



Anacortes City Council
Municipal Building Council Chambers
904 6th Street

May 18, 2026
6:00 PM

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

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Announcements and Committee Reports**
 - a. Finance Committee (Report)
 - b. Information Technology and Access Fiber Committee (Report)
 - c. Economic Development Committee (Report)
4. **Public Comment**
 - a. [Participation Rules and Procedures](#)
5. **Consent Agenda**
 - a. Minutes of May 11, 2026 (Action)
 - b. Approval of claims in the amount of \$2,077,510.22 (Action)
 - c. Contract Modification: Whistle Lake Road Pipe Arch Modifications - Design #25-044-WTR-001 (Action)
 - d. Ordinance 5030: An Ordinance Creating Chapter 2.51 in the Anacortes Municipal Code regarding the Anacortes Arts Commission (Action)
 - e. Resolution 3216: Adopting Hearing Examiner Procedures (Action)
 - f. Special Event: L Ave Block Party (Action)
6. **Other Business**
 - a. Fleet Utilization Report Summary (Report)
 - b. Interlocal Agreement #26-042-AFD-002 with Skagit County for Behavioral Health Grant Administration (Discussion/Action)
7. **Adjournment**

Watch online or participate via Zoom at www.anacorteswa.gov/meetings. Comment via email to cityclerk@anacorteswa.gov or to City Clerk, P.O. Box 547, Anacortes WA 98221. Public comments received by the City Clerk prior to 3 p.m. on the day of the meeting will become part of the record for the meeting. The City of Anacortes is committed to making public meetings accessible to all community members. For assistance with special needs, contact the City Clerk at 360-299-1960 in advance of the meeting.

City Council

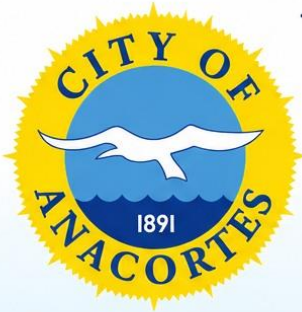
May 18, 2026

Highlights:

- Fleet Utilization Report



Public Works Week



— CITY OF ANACORTES —

PUBLIC WORKS

SERVING TODAY • BUILDING TOMORROW • STRONGER TOGETHER



NATIONAL BIKE MONTH



There is no better place to ride
than beautiful Anacortes.
Ride safely, share the road,
and wear your helmet!



4th of July Parade

NEW this year:

- Registration is required for all floats or marching groups.
- Candy may NOT be thrown from vehicles.
- Parade participants may ONLY distribute candy from the bike lane.

www.anacorteswa.gov/fourth



AFTER-HOURS
BOOK FAIR
FOR GROWN-UPS

MAY 20 AT 6:00 PM

TAKE A TRIP BACK
TO CHILDHOOD
AND ENJOY OUR
BOOK SWAP,
LOCAL VENDORS,
AND TREATS



**ANACORTES
PUBLIC LIBRARY**



Cutting the Cables

Getting the Most from
Access Anacortes Fiber

TUESDAY, MAY 26

10:00 – 12:00

ANACORTES SENIOR CENTER

Join Corby Stephens,
Access Anacortes Fiber
network administrator,
for a workshop with Q&A.

Learn networking basics, streaming options,
phone alternatives, and how these services
work together.



Hearing Loss Consultation

FRIDAY, MAY 29

9:00 – 12:00

ANACORTES SENIOR CENTER



REGISTRATION REQUIRED

One-on-one consultation with Larry Wonnacott, President of the Hearing Loss Association of America, Northwest Washington Chapter.

Discuss the impact of hearing loss on your health and explore current treatment options

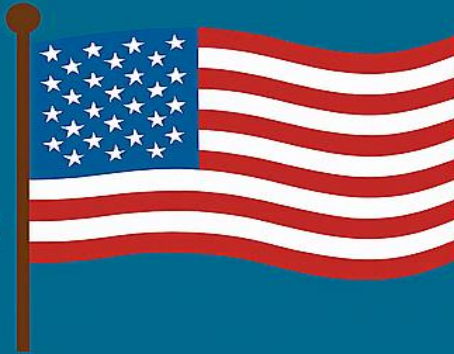


Veterans Hangout

FRIDAY, MAY 29

10:00 – 11:30

ANACORTES SENIOR CENTER



Visit with fellow veterans, veteran families, and veteran supporters.

County VSO Chris Diaz will gladly answer any questions and share his wealth of knowledge.

Next session: Friday, May 29

Recurring: last Fridays, 10:00 – 11:30



KIDS FISHING DAY

AT HEART LAKE



MAY 30



7:00 AM – 12:00 PM



LEARN. FISH. HAVE FUN!



AGES 14 AND UNDER



BARK IN THE PARK

2026



Saturday
June 13th
10am-2pm
Storvik Park

Come celebrate our  furry friends!

Friendly leashed
dogs welcome!

eliasm@cityofanacortes.org

(360) 299-1969





E-bikes and E-motorcycles

Proposed regulations are being developed to ensure the safety of our riders, pedestrians and community.

Committee Reports

- Finance
- IT and Fiber
- Economic Development



Anacortes City Council Minutes - May 11, 2026

Call to Order

Mayor Ryan Walters called to order the May 11, 2026, Anacortes City Council meeting at 6:01 p.m. Councilmembers Marcia Hunt, Luke Currier, Anthony Young, Christine Cleland-McGrath, Carolyn Moulton, Bruce McDougall and TJ Fantini were present.

Pledge of Allegiance

The assembly joined in the Pledge of Allegiance.

Announcements and Committee Reports

Mayor Walters recognized the passing of former Councilmember William Turner, who served on the council from 2006 to 2014, extending the city's condolences to his family. He then addressed an issue that affected fiber internet services to customers in Downtown, Old Town and other areas east of Anacopper over the past couple of weeks, which resulted in significant latency over the past weekend, reporting that an optical line terminal located in the library experienced a fault. He announced that staff had worked diligently to isolate and correct the problem, recommending that customers should reboot their fiber equipment should they experience any additional service interruption. He then pledged that replacement equipment would be ordered as soon as possible to enhance system redundancy and that he would work closely with staff and the Fiber Committee to improve communication regarding fiber service to mitigate similar future challenges. He concluded by apologizing to all those users, especially businesses, whose operations were affected by the outage.

Housing Affordability and Community Services and Planning Committee

Ms. Moulton reported from the Housing Affordability and Community Services and Planning Committee meeting held earlier in the evening. The topics discussed included the Shoreline Master Program update and the public participation plan that will be coming back before the council for the first time since 2022 after being considered by the Planning Commission at its May 12th regular meeting. Other activities associated with the update would include an open house during the Planning Commission meeting on June 9, 2026, and a public hearing. She added that the Shoreline Management Act emphasizes public access to the shoreline and business access for water-dependent businesses. The committee also discussed the critical areas ordinance update, and the proposed hiring of a consultant to ensure that both initiatives are accomplished with the best available science.

Public Comment

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

Consent Agenda

Mr. McDougall moved, seconded by Mr. Young, to approve the following Consent Agenda items. The motion carried unanimously by voice vote.

a. Minutes of May 4, 2026

b. Approval of claims in the amount of \$318,252.36

The following vouchers/checks were approved for payment:

EFT numbers: 115530 through 115572, total \$252,667.76

Check numbers: 115573 through 115585, total \$50,073.61

Wire transfer numbers: 388357 through 388601, total \$15,510.99

c. Special Event: Anacortes Arts Festival

Other Business

Anacortes Arts Commission Update

Parks and Recreation Director Jonn Lunsford introduced Anacortes Arts Commissioners Todd Young and Kami Bratten, who provided an update on the Anacortes Arts Commission, referring to a slide presentation that was included in the packet materials for the meeting. Mayor Walters announced that he had appointed Joanie Schwartz to the Arts Commission.

Discussion topics included:

- The art community punches above its weight, and the art displayed around the city is noticed.
- Bringing a [NW Troll](#) to Anacortes.
- The commission continues to explore ways to market all art forms in the community.
- The Arts Commission is working with the Downtown Anacortes Alliance for the Downtown Streetscapes initiative.
- Appreciation for the push to include the performing arts.
- Origin of the Luminary Light Parade and the Procession of the Species

Ordinance 5030: Arts Commission

Mr. Lunsford introduced Ordinance 5030 that would codify the Arts Commission, referring to a slide presentation that was added to the packet materials for the meeting.

Discussion topics included:

- Setting up an obvious place to allow individuals to donate or leave a bequest.
- Rules around the establishment of a fund.
- Important to publicly acknowledge the work that is being done in the arts, regardless of the fiscal environment.
- Goals of the commission for public display of art installations.
- A re-invigoration of the relationship with the Anacortes Arts Festival.
- How to balance the different entities that are proponents of the arts and prevent duplication of efforts.
- How to encourage more performing and literary art.
- Voice and Verse, an initiative on how to bring poetry or songwriting to the community in a performative setting that is supported by the city.
- Having two students on the commission and their voting rights.
 - It is difficult to find and retain students who would consistently participate.
 - The commission can always come back to the council to make changes if needed.
 - Getting young people involved as artists.
 - Conditional participation of up to two students.
 - No mention of the grade level of student and a change of pronoun to 'their'.

Mayor Walters announced, without objection, that the ordinance would be brought back to the council for approval on the consent agenda at the next regular meeting.

Ordinance 5029: Anacortes Community Forest Lands

Mr. Lunsford re-introduced Ordinance 5029 that would amend [Anacortes Municipal Code Chapter 8.10](#) regarding enforcement of city ordinances and regulations and create AMC Chapter 12.18 regarding the Anacortes Community Forest Lands, referring to a slide presentation that was added to the packet materials for the meeting. Mr. Lunsford and Assistant Parks and Recreation Director Bob Vaux answered questions from the council.

Discussion topics included:

- How the public will be notified of the changes to the code.
 - Signage (required by the ordinance), the Forest Advisory Board, staff, the *Anacortes American*, word of mouth, the Trail Ambassador program with the Friends of the Community Forest Lands.

Mayor Walters invited members of the audience to comment on this agenda item. Public comment was given as follows:

Wim Houppermans of Anacortes asked for clarification regarding the building of structures in the Anacortes Community Forest Lands. Mayor Walters responded that the conservation easement for individual parcels would restrict the execution of capital projects, and that any necessary projects for area maintenance, such as roads, would need to be approved by the City Council through the annual Capital Facilities Plan process, which requires a public hearing and public comment period.

TJ Fantini moved, seconded by Carolyn Moulton, to approve Ordinance 5029 as presented.

Vote: Ayes - Carolyn Moulton, Anthony Young, Christine Cleland-McGrath, Bruce McDougall, TJ Fantini, Luke Currier, Marcia Hunt. Nays - None. Abstentions - None. Result: Passed

Resolution 3215: Updating the Unified Fee Schedule

Finance Manager Rhonda Peck introduced Resolution 3215 that would update the Unified Fee Schedule for new fees for niches and modified 'Green Burial' fees for Grand View Cemetery; updated fees for planning appeals items related to the Hearing Examiner and Engineering and Development; and incorporating existing fees for Museum, Library, public records requests, and the Police Department; referring to a slide presentation that was included in the packet materials for the meeting.

Discussion topics included:

- The fees cover the costs of the police transporting impounded animals.
- New public records request fees are for digital production and transmission.
- Right-of-way fees affect current projects.
- Inclusion of these fees as part of a discussion of revenue budgeting for the following fiscal year.
- The fee schedule will be revised again to pull permitting fees that are currently specified in the municipal code and will be reformatted to be posted on the [Code Publishing website](#).

Mayor Walters invited members of the audience to comment on this agenda item. Public comment was given as follows:

Wim Houppermans of Anacortes asked about the fees associated with code enforcement that are not enforced and asked for clarification regarding the removal of the note for Hearing Examiner fees for denied appeals.

Planning, Community, and Economic Development Director John Coleman responded that these fees do not apply to those who submit a request for code enforcement but to someone who appeals a code enforcement decision to the Hearing Examiner, and that the fees associated with the Hearing Examiner are now factored in to each type of appeal based on an estimate of how much time the hearing examiner would take on the type of appeal. Mayor Walters added that it provides more certainty about the fees to the appellant and that the city had compared these fees to other jurisdictions in Skagit County, and they remain lower than those of Skagit County.

Marcia Hunt moved, seconded by TJ Fantini, to approve Resolution 3215 updating the Unified Fee Schedule as presented. The motion carried unanimously by voice vote.

Resolution 3216: Adopting Hearing Examiner Procedures

City Attorney Darcy Swetnam introduced Resolution 3216 that would adopt procedures for the city's Hearing Examiner services as provided by Laminar Law under contract [26-134-LEG-001](#) with Laminar Law for Hearing Examiner services that the council approved at the April 6, 2026, regular meeting, referring to a slide presentation that was added to the packet materials for the meeting.

Discussion topics included:

- Section 1.8.3 Withdrawal of an application — who would have the authority to refund the permit fees?
 - Planning Director – it should be spelled out.
- The ability of the council to change the procedures as necessary to ensure stability through any change in the Hearing Examiner.
- Procedures have been used successfully in other jurisdictions and have been adjusted to the AMC.

Mayor Walters announced, without objection, that the resolution would be placed on the consent agenda for approval at the next regular meeting.

Adjournment

There being no further business, at approximately 7:13 pm, the Anacortes City Council meeting of May 11, 2026, 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 May 18, 2026 City Council meeting:
[Download this file in OpenDocument spreadsheet format.](#)

Invoice Doc #	Invoice Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
388641	2/25/2026	394439	BAY CITY SUPPLY	SUPPLIES FOR FACILITIES	\$ 1,457.97	pwfac
388968	2/27/2026	0213981	GEOENGINEERS, INC.	FIDALGO BAY ROAD REPAIR - GEOTECHNICAL EVALUATION & ANALYSIS 1/126-2/20/26	\$ 124.00	pw1
388967	2/27/2026	20INV000884116	TOTER LLC	SOLID WASTE TOTES PURCHASE	\$ 22,634.08	pw1
388970	3/16/2026	004	SUMMIT CONSTRUCTION GROUP INC	WWTP ADMINISTRATION BUILDING ADDITION - CONSTRUCTION	\$ 94,384.00	pw1
388868	3/16/2026	9843389967	GRAINGER	MAINTENANCE SUPPLIES	\$ 342.19	dwwtp
388833	3/26/2026	396083	BAY CITY SUPPLY	STATION SUPPLIES	\$ 412.30	medic
388832	3/31/2026	1592698	LIFE ASSIST, INC	CLEANING WIPES, EXAM GLOVES, SAFETY	\$ 926.06	medic
388993	4/2/2026	14597503	BROWN AND CALDWELL	WWTP INCINERATION EVALUATION/SOLIDS SYSTEM PLANNING - 12/12/25-3/26/26	\$ 11,994.00	dwwtp
388853	4/7/2026	April 7, 2026	REGION 3 FIRE COUNCIL	EVIDENCE BASED ENGINE OPS (R. BERG)	\$ 375.00	medic
388984	4/9/2026	77441	UNDERWOOD & ASSOCIATES, LLC	FIRE STATION 1 REMODEL - CONSTRUCTION MANAGEMENT	\$ 2,372.50	medic
388961	4/22/2026	Pay App 1	SUMMITX CONTRACTORS, INC	FIBER NETWORK INFILL PROJECT	\$ 97,993.77	fiber
388682	4/24/2026	I7291019	HD FOWLER COMPANY INC	WD: INVENTORY RESTOCK	\$ 2,499.20	wdist
388685	4/26/2026	6142125561	VERIZON WIRELESS	WTP SCADA 3/27/26 - 4/26/26	\$ 904.50	dwtpt
388997	4/28/2026	CA23	AIRSTRIKE BIRD CONTROL INC	CITY HALL BIRD ABATEMENT - 4/16/26-4/30/26	\$ 1,300.00	pw1
388839	4/29/2026	67765	SKAGIT PUBLISHING LLC	PUBLISH AA-735553	\$ 544.04	pw1
388844	4/29/2026	67766	SKAGIT PUBLISHING LLC	PUBLISH AA-737251	\$ 40.60	finance
388846	4/29/2026	67767	SKAGIT PUBLISHING LLC	PUBLISH AA-737379	\$ 36.54	finance
388848	4/29/2026	67768	SKAGIT PUBLISHING LLC	PUBLISH AA-737691	\$ 146.16	plan
388964	4/29/2026	PST26-345	PUBLIC SAFETY TESTING, INC	PRE-EMPLOYMENT TESTING SERVICES FOR POLICE - CANDIDATE ADD-ONS	\$ 42.00	hr
388859	4/30/2026	0173	SKAGIT COUNTY SOLID WASTE FUND	APRIL TONNAGE HAULED	\$ 123,483.93	dshop

Invoice Doc #	Invoice Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
388946	4/30/2026	11085790	NAVIA BENEFIT SOLUTIONS, INC	APRIL FLEXIBLE SPENDING PARTICIPANT FEE	\$ 163.40	hr
388870	4/30/2026	26B-058	WSI POLYGRAPH SERVICE	PRE-EMPLOYMENT POLYGRAPH; KENT	\$ 272.75	apd
388694	4/30/2026	308725	INFOSEND, INC.	APRIL 2026 PROCESSING	\$ 5,390.49	finance
388947	4/30/2026	48846	ORCA INFORMATION, INC	BACKGROUND INVESTIGATIONS	\$ 323.43	hr
388999	4/30/2026	9352985827	GRAYBAR ELECTRIC COMPANY, INC	FIELD-INSTALLABLE FIBER CONNECTORS	\$ 434.51	fiber
388962	4/30/2026	GCI0019715	CODE PUBLISHING, LLC	CODIFICATION SERVICES	\$ 1,125.00	legal
388966	4/30/2026	IN969093	NOANET	DEDICATED INTERNET ACCESS - APRIL 2026	\$ 4,310.00	fiber
388965	4/30/2026	IN969201	NOANET	OUTSOURCED CUSTOMER SERVICE - APRIL 2026	\$ 12,781.41	fiber
388953	4/30/2026	INV3185589	COPIERS NORTHWEST, INC	APD/COURT COPIER MACHINES	\$ 20,382.11	infosys
388691	5/1/2026	052-0010-00	CITY OF ANACORTES	OPS: 04/01- 04/30/26	\$ 2,230.45	dshop
388680	5/1/2026	127	SKAGIT COUNTY OFFICE OF	INDIGENCY SCREENING	\$ 1,102.50	pubdef
388693	5/1/2026	15-08195-33000	WASTE MANAGEMENT	APRIL 2026 CONTRACTED SERVICES	\$ 157,997.73	finance
388869	5/1/2026	190-1840-00	CITY OF ANACORTES	UTILITY BILL FOR WWTP APRIL	\$ 7,958.58	dwwtp
388866	5/1/2026	236354	CONTROL FACTORS-SEATTLE INC	MAINTENANCE SUPPLIES - INCINERATOR	\$ 955.05	dwwtp
388867	5/1/2026	236356	CONTROL FACTORS-SEATTLE INC	MAINTENANCE SUPPLIES - INCINERATOR	\$ 806.44	dwwtp
388956	5/1/2026	4415	LAW OFFICE OF CARA LORENZO	PUBLIC DEFENSE CONFLICT	\$ 20.00	pubdef
388957	5/1/2026	4416	LAW OFFICE OF CARA LORENZO	PUBLIC DEFENSE CONFLICT	\$ 20.00	pubdef
388960	5/1/2026	4417	LAW OFFICE OF CARA LORENZO	PUBLIC DEFENSE CONFLICT	\$ 20.00	pubdef
388642	5/1/2026	665303	MOMENTUM TELECOM INC	SIP TRUNKS 5/1-5/31/26	\$ 1,079.93	finance
388687	5/4/2026	200012505505	PUGET SOUND ENERGY INC	WTP ELECTRICITY 4/1/26 - 4/30/26	\$ 159,543.18	dwwtp
388963	5/4/2026	2565	APERTURE EQ LLC	POLICE AND FIRE PROMOTIONAL TESTING	\$ 25,809.30	hr
388865	5/4/2026	6560759367	VESTIS SERVICES LLC	LAUNDRY SERVICE FOR WWTP	\$ 41.94	dwwtp
388689	5/5/2026	2026-4-01-Anacortes	PERISCOPE LEGAL	PUBLIC DEFENSE SERVICES - 4/1-4/30/26	\$ 23,750.00	finance
388684	5/5/2026	2241	OSBORN CONSULTING, INC	NPDES PERMIT COMPLIANCE SUPPORT SERVICES THROUGH 4/30/26	\$ 9,165.25	pw1
388675	5/5/2026	26-05-29000	CARL'S TOWING SEDRO WOOLLEY	TOWING; APD CASE 26-A02411	\$ 645.68	apd
388871	5/5/2026	27161	INDUSTRIAL RESOURCES, INC.	OUTSIDE SERVICE REPAIR	\$ 1,763.85	dwwtp

Invoice Doc #	Invoice Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
388686	5/5/2026	37539	TRANSPO GROUP USA, INC.	TRANSPORTATION ELEMENT OF THE 2025 COMPREHENSIVE PLAN THROUGH 04/30/2026	\$ 9,295.00	pw1
388679	5/6/2026	0000012926	ANACORTES SCHOOL DISTRICT #103	JOINT USE AGREEMENT FOR FACILITIES	\$ 7,000.00	pkrec
388875	5/6/2026	220013286491	PUGET SOUND ENERGY INC	APD 4/7-5/5/26	\$ 2,882.00	apd
388863	5/6/2026	220021901958	PUGET SOUND ENERGY INC	ENERGY BILL FOR TSUNAMI SIREN SKYLINE 4/8-5/6/26	\$ 10.89	dwwtp
388972	5/6/2026	2605	EARTHWORK SOLUTIONS LLC	DEPOT MARKET PLAZA EXPANSION PROJECT - CONSTRUCTION	\$ 219,463.69	parks1
388678	5/6/2026	FB81936	CAROLLO ENGINEERS, INC.	WATER SYSTEM PLAN UPDATE - THROUGH 4/30/26	\$ 1,880.00	pw1
388676	5/6/2026	i2605836	WASHINGTON STATE PATROL	BACKGROUND CHECKS; APRIL 2026	\$ 96.00	apd
388974	5/6/2026	Pay App 1	SUMMITX CONTRACTORS, INC	2026 TERRACE DRIVE UTILITY IMPROVEMENTS	\$ 349,349.02	pw1
388977	5/6/2026	Pay App 1	E&E CONTRACTING	PEDESTRIAN CROSSING IMPROVEMENTS - 23RD STREET & D AVENUE	\$ 38,941.50	pw1
388981	5/6/2026	Pay App 1	E&E CONTRACTING	PEDESTRIAN CROSSING IMPROVEMENTS - TOMMY THOMPSON TRAIL/T AVENUE ROADWAY CROSS	\$ 48,967.50	pw1
388600	5/6/2026	RefundHargrove	HARGROVE, BRADLEY	WA PARK CAMPING REFUND	\$ 40.00	parks1
388603	5/6/2026	RefundMitchell	MITCHELL, JESSICA	WA PARK CAMPING REFUND	\$ 30.00	parks1
388599	5/6/2026	RefundRuland	RULAND, ANTHONY	WA PARK CAMPING REFUND	\$ 5.00	parks1
388840	5/7/2026	0002691338	CENTRAL WELDING SUPPLY CO, INC	O2 FOR AMBULANCES	\$ 109.14	medic
388696	5/7/2026	1968	FIDALGO CLEANING	MUSEUM 5/7-5/21	\$ 200.00	museum
388695	5/7/2026	1969	FIDALGO CLEANING	HERITAGE CENTER 5/7-5/21	\$ 140.00	museum
388945	5/7/2026	200000667101	PUGET SOUND ENERGY INC	LIBRARY 1220 10TH 4/8-5/6/2026	\$ 4,958.00	publib
388873	5/7/2026	2026-003	NORTH WHIDBEY SPORTSMEN'S ASSO	RANGE RENTAL FEES 1/1/26-12/31/26	\$ 1,400.00	apd
388692	5/7/2026	20261054	SYSTEMS DESIGN WEST, LLC	AMBULANCE BILLING SERVICES 4/2026	\$ 5,342.58	finance
388690	5/7/2026	220015523313	PUGET SOUND ENERGY INC	CAR CHARGING STATION: 4/7-5/26/26	\$ 30.74	dshop
388864	5/7/2026	220022355618	PUGET SOUND ENERGY INC	ENERGY BILL FOR TSUNAMI SIREN 500 T AVE 4/8-5/6/26	\$ 10.89	dwwtp
388845	5/7/2026	220035067093	PUGET SOUND ENERGY INC	MOLLY LANE BUILDING - OUTSIDE LIGHTING	\$ 142.22	medic

Invoice Doc #	Invoice Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
388688	5/7/2026	2607	EARTHWORK SOLUTIONS LLC	PURCHASED ADA TILES FOR Q AVE PED CROSSING	\$ 2,055.28	pw1
388842	5/7/2026	300000290019	PUGET SOUND ENERGY INC	ALL STATIONS: 4/6-5/5/26	\$ 1,581.95	medic
388860	5/7/2026	300000300008	PUGET SOUND ENERGY INC	ENERGY BILL FOR PLANT AND PUMP STATIONS	\$ 28,230.90	dwwtp
388709	5/7/2026	300000305007	PUGET SOUND ENERGY INC	SKYLINE STREET LIGHTS: 04/02-04/30/26	\$ 287.35	dshop
388705	5/7/2026	398271	BAY CITY SUPPLY	SUPPLIES FOR FACILITIES	\$ 761.67	pwfac
388955	5/7/2026	58743	SKAGIT COUNTY PUBLIC HEALTH	SKAGIT STAR CENTER FUNDING - NORTH STAR INITIATIVE	\$ 250,000.00	executive
388874	5/7/2026	6560761524	VESTIS SERVICES LLC	APD NYLON MATS CLEANED	\$ 16.34	apd
388708	5/7/2026	6560761530	VESTIS SERVICES LLC	OPS & PARKS LAUNDRY SERVICE	\$ 80.53	dshop
388643	5/7/2026	989	SPORTSITES, INC.	ANNUAL SUBSCRIPTION FOR SPORTSITES	\$ 5,000.00	parks1
388988	5/7/2026	ATC253312-M1	DOBBS PETERBILT - MARYSVILLE	FRONTLOAD SOLID WASTE TRUCK ERR5002 REPLACEMENT	\$ 220,753.99	pw1
388706	5/7/2026	XA116030150:01	RWC INTERNATIONAL	PART #607	\$ 16.00	dshop
388872	5/8/2026	038 200 0000 2	CASCADE NATURAL GAS CORP.	APD 4/10-5/7/26	\$ 1,306.51	apd
388944	5/8/2026	154 700 0000 9	CASCADE NATURAL GAS CORP.	LIBRARY 4/10-5/7/26	\$ 1,087.99	publib
388856	5/8/2026	169 400 0000 9	CASCADE NATURAL GAS CORP.	STA 2: 4/10-5/7/26	\$ 100.17	medic
388838	5/8/2026	2111805	LIFE ASSIST, INC	PERMANENT MARKERS	\$ 70.13	medic
388835	5/8/2026	2115030	LIFE ASSIST, INC	PERMANENT MARKERS	\$ 21.04	medic
388852	5/8/2026	710 300 0000 5	CASCADE NATURAL GAS CORP.	OPS: 04/10- 05/07/26	\$ 687.55	dshop
388862	5/8/2026	989 800 0000 8	CASCADE NATURAL GAS CORP.	GAS BILL FOR WWTP 4/10-5/7/26	\$ 427.94	dwwtp
388697	5/11/2026	031-0320-01	SCHMITZ, MYRON	UB Refund Cst #038911	\$ 163.17	finance
388698	5/11/2026	080-3830-00	HUMENIK, JOYCE	UB Refund Cst #041003	\$ 104.56	finance
388703	5/11/2026	112-0790-00	CYPRESS ASTD LIVING OF OLYMPUS.	UB Refund Cst #054630	\$ 44.15	finance
388699	5/11/2026	112-0800-00	CYPRESS ASTD LIVING OF OLYMPUS.	UB Refund Cst #042037	\$ 436.36	finance
388700	5/11/2026	112-0820-00	CYPRESS ASTD LIVING OF OLYMPUS.	UB Refund Cst #042039	\$ 170.96	finance
388701	5/11/2026	112-0840-00	CYPRESS ASTD LIVING OF OLYMPUS.	UB Refund Cst #042041	\$ 282.34	finance
388702	5/11/2026	112-0900-00	CYPRESS ASTD LIVING OF OLYMPUS.	UB Refund Cst #042046	\$ 85.56	finance
388704	5/11/2026	141-0920-01	DEVER, PATRICIA	UB Refund Cst #060607	\$ 25.00	finance

Invoice Doc #	Invoice Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
388995	5/11/2026	17560	MATERIALS TESTING & CONSULTING	ON-CALL MATERIALS TESTING SERVICES - NORTH LINE REPAIR	\$ 1,652.00	pw1
388996	5/11/2026	17561	MATERIALS TESTING & CONSULTING	ON-CALL MATERIALS TESTING SERVICES - Q AVENUE PEDESTRIAN CROSSING	\$ 4,658.50	pw1
388834	5/11/2026	2118890	LIFE ASSIST, INC	I-GELS, BATTERIES, GLUCOMETER STRIPS,	\$ 2,507.91	medic
388948	5/11/2026	2121308	LIFE ASSIST, INC	TUBE HOLDER, I-GEL, NEBULIZERS, SAM	\$ 526.46	medic
388837	5/11/2026	220013297076	PUGET SOUND ENERGY INC	6821 STATE ROUTE 20 4/8-5/6/26	\$ 15.90	finance
388854	5/11/2026	5/5/26	STORWICK, RICHARD	ANTIQUE ENGINE STORAGE: MAY	\$ 190.00	medic
388843	5/11/2026	59552	PACIFIC SECURITY	SECURITY DETAIL COURT SESSIONS	\$ 728.76	court
388707	5/11/2026	6560761529	VESTIS SERVICES LLC	OPS: MAT CLEANING	\$ 62.40	dshop
388943	5/11/2026	6560762993	VESTIS SERVICES LLC	LAUNDRY SERVICE FOR WWTP	\$ 41.94	dwwtp
388949	5/11/2026	6560762994	VESTIS SERVICES LLC	STA 1 MAT/MOP SERVICE: 5/11	\$ 20.04	medic
388855	5/11/2026	674 400 0000 7	CASCADE NATURAL GAS CORP.	STA 1: 4/10-5/7/26	\$ 241.95	medic
388836	5/11/2026	795 700 0000 4	CASCADE NATURAL GAS CORP.	CITY HALL 4/10-5/7/26	\$ 712.49	finance
388950	5/11/2026	978 800 0000 1	CASCADE NATURAL GAS CORP.	STA 3: 4/11-5/8/26	\$ 44.64	medic
388850	5/11/2026	INV3184816	COPIERS NORTHWEST, INC	CANON/IRC5560I FINANCE/OPS/WWTP 4/8-5/7/26	\$ 402.33	finance
388858	5/11/2026	L175112	STATE AUDITOR'S OFFICE	ACCOUNTABILITY AUDIT 24-24	\$ 7,966.50	finance
388952	5/11/2026	Pay App 1	LAZER CONSTRUCTION LLC	FIRE STATION 1 REMODEL PROJECT	\$ 38,046.87	pw1
389000	5/12/2026	5 12 2026	CITY OF BURLINGTON	AMC PORTION OF TRANSLATION OF UNIFIED GUILTY PLEA	\$ 89.00	court
388959	5/12/2026	1898389	WALTON BEVERAGE COMPANY, INC	OPS: BREAKROOM SUPPLIES	\$ 421.00	dshop
388876	5/12/2026	2026100106126	THATCHER COMPANY OF MONTANA	PUMP STATION CHEMICALS	\$ 13,840.12	dwwtp
388971	5/12/2026	4418	LAW OFFICE OF CARA LORENZO	PUBLIC DEFENSE CONFLICT	\$ 60.00	pubdef
388973	5/12/2026	4419	LAW OFFICE OF CARA LORENZO	PUBLIC DEFENSE CONFLICT	\$ 40.00	pubdef
388975	5/12/2026	4420	LAW OFFICE OF CARA LORENZO	PUBLIC DEFENSE CONFLICT	\$ 30.00	pubdef
388976	5/12/2026	4421	LAW OFFICE OF CARA LORENZO	PUBLIC DEFENSE CONFLICT	\$ 20.00	pubdef
388979	5/12/2026	4422	LAW OFFICE OF CARA LORENZO	PUBLIC DEFENSE CONFLICT	\$ 40.00	pubdef

Invoice Doc #	Invoice Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
388980	5/12/2026	4423	LAW OFFICE OF CARA LORENZO	PUBLIC DEFENSE CONFLICT	\$ 20.00	pubdef
388982	5/12/2026	4424	LAW OFFICE OF CARA LORENZO	PUBLIC DEFENSE CONFLICT	\$ 30.00	pubdef
388983	5/12/2026	4425	LAW OFFICE OF CARA LORENZO	PUBLIC DEFENSE CONFLICT	\$ 90.00	pubdef
388985	5/12/2026	4426	LAW OFFICE OF CARA LORENZO	PUBLIC DEFENSE CONFLICT	\$ 40.00	pubdef
388986	5/12/2026	4427	LAW OFFICE OF CARA LORENZO	PUBLIC DEFENSE CONFLICT	\$ 290.00	pubdef
388987	5/12/2026	4428	LAW OFFICE OF CARA LORENZO	PUBLIC DEFENSE CONFLICT	\$ 60.00	pubdef
388989	5/12/2026	4429	LAW OFFICE OF CARA LORENZO	PUBLIC DEFENSE CONFLICT	\$ 50.00	pubdef
388990	5/12/2026	4430	LAW OFFICE OF CARA LORENZO	PUBLIC DEFENSE CONFLICT	\$ 50.00	pubdef
388991	5/12/2026	4431	LAW OFFICE OF CARA LORENZO	PUBLIC DEFENSE CONFLICT	\$ 120.00	pubdef
388951	5/12/2026	INV3185853	COPIERS NORTHWEST, INC	CANON/IRC5870I/3RD FLOOR4/11-5/10/26	\$ 203.98	finance
	Total				\$ 2,077,510.22	



City Council Agenda Bill

May 18, 2026

Action Type: Contract Modification

Item: 5.c.

Title: Contract Modification: Whistle Lake Road Pipe Arch Modifications - Design #25-044-WTR-001

Staff Contact(s): Terry Nemeth, Logan Lee

Approved for Submittal to Council by:

Tiffany Matson

Logan Lee

Summary: City staff seeks Council consent to issue a contract modification to HDR Engineering, Inc. in the amount of \$2,926.42, increasing the total contract price to \$60,033.42, due to a required design modification for the Whistle Lake Road Pipe Arch.

Background:

1. **Reason for Contract Change:** A design modification was needed to provide an air gap and duckbill valve.
2. **History:** The City owns and operates a system of water transmission pipe infrastructure that conveys water from the City's water treatment plant to the City's water distribution system. The older of the City's two transmission lines includes a pipe arch which serves as a relief point for excess hydraulic grade in this pipeline. As hydraulic grade increases in the line it gradually overflows the pipe arch and is discharged into a storm drain following de-chlorination. This existing pipe arch does not provide an airgap or screening and is a potential source of contamination in the City's water supply.
3. **Key Terms:** increase of \$2,926.42, extension of term to May 16, 2026.
4. **Competitive Bidding:** Per RCW 39.80 this engineering consultant was selected based on qualifications from the City's MRSC Consultant Roster to provide a proposal for this scope of work.

Budget Impact:

Consultant	HDR Engineering, Inc.
Original Agreement Amount	\$43,500.00
Modification 01	\$0
Modification 02	\$12,287.00
Current Agreement Amount	\$57,107.00
Change Per This Modification	\$2,926.42
Total After Modification	\$60,033.42
Earmarked Funds	\$550,000.00
Funding Source	Rates/User Fees
BARS #	401.730.534.30.48
Paid on Contract as of 5/11/26	\$56,242.52
Budget Amendment Required?	No
Start Date	Contract execution
End Date	5/16/26

Previous Action: Modification 02 was approved at the [12/15/25](#) Council meeting.

Recommended Motion: I move that City Council authorize the Mayor to sign a contract modification with HDR Engineering, Inc. under Contract #25-044-WTR-001, in the amount of \$2,926.42 increasing the total contract price to \$60,033.42.

Alternative Actions: Not approve the modification.

Attachments (listed in order presented):

1. 25-044-WTR-001 - Modification 03



Date May 18, 2026
Page 1 of 1 Page

Contract Title WHISTLE LAKE ROAD PIPE ARCH MODIFICATIONS - DESIGN
Consultant HDR ENGINEERING, INC.

BACKGROUND

This modification is issued in accordance with Article 21, Changes/Additional Work and provides for an addition to the cost due to a required design modification. Accordingly, the contract price is increased by \$2,926.42, from \$57,107.00 to \$60,033.42, and the following changes are incorporated under this contract:

ARTICLE 1. Scope of Work. The following third paragraph is added:

“Per Modification 03, the Consultant will modify the design for the Whistle Lake Road Pipe Arch to provide an air gap and duckbill valve.”

ARTICLE 2. Price and Payment Terms. The paragraph is revised to read:

“The services provided under this Agreement shall be on a time and materials basis not-to-exceed **Sixty Thousand Thirty-Three Dollars and Forty-Two Cents (\$60,033.42)**. The per task estimates are detailed in Exhibits A and B.”

ARTICLE 3. Period of Performance. The paragraph is revised to read:

“The period of performance under this Agreement is from inception through May 16, 2026.”

All other terms of the contract remain unchanged.

CITY OF ANACORTES

HDR ENGINEERING, INC.

By _____

By _____

Title _____

Title _____

Date _____

Date _____

Original Agreement Amount	<u>\$44,820.00</u>	Original Contract Completion Date	<u>6/30/2025</u>
Current Agreement Amount	<u>\$57,107.00</u>	Current Contract Completion Date	<u>12/31/2025</u>
Change Per this Modification	<u>\$2,926.42</u>	Net Change	<u>136 Days</u>
Total After Modification	<u>\$60,033.42</u>	Contract Completion Date After Change	<u>5/16/2026</u>



City Council Agenda Bill

May 18, 2026

Action Type: Ordinance

Item: 5.d.

Title: Ordinance 5030: An Ordinance Creating Chapter 2.51 in the Anacortes Municipal Code regarding the Anacortes Arts Commission

Staff Contact(s): Jonn Lunsford

Approved for Submittal to Council by:

Jonn Lunsford
Steve Hogle
Darcy Swetnam

Summary: This is the second review by City Council of this Ordinance. Changes were made per Council discussion regarding student members and management of art funds/revenues.

Budget Impact:

The municipal arts fund will reside in the Parks and Recreation Department budget.

Previous Action: City Council reviewed Ordinance 5030 at their [May 11 meeting](#).

Recommended Motion: Approve on the Consent Agenda.

Alternative Actions: Remove from Consent agenda and ask staff for further revisions.

Attachments (listed in order presented):

1. Ordinance 5030 track changes version 05122026
2. 260518 - Ord 5030 Arts Commission clean

Ordinance 5030

An Ordinance Creating Chapter 2.51 in the Anacortes Municipal Code regarding the Anacortes Arts Commission

Whereas the City of Anacortes created the Anacortes Arts Commission on July 18, 2005 via Ordinance 2716;

Whereas the Anacortes Arts Commission acts as an advisory board to the City Council regarding public arts and culture and strives to support excellence, vitality, diversity, and accessibility of the arts in the Anacortes Community;

Whereas the City Council now wishes to create a new Chapter 2.51 in the Anacortes Municipal Code to clarify the roles and responsibilities of the Anacortes Arts Commission;

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

Section 1. The Anacortes Municipal Code is amended as shown in Exhibit A.

Section 2. Authority to Make Necessary Corrections. The City Clerk and the codifier of this Ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's clerical errors, references, ordinance numbers, section/subsection numbers and any references thereto.

Section 3. Severability. The various parts, sections, and clauses of this ordinance are hereby declared to be severable. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision must not affect the validity of the remaining parts of this ordinance.

Section 4. Consistent with RCW 35A.12.130, this ordinance takes effect five days after passage, approval, and publication.

ADOPTED by the City Council of the City of Anacortes this ___ day of _____, 2026.

CITY OF ANACORTES:

Ryan Walters, Mayor

Attest:

Steven D. Hoglund, City Clerk-Treasurer

Approved as to Form:

Darcy Swetnam, City Attorney

Exhibit A Chapter 2.51 Anacortes Arts Commission

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Chapter 2.51 Arts Commission

2.51.010 Establishment - Purpose

The Anacortes Arts Commission is established to advise and support the City in matters pertaining to public arts and culture. The Arts Commission supports excellence, vitality, diversity, and accessibility of the arts as essential to the quality of life for all community members by acquiring, placing, and maintaining public arts.

2.51.020 Commission Structure - Membership

- A. The Mayor will appoint Commissioners per RCW Chapter 35A.12.
- B. The Commission is an advisory body with seven appointed Commissioners. A majority of members will be Anacortes residents. In addition to the above members, the Commission may include **two** non-voting members who are students in the Anacortes School District at the time of appointment and throughout the term of **his/hetheir** office.
- C. The Commission will elect commission officers, which will include a chairperson, vice-chairperson, and secretary who will serve for at least one year. It will be a working Commission

2.51.030 Commission Term

Commissioners will be appointed for three-year terms. Any student member will serve a term of one year.

2.51.040 Duties and Responsibilities

The Commission is responsible for:

- A. Developing strong relationships with the City of Anacortes, including the Mayor, City Councilmembers and City department representatives, serving as a consultative resource on matters of aesthetic and artistic importance.
- B. Representing the City in art matters in cooperative arrangements with other government agencies and private organizations, as authorized by the City.
- C. Identifying and recommending potential locations for public art and prescribing procedures for the selection, acquisition, and display of such art and overseeing the process of selection and placement of public art.
- D. Working cooperatively with other area arts organizations in assimilating information about arts activities and events.
- E. Encouraging education, innovation, and community participation in visual, literary, and performing arts.
- F. Actively working to promote fundraising and coordination of donations for public art projects.
- G. Maintaining an inventory of public art and providing advice for the oversight and maintenance of items on the inventory.

2.51.050 Meetings

- A. All Commission meetings will be open to the public and will comply with the Washington Open Public Meetings Act.
- B. The Commission will hold regular meetings at least once per quarter.
- C. A majority of all the members of the Commission will constitute a quorum at a regular or special meeting.
- D. Approved minutes will be available to the public.

2.51.060 Procedures

The Commission will establish its own procedures and rules for the transaction of its business.

2.51.070 Budget

A. The Anacortes Arts Commission operational budget is a sub-category of the Parks and Recreation Department budget. The Parks and Recreation Department will provide limited administrative and staff support for the Commission.

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B. At the direction of the Finance Director, all funds will be deposited in a line item within the Parks and Recreation budget that is appropriated by or received by the City from whatever source for the purpose of acquisition of or otherwise providing for the advancement of visual, literary, and performing arts within the City, including federal, state, and municipal funds, or funds from private individuals or agencies, or any other funds which the City may receive from time to time.

2.51.080 Municipal Arts Fund

~~In addition to an operational budget, there will be established and maintained a special fund entitled "The Municipal Arts Fund" into which all funds will be deposited that are appropriated by or received by the City from whatever source for the purpose of acquisition of or otherwise providing for the advancement of visual, literary and performing arts within the City, including federal, state, and municipal funds, or funds from private individuals or agencies or any other funds which the City may receive or come into possession of from time to time.~~

2.51.0890 Annual Plan

The Commission will develop an annual plan describing the projects to be initiated by the Commission and funded through the Municipal Arts Fund. The plan will be transmitted to the Mayor who will present the plan to City Council. The Council will review the plan to be approved for spending authority as part of the normal budget process each year.

2.51.09100 Authority to Accept Donations

The City may receive offers of donations of artwork or funds for public art consistent with Chapter 3.10 AMC. Potential donors will be referred to the Commission to discuss the nature of the gift and for review and approval. The Commission will recommend consideration or rejection of the offer and make a site recommendation if applicable. All financial gifts, bequests, and artwork donations must be accepted by the City Council on the City's behalf.

2.51.1010 Artwork Placement

No works of art financed or installed either wholly or in part with the Municipal Art Fund or grants procured by the City may be installed on privately owned property without a written agreement between the City and the owner specifying the proprietary interests in the work of art and any other provisions deemed necessary or desirable by the City Attorney. In addition, such written agreements shall specify that the private property owner will assure the following:

- A. The installation of the artwork will be done in a manner which will protect the work of art and the public;
- B. The work of art will be maintained in good condition; and
- C. Insurance and indemnification will be provided as required by the agreement.

Ordinance 5030

An Ordinance Creating Chapter 2.51 in the Anacortes Municipal Code regarding the Anacortes Arts Commission

Whereas the City of Anacortes created the Anacortes Arts Commission on July 18, 2005, via Ordinance 2716;

Whereas the Anacortes Arts Commission acts as an advisory board to the City Council regarding public arts and culture and strives to support excellence, vitality, diversity, and accessibility of the arts in the Anacortes Community;

Whereas the City Council now wishes to create a new Chapter 2.51 in the Anacortes Municipal Code to clarify the roles and responsibilities of the Anacortes Arts Commission;

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

Section 1. The Anacortes Municipal Code is amended as shown in Exhibit A.

Section 2. Authority to Make Necessary Corrections. The City Clerk and the codifier of this Ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's clerical errors, references, ordinance numbers, section/subsection numbers and any references thereto.

Section 3. Severability. The various parts, sections, and clauses of this ordinance are hereby declared to be severable. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision must not affect the validity of the remaining parts of this ordinance.

Section 4. Consistent with RCW 35A.12.130, this ordinance takes effect five days after passage, approval, and publication.

ADOPTED by the City Council of the City of Anacortes this ___ day of _____, 2026.

CITY OF ANACORTES:

Ryan Walters, Mayor

Attest:

Steven D. Hoglund, City Clerk-Treasurer

Approved as to Form:

Darcy Swetnam, City Attorney

Exhibit A Chapter 2.51 Anacortes Arts Commission

[optional table of contents; right click the table and choose Update Field to update the table]

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2.51.070 Budget	5
2.51.080 Annual Plan	5
2.51.090 Authority to Accept Donations.....	5
2.51.100 Artwork Placement	5

Chapter 2.51 Arts Commission

2.51.010 Establishment - Purpose

The Anacortes Arts Commission is established to advise and support the City in matters pertaining to public arts and culture. The Arts Commission supports excellence, vitality, diversity, and accessibility of the arts as essential to the quality of life for all community members by acquiring, placing, and maintaining public arts.

2.51.020 Commission Structure - Membership

- A. The Mayor will appoint Commissioners per RCW Chapter 35A.12.
- B. The Commission is an advisory body with seven appointed Commissioners. A majority of members will be Anacortes residents. In addition to the above members, the Commission may include two non-voting members who are students in the Anacortes School District at the time of appointment and throughout the term of their office.
- C. The Commission will elect commission officers, which will include a chairperson, vice-chairperson, and secretary who will serve for at least one year. It will be a working Commission

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Commissioners will be appointed for three-year terms. Any student member will serve a term of one year.

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The Commission is responsible for:

- A. Developing strong relationships with the City of Anacortes, including the Mayor, City Councilmembers and City department representatives, serving as a consultative resource on matters of aesthetic and artistic importance.
- B. Representing the City in art matters in cooperative arrangements with other government agencies and private organizations, as authorized by the City.
- C. Identifying and recommending potential locations for public art and prescribing procedures for the selection, acquisition, and display of such art and overseeing the process of selection and placement of public art.
- D. Working cooperatively with other area arts organizations in assimilating information about arts activities and events.
- E. Encouraging education, innovation, and community participation in visual, literary, and performing arts.
- F. Actively working to promote fundraising and coordination of donations for public art projects.
- G. Maintaining an inventory of public art and providing advice for the oversight and maintenance of items on the inventory.

2.51.050 Meetings

- A. All Commission meetings will be open to the public and will comply with the Washington Open Public Meetings Act.
- B. The Commission will hold regular meetings at least once per quarter.
- C. A majority of all the members of the Commission will constitute a quorum at a regular or special meeting.
- D. Approved minutes will be available to the public.

2.51.060 Procedures

The Commission will establish its own procedures and rules for the transaction of its business.

2.51.070 Budget

- A. The Anacortes Arts Commission operational budget is a sub-category of the Parks and Recreation Department budget. The Parks and Recreation Department will provide limited administrative and staff support for the Commission.
- B. At the direction of the Finance Director, all funds will be deposited in a line item within the Parks and Recreation budget that is appropriated by or received by the City from whatever source for the purpose of acquisition of or otherwise providing for the advancement of visual, literary, and performing arts within the City, including federal, state, and municipal funds, or funds from private individuals or agencies, or any other funds which the City may receive from time to time.

2.51.080 Annual Plan

The Commission will develop an annual plan describing the projects to be initiated by the Commission and funded through the Municipal Arts Fund. The plan will be transmitted to the Mayor who will present the plan to City Council. The Council will review the plan to be approved for spending authority as part of the normal budget process each year.

2.51.090 Authority to Accept Donations

The City may receive offers of donations of artwork or funds for public art consistent with Chapter 3.10 AMC. Potential donors will be referred to the Commission to discuss the nature of the gift and for review and approval. The Commission will recommend consideration or rejection of the offer and make a site recommendation if applicable. All financial gifts, bequests, and artwork donations must be accepted by the City Council on the City's behalf.

2.51.100 Artwork Placement

No works of art financed or installed either wholly or in part with the Municipal Art Fund or grants procured by the City may be installed on privately owned property without a written agreement between the City and the owner specifying the proprietary interests in the work of art and any other provisions deemed necessary or desirable by the City Attorney. In addition, such written agreements shall specify that the private property owner will assure the following:

- A. The installation of the artwork will be done in a manner which will protect the work of art and the public;
- B. The work of art will be maintained in good condition; and
- C. Insurance and indemnification will be provided as required by the agreement.



City Council Agenda Bill

May 18, 2026

Action Type: Resolution

Item: 5.e.

Title: Resolution 3216: Adopting Hearing Examiner Procedures

Staff Contact(s): Darcy Swetnam

Approved for Submittal to Council by:

Greg Francioch
Darcy Swetnam
Steve Hogle

Summary: This resolution will adopt procedures for the city's Hearing Examiner services as provided for by Laminar Law. Staff made amendments to Section 1.8.3 per Council's feedback at the May 11, 2026 meeting.

Budget Impact:

None.

Previous Action: City Council approved contract [26-134-LEG-001](#) with Laminar Law for Hearing Examiner services at the [April 6, 2026](#), regular meeting. First read of the proposed ordinance at the [May 11, 2026](#), regular meeting.

Recommended Motion: I move we adopt Resolution 3216, adopting Rules of Procedure for the Anacortes Hearing Examiner

Alternative Actions: Make further edits

Attachments (listed in order presented):

1. Resolution 3216 Hearing Examiner Procedures Council Presentation
2. 260518 - Resolution 3216 Adopting HE Procedures - Track Changes Version
3. 260518 Resolution 3216 Adopting HE Procedures - Clean



Resolution 3216 – Adopting Rules of Procedure for the Hearing Examiner

May 11, 2026



Background

- Laminar Law appointed as the City's Hearing Examiner with Council concurrence on April 6, 2026
- Laminar Law has presented the enclosed Rules of Procedure
- AMC 2.30.070
 - Requires Council to approve the adoption of procedural rules
 - Clarifies that rules may not conflict with the AMC



Organization

Chapter I – Hearings on Permit Applications

- Jurisdiction
- Ex parte Communication
- Parties' Rights and Responsibilities
- Conduct of Hearings
- Decisions and Recommendations
- Appeals
- Conflicts

Chapter II – Rules of Appeal of Administrative Decisions

- Filing
- Evidence in Appeal
- Pre-hearing Conferences
- Parties' Rights and Responsibilities
- Hearing Format
- Decision
- Record

Resolution 3216

A Resolution Adopting Rules of Procedure for the Anacortes Hearing Examiner

Whereas the City concurred with the appointment of Laminar Law to serve as the City's Hearing Examiner and authorized the Mayor to sign contract 26-134-LEG-001 to provide hearing examiner services for the City at its April 6, 2026, meeting;

Whereas AMC Section 2.30.070 requires Council to approve the adoption of procedural rules for the hearing examiner;

Whereas Council now wants to approve the procedural rules adopted by Laminar Law;

Now, therefore, the City Council does resolve as follows:

Section 1. The Rules of Procedure for Proceedings Before the Hearing Examiner for the City of Anacortes, Washington (Exhibit A) are hereby adopted.

Section 2. Authority to Make Necessary Corrections. The City Clerk is authorized to make necessary corrections to this resolution including, but not limited to, the correction of scrivener's clerical errors, references, resolution numbers, section/subsection numbers and any references thereto.

Section 3. Severability. The various parts, sections, and clauses of this resolution are hereby declared to be severable. If any section, subsection, paragraph, sentence, clause, or phrase of this resolution is declared unconstitutional or invalid for any reason, such decision must not affect the validity of the remaining parts of this resolution.

ADOPTED by the City Council of the City of Anacortes this 18th day of May 2026.

CITY OF ANACORTES:

Ryan Walters, Mayor

Attest:

Steven D. Hogle, City Clerk-Treasurer

Approved as to Form:

Darcy Swetnam, City Attorney

Exhibit A

**RULES OF PROCEDURE FOR
PROCEEDINGS BEFORE THE HEARING EXAMINER
OF THE CITY OF ANACORTES, WASHINGTON**

These Rules of Procedure and Proceedings are Issued in Accordance with and Intended to
Supplement and be Read Together with AMC 2.30.

May 18, 2026

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CHAPTER I:
HEARINGS ON PERMIT APPLICATIONS

This Chapter applies to Open Record Hearings on land use applications and administrative appeals.

SECTION 1.1: DEFINITIONS

"Applicant" means a Person (or Persons) who is the owner of the subject property or the authorized representative of the owner of the subject property, and who has applied for a land use permit.

"Business Day" means any day for which the City's offices are open for normal business matters.

"Calendar Day" means each day of the calendar week. When the last day of a stated period falls on a Saturday, Sunday, or National, State, or City holiday, the stated period will run until the end of the following Business Day.

"City" means the City of Anacortes, Washington.

"City Council" means the Anacortes City Council.

"Clerk of the Hearing Examiner" means a Person designated by the City of Anacortes to assist the Hearing Examiner in their duties.

"Comprehensive Plan" means the Comprehensive Plan that has been adopted by the City of Anacortes.

"County" means Skagit County, Washington.

"Ex Parte Communication" means written or oral communications to the Hearing Examiner about a matter pending before the Hearing Examiner, not included in the Record and made outside of a Hearing.

"Hearing" means the proceeding at which the public has the opportunity to provide written and oral testimony, and the testimony becomes part of the Record. The Hearing creates the Record through testimony and submission of evidence and information.

"Hearing Examiner" or "Examiner" means the Hearing Examiner or the Hearing Examiner Pro Tempore of the City of Anacortes.

"Interested Person" means any individual, partnership, corporation, association, or public or private organization of any character that may be affected by proceedings before the Hearing Examiner and includes any party in a contested case. The City's administrative staff is considered an Interested Person and has the same rights as any other Interested Person.

"Motion" means an oral request during the course of a Hearing, or a written request made to the Hearing Examiner for an Order or other ruling.

"Notice of Decision" means the written document distributed by the City that communicates a decision or recommendation on an action before the Hearing Examiner. *RCW 36.70B.130*. The date on which a land use decision is issued is three Business Days after a written decision or recommendation is mailed by the City or, if not mailed, the date on which the City provides notice that a written decision or recommendation is publicly available. *RCW 36.70C.040(a)*.

"Open Record Appeal Hearing" means an administrative Hearing that creates the Record on appeal through written and oral testimony and submission of evidence and information.

"Open Record Hearing" means a Hearing held under chapter 36.708 RCW and conducted by the Anacortes Hearing Examiner who is authorized by the City to conduct such Hearings, that creates the Record through testimony and submission of evidence and information, under procedures prescribed by the City by ordinance or resolution.

"Order" means a written determination of the Hearing Examiner, which directs a party to the proceedings to act or to refrain from acting.

"Party of Record" means:

- a. A Person who has testified at the Open Record Hearing on the application or who submitted substantive written comments on the application (excluding Persons who have only signed petitions or mechanically produced form letters), or who, prior to the rendering of the decision, requested notice of the decision. *RCW 36.70B.130*.
- b. The Applicant, or Applicant's representative;
- c. The property tax payer as identified by the records available from the Skagit County assessor's office;
- d. The City administrative staff.

"Person" means any individual, firm, association, partnership, corporation or any entity, public or private.

"Record" means the oral testimony and written exhibits submitted at a Hearing. The electronic recording of the proceeding must be included as part of the Record. At the discretion and Order of the Hearing Examiner, the Record may be supplemented after the closing of testimony.

"RCW" means the Revised Code of Washington.

"AMC" means the Anacortes Municipal Code.

"Staff Report" means the document prepared by the City Planning staff.

SECTION 1.2: JURISDICTION

The City Council has authorized the Hearing Examiner to prescribe rules and regulations for the conduct of Hearings.

The Hearing Examiner's jurisdiction is limited to those issues where an ordinance or other appropriate authority grants the Hearing Examiner the authority to hold Hearings, make decisions or recommendations, and issue Orders.

SECTION 1.3: EX PARTE COMMUNICATION

- 1.3.1 No Person, nor his or her agent, employee, or representative, who is interested in a particular petition or application currently pending before the Hearing Examiner is allowed to communicate ex parte, directly or indirectly, with the Hearing Examiner concerning the merits of that or a related petition or application. This rule does not prohibit Ex Parte Communication concerning procedural matters if such communication is made part of the Record. All allowed ex parte procedural communications must be directed to the City Clerk or Clerk to the Hearing Examiner. Any material not submitted in this manner will not be considered a part of the Record established on that application or petition.
- 1.3.2 The Hearing Examiner will not communicate ex parte directly or indirectly with any Interested Person, nor his or her agent, employee, or representative, regarding the merits of a petition or application that is pending before the Hearing Examiner, or a factually related petition or application.
- 1.3.3 If prohibited Ex Parte Communication is made to or by the Hearing Examiner, such communication must be publicly disclosed, and proper discretion will be exercised by the Hearing Examiner on whether they should be disqualified as Examiner for that particular Hearing.

SECTION 1.4: NATURE OF PROCEEDINGS

- 1.4.1 Expeditious Proceedings
It is the policy of the Office of the Hearing Examiner that, to the extent practicable and consistent with requirements of law, Hearings will be conducted expeditiously. In the conduct of such proceedings the Hearing Examiner, City staff, and all parties, or their agents, must make every effort at each stage of a proceeding to avoid delay.
- 1.4.2 Frequency
City Staff will schedule Hearings in coordination with the Hearing Examiner. There may be more than one case scheduled to commence at the same time, and in such event the Hearing Examiner has discretion in setting the agenda.
- 1.4.3 Format
The format for a Hearing will be of an informal nature yet designed in such a way that the evidence and facts relevant to a particular proceeding become available to the Hearing Examiner and easily ascertainable by a reviewing body. The format will allow development of a Record by parties.
- 1.4.4 Site Visit
When necessary, in the judgment of the Hearing Examiner, the Hearing Examiner may inspect a site before or after the Hearing. The site visit is not part of the Record. Failure to inspect the site will not render the Hearing Examiner's decision void.
- 1.4.5 Record of Hearing
 - a. The City will make an electronic recording of all Hearings in an audio and/or video format. Hearings must be electronically recorded, and such recordings are a part of the Record. No minutes of the Hearing will be kept. Copies of the electronic

recordings of a particular proceeding must be made available to the public within 3 Business Days of a request. The requester must pay the reasonable cost of producing the copy.

- b. Copies of any written materials in the Record may be obtained by any Interested Person who shall be responsible for paying the cost of reproducing such material.

1.4.6 Computation of Time

Computation of any period of time prescribed or allowed by these rules, ordinances of the City of Anacortes, and laws of the State of Washington begins with the first day following that on which the act or event initiating such period of time occurred. When the last day of the period so computed is a Saturday, Sunday, or a national, state, or City holiday, the period runs until the end of the next following Business Day.

SECTION 1.5: RIGHTS AND RESPONSIBILITIES OF PARTIES

1.5.1 Rights of City

The City staff has the right to present evidence and testimony, object, and make Motions, arguments, recommendations, and all other rights essential to a fair Hearing.

1.5.2 Rights of Applicant

- a. Every Applicant has the right of notice, cross-examination, presentation of evidence, objection, Motion, argument, and all other rights essential to a fair Hearing. Further, Applicants have the right to timely access the City Staff Report.
- b. The Hearing Examiner may limit the time allowed to parties testifying on an equal basis, may establish time limits for initial or rebuttal evidence, and may limit the number of witnesses to be heard. Cross-examination is permitted as necessary for a full disclosure of the facts, but the Hearing Examiner controls the amount and style of cross-examination.

1.5.3 Rights of Parties of Record

Every Party of Record has the right to present evidence and testimony at Hearings. The right of Persons to cross-examine, object, and submit Motions and arguments is at the discretion of the Hearing Examiner. The Hearing Examiner may impose reasonable limitations on the number of witnesses heard, and the nature and length of their testimony.

1.5.4 Responsibilities of City Staff

City staff have the right to present evidence and testimony, object, and to make Motions, arguments, recommendations, and all other rights essential to a fair Hearing. City staff will provide a report consistent with the provisions of Rule 1.7.5, provide notice of Hearings, present materials at the Hearings, and provide documentation relevant to the case. Staff Reports should be available to the public, including the Applicant, at least 7 calendar days before the Hearing.

1.5.5 Responsibilities of Applicant

Whenever possible, the Applicant will provide the Hearing Examiner with material that supports their case prior to the Hearing, be prepared for questions by the Hearing Examiner, and treat all who participate in these proceedings courteously. All supporting

materials must be provided to the Hearing Examiner at least 7 calendar days before the Hearing, unless otherwise provided.

1.5.6 Responsibilities of All Participants, Witnesses, and Observers

Parties, witnesses, or observers must conduct themselves with civility and deal courteously with all who participate in the proceedings. Failure to do so will result in removal from the Hearing at the discretion of the Hearing Examiner.

SECTION 1.6: PRESIDING OFFICIALS

1.6.1 Presiding Officials

- a. The Hearing Examiner will preside over the Hearings.
- b. The Hearing Examiner has all of the authority and duties as granted in state statutes, the AMC, and other local ordinances. Included in the duties of the Hearing Examiner are the following: to conduct fair and impartial Hearings, to take all necessary action to avoid delay in the disposition of proceedings, and to maintain order. The Hearing Examiner has all powers necessary to that end, including the following:
 - i. To provide rules for the format for Hearings and proceedings;
 - ii. To administer oaths and affirmations;
 - iii. To rule upon offers of proof and receive evidence;
 - iv. To regulate the course of the Hearings and the conduct of the parties and their agents;
 - v. To question any party presenting testimony at the Hearing;
 - vi. To hold conferences for settlement, simplification of the issues, or any other proper purpose;
 - vii. To require briefs on legal issues;
 - viii. To allow limited discovery if it is not unduly burdensome, will not unnecessarily delay the proceedings, and the information is not otherwise available;
 - ix. To consider and rule upon all procedural and other Motions appropriate to the proceedings; and
 - x. To make and file recommendations or decisions.
- c. In the performance of adjudicative functions, the Hearing Examiner must not be subject to the supervision or direction of any elected official, officer, employee, or agent of any municipal department.

1.6.2 Presence of Legal Counsel at Hearings or Public Meetings

- a. All parties participating in the Hearings may be represented at the Hearings by legal counsel of their choice.
- b. At the request of any department and discretion of the Hearing Examiner, a representative of the City Attorney's Office may be present at the Hearings or public meetings to advise on matters of law and procedure.
- c. Attorneys engaged in the representation of clients before the Hearing Examiner must conduct themselves in accordance with all applicable Rules of Professional Conduct,

including the display of courtesy to other members of the bar, witnesses, and all other Persons present in the Hearing room.

- d. All forms of legal authority including briefs, Staff Reports, and other legal memoranda upon which a Party of Record will be relying or presenting at the Hearing must be submitted to the Hearing Examiner's office at least 7 calendar days in advance of the scheduled Hearing date, unless otherwise noted. The above-mentioned documents must be available to the public, subject to payment, at least 7 calendar days in advance of the scheduled Hearing date.

SECTION 1.7: CONDUCT OF HEARINGS

1.7.1 Notice Requirements of Hearings and Filings

All notice, time requirements, and methods of notification must be consistent with the provisions as set forth in the AMC, as applicable, in addition to the provisions of this Section.

1.7.2 Oath or Affirmation

- a. All testimony before the Hearing Examiner must be given under oath or affirmation to tell the truth.
- b. An interpreter acting on behalf of any Interested Person must take an oath that a true interpretation of the Interested Person's testimony will be made.

1.7.3 Content of the Record

The Record of a Hearing conducted by the Hearing Examiner must include without limitation the following materials:

- a. The application or petition;
- b. The departmental Staff Report;
- c. All evidence received, which includes oral testimony given at the Hearing, all exhibits, other materials admitted as evidence, and any written material submitted pursuant to Hearing Examiner Order;
- d. A statement of all materials officially noticed;
- e. A decision or a recommended decision containing the findings and conclusions of the Hearing Examiner;
- f. Recordings made on electronic equipment; and
- g. An environmental determination made pursuant to the State Environmental Policy Act of 1971 (SEPA) (if applicable).

1.7.4 Development of Record

A Hearing usually will include, but not be limited to, the following elements:

- a. A brief introductory statement of the Hearing Examiner's process;
- b. A report by the departmental staff that may include introduction of the request, reference to visual aids, and a summary of the recommendation of the department;
- c. Testimony by the Applicant, City Staff, and cross-examination of the witnesses;
- d. Testimony of interested parties;
- e. Opportunity for cross-examination and rebuttal; and
- f. An opportunity for questions by the Hearing Examiner.

1.7.5 Content and Form of Staff Reports

The City Staff Report on a land use application should include the following, if relevant to the application:

- a. A list of the names, addresses, and property interests of the subject property's owner(s) and/or the Applicant.
- b. The date upon which City staff determined the application to be complete.
- c. A brief summary of the requested action and the citation of the ordinance controlling the request.
- d. A common description of the subject property and a legal description of the subject property.
- e. A statement identifying applicable City zoning code regulations.
- f. A technical data summary of the Comprehensive Plan designation and zoning designation of the subject property; the current development of the subject property and the adjoining properties; topographical information; geological and soils information; information on the vegetation on the property; and any other relevant scientific, environmental, or engineering information.
- g. The current access to the subject property and the proposed access to the subject property.
- h. An in-depth analysis of the proposed project. This analysis may include without limitation the following elements of review:
 - i. natural features;
 - ii. character and design, including population figures;
 - iii. human resources;
 - iv. housing;
 - v. economic development;
 - vi. transportation;
 - vii. community facilities, services, and institutions;
 - viii. government jurisdiction boundaries;
 - ix. neighborhoods;
 - x. land use plans; and
 - xi. land use regulations.
- i. A history of the requested action and a history and vicinity map of the development in the surrounding properties. In making the analysis, the staff should refer to applicable ordinances as often as possible.
- j. A summary of any other requested land use permits in the area.
- k. A description of the compatibility and impact of the proposal on the existing development and the probable character of the proposal.
- l. A summary of the reports or recommendations of any other agencies consulted.
- m. Appropriate maps of the subject property. If photographs of the site are available, the Applicant is encouraged to provide color reproductions as part of the Staff Report.
- n. The result of the SEPA determination.
- o. Staffs conclusions and recommendations.

The Staff Report must be filed with the Hearing Examiner at least 7 calendar days before the scheduled Hearing and copies provided to the Applicant and made available for public inspection. Copies must be provided to all interested parties upon payment of allowable costs.

1.7.6 Continuances of Hearings

a. Hearing Examiner:

If the Hearing Examiner finds that more information is necessary in order to make a decision or recommendation, or is unable to hear all of the public comments on the matter, the Hearing may be continued to a specified date. If the Hearing is continued and the Hearing Examiner publicly announces the specific date, time, and place before adjournment, no further notice of the Hearing need be given. Continuances must be consistent with the provisions of the AMC but will be granted for a period of no longer than 30 calendar days.

b. At the Request of a Party:

Any Party of Record may request continuance of a Hearing. The request, if made before the Hearing, must be in writing and submitted to the Hearing Examiner, the Applicant, and the City and state reasonable grounds for a continuance. If the request is made orally at the Hearing it must be based on reasonable grounds. The Hearing Examiner has discretion to grant or deny the request for continuance.

1.7.7 Evidence

a. Burden of proof. In each proceeding, the Applicant has the burden of proof to show compliance with applicable laws and regulations of Washington State and the City of Anacortes.

b. Admissibility. The Hearing generally will not be conducted in strict adherence to Rules of Evidence. Any relevant evidence will be admitted if it possesses probative value commonly accepted by reasonably prudent Persons in the conduct of their affairs. The rules of privilege are effective to the extent recognized by law. The Hearing Examiner has discretion on the admissibility of all evidence.

c. Copies. Documentary evidence may be received in the form of copies of excerpts if the original is not readily available. Upon request, parties will be given an opportunity to compare the copy with the original. It is advisable to provide extra copies of all documents to the Hearing Examiner.

d. Judicial notice. The Hearing Examiner may take judicial notice of judicially cognizable facts and may take notice of general, technical, or scientific facts within his or her specialized knowledge. The Hearing Examiner will not take notice of disputed adjudicative facts that are at the center of a particular proceeding.

e. The Hearing Examiner may request a document to be filed after the close of public testimony. Only those documents referred to at the Hearing may be submitted and only those specifically requested by the Hearing Examiner. Additional evidence may only be submitted upon a Request for Reconsideration based on new evidence not reasonably available at the time of the Hearing. If additional evidence is submitted with a Request for Reconsideration, it will be considered only upon a showing of significant relevance and good cause for delay in its submission. All Parties of Record will be given notice of the consideration of such evidence and granted an opportunity to review such evidence and file rebuttal arguments.

- f. All parties will be allowed opportunity to make a Record of evidence admitted or denied during the course of the Hearing. This Record will include offers of proof.

SECTION 1.8: WITHDRAWAL OF APPLICATION

1.8.1 Withdrawal Prior to Notice of Hearing

If an Applicant provides written notification to the City of a request to withdraw the application before official notice of the Hearing is given, the withdrawal will be automatically permitted.

1.8.2 Withdrawal Made Any Other Time

Withdrawal requests made at any time other than that mentioned in Section 1.8.1 will be granted at the sole discretion of the Hearing Examiner.

1.8.3 Refund of Application Costs Upon Withdrawal

Upon withdrawal of the application, refund of any costs associated with the application process shall be at the sole discretion of the City Director of Planning, Community and Economic Development or in accordance with the AMC.

SECTION 1.9: DECISIONS AND RECOMMENDATIONS

1.9.1 Written Decisions or Recommendation

For applications on which the Hearing Examiner has final approval authority, a written report of findings, conclusions, and decision will be provided to all Parties of Record. The Hearing Examiner's decision or recommendation must be submitted within 10 Business Days following the conclusion of all testimony and Hearings, unless a longer period is mutually agreed to by the City, Applicant, and Hearing Examiner. The findings, conclusions, and decision or recommendation may indicate how the decision or recommendation carries out the goals, policies, plans, and requirements of the AMC, and other policies and objectives of the City.

1.9.2 Content of Decision or Recommendation

A decision or recommendation must include a statement of:

- a. The Hearing Examiner's decision.
- b. The nature and background of the proceeding.
- c. Findings. The findings must be based exclusively on the evidence presented in the Hearing and those matters officially noticed. The findings must consist of a concise statement of each fact found to support the review criteria. A statement of any threshold determination made under chapter 43.21 RCW must be included.
- d. Conclusions. Conclusions must include a resolution of the review criteria based upon the findings. The conclusions may reference legal criteria, if applicable. The conclusions may make reference to the Comprehensive Plan, as well as to the effect of both approval and denial on property in the vicinity, on businesses, if relevant, and on the general public.
- e. The appropriate rule, Order, or relief. The decision or recommendation must be based upon a consideration of the whole Record and supported by reliable, probative, and substantial evidence. All decisions may include conditions of approval, including the time limit after which any approval expires if not utilized.

1.9.3 Procedure for Reopening Hearing

- a. At any time before the filing of the final decision or recommendation, the Hearing Examiner may reopen the proceeding to receive further evidence. All Parties of Record who participate at the Hearing must be given notice of the consideration of such evidence and granted an opportunity to review such evidence and file rebuttal arguments.
- b. If within 10 business days after the Hearing, and prior to the Hearing Examiner issuing the final decision of recommendation, any Party of Record petitions the Hearing Examiner for a reopening of the hearing, the Hearing Examiner has discretion to reopen the Hearing to consider new testimony or new evidence that was unavailable at the time of the Hearing.

1.9.4 Correction of Clerical Errors

Any Party of Record who participated in the Hearing may request at any time correction of a clerical error in the decision by notifying the Clerk to the Hearing Examiner of the error and proposed correction. The Hearing Examiner has discretion to issue a corrected decision. Such a corrected decision does not stay the effect of a decision or substance of the conclusions of the Hearing Examiner's decision.

SECTION 1.10: APPEALS OF DECISIONS

The decision of the Hearing Examiner is final unless an appeal is filed pursuant to the AMC.

SECTION 1.11: CONFLICTS

These Rules of Procedure are adopted under the authority granted by the Anacortes City Council to supplement the requirements set forth in the AMC. Any conflict between the rules and the provisions of the AMC will be decided consistent with the provisions of the AMC.

CHAPTER II
RULES OF APPEAL OF ADMINISTRATIVE LAND USE DECISIONS

This chapter applies to appeals of administrative decisions that are designated as appealable to the Hearing Examiner as provided in the AMC.

SECTION 2.1: DEFINITIONS

This Chapter II incorporates the definitions in Chapter I, Section 1.1. In addition, the following definitions apply:

"Aggrieved Party" means the Applicant and the Owner of property to which the land use decision is directed; or is a Party of Record who can demonstrate the following:

1. The land use decision will prejudice the Person;
2. The asserted interests are among those the city is required by city code to consider in making a land use decision; and
3. A decision on appeal in favor of the Person would substantially eliminate or redress the prejudice alleged to be caused by the land use decision.

"Appellant" means the Person who files an appeal from a decision of an administrative Official or the Hearing Examiner. Only a "Party," "Party of Record," or "Aggrieved Party" as defined herein has standing to become an Appellant.

"Party" or "Party of Record" means:

1. The Appellant, or Appellant's Representative;
2. The Property Owner as identified by the records available from the Skagit County Assessor's office;
3. The Applicant if other than the Appellant; or
4. City Staff involved in the appeal.

SECTION 2.2: PRESIDING OFFICIALS

2.2.1 Presiding Officials

- a. The Hearing Examiner presides over the Hearings.
- b. The Hearing Examiner has all of the authority and duties granted in state statutes, the AMC, and other local ordinances. Included in the duties of the Hearing Examiner are the following: to conduct fair and impartial Hearings, to take all necessary action to avoid delay in the disposition of proceedings, and to maintain order. The Hearing Examiner has all powers necessary to that end, including the following:
 - i. To provide rules for the format for Hearings and proceedings;
 - ii. To administer oaths and affirmations;
 - iii. To rule upon offers of proof and receive evidence;
 - iv. To regulate the course of the Hearings and the conduct of the parties and their agents;
 - v. To question any party presenting testimony at the Hearing;

- vi. To hold conferences for settlement, simplification of the issues, or any other proper purpose;
 - vii. To require briefs on legal issues;
 - viii. To allow limited discovery if it is not unduly burdensome, will not unnecessarily delay the proceedings, and the information is not otherwise available;
 - ix. To consider and rule upon all procedural and other Motions appropriate to the proceedings; and
 - x. To make and file decisions.
- c. In the performance of adjudicative functions, the Hearing Examiner is not subject to the supervision or direction of any elected official, officer, employee, or agent of any municipal department.

SECTION 2.3: FILING

2.3.1 Compliance with Rules

All appeals must comply with the Rules and with the requirements established in the applicable AMC ordinance(s) and/or RCW 36.70C.040 (as it exists now or as amended) under which the appeal is filed.

2.3.2 Timeliness

To be considered timely, administrative appeals of a department action or decision must be filed within the timelines established under AMC 19.20.180 or 20.20.100 (as it exists now or as amended)

2.3.3 Fee

Appeals must be accompanied by the appropriate filing fee as required by the City's Unified Fee Schedule (as it exists now or as amended).

2.3.4 Contents

All appeals must be filed in accordance with the AMC. An appeal must be in writing and should contain the following:

- a. A heading in the words: "Before the City of Anacortes Hearing Examiner".
- b. A caption reading: "Appeal of ___" giving the names of all Appellants participating in the appeal;
- c. A brief statement setting forth the legal interest of each of the Appellants;
- d. A brief statement in concise language of the specific action protested, together with any material facts claimed to support the contentions of the Appellant;
- e. A brief statement in concise language of the relief sought, and the reasons why it is claimed the protested action should be reversed, modified, or otherwise set aside;
- f. The signatures of all parties named as Appellants, and their official mailing and email addresses; and
- g. The verification (by declaration under penalty of perjury) of at least one Appellant as to the truth of the matters stated in the appeal.

2.3.5 Briefs

- a. Briefs or other memoranda of law may be submitted by the parties in support of or in response to an appeal. Each party is permitted one primary brief not exceeding 15

double-spaced pages in length. In addition, the Appellant may submit a reply brief not exceeding 10 pages in length. The Hearing Examiner has discretion to waive or modify these page limits to accommodate complex legal and factual issues.

- b. Briefs must be limited to the specific issues set forth in the Appellant's statement of appeal.

2.3.6 Motions

Motions and responses to Motions are not to exceed 15 double-spaced pages in length without prior approval of the Hearing Examiner.

2.3.7 Proposed Findings and Conclusions

The Hearing Examiner may request proposed Findings and Conclusions to be submitted at the option of the parties.

SECTION 2.4: MANDATORY PRE-FILING OF EVIDENCE IN APPEALS

2.4.1 Mandatory Pre-filing Requirement

- a. All evidence that a party intends to rely upon as part of its case in chief on appeal, or in defense of an appeal, must be disclosed through the exhibit pre-filing process, where applicable. This includes a list of all witnesses, including expert witnesses, along with all technical or scientific documents, materials, studies, reports or analyses, photographs or other material.
- b. Failure to present such evidence within the time required may result in its exclusion by the Hearing Examiner.
- c. Other technical or scientific evidence may be introduced into evidence in response or on rebuttal only at the Hearing Examiner's discretion.

2.4.2 Time for Filing

- a. The Appellant(s) must provide the following to all other parties and to the Hearing Examiner at least 21 calendar days before the date of the scheduled Hearing (unless another date has been established at a pre-Hearing conference or pursuant to a prehearing order issued by the Hearing Examiner):
 - i. An original or copy of all substantive/technical/scientific documents, materials, studies, analyses, photographs or other evidence that the party desires to enter as exhibits in the appeal Record;
 - ii. A complete list of witnesses;
 - iii. The following information for each Person the party expects to call as an expert witness: name, curriculum vitae (resume), the subject matter on which the expert is expected to testify, a summary of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion that is expected to be offered.
- b. The Respondent(s) should provide the following to all other parties and to the Hearing Examiner at least 14 calendar days before the date of the scheduled Hearing (unless another date has been established at a pre-Hearing conference or pursuant to a prehearing order issued by the Hearing Examiner):

- i. An original or copy of all substantive/technical/scientific documents, materials, studies, analyses, photographs or other evidence that the party desires to enter as exhibits in the appeal Record;
- ii. A complete list of witnesses;
- iii. The following information for each Person the party expects to call as an expert witness: name, curriculum vitae (resume), the subject matter on which the expert is expected to testify, a summary of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion that is expected to be offered.

SECTION 2.5: EXHIBITS OFFERED DURING A HEARING

2.5.1 Copies Required

Any party seeking to admit an exhibit into evidence at the Hearing will make a sufficient number of copies to provide one copy to each party, in addition to the Hearing Examiner.

2.5.2 Limitation-Good Cause Required

Where a party did not submit evidence as required by Section 2.4, the Hearing Examiner may admit evidence offered by that party for the first time at the Hearing only upon a showing of good cause.

SECTION 2.6: DISMISSAL

- 2.6.1 An appeal may be dismissed without a Hearing if the Hearing Examiner determines that it fails to state a claim for which the Hearing Examiner has jurisdiction to grant relief, or it is without merit on its face, frivolous, or brought merely to secure delay. Summary judgment motions are disfavored by the Hearing Examiner and should be filed only when the relevant matter primarily involves legal interpretations based on facts that are either uncontested or can be expeditiously determined.
- 2.6.2 Any party may request dismissal of all or part of an appeal at any time with notice to all parties. The Hearing Examiner may make a ruling on a Motion to dismiss based upon written arguments or may call for oral arguments.
- 2.6.3 When the decision or action being appealed is withdrawn by the issuing department, the appeal becomes moot and will be summarily dismissed.

SECTION 2.7: PRE-HEARING CONFERENCE

- 2.7.1 The Hearing Examiner may, on the Examiner's own Order, or at the request of a party, hold a conference prior to the Hearing to consider:
 - a. Identification, clarification, and simplification of the issues;
 - b. Disclosure of witnesses to be called and exhibits to be presented;
 - c. Motions; and
 - d. Other matters deemed by the Hearing Examiner appropriate for the orderly and expeditious disposition of the proceedings.
- 2.7.2 Pre-Hearing conferences may be held by telephone conference call or remote meeting technology.

- 2.7.3 The Hearing Examiner must give written or oral notice to all parties of any pre-Hearing conference.
- 2.7.4 All Parties of Record have the right to be represented at any pre-Hearing conference. Representation is not required.
- 2.7.5 Following the pre-Hearing conference, the Hearing Examiner may issue an Order reciting the actions taken or ruling on Motions made at the conference that will be controlling on all participants.
- 2.7.6 At the Hearing the Hearing Examiner will develop for the Record the time, purpose, and result of the conference. If any Orders have been issued, they will be part of the Record.
- 2.7.7 In the event that a pre-Hearing conference is not held, the Hearing Examiner may issue a pre-Hearing Order with procedural information including identification of the parties; date and time of the Hearing Appeal; issues identified in the appeal statement; a request and date for submission of lists of witnesses and documents; cross-examination of witnesses; and an order of presentation.
- 2.7.8 Pre-Hearing Orders may not be appealed until the Hearing Examiner issues an appeal decision.

SECTION 2.8: WITHDRAWAL

- 2.8.1 Only the Appellant may withdraw an appeal.
- 2.8.2 Where an appeal is made by several Persons, a group, organization, corporation, or other entity, withdrawal must be made by a Person designated as the party representative (see 2.9).
- 2.8.3 An Appellant's Request to Withdraw must be granted as a matter of right and the appeal dismissed.

SECTION 2.9: PARTY REPRESENTATIVE

When a party consists of more than one individual, or is a group, organization, corporation, or other entity, the party must designate an individual to be its representative and inform the Hearing Examiner's office of the name, address, email address, and telephone number of the designated representative. The rights of such an Appellant must be exercised by the Person designated as the party representative. Notice or other communication to the party representative is considered to be notice or communication to party.

SECTION 2.10: PARTIES' RIGHTS AND RESPONSIBILITIES

- 2.10.1 Attorney not Required
Although Appellants and Applicants have the right to be represented by an attorney, representation by an attorney is not required.
- 2.10.2 Party Representative

Where a party has designated a representative, the representative must exercise the rights of the party.

2.10.3 Civility Expected

Parties, witnesses, and observers must conduct themselves with civility and deal courteously with all who participate in the proceedings. Failure to do so will result in removal from the Hearing at the discretion of the Hearing Examiner.

SECTION 2.11: CONTINUANCES

2.11.1 Hearing Examiner

If the Hearing Examiner finds that more information is necessary in order to make a decision or recommendation, the Hearing may be continued to a specified date. If the Hearing is continued and the Hearing Examiner publicly announces the specific date, time, and place before adjournment, no further notice of the Hearing need be given. Continuances must be consistent with the provisions of the AMC but will normally be granted for a period of no longer than 30 Calendar Days.

2.11.2 At the Request of a Party or Parties

Any Party of Record may request continuance of a Hearing.

- a. The request, if made before the Hearing, must be in writing and state reasonable grounds for a continuance.
- b. The request for continuance must be submitted to the Hearing Examiner and all Parties of Record a minimum of 14 Calendar Days before the date of the Hearing. Other parties may submit a response to the request for continuance a minimum of 7 Calendar Days before the date of Hearing.
- c. The parties may submit a joint request for continuance to the Hearing Examiner a minimum of three Business Days before the date of the Hearing.
- d. More than one request for continuance per party is disfavored.
- e. If the request is made orally at the Hearing it must be based on reasonable grounds.
- f. The Hearing Examiner has discretion to grant or deny the request for continuance.

SECTION 2.12: DEFAULT

The Hearing Examiner may dismiss an appeal by an Order of Default where the Appellant, without good cause, fails to appear or is unprepared to proceed at a scheduled and properly noticed Hearing.

SECTION 2.13: HEARING FORMAT

2.13.1 Appeal Hearings, although generally informal in nature, will have a structured format and be conducted in a manner deemed by the Hearing Examiner to make the relevant evidence most readily and efficiently available to the Hearing Examiner and to provide the parties a fair opportunity for Hearing.

2.13.2 The Order of an Appeal Hearing will generally be as follows:

- a. Hearing Examiner's introductory statement;
- b. Appellant's argument;

- c. Applicant's presentation;
- d. City's presentation;
- e. Rebuttal; and
- f. Closing argument of parties.

2.13.3 Notwithstanding the provisions of the AMC, the Order of Hearing may be modified or a different Order established as the Hearing Examiner deems necessary for a clear and fair presentation. The Order of the Hearing may also be modified as agreed upon by the parties, with the Hearing Examiner's approval.

2.13.4 The order of presentation at Hearing does not alter or shift any burden(s) or presumption(s) established by applicable law(s).

SECTION 2.14: HEARING EXAMINER DECISION

A decision of the Hearing Examiner on appeal must include, but not be limited to, a statement regarding the following:

- a. Background. The nature and background of the proceeding, including identification of party representatives participating in the Hearing, pre-Hearing determinations, and other similar information.
- b. Findings. The individual facts that the Hearing Examiner finds relevant, credible, and requisite to the decision, based on the Record of proceedings.
- c. Conclusions. Legal and factual conclusions based upon specific provisions of law and the findings of fact.
- d. Decision. The Hearing Examiner's decision as to outcome of the appeal (affirm wholly or in part, reverse, or modify the decision appealed) based upon a consideration of the whole Record and supported by substantial evidence in the Record.
- e. The Hearing Examiner will hear evidence from all affected parties and render a decision on the appeal within 10 Business Days of the close of the Hearing Record, unless a longer period is provided under the AMC or is mutually agreed to by the Parties and Hearing Examiner.

SECTION 2.15: RECORD

2.15.1 The Record of an appeal must include:

- a. The application or petition;
- b. The departmental Staff Reports;
- c. All evidence received, including oral testimony given at the Hearing, all exhibits, and other materials admitted as evidence;
- d. A statement of all matters officially noticed;
- e. A decision or a recommended decision containing the findings and conclusions of the Hearing Examiner;
- f. Recordings made on electronic equipment; and
- g. An environmental determination made pursuant to the State Environmental Policy Act of 1971 (SEPA) (if applicable).

2.15.2 The Hearing Examiner's administrative file on an appeal case may include other relevant information or materials that are not part of the evidentiary Record.

SECTION 2.16: CORRECTION OF CLERICAL ERRORS

Any Party of Record who participated at the Hearing may request at any time correction of a clerical error in the decision by notifying the Clerk to the Hearing Examiner of the error and proposed correction. The Hearing Examiner has discretion to issue a corrected decision. Such a corrected decision does not stay the effect of a decision or substance of the conclusions of the Hearing Examiner's decision.

Resolution 3216

A Resolution Adopting Rules of Procedure for the Anacortes Hearing Examiner

Whereas the City concurred with the appointment of Laminar Law to serve as the City's Hearing Examiner and authorized the Mayor to sign contract 26-134-LEG-001 to provide hearing examiner services for the City at its April 6, 2026, meeting;

Whereas AMC Section 2.30.070 requires Council to approve the adoption of procedural rules for the hearing examiner;

Whereas Council now wants to approve the procedural rules adopted by Laminar Law;

Now, therefore, the City Council does resolve as follows:

Section 1. The Rules of Procedure for Proceedings Before the Hearing Examiner for the City of Anacortes, Washington (Exhibit A) are hereby adopted.

Section 2. Authority to Make Necessary Corrections. The City Clerk is authorized to make necessary corrections to this resolution including, but not limited to, the correction of scrivener's clerical errors, references, resolution numbers, section/subsection numbers and any references thereto.

Section 3. Severability. The various parts, sections, and clauses of this resolution are hereby declared to be severable. If any section, subsection, paragraph, sentence, clause, or phrase of this resolution is declared unconstitutional or invalid for any reason, such decision must not affect the validity of the remaining parts of this resolution.

ADOPTED by the City Council of the City of Anacortes this 18th day of May 2026.

CITY OF ANACORTES:

Ryan Walters, Mayor

Attest:

Steven D. Hogle, City Clerk-Treasurer

Approved as to Form:

Darcy Swetnam, City Attorney

Exhibit A

**RULES OF PROCEDURE FOR
PROCEEDINGS BEFORE THE HEARING EXAMINER
OF THE CITY OF ANACORTES, WASHINGTON**

These Rules of Procedure and Proceedings are Issued in Accordance with and Intended to
Supplement and be Read Together with AMC 2.30.

May 18, 2026

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CHAPTER I:
HEARINGS ON PERMIT APPLICATIONS

This Chapter applies to Open Record Hearings on land use applications and administrative appeals.

SECTION 1.1: DEFINITIONS

"Applicant" means a Person (or Persons) who is the owner of the subject property or the authorized representative of the owner of the subject property, and who has applied for a land use permit.

"Business Day" means any day for which the City's offices are open for normal business matters.

"Calendar Day" means each day of the calendar week. When the last day of a stated period falls on a Saturday, Sunday, or National, State, or City holiday, the stated period will run until the end of the following Business Day.

"City" means the City of Anacortes, Washington.

"City Council" means the Anacortes City Council.

"Clerk of the Hearing Examiner" means a Person designated by the City of Anacortes to assist the Hearing Examiner in their duties.

"Comprehensive Plan" means the Comprehensive Plan that has been adopted by the City of Anacortes.

"County" means Skagit County, Washington.

"Ex Parte Communication" means written or oral communications to the Hearing Examiner about a matter pending before the Hearing Examiner, not included in the Record and made outside of a Hearing.

"Hearing" means the proceeding at which the public has the opportunity to provide written and oral testimony, and the testimony becomes part of the Record. The Hearing creates the Record through testimony and submission of evidence and information.

"Hearing Examiner" or "Examiner" means the Hearing Examiner or the Hearing Examiner Pro Tempore of the City of Anacortes.

"Interested Person" means any individual, partnership, corporation, association, or public or private organization of any character that may be affected by proceedings before the Hearing Examiner and includes any party in a contested case. The City's administrative staff is considered an Interested Person and has the same rights as any other Interested Person.

"Motion" means an oral request during the course of a Hearing, or a written request made to the Hearing Examiner for an Order or other ruling.

"Notice of Decision" means the written document distributed by the City that communicates a decision or recommendation on an action before the Hearing Examiner. *RCW 36.70B.130*. The date on which a land use decision is issued is three Business Days after a written decision or recommendation is mailed by the City or, if not mailed, the date on which the City provides notice that a written decision or recommendation is publicly available. *RCW 36.70C.040(a)*.

"Open Record Appeal Hearing" means an administrative Hearing that creates the Record on appeal through written and oral testimony and submission of evidence and information.

"Open Record Hearing" means a Hearing held under chapter 36.708 RCW and conducted by the Anacortes Hearing Examiner who is authorized by the City to conduct such Hearings, that creates the Record through testimony and submission of evidence and information, under procedures prescribed by the City by ordinance or resolution.

"Order" means a written determination of the Hearing Examiner, which directs a party to the proceedings to act or to refrain from acting.

"Party of Record" means:

- a. A Person who has testified at the Open Record Hearing on the application or who submitted substantive written comments on the application (excluding Persons who have only signed petitions or mechanically produced form letters), or who, prior to the rendering of the decision, requested notice of the decision. *RCW 36.70B.130*.
- b. The Applicant, or Applicant's representative;
- c. The property tax payer as identified by the records available from the Skagit County assessor's office;
- d. The City administrative staff.

"Person" means any individual, firm, association, partnership, corporation or any entity, public or private.

"Record" means the oral testimony and written exhibits submitted at a Hearing. The electronic recording of the proceeding must be included as part of the Record. At the discretion and Order of the Hearing Examiner, the Record may be supplemented after the closing of testimony.

"RCW" means the Revised Code of Washington.

"AMC" means the Anacortes Municipal Code.

"Staff Report" means the document prepared by the City Planning staff.

SECTION 1.2: JURISDICTION

The City Council has authorized the Hearing Examiner to prescribe rules and regulations for the conduct of Hearings.

The Hearing Examiner's jurisdiction is limited to those issues where an ordinance or other appropriate authority grants the Hearing Examiner the authority to hold Hearings, make decisions or recommendations, and issue Orders.

SECTION 1.3: EX PARTE COMMUNICATION

- 1.3.1 No Person, nor his or her agent, employee, or representative, who is interested in a particular petition or application currently pending before the Hearing Examiner is allowed to communicate ex parte, directly or indirectly, with the Hearing Examiner concerning the merits of that or a related petition or application. This rule does not prohibit Ex Parte Communication concerning procedural matters if such communication is made part of the Record. All allowed ex parte procedural communications must be directed to the City Clerk or Clerk to the Hearing Examiner. Any material not submitted in this manner will not be considered a part of the Record established on that application or petition.
- 1.3.2 The Hearing Examiner will not communicate ex parte directly or indirectly with any Interested Person, nor his or her agent, employee, or representative, regarding the merits of a petition or application that is pending before the Hearing Examiner, or a factually related petition or application.
- 1.3.3 If prohibited Ex Parte Communication is made to or by the Hearing Examiner, such communication must be publicly disclosed, and proper discretion will be exercised by the Hearing Examiner on whether they should be disqualified as Examiner for that particular Hearing.

SECTION 1.4: NATURE OF PROCEEDINGS

1.4.1 Expeditious Proceedings

It is the policy of the Office of the Hearing Examiner that, to the extent practicable and consistent with requirements of law, Hearings will be conducted expeditiously. In the conduct of such proceedings the Hearing Examiner, City staff, and all parties, or their agents, must make every effort at each stage of a proceeding to avoid delay.

1.4.2 Frequency

City Staff will schedule Hearings in coordination with the Hearing Examiner. There may be more than one case scheduled to commence at the same time, and in such event the Hearing Examiner has discretion in setting the agenda.

1.4.3 Format

The format for a Hearing will be of an informal nature yet designed in such a way that the evidence and facts relevant to a particular proceeding become available to the Hearing Examiner and easily ascertainable by a reviewing body. The format will allow development of a Record by parties.

1.4.4 Site Visit

When necessary, in the judgment of the Hearing Examiner, the Hearing Examiner may inspect a site before or after the Hearing. The site visit is not part of the Record. Failure to inspect the site will not render the Hearing Examiner's decision void.

1.4.5 Record of Hearing

- a. The City will make an electronic recording of all Hearings in an audio and/or video format. Hearings must be electronically recorded, and such recordings are a part of the Record. No minutes of the Hearing will be kept. Copies of the electronic

recordings of a particular proceeding must be made available to the public within 3 Business Days of a request. The requester must pay the reasonable cost of producing the copy.

- b. Copies of any written materials in the Record may be obtained by any Interested Person who shall be responsible for paying the cost of reproducing such material.

1.4.6 Computation of Time

Computation of any period of time prescribed or allowed by these rules, ordinances of the City of Anacortes, and laws of the State of Washington begins with the first day following that on which the act or event initiating such period of time occurred. When the last day of the period so computed is a Saturday, Sunday, or a national, state, or City holiday, the period runs until the end of the next following Business Day.

SECTION 1.5: RIGHTS AND RESPONSIBILITIES OF PARTIES

1.5.1 Rights of City

The City staff has the right to present evidence and testimony, object, and make Motions, arguments, recommendations, and all other rights essential to a fair Hearing.

1.5.2 Rights of Applicant

- a. Every Applicant has the right of notice, cross-examination, presentation of evidence, objection, Motion, argument, and all other rights essential to a fair Hearing. Further, Applicants have the right to timely access the City Staff Report.
- b. The Hearing Examiner may limit the time allowed to parties testifying on an equal basis, may establish time limits for initial or rebuttal evidence, and may limit the number of witnesses to be heard. Cross-examination is permitted as necessary for a full disclosure of the facts, but the Hearing Examiner controls the amount and style of cross-examination.

1.5.3 Rights of Parties of Record

Every Party of Record has the right to present evidence and testimony at Hearings. The right of Persons to cross-examine, object, and submit Motions and arguments is at the discretion of the Hearing Examiner. The Hearing Examiner may impose reasonable limitations on the number of witnesses heard, and the nature and length of their testimony.

1.5.4 Responsibilities of City Staff

City staff have the right to present evidence and testimony, object, and to make Motions, arguments, recommendations, and all other rights essential to a fair Hearing. City staff will provide a report consistent with the provisions of Rule 1.7.5, provide notice of Hearings, present materials at the Hearings, and provide documentation relevant to the case. Staff Reports should be available to the public, including the Applicant, at least 7 calendar days before the Hearing.

1.5.5 Responsibilities of Applicant

Whenever possible, the Applicant will provide the Hearing Examiner with material that supports their case prior to the Hearing, be prepared for questions by the Hearing Examiner, and treat all who participate in these proceedings courteously. All supporting

materials must be provided to the Hearing Examiner at least 7 calendar days before the Hearing, unless otherwise provided.

1.5.6 Responsibilities of All Participants, Witnesses, and Observers

Parties, witnesses, or observers must conduct themselves with civility and deal courteously with all who participate in the proceedings. Failure to do so will result in removal from the Hearing at the discretion of the Hearing Examiner.

SECTION 1.6: PRESIDING OFFICIALS

1.6.1 Presiding Officials

- a. The Hearing Examiner will preside over the Hearings.
- b. The Hearing Examiner has all of the authority and duties as granted in state statutes, the AMC, and other local ordinances. Included in the duties of the Hearing Examiner are the following: to conduct fair and impartial Hearings, to take all necessary action to avoid delay in the disposition of proceedings, and to maintain order. The Hearing Examiner has all powers necessary to that end, including the following:
 - i. To provide rules for the format for Hearings and proceedings;
 - ii. To administer oaths and affirmations;
 - iii. To rule upon offers of proof and receive evidence;
 - iv. To regulate the course of the Hearings and the conduct of the parties and their agents;
 - v. To question any party presenting testimony at the Hearing;
 - vi. To hold conferences for settlement, simplification of the issues, or any other proper purpose;
 - vii. To require briefs on legal issues;
 - viii. To allow limited discovery if it is not unduly burdensome, will not unnecessarily delay the proceedings, and the information is not otherwise available;
 - ix. To consider and rule upon all procedural and other Motions appropriate to the proceedings; and
 - x. To make and file recommendations or decisions.
- c. In the performance of adjudicative functions, the Hearing Examiner must not be subject to the supervision or direction of any elected official, officer, employee, or agent of any municipal department.

1.6.2 Presence of Legal Counsel at Hearings or Public Meetings

- a. All parties participating in the Hearings may be represented at the Hearings by legal counsel of their choice.
- b. At the request of any department and discretion of the Hearing Examiner, a representative of the City Attorney's Office may be present at the Hearings or public meetings to advise on matters of law and procedure.
- c. Attorneys engaged in the representation of clients before the Hearing Examiner must conduct themselves in accordance with all applicable Rules of Professional Conduct,

including the display of courtesy to other members of the bar, witnesses, and all other Persons present in the Hearing room.

- d. All forms of legal authority including briefs, Staff Reports, and other legal memoranda upon which a Party of Record will be relying or presenting at the Hearing must be submitted to the Hearing Examiner's office at least 7 calendar days in advance of the scheduled Hearing date, unless otherwise noted. The above-mentioned documents must be available to the public, subject to payment, at least 7 calendar days in advance of the scheduled Hearing date.

SECTION 1.7: CONDUCT OF HEARINGS

1.7.1 Notice Requirements of Hearings and Filings

All notice, time requirements, and methods of notification must be consistent with the provisions as set forth in the AMC, as applicable, in addition to the provisions of this Section.

1.7.2 Oath or Affirmation

- a. All testimony before the Hearing Examiner must be given under oath or affirmation to tell the truth.
- b. An interpreter acting on behalf of any Interested Person must take an oath that a true interpretation of the Interested Person's testimony will be made.

1.7.3 Content of the Record

The Record of a Hearing conducted by the Hearing Examiner must include without limitation the following materials:

- a. The application or petition;
- b. The departmental Staff Report;
- c. All evidence received, which includes oral testimony given at the Hearing, all exhibits, other materials admitted as evidence, and any written material submitted pursuant to Hearing Examiner Order;
- d. A statement of all materials officially noticed;
- e. A decision or a recommended decision containing the findings and conclusions of the Hearing Examiner;
- f. Recordings made on electronic equipment; and
- g. An environmental determination made pursuant to the State Environmental Policy Act of 1971 (SEPA) (if applicable).

1.7.4 Development of Record

A Hearing usually will include, but not be limited to, the following elements:

- a. A brief introductory statement of the Hearing Examiner's process;
- b. A report by the departmental staff that may include introduction of the request, reference to visual aids, and a summary of the recommendation of the department;
- c. Testimony by the Applicant, City Staff, and cross-examination of the witnesses;
- d. Testimony of interested parties;
- e. Opportunity for cross-examination and rebuttal; and
- f. An opportunity for questions by the Hearing Examiner.

1.7.5 Content and Form of Staff Reports

The City Staff Report on a land use application should include the following, if relevant to the application:

- a. A list of the names, addresses, and property interests of the subject property's owner(s) and/or the Applicant.
- b. The date upon which City staff determined the application to be complete.
- c. A brief summary of the requested action and the citation of the ordinance controlling the request.
- d. A common description of the subject property and a legal description of the subject property.
- e. A statement identifying applicable City zoning code regulations.
- f. A technical data summary of the Comprehensive Plan designation and zoning designation of the subject property; the current development of the subject property and the adjoining properties; topographical information; geological and soils information; information on the vegetation on the property; and any other relevant scientific, environmental, or engineering information.
- g. The current access to the subject property and the proposed access to the subject property.
- h. An in-depth analysis of the proposed project. This analysis may include without limitation the following elements of review:
 - i. natural features;
 - ii. character and design, including population figures;
 - iii. human resources;
 - iv. housing;
 - v. economic development;
 - vi. transportation;
 - vii. community facilities, services, and institutions;
 - viii. government jurisdiction boundaries;
 - ix. neighborhoods;
 - x. land use plans; and
 - xi. land use regulations.
- i. A history of the requested action and a history and vicinity map of the development in the surrounding properties. In making the analysis, the staff should refer to applicable ordinances as often as possible.
- j. A summary of any other requested land use permits in the area.
- k. A description of the compatibility and impact of the proposal on the existing development and the probable character of the proposal.
- l. A summary of the reports or recommendations of any other agencies consulted.
- m. Appropriate maps of the subject property. If photographs of the site are available, the Applicant is encouraged to provide color reproductions as part of the Staff Report.
- n. The result of the SEPA determination.
- o. Staffs conclusions and recommendations.

The Staff Report must be filed with the Hearing Examiner at least 7 calendar days before the scheduled Hearing and copies provided to the Applicant and made available for public inspection. Copies must be provided to all interested parties upon payment of allowable costs.

1.7.6 Continuances of Hearings

a. Hearing Examiner:

If the Hearing Examiner finds that more information is necessary in order to make a decision or recommendation, or is unable to hear all of the public comments on the matter, the Hearing may be continued to a specified date. If the Hearing is continued and the Hearing Examiner publicly announces the specific date, time, and place before adjournment, no further notice of the Hearing need be given. Continuances must be consistent with the provisions of the AMC but will be granted for a period of no longer than 30 calendar days.

b. At the Request of a Party:

Any Party of Record may request continuance of a Hearing. The request, if made before the Hearing, must be in writing and submitted to the Hearing Examiner, the Applicant, and the City and state reasonable grounds for a continuance. If the request is made orally at the Hearing it must be based on reasonable grounds. The Hearing Examiner has discretion to grant or deny the request for continuance.

1.7.7 Evidence

- a. Burden of proof. In each proceeding, the Applicant has the burden of proof to show compliance with applicable laws and regulations of Washington State and the City of Anacortes.
- b. Admissibility. The Hearing generally will not be conducted in strict adherence to Rules of Evidence. Any relevant evidence will be admitted if it possesses probative value commonly accepted by reasonably prudent Persons in the conduct of their affairs. The rules of privilege are effective to the extent recognized by law. The Hearing Examiner has discretion on the admissibility of all evidence.
- c. Copies. Documentary evidence may be received in the form of copies of excerpts if the original is not readily available. Upon request, parties will be given an opportunity to compare the copy with the original. It is advisable to provide extra copies of all documents to the Hearing Examiner.
- d. Judicial notice. The Hearing Examiner may take judicial notice of judicially cognizable facts and may take notice of general, technical, or scientific facts within his or her specialized knowledge. The Hearing Examiner will not take notice of disputed adjudicative facts that are at the center of a particular proceeding.
- e. The Hearing Examiner may request a document to be filed after the close of public testimony. Only those documents referred to at the Hearing may be submitted and only those specifically requested by the Hearing Examiner. Additional evidence may only be submitted upon a Request for Reconsideration based on new evidence not reasonably available at the time of the Hearing. If additional evidence is submitted with a Request for Reconsideration, it will be considered only upon a showing of significant relevance and good cause for delay in its submission. All Parties of Record will be given notice of the consideration of such evidence and granted an opportunity to review such evidence and file rebuttal arguments.

- f. All parties will be allowed opportunity to make a Record of evidence admitted or denied during the course of the Hearing. This Record will include offers of proof.

SECTION 1.8: WITHDRAWAL OF APPLICATION

1.8.1 Withdrawal Prior to Notice of Hearing

If an Applicant provides written notification to the City of a request to withdraw the application before official notice of the Hearing is given, the withdrawal will be automatically permitted.

1.8.2 Withdrawal Made Any Other Time

Withdrawal requests made at any time other than that mentioned in Section 1.8.1 will be granted at the sole discretion of the Hearing Examiner.

1.8.3 Refund of Application Costs Upon Withdrawal

Upon withdrawal of the application, refund of any costs associated with the application process shall be at the sole discretion of the Director of Planning, Community and Economic Development or in accordance with the AMC.

SECTION 1.9: DECISIONS AND RECOMMENDATIONS

1.9.1 Written Decisions or Recommendation

For applications on which the Hearing Examiner has final approval authority, a written report of findings, conclusions, and decision will be provided to all Parties of Record. The Hearing Examiner's decision or recommendation must be submitted within 10 Business Days following the conclusion of all testimony and Hearings, unless a longer period is mutually agreed to by the City, Applicant, and Hearing Examiner. The findings, conclusions, and decision or recommendation may indicate how the decision or recommendation carries out the goals, policies, plans, and requirements of the AMC, and other policies and objectives of the City.

1.9.2 Content of Decision or Recommendation

A decision or recommendation must include a statement of:

- a. The Hearing Examiner's decision.
- b. The nature and background of the proceeding.
- c. Findings. The findings must be based exclusively on the evidence presented in the Hearing and those matters officially noticed. The findings must consist of a concise statement of each fact found to support the review criteria. A statement of any threshold determination made under chapter 43.21 RCW must be included.
- d. Conclusions. Conclusions must include a resolution of the review criteria based upon the findings. The conclusions may reference legal criteria, if applicable. The conclusions may make reference to the Comprehensive Plan, as well as to the effect of both approval and denial on property in the vicinity, on businesses, if relevant, and on the general public.
- e. The appropriate rule, Order, or relief. The decision or recommendation must be based upon a consideration of the whole Record and supported by reliable, probative, and substantial evidence. All decisions may include conditions of approval, including the time limit after which any approval expires if not utilized.

1.9.3 Procedure for Reopening Hearing

- a. At any time before the filing of the final decision or recommendation, the Hearing Examiner may reopen the proceeding to receive further evidence. All Parties of Record who participate at the Hearing must be given notice of the consideration of such evidence and granted an opportunity to review such evidence and file rebuttal arguments.
- b. If within 10 business days after the Hearing, and prior to the Hearing Examiner issuing the final decision of recommendation, any Party of Record petitions the Hearing Examiner for a reopening of the hearing, the Hearing Examiner has discretion to reopen the Hearing to consider new testimony or new evidence that was unavailable at the time of the Hearing.

1.9.4 Correction of Clerical Errors

Any Party of Record who participated in the Hearing may request at any time correction of a clerical error in the decision by notifying the Clerk to the Hearing Examiner of the error and proposed correction. The Hearing Examiner has discretion to issue a corrected decision. Such a corrected decision does not stay the effect of a decision or substance of the conclusions of the Hearing Examiner's decision.

SECTION 1.10: APPEALS OF DECISIONS

The decision of the Hearing Examiner is final unless an appeal is filed pursuant to the AMC.

SECTION 1.11: CONFLICTS

These Rules of Procedure are adopted under the authority granted by the Anacortes City Council to supplement the requirements set forth in the AMC. Any conflict between the rules and the provisions of the AMC will be decided consistent with the provisions of the AMC.

CHAPTER II
RULES OF APPEAL OF ADMINISTRATIVE LAND USE DECISIONS

This chapter applies to appeals of administrative decisions that are designated as appealable to the Hearing Examiner as provided in the AMC.

SECTION 2.1: DEFINITIONS

This Chapter II incorporates the definitions in Chapter I, Section 1.1. In addition, the following definitions apply:

"Aggrieved Party" means the Applicant and the Owner of property to which the land use decision is directed; or is a Party of Record who can demonstrate the following:

1. The land use decision will prejudice the Person;
2. The asserted interests are among those the city is required by city code to consider in making a land use decision; and
3. A decision on appeal in favor of the Person would substantially eliminate or redress the prejudice alleged to be caused by the land use decision.

"Appellant" means the Person who files an appeal from a decision of an administrative Official or the Hearing Examiner. Only a "Party," "Party of Record," or "Aggrieved Party" as defined herein has standing to become an Appellant.

"Party" or "Party of Record" means:

1. The Appellant, or Appellant's Representative;
2. The Property Owner as identified by the records available from the Skagit County Assessor's office;
3. The Applicant if other than the Appellant; or
4. City Staff involved in the appeal.

SECTION 2.2: PRESIDING OFFICIALS

2.2.1 Presiding Officials

- a. The Hearing Examiner presides over the Hearings.
- b. The Hearing Examiner has all of the authority and duties granted in state statutes, the AMC, and other local ordinances. Included in the duties of the Hearing Examiner are the following: to conduct fair and impartial Hearings, to take all necessary action to avoid delay in the disposition of proceedings, and to maintain order. The Hearing Examiner has all powers necessary to that end, including the following:
 - i. To provide rules for the format for Hearings and proceedings;
 - ii. To administer oaths and affirmations;
 - iii. To rule upon offers of proof and receive evidence;
 - iv. To regulate the course of the Hearings and the conduct of the parties and their agents;
 - v. To question any party presenting testimony at the Hearing;

- vi. To hold conferences for settlement, simplification of the issues, or any other proper purpose;
 - vii. To require briefs on legal issues;
 - viii. To allow limited discovery if it is not unduly burdensome, will not unnecessarily delay the proceedings, and the information is not otherwise available;
 - ix. To consider and rule upon all procedural and other Motions appropriate to the proceedings; and
 - x. To make and file decisions.
- c. In the performance of adjudicative functions, the Hearing Examiner is not subject to the supervision or direction of any elected official, officer, employee, or agent of any municipal department.

SECTION 2.3: FILING

2.3.1 Compliance with Rules

All appeals must comply with the Rules and with the requirements established in the applicable AMC ordinance(s) and/or RCW 36.70C.040 (as it exists now or as amended) under which the appeal is filed.

2.3.2 Timeliness

To be considered timely, administrative appeals of a department action or decision must be filed within the timelines established under AMC 19.20.180 or 20.20.100 (as it exists now or as amended)

2.3.3 Fee

Appeals must be accompanied by the appropriate filing fee as required by the City's Unified Fee Schedule (as it exists now or as amended).

2.3.4 Contents

All appeals must be filed in accordance with the AMC. An appeal must be in writing and should contain the following:

- a. A heading in the words: "Before the City of Anacortes Hearing Examiner".
- b. A caption reading: "Appeal of ___" giving the names of all Appellants participating in the appeal;
- c. A brief statement setting forth the legal interest of each of the Appellants;
- d. A brief statement in concise language of the specific action protested, together with any material facts claimed to support the contentions of the Appellant;
- e. A brief statement in concise language of the relief sought, and the reasons why it is claimed the protested action should be reversed, modified, or otherwise set aside;
- f. The signatures of all parties named as Appellants, and their official mailing and email addresses; and
- g. The verification (by declaration under penalty of perjury) of at least one Appellant as to the truth of the matters stated in the appeal.

2.3.5 Briefs

- a. Briefs or other memoranda of law may be submitted by the parties in support of or in response to an appeal. Each party is permitted one primary brief not exceeding 15

double-spaced pages in length. In addition, the Appellant may submit a reply brief not exceeding 10 pages in length. The Hearing Examiner has discretion to waive or modify these page limits to accommodate complex legal and factual issues.

- b. Briefs must be limited to the specific issues set forth in the Appellant's statement of appeal.

2.3.6 Motions

Motions and responses to Motions are not to exceed 15 double-spaced pages in length without prior approval of the Hearing Examiner.

2.3.7 Proposed Findings and Conclusions

The Hearing Examiner may request proposed Findings and Conclusions to be submitted at the option of the parties.

SECTION 2.4: MANDATORY PRE-FILING OF EVIDENCE IN APPEALS

2.4.1 Mandatory Pre-filing Requirement

- a. All evidence that a party intends to rely upon as part of its case in chief on appeal, or in defense of an appeal, must be disclosed through the exhibit pre-filing process, where applicable. This includes a list of all witnesses, including expert witnesses, along with all technical or scientific documents, materials, studies, reports or analyses, photographs or other material.
- b. Failure to present such evidence within the time required may result in its exclusion by the Hearing Examiner.
- c. Other technical or scientific evidence may be introduced into evidence in response or on rebuttal only at the Hearing Examiner's discretion.

2.4.2 Time for Filing

- a. The Appellant(s) must provide the following to all other parties and to the Hearing Examiner at least 21 calendar days before the date of the scheduled Hearing (unless another date has been established at a pre-Hearing conference or pursuant to a prehearing order issued by the Hearing Examiner):
 - i. An original or copy of all substantive/technical/scientific documents, materials, studies, analyses, photographs or other evidence that the party desires to enter as exhibits in the appeal Record;
 - ii. A complete list of witnesses;
 - iii. The following information for each Person the party expects to call as an expert witness: name, curriculum vitae (resume), the subject matter on which the expert is expected to testify, a summary of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion that is expected to be offered.
- b. The Respondent(s) should provide the following to all other parties and to the Hearing Examiner at least 14 calendar days before the date of the scheduled Hearing (unless another date has been established at a pre-Hearing conference or pursuant to a prehearing order issued by the Hearing Examiner):

- i. An original or copy of all substantive/technical/scientific documents, materials, studies, analyses, photographs or other evidence that the party desires to enter as exhibits in the appeal Record;
- ii. A complete list of witnesses;
- iii. The following information for each Person the party expects to call as an expert witness: name, curriculum vitae (resume), the subject matter on which the expert is expected to testify, a summary of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion that is expected to be offered.

SECTION 2.5: EXHIBITS OFFERED DURING A HEARING

2.5.1 Copies Required

Any party seeking to admit an exhibit into evidence at the Hearing will make a sufficient number of copies to provide one copy to each party, in addition to the Hearing Examiner.

2.5.2 Limitation-Good Cause Required

Where a party did not submit evidence as required by Section 2.4, the Hearing Examiner may admit evidence offered by that party for the first time at the Hearing only upon a showing of good cause.

SECTION 2.6: DISMISSAL

2.6.1 An appeal may be dismissed without a Hearing if the Hearing Examiner determines that it fails to state a claim for which the Hearing Examiner has jurisdiction to grant relief, or it is without merit on its face, frivolous, or brought merely to secure delay. Summary judgment motions are disfavored by the Hearing Examiner and should be filed only when the relevant matter primarily involves legal interpretations based on facts that are either uncontested or can be expeditiously determined.

2.6.2 Any party may request dismissal of all or part of an appeal at any time with notice to all parties. The Hearing Examiner may make a ruling on a Motion to dismiss based upon written arguments or may call for oral arguments.

2.6.3 When the decision or action being appealed is withdrawn by the issuing department, the appeal becomes moot and will be summarily dismissed.

SECTION 2.7: PRE-HEARING CONFERENCE

2.7.1 The Hearing Examiner may, on the Examiner's own Order, or at the request of a party, hold a conference prior to the Hearing to consider:

- a. Identification, clarification, and simplification of the issues;
- b. Disclosure of witnesses to be called and exhibits to be presented;
- c. Motions; and
- d. Other matters deemed by the Hearing Examiner appropriate for the orderly and expeditious disposition of the proceedings.

2.7.2 Pre-Hearing conferences may be held by telephone conference call or remote meeting technology.

- 2.7.3 The Hearing Examiner must give written or oral notice to all parties of any pre-Hearing conference.
- 2.7.4 All Parties of Record have the right to be represented at any pre-Hearing conference. Representation is not required.
- 2.7.5 Following the pre-Hearing conference, the Hearing Examiner may issue an Order reciting the actions taken or ruling on Motions made at the conference that will be controlling on all participants.
- 2.7.6 At the Hearing the Hearing Examiner will develop for the Record the time, purpose, and result of the conference. If any Orders have been issued, they will be part of the Record.
- 2.7.7 In the event that a pre-Hearing conference is not held, the Hearing Examiner may issue a pre-Hearing Order with procedural information including identification of the parties; date and time of the Hearing Appeal; issues identified in the appeal statement; a request and date for submission of lists of witnesses and documents; cross-examination of witnesses; and an order of presentation.
- 2.7.8 Pre-Hearing Orders may not be appealed until the Hearing Examiner issues an appeal decision.

SECTION 2.8: WITHDRAWAL

- 2.8.1 Only the Appellant may withdraw an appeal.
- 2.8.2 Where an appeal is made by several Persons, a group, organization, corporation, or other entity, withdrawal must be made by a Person designated as the party representative (see 2.9).
- 2.8.3 An Appellant's Request to Withdraw must be granted as a matter of right and the appeal dismissed.

SECTION 2.9: PARTY REPRESENTATIVE

When a party consists of more than one individual, or is a group, organization, corporation, or other entity, the party must designate an individual to be its representative and inform the Hearing Examiner's office of the name, address, email address, and telephone number of the designated representative. The rights of such an Appellant must be exercised by the Person designated as the party representative. Notice or other communication to the party representative is considered to be notice or communication to party.

SECTION 2.10: PARTIES' RIGHTS AND RESPONSIBILITIES

- 2.10.1 Attorney not Required
Although Appellants and Applicants have the right to be represented by an attorney, representation by an attorney is not required.
- 2.10.2 Party Representative

Where a party has designated a representative, the representative must exercise the rights of the party.

2.10.3 Civility Expected

Parties, witnesses, and observers must conduct themselves with civility and deal courteously with all who participate in the proceedings. Failure to do so will result in removal from the Hearing at the discretion of the Hearing Examiner.

SECTION 2.11: CONTINUANCES

2.11.1 Hearing Examiner

If the Hearing Examiner finds that more information is necessary in order to make a decision or recommendation, the Hearing may be continued to a specified date. If the Hearing is continued and the Hearing Examiner publicly announces the specific date, time, and place before adjournment, no further notice of the Hearing need be given. Continuances must be consistent with the provisions of the AMC but will normally be granted for a period of no longer than 30 Calendar Days.

2.11.2 At the Request of a Party or Parties

Any Party of Record may request continuance of a Hearing.

- a. The request, if made before the Hearing, must be in writing and state reasonable grounds for a continuance.
- b. The request for continuance must be submitted to the Hearing Examiner and all Parties of Record a minimum of 14 Calendar Days before the date of the Hearing. Other parties may submit a response to the request for continuance a minimum of 7 Calendar Days before the date of Hearing.
- c. The parties may submit a joint request for continuance to the Hearing Examiner a minimum of three Business Days before the date of the Hearing.
- d. More than one request for continuance per party is disfavored.
- e. If the request is made orally at the Hearing it must be based on reasonable grounds.
- f. The Hearing Examiner has discretion to grant or deny the request for continuance.

SECTION 2.12: DEFAULT

The Hearing Examiner may dismiss an appeal by an Order of Default where the Appellant, without good cause, fails to appear or is unprepared to proceed at a scheduled and properly noticed Hearing.

SECTION 2.13: HEARING FORMAT

2.13.1 Appeal Hearings, although generally informal in nature, will have a structured format and be conducted in a manner deemed by the Hearing Examiner to make the relevant evidence most readily and efficiently available to the Hearing Examiner and to provide the parties a fair opportunity for Hearing.

2.13.2 The Order of an Appeal Hearing will generally be as follows:

- a. Hearing Examiner's introductory statement;
- b. Appellant's argument;

- c. Applicant's presentation;
- d. City's presentation;
- e. Rebuttal; and
- f. Closing argument of parties.

2.13.3 Notwithstanding the provisions of the AMC, the Order of Hearing may be modified or a different Order established as the Hearing Examiner deems necessary for a clear and fair presentation. The Order of the Hearing may also be modified as agreed upon by the parties, with the Hearing Examiner's approval.

2.13.4 The order of presentation at Hearing does not alter or shift any burden(s) or presumption(s) established by applicable law(s).

SECTION 2.14: HEARING EXAMINER DECISION

A decision of the Hearing Examiner on appeal must include, but not be limited to, a statement regarding the following:

- a. Background. The nature and background of the proceeding, including identification of party representatives participating in the Hearing, pre-Hearing determinations, and other similar information.
- b. Findings. The individual facts that the Hearing Examiner finds relevant, credible, and requisite to the decision, based on the Record of proceedings.
- c. Conclusions. Legal and factual conclusions based upon specific provisions of law and the findings of fact.
- d. Decision. The Hearing Examiner's decision as to outcome of the appeal (affirm wholly or in part, reverse, or modify the decision appealed) based upon a consideration of the whole Record and supported by substantial evidence in the Record.
- e. The Hearing Examiner will hear evidence from all affected parties and render a decision on the appeal within 10 Business Days of the close of the Hearing Record, unless a longer period is provided under the AMC or is mutually agreed to by the Parties and Hearing Examiner.

SECTION 2.15: RECORD

2.15.1 The Record of an appeal must include:

- a. The application or petition;
- b. The departmental Staff Reports;
- c. All evidence received, including oral testimony given at the Hearing, all exhibits, and other materials admitted as evidence;
- d. A statement of all matters officially noticed;
- e. A decision or a recommended decision containing the findings and conclusions of the Hearing Examiner;
- f. Recordings made on electronic equipment; and
- g. An environmental determination made pursuant to the State Environmental Policy Act of 1971 (SEPA) (if applicable).

2.15.2 The Hearing Examiner's administrative file on an appeal case may include other relevant information or materials that are not part of the evidentiary Record.

SECTION 2.16: CORRECTION OF CLERICAL ERRORS

Any Party of Record who participated at the Hearing may request at any time correction of a clerical error in the decision by notifying the Clerk to the Hearing Examiner of the error and proposed correction. The Hearing Examiner has discretion to issue a corrected decision. Such a corrected decision does not stay the effect of a decision or substance of the conclusions of the Hearing Examiner's decision.



City Council Agenda Bill

May 18, 2026

Action Type: Motion

Item: 5.f.

Title: Special Event: L Ave Block Party

Staff Contact(s): Stephanie Snyder

Approved for Submittal to Council by:

Stephanie Snyder

John Coleman

Summary: A neighborhood hosting a block party with road closures.

Budget Impact:

0

Previous Action: First time event

Recommended Motion: Approve

Alternative Actions:

Attachments (listed in order presented):

1. L Ave block party app
2. L Ave Block Party Map



Special Event Application Processing

Administrator reviews the application for completeness. Administrator contacts the applicant to obtain any missing information and updates the application accordingly, including a legible copy of the Indemnification Agreement if that was not provided. It is recommended that the Administrator also verify that the applicant has entered phone and email correctly! Administrator then sets the target City Council date and routes the application for review by department heads.

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

Application

Application Date *

Event Name *

Event Type

- Street Fair / Festival
- Athletic Event
- Parade
- Rally / Demonstration
- Filming
- Other identified in AMC 7.04.010

Applicant/Organization Name *

Mailing Address *

Event Contact Person *

Event Contact Email *

Event Contact Phone *

Event Website

Estimated Number of Participants/Attendees *

40

Event Description *

Simply an evening gathering/potluck intended for new and old neighbors to get to know each other.

Will food vendors participate in this event? *

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

Yes No

Date Event Starts *

5/29/2026



Time Event Starts *

4:30:00

PM ▾

Date Event Ends *

5/29/2026



Time Event Ends *

8:30:00

PM ▾

Does the event require a street closure? *

Yes

No

Date Street Closure Starts *

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

5/29/2026



Time Street Closure Starts *

4:30:00

PM ▾

Date Street Closure Ends *

5/29/2026



Time Street Closure Ends *

8:30:00

PM ▾

Event Location *

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

Along the long block of "L" Ave from 20th St. to 22nd St.

Parking Location

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

Not applicable

Event Map (optional)

Upload one or more maps of the event

Upload

L Ave Block Party Ma... 217.29KB



Indemnification Agreement*

Upload scan of SIGNED indemnification agreement

Upload

Block Party - L Ave.pdf 29.83MB



Download the Indemnification Agreement [here](#).

Signage

Street closure signs will be provided by the City of Anacortes. Applicants must contact City staff one week prior to the event to arrange sign delivery. Event sponsor personnel are responsible for placing street closure signs, which may not be posted more than 72 hours prior to the approved closure, must be removed immediately following the event, and must be returned to city staff the first business day following the event.

Insurance

The applicant is required to provide public liability insurance subject to the provisions of AMC 7.04.100 unless the applicant can demonstrate that the event meets an exemption in that section. Applicants will be notified following application approval of insurance requirements for the specific event.

Electronic Signature Agreement

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

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

Yes

Signature

Jeff Holtgeerts

Admin Review

Council Meeting Date*

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

5/18/2026

Staff Review Deadline*

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

5/11/2026

Administrator comments and conditions of approval

Insurance Certificate

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

Departmental Review

Building Department will provide the following services for this event:

Building Department concerns, objections, or conditions of approval *

Fire Department will provide the following services for this event:

Fire Department concerns, objections, or conditions of approval *

Legal Department concerns, objections, or conditions of approval *

Parks Department will provide the following services for this event:

Parks Department concerns, objections, or conditions of approval *

Police Department will provide the following services for this event:

Regular police patrols.

Police Department concerns, objections, or conditions of approval *

Road will need to be accessible to emergency vehicles.

Public Works Department will provide the following services for this event:

Public Works Department concerns, objections, or conditions of approval *

None

Departmental attachments

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

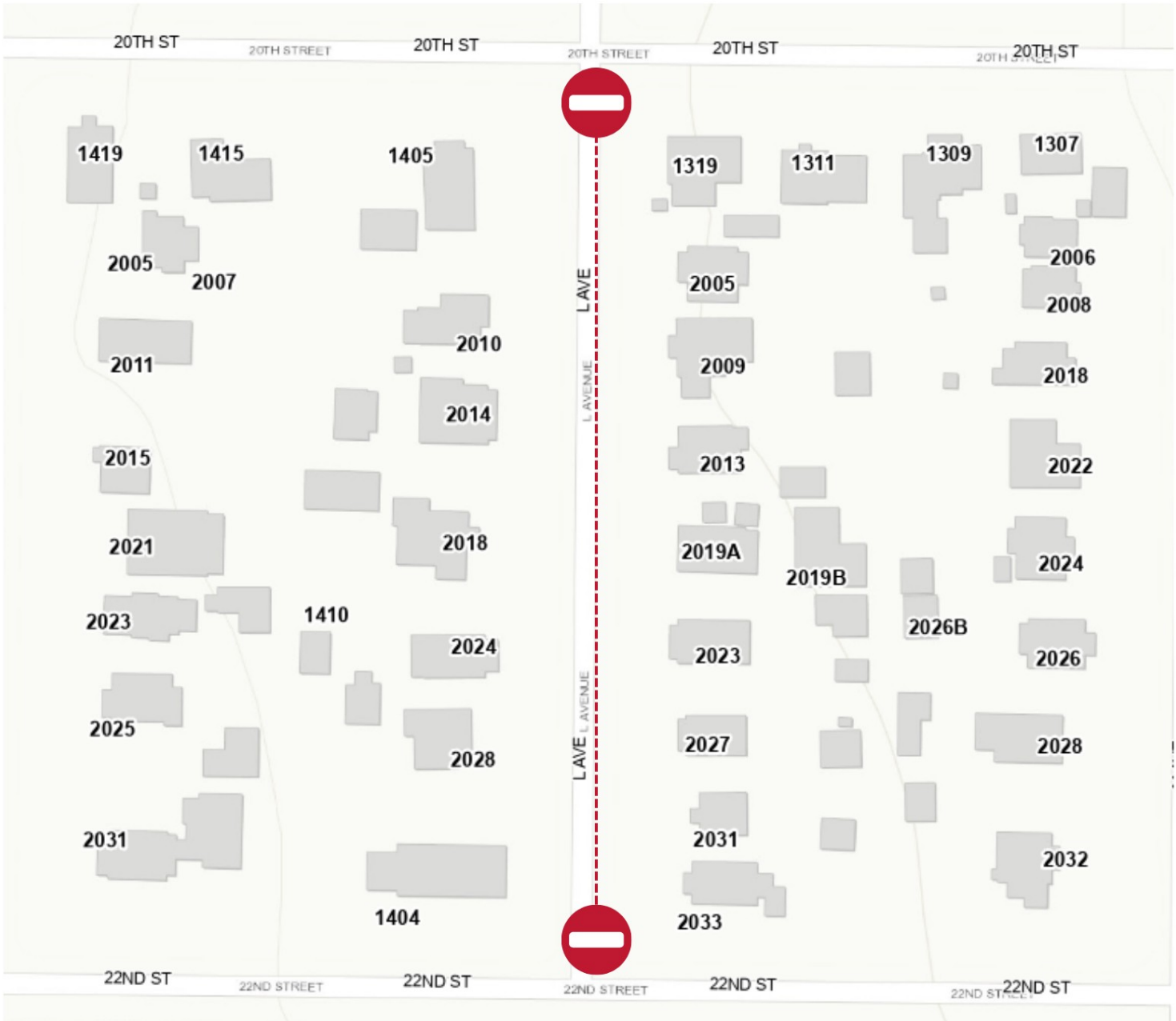
Upload

Comments

2000 characters left

Staff Review Complete

L Avenue Neighborhood Block Party May 29, 2026



22nd and 20th Streets to remain open to traffic



City Council Agenda Bill

May 18, 2026

Action Type: Staff Report

Item: 6.a.

Title: Fleet Utilization Report Summary

Staff Contact(s): Wil Ludemann, Logan Lee

Approved for Submittal to Council by:

Wil Ludemann

Logan Lee

Summary: In response to Executive Order 2026-01 Public Works Fleet services, in coordination with the Finance Department, completed a report giving an overview of the utilization of the City's light duty fleet. We will present a summary of the report that was previously provided to the City Council and take any questions or guidance the council would like to provide.

Budget Impact:

Previous Action: Executive Order 2026-01 Requirement

Recommended Motion:

Alternative Actions:

Attachments (listed in order presented):

1. 2026 Fleet Utilization Overview
2. Fleet Report Presentation 5-18-26



City of Anacortes

Light-Duty Fleet Optimization Review

Prepared by WiL Ludemann-Public Works Operations Manager

Executive Summary

This review was conducted in response to Executive Order 2026-01 and provides an evaluation of the City of Anacortes' light-duty vehicle fleet. The purpose of the review was to assess current vehicle deployment, assignment practices, procurement processes, and overall fleet composition in order to identify opportunities to improve operational efficiency, cost effectiveness, and asset utilization while maintaining service delivery, workforce effectiveness, and public safety standards.

At the time of this review, the City operates approximately 103 vehicles in support of roughly 226 permanent employees and approximately 24 seasonal staff. Vehicle needs vary significantly across departments and divisions, ranging from full-time daily use to intermittent or occasional use for training, inspections, or special assignments. The City's responsibility is to maintain an appropriate number and type of vehicles to meet these varied operational needs while avoiding unnecessary excess capacity.

This review was meant to examine and identify:

- How vehicles are used across departments.
- Whether fleet size and composition align with operational needs.
- Whether existing fleet management practices appropriately balance fiscal stewardship with service requirements.
- Potential operational or policy adjustments that could improve fleet efficiency.

Key findings include:

- The City operates approximately 103 vehicles to support a diverse workforce with highly variable operational needs.
- Through this review, the fleet was reduced by two vehicles.
- Mileage alone is not a sufficient measure of vehicle utilization; duty type and operational context must also be considered.
- Fleet management practices prioritize right-sizing, vehicle standardization, and lifecycle management.
- Government procurement programs consistently provide vehicles below retail pricing; however, advance planning is necessary to take full advantage of these opportunities.
- Strategic retention and repurposing of vehicles help accommodate seasonal demand without permanently increasing fleet size.
- When deployed appropriately, electric vehicles significantly reduce operating costs and maintenance labor.
- Expanded vehicle pooling has improved utilization and contributed to reductions in overall fleet size.
- A recent change in the City’s insurance strategy has the potential to save approximately \$45,000 annually.
- Department-level reviews identified opportunities to remove underutilized vehicles while maintaining service delivery.

Some adjustments identified during the review were straightforward and were implemented during the evaluation process; these changes are documented within this report.

Overall, the review identified opportunities for incremental improvements rather than systemic deficiencies. The implemented changes and recommended adjustments position the City to continue operating a right-sized, efficient, and cost-effective fleet aligned with fleet management priorities. These findings are presented for consideration and potential policy direction by City leadership.

An automotive fleet inventory list (Appendix A) provides detailed information on each unit for review.

Fleet Evaluation Framework

Vehicle Utilization

Vehicle mileage alone is not a reliable indicator of utilization in Anacortes due to the City’s compact and isolated geographic area. Employees may use vehicles extensively throughout the day while

accumulating relatively low mileage. Therefore, utilization assessments must consider the nature of work performed, time in service, and operational necessity at the departmental level rather than relying solely on mileage metrics.

Right-Sizing and Vehicle Type

Effective fleet management requires both the correct number of vehicles and the correct vehicle size/type for each task. Aligning vehicle capabilities (e.g., pickup trucks, vans, passenger cars) with actual job requirements improves efficiency, reduces operating costs, and avoids unnecessary capital investment.

Standardization

Vehicle make and model standardization remains a key strategy for controlling costs and improving operational efficiency. Standardization reduces maintenance and repair costs, simplifies parts inventories, improves vendor familiarity and relationships, and enhances driver comfort and familiarity. A standardized fleet also presents a consistent and professional appearance to the public.

Replacement Lifecycle Management

The City utilizes replacement lifecycles as a financial planning tool to ensure sufficient funds are available for vehicle replacement at the end of a unit's planned service life. Lifecycles are no longer determined solely by vehicle type; instead, they are tailored based on departmental use, severity of duty, and historical performance. This approach has allowed the city to extend the service life of many vehicles, resulting in cost savings over the years. Replacement lifecycles are not guarantees of replacement but planning benchmarks that are continually reevaluated based on vehicle condition and operational need. While extending lifecycles can create frustration among end users excited about new vehicles, fleet staff's detailed knowledge of vehicle condition enables informed decisions that maximize value to the City.

Two primary constraints affect extended lifecycles:

- **Parts Availability:** Manufacturers increasingly discontinue replacement parts earlier in a vehicle's life. In some cases, critical parts may become unavailable within six to ten years.
- **Rising Component Costs:** Major component replacements can exceed a vehicle's remaining value much earlier in their life than they used to, making repair economically impractical at times.

Each situation is evaluated on a case-by-case basis.

Vehicle Procurement

The City benefits from government purchasing power through Washington State contracts and cooperative purchasing programs such as Sourcewell and HGAC. These programs consistently provide pricing below retail market rates. Fleet vehicles are typically purchased with fewer options, further reducing costs.

However, these procurement methods require advance planning, as vehicles are often built to order with delivery timelines of six to nine months. As a result, replacement decisions must be proactive rather than reactive.

A recent example illustrates our purchasing advantages: a Ford Lightning electric pickup purchased for the Parks Department was acquired in 2024 for approximately \$55,000—significantly less than the perceived retail cost and about equivalent to the price of a comparable half-ton gasoline pickup.

Fleet Growth and Retained Vehicles

All vehicle purchases, whether replacements or additions, require City Council approval through either the operating budget or the Capital Facilities Plan. Staff clearly identify in the contract process whether the proposed purchase is a replacement or an addition and whether the replaced unit will be retained or surplus.

In limited circumstances, replaced vehicles are temporarily retained to meet short-term needs such as use by seasonal employees. These vehicles do not accrue replacement funds and are not intended to permanently increase fleet size. Department heads are expected to submit requests for additional vehicles in upcoming CFP cycles if they have a long-term operational need. Proactive planning will help prevent departments from retaining vehicles beyond their useful life and will support lower overall maintenance costs. At the time of this review, six retained vehicles remain in service and are identified in Appendix A.

Electric Vehicles (EVs)

The city has integrated electric vehicles into appropriate roles within the fleet, including four Chevrolet Bolt vehicles used in administrative and pooled functions and one Ford Lightning pickup in Parks maintenance. Purchase prices proved to be comparable to non-electric alternatives; cost savings are realized primarily through reduced maintenance and fuel costs.

Estimated maintenance and fuel cost per mile:

- Gasoline half-ton pickup: ~\$0.50/mile
- Electric half-ton pickup: ~\$0.16/mile
- Gasoline small suv: ~\$0.29/mile
- Chevrolet Bolt EV: ~\$0.11/mile
(Electricity rate avg of \$.14/KWH used in calculations)

While EVs offer clear financial and labor savings, adoption requires careful consideration of vehicle duty cycle, staff acceptance, and charging infrastructure costs.

Administrative and Pooled Vehicles

The city maintains a limited number of administrative vehicles and prioritizes working vehicles. Most administrative travel is supported through pooled vehicles or personal vehicle use.

Vehicle pooling is a proven strategy for reducing fleet size and improving utilization. The City was able to improve our pool because of this review. The following is an overview of pool opportunities.

- City Hall will maintain five reservable pool vehicles.
- Operations will maintain a pool of one pickup and one flatbed. That are available city wide but are pooled heavily within Operations.
- Opportunities may exist for expanded pooling were identified but may be constrained by tool storage and logistical needs of departments.
- Police vehicle pooling will be evaluated separately due to its operational complexity.

Seasonal Staffing Considerations

Approximately 24 seasonal employees are hired annually, some of whom require full-time vehicle access. Departments typically absorb this demand by pooling within their department with existing units. When feasible, replaced vehicles awaiting surplus are temporarily retained for the season to support seasonal needs, allowing the city to operate a leaner permanent fleet.

Vehicle Insurance

Rising comprehensive insurance deductibles and premiums prompted a review of coverage options. In 2025 the City transitioned comprehensive coverage to WCIA, aligning it with existing liability coverage. This approach includes partial self-insurance with a \$25,000 deductible and results in approximately \$45,000 in annual savings as well as unrealized staff labor time saved not working with 2 different insurance companies. Savings are reserved to offset deductibles and repair costs below the higher deductible threshold.

Departmental Fleet Findings

A department-by-department review (appendix A) resulted in several targeted adjustments, including:

- Reassignment of underutilized vehicles to pooled use.
- Identification and removal of vehicles with minimal operational value.
- Repurposing vehicles to better align with departmental needs.
- Reduction of fleet size through surplus where appropriate.

During this fleet review, the following vehicles were identified as underutilized in their current roles, and the following changes were implemented as part of this report.

- #163 – Ford Escape
 - Executive vehicle reallocated to pool vehicle
 - Mayor Walters asked to put the existing executive pool vehicle into the general city hall pool.
- #164 -Ford Escape
 - Moved from Building Department to city hall pool
 - Due to reduction in staff vehicle was underutilized, it may be moved back if staffing levels increase in the future.

- #218 - Ford Expedition
 - IT vehicle was sent to surplus auction
 - Due to underutilization.
- #130A - Ford Transit Van
 - Engineering van was transferred to facilities.
 - Due to reductions in staff and underutilization.
- #128 - Chevy Silverado
 - Facilities sent to surplus auction
 - Due to receiving van from engineering
- #207- Chevy Silverado
 - Underutilized due to staff reductions and was moved from AFD to APD for detective use.
- #174-Chevy Silverado
 - ½ ton Pickup in Solid waste will be made available for pooling/ loaning for sporadic short-term needs.

Anacortes Police Department Patrol Fleet Utilization Review

The APD is home to the largest and most specialized light duty vehicle fleet in the city. The APD fleet includes vehicles for admin, detective, patrol and various other staff positions.

- The APD detective vehicles are by department policy eligible to be taken home off island due to the nature of their work in county-wide task forces. These vehicles are included in the General fleet review above.
- The APD patrol and SRO (school resource officer) vehicles were pulled out of the general fleet review due to the specific needs and duty they perform. There are 25 FTE that cover Patrol and SRO positions.

Police departments use a variety of different models of vehicle deployment to suit their needs and budgets. This review will compare 3 models of police fleet deployment. Each police fleet deployment model explored presents distinct operational, financial, and organizational trade-offs.

1. The current **assigned** vehicle system offers accountability and local control but results in an older, asset-heavy fleet and some parking and storage issues. This model remains the most cost-effective model.
2. A **pooled** vehicle model emphasizes efficiency, reduced fleet size, and improved technology alignment, while potentially negatively impacting morale and surge capacity.
3. A **take-home** vehicle program may improve morale and recruitment but carries the highest cost and weakest public benefit.

Annual Police Patrol Fleet Program Expense Estimates

Program Type	Lifecycle	Annual Mileage	Annual Op Costs	Repl Costs/Year	IT Charges/Year	Total Vehicle Cost/year
Assigned (25 Units) (current)	12	177,912	\$143,771	\$374,136	\$70,000	\$587,907
Pool Units (16 units)	6	177,912	\$141,971	\$418,126	\$44,800	\$604,897
Take Home (25 Units) (30mi)	10	272,992	\$217,934	\$489,320	\$70,000	\$777,254

Estimates include: Fuel and maintenance costs, replacement charges insurance and 1 MDT per car including all IT licenses/charges. Distance calculations based on individual officers' actual commuting mileage or 30 miles whichever is less.

Police Fleet Deployment Models

1. Assigned Patrol Vehicles (Current Model)

Under this model, each patrol and school resource officer (25) is assigned to a dedicated vehicle. Vehicles remain primarily within Anacortes and are typically parked at the station when not in use, unless the officer lives on Fidalgo Island and can then take it home.

Advantages

- Clear single-user accountability for vehicle condition, damage, and cleanliness.
- Vehicles remain local, making maintenance and repairs easier to schedule—even on officers' days off.
- Some neighborhood visibility within Anacortes.
- Minimal additional fuel costs, as take-home use is limited and commuting mileage is negligible.

Disadvantages

- Requires the City to own and maintain a large number of vehicles.
- Low annual mileage extends vehicle lifecycles, resulting in:
 - Older vehicles remain in service (including units from 2013).
 - Inconsistent models across the fleet due to model changes across the years.
 - Manufacturer warranties are expiring due to age rather than mileage.
 - Increased costs when vehicles must be refitted for new police technologies (e.g., radios etc.).
- Requires significant parking and storage capacity at the police station and maintenance facilities.
- Higher total number of assets for Fleet Services to insure, track and maintain.
- Increased number of laptops/MDT (\$2,8000/yr/MDT) and police radios for IT and fleet to support.

2. Pooled Patrol Vehicles

In a pooled fleet model, patrol vehicles are shared between officers across shifts. Assuming current staffing and 8.5hr shift schedule, according to our Police Chief if directed to use a pooled model APD could operate with approximately 2/3rds (16) the number of units currently required under the assigned model. This would give us units to cover holdover shifts, overtime shifts, special events and maintenance.

Advantages

- Strong public optics due to reduced fleet size and perceived efficiency.
- Approximately 33% fewer patrol vehicles owned and maintained by the city.
- Fewer assets for Fleet Services to track, insure, and repair.
- Reduced demand for parking and vehicle storage.
- More effective use of manufacturer warranties due to higher mileage accumulation in warranty period.
- Shorter replacement cycles, resulting in newer, more technologically current vehicles. (this will come at a cost)
- Reduced number of laptops and associated IT support requirements.
- All fuel usage directly supports City operations rather than employee commuting.

Disadvantages

- No single-user accountability for vehicle damage, cleanliness, or maintenance issues.
- No neighborhood or residential visibility of patrol vehicles.
- Higher procurement costs due to more frequent vehicle replacement.
- Potential negative impact on officer morale.
- Limited surge capacity, as the number of vehicles caps the number of officers who can work simultaneously during major incidents, emergencies or shift holdovers.
- Increased maintenance and fuel costs per vehicle but applied to a smaller total fleet
- Potential need to bargain impacts with the union if the change affects working conditions, established past practices, or on-island take-home vehicle privileges.

3. Take-Home Vehicles

In a take-home vehicle model, each patrol officer is assigned a vehicle and is permitted to commute home beyond Fidalgo Island. Some agencies impose distance caps (e.g., 30 miles and/or in county) or charge officers a per/mile rate for commuting mileage to offset fuel and maintenance costs. We will look at the 30-mile cap for our example.

Advantages

- Clear single-user accountability for vehicle condition and maintenance.
- Increased officer morale and recruitment/retention benefits.
- Some neighborhood presence, though primarily in communities outside Anacortes.
- Shorter vehicle lifecycles due to higher mileage, resulting in newer vehicles. (comes at a cost)

Disadvantages

- Significantly increased mileage without corresponding benefit to Anacortes residents.
- More miles driven equate to higher rate of accidents.
- Fuel and maintenance costs would double as compared to the current program.
- Vehicles would need to be replaced twice as often.
- Requires the City to own and maintain the largest number of vehicles.
- Requires the largest number of backup and spare vehicles to maintain operational readiness.
- Substantially increased workload for Fleet Services, potentially requiring additional staffing.
- Increased number of laptops and mobile equipment for IT to manage (\$2,800/yr/MDT).
- Poor public optics due to subsidized commuting and out-of-city vehicle use.
- It is more difficult to schedule maintenance and respond to breakdowns, often requiring out-of-town service calls.
- In the event of a large-scale emergency, most of our patrol units would be off island and not readily available.

Conclusion

Based on the findings of this review, the current assigned vehicle model is the most cost effective. The pool model which has long been assumed to be a cost savings proves to not be the case due primarily to the expense of new vehicle turnover. The outlier is the take-home model which appears to have little upside for the city and is the most expensive model to meet operational needs due to the cost of fuel and maintenance increase resulting from off island commuting. These findings are intended to inform policy makers as they consider future fleet investments, budget priorities, and long-term operational sustainability for the Anacortes Police Department.

Appendix A Departmental Fleet Review

Department	Staffing (FTE / Seasonal)	Vehicles Assigned	Key Use / Notes	Review Outcome / Action
Building, Planning & Economic Development	8 FTE	2 vehicles (1 EV)	FTE Reduction from 2 building inspectors to 1	One vehicle moved to City Hall pool: department to rely more on pool. Vehicle may return if inspector position is restored.
Engineering	5 FTE	5 vehicles	4 techs perform field work; 1 retained van underutilized	Underused retained van removed from department; pooling is not likely feasible due to tools and storage constraints.
Facility Maintenance	4 FTE	4 vehicles	Independent work citywide; tools carried onboard	24-year-old retained pickup replaced with removed Engineering van; fleet reduced by 1 vehicle.
Access Fiber	7 FTE	5 vehicles	Vehicles support distinct functions; 3 retained from startup phase	No changes recommended; vehicles appropriately utilized for field staff functions.
Fire Department	Command & specialty staff	5 vehicles	Command, Battalion Chief, and Community Paramedic	One unoccupied command vehicle (207A) identified due to reduction in command staff; options were to stop replacement funding (\$7,800/year) and/or surplus or repurpose. Truck will be repurposed to Police detective role.
Information Systems (IT)	5.5 FTE	3 vehicles	2 retained vehicles; SUV #218 underutilized	Vehicle #218 was sold as surplus; fleet was reduced by 1 vehicle. Pooling the IT fleet with the city hall pool was discussed but the department feels it could hamper their response for service, but it does appear that it could be a consideration.

Parks – ACFL	1 FTE / 2 seasonal	1 pickup + UTV	Trail and forest land maintenance	No underutilization or inefficiencies identified.
Parks – Washington Park	1 FTE / 4 seasonal	1 vehicle + UTV	Grounds maintenance	No underutilization or inefficiencies identified.
Parks – Recreation	2 FTE	1 cargo van	Recreation equipment transport	No underutilization or inefficiencies identified.
Parks – Maintenance	6 FTE / 5 seasonal	7 trucks	Daily maintenance operations	No underutilization or inefficiencies identified.
Police – Command	3 FTE	3 vehicles	Assigned command vehicles	No underutilization or inefficiencies identified.
Police – Animal Control / Code / CSO	2.5 FTE	4 vehicles	Includes radar sign vehicle; 2 retained	No immediate change; radar sign vehicle excluded from maintenance cycle.
Police – Citizen Patrol	Volunteers	2 vehicles	Volunteer operations	No underutilization or inefficiencies identified.
Police – Detectives	3 FTE	3 vehicles	1 retained vehicle	No underutilization or inefficiencies identified. Current Off-Island take home.
Police – K9	1 FTE	2 vehicles	Includes spare/backup	Backup unit, sees limited use.
Police – Patrol	25 FTE	26 vehicles (+3 on order)	Frontline patrol operations, 3 retained	Assigned patrol vehicle program under separate review.
Fleet Services – Maintenance	4 FTE	2 trucks	Mobile repair and support	No underutilization or inefficiencies identified.
Fleet Services – Pool	N/A	5 pool vehicles	City Hall pool (1 retained)	Pool expanded and formalized.
Solid Waste	6	1 pickup	Department work, Errands, deliveries, loaner	Serves a pool function when needed.

Water System (Admin)	1 FTE	1 EV	Water System Manager Administrative use	No underutilization or inefficiencies identified.
Water Distribution	9 FTE / 2 seasonal	8 vehicles	Utility trucks, meter reading, quality testing, pickups	No underutilization or inefficiencies identified.
Water Treatment Plant (WTP)	13 FTE / 2 seasonal	4 pickups	Shift-based operations	No underutilization or inefficiencies identified.
Wastewater Treatment Plant (WWTP)	14 FTE / 2 seasonal	3 vehicles	Crane truck and utility trucks	No underutilization or inefficiencies identified.
Street, Storm & Sewer (Supervisor)	1 FTE	1 truck	Supervisory duties	No underutilization or inefficiencies identified.
Street / ROW Maintenance	5 FTE / 2 seasonal	2 trucks	Maintenance operations	No underutilization or inefficiencies identified.
Sewer & Storm Maintenance	5 FTE	3 trucks	Utility operations	No underutilization or inefficiencies identified.



Light Duty Fleet Utilization Review



Purpose and Goal

The Intent of this study was to:

- Respond to Executive order 2026-01
- Evaluate efficiency, cost, and utilization of the City's fleet
- Consolidate vehicles where possible
- Ensure responsible use of public funds
- Inform future policy direction

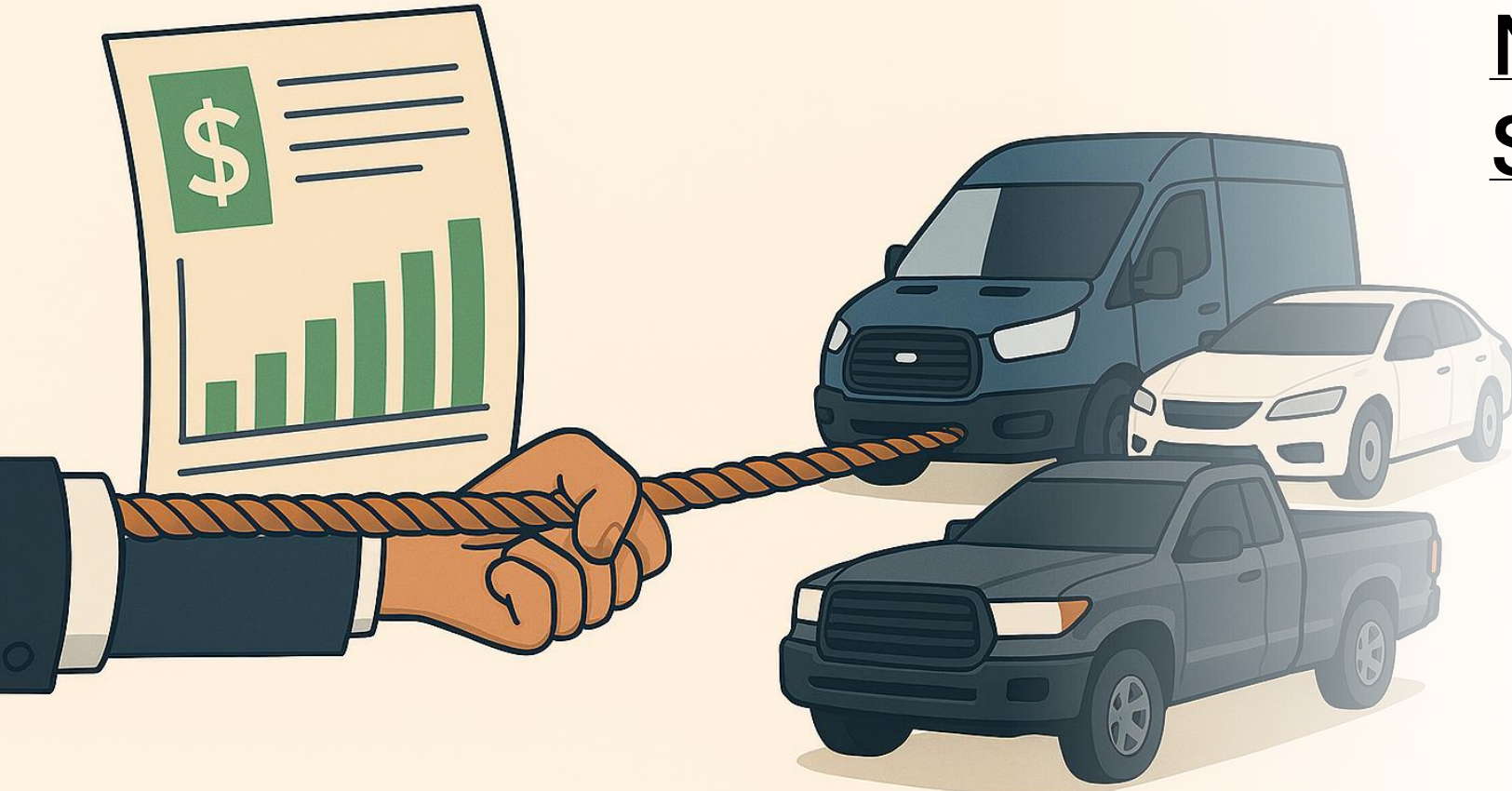


Fleet Overview



- Fleet Staff Includes:
 - 1 Fleet Supervisor
 - 2 Equipment Mechanics (down from 3 due to budget cuts)
 - 1 Service mechanic
- Centralized procurement, maintenance and repair of all 420 pieces of equipment including the 103 Light Duty Vehicles included in this report
- Support the equipment needs of City's 226 Staff + 24 seasonal staff
- Equipment has vastly different uses across the diverse divisions of the City.
- Fleet Services goal is to provide cost effective fleet management through in-house repair and maintenance and right-sizing the fleet.

Fleet Management Strategies in Use



Cost effective procurement practices:

- Right-sizing and vehicle/use fit
- Standardization among the fleet reduces maintenance costs
- Manual lifecycle planning extends vehicle life and saves money
- Strategic temporary retention of surplus vehicles serve a purpose for seasonal demand



Police Patrol Fleet Review

The APD is home to the largest and most specialized light duty vehicle fleet in the city. The APD fleet includes vehicles for admin, detectives, and various other staff positions that were included in the City-wide review.

The APD Patrol fleet was pulled out and reviewed separately due to use and assignment characteristics.



Patrol Car Deployment Models

Assigned (Current)

Offers accountability and local control but results in a somewhat older, more asset heavy fleet with some parking and storage issues.

This current model shows itself as the most cost-effective of the 3 explored.

Pooled

1/3 fewer vehicles than the current model but higher and more frequent replacement, maintenance and repair costs.

Emphasizes efficiency and new technology by staying more current but has negative impacts on morale and surge capacity.

Take-Home

May improve morale and recruitment but carries the highest cost and weakest public benefit.

This Model appears to be the most expensive and provides the least public benefit. Will also require more fleet staff.

This model nearly doubles our annual mileage. The effect of fuel prices rising will really increase these costs.



Annual Police Patrol Fleet Program Expense Estimates

ProgramType	Lifecycle	Annual Mileage	Annual Op Costs	Repl Costs/Year	IT Charges/Year	Total Vehicle Cost/year
Assigned (25 Units) (current)	12	177,912	\$143,771	\$374,136	\$70,000	\$587,907
Pool Units (16 units)	6	177,912	\$141,971	\$418,126	\$44,800	\$604,897
Take Home (25 Units) (30mi)	10	272,992	\$217,934	\$489,320	\$70,000	\$777,254

*Estimates include Fuel and maintenance costs, fleet replacement charges, insurance and 1 laptop per car including all IT licenses/charges. Distance calculations based on individual officers' actual commuting mileage or a 30-miles whichever is less.



Actions Taken



Reallocated 3 underused vehicles, to the City shared pool increasing availability



Removed 2 units with low operational value and surplussed them



Assesed needs and repurposed 2 underutilized vehicles across departments



Moving forward we will focus on finding more incremental improvements as we did not discover any major deficiencies



Key Take-aways

- The vehicle fleet is generally right-sized and well managed
- Optics/perception don't show the true story of vehicle usage
- Minor reductions were identified and have since been completed
- Pooling vehicles can be effective but not always viable depending on the type of work performed
- EV adoption has been effective and saves money but needs to be evaluated on case-by-case basis
- Change in auto insurance is saving ~\$45,000 annually
- Opportunities for improved efficiency are incremental
- Current police model is the most cost-effective
- Focus on efficiency and planning will be ongoing



Conclusion

These findings are intended to inform policy makers as they consider future fleet investments, budget priorities, and long-term operational sustainability for the City of Anacortes.

We are open to take questions, direction or input on fleet policies, future priorities and or concerns.

Thanks!



City Council Agenda Bill

May 18, 2026

Action Type: Contract Award

Item: 6.b.

Title: Interlocal Agreement #26-042-AFD-002 with Skagit County for Behavioral Health Grant Administration

Staff Contact(s): Mannix McDonnell, Steve Monrad

Approved for Submittal to Council by:

Tiffany Matson
Mannix McDonnell

Summary:

City staff seeks approval to execute Interlocal Cooperative Agreement 26-042-AFD-002 with Skagit County for the Administration of the Behavioral Health Grant. The purpose of this Interlocal Agreement is to identify roles and responsibilities in administering the BH CORE (Behavioral Health Co-Response and Education) grant that the City received from the University of Washington to support the health needs of underserved residents of Skagit County.

Background: The BH CORE grant is funded by State of Washington and administered by the University of Washington. The grant funding supports fire departments and emergency responders in integrating behavioral health services into crisis response systems. The program strengthens the integration of behavioral health into emergency services, enhances training and support for first responders, and fosters a network of agencies sharing knowledge and best practices to improve response and community mental health services. Through contract #[26-042-AFD-001](#) the City will receive a maximum of \$270,000.

Key Terms:

- The City will reimburse the County up to \$192,291 for a motel respite program through the Mount Vernon integrated Outreach Services (iOS) program, and co-response programs supporting the cities of Burlington, and Sedro-Wolley.
- The term of this Agreement shall be from execution through June 30, 2027.

Budget Impact:

Public Entity	Skagit County
Agreement Amount	\$192,291
BARS #	001.320.525.60.41
Budget Amendment Required?	No
Start Date	Execution
End Date	6/30/2027

Previous Action: N/A

Recommended Motion:

I move that City Council authorize the Mayor to execute Interlocal Cooperative Agreement #26-042-AFD-002 between the City of Anacortes and Skagit County.

Alternative Actions: Not approve the interlocal.

Attachments (listed in order presented):

1. Behavioral Health Co-Response and Education Grant - Overview and Interlocal Cooperative Agreement (City Council 5-18-2026)
2. 26-042-AFD-002

BH CORE Grant (Behavioral Health CO-Response & Education)

Overview and Interlocal Cooperative Agreement City of Anacortes & Skagit County

Purpose of the Grant

The University of Washington has awarded a BH CORE (Behavioral Health—Community-Oriented, Responder-Education) grant to strengthen both co-response and independent response programs across Skagit County. These programs focus on underserved community members who have unmet medical, behavioral health, or social service needs.

This Interlocal Cooperative Agreement outlines how the City of Anacortes and Skagit County will collaborate to deliver these services, improve outcomes, and meet grant milestones.

Key Goals of the BH CORE Grant

- Sustain and enhance the Anacortes Community Paramedic Program.
 - Fund the Anacortes Family Center’s Community Navigator/Social Worker Program.
 - Support a County-operated motel respite program for individuals with medical needs who cannot safely recover in shelters or outdoors.
 - Expand behavioral health co-response capacity for Anacortes, Burlington, and Sedro-Woolley.
 - Strengthen mobile integrated care programs across Skagit County.
-

Roles and Responsibilities

City of Anacortes Responsibilities

- Serve as the contracting agency with the University of Washington and administer the BH CORE grant.
- Prepare all required grant reports and submit billings.
- Contract with Anacortes Family Center to operate the Community Navigator/Social Work program.
- Operate the Anacortes Community Paramedic Program to support residents needing follow-up care, resource coordination, or assistance after first responder contact.

Skagit County Responsibilities

- Contract with the City of Mount Vernon to provide a motel respite program through the iOS (integrated Outreach Services) team.
- Provide Co-Response Mental Health Professionals (MHPs), as staffing allows, to support behavioral health and crisis response in Anacortes, Burlington, and Sedro-Woolley.
- Contract with Burlington and Sedro-Woolley to operate their Mobile Integrated Care Programs.
- Provide required data and reporting for BH CORE grant deliverables.

Program Funding & Reimbursements

The City reimburses the County for services delivered under the grant, up to:

- **\$16,875** – Motel respite program (Mount Vernon iOS)
- **\$175,416** – County-led co-response and mobile integrated care efforts serving Burlington and Sedro-Woolley
 - Co-response MHPs
 - Mobile Integrated Care Programs
 - Distribution of these funds is determined by the County based on program activity and grant requirements.

If the University of Washington reduces grant payments, reimbursements will be proportionally reduced.

Administrative Points

- Agreement runs through **June 30, 2027**.
- Program leads:
 - **County:** Public Health Director Monica Negrila
 - **City:** Anacortes Fire Chief
- No joint acquisition of assets or property.
- Either party may terminate the agreement with 30 days' notice.

Why This Matters for Anacortes

The BH CORE Grant strengthens local and regional response systems for residents experiencing medical, behavioral health, or social crises. For Anacortes, the grant:

- Stabilizes funding for the Community Paramedic Program.
- Supports a dedicated social worker/navigator to reduce recidivism and improve long-term outcomes.
- Leverages county resources to expand behavioral health support for first responders.
- Enhances coordination across city and county agencies to better serve vulnerable residents.

Thank you for your continued support for the Anacortes Fire Department.

INTERLOCAL COOPERATIVE AGREEMENT
BETWEEN
THE CITY OF ANACORTES
AND
SKAGIT COUNTY

THIS AGREEMENT is made and entered into by and between the City of Anacortes ("City") and Skagit County, Washington ("County") pursuant to the authority granted by Chapter 39.34 RCW, INTERLOCAL COOPERATION ACT.

1. PURPOSE: The University of Washington has funded a BH CORE grant ("the Grant") to the City of Anacortes, through agreement COA #26-042-AFD-001, to support a collaborative project to improve co-response and independent response programs in Skagit County. The purpose of this Interlocal Cooperative agreement is to provide funding to establish the co-response program and identify roles and responsibilities in administering the Grant to support the health needs of underserved residents of Skagit County through enhanced independent and first responder co-response programs, including:

- a. Providing sustainability for the City of Anacortes Community Paramedic and Anacortes Family Center Community Navigator/Social Work Program;
- b. Supporting the medical needs of underserved residents of Skagit County through a motel respite program operated by the Mount Vernon integrated Outreach Services (iOS) program; and
- c. Supporting the behavioral health needs of the Skagit County residents, in partnership with the Cities of Anacortes, Burlington and Sedro-Woolley Fire Departments, by providing additional Co-response mental health provider (MHP) staffing and a Mobile Integrated Care Program.

2. CITY RESPONSIBILITIES:

- a. The City will contract with the University of Washington and administer the Grant with the University of Washington, including compiling required reports and grant billings.
- b. The City will contract with Anacortes Family Center to provide a Community Navigator/Social Worker Program
- c. The City will deliver a Community Paramedic program to serve community members in need of follow-up, care coordination, or who are encountering first responders with unmet needs.

3. COUNTY RESPONSIBILITIES

- a. The County will contract with the City of Mount Vernon to provide a motel respite program through its iOS program.
- b. The County will make Co-response Mental Health Professionals available, as staffing and schedules allow, to support the needs of residents in the cities of Anacortes, Burlington and Sedro-Woolley who are in crisis, have unmet behavioral health needs, and are encountering first responders.
- c. The County will contract with the City of Burlington and Sedro-Woolley Mobile Integrated Care Program to serve community members in need of follow-up, care coordination, or who are encountering first responders with unmet needs.

- d. The County will provide required summary data and reports to the City for BH Core Grant deliverables by the timelines specified in the Grant between the City and University of Washington COA #26-042-AFD-001.

4. TERM OF AGREEMENT: The term of this Agreement shall be from the date of execution through June 30, 2027.

5. MANNER OF FINANCING: County shall invoice the City upon completion of services described below. The County is to provide the City with proof of actual expenses incurred by the County by providing the City copies of invoices paid by the County and/or other supporting documentation and may be reasonably requested by the City. The City will pay the County upon acceptance of services provided and receipt of properly completed invoices. Invoices may be sent by US mail to City of Anacortes, Accounts Payable, PO Box 547, Anacortes, WA 98221, or by email to accountspayable@anacorteswa.gov. Payment shall be considered timely if made by the City within thirty (30) calendar days after receipt of properly completed invoices.

- a. Up to sixteen thousand eight hundred seventy-five dollars (\$16,875) for a motel respite program through the Mount Vernon iOS program.
- b. Up to one hundred seventy five thousand four hundred sixteen dollars (\$175,416) for Co-response programs supporting the cities of Burlington, and Sedro-Wolley. These programs will include
 - i. Co-Response MHPs responding to unmet behavioral health needs and crisis calls.
 - ii. The Burlington and Sedro-Woolley Community Mobile Integrated Care Program.
 - iii. The specific allocation of these funds among these programs will be determined by the county based on program participation, service delivery, and grant requirements.
- c. The amounts referenced in section 5a-5b are based on full reimbursement of the BH CORE Grant milestones. In the event that the Grant payments are reduced by the University of Washington, the payments in 5a-5b will be reduced commensurately with those reductions.

6. COMPLIANCE WITH LAWS AND TERMS OF GRANT: County agrees that in the event the University of Washington or other state or federal agency finds that the funds distributed pursuant to this agreement violate the BH CORE Grant or any state or federal laws including but not limited to the primary purpose for which funds pursuant to this agreement are being given, County agrees to return the funds provided by City under this agreement to County including any penalties and interest, and agrees to hold the City harmless and indemnify the City for distributing such funds contrary to the BH CORE Grant or state or federal law. Further, in the event that funds provided to County under this agreement are used for a purpose other than what was originally described in its application of funds, then County agrees to return such funds to the City upon demand.

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

- a. The County's representative shall be Public Health Director Monica Negrila
- b. The City's representative shall be the Anacortes Fire Department Chief.

8. NO PARTNERSHIP OR JOINT VENTURE: No partnership and/or joint venture exists between the Parties, and no partnership and/or joint venture is created by and between the Parties by

virtue of this Agreement. No agent, employee, contractor, subcontractor, consultant, volunteer, and/or other representative of the parties shall be deemed an agent, employee, contractor,

9. TREATMENT OF ASSETS AND PROPERTY: No fixed assets or personal or real property will be jointly or cooperatively, acquired, held, used, or disposed of pursuant to this Agreement.

10. INDEMNIFICATION: Each party agrees to be responsible and assume liability for its own wrongful and/or negligent acts or omissions or those of their officials, officers, agents, or employees to the fullest extent required by law, and further agrees to save, indemnify, defend, and hold the other party harmless from any such liability. It is further provided that no liability shall attach to either party by reason of entering into this contract except as expressly provided herein.

11. TERMINATION: Any party hereto may terminate this Agreement upon thirty (30) days notice in writing either personally delivered or mailed postage-prepaid by certified mail, return receipt requested, to the party's last known address for the purposes of giving notice under this paragraph. If this Agreement is so terminated, the parties shall be liable only for performance rendered or costs incurred in accordance with the terms of this Agreement prior to the effective date of termination.

12. CHANGES, MODIFICATIONS, AMENDMENTS AND WAIVERS: The Agreement may be changed, modified, amended or waived only by written agreement executed by the parties hereto. Waiver or breach of any term or condition of this Agreement shall not be considered a waiver of any prior or subsequent breach.

13. SEVERABILITY: In the event any term or condition of this Agreement or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other terms, conditions or applications of this Agreement which can be given effect without the invalid term, condition, or application. To this end the terms and conditions of this Agreement are declared severable.

14. ENTIRE AGREEMENT: This Agreement contains all the terms and conditions agreed upon by the parties. All items incorporated herein by reference are attached. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the parties hereto.

City of Anacortes:

Mayor

Date _____

Ryan Walters
Print Name of Signatory

Mailing Address:
(Street address required
in addition to P.O. Box)

PO Box 547
904 6th St
Anacortes, WA 98221

DATED this ____ day of _____, 2026.

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

Ron Wesen, Chair

Peter Browning, Commissioner

Attest:

Joe Burns, Commissioner

Clerk of the Board

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

Recommended:

County Administrator

Department Head

Approved as to form:

Civil Deputy Prosecuting Attorney

Approved as to indemnification:

Risk Manager

Approved as to budget:

Budget & Finance Director