

Next Ord: 1825-15
Next Res: 929-15

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 AGENDA

October 28, 2015

7:00 PM

Sedro-Woolley Municipal Building

Council Chambers

325 Metcalf Street

- 1. Call to Order
- 2. Pledge of Allegiance
- 3. Consent Calendar.....3-28

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. Approval of Agenda
- b. Minutes from Previous Meeting & January 14, 2015 Transportation Benefit District Meeting
- c. Finance
 - Claim Checks #182493 to #182576 plus EFT's in the amount of \$413,827.87
 - Payroll Checks #58713 to #58726 plus EFT's in the amount of \$244,119.34
- d. Interlocal Cooperative Agreement for Library Services with Skagit County
- e. 2015 Budget Amendment #3
- f. Establishment of Transportation Benefit District and Public Safety Sales Tax Funds

- 4. Public Comment.....29

PUBLIC HEARING

UNFINISHED BUSINESS

NEW BUSINESS

- 5. Available Property Tax Refund Levy.....30-32
- 6. Property Tax Levy Ordinances (1st reading).....33-44

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

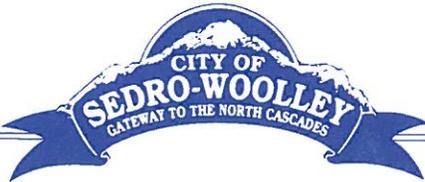
- 7. Marijuana Update.....45-49

EXECUTIVE SESSION

There may be an Executive Session immediately preceding, during or following the meeting.

OCT 28 2015

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



DATE: October 28, 2015
TO: Mayor Anderson and City Council
FROM: Patsy Nelson, Finance Director
SUBJECT: 1) CALL TO ORDER; 2) PLEDGE OF ALLEGIANCE; 3) CONSENT
CALENDAR

1. CALL TO ORDER - The Mayor will call the October 28, 2015 Regular Meeting to Order. The Finance Director will note those in attendance and those absent.

___ Ward 1 Councilmember Kevin Loy
___ Ward 2 Councilmember Germaine Kornegay
___ Ward 3 Councilmember Brenda Kinzer
___ Ward 4 Councilmember Keith Wagoner
___ Ward 5 Councilmember Hugh Galbraith
___ Ward 6 Councilmember Rick Lemley
___ At-Large Councilmember Brett Sandström

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.

OCT 28 2015

7:00 P.M. COUNCIL CHAMBERS
AGENDA NO. 36

CITY OF SEDRO-WOOLLEY

Regular Meeting of the City Council
October 14, 2015 – 7:00 P.M. – Council Chambers

ROLL CALL: Present: Mayor Mike Anderson; Councilmembers: Kevin Loy, Germaine Kornegay, Brenda Kinzer, Keith Wagoner, Hugh Galbraith, Rick Lemley and Brett Sandström
Staff: Recorder Brue, Finance Director Nelson, City Supervisor/Attorney Berg, Public Works Director Freiberger, Planning Director Coleman, Fire Chief Klinger and Police Chief Tucker.

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

Pledge of Allegiance

Consent Calendar

- Approval of Agenda
- Minutes from Previous Meeting (Including October 7, 2015 Worksession)
- Finance
 - Claim Checks #182368 to #182492 in the amount of \$345,241.55.
 - Payroll Checks #58696 to #58712 plus EFT's in the amount of \$284,912.99
- Professional Services Agreement No. 2015-PS-07 On-Call Traffic Modeling
- Amendment to the Interlocal Agreement dated 10/18/2011 with Skagit County Conservation District Public Education & Involvement Project in Support of the NPDES Phase II Stormwater Permit WAR-04-5555
- Interlocal Agreement between the City, County and Port regarding Northern State
- Interlocal Agreement with Skagit County for Provision of Community Services – 2016

Councilmember Galbraith moved to approve the consent calendar items A through G. Seconded by Councilmember Wagoner. Motion carried (7-0).

Public Comment

Julian Pavisì – 519 Sapp Road, addressed the Council regarding several issues such as barking dogs, street repairs (Trail and Cook), single lane underpass on Sapp Rd, tree roots on road needing sealant (Sapp and N. Reed), speeders on N. Reed and Sapp Rd. and the fuel surcharge on the utility bills.

PUBLIC HEARING

Transportation Benefit District – Ordinance Assuming the Rights, Powers, Functions and Obligations of the TBD

City Supervisor/Attorney Berg reviewed the history of the Transportation Benefit District and the proposed ordinance for the city to assume the TBD. He noted the original purpose of the funding remains which is to fund transportation projects within the city limits. Action would allow the City to assume all of the powers, rights, and responsibilities as the TBD without utilizing a second board of directors or needing a second budget and audit.

Mayor Anderson opened the public hearing at 7:11 P.M.

Julian Pavisi – 519 Sapp Road, questioned the implementation of the car tab fee.

Mayor Anderson closed the public hearing at 7:14 P.M.

Councilmember Wagoner moved to adopt the attached Ordinance 1823-15 assuming the Sedro-Woolley Transportation Benefit District. Seconded by Councilmember Kinzer. Motion carried (7-0).

UNFINISHED BUSINESS

Possible Revisions to SWMC Title 6 (City Animal Code)

City Supervisor/Attorney Berg reviewed revisions to the SWMC Title 6 noting previous discussion at the October 7th worksession. He also noted some of the code was created over 110 years ago. Officer Laura Carr performed an extensive review and update of the code. Berg specifically addressed unlawful tethering of dogs and reviewed the conditions under which a dog can be tethered. The City of Arlington's ordinance was used as a guide. Berg stated that Officer Carr sees it as a positive tool in doing her job.

Amy Wood – 160 N. Murdock, addressed tethering of dogs and the affect tethering has on a dog both physical and psychological.

Christine Cameron – 26055 Hoehn Rd, addressed the Council regarding tethering of dogs. She stated she was a licensed veterinary technician for 34 years and also a former code enforcement officer in Colorado for 12 years. She agreed with having to pay for all days of boarding but also noted there are times when tethering is necessary. Cameron encouraged having some wording on the length of time an animal can be tethered.

George Wolner – resident of north Sedro-Woolley stated he appreciated the comments made by Ms. Cameron. He also noted that dogs are family and encouraged to allow the authority to check on how an animal is doing.

Councilmember Kornegay read a letter from Carmen Williams of Sunny Lane Academy into the record in support of the ordinance for restricted tethering.

Councilmember Wagoner spoke regarding the ordinance noting it was a great ordinance but disagreed with the tethering portion. He also noted there is no definition of adequate shelter and that it is overstepping boundaries.

Councilmember Galbraith addressed the enforcement being for people doing bad things with dogs. He expressed concern on how the ordinance is written and believes it will difficult to enforce.

A lengthy discussion was held.

Councilmember Wagoner moved to approve the ordinance minus paragraph 6.120(h)(8). No second received. Motion dies for lack of a second.

Councilmember Sandström moved to adopt ordinance #1824-15 which repeals the current animal code and adopts a new code in its place to address the safety, welfare and regulation of animals within the City of Sedro-Woolley with changes of business with reference to number days and references from slain to killed. Seconded by Councilmember Kinzer. Motion carried (7-0).

NEW BUSINESS

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

Minor Contracts Approved Under SWMC 2.104.060

Police Chief Tucker – reported on the condition of Sgt. Harris who was injured during a high speed chase noting he would be back to work tomorrow. He also reported on a lock down at Cascade Middle School and an accident at the skate board park that resulted with a broken arm. Tucker also spoke on new security features at the high school and the need for a school resource officer.

Asst. Fire Chief Olson – reported on the Fire Academy that is $\frac{3}{4}$ complete. They have also been busy with fire prevention week, Unit 5519 is on its way to be rechassised and they have been very busy with calls.

Planning Director Coleman – reported the Planning Commission will be holding a public hearing on October 20th on the UGA expansion proposals and zoning. They have also been working on Northern State project. He noted the EIS and Sub Area plans are now out for review. A special meeting of the Planning Commission will be held on November 3rd on the sub area plan. On Nov. 17th a public hearing will be held on the sub area plan and planned action ordinance. He also announced a County public hearing on Oct. 27 on what will be placed on the 2016 docket.

Public Works Director Freiburger – reported on the completion of the Greenstreet project, Houser field project, storm drain clearing on F & S Grade road and the construction of a traffic

calming circle in the vicinity of Dunlop St. He also reported receiving authorization for consultant selection for Fruitdale Road as well as advertising for the WWTP equipment assessment.

City Supervisor/Attorney Berg – addressed an Interlocal agreement for the Central Valley Ambulance Authority (CVAA) for sharing a reserve ambulance. He requested council action for approval.

Councilmember Wagoner moved to approve the Interlocal Agreement for Sharing A Reserve Ambulance between Central Valley Ambulance Authority and the City of Sedro-Woolley. Seconded by Councilmember Galbraith. Motion carried (7-0).

City Supervisor/Attorney Berg – reminded everyone present of the Candidates forum scheduled for tomorrow night.

Finance Director Nelson – informed Council that an individual from outside the City Limits has been charged the car tab tax. She worked with the Department of Revenue and Department of Licensing to come up with a procedure for refunds.

Councilmember Loy – thanked police for looking after skate board park.

Councilmember Kornegay – reported on the ribbon cutting for the Hansen Creek Bridge.

Councilmember Wagoner – noted the High School is looking for mentors for Cub Strong days.

Councilmember Galbraith – thanked City Supervisor/Attorney Berg and Nathan for solving a problem regarding signage on a private road.

Councilmember Lemley – announced the upcoming Chamber Halloween parade on Saturday October 31st.

Councilmember Wagoner moved to adjourn. Seconded by Councilmember Kornegay. Motion carried (7-0).

The meeting adjourned at 8:33P.M.

OCT 28 2015

7:00 P.M. COUNCIL CHAMBERS
AGENDA NO. 36

TRANSPORTATION BENEFIT DISTRICT
January 14, 2015
Sedro-Woolley Municipal Building – Council Chambers
7:00 P.M.

Present: Chairman Mike Anderson, Board Members: Kevin Loy, Germaine Kornegay, Brenda Kinzer, Keith Wagoner, Hugh Galbraith, Rick Lemley and Brett Sandström. Staff Present: Recorder Brue, Finance Director Nelson, City Supervisor/Attorney Berg, Public Works Director Freiberger, Planning Director Coleman, Fire Chief Klinger and Police Chief Tucker.

The meeting was called to order by Chairman Mike Anderson at 7:00 P.M.

Pledge of Allegiance

Minutes from Previous Meeting

Board member Kinzer moved to approve the minutes from the December 10, 2014 meeting. Seconded by Board member Kornegay. Motion carried (7-0).

Washington State Department of Licensing (DOL Contract No. K5289) for Administration and Collection of Fees to Provide Funding for Transportation Improvements Within the TBD's Area

City Supervisor/Attorney Berg reviewed the Washington State Department of Licensing (DOL Contract No. K5289). The deadline falls within the next week. Requested authorization for agreement.

Board member Wagoner moved to allow the Chairman to sign the contract with DOL Contract No. K5289. Seconded by Councilmember Kornegay. Motion carried (7-0).

Adoption of 2015 Meeting Schedule

City Supervisor/Attorney Berg addressed the meeting time for the TBD meetings to be set directly prior to the regular City Council meetings.

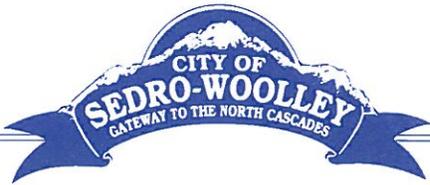
Board member Galbraith moved to approve the document concerning the meeting dates. Seconded by Board member Lemley. Motion carried (7-0).

Board member Wagoner moved to adjourn. Seconded by Board member Galbraith. Motion carried (7-0).

The TBD meeting adjourned at 7:05 P.M.

OCT 28 2015

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



DATE: October 28, 2015
TO: Mayor Anderson and City Council
FROM: Patsy Nelson, Finance Director
SUBJECT: FINANCE - CLAIMS

Attached you will find the Claim Checks register proposed for payment for the period ending October 28, 2015.

Motion to approve Claim Checks #182493 to #182576 plus EFT's in the amount of \$413,827.87.

Motion to approve Payroll Checks #58713 to #58726 plus EFT's in the amount of \$244,119.34.

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.

CHECK REGISTER

City Of Sedro-Woolley
MCAG #: 0647

10/15/2015 To: 10/28/2015

Time: 10:24:43 Date: 10/23/2015

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
7578	10/28/2015	Claims	2	EFT	US Bank -- Purchase Cards	7,245.87	
					621 - 389 50 00 000 - Unapplied Cash - Suspense	-75.50	
					001 - 513 10 43 000 - Meals/Travel	18.00	
					001 - 513 10 49 000 - Tuition/Registration	575.00	
					001 - 515 30 43 000 - Travel/Meals	360.28	
					001 - 515 30 43 000 - Travel/Meals	17.02	
					001 - 515 30 43 000 - Travel/Meals	12.12	
					001 - 515 30 49 001 - Tuition/Registration	210.00	
					001 - 518 20 32 000 - Auto Fuel	28.66	
					001 - 518 80 35 000 - Small Tools/Minor Equip	20.58	
					001 - 518 80 35 000 - Small Tools/Minor Equip	34.99	
					001 - 518 80 35 000 - Small Tools/Minor Equip	69.95	
					001 - 518 80 35 000 - Small Tools/Minor Equip	44.50	
					001 - 521 40 49 000 - Tuition/Registration	196.02	
					001 - 521 40 49 000 - Tuition/Registration	556.00	
					001 - 522 20 31 000 - Operating Supplies	27.00	
					001 - 522 20 35 011 - EMS Minor Equipment	166.65	
					001 - 522 45 31 000 - Supplies & Books	120.00	
					001 - 523 20 31 000 - Office/Operating Supplies	77.28	
					425 - 531 50 31 000 - Operating Supplies	31.07	
					401 - 535 50 48 050 - Maint Of General Equip	2,616.17	
					401 - 535 80 32 000 - Auto Fuel/Diesel	20.02	
					401 - 535 80 43 000 - Meals/Travel	402.37	
					412 - 537 80 31 010 - Office Supplies	182.54	
					105 - 572 20 43 000 - Travel	6.00	
					105 - 572 20 49 010 - Tuition/registration	-85.39	
					105 - 572 20 49 010 - Tuition/registration	13.00	
					101 - 576 80 42 020 - Telephone	146.45	
					001 - 594 18 64 001 - Network Hardware	43.39	
					001 - 594 21 64 000 - Machinery & Equipment	22.00	
					001 - 594 21 64 000 - Machinery & Equipment	617.95	
					401 - 594 35 64 001 - Portable Equipment	177.90	
					105 - 594 72 64 000 - Books & Materials	30.59	
					105 - 594 72 64 000 - Books & Materials	156.26	
					105 - 594 72 64 000 - Books & Materials	256.00	
7579	10/28/2015	Claims	2	EFT	US Bank St. Paul CM-9690	23,900.00	
					407 - 592 35 83 407 - Bond Interest	23,900.00	
7580	10/28/2015	Claims	2	EFT	US Bank St. Paul CM-9690	218,800.00	
					230 - 591 21 71 230 - Bond Principal-GO Bonds	210,000.00	
					230 - 592 21 83 230 - Bond Interest-GO Bonds	8,800.00	
7581	10/28/2015	Claims	2	EFT	WA State Dept Of Revenue	11,670.43	
					001 - 518 80 31 001 - Repair & Maintenance Sup	8.09	
					401 - 535 50 48 000 - Maintenance Contracts	195.50	
					401 - 535 80 31 000 - Office Supplies	30.26	
					401 - 535 80 44 010 - Taxes & Assessments	5,012.59	
					102 - 536 20 44 010 - Taxes And Assessments	292.95	
					412 - 537 80 44 001 - Taxes & Assessments	5,841.14	
					103 - 542 64 31 000 - Operating Supplies	90.20	
					105 - 572 20 44 010 - Taxes & Assessments	10.57	
					101 - 576 80 44 010 - Taxes And Assessments	85.29	
					001 - 594 18 64 001 - Network Hardware	47.80	
					501 - 594 21 64 501 - Vehicles - Police	56.04	
7582	10/28/2015	Claims	2	182493	Andgar	135.63	
					401 - 535 50 48 050 - Maint Of General Equip	135.63	
7583	10/28/2015	Claims	2	182494	Aramark Uniform Services	29.88	
					401 - 535 80 49 000 - Laundry	8.22	
					401 - 535 80 49 000 - Laundry	8.22	

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
					103 - 542 30 49 000 - Misc-Laundry	6.72	
					103 - 542 30 49 000 - Misc-Laundry	6.72	
7584	10/28/2015	Claims	2	182495	Assoc Petroleum Products		214.48
					001 - 518 20 32 000 - Auto Fuel	59.49	
					401 - 535 80 32 000 - Auto Fuel/Diesel	154.99	
7585	10/28/2015	Claims	2	182496	Association Of WA Cities		3,091.98
					001 - 521 20 27 000 - Retired Medical	3,091.98	
7586	10/28/2015	Claims	2	182497	Bay City Supply		216.89
					101 - 576 80 31 012 - Operating Sup - Hammer	73.56	
					101 - 576 80 48 021 - Equipment	143.33	
7587	10/28/2015	Claims	2	182498	Bioscience Inc		1,725.00
					401 - 535 50 48 010 - Maintenance Of Lines	1,725.00	
7588	10/28/2015	Claims	2	182499	Blumenthal Uniform & Equip		552.93
					001 - 522 20 26 000 - Uniforms	78.20	
					001 - 522 20 26 000 - Uniforms	474.73	
7589	10/28/2015	Claims	2	182500	Booklist		147.50
					105 - 594 72 64 000 - Books & Materials	147.50	
7590	10/28/2015	Claims	2	182501	Brim Tractor Company Inc		297.24
					103 - 542 30 48 010 - Repair/Maintenance-Equip	297.24	
7591	10/28/2015	Claims	2	182502	Carl's Towing Inc		242.77
					001 - 521 20 41 001 - Professional Services	242.77	
7592	10/28/2015	Claims	2	182503	Cascade Natural Gas Corp		373.47
					001 - 521 20 47 000 - Public Utilities	10.60	
					001 - 522 50 47 000 - Public Utilities	38.43	
					401 - 535 80 47 000 - Public Utilities	30.48	
					101 - 576 80 47 052 - Bingham Caretaker	31.67	
					101 - 576 80 47 070 - City Hall	262.29	
7593	10/28/2015	Claims	2	182504	Chemsearch		138.34
					401 - 535 80 31 010 - Operating Supplies	138.34	
7594	10/28/2015	Claims	2	182505	Cities Insurance Assoc		2,000.00
					401 - 535 50 48 010 - Maintenance Of Lines	1,000.00	
					103 - 542 30 49 020 - Misc-Judgment & Damages	1,000.00	
7595	10/28/2015	Claims	2	182506	Community Action Of Sk County		592.02
					001 - 562 00 51 030 - Skagit Comm Action Agency	592.02	
7596	10/28/2015	Claims	2	182507	Cricket Media		19.95
					105 - 594 72 64 000 - Books & Materials	19.95	
7597	10/28/2015	Claims	2	182508	Crystal Springs		28.28
					401 - 535 80 31 010 - Operating Supplies	28.28	
7598	10/28/2015	Claims	2	182509	Custom Embroidery		13.24
					401 - 535 80 31 010 - Operating Supplies	13.24	
7599	10/28/2015	Claims	2	182510	Databar		2,461.95
					425 - 531 50 42 010 - Postage	98.48	
					401 - 535 80 42 015 - Postage	1,600.27	
					412 - 537 80 42 010 - Postage	763.20	
7600	10/28/2015	Claims	2	182511	Day Wireless Systems Inc		3,239.26
					001 - 521 20 48 010 - Repair & Maint - Auto	46.11	
					001 - 594 21 64 001 - SWPD Repeater Tower	3,193.15	

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
7601	10/28/2015	Claims	2	182512	E & E Lumber	633.06	
					001 - 522 50 48 020 - Repair/Maint-Garage	4.35	
					401 - 535 80 31 010 - Operating Supplies	28.54	
					401 - 535 80 31 010 - Operating Supplies	20.39	
					412 - 537 80 31 000 - Operating Supplies	31.51	
					412 - 537 80 31 000 - Operating Supplies	19.52	
					412 - 537 80 31 000 - Operating Supplies	11.06	
					101 - 576 80 31 000 - Operating Sup - Metcalf Park	7.40	
					101 - 576 80 31 000 - Operating Sup - Metcalf Park	48.49	
					101 - 576 80 31 000 - Operating Sup - Metcalf Park	89.64	
					101 - 576 80 31 006 - Operating Sup - City Hall	45.67	
					101 - 576 80 35 000 - Small Tools & Minor Equip	34.67	
					101 - 576 80 48 013 - Metcalf Park	196.24	
					101 - 576 80 48 017 - Museum	66.46	
					101 - 576 80 48 017 - Museum	8.75	
					101 - 576 80 48 017 - Museum	8.15	
					101 - 576 80 48 019 - Skatepark	12.22	
7602	10/28/2015	Claims	2	182513	Edge Analytical Inc	47.00	
					401 - 535 80 41 000 - Professional Services	47.00	
7603	10/28/2015	Claims	2	182514	Enterprise Office Systems	106.97	
					001 - 512 50 31 000 - Supplies	106.97	
7604	10/28/2015	Claims	2	182515	Frontier	168.60	
					001 - 522 20 42 020 - Telephone	112.70	
					101 - 576 80 47 010 - Community Center	55.90	
7605	10/28/2015	Claims	2	182516	G.W. Inc. Law Enforcement & Safety Eq.	865.49	
					109 - 594 21 64 109 - Equipment	865.49	
7606	10/28/2015	Claims	2	182517	Good Housekeeping	75.60	
					105 - 594 72 64 000 - Books & Materials	75.60	
7607	10/28/2015	Claims	2	182518	Great America Financial Svcs	125.69	
					105 - 572 20 48 020 - Repair/Maintenance-Equip	125.69	
7608	10/28/2015	Claims	2	182519	HB Jaeger Co LLC	159.19	
					425 - 531 50 31 000 - Operating Supplies	159.19	
7609	10/28/2015	Claims	2	182520	Patrick Hayden	2,553.00	
					001 - 515 30 41 001 - Prosecuting Attorney	2,500.00	
					425 - 531 50 41 000 - Professional Services	53.00	
7610	10/28/2015	Claims	2	182521	Honey Bucket	50.00	
					101 - 576 80 47 090 - Portable Toilets	50.00	
7611	10/28/2015	Claims	2	182522	Humane Society Of Skagit	198.00	
					001 - 521 20 41 021 - Humane Society	198.00	
7612	10/28/2015	Claims	2	182523	Industrial Mowing & Spraying	5,026.26	
					425 - 531 50 41 002 - Contracted Services	5,026.26	
7613	10/28/2015	Claims	2	182524	Infrastructure Technologies LLC	1,500.00	
					401 - 535 50 48 000 - Maintenance Contracts	1,500.00	
7614	10/28/2015	Claims	2	182525	Ingram Library Services	1,023.60	
					105 - 594 72 64 000 - Books & Materials	100.99	
					105 - 594 72 64 000 - Books & Materials	25.17	
					105 - 594 72 64 000 - Books & Materials	10.35	
					105 - 594 72 64 000 - Books & Materials	132.49	
					105 - 594 72 64 000 - Books & Materials	83.48	

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City Of Sedro-Woolley
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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
			105 - 594 72 64 000		Books & Materials	66.59	
			105 - 594 72 64 000		Books & Materials	604.53	
7615	10/28/2015	Claims	2	182526	KCDA Purchasing Cooperative	3,472.15	
			101 - 576 80 48 019		Skatepark	3,472.15	
7616	10/28/2015	Claims	2	182527	Kesselring Tactical Supply	134.16	
			001 - 594 21 64 000		Machinery & Equipment	134.16	
7617	10/28/2015	Claims	2	182528	Mad Magazine	44.99	
			105 - 594 72 64 000		Books & Materials	44.99	
7618	10/28/2015	Claims	2	182529	William R McCann	3,500.00	
			001 - 515 93 41 000		Indigent Defender	3,500.00	
7619	10/28/2015	Claims	2	182530	McLoughlin & Eardley Corp	462.06	
			001 - 522 20 48 000		Repairs/Maint-Equip	462.06	
7620	10/28/2015	Claims	2	182531	Mid-American Research Chem	112.03	
			401 - 535 80 31 010		Operating Supplies	112.03	
7621	10/28/2015	Claims	2	182532	Motor Trucks Inc	137.31	
			103 - 542 30 48 010		Repair/Maintenance-Equip	137.31	
7622	10/28/2015	Claims	2	182533	Neofunds By Newpost	1,200.00	
			001 - 512 50 42 010		Postage	262.74	
			001 - 514 23 42 010		Postage	249.32	
			001 - 515 30 42 000		Postage	0.46	
			001 - 521 20 42 010		Postage	135.92	
			001 - 522 20 42 010		Postage	6.86	
			001 - 524 20 42 000		Postage	9.47	
			425 - 531 50 31 000		Operating Supplies	12.03	
			401 - 535 80 42 015		Postage	156.38	
			102 - 536 20 42 010		Postage	3.18	
			412 - 537 80 42 010		Postage	72.17	
			001 - 558 60 42 010		Postage	261.66	
			001 - 595 10 42 000		Postage	29.81	
7623	10/28/2015	Claims	2	182534	North Cascade Vet Hospital	611.39	
			001 - 521 20 41 020		Veterinary Services	611.39	
7624	10/28/2015	Claims	2	182535	Northstar Chemical Inc	1,777.23	
			401 - 535 80 35 020		Solids Handling	1,777.23	
7625	10/28/2015	Claims	2	182536	Oliver-Hammer Clothes	177.92	
			103 - 542 30 35 010		Safety Equipment	177.92	
7626	10/28/2015	Claims	2	182537	Robert Osborne	275.00	
			001 - 524 20 41 000		Professional Services	275.00	
7627	10/28/2015	Claims	2	182538	P & P Excavating LLC	2,701.65	
			401 - 535 50 48 010		Maintenance Of Lines	2,701.65	
7628	10/28/2015	Claims	2	182539	Pacific Power Batteries	227.09	
			501 - 548 30 31 000		Operating Supplies	227.09	
7629	10/28/2015	Claims	2	182540	Petty Cash-Debra Peterson	36.63	
			105 - 572 20 31 010		Supplies	30.82	
			105 - 572 20 42 010		Postage	5.81	
7630	10/28/2015	Claims	2	182541	Petty Cash	118.53	
			001 - 342 21 00 000		Fire Control Services	-10.00	
			001 - 521 10 41 000		Professional Services	5.00	
			001 - 521 10 41 000		Professional Services	4.49	
			001 - 521 20 42 010		Postage	4.27	
			001 - 522 20 31 000		Operating Supplies	13.16	

CHECK REGISTER

City Of Sedro-Woolley
MCAG #: 0647

10/15/2015 To: 10/28/2015

Time: 10:24:43 Date: 10/23/2015

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
					001 - 522 20 31 000 - Operating Supplies	32.31	
					401 - 535 80 49 040 - Misc-Filing Fees/Lien Exp	10.00	
					401 - 535 80 49 040 - Misc-Filing Fees/Lien Exp	10.00	
					412 - 537 80 49 020 - Misc-Filing Fees/Lien Exp	10.00	
					412 - 537 80 49 020 - Misc-Filing Fees/Lien Exp	10.00	
					001 - 595 10 43 000 - Travel	9.30	
7631	10/28/2015	Claims	2	182542	Platt		188.89
					401 - 535 50 48 050 - Maint Of General Equip	188.89	
7632	10/28/2015	Claims	2	182543	Public Safety Testing		200.00
					001 - 521 20 41 001 - Professional Services	200.00	
7633	10/28/2015	Claims	2	182544	Puget Sound Energy		1,286.09
					103 - 542 63 47 000 - Public Utilities	1,286.09	
7634	10/28/2015	Claims	2	182545	Natl Wildlife Federation Ranger Rick		33.95
					105 - 594 72 64 000 - Books & Materials	33.95	
7635	10/28/2015	Claims	2	182546	SK Co Dept Of Emerg Mgmt		5,645.82
					001 - 525 10 51 000 - Dept Of Emerg Management	5,645.82	
7636	10/28/2015	Claims	2	182547	Sedro-Woolley Auto Parts		231.05
					001 - 521 20 48 010 - Repair & Maint - Auto	42.08	
					001 - 522 20 32 000 - Auto Fuel/Diesel	6.50	
					401 - 535 50 48 040 - Maintenance Of Vehicles	67.79	
					412 - 537 80 31 000 - Operating Supplies	36.36	
					103 - 542 30 31 000 - Operating Supplies	10.62	
					103 - 542 30 31 000 - Operating Supplies	21.24	
					103 - 542 30 31 000 - Operating Supplies	21.04	
					101 - 576 80 48 021 - Equipment	25.42	
7637	10/28/2015	Claims	2	182548	Sedro-Woolley Loggerodeo		6,500.00
					108 - 557 30 41 010 - Loggerodeo	6,500.00	
7638	10/28/2015	Claims	2	182549	Shred It		109.08
					001 - 512 50 31 000 - Supplies	22.39	
					001 - 514 23 31 000 - Supplies	22.39	
					001 - 521 20 31 002 - Office/Operating Supplies	44.78	
					001 - 524 20 31 000 - Off/Oper Supps & Books	6.51	
					001 - 558 60 31 000 - Supplies/Books	6.51	
					001 - 595 10 31 000 - Supplies	6.50	
7639	10/28/2015	Claims	2	182550	Sirchie Finger Print		85.54
					001 - 521 20 31 002 - Office/Operating Supplies	85.54	
7640	10/28/2015	Claims	2	182551	Skagit 911		49,699.50
					001 - 521 20 51 030 - 911 Contracted Services	24,780.95	
					001 - 522 20 51 000 - Central Dispatch	654.32	
					001 - 522 20 51 000 - Central Dispatch	6,532.03	
					001 - 594 21 64 000 - Machinery & Equipment	17,732.20	
7641	10/28/2015	Claims	2	182552	Skagit CD		1,703.84
					425 - 531 50 41 002 - Contracted Services	1,703.84	
7642	10/28/2015	Claims	2	182553	Skagit Council Of Governments		602.37
					001 - 558 60 51 000 - SCOG	602.37	
7643	10/28/2015	Claims	2	182554	Skagit County Auditor		594.00
					401 - 535 80 49 040 - Misc-Filing Fees/Lien Exp	297.00	
					412 - 537 80 49 020 - Misc-Filing Fees/Lien Exp	297.00	
7644	10/28/2015	Claims	2	182555	Skagit County Auditor		8,522.11
					001 - 514 90 51 000 - Voter Registration Costs	8,522.11	

CHECK REGISTER

City Of Sedro-Woolley
MCAG #: 0647

10/15/2015 To: 10/28/2015

Time: 10:24:43 Date: 10/23/2015
Page: 6

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
7645	10/28/2015	Claims	2	182556	Skagit County Sheriff Office	17,771.08	
					001 - 523 60 51 001 - Prisoner Medical	16,667.19	
					001 - 523 60 51 001 - Prisoner Medical	1,103.89	
7646	10/28/2015	Claims	2	182557	Skagit County Treasurer	131.64	
					001 - 586 00 00 001 - Crime Victim & Witnss Prog	131.64	
7647	10/28/2015	Claims	2	182558	Skagit DV & SA Services	347.87	
					001 - 565 50 51 000 - Sk Domestic Violence	347.87	
7648	10/28/2015	Claims	2	182559	Skagit Farmers Supply	128.16	
					103 - 542 30 31 010 - Operating Supplies-Propane	9.94	
					103 - 542 30 48 000 - Repair/Maint-Streets	21.68	
					103 - 542 30 48 000 - Repair/Maint-Streets	17.35	
					103 - 542 30 48 000 - Repair/Maint-Streets	79.19	
7649	10/28/2015	Claims	2	182560	Skagit Law Group, PLLC	242.50	
					109 - 594 21 62 000 - Seizure - Real Property	242.50	
7650	10/28/2015	Claims	2	182561	Skagit Publishing	738.51	
					001 - 511 60 31 001 - Legal Publications	36.93	
					001 - 511 60 31 001 - Legal Publications	147.70	
					001 - 511 60 31 001 - Legal Publications	79.13	
					001 - 558 60 41 010 - Advertising	84.40	
					001 - 558 60 41 011 - Advertising Reimbuseable	232.10	
					001 - 558 60 41 011 - Advertising Reimbuseable	158.25	
7651	10/28/2015	Claims	2	182562	Skagit Regional Clinics	85.00	
					103 - 542 30 49 040 - CDL Endorcement Fees	85.00	
7652	10/28/2015	Claims	2	182563	Heather Sorsdal-Hirotaka	64.99	
					001 - 521 20 26 000 - Uniforms/Accessories	64.99	
7653	10/28/2015	Claims	2	182564	Sparkle Shop Laundries	179.51	
					001 - 521 20 26 000 - Uniforms/Accessories	167.57	
					001 - 521 20 26 010 - Uniform Cleaning	11.94	
7654	10/28/2015	Claims	2	182565	Staples Business Advantage	322.85	
					001 - 521 20 31 002 - Office/Operating Supplies	172.95	
					001 - 521 20 31 002 - Office/Operating Supplies	149.90	
7655	10/28/2015	Claims	2	182566	Stiles Law Inc., PS	2,950.00	
					001 - 512 50 41 010 - Municipal Court Judge	2,950.00	
7656	10/28/2015	Claims	2	182567	Thomas Appraisals & Associates	925.00	
					102 - 536 20 41 000 - Professional Services	550.00	
					102 - 536 20 41 000 - Professional Services	375.00	
7657	10/28/2015	Claims	2	182568	Payment Center Thomson Reuters -- West	257.09	
					001 - 515 30 41 002 - Westlaw Services	257.09	
7658	10/28/2015	Claims	2	182569	True Value	208.76	
					001 - 518 80 35 000 - Small Tools/Minor Equip	15.18	
					001 - 522 20 31 000 - Operating Supplies	13.01	
					001 - 522 20 31 000 - Operating Supplies	26.56	
					001 - 522 50 48 020 - Repair/Maint-Garage	39.88	
					102 - 536 20 31 010 - Operating Supplies	13.87	
					103 - 542 30 48 000 - Repair/Maint-Streets	11.92	
					101 - 576 80 31 000 - Operating Sup - Metcalf Park	23.31	
					101 - 576 80 31 004 - Operating Sup - Comm Cente	6.50	
					101 - 576 80 31 012 - Operating Sup - Hammer	11.92	
					101 - 576 80 48 009 - Hammer Square	39.03	

OCT 28 2015

7:00 P.M. COUNCIL CHAMBERS
AGENDA NO. 39

**INTERLOCAL COOPERATIVE AGREEMENT
FOR
LIBRARY SERVICES**

This Interlocal Cooperative Agreement for Library Services is entered into between Skagit County, hereinafter referred to as the "County", and the City of Sedro-Woolley, hereinafter referred to as the "City" pursuant to RCW 39.34.

This Agreement is based upon the following facts and circumstances:

- The County does not, nor is it required by statute to provide general library services to the citizens residing in unincorporated Skagit County.
- Historically, the City has provided library services to residents and nonresidents alike.
- Non-residents are required to pay a fee for library services.
- Due to increasing competition for funding and increasing library usage, the City is having difficulty providing services to residents and non-residents.
- The County, in 2015, has made funding available for a portion of the costs to provide services to non-resident users of libraries located within the City.

In consideration of the facts listed above, the parties agree as follows:

1. During 2015 the County will provide the City a total sum of \$9,093 to assist in providing library services to the citizens of unincorporated Skagit County. The sum will be distributed to the City based upon the library book, audio, film, video and subscription collection and circulation of each municipal library.
2. None of the County funds received by the City may be used to supplant funding that the City would otherwise provide for library services.
 - 2.1 The City must provide documentation that non-resident library users pay at least \$10 per library card.
 - 2.2 Funds distributed to the City must be used to purchase materials for circulation that will benefit non-resident library users.
3. It is agreed that any portion not used for its intended purpose will be returned to the County within a reasonable time period after the close of the fiscal year.
4. All assets acquired as a result of this funding will become the property of the City. The City will be responsible for all aspects of library operation.

5. Administration: The following individuals are designated as representatives of the respective parties. The representatives shall be responsible for administration of this Agreement and for coordinating and monitoring performance under or greater than this Agreement. In the event such representatives are changed, the party making the change shall notify the other party.
 - 5.1 The County's representative shall be the Budget and Finance Director.
 - 5.2 The City's representative shall be the Library Director.
6. Indemnification: Each party agrees to be responsible and assume liability for its own wrongful and/or negligent acts or omissions or those of their officials, officers, agents, or employees to the fullest extent required by law, and further agree to save, indemnify, defend, and hold the other party harmless from any such liability. It is further provided that no liability shall attach to the County by reason of entering into this contract except as expressly provided herein.
7. Changes, Modifications, Amendments and Waivers: The Agreement may be changed, modified, amended or waived only by written agreement executed by the parties hereto. Waiver or breach of any term or condition of this Agreement shall not be considered a waiver of any prior or subsequent breach.
8. Severability: In the event any term or condition of this Agreement or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other terms, conditions or applications of this Agreement which can be given effect without the invalid term, condition, or application. To this end the terms and conditions of this Agreement are declared severable.
9. Entire Agreement: This Agreement contains all the terms and conditions agreed upon by the parties. All items incorporated herein by reference are attached. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the parties hereto.
10. The term of this agreement is the date of execution through December 31, 2015.

IN WITNESS WHEREOF, the parties have signed this Agreement as of this _____ day of _____, 2015.

CITY OF SEDRO-WOOLLEY

Mike Anderson, Mayor

ATTEST:

Clerk, City of Sedro-Woolley

APPROVED AS TO FORM:

Attorney, City of Sedro-Woolley

DATED this _____ day of _____, 2015.

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

Kenneth A. Dahlstedt, Chair

Lisa Janicki, Commissioner

Attest:

Ron Wesen, Commissioner

Clerk of the Board

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

Recommended:

County Administrator

Department Head

Approved as to form:

Civil Deputy Prosecuting Attorney

Approved as to indemnification:

Risk Manager

Approved as to budget:

Budget & Finance Director

Interlocal Cooperative Agreement
Library Services
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OCT 28 2015

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

Memorandum

To: Mayor Anderson and City Council

From: Patsy Nelson *Patsy*

Date: 10/22/2015

Re: 2015 Budget Amendment #3

Issue: Should the Council adopt the attached ordinance which amends the 2015 budget?

	<u>Revenue</u>	<u>Expenditures</u>
<u>General Fund</u>		
<i>(17th Office, ESO software subscription and critical areas plan)</i>		
313.11.00.000 001 Retail Sales Tax	31,000	
342.21.00.000 001 Fire Control Services	6,500	
521.20.11.000 001 Salaries PD		25,000
522.20.41.000 001 Professional Services - Fire		6,500
558.60.41.000 001 Professional Services – Planning		6,000
<u>Parks</u>		
<i>(Rotary Skatepark bleachers, & SWSD ballfield)</i>		
367.60.00.000 101 Skatepark donations	3,640	
337.20.00.101 101 Sedro Woolley Schools	2,000	
576.80.48.019 101 Skatepark		3,640
594.76.63.015 101 Janicki Field Construction		2,000
<u>Cemetery</u>		
<i>(appraisal services)</i>		
397.00.00.106 102 Transfer from Endowment	1,000	
536.20.41.000 102 Professional Services		1,000

		<u>Revenue</u>	<u>Expenditures</u>
<u>Arterial Streets</u>			
<i>(Change in street projects)</i>			
333.20.20.060	104 STPUS – Jameson/SR9	24,126	
333.20.20.075	104 TAP – Cascade Trail 1B Hodgins-Trail	10,813	
544.40.41.000	104 Transportation Plan Update		16,500
595.10.63.010	104 Eng Fruitdale Road Reconstruction		10,000
595.10.63.040	104 Eng-SR9 Jameson		10,383
595.10.63.075	104 Eng-Cascade Trail 1B Hodgins/Trail		12,500
595.30.63.090	104 Construction Fruitdale/McGarigle Mitigation		7,500
508.80.00.104	104 Ending Cash		-21,944
<u>Library</u>			
<i>(Skagit County contribution)</i>			
347.20.10.000	105 Local Government Use Fees	9,093	
594.72.64.001	105 Books – Skagit County		9,093
<u>Cemetery Endowment</u>			
<i>(Appraisal services)</i>			
597.00.00.106	106 Transfer to Cemetery Operations		1,000
508.80.00.106	106 Ending Cash		-1,000
<u>1996 G/O Bond Redemption</u>			
<i>(Increased fees per new State contract)</i>			
592.21.83.230	230 Bond Interest		100
508.80.00.230	230 Ending Cash		-100
<u>Sewer Operations</u>			
<i>(Change a portion of funding for PWTF loan)</i>			
597.00.03.401	401 Capital Projects Transfer		-150,000
508.80.00.401	401 Ending Cash		150,000
<u>1998 Sewer Revenue Bond</u>			
<i>(Increased fees per new State contract)</i>			
592.35.83.407	407 Bond Interest		100
508.80.00.407	407 Ending Cash		-100
<u>Sewer Facilities Reserve</u>			
<i>(Change a portion of funding for PWTF loan)</i>			
397.00.00.410	410 Sewer Operations Fund 401	-150,000	
508.10.00.410	410 Ending Cash		-150,000
<u>Solid Waste</u>			
<i>(Deposit on additional solid waste vehicle and reduction in container cost due to purchase of used toters)</i>			
597.90.00.412	412 ERR Capital		100,000
537.80.34.001	412 Containers Recycling		-100,000

	<u>Revenue</u>	<u>Expenditures</u>
<u>Stormwater Operations</u>		
<i>(Additional Ecology Grant)</i>		
334.03.10.000 425 Ecology Grant	12,750	
508.80.00.425 425 Ending Cash		12,750
<u>ERR/Fleet Fund</u>		
<i>(Solid waste truck chassis, ambulance chassis and tack distribution trailer payments)</i>		
395.10.00.501 501 Sale of Assets (patch truck)	10,000	
337.20.00.501 501 Skagit County EMS	135,000	
397.00.42.501 501 Solid Waste Equipment Transfer	100,000	
594.22.64.501 501 Vehicles – Fire		150,000
594.37.64.501 501 Vehicles – Solid Waste		138,450
594.42.64.000 501 Vehicles – Streets		10,000
508.80.00.501 501 Ending Cash		-53,450

Recommendation: Approve Ordinance # _____-15 an Ordinance amending Ordinance No. 1807-14 entitled, “An Ordinance adopting the Annual Budget for the City of Sedro-Woolley, Washington, for the fiscal year ending December 31, 2015.”

ORDINANCE NO. -15

AN ORDINANCE AMENDING ORDINANCE 1807-14 ADOPTING THE ANNUAL BUDGET FOR THE CITY OF SEDRO-WOOLLEY, WASHINGTON, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2015

WHEREAS, the Sedro-Woolley City Council has determined that it is in the best interest of the City to amend the 2015 Budget.

NOW, THEREFORE, the City Council of the City of Sedro-Woolley do ordain as follows:

Section 1. The 2015 Budget, adopted by Ordinance 1807-14, and passed by the City Council on November 25, 2014 and is hereby amended as set forth in this Ordinance.

Section 2. Estimated resources, including fund balances or working capital from each separate fund of the City of Sedro-Woolley, and aggregate totals for all such funds combined, for the year 2015 are set forth in summary form below, and are hereby appropriated for expenditure at the fund level during the year 2015 as set forth below:

FUND:	AMOUNT:
001 GENERAL FUND	5,559,944
101 PARKS FUND	754,110
102 CEMETERY FUND	134,540
103 STREET FUND	891,732
104 ARTERIAL STREET FUND	1,348,492
105 LIBRARY FUND	336,573
106 CEMETERY ENDOWMENT FUND	93,645
107 PARKS RESERVE FUND	15,654
108 LODGING TAX FUND	41,726
109 SPECIAL INVESTIGATIONS FUND	28,005
112 CODE ENFORCEMENT FUND	57,331
113 PATHS AND TRAILS FUND	41,485
114 LAW ENFORCEMENT SALES TAX	362,500
115 CITY COUNCIL STRATEGIC RESERVE FUND	77,750
205 G/O BOND REDEMPTION FUND 2008	342,885
206 G/O BOND 2008 RESERVE FUND	150,000
230 G/O BOND 1996 REDEMPTION FUND	257,719
302 CAPITAL PROJECTS RESERVE FUND	291,388

303 BUILDING MAINTENANCE RESERVE FUND	240,881
310 POLICE MITIGATION RESERVE FUND	6,762
311 PARKS IMPACT FEE RESERVE FUND	22,911
312 FIRE IMPACT FEE RESERVE FUND	10,057
401 SEWER OPERATIONS FUND	4,117,151
402 SEWER OPERATIONS RESERVE FUND	848,613
407 98 SEWER REV BOND REDEPTION FUND	835,345
410 SEWER FACILITES RESERVE FUND	2,529,432
411 98 SEWER REV BOND RESERVE FUND	376,482
412 SOLID WASTE OPERATIONS FUND	2,241,366
413 SOLID WASTE RESERVE FUND	316,682
425 STORMWATER FUND	582,559
426 STORMWATER RESERVE FUND	148,654
501 EQUIPMENT REPLACEMENT FUND	1,238,716
621 SUSPENSE (SWSD)	44,129
 TOTAL ALL FUNDS	 24,345,219

Section 3. This ordinance shall be in force and take effect five (5) days after its publication according to law.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR THIS 28TH DAY OF NOVEMBER, 2015.

Mike Anderson, Mayor

ATTEST:

APPROVED AS TO FORM:

Finance Director

City Attorney

OCT 28 2015

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

Memorandum

To: Mayor Anderson & City Council

From: Staff

Date: 10/22/2015

Re: Establishment of Transportation Benefit District and Public Safety Sales Tax Funds

ISSUE: Should the Council adopt the attached ordinance to establish the Transportation Benefit District and the Public Safety Sales Tax Funds?

BACKGROUND: As Council approved Ordinance 1823-15 assuming the Sedro-Woolley Transportation District on October 14, the accounting rules have become much less burdensome. The TBD monies will now be deposited directly into a capital improvement fund and disbursed by Council direction through the normal budget process.

The creation of a separate fund for the receipt of public safety sales tax monies will make the tracking of these monies more transparent, transferring them to the ERR fund as needed rather than upon receipt (current practice).

RECOMMENDATION: Motion to adopt Ordinance _____-15, an Ordinance Establishing the Transportation Benefit District Fund and the Public Safety Sales Tax Fund.

**AN ORDINANCE ESTABLISHING THE TRANSPORTATION BENEFIT DISTRICT
FUND AND THE PUBLIC SAFETY SALES TAX FUND**

WHEREAS, The City Council created a Transportation Benefit District that collects fees for transportation purposes; and

WHEREAS, the citizens passed a sales tax increase to fund public safety; and

WHEREAS, the Council intends by this ordinance to create two new funds for the purpose of receiving revenue from designated sources; NOW THEREFORE,

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

Section 1. A new Section of the Sedro-Woolley Municipal Code is adopted as follows:

SWMC _____.____.____ **Created.**

There is created a City fund designated as the Transportation Benefit District Fund, into which shall be deposited funds received from taxes and fees imposed by the Transportation Benefit District or its successor the City of Sedro-Woolley.

Section 2. A new Section of the Sedro-Woolley Municipal Code is adopted as follows:

SWMC _____.____.____ **Created.**

There is created a City fund designated as the Public Safety Sales Tax Fund, into which shall be deposited funds received from taxes received from the public safety sales tax.

Section 3. This ordinance shall be effective five (5) days after passage and publication as provided by law.

Section 4. The provisions of this ordinance are declared to be severable, and if any section, sentence, clause or phrase of this ordinance shall for any reason be held invalid or unconstitutional or if the application of this ordinance to any person or circumstances shall be held invalid or unconstitutional, such decisions shall not affect the validity of the remaining sections, sentences, clause or phrases of this ordinance.

PASSED by majority vote of the members of the Sedro-Woolley City Council
this ____ day of _____, 2015, and signed in authentication of its passage this ____
day of _____, 2015.

Mike Anderson, Mayor

Attest:

Patsy Nelson, Finance Director

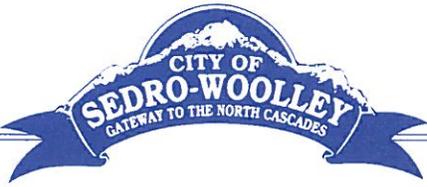
Approved as to form:

Eron Berg, City Attorney

First Reading by City Council: October 28, 2015
Second Reading by City Council:
Approval by City Council:
Signed by the Mayor:
Date of Publication:

OCT 28 2015

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



SUBJECT: PUBLIC COMMENT

Name:
Address:
Narrative:

OCT 28 2015

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

Memorandum

To: Mayor Anderson & City Council
From: Patsy Nelson
Date: 10/22/2015
Re: Available Property Tax Refund Levy

ISSUE: Should the Council approve the two attached refund levies?

BACKGROUND: In 2014 the full amount of the taxes levied by the City Council were not collected due to abatements, cancellations and refunds in the tax rolls. The purpose of the refund levy is to make the taxing district “whole”, replacing the monies which were levied and not paid. If approved, the refund levies are outside of the regular tax increase calculations; they are in addition to the 1% or maximum allowed dollar amounts.

In 2014 the Department of Revenue retroactively approved Skagit Valley Hospital’s application for property tax exemption causing the City to refund taxes paid in 2011 through the first half of 2014. This refund plus the cancellation of the second half of 2014 taxes equaled \$42,787.17 in general taxes and \$5,923.38 in Public Safety Bond taxes; \$48,710.55 in total. Later through an interlocal agreement the Hospital paid the City \$32,668.87 for Fire/EMS Services.

On October 22 the City received the attached notices of available refund levy. Please direct staff, by motion, to request the full refund levies, request partial refund levies or to not request any refund levy.

David M. Thomas
Assessor

Annette M. DeVoe
Chief Deputy Assessor



SKAGIT COUNTY

Office of the Assessor

Administration Building, Room 204
700 South 2nd Street
Mount Vernon, WA 98273
Phone (360) 336-9370 Fax (360) 336-9308
E-Mail: assessor@co.skagit.wa.us

October 19, 2015

NOTICE OF AN AVAILABLE REFUND LEVY

Subject to the maximum statutory rate

We have been notified by the Skagit County Treasurer's office that the full amount of the taxes levied for the prior year were not collected due to abatements and cancellations in the tax rolls.

In accordance with RCW 84.69.180 your district may request that these funds be levied by refund levy in addition to your budget certification, up to the districts statutory maximum rate for collection in the 2016 Levy year.

If you would like the refund levy amount in addition to your districts 2016 Tax Levy budget request, please **sign, date and return** this form to the Assessor's office along with a copy of your budget/levy request.

City of Sedro Woolley

Tax district

\$ 39,112.38

Refund amount

Signature

Date

David M. Thomas
Assessor

Annette M. DeVoe
Chief Deputy Assessor



SKAGIT COUNTY

Office of the Assessor

Administration Building, Room 204
700 South 2nd Street
Mount Vernon, WA 98273
Phone (360) 336-9370 Fax (360) 336-9308
E-Mail: assessor@co.skagit.wa.us

October 19, 2015

NOTICE OF AN AVAILABLE REFUND LEVY

Subject to the maximum statutory rate

We have been notified by the Skagit County Treasurer's office that the full amount of the taxes levied for the prior year were not collected due to abatements and cancellations in the tax rolls.

In accordance with RCW 84.69.180 your district may request that these funds be levied by refund levy in addition to your budget certification, up to the districts statutory maximum rate for collection in the 2016 Levy year.

If you would like the refund levy amount in addition to your districts 2016 Tax Levy budget request, please **sign, date and return** this form to the Assessor's office along with a copy of your budget/levy request.

City of Sedro Woolley Bond

Tax district

\$ 4,772.19

Refund amount

Signature

Date

OCT 28 2015

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

Memorandum

To: Mayor Anderson and City Council
From: Patsy Nelson *Patsy*
Date: 10/12/15
Re: Property Tax Levy Ordinances (first reading)

Background information: The City of Sedro-Woolley's property taxes have two components. The first is voter approved bond tax revenues and the second is general property tax revenues.

Voter Approved Bond Tax Revenues Part of the ordinance is for the debt service for the Public Safety Building which was previously approved by the voters of Sedro-Woolley. Low-income senior citizens and disabled persons do not pay this tax. The 2016 tax request is \$210,000 which is the same as 2009, 2010, 2011, 2012, 2013, 2014 and 2015. December 1, 2016 is the final payment on this bond!

General Property Tax Revenues As the population of the City is greater than 10,000, we fall under the Implicit Price Deflator (IPD) levy limit factor. The IPD limits the property tax levy to the lesser of 100% plus the IPD or 101 percent (plus new construction and annexation). The Department of Revenue calculates the rate of inflation based upon the percentage change in the IPD. For the 2016 tax year the change in the IPD is estimated to be .0251 which limits the 2016 property tax to 100.251% of the 2015 dollar amount of tax (plus any new construction & annexations).

The Council can still levy the full 1% or bank the capacity for the future by passing an ordinance of "substantial need" by a super-majority of the City Council. In 2009 the IPD was a negative number which limited 2010's property tax to 99.152% of the prior year tax. The City Council passed an ordinance declaring substantial need in order to set the 2010 property tax limit at 100% of the 2009 tax amount.

The Skagit County Auditor's Office has issued the City's preliminary assessed valuations with preliminary tax rate calculations and as well as a banked capacity worksheet. Both documents are attached. The final assessed valuations and resulting tax rate, will not be known until January/February, 2016.

If the Council were to decide upon a levy increase in the amount of 1% and declare substantial need, it would result in \$17,815.61 of additional property tax; and a levy increase at the highest lawful levy would result in \$61,975 of additional property tax. Low-income senior citizens and disabled persons either do not pay this tax or receive a tax reduction, as determined by the Skagit County Assessor's Office. The use of this tax increase is not limited to the general fund; it may be restricted for specific items such as the acquisition of land, payment of debt etc.

During 2014 and 2015, three parcels within the City limits, owned by Skagit Valley Hospital were determined to be exempt from property taxation. The total assessed valuation of these parcels was \$5,353,000. The related 2015 general taxes of \$13,300 and public safety bond taxes of \$1,585 will be assumed by the remaining parcels with in the City which are subject to property taxation in 2016.

Sample property tax ordinances are attached showing differing increases in general property taxes. The Voter Approved Bond Tax Revenues are the same on each sample ordinance.

- 0%, keeping property taxes at the same dollar amount for existing properties. Additional revenues will be received from new construction which are taxed at the same rate as existing properties.
- 1% which requires two ordinances as a result of the low IPD. The first ordinance sets the property tax at the IPD which increases the dollar amount of the tax by 100.251%. The second ordinance finds a "substantial need" and sets the general levy amount at 101%.
- 3.45%. If the City Council were to choose impose taxes at the City's highest allowable levy amount in 2016, it would result in a tax increase of 3.45%.

**PRELIMINARY ASSESSED VALUE
FOR COMPUTATION OF PROPERTY
LEVY FOR DISTRICTS WITH
POPULATION MORE THAN 10,000
2015 LEVY FOR 2016 TAXES**

TAXING DISTRICT: CITY OF SEDRO-WOOLLEY

Tax Base for Regular Levy	
1. Preliminary total district taxable value (excluding boats, timber assessed value and senior citizen exemptions from regular levy). Tax base for regular levy:	\$743,759,325
2. 2015 State Assessed Utility value:	\$14,019,182
Preliminary Total Tax Base for Regular Levy	<u>\$757,778,507</u>
Tax Base for Excess and Voted Bond Levies	
3. Less assessed value of the senior citizen/disability exempt property:	
4. Plus 2015 Timber Assessed Value (TAV):	\$0
5. Tax Base for Excess and Voted Bond Levies (1+2-3+4):	<u>\$757,778,507</u>

**PRELIMINARY
LEVY LIMIT CALCULATION
2015 LEVY FOR 2016 TAXES**

A.	Highest regular tax which could have been lawfully levied beginning with the 1985 levy. Year: 2015 \$1,839,237 X 101% = \$1,857,629 (Actual levy taken: \$1795654, \$61,975 banked)	
B.	Current year's assessed value of new construction, improvements and wind turbines, solar, biomass and geothermal facilities in original district before the annexation occurred times last years levy rate. A.V. \$8,012,600 X 2.4843089304 / \$1,000 = \$14,937	
C.	Current year's assessed value of state assessed property in original district if annexed, less last years value of state assessed property. The remainder to be multiplied by last year's regular levy rate. \$ _____ - \$ _____ = \$ _____ Current Yr. A.V. Previous Yr. A.V. Remainder \$ _____ X \$ _____ / \$1,000 = Remainder Last Years Levy Rate	
D.	Refund Levy (Amount levied that was not collected in previous tax years)	\$ _____
E.	Regular Property Tax Limit: A+B+C +D=	<u>\$1,872,567</u>

**PRELIMINARY LEVY RATE
COMPUTATION**

Regular Levy	
Type of Taxing District Statutory maximum dollar rate for taxing district:	\$3.3750
The dollar amount of the certified levy divided by the assessed value \$1,872,567 / \$757,778,507 = 2.47113 *	
For Regular Rate, enter the lesser of the statutory maximum dollar rate or the certified levy rate:	\$2.47113
<small>*Not to exceed the Statutory Maximum rate shown above!</small>	

HOW TO USE BANKED CAPACITY

Taxing District #1 had a levy of \$1,795,654 for the 2015 tax year. They had the proper resolutions and could have had a levy of \$1,839,237. They now have \$43,583 in banked capacity available for the 2015 tax year.

A 1% increase in the highest allowable levy (\$1,839,237) is \$1,867,629.

In order to collect the banked capacity the Resolution/Ordinance should request an increase of \$61,975 which is an increase of 3.45%.

Highest Allowable Levy	-	\$1,839,237
1% Increase	-	+ 18,392
2015 Highest Allowable	-	\$1,857,629
2016 Highest Allowable Levy	-	\$1,857,629
Less 2015 Levy taken	-	1,795,654
Increase allowed	-	\$ 61,975

%Calculation 61,975 divided by 1,795,654 = 3.45%

ORDINANCE NO. -15

AN ORDINANCE OF THE CITY OF SEDRO-WOOLLEY APPROVING THE PROPERTY TAX LEVY AT AN INCREASE OF 0%.

WHEREAS, The City Council of the City of Sedro-Woolley has properly given notice of the public hearing held November 12, 2015, to consider the City of Sedro-Woolley 2016 Real Estate Property Tax Levy; and

WHEREAS, the City Council, after hearing, and after duly considering all relevant evidence and testimony presented, has determined that the City of Sedro-Woolley will not require an increase or decrease in general property tax revenue from the previous year, in addition to the increase resulting from the addition of new construction and improvements to property, addition of properties as a result of annexation and any increase in the value of state assessed property, in order to discharge the expected expenses and obligations of the City of Sedro-Woolley and in its best interest; and

WHEREAS, per a 1996 citizen voted and approved GO Bond issuance, it is necessary to increase property taxes to pay GO Bond principal and interest; and

WHEREAS, the City's actual levy amount from the previous year was \$1,795,654; and

WHEREAS, the population of this City is more than 10,000; and now, therefore,

IT IS HEREBY ORDAINED, by the City Council of the City of Sedro-Woolley, an increase in the regular property tax levy shall not be imposed in addition to the increase resulting from the addition of new construction and improvements to property, addition of properties as a result of annexation and any increase in the value of state-assessed property. It is further ordained that the City Council hereby authorizes the 2016 levy in the amount of an increase of 0.00% from last year, or \$0.00 not to exceed the levy limit as allowed by law.

0%

Also levied here is an amount necessary to fund the debt service of the 1996 G/O Bond Fund (Public Safety Building) in the amount of \$210,000.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR THIS 12th DAY OF NOVEMBER, 2015.

Mike Anderson, Mayor

ATTEST:

Finance Director

APPROVED AS TO FORM:

City Attorney

0%

ORDINANCE NO. -15

AN ORDINANCE OF THE CITY OF SEDRO-WOOLLEY APPROVING THE PROPERTY TAX LEVY AT AN INCREASE OF 0.251%.

WHEREAS, The City Council of the City of Sedro-Woolley has properly given notice of the public hearing held November 12, 2015, to consider the City of Sedro-Woolley 2016 Real Estate Property Tax Levy; and

WHEREAS, the City Council, after hearing, and after duly considering all relevant evidence and testimony presented, has determined that the City of Sedro-Woolley will require an increase in general property tax revenue from the previous year, in addition to the increase resulting from the addition of new construction and improvements to property, addition of properties as a result of annexation and any increase in the value of state assessed property, in order to discharge the expected expenses and obligations of the City of Sedro-Woolley and in its best interest; and

WHEREAS, per a 1996 citizen voted and approved GO Bond issuance, it is necessary to increase property taxes to pay GO Bond principal and interest; and

WHEREAS, the City's actual levy amount from the previous year was \$1,795,654; and

WHEREAS, the population of this City is more than 10,000; and now, therefore,

IT IS HEREBY ORDAINED, by the City Council of the City of Sedro-Woolley, an increase in the regular property tax levy shall be imposed in addition to the increase resulting from the addition of new construction and improvements to property, addition of properties as a result of annexation and any increase in the value of state-assessed property. It is further ordained that the City Council hereby authorizes the 2016 levy in the amount of an increase of 0.251% from last year, or \$4,507.09 not to exceed the levy limit as allowed by law.

0.251%

Also levied here is an amount necessary to fund the debt service of the 1996 G/O Bond Fund (Public Safety Building) in the amount of \$210,000.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR THIS 12th DAY OF NOVEMBER, 2015.

Mike Anderson, Mayor

ATTEST:

Finance Director

APPROVED AS TO FORM:

City Attorney

0.251%

ORDINANCE NO. -15

AN ORDINANCE OF THE CITY OF SEDRO-WOOLLEY MAKING A DECLARATION OF SUBSTANTIAL NEED FOR PURPOSES OF SETTING THE LIMIT FACTOR FOR THE PROPERTY TAX LEVY FOR 2016.

WHEREAS, RCW 84.55.010 provides that a taxing jurisdiction may levy taxes in an amount no more than the limit factor multiplied by the highest levy of the most recent three years plus additional amounts resulting from new construction and improvements to property, newly constructed wind turbines, and any increase in the value of state-assessed utility property; and

WHEREAS, under RCW 84.55.005(2)(c), the limit factor for a taxing jurisdiction with a population of 10,000 or over is the lesser of 101 percent or 100 percent plus inflation; and

WHEREAS, the population of this City is over 10,000; and

WHEREAS, RCW 84.55.005(1) defines “inflation” as the percentage change in the implicit price deflator for personal consumption expenditures for the United States as published for the most recent 12-month period by the Bureau of Economic Analysis of the federal Department of Commerce in September of the year before the taxes are payable; and

WHEREAS, “inflation” for July 2015 is 0.251 and the limit factor is 100.251 percent, meaning the taxes levied in City of Sedro-Woolley in 2015 for collection in 2016 will be less than 101% except for the amounts resulting from new construction and improvements to property, newly constructed wind turbines, and any increase in the value of state-assessed utility property; and

WHEREAS, RCW 84.55.0101 provides for use of a limit factor of 101 percent or less with a finding of substantial need by a majority plus one councilmember; and

WHEREAS, the City Council of the City of Sedro-Woolley has determined that, property tax increases of less than 101% and increased general maintenance and operations expenses, will cut into the City’s ability to provide core services as expected by its citizens;

0.749%

WHEREAS, the City Council of the City of Sedro-Woolley finds that there is a substantial need to set the levy limit at one hundred and one percent (101%).

NOW, THEREFORE, IT IS HEREBY ORDAINED, by the City Council of the City of Sedro-Woolley, that a substantial need exists under RCW 84.55.0101 which authorizes the use of a limit factor of one hundred and one percent (101%) for the property tax levy for 2016.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR THIS 12th DAY OF NOVEMBER, 2015.

Mike Anderson, Mayor

ATTEST:

Finance Director

APPROVED AS TO FORM:

City Attorney

0.749%

ORDINANCE NO. -15

AN ORDINANCE OF THE CITY OF SEDRO-WOOLLEY APPROVING THE PROPERTY TAX LEVY AT AN INCREASE OF 3.45%.

WHEREAS, The City Council of the City of Sedro-Woolley has properly given notice of the public hearing held November 12, 2015, to consider the City of Sedro-Woolley 2016 Real Estate Property Tax Levy; and

WHEREAS, the City Council, after hearing, and after duly considering all relevant evidence and testimony presented, has determined that the City of Sedro-Woolley will require an increase in general property tax revenue from the previous year, in addition to the increase resulting from the addition of new construction and improvements to property, addition of properties as a result of annexation and any increase in the value of state assessed property, in order to discharge the expected expenses and obligations of the City of Sedro-Woolley and in its best interest; and

WHEREAS, per a 1996 citizen voted and approved GO Bond issuance, it is necessary to increase property taxes to pay GO Bond principal and interest; and

WHEREAS, the City's actual levy amount from the previous year was \$1,795,654; and

WHEREAS, the population of this City is more than 10,000; and now, therefore,

IT IS HEREBY ORDAINED, by the City Council of the City of Sedro-Woolley, an increase in the regular property tax levy shall be imposed in addition to the increase resulting from the addition of new construction and improvements to property, addition of properties as a result of annexation and any increase in the value of state-assessed property. It is further ordained that the City Council hereby authorizes the 2016 levy in the amount of an increase of 3.45% (estimated) from last year, or \$61,975 not to exceed the levy limit as allowed by law.

3.45%

Also levied here is an amount necessary to fund the debt service of the 1996 G/O Bond Fund (Public Safety Building) in the amount of \$210,000.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR THIS 12th DAY OF NOVEMBER, 2015.

Mike Anderson, Mayor

ATTEST:

Finance Director

APPROVED AS TO FORM:

City Attorney

3.45%

OCT 28 2015

 KeyCite Yellow Flag - Negative Treatment
Proposed Legislation

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

West's Revised Code of Washington Annotated
Title 69. Food, Drugs, Cosmetics, and Poisons (Refs & Annos)
Chapter 69.50. Uniform Controlled Substances Act (Refs & Annos)
Article III. Regulation of Manufacture, Distribution, and Dispensing of Controlled Substances

West's RCWA 69.50.331

69.50.331. Application for license

Effective: July 1, 2015
Currentness

(1) For the purpose of considering any application for a license to produce, process, research, transport, or deliver marijuana, useable marijuana, marijuana concentrates, or marijuana-infused products subject to the regulations established under section 502 of this act, or sell marijuana, or for the renewal of a license to produce, process, research, transport, or deliver marijuana, useable marijuana, marijuana concentrates, or marijuana-infused products subject to the regulations established under section 502 of this act, or sell marijuana, the state liquor and cannabis board must conduct a comprehensive, fair, and impartial evaluation of the applications timely received.

(a) The state liquor and cannabis board must develop a competitive, merit-based application process that includes, at a minimum, the opportunity for an applicant to demonstrate experience and qualifications in the marijuana industry. The state liquor and cannabis board must give preference between competing applications in the licensing process to applicants that have the following experience and qualifications, in the following order of priority:

(i) First priority is given to applicants who:

(A) Applied to the state liquor and cannabis board for a marijuana retailer license prior to July 1, 2014;

(B) Operated or were employed by a collective garden before January 1, 2013;

(C) Have maintained a state business license and a municipal business license, as applicable in the relevant jurisdiction; and

(D) Have had a history of paying all applicable state taxes and fees;

(ii) Second priority must be given to applicants who:

(A) Operated or were employed by a collective garden before January 1, 2013;

(B) Have maintained a state business license and a municipal business license, as applicable in the relevant jurisdiction; and

(C) Have had a history of paying all applicable state taxes and fees; and

(iii) Third priority must be given to all other applicants who do not have the experience and qualifications identified in (a)(i) and (ii) of this subsection.

(b) The state liquor and cannabis board may cause an inspection of the premises to be made, and may inquire into all matters in connection with the construction and operation of the premises. For the purpose of reviewing any application for a license and for considering the denial, suspension, revocation, or renewal or denial thereof, of any license, the state liquor and cannabis board may consider any prior criminal conduct of the applicant including an administrative violation history record with the state liquor and cannabis board and a criminal history record information check. The state liquor and cannabis board may submit the criminal history record information check to the Washington state patrol and to the identification division of the federal bureau of investigation in order that these agencies may search their records for prior arrests and convictions of the individual or individuals who filled out the forms. The state liquor and cannabis board must require fingerprinting of any applicant whose criminal history record information check is submitted to the federal bureau of investigation. The provisions of RCW 9.95.240 and of chapter 9.96A RCW do not apply to these cases. Subject to the provisions of this section, the state liquor and cannabis board may, in its discretion, grant or deny the renewal or license applied for. Denial may be based on, without limitation, the existence of chronic illegal activity documented in objections submitted pursuant to subsections (7)(c) and (10) of this section. Authority to approve an uncontested or unopposed license may be granted by the state liquor and cannabis board to any staff member the board designates in writing. Conditions for granting this authority must be adopted by rule.

(c) No license of any kind may be issued to:

(i) A person under the age of twenty-one years;

(ii) A person doing business as a sole proprietor who has not lawfully resided in the state for at least six months prior to applying to receive a license;

(iii) A partnership, employee cooperative, association, nonprofit corporation, or corporation unless formed under the laws of this state, and unless all of the members thereof are qualified to obtain a license as provided in this section; or

(iv) A person whose place of business is conducted by a manager or agent, unless the manager or agent possesses the same qualifications required of the licensee.

(2)(a) The state liquor and cannabis board may, in its discretion, subject to the provisions of RCW 69.50.334, suspend or cancel any license; and all protections of the licensee from criminal or civil sanctions under state law for producing, processing, researching, or selling marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products thereunder must be suspended or terminated, as the case may be.

(b) The state liquor and cannabis board must immediately suspend the license of a person who has been certified pursuant to RCW 74.20A.320 by the department of social and health services as a person who is not in compliance with a support order. If the person has continued to meet all other requirements for reinstatement during the suspension, reissuance of the license is

automatic upon the state liquor and cannabis board's receipt of a release issued by the department of social and health services stating that the licensee is in compliance with the order.

(c) The state liquor and cannabis board may request the appointment of administrative law judges under chapter 34.12 RCW who shall have power to administer oaths, issue subpoenas for the attendance of witnesses and the production of papers, books, accounts, documents, and testimony, examine witnesses, and to receive testimony in any inquiry, investigation, hearing, or proceeding in any part of the state, under rules and regulations the state liquor and cannabis board may adopt.

(d) Witnesses must be allowed fees and mileage each way to and from any inquiry, investigation, hearing, or proceeding at the rate authorized by RCW 34.05.446. Fees need not be paid in advance of appearance of witnesses to testify or to produce books, records, or other legal evidence.

(e) In case of disobedience of any person to comply with the order of the state liquor and cannabis board or a subpoena issued by the state liquor and cannabis board, or any of its members, or administrative law judges, or on the refusal of a witness to testify to any matter regarding which he or she may be lawfully interrogated, the judge of the superior court of the county in which the person resides, on application of any member of the board or administrative law judge, shall compel obedience by contempt proceedings, as in the case of disobedience of the requirements of a subpoena issued from said court or a refusal to testify therein.

(3) Upon receipt of notice of the suspension or cancellation of a license, the licensee must forthwith deliver up the license to the state liquor and cannabis board. Where the license has been suspended only, the state liquor and cannabis board must return the license to the licensee at the expiration or termination of the period of suspension. The state liquor and cannabis board must notify all other licensees in the county where the subject licensee has its premises of the suspension or cancellation of the license; and no other licensee or employee of another licensee may allow or cause any marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products to be delivered to or for any person at the premises of the subject licensee.

(4) Every license issued under chapter 3, Laws of 2013 is subject to all conditions and restrictions imposed by this chapter or by rules adopted by the state liquor and cannabis board to implement and enforce this chapter. All conditions and restrictions imposed by the state liquor and cannabis board in the issuance of an individual license must be listed on the face of the individual license along with the trade name, address, and expiration date.

(5) Every licensee must post and keep posted its license, or licenses, in a conspicuous place on the premises.

(6) No licensee may employ any person under the age of twenty-one years.

(7)(a) Before the state liquor and cannabis board issues a new or renewed license to an applicant it must give notice of the application to the chief executive officer of the incorporated city or town, if the application is for a license within an incorporated city or town, or to the county legislative authority, if the application is for a license outside the boundaries of incorporated cities or towns.

(b) The incorporated city or town through the official or employee selected by it, or the county legislative authority or the official or employee selected by it, has the right to file with the state liquor and cannabis board within twenty days after the date of transmittal of the notice for applications, or at least thirty days prior to the expiration date for renewals, written objections

against the applicant or against the premises for which the new or renewed license is asked. The state liquor and cannabis board may extend the time period for submitting written objections.

(c) The written objections must include a statement of all facts upon which the objections are based, and in case written objections are filed, the city or town or county legislative authority may request, and the state liquor and cannabis board may in its discretion hold, a hearing subject to the applicable provisions of Title 34 RCW. If the state liquor and cannabis board makes an initial decision to deny a license or renewal based on the written objections of an incorporated city or town or county legislative authority, the applicant may request a hearing subject to the applicable provisions of Title 34 RCW. If a hearing is held at the request of the applicant, state liquor and cannabis board representatives must present and defend the state liquor and cannabis board's initial decision to deny a license or renewal.

(d) Upon the granting of a license under this title the state liquor and cannabis board must send written notification to the chief executive officer of the incorporated city or town in which the license is granted, or to the county legislative authority if the license is granted outside the boundaries of incorporated cities or towns.

(8)(a) Except as provided in (b) through (d) of this subsection, the state liquor and cannabis board may not issue a license for any premises within one thousand feet of the perimeter of the grounds of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, or library, or any game arcade admission to which is not restricted to persons aged twenty-one years or older.

(b) A city, county, or town may permit the licensing of premises within one thousand feet but not less than one hundred feet of the facilities described in (a) of this subsection, except elementary schools, secondary schools, and playgrounds, by enacting an ordinance authorizing such distance reduction, provided that such distance reduction will not negatively impact the jurisdiction's civil regulatory enforcement, criminal law enforcement interests, public safety, or public health.

(c) A city, county, or town may permit the licensing of research premises allowed under RCW 69.50.--- (section 1, chapter 71, Laws of 2015) within one thousand feet but not less than one hundred feet of the facilities described in (a) of this subsection by enacting an ordinance authorizing such distance reduction, provided that the ordinance will not negatively impact the jurisdiction's civil regulatory enforcement, criminal law enforcement, public safety, or public health.

(d) The state liquor and cannabis board may license premises located in compliance with the distance requirements set in an ordinance adopted under (b) or (c) of this subsection. Before issuing or renewing a research license for premises within one thousand feet but not less than one hundred feet of an elementary school, secondary school, or playground in compliance with an ordinance passed pursuant to (c) of this subsection, the board must ensure that the facility:

(i) Meets a security standard exceeding that which applies to marijuana producer, processor, or retailer licensees;

(ii) Is inaccessible to the public and no part of the operation of the facility is in view of the general public; and

(iii) Bears no advertising or signage indicating that it is a marijuana research facility.

(9) Subject to section 1601 of this act, a city, town, or county may adopt an ordinance prohibiting a marijuana producer or marijuana processor from operating or locating a business within areas zoned primarily for residential use or rural use with a minimum lot size of five acres or smaller.

(10) In determining whether to grant or deny a license or renewal of any license, the state liquor and cannabis board must give substantial weight to objections from an incorporated city or town or county legislative authority based upon chronic illegal activity associated with the applicant's operations of the premises proposed to be licensed or the applicant's operation of any other licensed premises, or the conduct of the applicant's patrons inside or outside the licensed premises. "Chronic illegal activity" means (a) a pervasive pattern of activity that threatens the public health, safety, and welfare of the city, town, or county including, but not limited to, open container violations, assaults, disturbances, disorderly conduct, or other criminal law violations, or as documented in crime statistics, police reports, emergency medical response data, calls for service, field data, or similar records of a law enforcement agency for the city, town, county, or any other municipal corporation or any state agency; or (b) an unreasonably high number of citations for violations of RCW 46.61.502 associated with the applicant's or licensee's operation of any licensed premises as indicated by the reported statements given to law enforcement upon arrest.

Credits

[2015 2nd sp.s. c 4 § 301, eff. July 1, 2015; 2015 c 70 § 6, eff. July 24, 2015; 2013 c 3 § 6 (Initiative Measure No. 502, approved November 6, 2012), eff. Dec. 6, 2012.]

Notes of Decisions (2)

West's RCWA 69.50.331, WA ST 69.50.331

Current with all laws from the 2015 Regular Session and 2015 1st, 2nd, and 3rd Special Sessions