Next Ord: 1574-07
Next Res: 741-07

MISSION STATEMENT

The mission of the Sedro-Woolley City government is to provide selected services that are not traditionally offered by the private sector. This will be achieved through providing the highest quality services we can within the resources with which we're provided; involving residents in all aspects of planning and operations; serving as a clearinghouse for public information; and operating facilities which meet the legitimate, identified concerns of the residents of and visitors to our community.

We believe in being community-centered, consistently contributing to the quality of life in our area and as fully deserving of the public's trust through the consistent expression of positive values and acceptance of accountability for producing meaningful results.

CITY COUNCIL AGENDA

May 9, 2007
7:00 PM
Sedro-Woolley Community Center
703 Pacific Street

1. Call to Order
2. Pledge of Allegiance
3. Consent Calendar

NOTE: Agenda items on the Consent Calendar are considered routine in nature and may be adopted by the Council by a single motion, unless any Councilmember wishes an item to be removed. The Council on the regular agenda will consider any item so removed after the Consent Calendar.

   a. Minutes from Previous Meeting (including May 1, 2007 Work Session)
   b. Finance
      - Claim Vouchers #60242 to #60391 for $478,543.79 (Voided Warrants #60244-60256)
      - Payroll Warrants #40094 to #40190 for $210,151.69
   c. Waiver of Fees - SW Community Center - Rotary Club
   d. Surplus of Truck #502 - 1990 Rear Load Packer

4. Public Comment (Please limit your comments to 3-5 minutes)

PUBLIC HEARINGS

5. Reenactment of Interim Zoning Control Ordinance
6. Adoption of the "Optional Municipal Code", RCW 35A

UNFINISHED BUSINESS

7. City Hall Update

NEW BUSINESS

8. Proposed Pretreatment Ordinance *(1st Reading)*
9. Professional Services Agreement - Katy Isaksen & Associates

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

EXECUTIVE SESSION/YES

CITY COUNCIL AGENDA
REGULAR MEETING

MAY 0 9 2007

7:00 P.M. COUNCIL CHAMBERS
AGENDA NO. 1-3

DATE: May 9, 2007

TO: Mayor Anderson and City Council

FROM: Patsy Nelson, Clerk-Treasurer

SUBJECT: 1) CALL TO ORDER; 2) PLEDGE OF ALLEGIANCE; 3) CONSENT CALENDAR

1. CALL TO ORDER - The Mayor will call the May 9, 2007 Regular Meeting to Order. The Clerk-Treasurer will note those in attendance and those absent.

   ____ Ward 1 Councilmember Ted Meamber

   ____ Ward 2 Councilmember Tony Splane

   ____ Ward 3 Councilmember Louie Requa

   ____ Ward 4 Councilmember Pat Colgan

   ____ Ward 5 Councilmember Hugh Galbraith

   ____ Ward 6 Councilmember Rick Lemley

   ____ At-Large Councilmember Dennis London

2. PLEDGE OF ALLEGIANCE - The Mayor will lead the City Council and citizens in the Pledge of Allegiance to the United States of America.

3. CONSENT CALENDAR - Mayor will ask for Council approval of Consent Calendar items.

CITY COUNCIL AGENDA
REGULAR MEETING

MAY 0 9 2007

7:00 P.M. COUNCIL CHAMBERS
AGENDA NO. 30

CITY OF SEDRO-WOOLLEY

Regular Meeting of the City Council
April 25, 2007 – 7:00 P.M. – Community Center

The meeting was called to order at 7:00 P.M.

Pledge of Allegiance

ROLL CALL: Mayor Mike Anderson, Councilmembers: Ted Meamber, Tony Splane, Louis Requa, Pat Colgan, Hugh Galbraith, Rick Lemley and Dennis London. Staff: Clerk/Treasurer Nelson, Planner Moore, Engineer Blair, Police Chief Wood and Fire Chief Klinger.

Consent Calendar

- Minutes from Previous Meeting
- Finance
  - Claim Vouchers #60123 to #60241 for $188,905.66
  - Payroll Warrants #39998 to #40093 for $156,711.48
- Waiver of Fees – Riverfront Park – Skagit Widowed Support Services – August 16, 2007
- Waiver of Fees – Memorial/Riverfront Park – Mary Purcell Elementary – Misc. June Dates
- Waiver of Fees – SW Community Center – SWHS Senior Breakfast – June 5 & 6, 2007
- Award of Bid – Demo Truck Purchase
- Reappointment of Faye Huggins and Appointment of K.B. Johnson to Sedro-Woolley Housing Authority
- Amended Mutual Police Aid Agreement
- Resolution – Acknowledging the Achievement of Four New Eagle Scouts

Councilmember London moved to approve the consent calendar which includes Resolution #740-07 A Resolution Acknowledging the Achievement of Four New Eagle Scouts. Councilmember Lemley seconded. Motion carried (7-0).

Public Comment

None

PUBLIC HEARINGS

None

UNFINISHED BUSINESS

City Hall Update

Police Chief Wood reported on the groundbreaking ceremony and the progress of the construction. He noted the Police Department will have to relocate the lobby sooner than anticipated. The entrance will be moved to the training room door.

Mayor Anderson noted the revised schedule for upcoming worksessions which is necessary due to the construction at each Councilor's station.

Update of Chapter 17.40 SWMC Sign Ordinance (2nd Reading)

Planner Moore reviewed the information regarding the update of the sign ordinance. He noted that the packet tries to incorporate Council concerns that have recently been expressed. Moore recommended possibly having different sign size regulations for the Highway 20 corridor vs. Downtown.

Council discussion ensued to include sign size, Planning Commission considerations, rules for the appropriate zone, sidewalk sign and sandwich board sign size and banners.

Moore introduced Ryan Walters who worked as an intern at the City of Sedro-Woolley and was responsible for much of the research on the sidewalk signs. Walters suggested some wording changes to allow for both Highway 20 and the Downtown area.

More Council discussion ensued to include permanent and temporary signage.

Moore recommended Council consider raising the sign height limit to 20 Feet for better visibility along Highway 20.

Discussion ensued once again to include reader board signs, purpose to eliminate permanent banner type signs, requirement for vision triangle, sign removal of obsolete signs, food bank signage, differences between a façade sign and free standing sign, larger size signs along Highway 20, limit number of signs to avoid clutter, case by case signage, flashing or neon signs and guidelines for signs along scenic highways.

Councilmember Meamber moved to table the topic to the next Council meeting. Councilmember Galbraith seconded. Motion carried (7-0).

NEW BUSINESS

Consultant Agreement – Widener & Associates – Rhodes Road Arterial Loop Extension between SR 20 & Cook Road

Engineer Blair reviewed the proposed consultant agreement for the environmental work on the Rhodes Road Arterial Loop extension. Blair noted the intent is to have a construction ready project so if a developer comes in the design would be complete.

Discussion ensued as to available funding, intent of the project and time element.

Councilmember Galbraith moved to authorize the Mayor to sign and execute the attached agreement with Widener & Associates for professional services in the amount not to exceed $92, 920.00. Seconded by Councilmember Meamber. Motion carried (7-0).

Ordinance – Interim Financing for City Hall Construction Project

Clerk/Treasurer Nelson reviewed the interim financing for the City Hall construction. Nelson noted that at the last meeting Council approved a contract with K & L Gates (formerly Preston, Gates & Ellis) to provide bond counsel. She noted the proposed Ordinance is part of the process in allowing the City to issue tax exempt bonds and tax exempt interim financing.

Councilmember Requa moved to adopt Ordinance No. 1573-07 An Ordinance of the City Council of the City of Sedro-Woolley, Washington, Establishing a Line of Credit and Providing for the Issuance and Sale of a Limited Tax General Obligation Bond Anticipation Note of the City in the Aggregate Principal Amount of Not to Exceed $3,800,000 to Evidence the Line of Credit; and Providing the Form and Terms of the Note. Seconded by Councilmember Splane. Motion carried (7-0).

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

Police Chief Wood – announced the retirement of the Code Enforcement Officer effective in June. He also noted an assessment center to be held for the Sergeant's position on May 8th.

Engineer Blair – noted the Township/Sterling sewer project has been wrapped up and the paving is completed with the exception of painting.

Planner Moore – announced an upcoming "Short Course on Local Planning" which is sponsored by The Planning Association of Washington, State of WA Department of Community, Trade & Economic Development and the City of Sedro-Woolley to be held on Thursday, May 3, 2007. Moore reviewed the topics and encouraged all Councilmembers to attend.

Clerk/Treasurer Nelson – noted the Council packets for the May 2, 2007 Worksession at each Councilor's station. Nelson also reminded Councilmembers to turn a copy of their Public Disclosure Commission forms to City Hall. She noted this was a new requirement as a result of the recently passed ethics ordinance.

Councilmember Requa – questioned the status of the proposed sewer project from Polte Road to McGargile.

Engineer Blair stated that the consultant that was slated to do the sub service utility engineering is no longer doing that type of work so he is now pursuing other avenues to complete the work. He noted he was unsure at this time if the project would be done this year.

Requa noted he highly recommended that all Councilmembers attend the upcoming Planning seminar.

Councilmember Galbraith – commented on the completion of the Township Street paving. He also questioned the status of the Highway 9 sidewalks.

Engineer Blair noted some staffing difficulties at the County level and he has been waiting for a progress report from them.

Councilmember London – announced the upcoming kids fishing derby at the Northern State pond to be held Saturday, May 5, 2007 sponsored by the Wildcat Steelhead Club. He also had questions regarding junk vehicles, City clean up of private property, and the status of the economic development grant in connection with the disbanded Polte Road project. London also commented on the completion of Sterling Street.

Councilmember Requa – questioned spraying of the TreeSource property, ingress/egress at the Skagit Plant and the sewer design for McGargile Road.

Councilmember Colgan moved to adjourn. Seconded by Councilmember Lemley. Motion carried (7-0).

The meeting adjourned at 8:36 P.M.

CITY COUNCIL AGENDA
REGULAR MEETING

MAY 0 9 2007

7:00 P.M. COUNCIL CHAMBERS
AGENDA NO. 3a

CITY OF SEDRO-WOOLLEY

Work Session of the City Council
May 1, 2007 – 7:00 P.M. – Community Center

The Work Session was called to order at 7:00 P.M.

ROLL CALL: Present: Mayor Mike Anderson, Councilmembers: Ted Meamber (Late), Tony Splane, Louis Requa, Pat Colgan, Rick Lemley, Hugh Galbraith and Dennis London. Staff: City Supervisor/Attorney Berg, Clerk/Treasurer Nelson,

- Municipal Code City vs. Second Class City

Scott Thomas, City of Burlington, City Attorney discussed the City of Burlington's experience in transition from a Second Class City to a Code City. Numerous questions and discussion ensued. More discussion to take place at the City Council meeting.

- Stormwater

Scott Thomas, City of Burlington, City Attorney discussed the City of Burlington's stormwater policy and their lawsuit (joint with other cities). Washington State's law exceeds Federal requirements and the lawsuit wants the requirements relaxed to the Federal level. Discussed method of determining residential and commercial rates, ERU's, etc. (high-low ranges).

- Personnel Policies Manual Update

Discussed general policy, statements, etc.

- Miscellaneous Updates
  - Railroad – doesn't want to sell due to county rail bank. Discussed permit method (Councilmember Meamber arrived) of sewer installation: trench, casings, grade, etc.
  - Truck Vault access issues were discussed.

The Worksession adjourned at 8:52 P.M.

CITY COUNCIL AGENDA
REGULAR MEETING

MAY 0 9 2007

7:00 P.M. COUNCIL CHAMBERS
AGENDA NO. 3b

DATE: May 9, 2007

TO: Mayor Anderson and City Council

FROM: Patsy Nelson, Clerk-Treasurer

SUBJECT: FINANCE - VOUCHERS

Attached you will find the Claim Vouchers proposed for payment for the period ending May 9, 2007.

Motion to approve Claim Vouchers #60242 to #60391 in the amount of $478,543.79. (Voided Warrants #60244-60256)

Motion to approve Payroll Warrants #40094 to #40190 in the amount of $210,151.69.

If you have any comments, questions or concerns, please contact me for information during the working day at 855-1661. This will allow me to look up the invoices that are stored in our office.

CITY OF SEDRO-WOOLLEY

SORTED TRANSACTION WARRANT REGISTER

05/09/2007 (Printed 05/03/2007 15:51)

WARRANT	VENDOR NAME	DESCRIPTION		AMOUNT
40363	TRUE VALUE	VOIDED WARRANT		.00
		WARRANT TOTAL		.00
60242	SEDRO-WOOLLEY POSTMASTER	POSTAGE	SWR	308.07
		POSTAGE	SAN	308.07
		WARRANT TOTAL		616.14
60243	ADVANCE TRAVEL	TRAVEL	PD	162.00
		WARRANT TOTAL		162.00
60257	ALL-PHASE ELECTRIC	MAINTENANCE OF BUILDINGS	SWR	81.53
		MAINTENANCE OF BUILDINGS	SWR	397.14
		REPAIRS/MAINT-BUILDING	SAN	437.88
		WARRANT TOTAL		916.55
60258	ALLIED WASTE SERVICES #197	RECYCLING FEE - HOUSEHOLD	SAN	89.76
		WARRANT TOTAL		89.76
60259	ALPINE FIRE & SAFETY	OPERATING SUPPLIES	SAN	11.83
		WARRANT TOTAL		11.83
60260	AMSTERDAM PRINTING & LITH	SUPPLIES	FIN	115.48
		WARRANT TOTAL		115.48
60261	ASSOC PETROLEUM PRODUCTS	AUTO FUEL	CS	33.91
		AUTO FUEL	CS	105.45
		AUTO FUEL	PD	1,429.94
		AUTO FUEL/DIESEL	FD	567.53
		VEHICLE FUEL / DIESEL		796.19
		VEHICLE FUEL / DIESEL		113.54
		VEHICLE FUEL / DIESEL		162.52
		AUTO FUEL/DIESEL	SWR	96.36
		AUTO FUEL/DIESEL	SAN	970.50
		WARRANT TOTAL		4,275.94
60262	ATKINSON, BRANDON, DMD	RETIRED MEDICAL	PD	273.00
		WARRANT TOTAL		273.00
60263	AT & T	TELEPHONE	JUD	1.09
		TELEPHONE	FIN	20.49
		TELEPHONE	LGL	24.04
		TELEPHONE	PLN	40.44
		TELEPHONE	ENG	3.28
		TELEPHONE	INSP	21.86
		TELEPHONE	SWR	48.09
		WARRANT TOTAL		159.29
60264	CINGULAR WIRELESS	TELEPHONE	PD	721.60
		WARRANT TOTAL		721.60
60265	BANK OF AMERICA	TRAVEL	ENG	20.80
		TRAVEL	ENG	52.00

WARRANT	VENDOR NAME	DESCRIPTION		AMOUNT
		TRAVEL	ENG	482.20
		WARRANT TOTAL		555.00
60266	BANK OF AMERICA	TRAVEL	PD	314.76
		VEHICLE FUEL / DIESEL		61.25
		MEALS / TRAVEL	PL	389.10
		WARRANT TOTAL		765.11
60267	BARNETT IMPLEMENT CO. INC	REPAIRS/MAINT - EQUIP	PL	14.58
		REPAIRS/MAINT - EQUIP	PL	71.25
		REPAIRS/MAINT - EQUIP	PL	164.59
		REPAIRS/MAINT - EQUIP	PL	107.42
		REPAIRS/MAINT - EQUIP	PL	24.17
		WARRANT TOTAL		382.01
60268	BAY CITY SUPPLY	OFFICE/OPERATING SUPPLIES	PD	92.57
		OPERATING SUPPLIES	FD	92.57
		OPERATING SUPPLIES	PL	10.84
		OPERATING SUPPLIES	PL	65.06
		WARRANT TOTAL		261.04
60269	BELLINGHAM HERALD	BOOKS, PERIOD, RECORDS	LIB	168.00
		WARRANT TOTAL		168.00
60270	BERG VAULT COMPANY	REPAIRS/MAINT-PARKING LOTS	PL	240.00
		REPAIRS/MAINT-STORM DRAIN	PL	772.00
		WARRANT TOTAL		1,012.00
60271	BERG, ERON	TRAVEL	LGL	261.56
		WARRANT TOTAL		261.56
60272	BIRCH EQUIPMENT CO INC	RENTAL - EQUIPMENT	PL	164.16
		RECYCLING FEE - YARD WASTE	SAN	634.89
		WARRANT TOTAL		799.05
60273	BOYD'S RADIATOR SERVICE	REPAIRS/MAINT-EQUIP	SAN	773.00
		REPAIRS/MAINT-EQUIP	SAN	896.81
		WARRANT TOTAL		1,669.81
60274	CAL-PACIFIC PRODUCTS	MAINTENANCE OF LINES	SWR	213.62
		WARRANT TOTAL		213.62
60275	CARLETTI ARCHITECTS P.S.	CITY HALL DESIGN		3,612.99
		WARRANT TOTAL		3,612.99
60276	CARL'S TOWING INC.	PROFESSIONAL SERVICES	PD	183.60
		WARRANT TOTAL		183.60
60277	CENTRAL WELDING SUPPLY	OPERATING SUPPLIES	SAN	66.96
		WARRANT TOTAL		66.96
60278	CH2MHILL	ENGINEERING - SR20 LINE	PWT	25,906.50

WARRANT	VENDOR NAME	DESCRIPTION		AMOUNT
		WARRANT TOTAL		25,906.50
60279	CINTAS CORPORATION #460	UNIFORMS	FD	67.14
		UNIFORMS	FD	67.14
		UNIFORMS	FD	67.14
		WARRANT TOTAL		201.42
60280	CITIES INSURANCE ASSOC.	MISC-LAUNDRY	PL	66.40
		WARRANT TOTAL		66.40
60281	COLLINS OFFICE SUPPLY,INC	SUPPLIES	JUD	64.26
		SUPPLIES	FIN	40.02
		OFFICE EQUIPMENT	ENG	1,973.01
		OFFICE EQUIPMENT	ENG	186.27
		OFF/OPER SUPPS & BOOKS	INSP	6.36
		WARRANT TOTAL		2,269.92
60282	COMMERCIAL FIRE PROTECTION INC.	FIRE/THEFT PROTECTION	FD	240.00
		WARRANT TOTAL		240.00
60283	COMCAST	COMPUTER NETWORK	CS	68.40
		TELEPHONE	PD	13.30
		TELEPHONE	FD	13.30
		WARRANT TOTAL		95.00
60284	CONCRETE NOR'WEST, INC.	SUPPLIES - CAMPGROUND	PL	428.52
		WARRANT TOTAL		428.52
60285	COOK PAGING (WA)	TELEPHONE	FD	6.57
		WARRANT TOTAL		6.57
60286	CORRECTIONAL INDUSTRIES	PROFES. SVCS. REIMBURSE	ENG	38.66
		WARRANT TOTAL		38.66
60287	COUNTRYSIDE CHEVROLET	REPAIR & MAINT - AUTO	PD	35.26
		WARRANT TOTAL		35.26
60288	SKAGIT WEEKLY NEWS GROUP	SUPPLIES	FIN	405.00
		PRINTING/PUBLICATIONS	PD	105.84
		ADVERTISING	HOT	600.00
		WARRANT TOTAL		1,110.84
60289	CRISP, CARRIE	PROFESSIONAL SERVICES	SWR	105.00
		WARRANT TOTAL		105.00
60290	DATA BASE RECORDS DESTRUCTION LLC	PROFESSIONAL SERVICES	JUD	60.00
		OFFICE/OPERATING SUPPLIES	PD	38.00
		WARRANT TOTAL		98.00
60291	DAVID EVANS & ASSOC INC	ENGINEERING-SKAGIT LIGHT	AST	14,879.94
		WARRANT TOTAL		14,879.94

WARRANT	VENDOR NAME	DESCRIPTION		AMOUNT
60292	DESTINATION WIRELESS	SUPPLIES/BOOKS	PLN	8.63
		WARRANT TOTAL		8.63
60293	ESM CONSULTING ENGINEERS LLC	PROFESSIONAL SERVICES	ENG	12,616.86
		WARRANT TOTAL		12,616.86
60294	ENR	DUES/SUBSCRIPTIONS	ENG	41.95
		WARRANT TOTAL		41.95
60295	E & E LUMBER	OFF/OPER SUPPS & BOOKS	INSP	37.07
		OPERATING SUPPLIES	PL	11.10
		OPERATING SUPPLIES	PL	8.77
		OPERATING SUPPLIES	PL	28.48
		OPERATING SUPPLIES	PL	10.49
		OPERATING SUPPLIES	PL	1.49
		OP. SUPPLIES - TRAFFIC	PL	41.96
		REPAIRS/MAINT - EQUIP	PL	1.99
		REPAIRS/MAINT-STREETS	PL	49.41
		REPAIRS/MAINT-SENIOR CENTER	PL	14.96
		OPERATING SUPPLIES	SWR	23.34-
		OPERATING SUPPLIES	SWR	16.19
		OPERATING SUPPLIES	SWR	40.60
		OPERATING SUPPLIES	SWR	16.14
		CONTAINERS	SAN	4.32
		WARRANT TOTAL		259.63
60296	EDGE ANALYTICAL, INC.	PROFESSIONAL SERVICES	SWR	255.00
		WARRANT TOTAL		255.00
60297	EMERGENCY MEDICAL	OPERATING SUPPLIES	FD	99.95
		WARRANT TOTAL		99.95
60298	FAIRHAVEN LEGAL ASSOC, PS	COLLECTION SERVICES	SWR	2.50
		COLLECTION SERVICES	SAN	2.50
		WARRANT TOTAL		5.00
60299	FAIRHAVEN FAMILY MEDICINE	PROFESSIONAL SERVICES	SWR	105.00
		WARRANT TOTAL		105.00
60300	FAB-TECH	REPAIRS/MAINT - EQUIP	PL	430.92
		WARRANT TOTAL		430.92
60301	EXPERT SECURITY, LLC	REPAIR/MAINT-GARAGE	FD	212.97
		WARRANT TOTAL		212.97
60302	FEDERAL CERTIFIED HEARING	PROFESSIONAL SERVICES	LGL	20.00
		PROFESSIONAL SERVICES	PL	140.00
		PROFESSIONAL SERVICES	PL	40.00
		PROFESSIONAL SERVICES	SWR	20.00
		WARRANT TOTAL		220.00
60303	FEDERAL EXPRESS CORP.	PROFES. SVCS. REIMBURSE	ENG	17.11

WARRANT	VENDOR NAME	DESCRIPTION		AMOUNT
		WARRANT TOTAL		17.11
60304	FIDALGO NETWORKING	TELEPHONE	SAN	55.00
		TELEPHONE	SAN	55.00
		WARRANT TOTAL		110.00
60305	FRONTIER FORD	EQUIP & VEHICLES ADMIN	AD	16,947.74
		WARRANT TOTAL		16,947.74
60306	GAYLORD BROS.	REPAIRS/MAINTENANCE BLDG.	LIB	201.14
		WARRANT TOTAL		201.14
60307	GRANITE HOLDINGS, LLC	BUILDING RENT - GOLF	PL	200.00
		WARRANT TOTAL		200.00
60308	GUARDIAN SECURITY	OPERATING SUPPLIES	SWR	30.00
		PORTABLE EQUIPMENT	SWR	1,134.00
		PORTABLE EQUIPMENT	SWR	1,286.50
		WARRANT TOTAL		2,450.50
60309	HACH COMPANY	OPERATING SUPPLIES	SWR	305.95
		OPERATING SUPPLIES	SWR	33.13
		WARRANT TOTAL		339.08
60310	HEPBURN SUPERIOR	LINERS	PL	520.72
		WARRANT TOTAL		520.72
60311	HEWLETT PACKARD CO.	COMPUTER NETWORK	CS	3,967.92
		WARRANT TOTAL		3,967.92
60312	HONEY BUCKET	OP. SUPPLIES - GOLF	PL	103.34
		WARRANT TOTAL		103.34
60313	INGRAM LIBRARY SERVICES	BOOKS, PERIOD, RECORDS	LIB	17.57
		BOOKS, PERIOD, RECORDS	LIB	35.82
		BOOKS, PERIOD, RECORDS	LIB	27.06
		BOOKS, PERIOD, RECORDS	LIB	40.42
		WARRANT TOTAL		120.87
60314	JOB SHOP INC. (THE)	EQUIP & VEHICLES	SAN	3,027.41
		WARRANT TOTAL		3,027.41
60315	KARL'S PAINTS LLC	REPAIRS/MAINT-HHS	PL	75.37
		WARRANT TOTAL		75.37
60316	KESTI, KEVIN	MISC-DUES/SUBSCRIPTIONS	PL	120.00
		WARRANT TOTAL		120.00
60317	L N CURTIS & SONS	OPERATING SUPPLIES	FD	476.04
		OPERATING SUPPLIES	FD	963.77
		SMALL TOOLS & MINOR EQUIP	FD	116.84
		SMALL TOOLS & MINOR EQUIP	FD	1,687.95

WARRANT	VENDOR NAME	DESCRIPTION		AMOUNT
		REPAIRS/MAINT-EQUIP	FD	207.35
		WARRANT TOTAL		3,451.95
60318	LAKESIDE INDUSTRIES	REPAIRS/MAINT-STREETS	PL	137.06
		WARRANT TOTAL		137.06
60319	LOGGERS AND CONTRACTORS	REPAIRS/MAINT - EQUIP	PL	16.26
		OPERATING SUPPLIES	SWR	14.26
		OPERATING SUPPLIES	SWR	4.49-
		OPERATING SUPPLIES	SWR	4.97
		OPERATING SUPPLIES	SWR	71.87
		WARRANT TOTAL		102.87
60320	LYNN PEAVEY COMPANY	OFFICE/OPERATING SUPPLIES	PD	48.00
		WARRANT TOTAL		48.00
60321	MELTON, NEWELL R.	MEALS / TRAVEL	PL	390.67
		WARRANT TOTAL		390.67
60322	MARTIN MARIETTA MATERIALS	REPAIRS/MAINT-STREETS	PL	1,303.93
		REPAIRS/MAINT-STREETS	PL	536.24
		REPAIRS/MAINT-STREETS	PL	1,447.82
		WARRANT TOTAL		3,287.99
60323	MID-AMERICAN RESEARCH CHEM.	OPERATING SUPPLIES	SWR	180.78
		WARRANT TOTAL		180.78
60324	MOTOR TRUCKS, INC.	REPAIRS/MAINT - EQUIP	PL	1,500.61
		REPAIRS/MAINT-EQUIP	SAN	76.38
		REPAIRS/MAINT-EQUIP	SAN	766.41
		WARRANT TOTAL		2,343.40
60325	MUNICIPAL EMERGENCY SVC	SMALL TOOLS & MINOR EQUIP	FD	475.64
		WARRANT TOTAL		475.64
60326	N C MACHINERY CO.	REPAIRS/MAINT - EQUIP	PL	45.01
		WARRANT TOTAL		45.01
60327	NEWMAN SIGNS INC	OP. SUPPLIES - TRAFFIC	PL	943.50
		WARRANT TOTAL		943.50
60328	NEXTEL COMMUNICATIONS	TELEPHONE	FIN	194.24
		TELEPHONE	LGL	48.56
		TELEPHONE	PLN	245.04
		NEXTEL CELL PHONES		97.12
		TELEPHONE	PD	825.35
		TELEPHONE	FD	339.85
		TELEPHONE	INSP	48.56
		TELEPHONE	PL	944.23
		NEXTEL CELL PHONES		485.50
		NEXTEL CELL PHONES	SAN	242.80
		WARRANT TOTAL		3,471.25

WARRANT	VENDOR NAME	DESCRIPTION		AMOUNT
60329	OFFICE DEPOT	SUPPLIES	FIN	102.56
		SUPPLIES	FIN	30.01
		SUPPLIES/BOOKS	PLN	101.56
		SUPPLIES/BOOKS	PLN	60.53
		SUPPLIES	ENG	101.57
		SUPPLIES	ENG	60.53
		OFFICE/OPERATING SUPPLIES	PD	115.51
		OFFICE/OPERATING SUPPLIES	PD	162.92
		OFFICE SUPPLIES	FD	98.65
		OFF/OPER SUPPS & BOOKS	INSP	101.57
		OFF/OPER SUPPS & BOOKS	INSP	60.54
		OFFICE SUPPLIES / POSTAGE	PL	24.29
		OFFICE SUPPLIES / POSTAGE	PL	33.31
		WARRANT TOTAL		1,053.55
60330	OLIVER-HAMMER CLOTHES	CLOTHING	SAN	8.62
		WARRANT TOTAL		8.62
60331	OVERALL LAUNDRY SERV INC	LAUNDRY	CS	27.19
		MISC-LAUNDRY	PL	19.60
		MISC-LAUNDRY	PL	17.34
		MISC-LAUNDRY	PL	32.07
		MISC-LAUNDRY	PL	19.60
		MISC-LAUNDRY	PL	32.07
		MISC-LAUNDRY	PL	19.60
		MISC-LAUNDRY	PL	17.34
		MISC-LAUNDRY	PL	32.07
		LAUNDRY	SWR	23.18
		LAUNDRY	SWR	23.18
		LAUNDRY	SWR	23.18
		WARRANT TOTAL		286.42
60332	OTAK	PROFESSIONAL SERVICES	ENG	5,351.00
		WARRANT TOTAL		5,351.00
60333	OWEN EQUIPMENT COMPANY	REPAIRS/MAINT-ST CLEANING	PL	327.78
		WARRANT TOTAL		327.78
60334	PACIFIC TIRE CO. INC.	REPAIRS/MAINT-EQUIP	SAN	145.80
		WARRANT TOTAL		145.80
60335	PACIFIC POWER BATTERIES	OPERATING SUPPLIES	SWR	46.55
		WARRANT TOTAL		46.55
60336	PAT RIMMER TIRE CTR, INC	REPAIRS/MAINT - EQUIP	PL	88.25
		WARRANT TOTAL		88.25
60337	PERSONNEL CONCEPTS LTD	OPERATING SUPPLIES	CS	64.95
		PRINTING/PUBLICATIONS	PD	64.95
		OFFICE SUPPLIES	FD	64.95
		REPAIRS/MAINTENANCE BLDG.	LIB	64.95
		SAFETY EQUIPMENT	PL	64.95

WARRANT	VENDOR NAME	DESCRIPTION		AMOUNT
		SAFETY EQUIPMENT	PL	64.95
		SAFETY EQUIPMENT	PL	64.95
		SAFETY EQUIPMENT	SWR	64.95
		OPERATING SUPPLIES	SAN	64.95
		WARRANT TOTAL		584.55
60338	PUBLIC SAFETY CENTER, INC.	OFFICE/OPERATING SUPPLIES	PD	150.85
		PUBLIC EDUC. SUPPLIES	PD	52.99
		WARRANT TOTAL		203.84
60339	PUGET SOUND ENERGY	PUBLIC UTILITIES	CS	784.76
		PUB UTILITIES-MALL	CS	7.22
		PUB UTILITIES-MALL	CS	41.78
		PUBLIC UTILITIES	FD	1,025.26
		PUBLIC UTILITIES	LIB	194.68
		ADVERTISING	HOT	28.77
		PUBLIC UTILITIES	PL	56.93
		PUBLIC UTILITIES	PL	263.56
		PUBLIC UTIL - STREETLIGHTS	PL	63.05
		PUBLIC UTIL - STREETLIGHTS	PL	282.11
		PUBLIC UTIL - CAMPGROUND	PL	482.33
		PUBLIC UTIL - COMM CENTER	PL	132.73
		PUBLIC UTIL - SENIOR CENTER	PL	282.09
		PUBLIC UTIL - TRAIN	PL	75.55
		PUBLIC UTIL - HHS	PL	263.38
		PUBLIC UTILITIES - GOLF	PL	44.84
		PUBLIC UTILITIES	SWR	7,803.76
		PUBLIC UTILITIES	SWR	134.06
		PUBLIC UTILITIES	SAN	146.65
		WARRANT TOTAL		12,113.51
60340	PUGET SOUND LEASING CO. INC	PUBLIC UTILITIES	PL	8.70
		PUBLIC UTIL - CAMPGROUND	PL	16.63
		PUBLIC UTIL - COMM CENTER	PL	32.75
		PUBLIC UTIL - SENIOR CENTER	PL	136.24
		PUBLIC UTILITIES	SWR	150.76
		WARRANT TOTAL		345.08
60341	PURCHASE POWER	POSTAGE	JUD	309.76
		POSTAGE	FIN	413.48
		POSTAGE	LGL	11.41
		POSTAGE	PLN	169.54
		POSTAGE	ENG	41.63
		POSTAGE	PD	.41
		POSTAGE	INSP	32.69
		OFFICE SUPPLIES / POSTAGE	PL	11.97
		POSTAGE	SWR	142.68
		POSTAGE	SAN	142.68
		WARRANT TOTAL		1,276.25
60342	PURCHASE POWER	POSTAGE	PD	9.49
		POSTAGE	FD	9.49

WARRANT	VENDOR NAME	DESCRIPTION		AMOUNT
		WARRANT TOTAL		18.98
60343	RAM CONSTRUCTION	CONSTRUCTION-TOWNSHIP LINE	PWT	25,484.92
		CONSTRUCTION-TOWNSHIP LINE	PWT	22,829.95
		WARRANT TOTAL		48,314.87
60344	READERS DIGEST	BOOKS, PERIOD, RECORDS	LIB	17.98
		WARRANT TOTAL		17.98
60345	REICHHARDT & EBE ENG, INC	PROFESSIONAL SERVICES	ENG	47.40
		PROFESSIONAL SERVICES	ENG	142.19
		PROFESSIONAL SERVICES	ENG	784.37
		PROFESSIONAL SERVICES	ENG	581.11
		ENGINEERING-POLTE/TOWNSHIP	AST	1,892.88
		ROADWAY - ARTERIAL MAINT	AST	240.99
		CITY HALL DESIGN		903.30
		CONSTRUCTION-TOWNSHIP LINE	PWT	9,523.43
		ENGINEERING - SR20 LINE	PWT	2,068.76
		ENGINEERING - SR20 LINE	PWT	1,020.98
		PROF SVS-ENGINEERING	SWR	632.84
		PROF SVS-ENGINEERING	SWR	568.75
		PROF SVS-ENGINEERING	SWR	50.24
		WARRANT TOTAL		18,457.24
60346	RINKER MATERIALS	REPAIRS/MAINT-STREETS	PL	179.82
		REPAIRS/MAINT-STREETS	PL	740.77
		REPAIRS/MAINT-STREETS	PL	179.82
		REPAIRS/MAINT-STREETS	PL	85.72
		WARRANT TOTAL		1,186.13
60347	ROHLINGER ENTERPRISES, INC.	OPERATING SUPPLIES	SWR	15.18
		WARRANT TOTAL		15.18
60348	RONK BROTHERS, INC.	BUILDINGS & STRUCTURES	SWR	63.56
		WARRANT TOTAL		63.56
60349	SCIENTIFIC SUPPLY	OPERATING SUPPLIES	SWR	56.01
		WARRANT TOTAL		56.01
60350	SEAWESTERN FIRE FIGHTING EQUIP.	UNIFORMS	FD	184.87
		WARRANT TOTAL		184.87
60351	SEDRO-WOOLLEY AUTO PARTS	OPERATING SUPPLIES	PL	2.38
		REPAIRS/MAINT - EQUIP	PL	35.68
		REPAIRS/MAINT - EQUIP	PL	129.77
		REPAIRS/MAINT-EQUIP	SAN	58.76
		REPAIRS/MAINT-EQUIP	SAN	15.09
		REPAIRS/MAINT-EQUIP	SAN	4.73
		WARRANT TOTAL		246.41
60352	SEDRO-WOOLLEY EMERGENCY PHYSICIANS	PRISONERS	PD	273.00
		PRISONERS	PD	273.00

WARRANT	VENDOR NAME	DESCRIPTION		AMOUNT
		WARRANT TOTAL		546.00
60353	SEDRO-WOOLLEY VOLUNTEER	SALARIES-VOLUNTEERS	FD	12,498.00
		WARRANT TOTAL		12,498.00
60354	SIRCHIE FINGER PRINT	OFFICE/OPERATING SUPPLIES	PD	216.14
		OFFICE/OPERATING SUPPLIES	PD	72.96
		WARRANT TOTAL		289.10
60355	SKAGIT CO. PUBLIC WORKS	PROFESSIONAL SERVICES	PL	69.00
		SOLID WASTE DISPOSAL	SAN	36,207.24
		WARRANT TOTAL		36,276.24
60356	SKAGIT COUNTY SHERIFF OFF	PRISONER TRANSPORT	PD	906.81
		WARRANT TOTAL		906.81
60357	SKAGIT COUNTY TREASURER	CRIME VCTM & WITNSS PROG	LGL	150.21
		WARRANT TOTAL		150.21
60358	SKAGIT FARMERS SUPPLY	PROPANE	PL	8.12
		REPAIRS/MAINT-STREETS	PL	52.36
		REPAIRS/MAINT-TRAIN	PL	35.63
		MAINTENANCE OF LINES	SWR	30.20
		VOIDED WARRANT		.00
		WARRANT TOTAL		126.31
60359	SKAGIT HYDRAULICS, INC.	REPAIRS/MAINT-EQUIP	SAN	670.51
		WARRANT TOTAL		670.51
60360	SKAGIT READY MIX, INC.	REPAIRS/MAINT-CAMPGROUND	PL	244.97
		WARRANT TOTAL		244.97
60361	SKAGIT RADIOLOGY INC. P.S.	PRISONERS	PD	76.70
		WARRANT TOTAL		76.70
60362	SKAGIT VALLEY PUBLISHING	LEGAL PUBLICATIONS	LGS	19.95
		LEGAL PUBLICATIONS	LGS	19.95
		LEGAL PUBLICATIONS	LGS	25.65
		ADVERTISING/LEGAL PUBLIC	PLN	96.90
		OPERATING SUPPLIES	ERR	31.35
		WARRANT TOTAL		193.80
60363	SKATEBOARDING	BOOKS, PERIOD, RECORDS	LIB	26.97
		WARRANT TOTAL		26.97
60364	STOWES	UNIFORMS/ACCESSORIES	PD	146.84
		WARRANT TOTAL		146.84
60365	SUMMIT GIS	PROFESSIONAL SERVICES	ENG	35.00
		PROFESSIONAL SERVICES	SWR	1,400.00
		WARRANT TOTAL		1,435.00

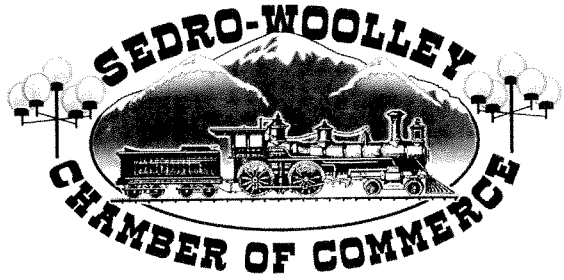
WARRANT	VENDOR NAME	DESCRIPTION		AMOUNT
60366	TAYLOR, PAUL	RETIRED MEDICAL	PD	31.52
		WARRANT TOTAL		31.52
60367	TASER INTERNATIONAL	MACHINERY & EQUIPMENT	PD	587.21
		WARRANT TOTAL		587.21
60368	TIFFANY, ROBERT L.	PROFESSIONAL SERVICES	JUD	15.87
		PROFESSIONAL SERVICES	FIN	206.44
		PROFESSIONAL SERVICES	LGL	15.87
		PROFESSIONAL SERVICES	PLN	39.68
		PROFESSIONAL SERVICES	ENG	31.74
		PROFESSIONAL SERVICES	PD	317.60
		PROFESSIONAL SERVICES	FD	63.48
		PROFESSIONAL SERVICES	INSP	23.81
		PROFESSIONAL SERVICES	LIB	95.28
		PROFESSIONAL SERVICES	PL	158.80
		PROFESSIONAL SERVICES	SWR	127.04
		PROFESSIONAL SERVICES	SAN	79.39
		WARRANT TOTAL		1,175.00
60369	THUNDERBIRD LUBRICATIONS	VEHICLE FUEL / DIESEL		149.60
		WARRANT TOTAL		149.60
60370	TRAIL ROAD EXPRESS LUBE	REPAIRS/MAINT - EQUIP	PL	29.11
		REPAIRS/MAINT - EQUIP	PL	30.73
		REPAIRS/MAINT - EQUIP	PL	33.97
		WARRANT TOTAL		93.81
60371	TRUE VALUE	OPERATING SUPPLIES	CS	17.78
		REPAIR & MAINTENANCE	CS	12.17
		OFFICE/OPERATING SUPPLIES	PD	7.01
		OFFICE/OPERATING SUPPLIES	PD	12.95
		REPAIRS/MAINT-EQUIP	FD	.40
		REPAIRS/MAINTENANCE BLDG.	LIB	73.42
		OPERATING SUPPLIES	PL	3.45
		OPERATING SUPPLIES	PL	32.44
		SUPPLIES - CAMPGROUND	PL	6.22
		SUPPLIES - CAMPGROUND	PL	159.80
		SUPPLIES - CAMPGROUND	PL	420.88
		OP. SUPPLIES - GOLF	PL	410.18
		REPAIRS/MAINT - EQUIP	PL	7.86
		REPAIRS/MAINT-CAMPGROUND	PL	33.91
		REPAIRS/MAINT-CAMPGROUND	PL	140.91
		REPAIRS/MAINT-SENIOR CENTER	PL	28.04
		REPAIRS/MAINT-FOOD BANK	PL	25.11
		REPAIRS/MAINT-FOOD BANK	PL	22.36
		REPAIRS/MAINT-HHS	PL	12.95
		REPAIRS/MAINT-HHS	PL	129.59
		REPAIRS/MAINT-HHS	PL	38.85
		REPAIRS/MAINT-HHS	PL	13.02
		OPERATING SUPPLIES	SWR	29.07
		OPERATING SUPPLIES	SWR	19.58

WARRANT	VENDOR NAME	DESCRIPTION		AMOUNT
		OPERATING SUPPLIES	SWR	12.25
		OPERATING SUPPLIES	SWR	14.03
		OPERATING SUPPLIES	SWR	7.33
		OPERATING SUPPLIES	SWR	4.89
		OPERATING SUPPLIES	SWR	18.35
		OPERATING SUPPLIES	SWR	31.30
		OPERATING SUPPLIES	SWR	12.50
		OPERATING SUPPLIES	SWR	4.09
		REPAIRS/MAINT-BUILDING	SAN	4.95
		OPERATING SUPPLIES	SAN	19.38
		WARRANT TOTAL		1,787.02
60372	TRUE VALUE	VOIDED WARRANT		.00
		WARRANT TOTAL		.00
60373	TUCKER, WILLIAM L.	INFORMANT INFORMATION		1,000.00
		WARRANT TOTAL		1,000.00
60374	UNITED GENERAL HOSPITAL	PRISONERS	PD	228.00
		WARRANT TOTAL		228.00
60375	UNITED LABORATORIES	SUPPLIES - CAMPGROUND	PL	306.48
		WARRANT TOTAL		306.48
60376	UNIVAR USA INC	OP SUPPLIES-CHEMICALS	SWR	1,527.65
		WARRANT TOTAL		1,527.65
60377	UTIL UNDERGROUND LOC CTR	OPERATING SUPPLIES	SWR	64.80
		WARRANT TOTAL		64.80
60378	VALLEY AUTO SUPPLY	MAINT OF GENERAL EQUIP	SWR	51.86
		REPAIRS/MAINT-EQUIP	SAN	482.44
		REPAIRS/MAINT-EQUIP	SAN	35.09
		SMALL TOOLS & MINOR EQUIP	SAN	15.11
		SMALL TOOLS & MINOR EQUIP	SAN	183.39
		WARRANT TOTAL		767.89
60379	VALLEY BARK & TOPSOIL	REPAIRS/MAINTENANCE BLDG.	LIB	43.00
		REPAIRS/MAINT-CAMPGROUND	PL	235.44
		REPAIRS/MAINT-CAMPGROUND	PL	22.37
		REPAIRS/MAINT-COMM CENTER	PL	43.00
		REPAIRS/MAINT-SENIOR CENTER	PL	53.32
		WARRANT TOTAL		397.13
60380	VERIZON NORTHWEST	TELEPHONE	JUD	65.56
		TELEPHONE	FIN	54.84
		TELEPHONE	FIN	56.95
		TELEPHONE	PLN	32.72
		TELEPHONE	ENG	32.72
		TELEPHONE	PD	233.81
		TELEPHONE	PD	912.93
		TELEPHONE	INSP	32.72

WARRANT	VENDOR NAME	DESCRIPTION		AMOUNT
		TELEPHONE	LIB	145.85
		TELEPHONE	PL	312.85
		TELEPHONE - CAMPGROUND	PL	111.49
		TELEPHONE	SWR	47.77
		TELEPHONE	SWR	31.30
		TELEPHONE	SWR	451.60
		TELEPHONE	SAN	187.75
		WARRANT TOTAL		2,710.86
60381	WALLEY, SHANE	MISC-DUES/SUBSCRIPTIONS	PL	105.00
		WARRANT TOTAL		105.00
60382	WA CITY/COUNTY MGMT ASSOC.	MISC-DUES	LGL	105.00
		WARRANT TOTAL		105.00
60383	WASHINGTON FIRE CHIEFS	TUITION/REGISTRATION	FD	150.00
		WARRANT TOTAL		150.00
60384	WA ST DEPT OF PROF LICEN	INTERGOV SVC-GUN PERMITS	PD	312.00
		WARRANT TOTAL		312.00
60385	WA ST OFF OF TREASURER	STATE REMITTANCES-COURT		7,510.70
		WARRANT TOTAL		7,510.70
60386	WASTE MANAGEMENT OF SKGT	RECYCLING FEE - HOUSEHOLD	SAN	10,614.77
		WARRANT TOTAL		10,614.77
60387	WELCH, DAVID	TRAVEL	PD	6.60
		WARRANT TOTAL		6.60
60388	WESTERN PETERBILT, INC.	EQUIP & VEHICLES	SAN	179,520.00
		WARRANT TOTAL		179,520.00
60389	WOOD'S LOGGING SUPPLY INC	POSTAGE	FD	6.50
		POSTAGE	FD	5.91
		SAFETY EQUIPMENT	PL	67.89
		OPERATING SUPPLIES	SWR	2.60
		CONTAINERS	SAN	20.54
		WARRANT TOTAL		103.44
60390	YOUNGQUIST, DERRICK	TRAVEL/MEALS	FD	199.82
		WARRANT TOTAL		199.82
60391	EOS INTERNATIONAL	REPAIR/MAINT-COMPUTER	LIB	5,000.00
		WARRANT TOTAL		5,000.00
		RUN TOTAL		478,543.79

FUND	TITLE		AMOUNT
001	CURRENT EXPENSE FUND		68,823.72
104	ARTERIAL STREET FUND		17,013.81
105	LIBRARY FUND		6,152.14
108	STADIUM FUND		628.77
109	SPECIAL INVESTIGATION FUND		1,000.00
110	PUBLIC LANDS	110	20,636.61
302	RES FOR CURR EXP CAP OUT FUND		4,516.29
332	PWTF SEWER CONSTRUCTION FUND		86,834.54
401	SEWER FUND		18,911.46
412	SOLID WASTE FUND		54,499.95
501	EQUIPMENT REPLACEMENT FUND		199,526.50
TOTAL			478,543.79

DEPARTMENT		AMOUNT
001 000 000		7,510.70
001 000 011		65.55
001 000 012		516.54
001 000 014		1,639.51
001 000 015		636.65
001 000 018		5,131.53
001 000 019		795.04
001 000 020		22,738.52
001 000 021		9,415.42
001 000 022		20,009.08
001 000 024		365.18
FUND CURRENT EXPENSE FUND		68,823.72
104 000 042		17,013.81
FUND ARTERIAL STREET FUND		17,013.81
105 000 072		6,152.14
FUND LIBRARY FUND		6,152.14
108 000 019		628.77
FUND STADIUM FUND		628.77
109 000 021		1,000.00
FUND SPECIAL INVESTIGATION FUND		1,000.00
110 000 042		20,636.61
FUND PUBLIC LANDS	110	20,636.61
302 000 000		4,516.29
FUND RES FOR CURR EXP CAP OUT FUND		4,516.29
332 000 082		86,834.54
FUND PWTF SEWER CONSTRUCTION FUND		86,834.54
401 000 035		18,911.46
FUND SEWER FUND		18,911.46
412 000 037		54,499.95
FUND SOLID WASTE FUND		54,499.95
501 000 001		16,947.74
501 000 047		31.35
501 000 412		182,547.41
FUND EQUIPMENT REPLACEMENT FUND		199,526.50
TOTAL		478,543.79



CITY COUNCIL AGENDA
REGULAR MEETING

MAY 0 9 2007

7:00 P.M. COUNCIL CHAMBERS
AGENDA NO. 3C

12 March 2007

Starts July

Mike Anderson, Mayor
City of Sedro-Woolley
720 Murdock Street
Sedro-Woolley, WA 98284

Dear Mayor Anderson:

I am overjoyed to be back in the community serving as executive director of the Sedro-Woolley Chamber of Commerce. I look forward to working closely with you and the council making Sedro-Woolley the best that it can be.

An important element for a strong chamber of commerce is having a central meeting location. Sedro-Woolley is so lucky to have the Community Center right in town. I believe it is a natural place for the chamber to meet.

I am requesting that the City Council waive the rental fee for the monthly membership meetings of the Sedro-Woolley Chamber of Commerce. It would make it much more feasible for members of the business community to get away for a meeting held in town. New members would see how great a space it is and recommend it for other groups to rent, which would bring additional revenue to the city.

I would also encourage you Mayor Anderson and the members of the council to attend. It is a great way to know your community.

It would also provide an opportunity for local restaurants to cater our membership luncheon, and see what a great space it is for future events they may plan to cater.

We would understand that a nominal utilities usage fee would be required.

I would propose that this arrangement take place for our July membership meeting.

Please feel free to call me with any questions you might have at 855.1841.

Regards,

David Bricka, Executive Director
Sedro-Woolley Chamber of Commerce

CITY COUNCIL AGENDA
REGULAR MEETING

MAY 0 9 2007

7:00 P.M. COUNCIL CHAMBERS
AGENDA NO. 5d

CITY OF SEDRO-WOOLLEY
720 Murdock Street, Sedro-Woolley, WA 98284 (360) 855-0771

Memorandum

To: Mayor Mike Anderson and City Council

From: Rick Blair, Director of Public Works/City Engineer

Date: May 9, 2007

Re: Surplus of Truck #502 – 1990 rear load packer

Background Information:
Per attached memo.

Recommended Action:
Authorize Mayor Mike Anderson to enter into an agreement to surplus truck #502 a 1990 rear load packer in the amount $500 plus tax.

CITY OF SEDRO-WOOLLEY SOLID WASTE & FLEET DIVISION
315 Sterling Street Sedro-Woolley, WA 98284 (360) 855-1884

Memo

To: Rick Blair,

From: Leo Jacobs Solid Waste & Fleet Supervisor

Date: 5/2/2007

Re: Surplus of Truck 502

We have received our newer used front load truck unit # 509 and we have put it as a front line unit. So we are looking to surplus truck 502 it is a 1990 rear load packer the packer on the back is worth scrap metal price only and then we would need to cut it up for the local recycler. With that in mind we have an interested company in Bellingham that still uses these types of packers. He is willing to pay 500.00 plus tax and we just drive it up to Bellingham and he takes it off the chassis. This is similar to what we did the last time we scrapped the last body from truck 505 before we turned it into our roll-off truck.

Second is we would like to keep the chassis of this unit 502 this is a value to us since parts for this old ford cab over are getting harder and harder to find, we still have a similar one that we use as a frontline unit, they are identical. So for instance if a part goes out such as a transmission or engine we can take from the other to save time and money. The ERR replacement is set for 2011 for unit # 505.

CITY COUNCIL AGENDA
REGULAR MEETING

MAY 0 9 2007

7:00 P.M. COUNCIL CHAMBERS
AGENDA NO. 4

SUBJECT: PUBLIC COMMENT

Name:
Address:
Narrative:

Name:
Address
Narrative:

Name:
Address:
Narrative:

Name:
Address:
Narrative:

Name:
Address:
Narrative:

PUBLIC HEARING(S)

CITY COUNCIL AGENDA
REGULAR MEETING

MAY 0 9 2007

7:00 P.M. COUNCIL CHAMBERS
AGENDA NO. 5

CITY OF SEDRO-WOOLLEY
Sedro-Woolley Municipal Building
720 Murdock Street
Sedro-Woolley, WA 98284
Phone (360) 855-1661
Fax (360) 855-0707

Eron M. Berg
City Supervisor/City Attorney

MEMO TO: City Council
RE: Reenactment of Interim Zoning Control Ordinance
DATE: May 9, 2007

ISSUE: Should the Council reenact the proposed interim zoning control ordinance after holding a public hearing?

BACKGROUND: Ordinance No. 1559-06 was adopted on November 21, 2006 and imposes a moratorium for a period of six months on most new development requiring connection to the Metcalf Street and Township Street sewer lines. The system has not yet been improved to allow this moratorium to expire.

RECOMMENDATION: Following a public hearing, a motion to adopt the proposed ordinance.

Ordinance No. _____

AN INTERIM ORDINANCE OF THE CITY OF SEDRO-WOOLLEY AMENDING AND EXTENDING A MORATORIUM ON SUBDIVISIONS IN CERTAIN AREAS SERVED BY THE TOWNSHIP STREET AND METCALF STREET SEWER MAINS FOR A PERIOD OF SIX MONTHS AND REQUIRING NEW APPLICATIONS TO BE ACCOMPANIED BY CONFIRMATION FROM THE PUBLIC WORKS DIRECTOR THAT LINE CAPACITY IS AVAILABLE.

WHEREAS, the City Council of the City of Sedro-Woolley finds that the Metcalf Street and Township Street sewer mains are surcharging, based on the study by Pace Engineering, and that residential subdivisions which use these mains has occurred or is expected to occur at a very fast rate, and

WHEREAS, the City Council of the City of Sedro-Woolley finds that if no action is taken the residential expansion resulting from new subdivisions will occur before the capacity in the Metcalf Street and Township Street lines is increased to the level needed to service these new subdivisions, and

WHEREAS, the City Council of the City of Sedro-Woolley finds that failure to require these lines to be improved concurrent with new development will result in increased costs to the citizens of Sedro-Woolley, an increased risk of health problems, and a decrease in the quality of the sewer system, and

WHEREAS, the City Council of the City of Sedro-Woolley finds that a continuation of the moratorium, with modifications, enacted Ordinance No. 1474-04, Ordinance No. 1476-04, Ordinance No. 1492-04, Ordinance No. 1507-05, Ordinance 1528-05, Ordinance 1545-06, Ordinance 1551-06 and Ordinance 1559-06 is in the interests of the health, safety and welfare of the City, and

WHEREAS, the City Council of the City of Sedro-Woolley should continue as a temporary measure as authorized by RCW 36.70A.390, on an emergency basis, a limited moratorium on new subdivisions served by the Township Street and Metcalf Street lines; now, therefore,

THE CITY COUNCIL OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON, DO HEREBY ORDAIN AS FOLLOWS:

Section 1. Purpose. The purpose of renewing this interim ordinance imposing a temporary moratorium on new subdivisions and other developments served by the Metcalf Street outside the City limits and the Township Street sewer mains is to allow the City adequate time to determine the scope and cost of upgrading the lines, determine whether the City's existing funds are adequate to pay for the cost of these upgrades, and determine whether new development is paying or should pay for its fair share of the cost of these upgrades, and to hold a public hearing for any amendments to these ordinances.

Section 2. Moratorium Inside City Limits. A moratorium is imposed on new subdivisions, short plats, planned residential development, boundary line adjustments which make new lots available for construction, binding site plans which create new lots, multi-family structures, schools, dormitories, and mobile/manufactured home parks, which are served by sanitary sewer lines using the Township Street sewer main, North of Polte Road, but not including the area served by the John Liner Pump Station identified as "Basin E" on the attached and incorporated map.

Section 3. Moratorium in Unincorporated UGA. A moratorium is imposed on new connections to sanitary sewer in the unincorporated UGA for which is serviced by the Township Street and Metcalf Street sewer mains for new subdivisions, short plats, planned residential development, boundary line adjustments which make new lots available for construction, binding site plans which create new lots,

multi-family structures, schools, dormitories, and mobile/manufactured home parks, which are served by sanitary sewer lines using the Metcalf Street and Township Street sewer mains.

Section 4. Exceptions. The division of land into legal lots of record, each lot having previously existing structures connected to the sanitary sewer prior to June 9, 2004, is not subject to this moratorium. This exception shall not apply to permit land to be subdivided into new lots not containing structures previously connected to the sanitary sewer.

Section 5. Limitation on Moratorium. Nothing in this ordinance shall prohibit issuance of a building permit for single family homes on existing legal lots of record or on lots created by applications which have received preliminary approval or vested prior to the effective date of this moratorium, which is June 9, 2004.

Section 6. Written Approval Required. Written confirmation from the Public Works Director that sanitary sewer main capacity which is not subject to surcharge is available shall accompany any new connections application for a subdivision, short plat, planned residential development, boundary line adjustment which makes new lots available for construction, binding site plan which creates new lots, multi-family structure, school, dormitories, and mobile/manufactured home park. Any application for the foregoing shall not be deemed complete, and shall not vest unless accompanied by written confirmation of line capacity.

Section 7. Authority to Determine Effected Properties. The Public Works Director shall determine which sewer basin, main lines, and point of connection shall be utilized by new developments, and which developments are effected by the Township Street and Metcalf Street sewer mains.

Section 8. Duration of Ordinance. This ordinance shall be in effect for a period of six months, unless extended by the City Council. It is anticipated that this ordinance will be lifted when the cost of the new line is determined, a construction schedule is established, and a mechanism is in place to require new development to pay its fair share of the cost of the line improvements.

Section 9. Public Hearing on Ordinance. Pursuant to RCW 36.70A.390 and RCW 35.63.200, the City Council has held a public hearing on this ordinance prior to its adoption to consider and adopt findings of fact justifying its action. The City Council of the City of Sedro-Woolley finds as follows:

a. that the Metcalf Street sewer main has been repaired in a manner adequate to handle sewage from potential development within the City limits, but not from outside the City limits without surcharging, and
b. Township Street sewer main is surcharging, based on the study by Pace Engineering and the report of city staff, and
c. that land use subdivisions which use these mains are occurring or are expected to occur at an very fast rate, and
d. that if no action is taken the expansion resulting from new subdivisions will occur before the capacity in the Metcalf Street and Township Street lines is increased to the level needed to service these new subdivisions, and
e. that failure to require these lines to be improved concurrent with new development will result in increased costs to the citizens of Sedro-Woolley, an increased risk of health problems, and a decrease in the quality of the sewer system, and
f. that a temporary provision of a moratorium on new subdivisions served by these lines and other requirements is in the interests of the health, safety and welfare of the City, and
g. that the City has a plan for making the necessary repairs, and is in the process of borrowing approximately seven and one half million Dollars to make these repairs, and

h. recent upgrades in the sewer system have increased capacity on the Township line South of Polte Road,
i. that the area served by the John Liner Sanitary Sewer Pump Station, identified as "Basin E" in the City's Comprehensive Plan and shown on the attached map, now has capacity,
j. that the City continues to work in sewer projects that will increase capacity to the system, but that those project s are not yet complete, and
k. that City Council of the City of Sedro-Woolley should affirm as a temporary measure as authorized by RCW 36.70A.390, on an emergency basis, a limited moratorium on new subdivisions served by the Township Street and Metcalf Street lines as enacted and extended by Ordinance No. 1474-04, Ordinance No. 1476-04, Ordinance No. 1492-04, Ordinance No. 1507-05, Ordinance 1528-05, Ordinance 1545-06, Ordinance 1551-06 and Ordinance 1559-06.

Section 10. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 11. Declaration of Emergency. The City Council hereby declares that an emergency exists necessitating that this ordinance takes effect immediately upon passage. This ordinance shall be published as required by law.

Section 12. Effective Date. This ordinance shall be effective for six months beginning May 9, 2007 upon passage by the City Council and approval by the Mayor.

ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 9th DAY OF MAY, 2007.

CITY OF SEDRO-WOOLLEY:

BY:_____
MIKE ANDERSON, Mayor

ATTEST:

_____
Patsy Nelson, City Clerk-Treasurer

APPROVED AS TO FORM:

_____
Eron Berg, City Attorney

CITY COUNCIL AGENDA
REGULAR MEETING

MAY 0 9 2007

7:00 P.M. COUNCIL CHAMBERS
AGENDA NO. 6

CITY OF SEDRO-WOOLLEY
Sedro-Woolley Municipal Building
720 Murdock Street
Sedro-Woolley, WA 98284
Phone (360) 855-1661
Fax (360) 855-0707

Eron M. Berg
City Supervisor/City Attorney

MEMO TO: City Council
RE: Adoption of the "Optional Municipal Code", RCW 35A
DATE: May 9, 2007

ISSUE: Should the Council adopt the proposed resolution of intent to adopt the optional municipal code (RCW 35A) after holding a public hearing?

BACKGROUND: This item has been presented and discussed at two worksessions of the Council and is now ready for Council action.

The process for becoming a noncharter code city is:

1. Determination by the City Council that adopting the code is in the best interests of the City;
2. Passage of a resolution of intent (the resolution attached to this memo);
3. Publication of that resolution of intent within 10 days of passage;
4. Following that, a 90 day window opens during which citizens may file a referendum to allow the voters to vote directly on this issue, and assuming no referendum is qualified for the ballot;
5. Adoption of the ordinance adopting the classification of a noncharter code city.

RECOMMENDATION: Following a public hearing, a motion to adopt the proposed resolution of intent.

RESOLUTION NO. _____

A RESOLUTION declaring the intention of the City Council to adopt for the City of Sedro-Woolley the classification of Noncharter Code City, to be governed by the provisions of Title 35A, Revised Code of Washington.

WHEREAS, a majority of the City Council of the City of Sedro-Woolley has determined that it would serve the best interests and general welfare of the City to change the classification of the City to that of Noncharter Code City pursuant to the provisions of RCW 35A.02.030; Now, Therefore;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEDRO-WOOLLEY AS FOLLOWS:

Section 1. The City Council does hereby declare its intention to adopt for the City of Sedro-Woolley the classification of "Noncharter Code City."

Section 2. That it is the intention of the City Council to retain the same general plan of government under which it is currently organized, to wit: Chapter 35.23 RCW, but to be governed by Chapter 35A.12 RCW of the Optional Municipal Code, Title 35A RCW.

Section 3. That the Clerk/Treasurer is hereby authorized and directed to publish this Resolution at least once within ten (10) days of the Resolution's passage.

Section 4. That if no timely and sufficient referendum petition has been filed, as is provided for in Section 35A.02.035 RCW, within ninety (90) days of the first publication of this Resolution, excluding the date of first publication, the City Council shall by Ordinance adopt for the City of Sedro-Woolley the classification of "Noncharter Code City" under the mayor-council plan of government.

PASSED by majority vote of the members of the Sedro-Woolley City Council this 9th day of May, 2007, and signed in authentication of its passage this ____ day of _____, 2007.

_____
Mike Anderson, Mayor

Attest:

_____
Patsy Nelson, Clerk/Treasurer

Approved as to form:

_____

Eron Berg, City Attorney

Published _____

UNFINISHED BUSINESS

NEW BUSINESS

CITY OF SEDRO-WOOLLEY

Wastewater Treatment Plant
720 Murdock Street
Sedro-Woolley, WA 98284
Phone (360) 856-1100
Fax (360) 856-5269

CITY COUNCIL AGENDA
REGULAR MEETING

MAY 0 9 2007

7:00 P.M. COUNCIL CHAMBERS
AGENDA NO. 8

Memorandum

Date: May 2, 2007

To: Mayor Anderson and City Council

From: Debbie Allen, Wastewater Treatment Supervisor

Subject: Proposed Pretreatment Ordinance-1st Reading

Background Information:
The attached Pretreatment Ordinance sets forth uniform requirements for Users of the Sedro-Woolley Wastewater Treatment Plant and Collection System and enables the City to comply with all applicable State and Federal laws, including the Clean Water Act and the General Pretreatment Regulations.

Once a Pretreatment Ordinance is in place, our intention is to begin inspections on grease traps, oil/water separators and dental amalgam traps in an attempt to prevent the introduction of pollutants into the Wastewater system.

Recommended Action:
No action required as this is a first reading.

ORDINANCE NO.

AN ORDINANCE ADOPTING PRETREATMENT STANDARDS RELATED TO THE WASTEWATER TREATMENT PLANT FOR THE CITY OF SEDRO-WOOLLEY

WHEREAS, SWMC 13.24 regulates certain discharges into the City's wastewater treatment system;

WHEREAS, inspections of the collection system have resulted in increased knowledge about prohibited discharges which are occurring within the City's system;

WHEREAS, prohibited discharged vary but include fats, oils, grease, toxic substances and metals; and

WHEREAS, the City of Sedro-Woolley desires to set forth clear standards, rules and regulations to prohibit certain discharges, allow for inspections of sewer connections and equipment on private property and establish penalties for the violations of these standards, rules and regulations.

NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEDRO-WOOLLEY AS FOLLOWS:

Section 1. SWMC 13.24 is repealed in its entirety.

Section 2. Attachment A hereto is hereby adopted as a new chapter under Title 13 of the Sedro-Woolley Municipal Code.

Section 3. The City Council authorizes the Mayor and/or the Mayor's designee, as appropriate, to administratively interpret these provisions as necessary to implement the intent of the Council.

EFFECTIVE DATE. This ordinance shall take effect from and after five (5) days after its passage and publication as required by law.

ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 23rd DAY OF MAY, 2007.

CITY OF SEDRO-WOOLLEY:

BY:_____
MIKE ANDERSON, Mayor

ATTEST:

_____
Patsy Nelson, City Clerk-Treasurer

APPROVED AS TO FORM:

_____
Eron Berg, City Attorney

Filed with the City Clerk:	May 3, 2007
Public Hearing:	n/a
First Reading:	May 9, 2007
Second Reading:	May 23, 2007
Passed by the City Council:	
Date of Publication:	
Effective Date:	

ATTACHMENT A
SEDRO-WOOLLEY PRETREATMENT ORDINANCE

ARTICLE 1 – GENERAL PROVISIONS

1.1 PURPOSE AND POLICY

A. This Ordinance may be referred to as the Wastewater Pretreatment Ordinance. This Ordinance sets forth uniform requirements for Users of the Publicly Owned Treatment Works (POTW) of the City of Sedro-Woolley, and enables the City to comply with all applicable State and Federal laws, including the Clean Water Act (33 USC 1251 et seq.) and the General Pretreatment Regulations (40 CFR Part 403). The objectives of this Ordinance are:

1. To prevent the introduction of pollutants into the POTW that will interfere with the operation of the POTW;

2. To prevent the introduction of pollutants into the POTW which will pass through the POTW, inadequately treated, into receiving waters or otherwise be incompatible with the POTW;

3. To ensure that the quality of POTW biosolids is maintained at a level which allows its use and disposal in compliance with applicable statutes and regulations;

4. To protect POTW personnel who may be affected by wastewater and biosolids in the course of their employment and to protect the general public;

5. To improve the opportunity to recycle and reclaim wastewater and biosolids from the POTW; and

6. To promote strategies to reduce the amounts of pollution generated by users, thereby reducing the associated hazards to the POTW and receiving waters.

B. This Ordinance shall apply to all users of the POTW. This Ordinance defines certain prohibited discharges; sets forth local limits for use by the State agencies in the issuance of wastewater discharge permits; authorizes monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires User reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

1.2 ADMINISTRATION

Except as otherwise provided herein, the Mayor or designee shall administer, implement, and enforce the provisions of this Ordinance. Any powers granted to or duties imposed upon the Department Head may be delegated by the Department Head to other City personnel.

1.3 DEFINITIONS

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this Ordinance, shall have the meanings hereinafter designated. The use of the singular shall be construed to include the plural and the plural shall include the singular as indicated by the context of its use.

- **Accessible:** Accessible when applied to required pretreatment monitoring or treatment equipment shall mean direct access without the necessity of removing any panel, door, vehicle, equipment, materials, or other similar obstruction.

- **Act or "the Act:"** The Federal Water Pollution Control Act, also known as the Clean Water Act, (33 U.S.C. 1251 et seq), as amended.

- **AKART:** An acronym for "all known, available, and reasonable methods of prevention, control, and treatment." AKART shall represent the most current methodology that can be reasonably required for preventing, controlling, or abating the pollutants associated with a discharge. AKART shall be applied by all Industrial and Commercial Users of the POTW. Best Management Practices are a subset of the AKART requirement.

- **Applicable Pretreatment Standards:** For any specified pollutant, City of Sedro-Woolley prohibitive standards, City of Sedro-Woolley specific pretreatment standards (local limits), State of Washington pretreatment standards, or National Categorical pretreatment standards, whichever standard is most appropriate or stringent.

- **Approval Authority:** Washington State Department of Ecology or Ecology.

- **Authorized Representative of the User:**

  A. If the user is a corporation, the president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation who has signing authority granted by corporate bylaws;

B. If the user is a partnership or sole proprietorship: a general partner or proprietor, respectively, if partner has the right of signature or limited power of attorney;

C. If the user is a federal, state, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or his/her designee.

D. The individuals described in paragraphs A through C above may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the City .

- **Best Management Practices (BMPs):** Schedules of activities, provisions of practices, maintenance procedures, and other management practices to prevent or reduce pollution discharge to the POTW. BMPs also include treatment requirements, operating procedures, and practices to control all discharges to the POTW.

- **Biochemical Oxygen Demand (BOD_5):** The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures during five (5) days at 20° centigrade, usually expressed as a concentration [milligrams per liter (mg/l)].

- **Bypass:** The intentional diversion of waste streams from any portion of a user's pretreatment facility.

- **Categorical Pretreatment Standard or Categorical Standard:** Any regulation containing pollutant discharge limits promulgated by the U.S. EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. 1317) which apply to a specific category of users and which appear in 40 CFR Chapter 1, Subchapter N, Parts 405-471.

- **Categorical User:** A user covered by one or more Categorical Standards as defined herein.

- **Chemical Oxygen Demand (COD):** A measure of the oxygen-consuming capacity of inorganic and organic matter present in wastewater. COD is expressed as the amount of oxygen consumed from a chemical oxidant in mg/l during a specific dose.

- **City:** Sedro-Woolley, Washington, or its authorized deputy, agent, or representative, and includes the term "Department Head" or his or her designee as used in this Ordinance, and the Mayor.

- **Class I User:** A commercial and/or industrial user with a waste concentration greater than 0 mg/l BOD_5 and less than 300 mg/l BOD_5.

- **Class II User:** A commercial and/or industrial user with a waste concentration greater than 300 mg/l BOD_5 and less than 900 mg/l BOD_5.

- **Class III User:** A commercial and/or industrial user with a waste concentration greater than 900 mg/l BOD_5 and less than 1,500 mg/l BOD_5.

- **Class IV User:** A commercial and/or industrial user with a waste concentration greater than 1,500 mg/l BOD_5.

- **Color:** The optical density at the visual wave length of maximum absorption, relative to distilled water. One hundred percent (100%) transmittance is equivalent to zero (0.0) optical density.

- **Composite Sample:** The sample resulting from the combination of individual wastewater samples taken at selected intervals based on an increment of either flow or time.

- **Control Authority:** A state entity whose pretreatment program has been approved by the EPA or a municipal entity whose pretreatment program has been approved by the duly authorized state or EPA.

- **Cooling Water/Non-Contact Cooling Water:** Water used for cooling, which does not come into direct contact with any raw material, intermediate product, waste product, or finished product. Cooling water may be generated from any use, such as air conditioning, heat exchangers, cooling or refrigeration to which the only pollutant added is heat.

- **County:** Skagit County, Washington or its authorized deputy, agent, or representative; Skagit County Department of Public Works, includes the Director and authorized agents.

- **Day:** Day shall be defined as a calendar day.

- **Department Head:** The person designated by the City to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this Ordinance, and specifically including his/her duly authorized representative or inspector.

- **Domestic User (Residential User):** Any ERU that contributes, causes, or allows the contribution of wastewater into the POTW that is similar in volume and/or chemical makeup to domestic wastewater.

- **Domestic Wastewater:** Wastewater from residential kitchens, bathrooms, and laundries, and water-borne human wastes from sanitary facilities in all other buildings, together with such groundwater infiltration or surface waters as may be present.

- **Ecology:** The Washington State Department of Ecology or authorized representatives thereof.

- **Environmental Protection Agency (EPA):** The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, or other duly authorized official of said agency.

- **Existing Source:** Any categorical user which discharges wastewater to the POTW, the construction or operation of which commenced prior to the publication of proposed categorical pretreatment standards which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.

- **Existing User:** Any non-categorical industrial user which discharges wastewater to the POTW prior to the effective date of this Ordinance.

- **Fats, Oils, and Grease (FOG):** Those components of wastewater amenable to measurement by the methods described in Standard Methods for the Examination of Water and Wastewater, 20th Edition, 1998, Section 5520, or latest edition. The term "fats, oils, and grease" shall include polar and nonpolar fats, oils, and grease.

- **Food Service Users:** Any user who operates a restaurant, café, lunch counter, grill, deli, catering service, bakery, grocery store, butcher shop, take-out counter, cafeteria, bar, or club, hotel, hospital, nursing home, retirement village, sanitarium, factory, or school kitchens, or any commercial establishments where grease may be introduced to the sewer system.

- **Grab Sample:** A sample which is taken from a waste stream on a one-time basis without regard to the flow in the waste stream and without consideration of time.

- **Grease Interceptor:** An interceptor of at least 750 gallon capacity to serve one or more fixtures and which shall be remotely located. Alternately, a UPC-approved mechanical device for grease removal.

- **Grease Trap:** A device designed to retain grease from one to a maximum of four fixtures.

- **High Strength Waste:** Any waters or wastewater have a concentration of BOD or total suspended solids in excess of 300 mg/l or having a concentration of fats, oil and grease in an excess of 100 mg/l.

- **Indirect Discharge or Discharge:** The introduction of pollutants into the POTW from any non-domestic source regulated under Section 307(b), (c), or (d) of the Act. The discharge into the POTW is normally by means of pipes, conduits, pumping stations, force mains, constructed drainage ditches, surface water intercepting ditches, and all constructed devices and appliances appurtenant thereto.

- **Industrial User:** Throughout this document, the term "Industry" or "Industrial User" is meant to apply to ANY "Person" (defined in 173-216-030(13) WAC) within the POTW's service area which has, or may have, a discharge of "industrial wastewater" (as defined below), or who would be subject to Categorical Standards promulgated by EPA if they were discharging.

- **Industrial Wastewater:** Water or liquid-carried waste from any industry, manufacturing operation, trade, business, or commercial establishment which includes process wastewater, cooling water, contaminated stormwater, contaminated leachates, or other waters in some combination such that the combined effluent differs in some way from purely domestic wastewater, or is subject to regulation under Federal Categorical pretreatment Standards, the State Waste Discharge Permit Program, or this Ordinance.

- **Interceptor:** An interceptor is a device designed and installed so as to separate and retain deleterious or undesirable matter from normal wastes and permit normal liquid wastes to discharge by gravity.

- **Interference:** The effect of a discharge or discharges on the POTW from one or more non-domestic users which results in either:

  A. Inhibition or disruption of the POTW, its treatment processes or operations, or its biosolids processes, use, or disposal;

  B. Violation of any permit regulating the POTW's wastewater discharge or biosolids; or

  C. Prevention of biosolids use or disposal in compliance with any applicable statutory or regulatory provision or permit issued hereunder. (Applicable sludge regulations shall include Section 405 of the Clean Water Act; the Solid Waste Disposal Act (SWDA), including Title II commonly referred

to as the Resource Conservation and Recovery Act (RCRA); State regulations contained in any State biosolids management plan prepared pursuant to Subtitle D of the SWDA; the Clean Air Act; the Toxic Substances Control Act; the Marine Protection, Research, and Sanctuaries Act; and 40 CFR Part 503.)

- **Maximum Allowable Discharge Limit:** The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composite sample collected, independent of the industrial flow rate and the duration of the sampling event.

- **Medical Wastes:** Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

- **New Source:**

A. Any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307 (C) of the Act which will be applicable to such sources if such standards are thereafter promulgated in accordance with that section, provided that:

1. The building, structure, facility, or installation is constructed at a site at which no other source is located; or

2. The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or

3. The production of wastewater generating processes of the building structure, facility, or installation or substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.

B. Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Paragraphs A(2) or (3) above, but otherwise alters, replaces, or adds to existing process or production equipment.

C. Construction of a new source as defined herein has commenced if the owner or operator has:

1. Begun, or caused to begin as part of a continuous on-site construction program, any placement, assembly, or installation of facilities or equipment; or significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for placement, assembly, or installation of new source facilities or equipment; or

2. Entered into a binding contractual obligation for the purchase or facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies, do not constitute a contractual obligation under this paragraph.

- **New User:** Any non-categorical user that plans to discharge a new source of wastewater to the City's sewerage system after the effective date of this Ordinance. This discharge may be from either a new or an existing facility. Any person that buys an existing facility that is discharging non-domestic wastewater will be considered an "existing user" if no significant changes are made in the manufacturing operation.

- **Pass Through:** A discharge which exits the POTW in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the City 's NPDES or State Waste Discharge Permit (including an increase in the magnitude or duration of a violation) or causes a violation of any water quality standard for waters of the State promulgated under State regulations, including Chapter 173-201(A) WAC.

- **Permittee:** A person or user issued a wastewater discharge permit, or discharge authorization.

- **Person:** Any individual, partnership, firm, company, corporation, association, joint stock company, trust, estate, any federal, state, or local governmental agency or entity, or any other entity whatsoever; or their legal representatives, agents, or assigns.

- **pH:** A measure of the acidity or alkalinity of a substance, expressed in standard units.

- **Pollutant:** Any substance, either liquid, gaseous, solid, or radioactive, discharged to the POTW which, if discharged directly, would alter the chemical, physical,

thermal, biological, or radiological properties of waters of the state of Washington including pH, temperature, taste, color, turbidity, oxygen demand, toxicity, or odor. This includes any discharge likely to create a nuisance or render such waters harmful, detrimental, or injurious to any beneficial uses, terrestrial, or aquatic life, or to public health, safety, or welfare.

- **Pollution Prevention:** Source reduction; protection of natural resources by conservation; or increased efficiency in the use of raw materials, energy, water, or other resources.

- **Pretreatment:** The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to (or in lieu of) introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means (except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard).

- **Pretreatment Facilities:** Any device, structure or method that which will remove specified pollutants and/or chemicals from the wastewater prior to its discharge into the POTW.

- **Pretreatment Program:** An Industrial Wastewater Pretreatment Program administered by Ecology or applicable Control Authority and/or the U.S. EPA under their respective laws and regulations and includes any requirements for local municipalities necessary to assist and support Ecology and/or EPA's Program.

- **Pretreatment Requirements:** Any substantive or procedural state, local, or federal requirement related to pretreatment developed under Chapter 90.48 RCW and/or Sections 307 and 402 of the Clean Water Act.

- **Pretreatment Standards or Standards:** Any pollutant discharge limitations including categorical standards, state standards, and local limits of Article 2.4 of this Ordinance applicable to the discharge of non-domestic wastes to a POTW. The term shall also include the prohibited discharge standards of this Ordinance, WAC 173-240-060, and 40 CRF Part 403.5.

- **Process Wastewater:** Industrial wastewater discharged from one or more commercial or industrial processes or cleanup procedures. Process wastewater does not include domestic waste or non-contact cooling water. Process wastewater may refer to one process discharge or several commingled process discharges.

- **Prohibited Discharge Standards or Prohibited Discharges:** Absolute prohibitions against the discharge of certain substances; these prohibitions appear

in Article 2 of this Ordinance.

- **Public Sewer:** A sewer constructed for conveyance of liquid wastes which is controlled by a public authority.

- **Publicly Owned Treatment Works (POTW):** Any "treatment works," as defined by Section 212 of the Act (33 U.S.C. 1292) which is owned by the City. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances which convey wastewater to the treatment plant. Also known as the Wastewater Treatment Plant (WWTP) and the associated collection system and all appurtenances contained within City-owned Rights-of-Way and other City-owned property.

- **Recreational Vehicle Waste (RV Waste):** Any domestic and/or residential wastes from holding tanks on private recreational vehicles, including travel trailer, pickup truck-mounted campers, and mobile domestic single-family recreational vehicles. This category does not include tour buses and public transportation vehicles. This category does not include wastes from vehicles which collect wastewater from holding tanks.

- **Self Monitoring Reports:** A report, submitted to the City , Ecology, or applicable Control Authority by the user, containing sampling test results on wastewater discharges quality and quantity. Results shall be from certified lab as required by WAC 173-216.

- **Septic Tank Waste or Septage:** Any sewage and sludge from individual wastewater disposal systems such as septic tanks and cesspools; and domestic wastes from holding tanks and chemical toilets.

- **Severe Property Damage:** Substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

- **Sewage or Wastewater:** Water-carried human wastes or a combination of water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface, storm, or other waters or wastes as may be present.

- **Sewer:** Any pipe, conduit ditch, or other device used to collect and transport sewage from the generating source to the POTW.

- **Shall:** "Shall" defines a mandatory requirement.

- **Significant Industrial User (SIU):**

  A. A user subject to categorical pretreatment standards; or

  B. A user that:

     1. Discharges an average of 25,000 gpd or more of process wastewater to the POTW (excluding sanitary, non-contact cooling, and boiler blowdown wastewater); or

     2. Contributes a process waste stream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or

     3. Is designated as such by Ecology with input from the City on the basis that it, alone or in conjunction with other sources, has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.

  C. Upon finding that a user meeting the criteria in Subsection (B) has no reasonable potential for adversely affecting the POTW's operation or for violating any applicable pretreatment standard or requirement, Ecology may at any time, on its own initiative or in response to a petition from a user or the City and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a Significant Industrial User.

- **Significant Non-Compliance (SNC):** Shall refer to a violation or pattern of violations of one of the following natures:

  A. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all wastewater measurements taken during a six-month period exceed the daily maximum limit or average limit for the same pollutant parameter by any amount;

  B. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of all wastewater measurements taken for each pollutant parameter during a six-month period equal or exceed the product of the daily maximum limit or the average limit multiplied by the applicable TRC [1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH];

C. Any other discharge violation that the City believes has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of City personnel or the general public);

D. Any discharge of pollutants that has caused imminent endangerment to human health, welfare, or to the environment, or has resulted in the City 's exercise of its emergency authority to halt or prevent such a discharge;

E. Failure to meet, within ninety (90) days after the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;

F. Failure to provide within thirty (30) days after the due date, any required reports, including baseline monitoring reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;

G. Failure to accurately report non-compliance; or

H. Any other violation(s) which the City determines will adversely affect the operation or implementation of the Pretreatment Program.

- **Slug Load:** Any discharge at a flow rate or concentration which could cause a violation of the discharge standards in Articles 2.1 through 2.4 of this Ordinance or any discharge of a non-routine, episodic nature, including but not limited to, an accidental spill or a non-customary batch discharge.

- **Standard Industrial Classification (SIC) Code:** A classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget.

- **State:** The State of Washington.

- **Stormwater:** Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

- **Total Suspended Solids (TSS):** The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory filtering.

- **Toxic Pollutant:**

A. Any pollutant or combination of pollutants listed as toxic in the regulations promulgated by EPA pursuant to authority under the Clean

Water Act ("CWA" 33 U.S.C. Section 1251 et seq.), the Resource Conservation and Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA" 42 U.S.C. Section 9601 et seq.); or

B. Any Dangerous Waste or Extremely Dangerous Waste or Mixed Waste as listed in the regulations promulgated by the Washington State Department of Ecology pursuant to the Hazardous Waste Management Act (RCW 70.105 et seq.).

- **Treatment Plant Effluent:** The discharge from the POTW.

- **Uniform Plumbing Code:** The Uniform Plumbing Code stated shall be the Uniform Plumbing Code as adopted by the County and in effect at the time of construction.

- **Upset:** An exceptional incident causing unintentional and temporary non-compliance with applicable pretreatment standards due to factors beyond the reasonable control of the user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

- **User or Commercial and/or Industrial User:** A source of wastewater discharge to the POTW exclusive of "Domestic Users" as defined herein.

- **Wastewater:** (See Sewage.)

- **Wastewater Discharge Permit (Industrial Wastewater Discharge Permit, Discharge Permit):** An authorization or equivalent control document issued by Ecology to users discharging wastewater to the POTW. The permit may contain appropriate pretreatment standards and requirements as set forth in this Ordinance.

- **Wastewater Treatment Plant or Treatment Plant:** That Portion of the POTW designed to provide treatment of sewage as defined herein.

- **Zero Discharge Permit:** A permit for a categorical user that operates its processes so that no industrial wastewater is discharged to the POTW.

1.4 ABBREVIATIONS

The following abbreviations shall have the designated meanings:

ASPP Accidental Spill Prevention Plan

AKART	All Known, Available, and Reasonable means of prevention, control and Treatment (see Definitions)
BOD	Biochemical Oxygen Demand
CFR	Code of Federal Regulations
CWA	Clean Water Act
COD	Chemical Oxygen Demand
EPA	U.S. Environmental Protection Agency
ERU	Equivalent Residential Unit
FIFRA	Federal Insecticide Fungicide Rodenticide Act
FOG	Fats, oils and grease
gpd	Gallons per day
l	Liter
LEL	Lower Explosive Limit
Mg	Milligrams
Mg/l	Milligrams per liter
NPDES	The National Pollutant Discharge Elimination System as defined under Section 402 of the Clean Water Act
O&M	Operation and Maintenance
POTW	Publicly Owned Treatment Works
RCRA	Resource Conservation and Recovery Act
SIC	Standard Industrial Classifications
SWDA	Solid Waste Disposal Act (42 U.S.C. 6901, et seq.)
TSS	Total Suspended Solids
USC	United States Code
WAC	Washington Administrative Code

ARTICLE 2 – GENERAL REQUIREMENTS

2.1 PROHIBITED DISCHARGE STANDARDS

A. **General Prohibitions:** No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other Federal, State, or local pretreatment standards or requirements (40 CFR 403.5(a) and WAC 173-216-060(2)(b)(i)).

B. **Specific Prohibitions:** No user shall introduce or cause to be introduced into the POTW the following pollutants, substances or gases, either singly or combined in a waste stream:

1. Any pollutant which either alone or by interaction may create a fire or explosive hazard in the POTW, including, but not limited to, waste streams with a closed-cup flashpoint of less than 140°F (60°C) using the test methods specified in 40 CFR 261.21, (40 CFR 403.5(B)(1)), or are capable of creating a public nuisance (WAC 173-216-060(2)(b)(ii));

2. Any pollutant which will cause corrosive structural damage to the POTW, but in no case discharges with a pH less than 5.5 or more than 10, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system, unless the system is specifically designed to accommodate such discharge and the discharge is authorized by a permit under the State Waste Discharge Permit program (40 CFR 403.5(b)(2) and WAC 173-216-060(2)(b)(iv));

3. Any solid or viscous substances including fats, oils, and grease in amounts which may cause obstruction to the flow in a POTW or other interference with the operation of the POTW (40 CFR 403.5(b)(3) and WAC 173-216-060(2)(b)(iii));

4. Any discharge of pollutants, including oxygen-demanding pollutants (BOD, etc.), released at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, is sufficient to cause interference with the POTW (40 CFR 403.5(b)(4) and WAC 173-216-060(2)(b)(vi));

5. Any waste stream having a temperature which will inhibit biological activity in the treatment plant resulting in interference, or cause worker health or safety problems in the collection system.

In no case shall wastewater be discharged at a temperature which causes the temperature at the introduction to the POTW treatment plant to exceed 104°F (40°C) unless the system is specifically designed to accommodate such a discharge, and the discharge is authorized under the State Waste Discharge Permit Program (40 CFR 403.5(b)(5) and the WAC 173-216-060(2)(b)(v));

6. Any petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference or Pass Through (40 CFR 403.5(b)(6) and WAC 173-216-060(2)(b)(i));

7. Any pollutants which result in the presence of toxic gases, vapors, or fumes within any portion of the POTW in a quantity that may cause acute worker health and safety problems (40 CFR 403.5(b)(7));

8. Any trucked or hauled wastes, except at discharge points designated by the City and in compliance with all applicable City requirements and during specified hours (40 CFR 403.5(b)(8));

9. Any noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair (WAC 173-216-060(2)(b)(ii));

10. Any of the following discharges unless approved by the City under extraordinary circumstances, such as the lack of direct discharge alternatives due to a combined sewer service or need to augment sewage flows due to septic conditions (WAC 173-216-060(2)(b)(vii)):

    (a) Non-contact cooling water in significant volume;

    (b) Stormwater, and other direct inflow sources;

    (c) Wastewater significantly affecting system hydraulic loading, which does not require treatment or would not be afforded a significant degree of treatment by the System;

    (d) Stormwater, surface water, groundwater, artesian well water, roof runoff, subsurface drainage, deionized water, and unpolluted wastewater;

11. Any dangerous or hazardous wastes as defined in Chapter 173-303 WAC, as amended, except as allowed in compliance with

that regulation (WAC 173-216-060(1) and 40 CFR Part 261);

12. Any substance which will cause the POTW to violate its NPDES or other disposal system permits or causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test;

13. Any substance which may cause the POTW's effluent or treatment residues, biosolids, or scum to be unsuitable for reclamation and reuse, or would interfere with the reclamation process or cause the POTW to be in noncompliance with biosolids use or disposal criteria, guidelines or regulations developed pursuant to the federal, state, or local statutes or regulations applicable to the biosolids management method being used;

14. Any liquid, solids, or gases which either singly, in conjunction, or by interaction with other waste streams cause two (2) successive readings on an explosion meter to be more than five percent (5%) nor any single reading over ten percent (10%) of the lower explosive limit (LEL) of the meter at any point in the collection system or treatment works;

15. Anything which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the City 's NPDES Permit. Color (in combination with turbidity) shall not cause the treatment plant effluent to reduce the depth of the compensation point for photosynthetic activity by more than ten percent (10%) from the seasonably established norm for aquatic life;

16. Any discharge containing radioactive wastes or isotopes except as specifically approved by the City in compliance with applicable state or federal regulations including WAC 246-221-190 "Disposal by Release into Sanitary Sewerage System;" and meeting the concentration limits of WAC 246-221-290 Appendix A, Table 1, Column 2, and WAC 246-221-300 appendix B, and not violating any other prohibition;

17. Any sludge, screenings, or other residues from the pretreatment of industrial wastes or from industrial processes;

18. Any medical wastes or infectious wastes, except as specifically authorized by the City ;

19. Any detergents, surface-active agents, or other substances in amounts which may cause excessive foaming in the POTW;

20. Any incompatible substance such as: grease, animal guts or tissues, paunch manure, bones, hair, hides or fleshing, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dusts, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar asphalt residues, residues from refining or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes, or any other organic or inorganic matter greater than 0.5 inches (1/2-inch) in any dimension;

21. Persistent pesticides and/or pesticides regulated by the Federal Insecticide Fungicide Rodenticide Act (FIFRA);

22. Any wastewater, which in the opinion of the City can cause harm either to the sewers, sewage treatment process, or equipment; have an adverse effect on the receiving stream; or can otherwise endanger life, limb, public property, or constitute a nuisance, unless allowed under special agreement by the City (except that no waiver shall be given from categorical pretreatment standards);

23. Any wastewater having a total fat waste, oil, or grease (whether or not emulsified), hexane or ether-soluble matter content in excess of one hundred (100) mg/L; or any substance which may solidify or become discernibly viscous at temperatures above zero degrees Centigrade (0 degree C) (32 degrees F);

24. Any wastewater having an average BOD_5 concentration more than 300 mg/l;

25. Any wastewater having an average TSS concentration more than 300 mg/l;

26. The contents of any tank or other vessel owned or used by any person in the business of collecting or pumping sewage, effluent, septage, or other wastewater unless said person has first obtained testing and approval as may be generally required by the City and paid all assessed fees for testing and discharge;

27. Any slug load, which shall mean any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a single extraordinary discharge episode of such volume or strength as to

cause interference to the POTW.

28. Any substance which may cause the POTW's effluent or treatment residues, biosolidss, or scums to be unsuitable for reclamation and reuse, or interface with the reclamation process.

C. Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such a manner that they could be discharged to the POTW.

2.2 FEDERAL CATEGORICAL PRETREATMENT STANDARDS

National categorical pretreatment standards as adopted and hereafter amended by the EPA pursuant to the Act shall be met by all Industrial Users of the regulated industrial categories. These standards, found in 40 CFR Chapter 1, Subchapter N, Parts 405-471, are hereby incorporated by reference.

2.3 STATE REQUIREMENTS

A. State requirements and limitations on discharges to the POTW as incorporated into Washington State Law by Chapter 90.48 RCW and implemented in Chapters 173-201A, 173-216, and 173-270 of the WAC, shall be met by all users who are subject to such standards in any instance in which they are more stringent than federal requirements and limitations or those in this Ordinance.

B. Any user determined by the City to qualify as a Significant Industrial User (SIU) shall file an application for a State Waste Discharge Permit with Ecology in accordance with the requirements of WAC 173-216-070. Proof of acceptance of the application, and payment of permit fees shall be kept at the user's facilities, and produced upon request by the City. Failure to submit the application or rejection of the application by Ecology is sufficient grounds to terminate or refuse to provide sewer service.

2.4 LOCAL LIMITS

A. The City shall have the authority to establish effluent limitations and/or require compliance with applicable effluent limitations or other pretreatment requirements. The City shall also have the authority to enforce the following limitations on wastewater strength, and any subsequent limitations adopted pursuant to this Ordinance.

B. No person shall discharge process wastewater containing concentrations in excess of the following daily maximum allowable discharge limits unless prior written approval has been obtained from the City. These limits shall apply at the point where the wastewater is discharged to the POTW (end of the pipe). All

concentrations for metallic substances are for "total" metal unless indicated otherwise. The City or applicable control authority may impose mass limitations in addition to or in place of the concentration-based limitations below. Where a user is subject to a categorical pretreatment standard and a local limit for a given pollutant, the more stringent limit or applicable pretreatment shall apply.

Material		Maximum Daily Allowable Discharge Concentration (mg/l)
Arsenic	As	0.50
Cadmium	Cd	0.11
Copper	Cu	3.38
Chromium	Cr	2.77
Cyanide	CN	0.86
Lead	Pb	0.69
Mercury	Hg	0.10
Nickel	Ni	3.98
Silver	Ag	0.43
Zinc	Zn	2.61
Total Toxic Organics (TTO)		2.13
Fats, Oil & Grease	FOG	100

2.5 CITY 'S RIGHT OF REVISION

The City reserves the right to establish more stringent standards or requirements on discharges to the POTW.

2.6 SPECIAL AGREEMENTS

A. The City reserves the right to enter into special agreements with users setting out special terms under which they may discharge to the POTW. In no case will a special agreement waive compliance with a categorical pretreatment standard or federal pretreatment requirement. However, the user may request a net gross adjustment to a categorical standard in accordance with 40 CFR 403.15. They may also request a variance from the categorical pretreatment standard from the Approval Authority in accordance with 403.13.

B. The City may enter into agreements with users to accept pollutants compatible with the treatment system at greater than domestic strengths. Within such agreements, the City may establish terms of the user's discharge to the POTW including, but not limited to, maximum flow rates, and concentrations. The City may also establish fees to recover costs associated with treating such wastes and monitoring schedules in such agreements. In no case will a special agreement waive compliance with a state or federal pretreatment standard or requirement including categorical standards.

C. Users discharging or intending to discharge pollutants other than BOD and TSS, and claiming compatibility, must prove to the satisfaction of the City , that such pollutants are compatible with the POTW. The City may require any claim of compatibility to be endorsed by Ecology.

D. The City may assist, by arrangement or formal agreement, agencies that regulate hazardous wastes and materials, and air emissions from users in order to maximize State, County, and City resources.

E. The City specifically may arrange to act as an agent of Ecology to determine compliance with treatment or disposal requirements and inspect on-site disposal activities and shipping documents.

2.7 DILUTION

No user shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with an applicable pretreatment standard or requirement unless expressly authorized by an applicable pretreatment standard or requirement. The City may impose mass limitations on users who they believe may be using dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of mass limitations is appropriate.

2.8 PRETREATMENT FACILITIES

A. **Review and Acceptance of Pretreatment Facilities:** Users shall provide necessary wastewater treatment as required to comply with this Ordinance and shall achieve compliance with all applicable pretreatment standards and requirements set forth in this Ordinance within the time limitations specified by the EPA, the State, or the City, whichever is more stringent. Users shall procure, install, operate, and maintain the wastewater facilities which, combined with appropriate practices, are necessary to achieve AKART as defined herein. Any facilities required to pretreat wastewater to a level acceptable to the City shall be provided, operated, and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to Ecology for review and approval in accordance with the procedures of Chapter 173-240 WAC, and shall be disclosed to the City before construction of the facility. Proof of Ecology approval should be disclosed to the City upon request. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an acceptable discharge to the City under the provisions of this Ordinance. The user will obtain all necessary construction/operating permits from the City, City, County, or Ecology. Prior to completion of the wastewater pretreatment facility, the user shall furnish its plan of operations and maintenance procedures to Ecology to review. Such pretreatment facilities shall be under the control and direction of a person qualified to operate such facilities.

B. **Standards of Pretreatment:** Users shall provide all known, available, and reasonable methods of prevention, control, and pretreatment including Best Management Practices to comply with this Ordinance and State and Federal regulations.

C. **New Construction:** Any subsequent proposal for significant changes in pretreatment facilities or method of operation shall be reported to and be reviewed and accepted by the applicable control authority prior to the user's initiation of such changes. Proof of approval by the applicable control authority shall be disclosed to the City upon request. Any necessary construction permits shall be obtained, before new construction or modifications of an existing facility. If applicable, the user shall obtain a Discharge Permit. The review of such plans shall in no way relieve the user from the responsibility of modifying its facility as necessary to produce an effluent acceptable to the City or applicable control authority under the provisions of this Ordinance.

D. **Submission of Plans and Reports:** Pretreatment facilities shall comply with the applicable requirements of Chapter 173-240 and Section 173.216.050(3) of the WAC, and Section 90.48.010 of the RCW. Users shall comply with approved engineering reports, plans and specifications, and operation and maintenance manuals, and shall modify such documents to reflect any proposed modifications

of pretreatment facilities. Users shall submit proposals to modify pretreatment facilities to Ecology before implementation in accordance with Chapter 173-240 WAC. Users shall submit a copy of Ecology's acceptance to the City before implementing changes to approved pretreatment facilities. Any subsequent proposal for significant changes in the pretreatment facilities or method of operation shall be reported to and be accepted by the City and/or applicable control authority prior to the user's initiation of the changes.

2.9 PRETREATMENT FACILITIES FOR FATS, OILS, AND GREASE (FOG)

A. General

1. All persons are prohibited from discharging, or causing to be discharged, processing wastewater to the collection system or POTW which contains oils, greases, solids, or liquids sufficient to cause obstruction or otherwise interfere with the proper operations of the POTW or collection system.

2. All persons are prohibited from disposing any grease waste or processing waste containing oils, greases, solids, or liquids and discharge said waste into any drainage piping, public or private sanitary sewer, storm drainage system, sufficient to interfere with the proper operation of that system, or to discharge said waste to any land, street, public way, river, stream, or other waterway.

3. All persons are prohibited from accumulating liquid waste on his property or in his possession which is injurious to public health or emits offensive odors.

4. All persons are prohibited from utilizing any chemical emulsifying agent for the purpose of hindering or eliminating the interception of fats or grease prior to entering the City's wastewater collection system.

5. Food service establishments and other facilities described in Article 2.9(D) discharging wastewater shall install, operate, clean, and maintain a sufficiently sized oil and grease, water and solids separator (herein called grease interceptor), and/or a UPC mechanical device necessary to achieve compliance with requirements set forth under this provision. No grease interceptor shall be less than 750 gallons capacity. Grease traps shall be sized according to pounds of grease retained and be compatible with UPC standards.

6. Oil or grease of petroleum or mineral origin shall not be discharged to the City 's sewer system at a concentration in excess of 100 mg/l.

7. Fats, oil, or grease of animal or vegetable origin shall not be discharged to the City 's sewer system at a concentration in excess of 100 mg/l.

8. The concentration of oils and grease shall be measured in samples taken from the sampling chamber following pretreatment in an approved grease interceptor or UPC-approved mechanical device in accordance with the requirements of this section. Oil and grease concentration shall be measured using the partition-gravimetric method or the partition-infrared method outlined in the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association.

B. **Waste Discharge Requirements**

9. Waste discharge from fixtures and equipment in establishments that may contain grease, including but not limited to scullery sinks, pot and pan sinks, vent hood drains, dishwashing machines, soup kettles and floor drains located in areas where grease containing materials may exist, may be drained into the sanitary sewer only after such discharges are pretreated in an approved grease waste interceptor and/or UPC-approved mechanical device in accordance with this section.

10. No sanitary wastes from toilets, urinals, or other similar fixtures may be discharged through any grease waste interceptor and/or UPC-approved mechanical device. All wastes shall enter the interceptor through the inlet pipe only. The use of garbage grinders/shredders into any fixture which discharges to a grease waste interceptor is prohibited.

C. **Location**

11. Each grease interceptor shall be so installed and connected that it shall be at all times easily accessible for inspection, cleaning, and the removal of the intercepted grease. Location of the interceptor shall meet the approval of the City , per UPC and/or Skagit County Health City Code.

12. Interceptors shall be placed as close as practical to the fixture(s) they serve.

13. Each business establishment for which a grease interceptor and/or UPC-approved mechanical device is required shall have an interceptor or device which shall serve only that establishment unless otherwise approved by the City.

D. **Pretreatment Required**

14. Dischargers who operate newly constructed or remodeled restaurants, meat cutting facilities, cafes, lunch counters, bakeries, cafeterias, bars, or clubs; or hotel, hospital, sanitarium, factory or school kitchens; or other establishments that serve or prepare food where grease may be introduced to the sewer system shall have pretreatment facilities to prevent the discharge of fat waste, oil, or grease.

15. Dischargers who operate automatic and coin-operated laundries, car washes, filling stations, commercial garages, or similar businesses having any type of washing facilities (including pressure washing and steam cleaning) or any other dischargers producing grit, sand, oils, lint, or other materials which have the potential of causing partial or complete obstruction of the building site sewer or other areas in the POTW shall install and maintain approved interceptors, oil/water separators, or tanks such that excessive amounts of oil, sand, and inert solids are effectively prevented from entering the POTW.

E. **Design**

16. Grease interceptors shall be multiple compartment flotation chambers where grease floats to the water surface and is retained while the clear water underneath is discharged. The clear water discharged is subject to the discharge prohibitions of subsection A(6) and (7) of this section.

17. The grease interceptor shall be followed by a sampling compartment to allow for monitoring of discharges from the pretreatment unit. The geometry of the sampling compartment shall be in accordance with City standard plan for grease interceptors available at the City 's office. Interceptors shall have fittings designed for grease retention.

18. There shall be an adequate number of manholes to provide access for cleaning and maintenance of all areas of the interceptors and oil/water separators.

F. **Sizing Criteria**

19. New grease interceptors, grease traps, and mechanical grease removal devices must be sized in accordance with the Uniform Plumbing Code and any other requirements by the City as set forth herein.

20. Grease interceptors that include dishwasher effluent shall be sized and located to provide sufficient detention time to allow for cooling of the

effluent following guidelines from Appendix H of the Uniform Plumbing Code.

G. **Source Control**

All food establishments which deep fry, pan fry, or otherwise generate liquid or semi-solid restaurant grease shall maintain a container on site for containment of liquid and semi-solid grease wastes. This liquid or semi-solid grease shall be transported to an approved rendering plant. In no case shall free liquid grease be disposed of directly into fixtures which are connected to the sewer system. Unused butter, margarine, or other solid grease products shall not be discharged to the sewer system through garbage disposals or other means. No exceptions to the prohibitions of this subsection are allowed for fixtures which discharge to the sewer system through an approved grease interceptor. Hauling and recycling of restaurant grease shall be accomplished at a facility holding a state rendering permit, and the user shall maintain a log for disposal as described later in this Ordinance.

H. **Additives**

The use of any additive, such as enzymes, emulsifiers, chemicals, or bacteria is prohibited.

I. **Grease Interceptor and Oil/Water Separator Pumping and Maintenance**

1. Each facility required to install and maintain a grease waste interceptor, mechanical device or oil/water separator under this chapter shall provide regular maintenance to the satisfaction of the Department Head in accordance with the requirements set forth in this chapter.

2. Each person who removes grease waste from the grease interceptor shall, to the extent technically and mechanically possible, remove the entire content of the grease interceptor. Decanting or discharging of removed waste back into the interceptor from which the waste was removed or any other grease interceptor for the purpose of reducing the volume to be hauled is prohibited. All grease interceptors shall be maintained by the user at the user's expense.

3. Grease Removal and Grease Interceptor Pumping Frequency. All grease interceptors and/or mechanical device must be pumped out completely once every three months, or more frequently, as required by the City . Exception to this minimum frequency of pumping may be made with special written approval from the Department Head for generators of small quantities of grease wastes. In no case shall the frequency of pumping be less than once every six months. Pumping shall include the complete removal of all contents including floating materials, wastewater, and

bottom sludges and solids.

4. Oil and Debris Removal from Oil/Water Separator Frequency. Oil/water separators must be pumped out completely when the oil level on top reaches 2 inches in thickness or the debris or sludge level occupies 25 percent of the volume, or more frequently, as required by the City. Pumping shall include the complete removal of all contents including floating materials, wastewater, and bottom sludges and debris.

5. Failure to Pump. If in the opinion of the Department Head pumping of the grease interceptor or the oil/water separator is required, the owner will be notified in writing and shall arrange to have the grease interceptor pumped and disposal of, at the owner's cost, within 30 days. If the owner or user does not pump within the 30 day time period, the City will arrange to have the interceptor pumped and disposal of, and will present the owner with a bill for pumping plus an administrative fee of 10 percent. The City shall bill and collect said charges in the same manner as other sewer utility rates are collected including, but not limited to, the sewer lien procedures provided under Chapter 35.67 RCW.

6. Disposal of Grease Interceptor Pumpage. All waste removed from each grease interceptor must be disposed of at a facility permitted by the Health Department in the county in which the disposal facility is located. Under no circumstances shall the pumpage be returned to any POTW or any sewer.

7. Maintenance Requirements. Each person who engages in grease waste handling shall maintain all vehicles, hoses, pumps, tanks, tools, and equipment associated with grease waste handling in good repair, free of leaks, and in a clean and sanitary condition. All hoses and valves on grease waste handling vehicles or tanks shall be tightly capped or plugged after each use to prevent leakage, dripping, spilling, or other discharge of grease wastes and any public or private property.

8. Maintenance Records. A log indicating each pumping of a grease interceptor for the previous 12 months shall be maintained by each food service establishment. A log indicating each pumping of an oil/water separator for the previous 12 months shall be maintained by the Owner or his representative. This log shall include date, time, amount pumped, hauler and disposal site, and shall be kept in a conspicuous location for inspection by Health Department or City personnel. The maintenance record log shall be recorded in the format on file with the City.

9. Maintenance Reporting. The information required in the maintenance log shall be submitted to the City annually. The reporting period is January 1st through December 31st of each year. The report shall be submitted within 30 days after the end of the reporting period.

10. Failure to Maintain. If a failure to maintain settling tanks, grit traps, grease interceptors, or oil/water separators results in partial or complete blockage of the building sewer, private sewer system discharge to the City 's sewer system, or other parts of the City 's sewer system, or adversely affects the treatment of transmission capabilities of the POTW, or requires excessive maintenance by the City , or poses a possible health hazard, the discharger responsible for the facilities shall be subject to costs associated for cleaning and maintaining the City 's sewer.

    The City shall contract directly with an outside contractor to clear the blockage and/or clean the sewer and bill the owner for the cost of the work, plus an administrative fee of 10 percent. The City shall bill and collect said charges in the same manner as other sewer utility rates are collected including, but not limited to, the sewer lien procedures provided under Chapter 35.67 RCW.

11. Hazardous Material Prohibited. No person shall collect, transport, or handle any hazardous material in any vehicle used for grease waste handling.

J. **Maintenance Log Format**

1. All pumpage collected by haulers from grease interceptors and oil/water separator shall be verified by a maintenance log which confirms pumping, hauling, and disposal of waste. Maintenance records and maintenance reporting requirements are specified in Articles 2.9(I)8 and 9. Each person who engages in grease waste hauling shall complete the log each time such person services a grease interceptor. Such person shall provide a copy of the log to the generator of the grease waste.

2. Type I Maintenance Log Format. The Type I format shall be used when the transporter of the pumpage maintains and operates a grease waste treatment facility where such facility is permitted by the local Department of Health in the county in which the facility is located. The local Health Department Permit shall specifically cover activities associated with grease waste recycling and/or disposal activities.

3. Type II Maintenance Log Format. The Type II grease waste interceptor maintenance log format shall be used when the transporter of the pumpage does not maintain and operate a permitted grease waste treatment facility.

The Type II format shall be used by all transporters not on the list of permitted and approved grease waste receiving facilities maintained by the City. Any transporter on the approved list who does not dispose of the hauled grease waste at its own permitted treatment facility shall use the Type II format.

4. All hauling and recycling of restaurant, grease which are disposed of at an approved rendering plant shall have a record log for such hauling and disposal (Article 2.9(G)).

K. **Inspection and Entry**

1. Any and all premises serviced by a grease interceptor and oil/water separator and any and all records pertaining thereto shall be subject to inspection by City personnel for the purpose of determining compliance with this chapter.

2. Any and all premises and vehicles used by any person performing grease waste handling any and all records of such person which relate to such person's grease waste handling activities shall be subject to inspection by the City for the purpose of determining compliance with this chapter.

L. **Existing Dischargers of Grease Wastes**

1. All existing restaurants, cafes, bakeries, lunch counters, cafeterias, meat cutting facilities, bars, or clubs, or hotel, hospital, sanitarium, factory or school kitchens; or other establishments that serve or prepare food where grease may be introduced to the sewer system which do not have grease interceptors; or do not have adequately sized interceptors at the time of adoption of the Ordinance shall meet the requirement for interception of grease, oils and fats by installing an approved grease interceptor and/or UPC-approved mechanical device.

2. Approved grease interceptors or devices shall be installed within 6 months of the adoption of the Ordinance for existing facilities. Facilities will be notified in writing by the City.

3. Existing facilities which currently have grease interceptors and oil/water separators of adequate size to meet the requirements of this article shall submit drawings of the existing installation along with calculations to demonstrate the adequacy of the existing installation. If the Department Head determines that the existing grease interceptor and oil/water separator meets the requirements of this Article, the facility will be required to install only the sampling chamber as shown on the standard plan for grease interceptors.

2.10 COMPLIANCE DEADLINE FOR PRETREATMENT REQUIREMENTS

A. Existing sources covered by one or more Categorical Pretreatment Standards shall comply with such standards within 3 years of the date the standard is effective unless the pretreatment standard includes a more stringent compliance schedule. Ecology shall establish a final compliance deadline date for any existing user not covered by Categorical Pretreatment Standards or for any Categorical User when the state limits for said user are more restrictive than EPA's Categorical Pretreatment Standards.

B. New sources and new users shall comply with applicable pretreatment standards within the shortest feasible time. Such time shall not exceed 90 days from the beginning of discharge. Prior to commencing discharge, such users shall install and start up all pollution control devices necessary for compliance with pretreatment standards.

2.11 ADDITIONAL PRETREATMENT MEASURES

A. Whenever deemed necessary, the City may require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage waste streams from industrial waste streams, and such other conditions as may be necessary to protect the POTW and determine the user's compliance with the requirements of this Ordinance.

B. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

C. Each user discharging more than 10,000 gallons per day or ten percent (10%) of the average daily flow into the POTW, whichever is less, may be required by the City to install and maintain, on his/her property and at his/her expense, a suitable storage and flow-control facility to ensure equalization of flow over a twenty-four (24) hour period. The facility shall have a capacity for at least 50 percent (50%) of the daily discharge volume and shall be equipped with alarms and a rate of discharge controller, the regulation of which shall be directed by the City . The City may require the user to obtain a wastewater discharge permit solely for flow equalization, or to develop a Slug Discharge Control Plan (below). Such user may be required to install an approved flow measuring device.

2.12 ACCIDENTAL SPILL/SLUG DISCHARGE CONTROL PLANS

A. The City may require any user to install, properly operate, and maintain, at his/her own expense, facilities to prevent slug loads or accidental discharges of pollutants to the POTW. The City may require users to produce and/or implement spill plans developed in compliance with OSHA, Health, Fire, and Ecology regulations relative to discharges to the POTW. When such plans are required by the City , the user shall provide:

1. A description of discharge practices, including non-routine batch discharges;

2. A description of stored chemicals;

3. Procedures for immediately notifying the City of any accidental or slug load discharges, with a follow-up written notification within five (5) days; and

4. Procedures to prevent adverse impact from any accidental or slug load discharge, including, but not limited to, the following: inspection and maintenance of storage areas; handling and transfer of materials; loading and unloading operations; control of plant site runoff; worker training; building of containment structures or equipment; and measures for emergency response.

B. Users shall verbally notify the City immediately upon the occurrence of a "slug" or "accidental discharge" of substances regulated by this Ordinance and take immediate actions to correct the situation. This notification shall include location of discharge, date and time thereof, type of waste, concentration and volume, and corrective actions. The user shall follow-up with a written notification to the City containing the same information within five (5) days following the accidental discharge.

C. Any user who discharges an accidental discharge or slug load shall be liable for:

1. Recovery of any resultant expenses, losses, and damages to the POTW;

2. Recovery of any fines or settlements levied upon the City on account thereof by any government agency or court of competent jurisdiction;

3. Applicable fines and penalties assessed by the City for noncompliance with this Ordinance.

2.13 SEPTIC OR LIQUID HAULED WASTES

A. Septic tank and liquid waste haulers may introduce substances into the POTW only at a designated receiving structure and at such times as are established by the City. No load may be discharged without prior consent of the City.

B. Such wastes shall not violate any discharge prohibition or standard of this Ordinance or any other requirements established by the City.

C. Septage haulers must provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the waste hauler, permit number, truck identification, addresses of sources, and waste volume and characteristics.

D. The City may exercise absolute discretion in whether or accept any load of septage or hauled wastes. In determining whether to accept a load, the City may collect samples of each hauled load and/or require the hauler to provide a waste analysis of any load prior to discharge.

E. Fees for discharge of hauled wastes to the City 's POTW will be established as part of the user fee system as authorized in this Ordinance.

ARTICLE 3 – WASTEWATER DISCHARGE PERMIT REQUIREMENTS

3.1 REQUIREMENTS TO COMPLETE INDUSTRIAL USER SURVEYS

The City shall periodically notify new, existing, and potential users of the requirement to complete an industrial user survey form. Upon notification, users shall fully and accurately complete the survey form, and return the completed form to the City within 30 days of receipt. Each user shall maintain a copy of the latest completed survey form at their place of business. Failure to fully or accurately complete a survey form, or to maintain the latest survey form on the premises where a wastewater discharge is occurring shall be a violation of this Ordinance.

3.2 PERMIT REQUIREMENTS: DISCHARGE

A. No Significant Industrial User (SIU) shall discharge wastewater into the POTW without first applying for a wastewater discharge permit from Ecology and obtaining a discharge authorization from the City. The City shall require proof of such permit application. Obtaining a wastewater discharge permit does not relieve a permittee of his/her obligation to comply with all Federal and State Pretreatment Standards or Requirements or with any other requirements of federal, state, and local law including the requirement for applying AKART.

B. The City may require other users, including liquid waste haulers, to apply for wastewater discharge permits to uphold the provisions of this Ordinance.

C. The City may also establish, and require users by letter, permit, or rule, to implement best management practices as determined by the applicable control authority to be representative of AKART, or to discontinue use of any substance for which an effective substitute is available which will lessen the potential for violating this Ordinance or any water quality standard, or which may represent a significant decrease either singly, or in combination with other similar users, in the toxicity of pollutant loadings to the POTW.

D. The City encourages all users seeking authorization to discharge to the POTW to complete a pollution prevention review before submitting their request to discharge to the City. The City shall require users who must submit a pollution prevention plan under the State of Washington's Hazardous Waste Reduction Act to provide this plan to the City as a condition of initial or continued discharge.

3.3 PERMIT REQUIREMENTS: DANGEROUS WASTE CONSTITUENTS

Users discharging a wastestream containing dangerous wastes as defined in Chapter 173-303 WAC (listed, characteristic, or criteria wastes) are required to comply with the following permit provisions:

A. Obtain a written authorization to discharge the waste from the City , and either obtain specific authorization to discharge the waste in a State Waste Discharge Permit issued by Ecology, or accurately describe the wastestream in a temporary permit obtained pursuant to 90.48.165 RCW. The description shall include at least:

1. The name of the dangerous waste as set forth in Chapter 173-303 WAC, and the dangerous waste number.

2. The mass of each constituent expected to be discharged.

3. The type of discharge (continuous, batch, or other).

B. Compliance shall be obtained on the following schedule:

1. Before discharge for new users.

2. Within 30 days after becoming aware of a discharge of dangerous wastes to the POTW for existing users.

3. Within 90 days after final rules identifying additional dangerous wastes or new characteristics or criteria of dangerous waste are published for users discharging a newly listed dangerous waste.

ARTICLE 4 – REPORTING REQUIREMENTS

4.1 DISCLOSURE OF RECORDS

All records and reports required by this Ordinance, any applicable state and federal regulation, or any permit or order issued hereunder, will be available on site for review by the City during business hours, when activities are being conducted at the facility, and at all reasonable times.

4.2 REPORTS FROM UNPERMITTED USERS

All Users not obligated to obtain a wastewater discharge permit from Ecology shall provide appropriate reports to the City as the Department Head may require. The

schedule and format of such reports, and the pollutant properties, flow rates, and other pertinent information to be reported shall be determined by the Department Head.

4.3 REPORTING REQUIREMENTS: DANGEROUS WASTE CONSTITUENTS

Any User discharging 100 Kg or more of dangerous waste in any calendar month to the POTW where the pollutants are not reported through self monitoring under an applicable State Waste Discharge permit, shall report to the City and Ecology, the following information to the extent that it is known or readily available to the user:

A. The name of the dangerous waste as set forth in Chapter 173-303 WAC, and the dangerous waste number.

B. The specific hazardous constituents.

C. The estimated mass and concentration of such constituents in wastestreams discharged during the calendar month.

D. The type of discharge (continuous, batch, or other).

E. The estimated mass of dangerous waste constituents in wastestreams expected to be discharged in the next 12 months.

4.4 RECORD KEEPING

A. Users subject to this Ordinance shall retain, and make available for inspection and copying, all records of information maintained to comply with this Ordinance, a State Waste Discharge Permit, if applicable, and approved Operations and Maintenance procedures (inspections, lubrication, repair, calibrations, etc.), if applicable. Users subject to monitoring requirements shall keep records of all monitoring activities required or voluntary. Monitoring records shall include the date, exact place, method, and time of sampling and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses.

B. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the user or POTW, or where the user has been specifically notified of a longer retention period by the City.

ARTICLE 5 – SAMPLING AND ANALYTICAL REQUIREMENTS

5.1 SAMPLING REQUIREMENTS FOR USERS

A. **Applicable Requirements:** Users which discharge into the POTW shall abide by the applicable wastewater monitoring requirements of this Ordinance, any applicable Order, and any state or federal regulation or permit, including a State Waste Discharge permit. The City may require self-monitoring and reporting as a requirement of discharge to the POTW, or may conduct its own monitoring of any discharge.

B. **Categorical User Sampling Requirements:** Categorical Users with combined discharges shall measure flows and concentrations necessary to allow use of the combined wastestream formula of 40 CFR 403.6(e). Where feasible, such users shall sample immediately downstream from any pretreatment facilities, unless the control authority determines end-of-pipe monitoring to be more stringent or applicable.

C. **Non-Categorical Users:** All other users, where required to sample, shall measure the flows and concentrations necessary to evaluate compliance with pretreatment standards and requirements.

D. **Data Required:** All sample results shall indicate the time, date, and place of sampling and methods of analysis, and shall certify that the samples are representative of normal work cycles and expected pollutant discharges from the User. Whenever a user samples and analyzes any regulated pollutant more frequently than required, using methodologies in 40 CFR Part 136, the results of such analysis shall be submitted with the next required discharge report.

5.2 ANALYTICAL REQUIREMENTS

All pollutant analyses required to be reported, with the exception of flow and temperature, shall be performed by a laboratory registered or accredited under the provisions of Chapter 173-50 WAC. Laboratories must be accredited for the analyses for which they are performing. Sampling and analysis techniques used in collection, preservation, and analysis, shall be in accordance with 40 CFR Part 136, unless otherwise specified in an applicable categorical pretreatment standard. Where 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses shall be performed in accordance with procedures approved by EPA or Ecology.

To ensure that the reported data is valid for determining compliance with requirements, all data shall have a detection level (DL) no greater than 25 percent of the regulatory limit included in this ordinance or applicable state or federal regulation. (i.e., for arsenic (As), with a regulatory limit of 0.50 mg/L, the DL shall be no greater than 0.125 mg/L.)

5.3 CITY MONITORING OF WASTEWATER

The City shall follow the procedures required of users described in Articles 5.1 and 5.2 above whenever conducting wastewater sampling of any Industrial User, when such sampling is conducted to ensure compliance with this Ordinance and applicable pretreatment standards and requirements.

ARTICLE 6 – COMPLIANCE MONITORING

6.1 RIGHT OF ENTRY FOR INSPECTION AND SAMPLING

A. The City shall have the right to enter the facilities of any user to ascertain whether the purpose of this Ordinance, and any wastewater discharge permit or order issued under this Ordinance or by Ecology, is being met and whether the user is complying with all requirements thereof. Users shall allow the City ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

B. Where a user has security measures in force which require proper identification and clearance before entry into its premises, the user shall make necessary arrangements with its security operations so that, upon presentation of suitable identification, the Department Head, or his or her agents or assigns, and representatives of local, state, and federal authority will be allowed to enter without delay for the purposes of performing their respective duties.

C. The City, in coordination with Ecology for users with State Waste Discharge Permits, shall have the right to set up on the user's property such devices as are necessary to conduct sampling and/or metering of the user's operations.

D. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the written or verbal request of the City and shall not be replaced. The costs of clearing such access shall be born by the user.

E. Unreasonable delays in allowing the City access to the user's premises shall be a violation of this Ordinance.

6.2 MONITORING FACILITIES

A. Each user shall provide and operate at its own expense a monitoring facility to allow inspection, sampling, and flow measurements of each sewer discharge to the City. Such facilities may be required by Ecology or the City. Monitoring facilities shall be situated on the user's premises, unless this would be impractical or cause undue hardship on the user. In such cases, the user must receive

permission from the City to construct the facility in the public street or sidewalk area, providing it will not be obstructed by landscaping or parked vehicles.

B. The City or applicable control authority, may require the construction and maintenance of sampling facilities at other locations (for example, at the end of a manufacturing line, wastewater treatment system) when deemed appropriate.

C. There shall be ample room in or near such sampling facility to allow accurate sampling and preparation of samples for analysis. The user shall maintain the facility, sampling, and measuring equipment at all times in a safe and proper operating condition at his/her own expense.

D. All monitoring facilities shall be constructed and maintained in accordance with all applicable City development standards and specifications. At a minimum, the monitoring equipment shall include an inspection/sampling manhole with an internal diameter of no less than 48 inches and a surface opening of no less than 24 inches. Any devices used to measure wastewater flow and quality shall be regularly calibrated to ensure their accuracy.

6.3 ACCESS AND INSPECTIONS

A. If the City or an inspector acting as its agent has been refused access to a building, structure or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this Ordinance, or that there is a need to inspect, as part of a routine inspection program of the City designed to verify compliance with this Ordinance or any order issued hereunder or any wastewater discharge permit issued by Ecology, or to protect the overall public health, safety, and welfare of the community, then the City shall seek access to the property or building through the **Skagit County Superior Court**.

B. In the event the Mayor or designee has reason to believe a situation represents an imminent threat to public health and safety, and where entry has been denied or the area is inaccessible, an agent of the City may enter in the company of a uniformed police officer in order to determine if the suspected situation exists, and if so, to take such actions necessary to protect the public.

6.4 VANDALISM

No person shall willfully or negligently break, damage, destroy, uncover, deface, tamper with, or prevent access to any structure, appurtenance or equipment, or other part of the POTW. Any person found in violation of this requirement shall be subject to the sanctions set out in this Ordinance.

ARTICLE 7 – CONFIDENTIAL INFORMATION

7.1 CONFIDENTIAL INFORMATION

A. Records kept by the City with respect to the nature and frequency of discharges from any user shall be available to the public without restriction, unless the user specifically requests, and is able to demonstrate to the satisfaction of the Mayor or designee, that the release of such information would divulge information, processes or methods of production entitled to confidentiality under the law.

B. Users shall clearly mark "confidential" on all area of reports requested to be held confidential from the public. Upon request for this information, the Mayor or designee shall determine if such information is legally afforded this protection under the law. Only information marked "confidential," which the Mayor or designee determines qualifies as such, shall be withheld from the public.

C. Documents claimed as "confidential," however, shall not be withheld from any state or federal agency responsible for oversight of the City's NPDES Permit or authority to implement the NPDES, or federal or state pretreatment programs. Wastewater constituents and characteristics and other "effluent data" as defined by 40 CFR 2.302 will not be recognized as confidential information and will be available to the public without restriction.

ARTICLE 8 – ADMINISTRATIVE ENFORCEMENT REMEDIES

8.1 STATE RESPONSIBILITY FOR ADMINISTRATIVE ACTIONS

The Washington State Department of Ecology is charged with permitting and regulating Significant Industrial Users of the City's POTW. Except for emergency actions, the City shall coordinate actions in regard to control of such users with Ecology. Failure to do so, however, shall not invalidate any action of the City authorized by this Ordinance.

8.2 NOTIFICATION OF VIOLATION

A. When the City finds that a user has violated (or continues to violate) any provision of this ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the City may serve upon that user a written Notice of Violation. The City may select any means or service which is reasonable under the circumstances.

B. Within 10 days of the receipt of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the user to the City. Submission of this plan in no way relieves the user of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this section shall limit the authority of the City to take any action, including emergency actions or any other

enforcement action, without first issuing a Notice of Violation.

8.3 CONSENT ORDERS

A. The City is hereby empowered to enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with any user responsible for non-compliance. Such consent orders shall include specific action to be taken by the user to correct the non-compliance within a time schedule also specified by the consent order.

B. Compliance schedules, when included in consent orders, may not extend the compliance date beyond any applicable state or federal deadlines. Consent orders shall have the same force and effect as compliance orders issued pursuant to Article 8.4 below and shall be judicially enforceable. Use of a Consent Order shall not be a bar against, or prerequisite for, taking any other action against the user.

8.4 COMPLIANCE ORDERS

A. Whenever the City finds that a user has violated, or continues to violate, any provision of this Ordinance, or order issued hereunder, the City or applicable control authority may issue a compliance order to the user responsible for the violation directing that, following a specified time period, wastewater services, including collection and treatment, may be discontinued and/or applicable penalties imposed unless adequate pretreatment facilities, devices, or other related appurtenances have been installed and are properly operated and maintained.

B. Compliance orders may also contain such other requirements as might be reasonably necessary and appropriate to address the non-compliance, including, but not limited to, the installation of pretreatment facilities, additional self-monitoring, and management practices designed to minimize the amount of pollutants discharged into the POTW. A compliance order may not extend the deadline for compliance beyond any applicable state or federal pretreatment standard or requirement, nor does a compliance order release the user of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a prerequisite to taking any other action against the user.

C. Failure to comply with any terms or requirements of a compliance order by the user shall be an additional and independent basis for termination of wastewater services, including collection and treatment, or for any other enforcement action authorized under this Ordinance and deemed appropriate by the City.

8.5 ADMINISTRATIVE HEARING

A. A user shall be afforded the opportunity to have or participate in an administrative hearing before the City Council to contest the City's determination to impose penalties, recover costs, or establish compliance schedules. A user shall also have the right to a hearing prior to termination of a user's wastewater services.

B. Notice shall be served on the user specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the user show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served on an authorized representative of the user (return receipt requested) at least fifteen (15) days prior to the scheduled hearing.

C. An administrative hearing shall not be a bar against, or prerequisite for, taking any other action against the user.

8.6 CEASE AND DESIST ORDERS

A. When the City finds that a user has violated (or continues to violate) any provision of this Ordinance, a Wastewater Discharge permit or order by Ecology, or any other pretreatment standard or requirement, or that the user's past violations are likely to recur and may cause a violation of the POTW's NPDES Permit, the City may issue an order to the user directing it to cease and desist all such violations and directing the user to:

1. Immediately cease such actions or discharges as described.

2. Comply with all applicable pretreatment standards and requirements.

3. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.

B. Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the user.

8.7 EMERGENCY SUSPENSION OF WASTEWATER SERVICES

A. The City or applicable control authority may immediately suspend wastewater services including collection and treatment, after notice to the user, if it appears to the City that such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to either the environment, normal operation of the POTW, or the health or welfare of any person or the general public.

B. Any user notified of a suspension of its discharge shall immediately cease all wastewater discharges. In the event of a user's failure to immediately comply voluntarily with the suspension order, the City shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or the danger to the public. The City may allow the user to recommence its discharge when the user has demonstrated that the period of endangerment has passed, unless the termination proceedings in Article 8.8 of this Ordinance are initiated against the user.

C. No person shall attempt to prevent the City from terminating wastewater services in an emergency situation, by barring entry, by physically interfering with City employees or contractors, or by any other means.

D. A user that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the City prior to the date of any show cause or termination hearing authorized by this Ordinance.

E. Nothing in this Article shall be interpreted as requiring a hearing prior to any emergency suspension under this Article.

F. Any suspension of wastewater services, emergency or otherwise, shall include notification to the local Heath Department as shown below:

SKAGIT COUNTY HEALTH DEPARTMENT
P.O. BOX 91071
MOUNT VERNON, WA 98273-1071

8.8 TERMINATION OF TREATMENT SERVICES (NON-EMERGENCY)

A. The City shall have authority to terminate wastewater services, including collection and conveyance to the treatment plant, for any user upon determining that such user has:

1. Refused access as allowed by this Ordinance thereby preventing the implementation of any purpose of this Ordinance.

2. Violated any provision of this Ordinance including the discharge prohibitions and standards of Article 2.

3. Violated any lawful order of the City issued with respect to this Ordinance.

B. For users holding permits to discharge to the POTW, violation of any of the following conditions is also grounds for terminating discharge services:

1. Failure to accurately report wastewater constituents and characteristics.

2. Failure to report significant changes in operations or wastewater constituents or characteristics.

3. Violation of any condition of the user's waste discharge permit.

C. Any suspension of wastewater services, emergency or otherwise, shall include notification to the local Heath Department as shown below:

SKAGIT COUNTY HEALTH DEPARTMENT
P.O. BOX 91071
MOUNT VERNON, WA 98273-1071

ARTICLE 9 – JUDICIAL ENFORCEMENT REMEDIES

9.1 INJUNCTIVE RELIEF

When the City finds that a user has violated (or continues to violate) any provision of this Ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, the City may petition the Skagit County Superior Court for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the wastewater discharge permit, order, or other requirement imposed by this Ordinance on activities of the user. The City may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the user to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a user.

9.2 CIVIL PENALTIES

A. A user which has violated or continues to violate any provision of this Ordinance, or order issued hereunder, or any other pretreatment standard or requirement not reserved by a permit by Ecology shall be liable to the City for a maximum civil penalty of $10,000 per violation. Each day upon which a violation occurs or continues shall constitute a separate violation. In the case of a monthly or other long-term average discharge limits, penalties shall accrue for each day a violation occurs.

B. In addition to the penalty amounts assessable under Article 9.2(A) above, the City may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the

cost of any actual damages incurred by the City including penalties for noncompliance with the City's NPDES Permit to the extent attributable to the user.

C. The City shall petition the Skagit County Superior Court to impose, assess, and recover such sums. In recommending the amount of civil liability, the City shall consider all relevant circumstances, including but not limited to, the extent of harm caused by the violation, the magnitude and duration, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any other factor as justice requires, and shall present this analysis as evidence in support of the recommended penalty.

D. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a user.

9.3 REMEDIES NON-EXCLUSIVE

The provisions in Articles 8 through 10 of this Ordinance are not exclusive remedies. The City reserves the right to take any, all, or any combination of these actions concurrently or sequentially against a non-compliant user or to take other actions as warranted by the circumstances.

ARTICLE 10 – AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS

10.1 GENERAL PROHIBITED DISCHARGE STANDARDS

A. The City may allow an affirmative defense to an enforcement action brought against it for non-compliance with the general and specific prohibitions in Article 2.1(A) and 2.1((B)3) through ((B)7) of this Ordinance. Such defense requires the user to prove to the satisfaction of the City that:

1. The user did not know or have reason to know that its discharge, along or in conjunction with discharges form other sources, would cause pass through or interference;

2. The discharge did not change substantially in nature or constituents from the user's prior discharge when the City was regularly in compliance with it's NPDES permit; and

3. In the case of interference, the user was in compliance with applicable sludge use of disposal requirements.

B. This defense does not relieve the user from responsibility for enforcement to recover costs.

10.2 UPSET

A. Users shall control production of all discharges to the extent necessary to maintain compliance with applicable pretreatment standards upon reduction, loss, or failure of its pretreatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the pretreatment facility is reduced, lost, or otherwise fails.

B. A user who wishes to establish the affirmative defense of upset to an action brought for non-compliance with applicable pretreatment standards shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

1. An upset occurred; the user can identify the cause(s) of the upset; and it was not due to improperly designed or inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation;

2. The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and

3. The user has submitted the following information to the POTW and treatment plant operator within 24 hours of becoming aware of the upset. If this information is provided orally, a written report must follow within five days:

   (a) A description of the indirect discharge and cause of non-compliance;

   (b) The period of non-compliance, including exact dates and times or, if not corrected, the anticipated time the non-compliance is expected to continue; and

   (c) Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the non-compliance.

C. Users will only have the opportunity for a judicial determination on a claim of upset in an enforcement action brought for non-compliance with applicable pretreatment standards. In any such enforcement proceeding, the user seeking to establish the occurrence of an upset shall have the burden of proof.

10.3 BYPASS

A. A user may allow a bypass to occur if it does not cause applicable pretreatment standards or requirements to be violated, and if it is for essential maintenance to ensure efficient operations. These bypasses are not subject to the provision of paragraphs (B) and (C) of this Section.

B. Requirements for bypasses subject to pretreatment standards or requirements:

1. If a user knows in advance of the need for a bypass, it shall submit prior notice to the POTW, at least ten days before the date of the bypass, if possible;

2. An Industrial User shall give verbal notification to the City of an unanticipated bypass that exceeds applicable pretreatment standards within 24 hours of becoming aware of the bypass, and submit a written report to the City within five days of becoming aware of the bypass;

3. The written report shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and if the bypass has not been corrected, the anticipated time it is expected to

continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The City may waive the written report if the verbal notification has been received within 24 hours.

C. **Exceptions:** Bypass is prohibited, and the POTW may take an enforcement action against a user for a bypass, unless:

1. Bypass was unavoidable to prevent loss of life, personal injury, or sever property damage;

2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and

3. The user submitted notices as required under paragraph (B) of this Section.

D. The POTW may approve an anticipated bypass, after considering its adverse effects, and that the City determines that it will meet the three conditions listed in paragraph (C) of this Section.

ARTICLE 11 – CHARGES AND FEES

11.1 PURPOSE

A. The City may adopt reasonable fees for reimbursement of costs of setting up and operating the City's pretreatment program.

B. These fees relate solely to the matters covered by this Chapter and are separate from all other rates or charges for sewer services; provided that the City shall collect said charges in the same manner as other sewer utility rates are collected, including but not limited to, the sewer lien procedures provided under Chapter 35.67 RCW.

C. Fees may include:

1. Fees for wastewater discharge authorizations, including the cost of processing the authorization applications, public noticing, issuing and administering the authorization, and reviewing monitoring reports submitted by users;

2. Fees for modifying or transferring authorizations;

3. Fees for monitoring, inspection, surveillance and enforcement procedures including the cost of collection and analyzing a user's discharge;

4. Fees for reviewing and responding to accidental discharge procedures and construction;

5. Fees for preparing and executing enforcement action;

6. Fees for filing appeals;

7. Fees for high strength waste and industrial process flow; and

8. Other fees as the City may deem necessary to carry out the requirements contained herein.

D. All fees or charges will be collected by direct billing. Unless the City has been made aware of extenuating circumstances that would prevent prompt payment, all fees are payable within 30 days of the billing. Fees past due will be considered a violation of this Chapter. Users not paying fees within 60 days of the billing period may be subject to termination of service. The City may change existing or adopt new fees.

ARTICLE 12 – MISCELLANEOUS PROVISIONS

12.1 SEVERABILITY

The provisions of this Ordinance are severable, and if any provision of this Ordinance, or application of any provision of this Ordinance to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this Ordinance shall not be affected thereby.

12.2 REGULATORY CONFLICTS

All other Ordinances and parts of other Ordinances inconsistent or conflicting with any part of this Ordinance, are hereby repealed to the extent of the inconsistency or conflict.

CITY COUNCIL AGENDA
REGULAR MEETING

MAY 0 9 2007

7:00 P.M. COUNCIL CHAMBERS
AGENDA NO. 9

CITY OF SEDRO-WOOLLEY
720 Murdock Street, Sedro-Woolley, WA 98284 (360) 855-0771

Memorandum

To: Mayor and City Council

From: Staff

Date: May 9, 2007

Re: Professional Services Agreement
Katy Isaksen & Associates

Background Information:
The design and construction of the City of Sedro-Woolley's Sewer Capital Improvements Plan has been a work in progress for the past two years now. In an effort to keep moving forward on the plan we would like to use Katy Isaksen & Associates to provide technical advice on where we stand in regard to our sewer fees and General Facility Charge income, as well as consider what needs to happen next.

We would also like Katy to act in an advisory role in developing the stormwater utility rate structure and financing plan.

Recommended Action:
Authorize the Mayor to sign and execute the attached agreement with Katy Isaksen & Associates not to exceed **$9,500**.

ORIGINAL

PROFESSIONAL SERVICES AGREEMENT No. 07 - _

(To be used for engineering, professional, and consultant services)

This Agreement made and entered into this 9th day of May, 2007, by and between the City of Sedro-Woolley, a municipal corporation under the laws of the State of Washington, hereinafter referred to as "City" and Katy Isaksen & Associates whose address is PO Box 30008, Seattle, WA 98113 hereinafter referred to as the "Contractor".

WHEREAS, the City desires to engage the Contractor to perform certain duties relating to professional services, and

WHEREAS, the Contractor has agreed to offer its professional services to perform said work, and

WHEREAS, the Contractor has represented and by entering into this Agreement now represents that it is fully qualified to perform the work to which it will be assigned in a competent and professional manner, to the standards required by City,

NOW, THEREFORE, IT IS MUTUALLY AGREED BETWEEN THE PARTIES:

The City hereby agrees to engage the Contractor and the Contractor hereby agrees to perform, in a satisfactory and proper manner, as determined by City, the services hereafter set forth in connection with this Agreement:

1. Scope of Services.

The Contractor agrees to perform in a satisfactory and proper manner, as determined by the City, services as Provide Technical Advice on developing a potential Stormwater Utility System Development Charge and Financing Plan that are requested by the City.

[ ] from time to time ("on-call");

These services shall include:

[x] see Attachment B-1, the "Scope of Work"; or

---

2. Relationship of Parties.

The Contractor, its subcontractors, agents and employees are independent Contractors performing professional services for City and are not employees of City. The Contractor, its subcontractors, agents and employees, shall not, as a result of this Agreement, accrue leave, retirement, insurance, bonding or any other benefits afforded to City employees. The contractor, subcontractors, agents, and employees shall not have the authority to bind City any way except as may be specifically provided herein.

The Contractor represents that it is customarily engaged in an independently established trade, occupation, profession or business of the same nature as that involved in the contract of services, and that it maintains a principal place of business other than City's office that is eligible for a business deduction under IRS regulations, and that on the effective date of this agreement it assumes responsibility for filing, at the next applicable filing period, a schedule of expenses with the IRS for the services subject to this agreement, it has established all required tax accounts with state government agencies, has a Washington State Uniform Business Identifier number, and is maintaining a separate set of books and records reflecting all expenses and income items of its business.

3. Time of Performance.

The service of the Contractor is to commence

[ ] On or before _____

[x] As soon as practicable after the execution of this Agreement shall be undertaken so as to ensure its expeditious completion in light of the purpose of this Agreement.

[ ] Completed not later than _____

[ ] Pursuant to the schedule set forth on Attachment _____, the "Schedule of Work."

4. Delays and Extensions of Time.

If either party is delayed at any time in the progress of providing services covered by this Agreement, by any causes beyond the party's control, the time for performance may be extended by such time as shall be mutually agreed upon by Contractor and City and shall be incorporated in a written amendment to this Agreement. Any request for an extension of time shall be made in writing to the other party.

5. Compensation and Schedule of Payments.

City shall pay the Contractor

[ ] $_____ per _____, plus an additional sum for costs as normally billed by professionals in the business, including mylars, extra-ordinary postage, copying and transportation, together with applicable sales tax, if any.

[ ] pursuant to the schedule set forth on Attachment C-1, the "Cost estimate."

[x] $ 9,500 is the maximum amount to be paid under this Agreement, and it shall not be exceeded without City's prior written agreement in the form of a negotiated and executed supplemental agreement.

The Contractor shall be paid monthly on the basis of invoices for compensation earned by the Contractor during the billing period, as agreed by the parties. Payment shall be made within ten (10) days after approval of the voucher by the City council.

6. Ownership of Records and Documents.

The written, graphic, mapped, photographic, or visual documents prepared by the Contractor under the scope of work of this Agreement are instruments of the Contractor's services for use by the City with respect to this project and, unless otherwise provided, shall be deemed the property of the City. The City shall be permitted to retain these documents, including reproducible camera-ready originals of reports, reproduction quality mylars of maps, duplicates of 35 mm slides, digital images, and copies in the form of computer files, for the City's use. The City shall have unrestricted authority to publish, disclose, distribute and otherwise use, in whole or in part, any reports, data, drawings, images or other material prepared under this Agreement. Provided, the Contractor shall have no liability for the use of the Contractor's work product outside of the scope of its intended purpose.

7. Termination.

A. This agreement may be terminated by either party for reasonable cause, upon written notice to the other party. Reasonable cause shall include:

a) Material violation of this agreement.

b) Failure to maintain professional standards in the performance of services related to this agreement.

B. This agreement may be terminated without cause upon thirty (30) days notice by the City.

C. Termination of this agreement shall not relieve either party of their obligations under this agreement, which accrue prior to the date of termination, or which, by their nature, are intended to survive completed performance of the scope of work, including the obligation of the City to pay for competent services performed prior to the date of termination.

D. This agreement shall terminate on the date indicated in (3) above or December 31, 2009, whichever is later.

8. Evaluation and Compliance with the Law.

The Contractor agrees to comply with all relevant, federal, state and municipal laws, rules and regulations, including laws governing equal employment opportunity, and prevailing or area standard wage laws, if applicable.

9. City Business and Occupation License.

Prior to performing work under this Agreement, Contractor shall secure a City of Sedro-Woolley Business and Occupation License.

10. Liability and Hold Harmless.

Each party shall indemnify, save, and hold harmless the other party of any claim, damages, losses, liability or expense cause by or resulting from their negligence related to the performance of this contract.

[x] The Contractor shall provide proof to the City that it is insured under a professional liability insurance policy covering the work within the scope of this agreement, in such form and amounts as are acceptable to the City.

[ ] The Contractor shall provide proof to the City that it is insured under a general liability insurance policy covering the work within the scope of this agreement, in such form and amounts as are acceptable to the City.

For purposes of this agreement the Contractor waives immunity under RCW Title 51, the State Industrial Insurance Act for any claim brought by the City.

11. Employment Security. The Contractor shall comply with all employment security laws of the State of Washington, and shall timely make all required payments in connection therewith.

12. Amendments.

This Agreement shall not be altered, changed, or amended except by an instrument in writing executed by the parties hereto. Any changes in the scope of work or compensation shall be mutually agreed upon between the City and the Contractor and shall be incorporated in written amendments to this Agreement.

13. Scope of Agreement.

This Agreement incorporates all the agreements, covenants and understanding between the parties hereto and are merged into this written agreement. No prior agreement or prior understanding, verbal or otherwise, of the parties or their agents shall be valid or enforceable unless set forth in this Agreement or written amendment hereto.

14. **Ratification.**
Acts taken pursuant to this Agreement but prior to its effective date are hereby ratified and confirmed.

15. **Assignability.** This agreement is not assignable by either party, without written consent of the other party.

16. **Notices.** Any notice given in connection with this agreement shall be given in writing and shall be delivered either by hand to the party or by certified mail, return receipt requested, to the party at the party's address stated herein. Any party may change its address stated herein by giving notice of the change in accordance with this paragraph.

17. **Choice of Law/Venue.** Any dispute under this agreement or related to this agreement shall be decided in accordance with the laws of the State of Washington. Venue for any court proceeding arising under or related to this agreement shall be in Skagit County Superior Court.

18. **Non-exclusive Agreement.** This agreement shall not prevent the City of Sedro-Woolley from entering into a contract with another person or firm for similar services.

DATED this _____ day of _____, 20___.

CITY OF SEDRO-WOOLLEY
A Washington Municipal Corporation

By: _____
Mayor

Attest:

_____
City Clerk

CONTRACTOR:

_____

By: _____

Post Office Box 30008, Seattle, WA 98113 ■ (206) 706-8893 ■ (206) 706-7702 fax **Katy Isaksen & Associates**
kisaksenas@aol.com
Financial & Economic Planning
for Local Government

April 18, 2007

B-1

Rick Blair
City Engineer
City of Sedro-Woolley
720 Murdock Street
Sedro-Woolley, WA 98284

Dear Rick,

Per our conversation, the City has been working on the design and construction of sewer capital improvements for two years and continues to make progress. A number of the assumptions used in the sewer financial plan have changed and should be updated to ensure the City can complete the improvements. I respectfully submit this letter scope to review the progress and update the six-year sewer financial outlook.

Background

In 2005, the Sewer Financial Plan was finalized as a chapter in the Sewer Comprehensive Plan. The Council adopted the Plan along with associated rate and connection charge adjustments. The City applied for and secured a Public Works Trust Fund (PWTF) Pre-Construction loan for design of the improvements and a PWTF Construction loan for construction of the improvements. Both of these loans were for the maximum amount allowed for the period and were not necessarily the total amount required. In fact, the construction loan approved was for less than the application due to unforeseen changes in the program administration as the result of legislative action. The City plans on submitting an application in May, 2007 for the remainder of the funds necessary. The time is right for updating the financial outlook.

In addition, the City is currently working with Otak consultants to develop a stormwater utility alternative for funding the stormwater program. The City is interested in applying similar methodology and philosophy to stormwater as was developed for the sewer program. An efficient manner would be for KI&A to provide technical advice to Otak in developing a system development charge and rate proposal.

Proposed Scope of Work

1. **Update the Six-Year Sewer Financial Outlook** – Based on information provided by the City,
    a) update projections for the revenue, operating expense, debt service, capital improvements and reserves for the period 2007-2012,
    b) work cooperatively with the City's consulting engineer and staff in updating the funding scheme for the CIP, and
    c) present the impact on monthly rates and connection charges in a workshop format.

The data to be provided should include: 2005 and 2006 actual revenue and expense reports, beginning 2007 fund balances, 2007 budget, and updated capital improvement information showing projects completed, anticipated cost per project and for projects in process, the remaining amount at the beginning of 2007. Meetings with staff include data review and draft

presentation of results. **Estimated level of effort is 40 hours, with a budget for this task of $4,500.**

2. **Provide Technical Advice on developing a potential Stormwater Utility System Development Charge and Financing Plan** – The sewer financing plan includes a connection charge for new connections to the system. For stormwater, it is typically called a system development charge. Katy Isaksen will work with Otak to develop a similar philosophy for the stormwater. It is anticipated that this would involve several meetings with Otak and city staff and potential participation in one workshop with Council. **Estimated level of effort is up to 45 hours with a budget for this task of $5,000.**

Proposed Budget.....(est. level of effort 85 hours).....not to exceed $9,500.

KI&A typically sets a budget and charges on the basis of time and materials. Ms. Isaksen's current hourly rate is $105 plus direct expenses, primarily mileage. The level of effort for this update is estimated to be up to 85 hours depending on the data collection, revisions and meetings requested. **I would suggest a budget of $9,500 with the expectation that time would be spent as efficiently as possible** to add value to the City's sewer management and stormwater planning process.

Proposed Schedule

Work can begin on Task 1 upon receipt of sewer financial information. The next step would be to set a meeting with the City and consulting engineer to develop an updated CIP schedule with current costs and complete projects. This task could be complete within a month depending on the data and City's calendar.

Work can begin on Task 2 upon request. The schedule would be driven by Otak and the City as KI&A would be providing technical advice.

If this proposal meets the City's intention, please approve by signing below. I look forward to continue working with Sedro-Woolley.

Sincerely,

Katy Isaksen
Katy Isaksen & Associates

Authorized Signature
City of Sedro-Woolley