

**CITY OF SULTAN
COUNCIL MEETING – COMMUNITY CENTER
January 28, 2016**

7:00 PM CALL TO ORDER - Pledge of Allegiance and Roll Call

CHANGES/ADDITIONS TO THE AGENDA

PRESENTATIONS

- 1) PUD – Spata Lake Dam
- 2) Business Spotlight – Loggers Tavern
- 3) Volunteer Spotlight – Kelly Clifton

COMMENTS FROM THE PUBLIC: Citizens are requested to keep comments to a 3 minute maximum to allow time for everyone to speak. It is also requested that you complete a comment form for further contact.

COUNCILMEMBER COMMENTS

CITY ADMINISTRATOR COMMENTS

STAFF REPORTS – Written Reports Submitted

- 1) Public Works
- 2) Finance – Time Allocation Report for 2015

CONSENT AGENDA: The following items are incorporated into the consent agenda and approved by a single motion of the Council.

- 1) Minutes of the December 17, 2015 Council meeting as on file in the Office of the City Clerk
- 2) Voucher Approval

HEARINGS:

- 1) Transportation Improvement Plan (TIP) Amendment
- 2) SMC 16.12.050 Code Amendments
- 3) Notice of Intent to Annex – 124th Street Property

ACTION ITEMS:

- 1) Resolution 15-18 TIP Amendment
- 2) Ordinance 1230-16 - SMC 16.12.050 Code Amendments
- 3) Contract for Prosecution Services – Zachor & Thomas Inc.
- 4) Ordinance 1231-16 – Council Meetings

DISCUSSION ITEMS:

- 1) Council Retreat Dates

Executive Session:

Adjournment - 10:00 PM or at the conclusion of Council business.

ADA NOTICE: City of Sultan Community Center is accessible. Accommodations for persons with disabilities will be provided upon request. Please make arrangements prior to the meeting by calling City Hall at 360-793-2231.

For additional information please contact the City at cityhall@ci.sultan.wa.us or visit our web site at www.ci.sultan.wa.us

CITY OF SULTAN
AGENDA ITEM COVER SHEET

Agenda Item: P- 2
Date: January 28, 2016
SUBJECT: Business Spotlight – Loggers Tavern

Donna Murphy

CONTACT PERSON: Donna Murphy Grants and Volunteer Coordinator

ISSUE:

The issue before the Council is to recognize the Loggers Tavern as the City of Sultan's Business Spotlight for January, 2016.

SUMMARY STATEMENT:

Leo Moreno was born in Los Angeles California and moved to Sultan in 2000 and bought the Loggers Tavern located at 215 Main Street in 2006.

Leo and his wife Anca share two children, a girl and boy ages 9 and 12.

Before Leo and Anca bought the Loggers Tavern, Leo worked for Lee Johnson Auto Group and Penske as a Manager, Crew Leader and Trainer. He has also been a Limo Driver, Bar Tender and an Entertainer.



The Loggers Tavern offers daily specials for breakfast, lunch and dinner, as well as one of Leo's Specialties, a 100% Blended Fruit Smoothie with flax seed meal.

They offer Pool and Horseshoe Tournaments every Saturday and "Touch Tone" Music every day.

The Loggers Tavern has the oldest bar in the West, built in Cincinnati, Ohio in 1890 and shipped to the Ward and Klein's Saloon in Everett and eventually ending up in Duvall at the Wallace Hotel. A man named Brown moved it to Sultan in the 1930's and installed it in the Old Loggers Inn Tavern. In 1978 the old tavern was torn down and the new tavern was opened after the bar was dismantled and 15 gallons of paint stripper was used to remove years of grime. How the bar was transported to the West Coast is still a mystery.

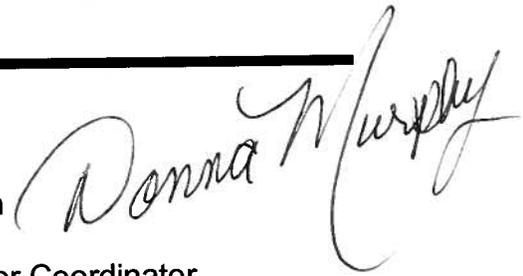


Besides running his business, Leo has a passion for philanthropy, sponsoring "Karaoke for Cancer", Motorcycle Run for Autism, anti drug campaigns and volunteering building an Off Leash Dog Park at Osprey Park in Sultan.

Leo sees his business prospering and expanded in the next 2 – 5 years. He now has 7 employees and plans to refinance to expand the kitchen for full family meals.

SULTAN CITY COUNCIL AGENDA ITEM COVER SHEET

ITEM NO: P-3
DATE: January 28, 2016
SUBJECT: Volunteer Spotlight – Kelly Clifton



CONTACT PERSON: Donna Murphy, Grants and Volunteer Coordinator

ISSUE: To recognize Kelly Clifton as the City of Sultan's Volunteer Spotlight for January, 2016.

SUMMARY:

Kelly Clifton was born in Bellevue, grew up in Clearview and graduated from Snohomish High School. She married William Purdy in 2006 and they share 3 children in Gold Bar.

Kelly began volunteering at a very early age, coordinating Food and Christmas Gift Drives, wherever she saw a struggle. "I've always had a heart for people who don't have much and are in need", commented Kelly.



She worked full time for many years as a single mom, and it wasn't very fulfilling for her, something was missing. Kelly is proud to call herself a "Professional Volunteer" now.

Kelly began volunteering in the Sky Valley with **After School Clubs**. She ran up to 8 clubs each week ranging from Cooking, Lego, and Soccer Clubs. She wanted kids to have something positive to do after school. While running these clubs, Kelly noticed that the children were hungry so she started the "**Back Pack Program**" for kids who have scarcities, and adding coats and shoes that fit to her already overflowing agenda.

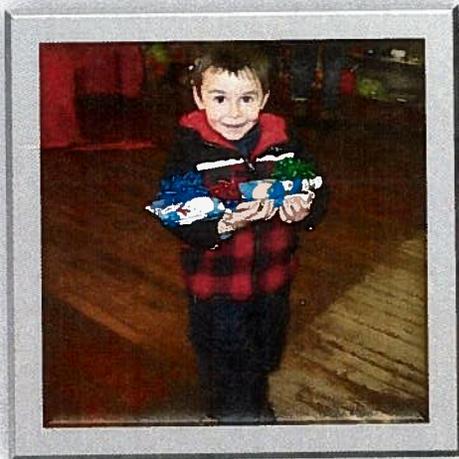
Kelly has been the director of the **Sky Valley Community Outreach** for the past 6 years. Their mission statement is "*Opening Doors to our Neighbors in Need*". The program helps a lot of people in need, providing food for hungry children and warm clothing in the winter. "Some kids live in sheds and travel trailers with no water and electricity", said Kelly.

Kelly also runs “**Operation Full Bellies**”, delivering food to children from Gold Bar to Sultan weekly. In Skykomish she provides meals to 35 children weekly in partnership with another ministry.

“**Sky Valley Angels**” is a program offering free clothing, school supplies and household needs, such as baby furniture and incidentals.

“**Sky Valley Food Rescue**” is another program that Kelly runs, collecting gleaned food from farmers and grocery stores and giving it away.

Kelly loves the “**Back to School Fair**” that she does with Mountain Valley Chapel for the last 4 years. Every August she and other volunteers give away free backpacks with school supplies, new socks and underwear. They even provide free “Back to School Haircuts”. They had 245 recipients last August.



Her very favorite program is “**Santa’s Boutique**” that she operates in Skykomish. The storefront is set up with new toys, stockings, clothing and shoes; everything a family needs for Christmas. All free for families living in Skykomish and Baring. She especially loves catering to the children who pick out free gifts for their parents and wrap them with Kelly’s and other volunteer’s help. They served 63 children last Christmas.

Most of these programs that Kelly is in charge of are under the umbrella of Ministry Outreach Work with local churches. She’s here to support their needs and prefers to run her programs through the churches so the people receiving the food/clothing will develop a relationship with the church and hopefully the church will become their anchor to the community.

She receives donations from individuals and churches in the community. She doesn’t have any government or corporate sponsors.

She just acquired a new building in Sultan and needs donations such as: new and gently used boy and teen clothing and winter coats, boots and gloves.

When asked about her future in volunteering, Kelly calmly said that she’s not in charge and God has a plan. She is the tool to reach out to people and is open to the Divine Power.

To volunteer or donate call 206.819.4129, email Kelly@svcoutreach.org or visit the website www.svcoutreach.org or Facebook page.

SULTAN CITY COUNCIL AGENDA ITEM COVER SHEET

ITEM NO: SR – 1
DATE: January 28, 2016
SUBJECT: Public Works Monthly Report
CONTACT PERSON: Mick Matheson, P.E., Public Works Director

ISSUE:

Provide monthly reports to Council regarding:

- City of Sultan Water Plant Production and Operation
- Everett Meter Readings
- 2015 Water Meter Replacement Program
- 2015 Fire Hydrant Exercising Schedule
- City of Sultan Wastewater Treatment Plant Operation
- Recycling and Garbage Reports
- Cemetery Report
- Field Supervisor Report

SUMMARY:

There are twelve total attachments. Seven attachments are designed to provide information regarding the City of Sultan's water production, a water supply comparison, water meter replacement program, fire hydrant exercising schedule and information on the Everett meter readings.

Lastly, there are five attachments designed to provide information with respect to the City of Sultan's Wastewater Treatment Plant operation, garbage collection, recycling, cemetery and current public works crew activities. The attachments are updated monthly.

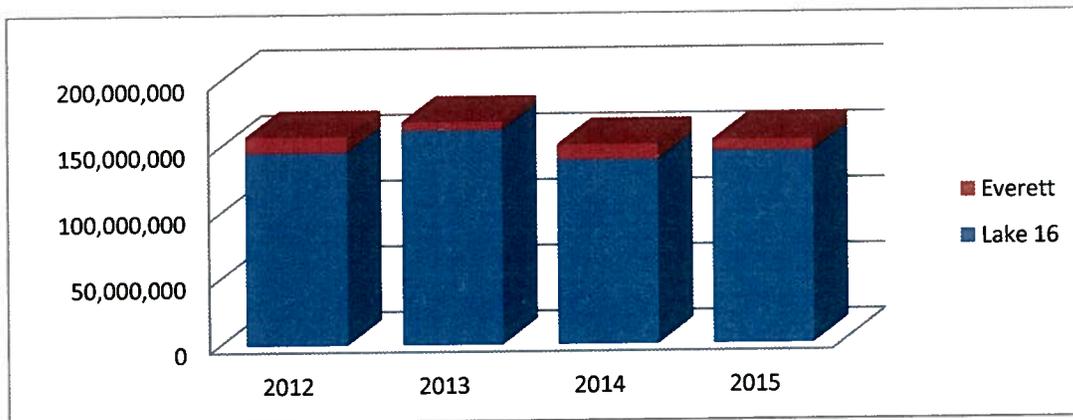
ATTACHMENTS:

Attachment A	Lake 16 vs. City of Everett Water Supply Comparison
Attachment B	Lake 16 Production for 2015
Attachment C	City of Sultan Water Plant Production Past 6 Years
Attachment D	Yearly Totals to Distribution System
Attachment E	2015 Water Meter Replacement Schedule
Attachment F	2015 Fire Hydrant Exercising Schedule
Attachment G	Everett Meter Readings for 2015
Attachment H	City of Sultan Wastewater Treatment Plant Operational Report
Attachment I	Garbage Report
Attachment J	Recycling Report
Attachment K	Cemetery Report
Attachment L	Field Supervisor Report (<i>not available at time of printing</i>)

Lake 16 vs. City of Everett Water Supply Comparison

Yearly Totals for Lake 16 and Everett Productions

	2012	2013	2014	2015
Lake 16	146,762,070	163,185,000	140,098,000	146,316,550
Everett	11,943,316	6,154,544	11,577,544	8,277,372
Total Gallons	158,705,386	169,339,544	151,675,544	154,593,922
% Everett	8%	4%	8%	5%



NOTE: ALL NUMBERS ARE IN GALLONS

LAKE 16 ANNUAL PRODUCTION

ATTACHMENT B

MONTH	RUN TIME HOURS	FLOW	FLUSHES	BACKWASH	FILTER TO WASTE	TOTAL TO TOWN	CHLORINE POUNDS	FILTER AID/POUNDS	COAGULANT LBS	CAUSTIC LBS	FLUORIDE LBS	SODA ASH LBS
Jan-15	249.2	11,085,000	595,200	1,089,000	618,750	8,782,050	128.5	1.7	1,499	1,487	84.0	1502.9
Feb-15	218.9	9,762,000	528,000	860,000	528,750	7,845,250	109.4	1.1	1,320	1,680	66.2	1563.0
Mar-15	273.1	12,339,000	873,600	1,090,000	618,750	9,756,650	136.6	1.9	1,546	1,653	81.0	1488.0
Apr-15	282.9	12,741,000	681,600	929,000	562,500	10,567,900	137.7	1.9	1,759	1,745	87.0	1643.0
May-15	324.6	14,666,000	777,600	995,000	596,250	12,297,150	149.6	2.0	1,573	1,921	98.0	1,821.0
Jun-15	432.0	19,483,000	1,036,800	1,331,000	675,000	16,440,200	192.4	2.5	1,939	2,742	149.0	2,354.0
Jul-15	485.7	21,852,000	1,171,200	1,473,000	720,000	18,487,800	223.4	2.9	2,393	3,774	175.0	2,751.0
Aug-15	381.0	17,011,000	921,600	1,134,000	641,250	14,314,150	187.1	2.0	1,910	2,753	143.0	1,634.0
Sep-15	312.0	13,864,000	748,800	950,000	585,000	11,580,200	155.6	2.1	1,871.00	2,498	112.0	1,971.0
Oct-15	249.2	11,085,000	595,200	1,089,000	641,250	8,759,550	128.5	1.7	1,499	1,487	84.0	1,502.9
Nov-15	251.8	10,910,000	604,800	1,099,000	607,500	8,598,700	118.1	1.7	1,754	1,603	91.0	1,715.0
Dec-15	286.0	12,150,000	912,000	1,249,000	663,750	9,325,250	127	2.1	1,785	1,734	95.0	1,649.0
TOTALS	3,746.4	166,948,000	9,446,400	13,288,000	7,458,750	136,754,850	1,793.9	23.6	20,848	25,077	1265.2	21,594.8
AVERAGE	312.2	13,912,333	787,200	1,107,333	621,563		149.5	2.0	1,737	2,090	105.4	1,799.6

FLOW/FLUSHES/BACKWASH/FILTER TO WASTE/ TOTAL TO TOWN NUMBERS ARE ALL IN GALLONS

**CITY OF SULTAN
Water Plant Production Past 6 years**

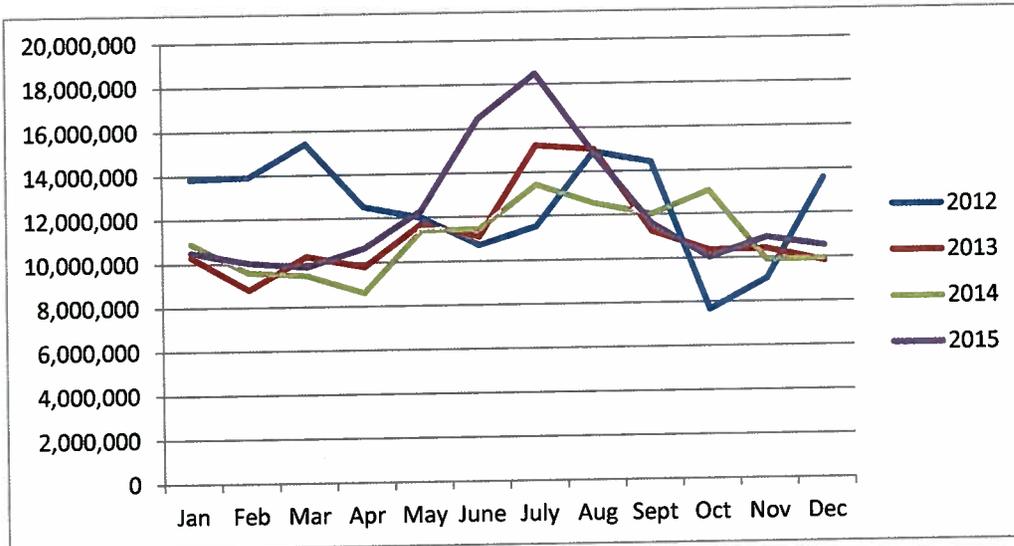
ATTACHMENT C

	2010	2011	2012	2013	2014	2015
JAN	11,986,600	11,816,800	13,837,500	12,695,000	13,552,000	11,085,000
FEB	10,940,800	11,059,100	13,917,500	10,821,000	11,889,000	9,762,000
MARCH	12,070,300	11,246,150	15,413,700	12,453,000	11,968,000	12,339,000
APRIL	11,473,900	3,636,500	12,509,700	12,330,000	10,739,000	12,741,000
MAY	12,080,100	0	11,994,500	14,516,000	14,191,000	14,666,000
JUNE	10,055,300	0	10,721,850	13,654,000	14,036,000	19,483,000
JUL	16,291,400	0	11,536,100	18,270,000	16,632,000	21,852,000
AUG	16,332,850	0	14,897,550	16,369,000	15,095,000	17,011,000
SEPT	11,716,200	0	14,403,400	13,820,000	14,458,000	13,864,000
OCT	11,049,000	0	7,669,000	12,901,000	9,691,000	11,085,000
NOV	11,755,700	4,359,500	9,048,000	13,074,000	10,339,000	10,910,000
DEC	11,397,000	13,589,000	10,813,600	12,282,000	11,966,000	12,150,000
AVG	12,262,429	4,642,254	12,230,200	13,598,750	12,879,667	13,912,333
TOTAL	147,149,150	55,707,050	146,762,400	163,185,000	154,556,000	166,948,000

YEARLY TOTALS TO DISTRIBUTION SYSTEM

	2012	2013	2014	2015
Jan	13,837,500	10,271,500	10,896,750	10,494,970
Feb	13,917,500	8,778,600	9,565,500	10,011,458
Mar	15,413,700	10,295,800	9,414,140	9,808,262
Apr	12,509,700	9,775,750	8,608,100	10,624,748
May	11,994,500	11,709,190	11,414,350	12,312,858
June	10,721,850	11,106,400	11,442,950	16,476,104
July	11,536,100	15,208,100	13,420,500	18,487,800
Aug	14,897,550	15,005,000	12,551,110	14,820,546
Sept	14,403,400	11,235,750	12,015,410	11,580,948
Oct	7,669,000	10,349,400	13,065,976	10,030,402
Nov	9,048,000	10,396,050	9,876,190	10,910,000
Dec	13,589,000	9,823,500	9,933,596	10,513,822
TOTAL	149,537,800	133,955,040	132,204,572	146,071,918
AVG	12,461,483	11,162,920	11,017,048	12,172,660

ALL NUMBERS ARE IN GALLONS



2015 WATER METER EXCHANGE SCHEDULE

Month-Year	Actual # Meters Changed	Program Goal	Remaining Meters at Month End
Beginning Balance			129
Jan-15	3	25	126
Feb-15	102	25	24
Mar-15	6	25	18
Apr-15	3	25	15
May-15	24*	25	15**
Jun-15	0	25	15**
Jul-15	1	25	14**
Aug-15	2	25	12**
Sep-15	14*	25	12**
Oct-15	0	25	12**
Nov-15	1*	25	12**
Dec-15	1	25	12**
TOTAL	118	275	

* New electronic meters installed in Wildwood and Steen Park.

** All remaining meters are commercial.

2015 FIRE HYDRANT EXERCISING SCHEDULE

Month-Year	Actual # of FH's Exercised	Program Goal	Remaining FH's at Month End
Jan-15	0		257
Feb-15	22		235
Mar-15	14		221
Apr-15	18		203
May-15	8		195
Jun-15	0*		195
Jul-15	0*		195
Aug-15	0*		195
Sep-15	0		195
Oct-15	0		195
Nov-15	37		158
Dec-15	30		128
TOTAL	129		128

* No flushing performed because of water conservation in hot weather

CITY OF SULTAN
Wastewater Treatment Plant
Operational Report
2014 - 2015

MONTH	Influent Flow (Max High allowed 0.72 MGD)				Total Rainfall Inches	Effluent PH (Range allowed 6.0 - 9.0)		Biological Oxygen Demand (Range allowed 85% to 100%)	Avg Suspended Solids (Range allowed 85% to 100%)	Sludge Wasted Gallons	Hauled Wet Tons
	Total (MG)	Avg (MGD)	High (MGD)	Low (MGD)		PH Low	PH High				
Jan-14	11,255	0.363	0.683	0.278	7.83	6.3	6.5	97.3	97.8	95,399	49.06
Feb-14	9,055	0.323	0.448	0.263	7.39	6.2	6.6	97.5	97.9	95,954	36.67
Mar-14	16,208	0.523	1.181	0.292	16.49	6.3	6.6	96.9	98.3	81,701	36.87
Apr-14	10,541	0.351	0.533	0.282	7.06	6.3	6.6	97.9	98.8	119,782	49.36
May-14	10,397	0.335	0.500	0.259	5.76	6.3	6.5	98.3	98.5	97,025	37.52
Jun-14	7,328	0.244	0.289	0.217	2.42	6.3	6.5	98.9	98.6	81,570	24.93
Jul-14	6,661	0.215	0.292	0.195	2.46	6.2	6.7	97.9	95.9	51,333	25.08
Aug-14	6,305	0.203	0.247	0.185	2.19	6.4	6.9	98.0	97.8	34,551	9.79
Sep-14	6,704	0.223	0.308	0.197	4.50	6.5	6.7	98.4	98.1	45,631	11.05
Oct-14	8,690	0.280	0.451	0.203	12.35	6.3	6.8	98.8	98.6	59,757	29.28
Nov-14	14,498	0.483	1.900	0.271	11.87	6.2	6.6	97.2	98.1	42,557	24.19
Dec-14	13,026	0.420	0.566	0.337	9.62	6.3	6.5	98.2	98.4	84,239	37.01
Jan-15	14,365	0.463	1.894	0.327	8.90	6.3	6.5	97.0	96.7	40,227	0.00
Feb-15	11,065	0.395	0.686	0.276	8.34	6.2	6.5	97.3	97.2	74,696	38.66
Mar-15	9,024	0.291	0.503	0.234	5.04	6.3	6.4	97.7	98.8	101,724	49.68
Apr-15	8,825	0.394	0.374	0.249	5.56	6.3	6.5	97.7	98.1	94,379	39.06
May-15	7,244	0.234	0.297	0.203	1.01	6.3	6.5	97.7	97.9	77,150	29.15
Jun-15	6,227	0.208	0.239	0.191	0.70	6.3	6.7	98.4	98.0	80,642	29.32
Jul-15	6,378	0.206	0.261	0.180	0.80	6.3	6.6	98.6	97.9	51,452	19.18
Aug-15	6,579	0.212	0.281	0.190	3.24	6.4	6.8	98.1	98.0	56,743	29.09
Sep-15	6,801	0.227	0.262	0.208	3.46	6.3	6.6	98.0	98.1	41,367	19.60
Oct-15	8,404	0.271	1.123	0.206	7.45	6.3	6.8	98.0	97.8	23,374	9.60
Nov-15	17,662	0.589	1.440	0.338	12.87	6.1	6.5	97.6	98.7	23,597	19.24
Dec-15	16,666	0.538	1.900	0.324	14.83	6.1	6.3	96.6	96.3	35,140	0

2015 GARBAGE REPORT

ATTACHMENT I

	2014 TONS	2014 COST	2015 TONS	2015 COST
January	154.42	\$16,216.00	145.33	\$15,261.00
February	121.97	\$12,809.00	128.13	\$13,455.00
March	147.69	\$15,509.00	138.96	\$14,593.00
April	126.11	\$13,248.00	140.13	\$14,715.00
May	161.18	\$16,930.00	145.89	\$15,320.00
June	151.83	\$15,943.00	140.38	\$14,743.00
July	142.83	\$15,001.00	153.48	\$16,093.00
August	143.13	\$15,030.00	139.16	\$14,612.00
September	155.61	\$16,233.00	134.68	\$14,144.00
October	162.67	\$17,079.00	166.21	\$17,015.00
November	131.56	\$13,797.00	162.05	\$16,589.00
December	157.68	\$16,558.00	157.54	\$16,542.00
TOTALS	1,756.68	\$ 184,353.00	1,751.94	\$183,082.00



**City of Sultan
Customer Counts**

<u>Sector</u>	<u>Commodity</u>	<u>Jan-15</u>	<u>Feb-15</u>	<u>Mar-15</u>	<u>Apr-15</u>	<u>May-15</u>	<u>Jun-15</u>	<u>Jul-15</u>	<u>Aug-15</u>	<u>Sep-15</u>	<u>Oct-15</u>	<u>Nov-15</u>	<u>Dec-15</u>	<u>Total</u>
Residential	Recycle	1,490	1,493	1,495	1,497	1,497	1,501	1,505	1,512	1,528	1,536	1,542	1,556	18,152
Commercial	Recycle	21	21	21	21	21	23	24	25	25	24	26	27	279
Multifamily	Recycle	4	4	4	4	4	4	4	4	4	4	4	6	50
Residential	Yardwaste	320	320	325	339	350	362	360	360	357	353	344	326	4,116
Commercial	Yardwaste	3	3	3	3	3	3	3	3	3	3	3	3	36
Multifamily	Yardwaste	1	2	2	2	2	2	2	2	2	2	1	2	22

**CEMETERY REPORT
BURIALS**

ATTACHMENT K

103 Cemetery Operating Fund

Description	2015 BUDGET	2015 ACTUAL
Revenue		
Beginning Balance	0	8,961
Cemetery Fees	25,000	41,699
Investment Interest	100	0
Total Resources	25,100	50,660
Expenditures		
Total Expenditures	23,440	31,224
Ending Fund Balance	1,660	19,436

Burials	YTD 2015
Ash	7
Full	8
Disinterment	1

These numbers are January 2015 through December 2015

**CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: Staff Report SR 2
 DATE: January 28, 2016
 SUBJECT: Salary/Benefit Allocation to Funds
 CONTACT PERSON : Laura Koenig, Clerk/Deputy Finance Director

ISSUE:

The issue before the Council is review the allocation of salaries and benefits to the various operating funds for 2015.

SUMMARY:

As a part of the annual budget process, the Council adopted Resolution 14-10 providing for the allocation of wages and benefits to the various operating funds. The resolution requires:

1. During the annual budget process a review of staffing requirements will be completed by the Department Heads. Staff will review the current job responsibilities, the proposed work program for the next year and the adopted cost allocation plan to determine the appropriate fund to charge for the salaries and benefits. Staff time must be appropriated to the fund for which the employee performs the work. Allocation of Council time will be based on agenda items.
2. Mid-year, staff will review the work program and the amount of time each staff member is working in the departments and funds.
3. At the end of the year, a final review of work programs and actual hours worked for each fund will be completed and budget adjustments will be made if required.

Resolution 12-08 providing a Cost Allocation Plan was adopted in 2012. The Plan sets guidelines to determine direct and indirect costs for services provided by staff to the various funds. Based on time sheet submittals and the factors in the Cost Allocation Plan, staff has completed the year end review. The following is a summary of budget versus actual full time employees (FTE) for each fund for 2015:

2015 Allocation of Wages/Benefits		General Fund	STREET	CEMETERY	UTILITY WATER	UTILITY SEWER	GARBAGE	STORM WATER	BLDG MAINT	TOTAL
	Fund #	001	101	103	400	401	402	406	113	FTE's
Budgeted	FTE's	5.060	1.340	0.220	5.290	4.120	3.120	1.670	0.180	21.00
December 2015 Actual	FTE's	6.370	1.290	0.300	4.690	3.900	2.820	1.410	0.220	21.00
Increase/Decrease	FTE's	1.31	(0.05)	0.08	(0.60)	(0.22)	(0.30)	(0.26)	0.04	0.00

The increase in the General Fund is due to the additional permit activity in 2015. The Permit Assistant is working full time in the General Fund and not providing backup assistance for the Utility Clerks. The position of Deputy Treasurer was filled in April 2015 and there was an increased allocation for wages for General Fund activity. Wages were charge to the General Fund

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: PH-1

DATE: January 28, 2016

SUBJECT: Amended 2016-2021 Transportation Improvement Plan
Hold a Public Hearing for January 28, 2016

CONTACT PERSON: Mick Matheson, P.E. Public Works Director



ISSUE:

The issues before the City Council are twofold. The first issue is to review the staff recommended amendment to the 2016-2021 Transportation Improvement Plan (TIP). The second issue is to hold the public hearing to take comment on the Amended 2016-2021 Transportation Improvement Plan.

STAFF RECOMMENDATION:

City staff recommends the City Council review the staff recommended changes to the Amended 2016-2021 Transportation Improvement Plan (TIP), and hold the public hearing on January 28, 2016 to take public comment on the Amended 2016-2021 Transportation Improvement Plan.

SUMMARY:

Project T-45 (5th Street Reconstruction) was included as a proposed project adopted with the 2016-2021 Transportation Improvement Plan (TIP) by the city council on June 11, 2015.

Since the adoption of the 2016-2021 TIP, the City met with the Washington State Transportation Improvement Board (TIB) engineer and developed a grant application to improve 4th Street and 5th Street from US 2 to Alder Avenue. The City received notification on November 20, 2015 that the TIB had awarded the grant for this project.

As a result, it is necessary for the City to amend the 2016-2021 TIP to reflect the expanded scope for this project.

RECOMMENDATION

Accept the proposed changes to the 6-year TIP recommended by staff and hold the public hearing to take public comment on the Amended 2016-2021 Transportation Improvement Plan.

ATTACHMENTS:

Attachment A – 2016-2021 Transportation Improvement Plan

Attachment B – RCW 35.77.010

Attachment C – Capital Facilities Plan

Attachment D – Figure 8-O: Recommended Arterial Improvement Projects

Attachment E – Figure 8-P: Recommended Non-motorized Improvement Projects

2016-2021 Transportation Improvement Plan (by year)

ATTACHMENT A

2016-2021 Expenditures By Year										
Project Number	Project Name	Project Description	Total Project Cost 20-yr CFP	2016	2017	2018	2019	2020	2021	2016-2021 Total Expenditure
T-39	Pavement Overlay & Chip seal Program	Overlay or chip seal streets within the city limits	\$550,000	\$12,000	\$12,500	\$12,500	\$12,500	\$12,500	\$13,000	\$75,000
T-45	4th & 5th Street Reconstruction	Reconstruct 4th & 5th Street from Alder Avenue to US2	\$421,200	\$421,200						\$421,200
T-46	Date Avenue Reconstruction	Reconstruct Date Avenue from 4th Street to 150 feet east of 5th Place (Sultan Elementary frontage).	\$285,500	\$285,500						\$285,500
T-51	3rd Street Reconstruction	Reconstruct 3rd Street from US2 to High Avenue.	\$1,456,000		\$218,400	\$1,237,600				\$1,456,000
T-70	1st Street Sidewalk	Construct a sidewalk from Osprey Park to Willow Avenue.	\$260,000		\$39,000	\$221,000				\$260,000
NM-3	Sidewalk Spot Improvements	Repair, replace and construct missing sidewalks within the city.	\$130,000		\$289,000					\$289,000
NM-4	Sidewalk /Trail Construction & Enhancements	Construct or renovate public sidewalks and trails. Stand alone projects not associated with road renovation.	\$310,000		\$100,000	\$100,000	\$110,000			\$310,000
NM-8	US-2 Pedestrian Crossing	Construct a non-motorized bridge crossing north of US 2 to provide increased ped/bike safety	\$4,400,000	\$3,000,000	\$1,400,000					\$4,400,000
NM-9	Sultan River Trail	Acquire property & construct a trail adjacent to Sultan River from Osprey Park to River Park.	\$747,000	\$81,000	\$666,000					\$747,000
		TOTAL EXPENDITURES	\$8,559,700	\$3,799,700	\$2,724,900	\$1,571,100	\$122,500	\$12,500	\$13,000	\$8,243,700

2016-2021 Transportation Improvement Plan (by fund)

ATTACHMENT A

2016-2021 Expenditures By Fund										
Motorized & Nonmotorized Projects	General Fund	Street Fund	REET	Transportation Impact Fee	Grant	Debt	Surface Water Management	Rev Totals		
Project Number	Project Description							Expenditures		
T-39	Pavement Overlay & Chip Seal Program									
T-45	4th and 5th Street Reconstruction									
T-46	Date Avenue Reconstruction									
T-51	3rd Street Reconstruction									
T-70	1st Street Sidewalk									
NM-3	Sidewalk Spot Improvements									
NM-4	Sidewalk Enhancements									
NM-8	US-2 Pedestrian Crossing									
NM-9	Sultan River Trail									
	Total Expenditures	\$75,000	\$574,027	\$5,700,000	\$8,036,290	\$0	\$0	\$14,385,317	\$0	\$8,243,700

RCW 35.77.010

Perpetual advanced six-year plans for coordinated transportation program expenditures – Non-motorized transportation – Railroad right-of-way.

(1) The legislative body of each city and town, pursuant to one or more public hearings thereon, shall prepare and adopt a comprehensive transportation program for the ensuing six calendar years. If the city or town has adopted a comprehensive plan pursuant to chapter 35.63 or 35A.63 RCW, the inherent authority of a first-class city derived from its charter, or chapter 36.70A RCW, the program shall be consistent with this comprehensive plan. The program shall include any new or enhanced bicycle or pedestrian facilities identified pursuant to RCW 36.70A.070(6) or other applicable changes that promote non-motorized transit.

The program shall be filed with the secretary of transportation not more than thirty days after its adoption. Annually thereafter the legislative body of each city and town shall review the work accomplished under the program and determine current city transportation needs. Based on these findings each such legislative body shall prepare and after public hearings thereon adopt a revised and extended comprehensive transportation program before July 1st of each year, and each one-year extension and revision shall be filed with the secretary of transportation not more than thirty days after its adoption. The purpose of this section is to assure that each city and town shall perpetually have available advanced plans looking to the future for not less than six years as a guide in carrying out a coordinated transportation program. The program may at any time be revised by a majority of the legislative body of a city or town, but only after a public hearing.

The six-year plan for each city or town shall specifically set forth those projects and programs of regional significance for inclusion in the transportation improvement program within that region.

(2) Each six-year transportation program forwarded to the secretary in compliance with subsection (1) of this section shall contain information as to how a city or town will expend its moneys, including funds made available pursuant to chapter 47.30 RCW, for non-motorized transportation purposes. (3) Each six-year transportation program forwarded to the secretary in compliance with subsection (1) of this section shall contain information as to how a city or town shall act to preserve railroad right-of-way in the event the railroad ceases to operate in the city's or town's jurisdiction.

Transportation Element 2011 Comprehensive Plan
Table 8-10: Planning Level Cost Estimates for Recommended Transportation Improvements

Project #	Project Name	Project Description	Future Number of Lanes	Project Type	Arterial Functional Classification	Project Cost Estimate
NM-1	East Main St. Trail	Construct multipurpose trail from the east end of E. Main St north on Cascade View Dr to US 2 for nonmotorized and emergency access.	n/a	Non-motorized	n/a	\$500,000
NM-3	Sidewalk Spot Improvements	Repair, replace and construct missing sidewalks within the City	n/a	Existing Deficiency	n/a	\$130,000
NM-4	Sidewalk Enhancement	Renovate public sidewalks. Stand alone projects not associated with road renovation.	n/a	Existing Deficiency	n/a	\$310,000
NM-5	US-2 Route Corridor Trail	Construct multipurpose trail to provide nonmotorized safety and connectivity as part of US-2 RDP reconstruction/widening.	n/a	Nonmotorized	n/a	\$1,672,000
NM-6	Willow/Bryant Trail	Acquire land and develop property to provide nonmotorized travel to and from residential, commercial, parks and natural areas.	n/a	Non-motorized	n/a	\$390,000
NM-7	High/Kessler/140th Trail	Acquire land and develop property to provide nonmotorized travel to and from residential, commercial, parks and natural areas.	n/a	Nonmotorized	n/a	\$887,000
NM-8	US-2 Pedestrian Overcrossing	Construct a nonmotorized bridge crossing on US 2 to provide increased safety for pedestrians and improved traffic flow. Joint Project with WSDOT	n/a	Non-motorized	n/a	\$4,000,000
T-23	Alder St Reconstruction	Reconstruct Alder Street from 5th St. to 8th St.	2	Existing Conditions	Collector Arterial	\$728,000
T-24	New East/West Collector	Construct new east/west collector between 339th Ave SE and Sultan Basin Rd in the north section of the City (approx. location between 132nd and 124th St SE).	2	Circulation	Collector Arterial	\$11,040,000
T-25	Foundry Road Reconstruction	Reconstruct road to Collector arterial standards to serve industrial employment and residential areas.	2	Circulation	Collector Arterial	\$1,300,000
T-26	New North Industrial Park Collector	Provide east/west access and traffic collector through the Industrial Park from Rice Rd (339th) to Sultan Basin Rd. and US-2	2	Circulation	Collector Arterial	\$15,510,000
T-27	East Main St Road Extension	Extend East Main St. east to connect to 149th St. SE within the Economic Development Zone south of US-2.	2	Circulation	Local Street	\$2,000,000

Project #	Project Name	Project Description	Future Number of Lanes	Project Type	Arterial Functional Classification	Project Cost Estimate
T-29A	Kessler Drive Extension	Extend Kessler Dr. north from Bryant Rd. to UGA Boundary	2	Circulation	Proposed Collector Arterial	\$3,452,000
T-29B	Kessler Drive Extension Non UGA portion	Extend Kessler Dr. north from UGA Boundary to 124th St.	2	Circulation	Proposed Collector Arterial	n/a
T-31a	New 330th Ave Arterial	Construct a new north-south arterial from US-2 through the Industrial Park north to 124th St SE. CITY LIMIT/UGA PORTION ONLY	2	Circulation	Proposed Collector Arterial	\$2,800,000
T-32a	Rice Rd. (339th) St Extension	Extend Rice Rd. (339th Ave) north to 124th St. SE at County Rural Arterial road standards to provide arterial connectivity and access to US-2. Proposed joint project with Snohomish County. CITY LIMIT/UGA PORTION ONLY	2	Circulation	Proposed Minor Arterial	\$2,942,500
T-33	229th Ave Extension or Highland Ave Extension	Develop an interior access arterial from Old Owen Rd. east to Sportsmans Park to provide access to existing roadside commercial properties and reduce curb cuts on US-2.	2/3	Circulation	Collector Arterial	\$2,720,000
T-34	US-2 RDP City Access Revisions	Downtown access to US 2 will be focused on 3rd, 5th, 8th, and Main Streets to reduce congestion.		Circulation		Awaiting WSDOT Estimate
T-35	Cascade View Drive Reconstruction	Reconstruct Cascade View Dr to Collector arterial standard and provide intersection improvements at US-2	2	Circulation	Collector Arterial	\$560,000
T-36	138th St Extension	Reconstruct and extend 138th St. between Sultan Basin Rd. and 339th Ave SE.	2	Circulation	Collector Arterial	\$2,833,600
T-38	1st Street Reconstruction Phase II	Reconstruct 1st St from High Ave to Trout Farm Rd. Project includes water, sewer and storm water utilities construction.	3	Capacity	Minor Arterial	\$2,800,000
T-40	US-2/Rice Rd (339th Ave) Signalization	Signalize existing intersection of US-2 at 339th Ave SE.	3	Capacity	Principal Arterial	\$1,400,000
T-41	Rice (339th Ave SE) Reconstruction	Reconstruct 339th Ave from Sultan Startup Rd. north to 132nd St. SE to arterial standard with curbs gutter and sidewalks.	2/3	Circulation	Proposed Minor Arterial	\$8,350,000
T-42A	Sultan Basin Rd. Reconstruction Phase IV	Continue Sultan Basin Rd. improvements north to UGA Boundary	3	Capacity	Minor Arterial	\$6,092,724
T-43	Walburn Rd. Rerouting	Redesign the road to remove access from US-2 rerouting access to Sultan Basin Rd. north of Wagley Creek	2	Circulation	Collector Arterial	\$1,400,000

Project #	Project Name	Project Description	Future Number of Lanes	Project Type	Arterial Functional Classification	Project Cost Estimate
T-44	Pine Street Extension	Extend Pine St. East to Walburn to provide east west access from Sultan Basin Rd to downtown Sultan. Emergency Evacuation Route	2	Circulation	Collector Arterial	\$840,000
T-45	Alder St Improvements	Install traffic signal and improvements from the intersection of 4th and Alder St to the intersection of 5th and US-2. Reconstruct Street to 8th St. Proposed joint project with Community Transit and Sultan School District	2	Circulation	Collector Arterial	\$650,000
T-46	Date Avenue Traffic Calming	Install traffic calming treatment to Date Ave. from 8th St west to the Elementary School	2	Existing Deficiency	Local Street	\$124,000
T-47	Trout Farm Rd Reconstruction	Reconstruct Trout Farm Rd. from 1st St. north to 125th St SE. Proposed joint City/County Project	2/3	Capacity	Collector Arterial	\$9,050,000
T-48	Gohr Rd Reconstruction	Reconstruct Gohr Rd to arterial standard from 1st St north to 311th Ave SE	2	Circulation	Collector Arterial	\$4,704,000
T-49	Gohr Rd Extension	Extend Gohr Rd north to the proposed 132nd Ave. Extension.	2	Circulation	Collector Arterial	\$3,920,000
T-51	3rd St. Reconstruction	Repair, replace, and construct as necessary asphalt, sidewalks, and bike lanes. Project is combined with water, sewer, and stormwater system projects.	2	Existing Deficiency	Local Street	\$1,456,000
T-52	8th St. Sidewalks	Install sections of missing sidewalks on 8th St.		Circulation	Collector Arterial	\$310,000
T-53	10th St. Railroad Crossing Improvement	Reconstruct the 10th St. crossing with the BNSF Rail Line Within the Economic Development zone.	2	Circulation	Local Street	\$100,000
T-55	Industrial Park Rail Spur Construction	Petition BNSF and contribute to construct a rail spur access to the Industrial Park	n/a	Circulation	n/a	\$1,000,000
T-57	132nd Ave Arterial Extension	Extend 132nd St from Sultan Basin Rd. northwest connecting to Trout Farm Rd. near 307th St.	3	Capacity	Minor Arterial	\$17,480,000
T-58	132nd Ave Reconstruction	Reconstruct 132nd St SE to arterial standard	2	Circulation	Proposed Minor Arterial	\$12,432,000
T-59	US 2/ 1st Avenue Interchange	Provide grade-separated ramp access to US-2 from 1st St.	2	Capacity	Minor Arterial	\$6,470,000
T-60	Sultan Basin Road Improvements Phase III	Realign Cascade View Drive and its intersection with US-2 to align with the recently improved Sultan Basin Rd.	2	Circulation	Proposed Collector Arterial	\$2,800,000
T-61	6th Street Reconstruction	Reconstruct 6th St. to urban standards	2	Existing Deficiency	Local Access	\$1,680,000
T-62A	124th St. SE Reconstruction Phase I	Reconstruct 124th St SE to urban standards from west terminus to UGA Boundary	2	Circulation	Collector Arterial	\$4,312,000

Project #	Project Name	Project Description	Future Number of Lanes	Project Type	Arterial Functional Classification	Project Cost Estimate
T-65	124th St. Extension	Extend 124th Ave. west to Trout Farm Rd. intersecting at aprox. 125th St	2	Circulation	Collector Arterial	\$11,984,000
Total Project Costs						\$153,129,824

ATTACHMENT D

Adopted November 10, 2011 (Ordinance 1113-11)

Chapter 8: Transportation

Project #	Project Name	Project Description	Future Number of Lanes	Project Type	Arterial Functional Classification	Bicycle Facility	Transit Street
T-65	124th St. Extension	Extend 124th Ave. west to Trout Farm Rd. intersecting at approx. 125th St.	2	Circulation	Collector Arterial	Multi Purpose Trail	No

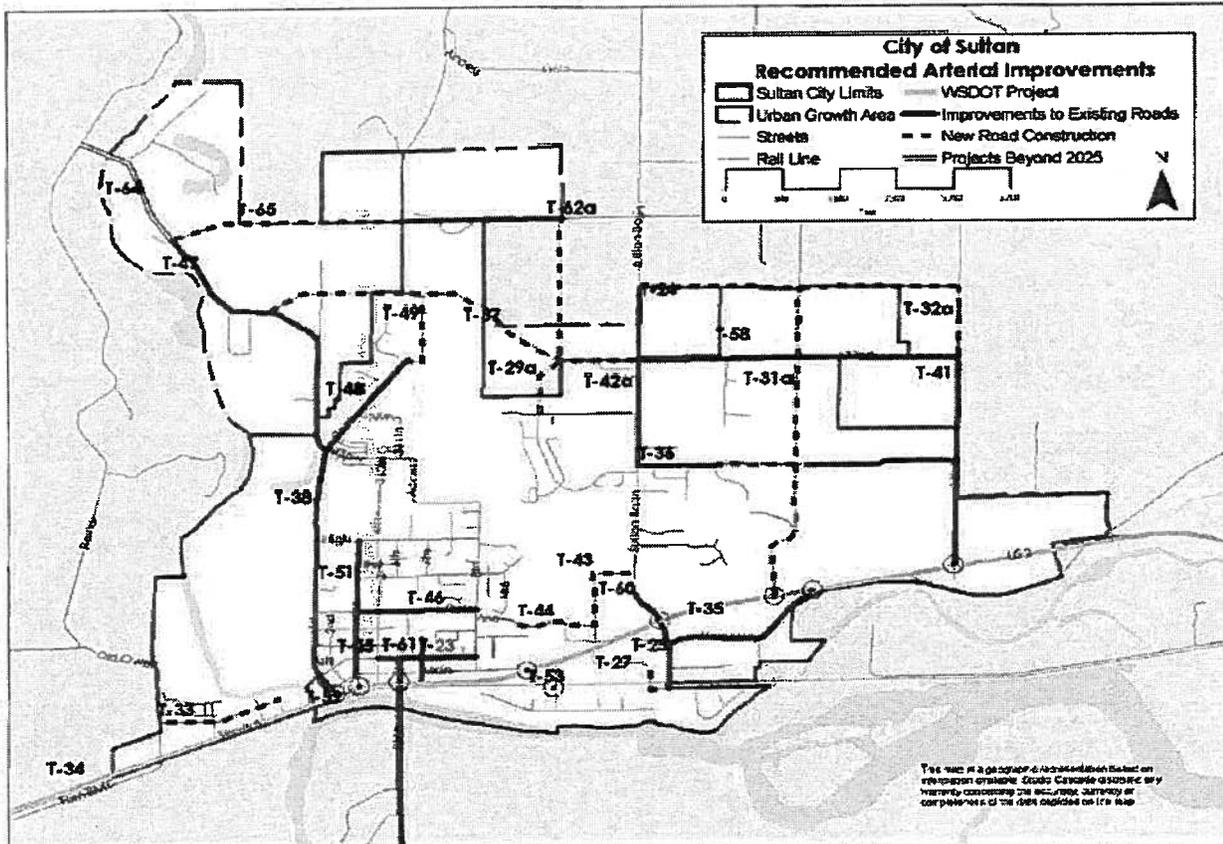


Figure 8-O: Recommended Arterial Improvement Projects

Table 8-8: Conceptual Improvement Project

Project No.	Project Name	Project Description	Number of Lanes	Project Type	Arterial Functional Classification	Project Cost Estimate
-------------	--------------	---------------------	-----------------	--------------	------------------------------------	-----------------------

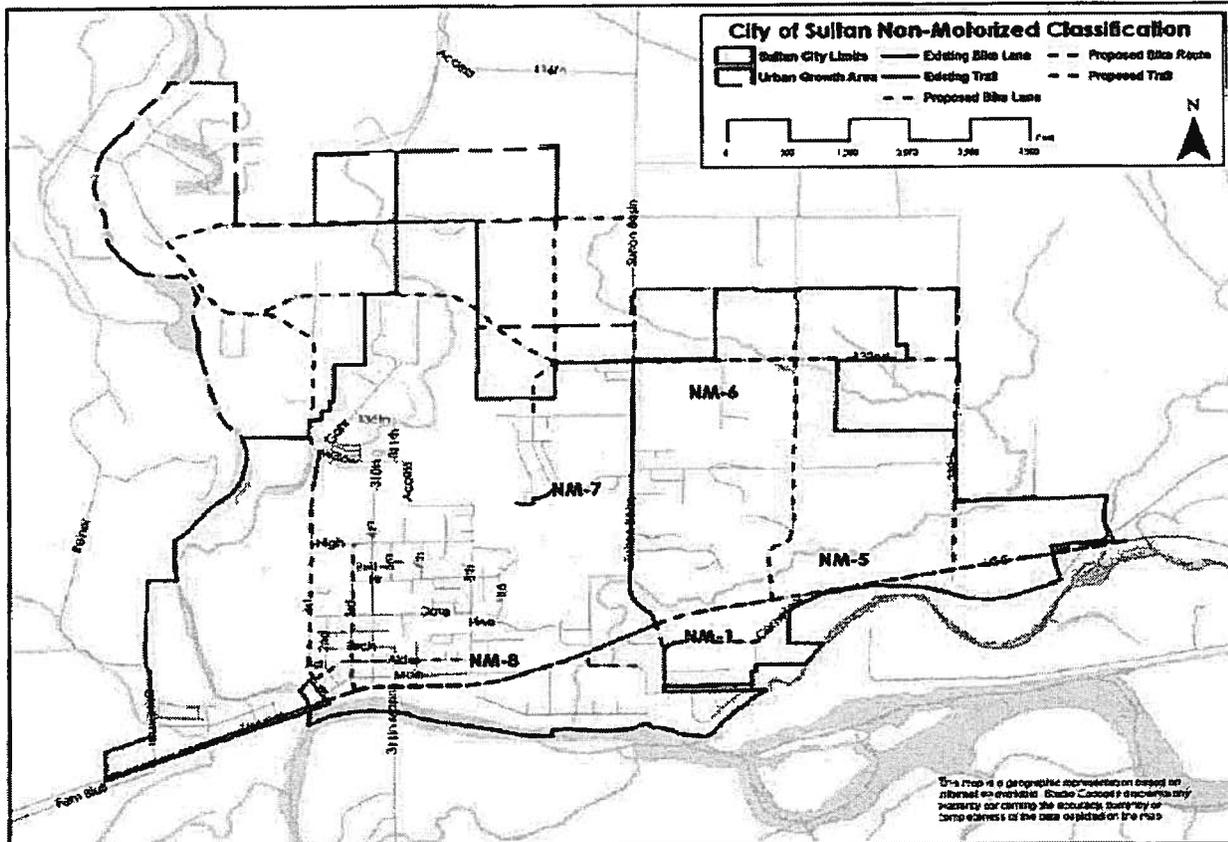


Figure 8-P. Recommended Non-motorized Improvement Projects

8.15 Financial Plan

Planning level cost estimates for each of the recommended City transportation improvement projects was prepared in 2007 and 2010. These estimates analyzed the cost of constructing the improvements as well as estimates for right-of-way purchase, project design costs, and environmental costs and mitigation. Table 8-10 provides the planning level cost estimates for the recommended 2011 – 2030 transportation improvements. A financial plan establishes how transportation improvements can be funded over the planning horizon year 2030.

The financial plan includes a long-range financial strategy that identifies the capacity of the City to fund its transportation needs described in this transportation element, a six-year capital improvement program for transportation and a reassessment strategy. Each year the City shall examine whether the City can fund the projects necessary to maintain required service levels set in this element. In the event the City cannot fund the improvements needed to maintain required service levels, the City shall consider and take one or a combination of actions that may include phasing of proposed developments, finding additional funding or instituting new financial measures, modifying the City’s adopted level of service standards to reflect service levels that can be maintained given known financial resources, and modifying the Future Land Use Map as it affects the need for services.

SULTAN CITY COUNCIL AGENDA ITEM COVER SHEET

ITEM NO: Public Hearing PH 2
DATE: January 28, 2016
SUBJECT: Zoning Code Amendments: RV Storage, Shared Parking
CONTACT PERSON: Ken Walker, City Administrator

ISSUE:

The issue before the Council is to hold a public hearing on proposed amendments to SMC 16.12.

Recreational vehicle and boat storage is not listed as a specified use in the Sultan Zoning Code, and the proposed amendments to Sultan Municipal Code (SMC) in Chapter 16.12 will clarify where this existing and common use can take place within the City of Sultan. Shared parking agreement language will clarify how joint-use parking requirements can occur and be enforced. In these zoning code text changes, applications of recreational vehicle/boat storage and joint-use parking are expanded consistent with the intent of the Sultan Zoning Code and Comprehensive Plan.

COUNCIL COMMITTEE/PLANNING BOARD/WORK GROUP RECOMMENDATION:

At its December 10, 2015, regular meeting, the Planning Board recommended approval of zoning code amendments for added uses regarding recreational vehicle and boat storage in SMC 16.12.050 HOD and SMC 16.12.060 ED zones and for added language regarding provision for shared parking agreements in SMC 16.60.100 Joint-Use Parking Requirements.

STAFF RECOMMENDATION:

The City staff proposed the zoning code amendments and concurs with the recommendation of the Planning Board per the attached Ordinance and the minutes of the December 10, 2015, Planning Board meeting.

SUMMARY:

The proposed zoning code amendments accomplish three things:

- Make the development process, particularly private investment decisions, faster and simpler, relying less on an interpretation by the Planning Director and avoiding inconsistencies that can occur with such interpretations. These text changes allow two proposed development projects to proceed with less delay and uncertainty.
- Clarify how the development regulations are to be enforced and reduce the potential for citizen dissatisfaction with zoning requirements and conflicts after property investment and/or construction have been completed.

- Exemplify zoning code text changes that have been studied for more than two years without reaching conclusions regarding desired changes that will update and perhaps simplify development regulations that may be discouraging implementation of Sultan's Comprehensive Plan for economic development and stagnating healthy maintenance and growth of the City's tax base.

Clarifying the permitted use language in the Sultan Zoning Code to allow for recreational vehicle and boat storage will speed up the development process, particularly for those wishing to make investments in these types of commercial/industrial projects, which in turn can add positively to the tax base of the City. One question that needs to be answered is whether allowing a nonretail permitted use in the Highway-Oriented Development (HOD) zone detracts from the potential sales tax revenue for which commercial retail zoned property is primarily intended. Another question regarding the potential for the detraction of a storage yard normally allowed in an industrial/manufacturing zone to take place in a commercial retail zone is answered by requiring the storage to be inside a building and therefore completely obscured from off-site observation.

While the Sultan Zoning Code allows for joint-use parking, the current language limits how the joint-use parking can be applied. In the case of the proposed Boys & Girls Club gymnasium, the limitation to places of public assembly requires several code interpretations. Each interpretation may create conflicts if enforcement of time of use for parking of the different activities in the several buildings on separate pieces of property where parking is or is not actually provided. Moreover, the current language does not make it clear who has responsibility to manage use of the joint-use parking spaces and what to do if the joint-use parking arrangements don't work out.

These two zoning code text changes are very specific and relatively easy to grasp. Nonetheless, they are good cases in understanding how complicated development regulations are and what unforeseen consequences can happen with or without specific language. In each case, a specific use or new language has been added to reduce the need for an interpretation by the Planning Director, which can cause legal challenges. However, new language should be added only if it can make the development regulations more readable by the general public and therefore simpler to understand and enforce.

DISCUSSION:

Recreational Vehicle (RV) and Boat Storage is not a specifically listed use in Title 16 which has recreational vehicle parks, automobile (not truck or RV) sales, and towing and wrecking services listed in the HOD and/or ED zones. We have permitted a boat and RV storage yard in the ED zone on E. Main St. (next to the Eagles). Recreational vehicle and boat storage is a common land use now and should be specifically listed in the Zoning Code. The proposed zoning code amendment as drafted would list RV and boat storage within a building as a permitted use in the HOD zone and RV and boat storage yard as a permitted use in the ED zone.

Recommended addition to permitted uses in 16.12.050(8)(b) Highway-Oriented Development (HOD) Zone -- Miscellaneous Associated Facilities:

- b. Recreational vehicle and boat storage inside a building.

Recommended addition to permitted uses in 16.12.060(7)(h) Economic Development (ED) Zone -- Miscellaneous Associated Facilities

h. Recreational vehicle and boat storage yard.

Added language to the following SMC Chapter 16.12 tables:

Highway-Oriented Development (HOD) Zone

Table of Dimensional and Density Requirements

Uses	Maximum	Area	Width	Depth	Each			Max	Max
					Front	Side	Rear	Bldg Height	Lot Coverage
Permitted	Units/Acre	Area	(ft)	(ft)	Front	Side	Rear	Height	Coverage
Recreational Vehicle/Boat Storage (Bldg)	-	1 acre	100	200	25	25	25	30	60

Economic Development (ED) Zone

Table of Dimensional and Density Requirements

Uses	Maximum	Area	Width	Depth	Each			Max	Max
					Front	Side	Rear	Bldg Height	Lot Coverage
Permitted	Units/Acre	Area	(ft)	(ft)	Front	Side	Rear	Height	Coverage
Recreational Vehicle/Boat Storage Yard	-	1 acre	100	200	25	25	25	30	25

In meeting on-site parking requirements for new development, consideration can be taken into account for on-site and nearby off-site parking that can be shared due to distinct and separate time of use of parking spaces. For example, parking spaces needed only for day time use could be shared by another on-site night time use when conditions are placed on the site plan approval to ensure the scheduled times of use. Similarly, nearby day time uses or week day uses can share parking with another use that requires only night time or weekend parking again when conditions are placed on the site plan approval to ensure the scheduled times of use. The City currently allows for joint-use parking for Places of Public Assembly (SMC 16.60.100.A) and in Mixed Use Developments (SMC 16.60.100.B). The proposed zoning code amendment as drafted would clarify how time of use parking would be determined and enforced making it

the responsibility of the property owner per an agreed, approved, and recorded covenant running with the land.

Current language to remain as follows:

16.60.100 Joint-use parking requirements.

A. Places of Public Assembly. Parking spaces already provided to meet off-street parking requirements of stores, office buildings, schools, and industrial establishments, situated on the same site as places of public assembly, and that are not normally in use between the hours of 6:00 p.m. and midnight and are made available for other parking, may be used to meet not more than 50 percent of the total requirements of parking spaces. Written agreement is required for such joint-use parking arrangements between the officials of the place of public assembly and the owner or manager of the other development and parking area on the site.

B. Mixed Use Developments. In the case of mixed uses (such as shopping centers), the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. Off-street parking facilities for one use shall not be considered as providing required parking facilities for any other use, except as specified above for joint use. (Ord. 630 § 2 [16.10.030(10)], 1995)

Added new language as follows:

C. Shared Parking Agreement. Parking facilities may be cooperatively used by different land uses, when the times of the use of such parking spaces by each use are not simultaneous. A shared parking agreement signed by all parties who share the parking facilities and approved by the City Community Development Director (Director) shall be required that binds the parking facilities and the parties until the agreement is dissolved by all parties and approved by the Director. The total number of required parking spaces may be reduced from the requirements of Sultan Municipal Code Chapter 16.60, if it is demonstrated through a parking study that complementary uses, internal trip capture or uses with different peak parking needs justify the reduction in required parking spaces at all times. A covenant running with the land shall be made between the property owner (owner) and the City of Sultan (City) stating the responsibilities of the owner and shall be recorded with Snohomish County. A copy with the recording number and parking layouts and scheduled times of use by the specific uses sharing the on-site parking spaces shall be submitted as part of any permit application for development. When any shared parking agreement subject to the covenant is to be modified or terminated, the owner shall be responsible for notifying the Director and providing a revised site plan and schedule for meeting the parking requirements of all the development on the property subject to the covenant.

The proposed text changes would benefit two development proposals by removing some uncertainty about possible interpretations of the zoning requirements and avoiding delays in any schedules for moving ahead with construction or purchase actions. However, the text changes would enable other properties to similarly develop, not just the two proposed developments. In both cases, the projects could easily be adapted in the future for a return to the current development options. The building on Cascade View Road could still be used for commercial retail, if the property's highest and best use were marketable. Likewise, nothing precludes the addition of new parking spaces should more be needed for activities on the Boys & Girls Club gymnasium property.

ALTERNATIVES:

The primary alternative is to not adopt one or all of the zoning code amendments, particularly if the text changes fail to achieve the highest and best use of the HOD and ED zones or if the added language does not adequately clarify and simplify the development regulations. The zoning code amendments should be decided on whether or not these updates maintain and grow the City's tax base through development that does not adversely affect the development of other properties and avoid citizen dissatisfaction and potential legal challenges to code requirements and interpretations.

FISCAL IMPACT:

The code amendments have no immediate impact on the City's budget. Future impacts would depend on trade-off between long term sales tax versus more immediate and sustained property tax. Initially it might be expected that the lack of visual access of the subject property proposed to benefit from the code amendment would not offer better tax revenue than a sustained nonretail storage service surrounded by other nonretail businesses along Cascade View Road well below the grade of Highway 2. Reduction of legal challenges to zoning code requirements or interpretations would likely save the City money in attorney fees and liability insurance costs again over time.

RECOMMENDED ACTION:

Following the close of the public hearing and first reading of the Ordinance for adoption of the recommended zoning code amendments, City staff recommends continuation of the adoption process for a second reading of the Ordinance to the February 11, 2016, regular meeting of the City Council and affirmative action on the proposed zoning code amendments at that meeting.

ATTACHMENTS:

- A. Draft Ordinance for Adoption of Recreational Vehicle and Boat Storage Permitted Uses in SMC Chapter 16.12 and Shared Parking Agreement in SMC Section 16.60.100(C).
- B. Draft Minutes of the December 10, 2015, regular meeting of the Sultan Planning Board.

CITY OF SULTAN WASHINGTON

ORDINANCE 1230-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, ADOPTING AMENDMENTS TO SULTAN MUNICIPAL CODE ADOPTING A NEW PERMITTED USE IN HIGHWAY-ORIENTED DEVELOPMENT ZONE, A NEW PERMITTED USE IN THE ECONOMIC DEVELOPMENT ZONE, AND NEW DIMENSIONAL REQUIREMENTS IN THE TABLES FOR EACH OF THE NEW PERMITTED USES IN TITLE 16, CHAPTER 16.12, AND A NEW SHARED PARKING AGREEMENT SUBSECTION 16.60.100 (C) IN TITLE 16, CHAPTER 16.60, OF THE UNIFIED DEVELOPMENT CODE; AND PROVIDING FOR SEVERABILITY.

WHEREAS, Title 16 of the Sultan Municipal Code is the Unified Development Code, containing the zoning standards; and

WHEREAS, the Planning Board met on December 10, 2015, and recommended approval of the zoning code amendments to Chapter 16.12 to add new language clarifying permitted uses and dimensional requirements and Chapter 16.60 to add new language clarifying a shared parking agreement for joint-use off-street parking; and

WHEREAS, the Planning Board unanimously voted to recommend to the City Council that the proposed zoning code amendments to Title 16 should be reviewed and approved by the City Council; and

WHEREAS, the City staff has advertised and prepared for a public hearing on adoption of the proposed zoning code amendments, although a public hearing is not required as provided for in SMC 16.134.020 B(3); and

WHEREAS, a public hearing was properly advertised and set for the regular Council meeting of January 28, 2016; and

WHEREAS, having received and considered the Planning Board's recommendation and the public input received at its January 28, 2016, Council Meeting; and

WHEREAS, having determined that the added new language clarifies permitted uses and application of joint-use off-street parking consistent with the existing zoning code (Title 16) as it relates to the public interest of protection of life, health, and safety of property owners and the community of Sultan in general.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1.Adoption. There are hereby adopted minor amendments to the Sultan Municipal Code consisting of Title 16, Zoning Code of the City of Sultan as contained in Attachment A:

Section 2.Findings. The recitals set forth above are hereby adopted as the City Council's findings in support of these zoning code amendments.

Section 6. – Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 7.Severability. If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

Section 7.Effective Date. This ordinance becomes effective five days (5 days) after publication.

ADOPTED BY THE CITY COUNCIL OF SULTAN, WASHINGTON THIS ____ DAY OF _____, 2016, AND SIGNED INTO AUTHENTICATION THIS ____ DAY OF _____ 2016.

APPROVED:

Carolyn Eslick, Mayor

APPROVED AS TO FORM:

Amy Mill, City Attorney

ATTEST/AUTHENTICATED:

Laura Koenig, City Clerk

Posted:

Published:

Added new language for Shared Parking Agreement to existing SMC 16.60.100

16.60.100 Joint-use parking requirements.

A. Places of Public Assembly. Parking spaces already provided to meet off-street parking requirements of stores, office buildings, schools, and industrial establishments, situated on the same site as places of public assembly, and that are not normally in use between the hours of 6:00 p.m. and midnight and are made available for other parking, may be used to meet not more than 50 percent of the total requirements of parking spaces. Written agreement is required for such joint-use parking arrangements between the officials of the place of public assembly and the owner or manager of the other development and parking area on the site.

B. Mixed Use Developments. In the case of mixed uses (such as shopping centers), the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. Off-street parking facilities for one use shall not be considered as providing required parking facilities for any other use, except as specified above for joint use. (Ord. 630 § 2 [16.10.030(10)], 1995)

C. Shared Parking Agreement. Parking facilities may be cooperatively used by different land uses, when the times of the use of such parking spaces by each use are not simultaneous. A shared parking agreement signed by all parties who share the parking facilities and approved by the City Community Development Director (Director) shall be required that binds the parking facilities and the parties until the agreement is dissolved by all parties and approved by the Director. The total number of required parking spaces may be reduced from the requirements of Sultan Municipal Code Chapter 16.60, if it is demonstrated through a parking study that complementary uses, internal trip capture or uses with different peak parking needs justify the reduction in required parking spaces at all times. A covenant running with the land shall be made between the property owner (owner) and the City of Sultan (City) stating the responsibilities of the owner and shall be recorded with Snohomish County. A copy with the recording number and parking layouts and scheduled times of use by the specific uses sharing the on-site parking spaces shall be submitted as part of any permit application for development. When any shared parking agreement subject to the covenant is to be modified or terminated, the owner shall be responsible for notifying the Director and providing a revised site plan and schedule for meeting the parking requirements of all the development on the property subject to the covenant.

Recommended addition to permitted uses in 16.12.050(8)(b) Highway-Oriented Development (HOD) Zone -- Miscellaneous Associated Facilities

b. Recreational vehicle and boat storage inside a building.

Recommended addition to permitted uses in 16.12.060(7)(h) Economic Development (ED) Zone -- Miscellaneous Associated Facilities

h. Recreational vehicle and boat storage yard.

Added language to the following tables:

**Highway-Oriented Development (HOD) Zone
Table of Dimensional and Density Requirements**

Uses Permitted	Maximum Units/Acre	Area	Width (ft)	Depth (ft)	Front	Each Side	Rear	Max Bldg Height	Max Lot Coverage
Recreational Vehicle/Boat Storage (Bldg)	-	1 acre	100	200	25	25	25	30	60

**Economic Development (ED) Zone
Table of Dimensional and Density Requirements**

Uses Permitted	Maximum Units/Acre	Area	Width (ft)	Depth (ft)	Front	Each Side	Rear	Max Bldg Height	Max Lot Coverage
Recreational Vehicle/Boat Storage Yard	-	1 acre	100	200	25	25	25	30	25

**SULTAN PLANNING BOARD MINUTES
December 10, 2015**

PLANNING BOARD MEMBERS PRESENT:

Lucy Hitchcock
Gloria Reedy
Sean Gossett
Tom Green, arrived 7:20p.m.
Janet Peterson arrived at 7:10p.m.

STAFF PRESENT:

Ken Walker, City Administrator
Cyd Sparks, Secretary of the Board
Brad Collins, FAICP Interim Planning Director

CALL TO ORDER:

Call to Order at 7:00 p.m.

CHANGES TO THE AGENDA:

None.

PUBLIC COMMENTS:

Bob McCarty, 1203 Loves Hill Drive, Sultan – Water Trails Planning – heads up, boat/float oriented. “Sky to Sound” The City received a Grant from National Park Service to have Park Staff person to help us through this project. To make areas “In/Out” areas for food stops and economic development. Make people want to spend their money here.

PLANNING BOARD MEMBER COMMENTS:

Gossett – Concerns over what is going on at the Sultan Airport. Gossett is going to let his term expire in February.

Reedy – Welcomes Brad to the Planning Board meeting. What do the initials behind your name mean? Are the PB dates changing to Thursdays? Brad explains.

Peterson – Welcomes Brad to the group and looks forward to getting something done.

Collins – Answers questions from the Board and discusses the change in the day for future PB Meetings.

APPROVAL OF MINUTES:

October 20, 2015 Minutes – Peterson moves to approve the minutes as printed. Reedy seconds. All Ayes.

DISCUSSION AND STUDY ITEMS:

D-1: Review Parks Questionnaire/Survey (November Packet) Board discusses the questionnaire and refines some of the questions. Add kayaking and boating. Change 8th to 9th Street. Add a map showing the park locations with numbers. Add question #13 from the phone survey. What about adding equestrian trails? Add a question about horse trails. Redo the questionnaire for the next meeting.

D-2: PROS Plan Edits (November Packet) Talk about FTP file (*FTP* stands for *File Transfer Protocol* and, as the name implies, it is a way of transferring files between computers) or setting up a separate computer for the Board to come to the City and make their edits. PB Members to go over the PROS Plan and pick a section that they would like to work on.

D-3: Planning Board By-Laws (November Packet) information only.

D-4: Planning Board Work List 2016

Brad goes over a work list for 2016 with the Board. Changing the meetings to the 3rd Thursday of the month for Jan thru March.

D-5: Zoning Code Amendments

Staff goes over the two zoning code changes he will be bringing up.

1) Recreational vehicle and boat storage yards and/or buildings. Board and Staff discuss the need for a public hearing at the planning board meeting. Board and Staff have discussion on changes to the By-Laws which list the items on the PB Agenda.

Recommendation to the City Council to Recreational vehicle in HOD in building, recreational vehicle yards in ED Zone. Green makes a motion and Peterson seconds. All Ayes.

2) Staff discusses the shared parking requirements with the Board. Board asks questions, what is Internal Trip Capture? Staff explains that it means cars are going into more than one business at the same parking site.

Recommendation to the City Council to allow shared parking requirement C as written. Green makes a motion and Reedy seconds. All Ayes.

16.60.100 Joint-use parking requirements.

Existing:

A. Places of Public Assembly. Parking spaces already provided to meet off-street parking requirements of stores, office buildings, schools, and industrial establishments, situated on the same site as places of public assembly, and that are not normally in use between the hours of 6:00 p.m. and midnight and are made available for other parking, may be used to meet not more than 50 percent of the total requirements of parking spaces. Written agreement is required for such joint-use parking arrangements between the officials of the place of public assembly and the owner or manager of the other development and parking area on the site.

B. Mixed Use Developments. In the case of mixed uses (such as shopping centers), the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. Off-street parking facilities for one use shall not be considered as providing required parking facilities for any other use, except as specified above for joint use. (Ord. 630 § 2 [16.10.030(10)], 1995)

New:

C. Shared Parking Agreement. Parking facilities may be cooperatively used by different land uses, when the times of the use of such parking spaces by each use are not simultaneous. A shared parking agreement signed by all parties who share the parking facilities and approved by the City Community Development Director (Director) shall be required that binds the parking facilities and the parties until the agreement is dissolved by all parties and approved by the Director. The total number of required parking spaces may be reduced from the requirements of Sultan Municipal Code Chapter 16.60, if it is demonstrated through a parking study that complementary uses, internal trip capture or uses with different peak parking needs justify the reduction in required parking spaces at all times. A covenant running with the land shall be made between the property owner (owner) and the City of Sultan (City) stating the responsibilities of the owner and shall be recorded with Snohomish County. A copy with the recording number and parking layouts and scheduled times of use by the specific uses sharing the on-site parking spaces shall be

submitted as part of any permit application for development. When any shared parking agreement subject to the covenant is to be modified or terminated, the owner shall be responsible for notifying the Director and providing a revised site plan and schedule for meeting the parking requirements of all the development on the property subject to the covenant.

D-6: Title 16 - Unified Development Code

Staff goes over some of the historical events on Title 16 & 18. Several different versions have attempted unsuccessfully to update the City's development regulations. This work is identified as one of the principal duties of the Planning Board and the Community Development Director. Before we make another attempt at revising the City's Development/Zoning Code, an objective or set of objectives needs to be determined to guide the review.

The goal of the December Planning Board meeting is to set some work parameters and schedule. Board has discussion with Staff over what happened in the past. Staff wants to work on a way to make the process better this time. Have the Attorney review the updates to the Code as the Board completes them. January's meeting should begin with what are the major issues in Title 16 and Title 18? Look at impact fees, why are they expensive and can they pay them at another time other than when permits are due.

Revise the PB Meetings from the 3rd Tuesday of the month to the 3rd Thursday of the month thru March. Motion by Gossett and seconded by Green. All Ayes.

ACTIONS FOR NEXT MEETING:

- PB Minutes for December 10th
- Updated Survey for 3rd review.
- PROS Plan in shared location - still working on a solution. Shared computer upstairs.
- Bring Zoning Map for each member.
- Publish the PB Calendar in newspaper and webpage.
- Staff to put together materials for review of Code for January meeting.

PLANNING BOARD COMMENTS:

Peterson –Thanks for delivering the PB Packets.

Reedy – Did research on raising the Sultan Sales to what the Monroe tax rate to Sultan Council. Reedy would like the ear marked funds to parks.

Green – would like to find a way to sell cars and keep the sales tax here. Loves to hear that Staff is trying to keep it simple.

PUBLIC COMMENTS:

McCarty – comments on the SMC Code. Take what is the best from 16 and 18 and make one code.

ADJOURNMENT:

Peterson moves to adjourn the meeting and Reedy seconded the motion. All Ayes.

Adjourned at 9:10 p.m.

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: Public Hearing PH 3

DATE: January 28, 2016

SUBJECT: Consider annexation of area of land in the vicinity of 124th Street SE

CONTACT PERSON: Ken Walker, City Administrator

ISSUE:

The issue before the Council is to hold a public hearing on the proposed annexation for an area of land in the vicinity of 124th Street SE.

BACKGROUND:

Annexation is the process by which an unincorporated portion of the county becomes part of the incorporated community. The areas of land eligible to consider for annexation are areas within the city's urban growth boundary. The proposed annexation area is within the City of Sultan Urban Growth Area.

Washington State law governs annexation procedures. The most common procedure for annexation is the 60% petition method, whereby signatures of property owners representing 10% of the assessed valuation within an area are submitted to the City Council in favor of annexation according to RCW 35A.14.120. If the City Council determines that the proposed annexation is in the public interest, it may initiate a public process to analyze the area and coordinate with the county and special purpose districts for potential transfer of jurisdiction. The City Council may also choose not to pursue annexation.

Following a successful annexation, the final step is to amend the comprehensive plan map and zoning map to amend the jurisdictional boundaries. This step can occur only as part of the annual comprehensive plan amendment process and requires a docket request by the first of April to be considered as part of the annual update. The applicant paid the docketing fee but did not submit a complete application. Based on the procedures in the municipal code, the comprehensive plan amendment may be able to occur in the 2016 calendar year.

DISCUSSION:

Sultan Municipal Code is silent on criteria to evaluate the merits of an annexation request. The 2011 Comprehensive plan provides some direction. Firstly, the Comprehensive plan makes the assumption that all the land in the Urban Growth Areas is annexed to the City by 2030. The most specific criteria for annexation approval are detailed in Comprehensive plan Program LU 2.2.1.

PROGRAM LU 2.2.1

Support annexation proposals that meet the following criteria:

- The area can be supported with adequate facilities and urban services consistent with capital facilities plans for public facilities and utilities;
- There is an adopted land use plan for the annexation area;
- The annexation achieves the growth,(sic) and economic needs and goals for the city as set forth in the comprehensive plan

The applicant will need to be responsible for infrastructure improvements for any subsequent development once the proposed area has been annexed into the City of Sultan. City staff finds that adequate facilities and urban services can be provided according to the adopted levels of service and capital facilities plans in effect.

There is no proposed zoning with the annexation petition. Consequently, the City of Sultan will determine appropriate zoning based on the Future Land Use Plan in the City's Comprehensive Long-Range Plan.

In addition to the criteria of comprehensive plan program LU 2.2.1 above, the following comprehensive plan goals, policies, and programs address annexation considerations. Council direction and policy decisions are expected to conform to the goals and policies in the Comprehensive plan. The following Comprehensive plan goals and policies apply to this request along with staff comments which address the merits of this annexation request.

LU 5 GOAL: REGIONAL COORDINATION AND COOPERATION

Coordinate and cooperate with regional jurisdictions and agencies on rural transition areas, essential public facilities, and annexations.

Annexation will require coordination with the Snohomish County Boundary Review Board. The Boundary Review Board will weigh the merits of the annexation request and either support or deny the request independent of Council's recommendation. The area cannot be annexed without Boundary Review Board approval.

LU 5 GOAL: MANAGE GROWTH POTENTIALS

Maintain a realistic balance between the land's capability and Sultan's ability to provide urban services. And,

PROGRAM CF 1.5.7

Require a feasible plan to meet adopted level of service standards for all facilities needed for development prior to annexation of, or the extension of any City service to properties within the UGA. Such plan shall include measures to ensure that levels of service will not be reduced below locally established minimum standards to existing City residents in order to serve the annexed or unincorporated area.

The petitioners agree to be responsible for water, sewer, garbage, fire, police, parks, schools, transportation and other urban services to be provided at adopted levels of

service or urban levels for the annexation area. Any future development application will need to include a plan that addresses how level of services can be achieved.

LU 9 GOAL: THE BUILT ENVIRONMENT AND HEALTH

Recognize that the well-being of all Sultan residents is affected by the built environment, land use, density, transportation strategies and street design.

The annexation is consistent with the Comprehensive Long-Range Plan and the environmental impact statement assessing the impacts of annexations within the City's Urban Growth Area.

H 1 GOAL: MANAGE GROWTH POTENTIALS

Maintain a realistic balance between the land's capable, suitable potentials and Sultan's ability to provide housing choices and opportunities to meet the housing needs of all income levels and demographic groups within the city. (MPP H-1)

Recognizing that the population allocation that informs the comprehensive plan is obtainable through annexation, the petitioners have demonstrated that the "suitable potential" of urban development can be achieved following annexation.

H 2 GOAL: PROMOTE HOUSING DIVERSITY

Adopt comprehensive plan designations, land use zones, and development regulations which support a variety of housing options for residents.

Following annexation, the City of Sultan will determine the zoning of the newly annexed area consistent with the City's Future Land Use Map. The city of Sultan has adopted the Future Land Use Map as both its zoning map under the development code and its comprehensive plan map. Any changes to the city's land use map, including assigning a zone to an annexed area, will also amend the comprehensive plan map.

POLICIES UT 1.5 SEPTIC SYSTEMS

Encourage all properties not intending to redevelop at the time of annexation to phase out their septic systems and connect to the City sewer system. And,

PROGRAM UT-1.7.2

Septic systems will not be permitted in new development projects within the City of Sultan or proposed annexation areas, except for certain single family dwellings located beyond the installed sewer mains. And,

PROGRAM UT 1.2.1

Work with property owners seeking to annex into the city in order to develop properties at urban levels of service to provide sewer service to the annexed area.

Development of the annexation area at urban densities will require the extension of sanitary sewer to the area. With sewer in place, city code requires connection to the

city sewer system when septic systems fail provided they are within a reasonable distance to the sewer main.

Bringing sewer to the annexation area via Sultan Basin Road requires, at this time, extending the sewer line from an area within the municipal boundaries, into the UGA, into county jurisdiction, and then back into the city limits at the annexation area. The area under county jurisdiction is under consideration for inclusion into the city's UGA but the County Planning Board has recommended to the County Council that this area be removed from inclusion in the UGA. WAC 365-196-425 (4)(b) provides guidance on the provision of services in rural areas. Urban governmental services that pass through rural areas when connecting urban areas do not constitute an extension of urban services into a rural area provided those public services are not provided in the rural area. Sanitary sewer service may be provided only if it:

- (i) Is necessary to protect basic public health and safety and the environment;
- (ii) Is financially supportable at rural densities; and
- (iii) Does not permit urban development.

This means that areas in the UGA and in unincorporated Snohomish County may have sewer passing through these areas, but the sewer will generally not be available to these areas, subject to the above three provisos.

POLICIES UT 2.1 SERVICE AREA

Use ongoing utility planning programs to provide water and fire protection services to properties within the city limits and future annexation areas.

The city's water treatment plant is adjacent to the proposed annexation area. A water main crosses the area along 124th street before heading south down Sultan Basin Road.

PROGRAM EN 6.1.3

Consider the air quality implications of new growth and development when considering annexations, making comprehensive plan and zoning changes, and planning street and utility extensions.

The applicant will need to address any potential or identified air quality impacts as a result of subsequent land development.

SUMMARY:

Acceptance of the 60% Annexation Petition by the City Council represents a commitment by the city to proceed with this annexation request consistent with the requirement of state law, city code, and the city's comprehensive plan. By approval, the City Council determines that the proposed annexation is in the public interest.

The city should cause a proposed zoning and comprehensive plan map amendment to be prepared following the annexation.

The final decision to accept an annexation will depend upon the decision of the Council that the applicant has adequately satisfied the requirement of annexation according to state law, the city code, and the comprehensive plan. Final acceptance of

the annexation is within the sole discretion of the City Council upon a finding that the annexation is consistent with the city's adopted plans and policies at the time the annexation request was considered for approval.

FISCAL IMPACTS:

Following annexation, the development process will require city resources, mainly significant staff time. The adopted fee schedule assigns fees of:

- \$ 250 for the comp plan docket request;
- \$1,000 + direct costs for the map change
- \$ 550 for a SEPA checklist for zoning assignment
- \$1,000 + direct costs for a zoning code amendment if a new zoning designation is adopted, TBD but not anticipated at this time

The adopted fee schedule in effect should not be expected to adequately compensate for the staff time necessary to devote to this request. Long-term favorable fiscal impacts should include increased property tax revenue and permit fees collected for future development.

ALTERNATIVES:

1. Accept the 60% annexation petition. and
2. Reject the 60% Annexation Petition, if there is a substantive change since the May 28, 2015, approval of the 10% Annexation Petition.
3. Modified the proposed annexation area to satisfy the 60% annexation petition requirements.

RECOMMENDED ACTION:

Close the public hearing and direct staff to bring Resolution 16-02 forward for action at the February 11, 2015 Council meeting to accept the 60% Annexation Petition that requires the annexing area to assume a prorated share of the city's bonded indebtedness existing at the time of annexation. With completion of the annexation, direct staff to prepare zoning and comprehensive plan map amendments for adoption. Zoning and comprehensive plan amendments could still occur in 2016.

ATTACHMENTS:

- Attachment A: Resolution approving the 60% Petition for the 124th Street Annexation
- Attachment B: 60% Petition proposed annexation area map
- Attachment C: Minutes of the May 28, 2015 Council meeting.

CITY OF SULTAN
WASHINGTON
RESOLUTION NO. 16-02

A RESOLUTION OF THE CITY OF SULTAN, WASHINGTON, DECLARING THE CITY’S INTENT TO ANNEX AN AREA OF UNINCORPORATED SNOHOMISH COUNTY COMMONLY KNOWN AS THE 124th STREET; DESCRIBING THE BOUNDARIES OF THE AREA TO BE ANNEXED; AND PROVIDING DIRECTION TO STAFF.

WHEREAS, the Snohomish County Council and the City of Sultan approved an Urban Growth Area with the Future Land Use Map of the General Policy, and

WHEREAS, the Sultan City Council directed staff at its May 28, 2015, City Council meeting of their desire to annex the “124th Street Petition Area” into the City of Sultan to implement the City’s Comprehensive Long-Range Plan and thereby make developable land accommodations for the approved County growth allocation target; and

WHEREAS, RCW 43.21C.222 provides that annexation of territory by a city is exempt from the State Environmental Policy Act; and

WHEREAS, RCW 35A.14.120 establish a process to annex unincorporated territory with petitioners who own not less than 60% of the value, according to the assessed valuation for general taxation of the property for which the annexation is petitioned; and

WHEREAS, the area commonly known as the “124th Street Annexation Petition Area” is eighty (80) acres plus a quarter mile of 124th Street right-of-way and a quarter mile of the northern half of the 124th Street right-of-way adjacent to the southern half of the 124th Street right-of-way within the City limits(2.717 acres of right-of-way) and has boundaries contiguous to the City; and

WHEREAS, the Sultan City Council held a public hearing concerning the proposed annexation at the City Council meeting on January 28, 2016.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1.Findings. The City Council adopts the above recitals in support of the annexation proposed by this resolution. The Council further finds that the public interests and general welfare of the City of Sultan would be served by the proposed annexation.

Section 2.Petitioners. The area consists of eight parcels less than 25 acres each that is zoned Unincorporated Low Density Residential by Snohomish County. Some of the petitioners reside on some of the parcels.

Section 3. Proposed Annexation Boundaries. The boundaries of the proposed annexation are depicted in Exhibit A and described in Exhibit B to this resolution and incorporated by the reference as if set forth in full.

Section 4. Filing. The Mayor or her designee is hereby authorized and directed to file a copy of this resolution with the Snohomish County Boundary Review Board seeking approval for annexation of the “124th Street Annexation Petition area” to the City of Sultan. The Mayor is further authorized to take all necessary steps to pursue approval of the annexation by the Boundary Review Board including requesting review be waived per RCW 36.93.110.

Section 5. Corrections by City Clerk. Upon approval of the City Attorney, 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 to other local or state laws, codes, rules, or regulations, resolution numbering, and section/subsection numbers.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 11th DAY OF FEBRUARY, 2016.

CITY OF SULTAN

Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:

Laura Koenig, City Clerk

Exhibit B

Legal Description of 124th Street Annexation to the City of Sultan

Commencing at the Northwest corner of the Southeast ¼ section of the Northwest ¼ section of Section 29, Township 28 North, Range 8 East; thence East along the North lines of said Southeast ¼ section of the Northwest ¼ section of Section 29, Township 28 North, Range 8 East and the Southwest ¼ section of the Northeast ¼ section of Section 29, Township 28 North, Range 8 to the Northeast corner of said Southwest ¼ section of the Northeast ¼ section of Section 29, Township 28 North, Range 8 East; thence South along the East line of said Southwest ¼ section of the Northeast ¼ section of Section 29, Township 28 North, Range 8 East to the South right of way line of 124th Street SE; thence West along said South right of way line of 124th Street SE and including all of the right-of-way of 124th Street SE to the city limits line of the City of Sultan; thence North along said city limits line to the South line of the unincorporated portion of 124th Street SE at the Southwest corner of the Southwest ¼ section of the Northeast ¼ section of Section 29, Township 28 North, Range 8 East; thence West along said city limits line and including the North portion of the unincorporated portion of 124th Street SE to the Southwest corner of said Southeast ¼ section of the Northwest ¼ section of Section 29, Township 28 North, Range 8 East; thence North along the West line of said Southeast ¼ section of the Northwest ¼ section of Section 29, Township 28 North, Range 8 East and adjoining the city limits line of the City of Sultan to the POINT OF BEGINNING.

Situate in the County of Snohomish, State of Washington



PLANNING DEPARTMENT

319 Main Street, Suite 200 Sultan, Washington 98294
 Telephone: (360) 793-2231 Fax: (360) 793-3344

PETITION TO COMMENCE ANNEXATION (60% Petition Method)

DECLARATION

- We, the undersigned, are owners of real property lying outside of the corporate limits of the City of Sultan, Washington, but contiguous thereto and designated as part of the Sultan Urban Growth Area. A legal description and map of this area are attached to this notice.
- We, the undersigned, who are the owners of property totaling not less than 60% of the total assessed valuation of the acreage in the area proposed for annexation, wish to inform the Honorable Mayor and Sultan City Council that we intend to commence the procedures for annexation to the City of Sultan. By signing this petition, we legally acknowledge that that we are asking to be 1.) Assessed for City services, 2.) Assessed for a pro rata share of the City's existing bonded indebtedness including all outstanding bonds, levies, and loans at the time of annexation, 3.) Regulated in compliance with the Sultan Municipal Code; and 4.) Possibly responsible for infrastructure improvements within the proposed annexation area as a condition of annexation to the City of Sultan. It is acknowledged that this petition may consist of multiple documents filed independently.

WARNING: Every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he or she is not a legal voter, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

Annexation Proposal Contact Person: Rusty Duvstuen WA Phone Number: 360-330-4117
 Mailing Address: 33900 SE Sultan WA 98297

Snohomish County Parcel Number	Parcel Acreage	Printed Name of Property Owner	Physical Address of Property Owner	Signature of Property Owner	Date Signed
<u>28082800202000000000</u>	<u>8.90</u>	<u>Timothy Akers</u>	<u>31419 124 ST SE</u>	<u>[Signature]</u>	<u>10-19-15</u>
<u>28082800202000000000</u>	<u>1.10</u>	<u>Timothy Akers</u>	<u>31414 124 ST SE</u>	<u>[Signature]</u>	<u>10-19-15</u>
<u>28082800202000000000</u>	<u>4.89</u>	<u>Russell Duvstuen</u>	<u>31323 124 ST SE</u>	<u>[Signature]</u>	<u>10/19/15</u>
<u>28082800202000000000</u>	<u>24.83</u>	<u>Matthew Anderson</u>	<u>31129 124 ST SE</u>	<u>[Signature]</u>	<u>10/18/15</u>
<u>28082800202000000000</u>	<u>2.50</u>	<u>Shy Akers Estates</u>	<u>31805 124 ST SE</u>		

*Note: If additional space is needed, please obtain and use an additional petition form

FOR PLANNING STAFF USE ONLY

TOTAL GEOGRAPHIC AREA OF PROPOSED ANNEXATION: 64.72 Acres
 PERCENT OF TOTAL ASSESSED VALUATION BY SIGNATURE: _____ %



ATTACHMENT 5

CITY OF SULTAN COUNCIL MEETING – May 28, 2015**Annexation Request – Drivstuen**

The issue before the Council is to determine whether the city will accept, reject, or geographically modify the proposed annexation request; whether it shall require the simultaneous adoption of a proposed zoning regulation, and whether it shall require the assumption of all or of any portion of existing city indebtedness by the area to be annexed.

Acceptance of this notice of intent by the City Council represents a commitment by the city to proceed with this annexation request consistent with the requirement of state law, city code, and the city's comprehensive plan. If the City Council determines that the proposed annexation is in the public interest, it may "initiate" a public process to analyze the annexation proposal. The proponents must use the official petition forms to collect the signature of property owners that represent not less than 60% of the total assessed valuation of the acreage in the area requested for annexation.

The city will require the applicant to prepare a report assessing the probable short-term and long-term financial, economic and social impact from the annexation by addressing compliance with the comprehensive plan. Additionally, if the City Council chooses to proceed with annexation, the city may require property owners within an annexing area to assume a pro rata share of the city's bonded indebtedness existing at the time of annexation. The city should cause a proposed zoning and comprehensive plan map amendment to be prepared following the annexation.

The final decision to accept an annexation will depend upon the decision of the Council that the applicant has adequately satisfied the requirement of annexation according to state law, the city code, and the comprehensive plan. Final acceptance of the annexation is within the sole discretion of the City Council upon a finding that the annexation is consistent with the city's adopted plans and policies at the time the annexation request was considered for approval.

Discussion included:

Percentage of property owners involved (100%); need for additional information to make decision; area is in the UGA and identified for future annexation; prior staff decision not to bring the petition to the council; applicant meets the requirements set forth in the law and staff is looking for approval to move forward; must be able to provide services and will need land use designation; staff will be involved in the process but the petitioner will do most the work; need to go through the process to determine if the annexation is viable; commercial growth needs rooftops. The action is to approve the intent to allow the proposal to move forward.

On a motion by Councilmember Seehuus, seconded by Councilmember Neigel, the Council accepted the intent to annex, require the annexing area to assume a prorated share of the city's bonded indebtedness existing at the time of annexation; direct staff to prepare a proposed zoning and comprehensive plan map amendment to be adopted following annexation. All ayes except Councilmember Naslund who voted nay.

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: Consent C 1

DATE: January 28, 2016

SUBJECT: Council Meeting Minutes

CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director

SUMMARY:

Attached are the minutes of the January 14, 2016 Council meeting as on file in the office of the City Clerk.

RECOMMENDED ACTION:

Approve as submitted.

CITY OF SULTAN COUNCIL MEETING – January 14, 2016

The regular meeting of the Sultan City Council was called to order by the City Clerk, Laura Koenig. Councilmembers present: McCarty, Seehuus, Walker, Wiita, Neigel, Naslund and Beeler.

Mayor Pro-tem Appointment

Councilmember Walker was nominated as the Mayor Pro-tem for 2016. On a motion by Councilmember Seehuus, seconded by Councilmember Beeler, Councilmember Walker was appointed as the Mayor Pro-tem for 2016. The meeting was turned over to the Mayor Pro-tem Walker.

PRESENTATIONS:

Sky Valley Chamber of Commerce Annual Report

Debbie Copple, Chamber Director, presented the annual Sky Valley Chamber report. Debbie reviewed the projects the chamber is working on for 2016. The two major promotional projects are:

1. Water trails map
2. Creating a marketing tourism plan for the Sky Valley. The Sky Valley Regional Rural Tourism Studio series is planned for 2016.

The Chamber is continuing to work on the commercial/industrial property marketing; Stevens Pass partnership; Cascade Loop; Snohomish County parks and the Sky Valley Recreation and Planning group.

Presented a calendar of events for 2016 and the new brochures for food and lodging. The number of visitors for 2015 was down due to the floods and break-in in November.

Dan Chaplik – Sultan School District

Dan Chaplik, School Superintendant, provided information on the up-coming school bond. He advised that every six years the school must go through a rating process for the facilities. A citizen and school committee was formed to review the report and determine the future facility needs for the district. All schools will benefit from the bond; however, the major improvements will be at the high school. A science lab, performance art center and second gym will be added and the HVAC and electrical systems will be upgraded. Matching funds will be available for some of the improvements at the high school. The transportation building will be replaced and the district office will be moved for security and safety reasons.

COMMENTS FROM THE PUBLIC:

Kay George – came into office to complain about sign on the highway and also had cards in city hall. Suggested a whole wall of business cards to advertise. Don't care about campaign signs but others bother her. Open up to all.

Lucy Hitchcock – remind no longer have school impact fees for development. Hope will be development and should renew the fees for schools. Library sales is Jan 23rd.

COUNCILMEMBER COMMENTS

Beeler: Impact fees are not determined by the city; must be set by the school board process. Agrees that with the building going on in the city, the school impact fee should be considered. City of Monroe had meeting on SR 522 and there was little money received for US 2 improvements. The portion of SR 522 in District 39 is complete, and there is a need to lobby representatives in other districts to provide funding to complete the project.

CITY OF SULTAN COUNCIL MEETING – January 14, 2016

Naslund: Calculating school impact fees is part of her job. In 2010, impact fees zeroed out due to declining enrollment. There is a formula to determine the amount of fees that can be charged to meet future enrollment needs. Enrollment is growing and the district is meeting with Snohomish County to determine when fees can be charged again. Have not met the threshold yet.

Cascadia Conduction Zone: Four people from Sultan attended the earthquake preparedness workshop on the probability of a major earthquake and tsunami along the San Juan fault. It was an eye opener for all and the bottom line was that thousands of people could die from Canada to California.

Neigel: Welcomed Russell Wiita to the Council.

Wiita: Excited to get started on the Council. His main priorities are public safety and new environment for business. Reminded everyone that under the public records act, destruction of public records is a felony. The Council passed a resolution of support to seek funding for SR 522.

Seehuus: There will be a multi state joint drill in June on a potential earthquake along the Cascadia Conduction zone. School impact fees have a complex formula and are difficult to put in place.

McCarty: There are racks for business cards at the VIC and he would support a rack in City Hall. Supports school impact fees.

Walker: Welcomed Russell Wiita to the Council.

Ken Walker, City Administrator: Sultan Alliance group would like put a hopscotch boards around the city near the business areas. (Supported by Council). Fire hydrant project needs to be revitalized.

Lobbyist: In 2015, staff, Council and citizens went to Olympia to meet with the elected officials on city projects. It was suggested the city hire a lobbyist, however, there is no money in this year's budget for the \$2000-3000 per month needed to hire someone. The State does not have money for capital projects this year.

Council discussion: Not in the budget, why under discussion; potential of receiving any funding if the state has not capital budget for 2016; need to meet with state officials prior to the 2017 session; state officials have been very responsive to the local officials and citizens. Consensus was not to hire a lobbyist for 2016.

STAFF REPORTS – Written Reports Submitted and are on file in the Office of the City Clerk.

1. Code Enforcement

CONSENT AGENDA: The following items are incorporated into the consent agenda and approved by a single motion of the Council. On a motion by Councilmember Naslund, seconded by Councilmember Seehuus, the consent agenda was approved as presented. McCarty – aye, abstain on vouchers; Seehuus – aye; Walker – aye; Wiita – aye, abstained on the minutes, Neigel – aye; Naslund – aye; Beeler - aye.

1. Approval of the minutes of the December 17, 2015 Council meeting as on file in the Office of the City Clerk.

CITY OF SULTAN COUNCIL MEETING – January 14, 2016

2. 2015 Closeout Voucher Approval in the amount of \$213,382.18 and payroll through December 18, 2015 in the amount of \$103,873.60 to be drawn and paid on the proper accounts.
3. 2016 Voucher Approval in the amount of \$31790.82 and payroll through January 1, 2016 in the amount of \$80,834.54 to be drawn and paid on the proper accounts.

ACTION ITEMS:**Resolution 16-01 Natural Hazard Plan Adoption**

The issue before the council is to authorize the Mayor to sign Resolution 16-01 adopting the updated and revised Snohomish County Hazard Mitigation Plan.

The City is mandated to adopt the updated and revised Snohomish County Hazard Mitigation Plan. Prior to 2000, federal disaster funding in the U.S. focused on relief and recovery, with limited funding for hazard mitigation planning. In 2000, the federal Disaster Mitigation Act required state and local governments to develop hazard mitigation plans as a condition for receiving disaster-related federal grant assistance (Public Law 106-390, approved by Congress on October 10, 2000). Commonly known as the DMA or the 2000 Stafford Act amendments, the act emphasizes the importance of community hazard mitigation planning before disasters occur.

Snohomish County was awarded a grant from the federal Pre-Disaster Mitigation Grant Program (PDM) to prepare the Snohomish County Hazard Mitigation Plan. The County hired a consultant to prepare the plan with oversight from a Planning Committee. The committee acted as the principal vehicle for public involvement in the plan development. Preparation of the plan began in 2013. The hazard mitigation plan identifies resources, information, and strategies for reducing risk from natural hazards. The 2015 Update was prepared by a partnership of 33 jurisdictions in Snohomish County (14 municipal governments, 2 tribal governments, 16 special purpose districts and the County).

On a motion by Councilmember Neigel, seconded by Councilmember Naslund the Mayor was authorized to sign Resolution 16-01 adopting the updated and revised Snohomish County Hazard Mitigation Plan. All ayes.

WWTP Energy Conservation Measures – Final Acceptance

The issue before the City Council is final acceptance of the four Wastewater Treatment Plant Energy Conservation Measures projects completed by Trane.

The council accepted Trane's Energy Service Proposal for process and efficiency improvements at the City's wastewater treatment plant, and authorized the Washington State Department of Enterprise Services to generate contract documents for the City and Trane's signature for Energy Conservation Measures 2, 3, and 4 at the March 12, 2015 council meeting.

- ECM 2 - Oxidation Ditch - Control Aerators to Dissolved Oxygen Setpoint
- ECM 3 - Operations Building Heat Pump Replacement
- ECM 4 - Wastewater Treatment Plant Exterior Lighting

The council authorized the Mayor to sign Change Order Number 1 to incorporate the installation of a second mixer (ECM 1) at the April 23, 2015 council meeting. This project was planned and budgeted for 2015, however when it was analyzed, it did not meet the criteria for the Energy Efficiency Grant. Because the City received a grant in the amount of \$196,584, it was necessary to generate contracts for only the ECM's that qualified for the Energy Efficiency Grant. Because ECM 1 was part of the initial study that led to the grant application, it was acceptable to add this measure into the project via change order. The final cost for this change order was \$62,126.17 without tax.

CITY OF SULTAN COUNCIL MEETING – January 14, 2016

Change Order Number 2 involved replacing the existing 45kVA Transformer which was over capacity with a new 75kVA transformer for \$10,600 (excluding sales tax). The cost of the change order was less than the project contingency, therefore council action was not necessary. The actual construction cost was \$8,199.39 for this change order.

Change Order Number 3 was necessary to prepare a deductive change order for construction cost savings of \$9,823.11, which was returned to the City of Sultan per the State Contract.

The overall project finished under budget resulting in a cost savings to the City of \$9,823.11. On a motion by Councilmember Beeler, seconded by Councilmember Neigel, the Council accepted the four Wastewater Treatment Plant Energy Conservation Measures projects completed by Trane. All ayes except Councilmember Naslund who voted no.

Engineering Contract – 4th and 5th Street Projects

The issue is to approve a contract with Gray & Osborne, Inc. to provide professional engineering and related services necessary to:

- Develop plans, specifications, and cost estimates resulting in the preparation of bid/construction documents suitable for the bid, award, and construction of the 4th Street and 5th Street project from US 2 to Alder Avenue.
- Provide construction management, inspection, and materials testing during the construction phase of the project.

The fee to complete these services is not to exceed \$137,200.00 without prior written authorization by the City Council.

The City of Sultan has recently received grant funding of \$400,140 for the reconstruction of 4th Street and 5th Street from US 2 to Alder Avenue from the Transportation Improvement Board. The City is also planning to line or replace portions of the existing sanitary sewer system; and to replace portions of the existing asbestos cement water system that both generally run perpendicular to the street improvements. The City has budgeted capital funds for 2016 for this work effort.

On a motion by Councilmember Naslund, seconded by Councilmember Seehuus, the Mayor was authorized to sign a contract with Gray & Osborne, Inc. to provide professional engineering and related services necessary to develop plans, specifications, and cost estimates resulting in the preparation of bid/construction documents suitable for the bid, award, and construction of the 4th & 5th Street Reconstruction project from US 2 to Alder Avenue and to provide construction management, inspection and materials testing during the construction phase of the project. The fee to complete these services is not to exceed \$137,200.00 without prior written authorization by the City Council. All ayes.

Council Sub-committee Appointments

The issue before the City Council is to discuss the Council sub-committee structure and membership for 2016. Council Subcommittees are working groups within the Council that focus on particular areas of concern and interest to the Council and the community. The Council established sub-committees based on topics. Staff recommends maintaining the sub-committees based on topic and establishing a set meeting date each month. The two committees are 1) Government Services, Finances and Public Safety and 2) Community Development and Public Works.

Each sub-committee has three Councilmembers and an alternate. The Council made the following appointments:

Government Services, Finances and Public Safety (Policy, personnel, budget and public safety) Councilmembers: Neigel, Seehuus, and Naslund; Beeler - alternate.

CITY OF SULTAN COUNCIL MEETING – January 14, 2016

Community Development and Public Works (planning and development regulations, public works capital projects and equipment) Councilmembers: Wiita, McCarty and Walker; Beeler, alternate.

Approved on a motion by Councilmember Naslund, seconded Councilmember Seehuus. All ayes.

Ordinance 1215-16 Salary Commission

The issue before the Council is the adoption of Ordinance 1229-16 amending Ordinance 1215-15 for the formation of a Salary Commission.

In April 2015, the Council adopted Ordinance 1215-15 for the formation of a Salary Commission and criteria for appointment. Ordinance 1215-15 provided for the Commission to meet every two years in the month of August. After several months of advertising, the city has received five applications for the positions on the Salary Commission. Councilmembers have requested the meeting month be changed from every two years in August to every two years in February.

On a motion by Councilmember Wiita, seconded by Councilmember Naslund, Ordinance 1229-16 to amend SMC 2.07.050(A) was adopted. All ayes.

Salary Commission Appointments

The issue before the Council is the appointment of members to the Salary Commission formed under Ordinance 1215-15. The Council adopted Ordinance 1215-15 in April which provided for the formation of a Salary Commission and criteria for appointment. In accordance with RCW 35A.12.070, the Council cannot increase its own pay unless a Salary Commission is established under RCW 35.21.015.

The Council can increase the Mayor's pay at any time with the proper budget amendments. RCW 35.21.015 provides for establishment of a salary commission which allows midterm increases to council pay.

The salary commission shall consist of five members, to be appointed by the Mayor with the approval of the City Council. The appointments will be effective January 1, 2016. The Mayor has recommended the following individuals for appointment to the Salary Commission:

1. Ken Marshall
2. Cindy Jordan Zirke
3. Lola Nelson
4. Stephanie MacDonald
5. Mark Crowley

On a motion by Councilmember Beeler, seconded by Councilmember Naslund, the Council approved the recommended appointments to the Salary Commission. All ayes.

Safe Stop Agreement with Boys/Girls Club

The issue before the city council is to authorize the Mayor to sign a new contract with the Boys & Girls Club to assume the agreement with the Volunteers of America (VOA) not to exceed six thousand dollars (\$6,000) over a four (4) year period for the Safe Stop program.

The city receives funding annually from the Criminal Justice Special Program for youth activities and domestic violence prevention. In the past, the portion the city receives for youth activities has been earmarked to support the Safe Stop program. The council budgets \$1,500 for the Safe Stop program in the Community Improvement Fund (109).

The Safe Stop program is now staffed by The Boys & Girls Club. There are both planned and spontaneous activities for kids to participate in during the evening from 7 p.m.-10 p.m. Some

CITY OF SULTAN COUNCIL MEETING – January 14, 2016

kids attend because they don't want to be at home watching TV, while others say it's a refuge from troubled friends.

The City agrees to pay the Boys & Girls Club one-thousand five hundred dollars (\$1,500) per year for 2015-2018, but not more than a total of six thousand dollars (\$6,000) for the services described in the Agreement. Any unspent funds from 2015 will carry over to 2016. Future funds must be expended during the budgeted year. This is the maximum amount to be paid under this Agreement, and may not be exceeded without prior written authorization from the City in the form of a negotiated and executed supplemental agreement. Funding for the program is contingent on the availability of city funds.

The Boys & Girls Club will submit quarterly payment invoices to the City after services have been performed, and the City will make payment within four (4) weeks after the submittal of each approved invoice. The invoices will detail the hours worked, a description of the tasks performed and supplies purchased.

On a motion by Councilmember Wiita, seconded by Councilmember Seehuus, the Mayor was authorized to sign an agreement with the Boys & Girls Club not to exceed six thousand dollars (\$6,000) without additional council approval over a four (4) year period for the Boys & Girls Club Safe Stop program. All ayes.

Adjournment: On a motion by Councilmember Seehuus, seconded by Councilmember Naslund, the meeting adjourned at 8:35 PM. All ayes.

Rocky Walker, Mayor Pro-tem

Laura J. Koenig, City Clerk

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM #: Consent 2
DATE: January 28, 2016
SUBJECT: Voucher Approval - 2016
CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director

SUMMARY:

Attached are the vouchers for approval in the amount of \$143,223.67 and payroll through January 15, 2016 in the amount of \$42,447.44 to be drawn and paid on the proper accounts.

FISCAL IMPACT: \$185,671.11

RECOMMENDATION:

Approve the payment of vouchers as submitted.

**City Of Sultan
Voucher Approval
January 28, 2016**

I, the undersigned, do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered, or the labor performed as described hereon, and that the claim is just, due and an unpaid obligation against the City of Sultan, and that I am authorized to authenticate and certify to said claim.

Laura J. Koenig, Clerk/Deputy Finance Director

We, the undersigned City Council of Sultan Washington, do hereby certify that the merchandise or services hereinafter specified have been received and the claims are approved for payment in the following amounts:

Payroll Check #31374-76	\$ 4,166.74
Direct Deposit #2	\$ 27,513.52
Benefits Check #31372-73	\$ 10,767.18
Tax Deposit #	\$ 0
Accounts Payable Checks #31377-426	\$ 133,715.73
ACH Transactions - DOR	\$ 9,507.94
TOTAL	\$ 186,671.11

Bob McCarty, Councilmember

John Seehuus, Councilmember

Rocky Walker, Councilmember

Russell Wiita, Councilmember

Joe Neigel, Councilmember

Marianne Naslund, Councilmember

Jeffrey Beeler, Councilmember

Accounts Payable

Check Register Totals Only



User: laura.koenig
 Printed: 1/22/2016 - 10:31 AM

Check	Date	Vendor No	Vendor Name	Amount	Voucher
31377	01/28/2016	AdvTele	Advocate Telecom	963.92	0
31378	01/28/2016	amtest	AM Test	145.00	0
31379	01/28/2016	Aramark	Aramark Uniform Services - AUS We:	127.62	0
31380	01/28/2016	APP	Associated Petroleum Products Inc	1,672.53	0
31381	01/28/2016	wilbert	Automatic Wilbert Vault Co.	3,254.75	0
31382	01/28/2016	JBarns	James Barns	108.79	0
31383	01/28/2016	CFS	CFS Products	208.05	0
31384	01/28/2016	Comcast	Comcast	1,159.21	0
31385	01/28/2016	Corin	Correctional Industries	1,715.33	0
31386	01/28/2016	dsquare	D-Square Energy Systems Inc	409.97	0
31387	01/28/2016	DOE	Department of Ecology - Cashiering S	1,544.40	0
31388	01/28/2016	DOGA	Department of Enterprise Services	19,800.00	0
31389	01/28/2016	dynacco	Dynacco	2,508.66	0
31390	01/28/2016	EvUtil	Everett Utilities	2,887.58	0
31391	01/28/2016	EvDC	Evergreen District Court	761.62	0
31392	01/28/2016	Eylander	Eylanders Sales & Service Inc	520.19	0
31393	01/28/2016	HoneyB	Honey Bucket	183.50	0
31394	01/28/2016	KIsaksen	Katy Isaksen Associates	5,859.00	0
31395	01/28/2016	Kenyon	Kenyon Disend PLLC	4,623.86	0
31396	01/28/2016	OASYS	Oasys Office Automation Systems	241.42	0
31397	01/28/2016	OfcDepot	Office Depot	117.92	0
31398	01/28/2016	OwenE	Owen Equipment	317.01	0
31399	01/28/2016	Pitney	Pitney Bowes - Purchase Power	520.99	0
31400	01/28/2016	platt	Platt	19.35	0
31401	01/28/2016	PUD 1	PUD	3,940.63	0
31402	01/28/2016	pud 1107	PUD # 1 of Snohomish County	17,671.50	0
31403	01/28/2016	PSE	Puget Sound Energy	344.71	0
31404	01/28/2016	QBS	QualityBusinesss Systems Inc	19.09	0
31405	01/28/2016	RedApl	Red Apple Market	107.74	0
31406	01/28/2016	AllWaste	Republic Services	12,611.25	0
31407	01/28/2016	RH2	RH2 Engineering, Inc.	567.79	0
31408	01/28/2016	Shred	Shred-it USA LLC	97.50	0
31409	01/28/2016	SCaudit	Snohomish County Auditor	5,313.23	0
31410	01/28/2016	SCCFOA	Snohomish County Clerks/Finance	125.00	0
31411	01/28/2016	SCpubwor	Snohomish County Finance	16,542.00	0
31412	01/28/2016	SnoPlan	Snohomish County Planning and Deve	594.00	0
31413	01/28/2016	SCtreas	Snohomish County Treasurer	40.97	0
31414	01/28/2016	Snopac	Snopac	5,790.69	0
31415	01/28/2016	sonsray	Sonsray Machinery LLC	238.23	0
31416	01/28/2016	SoundPub	Sound Publishing Inc	99.76	0
31417	01/28/2016	SNUG	Springbrook National User Group	100.00	0
31418	01/28/2016	TEK	TEK Construction Inc	10,437.17	0
31419	01/28/2016	PartWork	The Part Works, Inc.	153.32	0
31420	01/28/2016	USBank	US Bank	118.00	0
31421	01/28/2016	UULC	Utilities Underground Location Center	15.40	0
31422	01/28/2016	visa	Visa	224.19	0
31423	01/28/2016	visa	Visa	370.88	0
31424	01/28/2016	WFOA	Washington Finance Officers Associat	150.00	0
31425	01/28/2016	Weed	Weed, Graafstra & Benson, Inc, P.S.	122.50	0
31426	01/28/2016	WH	WH Pacific	8,249.51	0

Payroll

ACH Check Register

User: 'julie.addington'
Printed: 01/19/2016 - 4:29PM
Batch: 2-1-2016
Include Partial: FALSE



Check Date	Check Number	Employee No	Employee Name	Amount
01/22/2016	0	001	Laura Koenig	2,192.11
01/22/2016	0	002	Tami Pevey	1,110.37
01/22/2016	0	004	Donna Murphy	1,027.01
01/22/2016	0	007	Julie Addington	1,539.09
01/22/2016	0	010	Cynthia Sparks	1,493.85
01/22/2016	0	011	Janice Mann	1,154.53
01/22/2016	0	015	Kenneth Walker	3,119.01
01/22/2016	0	019	Michael Matheson	2,979.98
01/22/2016	0	020	Connie Dunn	2,072.16
01/22/2016	0	025	John Harris	1,605.97
01/22/2016	0	028	Todd Strom	1,983.26
01/22/2016	0	049	Victoria Forte	1,719.71
01/22/2016	0	120	Matthew Wood	1,806.77
01/22/2016	0	121	Jason Strauss	1,438.24
01/22/2016	0	125	Riley Edwards	1,160.07
01/22/2016	0	127	Michael Rains	1,111.39
Total Employees:			16	Total: 27,513.52

Payroll

Computer Check Register

User: julie.addington

Printed: 01/19/2016 - 4:26PM

Batch: 00002-01-2016 Computer



Check No	Check Date	Employee Information		Amount
31374	01/22/2016	024	Michael Williams	2,499.57
31375	01/22/2016	029	James Barns	1,392.87
31376	01/22/2016	128	Fred Stecher II	274.30
Total Number of Employees:		3	Total for Payroll Check Run:	4,166.74

Accounts Payable

Check Register Totals Only

User: laura.koenig
Printed: 1/12/2016 - 8:50 AM



Check	Date	Vendor No	Vendor Name	Amount	Voucher
31372	12/31/2015	L&I	Department of Labor & Industries	10,092.33	0
31373	12/31/2015	Unemploy	Employment Security Department	674.85	0
Check Total:				10,767.18	

Checks for Approval

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
31372	12/31/2015	BUILDING MAINTENANCE FUND	L&I Payable	Department of Labor & Industries	3.98
31372	12/31/2015	UTILITY WATER FUND	L&I Payable	Department of Labor & Industries	93.24
31372	12/31/2015	UTILITY SEWER FUND	L&I Payable	Department of Labor & Industries	79.90
31372	12/31/2015	STREET FUND	L&I Payable	Department of Labor & Industries	16.28
31372	12/31/2015	CEMETERY FUND	L&I Payable	Department of Labor & Industries	2.29
31372	12/31/2015	STORMWATER UTILITY FUND	L&I Payable	Department of Labor & Industries	15.85
31372	12/31/2015	GENERAL FUND	L&I Payable	Department of Labor & Industries	176.87
31372	12/31/2015	STREET FUND	L&I Payable	Department of Labor & Industries	71.56
31372	12/31/2015	CEMETERY FUND	L&I Payable	Department of Labor & Industries	10.85
31372	12/31/2015	UTILITY SEWER FUND	L&I Payable	Department of Labor & Industries	300.24
31372	12/31/2015	UTILITY GARBAGE FUND	L&I Payable	Department of Labor & Industries	154.56
31372	12/31/2015	GENERAL FUND	L&I Payable	Department of Labor & Industries	49.69
31372	12/31/2015	STREET FUND	L&I Payable	Department of Labor & Industries	17.90
31372	12/31/2015	BUILDING MAINTENANCE FUND	L&I Payable	Department of Labor & Industries	3.45
31372	12/31/2015	UTILITY WATER FUND	L&I Payable	Department of Labor & Industries	90.96
31372	12/31/2015	UTILITY SEWER FUND	L&I Payable	Department of Labor & Industries	68.58
31372	12/31/2015	UTILITY GARBAGE FUND	L&I Payable	Department of Labor & Industries	40.10
31372	12/31/2015	STORMWATER UTILITY FUND	L&I Payable	Department of Labor & Industries	15.31
31372	12/31/2015	GENERAL FUND	L&I Payable	Department of Labor & Industries	174.42
31372	12/31/2015	STREET FUND	L&I Payable	Department of Labor & Industries	66.58
31372	12/31/2015	CEMETERY FUND	L&I Payable	Department of Labor & Industries	9.88
31372	12/31/2015	BUILDING MAINTENANCE FUND	L&I Payable	Department of Labor & Industries	13.31
31372	12/31/2015	UTILITY WATER FUND	L&I Payable	Department of Labor & Industries	340.55
31372	12/31/2015	UTILITY SEWER FUND	L&I Payable	Department of Labor & Industries	256.18
31372	12/31/2015	UTILITY GARBAGE FUND	L&I Payable	Department of Labor & Industries	145.35
31372	12/31/2015	STORMWATER UTILITY FUND	L&I Payable	Department of Labor & Industries	49.68
31372	12/31/2015	GENERAL FUND	L&I Payable	Department of Labor & Industries	50.11
31372	12/31/2015	STREET FUND	L&I Payable	Department of Labor & Industries	18.84
31372	12/31/2015	CEMETERY FUND	L&I Payable	Department of Labor & Industries	3.38
31372	12/31/2015	BUILDING MAINTENANCE FUND	L&I Payable	Department of Labor & Industries	3.15
31372	12/31/2015	UTILITY WATER FUND	L&I Payable	Department of Labor & Industries	99.94
31372	12/31/2015	UTILITY SEWER FUND	L&I Payable	Department of Labor & Industries	54.94
31372	12/31/2015	UTILITY GARBAGE FUND	L&I Payable	Department of Labor & Industries	48.11
31372	12/31/2015	STORMWATER UTILITY FUND	L&I Payable	Department of Labor & Industries	15.55
31372	12/31/2015	GENERAL FUND	L&I Payable	Department of Labor & Industries	179.60
31372	12/31/2015	STREET FUND	L&I Payable	Department of Labor & Industries	70.10

31372	12/31/2015	CEMETERY FUND	L&I Payable	Department of Labor & Industries	12.36
31372	12/31/2015	BUILDING MAINTENANCE FUND	L&I Payable	Department of Labor & Industries	12.17
31372	12/31/2015	UTILITY WATER FUND	L&I Payable	Department of Labor & Industries	375.36
31372	12/31/2015	UTILITY SEWER FUND	L&I Payable	Department of Labor & Industries	203.11
31372	12/31/2015	UTILITY GARBAGE FUND	L&I Payable	Department of Labor & Industries	176.06
31372	12/31/2015	STORMWATER UTILITY FUND	L&I Payable	Department of Labor & Industries	50.40
31372	12/31/2015	UTILITY GARBAGE FUND	L&I Payable	Department of Labor & Industries	56.06
31372	12/31/2015	GENERAL FUND	L&I Payable	Department of Labor & Industries	67.69
31372	12/31/2015	STREET FUND	L&I Payable	Department of Labor & Industries	21.38
31372	12/31/2015	CEMETERY FUND	L&I Payable	Department of Labor & Industries	4.05
31372	12/31/2015	BUILDING MAINTENANCE FUND	L&I Payable	Department of Labor & Industries	4.32
31372	12/31/2015	UTILITY WATER FUND	L&I Payable	Department of Labor & Industries	83.94
31372	12/31/2015	UTILITY SEWER FUND	L&I Payable	Department of Labor & Industries	85.91
31372	12/31/2015	STORMWATER UTILITY FUND	L&I Payable	Department of Labor & Industries	16.64
31372	12/31/2015	GENERAL FUND	L&I Payable	Department of Labor & Industries	242.91
31372	12/31/2015	STREET FUND	L&I Payable	Department of Labor & Industries	78.72
31372	12/31/2015	CEMETERY FUND	L&I Payable	Department of Labor & Industries	15.00
31372	12/31/2015	BUILDING MAINTENANCE FUND	L&I Payable	Department of Labor & Industries	16.62
31372	12/31/2015	UTILITY WATER FUND	L&I Payable	Department of Labor & Industries	311.65
31372	12/31/2015	UTILITY SEWER FUND	L&I Payable	Department of Labor & Industries	322.34
31372	12/31/2015	UTILITY GARBAGE FUND	L&I Payable	Department of Labor & Industries	206.48
31372	12/31/2015	STORMWATER UTILITY FUND	L&I Payable	Department of Labor & Industries	54.31
31372	12/31/2015	GENERAL FUND	L&I Payable	Department of Labor & Industries	60.41
31372	12/31/2015	STREET FUND	L&I Payable	Department of Labor & Industries	17.86
31372	12/31/2015	CEMETERY FUND	L&I Payable	Department of Labor & Industries	3.54
31372	12/31/2015	BUILDING MAINTENANCE FUND	L&I Payable	Department of Labor & Industries	3.55
31372	12/31/2015	UTILITY WATER FUND	L&I Payable	Department of Labor & Industries	85.16
31372	12/31/2015	UTILITY SEWER FUND	L&I Payable	Department of Labor & Industries	82.74
31372	12/31/2015	UTILITY GARBAGE FUND	L&I Payable	Department of Labor & Industries	48.42
31372	12/31/2015	STORMWATER UTILITY FUND	L&I Payable	Department of Labor & Industries	14.36
31372	12/31/2015	GENERAL FUND	L&I Payable	Department of Labor & Industries	217.15
31372	12/31/2015	STREET FUND	L&I Payable	Department of Labor & Industries	65.40
31372	12/31/2015	CEMETERY FUND	L&I Payable	Department of Labor & Industries	13.22
31372	12/31/2015	BUILDING MAINTENANCE FUND	L&I Payable	Department of Labor & Industries	13.69
31372	12/31/2015	UTILITY WATER FUND	L&I Payable	Department of Labor & Industries	318.79
31372	12/31/2015	UTILITY SEWER FUND	L&I Payable	Department of Labor & Industries	311.65
31372	12/31/2015	UTILITY GARBAGE FUND	L&I Payable	Department of Labor & Industries	178.70
31372	12/31/2015	STORMWATER UTILITY FUND	L&I Payable	Department of Labor & Industries	47.06
31372	12/31/2015	GENERAL FUND	L&I Payable	Department of Labor & Industries	57.38
31372	12/31/2015	STREET FUND	L&I Payable	Department of Labor & Industries	17.11
31372	12/31/2015	CEMETERY FUND	L&I Payable	Department of Labor & Industries	3.34

31372	12/31/2015	BUILDING MAINTENANCE FUND	L&I Payable	Department of Labor & Industries	3.02
31372	12/31/2015	UTILITY WATER FUND	L&I Payable	Department of Labor & Industries	84.40
31372	12/31/2015	UTILITY SEWER FUND	L&I Payable	Department of Labor & Industries	47.72
31372	12/31/2015	UTILITY GARBAGE FUND	L&I Payable	Department of Labor & Industries	45.22
31372	12/31/2015	STORMWATER UTILITY FUND	L&I Payable	Department of Labor & Industries	12.55
31372	12/31/2015	GENERAL FUND	L&I Payable	Department of Labor & Industries	208.34
31372	12/31/2015	STREET FUND	L&I Payable	Department of Labor & Industries	63.14
31372	12/31/2015	CEMETERY FUND	L&I Payable	Department of Labor & Industries	12.26
31372	12/31/2015	BUILDING MAINTENANCE FUND	L&I Payable	Department of Labor & Industries	11.57
31372	12/31/2015	UTILITY WATER FUND	L&I Payable	Department of Labor & Industries	317.79
31372	12/31/2015	UTILITY SEWER FUND	L&I Payable	Department of Labor & Industries	177.08
31372	12/31/2015	UTILITY GARBAGE FUND	L&I Payable	Department of Labor & Industries	167.91
31372	12/31/2015	CEMETERY FUND	L&I Payable	Department of Labor & Industries	10.28
31372	12/31/2015	BUILDING MAINTENANCE FUND	L&I Payable	Department of Labor & Industries	13.46
31372	12/31/2015	UTILITY WATER FUND	L&I Payable	Department of Labor & Industries	356.88
31372	12/31/2015	UTILITY SEWER FUND	L&I Payable	Department of Labor & Industries	277.41
31372	12/31/2015	UTILITY GARBAGE FUND	L&I Payable	Department of Labor & Industries	144.04
31372	12/31/2015	STORMWATER UTILITY FUND	L&I Payable	Department of Labor & Industries	49.57
31372	12/31/2015	GENERAL FUND	L&I Payable	Department of Labor & Industries	72.04
31372	12/31/2015	STREET FUND	L&I Payable	Department of Labor & Industries	17.28
31372	12/31/2015	CEMETERY FUND	L&I Payable	Department of Labor & Industries	2.82
31372	12/31/2015	BUILDING MAINTENANCE FUND	L&I Payable	Department of Labor & Industries	3.50
31372	12/31/2015	UTILITY WATER FUND	L&I Payable	Department of Labor & Industries	95.24
31372	12/31/2015	UTILITY SEWER FUND	L&I Payable	Department of Labor & Industries	74.03
31372	12/31/2015	UTILITY GARBAGE FUND	L&I Payable	Department of Labor & Industries	39.74
31372	12/31/2015	STORMWATER UTILITY FUND	L&I Payable	Department of Labor & Industries	15.18
31372	12/31/2015	GENERAL FUND	L&I Payable	Department of Labor & Industries	262.48
31372	12/31/2015	STREET FUND	L&I Payable	Department of Labor & Industries	63.26
31372	12/31/2015	GENERAL FUND	L&I Payable	Department of Labor & Industries	54.37
31372	12/31/2015	STREET FUND	L&I Payable	Department of Labor & Industries	17.47
31372	12/31/2015	CEMETERY FUND	L&I Payable	Department of Labor & Industries	2.57
31372	12/31/2015	BUILDING MAINTENANCE FUND	L&I Payable	Department of Labor & Industries	2.54
31372	12/31/2015	UTILITY WATER FUND	L&I Payable	Department of Labor & Industries	87.56
31372	12/31/2015	UTILITY SEWER FUND	L&I Payable	Department of Labor & Industries	57.67
31372	12/31/2015	UTILITY GARBAGE FUND	L&I Payable	Department of Labor & Industries	37.76
31372	12/31/2015	STORMWATER UTILITY FUND	L&I Payable	Department of Labor & Industries	9.47
31372	12/31/2015	UTILITY SEWER FUND	L&I Payable	Department of Labor & Industries	234.17
31372	12/31/2015	UTILITY GARBAGE FUND	L&I Payable	Department of Labor & Industries	152.25
31373	12/31/2015	UTILITY SEWER FUND	Employment Security Payable	Employment Security Department	193.26
31373	12/31/2015	GENERAL FUND	Employment Security Payable	Employment Security Department	17.17
31373	12/31/2015	STREET FUND	Employment Security Payable	Employment Security Department	5.65

31373	12/31/2015	UTILITY GARBAGE FUND	Employment Security Payable	Employment Security Department	12.19
31377	01/28/2016	UTILITY WATER FUND	Repair and Maintenance	Advocate Telecom	321.31
31377	01/28/2016	UTILITY SEWER FUND	Repair and Maintenance	Advocate Telecom	321.31
31377	01/28/2016	UTILITY GARBAGE FUND	Repair and Maintenance	Advocate Telecom	321.30
31378	01/28/2016	UTILITY WATER FUND	Water - Testing	AM Test	120.00
31378	01/28/2016	UTILITY WATER FUND	Water - Testing	AM Test	25.00
31379	01/28/2016	GENERAL FUND	Office/Operating Supplies	Aramark Uniform Services	1.24
31379	01/28/2016	GENERAL FUND	Office/Operating Supplies	Aramark Uniform Services	1.24
31379	01/28/2016	STORMWATER UTILITY FUND	Uniforms	Aramark Uniform Services	1.37
31379	01/28/2016	UTILITY WATER FUND	Uniforms	Aramark Uniform Services	6.37
31379	01/28/2016	UTILITY SEWER FUND	Uniforms	Aramark Uniform Services	6.37
31379	01/28/2016	UTILITY GARBAGE FUND	Uniforms	Aramark Uniform Services	5.91
31379	01/28/2016	STREET FUND	Uniforms	Aramark Uniform Services	1.37
31379	01/28/2016	GENERAL FUND	Uniforms	Aramark Uniform Services	1.36
31379	01/28/2016	GENERAL FUND	Uniforms	Aramark Uniform Services	1.24
31379	01/28/2016	STORMWATER UTILITY FUND	Office/Operating Supplies	Aramark Uniform Services	1.37
31379	01/28/2016	UTILITY WATER FUND	Uniforms	Aramark Uniform Services	6.37
31379	01/28/2016	UTILITY SEWER FUND	Uniforms	Aramark Uniform Services	6.37
31379	01/28/2016	UTILITY GARBAGE FUND	Uniforms	Aramark Uniform Services	5.91
31379	01/28/2016	STREET FUND	Uniforms	Aramark Uniform Services	1.37
31379	01/28/2016	GENERAL FUND	Uniforms	Aramark Uniform Services	1.36
31379	01/28/2016	GENERAL FUND	Office/Operating Supplies	Aramark Uniform Services	1.24
31379	01/28/2016	STORMWATER UTILITY FUND	Uniforms	Aramark Uniform Services	1.37
31379	01/28/2016	UTILITY WATER FUND	Uniforms	Aramark Uniform Services	6.37
31379	01/28/2016	UTILITY SEWER FUND	Uniforms	Aramark Uniform Services	6.37
31379	01/28/2016	UTILITY GARBAGE FUND	Uniforms	Aramark Uniform Services	5.91
31379	01/28/2016	STREET FUND	Uniforms	Aramark Uniform Services	1.37
31379	01/28/2016	GENERAL FUND	Uniforms	Aramark Uniform Services	1.36
31379	01/28/2016	GENERAL FUND	Office/Operating Supplies	Aramark Uniform Services	1.24
31379	01/28/2016	STORMWATER UTILITY FUND	Uniforms	Aramark Uniform Services	1.37
31379	01/28/2016	UTILITY WATER FUND	Uniforms	Aramark Uniform Services	6.37
31379	01/28/2016	UTILITY SEWER FUND	Uniforms	Aramark Uniform Services	6.37
31379	01/28/2016	UTILITY GARBAGE FUND	Uniforms	Aramark Uniform Services	5.91
31379	01/28/2016	STREET FUND	Uniforms	Aramark Uniform Services	1.37
31379	01/28/2016	GENERAL FUND	Office/Operating Supplies	Aramark Uniform Services	1.36
31379	01/28/2016	GENERAL FUND	Office/Operating Supplies	Aramark Uniform Services	1.24
31379	01/28/2016	STORMWATER UTILITY FUND	Uniforms	Aramark Uniform Services	1.37
31379	01/28/2016	UTILITY WATER FUND	Uniforms	Aramark Uniform Services	6.37
31379	01/28/2016	UTILITY SEWER FUND	Uniforms	Aramark Uniform Services	6.37
31379	01/28/2016	UTILITY GARBAGE FUND	Uniforms	Aramark Uniform Services	5.91
31379	01/28/2016	STREET FUND	Uniforms	Aramark Uniform Services	1.37
31379	01/28/2016	GENERAL FUND	Office/Operating Supplies	Aramark Uniform Services	1.36
31379	01/28/2016	GENERAL FUND	Office/Operating Supplies	Aramark Uniform Services	1.24
31380	01/28/2016	UTILITY GARBAGE FUND	Vehicle Operation/Maintenance	Associated Petroleum Products Inc	537.78
31380	01/28/2016	UTILITY SEWER FUND	Vehicle Operation/Maintenance	Associated Petroleum Products Inc	65.64
31380	01/28/2016	UTILITY WATER FUND	Vehicle Operation/Maintenance	Associated Petroleum Products Inc	247.31
31380	01/28/2016	CEMETERY FUND	Vehicle Operation/Maintenance	Associated Petroleum Products Inc	16.19
31380	01/28/2016	STREET FUND	Vehicle Operation/Maintenance	Associated Petroleum Products Inc	16.18
31380	01/28/2016	GENERAL FUND	Vehicle Maintenance	Associated Petroleum Products Inc	16.19

31380	01/28/2016	UTILITY GARBAGE FUND	Vehicle Operation/Maintenance	Associated Petroleum Products Inc	455.94
31380	01/28/2016	UTILITY SEWER FUND	Vehicle Operation Maintenance	Associated Petroleum Products Inc	55.66
31380	01/28/2016	UTILITY WATER FUND	Vehicle Operation/Maintenance	Associated Petroleum Products Inc	209.67
31380	01/28/2016	CEMETERY FUND	Vehicle Operation/Maintenance	Associated Petroleum Products Inc	13.72
31380	01/28/2016	STREET FUND	Vehicle Operation/Maintenance	Associated Petroleum Products Inc	13.73
31380	01/28/2016	GENERAL FUND	Vehicle Maintenance	Associated Petroleum Products Inc	13.72
31380	01/28/2016	UTILITY GARBAGE FUND	Vehicle Operation/Maintenance	Associated Petroleum Products Inc	6.46
31380	01/28/2016	UTILITY SEWER FUND	Vehicle Operation Maintenance	Associated Petroleum Products Inc	0.79
31380	01/28/2016	UTILITY WATER FUND	Vehicle Operation/Maintenance	Associated Petroleum Products Inc	2.97
31380	01/28/2016	CEMETERY FUND	Vehicle Operation/Maintenance	Associated Petroleum Products Inc	0.19
31380	01/28/2016	STREET FUND	Vehicle Operation/Maintenance	Associated Petroleum Products Inc	0.20
31380	01/28/2016	GENERAL FUND	Vehicle Maintenance	Associated Petroleum Products Inc	0.19
31381	01/28/2016	CEMETERY FUND	Items for Resale	Automatic Wilbert Vault Co.	397.48
31381	01/28/2016	CEMETERY FUND	Professional Services	Automatic Wilbert Vault Co.	1,047.99
31381	01/28/2016	CEMETERY FUND	Items for Resale	Automatic Wilbert Vault Co.	397.48
31381	01/28/2016	CEMETERY FUND	Professional Services	Automatic Wilbert Vault Co.	1,411.80
31382	01/28/2016	STORMWATER UTILITY FUND	Uniforms	James Barns	21.75
31382	01/28/2016	UTILITY GARBAGE FUND	Uniforms	James Barns	21.79
31382	01/28/2016	STREET FUND	Uniforms	James Barns	21.75
31382	01/28/2016	UTILITY WATER FUND	Uniforms	James Barns	21.75
31382	01/28/2016	UTILITY SEWER FUND	Uniforms	James Barns	21.75
31383	01/28/2016	GENERAL FUND	Office/Operating Supplies	CFS Products	208.05
31384	01/28/2016	GENERAL FUND	Communication	Comcast	129.18
31384	01/28/2016	STREET FUND	Communication	Comcast	43.06
31384	01/28/2016	UTILITY WATER FUND	Communication	Comcast	86.11
31384	01/28/2016	UTILITY SEWER FUND	Communication	Comcast	86.12
31384	01/28/2016	UTILITY GARBAGE FUND	Communication	Comcast	86.12
31384	01/28/2016	GENERAL FUND	Communication	Comcast	109.29
31384	01/28/2016	STREET FUND	Communication	Comcast	36.43
31384	01/28/2016	UTILITY WATER FUND	Communication	Comcast	72.87
31384	01/28/2016	UTILITY SEWER FUND	Communication	Comcast	72.86
31384	01/28/2016	UTILITY GARBAGE FUND	Communication	Comcast	72.86
31384	01/28/2016	GENERAL FUND	Communication	Comcast	109.29
31384	01/28/2016	STREET FUND	Communication	Comcast	36.43
31384	01/28/2016	UTILITY WATER FUND	Communication	Comcast	72.87
31384	01/28/2016	UTILITY SEWER FUND	Communication	Comcast	72.86
31384	01/28/2016	UTILITY GARBAGE FUND	Communication	Comcast	72.86
31384	01/28/2016	STREET FUND	Communication	Comcast	72.86
31385	01/28/2016	UTILITY WATER FUND	Office Supplies	Correctional Industries	117.33
31385	01/28/2016	UTILITY GARBAGE FUND	Office Supplies	Correctional Industries	117.33
31385	01/28/2016	UTILITY SEWER FUND	Office Supplies	Correctional Industries	117.33
31385	01/28/2016	GENERAL FUND	Office/Operating Supplies	Correctional Industries	469.32

31385	01/28/2016	UTILITY WATER FUND	Office Supplies	Correctional Industries	117.33
31385	01/28/2016	UTILITY WATER FUND	Office Supplies	Correctional Industries	33.44
31385	01/28/2016	UTILITY GARBAGE FUND	Office Supplies	Correctional Industries	33.44
31385	01/28/2016	UTILITY SEWER FUND	Office Supplies	Correctional Industries	33.44
31385	01/28/2016	STREET FUND	Office Supplies	Correctional Industries	33.44
31385	01/28/2016	GENERAL FUND	Office/Operating Supplies	Correctional Industries	133.75
31385	01/28/2016	UTILITY WATER FUND	Office Supplies	Correctional Industries	5.94
31385	01/28/2016	UTILITY GARBAGE FUND	Office Supplies	Correctional Industries	5.94
31385	01/28/2016	UTILITY SEWER FUND	Office Supplies	Correctional Industries	5.94
31385	01/28/2016	STREET FUND	Office Supplies	Correctional Industries	5.94
31385	01/28/2016	GENERAL FUND	Office/Operating Supplies	Correctional Industries	23.75
31385	01/28/2016	UTILITY WATER FUND	Office Supplies	Correctional Industries	25.55
31385	01/28/2016	UTILITY GARBAGE FUND	Office Supplies	Correctional Industries	25.55
31385	01/28/2016	UTILITY SEWER FUND	Office Supplies	Correctional Industries	25.55
31385	01/28/2016	STREET FUND	Office Supplies	Correctional Industries	25.55
31385	01/28/2016	GENERAL FUND	Office/Operating Supplies	Correctional Industries	102.20
31385	01/28/2016	UTILITY GARBAGE FUND	Operating Supplies	Correctional Industries	45.41
31385	01/28/2016	GENERAL FUND	Communication	Correctional Industries	194.21
31385	01/28/2016	GENERAL FUND	Miscellaneous	Correctional Industries	17.65
31386	01/28/2016	UTILITY WATER FUND	Repair and Maintenance	D-Square Energy Systems Inc	409.97
31387	01/28/2016	UTILITY SEWER FUND	Miscellaneous	Department of Ecology - Cashiering Section	1,544.40
31388	01/28/2016	SEWER SYSTEM IMPROVEMENT FUND	Professional Service Engineeri	Department of Enterprise Services	19,800.00
31389	01/28/2016	UTILITY WATER FUND	Operating Supply	Dynacco	-521.28
31389	01/28/2016	UTILITY WATER FUND	Operating Supply	Dynacco	3,029.94
31390	01/28/2016	UTILITY WATER FUND	Water Service - Everett	Everett Utilities	2,887.58
31391	01/28/2016	GENERAL FUND	Miscellaneous - Court Filing F	Evergreen District Court	761.62
31392	01/28/2016	BUILDING MAINTENANCE FUND	Repair and Maintenance	Eylanders Sales & Service Inc	520.19
31393	01/28/2016	UTILITY SEWER FUND	Rentals	Honey Bucket	183.50
31394	01/28/2016	UTILITY GARBAGE FUND	Professional	Katy Isaksen Associates	5,859.00
31395	01/28/2016	GENERAL FUND	Legal - Litigation Fees	Kenyon Disend PLLC	4,623.86
31396	01/28/2016	UTILITY WATER FUND	Repair and Maintenance	Oasys Office Automation Systems	40.22
31396	01/28/2016	GENERAL FUND	Office/Operating Supplies	Oasys Office Automation Systems	40.22
31396	01/28/2016	UTILITY WATER FUND	Repair and Maintenance	Oasys Office Automation Systems	40.24
31396	01/28/2016	UTILITY SEWER FUND	Repair and Maintenance	Oasys Office Automation Systems	40.25
31396	01/28/2016	UTILITY GARBAGE FUND	Repair and Maintenance	Oasys Office Automation Systems	40.24
31396	01/28/2016	STORMWATER UTILITY FUND	Repair and Maintenance	Oasys Office Automation Systems	40.25
31397	01/28/2016	UTILITY WATER FUND	Office Supplies	Office Depot	12.71
31397	01/28/2016	UTILITY SEWER FUND	Office Supplies	Office Depot	12.70
31397	01/28/2016	UTILITY GARBAGE FUND	Office Supplies	Office Depot	12.71
31397	01/28/2016	STREET FUND	Office Supplies	Office Depot	12.70
31397	01/28/2016	GENERAL FUND	Office/Operating Supplies	Office Depot	50.82

31397	01/28/2016	UTILITY WATER FUND	Office Supplies	Office Depot	2.04
31397	01/28/2016	UTILITY SEWER FUND	Office Supplies	Office Depot	2.03
31397	01/28/2016	UTILITY GARBAGE FUND	Office Supplies	Office Depot	2.04
31397	01/28/2016	STREET FUND	Office Supplies	Office Depot	2.03
31397	01/28/2016	GENERAL FUND	Office/Operating Supplies	Office Depot	8.14
31398	01/28/2016	UTILITY SEWER FUND	Small Tools/Minor Equipment	Owen Equipment	317.01
31399	01/28/2016	GENERAL FUND	Communication	Pitney Bowes - Purchase Power	182.35
31399	01/28/2016	GENERAL FUND	Communication	Pitney Bowes - Purchase Power	78.15
31399	01/28/2016	STREET FUND	Communication	Pitney Bowes - Purchase Power	65.12
31399	01/28/2016	UTILITY WATER FUND	Communication	Pitney Bowes - Purchase Power	65.12
31399	01/28/2016	UTILITY SEWER FUND	Communication	Pitney Bowes - Purchase Power	65.13
31399	01/28/2016	UTILITY GARBAGE FUND	Communication	Pitney Bowes - Purchase Power	65.12
31400	01/28/2016	BUILDING MAINTENANCE FUND	Operating Supply	Platt	19.35
31401	01/28/2016	STREET FUND	Utilities	PUD	76.31
31401	01/28/2016	GENERAL FUND	Utilities	PUD	113.56
31401	01/28/2016	GENERAL FUND	Utilities	PUD	17.98
31401	01/28/2016	UTILITY SEWER FUND	Utilities	PUD	3,705.95
31401	01/28/2016	STREET FUND	Utilities	PUD	8.85
31401	01/28/2016	GENERAL FUND	Utilities	PUD	17.98
31402	01/28/2016	WATER SYSTEM IMPROVEMENT FUND	Water Project - Other	PUD # 1 of Snohomish County	17,671.50
31403	01/28/2016	GENERAL FUND	Utilities	Puget Sound Energy	151.71
31403	01/28/2016	GENERAL FUND	Utilities	Puget Sound Energy	193.00
31404	01/28/2016	GENERAL FUND	Office/Operating Supplies	QualityBusiness Systems Inc	3.82
31404	01/28/2016	STREET FUND	Office Supplies	QualityBusiness Systems Inc	3.82
31404	01/28/2016	UTILITY WATER FUND	Office Supplies	QualityBusiness Systems Inc	3.81
31404	01/28/2016	UTILITY SEWER FUND	Office Supplies	QualityBusiness Systems Inc	3.82
31404	01/28/2016	UTILITY GARBAGE FUND	Office Supplies	QualityBusiness Systems Inc	3.82
31405	01/28/2016	UTILITY SEWER FUND	Miscellaneous	Red Apple Market	107.74
31406	01/28/2016	UTILITY GARBAGE FUND	Intergovernmental - Recycle	Republic Services	12,611.25
31407	01/28/2016	UTILITY WATER FUND	Professional Service - General	RH2 Engineering, Inc.	210.83
31407	01/28/2016	UTILITY WATER FUND	Professional Service - General	RH2 Engineering, Inc.	356.96
31408	01/28/2016	GENERAL FUND	Office/Operating Supplies	Shred-it USA LLC	97.50
31409	01/28/2016	GENERAL FUND	Voter Registration	Snohomish County Auditor	5,313.23
31410	01/28/2016	GENERAL FUND	Miscellaneous Expense	Snohomish County Clerks/Finance	125.00
31411	01/28/2016	UTILITY GARBAGE FUND	Intergovernmental - Disposal F	Snohomish County Finance	16,542.00
31412	01/28/2016	GENERAL FUND	SnoCty Plan/Building Service	SnoCty Plan and Development	594.00
31413	01/28/2016	GENERAL FUND	Crime Victim Services	Snohomish County Treasurer	40.97
31414	01/28/2016	GENERAL FUND	Intergovernmental - SNOFAC	Snopac	5,542.77
31414	01/28/2016	GENERAL FUND	Intergovernmental - SNOFAC	Snopac	247.92
31415	01/28/2016	GENERAL FUND	Vehicle Maintenance	Sonsray Machinery LLC	30.00
31415	01/28/2016	STREET FUND	Vehicle Operation/Maintenance	Sonsray Machinery LLC	44.55

31415	01/28/2016	UTILITY WATER FUND	Vehicle Operation/Maintenance	Sonsray Machinery LLC	44.58
31415	01/28/2016	UTILITY SEWER FUND	Vehicle Operation Maintenance	Sonsray Machinery LLC	44.55
31415	01/28/2016	UTILITY GARBAGE FUND	Vehicle Operation/Maintenance	Sonsray Machinery LLC	44.55
31415	01/28/2016	STORMWATER UTILITY FUND	Vehicle Operation Maintenance	Sonsray Machinery LLC	30.00
31416	01/28/2016	GENERAL FUND	Advertising and Legal Notices	Sound Publishing Inc	34.40
31416	01/28/2016	GENERAL FUND	Advertising and Legal Notices	Sound Publishing Inc	39.56
31416	01/28/2016	GENERAL FUND	Advertising and Legal Notices	Sound Publishing Inc	25.80
31417	01/28/2016	GENERAL FUND	Organization Dues	Springbrook National User Group	100.00
31418	01/28/2016	SEWER SYSTEM IMPROVEMENT FUND	Capital - WWTP Upgrades	TEK Construction Inc	10,437.17
31419	01/28/2016	BUILDING MAINTENANCE FUND	Operating Supply	The Part Works, Inc.	153.32
31420	01/28/2016	GENERAL FUND	Bank Fees	US Bank	118.00
31421	01/28/2016	UTILITY WATER FUND	Miscellaneous	Utilities Underground Location Center	7.70
31421	01/28/2016	UTILITY SEWER FUND	Miscellaneous	Utilities Underground Location Center	7.70
31422	01/28/2016	GENERAL FUND	Emergency Mgmt - Training	Visa	47.95
31422	01/28/2016	GENERAL FUND	Emergency Mgmt - Training	Visa	88.12
31422	01/28/2016	GENERAL FUND	Emergency Mgmt - Training	Visa	88.12
31423	01/28/2016	GENERAL FUND	Miscellaneous	Visa	169.91
31423	01/28/2016	GENERAL FUND	Emergency Mgmt - Training	Visa	7.50
31423	01/28/2016	GENERAL FUND	Emergency Mgmt - Training	Visa	17.23
31423	01/28/2016	GENERAL FUND	Emergency Mgmt - Training	Visa	88.12
31423	01/28/2016	GENERAL FUND	Emergency Mgmt - Training	Visa	88.12
31423	01/28/2016	GENERAL FUND	Emergency Mgmt - Training	Visa	88.12
31424	01/28/2016	GENERAL FUND	Organization Dues	Washington Finance Officers Association	150.00
31425	01/28/2016	LID GUARANTY AND BOND FUND	Professional Services	Weed, Graafstra & Benson, Inc, P. S.	122.50
31426	01/28/2016	STREET IMPROVEMENT FUND	Sultan River Bridge Project	WH Pacific	8,249.51

144,482.91

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: A-1
DATE: January 28, 2016
SUBJECT: 2016-2021 Amended Transportation Improvement Plan
CONTACT PERSON: Mick Matheson, P.E., Public Works Director



ISSUE:
Authorize the Mayor to sign Resolution 15-18 approving the Amended 6-year (2016-2021) Transportation Improvement Plan (Attachment A).

STAFF RECOMMENDATION:
Staff recommends the Council consider the public input received under Agenda Item H-2 of this meeting, consider the history of this action as described in Agenda Item H-2, and authorize the Mayor to sign Resolution 15-18 to adopt the Amended 2016-2021 Transportation Improvement Plan.

BACKGROUND:
The background information is provided on Agenda Item PH-1 of this agenda packet.

- ALTERNATIVES:**
1. Authorize the Mayor to sign Resolution 15-18 approving the 2016-2021 Amended Transportation Improvement Plan as required by RCW 35.77.010.
 2. Do not authorize the Mayor to sign Resolution 15-18 approving the Amended 2016-2021 Transportation Improvement Plan and direct staff to areas of concern.

RECOMMENDATION:
Authorize the Mayor to sign Resolution 15-18 approving the Amended 6-year (2016-2021) Transportation Improvement Plan.

ATTACHMENTS:
Attachment A: Resolution No. 15-18 Approving the Amended 2016-2021 Transportation Improvement Plan
Attachment B: Amended 2016-2021 Transportation Improvement Plan
Attachment C: RCW 35.77.010

**CITY OF SULTAN
WASHINGTON
RESOLUTION NO. 15-18**

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF SULTAN, WASHINGTON,
APPROVING THE AMENDED 2016-2021
TRANSPORTATION IMPROVEMENT PLAN.**

WHEREAS, RCW 35.77.010 mandates that all local jurisdictions annually adopt and submit to the state a six-year program of transportation improvements known as the Local TIP; and

WHEREAS, the six-year local Transportation Improvement Plan (TIP) serves as a work plan for the development of local transportation systems and, as such, represents an important planning component under the State's Growth Management Act; and

WHEREAS, in 2011, the City revised the Capital Facilities Element and Transportation Element of its 2008 update to the 2004 Comprehensive Plan and the transportation capital projects are a subset of the Capital Facilities Element; and

WHEREAS, the 2016-2021 TIP is compliant because it is based on a compliant Transportation Element that meets the standards of RCW 36.70A.070(6); and

WHEREAS, an environmental review was conducted for the 2011 revised Capital Facilities Element and Transportation Element in accordance with the provisions of the Washington State Environmental Policy Act; and

WHEREAS, the 2016-2021 TIP provides a multiyear financing plan based on the needs identified in the comprehensive plan, the appropriate parts of which serve as the basis for the six-year TIP required by RCW 35.77.010; and

WHEREAS, the 2016-2021 Transportation Improvement Plan will further and be consistent with the goals, objectives and policies of the City's Comprehensive Plan, including the County-Wide Planning Policies for Snohomish County. Additionally, the proposed revisions are consistent with the City's plans, policies and regulations for providing community facilities, including but not limited to utilities, transportation, parks, or schools; and

WHEREAS, the 2016-2021 Transportation Improvement Plan Amendment is necessary to amend Project T-45 which was an improvement to 5th Street from US2 to Main Street, to improvements to 4th Street and 5th Street from US 2 to Alder Avenue. This amendment is necessary to match the scope of work presented in the 2016 Transportation Improvement Board grant application for this project; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DO RESOLVE AS FOLLOWS:

Section 1. Findings. The City Council makes the following findings with regard to the Amended 2016-2021 TIP:

- A. The Amended 2016-2021 TIP is based on the 2011 Comprehensive Plan
- B. The Amended 2016-2021 TIP is compliant because it is based on a compliant Transportation Element that meets the standards of RCW 36.70A.070(6).
- C. The Amended 2016-2021 TIP provides a multiyear financing plan based on the needs identified in the comprehensive plan, the appropriate parts of which serve as the basis for the six-year TIP required by RCW 35.77.010.
- D. Pursuant to RCW 35.77.010, the City of Sultan is taking legislative action to approve the Amended 2016-2021 TIP.

Section 2. Adoption. The attached Exhibit A is adopted as the Amended 2016-2021 Transportation Improvement Plan of the City of Sultan and incorporated by reference the same as though it were fully set forth herein.

Section 3. Filing. The City Clerk is directed to file a copy of this Resolution with the Secretary of Transportation not more than thirty days after its adoption.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 3rd DAY OF December, 2015.

CITY OF SULTAN

By: _____
Carolyn Eslick, Mayor

ATTEST:

By: _____
Laura Koenig, City Clerk

APPROVED AS TO FORM:

By _____
Amy Mill, City Attorney

2016-2021 Transportation Improvement Plan (by year)

ATTACHMENT B

2016-2021 Expenditures By Year										
Project Number	Project Name	Project Description	Total Project Cost 20-yr CFP	2016	2017	2018	2019	2020	2021	2016-2021 Total Expenditure
T-39	Pavement Overlay & Chip seal Program	Overlay or chip seal streets within the city limits	\$550,000	\$12,000	\$12,500	\$12,500	\$12,500	\$12,500	\$13,000	\$75,000
T-45	4th & 5th Street Reconstruction	Reconstruct 4th & 5th Street from Alder Avenue to US2	\$421,200	\$421,200						\$421,200
T-46	Date Avenue Reconstruction	Reconstruct Date Avenue from 4th Street to 150 feet east of 5th Place (Sultan Elementary frontage).	\$285,500	\$285,500						\$285,500
T-51	3rd Street Reconstruction	Reconstruct 3rd Street from US2 to High Avenue.	\$1,456,000		\$218,400	\$1,237,600				\$1,456,000
T-70	1st Street Sidewalk	Construct a sidewalk from Osprey Park to Willow Avenue.	\$260,000		\$39,000	\$221,000				\$260,000
NM-3	Sidewalk Spot Improvements	Repair, replace and construct missing sidewalks within the city.	\$130,000		\$289,000					\$289,000
NM-4	Sidewalk /Trail Construction & Enhancements	Construct or renovate public sidewalks and trails. Stand alone projects not associated with road renovation.	\$310,000		\$100,000	\$100,000	\$110,000			\$310,000
NM-8	US-2 Pedestrian Crossing	Construct a non-motorized bridge crossing north of US 2 to provide increased ped/bike safety	\$4,400,000	\$3,000,000	\$1,400,000					\$4,400,000
NM-9	Sultan River Trail	Acquire property & construct a trail adjacent to Sultan River from Osprey Park to River Park.	\$747,000	\$81,000	\$666,000					\$747,000
		TOTAL EXPENDITURES	\$8,559,700	\$3,799,700	\$2,724,900	\$1,571,100	\$122,500	\$12,500	\$13,000	\$8,243,700

2016-2021 Transportation Improvement Plan (by fund)

2016-2021 Expenditures By Fund

ATTACHMENT B

Motorized & Nonmotorized Projects	General Fund	Street Fund	REET	Transportation Impact Fee	Grant	Debt	Surface Water Management	Rev Totals
	Revenues	\$75,000	\$574,027	\$5,700,000	\$8,036,290	\$0	\$0	\$14,385,317
	Project Description							Expenditures
T-39	Pavement Overlay & Chip Seal Program	\$75,000						\$75,000
T-45	4th and 5th Street Reconstruction		\$21,060		\$400,140			\$421,200
T-46	Date Avenue Reconstruction		\$28,550		\$256,950			\$285,500
T-51	3rd Street Reconstruction		\$72,800		\$1,383,200			\$1,456,000
T-70	1st Street Sidewalk				\$260,000			\$260,000
NM-3	Sidewalk Spot Improvements				\$289,000			\$289,000
NM-4	Sidewalk Enhancements		\$10,000		\$300,000			\$310,000
NM-8	US-2 Pedestrian Crossing				\$4,400,000			\$4,400,000
NM-9	Sultan River Trail				\$747,000			\$747,000
	Total Expenditures	\$75,000	\$132,410	\$0	\$8,036,290	\$0	\$0	\$8,243,700

RCW 35.77.010

Perpetual advanced six-year plans for coordinated transportation program expenditures – Non-motorized transportation -- Railroad right-of-way.

(1) The legislative body of each city and town, pursuant to one or more public hearings thereon, shall prepare and adopt a comprehensive transportation program for the ensuing six calendar years. If the city or town has adopted a comprehensive plan pursuant to chapter 35.63 or 35A.63 RCW, the inherent authority of a first-class city derived from its charter, or chapter 36.70A RCW, the program shall be consistent with this comprehensive plan. The program shall include any new or enhanced bicycle or pedestrian facilities identified pursuant to RCW 36.70A.070(6) or other applicable changes that promote non-motorized transit.

The program shall be filed with the secretary of transportation not more than thirty days after its adoption. Annually thereafter the legislative body of each city and town shall review the work accomplished under the program and determine current city transportation needs. Based on these findings each such legislative body shall prepare and after public hearings thereon adopt a revised and extended comprehensive transportation program before July 1st of each year, and each one-year extension and revision shall be filed with the secretary of transportation not more than thirty days after its adoption. The purpose of this section is to assure that each city and town shall perpetually have available advanced plans looking to the future for not less than six years as a guide in carrying out a coordinated transportation program. The program may at any time be revised by a majority of the legislative body of a city or town, but only after a public hearing.

The six-year plan for each city or town shall specifically set forth those projects and programs of regional significance for inclusion in the transportation improvement program within that region.

(2) Each six-year transportation program forwarded to the secretary in compliance with subsection (1) of this section shall contain information as to how a city or town will expend its moneys, including funds made available pursuant to chapter 47.30 RCW, for non-motorized transportation purposes. (3) Each six-year transportation program forwarded to the secretary in compliance with subsection (1) of this section shall contain information as to how a city or town shall act to preserve railroad right-of-way in the event the railroad ceases to operate in the city's or town's jurisdiction.

SULTAN CITY COUNCIL AGENDA ITEM COVER SHEET

ITEM NO: Action A 2

DATE: January 28, 2016

SUBJECT: Ordinance 1230-16 - Zoning Code Amendments: RV Storage, Shared Parking

CONTACT PERSON: Ken Walker, City Administrator

ISSUE:

The issue before the Council is to introduce Ordinance 1230-16 Zoning Code Amendments: RV Storage, Shared Parking for a first reading. A public hearing was held during the January 28, 2016 Council meeting.

Recreational vehicle and boat storage is not listed as a specified use in the Sultan Zoning Code, and the proposed amendments to Sultan Municipal Code (SMC) in Chapter 16.12 will clarify where this existing and common use can take place within the City of Sultan. Shared parking agreement language will clarify how joint-use parking requirements can occur and be enforced. In these zoning code text changes, applications of recreational vehicle/boat storage and joint-use parking are expanded consistent with the intent of the Sultan Zoning Code and Comprehensive Plan.

COUNCIL COMMITTEE/PLANNING BOARD/WORK GROUP RECOMMENDATION:

At its December 10, 2015, regular meeting, the Planning Board recommended approval of zoning code amendments for added uses regarding recreational vehicle and boat storage in SMC 16.12.050 HOD and SMC 16.12.060 ED zones and for added language regarding provision for shared parking agreements in SMC 16.60.100 Joint-Use Parking Requirements.

STAFF RECOMMENDATION:

The City staff proposed the zoning code amendments and concurs with the recommendation of the Planning Board per the attached Ordinance and the minutes of the December 10, 2015, Planning Board meeting.

SUMMARY:

The proposed zoning code amendments accomplish three things:

- Make the development process, particularly private investment decisions, faster and simpler, relying less on an interpretation by the Planning Director and avoiding inconsistencies that can occur with such interpretations. These text changes allow two proposed development projects to proceed with less delay and uncertainty.
- Clarify how the development regulations are to be enforced and reduce the potential for citizen dissatisfaction with zoning requirements and conflicts after property investment and/or construction have been completed.

- Exemplify zoning code text changes that have been studied for more than two years without reaching conclusions regarding desired changes that will update and perhaps simplify development regulations that may be discouraging implementation of Sultan's Comprehensive Plan for economic development and stagnating healthy maintenance and growth of the City's tax base.

Clarifying the permitted use language in the Sultan Zoning Code to allow for recreational vehicle and boat storage will speed up the development process, particularly for those wishing to make investments in these types of commercial/industrial projects, which in turn can add positively to the tax base of the City. One question that needs to be answered is whether allowing a nonretail permitted use in the Highway-Oriented Development (HOD) zone detracts from the potential sales tax revenue for which commercial retail zoned property is primarily intended. Another question regarding the potential for the deduction of a storage yard normally allowed in an industrial/manufacturing zone to take place in a commercial retail zone is answered by requiring the storage to be inside a building and therefore completely obscured from off-site observation.

While the Sultan Zoning Code allows for joint-use parking, the current language limits how the joint-use parking can be applied. In the case of the proposed Boys & Girls Club gymnasium, the limitation to places of public assembly requires several code interpretations. Each interpretation may create conflicts if enforcement of time of use for parking of the different activities in the several buildings on separate pieces of property where parking is or is not actually provided. Moreover, the current language does not make it clear who has responsibility to manage use of the joint-use parking spaces and what to do if the joint-use parking arrangements don't work out.

These two zoning code text changes are very specific and relatively easy to grasp. Nonetheless, they are good cases in understanding how complicated development regulations are and what unforeseen consequences can happen with or without specific language. In each case, a specific use or new language has been added to reduce the need for an interpretation by the Planning Director, which can cause legal challenges. However, new language should be added only if it can make the development regulations more readable by the general public and therefore simpler to understand and enforce.

DISCUSSION:

Recreational Vehicle (RV) and Boat Storage is not a specifically listed use in Title 16 which has recreational vehicle parks, automobile (not truck or RV) sales, and towing and wrecking services listed in the HOD and/or ED zones. We have permitted a boat and RV storage yard in the ED zone on E. Main St. (next to the Eagles). Recreational vehicle and boat storage is a common land use now and should be specifically listed in the Zoning Code. The proposed zoning code amendment as drafted would list RV and boat storage within a building as a permitted use in the HOD zone and RV and boat storage yard as a permitted use in the ED zone.

Recommended addition to permitted uses in 16.12.050(8)(b) Highway-Oriented Development (HOD) Zone -- Miscellaneous Associated Facilities:

- b. Recreational vehicle and boat storage inside a building.

Recommended addition to permitted uses in 16.12.060(7)(h) Economic Development (ED) Zone -- Miscellaneous Associated Facilities

h. Recreational vehicle and boat storage yard.

Added language to the following SMC Chapter 16.12 tables:

Highway-Oriented Development (HOD) Zone

Table of Dimensional and Density Requirements

Uses	Maximum	Width	Depth	Each			Max	Max	
Permitted	Units/Acre	Area	(ft)	(ft)	Front	Side	Rear	Bldg Height	Lot Coverage
Recreational Vehicle/Boat Storage (Bldg)	-	1 acre	100	200	25	25	25	30	60

Economic Development (ED) Zone

Table of Dimensional and Density Requirements

Uses	Maximum	Width	Depth	Each			Max	Max	
Permitted	Units/Acre	Area	(ft)	(ft)	Front	Side	Rear	Bldg Height	Lot Coverage
Recreational Vehicle/Boat Storage Yard	-	1 acre	100	200	25	25	25	30	25

In meeting on-site parking requirements for new development, consideration can be taken into account for on-site and nearby off-site parking that can be shared due to distinct and separate time of use of parking spaces. For example, parking spaces needed only for day time use could be shared by another on-site night time use when conditions are placed on the site plan approval to ensure the scheduled times of use. Similarly, nearby day time uses or week day uses can share parking with another use that requires only night time or weekend parking again when conditions are placed on the site plan approval to ensure the scheduled times of use. The City currently allows for joint-use parking for Places of Public Assembly (SMC 16.60.100.A) and in Mixed Use Developments (SMC 16.60.100.B). The proposed zoning code amendment as drafted would clarify how time of use parking would be determined and enforced making it

the responsibility of the property owner per an agreed, approved, and recorded covenant running with the land.

Current language to remain as follows:

16.60.100 Joint-use parking requirements.

A. Places of Public Assembly. Parking spaces already provided to meet off-street parking requirements of stores, office buildings, schools, and industrial establishments, situated on the same site as places of public assembly, and that are not normally in use between the hours of 6:00 p.m. and midnight and are made available for other parking, may be used to meet not more than 50 percent of the total requirements of parking spaces. Written agreement is required for such joint-use parking arrangements between the officials of the place of public assembly and the owner or manager of the other development and parking area on the site.

B. Mixed Use Developments. In the case of mixed uses (such as shopping centers), the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. Off-street parking facilities for one use shall not be considered as providing required parking facilities for any other use, except as specified above for joint use. (Ord. 630 § 2 [16.10.030(10)], 1995)

Added new language as follows:

C. Shared Parking Agreement. Parking facilities may be cooperatively used by different land uses, when the times of the use of such parking spaces by each use are not simultaneous. A shared parking agreement signed by all parties who share the parking facilities and approved by the City Community Development Director (Director) shall be required that binds the parking facilities and the parties until the agreement is dissolved by all parties and approved by the Director. The total number of required parking spaces may be reduced from the requirements of Sultan Municipal Code Chapter 16.60, if it is demonstrated through a parking study that complementary uses, internal trip capture or uses with different peak parking needs justify the reduction in required parking spaces at all times. A covenant running with the land shall be made between the property owner (owner) and the City of Sultan (City) stating the responsibilities of the owner and shall be recorded with Snohomish County. A copy with the recording number and parking layouts and scheduled times of use by the specific uses sharing the on-site parking spaces shall be submitted as part of any permit application for development. When any shared parking agreement subject to the covenant is to be modified or terminated, the owner shall be responsible for notifying the Director and providing a revised site plan and schedule for meeting the parking requirements of all the development on the property subject to the covenant.

The proposed text changes would benefit two development proposals by removing some uncertainty about possible interpretations of the zoning requirements and avoiding delays in any schedules for moving ahead with construction or purchase actions. However, the text changes would enable other properties to similarly develop, not just the two proposed developments. In both cases, the projects could easily be adapted in the future for a return to the current development options. The building on Cascade View Road could still be used for commercial retail, if the property's highest and best use were marketable. Likewise, nothing precludes the addition of new parking spaces should more be needed for activities on the Boys & Girls Club gymnasium property.

ALTERNATIVES:

The primary alternative is to not adopt one or all of the zoning code amendments, particularly if the text changes fail to achieve the highest and best use of the HOD and ED zones or if the added language does not adequately clarify and simplify the development regulations. The zoning code amendments should be decided on whether or not these updates maintain and grow the City's tax base through development that does not adversely affect the development of other properties and avoid citizen dissatisfaction and potential legal challenges to code requirements and interpretations.

FISCAL IMPACT:

The code amendments have no immediate impact on the City's budget. Future impacts would depend on trade-off between long term sales tax versus more immediate and sustained property tax. Initially it might be expected that the lack of visual access of the subject property proposed to benefit from the code amendment would not offer better tax revenue than a sustained nonretail storage service surrounded by other nonretail businesses along Cascade View Road well below the grade of Highway 2. Reduction of legal challenges to zoning code requirements or interpretations would likely save the City money in attorney fees and liability insurance costs again over time.

RECOMMENDED ACTION:

First reading of Ordinance 1230-16 for adoption of the recommended zoning code amendments, City staff recommends continuation of the adoption process for a second reading of the Ordinance to the February 11, 2016, regular meeting of the City Council and affirmative action on the proposed zoning code amendments at that meeting.

ATTACHMENTS:

- A. Draft Ordinance for Adoption of Recreational Vehicle and Boat Storage Permitted Uses in SMC Chapter 16.12 and Shared Parking Agreement in SMC Section 16.60.100(C).
- B. Draft Minutes of the December 10, 2015, regular meeting of the Sultan Planning Board.

**CITY OF SULTAN
WASHINGTON**

ORDINANCE 1230-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, ADOPTING AMENDMENTS TO SULTAN MUNICIPAL CODE ADOPTING A NEW PERMITTED USE IN HIGHWAY-ORIENTED DEVELOPMENT ZONE, A NEW PERMITTED USE IN THE ECONOMIC DEVELOPMENT ZONE, AND NEW DIMENSIONAL REQUIREMENTS IN THE TABLES FOR EACH OF THE NEW PERMITTED USES IN TITLE 16, CHAPTER 16.12, AND A NEW SHARED PARKING AGREEMENT SUBSECTION 16.60.100 (C) IN TITLE 16, CHAPTER 16.60, OF THE UNIFIED DEVELOPMENT CODE; AND PROVIDING FOR SEVERABILITY.

WHEREAS, Title 16 of the Sultan Municipal Code is the Unified Development Code, containing the zoning standards; and

WHEREAS, the Planning Board met on December 10, 2015, and recommended approval of the zoning code amendments to Chapter 16.12 to add new language clarifying permitted uses and dimensional requirements and Chapter 16.60 to add new language clarifying a shared parking agreement for joint-use off-street parking; and

WHEREAS, the Planning Board unanimously voted to recommend to the City Council that the proposed zoning code amendments to Title 16 should be reviewed and approved by the City Council; and

WHEREAS, the City staff has advertised and prepared for a public hearing on adoption of the proposed zoning code amendments, although a public hearing is not required as provided for in SMC 16.134.020 B(3); and

WHEREAS, a public hearing was properly advertised and set for the regular Council meeting of January 28, 2016; and

WHEREAS, having received and considered the Planning Board's recommendation and the public input received at its January 28, 2016, Council Meeting; and

WHEREAS, having determined that the added new language clarifies permitted uses and application of joint-use off-street parking consistent with the existing zoning code (Title 16) as it relates to the public interest of protection of life, health, and safety of property owners and the community of Sultan in general.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Adoption. There are hereby adopted minor amendments to the Sultan Municipal Code consisting of Title 16, Zoning Code of the City of Sultan as contained in Attachment A:

Section 2. Findings. The recitals set forth above are hereby adopted as the City Council's findings in support of these zoning code amendments.

Section 6. – Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 7. Severability. If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

Section 7. Effective Date. This ordinance becomes effective five days (5 days) after publication.

ADOPTED BY THE CITY COUNCIL OF SULTAN, WASHINGTON THIS ____ DAY OF ____, 2016, AND SIGNED INTO AUTHENTICATION THIS ____ DAY OF ____ 2016.

APPROVED:

Carolyn Eslick, Mayor

APPROVED AS TO FORM:

Amy Mill, City Attorney

ATTEST/AUTHENTICATED:

Laura Koenig, City Clerk

Posted:

Published:

Added new language for Shared Parking Agreement to existing SMC 16.60.100

16.60.100 Joint-use parking requirements.

A. Places of Public Assembly. Parking spaces already provided to meet off-street parking requirements of stores, office buildings, schools, and industrial establishments, situated on the same site as places of public assembly, and that are not normally in use between the hours of 6:00 p.m. and midnight and are made available for other parking, may be used to meet not more than 50 percent of the total requirements of parking spaces. Written agreement is required for such joint-use parking arrangements between the officials of the place of public assembly and the owner or manager of the other development and parking area on the site.

B. Mixed Use Developments. In the case of mixed uses (such as shopping centers), the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. Off-street parking facilities for one use shall not be considered as providing required parking facilities for any other use, except as specified above for joint use. (Ord. 630 § 2 [16.10.030(10)], 1995)

C. Shared Parking Agreement. Parking facilities may be cooperatively used by different land uses, when the times of the use of such parking spaces by each use are not simultaneous. A shared parking agreement signed by all parties who share the parking facilities and approved by the City Community Development Director (Director) shall be required that binds the parking facilities and the parties until the agreement is dissolved by all parties and approved by the Director. The total number of required parking spaces may be reduced from the requirements of Sultan Municipal Code Chapter 16.60, if it is demonstrated through a parking study that complementary uses, internal trip capture or uses with different peak parking needs justify the reduction in required parking spaces at all times. A covenant running with the land shall be made between the property owner (owner) and the City of Sultan (City) stating the responsibilities of the owner and shall be recorded with Snohomish County. A copy with the recording number and parking layouts and scheduled times of use by the specific uses sharing the on-site parking spaces shall be submitted as part of any permit application for development. When any shared parking agreement subject to the covenant is to be modified or terminated, the owner shall be responsible for notifying the Director and providing a revised site plan and schedule for meeting the parking requirements of all the development on the property subject to the covenant.

Recommended addition to permitted uses in 16.12.050(8)(b) Highway-Oriented Development (HOD) Zone -- Miscellaneous Associated Facilities

b. Recreational vehicle and boat storage inside a building.

Recommended addition to permitted uses in 16.12.060(7)(h) Economic Development (ED) Zone -- Miscellaneous Associated Facilities

h. Recreational vehicle and boat storage yard.

Added language to the following tables:

**Highway-Oriented Development (HOD) Zone
Table of Dimensional and Density Requirements**

Uses Permitted	Maximum Units/Acre	Area	Width (ft)	Depth (ft)	Front	Each Side	Rear	Max Bldg Height	Max Lot Coverage
Recreational Vehicle/Boat Storage (Bldg)	-	1 acre	100	200	25	25	25	30	60

**Economic Development (ED) Zone
Table of Dimensional and Density Requirements**

Uses Permitted	Maximum Units/Acre	Area	Width (ft)	Depth (ft)	Front	Each Side	Rear	Max Bldg Height	Max Lot Coverage
Recreational Vehicle/Boat Storage Yard	-	1 acre	100	200	25	25	25	30	25

SULTAN PLANNING BOARD MINUTES
December 10, 2015

PLANNING BOARD MEMBERS PRESENT:

Lucy Hitchcock
Gloria Reedy
Sean Gossett
Tom Green, arrived 7:20p.m.
Janet Peterson arrived at 7:10p.m.

STAFF PRESENT:

Ken Walker, City Administrator
Cyd Sparks, Secretary of the Board
Brad Collins, FAICP Interim Planning Director

CALL TO ORDER:

Call to Order at 7:00 p.m.

CHANGES TO THE AGENDA:

None.

PUBLIC COMMENTS:

Bob McCarty, 1203 Loves Hill Drive, Sultan – Water Trails Planning – heads up, boat/float oriented. “Sky to Sound” The City received a Grant from National Park Service to have Park Staff person to help us through this project. To make areas “In/Out” areas for food stops and economic development. Make people want to spend their money here.

PLANNING BOARD MEMBER COMMENTS:

Gossett – Concerns over what is going on at the Sultan Airport. Gossett is going to let his term expire in February.

Reedy – Welcomes Brad to the Planning Board meeting. What do the initials behind your name mean? Are the PB dates changing to Thursdays? Brad explains.

Peterson – Welcomes Brad to the group and looks forward to getting something done.

Collins – Answers questions from the Board and discusses the change in the day for future PB Meetings.

APPROVAL OF MINUTES:

October 20, 2015 Minutes – Peterson moves to approve the minutes as printed. Reedy seconds. All Ayes.

DISCUSSION AND STUDY ITEMS:

D-1: Review Parks Questionnaire/Survey (November Packet) Board discusses the questionnaire and refines some of the questions. Add kayaking and boating. Change 8th to 9th Street. Add a map showing the park locations with numbers. Add question #13 from the phone survey. What about adding equestrian trails? Add a question about horse trails. Redo the questionnaire for the next meeting.

D-2: PROS Plan Edits (November Packet) Talk about FTP file (*FTP* stands for *File Transfer Protocol* and, as the name implies, it is a way of transferring files between computers) or setting up a separate computer for the Board to come to the City and make their edits. PB Members to go over the PROS Plan and pick a section that they would like to work on.

D-3: Planning Board By-Laws (November Packet) information only.

D-4: Planning Board Work List 2016

Brad goes over a work list for 2016 with the Board. Changing the meetings to the 3rd Thursday of the month for Jan thru March.

D-5: Zoning Code Amendments

Staff goes over the two zoning code changes he will be bringing up.

1) Recreational vehicle and boat storage yards and/or buildings. Board and Staff discuss the need for a public hearing at the planning board meeting. Board and Staff have discussion on changes to the By-Laws which list the items on the PB Agenda.

Recommendation to the City Council to Recreational vehicle in HOD in building, recreational vehicle yards in ED Zone. Green makes a motion and Peterson seconds. All Ayes.

2) Staff discusses the shared parking requirements with the Board. Board asks questions, what is Internal Trip Capture? Staff explains that it means cars are going into more than one business at the same parking site.

Recommendation to the City Council to allow shared parking requirement C as written. Green makes a motion and Reedy seconds. All Ayes.

16.60.100 Joint-use parking requirements.

Existing:

A. Places of Public Assembly. Parking spaces already provided to meet off-street parking requirements of stores, office buildings, schools, and industrial establishments, situated on the same site as places of public assembly, and that are not normally in use between the hours of 6:00 p.m. and midnight and are made available for other parking, may be used to meet not more than 50 percent of the total requirements of parking spaces. Written agreement is required for such joint-use parking arrangements between the officials of the place of public assembly and the owner or manager of the other development and parking area on the site.

B. Mixed Use Developments. In the case of mixed uses (such as shopping centers), the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. Off-street parking facilities for one use shall not be considered as providing required parking facilities for any other use, except as specified above for joint use. (Ord. 630 § 2 [16.10.030(10)], 1995)

New:

C. Shared Parking Agreement. Parking facilities may be cooperatively used by different land uses, when the times of the use of such parking spaces by each use are not simultaneous. A shared parking agreement signed by all parties who share the parking facilities and approved by the City Community Development Director (Director) shall be required that binds the parking facilities and the parties until the agreement is dissolved by all parties and approved by the Director. The total number of required parking spaces may be reduced from the requirements of Sultan Municipal Code Chapter 16.60, if it is demonstrated through a parking study that complementary uses, internal trip capture or uses with different peak parking needs justify the reduction in required parking spaces at all times. A covenant running with the land shall be made between the property owner (owner) and the City of Sultan (City) stating the responsibilities of the owner and shall be recorded with Snohomish County. A copy with the recording number and parking layouts and scheduled times of use by the specific uses sharing the on-site parking spaces shall be

submitted as part of any permit application for development. When any shared parking agreement subject to the covenant is to be modified or terminated, the owner shall be responsible for notifying the Director and providing a revised site plan and schedule for meeting the parking requirements of all the development on the property subject to the covenant.

D-6: Title 16 - Unified Development Code

Staff goes over some of the historical events on Title 16 & 18. Several different versions have attempted unsuccessfully to update the City's development regulations. This work is identified as one of the principal duties of the Planning Board and the Community Development Director. Before we make another attempt at revising the City's Development/Zoning Code, an objective or set of objectives needs to be determined to guide the review.

The goal of the December Planning Board meeting is to set some work parameters and schedule. Board has discussion with Staff over what happened in the past. Staff wants to work on a way to make the process better this time. Have the Attorney review the updates to the Code as the Board completes them. January's meeting should begin with what are the major issues in Title 16 and Title 18? Look at impact fees, why are they expensive and can they pay them at another time other than when permits are due.

Revise the PB Meetings from the 3rd Tuesday of the month to the 3rd Thursday of the month thru March. Motion by Gossett and seconded by Green. All Ayes.

ACTIONS FOR NEXT MEETING:

- PB Minutes for December 10th
- Updated Survey for 3rd review.
- PROS Plan in shared location - still working on a solution. Shared computer upstairs.
- Bring Zoning Map for each member.
- Publish the PB Calendar in newspaper and webpage.
- Staff to put together materials for review of Code for January meeting.

PLANNING BOARD COMMENTS:

Peterson – Thanks for delivering the PB Packets.

Reedy – Did research on raising the Sultan Sales to what the Monroe tax rate to Sultan Council. Reedy would like the ear marked funds to parks.

Green – would like to find a way to sell cars and keep the sales tax here. Loves to hear that Staff is trying to keep it simple.

PUBLIC COMMENTS:

McCarty – comments on the SMC Code. Take what is the best from 16 and 18 and make one code.

ADJOURNMENT:

Peterson moves to adjourn the meeting and Reedy seconded the motion. All Ayes.

Adjourned at 9:10 p.m.

SULTAN CITY COUNCIL AGENDA ITEM COVER SHEET

ITEM NO: Action A 3

DATE: January 28, 2016

SUBJECT: Prosecution Services Contract with Zachor & Thomas

CONTACT PERSON: Ken Walker, City Administrator

ISSUE:

The issue before the Council is to approve a contract with Zachor & Thomsas to provide Prosecuting Attorney services. The effective date of the contract would be April 1, 2016.

The city of Sultan has contracted for misdemeanor prosecution services, with the Snohomish County Prosecutor's Office since 1998. Since the original signing of the agreement, the city receives yearly cost adjustments. Due to changing circumstances, it is in Sultan's best interest to review the relationship and explore the possibility of contracting with an independent lawyer/firm for misdemeanor prosecution services.

RECOMMENDED ACTION:

Staff recommends the Council authorize the Mayor to sign a three year contract with Zachor & Thomas for prosecuting attorney services.

SUMMARY:

Current concerns pertaining to the prosecution of property crimes have become a focus of the citizens of Sultan. There are questions about staffing levels within the Snohomish County Prosecutors office, and therefore the ability to bring prosecution of the individuals accused of these crimes. Staff was directed in February 2015 to explore alternatives.

Many other cities within Snohomish County contract with other private law firms for prosecution services. As stated above the, County has established a cost per type of case model, which is a flat fee per case. Private law firms have established an hourly rate formula which does not have a cap for costs per case.

The City is required to provide sixty (60) days written notice to the County to terminate the Interlocal Agreement. The Interlocal would be terminated effective April 1, 2016 if the contract with Zachor & Thomas is approved.

ATTACHMENT: A. Contract with Zachor & Thomas

CONTRACT FOR PROFESSIONAL LEGAL SERVICES - 1 (Prosecuting Attorney for the City of Sultan)
CONTRACT FOR PROFESSIONAL LEGAL SERVICES
(Prosecuting Attorney for the City of Sultan)

I. PARTIES

THIS AGREEMENT is entered into this _____ day of _____, 2016, by and between the CITY OF SULTAN, a Municipal Corporation of the State of Washington, (hereinafter referred to as “City”), and the law office of ZACHOR & THOMAS, Inc., P.S., a Personal Services Corporation of the State of Washington (hereinafter referred to as “Prosecuting Attorney”).

WHEREAS, the City of Sultan wishes to contract with a skilled law firm with attorneys familiar with the prosecution of criminal and infraction matters involving allegations of violations of state and municipal ordinances; and

WHEREAS, the law firm of Zachor & Thomas, Inc., P.S. (the principals who are H. James Zachor, Jr. and Melanie S. Thomas Dane) and its attorneys are licensed to practice law in the State of Washington with experience as prosecutors the State of Washington and the specifically for the City of Sultan;

NOW THEREFORE, in consideration of the mutual promises and benefits to be derived, this Contract is entered into on the date specified hereafter between the City of Sultan, a municipal corporation (hereafter referred to as the “City”) and Zachor & Thomas, Inc., P.S. (hereafter referred to as the “Prosecutor”), subject to the terms and conditions set forth below.

II. SERVICES

The Prosecutor shall, in a capable manner and in accordance with the professional and ethical standards required of members of the Washington State Bar Association, represent the City as Prosecuting Attorney in the enforcement of its ordinances and prosecution of criminal traffic and criminal non-traffic matters (gross misdemeanors/misdemeanors/infractions). The duties of the Prosecutor shall include, but are not limited to the following services:

- 2.1 Review Police Incident Reports for charging where prosecutor review is necessary;
 - 2.2 Maintain all current cases in an appropriate filing system;
 - 2.3 Review and remain familiar with filed infractions, misdemeanor and gross misdemeanor cases;
 - 2.4 Interview witnesses as necessary in preparation of prosecution of cases;
 - 2.5 Respond to discovery requests, make sentence recommendations and prepare legal memoranda, when necessary;
 - 2.6 Prepare cases for trial, including the issuance of witness subpoenas (for service by the Sultan Police Department, when applicable), conduct evidence
- CONTRACT FOR PROFESSIONAL LEGAL SERVICES - 2 (Prosecuting Attorney for the City of Sultan)

- retrieval (with the assistance of the Sultan Police Department and other City agencies), and prepare jury instructions, as necessary;
- 2.7 To assist the City Attorney, when applicable, in response to Public Disclosure requests;
 - 2.8 Represent the City in its District Court at arraignments, pretrial hearings, motion hearings, review hearings (as requested by the Judge), and bench/jury trials, as scheduled;
 - 2.9 Prosecute “attorney represented” and “officer requested” contested code and traffic infraction violations as scheduled on the regular criminal calendar;
 - 2.10 Represent the City in the prosecution of drug, felony and firearm forfeitures that are filed by the City with the Chief Law Enforcement Officer or his Designee or are removed to other courts. This representation shall be billed at such rate as set forth in 3.2.1 and 3.2.2 hereafter;
 - 2.11 Conduct legal updates for officers from time to time at a mutually agreeable time and place;
 - 2.12 Be available to the Police Department for warrant reviews and questions by providing appropriate telephone numbers, cell phone numbers, email addresses, and voice mail access;
 - 2.13 Make recommendations to the Police Chief or City Attorney concerning suggested amendments, modifications or additions to City ordinances effecting the satisfactory prosecution of criminal matters;
 - 2.14 Provide periodic feedback to the Police Command Staff regarding the performance of City police officers in the discharge of their duties and other matters of mutual concern;
 - 2.15 Appear at the Snohomish County Jail Video Calendar as a result of direct booking or service of Bench Warrants on DV, DUI and other special requested cases, when Sultan defendants remain under the jurisdiction of the Evergreen District Court.

III. COMPENSATION

- 3.1 Base Rate. The Prosecutor shall receive a monthly retainer of \$4,500.00 per month for the performance for services rendered pursuant to paragraph II, except for 2.10 (Forfeitures). Commencing the 1st day of January, 2017, the monthly retainer shall be increased to \$5,000.00 per month;
- 3.2 Additional Services Rate.
 - 3.2.1 Services outside the scope of the duties described in paragraph 3.1 above, shall, in addition to the base rate set forth herein above, be billed at the rate of ONE HUNDRED TWENTY FIVE DOLLARS (\$125.00) per hour for representation at RALJ cases in Superior Court; other cases filed with the Superior Court; cases filed at the Court of Appeals; cases filed at the Supreme Court; cases filed in Divisions of the Snohomish County District Court other than Evergreen Division (including those removed forfeiture cases); and CONTRACT FOR PROFESSIONAL LEGAL SERVICES - 3 (Prosecuting Attorney for the City of Sultan)

3.2.2 In addition to the base rate in paragraph 3.1 and 3.2.1, forfeiture cases referenced in 2.10 hereinabove, heard before the Sultan Chief Law Enforcement Officer or his/her Designee, shall be billed at a flat rate of THREE HUNDRED DOLLARS (\$300.00) per case, unless a complicated or lengthy case as determined by the parties hereto, which shall than be billed at the rate set forth in 3.2.1

3.2.3 Services other than set forth in paragraph 3.1 shall be approved by the City before fees are incurred, except in an emergency situation.

3.3 Fee Review. The schedule of fees provided in paragraph 3.1 and 3.2 above may be reviewed not more frequently than once a year by the City Council and the Prosecutor. Changes in fees shall be first proposed for consideration by the Prosecutor to the City's designated representative in writing in advance of the City's budget for the following year. Increases in such fee and cost structure, if any, shall be considered by the City Council as a part of its budget process. Such changes, if any, to the fee structure and the budget process approved by the City Council shall be, upon acceptance by the Prosecutor, made a part of this Contract.

3.4 Costs. The City shall be the sole obligor and shall pay all witness fees, expert witness fees (including but not limited to Speed Measuring Device Experts), transcription fees, interpreter fees and reasonable out-of-pocket expenses that may be required in the performance of its duties. The City shall approve other anticipated fees, before such expense is incurred. The City will not unreasonably delay in granting approval of such expenses. The City further agrees to hold Prosecutor harmless from such expenses and costs as set forth herein above;

3.5 Payment Rate Adjustment. The monthly retainer payment shall be adjusted and increased effective the 1st day of January each year by THREE PERCENT (3.0%) unless otherwise adjusted pursuant to the terms of this agreement.

3.6 Payment Terms. Fees and costs are due from the City upon billing by the Prosecuting Attorney. A service charge shall accrue at the rate of 12% per annum (1% per month) and be added to any balance remaining unpaid thirty day (30) after statement date.

IV. ASSISTANT PROSECUTORS

4.1 Assistant Prosecutors. The City contracts with the Prosecutor for a monthly fee for prosecution service. Should the Prosecutor be absent, it shall be the responsibility of the Prosecutor to provide substitute coverage with a properly licensed State of Washington attorney, who has been previously approved by the City through its Police Chief. In the event of a dispute regarding approval of any individual, the City Council shall be final arbiter. CONTRACT FOR PROFESSIONAL LEGAL SERVICES - 4 (Prosecuting Attorney for the City of Sultan)

4.2 Conflict Prosecutor. If a “conflict prosecutor” is required, such “conflict prosecutor” shall be approved by the City through its Police Chief. In the event a dispute regarding approval of any individual, the City Council shall be final arbiter. The Prosecutor is responsible for any costs associated with the conflict prosecutor, except that, if such conflict is due to a conflict with the City, any of its employees or vendors, the expense of a “conflict prosecutor” shall be the responsibility of the City.

V. TERM OF CONTRACT

5.1 Term of Contract. The term of this contract shall commence on the ____ day of _____, 2016 and shall end on the 31st day of December 2019.

5.2 Renewal. This Contract may be renewed by addendum, with or without negotiations, for an additional three (3) year period upon the mutual agreement of the parties. Written notice of intent to renew by addendum, with or without negotiations, shall be provided in writing reasonably prior to termination of this Contract.

5.3 Termination. The Prosecutor shall serve at the pleasure of the City under the direction of the Mayor and/or City Council. The attorney client/relationship is personal and involves the ability of the parties to communicate and maintain credibility. Therefore, the Prosecutor and the City, in their sole discretion, reserves the right to terminate this Contract upon ONE HUNDRED EIGHTY (180) days written notice. This Contract may be terminated by either party at any time for cause.

VI. OWNERSHIP

All City of Sultan files and other documents maintained by the Prosecutor shall be files of the City of Sultan and accessible by the City through its City Attorney or other duly authorized representative during normal business hours, subject to the Washington State Bar Association Rules of Ethics. At the request of the City, any and all files maintained by the Prosecutor shall be tendered to the City, subject to terms and conditions of this Contract and the Washington State Bar Association Rules of Ethics. All equipment, facilities, workproduct and materials provided by the Prosecutor shall remain the sole property of the Prosecutor.

VII. INDEPENDENT CONTRACTOR

Prosecutor and its assistants are professional and independent contractors, acting without direct supervision. Prosecutor waives any claim in nature of tax, charge, cost or CONTRACT FOR PROFESSIONAL LEGAL SERVICES - 5 (Prosecuting Attorney for the City of Sultan)

employee benefit that would attach if the Prosecutor or its assistants were held to be employees of the City.

VIII. INSURANCE

During the life of this Contract, the Prosecutor shall maintain professional liability and malpractice insurance which shall include anyone acting for or on behalf of the Prosecutor in the performance of this Contract. Such insurance shall be obtained from any insurance company authorized to do business as such in the State of Washington and shall have policy limits of ONE MILLION DOLLARS (\$1,000,000.00) or more.

IX. INDEMNITY

9.1 So long as the Prosecutor is acting within the scope of this Contract and in accord with its ethical responsibilities under the provisions of the Rules of Professional Conduct established by the Washington State Supreme Court, it shall be entitled to legal defense and representation as an official of the City. Nothing herein shall be interpreted to require defense or indemnity for acts beyond the scope of this Contract, including, but not limited to tortuous or wrongful acts committed by the Prosecutor.

9.2 Nothing herein shall be interpreted to require the Prosecutor to indemnify the City, its officers, agents or employees from loss, claim or liability arising from negligent, wrongful or tortuous conduct of the City, its officers, agents or employees.

9.3 Nothing herein shall be interpreted to require the City to indemnify the Prosecutor, its officers, agents or employees from loss, claim or liability arising from negligent, wrongful or tortuous conduct of the Prosecutor, its officers, agents or employees.

X. NON-DISCRIMINATION

10.1 Non-Discrimination in Employment. During the performance of this Contract, the Prosecuting Attorney shall comply with the Washington "Law Against Discrimination" (Chapter 49.60 RCW) and should any part of the performance contemplated hereunder be financed by federal funds, the Prosecuting Attorney shall comply with all applicable federal laws against discrimination in employment.

Satisfactory performance of this clause by the Prosecuting Attorney shall include, but not be limited to the following:

During the performance of this contract, Prosecuting Attorney shall not discriminate against my employee or applicant for employment because of race, color, religion, sex, national origin, creed, marital status, age or the presence of any sensory, mental or physical handicap. Performance shall include, but not be limited to: employment, upgrading, demotion or transfer, recruitment advertising, layoff or CONTRACT FOR PROFESSIONAL LEGAL SERVICES - 6 (Prosecuting Attorney for the City of Sultan)

termination, rates of pay or other form of compensation, and programs for training including apprenticeships, unless such distinctions are based upon a bona fide occupational qualification.

XI. NOTICES

11.1 Notices. If any notice is required or desired to be given under this Contract, such shall be deemed given if such is sent in writing by certified mail to his/her office, in the case of the Prosecuting Attorney, or Office of the Mayor, in the case of the City.

11.2 Entire Contract. This Contract contains the entire understanding of the parties. It may be changed by an agreement in writing signed by the party against whom enforcement of any waiver, change or modification, extension or discharge is sought.

DATED THIS ____ day of _____, 2016.

CITY OF SULTAN ZACHOR & THOMAS, Inc., P.S.

By: _____ By: _____
Mayor H. James Zachor, Jr., WSBA#6327 President

ATTEST/AUTHENTICATED APPROVED AS TO FORM:

By: _____ By: _____ WSBA#
City Clerk City Attorney _____

SULTAN CITY COUNCIL AGENDA ITEM COVER SHEET

ITEM NO: Action A 4
DATE: January 28, 2016
SUBJECT: Ordinance 1231-16 - Council Meetings
CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director

ISSUE:

The issue before the City Council is to introduce Ordinance 1231-16 to revise the meeting schedule for November and December to avoid holidays.

SUMMARY:

SMC 2.04.010 establish regular Council meeting days as the 2nd and 4th Thursday of each month. Special meetings, such as council retreats and joint meetings with the planning board may be held as determined by the mayor and city council.

During the months of November and December there are 5 holidays for the city. Unfortunately, these holidays fall on the 2nd and 4th weeks of the month. Each year the Council takes action to change the meetings date in November and December to the 1st and 3rd Thursday of the month.

Ordinance 1231-16 amends SMC 2.04.010 to change the November and December meetings to the 1st and 3rd Thursday of month. This will eliminate the need to publish notice each year of the revised meeting schedule.

RECOMMENDATION:

Adoption of Ordinance 1231-16 to change the Council meeting dates in November and December to the 1st and 3rd Thursday.

Attachment: A. Ordinance 1231-16 – Council Meetings

**CITY OF SULTAN
SULTAN WASHINGTON
ORDINANCE 1231-16**

AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON AMENDING
SMC 2.04.010, PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING
FOR SEVERABILITY

WHEREAS the City Council has established a set meeting date of the 2nd and 4th Thursday of each month; and

WHEREAS the Council changes the meeting dates in the months of November and December to accommodate scheduled holidays;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN DO ORDAIN as follows:

Chapter 2.04.010 City Council Meetings, is hereby amended to read as follows:

2.04.010 Time and Place: A. ~~After passage, approval and publication of the ordinance codified in this chapter, T~~the regular meeting of the City Council of the City of Sultan shall be held in the Sultan Council Chambers as follows:

January through October: ~~O~~en the second and fourth Thursday of each month beginning at the hour of seven p.m. (7:00 PM).

November through December: ~~O~~n the first and third Thursday of each month beginning at the hour of seven p.m. (7:00 PM).

B. ~~The first such regular meeting to be held in accordance with the terms of this chapter shall be held on the second Thursday in the month of March 2006; provided, that though regular meetings shall be held only as required by the provisions of this chapter, such regular meetings may be adjourned to a time and place certain if the regular business before the City Council makes such adjourned meetings necessary.~~

2.04.020 Exceptions: Whenever the regular meeting date of the Sultan City Council falls on a legal holiday, the regular meeting of said City Council will be held at the same hour and place on the next succeeding day.

Repealer: Any and all other ordinances or parts of ordinances of the City of Sultan inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Severability: This ordinance is severable and if any portion of it shall be declared invalid or unconstitutional, the remaining portion shall remain valid and enforceable.

Effective Date: This ordinance shall be in full force and effect five days after publication as required by law.

REGULARLY ADOPTED by the City Council on this 8th 28th day of ~~February, 2006~~January 2016.

Carolyn Eslick, Mayor

Attest:

Laura J. Koenig, City Clerk/

Approved as to form:

Amy Mill, City Attorney

Published:

Effective:

SULTAN CITY COUNCIL AGENDA ITEM COVER SHEET

ITEM NO: Discussion D-1

DATE: January 28, 2016

SUBJECT: Council Budget Workshop Schedule

CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director

ISSUE:

The issue before the City Council is to approve the dates for budget workshops and hearings.

POLICY:

The adopted Council Procedures establish regular meeting days on the 2nd and 4th Thursday of each month. Special meetings, such as council retreats and joint meetings with the planning board may be held as determined by the mayor and city council. Many city councils in Washington State schedule annual planning retreats. Retreat agendas are generally set by the mayor and staff with council input.

SUMMARY:

Council Budget Workshops

Staff recommends the council schedule three budget workshops to allow in-depth discussion of council goals and policies, and other topics as identified by the mayor and city council. Generally, the council does not take action at its workshops. Key issues are brought back to the council for discussion and action at a regular council meeting. The proposed dates for 2016 are:

- Thursday March 31, 2016 – Budget policy, goals and budget priorities
Sultan Council Chambers from 6 PM to 10 PM
- Saturday, August 27, 2016 - 2017 budget priorities
Sultan Council Chambers from 9 AM to 2:00 PM
- Saturday, October 8, 2016 - Mayor's recommended budget for 2017
Sultan Council Chambers from 9 AM to 2:00 PM

Budget Hearings:

- October 27, 2016 – General Fund, Debt Service, Reserve Funds
- November 3, 2016 – Public Works, Capital Projects