

Next Ord:2075-24
Next Res:1146-24

CITY COUNCIL STUDY SESSION AGENDA

May 1, 2024

6:00 PM

**Sedro-Woolley Municipal Building
Council Chambers
325 Metcalf Street**

- a. Call to Order**
- b. Pledge of Allegiance**
- c. Roll Call**
- d. Introduction of Special Guests and Presentation**
- e. Unfinished Business**
 - 1. Request for May 8th City Council Discussion on Updating the City's Authorized Position List
- f. New Business**
 - 1. Discuss Cops Hiring Grant Program
 - 2. Recommendations from AWC's Hijacked by Hate Speech Webinar
 - 3. Interlocal Agreement - Skagit County - 1590 Funding to Support North Star Project - First Read
 - 4. 2025-2026 City Council Goals
 - 5. Authorize the 2024 Skagit County Economic Development Grant Request
- g. Public Comments**

Please keep comments to three minutes or less. Because State law prohibits the use of city facilities for the purpose of supporting or opposing a campaign or ballot proposition, we respectfully request that public comment not make reference to such matters.

Written comments will be accepted by letter or via email at finance@sedro-woolley.gov Attn: 'Public Comment.'
- h. Adjournment**

Next Meeting(s) City Council Meeting and Public Works Committee - May 8, 2024

The City of Sedro-Woolley complies with applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin, limited English proficiency, age, disability, or sex. The City of Sedro-Woolley doesn't exclude people or treat them differently because of race, color, national origin, limited English proficiency, age, disability, or sex.

The City of Sedro-Woolley also complies with applicable state laws and doesn't discriminate on the basis of creed, gender, gender expression or identity, sexual orientation, marital status, religion, honorably discharged veteran or military status, or the use of a trained dog guide or service animal by a person with a disability.

Join Zoom Meeting:

<https://zoom.us/j/91786850179?pwd=Vys0Y29XalZmQTRmemJBM2txVDIUQT09>

or dial by location at:

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+1 669 900 6833 US (San Jose)

+1 346 248 7799 US (Houston)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

Meeting ID: 917 8685 0179

Passcode: 091845



City Council Agenda Item

Agenda Item No.: e.1.

Date: May 1, 2024

From: Charlie Bush, City Administrator

Subject: Request for May 8th City Council Discussion on Updating the City's Authorized Position List

RECOMMENDED ACTION:

N/A

ISSUE:

N/A

BACKGROUND/SUMMARY INFORMATION:

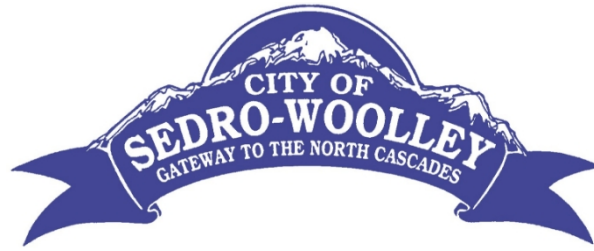
This is the item to add a 1/2 time HR Analyst position and to expand a 1/2 time Accounting Technician to full-time. If at all possible, staff are requesting Council questions in advance. Finance Director Kelly Kohnken will not be able to attend the 5/8 meeting, due to a conference, and we are looking to keep this process moving so that we can begin the hiring process for our recently vacated Accounting Technician position (currently half-time).

FISCAL IMPACT, IF APPROPRIATE:

N/A

ATTACHMENTS:

None



City Council Agenda Item

Agenda Item No.: f.1.

Date: May 1, 2024

From: Dan McIlraith, Police Chief

Subject: Discuss Cops Hiring Grant Program

RECOMMENDED ACTION:

Requesting approval to apply for grants and future grants under the COPS Hiring Program that assists with the funding of additional police officer positions.

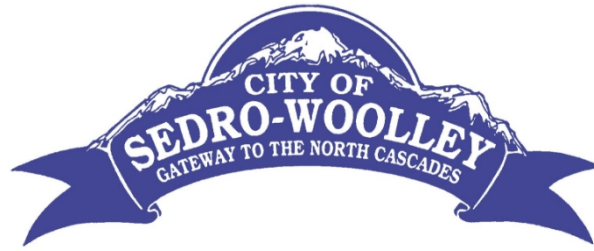
ISSUE:

BACKGROUND/SUMMARY INFORMATION:

FISCAL IMPACT, IF APPROPRIATE:

ATTACHMENTS:

None



City Council Agenda Item

Agenda Item No.: f.2.

Date: May 1, 2024

From: Charlie Bush, City Administrator, Julia Johnson, Mayor

Subject: Recommendations from AWC's Hijacked by Hate Speech Webinar

RECOMMENDED ACTION:

This item is presented for information and discussion. If Council desires to adopt some of the recommendations, or take other action, staff will prepare the appropriate items.

ISSUE:

Should the City take further actions as a result of the Association of Washington Cities (AWC) Hijacked by Hate Speech Webinar (see the attached slides)?

BACKGROUND/SUMMARY INFORMATION:

Mayor Johnson recently attended a recent webinar by the Association of Washington Cities (AWC). AWC sent the attached email after the event, which Mayor Johnson forwarded to the Council. Both of the PowerPoint presentations from the webinar, towards the end of each presentation, included recommendations for consideration by cities. Staff have already made a shift from using Zoom to using Zoom Webinar, but there are other recommendations on the list that the Council may want to discuss, hence this item. The City Council's Governance Manual, which is where some of the changes would occur, is attached for your review and discussion. Staff are recommending moving public comment permanently to the back of the agenda, which would need to be clarified in the Governance Manual. If the Council is supportive of making this a permanent change, staff will bring back a revision to the City Council Governance Handbook to affect the change.

You will see two versions of the Governance Manual, one that is a clean version (currently adopted version) and the other that is a markup version that staff are updating and planning to bring forward to Council. This conversation will help to further refine the marked up version, if Council would like to make further changes. The current markup changes are mostly focused upon formatting and updating the picture of the City Council.

FISCAL IMPACT, IF APPROPRIATE:

N/A

ATTACHMENTS:

1. Mayor Johnson's Email - AWC Hijacked by hate speech webinar
2. Current_CityCouncil_GovernanceHanbook_9.27.2023

3. Current_CityCouncil_GovernanceHandbook Markup

Below is the information that came out of the AWC *Hijacked by hate* speech webinar.

Please read through and formulate thoughts and ideas that we may wish to put forth to City Council on May 1st Work Session. My hope is that we could have good discussion with city council on how they would like to proceed with this information, with emphasis on putting together policy that would be the guide as to how to handle difficult situations when then arise (and I do believe they will arise).

I think it's prudent and sound wisdom to be prepared and be in agreement during problematic and tough circumstances within Council meetings.

Thank you,

Julia Johnson, Mayor
City of Sedro-Woolley
360-855-3160
jjohnson@sedro-woolley.gov



Advisory: Please be advised the City of Sedro-Woolley is required to comply with the Public Disclosure Act Chapter 42.17 RCW. This email is covered by the Electronic Communications Privacy Act, 18 USC 2510-2521 and is legally privileged. The information contained in this electronic message is intended only for the use of the recipient named above. If you are not the intended recipient, be advised that any disclosure, copying, distribution or use of the contents of this transmission is prohibited. If you have received this electronic message transmission in error, please notify the sender at (360) 661-6462 or reply e-mail and delete the original message.

From: AWC Registration <news@awcnet.org>

Sent: Friday, April 12, 2024 11:30 AM

To: Julia Johnson <jjohnson@sedro-woolley.gov>

Subject: Thank you for attending AWC's Hijacked by hate speech webinar

CAUTION: This email originated from outside of the City of Sedro-Woolley mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

[View on a mobile device or online.](#)



We appreciate and value the time you took to attend this event.

Resources

Presentation slides

- [Deanna Dawson presentation](#)
- [Jill Dvorkin presentation](#)

Additional resources

- MRSC: [When hate comes to town: Addressing racist and antisemitic public comment at meetings](#)
- Anti-Defamation League: [ADL COE City Council Recommendations](#)
- Jurassic Parliament: [50 guidelines for public comment](#)
- MRSC: [Don't get into back-and-forth exchanges during public comment](#)
- Jurassic Parliament: [Citizen's guide to effective public meetings](#)
- MRSC: [Strategies for managing difficult public meetings and hearings](#)
- MRSC: [Practical tips for holding hybrid meetings](#)
- MRSC: [Open Public Meetings Act basics](#)
- City of Snoqualmie: [Sample public comment script for council meetings](#)

Stay in the know!

Watch for AWC's [CityVoice](#) newsletter every Wednesday and the [Legislative Bulletin](#) monthly during the interim.

Keep an eye on [upcoming AWC trainings and events](#).

We hope to see you soon!

- EOE webinar series 2024: [GMA planning 101](#) | April 18 | Online
- [AWC Annual Conference](#) | June 18-21 | Vancouver, WA (Registration opens mid-April)

CML credits

City elected officials who watched live will earn 1 credit toward the [Certificate of Municipal Leadership](#) in the *diversity, equity, inclusion, and belonging* competency area. Your CML credits will be applied within four to six weeks.

If you have any questions or need additional information, please contact AWC at 360-753-4137 or email [online education](#).

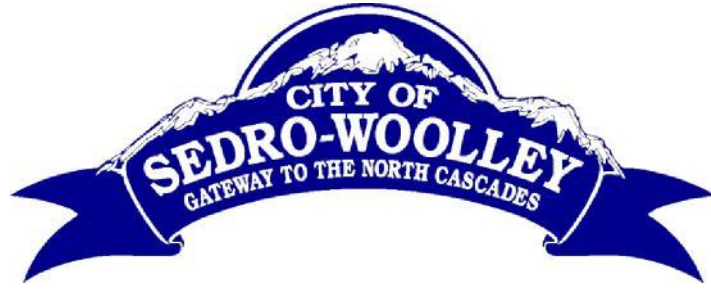
*****You do not need to reply to this email*****

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Association of Washington Cities
1076 Franklin Street SE, Olympia, WA 98501-1346
360-753-4137, 1-800-562-8981, fax: 360-753-0149



City Council Governance Handbook

**Adopted by Resolution 972-17
A Comprehensive Collection of
Rules and Procedures for
the City Council**

**Adopted September 13, 2017
Updated September 27, 2023**

Resolution 546 adopted 5-23-1994, repealed and replaced by Resolution 972-17 adopted 9-13-2017, amended by Resolutions 978-18, 980-18, 1023-19, 1087-22, and 1109-22

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CHAPTER 1 - Council Meetings



A. General

1. Council Meetings - Time and Location

Unless otherwise specified in a meeting notice, regular meetings of the City Council shall be held at the Sedro-Woolley Municipal Building, Council Chambers on the second and fourth Wednesdays beginning at 6:00 p.m. The City Council also meets on the first Wednesday at the Sedro-Woolley Fire Department Training Room beginning at 6:00 p.m. for a study session meeting. There are no regularly scheduled study session meetings in the months of June, July and August. Pursuant to RCW 42.30.070, Open Public Meetings Act, “if at any time any regular meeting falls on a holiday, such regular meeting shall be held on the next business day.” SWMC 2.04.010 provides more detail on meetings in November and December as follows, “The city council shall hold regular meetings at six p.m. on the first, second and fourth Wednesday of each month throughout the year, but whenever a regular meeting falls on a legal holiday now or hereafter designated as such by the laws of the state of Washington, such meeting shall be held at six p.m. of the first day following which is not itself a legal holiday; and provided, that the meeting immediately before the Thanksgiving holiday each year shall be held on the Tuesday before Thanksgiving rather than the fourth Wednesday; and provided further, that no meeting is scheduled for the fourth Wednesday in December.”

2. Council Meetings - Open to the Public

All meetings of the City Council shall be open to the public, except as provided for in RCW 42.30.110¹ (Executive Sessions), or RCW 42.30.140² (Open Public Meetings Act). Councilmembers will notify appropriate staff of Councilmember’s plans to attend any of the various outside public meetings hosted by other organizations or agencies, or City meetings hosted by various City Departments, so that notice may be published concerning such attendance in order not to risk any real or perceived violation of the Open Public Meetings Act.

3. Presiding Officer

The Mayor shall preside at meetings of the Council. In case of the Mayor's absence or temporary disability, the Mayor Pro Tempore shall act as Mayor during the continuance of the absence. In case of the absence or temporary inability of the Mayor and Mayor Pro Tempore, an acting Mayor Pro Tempore selected by majority vote of the remaining members of the Council, shall act as Mayor during the continuance of the absences [RCW 35A.13.035³]. The Mayor, Mayor Pro Tempore (in the Mayor’s absence) or acting Mayor Pro Tem are referred to as “Presiding Officer” from time to time in these Rules of Procedure.

B. Types of Meetings

1. Regular Meeting

The city council shall hold regular meetings at six p.m. on the first, second and fourth Wednesday of each month throughout the year, but whenever a regular meeting falls on a legal holiday now or hereafter designated as such by the laws of the state of Washington, such meeting shall be held at sixp.m. of the first day following which is not itself a legal holiday; and provided, that the meeting immediately before the Thanksgiving holiday each year shall be held on the fourth Tuesday of November rather than the fourth Wednesday; and provided further, that fourth Wednesday meeting in December is cancelled as detailed in SWMC 2.04.010.

a) Formal Format

1. Normally held 2nd and 4th Wednesdays. The City Administrator, in consultation with the Mayor, shall arrange a list of proposed matters according to the order of business and prepare an agenda for the Council. On or before close of business on a Friday preceding a Wednesday Council meeting, or at the close of business at least 24 hours preceding a special Council meeting, a copy of the agenda and supporting materials shall be prepared for Councilmembers, appropriate staff, and the media who have filed a notification request. Agendas may be amended as required, and expeditiously distributed to Council and appropriate staff.
2. Requests from outside entities or individuals for presentations to be scheduled on any Council agenda imply that the presentation is the official business of the City, and such requests should be submitted to the City Administrator at least ten days prior to the appropriate Council meeting. The City Administrator and the Mayor will make a determination of whether the matter is an administrative issue, and whether it should be placed on an upcoming Council agenda.
3. Forms of Address. Everyone in attendance at a formal format meeting, including all members of Council, are to address the Mayor as “Mayor (surname).” The Mayor Pro Tempore, when acting in that capacity, shall be addressed as “Mayor Pro Tempore (surname).” Everyone in attendance at a formal format meeting, including Members of the Council as they address each other, shall be addressed as “Councilmember (surname).”
4. Order of Business. The business of all regular formal meetings of the Council shall be transacted as follows, provided, however, that the Presiding Officer may, during a Council meeting, rearrange items on the agenda to conduct Council business more expeditiously, without the necessity of a formal action or motion. However, adding or removing items from the agenda once a meeting has been called to order requires Council to make a motion and vote on approving the “amended agenda.”
 - i. *Call to Order by the Presiding Officer.*
 - ii. *Pledge of Allegiance.*
 - iii. *Roll Call.* (See Chapter 1, C3 [page 13] for procedure to excuse an absence)
 - iv. *Approval of Agenda.*

In case of an emergency or an extremely time-sensitive issue which neither the administration nor the entire Council was aware of prior to the distribution of the agenda and accompanying materials, a new item may be introduced by the Presiding Officer, by a concurrence of at least three Councilmembers, or by the City Administrator and suggested as an amended agenda item for the present meeting. If a new item(s) is added, Council will then consider a motion to approve the amended agenda. (“Three-Touch Principle” should be followed whenever possible.)
 - v. *Consent Agenda*

Items which may be placed on the Consent Agenda are those which: (1) have been previously discussed by the Council; (2) based on the information delivered to members of the Council by administration can be reviewed by a Councilmember without further explanation; (3) are so routine, technical or non-substantive in nature that passage without discussion is likely; or (4) otherwise deemed in the best interest of the City.

The proper Council motion on the Consent Agenda is: "I move approval of the Consent Agenda." This motion will have the effect of moving to approve all items on the Consent Agenda. Since approval of any item on the Consent Agenda implies unanimous consent, any member of the Council shall have the right to remove any item from the Consent Agenda. Therefore, prior to the vote on the motion to approve the Consent Agenda, the Presiding Officer shall inquire if any Councilmember wishes an item to be withdrawn from the Consent Agenda. If any matter is withdrawn, the Presiding Officer shall place the item at an appropriate place on the agenda for the current or a future meeting, including addressing the issue immediately after passage of the remaining items on the Consent Agenda.

vi. Introduction of Special Guests and Presentations.

vii. *Staff Reports.*

Councilmember and Mayor's Reports. Council or government-related activities (e.g. synopsis of committee, commission, task force or other board meetings). These verbal reports are intended to be brief, city work-related reports of significance in keeping the Council informed of pertinent policy issues or events stemming from their representation of the City on a regional board, committee, task force or commission, whether as a formal member or as a liaison. Extended reports shall be placed as future agenda items for presentation or submitted in writing as an informational memo.

viii. *Proclamation(s).*

ix. *Public Comments*

An opportunity for public comments on subjects not on the agenda for action (as well as comments connected with action items) are limited to three minutes each unless modified by the Presiding Officer. Although the City Council desires to allow the opportunity for public comment, the business of the City must proceed in an orderly, timely manner. At any time, the Presiding Officer, in the Presiding Officer's sole discretion, may set such reasonable limits as are necessary to prevent disruption or undue delay of other necessary business.

1. Subjects Not on the Current Agenda. Although it is not necessary for members of the public to sign in to speak, the Presiding Officer may invoke a sign-in procedure for speakers. Any member of the public may request time to address the Council. Speakers shall state their name and address, and the subject of their comments, and spell their last name for the record. The Presiding Officer may allow the verbal comments subject to such time limitations as the Presiding Officer deems necessary. Following such verbal comments, the Presiding Officer may place the matter on a future agenda or refer the matter to administration for investigation and/or report. The Presiding Officer may ask Council or Staff to address factual issues raised by public comments, if appropriate.
2. Subjects on the Current Agenda, "1st Reading". Any member of the public who wishes to verbally address the Council on an item on the current agenda listed as a "1st reading", shall proceed to the podium at the time

when comments from the public are invited during the agenda item discussion. The Council may hear such comments before or after initial Council discussion. The Presiding Officer may also invoke a sign-in procedure. If necessary, the Presiding Officer in consultation with the City Attorney shall rule on the appropriateness of verbal public comments as the agenda item is reached. The Presiding Officer may change the order of speakers so that comment is heard in the most logical groupings.

3. Comment shall be made from the podium microphone or via video conference, by first giving name, city of residence and subject. No comments shall be made from any other location, and anyone making “out of order” comments shall be subject to removal from the meeting. The public shall be reminded that a Council meeting is a business meeting of the city and is not intended as a public forum and this is not an opportunity for dialogue or questions and answers, but public comment. When appropriate, staff will research issues and report back to those making the comment as well as to Council. Verbal public comments are opportunities for speakers to briefly address Council, and those speaking are to address members of Council and not the audience. Since this is an opportunity for verbal public comment, in the interest of time and keeping in mind all documents submitted during Council meetings become the property of the City, graphs, charts, posterboards, PowerPoint presentations, or other display materials will not be allowed, although written comments and written materials including photographs and petitions, may be submitted to Council via the City Clerk.
4. Demonstration, applause or other audience participation before, during or at the conclusion of anyone's presentation is prohibited. Any disruptive behavior, as determined by the Presiding Officer, shall be cause for removal from the meeting room.
5. Any ruling by the Presiding Officer relative to the subsections 1 and 2 above may be overruled by a vote of a majority of Councilmembers present.
6. Council shall not permit public comments if they relate to any matter upon which a quasi-judicial hearing has been required, scheduled, or held. (See Chapter 4 for procedure for taking public comment on legislative matters.) Unless solicited and scheduled, comments shall not be permitted relative to any future or possible/probable future ballot issue. (See Chapter 2, E Ballot Measures for further direction concerning ballot measures.)
7. Public comments will not typically be allowed for items on the consent agenda and items on the agenda for a “2nd reading”.
8. Consistent with RCW 42.17A.555, no public comments will be allowed regarding support for or opposition to political campaigns, candidates or elections other than for Ballot Measures as addressed in Chapter

Written Public Comments. Citizens have the option of submitting written views, opinions, comments, data, and arguments to Council on any topic and at any time, not just prior to or during public Council meetings. Unless the citizen reads their own prepared written comments, such comments will not be read aloud during regular or special Council meetings although they will be included as part of the public record on the topic and if appropriate, may be publicly acknowledged. Any written comments submitted to Council via the City Clerk

will be distributed to Council by placing copies at each Councilmember's seat at the dais; or in the case of e-mailed or other electronic comments, will be forwarded to Council via e-mail. If individual Councilmembers receive written (including electronic) public comments or materials for the purpose of reading/sharing those materials during Council meetings, those materials should be submitted to the City Clerk prior to the Council meeting so the Clerk can make copies for later distribution to members of Council. (See No. 6 above and Chapter 2, Ballot Measures; see also Public Hearings section regarding public comments.) Written comments should clearly state that they are intended for the full council to ensure inclusion in a council packet.

Councilmembers will avoid accessing any electronic message during Council meetings. Accessing such communication could be construed as receiving public comment without the benefit of having the citizen in person to address their concerns.

- x. *Public Hearings.* (See Chapter 4 for procedural details)
- xi. *Unfinished Business* [includes matters that were pending when a previous meeting adjourned or matters specifically postponed to the present meeting.]
- xii. *New Business.* [Action items are designated as New Business]
- xiii. *Information Only Items.* These items will generally not be discussed or reported.
- xiv. *Good of the Order.* Last call from Council and Staff for items to be discussed.
- xv. *Executive Session (as required).* (See Chapter 1, section B1c below)
- xvi. *Adjournment.* No Council meeting should be permitted to continue beyond approximately 9:00 p.m. without approval of a majority of the Councilmembers present. A new time limit shall be established before taking a Council vote to extend the meeting.

When a motion is made to adjourn into Executive Session for a specified period of time, no additional motion is needed to extend the meeting beyond 9:00 p.m. since that is implied as part of the motion to adjourn into Executive Session.

In the event that a meeting has not been closed or continued by Council as herein specified, the items not acted on shall be deferred to the next regular formal Council meeting, unless the Council by a majority vote of members present determines otherwise.

b) Study Session Format

1. Normally held the 1st Wednesday. The purpose of the study session format is to allow Councilmembers to be made aware of impending business, including first readings of agenda items, and allow informal discussion of issues that might be acted on at a future meeting. Council preference is that action items should not be included on a study session agenda, but there may be times when, due to deadlines or other pertinent issues, action items must be included. Study sessions shall be in a less formal setting than regular formal meetings. Council may be seated other than at the dais, but shall not discourage public observation. Unless there are designated action items which permit public comment, there will be no public comment at study sessions although the Council may request staff or other participation in the same manner as a regular formal Council meeting. The City Administrator, under the direction of the Mayor, shall arrange a Council study session agenda for the meeting. For each item, the agenda shall contain the discussion subject, the discussion leader, the activity and the discussion goal. A copy of the agenda and accompanying background materials shall be prepared for Councilmembers, appropriate staff and the press, on or before 4:30 p.m., one day before the meeting. Councilmembers have the option of accessing their Council packet via the City's website. During a Council meeting, the Presiding Officer may rearrange items on

the agenda to conduct Council business more expeditiously without the necessity of a formal action or motion. However, adding or removing items from the agenda once a meeting has been called to order requires Council to make a motion and vote on approving the “amended agenda.”

Voting.

- i. Action Items on the Agenda. Although action items may occasionally be included on a study session agenda, it is the practice of Council to keep those instances to a minimum. Because a study session is a recognized meeting according to the “Open Public Meetings Act,” it is permissible for Council to take final action during these meetings.
 - ii. Non-action Items on the Agenda. Because study sessions are usually understood by the public and media as referring to meetings at which Council will only consider and discuss items and not take final action or vote, voting or making a motion when neither is included on an agenda does not violate state law, but for consistency sake and to avoid any surprises to the public and media, the practice is discouraged.
2. Discussion Leader’s Role. During the Council study session, the discussion leader should introduce the subject and give background information, identify the discussion goal, act as facilitator to keep the discussion focused toward the goal, and alert the Presiding Officer when it is appropriate, to schedule the topic for a motion or official direction of the Council.
3. The role of the Presiding Officer is to facilitate Councilmembers engaged in free flowing discussion without the necessity of each Councilmember being recognized by the Presiding Officer. The Presiding Officer retains the option of assuming the function of the discussion leader at any time in order to maintain decorum and ensure all Councilmembers have the opportunity to be heard, and to keep the discussion properly focused.
4. Requests from outside entities or individuals for presentations to be scheduled on any Council agenda imply that the presentation is the official business of the City, and such requests should be submitted to the City Clerk at least ten days prior to the appropriate Council meeting. The City Clerk will consult with the City Administrator and the Mayor for a determination of whether the matter is an administrative issue, and whether it should be placed on an upcoming Council agenda.
5. Council Comments. The purpose of this agenda item is to allow Councilmembers an opportunity to report on an activity or key issue which either just arose, needs immediate or imminent action, or to simply report on something in connection with their role as a Councilmember that transpired since the last Council meeting. It is also an opportunity for Councilmembers to bring up topics for clarification, or to address other upcoming concerns. Pre-scheduled materials Council wishes to share as part of the Council packet, could also be included on study session agendas under “Council Comments.”
6. City Administrator Comments. The purpose of this agenda item is to allow the City Administrator the opportunity to brief Council on an activity or issue which either just arose, needs immediate or imminent action, or to simply inform Council of items that transpired since the last Council meeting.
7. Forms of Address. Councilmembers and staff have the option of addressing each other on a first name basis during the study session format meetings.

c) Executive Sessions

1. If Council holds an executive session, it will be held in accordance with the Open Public Meetings Act, RCW Chapter 42.30. The Council may hold an executive session during a regular or special meeting. Before convening in executive session, the Presiding Officer

shall publicly announce the purpose for adjourning into executive session; the approximate length of time for the executive session; and the likelihood of Council taking action at the close of the executive session and return to open session.

- i. At the close of the executive session and upon Council's return to chambers, the Presiding Officer will declare Council out of executive session, and will ask for the appropriate motion (i.e. an action motion or a motion to adjourn).
 - ii. To protect the best interests of the City, Councilmembers shall keep confidential all verbal and written information provided during executive sessions. Confidentiality also includes information provided to Councilmembers outside of executive sessions when the information is considered exempt from disclosure under the Code of Ethics for Municipal Officers (RCW 42.524) and/or the Public Records Act (RCW 42.565). See also, Washington AGO 2017-5 (councilmembers have an affirmative duty to maintain the confidentiality of topics discussed in executive session).
2. RCW 42.30.110 explains the purpose for holding an executive session, some of which include:
 - i. RCW 42.30.110(1)(b). To consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price (pending land acquisition);
 - ii. RCW 42.30.110(1)(g). To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee. However, subject to RCW 42.30.140(4) (*labor negotiations*), discussion by a governing body of salaries, wages, and other conditions of employment to be generally applied within the agency shall occur in a meeting open to the public, and when a governing body elects to take final action hiring, setting the salary of an individual employee or class of employees, or discharging or disciplining an employee, that action shall be taken in a meeting open to the public; [note that stating that an executive session is to discuss a "personnel matter" is not sufficient because only certain types of personnel matters are appropriate for discussion in an executive session.] (*review qualifications of a public employee*)
 - iii. RCW 42.30.110(1)(h). To evaluate the qualifications of a candidate for appointment to elective office. However, any interview of such candidate and final action appointing a candidate to elective office shall be in a meeting open to the public (*review qualifications of an elected official*)
 - iv. RCW 42.30.110(1)(i). To discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency *litigation or potential litigation* to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency.
For purposes of this subsection (1)(i), "potential/pending litigation" means matters protected by Rules of Professional Conduct (RPC) 1.6 or RCW 5.60.060(2)(a) concerning:
 1. Litigation that has been specifically threatened to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party;
 2. Litigation that the agency reasonably believes may be commenced by or against the agency, the governing body, or a member acting in an official capacity; or

3. Litigation or legal risks of a proposed action or current practice that the agency has identified when public discussion of the litigation or legal risks is likely to result in an adverse legal or financial consequence to the agency.
3. Council may adjourn into executive session even if it is not listed on the meeting agenda. There is a requirement in RCW 35A.12.1606 that the public be made aware of the preliminary agendas of meetings in advance of the meeting, but that does not mean that an item that arises after the agenda has been posted cannot be discussed at the meeting, even in executive session. Since final action on the matter would not be taken at the executive session, it would not violate any provision in state law to hold an executive session at a regular Council meeting even if the executive session was not listed on the agenda. [per MRSC Index-General Government-Executive sessions.] Although amending the agenda is not required in order to adjourn into executive session, it is a good practice for the Mayor to announce at the beginning of the meeting, that Council will be adjourning into an executive session at the end of the regular meeting.
4. Attendance at Executive Sessions. The City Attorney will be present at executive sessions and is required to attend executive sessions which address litigation or potential litigation. The question of who may attend an executive session other than the Council is determined by the Mayor and City Administrator in consultation with the City Attorney.

2. Special Meetings

Meetings set at days, times, and places other than Wednesdays at 6:00 p.m. in the Sedro-Woolley City Council Chambers or Fire Training Room shall be deemed “special meetings,” such as joint meetings with other jurisdictions or entities (Board of County Commissioners, Planning Commissioners), and Council workshops or retreats.

A special meeting may be called by the Mayor or any three members of the Council. (RCW 35A.13.170⁷, 35A.12.110⁸). The notice shall contain information about the meeting, including date, time, place, and business to be transacted and shall be posted on the City’s website and displayed at the main entrance of the meeting location (RCW 42.30.080). The notice shall be delivered to each member of Council at least 24 hours before the time specified for the proposed meeting (RCW 35A.12.110⁹).

The notices provided in this section may be dispensed within the circumstances provided by RCW 42.30.080¹⁰, that is: (a) As to any member who, at or prior to the time the meeting convenes, files with the City Clerk a written waiver of notice, (b) As to any member who was actually present at the meeting at the time it convenes, and (c) In the event a special meeting is called to deal with an emergency involving injury or damage to persons

or property or the likelihood of such injury or damage, when time requirements of such notice would make notice impractical and increase the likelihood of such injury or damage; or as otherwise provided by law.

The processes and rules for agenda content apply to regular formal, study session format, as well as special meetings.

3. Placing Items on an Agenda:

Routine Council Business: Through the normal course of business, Council may move items forward to a future agenda by consensus.

New Item Council Business: Any Councilmember may request the addition of an item to a future Council agenda for initial consideration by making a motion. The item will be placed on a future agenda upon

receipt of a second. This initial consideration of the item will not involve staff time and shall occur at the next council meeting or as soon thereafter as practical. The purpose of the initial consideration is to allow the maker of the motion to briefly present the item to the Council for discussion. Once briefly presented, a simple majority vote will be of taken by Council to decide whether to add the item to a future agenda for full consideration

Staff: except for routine items such as those found on most Consent Agendas, requests for items to come before Council shall be routed through the Mayor or City Administrator or come directly from the Mayor or City Administrator as part of the normal course of business.

C. Meeting Rules and Procedures

1. Council Rules of Order

The City Attorney shall serve as the official parliamentarian for all Council meetings, and will keep a copy of the most current “*Robert’s Rules of Order*” (RONR) in Council Chambers during Council meetings. The Council will generally follow RONR, however, the Mayor is the chairperson of the meeting and may depart from strict adherence to RONR as he or she deems appropriate. The Council, by a majority vote, can require strict adherence to RONR.

2. Quorum

At all regular and special meetings of the Council, a majority of the Councilmembers who hold office shall constitute a quorum for the transaction of business.

3. Attendance, Excused Absences

RCW 35A.12.060¹¹ provides that a Councilmember shall forfeit his/her office by failing to attend three consecutive regular meetings of the Council without being excused by the Council. Members of the Council may be so excused by complying with this section. The member shall contact the Mayor, City Clerk, or City Administrator prior to the meeting and state the reason for his/her inability to attend the meeting. Following roll call, the Presiding Officer shall inform the Council of the member's absence, and inquire if there is a motion to excuse the member. This motion shall be nondebatable. Upon passage of such motion by a majority of members present, the absent member shall be considered excused and the City Clerk will make an appropriate notation in the minutes.

4. Respect and Decorum

It is the duty of the Mayor and each Councilmember to maintain dignity and respect for their offices, City staff and the public. While the Council is in session, Councilmembers shall preserve order and decorum and a Councilmember shall neither by conversation or otherwise, delay or interrupt the proceedings of the Council, nor disrupt or disparage any Councilmember while speaking. Councilmembers and the public shall comply with the directives of the Presiding Officer. Any person making disruptive, disparaging or impertinent remarks or unreasonably disturbing the business of the Council, either while addressing the Council or attending its proceedings, shall be asked to cease such disruption, or may be asked to leave, or be removed from the meeting. At any time during any Council meeting, any Councilmember may object to personal affront or other inappropriate comments, by calling for a “point of order.” After the Councilmember is recognized by the Presiding Officer and the Councilmember explains their point concerning respect and decorum, or lack thereof, the Presiding Officer shall rule on the remark and may ask the person making the disturbance to cease or leave the room. Continued disruptions may result in a recess or adjournment as set forth in #8 below.

5. Seating Arrangement

Councilmembers shall occupy the respective seats in the Council Chamber assigned to them by the Mayor.

6. Dissents and Protests

Any Councilmember shall have the right to express dissent from or protest verbally or in writing, against any motion, ordinance or resolution of the Council and have the reason therefore entered or retained in the minutes.

7. Councilmember Meeting Participation by Telephone/Video Conference

Telephone/video conference participation by Councilmembers may be allowed on a case-by-case basis. Under circumstances identified in RCW 42.30.070 and RCW 42.30.230, the City Council may meet as a body by video conference without a physical meeting location.

8. Internet Use

Use of the City's network systems implies Council is aware of and understands that the system is provided to assist in the performance of their roles as Councilmembers, and as such, Councilmembers are obligated to use, conserve and protect electronic information and information technology resources and to preserve and enhance the integrity of those resources which belong to the citizens of Sedro-Woolley.

- a) As noted on page 8, Councilmembers will avoid accessing any electronic message during Council meetings. Accessing such communication could be construed as receiving public comment without the benefit of having the citizen in person to address their concerns. Likewise, Councilmembers will avoid doing any browsing of the Internet of non-City business during Council meetings in order that Council's full attention can be given to the topic at hand.
- b) Information technology resources are provided for the purpose of conducting official City business. The use of any of the City's information technology resources for campaign or political use, unless such use has been determined not a violation of RCW 42.17A.555 by the City Attorney, Washington State Attorney General, or Washington Public Disclosure Commission, or as otherwise authorized by law, is absolutely prohibited.
- c) Confidential material shall not be sent via e-mail.
- d) All letters, memoranda, and interactive computer communication (e-mail) involving Councilmembers, the subject of which relates to the conduct of government or the performance of any governmental function, with specific exceptions stated in the Public Records Act (RCW 42.56) are public records. Copies of such letters, memoranda and interactive computer communication shall not be provided to the public or news media without filing of a public disclosure request with the City Clerk.
- e) E-mail communications that are intended to be distributed among all Councilmembers, whether concurrently or serially, shall be considered in light of the Open Public Meetings Act. If the intended purpose of an e-mail is to have a discussion that should be held at an open meeting, the electronic discussion should not occur, and Council discussion should wait until everyone has had ample opportunity to view the message before including such topic(s) on an upcoming agenda.

9. Adjournment Due to Emergency or Disruption

In the event of an emergency such as a fire or other natural or catastrophic disaster, threatened violence, or inability to regain good order, the Presiding Officer shall forthwith declare a recess, adjourn, or continue the meeting, and the City Council as well as everyone in the room shall immediately leave the meeting room. The Presiding Officer may reconvene the meeting when it has been determined by the appropriate safety officials that it is safe to do so.

10. Permission Required to Address the Council

Persons other than Councilmembers and staff shall be permitted to address the Council upon recognition and/or introduction by the Presiding Officer or City Administrator.

11. Approaching the Dais

Once a Council meeting has been called to order, stepping between the podium and the dais will not be allowed, and stepping behind any part of the dais, including those parts occupied by staff is also not permitted. This includes, but is not limited to, video recording, still photography, tape recording, and distributing written handouts. Council reserves the right to invite anyone forward to the podium to be addressed by Council.

12. Out of Order Requests

Occasionally a member of the public may wish to speak on an agenda item but cannot remain until the item is reached on the agenda. During “Open Comments From the Public,” such person may request permission to speak by explaining the circumstances. The Presiding Officer in his/her sole discretion shall rule on allowing or disallowing the out of order request.

13. Photographs, Motion Pictures or Video Tape Requiring Artificial Illumination

Prior permission required. No overhead projection, photographs, motion pictures, or video tapes that require the use of floodlights, or similar artificial illumination shall be used by the public at City Council meetings without the prior consent of the Presiding Officer.

14. Voting

The votes during all meetings of the Council shall be transacted as follows:

- a) The Presiding Officer shall first call for a vote from those in favor of the motion, followed by a call for those opposed to the motion, and afterwards shall state whether the motion passed or failed. Unless otherwise provided by statute, ordinance, or resolution, all votes shall be taken by voice. At the request of any Councilmember or the City Clerk, a roll call vote shall be taken by the City Clerk. The order of the roll call vote shall be determined by the City Clerk.
- b) In case of a tie vote on any proposal, the motion shall be considered lost (Note that in some instances the Mayor is authorized to break a tie vote, see RCW 35A.12.100 which allows the Mayor to cast a tie-breaking vote with respect to matters other than the passage of any ordinance, grant, or revocation of franchise or license, or any resolution for the payment of money).
- c) Every member who was present when the question was called, shall give his/her vote. If any Councilmember refuses to vote “aye” or “nay,” their vote shall be counted as an “aye” vote unless the Councilmember has abstained or recused themselves due to actual or perceived appearance of a conflict of interest, which shall be so stated prior to the vote at hand.
- d) The passage of any ordinance, grant or revocation of franchise or license, and any resolution for the payment of money and any approval of warrants, shall require the affirmative vote of at least a majority of the whole membership of the Council¹. Except as provided in “e” below, all other motions or resolutions shall require an affirmative vote of at least a majority of the quorum present.
- e) Majority Plus One: The passage of any public emergency ordinance (an ordinance that takes effect immediately), expenditures for any calamity, violence of nature, riot, insurrection, or war; and provisions for a lesser emergency, such as a budget amendment (RCW 35A.33.090), shall require the affirmative vote of at least a majority plus one of the whole membership of the Council. (RCW 35A.13.19012).

15. Motions and Discussion

- a) Order of Procedure:
 1. Staff makes their presentation
Mayor asks Council if there are any questions for staff.
Member of Council makes a motion by stating: “**I move . . .**”
The motion is seconded.
 2. If public comments are allowed on the item, the Mayor invites public comments. Public comments should be limited to one comment per person per topic and limited to three minutes. Mayor reminds the public this is time for comments and not discussion; and if the public has questions, those questions will be addressed by staff at another time outside the meeting.
 3. Mayor opens the floor to Council for discussion.
The maker of the motion normally begins the discussion.

The discussion must have bearing on whether the pending motion should be adopted (RONR §43); and can be prefaced by a few words of explanation, but must not become a speech (RONR §4).

All Council remarks should be addressed through the Mayor.

4. When discussion has ended, the Mayor re-states the motion or asks the Clerk to re-state the motion. Once the motion is re-stated, the Mayor calls for the vote, which is normally taken by voice. The Mayor then states whether the motion passed or failed.

b) In General:

1. Except in rare circumstances, Council motions shall be in the form of an affirmative motion. Affirmative motions are preferred to prevent “approval by default” of a failed negative motion.
2. Agenda items scheduled for Council action shall require a motion by a Councilmember before discussion unless the Council suspends the requirement by majority vote. Upon failure of either a prior motion or rule suspension, the agenda item shall be passed over and may not be reintroduced until the next regular meeting. (Mayoral appointments excepted. See Committees for further discussion.)
3. Councilmembers should direct questions to the City Administrator or the designated presenter.
4. Main motions are made when no other motion is pending (see chart below). They are debatable and subject to amendment. Since seconding a motion means “let’s discuss it,” if there is no second but discussion ensues, the matter of having a second to proceed is moot and the motion can proceed. However, if there is no second and no discussion, the motion does not progress. Note that the motion does not “die for a lack of a second” but it merely does not progress.
5. The maker of a motion can withdraw their motion without the consent of the seconder, and if the mover modifies the motion, the seconder can withdraw the second. The person making the motion is entitled to speak first to the motion. A maker of the motion can vote against the motion but cannot speak against their own motion.
6. No one should be permitted to speak twice to the same issue until everyone else wishing to speak has spoken. All remarks must be directed to the Presiding Officer and must be courteous in language and deportment (Robert’s Rules of Order Newly Revised, Article VII, Section 43, Decorum in Debate), keeping in mind it is not the Councilmember, but the measure that is the subject of debate.
7. When an amended motion is on the floor, the vote is taken on whether to adopt the amendment. If adopted, the next vote is on the fully amended motion.
8. Motions should be reserved for items marked on the agenda for action, so as to avoid any surprises for Council, staff and the public.

Parliamentary Procedure at a Glance

Roberts Rules of Order §	IF YOU WANT TO	YOU SAY	INTERRU PT ?	NEED 2 ND ?	Can be Debat	Can be Amended	VOTE
11	Postpone indefinitely (the purpose is to prevent action or kill an issue.)	I move to postpone (an affirmative vote can be reconsidered; a negative vote cannot)	No	Yes	Yes	No	Majority
12	Modify wording of motion	I move to amend the motion by . . .	No	Yes	Yes	Yes**	Majority
14	Postpone to a certain time	Ex: I move to postpone the motion to the next Council meeting.	No	Yes	Yes	Yes	Majority
16	Close debate	I move the previous question, or I call for the question	No	Yes	No	No	Majority*
17	To Table a motion	I move to lay on the table, the motion to	No	Yes	No	No	Majority
19	Complain about noise, room temperatures	Point of Privilege	Yes	Yes	Yes	Yes	Chair decision
20	Take break	I move to recess for .	No	Yes	No	Yes	Majority
21	Adjourn meeting	I move to adjourn	No	Yes	No	No	Majority
23	Object to procedure or personal affront	Point of Order	Yes	No	No	No	Chair decision
25	Suspend rules	I move to suspend the rules and	No	Yes	No	No	Majority*
34	Take matter from table	I move to take from the table the motion to . .	No	Yes	No	No	Majority
35	Reconsider something already disposed of	I move we reconsider action on . . .	No	Yes	Yes	Yes	Majority

It should be noted that the purpose of tabling a motion is not to simply postpone an issue or a vote. If the intended purpose is to postpone, then the motion to postpone should be used. If more information is needed or desired in order to make the most informed vote possible, then an option would be for the maker of the motion to simply withdraw the motion. The consent of the seconder is not needed to withdraw a motion. While a motion is still on the table, no other motion on the same subject is in order.

The motion to table enables the assembly to lay the pending question aside temporarily when something else of immediate urgency has arisen. The motion to “Lay on the Table” is out of order if the evident intent is to kill or avoid dealing with a measure. (Robert’s Rules of Order Newly

Revised, 10th Edition) *(Robert's Rules of Order Newly Revised states 2/3 vote required. Council direction is to base vote on majority except on matters where 2/3 (or majority plus one) is required by state statute.

** If the main motion to amend can be amended.

Call for the Question: if it is felt that debate on a motion on the floor has dragged on longer than warranted, a member of Council may "call the question." The "call for the question" is a motion to end debate and vote immediately. If this "call for the question" motion is passed by a majority vote, then the vote must be taken on the original debated motion on the floor.

16. Ordinances

Prior to final passage of all ordinances such documents shall be designated as drafts. In addition: Ordinances shall normally have readings at two separate Council meetings.

- a) The provision requiring two separate readings of an ordinance may be waived at any meeting of the Council by a majority vote of all members present. (This would require a successful motion to suspend the rules and pass the ordinance on a first reading.)
- b) If a motion to pass an ordinance to a second reading fails, the ordinance shall be considered lost, unless a subsequent motion directs its revision and resubmission to first reading.
- c) Any ordinance repealing any portion of the Sedro-Woolley Municipal Code shall also repeal the respective portions of the underlying ordinance(s). Ordinances repealing earlier ordinances shall not apply to acts, incidents, transactions or decisions occurring before such repeal.

17. Resolutions

A resolution may be approved on the same day it is introduced. Council may invoke the two reading procedures described above for ordinances to facilitate public understanding and/or comment on the resolution.

18. Reconsideration

The purpose of reconsidering a vote is to permit correction of hasty, ill-advised, or erroneous action, or to take into account added information or a changed situation that has developed since the taking of the vote. Any action of the Council, including final action on applications for legislative changes in land use status, shall be subject to a motion to reconsider except:

- a) any action previously reconsidered;
- b) motions to adjourn or motions to suspend the rules;
- c) an affirmative vote to lay an item on, or take an item from, the table;
- d) a previously passed motion to suspend the rules; or
- e) a vote electing to office one who is present and does not decline.

Such motion for reconsideration:

- a) must be reconsidered within the two following Council meetings;
- b) must be called up when no business is pending (no action is pending);
- c) if action is pending, the Mayor asks the Clerk to note that the motion to reconsider has been made and is to be taken up when a member calls the motion to reconsider the vote when no other business (action) is pending;
- d) must be made by a member who voted on the prevailing side on the original motion.
- e) This means a reconsideration can be moved only by one who voted aye if the motion involved was adopted, or no if the motion was lost. It is permissible for a Councilmember who cannot make such a motion, but believes there are valid reasons for one, to try to persuade someone who voted on the prevailing side, to make such a motion.
- f) a member who makes this motion should state that he or she voted on the prevailing side;
- g) needs a second, and can be seconded by any member;

- h) is debatable if the type of motion it reconsiders is debatable; and
- i) 8. is not amendable and requires a majority vote to adopt.

Step 1: A Councilmember who voted on the prevailing side makes the motion, such as "I move to reconsider the vote on the resolution relating to holidays. I vote for [or against] the resolution." This motion needs a second and can be seconded by any Councilmember. If the motion for reconsideration is adopted, the original motion is then placed before Council as if that motion had not been voted on previously; and **Council again takes that motion under discussion, followed by a new vote.**

Any motion for reconsideration of a matter which was the subject of a required public hearing or which is a quasi-judicial matter, may not be discussed or acted upon unless and until the parties or their attorneys and the persons testifying have been given at least five days advance notice of such discussion and/or action.

19. Council Materials

a) Council Material

Councilmembers and staff should read the agenda material and ask clarifying questions of the City Administrator or other appropriate staff prior to the Council meeting when possible. Council recognizes there are times when Councilmembers may wish to bring additional documentation to a meeting on a specific subject, whether that subject is on the agenda or not, in order to share with Council and staff. When possible, the materials should be distributed to Councilmembers and staff prior to the Council meeting, or if distributed during a meeting, Councilmembers should indicate the materials are for future reading, since except in an emergency, Councilmembers would normally not take time at the dais to read material just received. Pre-scheduled materials Council wishes to share as part of the Council packet could also be included on study session agendas under "Council Comments." [See also page 10]

b) Council Packets

Councilmembers shall personally download their Council packet via the City's website on their City provided tablet device.

c) Packet Materials

Council memos: This is a cover memo used by staff to introduce an agenda item. It includes the background on the topic and options for Council consideration as well as a staff recommended action or motion. The options and recommended action or motion should be viewed as aids to Council in making a motion or taking action, but should not be thought of as obligatory, as Council always has the option of making a motion different from what is included on the memo. Generally, by the time an item is ready for a motion, Council has already read, heard, and/or discussed the item at least three times (as an informational item, an administrative report, and lastly as an action item), and the wording of a motion would not normally be controversial, although it is important to state the motion as a motion, such as "I move to" or "I move that" or other similar language.

CHAPTER 2 – Legislative Process



A. Election of Officers and Selection/Operation of Council Committees

1. Election of Officers

Procedures for electing officers are as follows: annually, at the first meeting of the new Council, the members thereof shall appoint a Mayor-pro-tempore. In addition to the powers conferred upon him/her as Mayor-pro-tem, he/she shall continue to have all the rights, privileges and immunities of a member of the Council.

2. Council Committees

a) Appointments

At the first meeting of every even year, the Mayor shall appoint two councilmembers and a council chairperson to each standing committee of the Council, subject to confirmation by the city council. In making the appointments, the Mayor shall consider councilmembers' expressed interests and shall attempt to match councilmembers to their committees of choice.

b) Standing Committees

Public Safety: To consider policy issues and make policy recommendations to the full Council related to the police department, fire department, municipal court, and emergency management.

Finance and Information Technology: To consider policy issues and make policy recommendations to the full Council related to financial management policies, financial reports, personnel issues including personnel policies, and information technology issues.

Strategic Planning: To consider policy issues and make policy recommendations to the full Council related to development and implementation of the City's strategic plan.

Public Works: To consider policy issues and make policy recommendations to the full Council related to the City's utilities, parks, streets, and other public works related issues.

Planning and Business Development: To consider policy issues and make policy recommendations to the full Council related to long-term planning and growth in the City. In addition, considering policy issues and making policy recommendations related to the attraction of new businesses and the retention of existing businesses within the City.

c) The Role of City Council Committees

1. City Council Committees are intended to enhance communication between the Legislative Branch and the Executive Branch in the development of significant public policy action items.
2. These Committees will enable City administration to obtain feedback from representative members of the City Council on issues affecting public policy prior to their presentation, as necessary, to the full City Council.
3. City Council Committee members develop and maintain a deeper level of knowledge on matters of a technical nature which might affect public policy in order to increase the positive exchange of information and discussions between City Council members, City staff, and the public.
4. When appropriate, items may be considered by a City Council Committee before a final recommendation from the appropriate City Board or Commission (i.e., Planning Commission, Parks Board).
5. City Council Committees do not replace the City Council as final decision makers on behalf of the full City Council. Council Committees make no staff direction on administrative matters, specific assignments, or work tasks. If Committee members seek additional information from an outside party or consultant resulting in additional

cost to the City, approval to incur such cost must be approved by the full City Council. City Council committees may take action on policy items in the form of recommendations to the full City Council that the City Council may consider as a first read. When appropriate by meeting the criteria for the consent agenda, these items may appear on the Council's consent agenda for action.

6. Any discussion or feedback expressed or received at a Committee meeting should not be construed or understood to be a decision by or for the City Council. Further, any recommendation the Committee may make to the City Council is based on information possessed by the Committee at the time the recommendation is made and may be revised or amended upon receipt by the Committee of additional or newer information.

d) Operational Guidelines and Functional Structure

1. City Council Committees consist of three Council members, with the exception of one committee that will have two Council members. One Council member will serve as the committee chair. The Mayor may attend and participate in all Committee meetings.
2. No member of the City Council may serve on more than three Committees.
3. Council Committees will meet at least quarterly. The intent of the Council committee structure is to have all Council Committees hold their meetings prior to City Council meetings, with occasional exceptions. One committee meeting would occur prior to each City Council meeting and work session.
4. Council Committees have no delegated authority from the City Council and shall not take testimony from the public.
5. The Staff Liaison will coordinate with the Mayor and City Administrator on the preparation of the agenda to determine whether items will be presented to a Committee or placed on the Council's agenda to be considered by the full City Council. Any item may be recommended to the full Council by the Committee considering that item.
6. The full City Council, by majority vote, may refer any item on its agenda to an appropriate Committee for further review and recommendation.
7. Committee meetings are intended to allow regular attendance by City Council Committee members, as well as the Staff Liaison, staff, the Mayor and the City Administrator, as necessary. In order to prevent inadvertent violations of the Open Public Meetings Act, attendance by non-member Council members that will result in a quorum of the full City Council is prohibited.
8. The regular Council meeting agenda shall include an opportunity for Committee reports at which time any appointed Committee member may report to the Mayor and City Council on pertinent and timely issues before a Committee.

e) E. City Liaison Role

1. The City Administrator serves as an advisor to each City Council Committee; however, each Committee has an identified staff liaison at the Director-level. The responsibilities of the Staff Liaison are as follows:
 - i. Attend all meetings of the City Council Committee. Research information and prepare reports and correspondence as required for the Committee.
 - ii. Provide administrative support to the Committee, including distribution of documents to the Committee as required.
 - iii. Coordinate with the Committee chair to prepare agendas.
 - iv. Schedule meetings.
 - v. Prepare Committee minutes within three weeks of the meeting and submit to the City Clerk for posting and distribution to the full City Council.
 - vi. Serve as the communication link between the Committee and City administration, City departments, and Council as appropriate.

B. Filling Council Vacancies or Extended Absences

1. Filling a Vacancy

If a vacancy occurs on the City Council, the Council shall follow the procedures outlined in RCW 35A.12.050¹³ and Council's adopted procedure in compliance with RCW 35A.12.050¹⁴, as well as RCW 42.12.070. The timeline may vary depending on when the process begins. The City Council has within 90 days of the vacancy to appoint a qualified person to the vacant position. If this timeframe is not met, the City's authority in this matter would cease and the Skagit County Board of Commissioners would appoint a qualified person to fill the vacancy. Public comment will not be taken during this entire process.

2. Procedures for Filling a Council Vacancy

Timeline/Procedure (any of the meetings, dates and times, may be adjusted and/or combined as determined by the Council):

a) Publication

The City Clerk will publish the vacancy announcement inviting citizens of the City who are interested and qualified to sit as a Councilmember, to apply by submitting a letter of interest. Qualifications to sit as a Councilmember are set forth in RCW 35A.12.030. If possible, the vacancy announcement will be published for two consecutive weeks.

b) Deadline for the City Clerk to receive applications shall be no later than 4:00 p.m.

c) Special Meeting, Executive Session, set for . [RCW 42.30.110(1)(h)]

6:00 p.m. Council will meet and adjourn to executive session to review and discuss all of the applications. After the review and discussion, Council will return to Council Chambers and the Special Meeting will be adjourned.

d) Regular Meeting, same evening as above Special Meeting. [RCW 42.30.110(1)(h)]

7:00 p.m. Council will meet in open session and part of this agenda will include selection of applicants to interview. Selection will be by nomination and second. A vote will be taken and candidates receiving three or more votes will be interviewed. Immediately after this Council meeting or as soon as practicable, the Clerk will send a list of potential questions to all those to be interviewed.

e) Regular or Special Meeting, . [RCW 42.30.110(1)(h)]

The interviews will be conducted during an open Council meeting. Each interview will be a maximum of 30 minutes.

f) Executive Session set for [RCW 42.30.110(1)(h)]

Council will meet and adjourn to executive session (closed session) to discuss qualifications of the applicants. After the discussion.

g) Regular or Special Meeting, same evening as above [RCW 42.30.110(1)(h)]

Council will meet in open session and the agenda will include a vote to fill the vacancy. Upon selection of the new Councilmember, that person will be sworn in by the City Clerk, and take their seat at the dais.

3. Interview Questions/Process:

During the interview, each Councilmember and the Mayor may ask each candidate up to three questions. Follow-up questions are to be counted as one of the three questions. 2. Candidates will be interviewed in alphabetical order of last name.

4. Nomination and Voting Process:

a) NOMINATION PROCESS.

Councilmembers may nominate an applicant to fill the vacancy. A second is required. If no second is received, that applicant shall not be considered further unless no applicant receives a second, in which case all applicants who were nominated may be considered again. Once the

nominations are given, **the Mayor will close the nominations and Council will proceed to vote.**

b) Voting Process

RCW 42.12.070 states that where one position is vacant, **the remaining members** of the governing body shall **appoint** a qualified person to fill the vacant position. By adoption of this policy, Council has chosen the following process for making such appointment:

A vote for an applicant shall be by voice or raised hand.

The vacancy can only be filled when **a majority of the whole City Council affirmatively votes** for the applicant or in the case of a 3-3 tie, the mayor breaks the tie (See RCW 35A.12.100), i.e. if five City Councilmembers are present, this would require at least four City Councilmembers voting for an applicant. If subsequent rounds of voting are needed, each round of voting follows the same process. The Mayor may ask for Council discussion between voting rounds.

Round One Vote:

The applicant receiving the majority of votes will be the new Councilmember.

If no applicant receives a majority of votes from the City Council, then the three applicants receiving the most affirmative votes would be considered in a second round.

Round Two Vote:

Round Two shall proceed the same as Round One. If one of the three applicants still fails to receive a majority of affirmative votes, then the two applicants of the three who received the most affirmative votes would then be considered in a third round; or if there are only two applicants and they receive tie votes, a third round will be taken. Councilmembers may change their vote between rounds.

Round Three Vote:

Round Three shall proceed the same as Rounds One and Two. If after this round, the vote of the two applicants results in a tie, then the City Supervisor, with concurrence of Council, shall flip a coin to determine who shall fill the vacancy, with the applicant whose last name is closest to the letter "A" being assigned "heads" and the other person assigned "tails." In the rare circumstance where both applicants have the same last name, the applicant whose entire last name is closest to the letter "A" will be assigned "heads" and the other person assigned "tails."

c) Seating of New City Councilmember:

Once an applicant either has received a majority of votes or wins the coin flip, if the appointed applicant is at the meeting, the Mayor shall administer the oath of office, and the new Councilmember will be officially seated as a City Councilmember.

B-1. Filling a Vacancy in the office of Mayor

I. Filling a Vacancy

If a vacancy occurs in the office of Mayor, the Council shall follow the procedures outlined in RCW 35A.12.050 and Council's adopted procedure in compliance with RCW 35A.12.050, as well as RCW 42.12.070. The timeline may vary depending on when the process begins. Pursuant to RCW 35A.12.050, City Council has within 90 days of the vacancy to appoint a qualified person to the vacant position. If this timeframe is not met, the City's authority in this matter would cease and the Skagit County Board of Commissioners would appoint a qualified person to fill the vacancy. Public comment will not be taken during this entire process.

PROCEDURE FOR FILLING A MAYORAL VACANCY

A. Timeline/Procedure (any of the meetings, dates and times, may be adjusted and/or combined as determined by the Council):

1. Candidates

The City Council will appoint a new mayor from among the members of the City Council.

2. Special Meeting, Executive Session, set for _____. [RCW 42.30.110(1)(h)]

At 6:00 p.m. prior to the next regularly scheduled Council meeting, the Council will meet to solicit interest from councilmembers and adjourn to executive session to review and discuss all of the councilmembers interested in serving as mayor. After the review and discussion, Council will return to Council Chambers and the Special Meeting will be adjourned.

Regular Meeting, same evening as above Special Meeting. [RCW 42.30.110(1)(h)]

6:00 p.m. Council will meet in open session and part of this agenda will include the appointment of a new mayor. The nomination and voting process is detailed at Section A, below.

A. Nomination and Voting Process:

1. NOMINATION PROCESS.

Councilmembers may nominate any councilmember to fill the vacancy. A second is required. If no second is received, that applicant shall not be considered further unless no applicant receives a second, in which case all applicants who were nominated may be considered again. Once the nominations are given, **the Mayor-Pro-Tem will close the nominations and Council will proceed to vote.**

2. VOTING PROCESS. By adoption of this policy, Council has chosen the following process for making such appointment:

a. A vote for an applicant shall be by voice or raised hand.

b. The vacancy can only be filled when **a majority of the whole City Council affirmatively votes** for the applicant, i.e. if five City Councilmembers are present, this would require at least four City Councilmembers voting for an applicant. If subsequent rounds of voting are needed, each round of voting follows the same process. The Mayor-Pro-Tem may ask for Council discussion between voting rounds.

Round One Vote:

The applicant receiving the majority of votes will be the new Mayor.

If no applicant receives a majority of votes from the City Council, then the three applicants receiving the most affirmative votes would be considered in a second round.

Round Two Vote:

Round Two shall proceed the same as Round One. If one of the three applicants still fails to receive a majority of affirmative votes, then the two applicants of the three who received the most affirmative votes would then be considered in a third round; or if there are only two

applicants and they receive tie votes, a third round will be taken. Councilmembers may change their vote between rounds.

Round Three Vote:

Round Three shall proceed the same as Rounds One and Two. If after this round, the vote of the two applicants results in a tie, then the City Supervisor, with concurrence of Council, shall flip a coin to determine who shall fill the vacancy, with the applicant whose last name is closest to the letter "A" being assigned "heads" and the other person assigned "tails." In the rare circumstance where both applicants have the same last name, the applicant whose entire last name is closest to the letter "A" will be assigned "heads" and the other person assigned "tails."

D. Seating of the New Mayor:

1. Once an applicant either has received a majority of votes or wins the coin flip, the City Clerk shall administer the oath of office, and the new Mayor will be officially seated as Mayor.

1. Legislative Agenda

Councilmembers work each year (or sometimes every two years) to draft a "legislative agenda" to address Council ideas, suggestions and specific legislative programs in terms of upcoming or pending legislative activity in Olympia that would or could have an effect on our City. Additionally, Councilmembers have the option of creating a similar legislative agenda to address concerns on a national level.

2. Ballot Measures:

a) State Law

RCW 42.17A 555. State law has enacted statutory prohibitions (with limited exceptions) against the use of public facilities to support or oppose ballot propositions:

"No elective official nor any employee of his or her office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition. Facilities of a public office or agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of employees of the office or agency during working hours, vehicles, office space, publications of the office or agency, and clientele lists of persons served by the office or agency. However, this does not apply to the following activities:

(1) Action taken at an open public meeting by members of an elected legislative body or by an elected board, council, or commission of a special purpose district including, but not limited to, fire districts, public hospital districts, library districts, park districts, port districts, public utility districts, school districts, sewer districts, and water districts, to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the legislative body, members of the board, council, or commission of the special purpose district, or members of the public are afforded an approximately equal opportunity for the expression of an opposing view.

(2) A statement by an elected official in support of or in opposition to any ballot proposition at an open press conference or in response to a specific inquiry;

(3) Activities which are part of the normal and regular conduct of the office or agency." [emphasis added]

b) *City's Implementation of RCW 42.17A.555:*

In the City's implementation of RCW 42.17A.555, the City Council shall not, during any part of any Council meeting, consider requests from outside agencies for Council to support or oppose ballot measures; nor will Council permit any public comment on any proposed or pending ballot issue, whether or not such comments seek endorsement or are just to inform Council of upcoming or proposed ballot issues; nor shall Councilmembers disseminate ballot-related information.

c) *Providing Informative Materials to Council*

The requestor has the option of mailing materials to individual Councilmembers via the United States Postal Office. Because even the use of e-mail for ballot purposes could be construed as use of public facilities and could be interpreted as being in violation of RCW 42.17A.555, materials should be sent via regular mail through the United States Postal Office. Information shall be objective only and not soliciting a pro or con position.

d) *Public Comment.*

Council has chosen not to support or oppose ballot issues as those are left to the will of the people voting. The use of any of the City's facilities including the use of the Council chambers and/or broadcast system would likely be construed as being in violation of RCW 42.17A.555 and therefore, general public comment on ballot issues, or proposed ballot issues will not be permitted.

CHAPTER 3 – Council Contacts



A. Citizen Contact/Interactions Outside of a Council Meeting

Per state law, all documents, files, communications and messages created, reviewed or altered that are related to the conduct of City business, regardless of format, are property of the City. As a result, these documents, files, communications and messages are not private or confidential unless otherwise noted in the Revised Code of Washington. The City reserves the right to request, access, monitor, and disclose the contents of electronic messages and any record, regardless of format, related to the conduct of City business on City-issued or personal devices that Council members use. Council members should have no expectation of privacy in either sending or receiving electronic messages, or other information on the Internet, City network or other electronic media related to City Business whether done on their own personal device or on a City issued device. The City may review the public records for legal exemption or redaction pursuant to the Public Records Act RCW

42.56 or other applicable state or federal laws and may provide third party notice providing affected parties the opportunity to file for a court order to prevent or limit disclosure.

1. Concerns, Complaints and Suggestions to Council

When citizen concerns, complaints or suggestions are brought to any, some, or all Councilmembers, the Mayor shall, in consultation with the City Administrator, first determine whether the issue is legislative or administrative in nature and then:

If legislative, and a concern or complaint is about the language or intent of legislative acts or suggestions for changes to such acts, and if such complaint suggests a change to an ordinance or resolution of the City, the Mayor and City Supervisor may refer the matter to a future Council agenda for Council's recommendation in forwarding the matter to a committee, administration, or to the Council for study and recommendation.

If administrative, and a concern or complaint regards administrative staff performance, execution of legislative policy or administrative policy within the authority of the Executive Branch, the complaint is referred directly to the Mayor and/or City Administrator for review, if said complaint has not been so reviewed. The City Council may direct that the Mayor/City Administrator brief the Council when the response is made.

2. Administrative Complaints Made Directly to Individual Councilmembers

When administrative policy or administrative performance complaints are made directly to individual Councilmembers, the Councilmember shall then refer the matter directly to the Mayor or City Administrator for review and/or action. The individual Councilmember may request to be informed of the action or response made to the complaint.

Although citizens' direct access to elected officials is to be encouraged to help develop public policy, City Councilmembers should not develop a "personal intervention" pattern in minor calls for service or administrative appeals which may actually delay a timely customer service response. The best policy is to get the citizen into direct contact with customer service unless an unsatisfactory result has occurred in the past. In that case, refer to the paragraph above.

3. Social Media

Councilmembers shall not use their personal social media platforms as a mechanism for conducting official City business. Personal social media accounts should be identified by the Councilmember as such and a disclaimer added that indicates the views expressed are those of the individual member, not those of the City. Examples of what may not be communicated through the use of personal social media platforms include making policy decisions, official public noticing, and discussing items of legal or fiscal significance to the City. Social media accounts created specifically for the purpose of communicating with constituents must be retained as public records using SMARSH. As with telephone and e-mails,

communication between and among Councilmembers via social media could constitute a “meeting” under the Open Public Meetings Act, and for this reason, Councilmembers are strongly discouraged from “friending” other Councilmembers.

4. Text Messages

Text Messages generated or received by individual Councilmembers for conducting City business on any personal device whether issued by the City or not, are subject to public disclosure laws and records retention schedules. Text messages must be retained and archived according to City and State retention schedules. Councilmembers are responsible for preserving all City business records on their personal devices, systems and servers.

B. Staff Contacts and Interactions

1. Role of the City Administrator

The City Administrator is the chief appointed officer of the City of Sedro-Woolley. The City Administrator reports to the Mayor and is directly accountable to the Mayor and City Council for the execution of the City Council's policy directives, and for the administration and management of all City departments.

2. City Staff Attendance at Meetings

The City Administrator or his/her designee shall attend all meetings of the City Council, unless excused by the Mayor or Council.

3. City Clerk – Minutes

The City Clerk, or in the Clerk's absence the Deputy City Clerk, shall keep minutes as required by law, and shall perform such other duties in the meeting as may be required by the Council or Mayor. In the absence of the City Clerk and the Deputy City Clerk, the City Clerk shall appoint a replacement to act as Clerk during the Council meeting. The Clerk shall keep minutes which identifies the general discussion of the issue and complete detail of the official action or agreement reached, if any. As a rule and when possible and practical, regular meetings, or those Council meetings held at 6 p.m. on Wednesdays, (includes only formal format meetings) shall be both audio and video-recorded. Executive Sessions shall not be video or audio recorded.

Original, signed and approved minutes shall be kept on file in the City Clerk's office and archived according to State Record Retention Schedules. Copies of the approved minutes shall also be posted on the City's website as soon as practical after such minutes are approved and signed. Whenever possible, video recordings of Council meetings shall be posted on the City's website.

4. Administrative Interference by Councilmembers

Neither the Council nor any of its committees or members shall direct or request the appointment of any person to, or his/her removal from, any office by the Mayor or any of his/her subordinates. Except for the purpose of inquiry, the Council and its members shall deal with the administrative branch solely through the Mayor and/or City Administrator and neither the Council nor any committee or member thereof shall give any directives, tasks, or orders to any subordinate of the Mayor, either publicly or privately; provided, however, that nothing herein shall be construed to prohibit the Council, while in open session, from fully and freely discussing with the Mayor and/or City Administrator anything pertaining to appointments and removals of City officers and employees and City affairs.

5. Informal Communications Encouraged

Members of the Council are encouraged to interact informally and casually with City staff for the purpose of gathering information, obtaining explanations of policies and programs or providing incidental information to staff relevant to their assignment. Such informal contacts can serve to promote better understanding of specific City functions and problems. However, Councilmembers must be careful in such interaction to avoid giving direction or advice to members of City staff. While maintaining open lines of communication, City staff responding to information requests from Councilmembers will inform their supervisor of such contact and provide the supervisor with the same information shared with the Councilmember.

CHAPTER 4 – Hearings



A. General Public Hearings

1. Purpose

Legislative public hearings are hearings held to obtain public input on legislative decisions on matters of policy. Legislative public hearings are required by state law when a city or county addresses matters such as comprehensive land use plans, or the annual budget. They are generally less formal than quasi-judicial public hearings. They do not involve the legal rights of specific, private parties in a contested setting, but rather affect a wider range of citizens or perhaps the entire jurisdiction. The wisdom of legislative decisions reached as a result of such hearings is not second-guessed by the courts; if challenged, they are reviewed only to determine if they are constitutional or violate state law. For example, a court will not review whether the basic budgetary decisions made by a city were correctly made.

2. Legislative Public Hearings

State statutes do not specify how public hearings should be conducted. Because legislative hearings are generally informal, the main concern is to provide an opportunity for all attending members of the public to speak if they so desire. Time limits should be placed on individual comments if many people are intending to speak, and the public should be advised that comments must relate to the matter at hand. The “ground rules” for the conduct of the hearing may be stated by the Presiding Officer at the beginning of the hearing:

- a) All public comments shall be made from the speaker’s podium, shall be directed to the Mayor and Council, and any individual making comments shall first give their name and city of residence. This is required because an official recorded transcript of the public hearing is being made.
- b) No comments shall be made from any other location, and anyone making “out of order” comments shall be subject to removal from the meeting.
- c) Unless otherwise determined by the Presiding Officer, all comments by the public shall be limited to three minutes per speaker.
- d) There will be no demonstrations, applause or other audience participation, before, during or at the conclusion of anyone’s presentation. Such expressions are disruptive and take time away from the speakers.
- e) Unless read and/or handed in by the individual speaker during the public hearing, previously received written public comments will be read by the City Clerk at the pleasure of the Mayor. In the interest of time, the Mayor may limit the reading of such comments, to the Clerk reading whom the letter or written material is from, and if easily discernible, whether that person is for or against the issue at hand. All written comments become an official part of the record.
- f) These rules are intended to promote an orderly system of holding a public hearing, to give persons an opportunity to be heard, and to ensure that individuals are not embarrassed by exercising their right of free speech.

The Presiding officer declares the public hearing on _____ (topic) open, notes the time for such opening, and asks staff to make their presentation.

After staff presentations, the Presiding Officer calls for public comments.

The Presiding Officer asks if any members of Council have questions of any of the speakers or staff. If any Councilmember has questions, the appropriate individual will be recalled to the podium.

The Presiding Officer declares the public hearing closed and notes the time for such closing.

B. Quasi-Judicial Hearings

1. Purpose

Quasi-judicial public hearings involve the legal rights of specific parties, and the decisions made as a result of such hearings must be based upon and supported by the “record” developed at the hearing. Quasi-judicial hearings are subject to stricter procedural requirements than legislative hearings. Most quasi-judicial hearings held by local government bodies involve land use matters, including site specific rezones, preliminary plats, variances, and conditional uses. (*MRSC Public Hearings When and How to Hold Them by Bob Meinig, MRSC Legal Consultant August 1998*)

2. Specific Statutory Provisions

- a) Candidates for the City Council may express their opinions about pending or proposed quasi-judicial actions while campaigning, per RCW 42.36.04015, except that sitting Councilmembers shall not express their opinions on any such matter which is or may come before the Council.
- b) Ex-parte communications should be avoided whenever possible. During the pendency of any quasi-judicial proceeding, no Councilmember may engage in ex parte communications with proponents or opponents about a proposal involved in the pending proceeding unless the Councilmember: (1) places on the record the substance of such verbal or written communications; and (2) provides that a public announcement of the content of the communication and of the parties’ rights to rebut the substance of the communication shall be made at each hearing where action is taken or considered on the subject. This does not prohibit correspondence between a citizen and his or her elected official if the correspondence is made a part of the record, when it pertains to the subject matter of a quasi-judicial proceeding. (RCW 42.36.06016)
- c) Procedure On Application. Any person making application for any action leading to a quasi-judicial hearing before the Planning Commission and/or City Council shall be provided with a document containing the following information: (1) the names and address of all members of the City Council, and the Planning Commission, (2) a statement that public disclosure information is available for public inspection regarding all such Councilmembers, and (3) a statement that if the applicant intends to raise any appearance of fairness issue, the applicant should do so at least two weeks prior to any public hearing, if the grounds for such issue are then known and in all cases, no later than before the opening of the public hearing. The applicant shall sign a receipt for such document.

3. Appearance of Fairness Doctrine

- a) “The test of whether the Appearance of Fairness Doctrine has been violated is ... as follows: Would a disinterested person, having been apprised of the totality of a board member's personal interest in a matter being acted upon, be reasonably justified in thinking that partiality may exist? If answered in the affirmative, such deliberations, and any course of conduct reached thereon, should be voided.” *Swift vs. Island County*, 87 Wn.2d 348 (1976); *Smith vs. Skagit County*, 75 Wn.2d 715 (1969).
- b) Types of Hearings to Which the Doctrine Applies. The Appearance of Fairness Doctrine shall apply only to those actions of the Council which are quasi-judicial in nature. Quasi-judicial actions are defined as actions of the City Council which determine the legal rights, duties, or privileges of specific parties in a hearing or other contested proceeding. Quasi-judicial actions do not include the legislative actions adopting, amending, or revising comprehensive, community, or neighborhood plans or other land use planning documents or the adoption of area-wide zoning ordinances or the adoption of a zoning amendment that is of area-wide (versus site-specific) significance (RCW 42.36.01017). Street vacations are typically legislative actions, unless clearly tied to, and integrated into, a site-specific development proposal which is quasi-judicial in nature.

c) Obligations of Councilmembers - Procedure.

1. Immediate self-disclosure of interests that may appear to constitute a conflict of interest is hereby encouraged. Councilmembers should recognize that the Appearance of Fairness Doctrine does not require establishment of a conflict of interest, but whether there is an appearance of conflict of interest to the average person. This may involve the Councilmember or a Councilmember's business associate, or a member of the Councilmember's immediate family. It could involve ex parte (outside the hearing) communications, ownership of property in the vicinity, business dealings with the proponents or opponents before or after the hearing, business dealings of the Councilmember's employer with the proponents or opponents, announced predisposition, and the like. Prior to any quasi-judicial hearing, each Councilmember should give consideration to whether a potential violation of the Appearance of Fairness Doctrine exists. If the answer is in the affirmative, no matter how remote, the Councilmember should disclose such facts to the Mayor who will seek the opinion of the City Attorney as to whether a potential violation of the Appearance of Fairness Doctrine exists. The Mayor and/or City Attorney shall communicate such opinion to the Councilmember.
2. Anyone seeking to disqualify a Councilmember from participating in a decision on the basis of a violation of the Appearance of Fairness Doctrine must raise the challenge as soon as the basis for disqualification is made known, or reasonably should have been made known, prior to the issuance of the decision. Upon failure to do so, the doctrine may not be relied upon to invalidate the decision consistent with state law. The party seeking to disqualify the Councilmember shall state with specificity the basis for disqualification; for example: demonstrated bias or prejudice for or against a party to the proceedings, a monetary interest in outcome of the proceedings, prejudgment of the issue prior to hearing the facts on the record, or ex parte contact. Should such challenge be made prior to the hearing, the City Attorney shall interview the Councilmember and render an opinion as to the likelihood that an Appearance of Fairness Doctrine violation would be sustained in Superior Court. Should such challenge be made in the course of a quasi-judicial hearing, the Councilmember shall either recuse him/herself or the Mayor shall call a recess to permit the City Attorney to make such interview and render such opinion.
3. The Mayor shall have authority to request a Councilmember to excuse him/herself on the basis of an Appearance of Fairness Doctrine violation. Further, if two or more Councilmembers believe that an Appearance of Fairness Doctrine violation exists, such individuals may move to request a Councilmember to excuse him/herself on the basis of an Appearance of Fairness Doctrine violation. In arriving at this decision, the Mayor or other Councilmembers shall give due regard to the opinion of the City Attorney.

d) When Council conducts a hearing to which the Appearance of Fairness Doctrine applies, the Mayor (or in the case of a potential violation by that individual, the Mayor Pro Tem) will ask if any Councilmember knows of any reason which would require such member to excuse themselves pursuant to the Appearance of Fairness Doctrine. The form of the announcement is as follows:

All Councilmembers should now give consideration as to whether they have:

1. A demonstrated bias or prejudice for or against any party to the proceedings;
2. A direct or indirect monetary interest in the outcome of the proceedings;
3. A prejudgment of the issue prior to hearing the facts on the record; or
4. Had ex parte contact with any individual, excluding administrative staff, with regard to an issue prior to the hearing. If any Councilmember should answer in the affirmative, then the Councilmembers should state the reason for his/her answer at this time, so that the Chair may inquire of administration as to whether a violation of the Appearance of Fairness Doctrine exists.

CHAPTER 5 - Disclaimer



A. Disclaimers

1. Purpose

These City Council Rules of Procedure are designed to provide guidance for the City Council. They are not to be considered restrictions or expansions of City Council authority. These rules have been prepared from review of many statutes, ordinances, court cases and other sources but they are not intended to be an amendment or substitute for those statutes, ordinances, court decisions or other authority.

2. Use

No action taken by a Councilmember or by the Council which is not in compliance with these rules, but which is otherwise lawful, shall invalidate such Councilmember's or Council action or be deemed a violation of oath of office, misfeasance or malfeasance. No authority other than the City Council may enforce these rules or rely on these rules. Failure of the City Council to follow any of these rules shall be considered a Council decision to waive such rule. No notice of such waiver need be given.

3. Reliance

Public Use or Reliance Not Intended. Because these rules are designed to assist the City Council and not to provide substantive rules affecting constituents, it is expressly stated that these rules do not constitute land use regulations, official controls, "appearance of fairness rules," public hearing rules, or other substantive rules binding upon or to be used by or relied upon by members of the public. These rules do not amend statutory or other regulatory (such as ordinance) requirements.

Appendix

Appendix A: Definitions

Action: All transactions of a governing body's business, including receipt of public testimony, deliberations, discussions, considerations, reviews, and evaluations, as well as "final" action. [RCW 42.30.010¹⁸, 42.30.020(3)¹⁹].

Codified: The process of forming a legal code (i.e., a codex or book of laws) by collecting and including the laws of a jurisdiction or municipality.

Consensus: A collective judgment or belief; solidarity of opinion: "*The consensus of the group was that they should meet twice a month.* General agreement or harmony. [Random House Webster's College Dictionary, April 2001] [Wikipedia: explains it as a group decision making process; not necessarily the agreement. In other words, the question to the group is: "Is this something you can live with?" or, Does anyone object?] It is not unanimity, but more a process for deciding what is best overall. Members of the group reach a decision to which they **consent** because they know it is the best one overall. It differs from voting which is a procedure for tallying preferences. Sometimes knowing there will be an up-down vote at the end often polarizes the discussion. It does not require each member of the group to justify their feelings. [Taken from: *Consensus Is Not Unanimity: Making Decisions Cooperatively*, by Randy Schutt. "] Similar to a type of verbal "show of hands" on who feels particularly strong on this?" Sometimes thought of as preliminary approval without taking final "action." A show of hands is not an action that has any legal effect. ["Voting and Taking Action in Closed Sessions" by Frayda Bulestein.]

Ex-parte: from a one-sided or partisan point of view; on the application of one party alone. An ex-parte judicial proceeding is conducted for the benefit of only one party. Ex-parte may also describe contact with a person represented by an attorney, outside the presence of the attorney.

Motion: An enacted motion is a form of action taken by the Council to direct that a specific action be taken on behalf of the municipality. A motion, once approved and entered into the record, is the equivalent of a resolution in those instances where a resolution is not required by law, and where such motion is not in conflict with existing state or federal statutes, City ordinances or resolutions.

Ordinance: An enacted ordinance is a law passed [enacted] by a municipal organization legislatively prescribing specific rules of organization or conduct relating to the corporate affairs of the municipality and those citizens and businesses therein. Council action shall be taken by ordinance when required by law, or where prescribed conduct may be enforced by penalty. Special ordinances such as adopting the budget, vacating a street, amending the Comprehensive Plan and/or Map, and placing a matter on an election ballot, including general obligation bonds, are not codified into the City's municipal code.

Resolution: An enacted resolution is an administrative act which is a formal statement of policy concerning matters of special or temporary character. Council action shall be taken by resolution when required by law and in those instances where an expression of policy more formal than a motion is desired.

Regular Meeting: Any Council meeting that meets in the Sedro-Woolley City Council Chambers or the Fire Department Training Room on the First, Second and Fourth Wednesdays at 7:00 p.m. shall be deemed a "regular meeting."

Social Media: A term used to define the various activities that integrate technology, social interaction and content creation. Through social media, individuals or collaborations of individuals create on-line web content, organize content, edit or comment on content, combine content, and share content. Social media uses many technologies and forms including syndicated web feeds, weblogs (blogs), wiki, photo-sharing, video-sharing, podcasts, and social networking. (From MRSC, and Social Media and Web2.0 in Government, WebContent.gov)

Appendix B: Frequently Used Acronyms

ADA - **Americans with Disabilities Act**

ADT - Average Daily Traffic

ATF - Bureau of Alcohol, Tobacco & Firearms

AWC - Association of Washington Cities

BOCC - Board of County Commissioners

CAFR - Comprehensive Annual Financial Report

CDBG - Community Development Block Grant

CIAW - Cities Insurance Authority of Washington

CIP - Capital Improvement Plan

CTED - Community, Trade, & Economic Development (now Department of Commerce)

CUP - Conditional Use Permit

DEIS - Draft Environmental Impact Statement

DEM - Department of Emergency Management

DNR - Department of Natural Resources

DNS - Declaration of Non-Significance

DOE - Department of Ecology; Department of Energy

DOT - Department of Transportation

E911 - Enhanced 911

EA - Environment Assessment

EDASC - Economic Development Alliance of Skagit County

EEO/AA - Equal Employment Opportunity/Affirmative Action

EEOC - Equal Employment Opportunity Commission

EIS - Environmental Impact Statement

EOE - Equal Opportunity Employer

EPA - Environmental Protection Agency

ERU - Equivalent Residential Unit (for measuring sewer capacity and demand)

F & WS - Federal Fish & Wildlife Service

FAA - Federal Aviation Administration

FCC - Federal Communications Commission

FEIS - Final Environmental Impact Statement

FEMA - Federal Emergency Management Agency

FICA - Federal Insurance Contribution Act

FIRM - Flood Insurance Rate Maps
FLSA - Fair Labor Standards Act**FMLA** - Family Medical Leave Act
GAAP - Generally Accepted Accounting Principles
GASB - Governmental Accounting Standards Board
GIS - Geographic Information System
GMA - Growth Management Act
GPM - Gallons Per Minute
HOV - High-Occupancy Vehicle
HR - Human Resources
HUD - Housing & Urban Development (Department of)
ICMA - International City/County Management Association
L & I - Labor & Industries (Department of)
LID - Local Improvement District
MGD - Million Gallons per Day
MOA - Memorandum of Agreement
MOU - Memorandum of Understanding
MPO - Metropolitan Planning Organization
MRSC - Municipal Research Services Center
NEPA - National Environment Policy Act
NIMBY - Not In My Backyard
NPDES - National Pollutant Discharge Elimination System
PE - Preliminary Engineering; Professional Engineer
PERC - Public Employment Relations Commission
PMS - Pavement Management System
PPE - Personal Protective Equipment
PPM - Parts Per Million; Policy & Procedure Manual
PUD - Public Utility District
PW - Public Works
QA - Quality Assurance
RCW - Revised Code of Washington
REET - Real Estate Excise Tax
RONR - *Robert's Rules of Order Newly Revised*
ROW - Right of Way
SAO - State Auditor's Office

SBA - Small Business Administration
SEPA - State Environmental Policy Act
SMA - Shorelines Management Act
SWAC - Solid Waste Advisory Committee
TIB - Transportation Improvement Board
TIP - Transportation Improvement Program
TMDL - Total Maximum Daily Load
UBC - Uniform Building Code
UFC - Uniform Fire Code
UGA - Urban Growth Area
WAC - Washington Administrative Code
WACO - Washington Association of County Officials
WCMA - Washington City/County Management Association
WSDOT - Washington State Department of Transportation
WSP - Washington State Patrol
WUTC - Washington Utilities & Transportation Commission
WWTP - Wastewater Treatment Plant

Endnotes:

¹ RCW 42.30.110 – Open Public Meeting Act, Executive Sessions

² RCW 42.30.140- Open Public Meeting Act,

³ RCW 35A.13.035- Optional Municipal Code (35A) – Council-manager plan of government

⁴ RCW 42.52 – Ethics in Public Service

⁵ RCW 42.56 – Public Records Act

⁶ RCW 35A.12.160 Optional Municipal Code (35A) – Council manager plan of government; public notice of hearings and meeting agendas

⁷ RCW 35A.13.170 – Optional Municipal Code (35A) – Council manager plan of government; council meetings – quorum, rules - voting

⁸ RCW 35A.12.110 – Council meetings, shall meet regularly, at least once a month.

⁹ RCW 35A.12.110 – *ibid.*

¹⁰ RCW 42.30.080 - Open Public Meetings Act, Special Meetings, procedures for calling Special Meetings

¹¹ RCW 35A.12.060 – A council position shall become vacant if the councilmember fails to attend three consecutive regular meetings of the council without being excused by the council.

¹² RCW 35A.13.190 – Ordinances, emergencies, may be effective upon adoption if passed by a majority plus one of the whole membership of the council and have the ordinance designated as a public emergency; but such ordinance may not levy taxes, grant, renew or extend a franchise, or authorize the borrowing of money.

¹³ RCW 35A.12.050 – Vacancies

¹⁴ RCW 35A.12.050 – *ibid.*

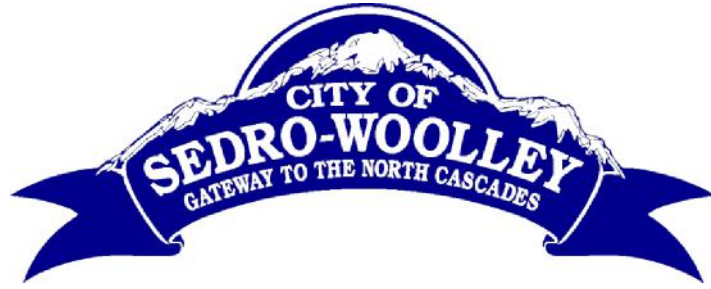
¹⁵ RCW 42.36.040 – Appearance of Fairness – public discussion by candidate for public office

¹⁶ RCW 42.36.060 – Quasi-judicial proceedings, ex-parte communications prohibited, exceptions.

¹⁷ RCW 42.36.010 Appearance of fairness doctrine – local land use decisions.

¹⁸ RCW 42.30.010 - Open Public Meetings Act; legislative declaration. It is the intent of this chapter that their actions be taken openly and that their deliberations be conducted openly.

¹⁹ RCW 42.30.020(3) – Definitions – defines “action”



City Council Governance Handbook

**Adopted by Resolution 972-17
A Comprehensive Collection of
Rules and Procedures for
the City Council**

**Adopted September 13, 2017
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CHAPTER 1 - Council Meetings





A. General

1. Council Meetings - Time and Location

Unless otherwise specified in a meeting notice, regular meetings of the City Council shall be held at the Sedro-Woolley Municipal Building, Council Chambers on the second and fourth Wednesdays beginning at 6:00 p.m. The City Council also meets on the first Wednesday at the Sedro-Woolley Fire Department Training Room beginning at 6:00 p.m. for a study session meeting. There are no regularly scheduled study session meetings in the months of June, July and August. Pursuant to RCW 42.30.070, Open Public Meetings Act, “if at any time any regular meeting falls on a holiday, such regular meeting shall be held on the next business day.” SWMC 2.04.010 provides more detail on meetings in November and December as follows, “The city council shall hold regular meetings at six p.m. on the first, second and fourth Wednesday of each month throughout the year, but whenever a regular meeting falls on a legal holiday now or hereafter designated as such by the laws of the state of Washington, such meeting shall be held at six p.m. of the first day following which is not itself a legal holiday; and provided, that the meeting immediately before the Thanksgiving holiday each year shall be held on the Tuesday before Thanksgiving rather than the fourth Wednesday; and provided further, that no meeting is scheduled for the fourth Wednesday in December.”

2. Council Meetings - Open to the Public

All meetings of the City Council shall be open to the public, except as provided for in RCW 42.30.110¹ (Executive Sessions), or RCW 42.30.140² (Open Public Meetings Act). Councilmembers will notify appropriate staff of Councilmember’s plans to attend any of the various outside public meetings hosted by other organizations or agencies, or City meetings hosted by various City Departments, so that notice may be published concerning such attendance in order not to risk any real or perceived violation of the Open Public Meetings Act.

3. Presiding Officer

The Mayor shall preside at meetings of the Council. In case of the Mayor's absence or temporary disability, the Mayor Pro Tempore shall act as Mayor during the continuance of the absence. In case of the absence or temporary inability of the Mayor and Mayor Pro Tempore, an acting Mayor Pro Tempore selected by majority vote of the remaining members of the Council, shall act as Mayor during the continuance of the absences [RCW 35A.13.035³]. The Mayor, Mayor Pro Tempore (in the Mayor’s absence) or acting Mayor Pro Tem are referred to as “Presiding Officer” from time to time in these Rules of Procedure.

B. Types of Meetings

1. Regular Meeting

The city council shall hold regular meetings at six p.m. on the first, second and fourth Wednesday of each month throughout the year, but whenever a regular meeting falls on a legal holiday now or hereafter designated as such by the laws of the state of Washington, such meeting shall be held at six p.m. of the first day following which is not itself a legal holiday; and provided, that the meeting immediately before the Thanksgiving holiday each year shall be held on the fourth Tuesday of November rather than the fourth Wednesday; and provided further, that fourth Wednesday meeting in December is cancelled as detailed in SWMC 2.04.010.

a) Formal Format

1. Normally held 2nd and 4th Wednesdays. The City Administrator, in consultation with the Mayor, shall arrange a list of proposed matters according to the order of business and prepare an agenda for the Council. On or before close of business on a Friday preceding a Wednesday Council meeting, or at the close of business at least 24 hours preceding a special Council meeting, a copy of the agenda and supporting materials shall be prepared for Councilmembers, appropriate staff, and the media who have filed a notification request. Agendas may be amended as required, and expeditiously distributed to Council and appropriate staff.
2. Requests from outside entities or individuals for presentations to be scheduled on any Council agenda imply that the presentation is the official business of the City, and such requests should be submitted to the City Administrator at least ten days prior to the appropriate Council meeting. The City Administrator and the Mayor will make a determination of whether the matter is an administrative issue, and whether it should be placed on an upcoming Council agenda.
3. Forms of Address. Everyone in attendance at a formal format meeting, including all members of Council, are to address the Mayor as "Mayor (surname)." The Mayor Pro Tempore, when acting in that capacity, shall be addressed as "Mayor Pro Tempore (surname)." Everyone in attendance at a formal format meeting, including Members of the Council as they address each other, shall be addressed as "Councilmember (surname)."
4. Order of Business. The business of all regular formal meetings of the Council shall be transacted as follows, provided, however, that the Presiding Officer may, during a Council meeting, rearrange items on the agenda to conduct Council business more expeditiously, without the necessity of a formal action or motion. However, adding or removing items from the agenda once a meeting has been called to order requires Council to make a motion and vote on approving the "amended agenda."
 - i. *Call to Order by the Presiding Officer.*
 - ii. *Pledge of Allegiance.*
 - iii. *Roll Call.* (See Chapter 1, C3 [page 13] for procedure to excuse an absence)

iv. *Approval of Agenda.*

In case of an emergency or an extremely time-sensitive issue which neither the administration nor the entire Council was aware of prior to the distribution of the agenda and accompanying materials, a new item may be introduced by the Presiding Officer, by a concurrence of at least three Councilmembers, or by the City Administrator and suggested as an amended agenda item for the present meeting. If a new item(s) is added, Council will then consider a motion to approve the amended agenda. ("Three-Touch Principle" should be followed whenever possible.)

v. *Consent Agenda*

Items which may be placed on the Consent Agenda are those which: (1) have been previously discussed by the Council; (2) based on the information delivered to members of the Council by administration can be reviewed by a Councilmember without further explanation; (3) are so routine, technical or non-substantive in nature that passage without discussion is likely; or (4) otherwise deemed in the best interest of the City.

The proper Council motion on the Consent Agenda is: "I move approval of the Consent Agenda." This motion will have the effect of moving to approve all items on the Consent Agenda. Since approval of any item on the Consent Agenda implies unanimous consent, any member of the Council shall have the right to remove any item from the Consent Agenda. Therefore, prior to the vote on the motion to approve the Consent Agenda, the Presiding Officer shall inquire if any Councilmember wishes an item to be withdrawn from the Consent Agenda. If any matter is withdrawn, the Presiding Officer shall place the item at an appropriate place on the agenda for the current or a future meeting, including addressing the issue immediately after passage of the remaining items on the Consent Agenda.

vi. *Introduction of Special Guests and Presentations.*

vii. *Staff Reports.*

Councilmember and Mayor's Reports. Council or government-related activities (e.g. synopsis of committee, commission, task force or other board meetings). These verbal reports are intended to be brief, city work-related reports of significance in keeping the Council informed of pertinent policy issues or events stemming from their representation of the City on a regional board, committee, task force or commission, whether as a formal member or as a liaison. Extended reports shall be placed as future agenda items for presentation or submitted in writing as an informational memo.

viii. *Proclamation(s).*

ix. *Public Comments*

An opportunity for public comments on subjects not on the agenda for action (as well as comments connected with action items) are limited to three minutes

each unless modified by the Presiding Officer. Although the City Council desires to allow the opportunity for public comment, the business of the City must proceed in an orderly, timely manner. At any time, the Presiding Officer, in the Presiding Officer's sole discretion, may set such reasonable limits as are necessary to prevent disruption or undue delay of other necessary business.

1. Subjects Not on the Current Agenda. Although it is not necessary for members of the public to sign in to speak, the Presiding Officer may invoke a sign-in procedure for speakers. Any member of the public may request time to address the Council. Speakers shall state their name and address, and the subject of their comments, and spell their last name for the record. The Presiding Officer may allow the verbal comments subject to such time limitations as the Presiding Officer deems necessary. Following such verbal comments, the Presiding Officer may place the matter on a future agenda or refer the matter to administration for investigation and/or report. The Presiding Officer may ask Council or Staff to address factual issues raised by public comments, if appropriate.
2. Subjects on the Current Agenda, "1st Reading". Any member of the public who wishes to verbally address the Council on an item on the current agenda listed as a "1st reading", shall proceed to the podium at the time when comments from the public are invited during the agenda item discussion. The Council may hear such comments before or after initial Council discussion. The Presiding Officer may also invoke a sign-in procedure. If necessary, the Presiding Officer in consultation with the City Attorney shall rule on the appropriateness of verbal public comments as the agenda item is reached. The Presiding Officer may change the order of speakers so that comment is heard in the most logical groupings.
3. Comment shall be made from the podium microphone or via video conference, by first giving name, city of residence and subject. No comments shall be made from any other location, and anyone making "out of order" comments shall be subject to removal from the meeting. The public shall be reminded that a Council meeting is a business meeting of the city and is not intended as a public forum and this is not an opportunity for dialogue or questions and answers, but public comment. When appropriate, staff will research issues and report back to those making the comment as well as to Council. Verbal public comments are opportunities for speakers to briefly address Council, and those speaking are to address members of Council and not the audience. Since this is an opportunity for verbal public comment, in the interest of time and keeping in mind all documents submitted during Council meetings become the property of the City, graphs, charts, posterboards, PowerPoint presentations, or other display materials will not be allowed, although written comments and written materials including photographs and petitions, may be submitted to Council via the City Clerk.
4. Demonstration, applause or other audience participation before, during or at the conclusion of anyone's presentation is prohibited. Any

disruptive behavior, as determined by the Presiding Officer, shall be cause for removal from the meeting room.

5. Any ruling by the Presiding Officer relative to the subsections 1 and 2 above may be overruled by a vote of a majority of Councilmembers present.
6. Council shall not permit public comments if they relate to any matter upon which a quasi-judicial hearing has been required, scheduled, or held. (See Chapter 4 for procedure for taking public comment on legislative matters.) Unless solicited and scheduled, comments shall not be permitted relative to any future or possible/probable future ballot issue. (See Chapter 2, E Ballot Measures for further direction concerning ballot measures.)
7. Public comments will not typically be allowed for items on the consent agenda and items on the agenda for a “2nd reading”.
8. Consistent with RCW 42.17A.555, no public comments will be allowed regarding support for or opposition to political campaigns, candidates or elections other than for Ballot Measures as addressed in Chapter

Written Public Comments. Citizens have the option of submitting written views, opinions, comments, data, and arguments to Council on any topic and at any time, not just prior to or during public Council meetings. Unless the citizen reads their own prepared written comments, such comments will not be read aloud during regular or special Council meetings although they will be included as part of the public record on the topic and if appropriate, may be publicly acknowledged. Any written comments submitted to Council via the City Clerk will be distributed to Council by placing copies at each Councilmember’s seat at the dais; or in the case of e-mailed or other electronic comments, will be forwarded to Council via e-mail. If individual Councilmembers receive written (including electronic) public comments or materials for the purpose of reading/sharing those materials during Council meetings, those materials should be submitted to the City Clerk prior to the Council meeting so the Clerk can make copies for later distribution to members of Council. (See No. 6 above and Chapter 2, Ballot Measures; see also Public Hearings section regarding public comments.) Written comments should clearly state that they are intended for the full council to ensure inclusion in a council packet.

Councilmembers will avoid accessing any electronic message during Council meetings. Accessing such communication could be construed as receiving public comment without the benefit of having the citizen in person to address their concerns.

x. *Public Hearings.* (See Chapter 4 for procedural details)

~~xi.~~

xi. *Unfinished Business* [includes matters that were pending when a previous meeting adjourned or matters specifically postponed to the present meeting.]

~~xii.~~

xii. *New Business.* [Action items are designated as New Business]

~~xii.~~
xiii. *Information Only Items.* These items will generally not be discussed or reported.

~~xiii.~~
xiv. *Good of the Order.* Last call from Council and Staff for items to be discussed.

~~xiv.~~
xv. *Executive Session (as required).* (See Chapter 1, section B1c below)

~~xv.~~
xvi. *Adjournment.* No Council meeting should be permitted to continue beyond approximately 9:00 p.m. without approval of a majority of the Councilmembers present. A new time limit shall be established before taking a Council vote to extend the meeting.

~~xvi.~~
When a motion is made to adjourn into Executive Session for a specified period of time, no additional motion is needed to extend the meeting beyond 9:00 p.m. since that is implied as part of the motion to adjourn into Executive Session. In the event that a meeting has not been closed or continued by Council as herein specified, the items not acted on shall be deferred to the next regular formal Council meeting, unless the Council by a majority vote of members present determines otherwise.

b) Study Session Format

~~b)~~

1. Normally held the 1st Wednesday. The purpose of the study session format is to allow Councilmembers to be made aware of impending business, including first readings of agenda items, and allow informal discussion of issues that might be acted on at a future meeting. Council preference is that action items should not be included on a study session agenda, but there may be times when, due to deadlines or other pertinent issues, action items must be included. Study sessions shall be in a less formal setting than regular formal meetings. Council may be seated other than at the dais, but shall not discourage public observation. Unless there are designated action items which permit public comment, there will be no public comment at study sessions although the Council may request staff or other participation in the same manner as a regular formal Council meeting. The City Administrator, under the direction of the Mayor, shall arrange a Council study session agenda for the meeting. For each item, the agenda shall contain the discussion subject, the discussion leader, the activity and the discussion goal. A copy of the agenda and accompanying background materials shall be prepared for Councilmembers, appropriate staff and the press, on or before 4:30 p.m., one day before the meeting. Councilmembers have the option of accessing their Council packet via the City's website. During a Council meeting, the Presiding Officer may rearrange items on the agenda to conduct Council business more expeditiously without the necessity of a formal action or motion. However, adding or removing items from the agenda once a meeting has been called to order requires Council to make a motion and vote on approving the "amended agenda."

~~1.~~

Voting.

- i. Action Items on the Agenda. Although action items may occasionally be included on a study session agenda, it is the practice of Council to keep those instances to a minimum. Because a study session is a recognized meeting according to the "Open Public Meetings Act," it is permissible for Council to

take final action during these meetings.

- ii. Non-action Items on the Agenda. Because study sessions are usually understood by the public and media as referring to meetings at which Council will only consider and discuss items and not take final action or vote, voting or making a motion when neither is included on an agenda does not violate state law, but for consistency sake and to avoid any surprises to the public and media, the practice is discouraged.
2. Discussion Leader's Role. During the Council study session, the discussion leader should introduce the subject and give background information, identify the discussion goal, act as facilitator to keep the discussion focused toward the goal, and alert the Presiding Officer when it is appropriate, to schedule the topic for a motion or official direction of the Council.
3. The role of the Presiding Officer is to facilitate Councilmembers engaged in free flowing discussion without the necessity of each Councilmember being recognized by the Presiding Officer. The Presiding Officer retains the option of assuming the function of the discussion leader at any time in order to maintain decorum and ensure all Councilmembers have the opportunity to be heard, and to keep the discussion properly focused.
4. Requests from outside entities or individuals for presentations to be scheduled on any Council agenda imply that the presentation is the official business of the City, and such requests should be submitted to the City Clerk at least ten days prior to the appropriate Council meeting. The City Clerk will consult with the City Administrator and the Mayor for a determination of whether the matter is an administrative issue, and whether it should be placed on an upcoming Council agenda.
5. Council Comments. The purpose of this agenda item is to allow Councilmembers an opportunity to report on an activity or key issue which either just arose, needs immediate or imminent action, or to simply report on something in connection with their role as a Councilmember that transpired since the last Council meeting. It is also an opportunity for Councilmembers to bring up topics for clarification, or to address other upcoming concerns. Pre-scheduled materials Council wishes to share as part of the Council packet, could also be included on study session agendas under "Council Comments."
6. City Administrator Comments. The purpose of this agenda item is to allow the City Administrator the opportunity to brief Council on an activity or issue which either just arose, needs immediate or imminent action, or to simply inform Council of items that transpired since the last Council meeting.
7. Forms of Address. Councilmembers and staff have the option of addressing each other on a first name basis during the study session format meetings.

c) Executive Sessions

1. If Council holds an executive session, it will be held in accordance with the Open Public Meetings Act, RCW Chapter 42.30. The Council may hold an executive session during a regular or special meeting. Before convening in executive session, the Presiding Officer shall publicly announce the purpose for adjourning into executive session; the

approximate length of time for the executive session; and the likelihood of Council taking action at the close of the executive session and return to open session.

- i. At the close of the executive session and upon Council's return to chambers, the Presiding Officer will declare Council out of executive session, and will ask for the appropriate motion (i.e. an action motion or a motion to adjourn).
 - ii. To protect the best interests of the City, Councilmembers shall keep confidential all verbal and written information provided during executive sessions. Confidentiality also includes information provided to Councilmembers outside of executive sessions when the information is considered exempt from disclosure under the Code of Ethics for Municipal Officers (RCW 42.524) and/or the Public Records Act (RCW 42.565). See also, Washington AGO 2017-5 (councilmembers have an affirmative duty to maintain the confidentiality of topics discussed in executive session).
2. RCW 42.30.110 explains the purpose for holding an executive session, some of which include:
 - i. RCW 42.30.110(1)(b). To consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price (pending land acquisition);
 - ii. RCW 42.30.110(1)(g). To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee. However, subject to RCW 42.30.140(4) (*labor negotiations*), discussion by a governing body of salaries, wages, and other conditions of employment to be generally applied within the agency shall occur in a meeting open to the public, and when a governing body elects to take final action hiring, setting the salary of an individual employee or class of employees, or discharging or disciplining an employee, that action shall be taken in a meeting open to the public; [note that stating that an executive session is to discuss a "personnel matter" is not sufficient because only certain types of personnel matters are appropriate for discussion in an executive session.] (*review qualifications of a public employee*)
 - iii. RCW 42.30.110(1)(h). To evaluate the qualifications of a candidate for appointment to elective office. However, any interview of such candidate and final action appointing a candidate to elective office shall be in a meeting open to the public (*review qualifications of an elected official*)
 - iv. RCW 42.30.110(1)(i). To discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency *litigation or potential litigation* to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency.

For purposes of this subsection (1)(i), "potential/pending litigation" means matters protected by Rules of Professional Conduct (RPC) 1.6 or RCW

5.60.060(2)(a) concerning:

1. Litigation that has been specifically threatened to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party;
 2. Litigation that the agency reasonably believes may be commenced by or against the agency, the governing body, or a member acting in an official capacity; or
 3. Litigation or legal risks of a proposed action or current practice that the agency has identified when public discussion of the litigation or legal risks is likely to result in an adverse legal or financial consequence to the agency.
3. Council may adjourn into executive session even if it is not listed on the meeting agenda. There is a requirement in RCW 35A.12.1606 that the public be made aware of the preliminary agendas of meetings in advance of the meeting, but that does not mean that an item that arises after the agenda has been posted cannot be discussed at the meeting, even in executive session. Since final action on the matter would not be taken at the executive session, it would not violate any provision in state law to hold an executive session at a regular Council meeting even if the executive session was not listed on the agenda. [per MRSC Index-General Government-Executive sessions.] Although amending the agenda is not required in order to adjourn into executive session, it is a good practice for the Mayor to announce at the beginning of the meeting, that Council will be adjourning into an executive session at the end of the regular meeting.
4. Attendance at Executive Sessions. The City Attorney will be present at executive sessions and is required to attend executive sessions which address litigation or potential litigation. The question of who may attend an executive session other than the Council is determined by the Mayor and City Administrator in consultation with the City Attorney.

2. Special Meetings

Meetings set at days, times, and places other than Wednesdays at 6:00 p.m. in the Sedro-Woolley City Council Chambers or Fire Training Room shall be deemed “special meetings,” such as joint meetings with other jurisdictions or entities (Board of County Commissioners, Planning Commissioners), and Council workshops or retreats.

A special meeting may be called by the Mayor or any three members of the Council. (RCW 35A.13.170⁷, 35A.12.110⁸). The notice shall contain information about the meeting, including date, time, place, and business to be transacted and shall be posted on the City’s website and displayed at the main entrance of the meeting location (RCW 42.30.080). The notice shall be delivered to each member of Council at least 24 hours before the time specified for the proposed meeting (RCW 35A.12.110⁹).

The notices provided in this section may be dispensed within the circumstances provided by RCW 42.30.080¹⁰, that is: (a) As to any member who, at or prior to the time the meeting convenes, files with the City Clerk a written waiver of notice, (b) As to any member who was actually present at the meeting at the time it convenes, and (c) In the event a special meeting is called to deal with an emergency involving injury or damage to persons

or property or the likelihood of such injury or damage, when time requirements of such notice would make notice impractical and increase the likelihood of such injury or damage; or as otherwise provided by law.

The processes and rules for agenda content apply to regular formal, study session format, as well as special meetings.

3. Placing Items on an Agenda:

Routine Council Business: Through the normal course of business, Council may move items forward to a future agenda by consensus.

New Item Council Business: Any Councilmember may request the addition of an item to a future Council agenda for initial consideration by making a motion. The item will be placed on a future agenda upon receipt of a second. This initial consideration of the item will not involve staff time and shall occur at the next council meeting or as soon thereafter as practical. The purpose of the initial consideration is to allow the maker of the motion to briefly present the item to the Council for discussion. Once briefly presented, a simple majority vote will be of taken by Council to decide whether to add the item to a future agenda for full consideration

Staff: except for routine items such as those found on most Consent Agendas, requests for items to come before Council shall be routed through the Mayor or City Administrator or come directly from the Mayor or City Administrator as part of the normal course of business.

C. Meeting Rules and Procedures

1. Council Rules of Order

The City Attorney shall serve as the official parliamentarian for all Council meetings, and will keep a copy of the most current “*Robert’s Rules of Order*” (RONR) in Council Chambers during Council meetings. The Council will generally follow RONR, however, the Mayor is the chairperson of the meeting and may depart from strict adherence to RONR as he or she deems appropriate. The Council, by a majority vote, can require strict adherence to RONR.

2. Quorum

At all regular and special meetings of the Council, a majority of the Councilmembers who hold office shall constitute a quorum for the transaction of business.

3. Attendance, Excused Absences

RCW 35A.12.060¹¹ provides that a Councilmember shall forfeit his/her office by failing to attend three consecutive regular meetings of the Council without being excused by the Council. Members of the Council may be so excused by complying with this section. The member shall contact the Mayor, City Clerk, or City Administrator prior to the meeting and state the reason for his/her inability to attend the meeting. Following roll call, the Presiding Officer shall inform the Council of the member's absence, and inquire if there is a motion to excuse the member. This motion shall be nondebateable. Upon passage of such motion by a majority of members present, the absent member shall be considered excused and the City Clerk will make an appropriate notation in the minutes.

4. Respect and Decorum

It is the duty of the Mayor and each Councilmember to maintain dignity and respect for their offices, City staff and the public. While the Council is in session, Councilmembers shall preserve order and decorum and a Councilmember shall neither by conversation or otherwise, delay or interrupt the proceedings of the Council, nor disrupt or disparage any Councilmember while speaking. Councilmembers and the public shall comply with the directives of the Presiding Officer. Any person making disruptive, disparaging or impertinent remarks or unreasonably disturbing the business of the Council, either while addressing the Council or attending its proceedings, shall be asked to cease such disruption, or may be asked to leave, or be removed from the meeting. At any time during any Council meeting, any Councilmember may object to personal affront or other inappropriate comments, by calling for a “point of order.” After the Councilmember is recognized by the Presiding Officer and the Councilmember explains their point concerning respect and decorum, or lack thereof, the Presiding Officer shall rule on the remark and may ask the person making the disturbance to cease or leave the room. Continued disruptions may result in a recess or adjournment as set forth in #8 below.

5. Seating Arrangement

Councilmembers shall occupy the respective seats in the Council Chamber assigned to them by the Mayor.

6. Dissents and Protests

Any Councilmember shall have the right to express dissent from or protest verbally or in writing, against any motion, ordinance or resolution of the Council and have the reason therefore entered or retained in the minutes.

7. Councilmember Meeting Participation by Telephone/Video Conference

Telephone/video conference participation by Councilmembers may be allowed on a case-by-case basis. Under circumstances identified in RCW 42.30.070 and RCW 42.30.230, the City Council may meet as a body by video conference without a physical meeting location.

8. Internet Use

Use of the City's network systems implies Council is aware of and understands that the system is provided to assist in the performance of their roles as Councilmembers, and as such, Councilmembers are obligated to use, conserve and protect electronic information and information technology resources and to preserve and enhance the integrity of those resources which belong to the citizens of Sedro-Woolley.

- a) As noted on page 8, Councilmembers will avoid accessing any electronic message during Council meetings. Accessing such communication could be construed as receiving public comment without the benefit of having the citizen in person to address their concerns. Likewise, Councilmembers will avoid doing any browsing of the Internet of non-City business during Council meetings in order that Council's full attention can be given to the topic at hand.
- b) Information technology resources are provided for the purpose of conducting official City business. The use of any of the City's information technology resources for campaign or political use, unless such use has been determined not a violation of RCW 42.17A.555 by the City Attorney, Washington State Attorney General, or Washington Public Disclosure Commission, or as otherwise authorized by law, is absolutely prohibited.
- c) Confidential material shall not be sent via e-mail.
- d) All letters, memoranda, and interactive computer communication (e-mail) involving Councilmembers, the subject of which relates to the conduct of government or the performance of any governmental function, with specific exceptions stated in the Public Records Act (RCW 42.56) are public records. Copies of such letters, memoranda and interactive computer communication shall not be provided to the public or news media without filing of a public disclosure request with the City Clerk.
- e) E-mail communications that are intended to be distributed among all Councilmembers, whether concurrently or serially, shall be considered in light of the Open Public Meetings Act. If the intended purpose of an e-mail is to have a discussion that should be held at an open meeting, the electronic discussion should not occur, and Council discussion should wait until everyone has had ample opportunity to view the message before including such topic(s) on an upcoming agenda.

9. Adjournment Due to Emergency or Disruption

In the event of an emergency such as a fire or other natural or catastrophic disaster, threatened violence, or inability to regain good order, the Presiding Officer shall forthwith declare a recess, adjourn, or continue the meeting, and the City Council as well as everyone in the room shall immediately leave the

meeting room. The Presiding Officer may reconvene the meeting when it has been determined by the appropriate safety officials that it is safe to do so.

10. Permission Required to Address the Council

Persons other than Councilmembers and staff shall be permitted to address the Council upon recognition and/or introduction by the Presiding Officer or City Administrator.

11. Approaching the Dais

Once a Council meeting has been called to order, stepping between the podium and the dais will not be allowed, and stepping behind any part of the dais, including those parts occupied by staff is also not permitted. This includes, but is not limited to, video recording, still photography, tape recording, and distributing written handouts. Council reserves the right to invite anyone forward to the podium to be addressed by Council.

12. Out of Order Requests

Occasionally a member of the public may wish to speak on an agenda item but cannot remain until the item is reached on the agenda. During “Open Comments From the Public,” such person may request permission to speak by explaining the circumstances. The Presiding Officer in his/her sole discretion shall rule on allowing or disallowing the out of order request.

13. Photographs, Motion Pictures or Video Tape Requiring Artificial Illumination

Prior permission required. No overhead projection, photographs, motion pictures, or video tapes that require the use of floodlights, or similar artificial illumination shall be used by the public at City Council meetings without the prior consent of the Presiding Officer.

14. Voting

The votes during all meetings of the Council shall be transacted as follows:

- a) The Presiding Officer shall first call for a vote from those in favor of the motion, followed by a call for those opposed to the motion, and afterwards shall state whether the motion passed or failed. Unless otherwise provided by statute, ordinance, or resolution, all votes shall be taken by voice. At the request of any Councilmember or the City Clerk, a roll call vote shall be taken by the City Clerk. The order of the roll call vote shall be determined by the City Clerk.
- b) In case of a tie vote on any proposal, the motion shall be considered lost (Note that in some instances the Mayor is authorized to break a tie vote, see RCW 35A.12.100 which allows the Mayor to cast a tie-breaking vote with respect to matters other than the passage of any ordinance, grant, or revocation of franchise or license, or any resolution for the payment of money).
- c) Every member who was present when the question was called, shall give his/her vote. If any Councilmember refuses to vote “aye” or “nay,” their vote shall be counted as an “aye” vote unless the Councilmember has abstained or recused themselves due to actual or perceived appearance of a conflict of interest, which shall be so stated prior to the vote at hand.

- d) The passage of any ordinance, grant or revocation of franchise or license, and any resolution for the payment of money and any approval of warrants, shall require the affirmative vote of at least a majority of the whole membership of the Council. Except as provided in “e” below, all other motions or resolutions shall require an affirmative vote of at least a majority of the quorum present.
- e) Majority Plus One: The passage of any public emergency ordinance (an ordinance that takes effect immediately), expenditures for any calamity, violence of nature, riot, insurrection, or war; and provisions for a lesser emergency, such as a budget amendment (RCW 35A.33.090), shall require the affirmative vote of at least a majority plus one of the whole membership of the Council. (RCW 35A.13.19012).

15. Motions and Discussion

a) Order of Procedure:

1. Staff makes their presentation
 Mayor asks Council if there are any questions for staff.
 Member of Council makes a motion by stating: “**I move . . .**”
 The motion is seconded.
2. If public comments are allowed on the item, the Mayor invites public comments. Public comments should be limited to one comment per person per topic and limited to three minutes. Mayor reminds the public this is time for comments and not discussion; and if the public has questions, those questions will be addressed by staff at another time outside the meeting.
3. Mayor opens the floor to Council for discussion.
 The maker of the motion normally begins the discussion.
 The discussion must have bearing on whether the pending motion should be adopted (RONR §43); and can be prefaced by a few words of explanation, but must not become a speech (RONR §4).

 All Council remarks should be addressed through the Mayor.
4. When discussion has ended, the Mayor re-states the motion or asks the Clerk to re-state the motion. Once the motion is re-stated, the Mayor calls for the vote, which is normally taken by voice. The Mayor then states whether the motion passed or failed.

b) In General:

1. Except in rare circumstances, Council motions shall be in the form of an affirmative motion. Affirmative motions are preferred to prevent “approval by default” of a failed negative motion.
2. Agenda items scheduled for Council action shall require a motion by a Councilmember before discussion unless the Council suspends the requirement by majority vote. Upon failure of either a prior motion or rule suspension, the agenda item shall be passed over and may not be reintroduced until the next regular meeting. (Mayoral appointments excepted. See Committees for further discussion.)

3. Councilmembers should direct questions to the City Administrator or the designated presenter.
4. Main motions are made when no other motion is pending (see chart below). They are debatable and subject to amendment. Since seconding a motion means “let’s discuss it,” if there is no second but discussion ensues, the matter of having a second to proceed is moot and the motion can proceed. However, if there is no second and no discussion, the motion does not progress. Note that the motion does not “die for a lack of a second” but it merely does not progress.
5. The maker of a motion can withdraw their motion without the consent of the seconder, and if the mover modifies the motion, the seconder can withdraw the second. The person making the motion is entitled to speak first to the motion. A maker of the motion can vote against the motion but cannot speak against their own motion.
6. No one should be permitted to speak twice to the same issue until everyone else wishing to speak has spoken. All remarks must be directed to the Presiding Officer and must be courteous in language and deportment (Robert’s Rules of Order Newly Revised, Article VII, Section 43, Decorum in Debate), keeping in mind it is not the Councilmember, but the measure that is the subject of debate.
7. When an amended motion is on the floor, the vote is taken on whether to adopt the amendment. If adopted, the next vote is on the fully amended motion.
8. Motions should be reserved for items marked on the agenda for action, so as to avoid any surprises for Council, staff and the public.

Parliamentary Procedure at a Glance

Roberts Rules of Order §	IF YOU WANT TO	YOU SAY	INTERRUPT ?	NEED 2 ND ?	Can be Debat	Can be Amended	VOTE
11	Postpone indefinitely (the purpose is to prevent action or kill an issue.)	I move to postpone (an affirmative vote can be reconsidered; a negative vote cannot)	No	Yes	Yes	No	Majority
12	Modify wording of motion	I move to amend the motion by . . .	No	Yes	Yes	Yes**	Majority
14	Postpone to a certain time	Ex: I move to postpone the motion to the next Council meeting.	No	Yes	Yes	Yes	Majority
16	Close debate	I move the previous question, or I call for the question	No	Yes	No	No	Majority*
17	To Table a motion	I move to lay on the table, the motion to . . .	No	Yes	No	No	Majority
19	Complain about noise, room temperatures	Point of Privilege	Yes	Yes	Yes	Yes	Chair decision
20	Take break	I move to recess for .	No	Yes	No	Yes	Majority
21	Adjourn meeting	I move to adjourn	No	Yes	No	No	Majority
23	Object to procedure or personal affront	Point of Order	Yes	No	No	No	Chair decision
25	Suspend rules	I move to suspend the rules and . . .	No	Yes	No	No	Majority*
34	Take matter from table	I move to take from the table the motion to . .	No	Yes	No	No	Majority
35	Reconsider something already disposed of	I move we reconsider action on . . .	No	Yes	Yes	Yes	Majority

It should be noted that the purpose of tabling a motion is not to simply postpone an issue or a vote. If the intended purpose is to postpone, then the motion to postpone should be used. If more information is needed or desired in order to make the most informed vote possible, then an option would be for the maker of the motion to simply withdraw the motion. The consent of the seconder is not needed to withdraw a motion. While a motion is still on the table, no other motion on the same subject is in order.

The motion to table enables the assembly to lay the pending question aside temporarily when something else of immediate urgency has arisen. The motion to “Lay on the Table” is out of order if the evident intent is to kill or avoid dealing with a measure. (Robert’s Rules of Order Newly

Revised, 10th Edition) *(Robert's Rules of Order Newly Revised states 2/3 vote required. Council direction is to base vote on majority except on matters where 2/3 (or majority plus one) is required by state statute.

** If the main motion to amend can be amended.

Call for the Question: if it is felt that debate on a motion on the floor has dragged on longer than warranted, a member of Council may "call the question." The "call for the question" is a motion to end debate and vote immediately. If this "call for the question" motion is passed by a majority vote, then the vote must be taken on the original debated motion on the floor.

16. Ordinances

Prior to final passage of all ordinances such documents shall be designated as drafts. In addition: Ordinances shall normally have readings at two separate Council meetings.

- a) The provision requiring two separate readings of an ordinance may be waived at any meeting of the Council by a majority vote of all members present. (This would require a successful motion to suspend the rules and pass the ordinance on a first reading.)
- b) If a motion to pass an ordinance to a second reading fails, the ordinance shall be considered lost, unless a subsequent motion directs its revision and resubmission to first reading.
- c) Any ordinance repealing any portion of the Sedro-Woolley Municipal Code shall also repeal the respective portions of the underlying ordinance(s). Ordinances repealing earlier ordinances shall not apply to acts, incidents, transactions or decisions occurring before such repeal.

17. Resolutions

A resolution may be approved on the same day it is introduced. Council may invoke the two reading procedures described above for ordinances to facilitate public understanding and/or comment on the resolution.

18. Reconsideration

The purpose of reconsidering a vote is to permit correction of hasty, ill-advised, or erroneous action, or to take into account added information or a changed situation that has developed since the taking of the vote. Any action of the Council, including final action on applications for legislative changes in land use status, shall be subject to a motion to reconsider except:

- a) any action previously reconsidered;
- b) motions to adjourn or motions to suspend the rules;
- c) an affirmative vote to lay an item on, or take an item from, the table;
- d) a previously passed motion to suspend the rules; or
- e) a vote electing to office one who is present and does not decline.

Such motion for reconsideration:

- a) must be reconsidered within the two following Council meetings;
- b) must be called up when no business is pending (no action is pending);
- c) if action is pending, the Mayor asks the Clerk to note that the motion to reconsider has been made and is to be taken up when a member calls the motion to reconsider the vote when no other business (action) is pending;
- d) must be made by a member who voted on the prevailing side on the original motion.
- e) This means a reconsideration can be moved only by one who voted aye if the motion involved was adopted, or no if the motion was lost. It is permissible for a Councilmember who cannot make such a motion, but believes there are valid reasons for one, to try to persuade someone who voted on the prevailing side, to make such a motion.
- f) a member who makes this motion should state that he or she voted on the prevailing side;
- g) needs a second, and can be seconded by any member;
- h) is debatable if the type of motion it reconsiders is debatable; and
- i) 8. is not amendable and requires a majority vote to adopt.

Step 1: A Councilmember who voted on the prevailing side makes the motion, such as "I move to reconsider the vote on the resolution relating to holidays. I vote for [or against] the resolution." This motion needs a second and can be seconded by any Councilmember. If the motion for reconsideration is adopted, the original motion is then placed before Council as if that motion had not been voted on previously; and **Council again takes that motion under discussion, followed by a new vote.**

Any motion for reconsideration of a matter which was the subject of a required public hearing or which is a quasi-judicial matter, may not be discussed or acted upon unless and until the parties or their attorneys and the persons testifying have been given at least five days advance notice of such discussion and/or action.

19. Council Materials

a) Council Material

Councilmembers and staff should read the agenda material and ask clarifying questions of the City Administrator or other appropriate staff prior to the Council meeting when possible. Council recognizes there are times when Councilmembers may wish to bring additional documentation to a meeting on a specific subject, whether that subject is on the agenda or not, in order to share with Council and staff. When possible, the materials should be distributed to Councilmembers and staff prior to the Council meeting, or if distributed during a meeting, Councilmembers should indicate the materials are for future reading, since except in an emergency, Councilmembers would normally not take time at the dais to read material just received. Pre-scheduled materials Council wishes to share as part of the Council packet could

also be included on study session agendas under “Council Comments.” [See also page 10]

b) Council Packets

Councilmembers shall personally download their Council packet via the City’s website on their City provided tablet device.

c) Packet Materials

Council memos: This is a cover memo used by staff to introduce an agenda item. It includes the background on the topic and options for Council consideration as well as a staff recommended action or motion. The options and recommended action or motion should be viewed as aids to Council in making a motion or taking action, but should not be thought of as obligatory, as Council always has the option of making a motion different from what is included on the memo. Generally, by the time an item is ready for a motion, Council has already read, heard, and/or discussed the item at least three times (as an informational item, an administrative report, and lastly as an action item), and the wording of a motion would not normally be controversial, although it is important to state the motion as a motion, such as “I move to” or “I move that” or other similar language.

CHAPTER 2 – Legislative Process



A. Election of Officers and Selection/Operation of Council Committees

1. Election of Officers

Procedures for electing officers are as follows: annually, at the first meeting of the new Council, the members thereof shall appoint a Mayor-pro-tempore. In addition to the powers conferred upon him/her as Mayor-pro-tem, he/she shall continue to have all the rights, privileges and immunities of a member of the Council.

2. Council Committees

~~2.~~

a) Appointments

At the first meeting of every even year, the Mayor shall appoint two councilmembers and a council chairperson to each standing committee of the Council, subject to confirmation by the ~~C~~city ~~C~~eouncil. In making the appointments, the Mayor shall consider councilmembers' expressed interests and shall attempt to match councilmembers to their committees of choice.

b) Standing Committees

~~b)~~

Public Safety: To consider policy issues and make policy recommendations to the full Council related to the police department, fire department, municipal court, and emergency management.

Finance and Information Technology: To consider policy issues and make policy recommendations to the full Council related to financial management policies, financial reports, personnel issues including personnel policies, and information technology issues.

Strategic Planning: To consider policy issues and make policy recommendations to the full Council related to development and implementation of the City's strategic plan.

Public Works: To consider policy issues and make policy recommendations to the full Council related to the City's utilities, parks, streets, and other public works related issues.

Planning and Business Development: To consider policy issues and make policy recommendations to the full Council related to long-term planning and growth in the City. In addition, considering policy issues and making policy recommendations related to the attraction of new businesses and the retention of existing businesses within the City.

c) The Role of City Council Committees

~~c)~~

1. City Council Committees are intended to enhance communication between the Legislative Branch and the Executive Branch in the development of significant public policy action items.

~~1.~~

2. These Committees will enable City administration to obtain feedback from representative members of the City Council on issues affecting public policy prior to their presentation, as necessary, to the full City Council.

~~2.~~

3. City Council Committee members develop and maintain a deeper level of knowledge on matters of a technical nature which might affect public policy in order to increase the positive exchange of information and discussions between City Council members, City staff, and the public.
~~3.~~
4. When appropriate, items may be considered by a City Council Committee before a final recommendation from the appropriate City Board or Commission (i.e., Planning Commission, Parks Board).
~~4.~~
5. City Council Committees do not replace the City Council as final decision makers on behalf of the full City Council. Council Committees make no staff direction on administrative matters, specific assignments, or work tasks. If Committee members seek additional information from an outside party or consultant resulting in additional cost to the City, approval to incur such cost must be approved by the full City Council. City Council committees may take action on policy items in the form of recommendations to the full City Council that the City Council may consider as a first read. When appropriate by meeting the criteria for the consent agenda, these items may appear on the Council's consent agenda for action.
~~5.~~
6. Any discussion or feedback expressed or received at a Committee meeting should not be construed or understood to be a decision by or for the City Council. Further, any recommendation the Committee may make to the City Council is based on information possessed by the Committee at the time the recommendation is made and may be revised or amended upon receipt by the Committee of additional or newer information.
~~6.~~

d) Operational Guidelines and Functional Structure

~~d)~~

1. City Council Committees consist of three Council members, with the exception of one committee that will have two Council members. One Council member will serve as the committee chair. The Mayor may attend and participate in all Committee meetings.
~~1.~~
2. No member of the City Council may serve on more than three Committees.
~~2.~~
3. Council Committees will meet at least quarterly. The intent of the Council committee structure is to have all Council Committees hold their meetings prior to City Council meetings, with occasional exceptions. One committee meeting would occur prior to each City Council meeting and work session.
~~3.~~
4. Council Committees have no delegated authority from the City Council and shall not take testimony from the public.
~~4.~~
5. The Staff Liaison will coordinate with the Mayor and City Administrator on the preparation of the agenda to determine whether items will be presented to a Committee or placed on the Council's agenda to be considered by the full City Council. Any item may be recommended to the full Council by the Committee considering that item.
~~5.~~
6. The full City Council, by majority vote, may refer any item on its agenda to an appropriate Committee for further review and recommendation.
~~6.~~
7. Committee meetings are intended to allow regular attendance by City Council Committee members, as well as the Staff Liaison, staff, the Mayor and the City Administrator, as

necessary. In order to prevent inadvertent violations of the Open Public Meetings Act, attendance by non-member Council members that will result in a quorum of the full City Council is prohibited.

~~7.~~

- ~~8.~~ The regular Council meeting agenda shall include an opportunity for Committee reports at which time any appointed Committee member may report to the Mayor and City Council on pertinent and timely issues before a Committee.

~~8.~~

e) E. City Liaison Role

~~e)~~

- ~~1.~~ The City Administrator serves as an advisor to each City Council Committee; however, each Committee has an identified staff liaison at the Director-level. The responsibilities of the Staff Liaison are as follows:

~~1.~~

~~i.~~ Attend all meetings of the City Council Committee. Research information and prepare reports and correspondence as required for the Committee.

~~i.~~

~~ii.~~ Provide administrative support to the Committee, including distribution of documents to the Committee as required.

~~ii.~~

~~iii.~~ Coordinate with the Committee chair to prepare agendas.

~~iii.~~

~~iv.~~ Schedule meetings.

~~iv.~~

~~v.~~ Prepare Committee minutes within three weeks of the meeting and submit to the City Clerk for posting and distribution to the full City Council.

~~v.~~

~~vi.~~ Serve as the communication link between the Committee and City administration, City departments, and Council as appropriate.

B. Filling Council Vacancies or Extended Absences

1. Filling a Vacancy

If a vacancy occurs on the City Council, the Council shall follow the procedures outlined in RCW 35A.12.050¹³ and Council's adopted procedure in compliance with RCW 35A.12.050¹⁴, as well as RCW 42.12.070. The timeline may vary depending on when the process begins. The City Council has within 90 days of the vacancy to appoint a qualified person to the vacant position. If this timeframe is not met, the City's authority in this matter would cease and the Skagit County Board of Commissioners would appoint a qualified person to fill the vacancy. Public comment will not be taken during this entire process.

2. Procedures for Filling a Council Vacancy

Timeline/Procedure (any of the meetings, dates and times, may be adjusted and/or combined as determined by the Council):

a) Publication

The City Clerk will publish the vacancy announcement inviting citizens of the City who are interested and qualified to sit as a Councilmember, to apply by submitting a letter of interest. Qualifications to sit as a Councilmember are set forth in RCW 35A.12.030. If possible, the vacancy announcement will be published for two consecutive weeks.

- b) *Deadline for the City Clerk to receive applications shall be no later than 4:00 p.m.*
- c) *Special Meeting, Executive Session, set for ~~_____~~. [RCW 42.30.110(1)(h)]*
6:00 p.m. Council will meet and adjourn to executive session to review and discuss all of the applications. After the review and discussion, Council will return to Council Chambers and the Special Meeting will be adjourned.
- d) *Regular Meeting, same evening as above Special Meeting. [RCW 42.30.110(1)(h)]*
7:00 p.m. Council will meet in open session and part of this agenda will include selection of applicants to interview. Selection will be by nomination and second. A vote will be taken and candidates receiving three or more votes will be interviewed. Immediately after this Council meeting or as soon as practicable, the Clerk will send a list of potential questions to all those to be interviewed.
- e) *Regular or Special Meeting, ~~_____~~. [RCW 42.30.110(1)(h)]*
The interviews will be conducted during an open Council meeting. Each interview will be a maximum of 30 minutes.
- f) *Executive Session set for ~~_____~~ [RCW 42.30.110(1)(h)]*
Council will meet and adjourn to executive session (closed session) to discuss qualifications of the applicants. After the discussion.
- g) *Regular or Special Meeting, same evening as above [RCW 42.30.110(1)(h)]*
Council will meet in open session and the agenda will include a vote to fill the vacancy. Upon selection of the new Councilmember, that person will be sworn in by the City Clerk, and take their seat at the dais.

3. Interview Questions/Process:

During the interview, each Councilmember and the Mayor may ask each candidate up to three questions. Follow-up questions are to be counted as one of the three questions.2. Candidates will be interviewed in alphabetical order of last name.

4. Nomination and Voting Process:

a) *NOMINATION PROCESS.*

Councilmembers may nominate an applicant to fill the vacancy. A second is required. If no second is received, that applicant shall not be considered further unless no applicant receives a second, in which case all applicants who were nominated may be considered again. Once the nominations are given, **the Mayor will close the nominations and Council will proceed to vote.**

b) *Voting Process*

RCW 42.12.070 states that where one position is vacant, **the remaining members** of the governing body shall **appoint** a qualified person to fill the vacant position. By adoption of this policy, Council has chosen the following process for making such appointment:
A vote for an applicant shall be by voice or raised hand.

The vacancy can only be filled when **a majority of the whole City Council affirmatively votes** for the applicant or in the case of a 3-3 tie, the mayor breaks the tie (See RCW 35A.12.100), i.e. if five City Councilmembers are present, this would require at least four City Councilmembers voting for an applicant. If subsequent rounds of voting are needed, each round of voting follows the same process. The Mayor may ask for Council discussion between voting rounds.

Round One Vote:

The applicant receiving the majority of votes will be the new Councilmember.
If no applicant receives a majority of votes from the City Council, then the three applicants receiving the most affirmative votes would be considered in a second round.

Round Two Vote:

Round Two shall proceed the same as Round One. If one of the three applicants still fails to receive a majority of affirmative votes, then the two applicants of the three who received the most affirmative votes would then be considered in a third round; or if there are only two applicants and they receive tie votes, a third round will be taken. Councilmembers may change their vote between rounds.

Round Three Vote:

Round Three shall proceed the same as Rounds One and Two. If after this round, the vote of the two applicants results in a tie, then the City Supervisor, with concurrence of Council, shall flip a coin to determine who shall fill the vacancy, with the applicant whose last name is closest to the letter "A" being assigned "heads" and the other person assigned "tails." In the rare circumstance where both applicants have the same last name, the applicant whose entire last name is closest to the letter "A" will be assigned "heads" and the other person assigned "tails."

c) Seating of New City Councilmember:

Once an applicant either has received a majority of votes or wins the coin flip, if the appointed applicant is at the meeting, the Mayor shall administer the oath of office, and the new Councilmember will be officially seated as a City Councilmember.

B-1. Filling a Vacancy in the office of Mayor

I. Filling a Vacancy

If a vacancy occurs in the office of Mayor, the Council shall follow the procedures outlined in RCW 35A.12.050 and Council's adopted procedure in compliance with RCW 35A.12.050, as well as RCW 42.12.070. The timeline may vary depending on when the process begins. Pursuant to RCW 35A.12.050, City Council has within 90 days of the vacancy to appoint a qualified person to the vacant position. If this timeframe is not met, the City's authority in this matter would cease and

the Skagit County Board of Commissioners would appoint a qualified person to fill the vacancy. Public comment will not be taken during this entire process.

PROCEDURE FOR FILLING A MAYORAL VACANCY

A. Timeline/Procedure (any of the meetings, dates and times, may be adjusted and/or combined as determined by the Council):

1. Candidates

The City Council will appoint a new mayor from among the members of the City Council.

2. Special Meeting, Executive Session, set for _____. [RCW 42.30.110(1)(h)]

At 6:00 p.m. prior to the next regularly scheduled Council meeting, the Council will meet to solicit interest from councilmembers and adjourn to executive session to review and discuss all of the councilmembers interested in serving as mayor. After the review and discussion, Council will return to Council Chambers and the Special Meeting will be adjourned.

Regular Meeting, same evening as above Special Meeting. [RCW 42.30.110(1)(h)]

6:00 p.m. Council will meet in open session and part of this agenda will include the appointment of a new mayor. The nomination and voting process is detailed at Section A, below.

A. Nomination and Voting Process:

1. NOMINATION PROCESS.

Councilmembers may nominate any councilmember to fill the vacancy. A second is required. If no second is received, that applicant shall not be considered further unless no applicant receives a second, in which case all applicants who were nominated may be considered again. Once the nominations are given, **the Mayor-Pro-Tem will close the nominations and Council will proceed to vote.**

2. VOTING PROCESS.

~~2.~~ -By adoption of this policy, Council has chosen the following process for making such appointment:

a. A vote for an applicant shall be by voice or raised hand.

b. The vacancy can only be filled when **a majority of the whole City Council affirmatively votes** for the applicant, i.e. if five City Councilmembers are present, this would require at least four City Councilmembers voting for an applicant. If subsequent rounds of voting are needed, each round of voting follows the same process. The Mayor-Pro-Tem may ask for Council discussion between voting rounds.

Round One Vote:

The applicant receiving the majority of votes will be the new Mayor. If no applicant receives a majority of votes from the City Council, then the three applicants receiving the most affirmative votes would be considered in a second round.

Round Two Vote:

Round Two shall proceed the same as Round One. If one of the three applicants still fails to receive a majority of affirmative votes, then the two applicants of the three who received the most affirmative votes would then be considered in a third round; or if there are only two applicants and they receive tie votes, a third round will be taken. Councilmembers may change their vote between rounds.

Round Three Vote:

Round Three shall proceed the same as Rounds One and Two. If after this round, the vote of the two applicants results in a tie, then the City Supervisor, with concurrence of Council, shall flip a coin to determine who shall fill the vacancy, with the applicant whose last name is closest to the letter "A" being assigned "heads" and the other person assigned "tails." In the rare circumstance where both applicants have the same last name, the applicant whose entire last name is closest to the letter "A" will be assigned "heads" and the other person assigned "tails."

D. Seating of the New Mayor:

1. Once an applicant either has received a majority of votes or wins the coin flip, the City Clerk shall administer the oath of office, and the new Mayor will be officially seated as Mayor.

1. Legislative Agenda

Councilmembers work each year (or sometimes every two years) to draft a "legislative agenda" to address Council ideas, suggestions and specific legislative programs in terms of upcoming or pending legislative activity in Olympia that would or could have an effect on our City. Additionally, Councilmembers have the option of creating a similar legislative agenda to address concerns on a national level.

2. Ballot Measures:

a) State Law

RCW 42.17A 555. State law has enacted statutory prohibitions (with limited exceptions) against the use of public facilities to support or oppose ballot propositions:

"No elective official nor any employee of his or her office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition. Facilities of a public office or agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of employees of the office or agency during working hours, vehicles, office space, publications of the office or agency, and clientele lists of persons served by the office or agency. However, this does not apply to the following activities:

(1) *Action taken at an open public meeting by members of an elected legislative body or by an elected board, council, or commission of a special purpose district including, but not limited to, fire districts, public hospital districts, library districts, park districts, port districts, public utility districts, school districts, sewer districts, and water districts, to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the legislative body, members of the board, council, or commission of the special purpose district, or members of the public are afforded an approximately equal opportunity for the expression of an opposing view.*

(2) *A statement by an elected official in support of or in opposition to any ballot proposition at an open press conference or in response to a specific inquiry;*

(3) *Activities which are part of the normal and regular conduct of the office or agency.” [emphasis added]*

b) City’s Implementation of RCW 42.17A.555:

In the City’s implementation of RCW 42.17A.555, the City Council shall not, during any part of any Council meeting, consider requests from outside agencies for Council to support or oppose ballot measures; nor will Council permit any public comment on any proposed or pending ballot issue, whether or not such comments seek endorsement or are just to inform Council of upcoming or proposed ballot issues; nor shall Councilmembers disseminate ballot-related information.

c) Providing Informative Materials to Council

The requestor has the option of mailing materials to individual Councilmembers via the United States Postal Office. Because even the use of e-mail for ballot purposes could be construed as use of public facilities and could be interpreted as being in violation of RCW 42.17A.555, materials should be sent via regular mail through the United States Postal Office. Information shall be objective only and not soliciting a pro or con position.

d) Public Comment.

Council has chosen not to support or oppose ballot issues as those are left to the will of the people voting. The use of any of the City’s facilities including the use of the Council chambers and/or broadcast system would likely be construed as being in violation of RCW 42.17A.555 and therefore, general public comment on ballot issues, or proposed ballot issues will not be permitted.

CHAPTER 3 – Council Contacts



A. Citizen Contact/Interactions Outside of a Council Meeting

Per state law, all documents, files, communications and messages created, reviewed or altered that are related to the conduct of City business, regardless of format, are property of the City. As a result, these documents, files, communications and messages are not private or confidential unless otherwise noted in the Revised Code of Washington. The City reserves the right to request, access, monitor, and disclose the contents of electronic messages and any record, regardless of format, related to the conduct of City business on City-issued or personal devices that Council members use. Council members should have no expectation of privacy in either sending or receiving electronic messages, or other information on the Internet, City network or other electronic media related to City Business whether done on their own personal device or on a City issued device. The City may review the public records for legal exemption or redaction pursuant to the Public Records Act RCW

42.56 or other applicable state or federal laws and may provide third party notice providing affected parties the opportunity to file for a court order to prevent or limit disclosure.

1. Concerns, Complaints and Suggestions to Council

When citizen concerns, complaints or suggestions are brought to any, some, or all Councilmembers, the Mayor shall, in consultation with the City Administrator, first determine whether the issue is legislative or administrative in nature and then:

If legislative, and a concern or complaint is about the language or intent of legislative acts or suggestions for changes to such acts, and if such complaint suggests a change to an ordinance or resolution of the City, the Mayor and City Supervisor may refer the matter to a future Council agenda for Council's recommendation in forwarding the matter to a committee, administration, or to the Council for study and recommendation.

If administrative, and a concern or complaint regards administrative staff performance, execution of legislative policy or administrative policy within the authority of the Executive Branch, the complaint is referred directly to the Mayor and/or City Administrator for review, if said complaint has not been so reviewed. The City Council may direct that the Mayor/City Administrator brief the Council when the response is made.

2. Administrative Complaints Made Directly to Individual Councilmembers

When administrative policy or administrative performance complaints are made directly to individual Councilmembers, the Councilmember shall then refer the matter directly to the Mayor or City Administrator for review and/or action. The individual Councilmember may request to be informed of the action or response made to the complaint.

Although citizens' direct access to elected officials is to be encouraged to help develop public policy, City Councilmembers should not develop a "personal intervention" pattern in minor calls for service or administrative appeals which may actually delay a timely customer service response. The best policy is to get the citizen into direct contact with customer service unless an unsatisfactory result has occurred in the past. In that case, refer to the paragraph above.

3. Social Media

Councilmembers shall not use their personal social media platforms as a mechanism for conducting official City business. Personal social media accounts should be identified by the Councilmember as

such and a disclaimer added that indicates the views expressed are those of the individual member, not those of the City. Examples of what may not be communicated through the use of personal social media platforms include making policy decisions, official public noticing, and discussing items of legal or fiscal significance to the City. Social media accounts created specifically for the purpose of communicating with constituents must be retained as public records using SMARSH. As with telephone and e-mails, communication between and among Councilmembers via social media could constitute a “meeting” under the Open Public Meetings Act, and for this reason, Councilmembers are strongly discouraged from “friending” other Councilmembers.

4. Text Messages

Text Messages generated or received by individual Councilmembers for conducting City business on any personal device whether issued by the City or not, are subject to public disclosure laws and records retention schedules. Text messages must be retained and archived according to City and State retention schedules. Councilmembers are responsible for preserving all City business records on their personal devices, systems and servers.

B. Staff Contacts and Interactions

1. Role of the City Administrator

The City Administrator is the chief appointed officer of the City of Sedro-Woolley. The City Administrator reports to the Mayor and is directly accountable to the Mayor and City Council for the execution of the City Council's policy directives, and for the administration and management of all City departments.

2. City Staff Attendance at Meetings

The City Administrator or his/her designee shall attend all meetings of the City Council, unless excused by the Mayor or Council.

3. City Clerk – Minutes

The City Clerk, or in the Clerk's absence the Deputy City Clerk, shall keep minutes as required by law, and shall perform such other duties in the meeting as may be required by the Council or Mayor. In the absence of the City Clerk and the Deputy City Clerk, the City Clerk shall appoint a replacement to act as Clerk during the Council meeting. The Clerk shall keep minutes which identifies the general discussion of the issue and complete detail of the official action or agreement reached, if any. As a rule and when possible and practical, regular meetings, or those Council meetings held at 6 p.m. on Wednesdays, (includes only formal format meetings) shall be both audio and video-recorded. Executive Sessions shall not be video or audio recorded.

Original, signed and approved minutes shall be kept on file in the City Clerk's office and archived according to State Record Retention Schedules. Copies of the approved minutes shall also be posted on the City's website as soon as practical after such minutes are approved and signed. Whenever possible, video recordings of Council meetings shall be posted on the City's website.

4. Administrative Interference by Councilmembers

Neither the Council nor any of its committees or members shall direct or request the appointment of any person to, or his/her removal from, any office by the Mayor or any of his/her subordinates. Except for the purpose of inquiry, the Council and its members shall deal with the administrative branch solely through the Mayor and/or City Administrator and neither the Council nor any committee or member thereof shall give any directives, tasks, or orders to any subordinate of the Mayor, either publicly or privately; provided, however, that nothing herein shall be construed to prohibit the Council, while in open session, from fully and freely discussing with the Mayor and/or City Administrator anything pertaining to appointments and removals of City officers and employees and City affairs.

5. Informal Communications Encouraged

Members of the Council are encouraged to interact informally and casually with City staff for the purpose of gathering information, obtaining explanations of policies and programs or providing incidental information to staff relevant to their assignment. Such informal contacts can serve to promote better understanding of specific City functions and problems. However, Councilmembers must be careful in such interaction to avoid giving direction or advice to members of City staff. While maintaining open lines of communication, City staff responding to information requests from

Councilmembers will inform their supervisor of such contact and provide the supervisor with the same information shared with the Councilmember.

CHAPTER 4 – Hearings



A. General Public Hearings

1. Purpose

Legislative public hearings are hearings held to obtain public input on legislative decisions on matters of policy. Legislative public hearings are required by state law when a city or county addresses matters such as comprehensive land use plans, or the annual budget. They are generally less formal than quasi-judicial public hearings. They do not involve the legal rights of specific, private parties in a contested setting, but rather affect a wider range of citizens or perhaps the entire jurisdiction. The wisdom of legislative decisions reached as a result of such hearings is not second-guessed by the courts; if challenged, they are reviewed only to determine if they are constitutional or violate state law. For example, a court will not review whether the basic budgetary decisions made by a city were correctly made.

2. Legislative Public Hearings

State statutes do not specify how public hearings should be conducted. Because legislative hearings are generally informal, the main concern is to provide an opportunity for all attending members of the public to speak if they so desire. Time limits should be placed on individual comments if many people are intending to speak, and the public should be advised that comments must relate to the matter at hand. The “ground rules” for the conduct of the hearing may be stated by the Presiding Officer at the beginning of the hearing:

- a) All public comments shall be made from the speaker’s podium, shall be directed to the Mayor and Council, and any individual making comments shall first give their name and city of residence. This is required because an official recorded transcript of the public hearing is being made.
- b) No comments shall be made from any other location, and anyone making “out of order” comments shall be subject to removal from the meeting.
- c) Unless otherwise determined by the Presiding Officer, all comments by the public shall be limited to three minutes per speaker.
- d) There will be no demonstrations, applause or other audience participation, before, during or at the conclusion of anyone’s presentation. Such expressions are disruptive and take time away from the speakers.
- e) Unless read and/or handed in by the individual speaker during the public hearing, previously received written public comments will be read by the City Clerk at the pleasure of the Mayor. In the interest of time, the Mayor may limit the reading of such comments, to the Clerk reading whom the letter or written material is from, and if easily discernible, whether that person is for or against the issue at hand. All written comments become an official part of the record.
- f) These rules are intended to promote an orderly system of holding a public hearing, to give persons an opportunity to be heard, and to ensure that individuals are not embarrassed by exercising their right of free speech.

The Presiding officer declares the public hearing on _____(topic) open, notes the time for such opening, and asks staff to make their presentation.

After staff presentations, the Presiding Officer calls for public comments.

The Presiding Officer asks if any members of Council have questions of any of the speakers or staff. If any Councilmember has questions, the appropriate individual will be recalled to the podium.

The Presiding Officer declares the public hearing closed and notes the time for such closing.

B. Quasi-Judicial Hearings

1. Purpose

Quasi-judicial public hearings involve the legal rights of specific parties, and the decisions made as a result of such hearings must be based upon and supported by the “record” developed at the hearing. Quasi-judicial hearings are subject to stricter procedural requirements than legislative hearings. Most quasi-judicial hearings held by local government bodies involve land use matters, including site specific rezones, preliminary plats, variances, and conditional uses. (*MRSC Public Hearings When and How to Hold Them by Bob Meinig, MRSC Legal Consultant August 1998*)

2. Specific Statutory Provisions

- a) Candidates for the City Council may express their opinions about pending or proposed quasi-judicial actions while campaigning, per RCW 42.36.04015, except that sitting Councilmembers shall not express their opinions on any such matter which is or may come before the Council.
- b) Ex-parte communications should be avoided whenever possible. During the pendency of any quasi-judicial proceeding, no Councilmember may engage in ex parte communications with proponents or opponents about a proposal involved in the pending proceeding unless the Councilmember: (1) places on the record the substance of such verbal or written communications; and (2) provides that a public announcement of the content of the communication and of the parties’ rights to rebut the substance of the communication shall be made at each hearing where action is taken or considered on the subject. This does not prohibit correspondence between a citizen and his or her elected official if the correspondence is made a part of the record, when it pertains to the subject matter of a quasi-judicial proceeding. (RCW 42.36.06016)
- c) Procedure On Application. Any person making application for any action leading to a quasi-judicial hearing before the Planning Commission and/or City Council shall be provided with a document containing the following information: (1) the names and address of all members of the City Council, and the Planning Commission, (2) a statement that public disclosure information is available for public inspection regarding all such Councilmembers, and (3) a statement that if the applicant intends to raise any appearance of fairness issue, the applicant should do so at least two weeks prior to any public hearing, if the grounds for such issue are then known and in all cases, no later than before the opening of the public hearing. The applicant shall sign a receipt for such document.

3. Appearance of Fairness Doctrine

- a) “The test of whether the Appearance of Fairness Doctrine has been violated is ... as follows:
Would a disinterested person, having been apprised of the totality of a board member's personal interest in a matter being acted upon, be reasonably justified in thinking that partiality may exist? If answered in the affirmative, such deliberations, and any course of conduct reached thereon, should be voided.” *Swift vs. Island County*, 87 Wn.2d 348 (1976); *Smith vs. Skagit County*, 75 Wn.2d 715 (1969).
- b) Types of Hearings to Which the Doctrine Applies. The Appearance of Fairness Doctrine shall apply only to those actions of the Council which are quasi-judicial in nature. Quasi-judicial actions are defined as actions of the City Council which determine the legal rights, duties, or privileges of specific parties in a hearing or other contested proceeding. Quasi-judicial actions do not include the legislative actions adopting, amending, or revising comprehensive, community, or neighborhood plans or other land use planning documents or the adoption of area-wide zoning ordinances or the adoption of a zoning amendment that is of area-wide (versus site-specific) significance (RCW 42.36.01017). Street vacations are typically legislative actions, unless clearly tied to, and integrated into, a site-specific development proposal which is quasi-judicial in nature.
- c) Obligations of Councilmembers - Procedure.
 1. Immediate self-disclosure of interests that may appear to constitute a conflict of interest is hereby encouraged. Councilmembers should recognize that the Appearance of Fairness Doctrine does not require establishment of a conflict of interest, but whether there is an appearance of conflict of interest to the average person. This may involve the Councilmember or a Councilmember’s business associate, or a member of the Councilmember's immediate family. It could involve ex parte (outside the hearing) communications, ownership of property in the vicinity, business dealings with the proponents or opponents before or after the hearing, business dealings of the Councilmember’s employer with the proponents or opponents, announced predisposition, and the like. Prior to any quasi-judicial hearing, each Councilmember should give consideration to whether a potential violation of the Appearance of Fairness Doctrine exists. If the answer is in the affirmative, no matter how remote, the Councilmember should disclose such facts to the Mayor who will seek the opinion of the City Attorney as to whether a potential violation of the Appearance of Fairness Doctrine exists. The Mayor and/or City Attorney shall communicate such opinion to the Councilmember.
 2. Anyone seeking to disqualify a Councilmember from participating in a decision on the basis of a violation of the Appearance of Fairness Doctrine must raise the challenge as soon as the basis for disqualification is made known, or reasonably should have been made known, prior to the issuance of the decision. Upon failure to do so, the doctrine may not be relied upon to invalidate the decision consistent with state law. The party seeking to disqualify the Councilmember shall state with specificity the basis for disqualification; for example: demonstrated bias or prejudice for or against a party to the proceedings, a monetary interest in outcome of the proceedings, prejudgment of the issue prior to hearing the facts on the record, or ex parte contact. Should such challenge be made prior to the hearing, the City Attorney shall interview the Councilmember and render an opinion as to the likelihood that an Appearance of Fairness Doctrine violation would be sustained in Superior Court. Should such challenge be made in the course of a quasi-judicial hearing, the Councilmember shall either recuse him/herself or the Mayor shall call a recess to

permit the City Attorney to make such interview and render such opinion.

3. The Mayor shall have authority to request a Councilmember to excuse him/herself on the basis of an Appearance of Fairness Doctrine violation. Further, if two or more Councilmembers believe that an Appearance of Fairness Doctrine violation exists, such individuals may move to request a Councilmember to excuse him/herself on the basis of an Appearance of Fairness Doctrine violation. In arriving at this decision, the Mayor or other Councilmembers shall give due regard to the opinion of the City Attorney.
- d) When Council conducts a hearing to which the Appearance of Fairness Doctrine applies, the Mayor (or in the case of a potential violation by that individual, the Mayor Pro Tem) will ask if any Councilmember knows of any reason which would require such member to excuse themselves pursuant to the Appearance of Fairness Doctrine. The form of the announcement is as follows:

All Councilmembers should now give consideration as to whether they have:

1. A demonstrated bias or prejudice for or against any party to the proceedings;
2. A direct or indirect monetary interest in the outcome of the proceedings;
3. A prejudgment of the issue prior to hearing the facts on the record; or
4. Had ex parte contact with any individual, excluding administrative staff, with regard to an issue prior to the hearing. If any Councilmember should answer in the affirmative, then the Councilmembers should state the reason for his/her answer at this time, so that the Chair may inquire of administration as to whether a violation of the Appearance of Fairness Doctrine exists.

CHAPTER 5 - Disclaimer



A. Disclaimers

1. Purpose

These City Council Rules of Procedure are designed to provide guidance for the City Council. They are not to be considered restrictions or expansions of City Council authority. These rules have been prepared from review of many statutes, ordinances, court cases and other sources but they are not intended to be an amendment or substitute for those statutes, ordinances, court decisions or other authority.

2. Use

No action taken by a Councilmember or by the Council which is not in compliance with these rules, but which is otherwise lawful, shall invalidate such Councilmember's or Council action or be deemed a violation of oath of office, misfeasance or malfeasance. No authority other than the City Council may enforce these rules or rely on these rules. Failure of the City Council to follow any of these rules shall be considered a Council decision to waive such rule. No notice of such waiver need be given.

3. Reliance

Public Use or Reliance Not Intended. Because these rules are designed to assist the City Council and not to provide substantive rules affecting constituents, it is expressly stated that these rules do not constitute land use regulations, official controls, "appearance of fairness rules," public hearing rules, or other substantive rules binding upon or to be used by or relied upon by members of the public. These rules do not amend statutory or other regulatory (such as ordinance) requirements.

Appendix

Appendix A: Definitions

Action: All transactions of a governing body's business, including receipt of public testimony, deliberations, discussions, considerations, reviews, and evaluations, as well as "final" action. [RCW 42.30.010¹⁸, 42.30.020(3)¹⁹].

Codified: The process of forming a legal code (i.e., a codex or book of laws) by collecting and including the laws of a jurisdiction or municipality.

Consensus: A collective judgment or belief; solidarity of opinion: "*The consensus of the group was that they should meet twice a month.* General agreement or harmony. [Random House Webster's College Dictionary, April 2001] [Wikipedia: explains it as a group decision making process; not necessarily the agreement. In other words, the question to the group is: "Is this something you can live with?" or, Does anyone object?] It is not unanimity, but more a process for deciding what is best overall. Members of the group reach a decision to which they **consent** because they know it is the best one overall. It differs from voting which is a procedure for tallying preferences. Sometimes knowing there will be an up-down vote at the end often polarizes the discussion. It does not require each member of the group to justify their feelings. [Taken from: *Consensus Is Not Unanimity: Making Decisions Cooperatively*, by Randy Schutt. "] Similar to a type of verbal "show of hands" on who feels particularly strong on this?" Sometimes thought of as preliminary approval without taking final "action." A show of hands is not an action that has any legal effect. ["Voting and Taking Action in Closed Sessions" by Frayda Bulestein.]

Ex-parte: from a one-sided or partisan point of view; on the application of one party alone. An ex-parte judicial proceeding is conducted for the benefit of only one party. Ex-parte may also describe contact with a person represented by an attorney, outside the presence of the attorney.

Motion: An enacted motion is a form of action taken by the Council to direct that a specific action be taken on behalf of the municipality. A motion, once approved and entered into the record, is the equivalent of a resolution in those instances where a resolution is not required by law, and where such motion is not in conflict with existing state or federal statutes, City ordinances or resolutions.

Ordinance: An enacted ordinance is a law passed [enacted] by a municipal organization legislatively prescribing specific rules of organization or conduct relating to the corporate affairs of the municipality and those citizens and businesses therein. Council action shall be taken by ordinance when required by law, or where prescribed conduct may be enforced by penalty. Special ordinances such as adopting the budget, vacating a street, amending the Comprehensive Plan and/or Map, and placing a matter on an election ballot, including general obligation bonds, are not codified into the City's municipal code.

Resolution: An enacted resolution is an administrative act which is a formal statement of policy concerning matters of special or temporary character. Council action shall be taken by resolution when required by law and in those instances where an expression of policy more formal than a motion is desired.

Regular Meeting: Any Council meeting that meets in the Sedro-Woolley City Council Chambers or the Fire Department Training Room on the First, Second and Fourth Wednesdays at 7:00 p.m. shall be deemed a "regular meeting."

Social Media: A term used to define the various activities that integrate technology, social interaction and content creation. Through social media, individuals or collaborations of individuals create on-line web content, organize content, edit or comment on content, combine content, and share content. Social media uses many technologies and forms including syndicated web feeds, weblogs (blogs), wiki, photo-sharing, video-sharing, podcasts, and social networking. (From MRSC, and Social Media and Web2.0 in Government, WebContent.gov)

Appendix B: Frequently Used Acronyms

ADA - Americans with Disabilities Act

ADT - Average Daily Traffic

ATF - Bureau of Alcohol, Tobacco & Firearms

AWC - Association of Washington Cities

BOCC - Board of County Commissioners

CAFR - Comprehensive Annual Financial Report

CDBG - Community Development Block Grant

CIAW - Cities Insurance Authority of Washington

CIP - Capital Improvement Plan

CTED - Community, Trade, & Economic Development (now Department of Commerce)

CUP - Conditional Use Permit

DEIS - Draft Environmental Impact Statement

DEM - Department of Emergency Management

DNR - Department of Natural Resources

DNS - Declaration of Non-Significance

DOE - Department of Ecology; Department of Energy

DOT - Department of Transportation

E911 - Enhanced 911

EA - Environment Assessment

EDASC - Economic Development Alliance of Skagit County

EEO/AA - Equal Employment Opportunity/Affirmative Action

EEOC - Equal Employment Opportunity Commission

EIS - Environmental Impact Statement

EOE - Equal Opportunity Employer

EPA - Environmental Protection Agency

ERU - Equivalent Residential Unit (for measuring sewer capacity and demand)

F & WS - Federal Fish & Wildlife Service

FAA - Federal Aviation Administration

FCC - Federal Communications Commission

FEIS - Final Environmental Impact Statement

FEMA - Federal Emergency Management Agency

FICA - Federal Insurance Contribution Act

FIRM - Flood Insurance Rate Maps
FLSA - Fair Labor Standards Act**FMLA** - Family Medical Leave Act
GAAP - Generally Accepted Accounting Principles
GASB - Governmental Accounting Standards Board
GIS - Geographic Information System
GMA - Growth Management Act
GPM - Gallons Per Minute
HOV - High-Occupancy Vehicle
HR - Human Resources
HUD - Housing & Urban Development (Department of)
ICMA - International City/County Management Association
L & I - Labor & Industries (Department of)
LID - Local Improvement District
MGD - Million Gallons per Day
MOA - Memorandum of Agreement
MOU - Memorandum of Understanding
MPO - Metropolitan Planning Organization
MRSC - Municipal Research Services Center
NEPA - National Environment Policy Act
NIMBY - Not In My Backyard
NPDES - National Pollutant Discharge Elimination System
PE - Preliminary Engineering; Professional Engineer
PERC - Public Employment Relations Commission
PMS - Pavement Management System
PPE - Personal Protective Equipment
PPM - Parts Per Million; Policy & Procedure Manual
PUD - Public Utility District
PW - Public Works
QA - Quality Assurance
RCW - Revised Code of Washington
REET - Real Estate Excise Tax
RONR - *Robert's Rules of Order Newly Revised*
ROW - Right of Way
SAO - State Auditor's Office

SBA - Small Business Administration
SEPA - State Environmental Policy Act
SMA - Shorelines Management Act
SWAC - Solid Waste Advisory Committee
TIB - Transportation Improvement Board
TIP - Transportation Improvement Program
TMDL - Total Maximum Daily Load
UBC - Uniform Building Code
UFC - Uniform Fire Code
UGA - Urban Growth Area
WAC - Washington Administrative Code
WACO - Washington Association of County Officials
WCMA - Washington City/County Management Association
WSDOT - Washington State Department of Transportation
WSP - Washington State Patrol
WUTC - Washington Utilities & Transportation Commission
WWTP - Wastewater Treatment Plant

Endnotes:

¹ RCW 42.30.110 – Open Public Meeting Act, Executive Sessions

² RCW 42.30.140- Open Public Meeting Act,

³ RCW 35A.13.035- Optional Municipal Code (35A) – Council-manager plan of government

⁴ RCW 42.52 – Ethics in Public Service

⁵ RCW 42.56 – Public Records Act

⁶ RCW 35A.12.160 Optional Municipal Code (35A) – Council manager plan of government; public notice of hearings and meeting agendas

⁷ RCW 35A.13.170 – Optional Municipal Code (35A) – Council manager plan of government; council meetings – quorum, rules - voting

⁸ RCW 35A.12.110 – Council meetings, shall meet regularly, at least once a month.

⁹ RCW 35A.12.110 – *ibid.*

¹⁰ RCW 42.30.080 - Open Public Meetings Act, Special Meetings, procedures for calling Special Meetings

¹¹ RCW 35A.12.060 – A council position shall become vacant if the councilmember fails to attend three consecutive regular meetings of the council without being excused by the council.

¹² RCW 35A.13.190 – Ordinances, emergencies, may be effective upon adoption if passed by a majority plus one of the whole membership of the council and have the ordinance designated as a public emergency; but such ordinance may not levy taxes, grant, renew or extend a franchise, or authorize the borrowing of money.

¹³ RCW 35A.12.050 – Vacancies

¹⁴ RCW 35A.12.050 – *ibid.*

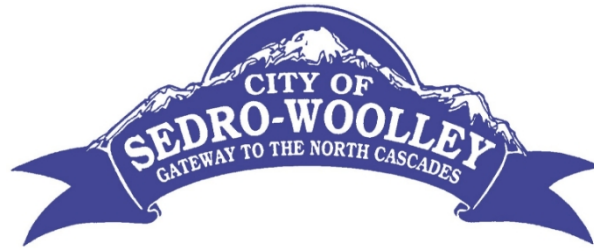
¹⁵ RCW 42.36.040 – Appearance of Fairness – public discussion by candidate for public office

¹⁶ RCW 42.36.060 – Quasi-judicial proceedings, ex-parte communications prohibited, exceptions.

¹⁷ RCW 42.36.010 Appearance of fairness doctrine – local land use decisions.

¹⁸ RCW 42.30.010 - Open Public Meetings Act; legislative declaration. It is the intent of this chapter that their actions be taken openly and that their deliberations be conducted openly.

¹⁹ RCW 42.30.020(3) – Definitions – defines “action”



City Council Agenda Item

Agenda Item No.: f.3.

Date: May 1, 2024

From: Charlie Bush, City Administrator

Subject: Interlocal Agreement - Skagit County - 1590 Funding to Support North Star Project - First Read

RECOMMENDED ACTION:

Motion to authorize Mayor Johnson to execute an interlocal agreement with Skagit County representing 40% of the City's House Bill 1590 housing funds.

ISSUE:

Should the City of Sedro-Woolley continue to contract 40% of its House Bill 1590 housing funds to support the North Star Project?

BACKGROUND/SUMMARY INFORMATION:

On March 8th, 2023, the City Council approved Resolution 1119-23, funding the North Star Project by stating our intention to allocate 40% of our house bill 1590 housing sales tax revenues to the County for regional services.

The City Council then followed through by approving an interlocal agreement in 2023 that lasted one calendar year (from 7/1/23 to 6/30/23). Skagit County Health Department staff member George Kosovich updated the City Council at the April 24, 2024 City Council meeting regarding the results of the funding provided (PowerPoint attached).

The attached interlocal agreement would replicate the 2023 agreement, providing 40% of City of Sedro-Woolley House Bill 1590 housing funds to the County to be allocated through the County's human services funding process from July 1, 2024 through June 30, 2025. This agenda item is a request for a motion from the Council to provide the Mayor with the authority to execute the new interlocal agreement, which is attached.

FISCAL IMPACT, IF APPROPRIATE:

Forty percent of the City's House Bill 1590 housing funds, approximately \$108,000 per year.

ATTACHMENTS:

1. INTERLOCAL AGREEMENT 1590 Final Clean
2. INTERLOCAL AGREEMENT 1590 Final Marked-Up
3. SW_NOFA_NorthStar

4. House Bill 1590 Funding Options
5. 1590.PL

INTERLOCAL COOPERATIVE AGREEMENT BETWEEN SKAGIT COUNTY AND THE CITY OF SEDRO-WOOLLEY

This agreement is entered into between Skagit County and the Cities of Burlington, Mount Vernon, and Sedro-Woolley for the purpose of creating an Interlocal Cooperation Agreement to addresses the use of housing and behavioral health funds.

WHEREAS, Homelessness and behavioral health have been important issues in Skagit County for many years and the impact of COVID-19 has added to housing challenges and exacerbated mental health issues and substance use disorders in our community; and

WHEREAS, in July 2022, Skagit County and leaders from Anacortes, Burlington, Mount Vernon, and Sedro-Woolley signed a joint call to action on a North Star project, committing to working together to reexamine our current systems of care and pursue all available avenues to render them more effective; and

WHEREAS, as part of the North Star Project, a Leadership Group made up of the Mayors of Anacortes, Burlington, Mount Vernon, and Sedro-Woolley, along with a County Commissioner formed to guide the North Star Project; and

WHEREAS, the Leadership Group has committed to a strategic decision-making process with aligned priorities, mutually reinforcing investments, and decisions that are shaped by meaningful data and the by the people they affect; and

WHEREAS, Skagit County and the Cities of Burlington, Mount Vernon, and Sedro-Woolley have ongoing commitments and priorities for homeless housing funding; and

WHEREAS Skagit County and the Cities of Burlington, Mount Vernon, and Sedro-Woolley now collect a sales and use tax for housing and related services under RCW 82.14.530 ("Housing sales tax"); and

WHEREAS, Skagit County collects a sales and use tax for behavioral health services through RCW 82.14.460 ("Behavioral Health sales tax"); and

WHEREAS, the County homeless housing and assistance funds from state and local revenue sources are annually allocated through a competitive notice of funding availability process ("County NOFA"); and

WHEREAS, in furtherance of the Project, the City of Burlington shall allocate \$300,000 of its housing sales tax funds to support operations, maintenance and services at the Martha's Place permanent supportive housing project in Mount Vernon, WA.; and

WHEREAS, in furtherance of the Project, the City of Mount Vernon shall allocate \$500,000 of its Housing sales tax funds to support operations, maintenance and services at the Martha's Place permanent supportive housing project in Mount Vernon, WA.

NOW THEREFORE, in consideration of the mutual housing benefits for income eligible persons and those experiencing homelessness throughout Skagit County, the above partners agree as follows.

1. In furtherance of the Project, the City of Sedro Woolley shall allocate forty percent (40%) of its Housing sales tax to the Skagit County NOFA.
2. Skagit County shall:
 - 2.1 Administer the funding from the City of Sedro-Woolley dedicated to housing services through the County NOFA, including contracting with partners and reporting funding outcomes to Sedro-Woolley; and
 - 2.2 Continue advocacy efforts with the Housing Authority of Skagit County to secure housing vouchers for the Martha's Place permanent supportive housing project; and
 - 2.3 Partner with the operators of First Step and Martha's Place while seeking other outside funding sources to secure their long-term sustainability.
3. **TERM OF AGREEMENT:** The term of this Agreement shall be from July 1, 2024 through June 30, 2025.
4. **ADMINISTRATION:** The following individuals are designated as representatives of the respective parties. The representatives shall be responsible for administration of this Agreement and for coordinating and monitoring performance under this Agreement. In the event such representatives are changed, the party making the change shall notify the other party.
 - 6.1 The County's representative shall be George Kosovich
 - 6.4 The City of Sedro-Woolley's representative shall be Charlie Bush, City Administrator
5. **TREATMENT OF ASSETS AND PROPERTY:** No fixed assets or personal or real property will be jointly or cooperatively, acquired, held, used, or disposed of pursuant to this Agreement.
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 agrees to save, indemnify, defend, and hold the other party harmless from any such liability. It is further provided that no liability shall attach to the County by reason of entering into this contract except as expressly provided herein.
7. **TERMINATION:** Any party hereto may terminate this Agreement upon thirty (30) days notice in writing either personally delivered or mailed postage-prepaid by certified mail, return receipt requested, to the party's last known address for the purposes of giving notice under this paragraph. If this Agreement is so terminated, the parties shall be liable only for performance rendered or costs incurred in accordance with the terms of this Agreement prior to the effective date of termination.
8. **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.

9. 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.
10. ENTIRE AGREEMENT: This Agreement contains all the terms and conditions agreed upon by the parties. All items incorporated herein by reference are attached. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the parties hereto.

CITY OF SEDRO-WOOLLEY:

Mayor

(Date _____)

Julia Johnson

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

325 Metcalf Street_____
Sedro-Woolley, WA_____
98284_____

DATED this _____ day of _____, 2024.

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

Ron Wesen, Chair

Lisa Janicki, Commissioner

Attest:

Peter Browning, 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 BETWEEN SKAGIT COUNTY AND THE CITY OF SEDRO-WOOLLEY

This agreement is entered into between Skagit County and the Cities of Burlington, Mount Vernon, and Sedro-Woolley for the purpose of creating an Interlocal Cooperation Agreement to addresses the use of housing and behavioral health funds.

WHEREAS, Homelessness and behavioral health have been important issues in Skagit County for many years and the impact of COVID-19 has added to housing challenges and exacerbated mental health issues and substance use disorders in our community; and

WHEREAS, in July 2022, Skagit County and leaders from Anacortes, Burlington, Mount Vernon, and Sedro-Woolley signed a joint call to action on a North Star project, committing to working together to reexamine our current systems of care and pursue all available avenues to render them more effective; and

WHEREAS, as part of the North Star Project, a Leadership Group made up of the Mayors of Anacortes, Burlington, Mount Vernon, and Sedro-Woolley, along with a County Commissioner formed to guide the North Star Project; and

WHEREAS, the Leadership Group has committed to a strategic decision-making process with aligned priorities, mutually reinforcing investments, and decisions that are shaped by meaningful data and the by the people they affect; and

WHEREAS, Skagit County and the Cities of Burlington, Mount Vernon, and Sedro-Woolley have ongoing commitments and priorities for homeless housing funding; and

WHEREAS Skagit County and the Cities of Burlington, Mount Vernon, and Sedro-Woolley now collect a sales and use tax for housing and related services under RCW 82.14.530 ("Housing sales tax"); and

WHEREAS, Skagit County collects a sales and use tax for behavioral health services through RCW 82.14.460 ("Behavioral Health sales tax"); and

WHEREAS, the County homeless housing and assistance funds from state and local revenue sources are annually allocated through a competitive notice of funding availability process ("County NOFA"); and

WHEREAS, in furtherance of the Project, the City of Burlington shall allocate \$300,000 of its housing sales tax funds to support operations, maintenance and services at the Martha's Place permanent supportive housing project in Mount Vernon, WA.; and

WHEREAS, in furtherance of the Project, the City of Mount Vernon shall allocate \$500,000 of its Housing sales tax funds to support operations, maintenance and services at the Martha's Place permanent supportive housing project in Mount Vernon, WA.

NOW THEREFORE, in consideration of the mutual housing benefits for income eligible persons and those experiencing homelessness throughout Skagit County, the above partners agree as follows.

1. In furtherance of the Project, the City of Sedro Woolley shall allocate forty percent (40%) of its Housing sales tax to the Skagit County NOFA.
2. Skagit County shall:
 - 2.1 Administer the funding from the City of Sedro-Woolley dedicated to housing services through the County NOFA, including contracting with partners and reporting funding outcomes to Sedro-Woolley; and
 - 2.2 Continue advocacy efforts with the Housing Authority of Skagit County to secure housing vouchers for the Martha's Place permanent supportive housing project; and
 - 2.3 Partner with the operators of First Step and Martha's Place while seeking other outside funding sources to secure their long-term sustainability.
3. **TERM OF AGREEMENT:** The term of this Agreement shall be from July 1, 202~~4~~³ through June 30, 202~~5~~⁴.
4. **ADMINISTRATION:** The following individuals are designated as representatives of the respective parties. The representatives shall be responsible for administration of this Agreement and for coordinating and monitoring performance under this Agreement. In the event such representatives are changed, the party making the change shall notify the other party.
 - 6.1 The County's representative shall be George Kosovich
 - 6.4 The City of Sedro-Woolley's representative shall be Charlie Bush, City Administrator
5. **TREATMENT OF ASSETS AND PROPERTY:** No fixed assets or personal or real property will be jointly or cooperatively, acquired, held, used, or disposed of pursuant to this Agreement.
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 agrees to save, indemnify, defend, and hold the other party harmless from any such liability. It is further provided that no liability shall attach to the County by reason of entering into this contract except as expressly provided herein.
7. **TERMINATION:** Any party hereto may terminate this Agreement upon thirty (30) days notice in writing either personally delivered or mailed postage-prepaid by certified mail, return receipt requested, to the party's last known address for the purposes of giving notice under this paragraph. If this Agreement is so terminated, the parties shall be liable only for performance rendered or costs incurred in accordance with the terms of this Agreement prior to the effective date of termination.
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CITY OF SEDRO-WOOLLEY:

Mayor

(Date _____)

Julia Johnson

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

325 Metcalf Street_____
Sedro-Woolley, WA_____
98284_____

DATED this _____ day of _____, 202~~4~~³.

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

Ron Wesen, Chair

Lisa Janicki, Commissioner

Attest:

Peter Browning, 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

Sedro-Woolley Council Homeless Housing Funding



Agenda

- North Star Updates
- Reminder on funding and process
- Program outcomes & results
- Looking forward on collaborative funding
- Discussion/Q&A

North Star Updates

- Work plan priorities
- Effective, coordinated community-based system of care
- Safe Stable Housing for Everyone:
 - Identify public parcels
 - **Coordinate funding for priority projects**
 - Use more housing vouchers
 - Improve Coordinated-Entry
- Communications & Council Engagement

Homeless Housing Funding

- Thank you!
- City contributed 40%, up to \$100k to Homeless Housing Funding
 - Source is 1590 housing funding; up to 40% can be used for services
- Allocation recommendation made by committee including 4 mayors and other stakeholders
- Total funding in NOFA \$3.2m from 10 different sources
- Sedro-Woolley funding dedicated to three programs

Funded Programs

- Blending with State funding; used State \$ first
- No county admin
- YMCA-Oasis (supports 55% of contract total)
 - Serving youth 13-17 with a safe place to spend the night
 - 9 bed shelter, showers, meals laundry and case management
- Skagit DVSAS (33% of contract total)
 - Confidential assistance and emergency shelter for victims of domestic violence, dating violence, rape, child sexual abuse, stalking, elder abuse, sexual assault, and sexual harassment.
 - Advocacy, support groups, children's advocacy and community education and prevention.
- Family Promise Shelter (46% of contract total)
 - Sedro-Woolley-based organization
 - Shelter and case management to households with children and pregnant parents
 - FY24 is the first time we have funded the Shelter, due in part to Sedro-Woolley & new State funding

Program Results (through March '23)

Program Outputs	YMCA Oasis	SDVSAS	Family Promise
Number Served	30 unduplicated youth; 1,036 bed nights of shelter	101 unduplicated individuals	27 unduplicated individuals (100 individuals)

- Each shelter provider tracks exits to permanent housing
- Biggest challenge on exits is availability of affordable housing

Exit Outcomes	YMCA Oasis	SDVSAS	Family Promise
Permanent Situation	9 (56%)	25 (43%)	21 (26%)
Homeless Situation	1	7	6
Institutional or Temporary Setting	6	26	52
Total Exits with data available	16	58	79

'24-'25 Homeless Housing Funding

- \$6m in requests and \$3m in available funding
- Asking the City to consider a second year of program funding
- Same or similar programs
- Categories:
 - Diversion
 - Shelter
 - Seasonal Shelter
 - Rental Assistance Case Management

Questions?

House Bill 1590 Funding Options

Minimum of 60% of Funds Collected	Remainder of funds collected (up to 40%) – these are the funds requested for the North Star Project
Constructing affordable housing, which may include new units of affordable housing within an existing structure, and facilities providing housing-related services. Persons for which housing is constructed must be at or below 60% of the median income of the county. Persons must also be one of the following: • Persons with behavioral health disabilities • Veterans • Senior citizens • Homeless, or at risk of being homeless, families with children • Unaccompanied homeless youth or young adults • Persons with disabilities • Domestic violence survivors	Operation, delivery, or evaluation of mental and behavioral health treatment programs and services or housing-related services.
Constructing mental and behavioral health-related facilities	
Funding the operations and maintenance costs of new units of affordable housing and facilities where housing-related programs are provided, or newly constructed evaluation and treatment centers	

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1590

66th Legislature
2020 Regular Session

Passed by the House March 9, 2020
Yeas 52 Nays 44

**Speaker of the House of
Representatives**

Passed by the Senate March 6, 2020
Yeas 27 Nays 21

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1590** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 1590

AS AMENDED BY THE SENATE

Passed Legislature - 2020 Regular Session

State of Washington

66th Legislature

2019 Regular Session

By Representatives Doglio, Dolan, Macri, Cody, Gregerson, Wylie, Appleton, Robinson, Ormsby, Frame, and Davis

Read first time 01/24/19. Referred to Committee on Housing, Community Development & Veterans.

1 AN ACT Relating to allowing the local sales and use tax for
2 affordable housing to be imposed by a councilmanic authority; and
3 amending RCW 82.14.530.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 82.14.530 and 2015 3rd sp.s. c 24 s 701 are each
6 amended to read as follows:

7 (1)(a)(i) A county legislative authority may submit an
8 authorizing proposition to the county voters at a special or general
9 election and, if the proposition is approved by a majority of persons
10 voting, impose a sales and use tax in accordance with the terms of
11 this chapter. The title of each ballot measure must clearly state the
12 purposes for which the proposed sales and use tax will be used. The
13 rate of tax under this section may not exceed one-tenth of one
14 percent of the selling price in the case of a sales tax, or value of
15 the article used, in the case of a use tax.

16 (ii) As an alternative to the authority provided in (a)(i) of
17 this subsection, a county legislative authority may impose, without a
18 proposition approved by a majority of persons voting, a sales and use
19 tax in accordance with the terms of this chapter. The rate of tax
20 under this section may not exceed one-tenth of one percent of the

1 selling price in the case of a sales tax, or value of the article
2 used, in the case of a use tax.

3 (b) (i) ~~If a county ((with a population of one million five~~
4 ~~hundred thousand or less has not imposed))~~ does not impose the full
5 tax rate authorized under (a) of this subsection ~~((within two years~~
6 ~~of October 9, 2015))~~ by September 30, 2020, any city legislative
7 authority located in that county may ~~((submit))~~ :

8 (A) Submit an authorizing proposition to the city voters at a
9 special or general election and, if the proposition is approved by a
10 majority of persons voting, impose the whole or remainder of the
11 sales and use tax rate in accordance with the terms of this chapter.
12 The title of each ballot measure must clearly state the purposes for
13 which the proposed sales and use tax will be used;

14 (B) Impose, without a proposition approved by a majority of
15 persons voting, the whole or remainder of the sales and use tax rate
16 in accordance with the terms of this chapter.

17 (ii) The rate of tax under this section may not exceed one-tenth
18 of one percent of the selling price in the case of a sales tax, or
19 value of the article used, in the case of a use tax.

20 ~~((~~(ii)~~ If a))~~ (iii) A county with a population of greater than
21 one million five hundred thousand ~~((has not imposed the full))~~ may
22 impose the tax authorized under (a) ~~(ii)~~ of this subsection ~~((within~~
23 ~~three years of October 9, 2015, any city legislative authority))~~ only
24 if the county plans to spend at least thirty percent of the moneys
25 collected under this section that are attributable to taxable
26 activities or events within any city with a population greater than
27 sixty thousand located in that county ~~((may submit an authorizing~~
28 ~~proposition to the city voters at a special or general election and,~~
29 ~~if the proposition is approved by a majority of persons voting,~~
30 ~~impose the whole or remainder of the sales and use tax rate in~~
31 ~~accordance with the terms of this chapter. The title of each ballot~~
32 ~~measure must clearly state the purposes for which the proposed sales~~
33 ~~and use tax will be used. The rate of tax under this section may not~~
34 ~~exceed one-tenth of one percent of the selling price in the case of a~~
35 ~~sales tax, or value of the article used, in the case of a use tax))~~
36 within that city's boundaries.

37 (c) If a county imposes a tax authorized under (a) of this
38 subsection after a city located in that county has imposed the tax
39 authorized under (b) of this subsection, the county must provide a
40 credit against its tax for the full amount of tax imposed by a city.

(d) The taxes authorized in this subsection are in addition to any other taxes authorized by law and must be collected from persons who are taxable by the state under chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the county for a county's tax and within a city for a city's tax.

(2)(a) Notwithstanding subsection (4) of this section, a minimum of sixty percent of the moneys collected under this section must be used for the following purposes:

(i) Constructing affordable housing, which may include new units of affordable housing within an existing structure, and facilities providing housing-related services; or

(ii) Constructing mental and behavioral health-related facilities; or

(iii) Funding the operations and maintenance costs of new units of affordable housing and facilities where housing-related programs are provided, or newly constructed evaluation and treatment centers.

(b) The affordable housing and facilities providing housing-related programs in (a)(i) of this subsection may only be provided to persons within any of the following population groups whose income is at or below sixty percent of the median income of the county imposing the tax:

(i) Persons with (~~mental illness~~) behavioral health disabilities;

(ii) Veterans;

(iii) Senior citizens;

(iv) Homeless, or at-risk of being homeless, families with children;

(v) Unaccompanied homeless youth or young adults;

(vi) Persons with disabilities; or

(vii) Domestic violence survivors.

(c) The remainder of the moneys collected under this section must be used for the operation, delivery, or evaluation of mental and behavioral health treatment programs and services or housing-related services.

(3) A county that imposes the tax under this section must consult with a city before the county may construct any of the facilities authorized under subsection (2)(a) of this section within the city limits.

(4) A county that has not imposed the tax authorized under RCW 82.14.460 prior to October 9, 2015, but imposes the tax authorized

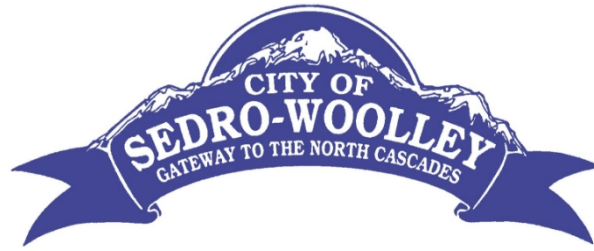
1 under this section after a city in that county has imposed the tax
2 authorized under RCW 82.14.460 prior to October 9, 2015, must enter
3 into an interlocal agreement with that city to determine how the
4 services and provisions described in subsection (2) of this section
5 will be allocated and funded in the city.

6 (5) To carry out the purposes of subsection (2)(a) and (b) of
7 this section, the legislative authority of the county or city
8 imposing the tax has the authority to issue general obligation or
9 revenue bonds within the limitations now or hereafter prescribed by
10 the laws of this state, and may use, and is authorized to pledge, up
11 to fifty percent of the moneys collected under this section for
12 repayment of such bonds, in order to finance the provision or
13 construction of affordable housing, facilities where housing-related
14 programs are provided, or evaluation and treatment centers described
15 in subsection (2)(a)(iii) of this section.

16 (6)(a) Moneys collected under this section may be used to offset
17 reductions in state or federal funds for the purposes described in
18 subsection (2) of this section.

19 (b) No more than ten percent of the moneys collected under this
20 section may be used to supplant existing local funds.

--- END ---



City Council Agenda Item

Agenda Item No.: f.4.

Date: May 1, 2024

From: Charlie Bush, City Administrator

Subject: 2025-2026 City Council Goals

RECOMMENDED ACTION:

This item is for discussion. Staff recommends approval of the City Council goals once the Council is comfortable with them.

ISSUE:

Are the attached goals an accurate reflection of the City's Council's goals? If so, does the City Council want to adopt these goals?

BACKGROUND/SUMMARY INFORMATION:

The City Council held a retreat on March 15, 2024. Staff updated the 2023-2024 goals for 2025-2026, based upon the Council's conversation. A draft is attached for the Council's review. If the goals look accurate and actionable, the next step would be Council adoption, possibly at the May 8th City Council meeting. From there, staff will work the action items for each of the goals into the 2025-2026 budget.

The City Council's Strategic Planning Committee reviewed the 2025-2026 goals at their April 22, 2024 meeting.

FISCAL IMPACT, IF APPROPRIATE:

Individual action items have costs associated with them that will be refined as they are reflected in the 2025-2026 budget.

ATTACHMENTS:

1. 2025-2026 City Council Goals and Department Operational Plans Final Draft

City of Sedro-Woolley 2025-26

GOALS AND DEPARTMENT OPERATIONAL PLANS

Increase parks and recreation usage by residents and tourists

- Update City website and overall marketing of City parks by ~~April 1, 2023~~ July 1, 2025 (Administration, Public Works, Information Technology).
 - Include 3D interactive mapping
 - Include better integration of events and rental opportunities
 - Include drone footage of the City's special events.
- Develop new partnerships, possibly including a consultant(s) after exploration with the City Council, ~~using American Rescue Plan Act Funds~~, by ~~April 1, 2023~~ December 31, 2025. The goal is to recruit, plan, create, market, and support sports tournaments and other special events in Sedro-Woolley and the surrounding area. The City would use these events to build up demand for additional hotel space, leading to increased hotel/motel revenues that can sustain this program, and tourism in Sedro-Woolley, into the future (Administration, Public Works).
- Work strategically to expand outdoor recreation options in the areas around Sedro-Woolley and to better connect Sedro-Woolley to those areas. Provide an initial report to the City Council by ~~October 1, 2023~~ December 31, 2025 (Administration, Public Works).
 - Olmsted Park Phase 1 Infrastructure; construction 2024+
 - Olmsted Park Phase 2 Structures; construction 2024/2025 (updated 8/9/2023)
 - Olmsted Park Phase 3 Playground; RCO Application 2024; construction 2025 (updated 8/9/2023)
 - Reed Street Park; design 2025; RCO application 2026; construction 2026/2027 (updated 8/9/2023)
 - SR20/Cascade Trail Phase 2A Holtcamp to Hodgin; construction 2024.
 - SR20/Cascade Trail Phase 2B Collins Rd to Holtkamp Rd; partially funded by SCOG TAP; TIB appl 2024; Design 2024/2025; CN 2026 (updated 8/9/2023).
 - Evaluate the opportunity to expand ballfield capacity (Little League, soccer, etc.) with the update of the City's Comprehensive Plan Update. Evaluate developing parks that pay for themselves. Evaluate more use of the floodplain for sports tournaments.
 - Better activate the skate park by reviving and sustain the annual skate park competition.

- Evaluate financial sustainability models for the City's parks system.
- Further develop strategic partnerships with governments, non-profit organizations, and private businesses that can accelerate parks and recreation tourism and usage in Sedro-Woolley. Provide a report to the City Council by January 1, 2024 (Administration).

Commented [CB1]: Duplicative with action above

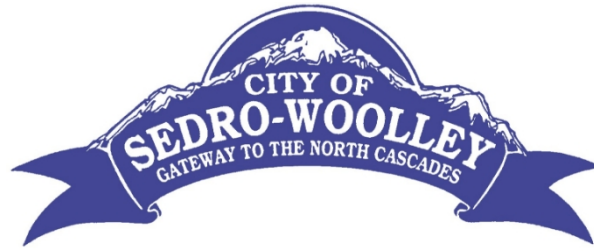
Improve the City's economy

- Continue to improve public infrastructure that supports economic development and quality of life and provide regular updates to the City Council (Public Works, Planning & Building).
 - Begin implementation of economic development action plan. Provide annual progress reports to the City Council's Planning and Business Development Committee and to the full Council.
 - The Economic Development Action Plan includes improving signage within the community (item discussed at the City Council Retreat).
 - Secure funding and complete the Jones/John Liner/Trail Road Corridor projects by 2029 to support City and SWIFT Center growth (Engineering/Public Works Divisions).
 - SR9/Township & John Liner/McGarigle Intersection Project; construction 2025
 - John Liner Rd, Reed to Township Bicycle/Pedestrian Improvements project; construction 2026/2027 (updated 8/8/2023)
 - Project C1B Jones/John Liner BNSF Undercrossing Project Phase 2; design/ROW in 2024/2025, construction (updated 8/9/2023)
 - Cook Road/South Trail Road Intersection (Roundabout) Project; design/ROW 2024/2025; construction 2026
 - Complete short-term Wastewater Treatment Plant Capacity Projects by 2025 (Engineering/WWTP Division)
 - Digester Aeration Upgrades – construction 2025 (updated 8/9/2023)
 - Long-term WWTP Capacity Improvements to support growth by 2029
 - Facilities Plan (when plant reaches 85% Capacity est. 2024/2025); begin 2024; complete 2025.
 - Plant upgrade design 2026/2027; construction 2027/2028.
- Protect commercially zoned land (Planning & Building)
- Evaluate the City's revenue trends and provide a report to Council by July 1, 2025.

- Develop strategies to grow the City's sales tax revenues
- Increase hotel/motel revenues

Complete the Comprehensive Plan on time, by December 31, 2025, and under budget. Continue the City's growth model where lots on the edge of town are primarily zoned single family, with missing middle housing interspersed in the primarily single-family residential zones. Future growth will be accommodated through a combination of urban growth area expansion to the north as necessary per a land capacity analysis, infill in existing residential neighborhoods and accommodating higher densities in commercial zones (where commercial is the primary use on the main floor).

- Assure that the city's zoning and development standards provide for a variety of housing types in the city and maintain development standards that assure adequate on-site parking is provided for new housing (Planning & Building).
- The county will be determining the amount of projected population growth in the county and in each jurisdiction between 2025-2045 as a part of the State GMA Comprehensive Plan updates due June 30, 2025. With the above goal in mind, coordinate with the other Skagit County jurisdictions to determine the amount of growth in Sedro-Woolley between 2025-2045 (Planning & Building).
- Perform a Land Capacity Analysis to determine the amount of available land within City Limits to accommodate the projected population growth between 2025-2045 (Planning & Building).
- Based on the amount of land available, use the above council goal to determine how much future population can be accommodated in the existing city limits and how much land needs to be added to the urban growth area to accommodate the projected population growth between 2025-2045 (Planning & Building).
- Demonstrate how much land is necessary to accommodate 20 years of growth based on the councils above growth goal and recommend that the county adjust the city UGA to meet the city's 20-year growth projections (Planning & Building).
- Update the city's zoning regulations as well as the Housing and Land Use Elements of the Comprehensive Plan as part of the 2025 updates to reflect the council's housing and land use goals and reflect the adjusted UGA boundaries (Planning & Building).
- Review connection and impact fees upon completion of the comprehensive plan (Public Works, Planning & Building).



City Council Agenda Item

Agenda Item No.: f.5.

Date: May 1, 2024

From: Charlie Bush, City Administrator

Subject: Authorize the 2024 Skagit County Economic Development Grant Request

RECOMMENDED ACTION:

Staff recommends moving ahead with a grant proposal and providing \$50,000 in matching funds to the project.

ISSUE:

Should the City apply for a 2024 Skagit County Economic Development Grant? If so, would the Council be willing to provide a \$50,000 match using some of the remaining ARPA funds allocated to economic development? Due to limited timing, action is requested tonight.

BACKGROUND/SUMMARY INFORMATION:

City staff recently received a solicitation for the 2024 Skagit County Economic Development Grant (see attached solicitation). In the past, the City received these funds for infrastructure projects. In this case, staff reviewed the City's draft Economic Development Strategy, and Comprehensive Plan Economic Element, and settled upon a project to submit involving the repairing/repainting of, with the same design and perhaps a bit more color, 7 of the City's historic murals (see the attached inventory). The reasons why we are recommending that we pursue this particular project are:

- Many of these murals are in poor condition and it could be argued that they are detracting from economic development in their current condition.
- This project is difficult to assemble and will not happen all together or quickly without the City, or another large entity, taking the initiative.
- This project will add more "fuel" and overall renewal energy to the Downtown when considered in conjunction with the Community Development Grant Program, repainting of the City's street light poles, and the City's upcoming sidewalk rebuilding project.

The maximum grant award is \$500,000. Not all of the County's funds were requested last year so there is a good chance that funding will be available if we apply.

A project to be funded must be mentioned in the economic element of the City's Comprehensive Plan (see attached). The City's current plan mentions sprucing up the Downtown (Policy E3.19, located at

the end of the chapter). In addition, the City's draft Economic Development Action Plan discusses improving/adding murals.

Repainting the murals would have to comply with the City's mural ordinance:

<https://www.codepublishing.com/WA/SedroWoolley/#!/html/SedroWoolley17/SedroWoolley1751.html>

Repainting the murals would cost an estimated \$187,150, using the conservative metric of \$50 per square foot. Staff are requesting a \$50,000 match from American Rescue Plan Act (ARPA) funds allocated to economic development, bringing the grant request down to \$137,150. Approximately \$90,000 would remain in ARPA funds allocated to economic development. Providing matching funds will improve grant scoring with the selection committee.

The grant deadline is 5/20 but staff involved will be out of the office during that time and need to complete the grant application by 5/8. As a result, staff are requesting action this evening.

FISCAL IMPACT, IF APPROPRIATE:

\$50,000 of American Rescue Plan Act Funds (ARPA), assigned to economic development.

ATTACHMENTS:

1. Sedro-Woolley Mural List - 4-22-2024
2. Notice of Funding - 2024
3. Draft Sedro-Woolley Economic Development Action Plan Version 6.0
4. Comp_Plan_Ch_8_Economic_Development

Sedro-Woolley Mural List

Mural #	Address	Parcel #	Property Owner	Rough Dimension
1	611 Metcalf Street	P77465	NIMS Connie Kay	34' x 10' 6"
2	118 Ferry Street	P77458	ANT Savings Corp	80' x 10'
3	205 Ferry Street	P77468	Big Leaf Properties LLC	25' x 25'
4	700 Metcalf Street	P77472	700 Murdock LLC	18' x 9' 6"
5	720 Metcalf Street	P77484	PT Metcalf LLC	25' 6" x 10'
6	810 Metcalf Street	P77508	AE Holland Properties LLC	32' x 12'
7	118 Ferry Street	P77458	ANT Savings Corp	56' x 20'
8	304 State Street	P76167	Staghorn Enterprises LLC	20' x 20'

Note

Mural 8 seems to have been painted recently, and is in good condition.

Pictures:

1.



2.



3.



4.



5.



6.



7.



8.





SKAGIT COUNTY BOARD OF COMMISSIONERS

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Notice of Skagit County Economic Development Grant Application Deadline

Skagit County will begin accepting applications today, April 4, 2024, for economic development grants to fund the construction of public facilities that retain and/or create family-wage jobs, in accordance with RCW 82.14.370. The deadline for submittal is May 20, 2024, at 4:30 p.m. Application materials are available at www.skagitcounty.net/budgetfinance. Entities may apply for funds for multiple projects.

Skagit County anticipates approximately \$3,000,000 will be available for award. Award limits will remain at \$500,000 per project or project phase, and the criteria established via resolution [R20180107](#) remains unchanged. A committee will review applications in June with award scheduled for mid-July.

Applications must be received by 4:30 p.m. on Monday, May 20, and may be submitted in one of the following ways:

1. Mailed to: Skagit County
Attn: Economic Development Grant
1800 Continental Place, Suite 100
Mount Vernon, WA 98273
2. Hand-delivered to the address above.
3. Emailed to Vicky Gonzalez at vickyg@co.skagit.wa.us.

If you have questions, please contact Trisha Logue at 360-416-1305.

Sedro-Woolley Economic Development Action Plan (Draft)

Version 5, April, 2024

Items in green are potential ARPA investments

Priority #1: Provide business-friendly permitting

- Invest in Planning & Building staffing through the 2025-26 budget process to better support business permitting
- By the end of 2025, establish permitting benchmarks for commercial permits and track progress
- By the end of 2026, invest in Lean/Six Sigma process improvement processes to increase permitting system efficiency
- By the end of 2026, improve the City's Code to allow for more efficient and simplified permit processes, including more up-front design review
- By the end of 2025, evaluate fees

Priority #1: Support housing development to provide a larger local workforce and to further support local retail

- Evaluate the housing types needed to have the largest benefit on the Sedro-Woolley economy through the 2023-25 Comprehensive Plan Update
- By the end of 2026, implement strategies and incentives to support the housing types desired

Priority #2: Focus on public Downtown Improvements

- Potential New/Refurbished Public Infrastructure – complete by the end of 2028
 - Lighting – street lights recently painted
 - More trash cans downtown (on Metcalf) with better designs
 - Alleys
 - Sidewalks
 - Planters
 - Murals
 - AED signs
 - Address Parking – consider parking regulations, supply
- Community Development Grant Program – completed by the end of 2024
 - Painting
 - Support updates to key buildings (ex. Woolley Market)
- Festival/Event Improvements – complete by the end of 2027
 - Wiring for festivals
 - Lights for festivals – consider lights hanging across Metcalf
 - Develop a Downtown concert venue
- Parklets – consider code changes by the end of 2024
- Partner with BNSF on public use of their right of way (ex. mobile art walk) – by the end of 2025

Priority #2: Improve the State Route 20 and State Route 9 Corridors

- Partner with the new owners of Skagit Industrial Park, Sedron Industries, to leverage Sedron's investment in the park to accent and benefit Downtown Sedro-Woolley and the State Route 20/9 corridor – by the end of 2025
 - Improve the State Route 20/9 appearance of the park
 - Explore improved connectivity of the park to the rest of the City
 - Evaluate Downtown improvements that may compliment the park and elements of the park that may be able to compliment Downtown and the State Route 20/9 corridor
- Develop an archway to cover the railroad trestle and point tourists to Downtown – by the end of 2026
- Work to get Ferry Street properties improved on the entry to Downtown from Highway 9, perhaps some funds could be used for environmental studies, as needed, in this area – by the end of 2028, a corridor plan for the streetscape might be an option
- Improve the appearance of fencing
- Improve directional signage – by the end of 2026
- Improve the appearance of roundabouts – by the end of 2026

Priority #2: Improve the Cleanliness and Visual Appearance of Commercial Areas, including Downtown

- Invest in additional Public Works staff or partnerships to enhance the cleanliness of commercial areas in Sedro-Woolley – by the end of 2026

Priority #2: Engage in creative placemaking – support the creation of experiences and places that are unique for visitors to and residents of Sedro-Woolley

- Support public art with the support of the Arts Commission – by the end of 2025
- Invest in trails and parks and connect them – by the end of 2028
- Evaluate streetscapes and landscaping – by the end of 2027
- Create a more dog-friendly city - evaluate dog park expansion and the development of additional dog parks – by the end of 2028
- Develop small parks – ex. the lot by Tricky Busiu could be used for a park and parking if received from BNSF – by the end of 2028
- Possible food truck pads at our parks (especially Olmsted and Memorial) – by the end of 2028
- Capitalize on small-town Americana strengths by supporting and promoting experiences and services that people want
- Focus on making Sedro-Woolley more fun and interesting

Priority #2: Do further work with economic development partners to provide additional help and technical assistance for online commerce and other technical business support services

- Offer resources and referrals to partners from within the Planning & Building Department – by the end of 2025
- Partner with the Chamber to promote shopping local and to celebrate local businesses, especially manufacturing and retail – by the end of 2026
- Partner with organizations like RAIN Catalysts, the Small Business Development Center, the Center for Inclusive Entrepreneurship, and the Economic Development Alliance of Skagit County (EDASC) to provide services for Sedro-Woolley businesses. Consider providing space to one or several from which to deliver services more locally here. – by the end of 2026

Priority #2: Support infill commercial and housing development

- Evaluate options/opportunities and identify barriers during the 2023-2025 Comprehensive Plan update
 - Focus on site readiness and removing obstacles

Priority #2: Continue to partner regionally to benefit the regional economy, which will benefit the Sedro-Woolley Economy

- Leverage collective strengths in Skagit Valley – possible focus on food. Leverage valley value-added agriculture as the theme – by the end of 2026
- Use the 2023-25 Comprehensive Plan Update to become clearer on what industry clusters the City wants to recruit and grow to help diversify its economy

Priority #2: Continue to Partner with the Port of Skagit and Skagit County on the Continued Redevelopment of the SWIFT Center

- Support business incubator space at the SWIFT Center, particularly the NWIRC proposal – ongoing
- Support the theme of community wellness, recreation, tourism, and hospitality at the SWIFT Center - ongoing
- Help support the \$45 million needed to renovate SWIFT Center buildings - ongoing
- Destination music in the park in the shorter term could be a benefit to the community – by the end of 2024
- Develop meeting space - ongoing
- Develop Olmsted Park – by the end of 2026 with first phases in 2024

Priority #2: Support Enhanced Tourism

- Become the Basecamp of the North Cascades, leveraging outdoor recreation - ongoing
 - Partner with the North Cascades Institute, North Cascades National Park, the Pacific Northwest Trail Association, local wilderness guides, and other recreation-based organizations and businesses
- Tap into the City's history by working more formally with the Sedro-Woolley Museum and other history-focused organizations – ongoing, develop additional partnerships by the end of 2026
- Promote and develop sports tournaments and events through partnerships – by the end of 2026
- Work with hotel operators to consider developing in Sedro-Woolley – by the end of 2028
 - Evaluate vacation policies related to vacation rentals if hotel development does not materialize
- Leverage lodging tax funding to fuel more tourism – ongoing
- Develop marketing videos – by the end of 2026
- Develop a parks and trails map – by the end of 2024
- Evaluate cycling infrastructure and services, recruit a bike shop and other key services – by the end of 2028
- Cultivate and sustain a more open and welcoming atmosphere - ongoing

Priority #2: Citywide Public Infrastructure Development

- Continue to fund and build projects to support growth. Review impact fees and project funding to make sure there is financial support for the planned projects. - ongoing
- Plant beautiful trees that don't heave sidewalks - ongoing
- Repair sidewalks - ongoing

Priority #3: Workforce Development – all items are ongoing

- Encourage Sedro-Woolley School District and EDASC to develop a Sedro-Woolley Workforce Development Action Team
- Evaluate opportunities for youth to get into apprenticeships, build partnerships with schools
- Work with the Port to evaluate possible education uses of SWIFT Center
- Help Sedro-Woolley School District connect students with businesses
- Work with Job Corps and Skagit Valley College
- Engage CTE programs (career technical education)
- Have more of a trades-focus locally

Chapter 8

ECONOMIC DEVELOPMENT ELEMENT

- 8.04 Purpose and Relationship to GMA**
- 8.08 Commercial and Industrial Land Designations**
- 8.12 Profile of Planning Area**
- 8.16 Economic Development Strategy**
- 8.20 Economic Development Goals, Policies and Actions**

8.04

PURPOSE AND RELATIONSHIP TO GMA

The purpose of the economic development element is to provide guidelines for maintaining and enhancing economic vitality in appropriate locations in Sedro-Woolley's urban growth area so as to guarantee and ensure adequate selection and availability of employment opportunities and ensure adequate selection and availability of goods and services for all of Sedro-Woolley's residents. The economic development element outlines the City's economic development goals and policies and serves as a road map to achieve those economic goals and policies. The element also helps prospective business owners and investors understand the City's economic development needs and investment opportunities within the City as well as acknowledging the importance of supporting local businesses and the development of new industry in the City of Sedro-Woolley.

The Growth Management Act requires the inclusion of an economic development element. Section 36.70A.070(7) of the Revised Code of Washington (RCW), requires:

"An economic development element establishing local goals, policies, objectives, and provisions for economic growth and vitality and a high quality of life. The element shall include: (a) A summary of the local economy such as population, employment, payroll, sectors, businesses, sales, and other information as appropriate; (b) a summary of the strengths and weaknesses of the local economy defined as the commercial and industrial sectors and supporting factors such as land use,

transportation, utilities, education, workforce, housing, and natural/cultural resources; and (c) an identification of policies, programs, and projects to foster economic growth and development and to address future needs. A city that has chosen to be a residential community is exempt from the economic development element requirement of this subsection."

The Act also requires countywide planning policies to address economic development and employment. Skagit County's policies as they address economic development are set forth in Section 5 of the Skagit County Countywide Planning Policies, adopted in October, 2007. The next required update to the Countywide Planning Policies is in 2016. The following Countywide Planning Policies are particularly salient to the City's economic development plan:

Policy 5.5. A diversified economic base shall be encouraged to minimize the vulnerability of the local economy to economic fluctuations.

Policy 5.6. Commercial, industrial and residential acreage shall be designated to meet future needs without adversely affecting natural resource lands, critical areas, and rural character and lifestyles.

Policy 5.15. The comprehensive plan shall support and encourage economic development and employment to provide opportunities for prosperity.

The city is also a retail service center that, due to the increase of the service area population, has grown at a steady rate. It is anticipated that the population in the city's service area will increase more than the urban growth area population, resulting in an

increase in the demand for space for commercial and service activities in the city's urban growth area.

If Sedro-Woolley is reasonably expected to increase the level of employment experienced by its citizens, and also to provide employment opportunities to people who live close by, it will be necessary to provide ample lands for commercial and industrial expansion. It is also necessary that the city be aggressive in its effort to attract new businesses and industrial activities that provide living wage jobs for Sedro-Woolley residents.

The city's vision statement includes language stating that the city will be a full service community where there are ample opportunities to work, live, shop and play within the same geographic area. Adequate commercial and industrial area with site plan control must be provided for a diversified commercial and industrial base.

This economic development element will discuss the city's commercial and industrial designations. It will then present an inventory and analysis of the city's commercial/industrial lands. This inventory and analysis will then be followed by the city's economic development strategy. Finally, the city's economic development goals and policies will be set forth.

COMMERCIAL AND INDUSTRIAL LAND DESIGNATIONS

COMMERCIAL

There are two commercially-oriented zoning designations in the city: the central business district (CBD) and the Mixed Commercial zone (MC). The designations, intended to implement the goals and policies of the economic development element, allow a diversity of commercial options and provide for appropriate separations between potentially conflicting uses. Intensities for commercial uses refers to a combination of factors, such as visual appearance and building size, traffic generation, noise, dust, light, and economic value.

Commercial areas, including professional services (office-oriented) and tourist-related facilities, should be compact with easy access and adequate off-street parking, and loading facilities. Retail commercial areas, should be whenever possible, convenient to major routes of transportation, tourism commercial and professional office service areas should also be convenient to and along major routes of transportation. Each commercial area should be designed to adequately serve the public while discouraging the movement of disruptive traffic through residential areas.

Central Business District Designation - (CBD)

The central business district designation is for medium intensity commercial areas and is designed to allow those normal commercial uses that are consistent with a pedestrian-oriented business area. The designation is intended for the established commercial areas of the city which lie generally between State and Warner Street to the South and the

Burlington Northern Railroad to the north. A small section of CBD designated area lies between the Burlington Northern Railroad and State Route 20 between the Burlington Northern Railroad to the west and Murdock Street to the east. In general, the east/west perimeters of the central business district are State Routes 9 and 20 to the west and Haines Avenue and Fifth Street to the east.

Much of the traditional CBD encompasses the historic downtown located between the Burlington Northern Railroad to the north and State Street to the south, and between the Burlington Northern Railroad on the west and Puget Street on the east. Many historic buildings are located in this area including the Bingham-Holland Building built in 1905, the Schneider Building built in 1914, and the Livermoore Building built in 1915. Outside of this traditional area single-family residential and multi-family uses are located in the central business district. Some of these areas are in a transitional stage with commercial structures gradually making an in-road into the residential areas.

The City's historic downtown area is centered in the heart of the CBD, along Metcalf Street, beginning about one half mile south of State Route 20. The historic downtown is an active commercial district serving many of the commercial and retail needs of the City's residents, but also maintains an early 1900's architecture that makes the downtown area a significant destination for visitors and tourists. Because the CBD is not directly adjacent to the major State Routes through the City, it is possible that visitors can pass through town without being aware of the City's central business district, including the impressive historic downtown area. Improved access and directional signage to the CBD and historic downtown can help stimulate new development in the area.

Parking requirements should be created to acknowledge that, with space provided for off-street parking limited, areas

within this designation may require shared parking and that more and better parking facilities are needed. Commercial development in the central business district zone must conform to design standards that have been developed for this zone. The development process includes review by a design review committee responsible for the application of the downtown design standards.

Mixed Commercial Zone – (MC)

The intent of the MC zone is to encourage a compatible mix of commercial and residential development. Standards are intended to present an attractive and welcoming appearance to visitors at the entrances to the city and at selected nodes along major roads; manage traffic impacts; encourage more non-motorized trips and reduce stormwater runoff. Commercial development should be scaled down when adjacent to residential areas to improve compatibility between uses.

An Urban Village Mixed Use (UVMU) overlay has been designated for a portion of the MC zone north of State Route 20, west of Trail Road, and east of Brickyard Creek. The UVMU overlay allows for and encourages higher density residential and commercial development in the MC zone when the development includes additional open space and pedestrian amenities. The overlay is intended to encourage a higher concentration of development while improving the overall quality of the development. The intent is to create a pedestrian oriented commercial and residential environment similar to that of a traditional downtown commercial district, as opposed to auto-oriented commercial development that is more typically associated with commercial development of the past 50 years.

Specific guidelines for UVMU overlay development are in the process of being written and are yet to be adopted. The overlay exists only on the Comprehensive Land Use map and Land-Use Element of the

Comprehensive Plan; it has not been included on the Zoning map or in the Development regulations in the Sedro-Woolley Municipal Code.

INDUSTRIAL

Industrial uses should have ready access to primary transportation corridors and utilities with sites large enough to accommodate off-street parking, loading and reasonable expansion. Industrial areas should be compatible with surrounding land uses and be buffered from conflicting uses. The industrial areas in Sedro-Woolley are vibrant and provide a wide-array of skilled, living-wage jobs. The goods developed by the City's industrial businesses are a source of pride to area residents. The City has one zoning designation for all types of industrial activities.

Industrial activities are also subject to landscaping and buffering requirements as set forth in the city zoning code when adjacent to residential and commercial zones. The intent of the industrial zone is to provide appropriately located areas for manufacturing, warehousing, distribution, and office uses to enhance the city's economic base in a manner that minimizes impacts to surrounding non-industrial zones. The standards recognize the market preferences and construction techniques characteristic of this type of use. Commercial, retail, and residential uses are permitted at a limited scale so as to preserve the majority of land in this category for industrial and business uses.

Though some uses may be outright allowed in the industrial zone, the city's Essential Public Facilities (EPF) ordinance (Chapter 17.88 SWMC) sets additional review measures for uses that potential may have a negative impact on surrounding neighborhoods and uses. The EPF ordinance requires that new EPFs obtain a conditional use permit, which requires broader public notice and public hearings. An EPF is defined as a facility owned or operated by a

governing body, public utility, private utility, transportation company, or any other entity that provides a public service as its primary mission, and is difficult to site.

PROFILE OF PLANNING AREA

Skagit County Profile

In terms of population and economic vitality, Skagit County is one of the fastest growing counties in the State. The county benefits from its location between Seattle and Vancouver, B.C., along the I-5 corridor. Firms that might have automatically located a King County or Snohomish County location are discovering less expensive, less congested neighboring counties like Skagit. The county is well positioned to take advantage of this situation to enhance its economic development.

The focus of Skagit County economic development efforts have not been merely job growth and diversification, but also the establishment of Skagit County as an economic entity unto itself. In addition, Skagit County has aimed to do so while not sacrificing its natural resource environment. In the past, the county has been heavily impacted if major manufacturers relocated. Strategies and policies have been formed to mitigate the impact of these types of

fluctuations through a wider scale diversification of business activities.

Despite all the attention paid to Skagit County's urban and suburban economic development, it is important to remember that the county still has a significant natural resource base. In fact, it is diversified in two areas: logging and lumber, and agriculture and dairying.

Sedro-Woolley Profile

In terms of population, Sedro-Woolley is one of the fastest growing cities in Skagit County. Between 1990 and 2010, the population of Sedro-Woolley increased from 6,031 to 10,540, an increase of 74.7% (US Census Data). The State Office of Financial Management estimates the April 1, 2015 population at 10,700, an increase of 77.4% from 1990.

In 2014 the Skagit Council of Governments (SCOG) and Skagit County commissioned BERK Consulting to work in conjunction with the SCOG planners group to develop an allocation for population and jobs among the counties jurisdictions. The table that follows shows the jobs allocation for Sedro-Woolley over the planning horizon:

2012	Net Growth 2012-2015	Resource	Retail	Ind	Service s	Govt/ Edu	Tech	Net Growth 2015-2036	Total 2036	% Growth 2015-2036
4,594	158	0	46	368	592	566	2,855	4,427	9,179	93.1%

The 2,855 jobs allocated to the Technology Sector are the anticipated job growth associated with the Center for Innovation and Technology (proposed for the Northern State Hospital Campus). Job growth in Sedro-Woolley is anticipated to nearly double over the planning horizon primarily to the growth of the Technology Sector.

The city benefits from its close location to I-5 corridor and its location adjacent to two state highways and the Burlington Northern Railroad. Small firms that might have located in other parts of the county are discovering less expensive, less congested neighboring cities. The city is well positioned to take advantage of this situation to enhance its economic development.

In the past the city has been hampered by its dependence on logging and lumber operations and on the activities taking place at the Skagit Plant site. When economics forced a slow down in logging and related activities and in the closure of the manufacturing site, the city faced severe economic impacts. Likewise, the closure of the former Northern State Hospital heavily impacted the city with its loss of employment opportunities. The city is now attempting to develop a more diversified economic base along with an increase in the number of job opportunities. The Skagit Plant is now a vibrant industrial park, renting out portions of the facility to smaller, independent businesses. The City has just completed construction of a round-about on State Route 20 that provides much needed truck and vehicular traffic to the Skagit Plant and new access to the industrial lands to the north of the State Route 20. The new access to two of the largest parcels of industrial land to the busiest state route (S.R. 20) in Skagit County is expected to spur increased manufacturing, warehousing, distribution, and office uses in the center of Sedro-Woolley. The transfer of

the former Northern State Hospital property into local control and the proposed Center for Innovation and Technology is expected to help diversify the City's economy and reinvigorate economic activity at the former Hospital Campus.

The focus of Sedro-Woolley economic development efforts have not been merely job growth and diversification, but also the establishment of the city as an economic entity unto itself. In addition, city has aimed to do so while not sacrificing its natural environment and community values.

Factors Influencing the Planning Area

As part of the Puget Sound Economic Region, Skagit County and Sedro-Woolley will be impacted over the next twenty (20) years by several important factors:

- Developing Pacific Rim nations use the Puget Sounds as a destination for goods and services. The pent-up demand for goods and services in the Pacific Rim will fuel active markets throughout the northwest over the next twenty (20) years.
- Skagit County and Sedro-Woolley are located in the "next tier" of industrial development in the Puget Sound. As King County and Snohomish County become saturated with business activity and as land prices increase in the areas closer to the urban centers of the Puget Sound, companies will seek homes for business outside of the first tier suburbs. Many of the industrial parks located in these areas are either full or filling up rapidly. It is expected that this activity will materially impact Skagit County, including Sedro-Woolley within the next five years.
- The tourist and recreation industry is markedly increasing as a result of

continued growth in leisure-time activities. The aging of the “baby boomers” will result in an increase in this trend.

- Sedro-Woolley has unique resources: proximity to the I-5 corridor, location astride two state highways, the railroad, a historic downtown, and as a “gateway” to the North Cascades. These resources can be put to work to create a dynamic and healthy environment for economic growth.
- Center for Innovation and Technology. “The Center” is a planned research and Development facility on the grounds of the Northern State Hospital (AKA North Cascades Center).

Inventory and Analysis

The following discussion includes an inventory and analysis of the socio-economic characteristics of Sedro-Woolley.

Employment

Government/Education

Historically the single largest employment category in Sedro-Woolley has been government jobs. The unusually large percentage of the work force in the public sector is due in large part to the public schools, the presence of the Department of Natural Resources office, the North Cascades National Park headquarters, the United States Forest Service office and local government offices within the city limits. In terms of its share of total employment, public sector employment is expected to decrease over the planning period as retail trade and service, and industrial activities increase their share of total employment faster than any other sector. Due in large part to the location of the United General Hospital (including the health service offices surrounding the hospital) and several assisted/senior living facilities (including Birchview Memory Care, Country Meadow Village and the Life Care Center) within Sedro-Woolley, health care and social

assistance jobs make up the second largest category of employment in the City. The former Northern State Hospital property lies in the City’s urban growth area. The campus is still used by many social assistance organizations including Job Corps and Pioneer Human Services’ treatment center. Though these employers are not actually located within the City limits, they are none-the-less significant contributors to the health care and social assistance industry in Sedro-Woolley’s geographic and economic sphere of influence.

The majority of the employment is located in the commercial corridor along Highway 20 and the downtown area, industrial uses, including manufacturing and wholesale trade activities are located in the two industrial parks and at smaller light industrial sites within the urban growth area. There are a large number of home occupations scattered throughout the community.

Technology and Innovation

Sedro-Woolley’s Innovation and Technology sector is a fast growing section of the local employment sector. Companies serving the aerospace and green technologies are an important driver of future employment opportunities in Sedro-Woolley. The Center for Innovation and Technology is a 225 acre property owned by the state and managed by the Port of Skagit. The Center is designed to accommodate research, development and ancillary activities associated with the technology and innovation. This sector is projected to be by far the fastest growing sector of the City’s economy over the planning period accounting for 64% of all of the projected job growth.

Retail Trade

The existing retail activity in the urban growth area is a product of numerous years of development in the downtown core and a commercial corridor located along portions of State Route 20 and State Route 9. The central business district is quite large

comprising one hundred forty-five (145) acres. The Mixed Commercial zoning along the highway is limited to certain areas along the highways and is comprised of approximately one hundred and forty six (146) acres. While the CBD is intended to accommodate medium intensity commercial development and is designed to allow those normal commercial uses that are consistent with a pedestrian-oriented business area, the Mixed Commercial zone is intended to accommodate auto oriented retail development (i.e. gas stations, fast food restaurants) with the potential for residential uses above commercial uses. Commercial activities are intended to serve both local and regional residents and pass-through motorists traveling across the North Cascades Highway (State Route 20) and State Route 9 for recreational activities.

The largest portion of retail sales activities occurred in food stores, eating and drinking establishments, building materials and hardware, and automotive dealerships.

Shopping facilities in Sedro-Woolley provide a primary source for many retail items north, south, and east of the city. The city's retail trade area encompasses the city, State Route 20 east past Newhalem to the county line, north to Alger, and south to Big Lake.

There is one community shopping center located near the intersection of State Route 20 and Cook Road, anchored by a grocery store and an automotive parts store. The existing central business district (CBD) encompasses a large number of retail activities including automobile sales and service, drinking and eating establishments, a pharmacy, hardware stores, clothing stores, specialty shops, several antiques stores, and a number of smaller establishments. There is commercially zoned land located within the central business district that is either vacant or under-utilized.

In addition to the community shopping center and central business district, there are a number of facilities serving automobile traffic adjacent to State Routes 20 and 9. Examples of businesses located along the highways include automobile service and sales, two major drug stores, a hardware store, gasoline/convenience stores, eating and drinking establishments, and a number of smaller establishments. There are several vacant or underutilized commercial properties along State Route 20. Except where State Routes 9 and 20 share the same path, there is little commercial property along State Route 9.

Service Industries

Sedro-Woolley's professional service sector continues to assume a greater role in the local economy. This sector is comprised primarily of professional office, financial, insurance, medical/dental, legal, and real estate services provided to the growing construction and retail trade sectors and to the growing population within Sedro-Woolley and the surrounding area. Service sector employment generally depends upon a strong retail and manufacturing base to supply ancillary support services and a strong population base.

There are many service industries located in the CBD, including several banks, professional offices (including at least three professional engineering companies), salons/barbers, insurance and realty businesses, dental and doctor offices, heating and plumbing companies, law offices and other services. The Mixed Commercial properties focused along State Route 20 are primarily retail, serving automotive traffic.

Industrial

Industrial business continues to grow slightly in the urban growth area. Industrial business generally is through activities located in the industrial parks and from a large food production company based in the central business district.

There has been a movement of King and Snohomish County business outward to less developed areas including Skagit County. This shift in development is projected to continue early into the new millennium, making Skagit County and Sedro-Woolley increasingly attractive for firms requiring a combination of office warehousing, research and development, or light industrial manufacturing space.

The bulk of the industrial activities in Sedro-Woolley take place in either the old Skagit Plant site, the Industrial properties on the east side of town or Sunset Industrial Park. The old Skagit Plant site formerly housed the Skagit Steel and Iron Works (later Skagit Steel Company) that manufactured a gas-powered hoist used in the logging and farming industries. With this innovation and other products for mining, logging, and other industries, the Steel Company, later Bendix Corporation continued to manufacture projects until the site closed in 1985. Since its purchase by Sealand Development, Corp, the site has been cleaned up and has gradually developed into heavy industrial uses, including manufacture of components for the aerospace industry, a modular office manufacturer, a boat manufacturer, a traffic equipment manufacturer, and a number of smaller light and heavy industrial manufacturers.

A large section of industrial property lies north of State Route 20, just west of Fruitdale Road. This area hosts a perfume manufacturer, an aerospace industry contractor and other industrial uses. Another smaller industrial park site, Sunset Industrial Park, is located in the southern portion of the city adjacent to State Route 20. Activities in this park include a number of small heavy and light industrial activities and commercial activities (related to the industrial development).

A number of areas are zoned for industrial uses which are not yet industrially developed but have the potential of being developed. One forty acre parcel is north of Moore Street (State Route 20) and is zoned Industrial. Other Industrial zoned areas include the two large sawmill sites in the city. Another undeveloped industrial site is located between State Route 9 and Maple Street. Other light industrial areas are located adjacent to State Route 20 on the south side of the city.

Sedro-Woolley supports a range of industries in aerospace, construction, and natural resources. Some of the largest representative industries include the following:

**Sedro-Woolley
Major Industrial Employers**

Company Name	Type of Industry
Thermacor Process, LP	Insulated Pipe Manufacturing
Rothenbuler Engineering	Electrical Engineering and Manufacturing
Janicki Logging and Construction	Logging & Construction
Janicki Industries	Aerospace, Marine and Transportation Component Engineering and Manufacturing
Janicki Bioenergy	Alternative energy development processes
Seven Sisters	Electrical Contractor
Truss Engineering	Roof Truss Manufacturing
Fathom Yachts	Yacht Manufacturing
Truck Vault	In-Vehicle Storage Manufacturing
Snelson Industries	Contractor

ECONOMIC DEVELOPMENT STRATEGY

It has often been asked “Why should the public sector contribute to economic development efforts?” The most obvious reason is to promote job opportunities for its citizens. Less apparent is the role in providing necessary services to promote a higher quality of life. It has been well documented that commercial and industrial land uses more than pay for themselves (i.e. generate more taxes than the value of the services consumed). Therefore, expanded economic growth benefits every Sedro-Woolley resident by reducing the amount of ad valorem taxes that would otherwise be borne by the residential taxpayer.

As a result of Washington’s Growth Management Act and the city’s growth rate over the last decade, the city has a need for greater infrastructure improvements including roads, water, and sewer services and a host of community-related facilities. Solutions to these problems are complex. However, a part of the solution is the need to expand the city’s tax base by attracting development that will more than pay for its growth.

The overall purpose of the economic development strategy is to improve the quality of life within the city. Public investment made to stimulate economic development helps to provide for permanent employment, increase personal income, and improve the general business climate. A more direct result of local public investment is an enhancement of the tax base, which improves the financial capacity of the city. The major thrust of the city’s economic development strategy is to convince businesses to start, expand, or locate within the city. Unfortunately, because we live in an imperfect world, not every business has complete and accurate data on the attributes of every community where it might locate.

Many businesses have needs that could be met by many of the communities in Skagit County. Unless these businesses are made aware of Sedro-Woolley opportunities, they may go elsewhere. Economic development (i.e. seeking new or expanded employment opportunities) has grown increasingly competitive. Sedro-Woolley, too, must maintain an aggressive economic development strategy in order to provide opportunities for new business.

Economic priorities for Sedro-Woolley should include the following:

1. Enhance the city’s tax base and encourage higher-income job opportunities by aggressively promoting industrial/commercial development in the city’s business/industrial parks and industrially zoned lands. To achieve this goal, Sedro-Woolley needs to identify suitable lands, establish zoning districts compatible with the neighboring zones – especially residential zones – that encourage industrial use, maintain an adequate supply of suitable commercial/industrial land, and provided infrastructure to support it.
2. Work with the property owners in the downtown area to continue to establish the identity of downtown Sedro-Woolley by providing a framework for which the retail and commercial economy can evolve into a civic and retail specialty area that incorporates the unique Metcalf Street character of Sedro-Woolley with vital and diverse specialty retail and service businesses. To accomplish this, the city will develop a Downtown Design Plan to create a pedestrian-friendly downtown environment, including street and sidewalk improvements, a Town Center Park, the addition of Sedro-Woolley identified features (i.e. murals,

carvings), beautification, and a funding source for continuing improvements, maintenance, and marketing for downtown businesses and events.

Encourage retail uses in the storefronts along Metcalf Street which allows window-shopping and engages passers-by. Retail uses in the storefronts gives pedestrian more to look at than service uses and offices, therefore allowing pedestrians to participate in the streetscape and adding to the pedestrian-friendliness of the downtown shopping core. Seek opportunities to improve pedestrian friendly infrastructure such as sidewalks and walking routes allowing access to and connectivity within the downtown district.

3. Support of the Sedro-Woolley library system will also contribute to the local economy. Investment in library facilities attracts local employees, their families and management to the community. Libraries are places where new ideas are discovered, databases and other reference data and information is available free of charge and where job seekers can go for assistance. A good library is a valuable tool brings visitors and additional revenue to the city.

Support inter-modal connectivity by planning for an Inter-modal Transportation Center/Hub in or near the CBD. Work with and encourage SKAT to offer a city bus that circulates around Sedro-Woolley and syncs with a link route from the Inter-modal Transportation Center to Burlington.

4. To encourage a multi-modal transportation system that allows local residents to move easily from their homes to their jobs to the necessary services without exclusive dependence upon the single-occupancy vehicle.

Encourage new park and ride facilities and improvements to the existing park and ride facilities. Foster new partnerships with the Skagit Transit (SKAT), Van-Go and other transit organizations for increased service in and around Sedro-Woolley, especially to the Central Business District and Industrial zoned properties. Seek opportunities to encourage “express” service between Sedro-Woolley and the major city centers of Anacortes, Burlington and Mount Vernon.

5. Provide economic diversification and a broader range of higher-income employment opportunities by providing space for manufacturing and professional office development. Promote more job development in Sedro-Woolley in order to reduce costs for residents who travel elsewhere to work and to increase the share of spending in the local economy versus money being spent in other areas by local residents.
6. Encourage employers to support bicycle and pedestrian commuting. The City assists in supporting bicycle commuting by implementing the Bicycle and Pedestrian section of the Transportation Element of the Comprehensive Plan. Incorporate access to the city via the County trail system into the city economic development and tourism strategies.
7. Promote tourism to enhance and increase the economic vitality of Sedro-Woolley. Promote the use of the theme “Gateway to the North Cascades.” Create partnerships with like cities on the east side of the North Cascade Pass, such as Winthrop or Twisp, in order to promote each other and what lies between to capture dollars that might be spent elsewhere. Encourage the re-envisioning of the “Trolley Park” idea.

Encourage redevelopment of unused or underutilized properties for more tourism retail opportunities. Encourage the creation of CBD hotels/motels, bed and breakfasts, or other lodging prospects.

8. Encourage employment opportunities at the Center for Innovation and Technology.

ECONOMIC DEVELOPMENT GOALS, POLICIES, AND ACTIONS

The city has actively planned for an expanding light industrial/commercial economic base. While detailed manufacturing-related economic impacts have not been recorded for the city, projections of employment indicate a growing industrial/manufacturing/commercial base can be expected for the city.

Goal E1: To develop a sound fiscal base.

Policy E1.1: Create employment opportunities within the Sedro-Woolley economy, particularly for residents who now commute to other distant employment areas.

Policy E1.2: Participate with other public agencies and private interests in labor force training programs that take advantage of traditional resources.

Policy E1.3: Identify and promote sites which can be developed for a variety of local employment projects. Promote development of business and industrial parks, office and professional centers, and specialized commercial and entertainment centers.

Policy E1.4: Work with property owners to determine the effective development capacity of sites having employment center possibilities.

Policy E1.5: Withhold Sedro-Woolley services to areas outside the incorporated city limits, sewer in particular, unless potential property developers agree to annexation and the payment of local property or other revenue taxes, and associated impact fee assessments.

Policy E1.6: Pursue a policy, in conjunction with the county, to expand the acreage for

heavy and light industrial activities within the Sedro-Woolley urban growth area.

Goal E2: To increase economic opportunities.

Policy E2.1: Encourage local business development opportunities and utilization by the private and public sector, particularly for small start-up businesses owned by or employing Sedro-Woolley residents. Promote local use of special small business financing and management assistance programs.

Policy E2.2: Identify facilities which may be used for small businesses. Assist efforts to reuse older buildings, redevelop vacant property, and revitalize the existing central business district (CBD).

Policy E2.3: Assist private groups to establish special improvement districts including parking and business improvement authorities, local improvement districts (LID's), or other programs necessary to the effective revitalization of the existing business and commercial districts of Sedro-Woolley.

Policy E2.4: Participate in special public/private ventures that provide public benefits and are appropriate to Sedro-Woolley's long range goals.

Policy E2.5: Reserve certain capable lands and sites for employment-related developments. Provide a suitable supply of commercial, retail, business, office and industrial lands within Sedro-Woolley to reduce commuting requirements to outside areas for employment opportunities.

Policy E2.6: Create local employment, shopping and other urban service activities that reduce Sedro-Woolley's dependence upon other urban areas.

Policy E2.7: Work cooperatively with the Sedro-Woolley Chamber of Commerce to establish strong business leadership.

Policy E2.8: Perform a detailed commercial/ industrial land use inventory to provide more accurate information on the usable lands available for development in the urban growth area.

Policy E2.9: Encourage local business owners to attend economic development activities, forums, etc.

Goal E3: To realize Sedro-Woolley's image as the "Gateway to the North Cascades."

Policy E3.1: Promote tourism as a means of diversifying the economy and preserving the history of the community.

Policy E3.2: Create and adopt a neighborhood plan for the central business district (CBD). Establish a local marketing strategy for the district, especially the area along Metcalf Street. Encourage retail and food service businesses to extend hours of operation past five p.m. at least a few days each week.

Policy E3.3: Work with upriver communities to identify tourism specialties to avoid direct competition with one another. Develop a tourism network that provides information on each community's specialty, along with food and lodging opportunities.

Policy E3.4: Build on the success of Loggerodeo by adding an associated music festival, such as bluegrass or folk music. Provide a winter festival based on the Santa Claus parade, and add ice sculpture contests, historic home tours, cross-country skiing or other athletic competition, a play and/or Christmas concert. Develop similar festivals to take place in the spring or fall.

Policy E3.5: Develop a flea market/craft show where local artists and crafts people can sell their work. Develop a network for artists and crafts people which would assist with business development, marketing and an apprenticeship program for local youth.

Policy E3.6: Support and recognize existing and ongoing activities and organizations such as the Farmer's Market, local festivals, parades, the Holiday Home Tour and the Sedro-Woolley Museum.

Policy E3.7: Participate in regional trails development to encourage bicycle tourism in Sedro-Woolley.

Policy E3.8: Promote bicycling as Sedro-Woolley's tourism specialty. Enhance existing facilities to accommodate bicyclists, such as providing additional tent spaces and showers at the Riverfront RV Park. Build new facilities, such as centrally-located public restrooms, on-street bicycle lanes and picnic areas.

Policy E3.9: Sedro-Woolley's tourism strategy should also capitalize upon the city's unique location and timber-industry heritage. Strive to maintain a balance between logging history and environmental education and preservation.

Policy E3.10: Include the interests and influence of the Upper Skagit Tribe in Sedro-Woolley's tourism strategy. Encourage joint operation of environmental education sites and programs. Encourage development of Native American arts and crafts shops in the central business district.

Policy E3.11: Support the development of tourist attractions within the Sedro-Woolley area, such as the Sedro-Woolley Museum.

Policy E3.12: Actively work to increase the variety and availability of overnight accommodations within the Sedro-Woolley

area including R.V. camping, hotels, motels and Bed & Breakfasts.

Policy E3.13: Provide mitigation for negative impacts associated with tourism, including nonseasonal employment, tourist-local resident conflicts and environmental aspects.

Policy E3.14: Use a variety of media to promote Sedro-Woolley tourism opportunities. Use signage and design along State Route 20 to communicate economic opportunity and attract tourism.

Policy E3.15: Promote the relocation of the fairgrounds to the county land adjacent to the Northern State campus.

Policy E3.16: Encourage signage explaining what companies/products are located/produced in the City's industrial areas to promote the viability of the City's industrial sector. Many interesting and important goods are produced in these areas

and improving the awareness of their presence can help attract prospective industrial tenants.

Policy E3.17: Increase the use of kiosks and directional signage to strategically direct visitors to City businesses and civic services.

Policy E3.18: Expand on the existing green industries and promote the City as a hub for further sustainable and green industries.

Policy E3.19: Promote the sprucing-up of the downtown business district. To instill a sense of ownership and foster long-term connections to the community, encourage youth participation in downtown revitalization.

Policy E3.20: Encourage directional signage, interpretive signage and parking for tour busses and other tourist vehicles such as R.V.s.