEAT THAT! AT THAT LOCATION.

In talking with folks many offer alternate suggestions to deal with the project;

1. Ask that the Bonus Height option be reversed or denied, but there could be legal consequences to that if the city would or could do that.
2. Ask the developer to NOT choose to do so. BUILD THE PROJECT AT THAT SITE!
3. Ask the developer to modify his plans to limit the height to 4 stories, plus the mechanical construction on the "roof"
4. Ask the developer to modify his plans to limit the height to 4 stories, including the mechanical construction on the "roof".
5. Ask the developer to modify his plans to limit the height to 3 stories, plus the mechanical construction on the "roof". This plan has almost had folks Ya-hoo-ing that possibility.
6. Ask the developer to modify his plans to construct a cottage development of beauty and charm and be a visual enhancement to the site and to the community.
7. Ask the developer to modify his plans to construct a 3 story set of duplexes at the east and west ends of the property.

8. Ask the developer to modify his plans to construct any project of beauty and charm that the community could be proud of.

9. ask the developer and the city and perhaps the Port if there are properties that could be traded with perhaps considerations such as some level of property tax relief, or fees adjustments, or other enticements that could benefit the City, the citizens, the tourist public and of course the developer.

Is there not a way to have a beautifying housing project that provides a winning solution for us all?

Respectfully,

Mike R. Pearl

December 16, 2019
6:00 p.m.

Continue on back of sheet as needed

City Council Minutes – December 9, 2019

Mayor Laurie Gere called to order the Anacortes City Council meeting of December 2, 2019 at 6:00 p.m. Councilmembers Eric Johnson, Anthony Young, Ryan Walters, Carolyn Moulton and Matt Miller were present. Councilmember Bruce McDougall participated in the meeting via telephone. Councilmember Brad Adams was absent.

The assembly joined in the Pledge of Allegiance.

Announcements and Committee Reports

Board and Commission Appointments: Mayor Gere announced that she had reappointed Lisa Rhoades and Terry MacDonald to the Anacortes Arts Commission effective December 9, 2019 for terms expiring November 30, 2022. Mayor Gere announced that she had reappointed James English as an alternate on the Civil Service Commission for a term expiring December 31, 2022.

Mayor Gere requested Council confirmation of her appointments of John Shafer and Christina Hansen to the Library Board of Trustees effective January 1, 2020 for terms expiring December 21, 2024. Mr. Johnson moved, seconded by Mr. Young, to confirm the mayor's appointments to the Library Board of Trustees. The motion carried unanimously by voice vote.

Mayor Gere requested Council confirmation of her reappointments of Tom Kuhn and Kay Reinhardt to the Museum Advisory Board effective December 9, 2019 for terms expiring December 1, 2023. Mr. Miller moved, seconded by Mr. Johnson, to confirm the mayor's reappointments of Tom Kuhn and Kay Reinhardt to the Museum Advisory Board. The motion carried unanimously by voice vote.

Mayor Gere requested Council confirmation of her reappointment of Gib Moore to the Museum Advisory Board effective December 9, 2019 for a term expiring December 1, 2023. Mr. Johnson moved, seconded by Mr. Miller, to confirm the mayor's reappointment of Gib Moore to the Museum Advisory Board. The motion carried unanimously by voice vote.

Mayor Gere requested Council confirmation of her reappointment of Brian Wetcher to the Forest Advisory Board effective December 9, 2019 for a term expiring November 30, 2024 and her reappointment of Sara Nichols to the Parks and Recreation Advisory Commission effective December 9, 2019 for a term expiring October 31, 2024. Mr. Johnson moved, seconded by Mr. Young, to confirm the mayor's reappointments of Brian Wetcher and Sara Nichols. The motion carried unanimously by voice vote.

Public Safety Committee: Mr. Miller reported from the committee meeting the prior Tuesday at which staff reported on the completion of the remodel of Fire Station 3, managing overtime for firefighters and police officers, and new hires in the police department.

Port/City Liaison Committee: Mr. Miller reported from the committee meeting the prior Tuesday. He indicated that topics discussed included outreach meetings in November for the Port's northwest basin redevelopment plan, related parking concerns, property purchases, and the maritime strategic plan update. Mr. Johnson added that EDASC Executive Director John Sternlicht would be invited to join the committee meetings on a quarterly basis.

Planning Committee: Mr. Walters reported from the committee meeting earlier in the evening. He indicated that topics discussed included minor changes to countywide planning policies which would come before Council for public comment before year end, the city's Shoreline Master Program update currently being prepared, and the

Critical Areas Ordinance update that was scheduled for a public hearing before the Anacortes Planning Commission on December 18, 2019 and subsequent recommendations to City Council.

Mr. Walters reported from the Ward 1 community meeting he had hosted two weeks prior at which topics discussed included the Critical Areas Ordinance, the proposed bike skills park, old town sidewalks and code enforcement for obstructing sidewalks, the noise level when the library generator is running, bonus height provisions in the development regulations, and the affordable housing sales tax that would be on the February ballot.

Mayor Gere announced that Ken Hansen had announced his intention to retire from the Anacortes Historic Preservation Board at the end of 2019, having reached the two-term limit, and that Carolyn Suryan had indicated a willingness to serve on the Preservation Board for a 3-year term to expire December 31, 2022. Mr. Johnson moved, seconded by Ms. Moulton, to appoint Carolyn Suryan to the Anacortes Historic Preservation Board. The motion carried unanimously by voice vote.

Ms. Moulton reported from the meeting of the Housing Affordability and Community Services Committee the prior week. She indicated that the group had discussed the Affordable Housing Strategic Plan update that would come to Council in January, draft Human Services Commission bylaws, and the 2020 CDBG grant application.

City Clerk Steve Hoglund advised that the affordable housing sales tax that would be on the February ballot required committees both for and against the proposition. He said community members had already volunteered for the committee supporting the proposition but not yet for the committee opposing the proposition. He asked that anyone interested in serving on the latter committee please contact him before December 13, 2019 when he needed to submit documentation to Skagit County.

Public Comment

Mike Pearl read from his letter addressed to Mr. McDougall thanking him for his comments at the December 2, 2019 City Council meeting regarding the bonus height provisions in the development regulations. Mr. Pearl expressed his concern that the proposed 5-story building at 18th Street and O Avenue would detrimentally affect the neighborhood and suggested mitigating changes to the project. Mr. Pearl's letter was added to the packet materials for the meeting.

Consent Agenda

Mr. Young removed Item 5b, Approval of Claims in the amount of \$221,226.34, from the Consent Agenda. Mr. Johnson moved, seconded by Mr. Miller, to approve the following Consent Agenda items. The motion carried unanimously by voice vote.

- a. Minutes of December 2, 2019
- c. Interlocal Agreement: Fiber Optics Economic Development Grant #19-190-FBR-001

Mr. Young commended the Parks Department and the Museum for working hard to reduce what he termed "less than necessary" Amazon purchases. He encouraged other departments to continue that effort. Mr. Young moved, seconded by Mr. Miller, to approve Consent Agenda Item 5b. The motion carried unanimously by voice vote.

The following vouchers/checks were approved for payment:
EFT numbers: 95519 through 95552, total \$128,292.15
Check numbers: 95518 and 95553 through 95568, total \$86,368.41
Wire transfer numbers: 259492 through 260080, total \$6,541.71

OTHER BUSINESS

Recreation Program Update

Recreation Manager Dustin South thanked all the volunteers involved with recreation leagues and special events and the service clubs who support recreation programming and events. He shared a video featuring recreation programs during 2019. Mr. South introduced Recreation Coordinator Travis Anderson who reported on some of the very popular recreation programs including Survivor Camp, the Haunted Walk/Run at Washington Park at Halloween, and Breakfast with Santa. Mr. South updated Council on the Youth Track and Field program, Pee Wee sports program, summer youth sport camps, and adult drop in sports. Mr. South's slide presentation was added to the packet materials for the meeting. He invited the public to Wonderland Walk at Washington Park from 5 to 8 p.m. on December 13 and 14. Mr. Johnson suggested establishing a Momentia Club to provide outings and activities for community members with dementia. Mr. Young suggested expanding recreation programming for adults over and 50.

Update on Commercial Avenue Complete Streets Project Phase I - 11th Street to 13th Street

Brandon Gonzales from Alta Planning + Design updated Council on the first phase of the Commercial Avenue Complete Street Project, noting that the project open house earlier in the afternoon had attracted 50-60 participants. Mr. Gonzales's slide presentation was added to the packet materials for the meeting. He described the current phase of the Commercial Avenue Complete Streets project, focusing on the two blocks between 11th and 13th Streets. Mr. Gonzales summarized the opportunities and constraints at the location, the timeline for the project design, public input opportunities, and presented three configurations under consideration. He shared the next steps and including a planned open house in March.

Mr. Walters asked the consultant and staff to clearly articulate to the public the problems the project was trying to solve. He asked that councilmembers be explicitly invited to all future public meetings on the project. Ms. Moulton and Mr. Miller conveyed constituent sentiment against decreasing automobile travel lanes in the area. Mr. Johnson cautioned that closing the Sebo's entrance onto Commercial Avenue could have a negative safety impact. Mr. Walters asked that the city website be updated and kept current with relevant information about the project throughout the process.

Mayor Gere invited members of the audience to comment on this agenda item.

Doug Thurber, PO Box 155, said that the project was unnecessary. Mr. Thurber listed numerous objections to the configurations presented and suggested a number of alternative projects that he felt would be more appropriate for the town.

Brian Wetcher, 814 26th Street, encouraged the city to begin negotiating with Safeway to realign the intersection of 12th Street and Commercial Avenue to move the Safeway entrance a block further north rather than terminating 12th Street in the store's parking lot.

Resolution 2066: 2020 Lodging Tax Advisory Committee Recommendations

Planning Director Don Measamer presented Resolution 2066 authorizing execution of Tourism Promotion Fund contracts. He summarized the applications received, the evaluation process, and the recommended awards as outlined in the packet materials. Mr. Measamer recommended approval of Resolution 2066. Mr. Walters asked that future agenda bills cite the statute constraining Council's possible actions in response to the LTAC recommendations.

Mayor Gere invited members of the audience to comment on this agenda item. No one present wished to address the Council.

Mr. McDougall requested a future study session on some of the projects such as the Chamber of Commerce projects. LTAC Chair Mr. Miller thanked Mark Lione, Karla Locke, Russ Olivier, Erik Schorr, Andy Stewart and Pamela Audette for their dedicated service on the committee over several months.

Mr. Young moved, seconded by Ms. Moulton, to approve Resolution 2066 authorizing execution of the Tourism Promotion Fund contracts by and between the City of Anacortes and recipient agencies. Vote: Ayes – Young, Walters, Moulton, McDougall, Miller and Johnson. Motion carried.

Resolution 2062: Updating Unified Fee Schedule for Updated Sewer Rates and Ordinance 3059: Updating AMC Title 13, Public Services

Finance Director Steve Hoglund summarized the discussion from recent meetings on this topic, referring to his slide presentation that had been included in the packet materials for the meeting. He recommended adopting both Resolution 2062 and Ordinance 3059 as presented, noting that they would need to be adopted simultaneously.

Mr. Walters asked that staff bring back an additional update to the UFS early in the new year to include the phased in sewer rates for 2021 through 2025. Ms. Moulton asked that Ordinance 3059 Exhibit A define ISU (impermeable surface unit) and ERU (equivalent residential unit). Mr. Miller asked that the block rates specified in 13.08.020(A)(2) be presented in a readable table format. Several councilmembers requested that the ordinance include a track changes version rather than highlighting changed sections, though Mr. Young said he preferred the highlighted version. Mr. Walters asked that Exhibit A explicitly state which sections of the code should be left in unchanged.

Mayor Gere invited members of the audience to comment on this agenda item. No one present wished to address the Council.

Mayor Gere asked Mr. Hoglund to bring the resolution and ordinance back to Council for action at the next meeting with the changes requested to Exhibit A. Ms. Moulton suggested including that item on the Consent Agenda.

Ordinance 3052: Updating AMC Chapter 12.50, Street and Alley Vacation

Ms. Swetnam continued the discussion of this topic from prior City Council meetings. She presented a revised draft of the ordinance and discussed with Council the changes regarding criteria for decisions to vacate, partial vacations, compensation and appraisals. Mr. Johnson asked if the criteria listed in 12.50.060 were to be weighted in any way. Ms. Swetnam explained that since the decision to vacate was entirely at Council's discretion regardless of whether some or all of the criteria were met, analysis of the criteria was not necessary. Mr. Johnson asked that 12.50.060 explicitly state that. Mr. Walters asked that 12.50.070 require vacation of entire street widths as well as entire block lengths. Ms. Swetnam agreed to alter the draft language to accommodate both requests. Mr. Johnson asked for clarification of 12.50.090(3). Ms. Swetnam said she would take a look at that language to see if it could be simplified.

Mayor Gere thanked Ms. Swetnam and concluded that a revised draft would come back to Council for consideration at a future meeting.

Memorandum of Understanding: Fidalgo Island Water System

Public Works Director Fred Buckenmeyer presented a revised draft of the MOU that had been proposed by Skagit PUD #1 following Council's consideration of an earlier draft at its regular meeting on November 12, 2019. Mr. Buckenmeyer advised that the PUD Commissioner would be considering and possibly taking action on the revised draft at its meeting the following day.

Mr. Johnson moved, seconded by Mr. Young, to approve the Memorandum of Understanding for transfer and improvement of the Fidalgo Island Water System.

Mayor Gere invited members of the audience to comment on this agenda item.

Brian Wetcher, 814 26th Street, said the revised draft was an improvement over the prior version. Mr. Wetcher requested that the final MOA include a positive statement that extension of services to these areas by the City of Anacortes be discrete to existing services rather than allowing for any expansion of services. Mr. Wetcher recounted the need for this language in order not to open the area up to large spot development.

Vote: Ayes – Walters, Moulton, McDougall, Miller, Johnson and Young. Motion carried.

Executive Session

At approximately 8:25 p.m. Mayor Gere announced that City Council and the City Attorney would convene in Executive Session per RCW 42.30.110(i) for approximately 30 minutes to discuss potential litigation or litigation and that following the executive session the meeting would adjourn with no action having been taken. Councilmembers Eric Johnson, Anthony Young, Ryan Walters, Carolyn Moulton and Matt Miller attended the executive session. Councilmember Bruce McDougall participated in the executive session via telephone.

There being no further business, at approximately 8:40 p.m. the Anacortes City Council meeting of December 9, 2019 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 December 16, 2019 City Council meeting:
[Download this file in OpenDocument spreadsheet format.](#)

Invoice Doc #	Transaction Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
260095	5/31/2017	114-5374802	UNITED SITE SERVICES, INC	2017 OUTSTANDING INVOICE- 6300 SUNSET AVE	\$ 385.67	parks1
260314	10/31/2018	857427	GUARDIAN SECURITY SYSTEMS INC	APD ANNUAL FIRE EXTINGUISHER	\$ 145.00	finance
260096	10/31/2018	114-7592940	UNITED SITE SERVICES, INC	OUTSTANDING 2018 INVOICE - EDWARDS WAY	\$ 82.73	parks1
260099	10/31/2018	114-7593003	UNITED SITE SERVICES, INC	OUTSTANDING 2018 INVOICE - WP - 6300 SUNSET AVE	\$ 82.73	parks1
260101	7/30/2019	114-8889000	UNITED SITE SERVICES, INC	6/29-7/28/19- ISLAND VIEW BALLFIELDS	\$ 82.73	parks1
260104	7/30/2019	114-8889002	UNITED SITE SERVICES, INC	7/27-8/23/19 TENNIS COURTS	\$ 82.73	parks1
260107	7/31/2019	114-8900780	UNITED SITE SERVICES, INC	FIREWORKS BARGE - PIER 1	\$ 94.22	parks1
260108	7/31/2019	114-8902545	UNITED SITE SERVICES, INC	7/1-7/31/19-WP - 6300 SUNSET AVE	\$ 153.97	parks1
260110	7/31/2019	114-8903169	UNITED SITE SERVICES, INC	7/1-7/31/19 WP LOOP 1	\$ 119.13	parks1
260112	7/31/2019	114-8903171	UNITED SITE SERVICES, INC	7/1-7/31/19 - ACE OF HEARTS	\$ 63.86	parks1
260114	7/31/2019	114-8903254	UNITED SITE SERVICES, INC	7/1-31/19 - WP LOOP 2	\$ 133.24	parks1
260115	7/31/2019	114-8903317	UNITED SITE SERVICES, INC	7/1-31/19 EDWARDS WAY	\$ 82.73	parks1
260117	7/31/2019	114-8903440	UNITED SITE SERVICES, INC	7/1-31/19 6300 SUNSET AVE - WP	\$ 153.97	parks1
260547	9/5/2019	S20184325	SUPERIOR SYSTEMS, INC	MECHANIC LABOR TO REPAIR DUMPSTER	\$ 1,329.13	dshop
260549	9/17/2019	S20184381	SUPERIOR SYSTEMS, INC	MATIERIAL FOR DUMPSTER REPAIR	\$ 3,194.90	dshop
260542	9/20/2019	30031768	JOHNSON, IVER	REIMBURSE IVER JOHNSON, LEOFF1 RETIREE, COPAYS	\$ 56.26	hr
260541	10/1/2019	R2020-09	WASHINGTON FIRE CHIEFS	2020 MEMBERSHIP RENEWAL	\$ 1,375.00	medic
260149	10/20/2019	P12112-09	SONSRAY MACHINERY, LLC	GLASS- VEH #406	\$ 143.98	dshop
260251	10/31/2019	29572	PACIFIC SECURITY	SECURITY DETAIL FOR COURT CALENDARS	\$ 542.50	court
260118	10/31/2019	114-9397265	UNITED SITE SERVICES, INC	6300 SUNSET AVE - 10/1-31/19	\$ 165.46	parks1
260512	11/1/2019	00024952	ESO SOLUTIONS, INC	2020 FIRE SUBSCRIPTION	\$ 5,435.00	medic
259301	11/13/2019	545810	FRONTIER BUILDING SUPPLY	PLYWOOD FOR DOOR LOCK PROP	\$ 24.31	medic
260012	11/15/2019	INV00011019	DEMCO, INC.	PASSPORT SOFTWARE 1/1-12/31/2020	\$ 707.81	publib
260250	11/15/2019	1313490	SURETY PEST CONTROL	STA 2 SERVICE - NOVEMBER	\$ 44.57	medic
260571	11/19/2019	4989	WASHINGTON RECREATION	WRPA MEMBERSHIP RENEWAL 2020	\$ 172.00	ap direct
260253	11/20/2019	792109886	ARAMARK	STA 3 MAT & MOP SERVICE: 11/20	\$ 21.74	medic
260566	11/20/2019	3353464	DAILY JOURNAL OF COMMERCE	LEGAL NOTICE FOR BASE FIBER PROJECT 19-169-ENG-001	\$ 84.00	pw1
260254	11/21/2019	1991511305	ARAMARK	STA 2 MAT & MOP SERVICE: 11/21	\$ 21.74	medic
260255	11/21/2019	1991511306	ARAMARK	STA 1 MAT & MOP SERVICE: 11/21	\$ 21.74	medic
260393	11/21/2019	ReimbBuckenmeyer	BUCKENMEYER, FRED	WATER CODE CONFERENCE MEALS	\$ 114.00	pw1
260423	11/21/2019	S3735485.001	BUILDERS' HARDWARE & SUPPLY	RE-STOCK OF LOCK AND KEY MAKING	\$ 141.64	pwfac

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260391	11/21/2019	ReimbGere	GERE, LAURIE	WATER CODE CONFERENCE MEALS	\$ 114.00	executive
260247	11/21/2019	ReimbSwetnam	SWETNAM, DARCY	WATER CODE CONFERENCE TRAVEL EXPENSE	\$ 146.04	legal
260396	11/22/2019	190845	SCOTT RICHARDS INSURANCE, INC	WT PRESTON INSURANCE	\$ 4,197.00	finance
260144	11/22/2019	42080518	SNAP-ON INDUSTRIAL	TOOLS- SHOP SUPPLIES	\$ 747.91	dshop
260146	11/22/2019	42096973	SNAP-ON INDUSTRIAL	TOOLS- SHOP SUPPLIES	\$ 177.80	dshop
260517	11/22/2019	28542	WESTERN SYSTEMS REFUSE &	OPERATING SUPPLIES- #553	\$ 609.00	dshop
260538	11/23/2019	1315874	SURETY PEST CONTROL	INSECT & RODENT MAINTENANCE @ MUSEUM	\$ 44.57	pwfac
260540	11/23/2019	1313460	SURETY PEST CONTROL	RODENT CONTROL FOR CITY HALL	\$ 43.48	pwfac
260143	11/25/2019	90808	BLYTHE PLUMBING & HEATING, INC	HEAT REPAIR @ FIDALGO CENTER	\$ 679.95	pwfac
260152	11/25/2019	90272	BLYTHE PLUMBING & HEATING, INC	VENTING AND DUCT WORK FOR FINANCE/FIBER REMODEL	\$ 2,042.85	pwfac
260313	11/25/2019	15-70484	CUMMINS, INC.	HOUSING LAMP- #7913 & #7902	\$ 51.11	dshop
260416	11/25/2019	1	ECONOWASH LAUNDRY & DRY	UNIFORM SERVICE - 10/25-11/25/19	\$ 45.65	medic
260148	11/25/2019	42111586	SNAP-ON INDUSTRIAL	TOOL- SHOP SUPPLIES	\$ 18.75	dshop
260537	11/25/2019	1316074	SURETY PEST CONTROL	INSECT & RODENT MAINTENANCE @ WA PARK	\$ 70.66	pwfac
260141	11/26/2019	91068	BLYTHE PLUMBING & HEATING, INC	HEAT REPAIR @ WWTP	\$ 439.83	pwfac
260520	11/26/2019	23281	COMMERCIAL FIRE PROTECTION INC	ANNUAL ALARM SYSTEM CONFIDENCE TEST FOR CITY HALL	\$ 383.75	pwfac
260292	11/27/2019	220015149234	PUGET SOUND ENERGY INC	8147 S MARCHS PT RD STREET LIGHT 10/30-11/27/19	\$ 25.34	dshop
260298	11/27/2019	1191150	SKAGIT PUBLISHING LLC	PUBLISH AA-1970095	\$ 150.22	finance
260295	11/28/2019	1991521283	ARAMARK	APD NYLON MATS CLEANED	\$ 16.31	apd
260383	11/28/2019	360-299-0813-1017915	FRONTIER COMMUNICATIONS	WWTP 11/28-12/27/19	\$ 315.43	dwwtp
260378	11/28/2019	9843100938	VERIZON WIRELESS	City Cell Phones 10/29-11/28/19	\$ 12,303.72	finance
260312	11/29/2019	812-6987	GCR TIRES & SERVICES	TIRES- SHOP STOCK	\$ 439.04	dshop
260420	11/29/2019	162966	INFOSEND, INC.	NOVEMBER 2019 PROCESSING	\$ 3,384.15	finance
260552	11/29/2019	19-11118	SEAHURST ELECTRIC, INC	WWTP INCINERATOR MCC REPAIR	\$ 36,203.62	dwwtp
260404	11/29/2019	1191470	SKAGIT PUBLISHING LLC	PUBLISH SVH-1971544	\$ 104.78	finance
260158	11/30/2019	329	BOYS & GIRLS CLUBS	NOVEMBER - LUNCH PROGRAM SERVICE PROVISION	\$ 420.00	finance
260167	11/30/2019	241	BUBBA SUDZ CAR WASH, INC.	NOVEMBER CAR WASHES- 8	\$ 72.00	dshop
260548	11/30/2019	2019-04	CURTIS EMERGENCY SERVICES LLC, RICHARD	EMERGENCY MANAGEMENT SERVICES - NOVEMBER 2019	\$ 2,551.53	medic
260376	11/30/2019	3092336671	LEXISNEXIS	ON-LINE LEGAL RESEARCH PROGRAM NOV. 2019	\$ 322.25	legal
260300	11/30/2019	8141	PETDATA, INC	PETDATA LICENSING FEES NOVEMBER	\$ 61.50	finance
260565	11/30/2019	1376	SKAGIT CONSERVATION DISTRICT	NPDES II OUTREACH & EDUCATION - NOVEMBER 2019	\$ 863.67	pw1

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260414	11/30/2019	0173	SKAGIT COUNTY SOLID WASTE FUND	NOVEMBER TONNAGE HAULED	\$ 76,036.32	dshop
260557	11/30/2019	17821	TRANSPORTATION SOLUTIONS INC	32ND AND M INTERSECTION - DESIGN - 10/31/19-11/30/19	\$ 2,079.51	pw1
260150	11/30/2019	114-9541495	UNITED SITE SERVICES, INC	11/1-11/30/19 - ACE OF HEARTS	\$ 63.86	parks1
260151	11/30/2019	114-9541544	UNITED SITE SERVICES, INC	11/1-11/30/19 - WP LOOP 2	\$ 62.00	parks1
260153	11/30/2019	114-9541569	UNITED SITE SERVICES, INC	11/1-11/30/19 - EDWARDS WAY	\$ 94.22	parks1
260154	11/30/2019	114-9541600	UNITED SITE SERVICES, INC	11/01-11/30/19 6300 SUNSET AVE	\$ 94.22	parks1
260156	11/30/2019	114-9541491	UNITED SITE SERVICES, INC	11/1-11/30/19 - WA PK LOOP #1	\$ 47.89	parks1
260424	12/1/2019	052-0010-00	CITY OF ANACORTES	OPERATIONS W/S/G 11/1-11/30/19	\$ 1,240.91	dshop
260509	12/1/2019	#1	ECONOWASH LAUNDRY & DRY	UNIFORM CLEANING; 10/25 - 11/25	\$ 244.30	apd
260288	12/1/2019	360-293-1900-0122885	FRONTIER COMMUNICATIONS	CITY MAIN PHONE 12/1-12/31/19	\$ 1,243.60	finance
260299	12/1/2019	360-293-0045-0223175	FRONTIER COMMUNICATIONS	STA 1 BACK-UP LINES: 12/01 - 12/31	\$ 156.25	medic
260073	12/1/2019	969962	GUARDIAN SECURITY SYSTEMS INC	ALARM MONITORING - FIRE STATION 1 1/01-3/31/2020	\$ 179.36	medic
260075	12/1/2019	969963	GUARDIAN SECURITY SYSTEMS INC	CLOUD STORAGE/VIDEO FEED - SHOP 1/1-3/31/20	\$ 714.16	dshop
260076	12/1/2019	969964	GUARDIAN SECURITY SYSTEMS INC	ALARM MONITORING - WT PRESTON 1/1-3/31/20	\$ 179.36	museum
260077	12/1/2019	969965	GUARDIAN SECURITY SYSTEMS INC	ALARM MONITORING -PUBLIC SAFETY BUILDING 1/1-3/31/20	\$ 179.36	apd
260093	12/1/2019	969966	GUARDIAN SECURITY SYSTEMS INC	ALARM MONITORING - INTERPRETIVE CENTER 1/1-3/31/20	\$ 179.36	museum
260100	12/1/2019	969968	GUARDIAN SECURITY SYSTEMS INC	ALARM MONITORING - LIBRARY 1/1-3/31/20	\$ 179.36	publib
260102	12/1/2019	969969	GUARDIAN SECURITY SYSTEMS INC	ALARM MONITORING - MUSEUM 1/1-3/31/2019	\$ 179.36	museum
260106	12/1/2019	971506	GUARDIAN SECURITY SYSTEMS INC	ALARM MONITORING - CITY HALL 1/1-3/31/20	\$ 179.36	finance
260518	12/1/2019	31525	LEXIPOL, LLC	2020 SUBCRIPTION RENEWAL	\$ 5,400.00	medic
259913	12/1/2019	5058183851	RICOH USA, INC	S/N C86150637 CARNEGIE 9/1-11/30/19	\$ 286.39	museum
260297	12/1/2019	34684	THRIFTY CLEANERS	UNIFORM CLEANING (11/1/19-11/30/19)	\$ 68.10	apd
259994	12/1/2019	045-284515	TYLER TECHNOLOGIES, INC	TYLER SOFTWARE SUPPORT 1/1/20-12/31/20	\$ 84,776.48	finance
260316	12/1/2019	1391185-0043-8	WASTE MANAGEMENT	NOVEMBER 2019 CONTRACTED SERVICES	\$ 111,791.68	finance
260511	12/2/2019	260733	ANACORTES ANIMAL HOSPITAL	BOARD & DISTRAINER; NOVEMBER 2019	\$ 45.00	apd
260237	12/2/2019	4848031	CARDINAL HEALTH 110, INC.	PHARMACEUTICALS	\$ 259.78	medic
260293	12/2/2019	8498 30 017 0319913	COMCAST	LIBRARY INTERNET ACCESS 12/8/19-01/8/2020	\$ 182.16	finance
260550	12/2/2019	Pay App 1	LAKESIDE INDUSTRIES, INC.	SENIOR CENTER PARKING LOT REPAIRS	\$ 37,216.10	pw1
260539	12/2/2019	1720007263	PATEL DDS, RAMAN	DENTAL SERVICES, LEOFF1 RETIREE	\$ 374.50	hr
260324	12/2/2019	300000340004	PUGET SOUND ENERGY INC	STREET LIGHTS 10/30/19 - 11/27/19	\$ 65.37	dshop

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260405	12/2/2019	300000290043	PUGET SOUND ENERGY INC	STREET LIGHTS 10/2/19 - 10/31/19	\$ 17,572.99	dshop
260239	12/2/2019	2020ODYS	SKAGIT COUNTY CLERK	PUBDEF ODY SUBSC	\$ 250.00	court
260136	12/2/2019	149518	SKAGIT HYDRAULICS	CYLINDER REBUILD PARTS- #200	\$ 146.71	dshop
260523	12/3/2019	271446	BAY CITY SUPPLY	FACILITY SUPPLIES	\$ 217.18	pwfac
260375	12/3/2019	480	BLUE COW CARWASH	AUG, SEPT, OCT, NOV CAR WASHES- 55	\$ 550.00	dshop
260507	12/3/2019	83433303	BOUND TREE MEDICAL, LLC	PHARMACEUTICALS	\$ 110.75	medic
260412	12/3/2019	4851624	CARDINAL HEALTH 110, INC.	PHARMACEUTICALS	\$ 20.17	medic
260327	12/3/2019	19-45472	EDGE ANALYTICAL, INC	TCR ANALYSIS BOOSTERS	\$ 165.00	dwtpt
260551	12/3/2019	E19073P-2	ELEMENTAL AIR, LLC	WWTP COMPLIANCE TEST TO RESET OPERATING LIMITS	\$ 2,867.40	dwwtp
260303	12/3/2019	014415139	GALLS, LLC.	UNIFORM; NEW OFC NORRIS	\$ 27.16	apd
260304	12/3/2019	014415099	GALLS, LLC.	UNIFORM; NEW OFC NORRIS	\$ 22.82	apd
260302	12/3/2019	2019074	HUTCH'S POLYGRAPH SERVICES	POLYGRAPH; SCHOLTEN AND ERIKSON	\$ 400.00	apd
260409	12/3/2019	AFD 19	ISLAND HOSPITAL	OCTOBER/NOVEMBER AMBULANCE SUPPLIES	\$ 2,130.45	medic
260290	12/3/2019	959925	LIFE ASSIST, INC	ASSORTED EXAM GLOVES, HEAT PACKS,	\$ 706.88	medic
260157	12/3/2019	MV225018	MOTOR TRUCKS, INC	SHOCK BUSHING- #202	\$ 73.13	dshop
260142	12/3/2019	001-452625	PISTON SERVICE OF ANACORTES	WIRE- VEH #807A	\$ 38.75	dshop
260135	12/3/2019	S6-4998524	SEATTLE AUTOMOTIVE DIST INC	BRAKE LINING KIT- #170	\$ 121.48	dshop
260406	12/3/2019	1191967	SKAGIT PUBLISHING LLC	PUBLISH SVH-1972430	\$ 104.78	finance
260161	12/3/2019	331 0493267	UNIFIRST CORPORATION	WATER DEPT LAUNDRY	\$ 74.76	wdist
260086	12/3/2019	9842593933	VERIZON WIRELESS	SCADA COMMUNICATIONS	\$ 1,146.70	dwwtp
260164	12/4/2019	300-10065848	ALL BATTERY SALES & SERVICE	12V INVERTER	\$ 1,103.31	dshop
260169	12/4/2019	831109	BAYSHORE OFFICE PRODUCTS INC	OFFICE SUPPLIES	\$ 43.72	plan
260410	12/4/2019	4851616	CARDINAL HEALTH 110, INC.	PHARMACEUTICALS	\$ 20.17	medic
260415	12/4/2019	4851769	CARDINAL HEALTH 110, INC.	PHARMACEUTICALS	\$ 189.67	medic
260567	12/4/2019	3353882	DAILY JOURNAL OF COMMERCE	LEGAL NOTICE FOR MUNICIPAL BROADBAND INSTALLATION	\$ 76.80	fiber
260329	12/4/2019	19-45462	EDGE ANALYTICAL, INC	BACT ANALYSIS FINISHED	\$ 15.00	dwtpt
260330	12/4/2019	19-45394	EDGE ANALYTICAL, INC	FLUORIDE ANALYSIS BLUE HERON	\$ 26.00	dwtpt
260305	12/4/2019	014427187	GALLS, LLC.	UNIFORM; NEW OFC RHODES	\$ 59.35	apd
260385	12/4/2019	9375424356	GRAINGER	V-BELT PULLEY	\$ 26.24	dwwtp
260553	12/4/2019	IN933690	NOANET	FINANCE CHARGE FOR #IN933282	\$ 161.77	fiber
260252	12/4/2019	10300	PACIFIC NORTHWEST FIREWOOD	FIREWOOD BUNDLES/RESALE ITEM	\$ 1,050.00	parks1
260294	12/4/2019	001-452708	PISTON SERVICE OF ANACORTES	BRAKE CLEAN- SHOP	\$ 234.01	dshop
260137	12/4/2019	CL97930	REISNER DISTRIBUTOR INC	VEHICLE FUEL - NOV	\$ 17,232.88	finance
260139	12/4/2019	December	SKAGIT LAW GROUP PLLC	PROSECUTION CONTRACT SERVICES DEC. 2019	\$ 6,120.00	legal
260370	12/4/2019	302992	SMILEY'S INC	EYE HITCH- VEH #832	\$ 54.58	dshop
260315	12/4/2019	GEMT18007	SYSTEMS DESIGN WEST, LLC	FY 2018 GEMT CONSULTING	\$ 30,000.00	finance

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260558	12/4/2019	2019-1579	THE WATERSHED COMPANY	PERIODIC REVIEW OF SHORELINE MASTER PROGRAM - THROUGH 11/30/19	\$ 2,050.00	plan
260334	12/4/2019	331 0493447	UNIFIRST CORPORATION	WTP LAUNDRY	\$ 83.55	dwtp
260140	12/4/2019	348	WASHINGTON ASSOCIATION OF	CAROL YATES 2020 MEMBERSHIP TO WAPRO	\$ 25.00	legal
260145	12/4/2019	20003569	WASHINGTON STATE PATROL	BACKGROUND CHECKS; NOVEMBER 2019	\$ 145.75	apd
260256	12/5/2019	1991531108	ARAMARK	STA 2 MAT & MOP SERVICE: 12/5	\$ 21.74	medic
260257	12/5/2019	1991531109	ARAMARK	STA 1 MAT & MOP SERVICE: 12/05	\$ 21.74	medic
260311	12/5/2019	1991531117	ARAMARK	OPS & PARKS LAUNDRY SVC FOR	\$ 68.09	finance
260331	12/5/2019	1991531118	ARAMARK	OPS: MAT CLEANING 12/05/19	\$ 34.96	dshop
260556	12/5/2019	1172	DRIFTWOOD CONSTRUCTION, LLC	FIRE STATION 3 UPGRADES - CONSTRUCTION	\$ 73,367.07	medic
260168	12/5/2019	547963	FRONTIER BUILDING SUPPLY	SHOVEL- STREET DEPT	\$ 23.90	dshop
260513	12/5/2019	014438439	GALLS, LLC.	UNIFORM PIECES FOR ACADEMY; RHODES	\$ 468.12	apd
260514	12/5/2019	014438441	GALLS, LLC.	UNIFORM PIECES FOR ACADEMY; NORRIS	\$ 454.66	apd
260236	12/5/2019	Reimbrs #3 2018 CDBG	HOUSING AUTHORITY OF THE CITY	CDBG HA REHAB 2018	\$ 1,229.96	plan
260249	12/5/2019	9020577002	LANGUAGE LINE SERVICES	TELEPHONE INTERPRETER SERVICES IN COURT ROOM	\$ 6.02	court
260389	12/5/2019	MV225202	MOTOR TRUCKS, INC	HOSE- VEH #213	\$ 73.48	dshop
260309	12/5/2019	179850	NAPA	CIRCUIT BREAKERS- #205	\$ 18.02	dshop
260301	12/5/2019	001-452746	PISTON SERVICE OF ANACORTES	FILTER KIT- VEH #142	\$ 60.47	dshop
260306	12/5/2019	001-452745	PISTON SERVICE OF ANACORTES	BATTERY- VEH #170	\$ 278.16	dshop
260308	12/5/2019	001-452798	PISTON SERVICE OF ANACORTES	FILTER- VEH #711	\$ 12.75	dshop
260372	12/5/2019	001-452843	PISTON SERVICE OF ANACORTES	WHITE PAINT- #602	\$ 34.61	dshop
260373	12/5/2019	001-452841	PISTON SERVICE OF ANACORTES	TIRE PRESSURE MONITOR- VEH #160	\$ 315.14	dshop
260419	12/5/2019	001-452851	PISTON SERVICE OF ANACORTES	FILTER- #512	\$ 19.95	dshop
260245	12/5/2019	347032	REECE, STORMIE	NOVEMBER 2019 DEPOT CLEANING	\$ 704.00	parks1
260310	12/5/2019	1191952	SIGNATURE FORMS, INC	TAX FORMS	\$ 212.02	finance
260515	12/6/2019	3942	ANACORTES TOWING, LLC	TOWING; APD CASE 19-A08880	\$ 163.05	apd
260296	12/6/2019	1991531112	ARAMARK	APD NYLON MATS CLEANED	\$ 16.31	apd
260394	12/6/2019	209401-5	BIRCH EQUIPMENT CO., INC	SNOW SHOVEL	\$ 249.47	pwfac
260422	12/6/2019	L518977	CORE & MAIN LP	FORD CUSTOM SADDLES FIBER DECEPTION PASS	\$ 2,860.50	wdist
260332	12/6/2019	19-44876	EDGE ANALYTICAL, INC	BACT ANALYSIS RAW	\$ 49.00	dwtp
260333	12/6/2019	19-43498	EDGE ANALYTICAL, INC	HAA/THM ANALYSIS DISTRIBUTION	\$ 998.00	dwtp
260561	12/6/2019	1200234401	HDR ENGINEERING, INC	SANITARY SEWER STORAGE STUDY 10/27/19-11/23/19	\$ 8,786.65	pw1
260388	12/6/2019	41600339943	LES SCHWAB TIRE CENTERS	DISMOUNT & MOUNT TIRES #706 & #711	\$ 65.19	dshop
260402	12/6/2019	907866	MONAHAN, MARTIN	COMMERCIAL AVE STREET TREE LIGHTS	\$ 4,200.00	plan
260371	12/6/2019	001-452903	PISTON SERVICE OF ANACORTES	HYDRAULIC FITTINGS- VEH #108	\$ 22.57	dshop

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260325	12/6/2019	300000006951	PUGET SOUND ENERGY INC	STREET LIGHTS 10/30/19 - 11/27/19	\$ 116.37	dshop
260326	12/6/2019	200012505505	PUGET SOUND ENERGY INC	WTP 11/1-11/30/19	\$ 67,038.51	dwwtp
260328	12/6/2019	300000325005	PUGET SOUND ENERGY INC	STREET LIGHTS 10/8/19 - 11/6/19	\$ 84.04	dshop
260322	12/6/2019	20191642	SYSTEMS DESIGN WEST, LLC	AMBULANCE SERVICE BILLING NOV 19	\$ 3,402.85	finance
260531	12/8/2019	00548-OCT19	CAMPBELL LAW FIRM	PUB DEF CONFL	\$ 178.50	court
260532	12/8/2019	00540-OCT19	CAMPBELL LAW FIRM	PUB DEF CONFL	\$ 17.00	court
260533	12/8/2019	00447-OCT19	CAMPBELL LAW FIRM	PUB DEF CONFL	\$ 51.00	court
260534	12/8/2019	00475-OCT19	CAMPBELL LAW FIRM	PUB DEF CONFL	\$ 153.00	court
260535	12/8/2019	00577-OCT19	CAMPBELL LAW FIRM	PUB DEF CONFL	\$ 153.00	court
260536	12/8/2019	00594-OCT19	CAMPBELL LAW FIRM	PUB DEF CONFL	\$ 25.50	court
260407	12/9/2019	93491055	150-PRAXAIR DISTRIBUTION INC	CYLINDER RENTAL	\$ 229.34	dwwtp
260374	12/9/2019	3783	AMERICAN WATER WORKS	2020 WASHINGTON WATER UTILITIES COUNCIL DUES	\$ 500.00	ap direct
260408	12/9/2019	1991534821	ARAMARK	LAUNDRY SERVICE FOR WWTP	\$ 76.60	dwwtp
260521	12/9/2019	00540-NOV19	CAMPBELL LAW FIRM	PUB DEF CONFL	\$ 59.50	court
260522	12/9/2019	00447-NOV19	CAMPBELL LAW FIRM	PUB DEF CONFL	\$ 34.00	court
260526	12/9/2019	00240-NOV19	CAMPBELL LAW FIRM	PUB DEF CONFLC	\$ 25.50	court
260528	12/9/2019	00548-NOV19	CAMPBELL LAW FIRM	PUB DEF CONFL	\$ 25.50	court
260529	12/9/2019	00594-NOV19	CAMPBELL LAW FIRM	PUB DEF CONFL	\$ 34.00	court
260530	12/9/2019	00560-NOV19	CAMPBELL LAW FIRM	PUB DEF CONFL	\$ 59.50	court
260516	12/9/2019	19-12-50790	CARL'S TOWING MOUNT VERNON	TOWING; APD CASE 19-A08906	\$ 300.01	apd
260380	12/9/2019	19-44134	EDGE ANALYTICAL, INC	THICKENED SLUDGE TESTING	\$ 179.00	dwwtp
260381	12/9/2019	19-42802	EDGE ANALYTICAL, INC	FINAL EFFLUENT TESTING	\$ 126.00	dwwtp
260382	12/9/2019	19-44700	EDGE ANALYTICAL, INC	EFFLUENT TESTING	\$ 24.00	dwwtp
260384	12/9/2019	WAANA120918	FASTENAL COMPANY	SPIGOTS AND PIPE ELBOWS	\$ 30.06	dwwtp
260510	12/9/2019	0120919	FIDALGO CLEANING	APD CLEANING & SUPPLIES	\$ 700.00	apd
260569	12/9/2019	2734772	FOSTER GARVEY PC	CLEAN WATER ACT CITIZEN SUIT MATTER	\$ 6,123.00	legal
260570	12/9/2019	2734771	FOSTER GARVEY PC	WATER TREATMENT PLANT MATTER NO. 96	\$ 29,413.67	legal
260421	12/9/2019	812-7108	GCR TIRES & SERVICES	MOUNT & DISMOUNT TIRES- #512	\$ 39.63	dshop
260562	12/9/2019	1200234420	HDR ENGINEERING, INC	WTP CONTROLS MODIFICATIONS PROJECT - ENGINEERING 6/30/19-11/23/19	\$ 530.20	pw1
260563	12/9/2019	1200234419	HDR ENGINEERING, INC	WTP SECOND CLEARWELL TANK PROJECT - DESIGN 10/27/19-11/23/19	\$ 89,272.66	pw1
260564	12/9/2019	1200234415	HDR ENGINEERING, INC	SKAGIT RIVER 42" WATER LINE PROJECT - PHASE 2 10/27/19-11/23/19	\$ 133,367.72	pw1
260418	12/9/2019	72258374	INTERSTATE BATTERIES	BATTERIES- #821, #032, #033	\$ 692.20	dshop
260554	12/9/2019	INV-8444	MACLEOD RECKORD PLLC	GUEMES CHANNEL TRAIL 30% DESIGN - PHASE VI - THROUGH 11/30/19	\$ 7,277.26	pw1
260555	12/9/2019	INV-8443	MACLEOD RECKORD PLLC	GUEMES CHANNEL TRAIL 30% DESIGN - PHASE II - THROUGH 11/30/19	\$ 4,220.31	pw1

Invoice Doc #	Transaction Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
260379	12/9/2019	X535045	PLATT ELECTRIC SUPPLY INC	MAINTENANCE SUPPLIES	\$ 64.79	dwwtp
260508	12/9/2019	0244585-IN	SIRENNET.COM	UNDERCOVER SIREN- #004	\$ 159.24	dshop
260426	12/9/2019	149572	SKAGIT HYDRAULICS	REBUILT AIR CYLINDERS- #202	\$ 756.96	dshop
260525	12/10/2019	00475-NOV19	CAMPBELL LAW FIRM	PUB DEF CONFL	\$ 25.50	court
260546	12/10/2019	4868561	CARDINAL HEALTH 110, INC.	PHARMACEUTICALS	\$ 21.36	medic
260519	12/10/2019	Ref000260519	KEEL, LESTER	Permit canceled before review	\$ 335.01	bldg
260543	12/10/2019	001-453143	PISTON SERVICE OF ANACORTES	LAMPS FOR #170	\$ 18.52	dshop
260544	12/10/2019	001-453113	PISTON SERVICE OF ANACORTES	WINDSHIELD WIPERS #051	\$ 11.20	dshop
260545	12/10/2019	001-453157	PISTON SERVICE OF ANACORTES	WIPER BLADES #130	\$ 12.04	dshop
260568	12/10/2019	027374	SIGNATURE FORMS, INC	ENVELOPES ANNUAL ORDER	\$ 680.20	court

Total **\$933,047.48**



City Council Agenda Bill

Meeting Date: 12/16/2019

Agenda Item: 6c

Subject: Update of the sewer rates to reflect cost of service

Staff Contact: Steve Hoglund, Fred Buckenmeyer

Approved for Submittal to Council by	
	Laurie Gere, Mayor
X	Steve Hoglund, Finance Director
X	Darcy Swetnam, City Attorney

Action Type	
X	Ordinance No. 3059
	Code Revision?
X	Resolution No. 2062
	Contract
	Public Hearing
	Staff Report

Summary Statement: Title 13 potentially conflicts with a proposed update to sewer rates on the Unified Fee Schedule, and the attached Ordinance removes those. The attached resolution updates the Unified Fee Schedule (UFS) to adjust Sewer Rates to reflect cost of service; as well removes the consumption categories for the residential Average Winter Water Use (AWWU) that establish the sewer consumption caps.

Background: After several reviews and discussion to update sewer rates to be more equitable between Residential and Commercial rates, and remove AWWU categories, City Council generally agreed this would be acceptable and would approve the updated unified fee schedule, but requested a revision to AMC Title 13 to remove old language and outdated rates, and correctly reference the Unified Fee Schedule. Language in Title 13 will be amended by Ordinance 3059, removing rates from code and authorizing rates to be set by the UFS.

Budget Impact	
Amount Budgeted	
Budget Account (BARS)	
Proposed Expenditure	
Budget Amendment Required?	
Revenue Source	

Proposed Contract	
Contractor	
Amount	
Start Date	
End Date	

Previous Council/Committee Action: September 3rd Council meeting, October 1st CFC, October 7, October 21, November 18, December 2, December 9 Council meetings.

Competing Viewpoints Considered: Sewer rates should not be adjusted and AWWU categories kept in place.

Recommended Motion: I move to adopt Ordinance 3059 and Resolution 2062.

Alternative Actions: Do not approve either ordinance or resolution.

Attachments (listed in order presented): Ordinance 3059 and Resolution 2062

RESOLUTION NO. 2062

A RESOLUTION UPDATING THE UNIFIED FEE SCHEDULE TO UPDATE SEWER RATES

WHEREAS, the City Council authorized FCS Group to conduct a Sewer rate cost of service study; and

WHEREAS, the City Council desires to adopt by resolution into the Unified Fee Schedule a revised schedule of fees that allocate the rate burden across customer classes equitably; and

WHEREAS, the City would like to collect fees to cover all costs incurred.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Anacortes, Washington, that:

Section 1.

1. The Unified Fee Schedule currently in effect will be updated to include new sewer rates as follows:

Meter Size (Inches)	Residential	Commercial	Multi-Family
5/8 × ¾ & ¾	\$ 40.27	\$ 45.09	\$ 45.09
1	\$ 56.40	\$ 63.15	\$ 63.15
1½	\$ 72.51	\$ 81.19	\$ 81.19
2		\$ 130.81	\$ 130.81
3		\$ 496.17	\$ 496.17
4		\$ 631.50	\$ 631.50
6		\$ 947.25	\$ 947.25

PASSED and APPROVED on this 16th day of December, 2019.

AYES _____

NAYS _____

ABSENT _____

CITY OF ANACORTES:

BY: _____
LAURIE M. GERE, MAYOR

ATTEST:

APPROVED AS TO FORM:

Steven D. Hoglund
City Clerk Treasurer

Darcy J. Swetnam, WSBA # 40530
City Attorney

**City of Anacortes
Ordinance No. 3059**

**An Ordinance of the City of Anacortes, Washington, updating Title 13 of the
Anacortes Municipal Code, Public Services**

Whereas the City has authority over public services of the City, as provided in Title 13; and

Whereas the City needs to update certain provisions of Title 13 to allow for billing for certain City utility charges through the City's Unified Fee Schedule;

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

Section 1. That Title 13 is hereby amended as shown in the attached Exhibit A.

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 16th day of December, 2019.

CITY OF ANACORTES:

Laurie Gere, Mayor

Attest:

Steve Hoglund, City Clerk-Treasurer

Approved as to Form:

Darcy Swetnam, City Attorney

Exhibit A

13.08.020 Sewer Charges and Fees~~Monthly rates.~~

The city council may, by resolution, adopt in the city unified fee schedule, a schedule of fees and charges for sewer service.

~~There is hereby established and shall be charged by the city and collected by the city treasurer the following monthly rates and charges for the use and furnishing of the services of the sanitary sewage system of the city, all such rates and charges to be made and paid on a monthly basis:~~

A. ~~For residential, including duplexes, each structure or unit receiving separately metered water service shall be charged a base charge of twenty-six dollars and eighty-three cents per month, plus one dollar and ninety-two cents per one hundred cubic feet for any portion thereof of water used. A minimum charge of twenty-eight dollars and seventy-five cents per one hundred cubic feet shall apply. The maximum amount charge for residential and duplex customers shall be established by the average winter water use (AWWU) during the previous months of November, December, January, and February. Each customer usage shall be evaluated with the AWWU set on or about April 1st of each succeeding year. The AWWU shall be based on the following categories:~~

~~AWWU #1 Less than 600 cf/mo~~

~~AWWU #2 600 to 800 cf/mo~~

~~AWWU #3 801 to 1,000 cf/mo~~

~~AWWU #4 1,001 to 1,500 cf/mo~~

~~AWWU #5 1,501 cf or more~~

The AWWU ~~category~~ shall be established for each customer and ~~the associated category or cap~~ be used to set the maximum water use identified to assess the sanitary sewage charges.

If the customer's premises ~~is~~ vacant for one or more months of the four winter months, the customer's account shall be set at AWWU ~~#2~~, using at least six hundred cubic feet of water per month.

~~For duplexes with a single water meter, the charge shall be two times the base charge plus a commodity charge of one dollar and ninety-two cents per one hundred cubic feet.~~

~~Beginning January 1st, 2005, the fees and charges for sewer services set out in this section shall be indexed annually by the treasurer to reflect one hundred percent of any change from the Consumer Price Index for Seattle-Tacoma-Bremerton—All Urban Wage Earners (CPI-U) for the previous October, or other comparable index if not published. The treasurer shall adjust the fees and publish them each December to take effect on all goods and services delivered or contracted after the beginning of each year and all utility bills mailed after the first of each year. In no event shall the change in rates be less than zero percent, nor more than two percent in any given year. (The indexing calculation will be made by multiplying the $\frac{3}{4} \times \frac{3}{4}$ base charge times equivalency factor times the CPI adjustment.) Unit prices and all other charges shall be to the nearest cent.~~

B. For multifamily, public authorities, commercial, and industrial facilities, wastewater charges will be comprised of a base charge relating to water meter size equivalency and a commodity charge relating to water use and wastewater strength.

1. The base charge shall be based on a minimum water meter equivalency as provided below:

	BASE CHARGE AWWU Multiples	
Meter Size	Equivalency Factor	Base Charge (\$)
$\frac{5}{8} \times \frac{3}{4}$	1.0 = base	\$ 26.83
$\frac{3}{4}$	1.02 × base	\$ 32.20
1	1.425 × base	\$ 37.56
1.5	1.85 × base	\$ 48.29
2	2.98 × base	\$ 77.81
3	11.016 × base	\$ 295.13
4	14.025 × base	\$ 375.62
6	21.050 × base	\$ 563.43
8	29.0115 × base	\$ 778.07

2. The commodity charge shall be based on water use and wastewater strength. Charges shall be on a block rate, with the block rate increasing based on strength of the waste, as follows:

	COMMODITY CHARGE	
Classification	Waste Strength	Block Rate (\$)
SIC # 1	<300 mg/l BOD or TSS	1.92/100 ft³
SIC # 2	301—500 mg/l BOD or TSS	2.38/100 ft³
SIC # 3	501—700 mg/l BOD or TSS	4.64/100 ft³
SIC # 4	>700 mg/l BOD or TSS	0.74/100 ft³, plus \$1.01/lb BOD, plus \$0.62/lb TSS

SIC = Standard Industrial Code. Each commercial and industrial account shall be assigned to an SIC upon connection to the sewer system.

Water use may be measured at the customer's water meter, or by installation of a sewage meter. The city may, at the request of the business owner, install and maintain sewage meters, the cost of which shall be paid by the customer.

MAXIMUM CHARGES FOR RESIDENTIAL ACCOUNTS			
Single-family residences: ($\frac{5}{8}$ " × $\frac{3}{4}$ " water meter)			

AWWU #	Ceiling Consumption	Maximum Charge 1/1/94	Maximum Charge 1/1/95
-	-	-	-
1	600	\$36.90	\$39.75
2	800	40.6	43.75
3	1,000	44.3	47.75
4	1,500	53.55	57.75
5	Over 1,500	No Limit	No Limit
Single-metered duplexes: (½" × ¾" water meter)			
AWWU #	Ceiling Consumption	Maximum Charge 1/1/94	Maximum Charge 1/1/95
-	-	-	-
1	1,200	\$73.80	\$79.50
2	1,600	81.2	87.5
3	2,000	88.6	95.5
4	3,000	107.1	115.5
5	Over 3,000	No Limit	No Limit

C. For each separate residence receiving sanitary sewer service, but not receiving city water, or which is under change of ownership (new owners), or is a newly constructed home, the charge shall be the same as the residential customer using at least six hundred cubic feet of water per month.

D. Dumping of septic waste materials into the Anacortes sewer treatment plant will require the purchase of a septage discharge card ~~at a cost of fifty dollars per card per year.~~ Septage tipping fees will be charged ~~at the following rate: Rate of \$0.10/gallon as determined by the UFS.~~

A differential rate will be charged for septage that originates from areas off of Fidalgo Island, and for leachate from Skagit County. ~~This rate shall be twelve cents per gallon.~~

E. A one-time general facility charge (GFC) shall be charged to all new customers for each equivalent residential unit (ERU). An ERU shall be defined as one hundred ninety-two gallons per day. The GFC shall represent a fair and equitable share of historic and future costs of the city's sanitary sewer collection and treatment structures and facilities.

~~The calculations of the GFC presented in this section is based on the city's fixed asset records and planning criteria from the master plan entitled, "City of Anacortes—Comprehensive Sewer Plan," dated January 1993 prepared by Economic and Engineering Services, Inc., engineering design criteria of the city's system, future capital improvement cost and generally accepted ratemaking principles. The GFC is cost based and is presented in Table 13.08.020 of this section. Accordingly, the maximum charge allowed is five thousand six hundred ninety seven dollars per ERU.~~

1. Each ~~single-family or duplex living residence unit~~ shall be defined as one ERU. Each residential unit in a multifamily structure ~~with three or more residential units~~ shall be considered a 0.8 ERU. ERU

determinations for commercial and industrial uses will be based on the type of building and sewer use per Table 13.08.020 ERU Determination Alternative of this section.

2. The GFC charge for new sewer connection or expanded sewer service shall be determined by multiplying the GFC times the total number of ERUs.

~~3. The current GFC is four thousand one hundred seventy-four dollars per ERU. On January 1st of each year, the GFC shall continue to be increased by the percentage change in the engineering news record (ENR) construction cost index for the previous twelve months (unless otherwise adjusted by the ordinance codified in this chapter based on an evaluation of the cost of constructing the general facilities, including interceptors, treatment facilities, and the outfall). The GFC shall be paid at the time of applying for a building permit for a structure requiring new or expanded sewer service.~~

~~4. The current GFC per ERU does not represent a fair and equitable share of historic and future costs of the city's sanitary sewer collection and treatment system. Therefore, the GFC shall be increased by an additional five hundred eight dollars per ERU, per year, for three years, beginning May 3, 2004 and ending on January 1, 2006.~~

F. There shall be added to the sewer rates established hereunder an amount equal to any utility tax ~~established by ordinance of the city and~~ assessed ~~by the city~~ upon a sewer utility, which amount shall also be payable on a monthly basis.

The following are the definitions of the classifications used in establishing the ERUs.

***Adjust table 13.08.020 to remove 'duplex' from 1.

1. "Single-family residence" is defined as a building containing one kitchen, designed and/or used to house not more than one family, including all necessary employees of such family, such building having a single sewer service connection. Manufactured homes occupying a separate lot and providing permanent housing with a separate sewer connected shall be classified as a single-family residence. ~~Duplexes shall be classified as two single-family residences.~~

13.08.025 Sewer treatment plant access card.

Any person wishing to dump septic waste material directly into the Anacortes sewer treatment plant shall first obtain an access card from the Anacortes sewer department in order to gain access to the plant. A fee ~~of twenty-five dollars~~ shall be charged for issuance of an original access card. A fee ~~of twenty-five dollars~~ shall be charged to replace any damaged or destroyed cards and a fee ~~of fifty dollars~~ shall be charged to replace any lost cards. (Ord. 2064 § 2, 1988)

13.08.035 Minimum rates for utility service.

A. During periods when residences are unoccupied and water service is disconnected for nonemergency reasons, the customer will be charged the base charges for water, sewer, refuse, recycling, and storm drainage, plus all applicable taxes.

B. Upon request, the city will disconnect or reconnect water service at the customer's meter during normal business hours on weekdays. A water service fee will be charged for this service. If connection or disconnection is requested to be done during nonbusiness hours, an additional fee will be charged for each service.

C. The city will accomplish disconnection of service at any time and at no fee in the event of a bona fide emergency such as fire, broken pipes causing flooding of a structure, etc. During periods when a residence cannot be occupied because it has been rendered uninhabitable in the opinion of the city, or where other special circumstances exist resulting in non-occupancy of a residence by the owner or owners, ~~all utility water, sewer, and solid waste~~ charges to said premises may be discontinued. The reason for non-occupancy of a residence shall be provided in a verifiable written form and all such requests shall be reviewed by the mayor or his or her designee to determine if such request for discontinuance of utility charges is appropriate under this chapter.

D. If service is disconnected for any portion of the time period normally used to calculate the average water consumption for capping the summertime sewer charges, the customer's account shall be set at AWWU ~~#using at least six hundred cubic feet of water per month~~². (Ord. 2961 § 3, 2015; Ord. 2405 §§ 1—4, 1996)

~~13.08.100 Effective date.~~

~~The rates and charges for providing sewer service shall be effective as of December 15, 1954, and shall apply to and be collected on a monthly basis from all premises connected with the sanitary sewage system. From and after March 15, 1955, such monthly rates shall be applicable to all premises required to be connected to the sanitary sewage system as set forth in this chapter, whether or not such premises are actually connected. (Ord. 1150 § 18, 1954)~~

13.10.040 General facilities charges.

A one-time GFC ~~of one thousand one hundred twenty six dollars~~ per ISU shall be assessed for all new development of real property in the city, except for new developments that make special arrangements acceptable to the city public works director and federal and state agencies to undertake direct discharge to marine waters. The GFC shall represent a fair and equitable share of the historic and future cost of the city's storm and surface water system of drainage structures and facilities. ~~Beginning January 1, 2008, on January 1st of each year, the GFC shall continue to be increased by the percentage change in the engineering news record (ENR) construction cost index for the previous twelve months unless otherwise adjusted by city ordinance. (Ord. 2773, 2007; Ord. 2488 § 4, 1999)~~

13.16.010 Rates.

~~The city council may, by resolution, adopt in the city unified fee schedule, a schedule of fees and charges for The rates for discharge of waste material directly into sewer treatment plant, shall be charged by the city and collected by the city clerk-treasurer. the following charges for the dumping of waste material directly into the Anacortes sewer treatment plant: for the first one thousand gallons or less of septic wastes twelve dollars and fifty cents; for each one hundred gallons of septic waste additional; one dollar per one hundred gallons or any portion thereof. (Ord. 1653 § 1, 1975)~~

~~13.20.150 Charge when single service supplies multiple buildings.~~

~~A. Where more than one separate building is furnished water through one metered service each building will be rated as a minimum metered charge, or combination flat rate, and the combined rate~~

~~will be charged against the one service and one owner or agent will pay the entire charge, except factory buildings where one meter charge will be made.~~

~~B. "Separate buildings" means buildings not connected one to the other by a joint wall.~~

~~C. "Factory buildings" means all buildings used for factory purposes by one consumer, including boarding house, rooming house and office. (Ord. 2961 § 1, 2015; Ord. 1090 § 12, 1952)~~

13.32.005 Water rates schedule.

A. ~~The city council may, by resolution, adopt in the city unified fee schedule, a schedule of fees and charges for All water service. rates and fees referenced in this code chapter will be passed by council resolution.~~

B. In addition to the rates set forth by council resolution, there shall be charged an additional amount equal to the amount of any tax levy for the supplying of water service on the water utility, which amount shall be part of the total water bill payable by the water user.

C. All residential and commercial users outside the city shall pay, in addition to the rates set forth, an amount equal to fifty percent of their total water charges.

D. On January 1st of each year, the fees and charges for water services set by council resolution shall be indexed annually by the treasurer to reflect one hundred percent of any change from the Consumer Price Index for ~~Seattle-Tacoma-Bremerton~~ **Bellevue**-All Urban Wage Earners (CPI-U) for the previous October, or other comparable index if not published. The treasurer shall adjust the fees and publish them each December to take effect on all goods and services delivered or contracted after the beginning of each year. In no event shall the change in rates be less than zero percent in any given year. Unit prices and all other charges shall be to the nearest cent.

E. In addition to the adjustment listed in Section 13.32.005(D) above, council may increase water rates if, in council's sole discretion, an increase is necessary to improve the water system. (Ord. 2961 § 2, 2015; Ord. 2846, 2011; Ord. 2785, 2008: Ord. 2778, 2008: Ord. 2460 § 1, 1998)

13.32.007 General facilities charges.

A.

1. A one-time general facility charge (GFC) shall be charged to all new customers, or customers increasing their requirement for water service based on meter size required to provide service to the customer. If applicable, tThe GFC shall be additional to the meter installation costs and other special fees and charges.

2. ~~The city council may, by resolution, adopt in the city unified fee schedule, a schedule of fees and charges for The general facility charge fees will be set by council resolution.s.~~

3. Fee increases. On January 1st of each year, the fees and charges for water services set by council resolution shall be indexed annually by the treasurer to reflect one hundred percent of any change from the Consumer Price Index for Seattle-Tacoma-~~Bremerton~~ **Bellevue**-All Urban Wage Earners (CPI-U) for the previous October, or other comparable index if not published. The treasurer shall adjust the fees and publish them each December to take effect on all goods and services delivered or contracted after

the beginning of each year. In no event shall the change in rates be less than zero percent in any given year. Unit prices and all other charges shall be to the nearest cent. The GFC shall be paid at the time of applying for a building permit for a structure requiring a new or expanded water service. The out-of-city rate shall be fifty percent higher than the in-city rate.

~~13.48.010 Installation and general facilities charges.~~

$\frac{5}{8}$ x $\frac{3}{4}$ inch meter	
GFC	\$1,080
Installation	<u>740</u>
-	1,820
-	
$\frac{3}{4}$ inch meter	
GFC	\$1,570
Installation	<u>765</u>
-	2,335
-	
1 inch meter	
GFC	\$2,700
Installation	<u>795</u>
-	3,495
1 $\frac{1}{2}$ inch and larger meter	
Meters 1 $\frac{1}{2}$ inch and larger shall be charged the actual charge of installation on a time and material basis plus the general facilities charge as set forth in Ordinance 2225 and any amendments thereto.	

~~B. A seven percent utility tax is included within the water meter installation fee. (Ord. 2268 §§ 1, 2, 1993)~~



City Council Agenda Bill

Meeting Date: 12/16/2019

Agenda Item: 6d

Subject: 2020 Prosecutor Contract

Staff Contact: Darcy Swetnam

Approved for Submittal to Council by	
x	Laurie Gere, Mayor
x	Steve Hoglund, Finance Director
x	Darcy Swetnam, City Attorney

Action Type	
	Ordinance No.
	Code Revision?
	Resolution No.
x	Contract
	Public Hearing
	Staff Report

Summary Statement: The current contract with City Prosecutor, Craig Cammock, expires on December 31, 2019. A new contract provides for services for 2020.

Background: Craig Cammock has provided Prosecution Services to the City and support to the Anacortes Police Department since 2011.

Budget Impact	
Amount Budgeted	
Budget Account (BARS)	
Proposed Expenditure	
Budget Amendment Required?	
Revenue Source	

Proposed Contract	
Contractor	Craig Cammock
Amount	\$6305 per month
Start Date	1/1/2020
End Date	12/31/2020

Previous Council/Committee Action: N/A

Competing Viewpoints Considered: N/A

Recommended Motion: I move to authorize Mayor Gere to execute the contract between the City and Craig Cammock to provide prosecution services to the City for 2020.

Alternative Actions: N/A

Attachments (listed in order presented): Proposed contract

**2020 CONTRACT FOR
CITY OF ANACORTES PROSECUTOR SERVICES**

THIS AGREEMENT is made and entered into as of this ____ day of December, 2019, by and between the CITY OF ANACORTES, acting by and through its City Attorney, hereinafter referred to as the "City," and Craig Cammock hereinafter referred to as the "Prosecutor."

WHEREAS the City has need of legal services for the provision of a competent attorney to effectively prosecute those people charged by the City with misdemeanors in the Anacortes Municipal Court including appeals at all appellate levels; and

WHEREAS the Prosecutor has expertise in this area of practice, and is able to provide advice and representation;

NOW, THEREFORE, it is hereby agreed as follows:

1. Legal Services: The Prosecutor agrees to provide legal services to prosecute persons charged with misdemeanors, contested civil infractions, and represent the City in additional municipal matters including dangerous dog cases filed in the Anacortes Municipal Court using the lawyer's best professional judgment. The Prosecutor agrees to provide consultation services legal matters related to criminal justice on a limited basis. Services will be provided in a professional, skilled manner consistent with the standards set forth in the Washington Rules of Professional Conduct, ABA standards for prosecutors, case law, and applicable court rules defining the duties of counsel and special obligations of prosecutors in criminal cases. The Prosecutor shall represent the City through all levels of appeals in criminal matters.
2. Service: The Prosecutor will make every effort to expedite such legal matters promptly and efficiently according to the highest legal and ethical standards.
3. Term: Services to be provided pursuant to this agreement shall commence on January 1, 2020 and terminate on December 31, 2020; PROVIDED, HOWEVER, that the term of this agreement may be extended upon the mutual agreement of the parties.

A. The City may terminate its contract with a Prosecutor for convenience on sixty (60) days' notice or on thirty (30) days' notice only for violation of the terms of the contract, violation of the Rules of Professional Conduct (including initiation of disciplinary proceedings by the Washington State Bar Association), or for failure to comply with the City's Standards for Prosecution Services. A termination for cause shall be effective immediately only where the nature of the cause for termination presents an immediate threat of harm or liability to the City or a Defendant.

B. The Prosecutor will not terminate its contract with the City unless the Prosecutor is unable to carry out the terms of the contract. If the Prosecutor determines that it is not able to carry out the terms of the contract, it shall provide the City with not less than ninety (90) days' written notice so that the City may obtain another Prosecutor.

C. The Prosecutor shall have the right to renegotiate or terminate this contract, which termination shall be subject to the 90 days' notice provided in Section 3(B) above, in the event that the Anacortes Municipal Court adds an additional docket(s) to the current practice of two dockets per month and/or in the event that the Prosecutor's workload increases materially due directly or indirectly to the implementation of public defender caseload standards.

4. Fees: The City shall pay the Prosecutor as sole compensation for the services performed under this agreement the sum of \$6305.00 per month. The maximum compensation associated with this agreement shall not exceed \$6305.00 per month without further prior written authorization by the City.
5. Services are Personal: The legal services described herein shall be provided by Craig Cammock. The City has entered into this agreement based upon the skills and qualifications of the attorney named above, who will provide the services described herein.
6. Substitute Counsel: It is the intent that the Prosecutor shall contract with other attorneys as substitute counsel to provide services when the Prosecutor is precluded from doing so as a result of a conflict of interest, or other disability. The Prosecutor's contract with substitute counsel should include all of the terms included in the contract between the City and the Prosecutor, excluding only payment terms. The Prosecutor shall compensate substitute counsel out of the Prosecutor's own funds. Substitute counsel shall be subject to the City's consent as to individuals assigned. Due to the increased filings, lengthening dockets and possible addition of an additional monthly docket, Craig Cammock shall have the right, at Craig Cammock's sole expense, to contract with Pat Eason and/or Julie Walters, to handle a portion of the workload. Craig Cammock shall remain primarily responsible for all obligations herein.
7. Insurance: The Prosecutor shall have and maintain a professional liability policy with limits of \$1,000,000 per claim and \$1,000,000 aggregate, and which shall protect the City from liability for counsel's legal malpractice or other negligence.

The deductible for such insurance policy shall not exceed \$2,000 if such insurance policy is written so that defense costs are inside the policy limits.

The insurance policy must be maintained in full force and effect, uninterrupted, and at no expense to the City, throughout the entire term of the contract and three years following the termination of the contract. It is the intent of the City that prior acts

coverage not be lost through the term of the agreement with the City, including any additional contract terms. The carrier shall be subject to the approval of the City.

8. Management: The City will provide the Prosecutor staff for case-reporting and management. The City will also provide the Prosecutor with office space, telecommunications, and a computer to facilitate prosecution.
9. Billing Procedures: Billings should be submitted on a monthly basis by the 20th day of the month. Each billing statement should set forth for each date services were performed and a brief summary of the services provided including the amount of time spent working in the capacity of Prosecutor.

Payment shall be made through the City's ordinary payment process, and shall be considered timely if made within 30 days of receipt of a properly completed invoice.

All payments shall be subject to adjustment for any amounts, upon audit or otherwise, determined to have been improperly invoiced. In no event shall the total of the City's payment pursuant to this Agreement exceed the amount set forth hereinabove.

10. Interaction with City:

A. The City Attorney's Office shall be responsible for managing this contract on behalf of the City.

B. The Prosecutor will keep City well informed of all prosecution activities pursuant to this Agreement. The Prosecutor, at such times and in such form as the City may require, shall furnish the City with periodic reports pertaining to the work and services undertaken pursuant to this agreement.

11. Independent Contractor Status: The Prosecutor shall at all times perform its duties and responsibilities and carry out all services as an independent contractor.

The Prosecutor, at its sole expense, shall obtain and keep in force any and all necessary licenses, permits, and tax certificates. The Prosecutor shall maintain a professional liability policy with policy limits as set forth in section 7 to protect the Prosecutor and the City from losses and claims which may arise out of or result from performance of duties related to this Agreement, including Worker's Compensation and professional liability insurance.

The Prosecutor shall obtain a business license under the Anacortes Municipal Code.

12. Indemnification: The Prosecutor shall indemnify and hold harmless the City, its officials, officers, agents, employees, volunteers, and representatives from, and shall process and defend at its sole expense, any and all claims, demands, damages,

suits at law or at equity, liabilities, losses, judgments, liens, expenses, and cost arising out of or occasioned by the grossly negligent performance, grossly negligent acts, and/or omissions by the Prosecutor and its employees relative to any activity and/or services covered hereunder. In the event of recovery due to the aforementioned circumstances, the Prosecutor shall pay any judgment or lien arising therefrom, including any and all costs as part thereof.

The City hereby shall defend, indemnify, and hold the Prosecutor harmless from any and all claims, demands, damages, lawsuits, liabilities, and losses, arising out of the good faith prosecution of defendants, except to the extent that such claims arise out of intentional, malicious or grossly negligent acts of Prosecutor. It is the intent of the parties that this clause shall extend to the indemnification of claims brought under 42 U.S.C. 1983.

13. Non-discrimination: The Prosecutor agrees to take all necessary and affirmative steps to ensure compliance with all federal, state and City laws and policies regarding non-discrimination and equal employment opportunities. The Prosecutor shall not discriminate in any employment action or in the representation of any client because of race, creed, color, national origin, marital status, sex, age, or the presence of any sensory, mental or physical handicap.

In the event of non-compliance by the Prosecutor with any of the non-discrimination provisions of this agreement, the City will have the right, at its option, to cancel the agreement in whole or in part by written notice. If the agreement is canceled after partial performance, the City will be obligated to pay only for that portion of the total work authorized under this agreement that is satisfactorily completed.

14. Conflict of Interest: In addition to Rule of Professional Conduct 1.7, the Prosecutor shall comply with all federal and state conflict of interest laws, statutes and regulations as they shall apply to all parties and beneficiaries under this agreement.
15. Complete Agreement: This agreement contains the complete and integrated understanding and agreement between the parties and supersedes any understanding, agreement or negotiation whether oral or written not set forth herein.
16. Modification of Agreement: This agreement may be modified by a writing explicitly identified as a modification or amendment of this agreement that is signed by authorized representatives of the City and the Prosecutor.

17. Notices:

A. Notices to the City of Anacortes shall be sent to the following address:

City of Anacortes
Attn. City Attorney
PO Box 547

904 6th Street
Anacortes, WA 98221

B. Notices to the Prosecutor shall be sent to the following address:

Craig Cammock
Skagit Law Group, PLLC
PO Box 336
227 Freeway Dr., Suite B
Mount Vernon, WA 98273

18. Venue. It is agreed that venue for any lawsuit arising out of this agreement shall be Skagit County.

IN WITNESS WHEREOF the parties hereto have executed this agreement as of the day and year first written above.

CITY OF ANACORTES

PROSECUTOR

By _____
Laurie M. Gere
Mayor

By _____
Craig Cammock

Approved as to Form:

Attest:

Darcy James Swetnam, WSBA 40530
City Attorney

Steve Hoglund, Finance Director



City Council Agenda Bill

Meeting Date: 12/16/2019 **Agenda Item:** 8a

Subject: Skagit County Countywide Planning Policies Update

Staff Contact: Don Measamer, Libby Grage

Approved for Submittal to Council by	
X	Don Measamer

Action Type	
X	Presentation / Discussion

Summary Statement: Kevin Murphy, Executive Director of Skagit Council of Governments (SCOG), will present draft updates to the Skagit County Countywide Planning Policies. The draft updates generally consist of clean-up items and do not propose any substantive changes to the policies. Council and public input regarding the proposed updates is requested.

Feedback received will be compiled and presented by SCOG staff to the Growth Management Act Steering Committee at their next meeting.

Background: State law (RCW 36.70A.210) requires that the comprehensive plans adopted by any City be consistent with the Countywide Planning Policies (CPPs). The Skagit County CPPs were initially adopted in June 1992, and have been amended several times since then. The procedures by which CPPs are developed and adopted is generally set out in the [2002 Framework Agreement](#) Among Skagit County and the Cities of Anacortes, Burlington, Mount Vernon, Sedro Wooley, and the Town of LaConner. Under the Framework Agreement, the Growth Management Act Steering Committee makes recommendations on CPPs to the Skagit County Commissioners.

Previous Council/Committee Action: None.

Competing Viewpoints Considered: Public feedback is welcomed and may be provided at the December 16, 2019 council meeting.

Recommended Motion: N/A - No official action is requested.

Alternative Actions: N/A

Attachments (listed in order presented):

[Presentation slides](#)

[CPP amendments memo](#)

[Draft CPP updates](#)

[2002 Framework Agreement](#)

Skagit County Countywide Planning Policies Cleanup Project

OCTOBER 16, 2019

GROWTH MANAGEMENT ACT STEERING COMMITTEE MEETING



2019 GMA Support Work Program and Budget

GMA Task 3 – Countywide Planning Policies Clean Up:

Clean up references, compare with current GMA, and check current CPPs for relevance to all comprehensive plans. No new policy direction or substantial changes to CPPs will be considered. Work with GMATAC and GMASC on proposed changes.

Estimated Cost \$4,000



Limited Project Scope*

1. Compare RCW 36.70A with CPPs to identify inconsistencies
2. Compare WAC 365-196-305 with CPPs to identify inconsistencies
3. Propose revisions to rectify any inconsistencies identified
4. Flag policies that may no longer be relevant or should be subject to further review in the future

Not

Reviewing Growth Management Hearings Board decisions

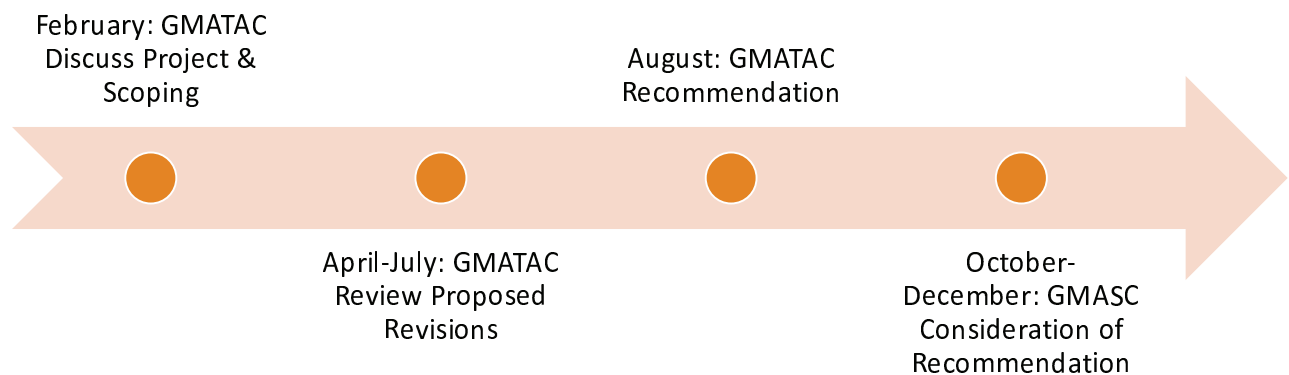
Reviewing all GMA related WACs

Reviewing comprehensive plans

Directed to pursue any new policy direction

*Note: 40 SCOG staff hours
assumed for this project

2019 Project Timeline (revised)



Selected History



Early 1990s

- ❑ GMA Adopted in 1990
- ❑ Countywide Planning Policy requirement not in original GMA
- ❑ CPP requirement added to State law in 1991
- ❑ Framework Agreement #1 executed in January 1992 by County, all four cities and La Conner
- ❑ Skagit County CPPs adopted in June 1992

1992 Skagit County CPPs Adoption



SKAGIT COUNTY COUNTY-WIDE REGIONAL COMPREHENSIVE PLAN POLICIES

Skagit County Department of
Planning and Community Development

- ❑ Adopted in June 1992 by County Commissioners
- ❑ 116 policies grouped into 13 categories
- ❑ Per Skagit County staff report from 1992, County began process in September 1990 that led to CPPs adoption in 1992
- ❑ CPPs were “Skagit County County-Wide Regional Comprehensive Plan Policies” when adopted in 1992



Skagit County CPPs Amendments

- ❑ 1996
- ❑ 2000*
- ❑ 2007
- ❑ 2016

*Note: references in 2000 ordinance adopting CPPs amendments to Western Washington Growth Management Hearings Board appeals of 1997 Skagit County Comprehensive Plan and other County actions



Examples of Initial Findings

GMA Planning Goals & CPPs Categories

GMA Planning Goals	Countywide Planning Policies Categories
Urban Growth	Urban Growth
Reduce Sprawl	Reduce Sprawl
Transportation	Transportation
Housing	Housing
Economic Development	Economic Development
Property Rights	Property Rights
Permits	Permits
Natural Resource Industries	Natural Resource Industries
Open Space and Recreation	Open Space and Recreation
Environment	Environment
Citizen Participation and Coordination	Citizen Participation
Public Facilities and Services	Public Facilities and Services
Historic Preservation	Historic Preservation

Preamble Comparison – 1992 vs. Current

1992

SKAGIT COUNTY COUNTY-WIDE COMPREHENSIVE PLAN POLICIES

THE ROLE OF THE SKAGIT COUNTY COMPREHENSIVE PLAN POLICIES AND COMPREHENSIVE PLAN.

- i These comprehensive plan policies shall be the foundation for the Skagit County Comprehensive Plan.
- ii All Elements of the Comprehensive Plan, including maps and procedures, shall comply with these policies. Amendments to the other components of the comprehensive plan shall conform to these policies.

Current

Skagit County Countywide Planning Policies

The Role of the Skagit County Countywide Planning Policies and the Comprehensive Plan

- i These countywide planning policies shall be the foundation for the Skagit County Comprehensive Plan.
- ii All Elements of the Comprehensive Plan, including maps and procedures, shall comply with these policies. Amendments to the other components of the comprehensive plan shall conform to these policies.

Economic Development

From CPPs

5. Economic Development

Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

Per GMA 2002 Amendment

(5) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

Open Space and Recreation

From CPPs

9. Open Space and Recreation

Encourage the retention of open space and development of recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks.

Per GMA 2002 Amendment

(9) Open space and recreation. ~~((Encourage the retention of))~~
Retain open space ~~((and development of))~~, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.

CPP and RCW Comparison

From CPPs

12.3 A process shall be developed for identifying and siting essential public facilities. The Comprehensive Plan may not preclude the siting of essential public facilities. (The GMA defines essential public facilities as those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities, state and local corrections facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities and group homes.)

Per RCW 36.70A.200

Needs to also include “secure community transition facilities” in CPP 12.3. Essential public facilities also include “regional transit authority facilities”, but this only applies to Sound Transit.

Framework Agreement

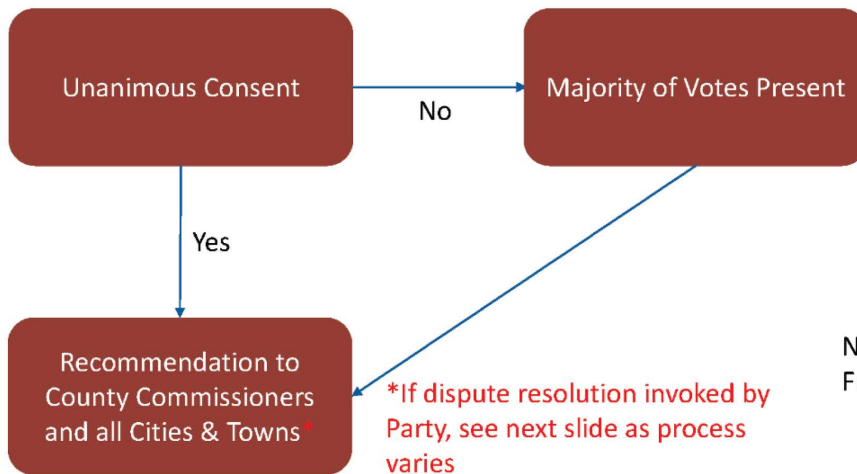
Section 6: Role with Legislative Bodies

From Framework Agreement

Referral of Draft Documents. It is incumbent on the GMA Committee to refer issue statements, potential policy determinations, and draft policies to the legislative bodies of the member jurisdictions at the earliest possible time, to provide a meaningful opportunity for public comment, and to solicit input from the member jurisdictions' legislative bodies...

Steering Committee Decision Tree

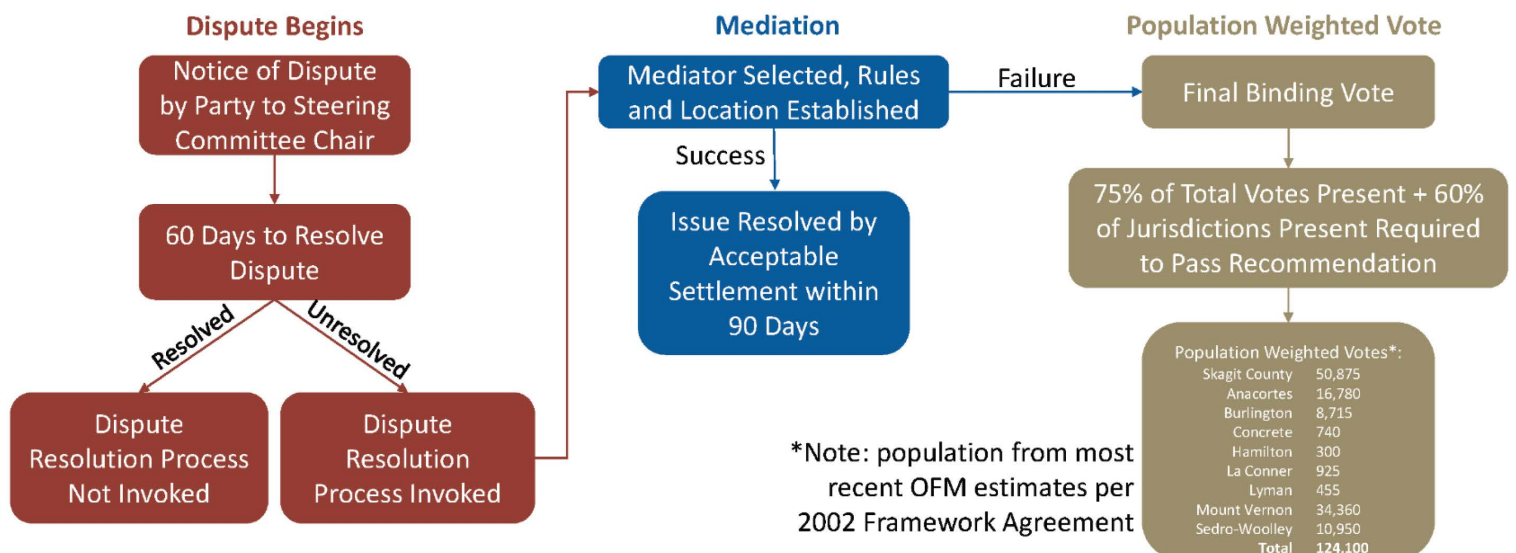
Countywide Planning Policies:



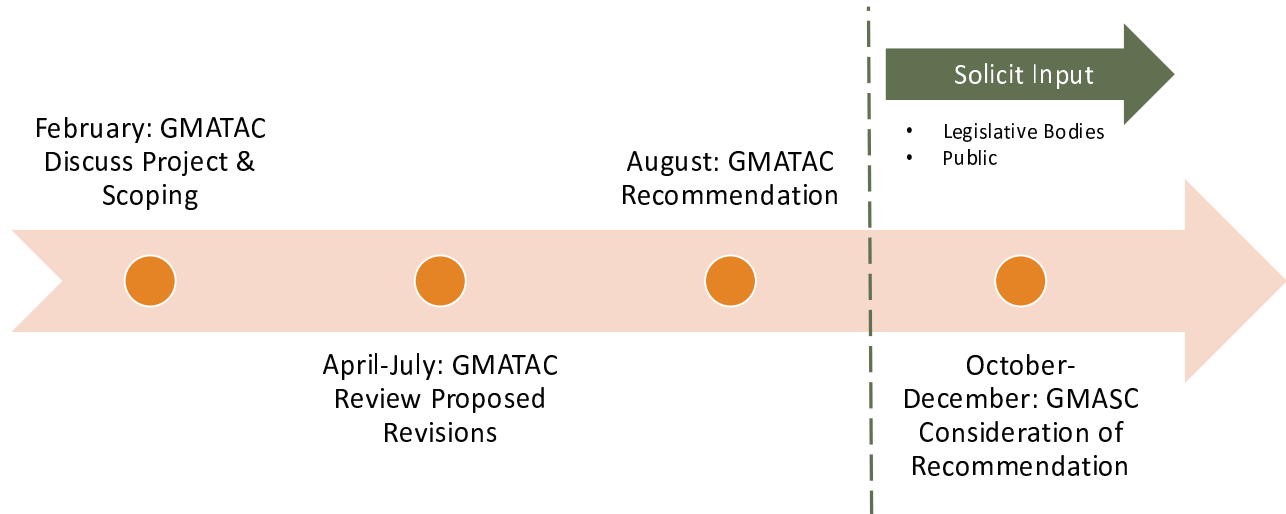
Notes: (1) unanimous consent preferred in 2002 Framework Agreement, but not required.

Steering Committee Decision Tree

Countywide Planning Policies (with dispute resolution process):



Next Steps



AMENDMENTS TO SKAGIT COUNTY COUNTYWIDE PLANNING POLICIES

Recommendation

The Growth Management Act Technical Advisory Committee (GMATAC) recommends approval of the following Amendments to the Countywide Planning Policies (CPPs):

[Recommended Amendments to Skagit County Countywide Planning Policies](#) – August 8, 2019

Background

The 2019 GMA Support Work Program and Budget includes the following task:

“GMA Task 3 – Countywide Planning Policies Clean Up:

Clean up references, compare with current GMA, and check current CPPs for relevance to all comprehensive plans. No new policy direction or substantial changes to CPPs will be considered. Work with GMATAC and GMASC on proposed changes.”

Work on Task 3 began in February 2019. The GMATAC unanimously recommended approval of amendments to CPPs at their meeting on August 8, 2019. For proposed amendments, additions are underlined (“[additions](#)”) and deletions are struck through (“~~deletions~~”).

The amendment to Countywide Planning Policy 1 approved by the Board of Skagit County Commissioners (County Commissioners) on June 30, 2016 has been incorporated into the CPPs and does not appear as a recommended amendment.

Next Steps

The [2002 Framework Agreement](#) includes Section 6: Role with Legislative Bodies (Page 8), which highlights the importance of referring draft CPPs to member jurisdictions at the earliest possible time, to provide meaningful opportunity for public comment and solicit input from city-town councils and the County Commissioners. The Framework Agreement explicitly states that the GMA Committee, which is composed of the GMASC and GMATAC, shall not substitute for or replace duties and responsibilities of member jurisdiction legislative bodies.

To meet the intent of the Framework Agreement, SCOG staff recommends that Framework Agreement members shepherd Recommended Amendments to Skagit County Countywide Planning Policies through local processes to gather feedback from legislative bodies and the public. Any feedback received should be provided in writing to SCOG staff by December 10, 2019 so that it may be compiled and presented to the GMASC prior to the December meeting.

As the recommending authority to County Commissioners, the GMASC may choose to make a recommendation on CPPs in December, or at a future meeting. County Commissioners may take one of two actions on any CPP recommendation from the GMASC:

1. Adopt any new CPP or CPP amendment proposed by the GMASC, but not change the proposed CPP or CPP amendment in any manner whatsoever; or
2. Decline to adopt any new CPP or CPP amendment proposed by the GMASC.

There is also a CPP dispute resolution process that any GMASC member may invoke, which is included in Section 9: Dispute Resolution (Page 9-11) of the Framework Agreement and illustrated on a [PowerPoint presentation slide](#) prepared last year by SCOG staff. A notice of dispute can occur after any GMASC CPP recommendation to the County Commissioners.

|

Skagit County

Countywide Planning Policies

June 30, 2016

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Skagit County Countywide Planning Policies

The Role of the Skagit County Countywide Planning Policies and the Comprehensive Plans

- i Pursuant to RCW 36.70A.210, ~~these~~ Skagit County Countywide Planning Policies (“Countywide Planning Policies” or “CPPs”) ~~countywide planning policies shall be the foundation for the Skagit County Comprehensive Plan~~ establish a countywide framework for developing county, city and town comprehensive plans (collectively “Comprehensive Plans”).
- ii Except as otherwise provided for by law, Skagit County, municipalities, and state agencies are subject to the Countywide Planning Policies. The Skagit County Comprehensive Plan, and the comprehensive plans of the cities and towns within Skagit County shall be consistent with these policies.
- iii The 2002 Framework Agreement – executed by Skagit County and every city and town within the county – guides the process for adoption and amendment of Countywide Planning Policies.
- iv The Board of County Commissioners adopt and amend Countywide Planning Policies in cooperation with the cities and towns, consistent with RCW 36.70A.210 and the 2002 Framework Agreement.
- iv All Elements of ~~the~~ Comprehensive Plans, including maps and procedures, shall comply with these policies. Amendments to the other components of ~~the comprehensive Comprehensive plan Plans~~ shall conform to these policies.
- iii ~~As required by RCW 36.70A.120, all implementing regulations, including zoning maps and zoning regulations, shall be consistent with and implement these policies. Amendments to the implementing regulations shall conform to these policies.~~
- iv As required by RCW 36.70A.120, ~~all planning, land use permitting actions and activities and~~ capital budgeting decisions made by Skagit County, and all cities and towns located within the county, shall be made in conformity with the locally adopted comprehensive plan.
- vii The Skagit County Comprehensive Plan adopts by reference the following functional plans: Shoreline, Drainage, Floodplain, Schools, Special Districts, Parks and Recreation, Transportation, Watershed, the Coordinated Water System Plan and any other functional plans adopted by Skagit County. Each referenced plan shall be coordinated with, and consistent with, the Skagit County Comprehensive Plan.

~~viii~~ viii All disputes over the proper interpretation of other functional plans and all implementing regulations, including zoning maps and zoning regulations, shall be resolved in favor of the interpretation which most clearly achieves Countywide Planning Policies.

~~viii~~ viii ~~Skagit County~~ Local governments shall pursue methods of collecting and displaying statistics, maps and other information necessary for government.

~~viii~~ viii Upon adoption of ~~the county-wide~~ Comprehensive Plans, sub-area plans will be considered to address homogeneous natural features and communities.

~~ix~~ ix ~~A definition section will be incorporated into the final Comprehensive Plan document. Some definitions are clearly articulated in state statutes and local government implementing ordinances or regulations. Other words which are undefined at this time will be clarified through the Element development process.~~

1. Urban Growth

Encourage urban development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

- 1.1 Urban growth shall be allowed only within cities and towns, their designated Urban Growth Areas (“UGAs”) and within any non-municipal urban growth areas already characterized by urban growth, identified in the Skagit County Comprehensive Plan with a Capital Facilities Plan meeting urban standards. Population and employment land allocations for each UGA shall be consistent with ~~those~~ the allocations shown in Appendix A.
- 1.2 Cities and towns and their urban growth areas, and non-municipal urban growth areas designated pursuant to CPP 1.1, shall include areas and densities sufficient to accommodate as a target 80% of the county's 20-year population projection.
- 1.3 Urban growth areas shall provide for urban densities of mixed uses and shall direct development of neighborhoods which provide adequate and accessible urban governmental services concurrent with development. The ~~GMA~~ Growth Management Act (“GMA”) defines urban governmental services as those governmental services historically and typically delivered by cities, including storm and sanitary sewer systems, domestic water systems, street cleaning services, fire and police protection services, public transit services, and other public utilities associated with urban areas and normally not associated with nonurban areas.
- 1.4 Urban growth areas shall include greenbelts and open space, and encourage the preservation of wildlife habitat areas.
- 1.5 Cities and towns shall encourage development, including greenbelt and open space areas, on existing vacant land and in-fill properties before expanding beyond their present corporate city limits towards urban growth boundaries.
- 1.6 Annexations beyond urban growth areas are prohibited.
- 1.7 The baseline for 20-year countywide population forecasts shall be the official Growth Management Act Population Projections from the State of Washington’s Office of Financial Management. The Growth Management Act Technical Advisory Committee (“Planners Committee”) shall recommend the process for allocating forecasted population and employment, which shall be cooperatively reviewed by the Growth Management Act Steering Committee (“GMASC”), consistent with the 2002 Framework Agreement. Final growth allocations will be ratified by each government’s legislative body. The growth allocation process shall use the procedures in Appendix B, which calls

for the following steps:

- a. Initial Growth Allocations;
- b. Reconciliation;
- c. Long Term Monitoring; and
- d. Allocation Adjustment.

- 1.8 Skagit County, the cities and towns shall use consistent land capacity analysis methods as approved by the GMASC to determine the amount of undeveloped buildable urban land needed. The inventory of the undeveloped buildable urban land supply is to be maintained by Skagit County in a Regional Geographic Information Systems database.
- 1.9 Skagit County, the cities and towns will establish a common method to monitor urban development to evaluate the rate of growth and maintain an inventory of the amount of buildable land remaining. The Planners Committee shall develop a monitoring process, prepare annual monitoring reports and present the reports to the Growth Management Act Steering Committee annually.
- 1.10 All growth outside the urban growth boundary shall be rural in nature as defined in the Rural Element, not requiring urban governmental services, except in those limited circumstances shown to be necessary to the satisfaction of both Skagit County and the affected city/town to protect basic public health, safety and the environment, and when such services are financially supportable at rural densities and do not permit urban development.

2. Reduce Sprawl

Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.

- 2.1 Contiguous and orderly development and provision of urban services to such development within urban growth boundaries shall be required.
- 2.2 Development within the urban growth area shall be coordinated and phased through inter-agency agreements.
- 2.3 Rural development shall be allowed in areas outside of the urban growth boundaries having limited resource production values (e.g. agriculture, timber, mineral) and having access to public services. Rural development shall have access through suitable county roads, have limited impact on agricultural, timber, mineral lands, critical areas, shorelands, historic landscapes or cultural resources and must address their drainage and ground water impacts.
- 2.4 Rural commercial and industrial development shall be consistent with that permitted by the Growth Management Act, specifically including RCW 36.70A.070(5)(d) and related provisions and the 1997 ESB 6094 amendments thereto. This development shall not be urban in scale or character or require the extension of urban services outside of urban growth areas, except where necessary to address an existing public health, safety or environmental problem.
- 2.5 Rural commercial and industrial development shall be of a scale and nature consistent and compatible with rural character and rural services, or as otherwise allowed under RCW 36.70A.070(5)(d), and may include commercial services to serve the rural population, natural resource-related industries, small scale businesses and cottage industries that provide job opportunities for rural residents, and recreation, tourism and resort development that relies on the natural environment unique to the rural area.
- 2.6 Priority consideration will be given to siting of new rural commercial and industrial uses in areas of existing development, including existing Rural Villages and existing Rural Centers, followed by already developed sites in the rural area, and only lastly to wholly undeveloped sites in the rural area.
- 2.7 Master planned sites designated for industrial and large-scale commercial uses shall be clustered, landscaped, and buffered to alleviate adverse impacts to surrounding areas.
- 2.8 Commercial areas should be aggregated in cluster form, be pedestrian oriented, provide adequate parking and be designed to accommodate public transit. ~~Strip commercial development shall be prohibited.~~

- 2.9 Urban commercial and urban industrial development, except development directly dependent on local agriculture, forestry, mining, aquatic and resource operations, and major industrial development which meets the criteria contained in RCW 36.70A.365, should be restricted to urban or urban growth areas where adequate transportation networks and appropriate utility services are available.

The process to consider siting of specific major industrial developments outside of urban growth areas shall follow the process included in the ~~Memorandum of Understanding-2002 Framework Agreement between the County and the cities for~~ adoption of Countywide Planning Policies. Major industrial developments shall mean a master planned location for specific manufacturing, industrial, or commercial business that:

1. Requires a parcel of land so large that no suitable parcels are available within an urban growth area; or
2. Is a natural resource-based industry requiring a location near agricultural land, forest land, or mineral resource land upon which it is dependent. The major industrial development shall not be for the purpose of retail commercial development or multi-tenant office park.

A major industrial development may be approved outside an urban growth area if the following criteria are met:

1. New infrastructure is provided for and/or applicable impact fees are paid;
2. Transit-oriented site planning and traffic demand management programs are implemented;
3. Buffers are provided between the major industrial development and adjacent non-urban areas;
4. Environmental protection including air and water quality has been addressed and provided for;
5. Development regulations are established to ensure that urban growth will not occur in adjacent non-urban areas;
6. Provision is made to mitigate adverse impacts on designated agricultural lands, forest lands, and mineral resource lands;
8. The plan for the major industrial development is consistent with ~~the~~ Skagit County's development regulations established for the protection of critical areas; and

9. An inventory of developable land has been conducted and ~~the~~ Skagit County has determined and entered findings that land suitable to site the major industrial development is unavailable within the urban growth area. Priority shall be given to applications for sites that are adjacent to or in close proximity to the urban growth areas.

Final approval of an application for a major industrial development shall be considered an adopted amendment to the Skagit County Comprehensive Plan adopted pursuant to RCW 36.70A.070 designating the major industrial development site on the land use map as an urban growth area. Final approval of the application shall not be considered an amendment to the Skagit County Comprehensive Plan for the purposes of RCW 36.70A.130(2) and may be considered at any time.

- 2.10 Establishment or expansion of local improvement districts and special purpose taxing districts, except flood control, diking districts and other districts formed for the purpose of protecting water quality, in designated commercial forest resource lands shall be discouraged.

3. Transportation

Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.

- 3.1 Multi-purpose transportation routes and facilities shall be designed to accommodate present and future traffic volumes.
- 3.2 Primary arterial access points shall be designed to ensure maximum safety while minimizing traffic flow disruptions.
- 3.3 The development of new transportation routes and improvements to existing routes shall minimize adverse social, economic and environmental impacts and costs.
- 3.4 ~~The Transportation Element elements of the Comprehensive Plans~~ shall be designed to; facilitate the flow of people, goods and services so as to strengthen the local and regional economy; conform with the Land Use Element ~~of the Comprehensive Plan~~; be based upon an inventory of the existing Skagit County transportation network and needs; and encourage the conservation of energy.
- 3.5 ~~Comprehensive Plan provisions~~ Provisions in Comprehensive Plans for the location and improvement of existing and future transportation networks and public transportation shall be made in a manner consistent with the goals, policies and land use map of the ~~Comprehensive Plan~~ locally adopted comprehensive plan.
- 3.6 The development of a recreational transportation network shall be encouraged and coordinated between state and local governments and private enterprises.
- 3.7 ~~The Senior Citizen and Handicapped transportation~~ Transportation system services for seniors and individuals with disabilities shall be provided ~~with an adequate budget by public transportation operators~~ to provide for those who, through age and/or disability, are unable to transport themselves.
- 3.8 Level of service (LOS) standards and safety standards shall be established that coordinate and link with the urban growth and urban areas to optimize land use and traffic compatibility over the long term. New development shall mitigate transportation impacts concurrently with the development and occupancy of the project.
- 3.9 An all-weather arterial road system shall be coordinated with industrial and commercial areas.

- 3.10 Cost effectiveness shall be a consideration in transportation expenditure decisions and balanced for both safety and service improvements.
- 3.11 An integrated regional transportation system shall be designed to minimize air pollution by promoting the use of alternative transportation modes, reducing vehicular traffic, maintaining acceptable traffic flow, and siting of facilities.
- 3.12 All new and expanded transportation facilities shall be sited, constructed and maintained to minimize noise levels.

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4. Housing

Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

- 4.1 ~~Local governments shall allow~~ Allow for an adequate supply of land use options to provide housing for a wide range of incomes, housing types and densities.
- 4.2 Public/private partnerships shall be encouraged to build affordable housing and devise incentives for innovative and environmentally sensitive design to meet the housing needs of people with low and moderate incomes and special needs populations.
- 4.3 ~~The Comprehensive Plans~~ Provisions in Comprehensive Plans should support innovative land use management techniques, including, but not limited to, density bonuses, cluster housing, planned unit developments and the transfer of development rights.
- 4.4 The existing affordable housing stock should be maintained and efforts to rehabilitate older and substandard housing, which are otherwise consistent with comprehensive plan policies, should be encouraged.
- 4.5 The construction of housing that promotes innovative, energy efficient and less expensive building technologies shall be encouraged.
- 4.6 ~~Comprehensive Plan provisions~~ Provisions in Comprehensive Plans for the location of residential development shall be made in a manner consistent with protecting natural resource lands, aquatic resources, and critical areas.
- 4.7 Manufactured home parks shall be allowed only within urban or urban growth ~~boundary~~ areas.

5. Economic Development

Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

- 5.1 The development of environmentally sensitive industries shall be encouraged.
- 5.2 Home occupations that do not significantly change or impact neighborhood character shall be permitted.
- 5.3 Economic diversity should be encouraged in rural communities where special incentives and services can be provided.
- 5.4 Commercial and industrial activities directly related to local natural resource production may be allowed in designated natural resource areas provided they can demonstrate their location and existence as natural resource area dependent businesses.
- 5.5 A diversified economic base shall be encouraged to minimize the vulnerability of the local economy to economic fluctuations.
- 5.6 Commercial, industrial and residential acreage shall be designated to meet future needs without adversely affecting natural resource lands, critical areas, and rural character and life styles.
- 5.7 Tourism, recreation and land preservation shall be promoted provided they do not conflict with the long-term commercial significance of natural resources and critical areas or rural life styles.
- 5.8 Agriculture, forestry, aquatic resources and mineral extraction shall be encouraged both within and outside of designated resource lands.
- 5.9 The primary land use within designated forest resource lands shall be commercial forestry. Residential development shall be strongly discouraged within designated forest resource lands.
- 5.10 Lands within designated agricultural resource areas should remain in large parcels and ownership patterns conducive to commercial agricultural operations and production.

- 5.11 Skagit County shall conserve agriculture, aquaculture, forest and mineral resources for productive use by designating natural resource lands and aquatic resource areas, where the principal and preferred land uses will be long term commercial resource management.
- 5.12 Value added natural resource industries shall be encouraged.
- 5.13 Skagit County shall increase the availability of renewable resources and encourage the maximum attainable recycling of non-renewable resources.
- 5.14 Commercial and industrial activities directly related to or dependent on local aquatic resource areas should be encouraged in shoreline areas provided they are shoreline dependent and/or related.
- 5.15 ~~The~~ Comprehensive Plans shall support and encourage economic development and employment to provide opportunities for prosperity.

6. Property Rights

Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.

- 6.1 Proposed regulatory or administrative actions shall not result in an unconstitutional taking of private property.
- 6.2 The rights of property owners operating under current land use regulations shall be preserved unless a clear public health, safety or welfare purpose is served by more restrictive regulation.
- 6.3 Surface water runoff and drainage facilities shall be designed and utilized in a manner which protects against the destruction of private property and the degradation of water quality.

7. Permits

Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.

- 7.1 Inter-agency agreements with other agencies to facilitate multi-agency permits shall be pursued to better serve the public.
- 7.2 Upon receipt of a complete application, land use proposals and permits shall be expeditiously reviewed and decisions made in a timely manner.
- 7.3 Variances which would allow for a policy violation of any of the Comprehensive Plans ~~policies~~ shall not be permitted.
- 7.4 New implementing codes and amendments shall provide clear regulations to reduce the possibility of multiple interpretations by staff and applicants.
- 7.5 Impact fees shall be imposed through established ordinances, procedures and criteria so that specific developments do not pay arbitrary fees or duplicative fees for the same impact.
- 7.6 Special purpose districts permitted by statute to request impact fees shall to the extent possible utilize similar formulas to calculate costs of new development.

8. Natural Resource Industries

Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.

- 8.1 Identified critical areas, shorelands, aquatic resource areas and natural resource lands shall be protected by restricting conversion. Encroachment by incompatible uses shall be prevented by maintenance of adequate buffering between conflicting activities.
- 8.2 Land uses adjacent to agricultural, forest, or mineral resource lands and designated aquatic resource areas shall not interfere with the continued use of these designated lands for the production of food, agricultural and aquatic based products, or timber, or for the extraction of minerals.
- 8.3 Forest and agricultural lands located within urban growth areas shall not be designated as forest or agricultural land of long-term commercial significance unless a program authorizing transfer or purchase of development rights is established.
- 8.4 Mining sites or portions of mining sites shall be reclaimed when they are abandoned, depleted, or when operations are discontinued for long periods.
- 8.5 Long-term commercially significant natural resource lands and designated aquatic resource areas shall be protected and conserved. Skagit County shall adopt policies and regulations that encourage and facilitate the retention and enhancement of natural resource areas in perpetuity.
- 8.6 When plats, short plats, building permits and development permits are issued for development activities on or adjacent to natural resource lands and aquatic resource areas, notice shall be provided to those seeking permit approvals that certain activities may occur that are not compatible with residences.
- 8.7 Fishery resources, including the county's river systems inclusive of their tributaries, as well as the area's lakes, associated wetlands, and marine waters, shall be protected and enhanced for continued productivity.
- 8.8 Skagit County shall encourage sustainable use of the natural resources of the County, including but not limited to agriculture, forestry, and aquatic resources.
- 8.9 Skagit County shall conserve agricultural, aquatic based, forest and mineral resources for productive use by designating natural resource lands and aquatic resource areas where the principal and preferred land uses will be long-term commercial resource management.

9. Open Space and Recreation

~~Encourage the retention of~~Retain open space ~~and development of,~~ enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.

- 9.1 Open space corridors within and between urban growth areas shall be identified. These areas shall include lands useful for recreation, fish and wildlife habitat, trails, and connection of critical areas.
- 9.2 To preserve open space and create recreational opportunities, innovative regulatory techniques and incentives such as but not limited to, purchase of development rights, transfer of development rights, conservation easements, land trusts and community acquisition of lands for public ownership shall be encouraged.
- 9.3 The use of Open Space Taxation Laws shall be encouraged as a useful method of land use control and resource preservation.
- 9.4 Expansion and enhancement of parks, recreation and scenic areas and viewing points shall be identified, planned for and improved in shorelands, and urban and rural designated areas.
- 9.5 Property owners shall be encouraged to site and design new construction to minimize disruption of visual amenities and solar resources of adjacent property owners, public road ways, parks, lakes, waterways and beaches.
- 9.6 Development of new park and recreational facilities shall adhere to the policies set out in ~~this~~ Comprehensive Plan ~~document.s~~.
- 9.7 The Skagit Wild and Scenic River System (which includes portions of the Sauk, Suiattle, Cascade and Skagit Rivers) is a resource that should be protected, enhanced and utilized for recreation purposes when there are not potential conflicts with the values (fisheries, wildlife, and scenic quality) of the river system.
- 9.8 Incompatible adjacent uses including industrial and commercial areas shall be adequately buffered by means of landscaping, or by maintaining recreation and open space corridors.
- 9.9 A park and recreation system shall be promoted which is integrated with existing and planned land use patterns.
- 9.10 Indoor and outdoor recreation facilities shall be designed to provide a wide range of opportunities allowing for individual needs of those using these facilities.

- 9.11 School districts, public agencies and private entities should work together to develop joint inter-agency agreements to provide facilities that not only meet the demands of the education for our youth, but also provide for public recreation opportunities that reduce the unnecessary duplication of facilities within Skagit County.
- 9.12 In planning new park and recreation facilities, ~~Skagit County shall take into~~ consideration shall be given to natural features, topography, floodplains, relationship to population characteristics, types of facilities, various user group needs and standards of access, including travel time.

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10. Environment

Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

- 10.1 Natural resource lands, including aquatic resource areas and critical areas shall be classified and designated, and regulations adopted to assure their long-term conservation. Land uses and developments which are incompatible with critical areas shall be prohibited except when impacts from such uses and developments can be mitigated.
- 10.2 Land use decisions shall take into account the immediate and long-range cumulative effects of proposed uses on the environment, both on- and off-site.
- 10.3 ~~The County shall reduce~~Reduce the loss of critical aquatic and terrestrial habitat by minimizing habitat fragmentation.
- 10.4 Wetlands, woodlands, watersheds and aquifers are essential components of the hydrologic system and shall be managed to protect surface and groundwater quality.
- 10.5 ~~Skagit County shall recognize~~Recognize the river systems within ~~the Skagit~~ County as pivotal freshwater resources and ~~shall~~ manage development within the greater watershed in a manner consistent with planning practices that enhance the integrity of the aquatic resource, fish and wildlife habitat, and recreational and aesthetic qualities.
- 10.6 Rural character shall be preserved by regulatory mechanisms through which development can occur with minimal environmental impact.
- 10.7 Development shall be directed away from designated natural resource lands, aquatic resource areas and critical areas.
- 10.8 The conversion of tidelands to uplands by means of diking, drainage and filling shall be prohibited, except when carried out by a public body to implement ~~a~~Comprehensive Plans for flood plain management or to respond to a natural disaster threatening life and property.
- 10.9 Septic systems, disposal of dredge spoils and land excavation, filling and clearing activities shall not have an adverse significant ~~affete~~effect on Skagit County waters with respect to public health, fisheries, aquifers, water quality, wetlands, wildlife habitat, natural marine ecology and aquatic based resources.
- 10.10 Usual and accustomed activities on natural resource lands and aquatic resource areas shall be protected from interference when they are conducted in accordance with best management practices and environmental laws.

- 10.11 When evaluating and conditioning commercial, industrial or residential development, ~~Skagit County~~local governments shall consider threatened or endangered wildlife.
- 10.12 ~~Skagit County shall enter~~Enter into inter-agency agreements with appropriate state and local agencies and Native American Tribes for compliance with watershed protection, including but not limited to, the cumulative effects of construction, logging and non-point pollution in watersheds.
- 10.13 ~~Skagit County and Cities and Towns, in cooperation~~Cooperate with appropriate local, ~~—~~state and Federal agencies, ~~shall to~~ develop and implement flood hazard ~~—~~reduction programs, consistent with and supportive of the Corps Feasibility Study.
- 10.14 The Skagit River Floodway and the Skagit River Floodplain shall be regulated to protect human life, property and the public health and safety of the citizens of Skagit County; minimize the expenditure of public money; and maintain flood insurance eligibility while avoiding regulations which are unnecessary restrictive or difficult to administer.
- 10.15 ~~Skagit County and Cities and Towns shall work~~Work together to provide ongoing public education about flooding in a coordinated and consistent program, ~~—~~and ~~shall~~ adopt a flood hazard reduction plan, that works together with the natural and beneficial functions of floodplains.

11. Citizen Participation and Coordination

Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.

- 11.1 ~~Skagit County shall maintain~~ Maintain procedures to provide for the broad dissemination of proposals and alternatives for public inspection; opportunities for written comments; public hearings after effective notice; open discussions; communication programs and information services; consideration of and response to public comments; and the notification of the public for the adoption, implementation and evaluation of ~~the Comprehensive Plan~~ locally adopted comprehensive plans.
- 11.2 ~~Skagit County shall continue~~ Continue to encourage public awareness of ~~the~~ Comprehensive Plans by providing for public participation opportunities and public education programs designed to promote a widespread understanding of the Plan's purpose and intent.
- 11.3 For land use proposals, including those within the marine environment, all applicants shall bear the costs for public notification, by mail, and by posting of signs. Affected neighbors and surrounding shoreline owners shall be notified as prescribed by ordinance.
- 11.4 ~~Skagit County shall provide~~ Provide regular and ongoing opportunities for public review and comment throughout the ~~Comprehensive Plan~~ development process of Comprehensive Plans.
- 11.5 ~~Skagit County shall e~~ Encourage citizen participation throughout the planning process as mandated by Washington state statute and codes for environmental, land use, and development permits.
- ~~11.6~~
- ~~11.7~~ 11.6 ~~Skagit County shall u~~ Utilize broad based Citizen Advisory Committees to participate and assist in the Element development of the Comprehensive Plans ~~s-Elements~~, sub-area plans and functional plans.

12. Public Facilities and Services

Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

- 12.1 Public facilities and services shall be integrated and consistent with locally adopted comprehensive plans and implementing regulations.
- 12.2 All communities within a region shall fairly share the burden of regional public facilities. (The GMA defines regional public facilities as streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, parks, recreational facilities and schools.)
- 12.3 A process shall be developed for identifying and siting essential public facilities. ~~The~~ Comprehensive Plans may not preclude the siting of essential public facilities. (The GMA defines essential public facilities as those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities, state and local corrections facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities ~~and~~, group homes, and secure community transition facilities.)
- 12.4 Lands shall be identified for public purposes, such as: utility corridors, transportation corridors, landfill, sewage treatment facilities, recreation, schools, and other public uses. ~~The~~ Skagit County shall work with the state, cities, towns, communities and utility providers to identify areas of shared need for public facilities.
- 12.5 Lands designated for urban growth by ~~this~~ Comprehensive Plans shall have an urban level of regional public facilities prior to or concurrent with development.
- 12.6 Development shall be allowed only when and where all public facilities are adequate, and only when and where such development can be adequately served by regional public services without reducing levels of service elsewhere.
- 12.7 Public facilities and services needed to support development shall be available concurrent with the impacts of development.
- 12.8 The financing for system improvements to public facilities to serve new development must provide for a balance between impact fees and other sources of public funds and cannot rely solely on impact fees.

- 12.9 New development shall pay for or provide for its share of new infrastructure through impact fees or as conditions of development through the environmental review process.
- 12.10 Public water supply for new development shall conform to or exceed the Coordinated Water System Plan for public water systems.
- 12.11 Future development of land adjacent to existing and proposed schools and other public facilities shall be compatible with such uses.
- 12.12 Library services within ~~the county~~ Skagit County should be developed and coordinated to assure the delivery of comprehensive services throughout the County, with ~~the county~~ Skagit County, cities and towns fairly sharing the burden.
- 12.13 A county-wide recycling program shall be ~~developed~~ maintained.
- 12.14 Public drainage facilities shall be designed to control both stormwater quantity and quality impacts.
- 12.15 ~~Skagit County shall provide~~ Provide results of the required ~~six-six~~ six-year capital facilities plan, including a financing plan, and ~~these shall be consistent~~ ensure consistency with land use designations.
- 12.16 Citizens shall have the opportunity to participate in and comment on ~~on~~ proposed capital facilities financing.
- 12.17 The Washington State Boundary Review Board for Skagit County should be disbanded pursuant to RCW 36.93.230 provided that the following tasks are accomplished: (a) that ALL cities and the County have adopted comprehensive plans and development regulations consistent with the requirements of these Countywide Planning Policies and RCW 36.70A, including appropriate urban levels of service for all public facilities and services; (b) that ALL cities and the County have adopted a concurrency ordinance that requires the adopted urban levels of service addressed in (a) above be accomplished in time frames that are consistent with RCW 36.70A.; (c) that special purpose districts that serve UGAs have adopted urban levels of service standards appropriate for their service areas; (d) that ALL cities and the County have an adopted capital facility plan for urban levels of service that indicates sources of revenue and a timeline for meeting such service; and (e) that ALL cities and special purpose districts have in place adopted “interlocal agreements” that discuss arrangements for transfer of assets and obligations that may be affected by transference of governance or annexation of the service area consistent with the requirements of applicable RCWs.

13. Historic Preservation

Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance.

- 13.1 ~~Skagit County shall cooperate~~ Cooperate with local historic preservation groups to ensure coordination of plans and policies by the ~~State Washington state Office Department~~ of Archeology and Historic Preservation.

Appendix A. Growth Allocations

Table 1: 2036 Initial Growth Allocations				
Urban Growth Areas	2015 – 2036 Forecast Population Growth	Total 2036 Population	2015 – 2036 Forecast Employment Growth	Total 2036 Employment
Anacortes	5,895	22,293	2,076	10,480
Burlington	3,808	14,272	3,516	13,412
Mount Vernon	12,434	47,403	4,785	21,288
Sedro-Woolley	4,555	17,069	4,427	9,179
Concrete	320	1,193	109	467
Hamilton	114	427	66	288
La Conner	329	1,226	329	1,420
Lyman	162	605	9	38
Bayview Ridge	72	1,883	1,799	3,455
Swinomish	912	3,416	290	1,247
UGAs Subtotal	28,601	109,787	17,406	61,274
Rural (outside UGAs)	7,150	45,665	1,447	9,343
County Total	35,751	155,452	18,853	70,617

Appendix B. Growth Allocations Procedures

The process of setting and reviewing growth allocations shall be consistent with the 2002 Framework Agreement among Skagit County, the cities and towns as currently adopted or amended.

1. **Initial Growth Allocations:** The Planners Committee will develop initial population and employment allocations for review and adoption by the GMASC.
 - a. The initial allocations will be based on the most recently published official 20-year population projections for Skagit County from the Office of Financial Management(OFM).

Jurisdictions shall use these initial allocations for at least one of the plan alternatives they evaluate for their GMA plan updates.

2. **Reconciliation:** Once the GMA comprehensive plan updates of jurisdictions have identified a preferred growth plan with sufficient detail to determine if the population and employment allocation can be accommodated, the ~~Growth Management Act Steering Committee~~(GMASC) will review and, if necessary, recommend adjusting the population and employment growth allocations to be included in the CPPs.
 - a. ~~The Skagit~~ County, ~~the~~ and cities ~~and~~ towns shall jointly review the preferred growth alternatives proposed in local comprehensive plans for discrepancies with the allocation associated with ~~the Skagit~~ County's preferred plan alternative.
 - b. Based on the land supply, permitted densities, capital facilities, urban service capacities and other information associated with the preferred growth alternatives of proposed local comprehensive plans, the Planners Committee shall recommend to the GMASC a reconciled 20-year population and employment allocation.
 - c. The GMASC shall review and recommend to the Board of County Commissioners a reconciled 20-year population and employment allocation. Substantial consideration shall be given to the plan of each jurisdiction, and the recommendation shall be consistent with the GMA and the CPPs.
 - d. The Board of County Commissioners shall consider the recommendation of the GMASC and shall replace the allocations in the CPPs with a reconciled 20-year population and employment allocation.
3. **Long Term Monitoring:** Subsequent to reconciliation, ~~the~~ GMASC shall maintain a long-term monitoring process to review annually the population and employment growth allocations contained in the CPPs.
 - a. Skagit County, ~~and~~ the cities ~~and towns~~ shall jointly monitor the following:
 - i. Estimated population and employment growth;
 - ii. Annexations and incorporations; and
 - iii. Residential and non-residential development trends.
 - b. Results of the monitoring program shall be published in a growth monitoring report developed by the Planners Committee and recommended to the GMASC.
 - c. ~~The~~ GMASC shall review and approve the annual report by resolution.

4. **Allocation Adjustment:** The GMASC may consider adjustments to the population and employment growth allocations contained in Appendix A of CPPs in the years between Washington state-required updates. The following steps shall be used:
- a. Based on the results of the long-term monitoring process, the Planners Committee may review and recommend to the GMASC an adjustment to the population and employment allocations.
 - b. The GMASC shall review the Planners Committee recommendation to adjust growth allocations and may recommend to the Board of County Commissioners an adjustment to the population and employment allocations. Adjustments to the growth allocations shall be based on the results of the monitoring program and shall be consistent with the GMA and the CPPs.
 - c. The Board of County Commissioners shall consider the recommendation of the GMASC and may amend the CPPs with adjusted population and employment allocations for cities and towns, UGAs, and rural areas.

Any disputes regarding the roles and responsibilities of the Board of County Commissioners, the ~~GMA Steering Committee~~GMASC, and individual jurisdictions in reviewing and approving amendments to the Countywide Planning Policies shall be resolved in accordance with the procedures established by the 2002 Framework Agreement.



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**AFTER RECORDING RETURN TO:
SKAGIT COUNTY BOARD OF COMMISSIONERS
700 SO. SECOND STREET, ROOM 202
MOUNT VERNON, WA 98273**

Re-Record to Add Signature page

DOCUMENT TITLE: 2002 Framework Agreement Among Skagit County, the City of Burlington, the City of Mount Vernon, the City of Anacortes, The City of Sedro Woolley, and the Town of LaConner

DATE SIGNED: November 26, 2002

GRANTOR: SKAGIT COUNTY

GRANTEE: Cities of Burlington, Mount Vernon, Anacortes, Sedro Wooley and the Town of LaConner

COUNTY CONTRACT NO.:

'2002 FRAMEWORK AGREEMENT'

ORIGINAL

**AMONG
SKAGIT COUNTY,
THE CITY OF BURLINGTON, THE CITY OF MOUNT VERNON, THE
CITY OF ANACORTES, THE CITY OF SEDRO WOOLLEY, AND THE
TOWN OF LACONNER**

**REGARDING COORDINATED PLANNING, URBAN SERVICES, AND
COUNTYWIDE PLANNING POLICIES**

WHEREAS, pursuant to Chapter 36.70A RCW, Skagit County (the "County") and each city and town situated therein (the "City" or "Cities") must adopt a comprehensive plan and development regulations to implement their respective comprehensive plans; and

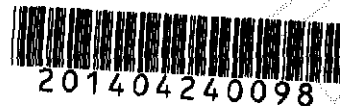
WHEREAS, pursuant to RCW 36.70A.210, the County legislative authority must adopt county-wide planning policies ("CPPs") in cooperation with the Cities; and

WHEREAS, CPPs are defined by the Growth Management Act as the written policy statements that establish a framework for developing and adopting county and city comprehensive plans, and thereby provide a locally adopted format for meeting the state planning goals; and

WHEREAS, in accordance with RCW 36.70A.210, the comprehensive plans adopted by the Cities and by Skagit County must be consistent with the CPPs; and

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WHEREAS, a Framework Agreement is necessary to set out the agreed upon procedures by which the CPPs will be developed and adopted; and

WHEREAS, pursuant to RCW 36.70A.210, just such a Framework Agreement was adopted by the cities of Anacortes, Burlington, Mount Vernon, and Sedro-Woolley, the town of La Conner, and Skagit County on January 13, 1992; and

WHEREAS, these jurisdictions used the Framework Agreement to reach agreement in 1992 on a set of CPPs, and subsequently amended those CPPs in 1996; and

WHEREAS, these jurisdictions have all adopted comprehensive plans and development regulations pursuant to GMA requirements and those CPPs; and

WHEREAS, pursuant to RCW 36.70A.130 (as amended by SSB 5481), the comprehensive plans and development regulations of the County and of the Cities must be reviewed to ensure compliance with the Growth Management Act no later than December 1, 2005, and every five years thereafter (exclusive of policies and development regulations to site secure community transition facilities, which policies and development regulations must be completed by September 1, 2002 in accordance with RCW 36.70A.200 and ESSB 6594); and

WHEREAS, the parties find it in the best interest of the citizens served by each government to make the most effective and efficient use of planning resources; and

WHEREAS, the parties find that the most efficient and effective use of resources to provide planning services and grants administration may be better achieved by a new organizational structure than that established by the 1992 Framework Agreement; and

WHEREAS, the parties, after thorough examination of the structure of the existing County-Wide Planning Policies Committee, conclude it to be in the best interest of the citizens to rescind the existing 1992 interlocal agreement, and dissolve the County-Wide Planning Policies Committee created by the 1992 Agreement, and adopt the provisions set forth below in this 2002 Framework Agreement.

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NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANACORTES; THE CITY COUNCIL OF THE CITY OF BURLINGTON; THE CITY COUNCIL OF THE CITY OF MOUNT VERNON; THE CITY COUNCIL OF THE CITY OF SEDRO WOOLLEY; THE TOWN COUNCIL OF THE TOWN OF LACONNER; AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SKAGIT, THAT THE 1992 FRAMEWORK AGREEMENT, A COPY OF WHICH IS ATTACHED HERETO, IS HEREBY REPEALED AND ANNULLED.

BE IT FURTHER RESOLVED, THAT THE FOLLOWING AGREEMENT, TO BE KNOWN AS THE "2002 FRAMEWORK AGREEMENT", IS HEREBY ADOPTED.

SECTION I: PURPOSE

It is the intent of Skagit County and the Cities to cooperate in efforts to provide visionary leadership on regional plans, policies and issues. It is the purpose of this Agreement to enhance the ability of the parties to improve the present health, safety, convenience and welfare of their citizens and to plan for the future development of the Cities and the County to the end that the governments achieve a county-wide pattern of community-building, land use, and conservation that reflects the environmental, economic, aesthetic, and social values of city and county residents.

This Agreement will improve the collective ability of the parties to address pertinent issues in an integrated, coordinated and on-going manner, and to respond flexibly and intelligently to events that affect the welfare of city and county citizens. The Agreement also will encourage the effective design and implementation of appropriate tools--both regulatory and non-regulatory--that can provide the means to manage and direct growth in a manner that will achieve compliance with the Washington Growth Management Act.

To assist in accomplishing the above and other tasks related to developing complimentary comprehensive plans, it is the intent of Skagit County and the Cities to cooperatively support a planning organization as further described in Section 3 below, to recommend CPPs and thereby ensure the adoption of consistent comprehensive planning policies. The primary functions of such planning organization shall be to:

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- Develop, as appropriate, policies for transportation, growth management, environmental quality, and other topics determined by the GMA Committee's Steering Committee;
- Provide agreed and accepted data and analysis to support local and regional decision making;
- Build community consensus on regional issues through information, and citizen involvement at the local level;
- Build intergovernmental consensus on regional plans, policies and issues, and advocate local implementation;
- Establish a mechanism to systematically and logically update the CPPs as necessary; and
- Develop procedures for siting regional essential public facilities that includes regional input.

SECTION 2: DISSOLUTION OF COUNTYWIDE PLANNING POLICIES COMMITTEE

The GMA Committee shall be the successor to the Countywide Planning Policies Committee of Skagit County, which Countywide Planning Policies Committee shall be dissolved upon the implementation of the GMA Committee by virtue of the execution of this Agreement and the filing of a copy of this Agreement with the Skagit County Auditor. Each City shall also file a copy of this Agreement with its respective city clerk.

SECTION 3: ORGANIZATION

The GMA Committee shall consist of a Steering Committee supported by a Technical Advisory Committee.

A. Steering Committee. The Steering Committee shall consist of the Mayors of each City, or a City council member designated by the Mayor, and the three Skagit County Commissioners. The Steering Committee shall develop recommendations for CPPs, including UGAs and residential, commercial and industrial allocations, as set forth herein.

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B. Voting. Policy decisions, including the content of CPPs, should be arrived at by consensus. In the event unanimous consent cannot be achieved, decisions shall be made by a simple majority of the number of votes present, as described in Section 9, unless the issue involves a recommendation on a CPP or CPP amendment after dispute resolution, in which case, supermajorities of the number of population-weighted votes and of the jurisdictions present and voting at the meeting as described in Section 9 (G) shall prevail. Policy decisions concerning the alteration of any UGA boundary, or proposed change to any municipal UGA population or commercial/industrial allocation, shall not take effect until also ratified by both the City whose UGA is affected by the proposed change, and the County. The City whose UGA is affected by the proposed change, or the County, has the discretion to decline to ratify the proposed change, in which event the proposed change shall not take effect. There shall be no appeal from such decision to decline to ratify, other than an appeal if provided by RCW 36.70A.

C. Steering Committee Meetings; Quorum; Rules. The GMA Steering Committee shall conduct regular meetings, as it deems necessary for the transaction of its business. At a minimum, the GMA Steering Committee shall hold one regular meeting per year and shall always provide a minimum of two weeks written notice to all members of any meeting of the Steering Committee. The GMA Steering Committee may adopt By-Laws for the transaction of business, but in any event shall keep minutes of all proceedings, including transactions, findings, determinations, and the number of votes for and against each question, and if any member is absent or disqualified from voting indicating the fact, all of which shall be filed in the office of the County Commissioners, and shall be public records. A majority of the members including the chairman or acting chairman shall constitute a quorum for the transaction of any business. All Steering Committee meetings shall be open to the public as provided in Section 7, below.

D. Steering Committee Officers. The Steering Committee shall elect, from among its members, a Chairman and Vice Chairman, and any other officers that it deems necessary. The Chairman and Vice Chairman shall be one from the County and one from the Cities. In the absence of the Chairman, the Vice Chairman shall act and shall have all the powers and duties of the Chairman. The terms of the officers shall be for one (1) year.

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E. Technical Advisory Committee. The Technical Advisory Committee (TAC) is a staff committee consisting of the Planning Directors of the Cities and the County Planning Director and two (2) County Assistant Planning Directors. The Steering Committee shall direct the work of the Technical Advisory Committee.

F. SEPA. The City whose UGA is affected and the County shall share SEPA lead agency responsibility pursuant to WAC 197-11-944 as to UGA Boundary changes and population and commercial/industrial adjustments as described in Sub-Section B of the this Section. Otherwise each jurisdiction will be responsible for its own SEPA review as necessary.

G. Additional Members. Any City of Skagit County that is not a party to this Agreement shall also be admitted as a party to this Agreement when they complete the following steps: 1) Giving written notice of the intent to participate to all other parties to this Agreement, 2) Executing and adopting this Agreement, and 3) Agreeing to and complying with the rules of participation as set by the Steering Committee. Further, membership for purposes of voting shall be in the same proportion as any other "member" party to this Agreement, all as set forth in Section 9 below. In addition, compliance with this Section 3, Paragraph G, must be completed a minimum of two weeks prior to such additional member having a valid vote under this Agreement.

SECTION 4: TERM

The term of this Agreement is from November 1, 2002 through October 31, 2003, and shall automatically renew each year unless terminated as provided in Section 11 herein.

SECTION 5: POWERS AND DUTIES

The GMA Steering Committee shall have the following specific powers:

- (1) To adopt rules of procedure and bylaws, to regulate its affairs and conduct business, including the ability to establish minimum requirements for attendance at meetings by member representatives;
- (2) To hold public hearings and sponsor public forums whenever deemed necessary or useful in the execution of the functions of the GMA Committee;

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- (3) To participate with other governmental agencies, educational institutions, and private organizations in the coordination or conduct of its activities;
- (4) To advise the legislative bodies of the parties hereto, and to recommend to such legislative bodies proposed planning policies, including UGA boundary or allocation adjustments as developed by the Steering Committee;
- (5) To approve an annual work plan for the GMA Committee; and
- (6) To direct and supervise the activity of the Technical Advisory Committee.

SECTION 6: ROLE WITH LEGISLATIVE BODIES

Referral of Draft Documents. It is incumbent on the GMA Committee to refer issue statements, potential policy determinations, and draft policies to the legislative bodies of the member jurisdictions at the earliest possible time, to provide a meaningful opportunity for public comment, and to solicit input from the member jurisdictions' legislative bodies. Statements on policy formation should be provided by the Steering Committee on a monthly basis when discussions are taking place. The GMA Committee shall not substitute for or replace the duties and responsibilities of the legislative bodies of the member jurisdictions.

SECTION 7: PUBLIC RECORDS AND MEETINGS

A. Public Records. As a joint project between the parties, all documents prepared for use by the GMA Committee shall be subject to Washington's Public Records Act. Requests to review records under that Act shall be addressed by the party receiving the request.

B. Public Meetings. All meetings of the Steering Committee shall be subject to the provisions of Chapter 42.30 RCW, provided that the provisions of RCW §§ 42.30.120 and 42.30.130 shall not apply to meetings of the GMA Committee and the Steering Committee unless otherwise made applicable by Chapter 42.30 RCW.

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SECTION 8: PUBLIC PARTICIPATION

GMA obligates each member jurisdiction to include meaningful public participation prior to adoption of any plan or development regulation that may be the subject of a GMA Committee recommendation. Rather than replace these individual jurisdiction public participation processes and the resulting public input, it shall be the role of the Steering Committee to strive to balance any competing interests that may come out of the different public participation processes in making policy recommendations to its member jurisdictions.

SECTION 9: DISPUTE RESOLUTION

A. This Section 9 only applies to the process for development of CPP recommendations, unless otherwise agreed upon in writing by the voting parties.

B. Good Faith Efforts. The parties shall seek in good faith to resolve any dispute arising out of or relating to this Agreement, and any policy, recommendation, statement of position, or other matter determined by the Steering Committee. In the event such dispute or conflict arises, the parties agree that, notwithstanding such dispute or conflict, the parties will make a good faith effort to cooperate in continuing to work toward the successful completion of the work program.

C. Notice of Dispute. If in disagreement with any CPP policy recommendation of the Steering Committee, the disputing party or parties shall provide the Chairman of the Steering Committee with a signed written notice of such disagreement, identifying generally the nature and circumstances that caused the disagreement.

D. Invocation of Alternative Dispute Resolution ("ADR"). If the disagreement is not resolved to the disputing party's satisfaction within 60 calendar days of submitting the written statement, the disputing party may invoke non-binding ADR procedures as set forth below.

E. Cost of ADR. The parties agree that the cost of any ADR procedures shall be borne one-half by the disputing party or parties, and the other half by the GMA Committee, with each party bearing its own preparation costs. The GMA Committee cost shall be allocated to those

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parties which are not disputing the issue(s) based on the population weighted formula set-forth in Section 9, paragraph G.

F. ADR Procedures.

(1) **Selection of Mediator.** The parties shall agree on a mediator. If the parties cannot agree on a mediator, the parties shall request, in writing, an appointment of a mediator by the presiding judge of Skagit County Superior Court.

(2) **Rules. Mediation.** The method and rules for any ADR procedure shall be as agreed by the parties or, if the parties cannot agree, mediation shall be administered in a manner determined by the mediator.

(3) **Location.** All mediation proceedings shall be conducted within Skagit County unless otherwise mutually agreed upon, in writing, by the parties.

G. Failure of Mediation. In the event that mediation does not result in an acceptable settlement within 90 days from the selection of a mediator, the Steering Committee is authorized to take a final binding vote as follows:

(1) Each jurisdiction represented on the Steering Committee is authorized the number of votes equal to its most recent official population estimate provided by the State Office of Fiscal Management, provided that the County shall be authorized the number of votes corresponding to the total population of the County less the population of the incorporated Cities within the County;

(2) In the case of the County, for purposes of the population-weighted vote, each voting member is allocated an equal portion of the number of votes equal to the most recent official population estimate for unincorporated Skagit County provided by the State Office of Fiscal Management. To illustrate, if all three County Steering Committee representatives participate in any vote, then the three representatives shall each represent one third of the County's population. If two County Steering Committee representatives participate in any vote, then each shall represent one-half of the County's population. For purposes of determining

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the County's vote (s) by jurisdiction, each County Steering Committee representative casting a vote shall be considered a single "jurisdiction"; and

(3) A supermajority of 75% of the number of votes present at the meeting shall be required to pass the recommendation.

(4) Additionally, no such recommendation shall pass unless it receives the affirmative vote of at least sixty percent (60%) of the jurisdictions present and voting on the question.

(5) If either the 75% super majority or the concurrence of 60% of the voting jurisdictions cannot be achieved, no Steering Committee recommendation shall be forwarded to the Board of County Commissioners and no County Commissioner action shall be taken on that particular CPP issue.

H. The time periods specified in this Section 9 may be shortened, if necessary, to meet any compliance deadline imposed by a decision of the Growth Management Hearings Board, the courts or the State Legislature.

SECTION 10: CPP ADOPTION

Adoption of any new CPP or Amendment to an existing CPP shall follow the procedures set-forth herein, in particular those procedures set-forth in Sections 3 and 9, culminating in adoption by the Board of County Commissioners. The Board of County Commissioners has the discretion to decline to adopt any specific set of CPP Amendments proposed by the GMA Steering Committee, but may not change the proposed CPP or CPP Amendments in any manner whatsoever. Nothing in this Agreement shall serve as a waiver of any party's right to an appeal as provided by RCW 36.70A and/or WAC 197-11.

SECTION 11: WITHDRAWAL; TERMINATION

A. Withdrawal. Any party to this Agreement may withdraw from this Agreement, by providing 60 day's written notice to the remaining parties. Any withdrawing party shall remain liable for costs incurred by the Committee until the effective date of withdrawal.

B. Termination. The parties hereto may terminate this Agreement at any time by unanimous vote of the parties.

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SECTION 12: GENERAL PROVISIONS

A. Property. No real property shall be acquired pursuant to this Agreement.

B. Incorporation of Recitals. The recitals of this Agreement are incorporated into this Agreement, and each party hereto acknowledges and confirms the truth and accuracy of the recitals.

C. Interpretation. This Agreement shall be construed under and in accordance with the laws of the State of Washington, and all obligations of the parties created by this Agreement are performable in Skagit County, Washington.

D. Authority. This Agreement is entered into by the duly authorized officials of each respective governmental entity. Each person signing this Agreement on behalf of a party hereby confirms for the benefit of each of the other parties to this Agreement that any requisite approvals from the governing body of such party have been obtained, and all prerequisites to the execution, delivery and performance hereof have been obtained by or on behalf of that party.

E. Renegotiation. In case any one or more of the provisions hereof should be held to be illegal, invalid or unenforceable in any respect, the parties agree to make a good faith effort to renegotiate another agreement to fulfill the purpose and intent of the present Agreement.

F. Invalid Clause. If any material provision of this Agreement is held to be illegal, invalid or unenforceable in any respect, this entire Agreement shall be held invalid, subject to Section 13 herein. If such occurs, then the parties agree to renegotiate this Agreement in good faith. If the illegal, invalid or unenforceable provision is not material, such illegality, invalidity or unenforceability shall not affect any other provision of this Agreement, and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been included in this Agreement.

G. Entire Agreement. This Agreement constitutes the entire agreement among the parties hereto with respect to the subject matter hereof, and supersedes any prior understandings or written or oral agreements between the parties with respect to the subject matter of this Agreement. No amendment, modification or alteration of the terms of the

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Agreement shall be binding on any party unless the same is in writing, dated subsequent to the date hereof, and is duly executed by the party against whom enforcement is sought.

H. Notices. Any notice permitted or required under the terms hereof shall be in writing and shall be deemed delivered three days following the deposit of the same, properly addressed and with postage prepaid, into the care and custody of the United States Postal Service, by registered or certified mail, return receipt requested, to the respective Participant to whom notice is to be given, at the party's customary business address with a copy to the County Prosecutor.

I. Recordation. A copy of this Agreement shall be filed with the County Auditor and with the city clerk of each jurisdiction adopting this Agreement, with each party to bear its own costs of such filing, provided that such filing shall not be a condition precedent to the enforcement of this Agreement.

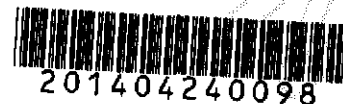
SECTION 13: REVOCATION OF AGREEMENT

The Framework Agreement, dated January 13, 1992, is revoked. This Section shall survive, notwithstanding Section 12, paragraph F, above, such that in the event this Agreement is ever held to be invalid, such a ruling shall not have the effect of reinstating the January 13, 1992, Framework Agreement.

IN WITNESS WHEREOF the parties hereto have executed this document as of the day and year first above written.

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DATED: Nov. 26, 2002

SKAGIT COUNTY:

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON

Don Munks
By: Don Munks, Chairman

Kenneth A. Dahlstedt
By: Kenneth A. Dahlstedt, Commissioner

Ted W. Anderson
By: Ted W. Anderson, Commissioner

ATTEST:

Joanne Giesbrecht
Joanne Giesbrecht, Clerk
Skagit County Board of Commissioners

Approved as to form:

John R. Moffat
JOHN R. MOFFAT
Chief Civil Deputy

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CITY OF SEDRO WOOLLEY:

DATED: 10-25-02

Sharon Dillon
By: SHARON DILLON, Mayor

ATTEST:

Patsy K. Nelson
By: PATSY NELSON, Clerk

Approved as to form:

Patrick Hayden
PATRICK HAYDEN
Sedro Woolley City Attorney

CITY OF MOUNT VERNON:

DATED: 11-14-02

Skye Richendrfer
By: SKYE RICHENDRFER, Mayor

ATTEST:

Mark Knowles
By: MARK KNOWLES
Finance Director

Approved as to form:

Scott Thomas
SCOTT THOMAS
Mount Vernon City Attorney



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CITY OF ANACORTES:

DATED: 11/14/02

H. Dean Maxwell
By: H. DEAN MAXWELL, Mayor

ATTEST:

George K. Hansen
By: City, Clerk

Approved as to form:

Ian L. Munce
IAN MUNCE
Anacortes City Attorney

CITY OF BURLINGTON:

DATED: 10/16/02

Roger Tjeerdsma
By: ROGER "Gus" TJEERDSMA,

Mayor

Attest:

Richard A. Patrick
By: RICHARD A. PATRICK
Finance Director

Approved as to form:

Marilyn Nitteberg
MARILYN NITTEBERG
Burlington City Attorney

(Anacortes & Burlington's signature page)

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TOWN OF LACONNER:

DATED: 11-08-02


BY: ERON BERG, Mayor

ATTEST:


By: _____, Clerk

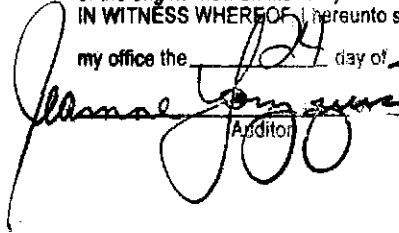
Approved as to form:

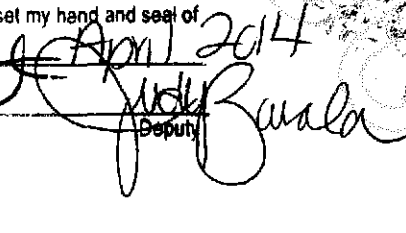

BRADFORD FURLONG
LaConner Town Attorney

STATE OF WASHINGTON } SS
COUNTY OF SKAGIT

I, Auditor of Skagit County, State of Washington, do hereby
certify that the foregoing instrument is a true and correct copy
of the original now on file in my office.

IN WITNESS WHEREOF, I hereunto set my hand and seal of
my office the 24 day of April 2014


Auditor


Deputy



(LaConner's signature page)

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2002 FRAMEWORK AGREEMENT – ADDENDUM A

TOWN OF HAMILTON:

DATED: April 15, 2014

Joan Cromley
By: JOAN CROMLEY, Mayor

ATTEST:

Angela Evans
By: Angela Evans, Clerk

(Hamilton's signature page)

SKAGIT COUNTY
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Addendum A



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Skagit County Countywide Planning Policies Cleanup Project

OCTOBER 16, 2019

GROWTH MANAGEMENT ACT STEERING COMMITTEE MEETING

2019 GMA Support Work Program and Budget

GMA Task 3 – Countywide Planning Policies Clean Up:

Clean up references, compare with current GMA, and check current CPPs for relevance to all comprehensive plans. No new policy direction or substantial changes to CPPs will be considered. Work with GMATAC and GMASC on proposed changes.

Estimated Cost \$4,000

Limited Project Scope*

1. Compare RCW 36.70A with CPPs to identify inconsistencies
2. Compare WAC 365-196-305 with CPPs to identify inconsistencies
3. Propose revisions to rectify any inconsistencies identified
4. Flag policies that may no longer be relevant or should be subject to further review in the future

Not

Reviewing Growth Management Hearings Board decisions

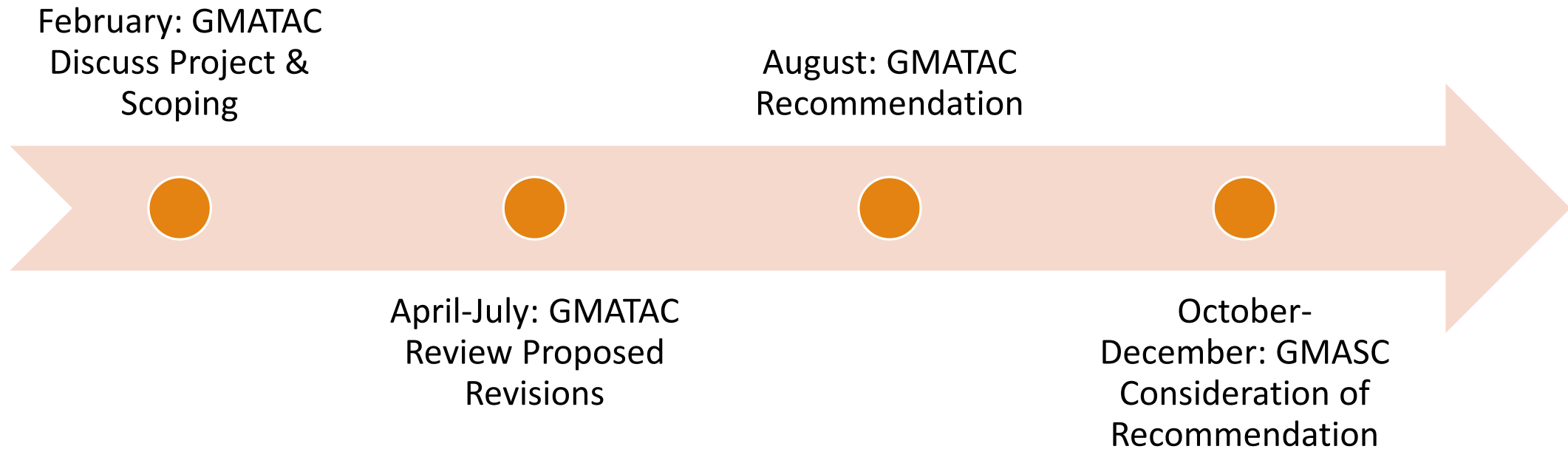
Reviewing all GMA related WACs

Reviewing comprehensive plans

Directed to pursue any new policy direction

*Note: 40 SCOG staff hours
assumed for this project

2019 Project Timeline (revised)



Selected History

Early 1990s

- ❑ GMA Adopted in 1990
- ❑ Countywide Planning Policy requirement not in original GMA
- ❑ CPP requirement added to State law in 1991
- ❑ Framework Agreement #1 executed in January 1992 by County, all four cities and La Conner
- ❑ Skagit County CPPs adopted in June 1992

1992 Skagit County CPPs Adoption



SKAGIT COUNTY COUNTY-WIDE REGIONAL COMPREHENSIVE PLAN POLICIES

Skagit County Department of
Planning and Community Development

- ❑ Adopted in June 1992 by County Commissioners
- ❑ 116 policies grouped into 13 categories
- ❑ Per Skagit County staff report from 1992, County began process in September 1990 that led to CPPs adoption in 1992
- ❑ CPPs were "Skagit County County-Wide Regional Comprehensive Plan Policies" when adopted in 1992

Skagit County CPPs Amendments

□ 1996

□ 2000*

□ 2007

□ 2016

*Note: references in 2000 ordinance adopting CPPs amendments to Western Washington Growth Management Hearings Board appeals of 1997 Skagit County Comprehensive Plan and other County actions

Examples of Initial Findings

GMA Planning Goals & CPPs Categories

GMA Planning Goals	Countywide Planning Policies Categories
Urban Growth	Urban Growth
Reduce Sprawl	Reduce Sprawl
Transportation	Transportation
Housing	Housing
Economic Development	Economic Development
Property Rights	Property Rights
Permits	Permits
Natural Resource Industries	Natural Resource Industries
Open Space and Recreation	Open Space and Recreation
Environment	Environment
Citizen Participation and Coordination	Citizen Participation
Public Facilities and Services	Public Facilities and Services
Historic Preservation	Historic Preservation

Preamble Comparison – 1992 vs. Current

1992

SKAGIT COUNTY COUNTY-WIDE COMPREHENSIVE PLAN POLICIES

THE ROLE OF THE SKAGIT COUNTY COMPREHENSIVE PLAN POLICIES AND COMPREHENSIVE PLAN.

- i These comprehensive plan policies shall be the foundation for the Skagit County Comprehensive Plan.
- ii All Elements of the Comprehensive Plan, including maps and procedures, shall comply with these policies. Amendments to the other components of the comprehensive plan shall conform to these policies.

Current

Skagit County Countywide Planning Policies

The Role of the Skagit County Countywide Planning Policies and the Comprehensive Plan

- i These countywide planning policies shall be the foundation for the Skagit County Comprehensive Plan.
- ii All Elements of the Comprehensive Plan, including maps and procedures, shall comply with these policies. Amendments to the other components of the comprehensive plan shall conform to these policies.

Economic Development

From CPPs

5. Economic Development

Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

Per GMA 2002 Amendment

(5) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

Open Space and Recreation

From CPPs

9. Open Space and Recreation

Encourage the retention of open space and development of recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks.

Per GMA 2002 Amendment

(9) Open space and recreation. (~~Encourage the retention of~~) Retain open space (~~and development of~~), enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.

CPP and RCW Comparison

From CPPs

12.3 A process shall be developed for identifying and siting essential public facilities. The Comprehensive Plan may not preclude the siting of essential public facilities. (The GMA defines essential public facilities as those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities, state and local corrections facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities and group homes.)

Per RCW 36.70A.200

Needs to also include “secure community transition facilities” in CPP 12.3. Essential public facilities also include “regional transit authority facilities”, but this only applies to Sound Transit.

Framework Agreement

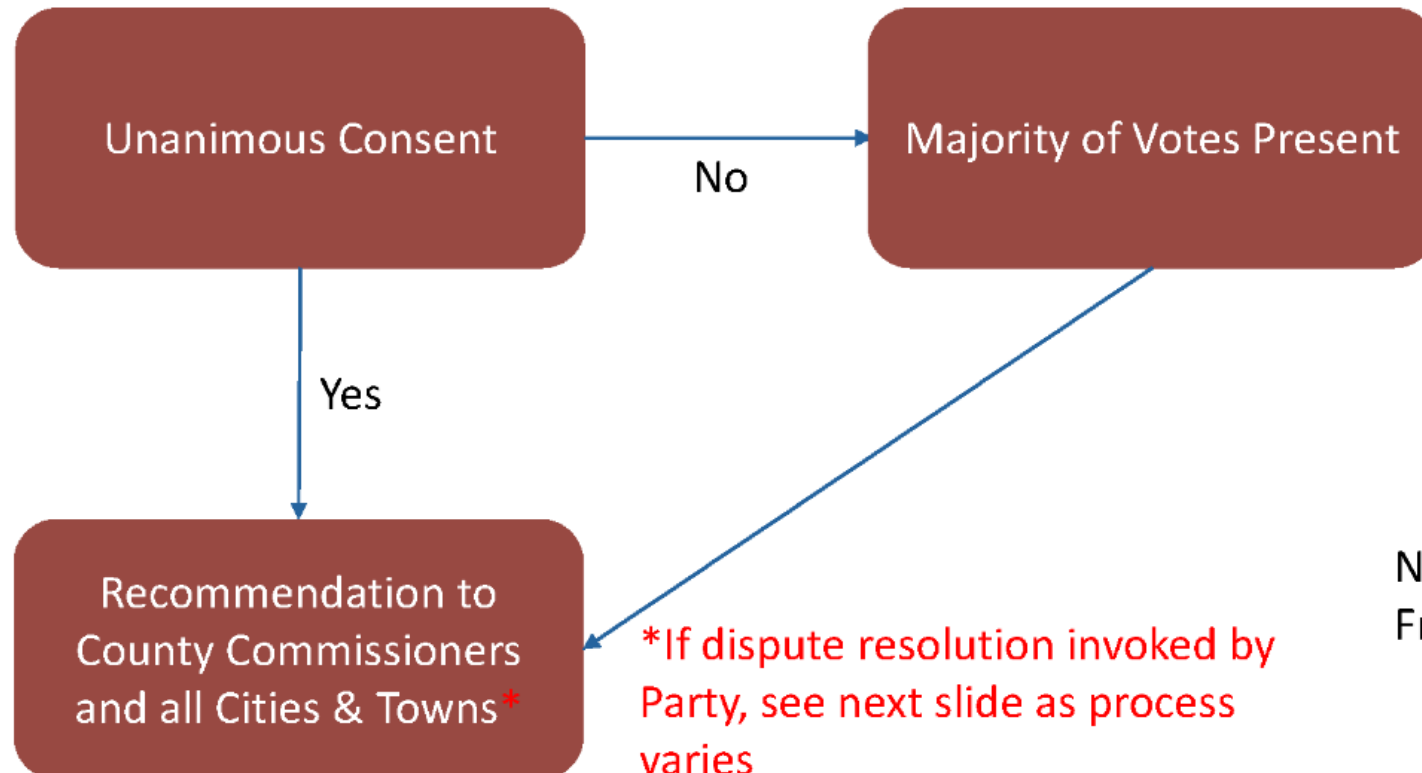
Section 6: Role with Legislative Bodies

From Framework Agreement

Referral of Draft Documents. It is incumbent on the GMA Committee to refer issue statements, potential policy determinations, and draft policies to the legislative bodies of the member jurisdictions at the earliest possible time, to provide a meaningful opportunity for public comment, and to solicit input from the member jurisdictions' legislative bodies...

Steering Committee Decision Tree

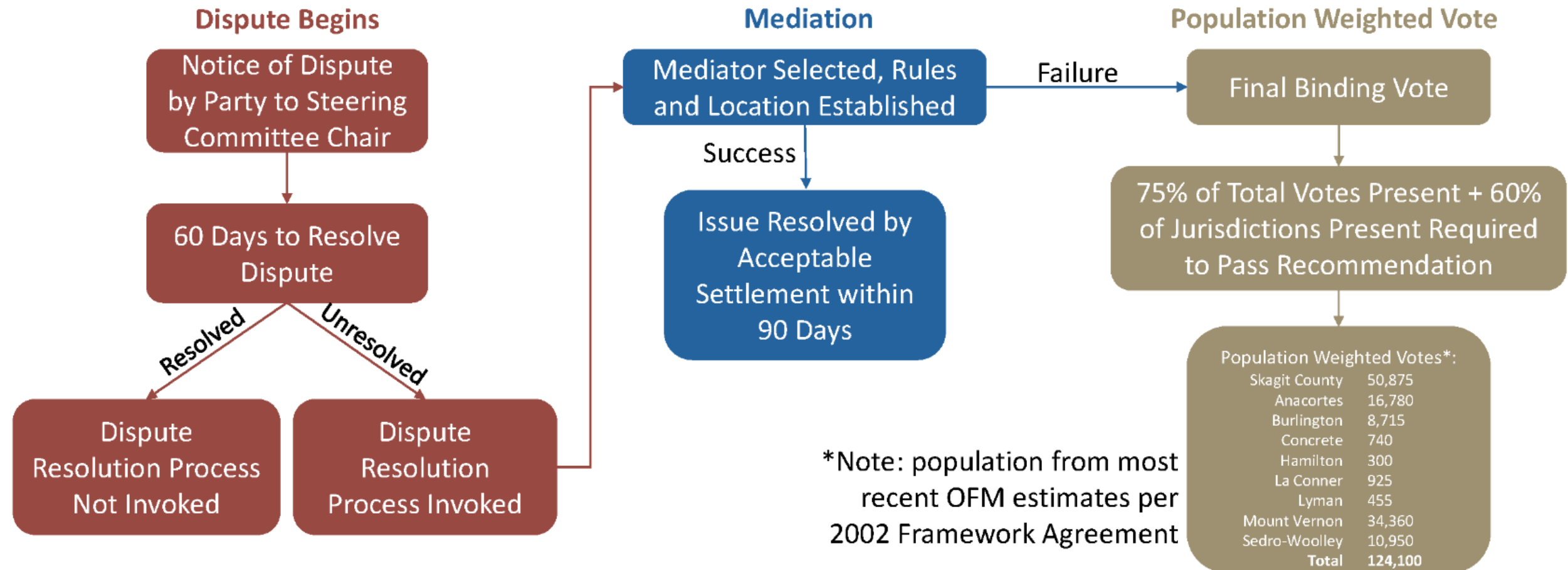
Countywide Planning Policies:



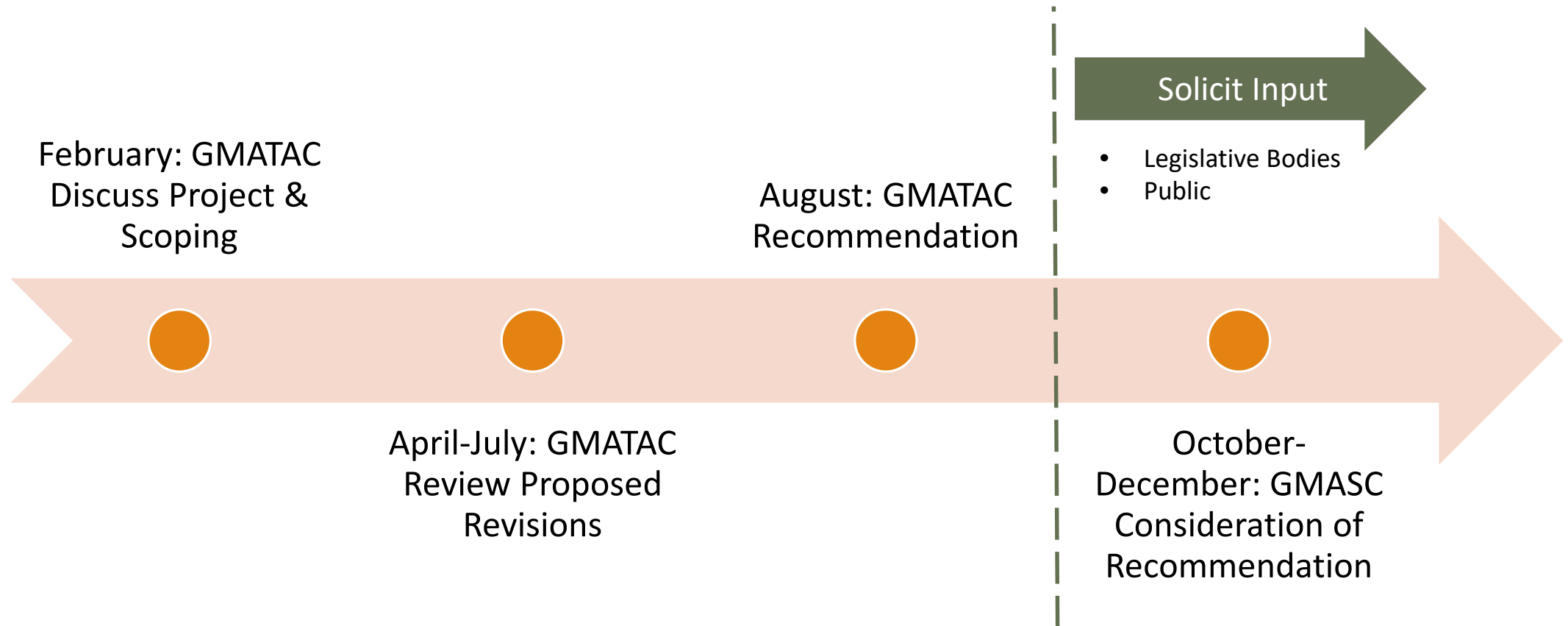
Notes: (1) unanimous consent preferred in 2002 Framework Agreement, but not required.

Steering Committee Decision Tree

Countywide Planning Policies (with dispute resolution process):



Next Steps





City Council Agenda Bill

Meeting Date: 12/16/2019

Agenda Item: 8b

Subject: Parks and Recreation Comprehensive Plan

Staff Contact: Jonn Lunsford

Approved for Submittal to Council by	
	Laurie Gere, Mayor
	Steve Hoglund, Finance Director
	Darcy Swetnam, City Attorney

Action Type	
	Ordinance No.
	Code Revision?
	Resolution No.
	Contract
	Public Hearing
	Staff Report

Summary Statement: The Parks and Recreation Comprehensive Plan has been updated and is ready for further review by City Council.

Background: This plan was approved by The Parks and Recreation Advisory Commission in December 2018 after a series of public meetings and review earlier in that year.

Budget Impact	
Amount Budgeted	
Budget Account (BARS)	
Proposed Expenditure	
Budget Amendment Required?	
Revenue Source	

Proposed Contract	
Contractor	
Amount	
Start Date	
End Date	

Previous Council/Committee Action: The Plan was last at City Council on [November 4, 2019](#) for review and comments.

Competing Viewpoints Considered: Staff received written comments from the public and reviewed those for this update.

Recommended Motion: I move to approve the Parks and Recreation Comprehensive Plan as presented.

Alternative Actions: City Council can continue review and ask for more comments and revisions.

Attachments (listed in order presented): Draft Parks and Recreation Comprehensive Plan

Anacortes Parks and Recreation Comprehensive Plan

DRAFT

December 2019

Introduction: Climate and Accessibility

Anacortes is situated in the Puget Trough of northwest Washington. The Trough, known in part as Puget Sound, is a lowland scoured by glacial action during the Pleistocene epoch. Many islands are scattered throughout the saltwater Sound. Puget Sound lies between two mountain ranges; the Olympic Mountains to the west and the Cascade Mountains to the east. Anacortes is part of a dramatic setting in the San Juan Islands and near the Canadian Gulf Islands and other Puget Sound islands which lie north and south of the city.

The City of Anacortes is in Skagit County, Washington, 80 miles north of Seattle and 90 miles south of Vancouver, British Columbia. Anacortes is on Fidalgo Island north of Whidbey Island and connected by bridges to the mainland across Swinomish Channel. Anacortes is reached by Highway 20, 16 miles west of Interstate 5 at Burlington. The city occupies the north portion of Fidalgo Island and is bordered on three sides by saltwater shoreline; Burrows Bay, Rosario Strait, Guemes Channel and Fidalgo Bay. The southern edge of Anacortes is mainly Anacortes Community Forest Land, a forest preserve with lakes, streams and trails crowned by Mt. Erie. Anacortes City limits range from sea level to the summit of Mt. Erie at 1,270 feet.

Anacortes has relatively mild yearly climate tempered by coastal conditions. Prevailing winds in the spring and summer provide drying and drought conditions, while in the fall and winter prevailing southwest winds bring winter storms and rain. Occasional northeast winds produce dry, cold temperatures in winter and dry warm temperatures in summer. The mean average summer temperature is 64 degrees and the mean average winter temperature is 40 degrees. Average annual rainfall is 26 inches, 10 inches less than Seattle. Snowfall averages 3 inches.

Parks/Rec service area extends beyond city limits

As part of the 2016 Anacortes Comprehensive Plan update, City Council reviewed population growth and the city population projections.

The population estimate (from the US Census Bureau) of Anacortes in 2016 was 16,681. Per the city forecast, the population of Anacortes may increase to 22,293 residents by 2036. It is important for planning purposes to know that the City of Anacortes Parks and Recreation Departments service area goes beyond the limits of the City of Anacortes. It is estimated that the service area includes an additional 25% population. It is also important to note that the City of Anacortes is not the only supplier of Parks and Recreation services in the area and those other providers are taken into consideration in this plan. Below are the population numbers and estimates that were used for the City of Anacortes Comprehensive Plan update in 2016. We are using those same numbers and projections to be consistent with the City Comprehensive Plan.

Table 1: Population Forecasts

	<u>2016</u>	<u>2036</u>
Anacortes City Limits	16,681	22,293

Through visionary efforts, the early citizens of Anacortes gave residents and visitors to the community a wonderful gift. Their forethought preserved many hundreds of acres of native woodland. This landscape creates a powerful legacy of respect for the natural environment and serves as a commitment of stewardship to the environment and to the community. This legacy is expressed in the volunteerism which helped build Causland Memorial Park and is manifested today in the development of Volunteer Park. The volunteer efforts of individuals and civic associations are deeply rooted in the community.

This Parks and Recreation Plan also reflects the effort of volunteers spending many hours discussing issues, researching opinions, discussing options, studying maps, preparing policies and imagining the future. There is a common thread, from early residents' land conservation, to today's efforts, a community shaping its future and offering a carefully planned Parks and Recreation vision to ensuing generations.

Park, open space, and recreation planning is an opportunity to improve the quality of life of a community and to evaluate performance. It is also an opportunity to hear from residents regarding types of facilities they need and the types of recreational programs they desire. The planning process is also an opportunity to respond to changing recreational needs, to collectively brainstorm on issues, and to introduce a new vision. The purpose of this plan is to guide public decision-making on these issues and visions.

This plan was last updated in 2009 and set goals to plan for future park and recreation needs. Within this plan, "parks" include recreational areas such as skate parks, athletic courts, multi-use pathways and trails, ball fields, playgrounds, open-spaces, public gathering spaces and areas for recreation and protection of wildlife habitat.

Chapter 1: Existing Parks & Recreation System

An inventory of the existing recreational areas, listed in alphabetical order is included below.

Ace of Hearts Rotary Park (“H” Avenue and 38th Street) is a 5-acre park featuring an off-leash fenced dog park, a Little League fast pitch/baseball field, a walking path, and a gravel parking lot. Possible future amenities could include permanent restroom facilities and a paved access road with parking.

Alice Parchman Newland Park (“R” Avenue) is a 10- acre linear park and street median developed along the “R” Avenue access road from Highway 20 into Anacortes waterfront industries and recreation areas. The park hosts some community artwork and serves as a walking corridor with views of Fidalgo Bay and Mt. Baker.

Ben Root Skate Park is a concrete skate park located on the north end of the Alice Parchman Newland Park.

Cap Sante Park (4th and “W” Avenue) is a 37-acre forested promontory at the eastern edge of Anacortes. It is primarily a viewpoint overlooking the marina, the City of Anacortes, March Point, Fidalgo Bay and the Cascades. A remnant of an amphitheater is located on the east bank of the park.

Causland Memorial Park (8th Street and “N” Avenue) was built in the 1920s by Louis LePage and is on the National Register of Historic Places. A portion of the park is dedicated to Anacortes veterans from World War I to the Vietnam War. The 2-acre park is unique in its use of decorative rock and black and white mosaic for structures and walls. Low, serpentine mosaic walls surround the park, and a bandstand, amphitheater and terraces are similarly made of colored pebble and rock mosaic. Other park features include picnic tables, mature ornamental plantings, a small grassy lawn and many terraces. The park is visited frequently by tourists enthralled by its lovingly detailed decorations.

Clearidge Park (Blakely Place) is a .8-acre partially developed park near the Anacortes Airport with one tennis court, two pickle ball courts, and a basketball court. It was given to the City as part of the subdivision process as homes were developed in the west side of Anacortes.

The Depot Arts and Community Center (7th Street and “R” Avenue) is a 5.75-acre site that is within Jim Rice Civic Park. It is generally triangular in shape and located two blocks east of Downtown Anacortes. The site houses a number of historic and natural attractions including: The Depot Building, which is listed on the National Register of Historic Places and houses the Depot Arts Center; the W.T. Preston, a large sternwheeler, and the Snag boat Heritage Center, a facility constructed in 2005 and dedicated to presenting information on Snag boat heritage; a seasonal farmers market; the Altair-Americas Memorial; a train house; a box car; a madrone grove; community artwork; and picnic tables.

Grand View Cemetery was originally established on September 25th, 1897 by William and Ernestine Deutsch. The cemetery was deeded to the City of Anacortes in October of 1945 and by City Ordinance dated February 5, 1946 the City took over maintenance and operations of Grand View Cemetery (light green on map below – 6.59 acres)). The City purchased additional property from the Deutsch family in later in 1946 that became Grand View Annex (light brown on map below – 6.79 acres). The City acquired additional property to the east of Whistle Lake Road from the Brooks family in 1949 (light blue on map below – 4.78 acres). The City acquired approximately 6.06 acres to the west of the cemetery in 1966 (light purple on the map below).



Guemes Channel Trail is a walking / biking path that runs along the Guemes Channel waterfront. The trails access point is at the Edwards Way cul-de-sac and continues east towards Anacortes for approximately 1 mile. Community efforts continue to link the trail from Washington Park to the Thompson Trail.

Heart of Anacortes (1014 4th Street) public park and outdoor community gathering place for music and entertainment. Seating for about 200 people in chairs or on natural turf. Public restrooms are located onsite.

John and Doris Tursi Park (West 12th and Pennsylvania Avenue) features a small pond and open, covered log structure, plus playground equipment including a climbing area, swings and a slide.

Jim Rice Civic Park (East of R Avenue from 6th Street to 9th Street) created by Ordinance 2158 in 1990. Please see Depot Arts and Community Center for more information.

Kiwanis Waterfront Park is a 2-acre natural park located west of the Guemes Ferry Dock. It features day parking, a paved path, beach access, three benches, and a picnic table.

Mt. Erie (South Anacortes off Heart Lake Road) is a 160-acre park. It includes the summit of Mt. Erie, the highest point of Fidalgo Island. There is a small parking area and a paved road to the top of Mt. Erie. It is a popular area for tourists, mountain climbers and hikers. Trails on the mountain connect to the surrounding Anacortes Community Forest Lands.

“N” Avenue Park (2nd Street and “N” Avenue) is .4 acres of mainly undeveloped street-end park land with views to Guemes Channel. A handful of parking spaces, community artwork, and a couple of picnic tables are also located at this park.

Pickett Pocket Park (Alleyway between 22nd and 21st on the east side of Commercial) is a planned “pocket park” that will likely be constructed by the time this plan is adopted. It will have a paver surface with tables, benches, planters and a sculpture.

Roadside Park (Kansas Avenue) is a .3-acre street end park. Also, there are a few parking spaces, picnic tables, and stairs to access the Guemes Channel trail.

Rotary Park (Market and “T” Avenue) is a 1.5-acre linear park located on the north and east edge of the Cap Sante Boat Haven at the base of Cap Sante. Rotary Park has a trail out to the Cap Sante breakwater, parking, picnic tables and a shelter. There is also a 9-hole Disc Golf course located within the park boundary.

Storvik Park (between 29th and 32nd streets) is a park of 8.7 acres. It has picnic tables, restrooms, one Little League game field which also serves as a multi-purpose youth soccer field and two basketball courts. Storvik also has children’s play equipment and is used regularly as a destination park by walkers. A recent project included building a new spray pad in the area west of newly renovated restrooms.

Ship Harbor Interpretive Preserve (between the Washington State Ferry Terminal and Edwards Way cul-de-sac) is an approximately 30 acre site that includes a sandy beach, some uplands and an extensive wetland area. There is approximately 3,000 feet of interpretive trails that are a combination of at grade and boardwalks. There are 5 beach access observation platforms with interpretive signage.

Shugarts Playground is a .25-acre playground adjacent to the Public Library.

Tommy Thompson Parkway is a paved non-motorized path which stretches 3.3 miles from 9th Street and “Q” Avenue along the old railroad corridor to March Point. It provides beach access

and incredible views of Fidalgo Bay and the Cascade Mountains. There is a restroom facility located at 22nd and “R” Avenue and at the Soroptimist Station, 409 30th Street, along the trail.

Volunteer Park (14th Street and “H” Avenue) has been largely a volunteer effort. There are approximately 24 acres of developable space, 15 acres of which are leased from the Anacortes School District. The Marguerite and Don Daniels Field is a Little League sized baseball and fast pitch field with an artificial turf surface. Alton B. Daniels Field is a regulation sized baseball field with artificial turf. Volunteer Field is a regulation sized baseball field with natural turf. All three fields have lights, seating, press boxes and scoreboards. Kiwanis Meadows, also located at Volunteer Park, has a multi-use field which is surrounded by a paved walking path, there is children’s play equipment, a picnic shelter, and a basketball court. South of Volunteer Park there is a large area of wetlands and open space. An improved cross-country course is also located in this area.

Washington Park (Sunset Avenue). This 220-acre park juts into Rosario Strait on the western edge of Anacortes, offering territorial views. The park has a day use area and overnight camping facilities. At Sunset Beach, on the north shore, there is a boat launch, restrooms, picnic shelters, playground and open play area. There are 75 campsites with restrooms, showers in the overnight area. Picnic sites and car pullouts provide beach access along Green Point, the west shoreline. A 2.3-mile loop road provides access to several shoreline areas and a viewpoint of Burrows Bay. The loop road is used by cars, cyclists, joggers and walkers.

29th Street Playground (29th Street and “Q” Avenue) is a half-acre playground on “Q” Avenue. There is children’s play equipment on the site.

Anacortes Community Forest Lands (ACFL). Anacortes owns approximately 2,950 acres of Anacortes Community Forest Lands (ACFL) in several large tracts. These include Little Cranberry, Heart Lake (the former State Park lands were acquired in 2002), Whistle Lake and Mt. Erie. The Forest Lands are largely within the city limits and include forests, lakes, streams, wetlands and meadows. Fifty miles of trails provide public access to and through the Forest Lands. A Forest Manager, Parks Maintenance Worker seasonal maintenance staff are employed by the Parks and Recreation Department to manage the land and maintain trails and facilities. The Forest Lands Comprehensive Plan covers management units, use zones and critical habitat areas. The Forest Advisory Board, five members appointed by the Mayor and City Council, oversees the implementation of the management plan and develops policies. A trail committee representing various user groups has developed trail and user group policy and has suggested trail etiquette to encourage responsible use of the forest lands. A Conservation Easement Program was initiated in 1998 whereby one acre of land is protected in the ACFL for every \$1,000 donated. The easements protect the land from logging, mining and development. Donations are placed in the Forest Endowment Fund and interest earnings shall be used for the support and enhancement of the Forest Lands as budgeted by the City Council with the advice of the ACFL Advisory Board.

To date the ACFL contains about 2,950 acres of forest. There are three main areas of the Anacortes Community Forest Lands: Little Cranberry Lake, Whistle Lake and Heart Lake.

Little Cranberry Lake Forest Lands (off of Georgia Avenue). This area includes approximately 703 acres around Cranberry Lake. The site is largely undeveloped Anacortes Community Forest Lands maintained by the Parks Department. Five public street ends provide public access, and limited parking, to trail heads.

Whistle Lake Forest Lands and Mt. Erie include approximately 1750 acres, also part of the former City watershed. Whistle Lake is a popular destination in the summer but has limited access with a trail to it and around it. Trail connections can be made from Whistle Lake to Mt. Erie and Heart Lake.

Heart Lake Forest Lands is an 80-acre Community Forest Land holding at the north end of Heart Lake plus approximately 452 acres that were formerly Heart Lake State Park and were transferred to City ownership in 2002.

Chapter 2: Park Facilities under Other Ownership

There are other significant parks in and around Anacortes which are not owned or operated by the Anacortes Parks and Recreation Department. These help meet the needs of the community and we believe must be considered when looking at the overall parks and recreation needs of the community.

Cap Sante Marina Public Esplanade connects Seafarer's Memorial with Rotary Park.

Deception Pass State Park is a 4,134-acre marine and camping park with 77,000 feet of saltwater shoreline and 33,900 feet of freshwater shoreline on three lakes. Rugged cliffs drop to meet the turbulent water of Deception Pass. The park is outstanding for breathtaking views, old-growth forests and abundant wildlife.

Fidalgo Pool and Fitness Center is owned and operated by the Fidalgo Park and Recreation District, created for this single purpose. The pool is 25 meters long, six-lanes and barrier free. In addition, showers, weight rooms, lockers and exercise rooms are available. The District has funded its operations on three-year levy cycles.

Guemes Mountain is a preserved area on Guemes Island that is made up a variety of public and private lands with the allowed uses during the allotted times the park is open.

Lake Erie and Lake Campbell are within a few minutes of Anacortes, and although they have limited public access and facilities, they are available and used by many.

"O" Avenue Beach is an area on the Guemes Channel at the terminus of "O" Avenue and 2nd Street between the Port of Anacortes's former transit shed (currently used for Port offices and public events) and Curtis Wharf. The Port's plan includes cleaning up and improving the shoreline, creating a public path to the beach, shoreline plantings, low impact storm water techniques and a viewpoint terrace next to Curtis Wharf. The adjacent Lone Tree Park improvement by the Port of Anacortes occurred in 2009. The area contains a plaza, lone tree, and picnic table.

Seafarers' Memorial Park is a 1.5 acre park developed and owned by the Port of Anacortes. Located on Fidalgo Bay just south of the Cap Sante Boat Haven at the east end of Seafarers' Way. It provides views of Mount Baker and the refineries on March Point, as well as an area for hand-launching small crafts.

A public building is used by the City's youth sailing program and by the public for community events and meetings. There are several picnic tables and a large grassy area with pathways. The park is included in an environmental cleanup which took place in 2009-2011. After restoration of the park and marine area, it has a new shoreline with native landscaping, a permanent dock for hand-launched boats, permanent storage for small boat equipment, and improved public access.

Sharpe Park is a 75 acre Skagit County Park that offers trails, picnicking, portable restroom, saltwater vistas and an open grass area. Montgomery-Duban's Headlands Park is a 37 acre park adjacent to Sharpe Park with trails and $\frac{3}{4}$ mile of shorelines. It is operated by Skagit County Parks and Recreation.

San Juan Passage, an approximate 100-house development in Ship Harbor area, has added one park that is available to the public. The park provides views of the Guemes Channel along with an access trail to the Guemes Channel Trail.

Schools and School Grounds provide play areas and active recreation opportunities for children of Anacortes and Fidalgo Island. Though these are not managed by the Anacortes Parks Department, they are among the recreational assets of the community and can be considered park assets. Anacortes High School has two multi-use soccer/football fields and one artificial surface football/soccer field along with an all-weather running track. They also have a dedicated throwing area for track and field. This complex is referred to as Rice Field at Seahawk Stadium. The stadium includes covered seating with seating for over 2,000 spectators. It also includes restrooms, press box, concession stand, and a memorial to those who gave their life for our country. The Middle School has six tennis courts. The elementary schools contribute various multi-use fields, three of which are useable for minor league and recreational level softball play (one at Island View and two by the Middle School tennis courts). There is a little league / youth fast pitch / adult softball field at Island View School. Mt. Erie, Fidalgo, Whitney and Island View Elementary schools provide play areas for small children. The City of Anacortes has an existing Interlocal Agreement with the Anacortes School District to share indoor and outdoor athletic facilities.

School House Park is a four-acre Skagit County Parks facility on Guemes Island that offers a youth baseball field, basketball court, playground and a tennis court.

Swinomish Links Golf Course is an 18-hole golf course open to the public that is owned and managed by the Swinomish Tribal Community.

Swinomish Channel Boat Launch is located on the Swinomish Channel under Highway 20 and is operated by Skagit County Parks and Recreation.

Tursi Trail connects south Fidalgo Island to access points near the ACFL. The trail starts at Pass Lake and runs north to Mt. Erie.

Young's Park is a 13-acre Skagit County waterfront park on Guemes Island that includes picnicking and saltwater access.

Chapter 3: Recreation Programs

The **Anacortes Parks and Recreation Department** offers diverse community-wide programs to fulfill the recreational needs of youth, adults and, seniors.

The **A-Town is Our Town** publication has become the main communication tool for the Parks and Recreation Department. It features information about department sponsored recreation programs and special events as well as information about Washington Park; Forest Lands activities including volunteer days, information regarding forest use, safety, and upcoming meetings; and Friends of the Forest sponsored hikes and fundraising events and Anacortes Senior Activity Center programs, Anacortes Public Library events and programs.

Non-departmental organizations that have submitted information in the publication include but are not limited to: Fidalgo Pool and Fitness Center, Boys and Girls Club, The Dance Center, Soo Bahk Do, Anacortes Community Maritime Center, American Red Cross, Co-Op Preschool, After School Arts Program, Anacortes Senior College, Yoga studios, Class ACT, Community Gardens and Anacortes Arts Commission.

Youth recreational activities include an extensive offering of youth sports leagues and camps, a seasonal small boating program (sailing) and various recreational classes including but not limited to: toddler play group, pee wee sport program, bowling, golf, drum lessons, flag football clinic, youth sport leagues, youth enrichment classes and tennis.

Adult activities include several recreational drop-in sport programs as well as a Co-ed Softball League and various recreational classes including but not limited to: Tai Chi, Dog Obedience, Yoga, and tango dancing. Generally activities for the senior population are organized by the Anacortes Senior Activity Center. Special Programs and Events include seasonal parties or celebrations, school vacation activities, special youth events and family events. Examples include a Daddy Daughter Dance, a Mom and Superhero dance, Kids-R-Best Fest, Breakfast with Santa, Holiday events, Kids Fishing Derby, summer camps and special road and trail run events.

Other Program Offerings

The City of Anacortes contributes an informative newsletter to the publication A Town is Our Town with information on recent city projects, Library programs and Museum events as well as information about Police, Fire, Sanitation, and Public Works.

The **Anacortes Community Youth Center** that will be operated and maintained by the City is still in the planning phase, however the goal is to provide a home for the Boys and Girls Club, have a facility where youth can gather, have offices for the Anacortes Parks & Recreation Department and available space for lease to local organizations that all support youth

enrichment. Gym space is going to be a part of the facility and coordination of that gym space as well as the rest of the facility with facilities in the general vicinity (Pool, Senior Activity Center, Schools, etc.) will be critical to the success of the area.

The **Anacortes Museum and Anacortes Public Library** offer many programs and events. The Museum offers regular exhibits in its Carnegie Gallery and also operates the W.T. Preston and Snag boat Heritage Center. The Library offers regular Jazz performances on Sunday afternoons as well as many special events for children and adults.

The **Fidalgo Pool and Fitness Center**, under the direction and ownership of the Fidalgo Park and Recreation District, a completely separate entity from the City of Anacortes, sponsors fitness classes for all ages. Swimming activities, exercise classes and fitness equipment are available as well. Friends of Fidalgo Pool and Fitness Center encourages public use and distributes program and pool information. The Fitness Center organizes aerobic classes, strength building, self-defense and weight training.

The **Boys and Girls Club of Anacortes** offers extensive afterschool, weekend and summer programs for children of all ages.

Privately owned health clubs also serve the fitness and weight training needs of residents on Fidalgo Island. These businesses operate on a for-profit basis and are not subsidized by any governmental agency.

A **variety of privately organized youth recreational activities** are offered locally. They include Little League baseball, American Legion baseball, youth football, wrestling, AAU Basketball, Anacortes Lacrosse Club, Mountain Bike Club, select soccer and other programs. These and other groups like these have a significant effect on the demand for facilities. It is important to keep up with what groups come and go and what their interests are.

The privately owned **Fidalgo DanceWorks** provides a variety of dance classes to participants of all ages and abilities. Classes are offered year-round and at various times throughout the day.

The **Anacortes School District's After School Arts Program (ASAP)** is currently being retooled as it was recently put on hold by the District. It offered art sessions three times a year for any student grades K-6. A host of ever changing classes sponsored by the Anacortes School District include such things as dance, mosaic, drawing, knitting, guitar, digital photography, yoga, theatre, jewelry, painting, and art starts for K-2.

Anacortes Arts Festival offers more than just their annual 3 days festival each year in August. They also provide a Color Run each year in April, various spring time events and supports art education.

The **Anacortes Waterfront Alliance** is working to expand small boating and access to the water with the Parks and Recreation Department.

The **Anacortes Senior College** is an all-volunteer organization that offers courses to anyone aged 50 years or older. Classes are three and six weeks long, meeting once a week for two hours with three sessions per year. The classes generally meet in the afternoon at the Anacortes Middle School.

The **Port of Anacortes** also sponsors public programs, many of which relate to marine activities. An annual Waterfront Festival is co-sponsored by the Anacortes Chamber of Commerce and the Port of Anacortes. Activities include vessel tours, safety displays, music, art fair and boat show. The Port sponsors a summer concert series as well as in-water boat shows.

Anacortes Chamber of Commerce puts on various community events, some of the larger events are Bier on the Pier, Anacortes Spring Wine Festival, Waterfront Festival, Brewgrass event and the Anacortes Boat and Light Show.

DRAFT

CHAPTER 4

PUBLIC INPUT SURVEY AND PUBLIC MEETINGS

SUMMARY OF PUBLIC INPUT

The adoption of the Anacortes Parks and Recreation Plan is an undertaking which brings past documents and current opinions into a single planning document, a process required by the Recreation and Conservation Office (RCO) to qualify for grant funding. The State's Growth Management Act also recommends it. This process started with three public input meetings regarding Recreation Programs and Parks and Facilities that were held at City Hall on February 12, and at the Senior Center on February 17 and 22, 2018.

Eccos Design was hired to assist in the preparation of the public input component of the plan. The two main sources of information used to quantify community desires and establish program and/or facility priorities were an online public opinion survey and open house meetings. A detailed data table of the input from the three open house public meetings and the month long public input survey is found later in this plan. This chapter contains the summaries of comments obtained through this interface with the public.

A draft plan was compiled by staff based on the public meetings and the public opinion survey results. The Recreation and Conservation Plan for Washington State was also used to determine statewide trends as well as planning from the statewide perspective. The draft plan was brought to the Parks and Recreation Advisory Commission in April of 2018 for review by Commissioners and to open the draft plan to public comment. The Anacortes Planning Commission and the Anacortes City Council held subsequent meetings, with the final plan formally adopted by the City Council.

SUMMARY OF THE 2018 PUBLIC INPUT SURVEY

For the 2018 Parks and Recreation Comprehensive Plan Update, Anacortes Parks and Recreation (APR) prepared a public input survey that was delivered via the internet. This survey was open for the entire month of February 2018. The overall goal of the opinion survey was to provide APR with estimates of residents' preferences for parks and recreation facilities development and priorities for future planning. This survey was open to all residents of the City, as well as non-residents and was advertised in the following ways:

1. Two press-releases in the Anacortes American
2. An invitation, and multiple reminders were sent to the entire customer database of the Parks and Recreation Department
3. A link listing on the City of Anacortes web page, as well as the Parks and Recreation Department web page
4. An invitation was sent to all City department heads
5. An invitation was sent to Parks Foundation Members for re-distribution to other user groups
6. The survey was advertised during the public meetings held in February of 2018

At the end of the public opinion survey, over 442 households completed the survey. Once a household (computer) had completed the survey, software allowed the survey to be modified but not taken a second time. This placed some sidebars on attempts to complete more than one survey. The survey was delivered in English and a printed version was made available for non-computer users.

It is acknowledged that the public input survey is limited as use for representative data because participation was self-selecting. This sampling of self-chosen participating households was just another tool utilized for obtaining input from the public. It is an augmentation of all other means of obtaining the public's recreational needs.

Participant Demographics:

Most people who participated in the opinion survey were from Anacortes. As is often the case with public input, the senior population participated in a greater proportion than the general population. It is interesting to note that 49% of respondents were age 50 or older. See the demographic summary below.

Table 2.1
Demographics
N= 442 HOUSEHOLDS

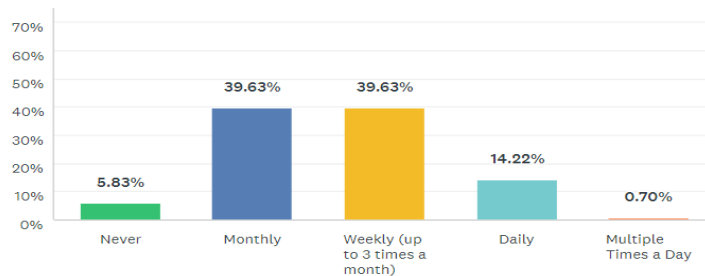
Age		Children at home	
17 or younger	2%	Yes	53%
18-20	1%	No	47%
21-29	2%		
30-39	23%	Residency	
40-49	23%	Resident of Anacortes	78 %
50-59	16%		
60 or older	20%		
70 or older	13%		

Park Usage and Importance:

Nearly all (90%) of the respondents reported their household had used a park facility in the past 12 months. Of those, almost half (44%) reported that they use the park on a daily or weekly basis. (Figure 2.1)

Figure 2.1
Frequency of Park Use

Answered: 429 Skipped: 13

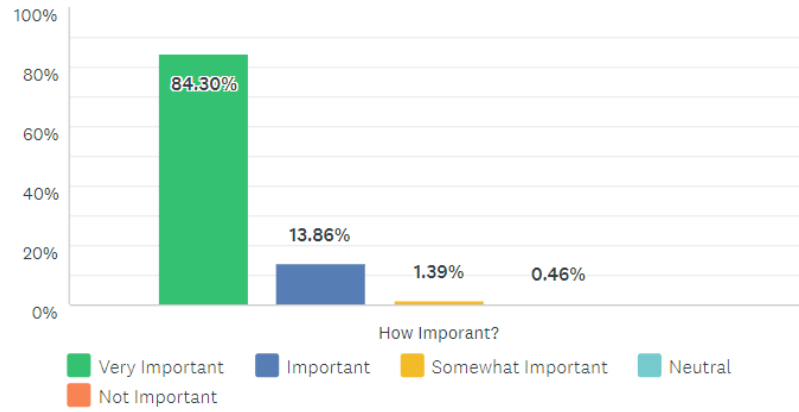


Of those who do not use Parks and Recreation Services (6%), the most prevalent reasons were (1) busy, (2) other interests. (See Comments in Appendix 3).

Nearly all respondents (98%) ranked Parks and Recreation Services as Important or Very Important to maintaining the quality of life in Anacortes (Figure 2.2).

Figure 2.2
Importance of Parks and Recreation Services

Answered: 433 Skipped: 9



Ranked Priorities

Respondents were asked to rate the importance or un-importance of different programs and facilities to determine what was perceived as important. The table below reports the percentage of respondents that said the following activities or facilities were very important or somewhat important.

Table 2.2
Importance of Facilities and Programs

Facilities/Programs	Very or Somewhat Important
Parks (General)	95%
Trails and Pathways	95 %
Public Beach / Water Access	94 %
Open Space or Natural Areas	90 %
Swimming Pool or Aquatic Center	79%
Children's Play Equipment / Playground	78 %
Community Events	77 %
Sports Fields	76 %
Sports Courts	70 %
Exercise/Fitness	67 %
Gym Space	65 %
Boat Launch Area	63 %
Small Boat Facility	55 %
Mountain Bike Skills Area	46 %
Dog Parks	49 %
Spray Parks	49 %
Skate Park	38 %
Bike Pump Track	36 %
Disc Golf	25 %

Residents were then asked to rank the top three priorities from the list of facilities and programs above. These results are summarized in Table 2.3.

Table 2.3
RANKED Importance of Facilities and Programs

Facilities/Programs	
1. Trails and Pathways	HIGHEST
2. Open Space or Natural Areas	
3. Public Beach / Water Access	
4. Swimming Pool or Aquatic Center	
5. Sports Fields	
6. Parks (general)	
7. Children's Play Equipment / Playground	
8. Mountain Bike Skills Area	
9. Community Events	
10. Bike Pump Track	
11. Small Boat Facility	
12. Sports Court	
13. Boat Launch Area	
14. Exercise Fitness	
15. Dog Parks	
16. Disc Golf	
17. Other	
18. Spray parks	
19. Skate Park	LOWEST

It was anticipated that trails, sports fields/courts, and mountain biking would be important to the community so each of these areas had a follow up question regarding prioritized preferences in each of those categories.

Trail Type Priorities

Table 2.4
RANKED Trail Type Priorities
N=278 Households

Facilities/Programs	Number of respondents listing as top category
1. Paved Linear Trails (IE Tommy Thompson / Guemes Channel Trail	299
2. Nature Trails	291
3. Waterfront Trails	268
4. Soft Surface Walking Trails	143
5. Mountain Bike Trails	121
6. Sidewalks	80
7. Other	7

Sports Fields Priorities

Table 2.5
RANKED Sports Field Priorities
N=260 Households

Facilities/Programs	Number of respondents listing as top category
1. Soccer	222
2. General Open Field Space	222
3. Baseball	124
4. Lacrosse	61
5. Softball	57
6. Football	44
7. Other	22

Sports Court Priorities

Table 2.6
RANKED Sports Court Priorities
N=260 Households

Facilities/Programs	Number of respondents listing as top category
1. Basketball	194
2. General Open Gym Space	194
3. Tennis	144
4. Volleyball	98
5. Pickle Ball	69
6. Other	16

Mountain Bike Priorities

Table 2.7
RANKED Sports Court Priorities
N=219 Households

Facilities/Programs	Number of respondents listing as top category
1. Single Track Trails	177
2. Skills Areas with Structures	160
3. Wider Cross-Country Trails	138
4. Pump Track	103
5. Other	17

Community satisfaction:

Another important factor queried in the survey was satisfaction with the current parks system. In general, the community appears satisfied with the conditions and activities of the city parks in Anacortes. The Tommy Thompson Trail, which is heavily used, is at the top. At the bottom is Volunteer Park, but which still has more people reporting high levels of satisfaction than not.

Table 2.8
Existing Park Satisfaction
N=345-404 Households

Location	Very Satisfied/Satisfied with <i>Activities</i>	Very Satisfied/Satisfied with <i>Condition</i>
Tommy Thompson Trail	84%	87%
Washington Park	81%	85%
Storvik Park	77%	73%
Guemes Channel Trail	69%	67%
Volunteer Park	67%	64%

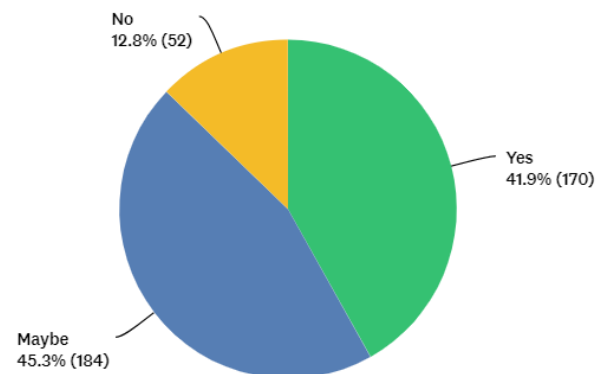
Park Funding:

Understanding how to pay for any increase in level of service is an important component in considering any desire for more park facilities. This survey asked respondents to consider a tax increase in the form of a levy. In other words, are people willing to “back their respective responses with their money?” The data may have significant value if Anacortes residents ever decided to form a taxing district to support parks.

Figure 2.3
Park Funding

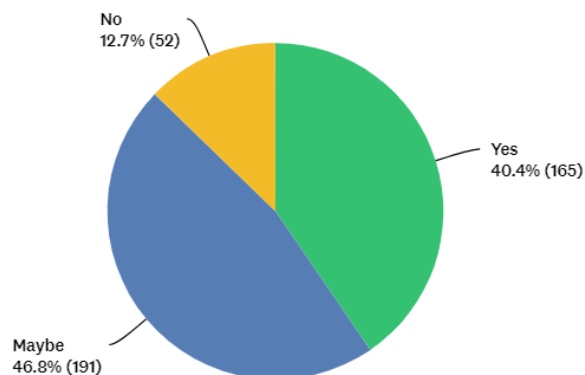
Some communities have chosen to tax themselves to increase the number of parks and recreation in their community such as the Bellingham Greenways Levy and the 2013 Seattle Parks Levy. Would you support increased taxes or levies to support expanded or enhanced recreational opportunities in Anacortes?

Answered: 406 Skipped: 36



Would you support increased taxes or levies to support long term maintenance / replacement of infrastructure (playground equipment, utilities to campground at Washington Park, backstops, artificial turf, etc.) in parks and park facilities around Anacortes?

Answered: 408 Skipped: 34



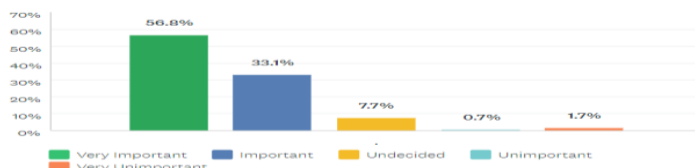
Recreation Programs:

Beyond facilities and sports programs, interest in community enrichment and recreation programs was surveyed. Most residents (90%) feel these programs are important.

Figure 2.4
Recreation Programs

How important do you feel community events, classes, sports programs, and enrichment activities are to quality of life

Answered: 405 Skipped: 37

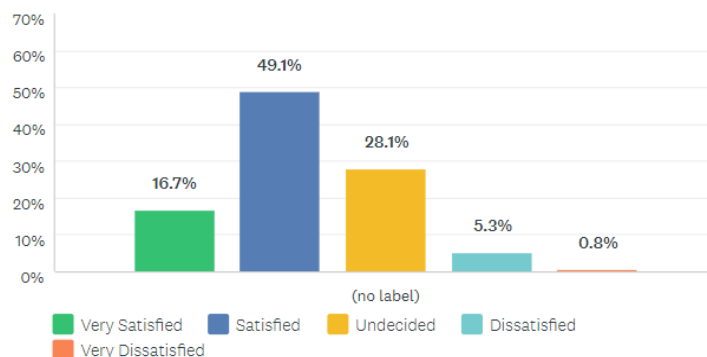


The follow-up question related to satisfaction with the selection of recreation activities offered by APR. There is greater satisfaction than not, but the greatest response is neutral or undecided.

Figure 2.5
Recreation Programs Satisfaction

How satisfied are you with the selection of classes, sports programs, and enrichment activities currently offered by APR

Answered: 395 Skipped: 47



There was an open-ended text follow-up question asking people what types of classes, sport programs and enrichment activities they would like to see more of. Following in Table 2.9 are the most requested program offerings.

Table 2.9
Open Ended Requested Offerings
Only suggestions with 5 or greater responses are listed

classes, sport programs and enrichment activities	Number of times requested
Sailing and small boating	38
Adult Classes and activities (not sports)	16
Adult Sports	14
Youth sports	13
Youth Club activities (not sports)	11
Mountain Biking events and classes	8
Yoga	8
Adult Tennis	7
Dancing Classes	7

There was an open-ended text follow-up question asking people what types of community events they would like to see. Following in Table 2.10 are the most requested program offerings.

Table 2.10
Open Ended Requested Offerings
Only suggestions with 5 or greater responses are listed

Community Event	Number of times requested
Youth Club activities (not sports)	11
Regattas, boat races	6
Mt Bike races and organized rides /days	5
Park Volunteer days to assist in maintenance or projects	5
Music Festivals (adults and kids)	5
Movie Nights	5
Mother / Son and Father / Daughter dance	5

2018 PUBLIC MEETINGS/PUBLIC COMMENT

Three public meetings were held in the City during the Plan Update process. These meetings were multi-purpose; to inform people of the comprehensive plan update process, advertise the public opinion survey, inform participants about the existing system and to hear issues, concerns and feedback on the services provided.

The meetings were held “open house” style with a series of boards placed around the room where participants could see a listing of facilities within a various ‘park type’ (IE community events OR trails OR sports fields, etc.). At each of these stations, participants were given the chance to ask any specific questions and comment about the type of facilities they preferred. Prompts were given in different ways to allow participants to talk both about their “likes” and “dislikes”. For example, such prompts included: “What I like about ‘Athletic Fields’ in the parks system is....” Or “What I would like to see different about ‘Athletic Fields’ in the park system is...”. Participants were welcome to register their open comments and most people contributed with suggestions and comments.

Table 2.11
Open House Comment Summary on Facilities

Facility or Use	What I like most...	What I would like to see different...
Open Space/Natural Areas	Strong appreciation of Washington Park. Appreciation of all natural areas and open spaces.	Erosion, noise, lighting, garbage, dogs, and trails in wetlands are concerns. Open space for just open space desired, IE limit access to these areas. Comments centered on issues at Smiley's, Cap Sante, Kiwanis, and Washington Park
Linear Parks and Trails	Strong appreciation of multi-use Trails and Linear Parks. Trails seen as quality of life issue. Appreciation of SHIP, GCT, TT.	Strong concern about GCT in wetland buffer and being too close to shoreline. Some stated preference for soft vs hard trails.
Community Enrichment (Special events, leagues, camps, etc.)	Strong appreciation of major community events	More movies, add adult age programs, wildlife centered programs, and water-based activities.
Day Use and Neighborhood Parks	Appreciation of Wash Park, Storvik and Tursi. Like multi-use in these types of parks.	Concerns about dog, cars on WA Park Loop road and light spill from Volunteer Park. Maintenance is perceived as overdue at Rotary, non-field area of Volunteer Park and Storvik Park. More zip lines.
Special Use Parks	The Depot and Wash Park are strongly appreciated.	Several comments about Wash Park needing an updated boat launch and more restrooms.
Athletic Fields / Courts	Appreciation of fields at Volunteer park and the quality of the condition and maintenance of that facility.	Concern about Smiley's bottom being impacted by ballfields. Request for maintenance upgrades.

In addition to existing facility-oriented questions, one station was dedicated to gauging people's interest in funding strategies. People were asked their interest in supporting increased taxes or levies for either expanding parks or increased taxes and levies for supporting maintenance and replacement of park infrastructure. There was an approximate 3:2 ratio of support to non-support for increasing taxes or levies, or stated another way, there was slightly more support than not for these potential increases.

Table 2.12
Funding Strategies

Funding Strategy	Would Support...	Would not support...
	General support for both expansion and maintenance taxes and levies, slight preference for maintenance.	No new taxes were documented by many participants. Request for more transparency in current funding and spending was noted.

Finally, one station was set up to ask participants what they might like to see or not see in a possible future community center.

Table 2.13
Funding Strategies

Future Community Center	Would like to see included...	Would NOT like to see included...
	Multi use space, meeting space racquet court space, gym space, teen focus was noted	Nothing specific was listed as not desirable, but comments were noted that the expansion of current be considered

It is noted that a number of those attending were there to promote a specific concern or recommend a specific interest be met.

Chapter 5: Park Needs & Standards

Developing standards / guidelines for the type and quantity of park and recreation facilities needed is approached in a variety of ways by each community. These standards are meant to serve as a guide for local planning agencies to best serve the needs and desires of their communities.

The National Recreation and Parks Association (NRPA) developed a standards and guidelines publication years ago that defines the standards in the following way:

- a national expression of minimum acceptable facilities for the citizens of urban and rural communities.
- a guideline to determine land requirements for various kinds of park and recreation areas and facilities.
- a basis for relating recreational needs to spatial analysis within a community-wide system of parks and open space areas.
- one of the major structuring elements that can be used to guide and assist regional development.
- a means to justify the need for parks and open space within the overall land use pattern of a region or community.

NRPA standards were developed to address average recreation service based on population (e.g. one facility/5,000 residents) or service radius (recommended distance from the park or facility). Suburban or rural cities generally use the population related standards, while dense cities may use the service radius method.

In the development of this plan it was determined that Anacortes is a unique community with significant resources that do not fit into existing NRPA park classifications. The emphasis of this plan is the integration of all public resources, not just those owned or operated by the city, so we will use the standards of specific needed facilities. We limited that list to quantifiable items (ball fields, play equipment, etc.) rather than general park references (neighborhood parks, waterfront parks, etc.). These facilities will at times make up a park, but they may also be on school grounds or some other piece of property. We feel that if we meet specific facility needs, the location, size, etc. of the parks that house them will fall into place. For these planning purposes then it is generally assumed that additional park amenities may be needed for any of the listed elements (for example ball fields may need parking lots, drinking fountains, benches, picnic tables, restroom facilities, etc.)

The following charts show what the Anacortes recreation demand is and how it is being/will be met now and in the future. Population estimates (from Table 1) are used for the analysis. These firmly established Anacortes Level of Service Standards consider the historical provision of facilities in the community adjusted by public input.

Chapter 6: Facility Standards

The following summary of facility types and their counterparts in the Anacortes Park system summarizes the recommended improvements or the approach to further development consistent with public input and staff direction. Elements of the recommendations for improvements can be found in the Action Plan within Chapter 7.

Regulation baseball

NRPA Standard:	1 Field per 5,000 Population
Existing Facility Ratio:	1 Field per 4,766 Population (Anacortes)
Facility Ration 2036:	1 Field per 6,369 Population
Recommended Standard:	1 Field per 7,500 Population

Recommendation: The regulation size baseball fields are Alton Daniels and Volunteer. Alton Daniels is a lit artificial turf field that counts as 2 fields in our system and Volunteer Field is a lit field and counts as 1.5 fields for a total of 3.5 fields. No additional regulation baseball fields are needed at this time or in the future unless demand changes.

Youth league baseball fields

NRPA Standard:	1 Field per 5,000 Population
Existing Facility Ratio:	1 Field per 4,766 Population (Anacortes)
Facility Ration 2036:	1 Field per 6,369 Population
Recommended Standard:	1 Field per 5,000 Population

Recommendation: There are 3.5 Little League fields (Storvik, Island View and Ace of Hearts / Rotary Park) in Anacortes. Storvik has lights and is counted as 1.5 fields. The demand for Little League Fields is met for now but expansion may be needed as the population grows.

Fast pitch fields

NRPA Standard:	1 Field per 5,000 Population
Existing Facility Ratio:	1 Field per 8,340 Population (Anacortes)
Facility Ration 2036:	1 Field per 11,146 Population
Recommended Standard:	1 Field per 7,500 Population

Recommendation: There are 2 Fast pitch fields in Anacortes. Marguerite and Don Daniels field is lit and has artificial turf so counts as two fields in our system. There is a need for a portion of a field to be added to the park system now which may be combined with another type of field to meet the growing need in the future.

Football fields

NRPA Standard:	1 Field per 20,000 Population
Existing Facility Ratio:	1 Field per 8,340 Population (Anacortes)
Facility Ration 2036:	1 Field per 11,146 Population
Recommended Standard:	1 Field per 10,000 Population

Recommendation: There are currently 2 football fields (Rice Field is lit and an artificial surface so counts as 2 fields in our system) in Anacortes. No new football fields are needed at this time, although improving or adding practice fields is needed. If a cooperative arrangement with the Anacortes School District to help those improvements occur were possible, it should be explored.

Soccer fields

NRPA Standard:	1 Field per 10,000 Population
Existing Facility Ratio:	1 Field per 4,170 Population (Anacortes)
Facility Ration 2036:	1 Field per 5,573 Population
Recommended Standard:	1 Field per 5,000 Population

Recommendation: There are four soccer fields available in Anacortes (two at Smiley's bottom, one at Storvik Park, and newly constructed Kiwanis Meadows at Volunteer Park). Both Storvik and Kiwanis Meadows have amenities. None of these fields are regulation sized or have full amenities. There has been an expressed desire for a regulation soccer "pitch" in Anacortes which was supported by the public input we received during this master planning process. With the growing popularity of soccer and lacrosse, additional field space will be needed in the future.

Tennis courts

NRPA Standard:	1 court per 2,000 Population
Existing Facility Ratio:	1 court per 1,853 Population (Anacortes)
Facility Ration 2036:	1 court per 2,477 Population
Recommended Standard:	1 court per 2,000 Population

Recommendation: There are currently six courts at the Middle School (Anacortes School District owned and maintained), one court at Clearidge (city owned and maintained), and two courts at Fidalgo School (Anacortes School District owned and maintained). The City should do what they can to maintain the existing inventory, improve access to courts and amenities and locate two courts with lights at some future location.

Outdoor Basketball courts

NRPA Standard:	1 Court per 5,000 Population
Existing Facility Ratio:	1 Court per 3,336 Population (Anacortes)
Facility Ration 2036:	1 Court per 4,458 Population
Recommended Standard:	1 Court per 4,000 Population

Recommendation: Anacortes currently has five courts (two at Storvik Park, one at Whitney School, one at Volunteer Park and one at Tursi Park). The City should maintain its existing inventory and explore the possibility of a covered outdoor facility. The City should work with the School District to improve their outdoor facilities and add courts as opportunities present themselves.

Play Structures

NRPA Standard:	No standard
Existing Facility Ratio:	1 Structure per 1,668 Population (Anacortes)
Facility Ration 2036:	1 Structure per 2,229 Population
Recommended Standard:	1 Structure per 1,500 Population

Recommendation: There are currently ten publicly available play structures in and around Anacortes (29th Street Playground, Storvik Park, Washington Park, Shugarts Playground, Guemes Island, Island View School, Whitney School, Mt. Erie School, Fidalgo School and Tursi Park). Play structures are needed in the Northern Pacific Addition. The City should maintain/improve its existing inventory and add structures as opportunities arise and population growth continues.

Smooth Surfaced Walking Paths

NRPA Standard:	No standard
Existing Facility Ratio:	1 mile per 2,174 Population (Anacortes)
Facility Ration 2036:	1 mile per 2,906 Population
Recommended Standard:	1 mile per 2,000 Population

Recommendation: There are currently 7.67 miles of Smooth Surfaced Walking Paths in and around Anacortes (Thompson Trail 3.92, Washington Park 2.2, Storvik Park .25, Rotary Park .3, Guemes Channel Trail 1). A multi-use trail connecting the Marches Point Park and ride with Washington Park should remain a high priority project.

Covered Picnic Shelters

NRPA Standard:	No standard
Existing Facility Ratio:	1 Shelter per 2,780 Population (Anacortes)
Facility Ration 2036:	1 Shelter per 3,715 Population
Recommended Standard:	1 Shelter per 3,000 Population

Recommendation: There are currently six covered picnic shelters in and around Anacortes (Washington Park upper beach, Washington Park lower beach, Rotary Park, Bowman's Bay, Rosario Beach and Tursi Park). There remains a need for one additional reserveable picnic shelter that needs to be located where there is parking and a restroom. This could fit in as part of any development of the Heart Lake area.

Chapter 7: Parks & Recreation Major Projects and Identified Needs

This section of the plan is arguably the most important chapter in that it lays out the large scale issues and projects that need to be addressed in the coming years. It highlights the most common priorities, along with some recommended actions. Following is a list of items as identified through our public participation process and staff's understanding of needs.

FUNDING: It has become clear that one of the major issues facing the Parks system in Anacortes is the long term funding of infrastructure and expansion. If the City wants to keep its existing Parks and Open Spaces adequately maintained and continue to expand to meet the growing needs it is going to have to find the financial resources to do that. All the planning will be for naught and go unrealized if the funding issue is not addressed. After the adoption of this plan it is imperative that the City seriously look at the various mechanisms for the long term funding of the Park system (REET, LTAC, General Fund Revenues, Bonds, Levies, alternate taxing districts (Grants, Donations, etc.) to come up with a system to address the long term needs that exist.

GUEMES CHANNEL TRAIL: For more than a decade, the City's elected leaders have been urging various City Departments to plan, build and maintain this extraordinary trail route connecting the Tommy Thompson Parkway with Washington Park, and many points in between. APRD staff have taken the lead, and the mile + route from the Edwards Way cul-de-sac east to Roadside Park has been built and is well used on a daily basis. Advocates of non-motorized travel continue to strongly support trail construction efforts, as do many recreational users, ranging from walkers to bicyclists.

Concerns have recently been raised regarding the SHIP wetland, and the potential for the trail to be routed through its buffer. City staff will continue to manage transparent planning processes, and follow all required permitting actions associated with the construction of the trail. In order to protect the environment and provide lasting enjoyment for future generations the City should work hard to find the balance that allows all of the public access to some of its special places while protecting and enhancing the environment.

Staff will also continue to work closely with elected officials throughout the completion of the trail.

APRD staff has received some input regarding the multiple use nature of the trail. A small number of walkers have asked that bicycles not be allowed on the trail. Staff have heard a larger voice asking for multiple use. APRD staff plans to continue to develop the Guemes Channel Trail as a multiple use facility.

COMMUNITY CENTER: The City, along with the School District and the Port of Anacortes, is taking a long look at the kinds of indoor facilities available to the public. The City has been asked to provide space for a variety of groups and activities ranging from Boys and Girls Club to meeting rooms, indoor gym space to a Teen Center. APRD staff will continue to work with

the community and elected leaders in the pursuit of a firm plan and funding package for the development and management of a community center.

STORVIK PARK: This long time hub of community recreation has undergone many positive upgrades over the last decade, including Our Town Our Park, the construction of a spray pad, new restrooms installed and the transition from a dirt to a grass infield at the baseball/softball facility. Additional improvements to the general condition of the multiuse field area are still needed. The northwest corner of the park emerges as the next most likely area to upgrade. Public input for this site has included desires for a bicycle pump track, parking lot, picnic area, a sand volleyball court and a licensed daycare facility. APRD staff will continue to ask the public for input on further improvements to the park. A development plan for the northwest corner is hoped for within the next two years. The Our Town Our Park playground has a separate funding source set up by the original Our Town Our Park committee that can fund maintenance and improvements to the playground. Those funds need to be used to help with that piece of infrastructure.

WASHINGTON PARK: While primarily funded by guests using the campground and boat launch, day use visits continue to increase by large numbers every year. Washington Park has recently upgraded its campground restrooms with a significant remodel, and hopes to improve the restrooms at the entrance of the Loop Road as well. However, the most frequently asked about park amenity is the Sunset Beach boat launch. Requests from park visitors range from double the size of the launch to increase the parking. Either option would produce significant impact to the existing park and beach. Parks & Recreation Department (APRD) staff will prioritize a master planning process for the Sunset Beach area, and hope to commence such a process by the year 2022.

In addition to the boat launch, the discussion of motorized use of the Loop Road is an on-going topic for APRD staff and park visitors. Many regular walkers would prefer to see an increase in restrictions of Loop Road use by motorized traffic. However, the motorized user groups have been vocal, not wanting any more time constraints put on their enjoyment of the Loop Road. APRD staff will continue to ask the question of potential changes to the motorized/non-motorized use restrictions of the Loop Road. At this time, however, there is no plan to deviate from the 10:00AM Loop gates opening seven days a week.

NATURAL AREAS AND OPEN SPACE: The City of Anacortes is blessed with many acres of natural features within its parks system. APRD staff will continue to place a high value on the care of this land, while working to help residents and visitors enjoy them. The Parks Department will look into the possibility of giving special designations to certain areas with specific limitations on what can and cannot be done in those spaces in an effort to provide better protections for them while having them be available to the public as appropriate.

THE DEPOT ARTS AND COMMUNITY CENTER: The old train depot, now managed by APRD, has become a popular event center for the city over the last decade. Both indoor and outdoor events now fill the calendar, and the growing Farmer's Market has become a fixture for the community. APRD will continue to improve the facility, with a focus on upgrades to

the plaza and madrone grove. This will largely be accomplished by continued work on the Depot Master Plan.

PUBLIC ART: Anacortes enjoys a healthy arts community, and APRD staff have worked to enhance this along with the Anacortes Arts Commission. This has been done through a variety of public art installations, art shows at City Hall, and many other diverse events and projects. APRD staff will continue to reach out to the arts community and artists, striving for further community enrichment.

HEART LAKE MASTER PLAN: While this resource is a part of the extensive Anacortes Community Forest Lands (ACFL), much support has been heard to implement the master plan, which the community produced in 2010. The master plan includes a variety of modifications including improvements to the existing gravel areas to reduce the overall impervious surface and help water runoff treatment. Additional improvements are; a day use area with covered picnic shelter, new boat launch and swim areas, installing a restroom facility, and looking into a connecting trail around the lake.

VOLUNTEER PARK AND SMILEY'S BOTTOM: APRD will continue to work with the Anacortes School District to improve accessibility to all facilities for teams, groups and individuals interested in both organized and solo recreation activities and environmental stewardship.

OFF LEASH DOGS: Pets and their owners continue to be a passionate topic for the citizens of Anacortes and the many thousands of park visitors we receive every year. While some would prefer no leashes required, ever, many others would like an increase in legal, off leash opportunities for the dogs. Volunteer and Washington Parks have been suggested as options for this. Other requests have come in that the City of Anacortes should do a more heavy handed enforcement of the leash law. APRD will continue to work with its citizens, visitors and the Police Department in order to provide safe play areas for dogs, their owners and those without pets.

ACTIVITIES FOR SENIORS: APRD staff will continue to develop programs and facilities that reflect and meet the needs and desires of our senior population. The Senior Activity Center will be joining Parks and Recreation in 2020. We expect more collaboration within our department to encourage senior activities and the blending of generations to their mutual benefit.

DEVELOP MORE ATHLETIC FIELDS: APRD staff will remain vigilant for opportunities to develop and/or acquire outdoor athletic field space. Athletic fields are a big concern in all Parks and Recreation Departments and Anacortes is no exception. Field development and improvement needs to be closely monitored and coordinated with other entities like the Anacortes School District to make sure the demand is met efficiently.

COMMUNITY EVENTS: APRD is one prominent partner in the offering of annual events. While there is typically strong support for these, staff will remain open to new ideas and opportunities for change in the annual planning of community events.

PORT OF ANACORTES NORTH AND WEST BASIN DEVELOPMENT: The Port of Anacortes is moving forward with its planning for the North Basin which may include a community events center, public open space and pedestrian connections to the Tommy Thompson Trail. It will be important to work with them closely as that will impact the Depot area.

WALKING PATHS AND CORRIDOR CONNECTIONS: APRD continues to follow the '09 Comp Plan Recommendation: The Parks Department should work closely with other City Departments to do all it can to secure walking paths and connecting corridors within the City and around the County. The 2016 City Comprehensive Plan articulates similar goals. Pocket Parks along Commercial Avenue and other areas of the city may also be sought out. The Port of Anacortes' North and West Basin Concept Plan supports the City's plan for improved walking paths and connecting corridors. A particular emphasis should be the pursuit of a waterfront trail connecting the Depot Arts Center to Washington Park. The Parks Department should also work to get bike racks installed where appropriate to assist those interested in non-motorized forms of transportation. Whenever possible, level routes and curb cuts should be incorporated to assist people with disabilities.

SMALL BOAT CENTER: APRD continues to follow the '09 Comp Plan Recommendation: APRD should work closely with other City Departments, the Port of Anacortes and the Anacortes Waterfront Alliance community group to assist local efforts to create a small boating facility or facilities on Fidalgo Bay. Rotary Park or other park property may be able to accommodate a small boat center. This center could in turn serve as a downtown stop for kayakers traveling "water trails" in the Puget Sound.

SHIP HARBOR INTERPRETIVE PRESERVE: APRD continues to follow the '09 Comp Plan Recommendation: Continue efforts with Washington State Ferries and adjacent development to secure access on either end of the trail. Ensure that any improvements made to the area are very sensitive to this Critical Area and are of the highest quality possible. Adopt a policy statement that recognizes the purpose of SHIP to protect the wetland and marine ecosystems and to provide appropriate public access to the shoreline and natural areas at Ship Harbor. Develop a management plan for SHIP.

ACCESSIBILITY IMPROVEMENTS: APRD continues to follow the '09 Comp Plan: APRD should continue its efforts to make facilities and areas accessible to as many individuals as reasonably possible whenever it can, and work with groups representing citizens with disabilities.

Chapter 8: Goals and Policies

Goal PR-1. Park & Recreational Facilities. Provide a range of high quality and easily accessible park and recreational areas, facilities and opportunities that will serve a wide range of age groups, recreational interests and ability levels.

Policy PR-1.1. Provide park areas that are convenient to and accessible for the residents of Anacortes.

Policy PR-1.2. Provide programs for as many people of diverse abilities, ages, and genders as our resources allow.

Policy PR-1.3. Provide facilities and activities that are accessible per ADA standards and are sensitive to issues of universal accessibility in spirit. Increase awareness of accessible features via signage, publicity, and other means.

Policy PR-1.4. Provide a balance of both active and passive recreation opportunities that encourage active lifestyles, facilitate lifelong participation and generate a respect for the natural environment.

Policy PR-1.5. Develop a comprehensive multi-purpose trail system to serve recreational and non-motorized transportation functions for a variety of users, including handicapped-accessible routes where feasible.

Policy PR-1.6. Improve the arterial and neighborhood street system in the City to make provision for bicycle and pedestrian connections.

Policy PR-1.7. Support and encourage the Anacortes Community Forest Lands Management Plan's provisions for the maintenance of a trail system for recreational users.

Policy PR-1.8. Develop a long range master plan for the provision of recreational programs and services.

Policy PR-1.9. Include neighborhood pocket parks when appropriate to allow for community connections.

Policy PR-1.10. In cooperation with community partners (e.g. Anacortes School District, the Boys & Girls Club, etc.) explore options for potential development of a community center as a place where people can gather and recreate.

Goal PR-2. Shoreline Access. Increase the opportunities for public access to and enjoyment of the shorelines of Anacortes, including both physical and visual access.

Policy PR-2.1. Place a high priority on completing the multi-use trail along Guemes Channel from the Depot Arts Center to Washington Park with links to other natural areas including the ACFL and Ship Harbor Interpretive Preserve.

Policy PR-2.2. Pursue public-private and other agency partnerships in developing conveniently-spaced public access points to the Guemes Channel trail that include parking and other facilities that are designed to be compatible with their surroundings.

Policy PR-2.3. Work with the Port of Anacortes to develop and interconnect Cap Sante Marina and surrounding areas including:

- A. Continuing to support transient moorage facilities.
- B. Developing a public fishing pier.
- C. Enhancing landscaping, roadways, signage and pedestrian walkways.
- D. Developing a small boating facility and associated parking.

Policy PR-2.4. Develop a public trailered boat launch adjacent to the downtown area.

Policy PR-2.5. City owned rights-of-way or street ends that afford access to, or views of, marine shorelines should be evaluated for suitability as street end parks and/or wildlife corridors and developed as such if appropriate.

Goal PR-3. Efficient Parks Program Management. Provide parks, open space, recreation facilities, and a comprehensive recreation services program to the citizens of Anacortes in a well-run, economical and cost-effective manner.

Policy PR-3.1. Develop safe, high quality facilities that serve multiple purposes and functions whenever appropriate.

Policy PR-3.2. Avoid duplication of recreational programming with non-departmental organizations unless the demand for additional programs exceeds the supply.

Policy PR-3.3. Manage recreation on an economically sound basis, evaluating the need for fees on a case-by-case basis.

Policy PR-3.4. Provide leadership for all park and recreation activities in Anacortes by assisting other agencies, groups and individuals in their efforts to improve their quality of life. Act as a catalyst to help special interest groups organize and run their own programs, especially when for the benefit of local residents.

Policy PR-3.5. Foster and promote stewardship of the Anacortes Park and open space system.

Policy PR-3.6. Place planning emphasis on the development of a linked system of parks and open spaces.

Policy PR-3.7. Broaden the public understanding of parks to include sidewalks, boulevards, street ends and open space on other public properties.

Policy PR-3.8. When developing acquisition plans for new parks consider and provide for maintenance and operations costs.

Policy PR-3.9. Prepare master plans for development or improvement of existing parks based upon real needs.

Policy PR-3.10. Recruit, involve, and utilize volunteers in the planning and delivery of park and recreation programs.

Policy PR-3.11. Develop and implement parks and maintenance procedures that enhance the quality and durability of our park facilities.

Policy PR-3.12. Maintain adequate funding sources for parks and recreation planning, development, management and maintenance and maintain a plan for capital improvements to guide capital expenditures, utilizing City funding, grants, and fees for programs.

Policy PR-3.13. Continue to promote close working relationships with the Anacortes School District, Skagit County, the Port of Anacortes, citizen groups, volunteers and others who provide recreation programs and services including jointly funded projects where applicable.

Goal PR-4. Community Engagement. Engage the public in decisions about planning, acquisition, development and management of the park and recreation facilities and programs.

Policy PR-4.1. Maintain community engagement and a public feedback system to increase the community's awareness of and involvement in such issues as changes in recreation interests, park maintenance, city operations and services, etc. through the Parks and Recreation Advisory Committee and Forest Advisory Board.

Policy PR-4.2. Utilize the Parks and Recreation Advisory Committee and Forest Advisory Board's monthly meetings to hear public comments and take feedback on community interests and concerns.

Policy PR-4.3. The Parks and Recreation Advisory Commission will advise the City Council regarding the management of the Ship Harbor Interpretive Preserve. The Commission shall receive input from a subcommittee made up of interested community members who should have representation from environmental educators, the Shannon Point Marine Research Center, Evergreen Islands, Friends of the Forest, Anacortes School District, Samish Nation, Washington State Ferry System and others as appropriate.

Policy PR-4.4. The ACFL Advisory Board will advise City Council on management of all the lands that formerly comprised Heart Lake State Park, as well as Mt. Erie including the summit; and the area around Little Cranberry Lake dedicated in 1964 by City Council as Little Cranberry Lake Park.

Policy PR-4.5. Use a variety of modalities to communicate with the public including direct mailings, the City of Anacortes website, the government access television channel, e-mail lists, local popular press, local radio station, etc.

Goal PR-5. Parks Facilities Maintenance. Develop and implement parks and maintenance procedures that enhance the quality and durability of our park facilities.

Policy PR-5.1. Provide a high level of maintenance for all City facilities appropriate to the needs of the park.

Policy PR-5.2. Develop specific maintenance plans for some areas of the park system that address staffing priorities, equipment needs, etc.

Goal PR-6. Parks Funding. Ensure adequate funding sources for parks and recreation planning, development, management and maintenance and maintain a plan for capital improvements to guide capital expenditures.

Policy PR-6.1. Prepare, maintain and implement a comprehensive park, recreation and open space plan that fulfills the requirements of state and local granting agencies.

Policy PR-6.2. Pursue grant funding as appropriate to acquire and develop parks facilities and recreation programs.

Policy PR-6.3. Establish an operating budget that addresses the public demand, needs and interests as expressed in public opinion surveys.

Policy PR-6.4. Develop a fees and charges policy for residents of the City of Anacortes that is based on the ability to pay with costs shared between the City and the user.

Policy PR-6.5. Work with Skagit County to develop a specific approach to meeting the needs of those people living outside the City limits but likely to utilize City park and recreation services.

Policy PR-6.6. Require new residential development to provide impact fee payments to the City.

Policy PR-6.7. Adjust park impact fees to keep park facilities current with growth.

Policy PR-6.8. Foster partnerships and cooperative efforts with other agencies, jurisdictions, citizen groups and volunteers in planning for parks, recreation and open space opportunities.

Policy PR-6.9. Continue to promote close working relationships with the Anacortes School District, Skagit County, the Port of Anacortes and others who provide recreation programs and services including jointly funded projects where applicable.

Goal PR-7. Environmental Stewardship. Design, construct and manage parks facilities and programs with sensitivity to the protection and restoration of environmental resources and natural habitats.

Policy PR-7.1. Design and operate all park projects to comply with the City's Critical Areas, Tree Preservation, Storm water and Shoreline Regulations.

Policy PR-7.2. Include greenbelts in new park development or park redevelopment where appropriate; these greenbelts should include pedestrian connections, wildlife corridors and park / forestland buffers wherever practicable and reasonable.

Policy PR-7.3. Provide recreational opportunities while preserving and enhancing the resource value of each site (natural, cultural, historic, and recreational, etc.).

Policy PR-7.4. Promote stewardship of native habitat for wildlife and native vegetation where the choice contributes to habitat value in parks or areas of parks with natural lands, especially for sensitive habitats and habitats that are in decline.

Policy PR-7.5. Maintain or improve the functional integrity of water-courses, wetlands, bodies of water and their shores by keeping them in their existing natural condition where appropriate or restoring them as appropriate.

Policy PR-7.6. Continue to reduce the use of chemical fertilizers, pesticides and herbicides and to test the use of less toxic alternatives, particularly in areas immediately adjacent to waterways and wetlands.

Policy PR-7.7. Continue program to remove non-native invasive plant species from parks, the ACFL and city green spaces.

Policy PR-7.8. Increase recycling collection, purchase recycled products and promote energy conservation in parks facilities.

Policy PR-7.9. Purchase alternative fuel vehicles and requirement when appropriate for parks maintenance needs.

Policy PR-7.10. Take measures to minimize storm water runoff from park grounds using Low Impact Development (LID) when appropriate.

Policy PR-7.11. For storm water discharge from Anacortes Parks, provide treatment that effectively reduces or eliminates trash, oil, toxicants and fecal bacteria being discharged to marine water of the Puget Sound when appropriate.

Policy PR-7.12. Review and implement environmentally sound practices. This could include looking at water consumption, electrical power consumption, paper use, fertilizer use, herbicide use, gas consumption, etc.

Goal PR-8. Forestlands Management. Manage the Anacortes Community Forestlands (ACFL) with the principal goals of maintaining and enhancing habitat, aesthetic, and recreational values.

Policy PR-8.1. The Anacortes Community Forestlands (ACFL) are critical areas having the designation as a Wildlife Habitat Conservation Area.

Policy PR-8.2. Acquisition and habitat restoration funding for the ACFL, shoreline areas, and wildlife corridors will remain a high priority.

Policy PR-8.3. The Anacortes Community Forestlands should be managed to maintain their pristine and/or fragile environmental and to preserve watersheds, wildlife habitats, wetlands, and aesthetic values, while providing for appropriate low-impact recreational uses with priority for residents.

Policy PR-8.4. Continue to work towards the placement of conservation easements on all lands either currently in or added to the ACFL.

Policy PR-8.5. Continue to support the basic operation of the ACFL with General Fund dollars and augment that with interest from the Forest Endowment Fund.

Policy PR-8.6. Continue to work to find ways to fund the Forest Endowment fund either with the Conservation Easement Program or some other program that can be as successful as the CEP.

Goal PR-9. Open space connectivity. Establish and acquire a network of open space and public access corridors.

Policy PR-9.1. Develop an integrated open space network plan that identifies connection opportunities between historical, cultural, aesthetic, archaeological, biological, natural, recreational and educational sites.

Policy PR-9.2. Maintain and periodically update the “Open Space Connectivity Map” to identify greenbelt and open space areas within the urban growth area and between urban growth areas, generally consistent with the Skagit Countywide UGA Open Space Concept Plan (2009). This includes connections that link the Tommy Thompson Trail, Cap Sante, Washington Park, the downtown, marinas, city trails, schools and other assets; and links between the Community Forestlands and Deception Pass State Park.

Policy PR-9.3. Funding the protection of open space required for habitat, wildlife movement, public access, non-motorized recreational corridors, and similar purposes shall continue to be a City priority.

Policy PR-9.4. Unopened or under-developed rights-of-way shall be evaluated for use as non-motorized public and community access and wildlife corridors prior to granting any vacation or encroachment easement.

Policy PR-9.5. Consider methods to preserve areas with open space value adjacent to Anacortes Community Forestlands, including native growth protection easements and building setbacks.

Chapter 9: Park Funding Options

Funding and Financing Park and Recreation Facilities and Programs

Without a strategy for funding its development, the vision of a park and recreation system remains only in the imagination.

Often park and recreation facilities and programs are viewed as nonessential when compared with public safety, transportation and utility needs. In a household budget, parks may compare with vacation and entertainment funds, while the police and fire services may compare with the mortgage payment and weekly food budgets. Some things are essential, others can be thought of as optional. However, the health of a community is reflected in its quality of life. The quality of life is related to the community's environment, parks, open space, trails systems and recreational opportunities.

When designing a park, an apartment complex or a single family residence, we look at the surrounding properties to gain an appreciation for the setting. Often, we “borrow” elements of the adjacent landscape in the development of the site plan. Off-site trees, for example, can influence the placement and species selection for trees on our property. This “landscape borrowing” mirrors the use of non-park improvements to further the goals of the Parks and Recreation Plan.

Every public project should be perceived as an opportunity to implement a component of the plan. Therefore, funding for park and recreation improvements can be seen as originating from any of the budgets of the many City departments.

The committee putting this plan together wants to send a strong message that the Parks Department should do all it can to maximize every dollar spent on park and recreation improvements. The City must work with the other governmental agencies and private groups in the area to make sure there is not a duplication of services. The committee wants to see the City work with the County to come up with a funding mechanism to meet the needs of those not within the City limits but likely to utilize park and recreation services from the City.

There are many options and alternatives for funding park land acquisition, development and maintenance. These include a variety of bond and levy measures, state and federal grants, utility taxes and user fees, private donations and volunteer efforts, impact assessment fees or any other creative solution. Many of these options and alternatives typically utilized are described in the following table. The City has typically relied upon general tax revenues, LTAC and REET funds for these activities with limited success allocating the desired funds. There is a strong need to come up with a systematic approach that makes the funding available for the long term needs of the Parks and Recreation Department.

Table 3: Funding Opportunities

Funding Type	Funding Source
City General Fund	City funds from the annual operating budget.
Capital Improvement Fund	City funds allocated to major capital projects.
One Year Special Levy	A property tax for construction and/or operation levied for only one year. Requires a 60% majority approval of 40% of the voters who voted at the last election.
Bond Measure	A property tax for the sale of construction bonds. The tax assessment can be levied up to 30 years. Requires a 60% majority approval of 40% of the voters who voted at the last general election.
Councilmatic Bonds	A tax assessment initiated by the City Council. The limit is based in a percent of the total assessed valuation of the city. Seldom used.
Revenue Bonds	Revenue from the operation of the facility pays for the capital cost and debt service. Does not require a vote of the people.
Recreation and Conservation Office	The RCO manages a number of grant sources for state and federal agencies that should be monitored closely to see if there are funding opportunities to be had.
State Legislative Funding	The City can ask its Legislators to make appropriations out of the State budget for projects in Anacortes that could include Park and Recreation facilities, etc.
Other State and Federal Granting Agencies	There are a variety of State and Federal agencies that provide grants for all kinds of programs. The City should constantly monitor those and apply as opportunities arise.
Park Revenues	Revenue from park operations is used to pay for capital projects. Washington Park and Mt. Erie Park are both facilities in the Anacortes park system that generate this type of revenue.

Volunteer Efforts	Volunteers can contribute a great deal in terms of cash, materials, and labor to park improvements.
Park Impact Fees	Development fees imposed by a county or city for park land acquisitions and development. Fees charged to developers are typically based upon a set amount per residential unit. This amount is calculated to represent the development's share of public improvements necessitated by growth.
User Fees	Cities, counties, and special purpose districts can charge fees for use of facilities or participating in programs. They are often entrance fees or registration fees. A certain level of service or development may be required to assess park and recreation fees.
Donation / Foundations	Private donations and foundations are also possible sources of assets and funding.
Special Taxing District	Some communities have chosen to fund parks and recreation through a special taxing district similar to the Fidalgo Pool's taxing authority. RCW 36.69.010 provides more information.

Anacortes Parks Foundation

The Anacortes Parks Foundation, formed in 1995, offers private support to the Parks Department in soliciting and coordinating private contributions as well as assisting with various development projects.

The Foundation has been an invaluable asset to the Parks and Recreation since its inception and the Parks Department needs to do all necessary to maintain and improve that valuable working relationship as appropriate.

Recreation and Conservation Office

For 40 years, Recreation and Conservation Office (RCO), formerly known as the Interagency Committee for Outdoor Recreation, has contributed to the state's recreational qualities and habitat conservation and interpretation through its investment of public funds in parks, trails, water access sites, wildlife habitat, and natural areas.

The RCO administers several grant programs for outdoor recreation and habitat conservation purposes. The RCO grant program requires that funds be spent for specific types of projects. To

be considered for funding assistance, most grant programs require that RCO be given assurance that the proposed project will be operated and maintained in perpetuity for the purposes for which funding is sought. Most grant programs also require that sponsors complete a systematic planning process prior to seeking RCO funding.

RCO has grant limits on most of its programs and encourages and often requires sponsors to share in the project's cost. Grants are awarded by the Committee based on a public, competitive process which weighs the merits of proposed projects against established program criteria.

There are five major RCO grant programs: Boating Facilities Program, Washington Wildlife and Recreation Program (WWRP), Land and Water Conservation Fund (LWCF), Firearms Range Program, and the Non-highway and Off-Road Vehicle Activities (NOVA).

The RCO funding programs require specific information to be gathered and presented in a planning document. This document reflects agency requirements for recreation planning. To apply in the Urban Wildlife Habitat category of the WWRP, a companion document or insert can be prepared to address habitat and wildlife issues.

Park Impact Fees

Impact fees are charges assessed on new development as a condition of approval to pay for public facilities needed to serve new growth.

The purpose and size of the fees must be reasonably related to the new development which creates the additional demand for public facilities. Impact fees should contribute a proportionate share of the cost and should be used for public facilities.

The state Growth Management Act (GMA) addresses "project improvements" and "system improvements" when describing impact fees. Project improvements refer to improvements as a part of the development itself. Other capital improvements generated by the development which go beyond its borders, such as the local road system linked to the development, are termed system improvements. Impact fees for system improvements need to be spent in conformance with the capital facilities plan included in the comprehensive plan.

The objective of impact fees is not to raise revenue, but to ensure that adequate capital facilities are built. An advantage of an impact fee program is that it distributes the burden of paying for growth-generated public facility costs to those most benefiting. Another advantage is that it allows developers to proceed with projects instead of waiting for public facilities to be constructed at a future date. Finally, an impact fee program allows local government to commit to constructing public facilities in a planned and systematic manner.

Proposed Action: Current Parks and Recreation impact fees, \$615 per new housing unit, have not been revisited since 1998. The Parks and Recreation Department is currently working on revising the impact fees in 2020.

Chapter 10: Park Capital Improvements and Service Enhancements

The following are recommended improvements for existing park facilities and services. There are details to be worked out for each of the items listed that are not included in this long range planning document. Site specific master plans or management plans may be developed for greater clarity and direction or may already exist and are noted in the description of that park.

Funding of Parks and Recreation

- 1) After adoption of the Comprehensive Plan, work with Council on various funding options that address the long term needs of maintenance, improvements, expansion and development of the City of Anacortes parks system. Using the list below, staff can work with the Parks and Recreation Advisory Commission to identify grants, private donations and other funding mechanisms to address priorities and opportunities.

Ace of Hearts Rotary Park

- 1) Complete construction of sidewalks, dugouts at fast pitch & baseball field.
- 2) Complete construction of off-leash dog park, path, plantings, parking, restroom, and other amenities.
- 3) Pursue daylighting Ace of Hearts Creek and improving the adjacent wetland area.
- 4) Continue efforts on back berm to grow native plants.
- 5) Improve walking trail around area.

Proposed action: "H" Avenue Stream Restoration in Capital Facilities Plan for 2024. Potential Park Improvements/Development 2022-2035.

Alice Parchman Newland Park (10 acres)

- 1) Continue tree replanting efforts.

Anchor Cove Park (5,700 square feet)

- 1) No improvements planned.

Ben Root Skate Park (.5 acre)

- 1) Work with park users on design to construct improvements or possible rebuild to the park.
- 2) Find way to include constructive street art in the park.

Proposed action: Local group interested in pursuing private funding for skate park rebuild. If successful, this could move timeline for new construction into the 2021 to 2025 timeframe.

Cap Sante Park (37 acres)

- 1) Provide a low automobile curb/railing around the parking area at the top.
- 2) Prioritize removing invasive non-native plants from the park.
- 3) Improve trail from the top parking area down to the east side and west side of the park.
- 4) Repair stone stairs on the east side of the park near the amphitheater.

Proposed action: Working with Anacortes Rotary Club on possible improvements to trail and existing paved pathway in the 2022 to 2024 timeframe. Other potential park improvements/development 2025-2035.

Causland Park (2.8 acres)

- 1) Design and construct restroom.
- 2) Restore the bandstand.
- 3) Continue improvements to wall in keeping with historical nature of park.
- 4) Continue large tree pruning, tree maintenance and replanting efforts at the park.

Proposed action: Potential Park Improvements/Development 2022-2035. Improvements may occur via private donations prior to these dates.

Clearidge Park (.8 acres)

- 1) Continue improvements to basketball and tennis/pickle ball court amenities.

Proposed action: Potential Park Improvements/Development 2022-2035.

Connectors, Pathways and Trails

- 1) Complete ACFL to Guemes Channel Trail connection where opportunities exist.
- 2) Coordinate Skagit County open space/trail corridor system with the Anacortes trail system where possible.
- 3) Identify other pocket park opportunities along Commercial Avenue and business district.
- 4) Work with Public Works Department on non-motorized and pedestrian connections as expressed in the City Comprehensive Plan, Heart Lake Master Plan and other parks master plans or as opportunities present themselves to connect new developments to parks and public greenspace.
- 5) Continue placement of bike racks and bike corrals at city parks and trailheads.

Proposed action: Pickett Pocket Park construction in 2020. Exploring opportunities as they present themselves to make connections to west streets from downtown for bicycles and pedestrians. Potential Park improvements 2020- 2025.

The Depot

- 1) Complete update as specified in Depot Master Plan, focusing on the north end the Depot plaza. This will likely include a new restroom, stage and Madrona grove access.
- 2) Maintain public art in the Madrone grove.
- 3) Continue maintenance to improve health and habitat for Arbutus trees.
- 4) Work with Port on their North Basin plan to enhance the Depot area and make connections to the marina and downtown easier to find and walk.

Proposed action: Restroom scheduled for construction in 2020 with County grant funds. Other grant funding being researched for stage and ADA grove access.

Heart Lake

- 1) A separated bike / pedestrian pathway is recommended as a non-motorized facilities project for the City in the transportation chapter of the Comprehensive Plan as an important improvement to get people to Heart Lake safely. (Refer to Heart Lake Master Plan for more information).

Proposed action: Potential Park Improvements/Development in Capital Facilities Plan for 2023 & 2024.

Horizon Heights Park

- 1) Identify current wetlands and buffer restrictions/opportunities.
- 2) Implement any improvements within permit limitations.

Proposed action: Potential Park Improvements/Development 2022-2035.

John and Doris Tursi Park

- 1) Maintain all plantings to ensure success of naturally planted areas and remove invasives as necessary.

Proposed action: Potential Park Improvements/Development are actively occurring.

Kiwanis Waterfront Park

- 1) Improve native plantings and lawn area.
- 2) Consider formalizing some of the internal informal trails within the park.
- 3) Plan for Guemes Channel Trail to go through the park and connect to 6th Street widened sidewalk.

Proposed action: Potential Park Improvements/Development are actively occurring regarding improvements to planting areas. Potential Trail Improvements/Development 2020 to 2035.

Mt. Erie School/Park (0.5 acres)

- 1) No improvements planned.

Mt. Erie Park (80 acres)

- 1) Construct restroom (consider innovative construction on challenging terrain).
- 2) Repair Erie Mountain Road.
- 3) Improve parking arrangements.
- 4) Improve signage.

Proposed action: Ray Auld Drive repair occurred 2019. Erie Mountain Road improvements scheduled 2020-2022. Other Potential Park Improvements/Development 2022-2035.

“N” Avenue Park (18,000 square feet)

- 1) Add bench, tables and other amenities
- 2) Remove invasive weeds on site as they appear.
- 3) Improve waterfront connector trail where possible
- 4) Work with Samish Nation, Port of Anacortes and Anacortes Museum on renaming park.

Proposed action: Adjacent site clean-up scheduled 2020-2022 by Port of Anacortes. Potential Park Improvements/Development 2022-2035.

Park at Minnesota and West 6th

- 1) Complete park improvements as preliminarily designed.

Proposed action: Potential Park Improvements/Development 2022-2035.

Pickett Pocket Park (0.2 acres)

- 1) Create pocket park in vacated alley way for new public green space.
- 2) Provide public benches, picnic tables, landscaping and public art on south Commercial Ave.

Proposed action: Construction planned for January 2020.

Roadside Park (0.3 acres)

- 1) Improve parking area at the entrance.
- 2) Continue to clean up or cover debris and remove invasive plants.

Proposed action: Clean up work is ongoing. Potential Park Improvements/Development 2022-2035.

Rotary Park (1.5 acres)

- 1) Improve a secondary unpaved trail for pedestrian and other access.
- 2) Continue removing invasive non-native plants from the park.
- 3) Improve landscaping and picnic opportunities at south end of the park.
- 4) Construct a small interpretive board.
- 5) Continue improvements to disc golf course.

Proposed action: Working with Anacortes Rotary Club on possible improvements to trail and existing paved pathway in the 2022 to 2024 timeframe. Other potential park improvements/development 2025-2035.

Ship Harbor Interpretive Preserve

- 1) Continue non-native plant removal.
- 2) Finalize plans, permit and build boardwalk extension to WSF terminal and interpretive station(s).
- 3) Develop a management plan for the area that could include a “special designation” for the area with specific do’s and don’ts.

Proposed action: Potential Park Improvements/Development 2022-2035.

Shugarts Playground (0.5 acres)

- 1) No improvements necessary.

Storvik Park (8.7 acres)

- 1) Find alternative uses for old croquet court and shuffle board area in park’s NW section. Items discussed for this area include a sand volleyball court, horse shoe courts, bicycle pump track and bocce ball among others.
- 2) Continue irrigation repairs
- 3) Upgrade field and lighting.
- 4) Repair and upgrade backstop and dugouts.

Proposed action: Storvik Field improvements in Capital Facilities Plan (CFP) for 2022. Storvik Small Courts upgrade in CFP for 2021. Other Potential Park Improvements/Development 2022-2035.

Tommy Thompson Trail

- 1) Plan and construct connections to other pedestrian paths created along Fidalgo Bay as area develops.
- 2) Continue tree and shrub plantings along Fidalgo Bay to enhance shade for shore spawning fish.
- 3) Plan and complete improvements to connect to March Point Road park and ride.
- 4) Continue efforts to install public art along the trail.
- 5) Work with other agencies to connect trail to Berentson Bridge.
- 6) Work to remove ivy and other non-native invasive plants along the corridor.
- 7) Work with other entities to enhance shoreline south of the Grimm property.
- 8) Work to find additional parking for access along the trail including racks for bicycles.
- 9) Look for ways to develop a parking lot on the March Point Road side of the trestle.
- 10) Work with the DNR to consider trestle / causeway replacement options.
- 11) Develop entrance parking lot and improved access at 34th Street along with improvements to Rotary Park area.
- 12) Improve pedestrian and bicycles access from adjoining neighborhoods where feasible.
- 13) Partner and coordinate with the Port of Anacortes on connections from 9th to the Depot.

Proposed action: Trestle and Causeway Replacement in Capital Facilities Plan for 2024. In discussions with Port of Anacortes and other potential developers to continue paths along Fidalgo Bay, 2021-2024. Other Potential Park Improvements/Development 2022-2035.

Guemes Channel Trail

- 1) Acquire land and \or easements for Guemes Channel Trail and adjacent shoreline habitats.
- 2) Work on ways to enhance the shoreline and bank along sections of the trail, including plantings, beach feedings and other means.
- 3) Work with property owners all along the route from Washington Park to Kiwanis Waterfront Park to attempt to get voluntary easements or property acquisitions for the trail.
- 4) Work with adjacent property owners to educate about the hillside and how to make / keep it healthy.
- 5) Improve pedestrian and bicycles access to trail from adjoining neighborhoods where feasible.

Proposed action: US Army Corp of Engineers is working on beach feeding permits with City. Potential Park Improvements/Development 2022-2035.

Volunteer Park (includes Alton Daniels Field, Volunteer Field, Marguerite and Don Daniels Field, and Kiwanis Meadows; 15 acres)

- 1) Investigate low impact lighting in playground area.
- 2) Work with School District to improve amenities at the park as well as connector pathways around the area.
- 3) Work to improve wetlands and buffers as detailed in forthcoming management plan in 2020.
- 4) Continue repair schedule for existing stadiums and dugouts.
- 5) Work with Anacortes School District to install interpretive signage along trails and wetland edges.

Proposed action: Turf Fields updated through private donations in 2017 & 2019 respectively. Signage and improvements to wetlands and buffers is ongoing. Dugout and stadium improvements started in 2020 will continue in 2021. Management Plan for Smiley's Bottom scheduled for completion in 2020. Other potential park improvements/development 2022-2035.

Washington Park (220 acres)

- 1) Update master plan to include improvements to the day use areas. This should include improvements to parking areas, pathways, picnic shelters, turf in day-use area and restroom.
- 2) Repair loop road and keep up on those repairs.
- 3) Improve trail system to balance recreational goals with environmental impact.
- 4) Improve Burrows Channel look out by accommodating parking and providing viewing site while protecting meadows.
- 5) Update utility service in campground and picnic shelters.
- 6) Seek funding for master plan improvements. Continue to build Washington Park fund balance for maintenance and capital improvements.
- 7) Continue invasive plant removal and maintain shoreline trail west and north of Sunset Cove. Interpretive signage along trail may be useful for trail users.
- 8) Investigate options for additional boat ramp capacity and parking.

Proposed action: Potential Park Improvements/Development in 2020 include updating utility service in campground. Campground improvements in the Capital Facilities Plan for 2021. Burrows Lookout improvements could be in the 2020 to 2024 time frame through private donations. Other potential park improvements/development 2022-2035.

#	Date	Form	Name	Section or Topic	Comment (may be paraphrased)	Response / Recommendation
General						
1	11/3/2019 & 12/16/2019	Email	Ross Barnes	APRD Draft Comprehensive Plan	(1) Rotary Park: Heavy Trampling (2) Soroptimist Station Address Correction (3) Washington Park (4) Anacortes Community Forest Lands (5) Skyline (6) Guemes Channel Trail (7) Natural Areas & Open Space (8) Small Boat Center (9) Ship Harbor Interpretive Preserve (10) Anchor Cove Park (11) Roadside Park (12) Thompson Trail (13) Volunteer Park	(1) Maintenance of Invasive Plants is ongoing. (2) Correction made. (3) Comment noted. (4) Correction made on city limits comment. (5) Skyline is under private ownership. (6) Comments noted, on-going work is permitted. (7) "Active and Passive" recreation regarding appropriate use best handled by specific management plans and master plans. (8) Parks and Recreation is working with Anacortes Waterfront Alliance on possible amenities. (9) Park projects must follow applicable permits. (10) Park cited in 1996 Parks Plan, researching (11) Trail maintenance is ongoing. (12) Comment noted. (13) City Staff is working with the Anacortes School District on a Management and Mitigation report at Smiley's Bottom near Volunteer Park.
2	11/13/2019	Email	Robert Barry	APRD Draft Comprehensive Plan	Poor Plan/Poor Management	Comment noted.
3	11/14/2019	Email	Katherine O'Hara	APRD Draft Comprehensive Plan	Ship Harbor Interpretive Preserve / Guemes Channel Trail	Comment noted. Parks projects must follow applicable permits.
4	11/18/2019	Email	Kathleen Lorence-Flanagan	APRD Draft Comprehensive Plan	(1) Volunteer Field (2) Park Facilities under other ownership. (3) Recreation Programs (4) Public Input Survey (5) Park Needs and Standards (6) Major Projects and Identified Needs (7) Goals and Policies (8) Park Funding Options (9) Parks Capital Improvements	(1) City staff is working with the Anacortes School District on a Management and Mitigation report at Smiley's Bottom near Volunteer Park. (2) Comment noted. (3) Correction made. (4) Comments noted, grammatical corrections made. (5) Comments noted. (6) Grammatical changes made. (7) Comments noted. (8) Comments noted. (9) Grammatical corrections made. Comments noted.
5	12/5/2019	Email	Ross Barnes	APRD Draft Comprehensive Plan	Ebikes	The Parks and Recreation Advisory Commission is currently discussing Ebikes on paved trails.
6	12/11/2019	Email	Katherine O'Hara	APRD Draft Comprehensive Plan	Skagit Audubon Society / Ship Harbor Interpretive Preserve	Comment was received after draft was placed in Council Packet for 12/16 meeting. Request is to add Skagit Audubon to list of groups on Page 41 of draft plan Policy PR- 4.3.

The background is a gradient of deep blue and purple. On the left side, there are several concentric circles and a large circular scale with degree markings from 140 to 260. Some of the circles have arrows indicating a clockwise direction. The overall aesthetic is technical and modern.

ANACORTES PARKS & RECREATION COMPREHENSIVE PLAN



The Parks and Recreation Comprehensive Plan is due to the State Recreation and Conservation Office (RCO) by March 1, 2020. To be eligible for all possible grants we need to have the Parks and Recreation Comprehensive Plan approved before that day.

The Anacortes Community Forest Lands draft plan is not required by the State RCO. Our preferred approach is to bring the ACFL plan to City Council once the Park and Recreation Plan is complete.

Since November 4th meeting Parks and Recreation has received 6 written communications about the plan.

- Smiley's Bottom/Volunteer Park Wetland Management
- Parks Impact Fee Update
- E-Bikes
- Permitted Uses (e.g. Ship Harbor Interpretive Preserve)

Capital Improvements - Prioritizing Projects:

- Added more Narrative in Chapter 10 “Parks Capital Improvements and Service Enhancements”.
- Propose Discussion on Priorities at Parks and Recreation Advisory Commission Meetings.



City Council Contract Agenda Bill

Meeting Date: 12/16/2019 **Agenda Item:** 8c

Subject: Contract Award – Base Fiber Project 19-169-ENG-001

Staff Contact: Fred Buckenmeyer

Approved for Submittal to Council by:
Darcy Swetnam, City Attorney

Action Type: Contract Award

Summary Statement: City staff seeks City Council consent to award a contract in the amount of \$217,791.32 to C. Johnson Construction, Inc. to perform the Base Fiber Project. The project provides for improvements within the right-of-way of the following streets including but not limited to Excavation, Fiber Optic Conduit Installation, Curb and Gutter, Asphalt Patching and other work, all in accordance with the Contract Plans, Contract Provisions, and the Standard Specifications.

The project is located in the Skyline neighborhood includes the following streets:

- Highland Drive
- Anaco Beach Road
- Queen Ann Way
- Tyler Way

Background:

1. **History:** The City's water treatment and wastewater treatment plants each need to communicate with, and control, outlying facilities such as reservoirs and pump stations. To correct chronic communications between these facilities, this project will install fiber optics communication between the plants and the outlying facilities using the City Library as a hub.
2. **Key Terms:**
 - Contract is for a fixed price of \$217,791.32.
 - The Contractor is to begin work ten (10) Working days after the date of the Notice to Proceed and to achieve Physical Completion within Forty (40) Working days from the date work begins.
3. **Competitive Bidding:** On November 20, 2019 the City [solicited bids](#) for the subject project. On December 10, 2019 a bid opening was conducted and 9 bids were received. C. Johnson Construction, Inc. was determined to be the lowest responsible bidder. The Engineer's Estimate for this project was \$225,000-\$250,000. Bid results are provided as an attachment hereto.

Previous Council/Committee Action: N/A

Competing Viewpoints Considered: N/A

Recommended Motion: I move that City Council authorize the Mayor to sign contract 19-169-ENG-001 with C. Johnson Construction, Inc. in the amount of \$217,791.32 to perform the Base Fiber Project.

Alternative Actions: Not award the contract, re-bid

Attachments: Bid Results, Vicinity Map, Contract 19-169-ENG-001

Contractor	C. Johnson Construction, Inc.
Contract Amount	\$217,791.32
Earmarked Funds	\$1,880,000.00
BARS #	440.000.594.35.63
Budget Amendment Required?	No
Start Date	Notice to Proceed
End Date	40 calendar days

Base Fiber Project
(PW19-169-ENG-001)
BID OPENING DATE: December 10, 2019

				ENGINEERS ESTIMATE		Low Bid Received From		2nd		3rd	
						C Johnson Construction, INC.		Trico Companies, LLC		SRV CONSTRUCTION. INC.	
Item No.	Qty	Unit	Description	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
			Base Bid								
1	1	LS	Mobilization	\$ 19,065.00	\$ 19,065.00	\$ 14,000.00	\$ 14,000.00	\$ 16,000.00	\$ 16,000.00	\$ 8,000.00	\$ 8,000.00
2	1	LS	Minor Changes	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
3	1	LS	SPCC Plan	\$500.00	\$ 500.00	\$ 125.00	\$ 125.00	\$215.00	\$ 215.00	\$ 150.00	\$ 150.00
4	1	LS	Temp. Erosion Controls	\$ 2,500.00	\$ 2,500.00	\$ 2,700.00	\$ 2,700.00	\$ 4,800.00	\$ 4,800.00	\$ 4,000.00	\$ 4,000.00
5	1	LS	Project Temporary Traffic Control	\$ 12,500.00	\$ 12,500.00	\$ 7,785.00	\$ 7,785.00	\$ 6,200.00	\$ 6,200.00	\$ 7,000.00	\$ 7,000.00
6	9000	LF	Saw Cutting	\$ 2.00	\$ 18,000.00	\$ 1.30	\$ 11,700.00	\$ 1.60	\$ 14,400.00	\$ 1.70	\$ 15,300.00
7	180	LF	Removing Cement Conc Curb and Gutter	\$ 15.00	\$ 2,700.00	\$ 19.00	\$ 3,420.00	\$ 21.65	\$ 3,897.00	\$ 8.75	\$ 1,575.00
8	1100	SY	Removing Asphalt Conc. Pavement	\$ 20.00	\$ 22,000.00	\$ 8.50	\$ 9,350.00	\$ 2.60	\$ 2,860.00	\$ 3.00	\$ 3,300.00
9	550	CY	Structure Excavation Cl. B Incl Haul	\$ 45.00	\$ 24,750.00	\$ 68.00	\$ 37,400.00	\$ 15.55	\$ 8,552.50	\$ 11.65	\$ 6,407.50
10	7500	LF	Install Fiber Optic Conduit	\$ 2.00	\$ 15,000.00	\$ 2.00	\$ 15,000.00	\$ 7.12	\$ 53,400.00	\$ 7.77	\$ 58,275.00
11	16	EA	Install Fiber Optic Vault	\$ 500.00	\$ 8,000.00	\$ 450.00	\$ 7,200.00	\$ 230.00	\$ 3,680.00	\$ 500.00	\$ 8,000.00
12	1000	TON	Crushed Surfacing Top Course	\$ 35.00	\$ 35,000.00	\$ 18.00	\$ 18,000.00	\$ 29.00	\$ 29,000.00	\$ 27.40	\$ 27,400.00
13	180	LF	Cement Conc. Traffic Curb and Gutter	\$ 40.00	\$ 7,200.00	\$ 26.00	\$ 4,680.00	\$ 26.50	\$ 4,770.00	\$ 65.00	\$ 11,700.00
14	200	TON	HMA CL. 1/2 In. PG58H-22	\$ 200.00	\$ 40,000.00	\$ 260.00	\$ 52,000.00	\$ 210.00	\$ 42,000.00	\$ 289.00	\$ 57,800.00
15	10	TON	Temporary Asphalt Patching	\$ 250.00	\$ 2,500.00	\$ 200.00	\$ 2,000.00	\$ 215.00	\$ 2,150.00	\$ 170.00	\$ 1,700.00
			BASE BID SUBTOTAL		\$ 224,715.00		\$ 200,360.00		\$ 206,924.50		\$ 225,607.50
			SALES TAX		\$ 19,550.21		\$ 17,431.32		\$ 18,002.43		\$ 19,627.85
TOTAL BID					\$244,265.21		\$217,791.32		\$224,926.93		\$245,235.35

Denotes Correction from Contractor's Bid Proposal Based Upon Unit Prices.

Base Fiber Project
(PW19-169-ENG-001)
BID OPENING DATE: December 10, 2019

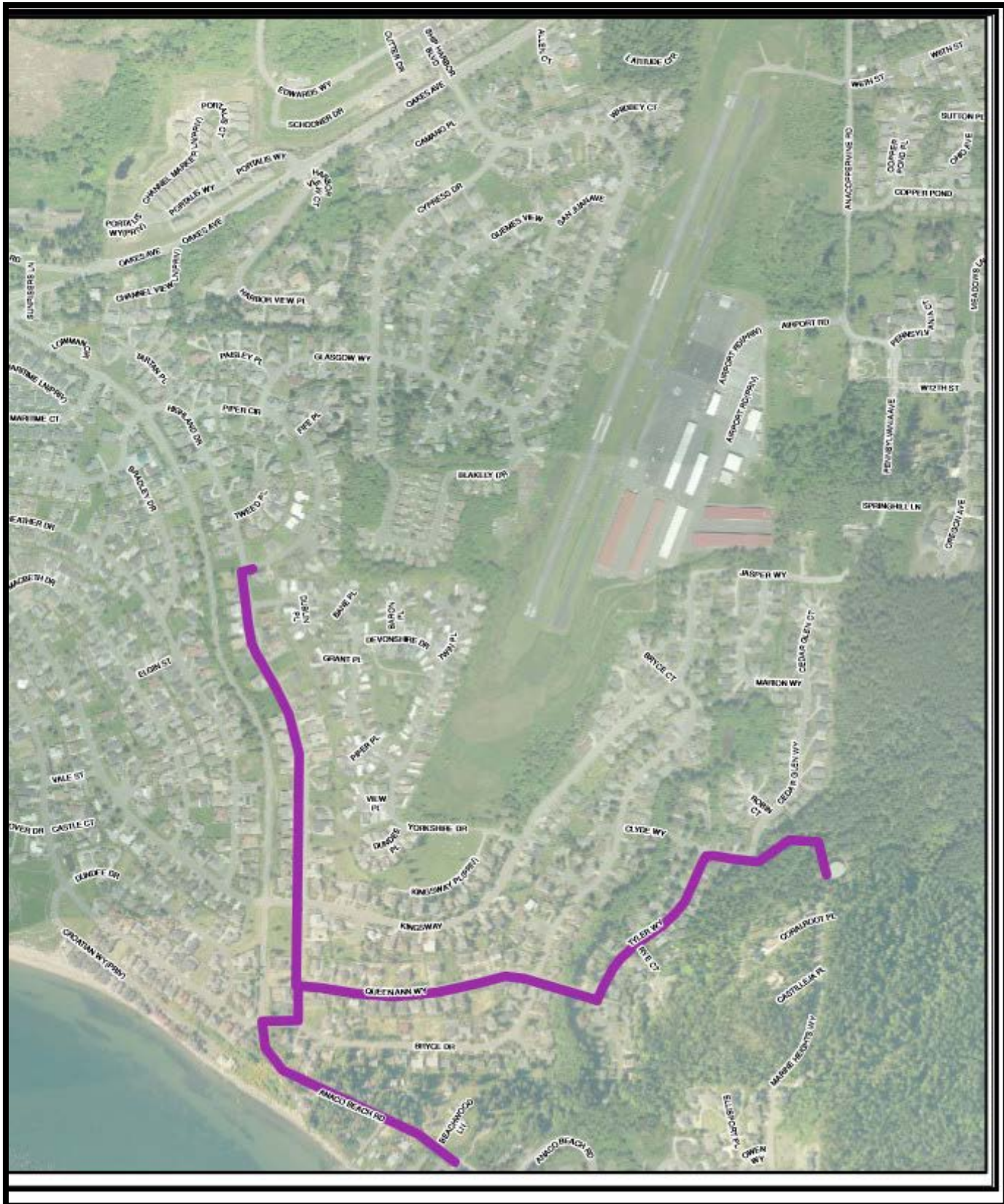
				4th		5th		6th		7th	
				Rawls Electric, LLC		STRANDBERG EXCAVATION		Quilceda Excavations, INC		Konnerup Construction	
Item No.	Qty	Unit	Description	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
			Base Bid								
1	1	LS	Mobilization	\$ 11,500.00	\$ 11,500.00	\$ 20,000.00	\$ 20,000.00	\$ 18,000.00	\$ 18,000.00	\$ 25,000.00	\$ 25,000.00
2	1	LS	Minor Changes	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
3	1	LS	SPCC Plan	\$500.00	\$ 500.00	\$ 1,200.00	\$ 1,200.00	\$ 1,518.00	\$ 1,518.00	\$ 500.00	\$ 500.00
4	1	LS	Temp. Erosion Controls	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 8,400.00	\$ 8,400.00	\$ 2,000.00	\$ 2,000.00
5	1	LS	Project Temporary Traffic Control	\$ 26,500.00	\$ 26,500.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 20,000.00	\$ 20,000.00
6	9000	LF	Saw Cutting	\$ 2.25	\$ 20,250.00	\$ 1.50	\$ 13,500.00	\$ 2.00	\$ 18,000.00	\$ 3.00	\$ 27,000.00
7	180	LF	Removing Cement Conc Curb and Gutter	\$ 35.00	\$ 6,300.00	\$ 9.00	\$ 1,620.00	\$ 18.85	\$ 3,393.00	\$ 40.00	\$ 7,200.00
8	1100	SY	Removing Asphalt Conc. Pavement	\$ 24.00	\$ 26,400.00	\$ 4.50	\$ 4,950.00	\$ 15.25	\$ 16,775.00	\$ 24.00	\$ 26,400.00
9	550	CY	Structure Excavation Cl. B Incl Haul	\$ 31.75	\$ 17,462.50	\$ 20.00	\$ 11,000.00	\$ 52.00	\$ 28,600.00	\$ 30.00	\$ 16,500.00
10	7500	LF	Install Fiber Optic Conduit	\$ 2.65	\$ 19,875.00	\$ 9.46	\$ 70,950.00	\$ 4.50	\$ 33,750.00	\$ 3.00	\$ 22,500.00
11	16	EA	Install Fiber Optic Vault	\$ 375.00	\$ 6,000.00	\$ 400.00	\$ 6,400.00	\$ 699.20	\$ 11,187.20	\$ 250.00	\$ 4,000.00
12	1000	TON	Crushed Surfacing Top Course	\$ 22.50	\$ 22,500.00	\$ 22.00	\$ 22,000.00	\$ 20.31	\$ 20,310.00	\$ 20.00	\$ 20,000.00
13	180	LF	Cement Conc. Traffic Curb and Gutter	\$ 80.00	\$ 14,400.00	\$ 40.00	\$ 7,200.00	\$ 100.00	\$ 18,000.00	\$ 55.00	\$ 9,900.00
14	200	TON	HMA CL. 1/2 In. PG58H-22	\$ 200.00	\$ 40,000.00	\$ 260.00	\$ 52,000.00	\$ 175.00	\$ 35,000.00	\$ 220.00	\$ 44,000.00
15	10	TON	Temporary Asphalt Patching	\$ 200.00	\$ 2,000.00	\$ 150.00	\$ 1,500.00	\$ 218.00	\$ 2,180.00	\$ 150.00	\$ 1,500.00
			BASE BID SUBTOTAL		\$ 230,687.50		\$ 234,320.00		\$ 235,113.20		\$ 241,500.00
			SALES TAX		\$ 20,069.81		\$ 20,385.84		\$ 20,454.85		\$ 21,010.50
TOTAL BID					\$250,757.31		\$254,705.84		\$255,568.05		\$262,510.50

Denotes Correction from Contractor's Bid Proposal Bas

**Base Fiber Project
(PW19-169-ENG-001)
BID OPENING DATE: December 10, 2019**

				8th		9th	
				Sound Drilling, LLC		PELLCO Construction	
Item No.	Qty	Unit	Description	Unit Price	Amount	Unit Price	Amount
			Base Bid				
1	1	LS	Mobilization	\$ 64,613.93	\$ 64,613.93	\$ 29,250.00	\$ 29,250.00
2	1	LS	Minor Changes	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
3	1	LS	SPCC Plan	\$2,500.00	\$ 2,500.00	\$ 2,410.00	\$ 2,410.00
4	1	LS	Temp. Erosion Controls	\$ 1,500.00	\$ 1,500.00	\$ 3,000.00	\$ 3,000.00
5	1	LS	Project Temporary Traffic Control	\$ 4,200.00	\$ 4,200.00	\$ 45,000.00	\$ 45,000.00
6	9000	LF	Saw Cutting	\$ 0.01	\$ 90.00	\$ 2.00	\$ 18,000.00
7	180	LF	Removing Cement Conc Curb and Gutter	\$ 0.01	\$ 1.80	\$ 13.00	\$ 2,340.00
8	1100	SY	Removing Asphalt Conc. Pavement	\$ 0.01	\$ 11.00	\$ 10.00	\$ 11,000.00
9	550	CY	Structure Excavation Cl. B Incl Haul	\$ 0.01	\$ 5.50	\$ 60.00	\$ 33,000.00
10	7500	LF	Install Fiber Optic Conduit	\$ 25.00	\$ 187,500.00	\$ 4.00	\$ 30,000.00
11	16	EA	Install Fiber Optic Vault	\$ 250.00	\$ 4,000.00	\$ 1,000.00	\$ 16,000.00
12	1000	TON	Crushed Surfacing Top Course	\$ 0.01	\$ 10.00	\$ 32.00	\$ 32,000.00
13	180	LF	Cement Conc. Traffic Curb and Gutter	\$ 0.01	\$ 1.80	\$ 50.00	\$ 9,000.00
14	200	TON	HMA CL. 1/2 In. PG58H-22	\$ 0.01	\$ 2.00	\$ 265.00	\$ 53,000.00
15	10	TON	Temporary Asphalt Patching	\$ 0.01	\$ 0.10	\$ 600.00	\$ 6,000.00
			BASE BID SUBTOTAL		\$ 279,436.13		\$ 305,000.00
			SALES TAX		\$ 24,310.94		\$ 26,535.00
TOTAL BID					\$303,747.07		\$331,535.00

Denotes Correction from Contractor's Bid Proposal Bas





CONTRACT 19-169-ENG-001

This Contract is between the City of Anacortes, Washington, a Municipal Corporation (herein after referred to as “City”) and C. Johnson Construction, Inc., a private contractor at PO Box 1467, Oak Harbor, WA 98277 (herein after referred to as “Contractor”).

WITNESSETH:

That in consideration of the terms and conditions contained herein and attached and made a part of this agreement, the OWNER and CONTRACTOR hereto covenant and agree as follows:

I. WORK.

The Contractor shall do all work and furnish all tools, materials, equipment, and transportation required for the construction of **Base Fiber Project, Project No. PW#19-169-ENG-001** in accordance with and as described in the City of Anacortes document entitled “**Plans, Specifications, and Contract Documents – Base Fiber Project**” which is hereby incorporated by reference and made a part hereof, and shall perform any changes to the work in accord with the Contract Documents.

II. ENGINEER.

Unless otherwise specifically stated, the word “Engineer” shall be understood to mean the OWNER’S Project Manager or the OWNER’S authorized representative who will perform the Contract Administration and field inspection responsibilities.

III. CONTRACT TIMES AND LIQUIDATED DAMAGES.

A. Contract Times:

1. Unless modified by the proposal, work shall start within **Ten (10) Calendar** days from the date of the Notice to Proceed. Physical Completion as defined in section 1-08.5 of the Special Provisions shall be achieved within **Forty (40) Working days** after the work commences. The Contract Time shall commence upon issuance of the Notice to Proceed.

B. Liquidated Damages:

1. If said work is not completed within the time specified for Physical Completion, the Contractor agrees to pay the Owner the sum specified in Section 1-08.9 of the Standard Specifications for each and every working day said work remains incomplete after expiration of the specified time, as liquidated damages.

IV. CONTRACT PRICE.

The OWNER, hereby promises and agrees with the Contractor to retain and does retain the Contractor to provide the materials and to do and cause to be done the above-described work and to complete and finish the same according to the plans and specifications contained in document entitled “**Plans, Specifications, and Contract Documents – Base Fiber Project**”, and the terms and conditions herein contained, and hereby the OWNER contracts to pay CONTRACTOR for completion of the Work and in accordance to the same and the attached bid schedule, which is included as an Exhibit to this Agreement based upon the Unit Prices shown. The total contract price is **Two Hundred Seventeen Thousand Seven Hundred Ninety-One Dollar and Thirty-Two Cents (\$217,791.32)**, which includes \$17,431.32 in 8.7% sales tax.

A. Interest:

1. Moneys not paid when due as provided in the General Conditions shall bear interest at the maximum rate allowed by law at the place of the Project.

V. CONTRACTOR REPRESENTATIONS.

In order to induce OWNER to enter in this Agreement, CONTRACTOR'S representations are as set forth as follows:

- A. CONTRACTOR has familiarized him/herself with the nature and extent of the Contract Document, scope of Work, site conditions, locality, general nature of work to be performed by OWNER or others at the site that relates to Work required by the Contract Documents and local conditions and federal, state, and local laws and Regulations that in any manner may affect cost, progress, performance, or furnishing of Work.
- B. CONTRACTOR has carefully studied and examined the supplement, referred to above, which pertain to the conditions (subsurface or physical) to or contiguous to the site which may affect cost, progress, performance, or furnishing of said Work as CONTRACTOR deems necessary for the performance and furnishing of the Work at the Contract Price, within the Contract Times, and in accordance with other terms and conditions of the Contract Documents, including specifically the provisions of the 2018 WSDOT Specifications; and no additional or supplementary examinations, investigations, explorations, tests, reports, or similar information or data are or will be required by CONTRACTOR for such purposes.
- C. CONTRACTOR has reviewed and checked information and data shown or indicated in the Contract Documents with respect to existing Underground Facilities at or contiguous to the site and has included costs as defined by WSDOT Specifications.
- D. CONTRACTOR has correlated information known to CONTRACTOR and results of such observations, familiarizations, examination, investigations, explorations, tests, and studies with Contract Documents.
- E. CONTRACTOR has given OWNER written notice of conflicts, errors, ambiguities or discrepancies that it has discovered in the Contract Documents and the written resolution thereof by OWNER is acceptable to CONTRACTOR, and the Contract Documents are generally sufficient to indicate and convey understanding of terms and conditions for performing and furnishing Work.

VI. CONTRACT DOCUMENTS.

- A. Contract Documents that comprise the entire Agreement between OWNER and CONTRACTOR concerning Work are defined in the WSDOT Specifications.
- B. Exhibits to this Agreement include:
 - 1. Conformed Bid Form signed by CONTRACTOR.
 - 2. Executed Performance Bond
 - 3. Executed Payment Bond.
 - 4. Required documents submitted by the CONTRACTOR prior to the execution of Agreement as identified in the "Instruction to Bidders".

VII. MISCELLANEOUS

- A. No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound, and specifically but without limitation moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment. No assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.
- B. OWNER and CONTRACTOR each binds itself, its partners, successors, assigns, and legal representatives to the other party hereto, its partners, successors, assigns, and legal representatives in respect of all covenants, agreements, and obligations contained in the Contract Documents.
- C. It is further provided that no liability shall attach to the City of Anacortes, Washington, by reason of entering into this contract, except as expressly provided herein.

The Owner and Contractor each binds itself, its partners, successors, assigns, and legal representatives to the other party hereto, in respect of all covenants, agreements, and obligations contained in the Contract Documents.

The parties acknowledge that there has been an opportunity to negotiate the terms and conditions of this Agreement and agree to be bound accordingly;

Owner:

City of Anacortes

Mayor

Date

Contractor:

C. Johnson Construction, Inc.

Title

Date



City Council Agenda Bill

Meeting Date: 12/16/2019

Agenda Item: 8d

Subject: November month end Finance update

Staff Contact: Steve Hoglund

Approved for Submittal to Council by	
x	Laurie Gere, Mayor
x	Steve Hoglund, Finance Director
	Darcy Swetnam, City Attorney

Action Type	
	Ordinance No.
	Code Revision?
	Resolution No.
	Contract
	Public Hearing
x	Staff Report

Summary Statement: A year end finance update as of November 30, 2019, which is the last closed period thus far this year.

Background: There are a few signs of slowing revenues, specifically state shared sales tax, which is shared on a per capita basis, is lower than expectations, and slowing private utility tax, particularly related to cable TV, is much lower than expected. Storm fund and Wa Park fund are both low on cash and will be addressed in a budget amendment.

Budget Impact	
Amount Budgeted	
Budget Account (BARS)	
Proposed Expenditure	
Budget Amendment Required?	
Revenue Source	

Proposed Contract	
Contractor	
Amount	
Start Date	
End Date	

Previous Council/Committee Action: N/A

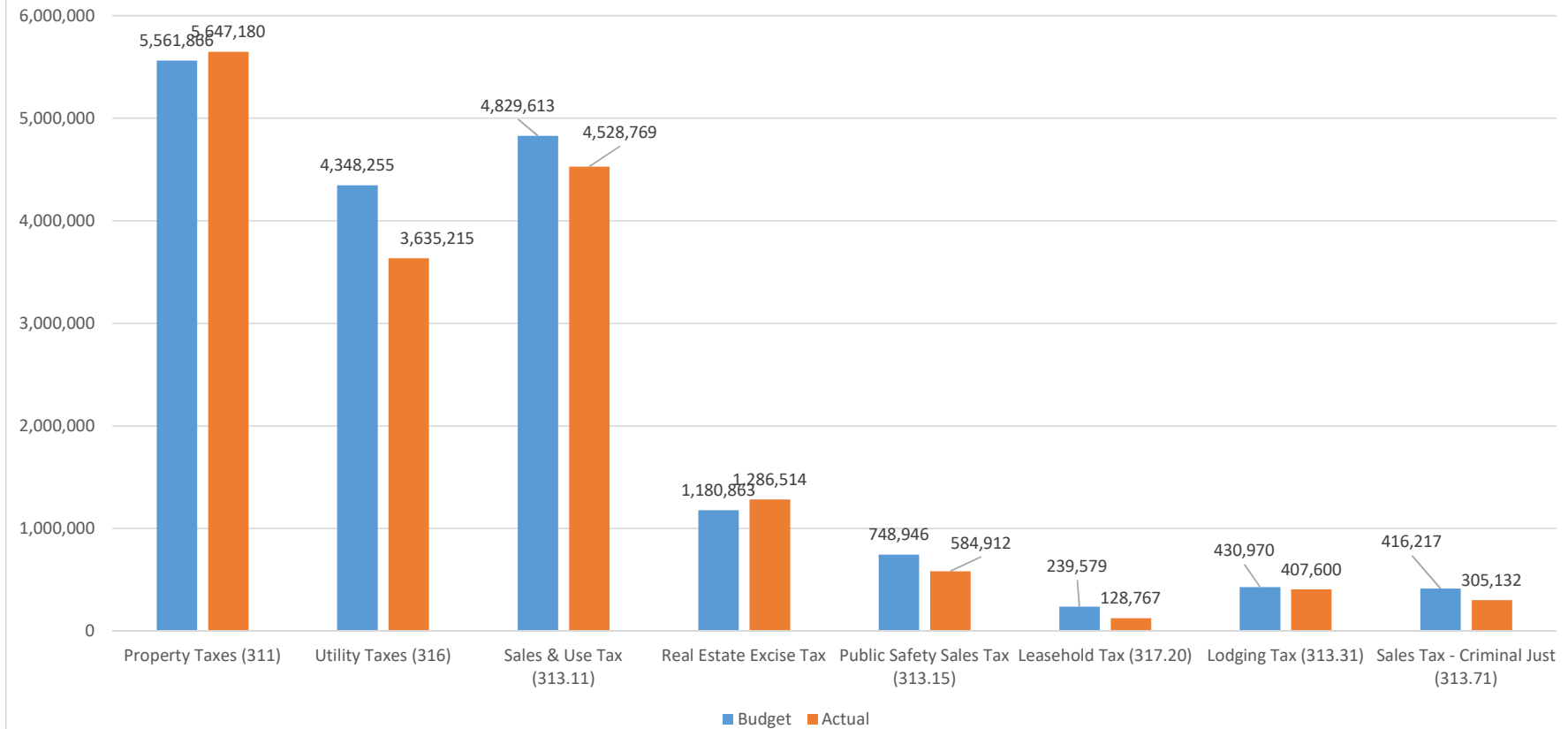
Competing Viewpoints Considered: N/A

Recommended Motion: N/A, information only

Alternative Actions: N/A

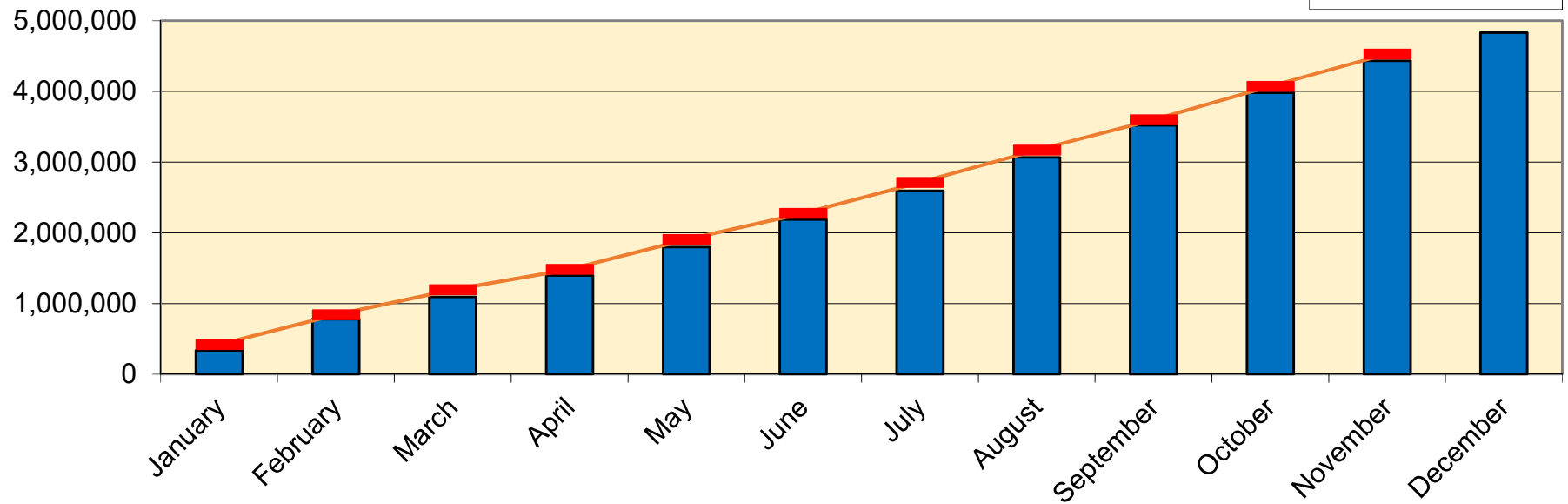
Attachments (listed in order presented): graphs

2019 Tax Revenue Budget to Actual



Taxes	Budget	Actual	Jan - Nov 2019	92%
Property Taxes (311)	5,561,866	5,647,180	102%	
Utility Taxes (316)	4,348,255	3,635,215	84%	
Sales & Use Tax (313.11)	4,829,613	4,528,769	94%	
Real Estate Excise Tax	1,180,863	1,286,514	109%	
Public Safety Sales Tax (313.15)	748,946	584,912	78%	
Leasehold Tax (317.20)	239,579	128,767	54%	
Lodging Tax (313.31)	430,970	407,600	95%	
Sales Tax - Criminal Just (313.71)	416,217	305,132	73%	
Totals Taxes:	17,756,310	16,524,090	93.1%	

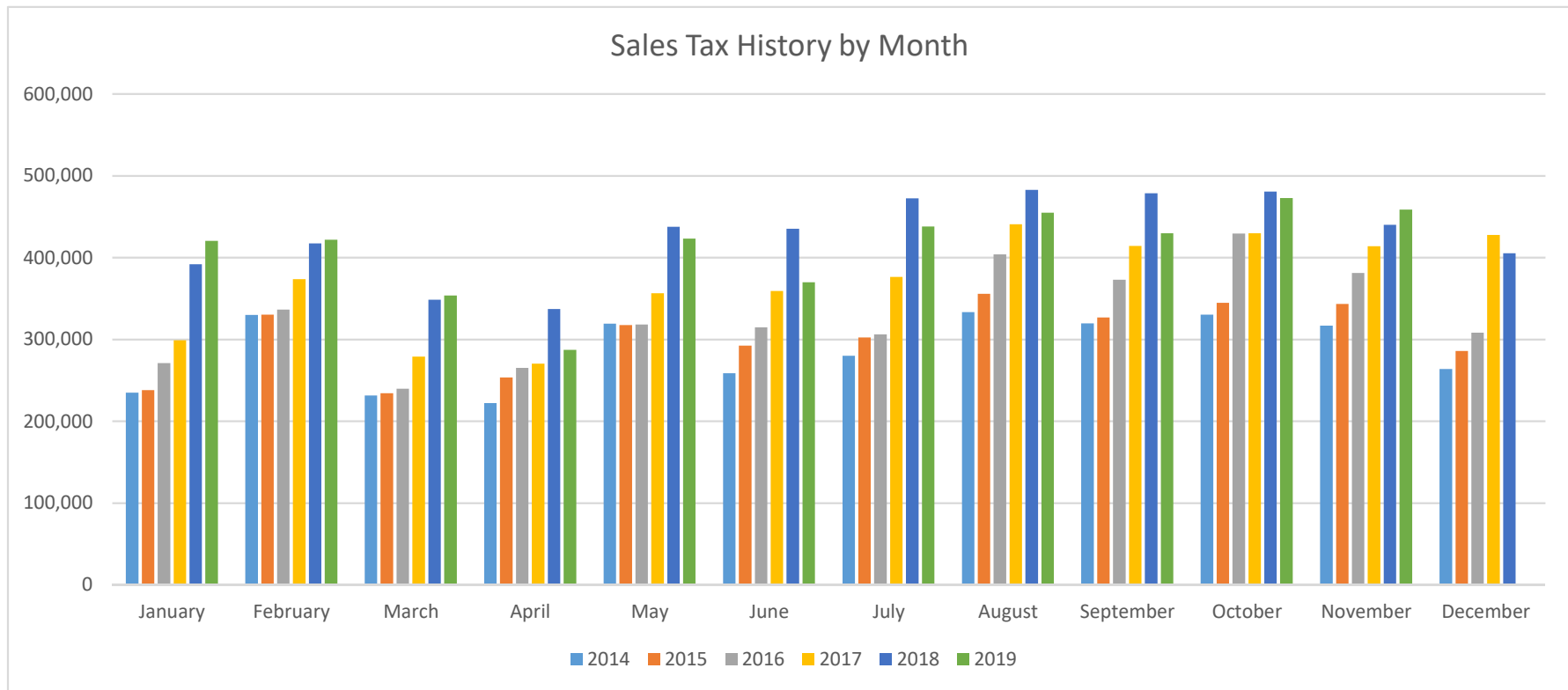
2019 Sales Tax Budget to Actual



	January	February	March	April	May	June	July	August	September	October	November	December
2019 Budget	335,723	780,459	1,094,538	1,397,472	1,799,897	2,187,266	2,592,440	3,066,792	3,517,921	3,982,268	4,432,480	4,829,613
2019 Actuals:	420,175	841,848	1,195,484	1,482,641	1,905,593	2,275,269	2,713,063	3,167,786	3,597,487	4,070,201	4,528,769	
2018 Actuals:	391,598	808,756	1,157,151	1,494,142	1,931,691	2,366,836	2,839,202	3,321,692	3,800,168	4,280,825	4,720,817	5,126,010
Year to prior year:	7.3%	4.1%	3.3%	-0.8%	-1.4%	-3.9%	-4.4%	-4.6%	-5.3%	-4.9%	-4.1%	-100.0%
Year to budget:	25.2%	7.9%	9.2%	6.1%	5.9%	4.0%	4.7%	3.3%	2.3%	2.2%	2.2%	-100.0%

Monthly Receipts:

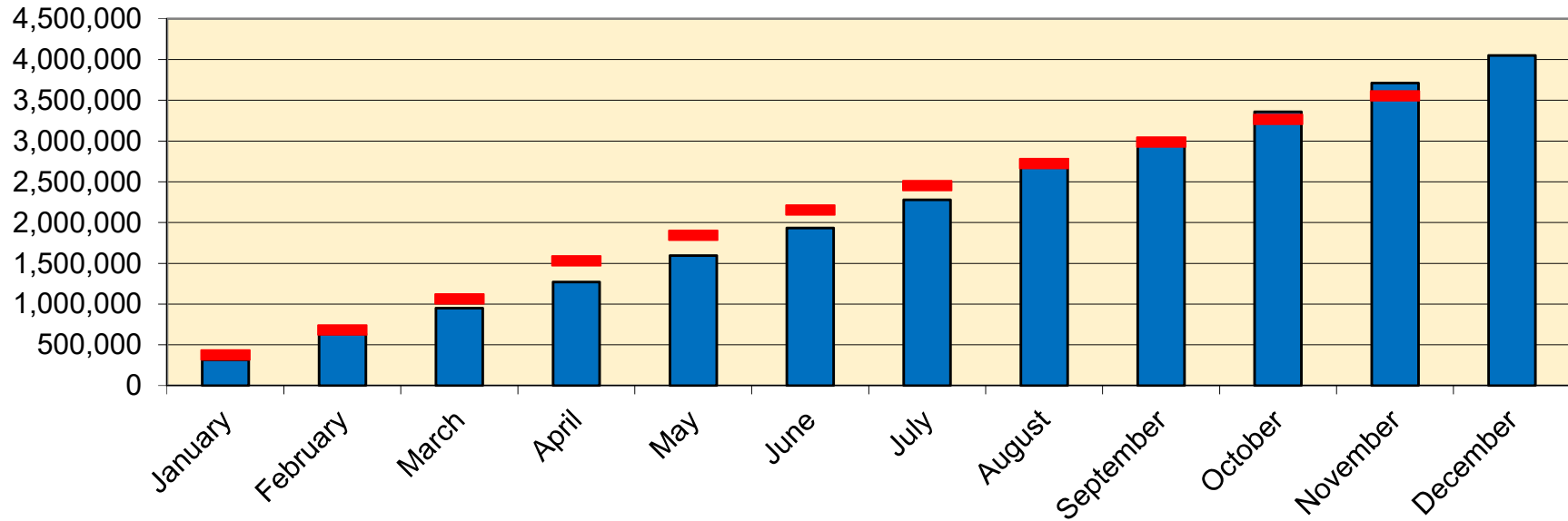
2019 Total:	420,175	421,673	353,636	287,158	422,952	369,676	437,794	454,723	429,701	472,714	458,568	
Month % change:	7.3%	1.1%	1.5%	-14.8%	-3.3%	-15.0%	-7.3%	-5.8%	-10.2%	-1.7%	4.2%	
2018 Total:	391,598	417,159	348,395	336,990	437,549	435,146	472,366	482,490	478,476	480,657	439,992	405,194



	2014	2015	2016	2017	2018	2019
January	234,638	237,766	270,996	298,921	391,598	420,175
February	329,731	330,149	336,361	373,446	417,159	421,673
March	231,190	234,269	239,760	278,816	348,395	353,636
April	222,174	253,526	265,116	270,333	336,990	287,158
May	319,244	317,448	317,956	356,187	437,549	422,952
June	258,597	292,365	314,697	358,896	435,146	369,676
July	279,769	302,126	305,900	376,437	472,366	437,794
August	333,220	355,597	403,770	440,609	482,490	454,723
September	319,637	326,590	372,694	414,095	478,476	429,701
October	330,125	344,564	429,378	429,664	480,657	472,714
November	316,660	343,221	381,040	413,760	439,992	458,568
December	263,700	285,842	308,184	427,580	405,194	

2019 Utility Tax

■ 2019 Budget
■ 2019 Actuals:

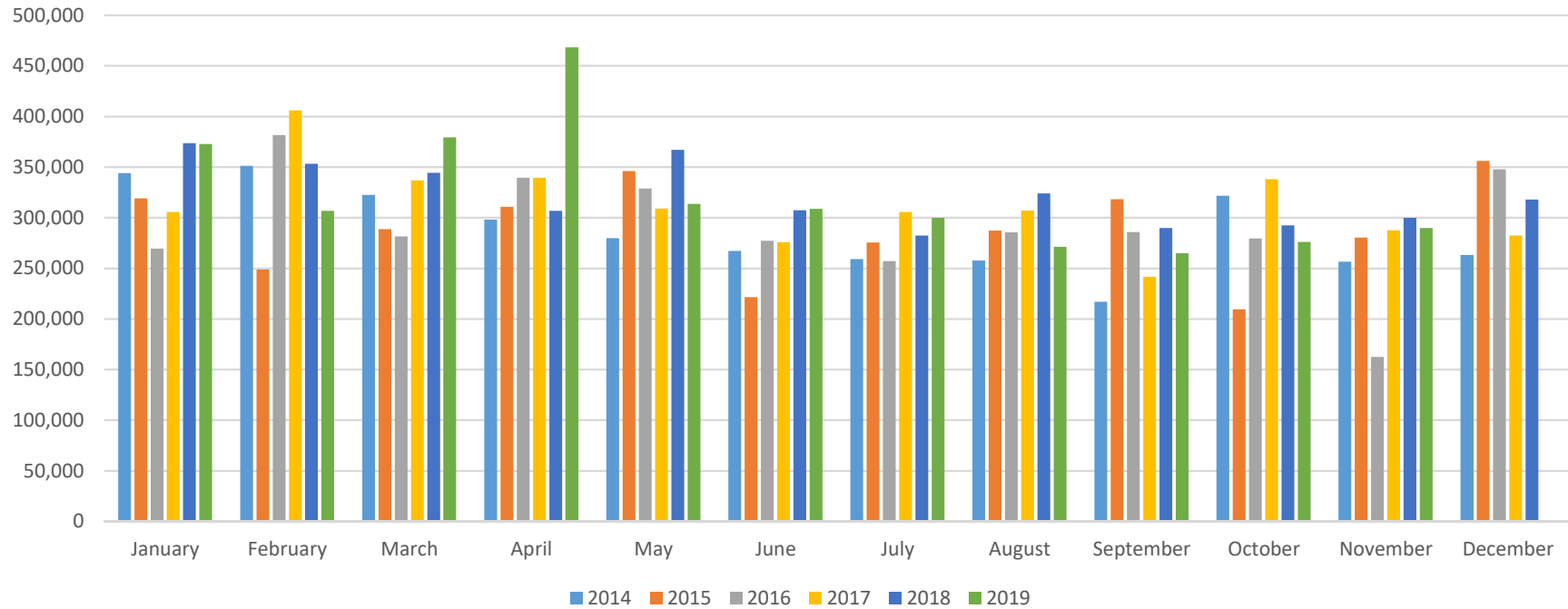


	January	February	March	April	May	June	July	August	September	October	November	December
2019 Budget	315,091	631,833	949,179	1,271,953	1,596,054	1,934,594	2,279,468	2,672,606	3,020,137	3,359,701	3,710,823	4,050,079
2019 Actuals:	372,774	679,383	1,058,672	1,526,855	1,840,385	2,149,008	2,448,845	2,720,085	2,984,964	3,260,881	3,550,552	
2018 Actuals:	373,515	726,627	1,070,923	1,377,532	1,744,386	2,051,709	2,333,871	2,657,686	2,947,436	3,239,689	3,539,540	3,857,310
Year to prior year:	-0.2%	-6.5%	-1.1%	10.8%	5.5%	4.7%	4.9%	2.3%	1.3%	0.7%	0.3%	-100.0%
Year to budget:	18.3%	7.5%	11.5%	20.0%	15.3%	11.1%	7.4%	1.8%	-1.2%	-2.9%	-4.3%	-100.0%

Monthly Receipts:

2019 Total:	372,774	306,609	379,289	468,183	313,530	308,623	299,837	271,240	264,878	275,917	289,672	
Month % change:	-0.2%	-13.2%	10.2%	52.7%	-14.5%	0.4%	6.3%	-16.2%	-8.6%	-5.6%	-3.4%	-100.0%
2018 Total:	373,515	353,112	344,296	306,609	366,853	307,323	282,163	323,815	289,749	292,254	299,851	317,769

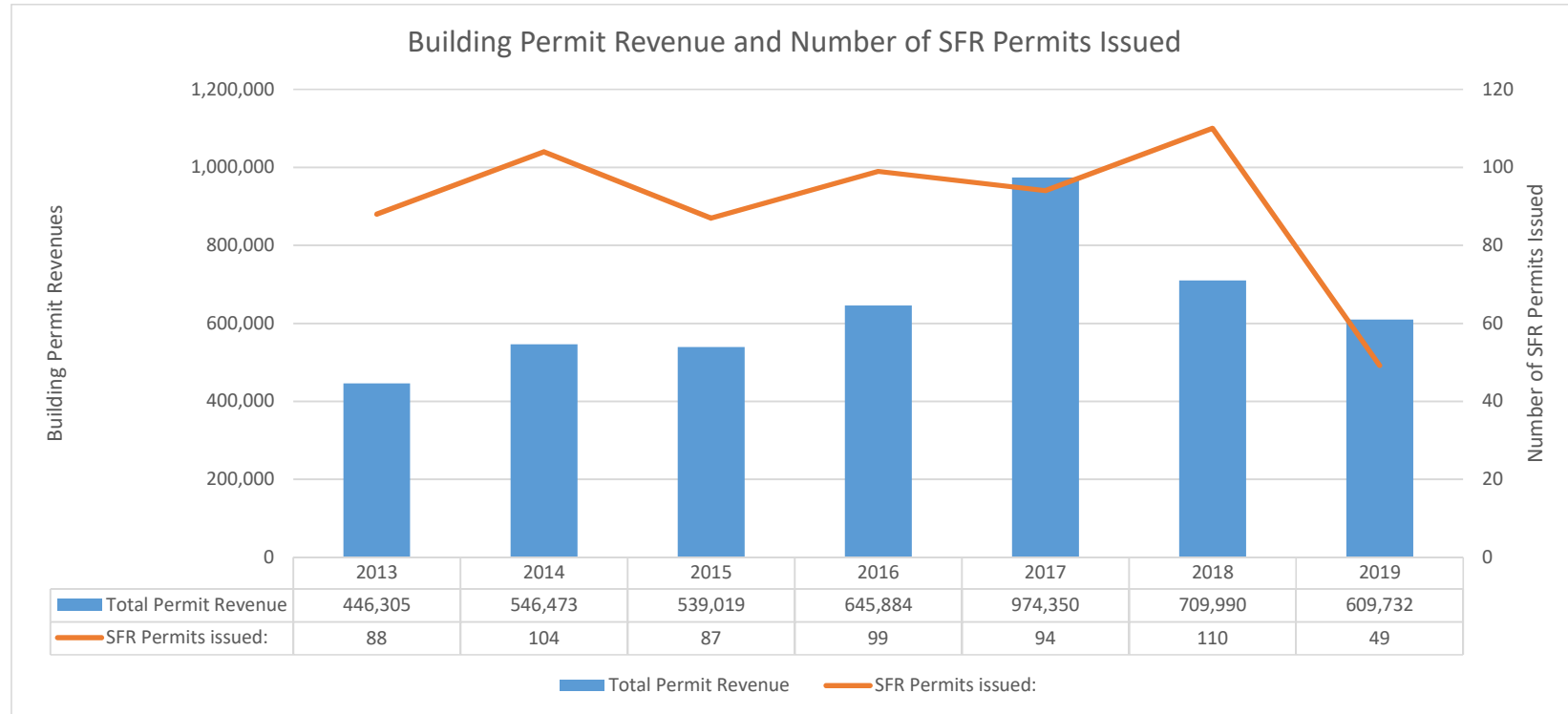
Utility Tax Receipt History

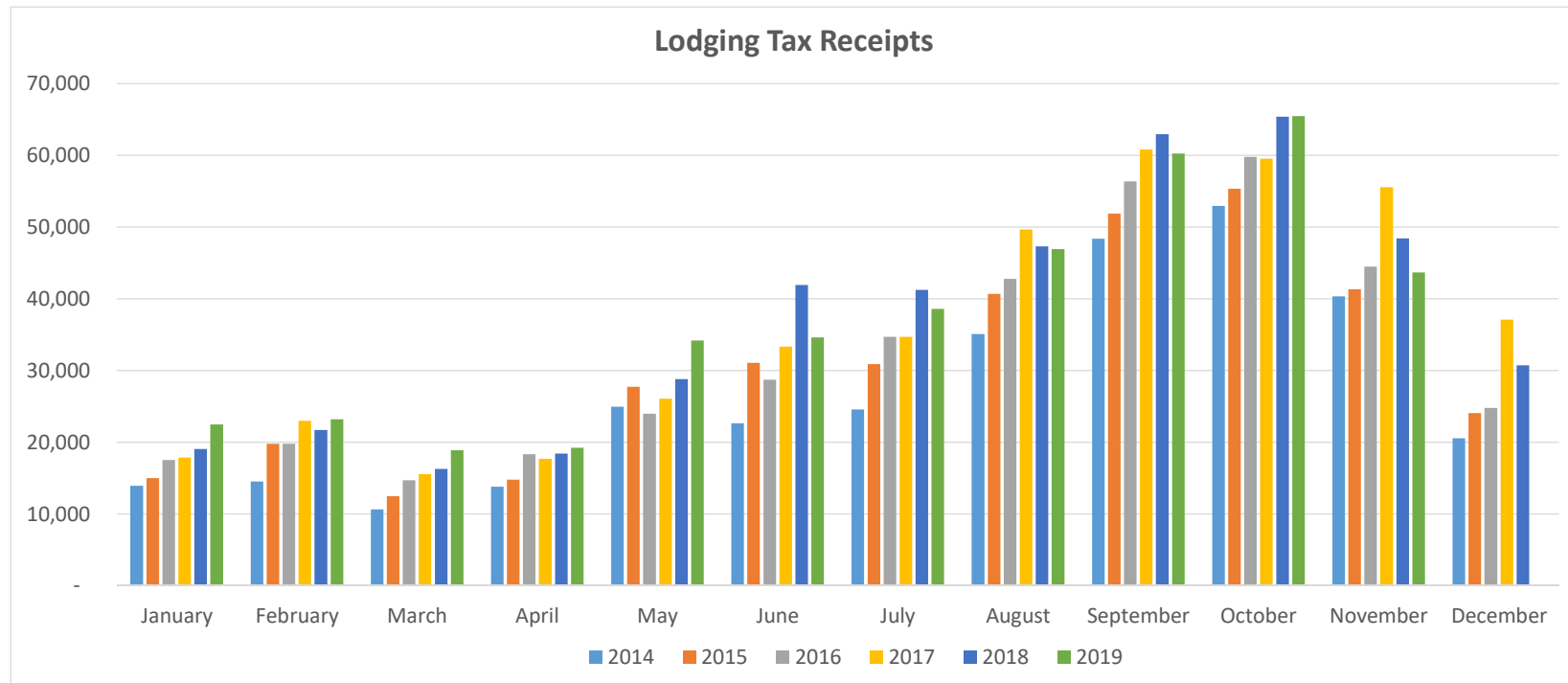


	2014	2015	2016	2017	2018	2019
January	343,874	318,920	269,357	305,477	373,515	372,774
February	351,050	248,731	381,609	406,056	353,112	306,609
March	322,360	288,511	281,559	336,829	344,296	379,289
April	298,086	310,771	339,263	339,444	306,609	468,183
May	279,575	345,954	328,761	308,905	366,853	313,530
June	267,179	221,517	277,213	275,798	307,323	308,623
July	258,998	275,368	256,921	305,388	282,163	299,837
August	257,652	287,043	285,519	306,924	323,815	271,240
September	216,927	318,123	285,810	241,469	289,749	264,878
October	321,486	209,429	279,301	337,919	292,254	275,917
November	256,365	280,144	162,278	287,552	299,851	289,672
December	262,981	356,122	347,630	282,396	317,769	0

BUILDING PERMIT REVENUES

Year	2013	2014	2015	2016	2017	2018	2019
January	28,841	32,823	42,370	40,543	37,646	50,909	49,435
February	27,298	35,500	37,608	59,400	22,296	36,824	23,424
March	43,193	54,017	46,117	62,836	417,281	97,950	17,289
April	29,932	61,243	90,131	66,401	70,171	49,316	102,494
May	54,417	26,370	39,880	91,587	76,816	51,462	52,645
June	46,064	51,989	62,135	69,296	68,217	80,324	51,172
July	31,586	47,646	37,835	49,642	71,066	56,868	57,444
August	57,429	48,008	55,805	64,252	60,555	99,921	88,115
September	32,946	58,395	19,478	32,719	19,003	77,574	29,884
October	39,243	44,476	26,812	38,917	47,880	32,541	52,695
November	20,680	34,684	49,130	32,710	38,720	37,865	45,641
December	34,675	51,321	31,718	37,582	44,698	38,436	570,237 Revenue thru Nov
Total Permit Revenue	446,305	546,473	539,019	645,884	974,350	709,990	609,732 Revenue Projected
SFR Permits issued:	88	104	87	99	94	110	49 Permits Projected
							46 Permits Thru Nov
November Status:	411,630	495,152	507,301	608,303	929,652	671,554	
Ave % of Annual:	92%	91%	94%	94%	95%	95%	94% Ave %





	2014	2015	2016	2017	2018	2019	Monthly change between 2018 & 2019
January	13,922	14,995	17,536	17,886	19,062	22,489	3,427
February	14,518	19,790	19,794	23,002	21,713	23,227	1,514
March	10,652	12,480	14,723	15,558	16,304	18,886	2,581
April	13,814	14,789	18,327	17,694	18,402	19,242	840
May	24,978	27,734	23,959	26,059	28,812	34,187	5,375
June	22,646	31,090	28,702	33,354	41,909	34,634	(7,275)
July	24,560	30,894	34,718	34,696	41,262	38,593	(2,669)
August	35,074	40,691	42,774	49,671	47,304	46,945	(359)
September	48,375	51,865	56,371	60,826	62,948	60,259	(2,690)
October	52,933	55,347	59,795	59,541	65,386	65,474	89
November	40,350	41,323	44,510	55,567	48,402	43,665	(4,737)
December	20,553	24,079	24,792	37,117	30,722		
Total:	322,375	365,078	386,002	430,970	442,226	407,600	
Jan - September Colleciton:	208,539	244,328	256,904	278,745	297,716	298,461	
% Change Jan-September:		17.2%	5.1%	8.5%	6.8%	0.3%	

CITY OF ANACORTES

ALL FUNDS

Revenues/Expenditures

January - November 2019

		2019	Year to date	
		Adj Budget	Actuals	92%
001	GENERAL FUND			
	Revenue	17,563,972	13,039,335	74%
	Expenditure	17,673,025	15,039,889	85%
	Difference	-109,053	-2,000,554	
101	PARK & RECREATION			
	Revenue	1,785,734	1,781,137	100%
	Expenditure	1,785,734	1,563,601	88%
	Difference	0	217,536	
102	CEMETERY			
	Revenue	262,661	256,135	98%
	Expenditure	262,661	213,260	81%
	Difference	0	42,875	
103	LIBRARY			
	Revenue	1,596,230	1,575,585	99%
	Expenditure	1,596,230	1,382,283	87%
	Difference	0	193,302	
104	STREET MAINTENANCE			
	Revenue	2,952,088	1,354,935	46%
	Expenditure	2,952,088	2,699,412	91%
	Difference	0	-1,344,477	
105	STREET CONSTRUCTION			
	Revenue	1,834,445	132,377	7%
	Expenditure	1,951,510	397,006	20%
	Difference	-117,065	-264,629	
106	TBD			
	Revenue	1,136,431	721,358	63%
	Expenditure	1,136,431	0	
	Difference	0	721,358	
107	WASHINGTON PARK			
	Revenue	311,048	268,936	86%
	Expenditure	311,048	334,482	108%
	Difference	0	-65,546	
108	PARKS CAPITAL			
	Revenue	2,920,000	26,237	1%
	Expenditure	2,920,000	135,815	
	Difference	0	-109,578	
110	AMBULANCE FUND			
	Revenue	4,040,631	4,254,505	105%
	Expenditure	3,937,631	3,762,516	96%
	Difference	103,000	491,989	
112	DEVELOPMENT IMPACT FEES			
	Revenue	735,085	399,322	
	Expenditure	735,085	0	
	Difference	0	399,322	
113	ACFL MANAGEMENT FUND			
	Revenue	36,279	439,771	1212%
	Expenditure	36,279	53,153	147%
	Difference	0	386,618	

CITY OF ANACORTES

ALL FUNDS

Revenues/Expenditures

January - November 2019

		2019	Year to date		
		Adj Budget	Actuals		92%
135	LODGING TAX				
	Revenue	325,676	370,539		114%
	Expenditure	325,676	233,476		72%
	Difference	0	137,063		
200	LIBRARY BOND DEBT SERVICE				
	Revenue	474,300	484,884		102%
	Expenditure	474,300	9,600		2%
	Difference	0	475,284		
335	REET				
	Revenue	1,323,445	1,316,610		99%
	Expenditure	1,323,445	0		0%
	Difference	0	1,316,610		
401	WATER				
	Revenue	15,907,141	20,086,715		126%
	Expenditure	15,982,906	11,225,506		70%
	Difference	-75,765	8,861,210		
				Chgs budg	10,516,227
				Actuals:	9,699,407
				% collected:	92%
				Cap Budg:	8,478,903
				Actuals:	9,091,522
				% collected:	107%
440	SEWER				
	Revenue	7,275,869	5,832,947		80%
	Expenditure	7,275,869	5,636,365		77%
	Difference	0	196,582		
				Chgs budg	4,823,873
				Actuals:	4,522,512
				% collected:	94%
445	STORM DRAIN				
	Revenue	1,479,033	1,437,275		97%
	Expenditure	1,479,033	1,430,008		97%
	Difference	0	7,267		
				Chgs budg	1,379,762
				Actuals:	1,288,295
				% collected:	93%
450	SANITATION				
	Revenue	3,709,078	4,226,209		114%
	Expenditure	3,709,078	3,910,739		105%
	Difference	0	315,470		
501	EQUIPMENT RENTAL FUND				
	Revenue	2,607,893	2,462,188		94%
	Expenditure	2,607,893	1,972,596		76%
	Difference	0	489,592		
611	FIREMEN'S PENSION FUND				
	Revenue	29,264	29,547		101%
	Expenditure	29,264	30,779		105%
	Difference	0	-1,232		



City Council Agenda Bill

Meeting Date: 12/16/2019

Agenda Item: 8e

Subject: 2019 4th quarter budget amendment

Staff Contact: Steve Hoglund

Approved for Submittal to Council by	
x	Laurie Gere, Mayor
x	Steve Hoglund, Finance Director
	Darcy Swetnam, City Attorney

Action Type	
x	Ordinance No. 3060
	Code Revision?
	Resolution No.
	Contract
	Public Hearing
	Staff Report

Summary Statement: A number of changes to the 2019 portion of the biennial budget have emerged that require Council attention.

Background: The attached amendment ordinance has explanations of each item that has emerged that requires attention and potential amendment, along with the associated dollar amount. These are all fiscal year 2019 expenses.

Budget Impact	
Amount Budgeted	
Budget Account (BARS)	Various
Proposed Expenditure	1,883,300
Budget Amendment Required?	Yes
Revenue Source	Various

Proposed Contract	
Contractor	
Amount	
Start Date	
End Date	

Previous Council/Committee Action: 2019/2020 Budget [Ordinance 3032](#); mid-year budget amendment [Ordinance 3042](#), 3rd quarter budget amendment [Ordinance 3055](#).

Competing Viewpoints Considered: Budget should not be amended.

Recommended Motion: I move to adopt Ordinance 3060 authorizing the 4th quarter budget amendment.

Alternative Actions: Do not adopt budget amendment.

Attachments (listed in order presented): Ordinance 3060

ORDINANCE 3060

AN ORDINANCE AMENDING ORDINANCE NO. 3032 ADOPTED ON DECEMBER 13, 2018, ENTITLED “AN ORDINANCE ADOPTING THE BUDGET FOR ALL MUNICIPAL PURPOSES AND USES FOR THE 2019/2020 BIENNIUM”

WHEREAS, The ACFL fund had an opportunity to pave the road up to Little Cranberry Lake that was not available at the time of budget development, and

WHEREAS, The Parks Department would like to update Parks Impact Fees that may cost up to \$17,900 the cash for which is unavailable in the Parks fund thus requiring a budget amendment and operating transfer, and

WHEREAS, The Washington Park boat launch was closed the majority of the year significantly reducing the park’s cash flow thus requiring a cash infusion to avoid a year end negative cash position, and

WHEREAS, The transition of staff in the Park’s department re-spread some of the staff salary budget which applied more pressure to the salary budget than what was budgeted for during the mid-biennial review, and

WHEREAS, The EMS fund experienced more overtime and higher volunteer salaries than was anticipated during budget development, as well as implementing a non cash expenditure budget for GEMT payment process thus driving actual expenditures beyond what was budgeted, and

WHEREAS, The ACFL fund had carry over payments from the prior year related to Heart Lake algae that were intended to be made up in other areas but are now recognized to be more than what the fund can make up in the following year’s budget thus requiring adjustment, and

WHEREAS, The Storm Sewer Utility experienced a high level of legal fees that were unanticipated at the time of budget development, as well as implementing an accounting change that requires utility tax that goes to the General Fund be receipted into the utility first then expensed out of the utility to the General Fund to meet Generally Accepted Accounting Principles, and

WHEREAS, The Solid Waste Utility implemented an accounting change that requires utility tax that goes to the General Fund be receipted into the utility first then expensed out of the utility to the General Fund to meet Generally Accepted Accounting Principles, as well as experiencing a higher level of activity primarily due to the active building market which increased tipping fee expenses at the transfer station as well as increased revenues.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Anacortes, Washington, as follows:

Section 1. Ordinance No. 3032 dated December 13, 2018 adopting the Budget for all Municipal purposes and Uses for the 2019/2020 Biennium is hereby amended to reflect the following revisions to expenditures and revenues in the following funds:

113.410.594.76.61	Little Cranberry Lake Rd	28,000	
113.410.308.00.00	Fund Balance		28,000
101.410.571.00.41	Park Impact Fee Study	17,900	
101.410.397.00.00	Trans In from General		17,900
001.210.597.00.00	Trans Out to Parks	17,900	
001.000.308.00.00	Fund Balance		17,900
107.410.308.00.00	Fund Balance		(50,000)
107.410.397.00.00	Trans In from General		50,000
001.210.597.00.00	Trans Out to Wa Park	50,000	
001.000.308.00.00	Fund Balance		50,000
107.410.576.30.10	Salaries & Wages	30,000	
107.410.308.00.00	Fund Balance		30,000
110.320.522.70.12	Overtime	70,000	
110.320.522.70.14	Salaries - Volunteers	20,000	
110.320.522.71.49	GEMT Writeoffs	135,000	
110.320.308.90.00	Fund Balance		225,000
113.410.576.90.41	Professional Services	20,000	
113.410.576.90.44	Taxes & Assessments	1,500	
113.410.308.00.00	Fund Balance		21,500
445.770.531.10.41	Professional Services	300,000	
445.000.308.80.00	Fund Balance		300,000
445.770.531.10.44	Taxes & Assessments	128,000	
445.770.343.10.30	Utility Charges for Service		128,000
450.780.537.20.44	Taxes & Assessments	615,000	
450.780.537.20.47	Tipping Fees	450,000	
450.780.343.70.00	Utility Charges for Service		1,065,000

Section 2. Effective date. This Ordinance shall take effect from and after five (5) days after its passage and publication, as required by law.

PASSED AND APPROVED THIS 16th day of December, 2019

CITY OF ANACORTES, WASHINGTON

BY: _____
Laurie Gere, Mayor

ATTEST:

(Corporate Seal)

Steven D. Hoglund, City Clerk

APPROVED AS TO FORM

Darcy Swetnam, WSBA #40530
City Attorney



City Council Agenda Bill

Meeting Date: 12/16/2019

Agenda Item: 8f

Subject: Use of Storm Sewer Utility Emergency Reserve cash

Staff Contact: Steve Hoglund

Approved for Submittal to Council by	
x	Laurie Gere, Mayor
x	Steve Hoglund, Finance Director
x	Darcy Swetnam, City Attorney

Action Type	
	Ordinance No.
	Code Revision?
x	Resolution No. 2069
	Contract
	Public Hearing
	Staff Report

Summary Statement: A resolution to authorize use of the Storm Utility Fund's emergency reserve cash.

Background: The Storm Utility is low on operating cash due to a lawsuit by Soundkeepers requiring the Utility to retain outside counsel that has significantly increased operating expenses to the point of running the operating cash negative. It is desired to use the Fund's emergency reserve cash to reduce the amount of interfund loan required to keep the fund in a positive cash position.

Budget Impact	
Amount Budgeted	118,282
Budget Account (BARS)	
Proposed Expenditure	
Budget Amendment Required?	No
Revenue Source	

Proposed Contract	
Contractor	
Amount	
Start Date	
End Date	

Previous Council/Committee Action: N/A

Competing Viewpoints Considered: Don't use emergency reserve cash, let the operating cash line be \$118K more negative than it would otherwise be.

Recommended Motion: I move to adopt Resolution 2069 authorizing use of the emergency reserve cash.

Alternative Actions: Do not adopt resolution.

Attachments (listed in order presented): Resolution 2069, fund balance policy (see section titled Utility Rate Stabilization Fund Balance)

RESOLUTION NO. 2069

**A RESOLUTION OF THE CITY OF ANACORTES, WASHINGTON, AUTHORIZING
THE USE OF EMERGENCY RESERVE FUNDS FOR THE STORM SEWER UTILITY
FUND**

WHEREAS, Ordinance 2995 dated November 21st, 2016 established a reserved fund balance for various city operating funds, and

WHEREAS, the emergency reserve for the Storm Sewer Utility was to be set at 10% of annual revenues for the fund, and

WHEREAS, the emergency reserve balance for FY 2019 is \$118,282, and

WHEREAS, the purpose of the reserve “is to be used to smooth rate changes due to unanticipated expenses or loss of revenue”, and

WHEREAS, the policy also states “If used, this fund will be replenished and customer rates will increase to recover the expense”, and

WHEREAS, the policy also states if used the balance “Must be replenished within three years at a rate of at least one third of the outstanding balance per year” and

WHEREAS, the Storm Sewer Utility has experienced unexpected, significant, legal fees related to a Clean Water Act lawsuit over the past 2 years with over a majority of those expenses coming in fiscal year 2019, and

WHEREAS the Storm fund has inadequate operating funds to finish the fiscal year in positive cash position, and use of the emergency reserve cash is desired to reduce the amount of resources that will need to be obtained by other means to keep the fund in a positive position, and

WHEREAS, use of emergency reserve funds require the affirmative vote of five council members.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Anacortes, Washington, that the emergency reserve funds identified in the Storm Sewer fund in the amount of \$118,282 are hereby authorized for use to meet inadequate cash flows in fiscal year 2019.

PASSED AND ADOPTED this 16th day of December, 2019 with no less than five affirmative votes of the City Council members.

City of Anacortes, Washington

By: _____
Laurie Gere, Mayor

Attest:

Steven D. Hoglund, City Clerk

Approved as to form:

Darcy Swetnam, WSBA #40530
City Attorney

Ordinance No. 2995

**AN ORDINANCE REPEALING ORDINANCE NO. 2339 DATED NOVEMBER 21 1994, AND ADOPTING A
FUND BALANCE POLICY FOR THE CITY OF ANACORTES**

Whereas; on November 21, 1994 the City Council passed Ordinance No. 2339 establishing a reserved fund balance for designated operating funds equal to 5% of each fund's total budget amount and establishing Restricted Emergency Reserve accounts in the major Governmental, Proprietary and Fiduciary Operating funds; and

Whereas; The City of Anacortes would like to adopt a comprehensive fund balance policy;

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

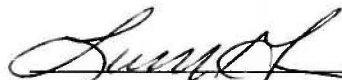
Section 1. Ordinance No. 2339 dated November 21, 1994 is hereby repealed in its entirety.

Section 2. The attached document entitled *City of Anacortes Fund Balance Policy* dated November 2016 is hereby adopted as the official fund balance policy of the City.

Section 3. **Effective Date.** This ordinance shall take effect from and after five (5) days after its passage and publication as required by law.

PASSED AND APPROVED this 21st day of November, 2016.

CITY OF ANACORTES:


Laurie Gere, Mayor

ATTEST:

 For Steve
Steve Hoglund, City Clerk-Treasurer

Approved as to Form:


Darcy Swetnam, City Attorney

City of Anacortes

Fund Balance Policy

November 2016

Purpose

The City desires to maintain a prudent level of financial resources to guard its citizens against service disruption in the event of unexpected temporary revenue shortfalls or unanticipated and extraordinary one-time expenditures. Also, it is both prudent and fiscally responsible for the City of Anacortes to develop and maintain the financial reserves necessary to replace aging capital equipment and infrastructure. This policy will ensure that the City of Anacortes maintains adequate fund balances and reserves in order to:

1. Provide sufficient cash flow for daily financial needs,
2. Provide funding for necessary and desired capital improvements
3. Provide funding for necessary replacement and maintenance of assets
4. Offset significant economic downturns or revenue shortfalls, and
5. Provide funds for unforeseen expenses related to emergencies

Definitions

1. Fund Balance Classifications, as defined by generally accepted accounting principles (GAAP):
 - a. Nonspendable – consists of assets that are inherently nonspendable in the current period either because of their form or because they must be maintained intact, including prepaid items, inventories, long-term portions of loans receivable, financial assets held for resale, and principal of endowments.
 - b. Restricted – consists of amounts that are subject to externally enforceable legal purpose restrictions imposed by creditors, grantors, contributors, or laws and regulations of other governments; or through constitutional provisions or enabling legislation.
 - c. Committed – consists of amounts that are subject to a purpose constraint imposed by a formal action of the government's highest level of decision-making authority before the end of the fiscal year, and that require the same level of formal action to remove the constraint.
 - d. Assigned – consists of amounts that are subject to a purpose constraint that represents an intended use established by the government's highest level of decision-making authority, or by their designated body or official. The purpose of the assignment must be narrower than the purpose of the general fund, and in funds other than the general fund, assigned fund balance represents the residual amount of fund balance.
 - e. Unassigned – represents the residual classification for the government's general fund, and could report a surplus or deficit. In funds other than the general fund, the unassigned classification should be used only to report a deficit balance resulting from overspending for specific purposes for which amounts had been restricted, committed, or assigned.
2. A "reserve" refers to funds set aside for commitments in the future or for emergencies.

3. "Fund Balance" is defined as the excess of assets over liabilities. It varies as revenues are collected and deposited in the fund, assets are acquired or liquidated (i.e., sold, depreciated, or discarded), debt is incurred, and as expenses are made from the fund.
4. "Unrestricted Revenues" refers to general revenues including sales tax, property tax, and utility tax.
5. "Governmental Operating Funds" are funds General 001, Parks 101, Cemetery 102, Library 103, Streets 104, WA Park 107, and Ambulance 110.

Basic Guidelines

1. We intend to achieve our vision in a way that maintains appropriate reserves. Reserves are a necessary component of protecting our vision.
2. Reserves are intended for specific purposes and will be used only for those purposes.
3. Reserves are intended to incentivize departments to save and plan long term.

Minimum Fund Balances

Nonspendable, Restricted, or Assigned Funds - Mandatory

The City of Anacortes currently has several funds that are either nonspendable, restricted, or assigned. These funds will be maintained at their legally restricted balances. E.G. The Forest Land Endowment Fund, AMC 3.46.010.

Replacement Reserve Funds - Mandatory

The City of Anacortes created two equipment replacement reserve funds to fund replacement of equipment over time by allocating part of each year's budget to this reserve. Each reserve fund is dedicated to a single purpose, one being vehicles and equipment and the other being computing equipment. These reserve fund balances are based on replacement cost and age of the equipment. The reserve should have a balance sufficient to replace each piece of equipment by the end of the equipment's useful life. In order to ensure the reserve is properly funded, the balance will be calculated annually based on replacement cost of each piece of equipment and the years remaining before replacement.

Economic Stabilization Reserve Fund - Target

A reserve account entitled "Economic Stabilization Reserve Fund" is established in the General Fund. Although accounted for in the General Fund, this reserve fund is intended for use when needed by the chosen governmental operating funds 001, 101, 102, 103, 104, 107, and 110. The reserve may also be known as the "Rainy Day Fund" and is considered to be a portion of committed fund balance. The use of this fund is intended to be after other unreserved fund balances have been spent, elevating the importance of this fund to more serious need situations. The Economic Stabilization Reserve Fund:

1. Has a targeted balance equal to 20% of the annual expenditures of the chosen governmental operating funds by the City of Anacortes;
2. May be spent, after approval of a majority plus one city council members, and after unreserved fund balance has been spent, as follows;
 - a. Up to 100% of the available funds may be used for a bona fide natural causes emergency;

- b. Up to 25% of the fund may be used to balance the next year's budget (and only for one year) if the next year's revenues are projected to be less than 90% of the current year's projected revenues; or
 - c. Up to 25% of the fund may be used to balance the next year's budget (and only for one year) to pay for a new unfunded judicial, state, or federal mandate that is imposed on the City.
- 3. Must be replenished within three years at a rate of at least one third of the outstanding balance per year.

Utility Rate Stabilization Fund Balance

A reserve account entitled "Utility Rate Stabilization Fund Balance" is established in each enterprise utility fund. This reserve is to be used to smooth rate changes due to unanticipated expenses or loss of revenue of the utility. If used, this fund will be replenished and customer rates will increase to recover the expense.

- a. The target balance must be 10% of the annual revenues of the utility funds.
- b. Must be replenished within three years at a rate of at least one third of the outstanding balance per year.

Unassigned Fund Balance

After all other fund balances and reserves are considered, it is the desire of the City to maintain a fund balance of 10% of fund specific expenditures.

Surplus Fund Balance

Should unassigned fund balance of the General Fund ever exceed the desired level, the City will consider such fund balance surpluses for one time expenditures that are nonrecurring in nature and which will not require substantial additional future expenses, outlays for maintenance, additional staffing or other recurring expenditures.



City Council Agenda Bill

Meeting Date: 12/16/2019

Agenda Item: 8g

Subject: Interfund loan from Water to Storm Drain

Staff Contact: Steve Hoglund

Approved for Submittal to Council by	
x	Laurie Gere, Mayor
x	Steve Hoglund, Finance Director
x	Darcy Swetnam, City Attorney

Action Type	
x	Ordinance No. 3061
	Code Revision?
	Resolution No.
	Contract
	Public Hearing
	Staff Report

Summary Statement: An ordinance to authorize an interfund loan is required to provide the cash needed for the Storm Utility to remain cash positive through year end. The loan will be from the Water Utility to the Storm Drain Utility and will be up to \$200,000, the actual amount will be determined after year end.

Background: The Storm Utility is low on operating cash due to a lawsuit by Soundkeepers requiring the Utility to retain outside counsel that has significantly increased operating expenses to the point of running the operating cash negative.

Budget Impact	
Amount Budgeted	
Budget Account (BARS)	
Proposed Expenditure	
Budget Amendment Required?	No
Revenue Source	

Proposed Contract	
Contractor	
Amount	
Start Date	
End Date	

Previous Council/Committee Action: N/A

Competing Viewpoints Considered: Let the fund go to a negative cash position, and take a Finding from the State Auditor.

Recommended Motion: I move to adopt Ordinance 3061 authorizing an interfund loan from Water to Storm.

Alternative Actions: Do not adopt interfund loan ordinance.

Attachments (listed in order presented): Ordinance 3061, loan worksheet

ORDINANCE NO. 3061

AN ORDINANCE AUTHORIZING AN INTERFUND LOAN BETWEEN THE WATER FUND AND THE STORM SEWER FUND.

THE CITY COUNCIL OF THE CITY OF ANACORTES DOES HEREBY ORDAIN AS FOLLOWS:

WHEREAS, currently the Storm Sewer utility has implemented a series of rate increases to address the cash shortage that has prevented the Utility from conducting the capital projects necessary to meet federal, state, and local requirements but is still cash poor, and

WHEREAS, the Storm Sewer utility suffered a lawsuit from a group that has required the Utility to obtain outside attorneys to provide extensive legal counsel, and

WHEREAS, the Storm Sewer utility does not have enough operating cash to remain cash positive after year 2019 without an influx of cash from outside the Utility, and

WHEREAS, the Water fund has sufficient cash to make an inter fund loan to the Storm Sewer fund to provide sufficient cash to stay solvent, and leave enough cash in the Water fund to not affect its ability to continue operations.

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF ANACORTES DOES ORDAIN AS FOLLOWS:

Section 1. The Water Fund is authorized to loan the Storm Drain fund up to \$300,000. The term of the loan will be three years.

Section 2. The loan amount will be assessed an interest rate which is equal to the current 3 year Treasury rate. As of December 2019 that rate is 1.58%. Simple interest will be assessed against the remaining balance of the loan. Payments will be due on December 31st of each year, starting in 2020, until the loan is paid off. Payoff of the entire balance can be made any year on December 31st, but no later than December 31st of 2022.

EFFECTIVE DATE. This ordinance shall take effect from and after five (5) days after its passage and publication as required by law.

PASSED AND APPROVED THIS 16th of December, 2019.

CITY OF ANACORTES, WASHINGTON:

BY: _____
Laurie Gere, Mayor

ATTEST:

Steven D. Hoglund, City Clerk

APPROVED AS TO FORM:

Darcy Swetnam, WSBA #40530
City Attorney

Storm Drain Utility

Based on 2019 January - November average operating revenues and expenditures.

Month end 2019	November	December
Average Rev (Jan-Nov)		118,687
Average Exp (Jan-Nov)		(136,384)
Cash Balance:	(222,995)	(240,692)
Emergency Cash		118,282
Projected cash requirement:		(122,409)

Interfund loan up to \$200,000

Actual loan amount determined after year end.

Loan at 1.58% simple interest:

125,000 principal loaned: 126,975

Repayment plan	Balance	12/31/2020	1/1/2021	1/2/2021
125,000 Loan:	126,975	42,325	42,325	42,325
Emergency reserve:	118,282	39,427	39,427	39,427
Total payback due:	245,257	81,752	81,752	81,752

Average operating results 2019: (17,697)

Average month results if no legal: 7,608

Cash for year if no legal: 91,296

Cash left over if no legal after paybacks: 9,544



Anacortes City Council

Proposed Agenda Items for the Next Eight Weeks Beginning December 23, 2019

Subjects listed below have been tentatively suggested for consideration by the Anacortes City Council on the dates indicated. Items may be added to, removed from or rearranged on this list. Routine business such as approval of minutes and vouchers are not included. The complete Preliminary Agenda for each meeting is published at 3:00 on the Wednesday prior to the meeting. Published Agendas are subject to change and may be updated following the posting period. For additional information on agenda topics, please contact the City Clerk's office at 360-299-1960 to be directed to the sponsoring staff member.

December 23, 2019

- Interlocal Modification: NPDES Phase II Public Outreach and Education with Skagit Conservation District #IL259 (Consent)
- Interlocal Agreement: Use of Whatcom County Plantation Rifle Range 2020 #20-011-APD-001 (Consent)
- Interlocal Agreement: Mutual Assistance On Minor Projects with City of Oak Harbor #19-200-ENG-001 (Consent)
- Interlocal Agreement: Student Card Program with the Anacortes School District #19-201-LIB-001 (Consent)
- Contract Award: Anacortes Municipal Broadband Installation – CBD, Old Town Pilot, M Avenue Pilot #19-181-FBR-001 (Action)
- Oath of Office: City Councilmembers Ryan Walters, Christine Clelland-McGrath, Jeremy Carter and Carolyn Moulton
- Honor Outgoing Councilmembers Brad Adams and Eric Johnson

January 6, 2020

- Presentation: Anacortes Robotics Booster Club (Discussion)
- Ordinance 3052: Updating AMC Chapter 12.50, Street and Alley Vacation (Discussion/Possible Action)

January 13, 2020

- Presentation: 2020 Census (Discussion)

January 21, 2020

January 27, 2020

- Presentaion: Community Action of Skagit County (Discussion)

February 3, 2020

- Port of Anacortes Northwest Basin Redevelopment Plan Presentation (Discussion)

February 10, 2020

- State Auditor Presentation on Infrastructure and Security of City Computer Network (Discussion)
- Executive Session (30 Minutes) beginning 6:00 p.m. : Infrastructure and Security of City Computer Network (RCW 42.30.110(a)(ii))

February 18, 2020

Upcoming City Council Committee Meetings

The public is welcome to attend City Council Committee Meetings.

- Planning, Monday, Dec 9, 2019, 5:00 PM, Main Conference Room, City Hall
- Finance, Wednesday, Dec 11, 2019, 5:00 PM, Main Conference Room, City Hall
- Public Works, Monday, Dec 16, 2019, 5:00 PM, CANCELLED
- Planning, Monday, Dec 23, 2019, 5:00 PM, Main Conference Room, City Hall
- Finance, Wednesday, Dec 25, 2019, 12:00 AM, CANCELLED
- Public Works, Monday, Jan 6, 2020, 5:00 PM, Main Conference Room, City Hall