

Next Ord: 1730-12
Next Res: 858-12

VISION STATEMENT

SEDRO-WOOLLEY IS A FRIENDLY CITY THAT IS CHARACTERIZED BY CITY GOVERNMENT AND CITIZENS WORKING TOGETHER TO ACHIEVE A PROSPEROUS, VIBRANT AND SAFE COMMUNITY

MISSION STATEMENT

TO PROVIDE SERVICES AND OPPORTUNITIES WHICH CREATE A COMMUNITY WHERE PEOPLE CHOOSE TO LIVE, WORK AND PLAY

CITY COUNCIL WORKSESSION

AGENDA

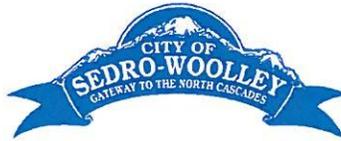
February 1, 2012

7:00 PM

**Sedro-Woolley Municipal Building
Public Safety Training Room
325 Metcalf Street**

- A. Legislative Report
(Staff Contact – Mike Anderson, Eron Berg & Mark Freiberger)

- B. Mayor/Council Roundtable Discussion
(Open discussion re: items of interest)



FELONY JAIL MEDICAL

ISSUE: RCW 70.48.130 (Felony jail medical liability) for offenders who are charged, but not yet sentenced (once sentenced to prison, the state is liable).

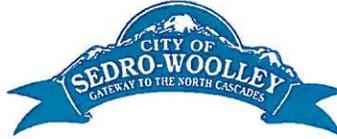
BACKGROUND: On July 1, 2009, SSSB 5930 (2007 session) amended RCW 70.48.130 to change who is liable for felony jail medical costs to the “unit of government whose law enforcement officers ~~that~~ initiated the charges on which the person is being held in jail” from the “unit of government ~~whose law enforcement officers~~ that initiated the charges on which the person is being held in the jail”. As a result, those inmates who are being held on felony charges, under the direction and control of the county prosecuting attorney, have their medical bills charged to the cities if they were arrested, investigated or referred by a city police department.

Unlike misdemeanor offenders, cities have no control over the jail status of felony offenders; counties control those offenders and pay the nightly rate to incarcerate them. This results in a situation where a county prosecuting attorney has the control to determine whether or not a felony offender is incarcerated and if that person has a major medical condition, the county jail official determines the care and the city is sent the whole bill for the costs.

In Sedro-Woolley, we have had several significant felony jail medical bills recently including one for nearly \$26,000 (planned suicide with last minute attempt to save the inmate), another pair that totaled more than \$6,000 (fight that resulted in an MRI for one and hand surgery for another) and last week a fake seizure that will cost us more than \$3,000.

REQUEST: Legislation to return to the June 30, 2009 version: delete “whose law enforcement officers” from the statute.

Counties control felony charging decisions and should therefore be responsible for felony incarceration costs. Cities control misdemeanor charging decision and should be responsible for misdemeanor incarceration costs.



RCW 82.14.370: GRANTS FOR RURAL DISTRESSED COUNTIES

ISSUE: RCW 82.14.370 rebates state sales tax for infrastructure projects in rural, economically distressed counties. Skagit County's commissioners control this money in Skagit County and recently added seven criteria for eligibility that are not found in state law which arbitrarily restricts the use of this money.

BACKGROUND: On June 13, 2011, Skagit County adopted Resolution R20110195 (attached) which established seven criteria for eligibility under the rural distressed counties grant program for public infrastructure. One of these new requirements is that proposed recipients must not have any outstanding "debt" with the County. Outstanding debt is more than three months past due.

This program was intended to rebate state sales tax to timber counties to support infrastructure projects (like road improvements, water line extensions, etc.) that support the creation of jobs. The additional requirements from Skagit County as well as the control of this money by a majority of two commissioners, arbitrarily limits how this money may be spent and unnecessarily politicizes awarding money for projects in areas that desperately need jobs.

REQUEST: Legislation to preempt local government authority to place further restrictions on the use of this money and to allow for an alternate method of managing the distribution of these grant funds that is more inclusive of local governments within counties (e.g., through the existing RTPO/MPO process).

RESOLUTION NO. _____

RESOLUTION TO MODIFY TIMELINES ESTABLISHED IN RESOLUTION 17426,
RESCIND RESOLUTION 18184, AND AMEND ADDITIONAL CRITERIA FOR THE
AWARD OF DISTRESSED COUNTY ECONOMIC DEVELOPMENT PUBLIC FACILITY
GRANT FUNDS DETAILED IN RESOLUTION 17426

WHEREAS pursuant to RCW 82.14.370 the Washington State Legislature in 1997 enacted a Sales and Use Tax for Distressed Counties – Public Facilities in rural counties; and

WHEREAS the Board of Skagit County Commissioners on May 4, 1998 authorized Ordinance No. 16979 imposing a Distressed County Sales and Use Tax in Skagit County; and

WHEREAS monies collected under RCW 82.14.370 shall only be used of the purpose of financing capital public facilities in Skagit County; and

WHEREAS on May 18, 1998 the Board of Skagit County Commissioners established the Distressed County Public Facilities Fund by Resolution No. 16991 to account for all revenue collections and expenditures related to the Distressed County Sales and Use Tax; and

WHEREAS the Board of County Commissioners established original eligibility criteria in Resolution No. 17426; and

WHEREAS the Board of County Commissioners established a schedule for how often applications would be accepted in Resolution No. 18184 that is no longer practical; and

WHEREAS the Board of County Commissioners authorized Resolution No. R20020352 setting forth an application cycle for that year only and is no longer applicable; and

WHEREAS the Board of County Commissioners on June 21, 1999 authorized Ordinance No. 17478 increasing the Distressed County Sales and Use Tax in Skagit County as allowed by Enrolled SHB 2260, Chapter 311, Laws of 1999; and

WHEREAS the Board of County Commissioners on June 25, 2007 authorized Ordinance No. O20070006 increasing the Distressed County Sales and Use Tax in Skagit County as allowed by Second Substitute Senate Bill 5557, Chapter 478, Laws of 2007; and

WHEREAS the Board of County Commissioners desires to modify the criteria previously established in Resolution No. 17426.

~~NOW THEREFORE~~ BE IT RESOLVED AND IT IS HEREBY ORDERED that Resolution No. 18184 originally signed by the Board of County Commissioners on March 12, 2001 be rescinded.

BE IT FURTHER RESOLVED that:

Additional eligibility criteria are as follows:

1. In order for projects to receive funding consideration, a proposal must be received by the Board of County Commissioners based on their criteria and timelines.

2. Match: Preference shall be given to projects that match distressed county fund dollars. Funding priority will be given to projects that have a partnership component. Priority will be given to projects where these funds "complete" the funding package of the project.
3. Job Creation: Funding priority shall be given to projects that result in immediate or near term job creation or retention of jobs. Jobs should be long-term sustainable jobs that exist after construction is complete.
4. Amount: Not more than \$500,000 will be awarded to a single entity per project or project phase.
5. Uses: Funds must be used for construction. No funding may be used for planning, studies, etc.
6. Other Criteria: Recipient must not have any outstanding "debt" with the County. Outstanding debt shall mean any debt originating after execution of this resolution that is more than 3 months past due.
7. The Advisory Committee will review all funding requests and will provide the Board of Skagit County Commissioners with project funding priority recommendations on the timeline established by County Administration.

WITNESS OUR HANDS AND THE OFFICIAL SEAL OF OUR OFFICE THIS 13 DAY OF June, 2011.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



Ron Wesen

Ron Wesen, Chairman

Kenneth A. Dahlstedt

Kenneth A. Dahlstedt, Commissioner

Attest:

Linda Hammer

Clerk of the Board

Sharon D. Dillon

Sharon D. Dillon, Commissioner

Approved as to form:

M. M. [Signature] 6/15/2011

Civil Deputy Prosecuting Attorney

Approved as to Content:

Luisa Logne

Department Head

RESOLUTION NO. 17426

**ESTABLISHING ADVISORY COMMITTEE AND CRITERIA FOR
DISTRESSED COUNTY PUBLIC FACILITY PROJECTS
TO BE FUNDED BY DISTRESSED COUNTY SALES AND USE TAX**

WHEREAS, Pursuant to RCW 82.14.370, the Washington State Legislature in 1997 enacted a Sales and Use Tax for Distressed Counties—Public Facilities in rural counties; and

WHEREAS, The Board of Skagit County Commissioners on May 4, 1998 authorized Ordinance No. 16979 imposing a Distressed County Sales and Use Tax in Skagit County; and

WHEREAS, Monies collected under RCW 82.14.370 shall only be used for the purpose of financing capital public facilities in Skagit County; and

WHEREAS, On May 18, 1998 the Board of Skagit County Commissioners established the Distressed County Public Facilities Fund by Resolution No. 16991 to account for all revenue collections and expenditures related to the Distressed County Sales and Use Tax; and

WHEREAS, The Board of Skagit County Commissioners desires to establish funding recommendations consistent with the intent of RCW 82.14.370.

NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY ORDERED, that The Board of County Commissioners shall appoint a seven (7) member advisory committee to review potential projects to be considered for funding.

The Advisory Committee shall consist of :

1. Chairman of the Board of Skagit County Commissioners
2. One mayor from a large city (population over 1500). This membership shall rotate annually to ensure equal representation from these cities.
3. One mayor from a small city (population under 1500). This membership shall rotate annually to ensure equal representation from these cities.
4. One Port District representative. This membership shall rotate annually to ensure equal representation from the ports.
5. One business community representative. This membership shall rotate annually to ensure equal representation from the business community.
6. Skagit County Administrator
7. EDASC Director

cc: Auditor, Alicia, EDASC, SLOG

The Skagit County Finance Director shall be a non-voting member of the Advisory Committee and will serve as facilitator for Committee meetings.

It shall be the responsibility of this Advisory Committee to make recommendations to the Skagit County Board of Commissioners to invest in capital projects that further the goals of promoting the ongoing operation of business in Skagit County, promoting the expansion of existing businesses in Skagit County, attracting new businesses, assisting in the development of new businesses from within Skagit County, providing family wage jobs to the citizens of Skagit County and promoting the development of communities of excellence in Skagit County.

At the inception of the tax collection, all revenue shall be deposited into the designated, dedicated Distressed County Public Facilities Fund, #342. As soon thereafter as practical, the County shall issue bonds in an amount that will be based on the estimated annual tax collections in 1999 or as adjusted by future legislative action to service bond principal and interest. All interest from the bonds, any additional taxes or other revenues collected from this Act or any subsequent or successor legislation shall be treated in a similar manner. The proceeds of the bonds may only be allocated by the means proscribed in this document.

The Projects, which must be public facilities in nature, shall be defined as publicly owned facilities that generate economic benefit to the citizens of Skagit County. No investment shall be made in support of residential development.

In order for Projects to receive funding consideration, annually a proposal must be presented before the Board of Skagit County Commissioners by September 1 of each year. The Board will then forward proposals to the Advisory Committee for review.

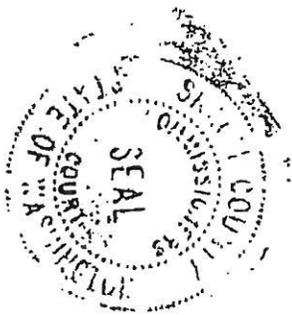
The Board of Skagit County Commissioners hereby establishes the following criteria the Advisory Committee shall address in evaluating projects for funding priority.

1. **Initial Funding Limit:** No single project may receive funding greater than 50% of the available funds in the initial funding year. Limitations on subsequent period funding levels shall be determined at a later date.
2. **Match:** Preference shall be given to projects that match distressed county fund dollars. Funding priority will be given to projects that have a partnership(s) component.
3. **Readiness to Proceed:** Projects will receive a higher priority based on how soon the project can begin after funds are received.
4. **Local Comprehensive Plans:** Projects shall comply with local comprehensive plans and priority given to those that are located within incorporated and unincorporated Urban Growth Areas (UGA).
5. **Job Creation:** Funding priority shall be given to projects that result in immediate or near term job creation or retention of jobs.

- 6. **Wages:** Preference shall be given to projects that generate/retain moderate to high paying jobs. Evaluation should be made of average anticipated wages of the new/retained employees and healthcare benefits available to employees.
- 7. **Desired Project Timeline:** Generally, projects shall be undertaken within twelve (12) months of funding and completed within twenty four (24) months.
- 8. **Other Criteria:** Other criteria as established by legislative actions taken subsequent to the adoption of this resolution will be incorporated in the project funding criteria.

The Advisory Committee will review all funding requests and will provide the Skagit County Board of Commissioners with project funding priority recommendations by the second Monday in October.

3RD WITNESS OUR HANDS AND THE OFFICIAL SEAL OF OUR OFFICE THIS day of May, 1999.



BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON

Ted W Anderson
Ted Anderson, Chairman

Harvey Wolden
Harvey Wolden, Commissioner

Robert Hart
Robert Hart, Commissioner

ATTEST:
Patti Chambers
Patti Chambers, Clerk of the Board

RESOLUTION NO. 18184 ✓

**MODIFYING THE TIMELINE TO SUBMIT APPLICATIONS
UNDER THE SKAGIT COUNTY DISTRESSED COUNTY ECONOMIC
DEVELOPMENT PUBLIC FACILITY PROGRAM**

WHEREAS, Pursuant to RCW 82.14.370, the Washington State Legislature in 1997 enacted a Sales and Use Tax for Distressed Counties—Public Facilities in rural counties; and

WHEREAS, The Board of Skagit County Commissioners on May 4, 1998 authorized Ordinance No. 16979 imposing a Distressed County Sales and Use Tax in Skagit County and on June 21, 1999 authorized Ordinance No. 17478 increasing the optional sales and use tax to 0.08 per cent (0.08%); and

WHEREAS, Monies collected under RCW 82.14.370 shall only be used for the purpose of financing capital public facilities in Skagit County; and

WHEREAS, On May 3, 1999 the Board of Skagit County Commissioners authorized Resolution No. 17426 establishing an advisory committee and criteria for distressed county public facility projects to be funded by the Distressed County Sales and Use Tax; and

WHEREAS, The Board of Skagit County Commissioners desire to modify the timeline previously set forth in Resolution No. 17426 to submit applications under the Skagit County Economic Development Public Facilities Program.

NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY ORDERED, that The Board of County Commissioners will accept applications under the Skagit County Economic Development Public Facilities Program at least annually each year. Formal application timelines will be established by the Board with the intention of having the Advisory Committee review project applications on a semi-annual basis.

The Advisory Committee will review all funding requests and will provide the Skagit County Board of Commissioners with project funding recommendations within 30 days after the Committee has made said recommendations.

12TH WITNESS OUR HANDS AND THE OFFICIAL SEAL OF OUR OFFICE THIS day of March, 2001.



BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON

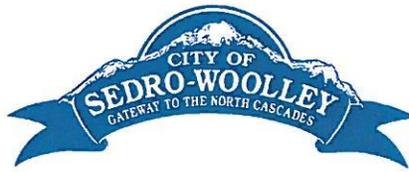
Ted W. Anderson
Ted Anderson, Chairman

Kenneth A. Dahlstedt
Kenneth A. Dahlstedt, Commissioner

Don Munks
Don Munks, Commissioner

ATTEST:
Patti Chambers
Patti Chambers, Clerk of the Board

cc: Alicia, John Moffet



January 25, 2012

SR20 Corridor Freight Mobility and Revitalization Phase 1 – SR20, Cook Road Realignment and Extension Project

Project Overview

SR20 bisects the City of Sedro-Woolley east to west, carrying over 21,000 vehicles per day midway through the city. SR9 bisects the City south to north, and is combined with SR20 from MP64.81 to MP 66.08. SR 20 in this vicinity has a Collision Rate that is well above the State Collision Rate (5.41 MVM2 vs. 3.88 MVM2). The City's **SR20 Corridor Freight Mobility and Revitalization Plan** has identified several impediments to traffic and freight mobility involving these routes, including the existing signalized intersection at SR20 and Cook Road/Ferry Street, an under height and under width BNSF bridge (MP 65.47), and SR20 lane restrictions east of the bridge. Due to high traffic volumes on SR20, Cook Road and Ferry Street, and the proximity to the SR20/SR9 intersection 300' west of the Cook/Ferry intersection, this portion of the corridor experiences regular traffic congestion and delay during peak hours. Both SR20 and Cook Road carry significant freight and passenger traffic to and from Interstate 5 west of the city, and SR9 carries similar traffic in the north-south direction. Current traffic modeling indicates that the intersection LOS will drop below state route minimums (LOS D) by 2020, and to LOS F by 2029.

The Corridor Project has been broken up into four phases for funding purposes. **Phase 1, SR20, Cook Road Realignment and Extension Project** includes realignment and extension of Cook Road east to SR20 with a new roundabout intersection at SR20 MP 65.05, addition of a new city arterial to extend SR9 from SR20 MP 64.81 to Cook Road and F&S Grade Road, and revision of local connector streets. **Phase 2A** consists of modifications to the existing undercrossing at the SR20/BNSF Railroad Bridge 020/226 located at MP 65.47, and **Phase 2B** is for construction of a new BNSF railroad bridge to connect John Liner Road with Jones Road to extend and complete an alternate east-west arterial and deconstruction of an inadequate single lane BNSF crossing at Sapp Road. **Phase 3** includes addition of a center turn lane and pedestrian & bicycle facilities on SR20 from Metcalf Street to Ball Street, which has been funded by TIB and will be constructed in 2011. **Phase 4** will complete the extension of Patrick Road from the new SR20 Roundabout at MP 65.36 to Jones Road. The addition of the proposed Cook Road improvements, along with a city arterial from Cook to F&S Grade Road will also provide a new network of streets allowing development of this area as a commercial zone, providing additional jobs for this distressed community.

Phase 1 Project Features

- Realignment of Cook Road from the existing signalized intersection at MP 64.90 to a new roundabout intersection at MP 65.05. Includes new roadway with two roundabout intersections, curbs, gutters, bicycle lanes, sidewalks, signage, landscaping and illumination
- **Regionally significant project**, providing improved access for east and westbound freight and passenger traffic from SR20 to Cook Road and Interstate 5
- Also provides direct access from South SR9 to Cook Road and from Cook Road to F&S Grade Road via a new city arterial
- Provides significant relief to congestion at the existing SR20/Cook/Ferry intersection, resulting in reduced delay and fuel consumption and air pollution
- Improves safety by reducing collision potential at the existing SR20/Cook/Ferry intersection
- Provides new and improved access and roadway frontage to commercial properties abutting SR20 and existing Washington Street, including direct highway access for the Skagit Industrial Park, supporting economic development and job creation for this commercial/industrial corridor
- Completes pedestrian and bicycle routes between SR20 and Cook Road

SR20 Corridor Freight Mobility and Revitalization Phase 1 – SR20, Cook Road Realignment and Extension Project

Project Status

The **Phase 1** project is in the preliminary design stage. A traffic analysis was completed by WSDOT in 2011 that verified the project concept and recommended that the project proceed to design. Right of way has been acquired or committed for the proposed SR20/Cook Road intersection and the Murrow Street extension. Design phase funding has been secured using committed city funding and STP-R funds. Design phase will commence in February 2012, with design phase completion planned for December 2012.

Phases 2A and 3 have been funded and are under construction with completion expected by the first quarter of 2012. **Phases 2B and 4** are subject to future funding availability.

Project Funding

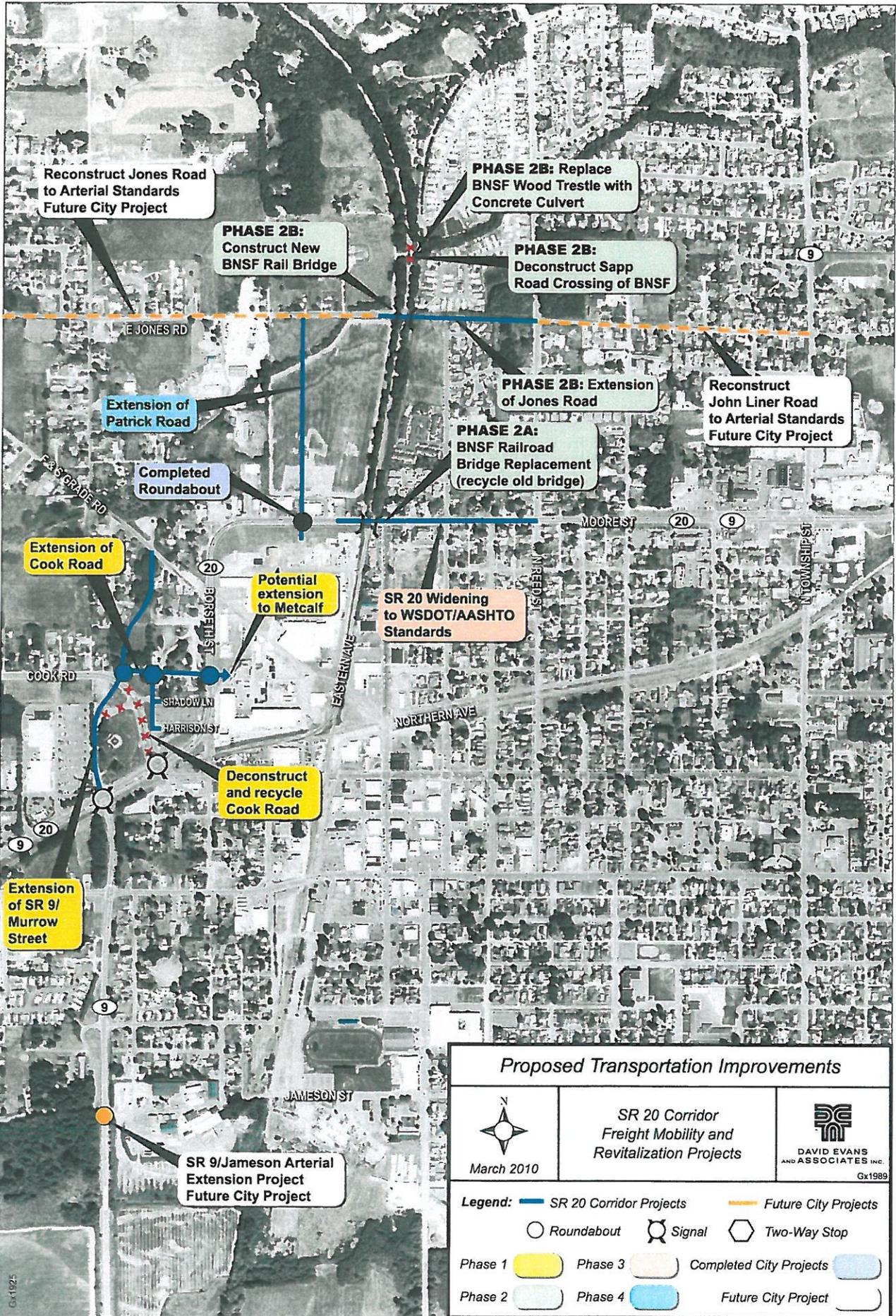
Phase 2A and Phase 3 has been funded by a TIB Urban Arterial Program grant of \$2,256,720, plus \$380,350 from the City of Sedro-Woolley, \$300,000 from Skagit County, and \$20,000 from WSDOT. Construction is under way and will be completed by December 31, 2011.

The preliminary cost estimate for the **Phase 1** project is **\$5,691,000**, including design, environmental, right of way and construction. Right of way totaling \$1,028,800 is secured or committed. The city has committed \$100,000 to this project for preliminary planning. WSDOT has committed \$40,000 for traffic modeling and scoping level estimating. Skagit Council of Governments has authorized \$625,000 of STP-R funds for the project. With these funds the design phase is fully funded. We plan to submit a TIB Urban Corridor Project application totaling \$3,897,004 for the FY2014 TIB grant cycle to complete construction phase funding. We will also pursue other funding opportunities as they arise.

Attachments:

SR20 Corridor Projects Overview Map

Phase 1 SR20, Cook Road Realignment and Extension Project Overview Map



Reconstruct Jones Road to Arterial Standards Future City Project

PHASE 2B: Construct New BNSF Rail Bridge

PHASE 2B: Replace BNSF Wood Trestle with Concrete Culvert

PHASE 2B: Deconstruct Sapp Road Crossing of BNSF

Extension of Patrick Road

Completed Roundabout

PHASE 2B: Extension of Jones Road

Reconstruct John Liner Road to Arterial Standards Future City Project

Extension of Cook Road

Potential extension to Metcalf

PHASE 2A: BNSF Railroad Bridge Replacement (recycle old bridge)

SR 20 Widening to WSDOT/AASHTO Standards

Extension of SR 9/ Murrow Street

Deconstruct and recycle Cook Road

SR 9/Jameson Arterial Extension Project Future City Project

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