

# **City of Stanwood**



## **City Council Packet**

### **Stanwood City Council Regular Meeting**

**Thursday, July 13, 2023**



**AGENDA**  
**CITY COUNCIL REGULAR MEETING**  
**Thursday, July 13, 2023 – 7:00 p.m.**

Stanwood-Camano School District, Admin. Building Board Room  
26920 Pioneer Highway, Stanwood, WA 98292

Members of the public may attend Stanwood City Council meetings  
in-person at the address above, or Via Zoom.  
Instructions to join the meeting by telephone or online are posted on the  
City Website <https://www.stanwoodwa.org>

- 1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL**
- 3. APPROVAL OF THE AGENDA**
- 4. PRESENTATIONS**  
Employee Recognition Awards **4.1**
- 5. PUBLIC COMMENTS**  
Written comments must be provided to the Clerk by 9:00 a.m. the day of the meeting via this link:  
<https://stanwoodwa.org/FormCenter/City-Clerk-5/City-Council-Meeting-Remote-Public-Comme-61>;  
verbal comments may be provided in-person, or online via Zoom, call 360-454-5213 for assistance.
- 6. STAFF / DEPARTMENT REPORTS**  
a. Police Compstat Report – June **6.1**  
b. Comprehensive Plan / Municipal Code Quarterly Project Report **6.23**
- 7. COUNCIL COMMITTEE REPORTS**  
a. Economic Development Board Meeting Minutes – April 21, 2023 **7.1**  
b. Finance Committee Meeting Minutes – June 22, 2023 **7.5**  
c. Parks & Trails Advisory Committee Meeting Minutes – May 16, 2023 **7.7**  
d. Public Works Committee Meeting Minutes – June 5, 2023 **7.11**
- 8. CONSENT AGENDA**  
a. Approve Vouchers and Payroll Checks **8.1**  
b. Approve City Council Regular Meeting Minutes – June 22, 2023 **8.5**
- 9. UNFINISHED BUSINESS**  
Authorize the Mayor to Sign a Purchase and Sale Agreement for the  
Ramaley Property and a Commerce Grant Amendment **9.1**
- 10. PUBLIC HEARING - NONE**
- 11. NEW BUSINESS**  
a. Authorize the Mayor to Sign a Contract with Konnerup Construction **11.1**  
for the Hamilton Landing Park Project  
b. Adopt Ordinance 1523 – Emergency Noise Control **11.5**
- 12. PUBLIC CLOSING COMMENTS**
- 13. EXECUTIVE/LEGISLATIVE REPORTS**  
a. Mayor's Report  
b. City Administrator's Report  
c. Councilmember's Reports/Questions
- 14. RECESS TO EXECUTIVE SESSION:**
- 15. ADJOURN**

**Upcoming Meetings:**

July 27, 2023, Regular City Council Meeting 7:00pm  
August 10, 2023, Special Workshop 5:00pm  
August 10, 2023, Regular City Council Meeting 7:00pm



**CITY OF STANWOOD  
COUNCIL AGENDA STAFF REPORT**

**ITEM NUMBER:** 4

**DATE:** July 13, 2023

**SUBJECT:** Employee Recognition Awards

**CONTACT PERSON:** Pat Adams, Human Resource Manager

**ATTACHMENTS:**

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**SUMMARY STATEMENT**

Mayor Roberts will present two City Employees with the 2023 Employee Excellence Award.

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**CITY OF STANWOOD  
COUNCIL AGENDA STAFF REPORT**

**ITEM NUMBER:** 6a  
**DATE:** July 13, 2023  
**SUBJECT:** Police Compstat Reports  
**CONTACT PERSON:** Chief Jason Toner  
**ATTACHMENTS:** A – June 2023 Compstat Report

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**SUMMARY STATEMENT**

Attached is the June 2023 Police Compstat Report for council review.

# Stanwood Police Department CompStat Report



**City of Stanwood Police Chief Jason Toner**

Prepared by: Snohomish County Sheriff Office Crime Analysis Unit and Stanwood Police Department

## JUNE 2023



# Stanwood Police Department

## COMPSTAT REPORT



### What is CompStat?

CompStat stands for 'Computer Statistics' dealing specifically with crime. It is found to be an effective way to accurately track crime and use the information to deploy officers to address it in timely manner. It is a performance management system that is used to reduce crime and achieve other police department goals. It emphasizes information-sharing, responsibility and accountability and improving effectiveness.

### What is the benefit to the community?

CompStat allows us to track crime problems and allocate resources to the areas that are being affected. By being able to focus our efforts on areas being impacted, we are able to make apprehensions and drive down crime in Stanwood.

### How is data collected?

Crime Analysts access a variety of systems to collect and analyze law enforcement data. Data collection begins at the 911 call center (SNO911) and carries over into law enforcement records management systems (LERMS). Much of the information presented in this report is also reported to state and federal agencies annually.

### What data will you see in this report?

***What occurred within the city limits of Stanwood and calls responded to by the Stanwood Police outside the city.***

This is a true representation of all police activity occurring in the City of Stanwood, you will see these calls listed as "In the STW Beat". On occasion, Stanwood Police officers will be called outside the city to assist other agencies. We also have deputies who live outside of the city so on occasion they will make a traffic stop or respond to a nearby call while commuting to work. You will see these call listed as "Answered by STW ORI"

#### ***Incident data:***

This represents what police were called to and includes self-initiated activity. Multiple 911 calls for the same incident are presented as a single incident.

#### ***Case data:***

An incident becomes a case when the deputy determines reporting protocol is met. A case is often generated based on a specific crime, traffic collisions, arrest or the need to document specific actions or information.

# JUNE 2023

# Stanwood Police Department

## POLICE STAFFING



The City of Stanwood contracts for law enforcement services through the Snohomish County Sheriff's Office. The contract is identified as a "stand alone" contract, which allows the City of Stanwood to maintain its own police identity to include policies and procedures that meet unique small city needs. All uniforms and vehicles are identified as Stanwood Police and we provide services to the city population of approximately 8,405.

### DIVISIONS:

**CHIEF OF POLICE:** Has the rank of Lieutenant with the Sheriff's Office. Oversees all aspects of the Police Department daily operations. The Chief works with city staff to ensure community needs are met.

**ADMINISTRATIVE SERGEANT:** Administers the day-to-day administrative functions of the Police Department and oversees the day shift deputies, School Resource Officer and Detective. Steps in as the Chief of Police when the chief is absent.

**NIGHT SERGEANT:** Oversees the swing shift and night shift deputies.

**PATROL DIVISION:** Responds to crimes in progress, traffic collisions, missing persons, and other emergency and non-emergency calls for service.

**SCHOOL RESOURCE OFFICER:** Utilizes the concept of educator, informal counselor, and law enforcer; working to bridge the gap and build relationships between law enforcement and youth.

**DETECTIVE:** Works in conjunction with patrol and the resources of the Snohomish County Sheriff's Office to investigate a broad range of felony- and misdemeanor-level crimes that occurred in the City of Stanwood.

|                                                                                   | ASSIGNED | VACANCIES | PERCENTAGE |
|-----------------------------------------------------------------------------------|----------|-----------|------------|
| Chief                                                                             | 1        | 0         | 100%       |
| Sergeant                                                                          | 2        | 0         | 100%       |
| Deputy                                                                            | 5        | 1         | 85%        |
| School Resource Officer<br><small>No longer a PD employee - SCSO contract</small> | 1        | 0         | 100%       |
| Detective                                                                         | 1        | 0         | 100%       |

# JUNE 2023



# Stanwood Police Department

## RECORDS UNIT



**Records Summary:** Job duties include, but are not limited to, the following;

- Provide administrative support for all members of the Stanwood Police Department.
- Assist the Chief of Police with police budget tracking and review.
- Verify and code all incoming invoices for the Police Department.
- Ordering of supplies for the department, and special events.
- Subject matter expert for the Law Enforcement Records Management System (LERMS) used by Stanwood Police Department.
- Manage all Stanwood Police Department documents and records.
- Review all electronic case file entries and information for accuracy.
- Scan paper records into electronic case files.
- Forward criminal arrest referrals to the Prosecuting Attorney's Office.
- Enter trespass notices, gun alerts, and other safety alerts into the agency's electronic records management system.
- Route Child Protective Services & Adult Protective Service referrals.
- Maintain department case file and document archives per Washington State records retention/destruction schedules.
- Responsible for federal reporting of crime statistics to the National Incident Based Reporting System (NIBRS).
- Run monthly case audits and records validations.
- Enter court orders, missing persons, vehicle impounds, lost or stolen property, stolen vehicles, etc. into Washington Crime Information Center and National Crime Information Center (WACIC/NCIC).
- Provide second checks for all entries made into Washington Crime Information Center and National Crime Information Center (WACIC/NCIC).
- Conduct background checks for concealed pistol license and pistol transfers applications.
- Provide fingerprint services for concealed pistol license applicants and citizen fingerprints.
- Review and fulfill public records requests within the guidelines of the Public Records Act.
- Create/update/maintain all process, procedure, and training manuals for the position.
- Serve as Stanwood Police Department's Terminal Agency Coordinator for the Washington State Patrol ACCESS program.
- Assists with walk-in and telephone customers, averaging 8,000 yearly contacts.
- Route calls to 911 and non-emergency dispatch.
- Respond to requests for service and answer general questions.
- Manage key & key fob assignments for City of Stanwood employees.

|                                              | 2023                 | 2022                  | 2021                  | 2020              | Year to Date            |
|----------------------------------------------|----------------------|-----------------------|-----------------------|-------------------|-------------------------|
| <b>Public Records Requests</b>               | <b>35</b>            | <b>29</b>             | <b>17</b>             | <b>43</b>         | <b>264</b>              |
| <b>Concealed Pistol License Issued</b>       | <b>32</b>            | <b>46</b>             | <b>13</b>             | <b>0</b>          | <b>239</b>              |
| <b>Pistol Transfer Checks</b>                | <b>24</b>            | <b>81</b>             | <b>36</b>             | <b>72</b>         | <b>174</b>              |
| <b>Fingerprinting &amp; Approximate Time</b> | <b>26</b><br>6.5 hrs | <b>39</b><br>9.75 hrs | <b>13</b><br>3.25 hrs | <b>0</b><br>0 hrs | <b>171</b><br>42.75 hrs |

# JUNE 2023



# Stanwood Police Department

## Message from the Chief



June was a somewhat of a quiet month for Stanwood PD, which allowed me to take a long road trip to the Midwest to visit extended family and see the sights. We enjoyed visiting Mt Rushmore, the amazing Corn Palace in Mitchell, the tourist trap that is Branson Missouri, Arches National Park in Moab, and camping on the Great Salt Lake. We had an assortment of weather from scorching desert heat, Midwest thunderstorms, and a late-night tornado warning. After a few weeks on the road, it was good to return to our picturesque small town as the summer kicks off.

### **Summer Events:**

We had multiple officers working the Cruise-In and Idler's Car Show. This event is a kick-off for the summer season in Stanwood. We had great weather for the event and thousands of people packed downtown.

I had the honor of participating in the Fourth of July Parade and Ice Cream Social sponsored by the Stanwood Area Historical Society. This was my first time at this parade, and I was surprised by the large crowd of adults and children dressed in Stars and Stripes themed attire that lined the short parade route. Other than the sound of fireworks throughout the city it was relatively quiet and safe night.

National Night Out is less than a month away and it is expected to be the largest NNO in Snohomish County. This year we will have even more events for children and as always, a ton of free food and treats.

### **Stanwood Cases:**

On June 6th Stanwood PD received a 911 call stating a male had been shot near Church Creek Park. The victim had non-life-threatening injuries and had been shot in the lower back. The victim was contacted at a near-by apartment stated he was repairing a flat tire on his vehicle at the park and stopped to urinate in the bushes when he was shot by a "a large blonde hippy". Officers responded to the park, located the victim's vehicle, but no other evidence of a shooting. Later at the hospital the victim changed his story and stated he had been at the Park and Ride just south of town. Several 9mm casing were found in the parking lot confirming the victim's updated story.

We believe there is more to the story that is not being reported to the police and this is isolated incident with no danger to the public. The investigation is ongoing, and Stanwood PD will increase patrols in this area.

There have been several cases this month involving theft of gasoline. In these cases, the suspect either siphon or damage the fuel tanks of large vehicles, causing hundreds of dollars' worth of damage for the gas. On June 26th early in the morning, Officer Kelly caught three suspects as they attempted to cut into the gas tanks of a local U-Haul business. The suspects were booked on Criminal Trespass 2nd and Theft 3rd.

Overall, the most common calls are officers respond to are minor property crimes, nuisance calls, and traffic related calls.

*Chief Toner*

# JUNE 2023



# Stanwood Police Department

## Detective Report



### Stanwood Police Case 2023-3199 Theft-Forgery-Identity Theft



On 05-11-2023 Deputy Smith responded to the report of check fraud. The victim's check was stolen in the mail, altered, and deposited into a bank in Everett using an ATM.

Detective Martin obtained bank records and video via search warrant. Video images showed a male holding the victim's check. Images of the suspect were shared with area detectives.

The suspect has been identified and charges have been referred to the Prosecutor's Office. The suspect is facing similar charges related to a Lynnwood Police Department investigation.

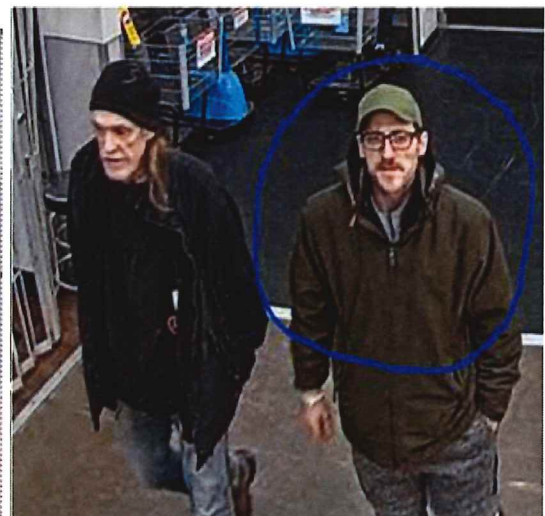
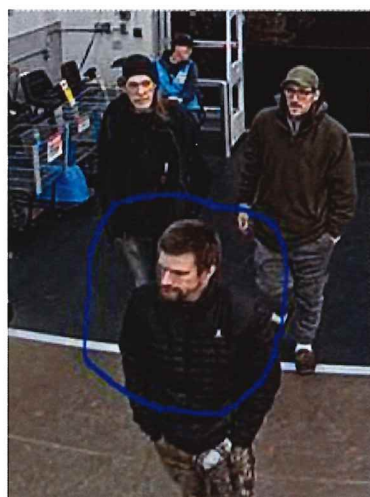
### Stanwood Police Case OO2023-1911 Vehicle Prowl and ID Theft

On 03-15-2023 Sgt. Gilje responded to a vehicle prowl complaint. The victim reported her wallet stolen and the unauthorized use of her credit cards.

Detective Martin collected video from the Mount Vernon Walmart store showing several male subjects associated with use of the victim's access devices.

Two of the males have been identified as residents in the Marblemount area. One of the subjects has been identified as a suspect in a similar crime associated with Stanwood Police Case OO2023-3347.

Charges will be referred to the Prosecutor's Office.



# JUNE 2023

# Stanwood Police Department

## Detective Report



### Stanwood Police Case OO2023-3347 Vehicle Theft and Identity Theft

On 05-07-2023 Deputy Ravenscraft responded to a vehicle theft complaint. A citizen left their car unlocked with a purse and the vehicle's keys inside.

On 05-23-2023 the victim reported the unauthorized use of her credit cards.

Detective Martin collected video from the Marysville Walmart showing a male suspect and associated vehicle.

On 05-28-2023 a deputy from the Skagit County Sheriff's Office recovered the victim's vehicle in the Marblemount area.

Detective Martin shared images of the male with area law enforcement, and he was identified by a Skagit County Sheriff's deputy.

Detective Martin obtained a statement from the suspect's ex-girlfriend, identifying him in the Walmart images from this case and from Stanwood Police Case OO2023-1911.

Charges will be referred to the Prosecutor's Office.



## JUNE 2023





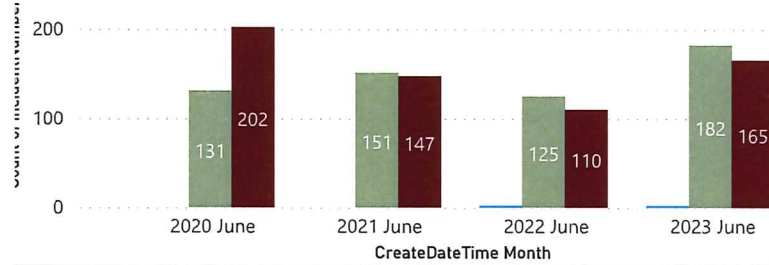
The following pages cover incidents data. This is also known as calls for service. If 30 people call because there's a wreck in front of Haggen's, it counts here once.



## Previous Month Over Time

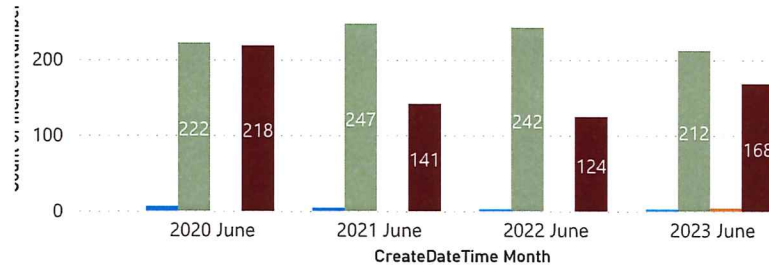
### Stanwood West, Incidents by Origination

Call Origination (Blank) 911 call Officer-Initiated



### Stanwood East, Incidents by Origination

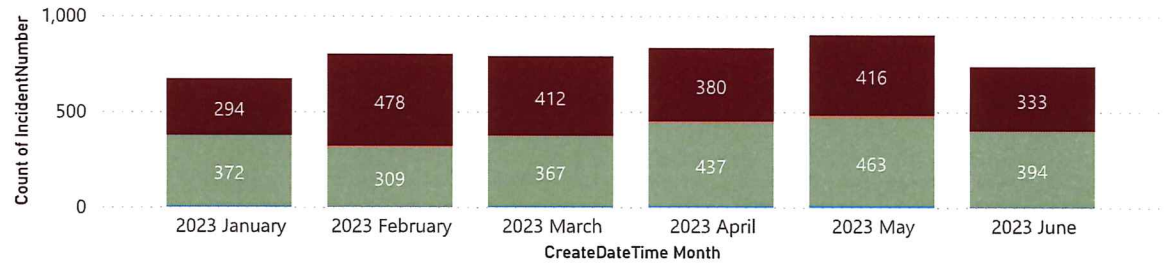
Call Origination (Blank) 911 call ASAP Officer-Initiated



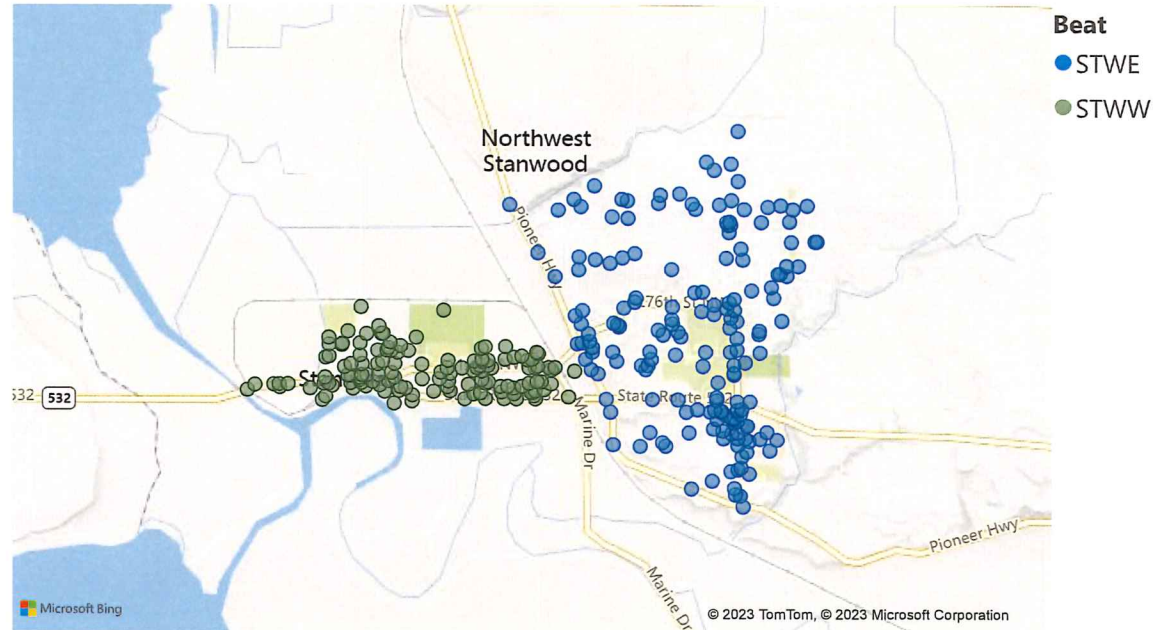
## TOTAL INCIDENTS - ALL ORIS inside STW

### Total Incident Counts, Past 6 Full Months by Origination Type

Call Origination (Blank) 911 call ASAP Officer-Initiated



### All incidents Past 1 Month - excludes victim privacy concerning incidents

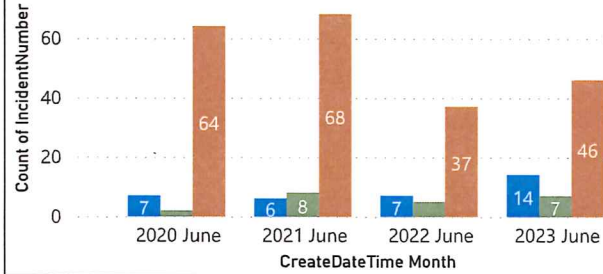




## Previous Month Over Time

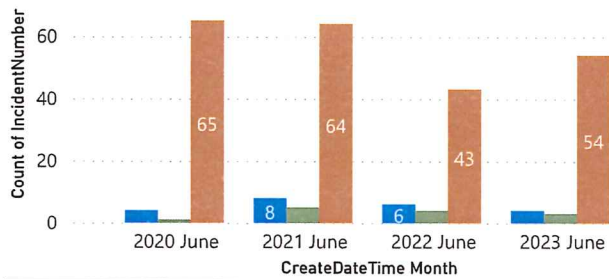
### Stanwood West

IncidentType ● Collision ● DUI ● Traffic



### Stanwood East

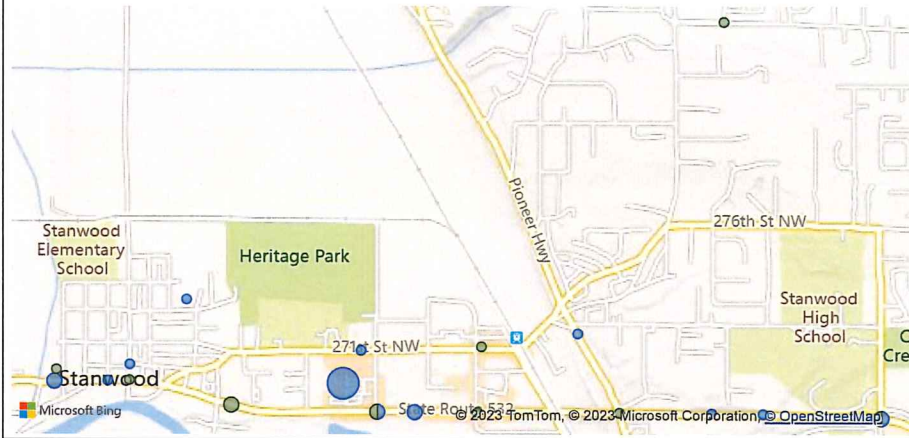
IncidentType ● Collision ● DUI ● Traffic



## Collision, DUI, and Traffic INCIDENTS

Previous Month, Current Year

IncidentType ● Collision ● DUI



STWW & STWE

| Year     | Collision | DUI |
|----------|-----------|-----|
| 2023     |           |     |
| January  | 15        | 12  |
| February | 7         | 10  |
| March    | 15        | 12  |
| April    | 25        | 8   |
| May      | 17        | 9   |
| June     | 18        | 10  |

Traffic - Previous Month, Current Year

Call Origination ● 911 call ● Officer-Initiated



STWW & STWE

| Year     | Traffic |
|----------|---------|
| 2023     |         |
| January  | 72      |
| February | 136     |
| March    | 95      |
| April    | 106     |
| May      | 79      |
| June     | 100     |





## Tickets - To Current Date, Current Year

Data begins in 2021, due to lack of tickets issued in 2020 (due to covid lockdowns).

# of Tickets - This CY

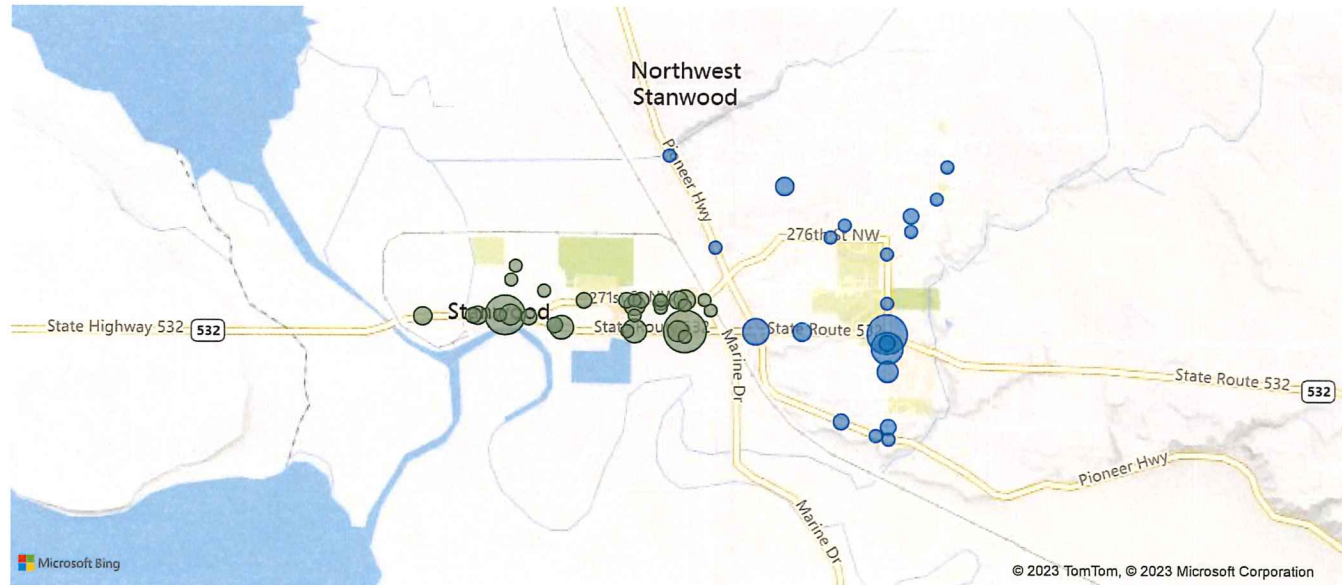
105

# of Citations - This CY

141

Location of Citations this CY

Beat ● STWE ● STWW



Total Tickets

| Month     | 2022 | 2023 |
|-----------|------|------|
| January   | 6    | 18   |
| February  | 8    | 36   |
| March     | 8    | 16   |
| April     | 3    | 16   |
| May       | 9    | 23   |
| June      | 23   | 30   |
| July      | 22   |      |
| August    | 25   |      |
| September | 25   |      |
| October   | 10   |      |
| November  | 14   |      |
| December  | 21   |      |

How Many Tickets Had More than One Citation? 2022 to present

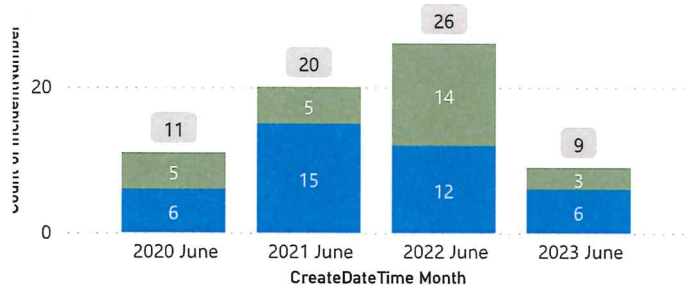
68



## Alarms

### Alarms

Beat ● STWE ● STWW

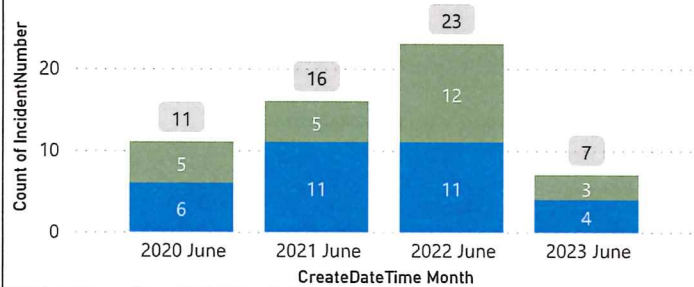


### STWW & STWE

| Year     | Alarm |
|----------|-------|
| 2023     |       |
| January  | 26    |
| February | 28    |
| March    | 3     |
| April    | 17    |
| May      | 18    |
| June     | 9     |

### Alarms that were False Alarms

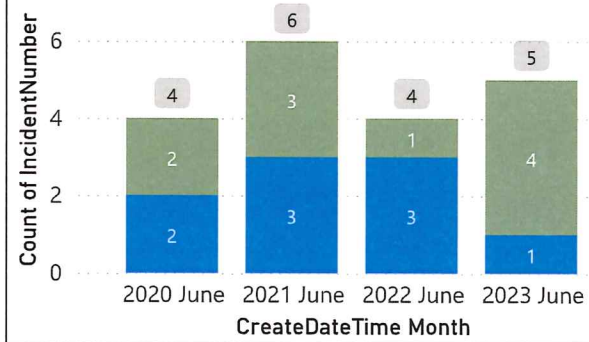
Beat ● STWE ● STWW



## Abandon Vehicles

### Abandon Vehicles

Beat ● STWE ● STWW



### STWW & STWE

| Year     | Abandoned Vehicle |
|----------|-------------------|
| 2023     |                   |
| January  | 5                 |
| February | 1                 |
| March    | 2                 |
| April    | 3                 |
| May      | 3                 |
| June     | 5                 |

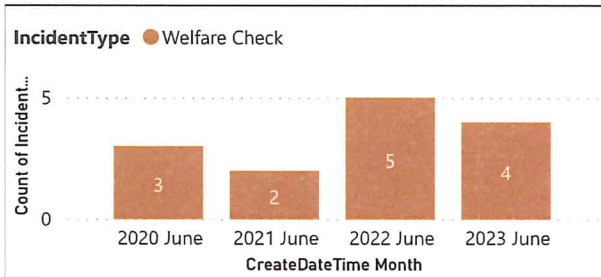
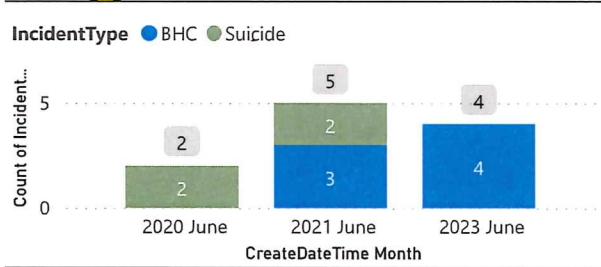
### Abandon Vehicles Past Calendar Month, ThisYear

Beat ● STWE ● STWW





## Stanwood West



## Death Investigations - STWW

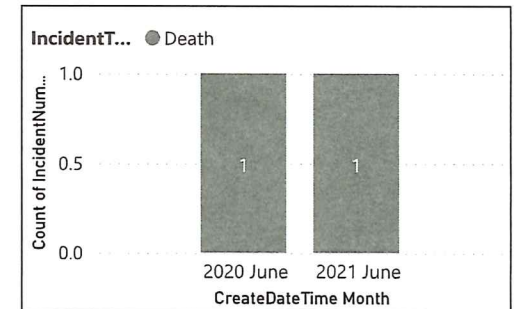
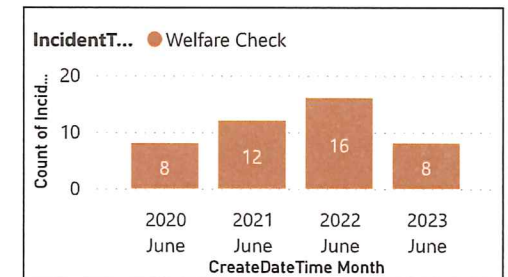
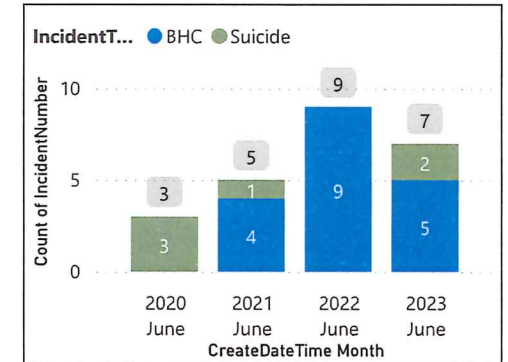
CreateDateTime Month

| Year     | BHC | Suicide |
|----------|-----|---------|
| 2023     |     |         |
| February | 2   |         |
| March    | 4   |         |
| April    | 3   | 3       |
| May      | 5   |         |
| June     | 4   |         |

| Year     | Welfare Check |
|----------|---------------|
| 2023     |               |
| January  | 7             |
| February | 6             |
| March    | 2             |
| April    | 3             |
| May      | 1             |
| June     | 4             |

## Stanwood East

| Year     | BHC | Suicide |
|----------|-----|---------|
| 2023     |     |         |
| January  | 5   |         |
| February | 8   | 1       |
| March    | 1   | 1       |
| April    |     | 5       |
| May      | 13  |         |
| June     | 5   | 2       |





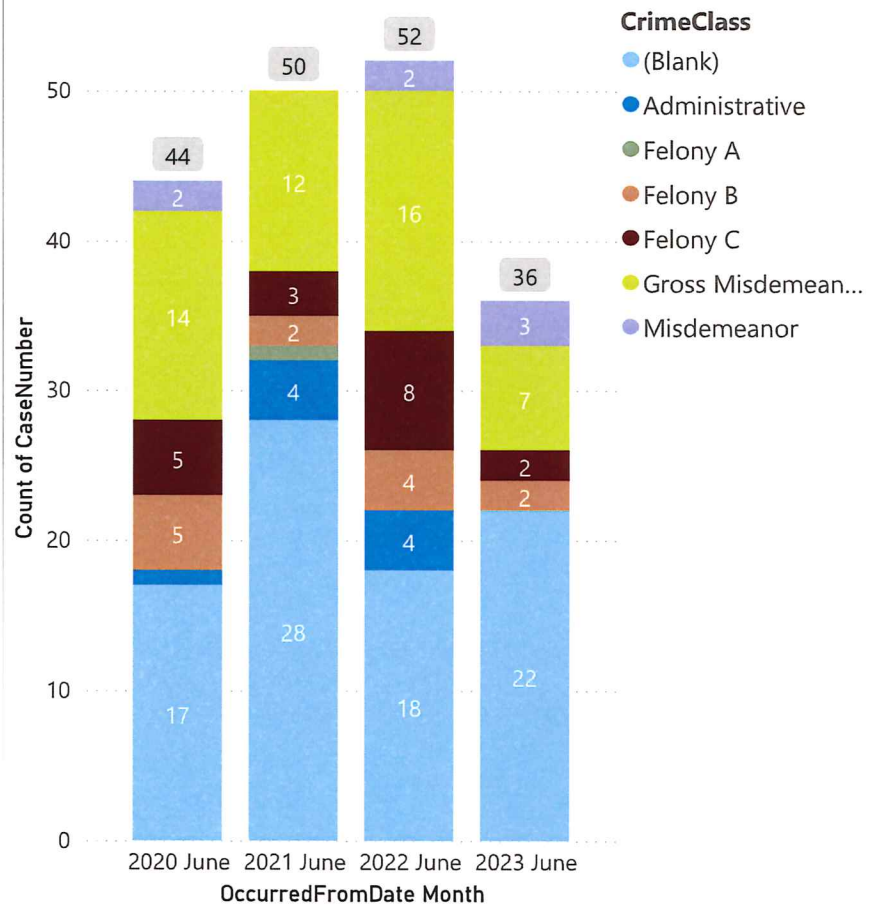


The following pages cover case data. The key difference between cases and incidents data is a Deputy has determined something did transpire that justifies writing a case report.

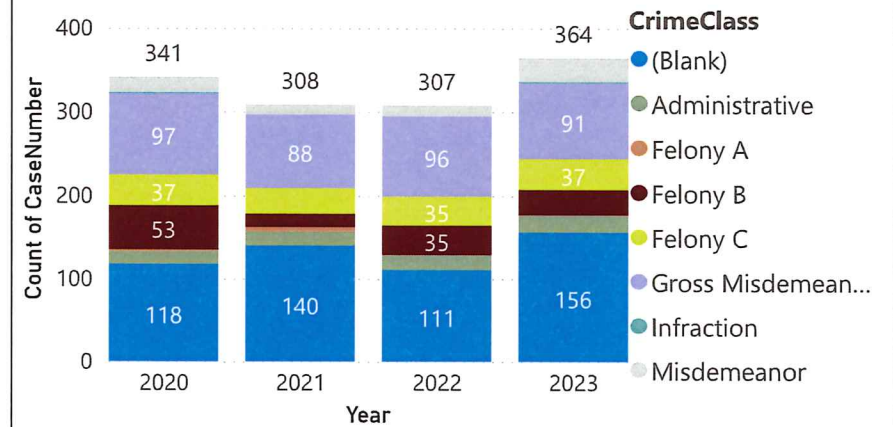
## TOTAL CASES

### IN THE STW BEAT

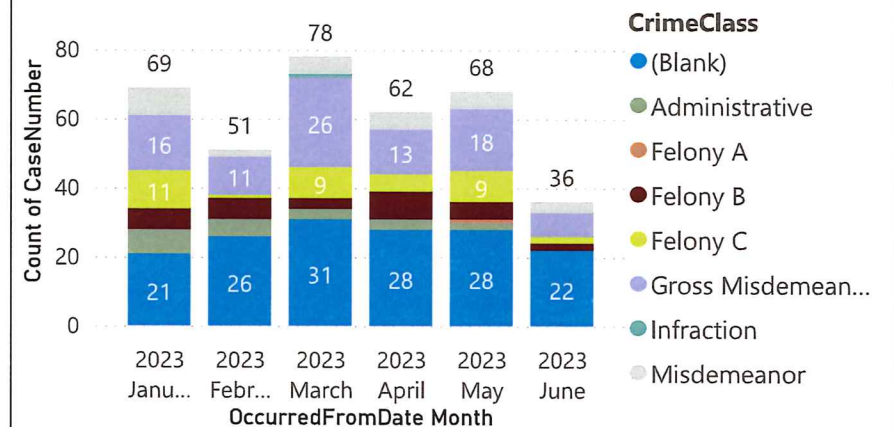
Cases, Previous Month, Yr over Yr



Case Count by Statute, Jan 1 - present, Yr over Yr



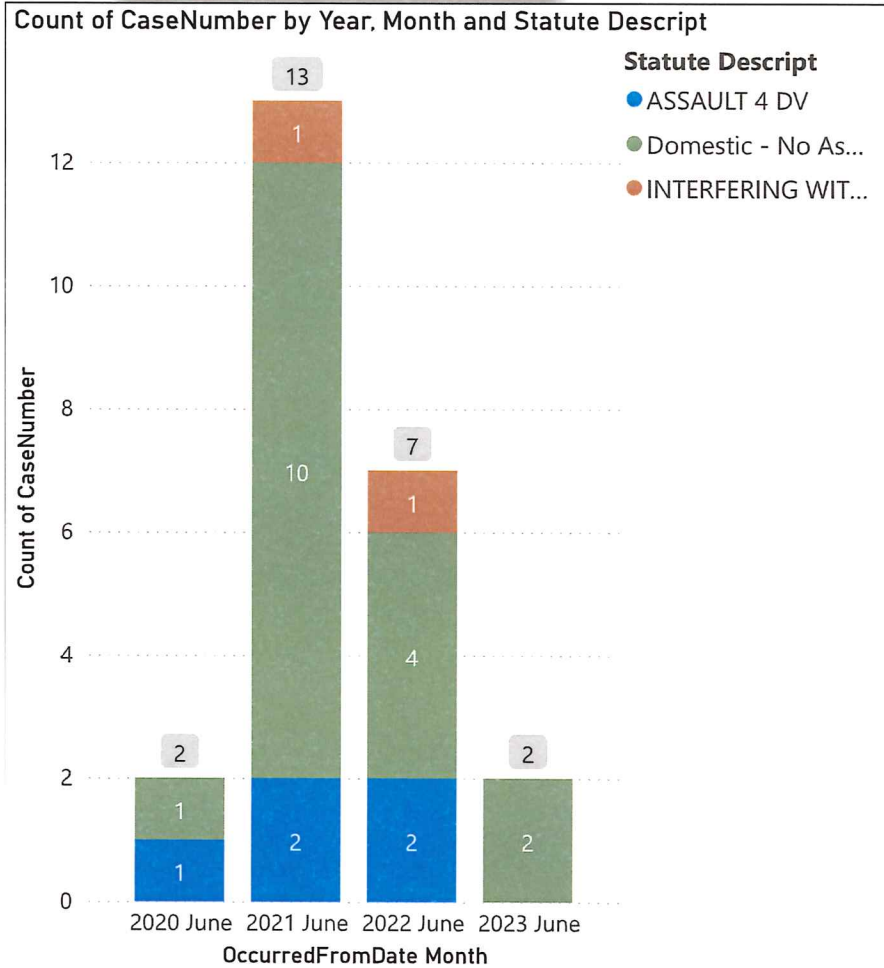
Case Count by Statute, Jan 1 - present, Current Year



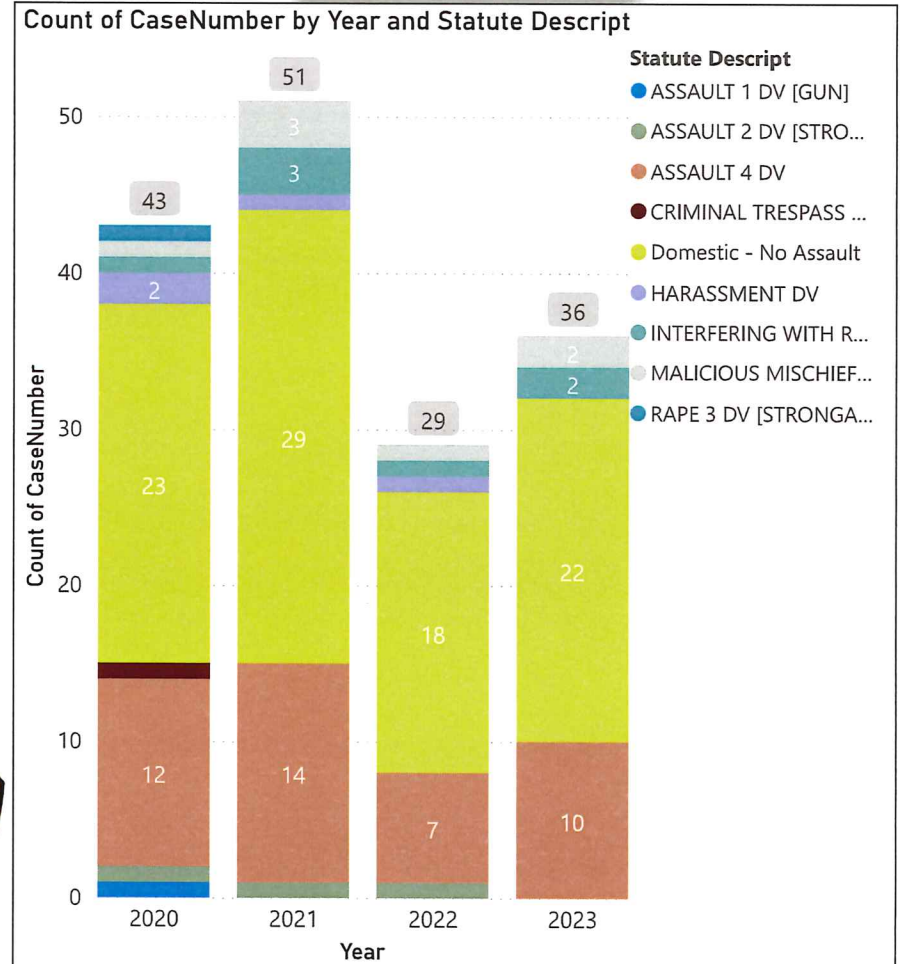
## Domestic Related CASES

### IN THE STW BEAT

#### Previous Month Over Time



#### To Date By Year

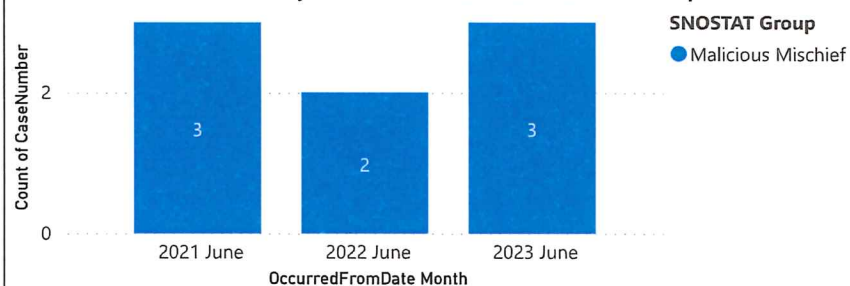




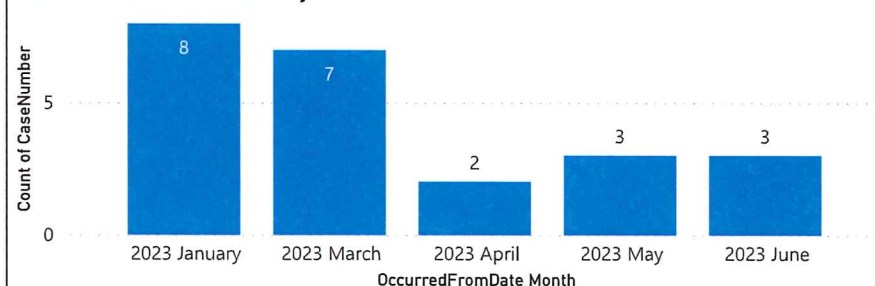


## Malicious Mischief CASES

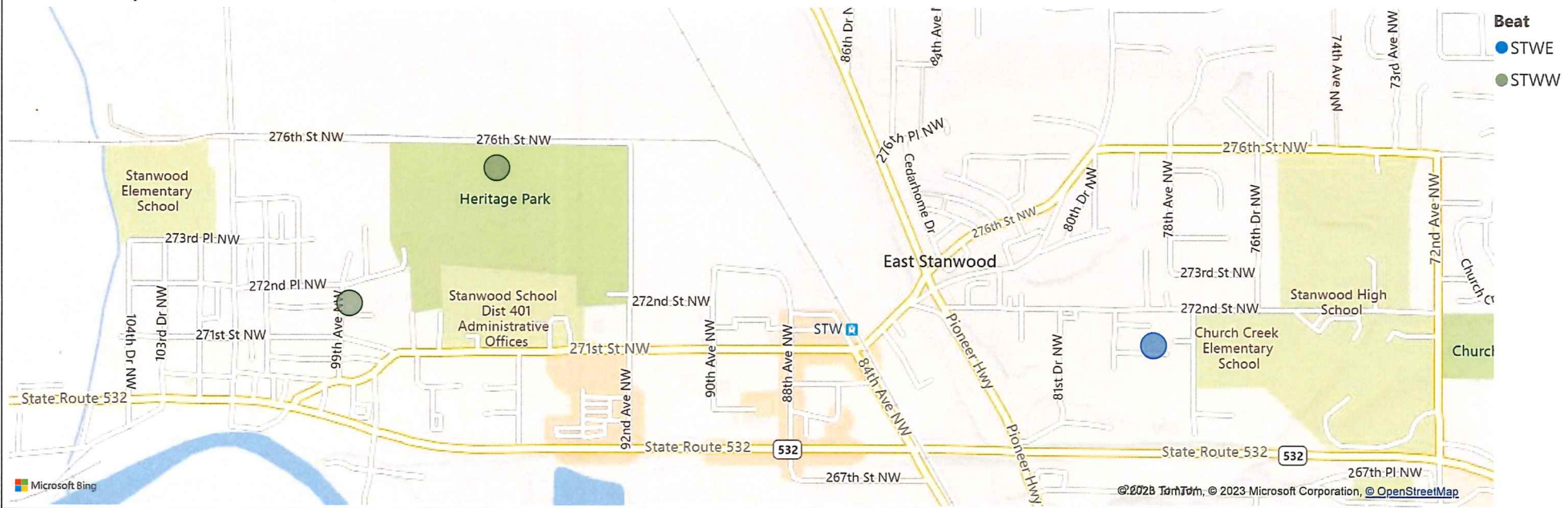
Count of CaseNumber by Year, Month and SNOSTAT Group



Count of CaseNumber by Year and Month



Cases in the past Calendar month, Current Year





## Auto Theft CASES

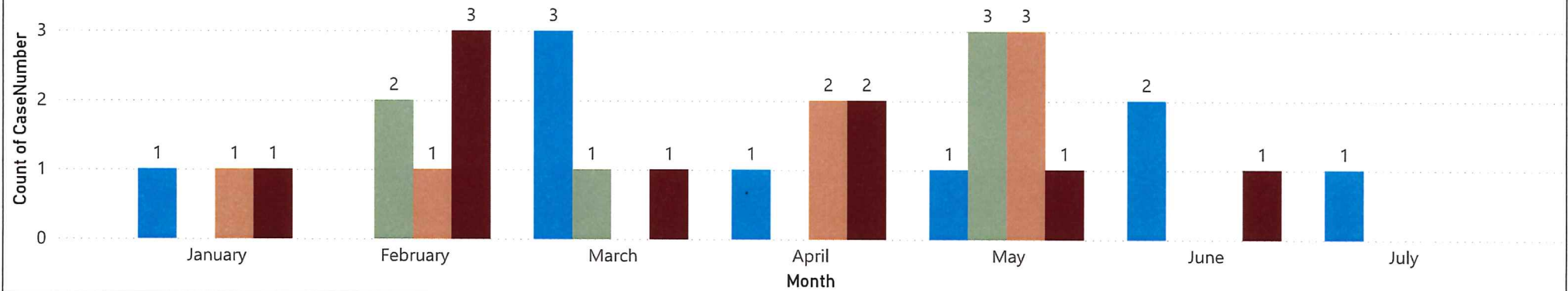
### Past Six Calendar Months

Month ● January ● February ● March ● June



### Jan 1 - Present, each year

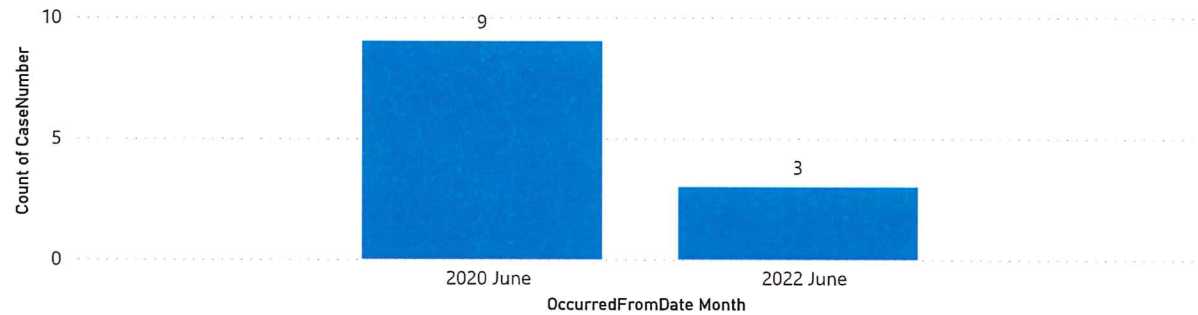
Year ● 2020 ● 2021 ● 2022 ● 2023





## Vehicle Prowl CASES

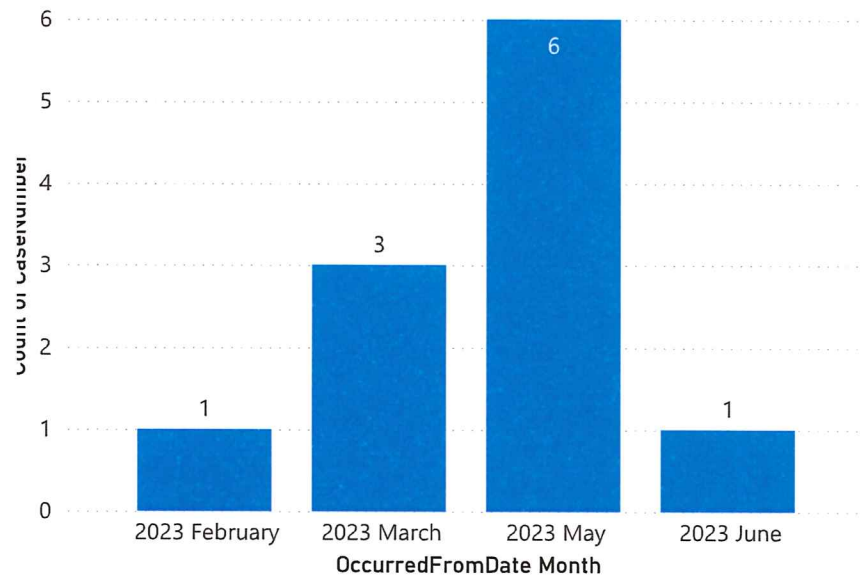
Count of CaseNumber by Year and Month



Jan 1 - Current Date, Current Year

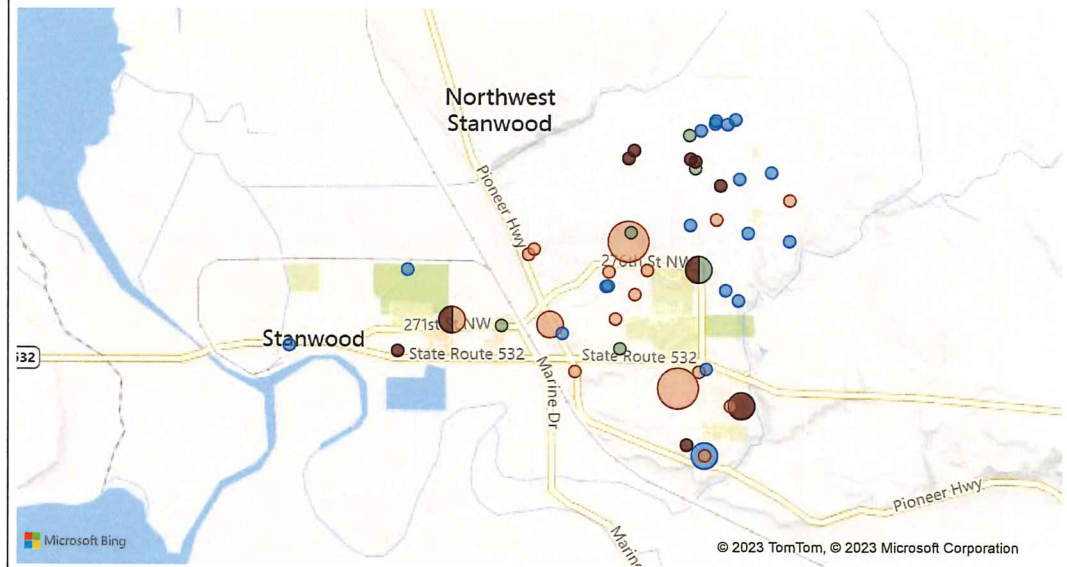
| Year | Veh Prowl 1 | Veh Prowl 2 | Total |
|------|-------------|-------------|-------|
| 2020 | 1           | 19          | 20    |
| 2021 |             | 7           | 7     |
| 2022 | 3           | 19          | 21    |
| 2023 |             | 11          | 11    |

Count of CaseNumber by Year and Month



Count of CaseNumber by Year, Lat and Lon

Year ● 2020 ● 2021 ● 2022 ● 2023



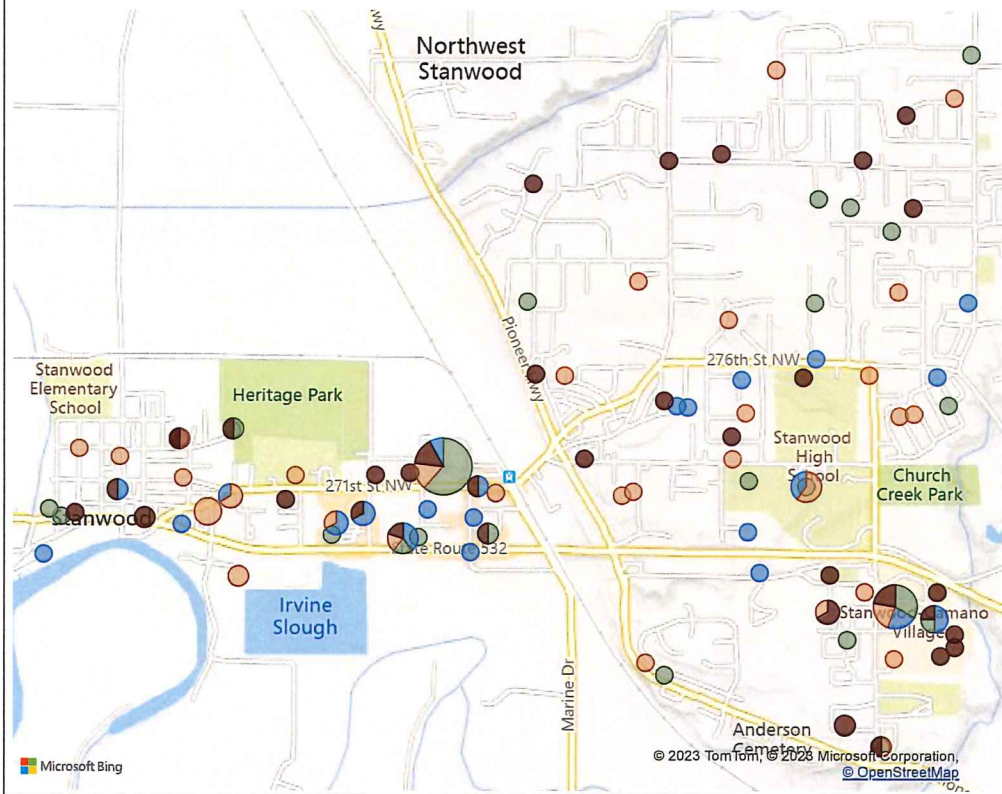




## Theft CASES

Count of CaseNumber by Year, Lat and Lon

Year ● 2020 ● 2021 ● 2022 ● 2023



Jan 1 - Current Date

| Beat         | 2020      | 2021      | 2022      | 2023      |
|--------------|-----------|-----------|-----------|-----------|
| STWE         | 14        | 15        | 23        | 18        |
| STWW         | 15        | 16        | 18        | 12        |
| <b>Total</b> | <b>29</b> | <b>31</b> | <b>41</b> | <b>30</b> |

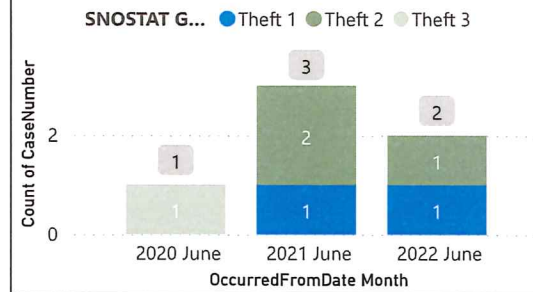
Current YTD

| Year     | STWE | STWW |
|----------|------|------|
| ▼        |      |      |
| 2023     |      |      |
| June     |      | 4    |
| May      | 6    | 1    |
| April    | 4    |      |
| March    | 3    |      |
| February | 2    | 4    |
| January  | 3    | 3    |

Stanwood West



Stanwood East



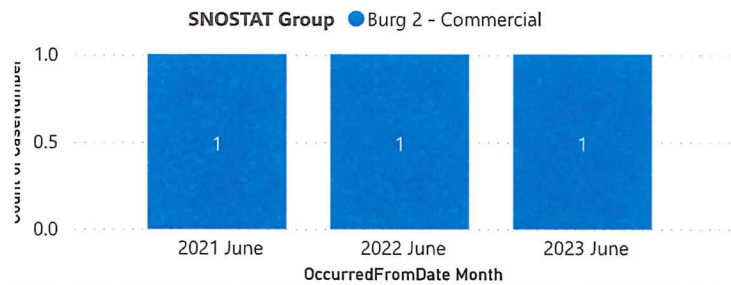


## Burglary CASES

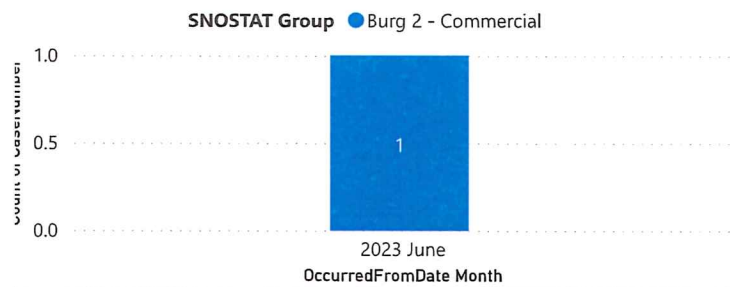
Jan 1 - Current Date

| Year | STWE | STWW |
|------|------|------|
| 2020 | 5    | 4    |
| 2021 | 1    | 5    |
| 2022 | 7    | 5    |
| 2023 | 7    | 4    |

### Stanwood West

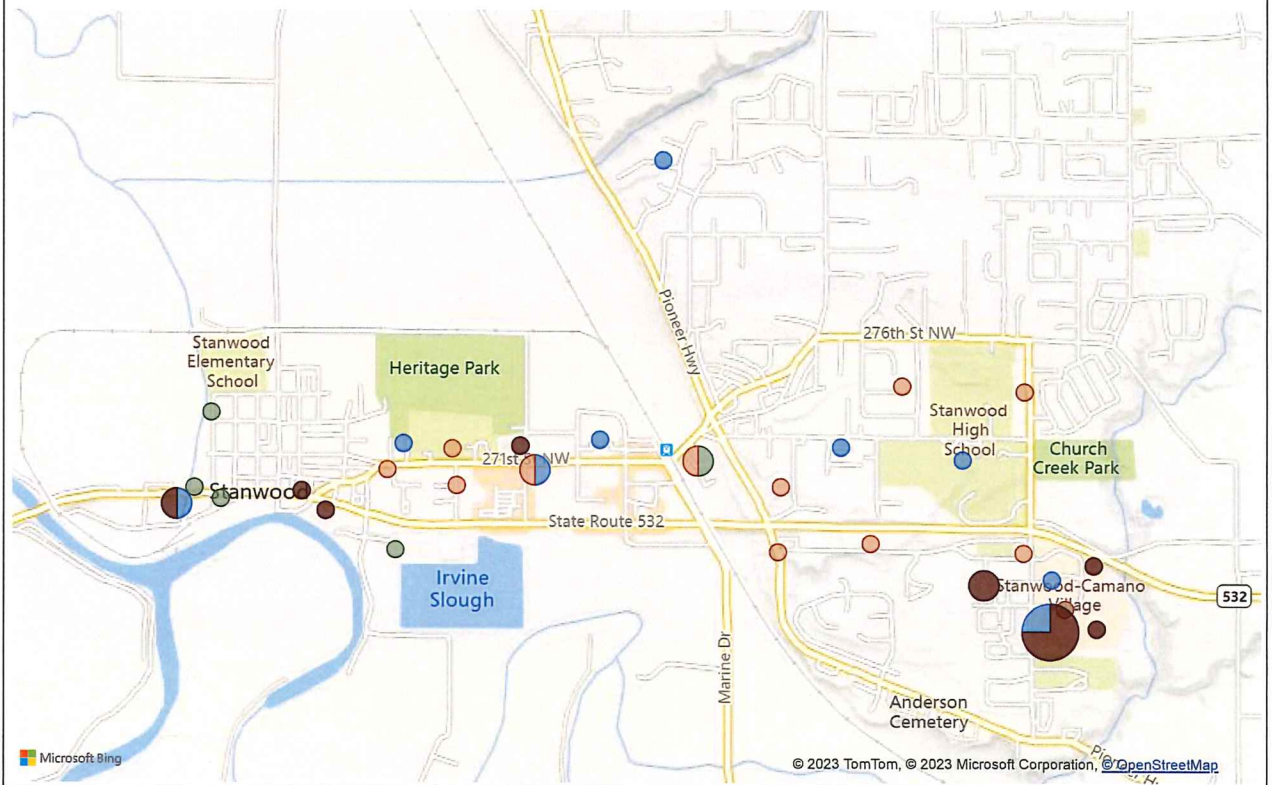


### Stanwood East



### Count of CaseNumber by Year, Lat and Lon

Year ● 2020 ● 2021 ● 2022 ● 2023





## **CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT**

**ITEM NUMBER:** 6b

**DATE:** July 13, 2023

**SUBJECT:** 2024 Comprehensive Plan and Municipal Code Quarterly Update

**CONTACT PERSON:** Patricia Love, Community Development Director

**ATTACHMENTS:** A – City Council Quarterly Report

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### **SUMMARY STATEMENT**

The 2024 Comprehensive Plan and Municipal Code Update quarterly report is attached to this staff report for Council review.





## CITY OF STANWOOD 2024 COMPREHENSIVE PLAN & MUNICIPAL CODE UPDATE PROJECT

### CITY COUNCIL QUARTERLY REPORT

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**MEETING DATE:** July 13, 2023

**SUBJECT:** 2024 Comprehensive Plan and Municipal Code  
Quarterly Update

**CONTACT PERSON:** Patricia Love, Community Development Director

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#### BACKGROUND

The Growth Management Act requires each city and county to review and update their Comprehensive Plans at least once every ten years. The legislature set a staggered schedule for cities and counties throughout the state to update their plans. Jurisdictions within King, Pierce, Kitsap and Snohomish County are required to update their plans by December 31, 2024. In addition, state law requires that the supporting development regulations be consistent with the Comprehensive Plan.

QUARTERLY REPORT PERIOD: April – June 2023

#### COMPREHENSIVE PLAN UPDATE

Last quarter, the Advisory Group, Planning Commission, and Community Development Committee finalized the Economic Development Element of the Comprehensive Plan, began review of the Land Use Element, and reviewed the public comments on the Capital Improvement survey.

This quarter, work on the Comprehensive Plan included the following:

- A joint City Council / Planning Commission meeting was held regarding the downtown mixed-use land use zoning, the proposed Planned Industrial zoning and new state housing requirements.
- The Housing Action Plan with implementation strategies were reviewed and adopted by the City Council at the end of June.
- The first drafts of the Capital Improvement Plan maps were drafted and reviewed by the Committees.
- Chaim Bezahel donated two electronic copies of his downtown paintings. The Brick Road painting will be used as the Comprehensive Plan cover page. See attached – Exhibit A.
- The first draft of the Transportation Plan policies was drafted and reviewed by the Committees - Public Works Committee is scheduled for July 10. See attached – Exhibit B.

- The park and recreation survey was pushed out over social media in June which targeted three different users: Adults, Youth and Small Children. It was also the main focus of the June 16 farmers market event hosted by the Community Development Department staff. So far, we have received 61 comments on the youth survey and approximately 271 responses to the adult survey. The survey is open until the end of July; a summary of survey will be included in the next quarterly report.
- A summary of the 2023 Land Use Legislative Session bills was prepared for Committee review. The City Attorneys summer intern has prepared a document cross referencing the bills with needed changes to the Municipal Code. See attached – Exhibit C.

#### **STANWOOD MUNICIPAL CODE UPDATE**

The City initiated the Municipal Code Update project in 2022 to modernize the code reflecting best practices and consistency with state law. Due to the sheer size of project, work has been broken into manageable pieces with similar titles, or titles that interact with each other, being processed together. To date, the Council has approved the following Title groupings:

| <b>Stanwood Municipal Code Titles</b>                                                                           | <b>Council Action</b>                     |
|-----------------------------------------------------------------------------------------------------------------|-------------------------------------------|
| Title 1 – General Provisions<br>Title 2 – Personnel<br>Title 3 – Administration                                 | Approved April 23, 2023<br>Three Readings |
| Title 6 – Parks and Public Spaces<br>Title 9 – Public Peace, Morals, and Safety<br>Title 13 – Civil Enforcement | June 8, 2023<br>Three Readings            |
| Emergency Noise Ordinance                                                                                       | June 22, 2023                             |

- Amendments to Title 3 – Revenue and Finance and Title 5 – Business Licenses has begun. These amendments are in the process of being reviewed by the Planning Commission and Advisory Group.

#### **Title 3 – Revenue and Finance:**

Title 3 establishes the City’s authority to impose and collect taxes and fees creating the revenue source of the city’s operational budget. This rewrite of Title 3 does not create any new taxes or fees, but instead reorganizes the Title to group similar topics together thereby improving the flow and readability of the Title. The following chapter topics will be grouped together leaving space between chapter titles to allow room for future code amendments.

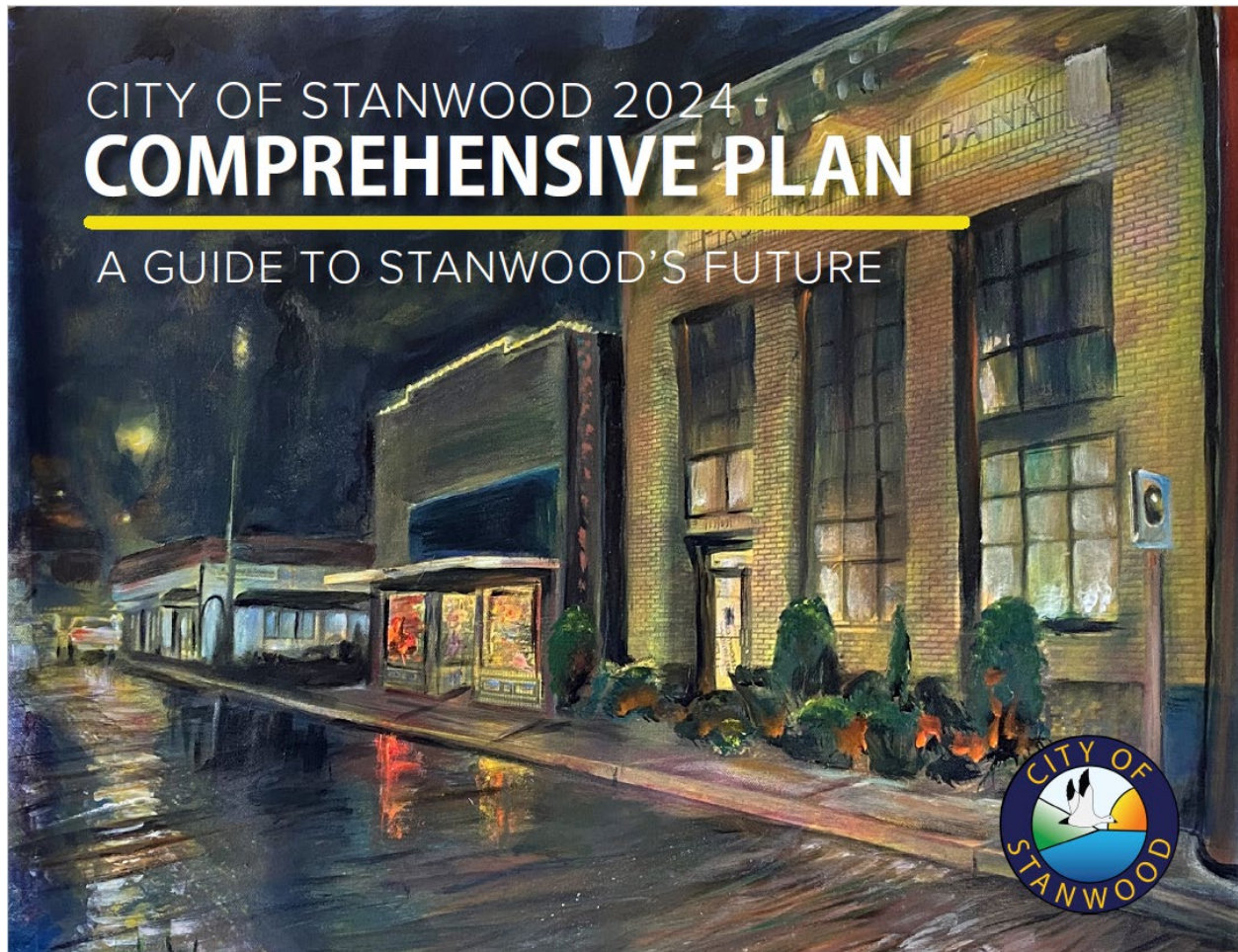
- Taxes;
- Fees;
- Fiscal Policy and Claims; and
- Accounting Funds

*Title 5 – Business Licenses and Regulations:*

Title 5 adopts the City's business license procedures and requirements. State Law (RCW 35A.82.020) provides cities with the authority require a license for all businesses that operate in city limits. Operation in the city includes those businesses that are physically located in the city and those that engage in business within the city, but their business address is located outside of the city. The provisions of Title 5 are consistent with state law provisions and generally include:

- Approval process and conditions
  - License terms and expiration dates
  - Penalties
  - Suspension, revocation, and appeals
  - Exemptions
- 
- Draft Scoping Memos for Title 7 – Health and Safety and Title 8 – Animals has been prepared and will be forwarded to Committees in July. Scoping memos contain the proposed Title outline and approach to drafting the regulations.
  - Staff prepared “observation memos” for Title 10, Vehicles and Traffic and Title 14 – Buildings and Construction. Observation Memos contain staff recommended changes and are then submitted to the consultant as a starting point for their work.







## **Exhibit B DRAFT**

### **CITY OF STANWOOD 2044 COMPREHENSIVE PLAN UPDATE TRANSPORTATION PLAN ELEMENT GOALS AND POLICIES**

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#### **TG-1 – Continue to develop a transportation system that encourages, supports, and enhances the safe, efficient, and reliable movement of people, vehicles, and goods.**

- TP 1.1: Route pass-through traffic to collector roads designed and classified for higher volumes of traffic. Use neighborhood traffic control devices to direct traffic appropriately.
- TP 1.2: Design local access streets to provide safety for pedestrians, bicycles, and automobiles, and meet the requirements of the Americans and Disabilities Act (ADA).
- TP 1.3: The City's transportation system should consist of a grid of through streets, providing a better connection from east to west and north to south.
- TP 1.4: Adopt a "complete streets" ordinance based on the guidelines established by Smart Growth America and the US Department of Transportation.
- TP 1.5: Apply emerging technological solutions to improve the safety and efficiency of the transportation system.
- TP 1.6: Identify and implement strategies to ensure the resilience and future security of the transportation system for the efficient movement of emergency responses.
- TP 1.7: Adopt lighting standards and use lamps that assure safe and effective illumination at minimum cost and energy use.

#### **TG-2 – Maintain transportation levels of service (LOS) consistent with adopted standards and community needs.**

- TP 2.1: Ensure adequate transportation facilities are available concurrent with development and maintain levels of service (LOS) that promote mobility for people and goods consistent with adopted standards.
- TP 2.2: The City has established adopts the following levels of service (LOS) standards:
  - 1.) For locally owned intersection operations based on methodologies in the latest edition of the Highway Capacity Manual (HCM):
    - i. LOS D for traffic signals, roundabouts, and all-way stop controlled intersections.
    - ii. LOS E for two-way stop-controlled intersections.
  - 2.) Apply Washington State Department of Transportation's level of service standards to intersections of state highways within the Stanwood area:
    - i. LOS D or better within urban areas.
    - ii. LOS C or better within rural areas.
    - ii. LOS C or better within rural areas.
- TP 2.3: Reassess as appropriate level of service standards and other development regulations based on growth and funding levels.

- TP 2.4: Work with Snohomish County to coordinate level of service standards for transportation infrastructure and facilities within the City's unincorporated Urban Growth Area for motorized and non-motorized transportation.
- TP 2.5: Work with PSRC travel demand forecasts to identify state, regional, and local multimodal transportation system improvements deemed necessary to accommodate growth while improving safety and human health.
- TP 2.6: Work cooperatively with Snohomish County and Island County to mitigate transportation impacts of development on Stanwood and adjacent areas.
- TP 2.7 Evaluate and adopt a local bicycle and pedestrian level of service that promote the movement of people.

**TG-3 – Provide transportation facilities that promote vibrant commerce, clean air and water, health and recreation.**

- TP 3.1: Collaborate with regional and state agencies such as the Puget Sound Clean Air Agency and the Washington State Department of Ecology to implement and achieve regional air quality and environmental quality goals.
- TP 3.2: Adopt Washington State Target Zero strategies as appropriate to Stanwood to reduce traffic-related fatalities and serious injuries.
- TP 3.3: Identify and support major transportation hubs and economic development interests, such as ports, airports, and designated freight trucking routes.
- TP 3.4: Continue to coordinate freight transportation work with WSDOT, Snohomish County, Port authorities, railroads, and commercial aviation interests.
- TP 3.5: Support transportation mobility and access for people of all ages and abilities by providing safe and accessible travel choices for people with physical mobility challenges, special needs, seniors, and young children.
- TP 3.6: Transportation plans, improvements, programs, and services shall include an emphasis on social, racial, and income equity, as well as under-served populations.
- TP 3.7: Consider options to convert vehicle dominated streets, or portions thereof, into pedestrian and bike friendly corridors, car-free zones or time-flex streets to improve pedestrian mobility and connections, implement low-cost transportation solutions, and promote public health.
- TP 3.8: Restrict wide-open, undefined access driveways to minimize and consolidate access points to SR-532 and other major city streets.
- TP 3.9: Consider impacts to human health and safety (noise, exhaust fumes, vibration, etc.), as well as environment impacts when planning and designing transportation facilities.

**TG-4 – Maintain and preserve the utility of prior transportation investments.**

- TP 4.1: Monitor the operation of the transportation system and identify system maintenance and preservation projects to protect existing investments and ensure a safe and reliable citywide transportation system.
- TP 4.2: Reduce capital improvement needs and extend transportation life-cycle costs through investments in maintenance, preservation, and safety to extend the life and utility of prior transportation investments.



- TP 4.3: Conduct periodic inspections of transportation infrastructure proactively, mindful of the infrastructure life cycle.
- TP 4.4: Maintain the remaining historic brick roads, particularly 270th Street NW, when financially feasible per City Beautification Action Plan and Twin City Mile.
- TP 4.5 Update the Transportation Improvement Plan (TIP) annually to reflect current estimated costs and schedules to ensure priority, cost, and timing of projects are accommodated.

**TG-5 – Reduce the number of trips made via the single occupant vehicle by encouraging the use of public transit and non-motorized facilities, and through thoughtful zoning practices.**

- TP 5.1: Encourage land use patterns that facilitate multi-purpose trips and reduce the quantity and length of trips by single-occupancy vehicles in association with Commute Trip Reduction Act goals and policies.
- TP 5.2: Work with the Stanwood-Camano Island School District to encourage greater ridership on school buses by collaborating on efficient, inclusive, and effective bus routes.
- TP 5.3: Invest in and encourage the use of public transit bus, commuter rail, park and ride, and bicycle and pedestrian facilities connecting local and regional employment and shopping centers.
- TP 5.4: Develop a comprehensive network of safe, convenient, and accessible sidewalks and bicycle lanes, trails and/or separated paths to provide alternative routes to employment centers and shopping areas in alignment with PSRC's Regional Growth Strategy and Regional Transportation Plan.
- TP 5.5: Give priority to transportation projects that will contribute to a reduction in vehicle miles traveled per capita, while maintaining economic vitality and sustainability.
- TP 5.6: Adopt street standards that require sidewalks on both sides of all new and reconstructed public streets.
- TP 5.7: Develop a multi-purpose trail and sidewalk system that connects Stanwood's neighborhoods, schools, parks and business districts via a non-motorized transportation network.
- TP 5.8: Periodically update city standards with current best practices, resources, and guidelines for the development of non-motorized facilities such as: multi-use paths, bicycle lanes, sidewalks, accessibility, crosswalks, widened roadway shoulders, and landscape buffers.
- TP 5.9: Preserve unimproved public rights-of-way when reasonable to create an interconnected network of pedestrian and bicycle trails.
- TP 5.10: Pursue options to convert the Railroad rights of way in downtown Stanwood to a trail network when continued rail service is not practical.
- TP 5.11: Work with transportation agencies such as Amtrak, Community Transit, Island Transit, and Snow Goose Transit to establish public education programs to encourage public transportation usage.
- TP 5.12: Create pedestrian friendly and inviting connections between downtown and uptown Stanwood through the implementation of the City Beautification project, the Twin City Mile revitalization, and potentially a complete streets policy.
- TP 5.13: Identify the needs of drivers, public transportation vehicles and patrons, bicyclists, and pedestrians of all ages and abilities in the planning, programming, design, construction,

reconstruction, retrofit, operations, and maintenance of the City's transportation system.

**TG 6 – Coordinate with regional officials on hazard mitigation planning efforts to improve the city's emergency management response and recovery efforts during and after major disasters to save lives, protect community investments, and restore critical transportation assets and services quickly after a disaster.**

TP 6.1: Adopt and implement a Hazard Mitigation Plan that advances the resilience of the transportation system by incorporating redundancies, preparing for disasters and other impacts.

TP 6.2: Coordinate with Snohomish County, Island County, and WSDOT to prepare a local and regional response for system recovery for the Hazard Mitigation Plan.

**TG 7 – Support the development of a balanced regional transportation system by working cooperatively with federal, state, regional and local agencies to develop the City's transportation system, financing strategy, and land use plan that helps achieve regional mobility goals.**

TP 7.1: Coordinate with WSDOT, Island County, and Snohomish County to implement the SR-532 Route Development Plan, including the adoption of an impact fee ordinance addressing immediate and long-term improvements on SR-532.

TP 7.2: Encourage rail providers such as Amtrak or Sound Transit's Sounder to expand light rail passenger rail service to better connect Stanwood to regional centers, such as Everett, Lynnwood or Seattle.

TP 7.3: Partner with WSDOT to implement access management solutions on SR 532 ensuring a coordinated system of traffic flow by adding roundabouts or signals, restricting left turning movements, and/or by amending traffic signal timing to allow efficient progression of vehicles, bicycles, and pedestrians.

TP 7.4: Promote a working relationship with regional planning agencies, particularly with Puget Sound Regional Council (PSRC), to ensure the City's Comprehensive Plan is consistent and complementary with the Regional Transportation Plans, Growth Strategies, including VISION 2050 and the multi-county planning policies that are reviewed and approved by PSRC.

TP 7.5: Work with Island County and Snohomish County to ensure the City's transportation plan is consistent with Island and Snohomish Counties Transportation Element and Six Year Transportation Improvement Plans.

TP 7.6: Integrate and focus transportation system improvements with land use plans to connect local and regional development centers.

TP 7.7: The City should actively coordinate with local transit agencies, such as Community Transit, Island Transit, Skagit Transit and Snow Goose Transit, to promote and expand bus service and connections to improve access to regional transportation systems.

**TG-8 – Minimize negative environmental impacts for the benefit of the City’s natural resources and the reduction of greenhouse gas emissions.**

- TP 8.1: Reduce greenhouse gas emissions and pollutants from transportation activities through the electrification of the transportation system, use of cleaner fuels and vehicles, and developing of infrastructure needed to support clean fuel vehicles such as electric vehicle chargers.
- TP 8.2: Prioritize transportation projects that reduce vehicle miles traveled per capita and maintains economic vitality and sustainability.
- TP 8.3: Promote and incentivize transportation trip reduction programs and actions to reduce air pollution and greenhouse gas emission, including but not limited to:
- a.) Land use plans and zoning for compact, higher-density, mixed use development to reduce vehicle mile traveled;
  - b.) Employer-based incentives for ridesharing, vanpooling, flextime, and telecommuting work schedules;
  - c.) Adopting policies or regulations proportionally reducing traffic impact fees or reduced parking requirements;
  - d.) Support building codes and other efforts to promote conservation efforts and the use of clean alternative energy sources, renewable energy, electric or hybrid vehicles, and electric vehicle charging stations; and
  - e.) Convert incandescent streetlights to L.E.D.
- TP 8.4: Work with local, state, and regional agencies to achieve regional goals to improve air quality, water quality, fish passage, and environmental pollution goals by minimizing and mitigating adverse impacts of transportation services on designated critical areas and resource lands.
- TP 8.5: The City should consider purchasing hybrid or electric vehicles when purchasing fleet vehicles.
- TP 8.6: Establish compact, pedestrian, transit-oriented development, and reductions to greenhouse gas emissions as metrics for prioritizing transportation investments.
- TP 8.7: Adopt and apply stormwater retrofit designs in transportation projects to provide flow control and/or treatment benefits to protect and improve fish habitat and water resources.

**TG-9 – Establish a stable, financially sustainable, long term financial foundation for continuously improving the quality, effectiveness, and efficiency of the transportation system.**

- TP 9.1: Actively pursue grants individually or with other agencies to help fund transportation projects to support the maintenance, operations, and upgrading of the transportation system.
- TP 9.2: Pursue and implement transportation financing methods, such as transportation benefit districts or user fees (as allowed by state law per RCW 36.73), to support ongoing maintenance, preservation, and operation of the City’s transportation system.
- TP 9.3: Ensure that new development pays a proportionate share of the costs of transportation facilities needed to support growth through: traffic impact fees, frontage improvements,



local improvement districts, off-site mitigation improvements and other means allowed by State and local laws.

- TP 9.4: Partner with WSDOT, Snohomish County, Island County, Community Transit, Island Transit, Tribes and other state or local agencies to define and adopt broad based funding approaches that leverages city revenues against other funding opportunities to implement transportation projects and programs.
- TP 9.5: Evaluate project design strategies that can reduce costs of transportation improvements or provide for phasing of improvements to spread the costs over time.
- TP 9.6: Periodically review longer range transportation funding options and consider changes in the level of service standard or land use element if sufficient funding is not available. Consider options for alternative funding mechanisms if local fundings is not available for critical/high priority projects.
- TP 9.7: Prioritize funding transportation safety improvement projects during the annual adoption process of the Transportation Improvement Plan (TIP) and city budget.
- TP 9.8: Develop a 20-year plan that balances transportation improvement needs, costs, and revenues available for all modes to assist in updating the Transportation Impact Fee (TIF) program and the annual adoption of the Six-Year Transportation Improvement Program (TIP).

**TG-10 Ensure and prioritize equity, inclusion, and access to opportunities in the development and maintenance of transportation systems.**

- TP 10.1: Consider current and past inequities in infrastructure development when planning and programming new investments using PSRC's Opportunity Index, the Countywide Equity Index, and other regional/state guidance documents. Consider consolidating findings into a transportation equity report.
- TP 10.2: Conduct public engagement with marginalized or underrepresented communities to understand multimodal transportation needs and barriers to access.
- TP 10.3: Prioritize active transportation and transit investments in historically underserved communities of color and areas with higher concentrations of low-income, non-English speaking, seniors, youth, and disabled populations to improve affordable and convenient access to employment, education, health care, social services, recreation, and culture.
- TP 10.4: Mitigate the negative impacts of the transportation system on historically underserved communities when developing plans and programs by incorporating equity and inclusion into the Capital Improvement Plan and Transportation Improvement Plan's proposed infrastructure projects.

## **Exhibit C: 2023 Legislative Session Bill Update**

This last legislative session ended with several bills that affect planning and zoning. Below is a summary of the bills that will affect the drafting of the Comprehensive Plan and Municipal Code.

**HB 1042** – Conversion of existing commercial, mixed-use, and multifamily buildings for residences. Within existing buildings, cities:

- Allow an increase of the allowed density by 50%
- Cannot require additional parking; may retain existing parking
- Cannot require any new permitting requirements
- Apply existing zoning standards: building bulk standards, setbacks, lot coverage
- Cannot apply architectural design standards to existing buildings
- May not regulate location of units except to preserve ground floor commercial space of mixed-use buildings
- Energy code upgrades only apply to portion of the building being remodeled
- Projects cannot be denied due to non-conforming status of building or lots
- Projects are exempt from transportation concurrency requirements

Must incorporate requirements within six months of next comprehensive plan update, and these changes are categorically exempt from SEPA.

**HB 1110** – Middle housing & density mandate – Does not apply to Stanwood

**HB 1181 – 2023-24** – Response to Climate Change. Adds A Climate Change and Resiliency element to the Comprehensive Plan. Applies to GMA cities over 6,000 population.

**HB 1293** – Streamlining Development Regulations with Design Review. City may only:

- Adopt “Clear and Objective” development regulation governing exterior design standards
- Standards may not materially result in a reduction in density, height, bulk or scale of buildings
- Design review must be consolidated with permit review
- Only one public meeting can be required

**HB 1326** –Waiver of utility connection fees.

- Cities may waive utility connection fees for: non-profits; public development authorities; housing authorities; emergency shelter projects; transitional housing projects; permanent supportive housing projects; and/or affordable housing projects
- Fees must be paid out of the general fund, by grants, or other revenue sources
- A waiver program must be adopted by ordinance

- Applies to water, sewer, stormwater, power, gas, or other means of power/heat
- HB 1337** – Accessory Dwelling Unit Regulations.

#### Use and Location

- Up to 2 ADU's are allowed per lot in all residential zones; units may be attached, detached, or a combination of both
- On lots less than 2,000 square feet: cities may only allow 1 ADU along with the principal use
- ADU's can be located on lots with single family residences, duplexes, triplexes, townhomes or other housing units
- Must allow ADU's on any lot that meets the minimum lot size requirement for the principal use
- Existing buildings and accessory structures may be converted to an ADU even if they are non-conforming
- Critical area and buffer regulations apply; may restrict ADU's in floodplain and geologically sensitive areas
- May restrict ADU from being used as a "short term rental" i.e.: AirB&B rental

#### Size and Development Standards

- May not restrict ADU's to less than 1,000 gross floor area; the 1,000 square feet does not include garages or accessory structures (Stanwood's current code is 900 sf)
- May require ADU's to be connected to sewer
- May not require an owner occupancy requirement in either unit
- Buildings may be up to 24 feet in height
- Setbacks, lot coverage, tree retention, aesthetics cannot be greater than that of the principal unit
- ADU's may be allowed along a lot line adjacent to an alley
- Street improvements may not be required
- Limitations on the number of parking stalls that can be required

#### Other

- Regulations may not be appealed
- Permitting process must be the same as for single family residences
- Impact fees can only be equal to half of the principal use
- ADU's may be converted to condominiums on existing property
- Cities are not liable for ADU's permitted in conflict with existing CCR's
- After the effective date of the state legislation, CCR's may not restrict ADU's

**HB 1695** – Property Surplus. Cities may surplus property at no cost for affordable rental or homeownership projects.

**ESSB 5258** – Impact Fee Formula and Short Plat Regulations.

- Impact fee formulas must be amended to reflect a proportionate share for multifamily and condominium units based on square footage, number of

bedrooms, or trips generated to produce a proportionally lower impact fee for smaller unit types.

- Short plat regulations must be amended to allow “unit lot” subdivisions allowing the division of a principal lot into separately owned unit lots (smaller lots for townhouses or ADU's) and creation of a homeowners association.

## **SB 5290** – Local Project Permit Review Process and Timelines.

### *Building Permits*

- Interior remodels, with not expansion of the footprint, shall not be classified as a project permit and no site plan may be required

### *Commerce Grants*

- Provides a grant program to consolidate local permit processes, including switching to online
- Provides a grant program to cover the cost to review and process permits
- Establishes a working group to review options for licensing and permitting software

### *Permit Review Process*

- Outlines permit completeness, notice, and timelines process, and allowable exemptions and alternative compliance
- Permitting timelines have been established: 65 days for administrative decisions, 100 days for projects with public notice, and 170 days for projects with public hearings
- Exclusions from the timeline includes time for permit corrections by the applicant, temporary suspensions, mutually agreed upon extension, and time to address appeals
- New permitting penalties for not meeting timeframe: refund 10%-20% of permit fee
- After January 1, 2026 cities must adopt additional measures to address permitting procedures such as: expedited review processes; adopt ILA with other jurisdictions to share permitting staff; budget consultant support to help with permit review; hire additional permit staff covered by permit revenues; limit the types of permits that require a public hearing; or other processes to improve permit review times

### *Other*

- Commerce to provide guidance on how to prepare a reasonable fee structure
- Commerce to provide a reporting template

**SB 5412** – SEPA Categorical Exemptions. Allows cities to exempt projects from SEPA if a development is equal or lower in density and intensity as allowed by the comprehensive Plan goals and policies. An environmental impact statement may be required on the Comprehensive Plan update.



**ESSB 5452** – Use of Impact Fees. Transportation impact fees can be used for public street, roads, and “bicycles and pedestrian facilities” that were designated with multimodal commuting as an intended use.

**SB 5536** – Essential Public Facilities. Opioid treatment programs and facilities are considered Essential Public Facilities and may not be prohibited by cities. These include both mobile and fixed-site medication units, recovery residences, harm reduction programs and use disorder treatment facilities. Safe injection sites are not included.

**SB 5553** – Temporary Emergency Shelter. Temporary emergency shelters are exempt from building code requirements.

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**CITY OF STANWOOD  
COUNCIL AGENDA STAFF REPORT**

**ITEM NUMBER:** 7a

**DATE:** July 13, 2023

**SUBJECT:** Economic Development Board Meeting Minutes

**CONTACT PERSON:** Sarah Cho, Economic Development and Marketing Manager

**ATTACHMENTS:** A – April 21, 2023 Meeting Minutes

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**SUMMARY STATEMENT**

Minutes from the April 21, 2023 Economic Development Board meeting are attached to this staff report for approval as presented. These minutes were approved at the June 16, 2023 Economic Development Board Meeting.



Economic Development Board Minute  
Meeting Minutes  
Friday, April 21, 2023 | 7:30 am

**Economic Development Board Members Present:** Les Anderson, Kristine Birkenkopf, Randy Heagle, Ashley Palmer

**Staff Present:** Sarah Cho, Patricia Love, Scott Black

**Others Present:** Mark Siegel (online), Teresa LaFluer (online), John Markezinis (online), Jeffrey Kroft, Mike Kmet, Chantel Keller

**Les Anderson called the meeting to order at 7:30 a.m.**

**1. Receive the Minutes of the March 17, 2023 Meeting**

The minutes of the March 17, 2023 meeting were approved unanimously.

**2. Storefront Improvement Program (SIP): Mark Siegel and Teresa LaFleur / On the Brick Road, LLC**

Business owners Mark Siegel & Teresa LaFleur spoke about the following changes they would like to make to their building: add a new sign to say "On the Brick Road". Add planters with flowers and small trees, a seating area, replace light fixtures, and new trim paint, and install light posts on the side of the building. The owners would like to dress up west Stanwood while staying true to the style of the area.

**3. SIP: John Markezinis / Jimmy's Pizza and Pasta**

Business owner John Markezinis would like to add wrought iron doors to replace existing doors, crown molding above the doors, and potentially a security system.

**4. SIP: Chantel Keller / Granary, LLC**

Granary building owner Chantel Keller would like to add new signs and lights with corresponding electrical work. For the entryway, she would like to sandblast the cement and repaint it and add new commercial doors for the hallway that connects the rear parking lot to Main Street. She would also like to replace the two windows on second floor, repaint the trim, add three bistro tables to the sidewalk, and planters with low maintenance plants.

**5. SIP: Jeffrey Kroft / Scattered Deck Games**

Business owner Jeffery Kroft would like to remove the two garage doors on the front of the building and replace them with a regular door that can be used as a second entrance/emergency exit. He will also add one window. Currently the only entry/exit is the front door and the area with the garage doors can only be used for storage. Adding a second entry/exit door would allow Jeffrey to create more usable space for tournaments and triple his retail space.

**6. SIP: Mike Kmet / Michael Kmet, LLC**

Property owner Michael Kmet would like to paint the street side of the building and trim. He would also like to replace the windows at Patini's and the windows and doors at Sahara Pizza.





## Economic Development Board Minute Meeting Minutes Friday, April 21, 2023 | 7:30 am

- The Economic Development Board members are very happy with how the program has turned out.
- Randy Heagle made a motion to approve all projects presented in today's meeting. All members approved moving these applications forward to the City Council meeting on May 11, 2023.

### **7. Business License Analytics**

For the month of March 2023, 36 business licenses were processed. 25 of the licenses were non-resident business licenses, 9 of the licenses were home occupation licenses, and 2 of the licenses were city business licenses.

### **8. Discover Stanwood Camano Analytics**

For the month of March 2023, Discover Stanwood Camano had 1,595 users visit the website and there was a total of 2,619 pageviews. 64.6% of the audience found the website through organic search, 27% found the website through direct search, 6.7% found the website through a referral, and 1.7% found the website through social. The top five states for audience locations were Washington, California, Wyoming, Oregon, and Texas.

The Facebook page reached 2,099 people with 151 page visits. The Instagram account reached 1,121 people with 99 profile visits. The top 5 search terms were Camano Island, Stanwood Senior Center, Camano Island Washington, Stanwood WA, and Stanwood.

### **9. EDB Next Meeting: May 19, 2023**

**Adjourn: 8:40 am**



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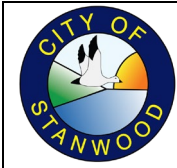
## **CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT**

**ITEM NUMBER:** 7b  
**DATE:** July 13, 2023  
**SUBJECT:** Finance/Personnel Committee Report  
**CONTACT PERSON:** David A. Hammond, Finance Director  
**ATTACHMENTS:** A – Finance/Personnel Committee Meeting  
Minutes June 22, 2023

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### **SUMMARY STATEMENT**

The minutes of the June 22, 2023, Finance/Personnel Meeting are attached to this staff report for council review.



Finance & Personnel Committee  
Meeting Minutes  
June 22, 2023

**Councilmembers Present:** Andreena Bergman, Darren Robb, Marcus Metz

**Staff present:** David Hammond, Finance Director, Pat Adams, Human Resources Manager

Chair Bergman called the meeting to order at 6:00pm

**Agenda Items Discussed**

1. Discussion Item—ESHB 1329 – Moratorium on Water shut-off for non-payment during High Heat Events

*Finance Director Hammond briefed the committee on the effects of the new law and procedures developed to ensure compliance. The committee expressed appreciation and asked for follow up at the end of summer.*

2. Small & Attractive Asset Annual Report

*Finance Director Hammond provided an overview of the report, noting that this is the first year the report was prepared. The committee appreciated the report and provided guidance regarding future reports.*

3. Reclass Engineering Technician to Public Works Lead (Parks Maintenance/Construction Inspector)

*HR Manager Adams briefed the committee on the position description and classification agreed to with the Teamster's Local 231. The committee enthusiastically approved of the position and reclassification.*

Meeting adjourned at: 6:46 pm





**CITY OF STANWOOD  
COUNCIL AGENDA STAFF REPORT**

**ITEM NUMBER:** 7b

**DATE:** June 22, 2023

**SUBJECT:** Parks Trails Advisory Committee Meeting Minutes

**CONTACT PERSON:** Carly Ruacho, Parks Manager

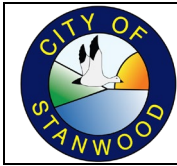
**ATTACHMENTS:** A- April 17<sup>th</sup>, 2023, Parks Trails Advisory Committee Meeting Minutes

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**SUMMARY STATEMENT**

Minutes from the April 17<sup>th</sup>, 2023, Parks Trails Advisory Committee Meeting Minutes are attached to this staff report for approval as presented.

These minutes were approved at the May 15, 2023 Parks Trails Advisory Committee Meeting.



## Parks and Trails Advisory Committee Meeting Minutes April 17, 2023

**Call to Order:** 3:06PM

**Roll call:**

Gordy Holmes  
Matt Withers  
Lisa Bruce  
Dave Hall  
Judy Williams  
Meagen Watne

**Staff Present:**

Carly Ruacho, Parks Planning Manager  
Kevin Pellham, Engineering Technician  
Kevin Hushagen, Public Works Director  
Shawn Smith, City Administrator

**Absent:** Cathy Wooten

**Citizens Present:** Peter Kamb

**Citizen Comments:** Peter Kamp said he supports the extension of the Port Susan Trail project and was happy to hear that the Hamilton Park plans were moving forward. He would like to see more investigation on the possible purchase/placement of a trail on the railroad right of way on the north and west ends of town.

**Approval of March 2023 PTAC Minutes:** Minutes approved as written.

Judy Williams moved to approve as typed, Matt Withers Second, all members in favor.

### **Church Creek Park Critical Areas Study**

The committee reviewed the Confluence Environmental Company Critical Areas Study. There were no decisions made during this discussion it was conversation only. You can view the full study here. [04172023-505 \(stanwoodwa.org\)](https://www.stanwoodwa.org/04172023-505). It was noted that this study will be used to inform future projects in the park and may limit what types of projects are allowed and will likely increase the cost of projects due to mitigation requirements.

### **Park/Trails Updates**

- **Pickleball Construction**
  - Courts are under construction. Paving happened last month. Fence posts are now in at HP and basketball hoops up at CCP. Surfacing will happen when the weather meets the installation standards (5 days over 70 degrees).
- **CCP Baseball Field Improvements**
  - The field is looking very nice and the grass is starting to thicken up. The drainage seems to be working well and the field is now open for use. The dugout roof replacement will happen later in the year.
- **Hamilton Park Construction**
  - Consultants are working to finish up the design, which should be almost complete by the end of April. The City plans to send the project out for bid in May. There is a limited budget and depending on the bid prices some elements may need to be removed from the proposal (namely the restroom and the labyrinth). The hope is to have the bid awarded and approved by Council in June and have the work begin immediately and completed by the end of the year.



## Parks and Trails Advisory Committee Meeting Minutes April 17, 2023

- **Ovenell Park Public Farm Proposal**

- The request for a one-year lease of Ovenell was taken to the Public Works Committee for discussion. There were no recommendations made at that meeting but the two committee members that were present were generally in favor of the proposal. Some concerns were addressed with the project proponent who will make some changes to the plan based on the discussion. Carly will be talk with Shawn next week to get direction for the next steps on this item.

- **Heritage Park Skate Park**

- The contract for the Skate Park upgrade/maintenance has been signed. The work will begin either the last week in June or first week in July. The project will take about a week to complete and is \$10k under budget.

### Committee Comments

- Carly reported that the name for the downtown park recommended by PTAC of Railroad Park was rejected by the City Council. They requested further consideration of a more historic name.
- Gordy Holmes talked about the interest from the Camano Pickleball Association in donating funds and labor for additional "hedge" trees around the pickleball courts to provide additional wind break. He asked who at the City he should talk to about his proposal. Carly asked Gordy to put together a plan as to how many, what type and where the trees would be planted so we have a better understanding. There were some concerns regarding spacing of the trees to leave room for planned future trail on the north edge of the park. Gordy will draw up a schematic and PTAC will discuss at a future meeting.
- Lisa Bruce asked if the City can help maintain the school baseball fields in order to provide the community with more fields. Carly expressed concerns of the city not having the workforce to maintain fields that are not owned by the city. Another committee members had concerns about going to the schools with complaints and the school district responding by not letting non-school groups use the fields at all. It was recommended that the baseball organizations provide volunteer maintenance at the fields or reach out to other community volunteer groups to help with the school fields.  
Lisa also presented some ideas to the committee for the future improvements to Heritage Park. One idea was a beach volleyball area that she had seen getting high use at Wenatchee area parks. Also, a round, back-to-back, basketball court with lighting. Concerns were voiced by other members regarding the liability and maintenance burdens of the sandy areas needed for beach volleyball. Carly reported that basketball courts with lighting are in the master plan for the park a future time on the Josephine side.
- Kevin Pellham talked about the vandalism happening at the parks and how it's taking up a lot of staff time to clean it up. There was a discussion about possibly putting cameras up in the affected areas. Kevin also reported that once the concrete pads get poured then the parks team can put the heads on the irrigation system.
- Meagen Watne spoke in support of contacting BNSF railroad regarding a trail on their right of way. She also suggested looking into Rails to Trails grants.

**Adjourn: 4:47PM**

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**CITY OF STANWOOD  
COUNCIL AGENDA STAFF REPORT**

**ITEM NUMBER:** 7d  
**DATE:** July 13, 2023  
**SUBJECT:** Public Works Committee Meeting Minutes  
**CONTACT PERSON:** Kevin Hushagen, Public Works Director  
**ATTACHMENTS:** A – June 5, 2023 Public Works Committee Minutes

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**SUMMARY STATEMENT**

Minutes from the June 5, 2023, Public Works Committee Meeting are attached to this staff report for approval as presented.



Public Works Committee  
Meeting Minutes  
June 5, 2023

**Attendance:**

Councilmembers: Darren Robb, Tim Pearce, Dani Gaumond

City Staff: Kevin Hushagen Public Works Director, Patricia Love Community Development Director, Tansy Schroeder City Planner, Alan Lytton Associate Engineer

Meeting was conducted in person. The full meeting agenda packet with detailed information can be found on the City's website at [Agenda Center](#).

Call to order at 5:30 pm

**Agenda-****1. Review Draft 2024 Capital Improvement Project List**

Patricia Love and Tansy Schroeder went over the draft capital improvement project list. The committee discussed the project list. No action taken.

**2. Discuss Stormwater Comp Plan Updated Task Order**

The committee discussed the updated task order for the stormwater comp plan. The stormwater comp plan was last updated in 2015 and needs to be updated. The general sewer plan and water system plan are currently being updated for inclusion into the city's comprehensive plan and this is the remaining utility plan that also needs updated. No action taken

**3. Discuss high strength wastewater users**

Kevin Hushagen Public Works Director talked to the committee about the high strength wastewater users in the city. No action was taken.

**4. Project Updates**

Kevin Hushagen Public Works Director went over the current projects the city is working on and gave their status. No action was taken

Adjourn: 7:10 pm



**CITY OF STANWOOD  
COUNCIL AGENDA STAFF REPORT**

**ITEM NUMBER:** 8a

**DATE:** July 13, 2023

**SUBJECT:** Approval of Voucher and Payroll Checks

**CONTACT PERSON:** Amy Bergemeier, Accounting Specialist

**ATTACHMENTS:** A - Voucher Check Detail

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**SUMMARY STATEMENT**

Approve issuance of Washington Federal Bank voucher checks 37128 through 37200 and electronic fund transfers in the amount of \$618,211.69. Approve issuance of Washington Federal payroll electronic fund transfers in the amount of \$49,650.00.

**RECOMMENDED MOTION**

**MOTION TO APPROVE ISSUANCE OF WASHINGTON FEDERAL BANK VOUCHER CHECKS 37128 THROUGH 37200 AND ELECTRONIC FUNDS TRANSFERS IN THE AMOUNT OF \$618,211.69. APPROVE ISSUANCE OF WASHINGTON FEDERAL PAYROLL ELECTRONIC FUND TRANSFERS IN THE AMOUNT OF \$49,650.00.**

## CHECK REGISTER

City Of Stanwood

Time: 16:37:20 Date: 06/28/2023

06/14/2023 To: 06/28/2023

Page: 1

| Trans | Date       | Type    | Acct # | Chk # | Claimant                             | Amount    | Memo                                                              |
|-------|------------|---------|--------|-------|--------------------------------------|-----------|-------------------------------------------------------------------|
| 2949  | 06/15/2023 | Claims  | 3      | EFT   | US Bank                              | 5,289.44  | 4485 5945 5564 1495                                               |
| 2950  | 06/15/2023 | Claims  | 3      | EFT   | WA St Dept of Revenue **             | 15,312.73 | City of Stanwood                                                  |
| 2994  | 06/23/2023 | Payroll | 3      | EFT   |                                      | 3,000.00  | June 2023 Draw                                                    |
| 2995  | 06/23/2023 | Payroll | 3      | EFT   |                                      | 1,800.00  | June 2023 Draw                                                    |
| 2996  | 06/23/2023 | Payroll | 3      | EFT   |                                      | 2,000.00  | June 2023 Draw                                                    |
| 2997  | 06/23/2023 | Payroll | 3      | EFT   |                                      | 2,500.00  | June 2023 Draw                                                    |
| 2998  | 06/23/2023 | Payroll | 3      | EFT   |                                      | 2,000.00  | June 2023 Draw                                                    |
| 2999  | 06/23/2023 | Payroll | 3      | EFT   |                                      | 1,000.00  | June 2023 Draw                                                    |
| 3000  | 06/23/2023 | Payroll | 3      | EFT   |                                      | 2,000.00  | June 2023 Draw                                                    |
| 3001  | 06/23/2023 | Payroll | 3      | EFT   |                                      | 2,700.00  | June 2023 Draw                                                    |
| 3002  | 06/23/2023 | Payroll | 3      | EFT   |                                      | 2,700.00  | June 2023 Draw                                                    |
| 3003  | 06/23/2023 | Payroll | 3      | EFT   |                                      | 4,000.00  | June 2023 Draw                                                    |
| 3004  | 06/23/2023 | Payroll | 3      | EFT   |                                      | 1,600.00  | June 2023 Draw                                                    |
| 3005  | 06/23/2023 | Payroll | 3      | EFT   |                                      | 2,000.00  | June 2023 Draw                                                    |
| 3006  | 06/23/2023 | Payroll | 3      | EFT   |                                      | 2,000.00  | June 2023 Draw                                                    |
| 3007  | 06/23/2023 | Payroll | 3      | EFT   |                                      | 1,600.00  | June 2023 Draw                                                    |
| 3008  | 06/23/2023 | Payroll | 3      | EFT   |                                      | 2,000.00  | June 2023 Draw                                                    |
| 3009  | 06/23/2023 | Payroll | 3      | EFT   |                                      | 500.00    | June 2023 Draw                                                    |
| 3010  | 06/23/2023 | Payroll | 3      | EFT   |                                      | 1,500.00  | June 2023 Draw                                                    |
| 3011  | 06/23/2023 | Payroll | 3      | EFT   |                                      | 1,800.00  | June 2023 Draw                                                    |
| 3012  | 06/23/2023 | Payroll | 3      | EFT   |                                      | 1,000.00  | June 2023 Draw                                                    |
| 3013  | 06/23/2023 | Payroll | 3      | EFT   |                                      | 2,500.00  | June 2023 Draw                                                    |
| 3014  | 06/23/2023 | Payroll | 3      | EFT   |                                      | 2,000.00  | June 2023 Draw                                                    |
| 3015  | 06/23/2023 | Payroll | 3      | EFT   |                                      | 500.00    | June 2023 Draw                                                    |
| 3016  | 06/23/2023 | Payroll | 3      | EFT   |                                      | 3,450.00  | June 2023 Draw                                                    |
| 3017  | 06/23/2023 | Payroll | 3      | EFT   |                                      | 1,500.00  | June 2023 Draw                                                    |
| 3018  | 06/23/2023 | Payroll | 3      | EFT   |                                      | 2,000.00  | June 2023 Draw                                                    |
| 3019  | 06/15/2023 | Claims  | 3      | EFT   | Washington Federal Bank              | 247.62    | June Service Charge WAFd                                          |
| 3172  | 06/27/2023 | Claims  | 3      | EFT   | HSA Bank                             | 5.00      | H.S.A. fee for June                                               |
| 2951  | 06/15/2023 | Claims  | 3      | 37128 | APP- Associated Petroleum Products   | 4,751.09  | AP0100494                                                         |
| 2952  | 06/15/2023 | Claims  | 3      | 37129 | APWA- (American Public Works Assoc.) | 254.00    | 760037                                                            |
| 2953  | 06/15/2023 | Claims  | 3      | 37130 | Advantage Building Services          | 1,565.00  | City of Stanwood                                                  |
| 2954  | 06/15/2023 | Claims  | 3      | 37131 | Aramark Uniform Services Inc         | 109.36    | 937963000                                                         |
| 2955  | 06/15/2023 | Claims  | 3      | 37132 | Badger Meter Inc                     | 152.05    | 460708                                                            |
| 2956  | 06/15/2023 | Claims  | 3      | 37133 | The Blueline Group, LLC              | 9,918.75  | City of Stanwood; City of                                         |
| 2957  | 06/15/2023 | Claims  | 3      | 37134 | CDI                                  | 28.00     | City of Stanwood                                                  |
| 2958  | 06/15/2023 | Claims  | 3      | 37135 | Cascade Columbia Distribution Co     | 1,420.70  | 03671                                                             |
| 2959  | 06/15/2023 | Claims  | 3      | 37136 | Cascade Fabrication, LLC             | 16,886.85 | City of Stanwood                                                  |
| 2960  | 06/15/2023 | Claims  | 3      | 37137 | Databar Inc.                         | 62.03     | 8952                                                              |
| 2961  | 06/15/2023 | Claims  | 3      | 37138 | ESRI, Inc.                           | 1,672.29  | 471802                                                            |
| 2962  | 06/15/2023 | Claims  | 3      | 37139 | Edge Analytical Inc                  | 240.00    | STA01                                                             |
| 2963  | 06/15/2023 | Claims  | 3      | 37140 | Global Industrial                    | 1,870.00  | 7066636                                                           |
| 2964  | 06/15/2023 | Claims  | 3      | 37141 | Grainger Inc                         | 521.77    | 848089215                                                         |
| 2965  | 06/15/2023 | Claims  | 3      | 37142 | ICONIX Waterworks (US) Inc.          | 5,202.57  | CITSTA; CITSTA; CITSTA                                            |
| 2966  | 06/15/2023 | Claims  | 3      | 37143 | JP Cooke Company                     | 79.75     | City of Stanwood                                                  |
| 2967  | 06/15/2023 | Claims  | 3      | 37144 | Keller Supply Company                | 124.55    | 22832                                                             |
| 2968  | 06/15/2023 | Claims  | 3      | 37145 | Lenz Enterprises Inc                 | 526.14    | City of Stanwood                                                  |
| 2969  | 06/15/2023 | Claims  | 3      | 37146 | Les Schwab Tire Centers              | 259.87    | S34-00006                                                         |
| 2970  | 06/15/2023 | Claims  | 3      | 37147 | Maul Foster Alongi, Inc.             | 15,737.50 | City of Stanwood; City of                                         |
| 2971  | 06/15/2023 | Claims  | 3      | 37148 | O'Reilly Auto Parts                  | 42.61     | 1872464                                                           |
| 2972  | 06/15/2023 | Claims  | 3      | 37149 | ODP Business Solutions, LLC          | 602.35    | 36274097; 36274097; 36274097; 36274097; 36274097; 36274097        |
| 2973  | 06/15/2023 | Claims  | 3      | 37150 | PUD Of Snohomish County *            | 12,188.28 | 200103539; 201942398; 200142180; 200738672; 200633634; 2002540505 |

# CHECK REGISTER

City Of Stanwood

Time: 16:37:20 Date: 06/28/2023

06/14/2023 To: 06/28/2023

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| Trans | Date       | Type   | Acct # | Chk # | Claimant                                 | Amount     | Memo                                                                   |
|-------|------------|--------|--------|-------|------------------------------------------|------------|------------------------------------------------------------------------|
| 2974  | 06/15/2023 | Claims | 3      | 37151 | Pace Engineers, Inc                      | 6,244.50   | City of Stanwood; City of Stanwood; City of Stanwood; City of Stanwood |
| 2975  | 06/15/2023 | Claims | 3      | 37152 | Pape' Machinery                          | 229.88     | 6109854; 6109854                                                       |
| 2976  | 06/15/2023 | Claims | 3      | 37153 | Ricoh USA Inc- Maint                     | 180.97     | 4250811; 4250811                                                       |
| 2977  | 06/15/2023 | Claims | 3      | 37154 | Safeway                                  | 78.09      | 191483                                                                 |
| 2978  | 06/15/2023 | Claims | 3      | 37155 | Skagit Farmers Supply                    | 1,295.91   | 135052; 135052; 135052; 135052                                         |
| 2979  | 06/15/2023 | Claims | 3      | 37156 | Skagit Valley Publishing                 | 124.41     | 48893                                                                  |
| 2980  | 06/15/2023 | Claims | 3      | 37157 | Sno Co Information Services *            | 12,484.40  | DIS1107                                                                |
| 2981  | 06/15/2023 | Claims | 3      | 37158 | Sno Co Public Works *                    | 64,533.41  | CR000024; CRSTLOAN                                                     |
| 2982  | 06/15/2023 | Claims | 3      | 37159 | Stanwood Ace                             | 583.18     | 20013; 20013; 20013; 20013; 20013; 20013; 20013                        |
| 2983  | 06/15/2023 | Claims | 3      | 37160 | Stanwood Auto Parts                      | 52.66      | 56100                                                                  |
| 2984  | 06/15/2023 | Claims | 3      | 37161 | Stilly Auto Parts Napa                   | 42.59      | 27197                                                                  |
| 2985  | 06/15/2023 | Claims | 3      | 37162 | TSE Power Solutions                      | 504.19     | City of Stanwood                                                       |
| 2986  | 06/15/2023 | Claims | 3      | 37163 | Transpogroup Inc                         | 4,067.50   | City of stanwood                                                       |
| 2987  | 06/15/2023 | Claims | 3      | 37164 | US Bank Na Custody/ Treas Div- Money Ctr | 270.00     | City of Stanwood                                                       |
| 2988  | 06/15/2023 | Claims | 3      | 37165 | Utilities Underground Loc                | 127.71     | 134200 STNWOD1                                                         |
| 2989  | 06/15/2023 | Claims | 3      | 37166 | Verizon Wireless                         | 349.92     | 742373248-00001                                                        |
| 2990  | 06/15/2023 | Claims | 3      | 37167 | Wave Broadband                           | 132.02     | 3201-0316547-01                                                        |
| 2991  | 06/15/2023 | Claims | 3      | 37168 | Western Exterminator Company             | 452.35     | 683591; 683591; 683591                                                 |
| 2992  | 06/15/2023 | Claims | 3      | 37169 | Zipty Fiber                              | 1,355.49   | 206-188-0411-053105-5                                                  |
| 3129  | 06/27/2023 | Claims | 3      | 37170 | Camano Island Chamber of Commerce        | 1,100.00   | City of Stanwood                                                       |
| 3130  | 06/27/2023 | Claims | 3      | 37171 | CivicPlus, LLC                           | 32.02      | City of Stanwood                                                       |
| 3131  | 06/27/2023 | Claims | 3      | 37172 | Edge Analytical Inc                      | 31.00      | STA01                                                                  |
| 3132  | 06/27/2023 | Claims | 3      | 37173 | Freightliner Northwest                   | 1,982.35   | 315137                                                                 |
| 3133  | 06/27/2023 | Claims | 3      | 37174 | General Pacific Inc                      | 438.07     | 101681                                                                 |
| 3134  | 06/27/2023 | Claims | 3      | 37175 | Grainger Inc                             | 724.85     | 848089215                                                              |
| 3135  | 06/27/2023 | Claims | 3      | 37176 | Harmesen LLC                             | 850.00     | City of Stanwood                                                       |
| 3136  | 06/27/2023 | Claims | 3      | 37177 | Mackenzie                                | 31,051.57  | City of Stanwood                                                       |
| 3137  | 06/27/2023 | Claims | 3      | 37178 | ODP Business Solutions, LLC              | 134.43     | 36274097; 36274097; 36274097                                           |
| 3138  | 06/27/2023 | Claims | 3      | 37179 | PUD Of Snohomish County *                | 8,092.27   | 223656299; 200208858; 200794063; 202423729                             |
| 3139  | 06/27/2023 | Claims | 3      | 37180 | Pape' Machinery                          | 921.68     | 6109854                                                                |
| 3140  | 06/27/2023 | Claims | 3      | 37181 | Pollardwater                             | 224.01     | 37807                                                                  |
| 3141  | 06/27/2023 | Claims | 3      | 37182 | Puget Tech LLC                           | 894.00     | City of Stanwood                                                       |
| 3142  | 06/27/2023 | Claims | 3      | 37183 | RH2 Engineering Inc                      | 10,448.60  | City of Stanwood; City of                                              |
| 3143  | 06/27/2023 | Claims | 3      | 37184 | Ricoh USA, Inc.                          | 318.23     | 1316669-3800326; 1316669-3816549                                       |
| 3144  | 06/27/2023 | Claims | 3      | 37185 | Skagit Farmers Supply                    | 80.34      | 135052; 135052; 135052                                                 |
| 3145  | 06/27/2023 | Claims | 3      | 37186 | Skagit Valley Publishing                 | 205.92     | 48893; 48893                                                           |
| 3146  | 06/27/2023 | Claims | 3      | 37187 | Sno Co Dept Of Emergency Management      | 2,909.25   | DEMSTNWD                                                               |
| 3147  | 06/27/2023 | Claims | 3      | 37188 | Sno Co Sheriff's Office - CB             | 2,347.02   | 91-6001368                                                             |
| 3148  | 06/27/2023 | Claims | 3      | 37189 | Sno Co Sheriffs Office *                 | 351,905.00 | SSH00001; SSH00001                                                     |
| 3149  | 06/27/2023 | Claims | 3      | 37190 | Snohomish County 911                     | 9,153.42   | City of Stanwood                                                       |
| 3150  | 06/27/2023 | Claims | 3      | 37191 | Snohomish County Public Def Association  | 2,385.00   | City of Stanwood                                                       |
| 3151  | 06/27/2023 | Claims | 3      | 37192 | Lisa Sokolik                             | 213.11     | City of Stanwood                                                       |
| 3152  | 06/27/2023 | Claims | 3      | 37193 | Stanwood Ace                             | 573.35     | 20013; 20013; 20013; 20013; 20013                                      |
| 3153  | 06/27/2023 | Claims | 3      | 37194 | Stanwood Auto Parts                      | 423.36     | 56100                                                                  |
| 3154  | 06/27/2023 | Claims | 3      | 37195 | Strategies 360 Inc                       | 2,000.00   | 911304555                                                              |
| 3155  | 06/27/2023 | Claims | 3      | 37196 | TMG Services Inc                         | 16.40      | 1920010                                                                |
| 3156  | 06/27/2023 | Claims | 3      | 37197 | UPS Store #4798                          | 28.84      | City of Stanwood 60036                                                 |



# CHECK REGISTER

City Of Stanwood

Time: 16:37:20 Date: 06/28/2023

06/14/2023 To: 06/28/2023

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| Trans | Date       | Type   | Acct # | Chk # | Claimant                       | Amount | Memo                    |
|-------|------------|--------|--------|-------|--------------------------------|--------|-------------------------|
| 3157  | 06/27/2023 | Claims | 3      | 37198 | WA St Dept of Transportation * | 223.84 | SW001523802; SW00152380 |
| 3158  | 06/27/2023 | Claims | 3      | 37199 | Wave Broadband                 | 152.42 | 3201-0316545-01         |
| 3159  | 06/27/2023 | Claims | 3      | 37200 | Ziply Fiber                    | 171.86 | 360-939-0579-080320-5   |

|                                     |            |
|-------------------------------------|------------|
| 001 General Fund                    | 452,186.28 |
| 101 Street Fund                     | 7,200.53   |
| 103 Street Construction Fund        | 3,863.00   |
| 104 Park And Trail Improvement Fund | 18,858.17  |
| 107 Equipment Reserve Fund          | 16,886.85  |
| 110 Building Improvement Fund       | 31,051.57  |
| 115 Tourism And Promotion           | 1,994.00   |
| 401 Sewer Fund                      | 24,948.97  |
| 403 Sewer Construction Fund         | 10,164.16  |
| 410 Drainage Fund                   | 69,371.02  |
| 411 Drainage Construction Fund      | 3,099.35   |
| 421 Water Fund                      | 27,952.86  |
| 422 Water Construction Fund         | 284.44     |
| 630 Agency Fund                     | 0.49       |

|                                                      |            |                    |
|------------------------------------------------------|------------|--------------------|
| * Transaction Has Mixed Revenue And Expense Accounts | 667,861.69 | Claims: 618,211.69 |
|                                                      |            | Payroll: 49,650.00 |

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

( ) Finance Director ( ) Auditing Officer Wendy Dornhauer  
(X) Deputy Finance Director

Date: 6/29/2023



**CITY OF STANWOOD  
COUNCIL AGENDA STAFF REPORT**

**ITEM NUMBER:** 8b  
**DATE:** July 13, 2023  
**SUBJECT:** City Council Regular Meeting Minutes – June 22, 2023  
**CONTACT PERSON:** Lisa Sokolik, City Clerk  
**ATTACHMENTS:** A – Council Regular Meeting Minutes

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**SUMMARY STATEMENT**

June 22, 2023, Regular City Council Meeting minutes are attached.

**RECOMMENDED MOTION**

**MOTION TO APPROVE THE JUNE 22, 2023, CITY COUNCIL REGULAR MEETING MINUTES AS PRESENTED.**

**CITY OF STANWOOD**  
Regular Meeting of the City Council  
Thursday, June 22, 2023 – 7:00 p.m.  
In-Person & Zoom Online Meeting  
**MINUTES**

**1. Call to Order and Pledge of Allegiance**

Mayor Sid Roberts called the meeting to order at 7:00 p.m. Councilmember Gaumond led the Pledge of Allegiance.

**2. Roll Call**

City Clerk Lisa Sokolik called the roll with the following Councilmembers present: Dani Gaumond, Marcus Metz, Darren Robb, Andreena Bergman, Tim Schmitt, and Steve Shepro attended via Zoom. The meeting was quorate.

*Motion by Councilmember Robb, second by Councilmember Metz, to excuse Councilmember Tim Pearce. **Motion carried unanimously.***

Also present: City Administrator Shawn Smith, Community Development Director Patricia Love, Public Works Director Kevin Hushagen, Finance Director David Hammond, Police Sgt. Adam Wirth, City Attorney Nikki Thompson, City Planner Tansy Schroeder, Associate Engineer Alan Lytton, Human Resource Manager Pat Adams, City Clerk Lisa Sokolik, and Utility Supervisor Leigh Danielson attended via Zoom.

**3. Approval of the Agenda**

Mayor Roberts asked Council to amend the agenda by adding item 14. executive session to discuss pending city litigation in accordance with RCW 42.30.110 (1)(i),.

*Motion by Councilmember Metz, second by Councilmember Gaumond to approve the agenda as amended. **Motion carried unanimously.***

**4. Presentations - none**

**5. Public Comments**

Written:

Brittani Wortham, Stanwood

Topic:

Concern over the removal of trees in the Cedarhome Ridge Neighborhood

Verbal Comment:

Les Anderson, Stanwood

Topic:

Concern with raised medians in the design of the Twin City Mile Project on 271<sup>st</sup> Street.

Shannon Kyle, Stanwood

Concern with extremely loud noise on 276<sup>th</sup> coming from New Redemption Hill Church every Sunday Morning.

They built an Amphitheatre where they hold their worship services and planning on having concerts.

Sara Stiers, Stanwood

Concern with extremely loud noise on 276<sup>th</sup> coming from New Redemption Hill Church every Sunday Morning. Church's Amphitheatre is directly behind her house. The church service consists of full-out concerts, the decibel reading inside Stiers house is measuring at 51 decibels. Concern that they are now planning public summer concerts. Asking City to enforce the zoning code and the noise code.

**6. Staff / Department Reports - None**

**7. Council Committee Reports**

- a. Community Development Committee Meeting Minutes – June 1, 2023
- b. Parks and Trails Advisory Committee Meeting Minutes – April 17, 2023
- c. Community Development Committee and Planning Commission Joint Meeting Minutes – April 24, 2023
- d. Planning Commission Meeting Minutes – April 10, 2023

**8. Consent Agenda**

- a. Approve Vouchers and Payroll Checks
- b. Approve City Council Regular Meeting Minutes – June 8, 2023
- c. Approve Second Utility Account Adjustment for Accounts 1850 and 2449

*Motion by Councilmember Gaumond, second by Councilmember Bergman to approve the consent agenda items A through C. **Motion carried unanimously.***

**9. Unfinished Business - None**

**10. Public Hearing**

Stanwood Housing Action Plan

City Planner Schroeder presented the Stanwood Housing Action Plan to Council. The city received a grant from Department of Commerce to plan for housing affordability, diversity and availability and to analyze the housing needs of Stanwood. The grant has three components that are required to be addressed:

- Housing need assessment.  
A data analysis of Stanwood's existing housing and demographic condition.
- Public Engagement Summary.  
Report covering the city's public engagement efforts, which include a housing survey and a robust Farmers Market public engagement.
- Adoption of a Housing Action Plan (HAP).  
The HAP is not a regulatory document but is meant to be a toolkit menu approach of strategic recommendations unique to Stanwood. The toolkit is organized into three goals:

- Provide the foundation for a growing urban community
- Promote a wider variety of housing opportunities for homeowners and renters.
- Promote opportunities for affordable housing for everyone, now and into the future.

The Community Development Committee and the Planning Commission are in support of the HAP. The Department of Commerce grant requires the HAP be adopted by the end of July.

Mayor Roberts opened the Public Hearing at 7:27 p.m. With no public comments, Mayor Roberts closed the Public Hearing at 7:28 p.m.

#### Council Comments and Questions:

Councilmember Robb said the HAP is very engaging and thanked staff and Blueline Group for all the hard work going into the plan. Robb commented that the plan has more tools in the menu than will never be needed, he wants council to be cognizant of what is done with the tools and be deliberate and take the long approach to how Stanwood will look in the future. Robb said the good news is Stanwood has enough vacant and rebuildable land to meet the growth target. Robb thinks Council needs to spend more time discussing form-based codes and subarea plans. Robb has concerns about eliminating maximum density in TN zones and tax exemptions.

Councilmember Schmitt said city will need less than a 1,000 units per year through 2044 to meet goal. What will happen if the city does not adopt an HAP? Schroeder answered the HAP is not the mandate, it will help figure out how to meet the state mandate. The HAP is a data gathering tool.

Councilmember Metz asked if the grant is specifically for the HAP? Schroeder answered depending on the grant agreement, the funds will be used either to develop a HAP or to implement the HAP.

Councilmember Shepro said the HAP is a well-constructed document that is good for the city and the residents.

Councilmember Gaumond commented that the rental prices listed on page 126 are from 2019 and are not accurate with current prices. Love agreed and said they have had conversations about it, and the consultants that are working on the plan are pulling from public data that is available to them and at the time it was written the 2020 data was not out yet.

Councilmember Bergman had concerns about the fees and tax exemptions for developers that would be passed on to homeowners and renters, but after this



discussion she is happy to know that this is just a tool and they don't have to implement any of the items.

*Motion by Councilmember Robb, second by Councilmember Metz to approve adoption of Resolution 2023-09 for the Stanwood Housing Action Plan. **Motion carried unanimously.***

Love gave a huge thank you to Tansy Schroeder for her leadership role, this was her first major long-range plan, and she did a fantastic job.

## **11. New Business**

- a. Authorize Mayor to Sign TRANSPO Task Order-Intersection Control Evaluation-SR 532 and 64<sup>th</sup> Ave. NW

Associate Engineer Lytton discussed the study with council and answered questions.

Love added that staff has had conversations with WSDOT and Snohomish County, the issue is that the development pressure is coming from the city not Snohomish County, so having this study done will help address the transportation impact issues. Also, Snohomish County does not have this project on their transportation list. In terms of funding, the Mayor and City Administrator have been talking to our legislator representatives to get funding for the full design. WSDOT will not allow any work on the highway until the study is done.

*Motion by Councilmember Gaumond, second by Councilmember Robb to authorize the City Administrator to sign a task order with Transpo Group to prepare an intersection control evaluation study for the 64th Avenue / SR 532 intersection not to exceed \$40,000. **Motion carried unanimously.***

- b. Approve Resolution 2023-10 – Parks Lead Position

Human Resource Manager Adams discussed the job description and the reason for a reclassification from a Public Works Engineering Technician to a Public Works Lead (Parks Maintenance/Construction Inspector) position.

*Motion by Councilmember Metz, second by Councilmember Gaumond to pass Resolution 2023-10, updating the Represented Employee Salary Schedule to include the new classification of Public Works Lead (Parks Maintenance/Construction Inspector). **Motion carried unanimously.***

- c. Adopt Ordinance 1522 - Emergency Noise Disturbance

Love said the update to the Stanwood Municipal Code Title 9 – Public Peace, Safety and Welfare was adopted on June 22<sup>nd</sup>. Part of the update was to move the noise ordinance to Title 7 to be added to the nuisance section of the code, so all nuisance elements are in one chapter. Inadvertently that section did not get written, so an emergency ordinance will need to be adopted for a new chapter 7.30 adopting the state noise ordinance regulations. This section will be reviewed with the update to Title 7 to make sure there is consistency between the noise and nuisance regulations.

*Motion by Councilmember Robb, second by Councilmember Shepro to approve Ordinance 1522 as set forth in attachment "A" adopting new chapter 7.30, Noise Control. **Motion carried unanimously.***

## 12. Public Closing Comments

Les Anderson, Stanwood

This Saturday is the first Concert Summer Series out of six. Groove Nation will be playing on the east end of 271<sup>st</sup> from 2pm-4pm. Afterward, the Saturday Night Car Cruise is from 5pm – 6pm. The Twin City Idlers Car Show is on Sunday, 9am – 3pm, hoping for another year of 700 cars.

## 13. Executive/Legislative Reports

### a. Mayor's Report

- Preliminary funding for the dike repair has been secured, but the city does not have the funds in hand yet.
- Delegates for the Fireworks Ban PRO/CON committees have been appointed.
- In case you were wondering, council absences are excused during the meeting because the state says if a councilmember has more than three unexcused absences in a row they can be removed.
- The sidewalk by the bowling alley has been paved.
- Next council meeting is in three weeks, July 13<sup>th</sup>.

### b. City Administrator Report

- The Farmers Market is every Friday starting at 2pm.
- Toured the food bank, the grocery store model is fabulous.
- The Twin City Foods building is being painted.

### c. Councilmember's Report/Questions

- Thank you to Twin City Idlers for bringing a great car show to our city.
- The food bank parking has been paved and looks great.
- The Farmers Market has asked for parking suggestions since the Country Store parking lot is all torn up. Smith answered Viking Village area by the Foursquare Church.
- When should we see some steel on the pillars on 88<sup>th</sup>? Lytton answered the week after 4<sup>th</sup> of July.
- When will work start on the intersection in front of Ixtapa? Lytton answered today, they started to saw cut.

## 14. Recess to Executive Session

At 8:21 p.m., the Mayor, Council, City Administrator Smith, Finance Director Hammond and City Attorney Thompson recessed to Executive Session for a 5-minute discussion on pending city litigation in accordance with RCW 42.30.110 (1)(i), no action was taken. The regular city council meeting reconvened at 8:26 p.m.

## 15. Adjourn

There being no further business before the Council, and hearing no objection to adjournment, Mayor Roberts adjourned the meeting at 8:26 p.m.

CITY OF STANWOOD

ATTEST:

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Sid Roberts, Mayor

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Lisa Sokolik, City Clerk



## CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT

**ITEM NUMBER:** 9

**DATE:** July 13, 2023

**SUBJECT:** Ramaley Property Purchase and Sale Agreement

**CONTACT PERSON:** Patricia Love, Community Development Director

**ATTACHMENTS:** A – WA Dept of Commerce Grant Amendment  
B – Ramaley Purchase and Sale Agreement

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### **PURPOSE**

The purpose of this agenda item is for Council to authorize the Mayor to sign the Washington Department of Commerce Grant Amendment and a Purchase and Sale Agreement with Mark Ramaley for the purchase of property located 26855 Pioneer Highway for the purpose of building a police station and/or civic buildings.

### **BACKGROUND**

Over the last several years, the City Council has debated how best to provide civic buildings and functions to Stanwood residents. The Council has considered floodplain regulations, Comprehensive Plan goals and policies, the Downtown Master Plan, public comments, and professional staff and consultant recommendations.

The 2023/2024 workplan includes two directives regarding siting a civic campus: short-term and long-term objectives.

- Short Term: Upgrade the Police Station and City Hall to maintain the buildings structural integrity and functions.
- Long Term: Continue evaluating potential sites for relocating city facilities.

On February 23, 2023, Council authorized the Mayor to sign a Letter of Intent to purchase property at 26855 Pioneer Highway along with a Right of Entry for the purpose of building a police station. Feasibility and due diligence studies were then prepared and presented to Council. Council authorized the Mayor to negotiate a purchase price and to bring the Purchase and Sale Agreement back to Council for final approval.

## **ANALYSIS**

The Ramaley parcel, located at 26855 Pioneer Highway, is near downtown, out of the flood plain, near the fire station for coordinated emergency services, has quick access to SR 532, has easy access to downtown and uptown from Cedarhome Drive, and is centrally located within the city.



At 1.24 acres it is nearly the same size as the 72<sup>nd</sup> Avenue parcel so it should be large enough for a potential Police Station and Council Chambers if needed. This property is zoned General Commercial, and a Police Station would be an allowed use. The property has slope issues, easements, an open drainage ditch along the frontage, and a water line through the top half of the property that would need to be designed around or moved.

A feasibility study was completed on the property showing there are no wetlands or cultural resources on the property. The geotechnical report provides for the foundation requirements that will be necessary to build the building(s). The site has seven covenants which encumber the property, all of which a future police station can accommodate.

- Building height limit of 35 feet;
- Antennas or vegetation cannot exceed the 85-foot elevation;
- Noise shall be restricted per the Municipal Code;
- Installation of a landscape buffer along the rear property line;
- Storage of junk and debris is prohibited; Outside storage of cars, boats, and trailers is prohibited as well;
- Signs shall not be visible from the uphill lots; and
- Limits some uses, however a Police Station is not a prohibited use.

There is also an access easement that runs along the northern property line which Mr. Ramaley has agreed to extinguish. The City Attorney will prepare the documents releasing the easement if Council approves the purchase and sale agreement.

**Terms of the Purchase and Sale Agreement:**

| Issue               | Terms                                                                                                                                                                    |
|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Property Size:      | 1.24 Acres (roughly in a square alignment)                                                                                                                               |
| Location:           | 26855 Pioneer Highway                                                                                                                                                    |
| Purchase Price:     | <ul style="list-style-type: none"><li>▪ \$605,000</li><li>▪ Amount to be paid in cash at closing</li><li>▪ Earnest money to be credited against purchase price</li></ul> |
| Earnest Money:      | \$24,500 to be paid within 10 days of mutual acceptance of PSA                                                                                                           |
| Access Easement:    | Mr. Ramaley has agreed to terminate easement                                                                                                                             |
| Contingency Period: | City has 30 days after mutual acceptance of PSA for any final feasibility review                                                                                         |
| Title:              | City has 30 days from date of title report being prepared to review title and give notice to terminate if necessary                                                      |
| Sale Process:       | Statutory Warranty Deed                                                                                                                                                  |
| Closing:            | By August 31, 2023                                                                                                                                                       |
| Closing Costs:      | Each party pays half escrow fee; Seller pays title insurance premium                                                                                                     |

**Commerce Grant:**

In 2016, the City of Stanwood received a grant from the Washington State Department of Commerce to purchase the 72<sup>nd</sup> Avenue property for a Police Station / City Hall civic campus. Subsection 14(B) of the grant agreement allows the city to sell and purchase another property for the same use with approval of the Department of Commerce. Commerce has agreed to amend the 2016 grant subject to three conditions:

1. Commerce approval of both purchase and sale agreements,
2. Commerce will receive copies of the final closing statements and deeds of both properties; and
3. The contract between the City and Commerce will be amended to extend the performance period to ten (10) years following the date when the facility improved or acquired with grant funds is made useable to the public for the purpose intended by the Legislature.

Commerce has approved the Ramaley Purchase and Sale agreement and attached is a copy of the grant amendment which requires the Mayor's signature. -The City Attorney has reviewed the amendment and has only minor suggested changes which staff is working with Commerce staff on revising.



## FISCAL ANALYSIS

### Fiscal Impact

Jim Dodge of ABS Valuation appraised the site at \$490,000 or \$9.07 a square foot. Mr. Ramaley has proposed a sales price of \$605,000. Staff feels that the appraisal value of the property appears low compared to comparables listed in the report and to those of recent sales. It appears that the low price is due to the amount of site work needed to prepare the building pads. Below is a summary of the comparables.

| Site                                   | Date     | Price / Square Foot | Appraised Value |
|----------------------------------------|----------|---------------------|-----------------|
| 72nd Avenue<br>TN                      | 2017     | \$10.40             | \$566,000       |
| 72 <sup>nd</sup> Avenue<br>TN          | 2023     | \$12.00             | \$650,000       |
| Average of Appraisal<br>Stanwood Sites | May 2023 | \$10.75             | \$580,650.50    |
| Ramaley<br>(General Commercial)        | May 2023 | \$9.07              | \$490,000       |

|                                |         |
|--------------------------------|---------|
| Average Price per Square Foot: | \$10.55 |
|--------------------------------|---------|

Mr. Ramaley provided a summary of recent property sales in Stanwood showing a price per square footage:

| Site                                                         | Address                          | Lot Size              | Sales Price | Price/SF |
|--------------------------------------------------------------|----------------------------------|-----------------------|-------------|----------|
| Inland Steel (2020)<br>Light Industrial                      | 9026 272nd<br>Street, Stanwood   | 1.43 A<br>62290 sf    | \$600,000   | \$9.63   |
| McDay Holdings<br>LLC (2022)<br>General Industrial           | 26912 Florence<br>Road, Stanwood | 0.69 A<br>30,056.4 sf | \$650,000   | \$21.63  |
| Grandview (2021)<br>General<br>Commercial /<br>Mixed Use     | 7106-265th<br>Street, Stanwood   | 0.56 A<br>24393.6 sf  | \$520,000   | \$21.31  |
| Vet Clinic<br>(2021)<br>General<br>Commercial /<br>Mixed Use | 26480 72nd<br>Avenue             | 0.92 A<br>40,075.2    | \$500,000   | 12.48    |

|                                                            |         |
|------------------------------------------------------------|---------|
| Average Price per Square Foot without Two High<br>Numbers: | \$11.06 |
|------------------------------------------------------------|---------|

The City Attorney has reviewed the appraisal, the requested sales price, the above listed comparables, and the potential to relinquish of the access easement. With these issues, the City Attorney is comfortable with the proposed purchase price of \$605,000.00.

|                                                                                                                                                                                                                                                                                           |                                                                     |                           |                                                                                                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|---------------------------|------------------------------------------------------------------------------------------------------|
| Once the Ramaley property is purchased, the 72 <sup>nd</sup> Avenue site will be sold and the proceeds from that sale will cover the costs of the Ramaley purchase. The intent is that there would be no additional out of pocket expenses for the City to purchase the Ramaley property. |                                                                     |                           |                                                                                                      |
| <b>Fund(s):</b>                                                                                                                                                                                                                                                                           | Police / City Hall: 594.18.62.11                                    |                           |                                                                                                      |
| <b>Amount:</b>                                                                                                                                                                                                                                                                            | \$605,00.00                                                         | <b>Project Estimate:</b>  | \$605,00.00                                                                                          |
| <b>Budget Authorized</b>                                                                                                                                                                                                                                                                  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <b>Amendment Required</b> | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Monitor |

## **RECOMMENDATIONS**

### **Staff Recommendation:**

The Ramaley property meets the two policy issues that the Council has been debating: keeping civic functions in the downtown but located out of the floodplain. The feasibility study showed that the property can be developed with a Police Station and the Washington State Department of Commerce has approved the grant amendment allowing the original grant funds to be allocated to the Ramaley site. Staff recommends the Council authorize the Mayor to sign the Commerce Grant Amendment and the Ramaley Purchase and Sale Agreement.

### **Committee/Board Recommendation:**

No committee review; full Council action.

## **CITY COUNCIL OPTIONS**

1. Authorize the Mayor to sign the Washington State Department of Commerce Grant Amendment for the police station and sign the Ramaley Purchase and Sale Agreement.
2. Take no action at this time.

## **PROPOSED MOTION**

### **Motion #1:**

**“I MOVE TO AUTHORIZE THE MAYOR TO SIGN THE WASHINGTON STATE DEPARTMENT OF COMMERCE GRANT AMENDMENT, ATTACHED AS EXHIBIT A OR WITH MINOR EDITS AS APPROVED BY THE CITY ATTORNEY, REALLOCATING THE LOCAL AND COMMUNITY PROJECT 2016 PROGRAM FUNDS TO THE PROPERTY LOCATED AT 26855 PIONEER HIGHWAY.**

### **Motion #2:**

**“I MOVE TO AUTHORIZE THE MAYOR TO SIGN THE RAMALEY PURCHASE AND SALE AGREEMENT ATTACHED AS EXHIBIT B FOR THE PROPERTY LOCATED AT 26855 PIONEER HIGHWAY.”**

**Washington State Department of Commerce  
Local Government Division**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                   |                                                                                                                                                                                                                                                       |                                            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|
| <b>1. Contractor</b><br>City of Stanwood<br>10220 270 <sup>th</sup> Street NW<br>Stanwood, Washington 98295                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                   | <b>2. Contractor Doing Business As (optional)</b>                                                                                                                                                                                                     |                                            |
| <b>3. Contractor Representative (only if updated)</b><br>Patricia Love<br>Community Development Director<br>(360) 454-5206<br>Patricia.Love@ci.stanwood.wa.us                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                   | <b>4. Commerce Representative (only if updated)</b><br>Sheryl Reed<br>Community Capital Facilities<br>Capital Programs Supervisor<br>(360) 791-1274<br>Sheryl.Reed@commerce.wa.gov<br>P.O. Box 42525<br>1011 Plum Street SE<br>Olympia, WA 98504-2525 |                                            |
| <b>5. Original Contract Amount</b><br>\$291,000.00                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>6. Amendment Amount</b><br>N/A | <b>7. New Contract Amount</b><br>\$291,000.00                                                                                                                                                                                                         |                                            |
| <b>8. Amendment Funding Source</b><br>Federal: <input type="checkbox"/> State: <input type="checkbox"/> Other: <input type="checkbox"/> N/A: <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                   | <b>9. Amendment Start Date</b><br>Upon final signature.                                                                                                                                                                                               | <b>10. Amendment End Date</b><br>6/30/2021 |
| <b>11. Federal Funds (as applicable)</b><br>None                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>Federal Agency</b><br>None     | <b>CFDA Number</b><br>None                                                                                                                                                                                                                            |                                            |
| <b>12. Amendment Purpose:</b><br>The property that Grantee acquired is no longer suitable for the purpose intended. Therefore the Grantee desires to amend the contract to allow it to purchase property located at 26855 Pioneer Highway, Stanwood, WA 98292 for use as the future site of a police station, council chambers, archives, and potentially a city hall.                                                                                                                                                                                                                                                                                |                                   |                                                                                                                                                                                                                                                       |                                            |
| Commerce, defined as the Department of Commerce, and the Contractor acknowledge and accept the terms of this Contract As Amended and have executed this Contract Amendment on the date below to start as of the date and year referenced above. The rights and obligations of both parties to this Contract As Amended are governed by this Contract Amendment and all other documents incorporated by reference. A copy of this Contract Amendment shall be attached to and made a part of the original Contract between Commerce and the Contractor. Any reference in the original Contract to the "Contract" shall mean the "Contract as Amended". |                                   |                                                                                                                                                                                                                                                       |                                            |
| <b>FOR THE CONTRACTOR</b><br><br>_____<br>Sid Roberts, Mayor<br><br>_____<br>Date                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                   | <b>FOR COMMERCE</b><br><br>_____<br>Mark K. Barkley, Assistant Director<br><br>_____<br>Date<br><br>APPROVED AS TO FORM<br><br>_____<br><br>Date:                                                                                                     |                                            |

## Amendment

This Contract is amended by replacing the following sections in their entirety as follows :

The section of the Face Sheet of the Contract titled "14. Grant Purpose":

The purpose of this performance-based contract is the property acquisition at a new site located at 26855 Pioneer Highway, Stanwood, WA 98292 for the new police station, council chambers, archives and potential future city hall as described in Attachment A – Scope of Work (the "Project").

The first three paragraphs of Attachment A to the Contract:

Funds awarded under this grant shall be used by the City of Stanwood for the acquisition of property located at 26855 Pioneer Highway, Stanwood, WA 98292. This will be the site for the new police station, council chambers, archives and potential future city hall.

This will include, but not be limited to the acquisition of the property. This project will serve as a benefit to the public by providing a more central location of public services with multiple access routes and is outside of the flood plain.

The anticipated closing date is August 2023.

### Special Terms and Conditions section 14. CHANGE OF OWNERSHIP OR USE FOR GRANTEE-OWNED PROPERTY

- A. The GRANTEE understands and agrees that any and all real property or facilities owned by the GRANTEE that are acquired, constructed, or otherwise improved by the GRANTEE using state funds under this contract, shall be held and used by the GRANTEE for the purpose or purposes stated elsewhere in this contract for a period of at least ten (10) years from the later of: (1) the date the final payment is made hereunder; or (2) the date when the facility improved or acquired with grant funds, or a distinct phase of the Project, is made usable to the public for the purpose intended by the Legislature.

### Special Terms and Conditions section 18. HISTORICAL AND CULTURAL ARTIFACTS

Prior to acquisition of the new property to be used under this Contract, GRANTEE shall cooperate with COMMERCE to complete the requirements of Governor's Executive Order 05-05 or Executive Order 21-02, where applicable, or GRANTEE shall complete a review under Section 106 of the National Historic Preservation Act, if applicable. GRANTEE agrees that the GRANTEE is legally and financially responsible for compliance with all laws, regulations, and agreements related to the preservation of historical or cultural resources and agrees to hold harmless COMMERCE and the state of Washington in relation to any claim related to such historical or cultural resources discovered, disturbed, or damaged as a result of the project funded by this Contract.

In addition to the requirements set forth in this Contract, GRANTEE shall, in accordance with Governor's Executive Order 05-05 or Executive Order 21-02 as applicable, coordinate with Commerce

## Amendment

and the Washington State Department of Archaeology and Historic Preservation ("DAHP"), including any recommended consultation with any affected tribe(s), during Project design and prior to construction to determine the existence of any tribal cultural resources affected by Project. GRANTEE agrees to avoid, minimize, or mitigate impacts to the cultural resource as a continuing prerequisite to receipt of funds under this Contract.

The GRANTEE agrees that, unless the GRANTEE is proceeding under an approved historical and cultural monitoring plan or other memorandum of agreement, if historical or cultural artifacts are discovered during construction, the GRANTEE shall immediately stop construction and notify the local historical preservation officer and the state's historical preservation officer at DAHP, and the Commerce Representative identified on the Face Sheet. If human remains are uncovered, the GRANTEE shall report the presence and location of the remains to the coroner and local enforcement immediately, then contact DAHP and the concerned tribe's cultural staff or committee.

The GRANTEE shall require this provision to be contained in all subcontracts for work or services related to the Scope of Work attached hereto.

In addition to the requirements set forth in this Contract, GRANTEE agrees to comply with RCW 27.44 regarding Indian Graves and Records; RCW 27.53 regarding Archaeological Sites and Resources; RCW 68.60 regarding Abandoned and Historic Cemeteries and Historic Graves; and WAC 25-48 regarding Archaeological Excavation and Removal Permits.

Completion of the requirements of Section 106 of the National Historic Preservation Act shall substitute for completion of Governor's Executive Order 05-05 and Executive Order 21-02.

In the event that the GRANTEE finds it necessary to amend the Scope of Work the GRANTEE may be required to re-comply with Governor's Executive Order 05-05, Executive Order 21-02, or Section 106 of the National Historic Preservation Act.

**ALL OTHER TERMS AND CONDITIONS OF THIS CONTRACT *INCLUDING ANY AMENDMENTS AND ATTACHMENTS*, REMAIN IN FULL FORCE AND EFFECT.**



**REAL ESTATE PURCHASE AND SALE CONTRACT  
(With Earnest Money Provision)**

DATE: \_\_\_\_\_, 2023.

The undersigned Purchaser, CITY OF STANWOOD, agrees to buy, and the undersigned Seller, Mark B. and Tammy L. Ramaley, husband and wife, agrees to sell, on the following terms, the property legally described as:

LOT I OF CITY OF STANWOOD SHORT PLAT NO. SPA 00-005 RECORDED UNDER RECORDING NO. 200104055001, A REVISION OF SNOHOMISH COUNTY RECORDING NO. 200010105001, BEING A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 32 NORTH, RANGE 4 EAST, SNOHOMISH COUNTY, WASHINGTON.

Tax Parcel Number(s): 320419-004-137-00

1. **PURCHASE PRICE.** The total purchase price is Six Hundred Five Thousand and no /100 Dollars (\$605,000.00).
2. **EARNEST MONEY RECEIPT.** Upon mutual acceptance of this agreement, Purchaser shall deposit the sum of Twenty-Four Thousand Five Hundred and no/100 Dollars (\$24,500.00) in the trust account of Closing Agent as earnest money. For the purposes of this contract "mutual acceptance" means that all parties have signed this contract, and "the date of mutual acceptance" is the signature date of the last party to sign this agreement.
3. **METHOD OF PAYMENT.** All cash at time of closing. The earnest money deposit shall be credited against the purchase price.
4. **CONDITION OF TITLE.** Title to the property is to be free of all encumbrances or defects, including city, county or local improvement district assessments, except those acceptable to Purchaser. Encumbrances to be discharged by Seller shall be paid from the purchase money at the date of closing. Indemnification of the title company to induce it to insure over any otherwise unpermitted exceptions to title shall not be allowed except with the prior written consent of Purchaser in its sole subjective discretion after full disclosure of the nature and substance of such exception and indemnity.
5. **RIGHT TO FARM/RIGHT TO PRACTICE FORESTRY.** Seller declares that the subject property is not "designated farm land" as defined in Snohomish County Code section 30.91F.140, or situated within 1300 feet of "designated farm land". Seller declares that the subject property is not "designated forest land" as defined in Snohomish County Code section 30.91F.460, or situated within 500 feet of "designated forest land".

6. **DISCLOSURE UNDER RCW 64.06.** Purchaser has been advised of Purchaser's right under RCW 64.06 to receive a statutory form disclosure statement concerning the condition of unimproved residential real property, and the right to rescind this transaction after review of such disclosure and to receive a refund of Purchaser's earnest money deposit upon such rescission. Purchaser shall have ten (10) business days after receipt of the disclosure to accept or reject the property based upon the disclosures made by Seller. If Purchaser rejects the property, Purchaser shall give written notice to Seller of the termination of this transaction, in which event this agreement shall be null, void and unenforceable, and the earnest money deposit shall promptly be refunded to Purchaser. Seller makes the following environmental disclosures concerning the subject property:

#### ENVIRONMENTAL

- |                                                                                                         |                                                                                                                                                                                                                                            |
|---------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know | *A. Have there been any flooding, standing water, or drainage problems on the property that affect the property or access to the property?                                                                                                 |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know | *B. Does any part of the property contain fill dirt, waste, or other fill material?                                                                                                                                                        |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know | *C. Is there any material damage to the property from fire, wind, floods, beach movements, earthquake, expansive soils, or landslides?                                                                                                     |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know | D. Are there any shorelines, wetlands, floodplains, or critical areas on the property?                                                                                                                                                     |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know | *E. Are there any substances, materials, or products in or on the property that may be environmental concerns, such as asbestos, formaldehyde, radon gas, lead-based paint, fuel or chemical storage tanks, or contaminated soil or water? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know | *F. Has the property been used for commercial or industrial purposes?                                                                                                                                                                      |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know | *G. Is there any soil or groundwater contamination?                                                                                                                                                                                        |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know | *H. Are there transmission poles or other electrical utility equipment installed, maintained, or buried on the property that do not provide utility service to the structures on the property?                                             |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know | *I. Has the property been used as a legal or illegal dumping site?                                                                                                                                                                         |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know | *J. Has the property been used as an illegal drug manufacturing site?                                                                                                                                                                      |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know | *K. Are there any radio towers in the area that cause interference with cellular telephone reception?                                                                                                                                      |

7. **TITLE INSURANCE.** Seller shall furnish to Purchaser an ALTA standard form policy of title insurance and, as soon as practical prior to closing, a preliminary commitment therefor issued by FIRST AMERICAN TITLE, and Seller authorizes Closing Agent to apply as soon as practical for such title insurance. The title policy to be issued shall contain no exceptions other than those provided in said standard form, plus encumbrances or defects noted in paragraph

4 above. If title is not so insurable as above provided and cannot be made so insurable by termination date set forth herein, the earnest money shall be refunded and all rights of Purchaser terminated; PROVIDED, however, that Purchaser may waive defects and elect to purchase.

8. **TITLE CONVEYANCE.** Seller shall convey title to Purchaser by Statutory Warranty Deed at closing, subject only to the exceptions noted in paragraph 4 and subject to any liens or encumbrances created by Purchaser. As a material element of this transaction, Seller shall execute a relinquishment of the 30-foot access easement serving Lot 2 of SP 00-005 recorded under AFN 200104055001 to be recorded at Closing. Purchaser shall be responsible for costs associated with preparation of the relinquishment.

9. **CLOSING OF SALE.** This sale shall be closed at the office of FIRST AMERICAN TITLE, Closing Agent, or at such licensed and bonded escrow company as PURCHASER selects, not later than August 31, 2023 (hereinafter the “closing deadline”). Purchaser and Seller will, immediately on demand, deposit with Closing Agent all instruments and monies required to complete the purchase in accordance with this agreement.

The date of actual closing shall be the date upon which all appropriate documents are recorded and the proceeds of the sale are available for disbursement to Seller.

If this sale has not closed by the closing deadline, this transaction shall automatically terminate, and this agreement shall be null, void and unenforceable.

10. **CLOSING COSTS AND PRORATES.** This transaction is exempt from excise tax, as Purchaser is a municipality acquiring the property under threat of eminent domain. Seller and Purchaser shall each pay one-half of escrow fees and recording fees. Seller shall pay the owner’s title insurance premium. The parties acknowledge that the property will become exempt from real estate taxes after closing. Real estate taxes for the current year shall be paid in full by Seller at or prior to closing. Seller shall be responsible for applying for any applicable real estate tax refund from Snohomish County.

11. **FIRPTA - TAX WITHHOLDING AT CLOSING.** The Closing Agent is instructed to prepare a certification (PSMLA Form 22E, or equivalent) that Seller is not a “foreign person” within the meaning of the Foreign Investment in Real Property Tax Act. Seller agrees to sign this certification. If Seller is a foreign person, and this transaction is not otherwise exempt from FIRPTA, Closing Agent is instructed to withhold and pay the required amount to the Internal Revenue Service.

12. **POSSESSION.** Purchaser shall be entitled to possession on closing.

13. **RISK OF LOSS.** Should the improvements on the property be materially damaged by fire or other cause prior to date of closing, this agreement shall be voidable at the option of Purchaser.



14. **DEFAULT.** In the event of default by Purchaser, Seller shall have the election to retain the earnest money as liquidated damages. In the event that either Purchaser or Seller shall institute suit to enforce any rights hereunder, the successful party shall be entitled to court costs and a reasonable attorney's fee.

Seller initials: MR J&R

Purchaser initials: \_\_\_\_\_

Any refund or forfeiture of earnest money shall be in compliance with RCW 64.04.220.

Furthermore, in the event this transaction fails to close due to any default by Seller, Purchaser shall receive a refund of the earnest money, without interest, as Purchaser's remedy for damages. Seller may be liable for actual out-of-pocket expenses of Purchaser or damages of Purchaser up to an amount not to exceed TEN THOUSAND DOLLARS (\$10,000.00). As an alternative to refund of the earnest money, Purchaser may bring an action for specific performance due to default by Seller.

15. **NOTICE.** If notice is given pursuant to this agreement, it shall be given to the parties by personal service, by electronic (email) transmission or facsimile transmission, or by certified mail, postage prepaid, return receipt requested at the following addresses:

Seller's name and address:

Mark B. and Tammy L. Ramaley  
PO Box 837  
Stanwood, WA 98292  
Office: 360-629-9300  
Cell: 206-818-2707  
Email: mark@ramaleyproperties.com

Purchaser's name and address:

City of Stanwood  
c/o Thompson, Guildner & Associates  
110 Cedar Avenue, Suite 102  
Snohomish, WA 98290  
Office: 360-568-3119  
Email: nikkit@trustedguidancelaw.com

or at such other address as either party designates by written notice to the other party and to the Closing Agent. All notices shall be deemed given on the day such notice is personally served, or on the business day following the date of electronic (email) transmission or facsimile transmission, or on the third day following the day such notice is mailed in accordance with this paragraph. Telephone numbers are for contact purposes only and may not be used for notice.

16. **OFAC.** Purchaser and Seller represent and warrant each to the other that neither is a person or entity with whom the other is restricted from doing business under any current regulations of the Office of Foreign Asset Control ("OFAC") of the Department of the Treasury (including, but not limited to, those named on OFAC's Specially Designated and Blocked Persons list) or under any current executive order (including, but not limited to, the September 24, 2001, Executive Order Blocking Property and Prohibiting Transactions with Persons who Commit, Threaten to Commit, or Support Terrorism), or other governmental action and is not engaged in any dealings or transaction or otherwise associated with such persons or entities.

17. **ENTIRE AGREEMENT; TIME; BINDING AGREEMENT; ASSIGNMENT.** This agreement, with the attachments incorporated herein by reference, constitutes the entire agreement between the parties and there are no verbal agreements, nor will there be any verbal agreements, which modify or amend this agreement. Time is of the essence in this agreement. If any deadline or the time for performance hereunder falls on a Saturday, Sunday or a day that is recognized as a holiday by the State of Washington, then such time shall be deemed extended to the next day that is not a Saturday, Sunday or holiday. This agreement is binding on the parties, their personal representatives and heirs. Purchaser shall not assign this agreement without the prior written consent of Seller.

18. **FEASIBILITY CONTINGENCY.** This offer is contingent upon Purchaser's determination of the feasibility of the property for Purchaser's intended use. Within Two (2) days of Mutual Acceptance Seller shall provide to Purchaser copies of all non-privileged contacts, documents, and studies of material significance to the Property that are currently in Seller's possession as of the date of mutual acceptance. Purchaser shall have thirty (30) days from the date of mutual acceptance to test, inspect and review the condition of the property and the condition of the improvements upon the property. If Purchaser, in its sole subjective discretion, determines that the property will not serve its purpose, Purchaser shall give the Closing Agent written notice of Purchaser's desire to terminate within 30 days of the date of mutual acceptance, in which event this agreement will terminate, and the earnest money shall be promptly refunded.

Purchaser may waive this contingency at any time by written notice to Seller and Closing Agent. This contingency shall be deemed satisfied or waived if the Purchaser does not give written notice of termination of this purchase based upon the failure of this contingency within 30 days of the date of mutual acceptance.

19. **REAL ESTATE BROKER OR AGENT COMMISSIONS.** Purchaser represents to Seller that it has engaged no broker or real estate agent in connection with the negotiations leading to this Agreement. Seller shall be solely responsible for any fees to any broker or real estate agent in connection with the negotiations leading to this Agreement and shall indemnify and hold harmless the Purchaser from any such broker's fee or real estate commissions.

20. **NO MERGER.** The terms, representations, warranties and attorney's fee provisions of this contract shall not merge in the deed or other conveyance instrument transferring

the property to Purchaser at closing. The terms, representations, warranties and attorney's fee provisions of this contract shall survive closing.

21. **THREAT OF EXERCISE OF POWERS OF EMINENT DOMAIN.** Purchaser is a municipal corporation of the State of Washington with the power to acquire property by eminent domain pursuant to Chapter 8.12, RCW. Purchaser's intended use of the purchase property is a necessary public use. The City Council of the City of Stanwood has authorized the acquisition of the property by condemnation should that be necessary, and an ordinance to that effect will be adopted if required. Purchaser has notified Seller in writing of the intent to condemn the property if the property proves to be feasible for Purchaser's intended use and the Seller and the Purchaser cannot reach agreement on the terms of sale. Should Purchaser ascertain that the subject property meets the continuing needs of the Purchaser and the public, this transaction shall be completed under threat of exercise of the powers of eminent domain.

22. **NO NEW LEASES OR CONTRACTS.** Prior to Closing, SELLER shall not enter into any new leases, contracts or agreements affecting the Property without the prior written consent of CITY, except the SELLER may enter into interim contracts or agreements in connection with the management, maintenance, repair or preservation of the Property in the normal course of business if each such contract or agreement expires or is terminated at or prior to Closing.

23. **RIGHTS OF ENTRY.** CITY, and its agents and consultants, at CITY's sole expense and risk, may enter the Property during the term of this Agreement at reasonable times scheduled in advance with SELLER for the purpose of CITY's due diligence study of the Property. This right is more fully addressed and covered by separate Right of Entry Agreement dated March 3, 2023. Following Closing, Seller shall have a revocable right to enter the Property to maintain the landscaping in a manner consistent with its pre-closing condition. A separate Right of Entry shall be drafted to memorialize this provision.

24. **RESERVATION OF POLICE POWER.** Notwithstanding anything to the contrary set forth herein, Seller understands and acknowledges that the Purchaser's authority to exercise its police (regulatory) powers in accordance with applicable law shall not be deemed limited by the provisions of this agreement.

25. **CITY COUNCIL APPROVAL.** The Seller acknowledges that this agreement does not bind the Purchaser until the City Council approves this Real Estate Purchase and Sale Contract and the Mayor executes the agreement.

26. **FACSIMILE / ELECTRONIC TRANSMISSION.** Facsimile transmission or electronic (email) transmission of any signed original document, and retransmission of any signed facsimile or electronic transmission, shall be the same as delivery of an original. The parties acknowledge that a signature in electronic form has the same legal effect and validity as a handwritten signature. At the request of either party, or the closing agent, the parties will confirm facsimile or electronically transmitted signatures by signing an original document.



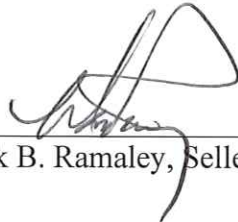
27. **COUNTERPARTS.** This agreement or any other instrument for this transaction may be executed in identical counterparts with like effect as if all signatures appeared on a single copy.

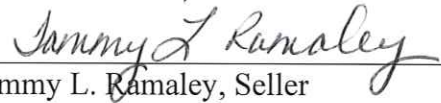
28. **DEADLINE.** This agreement is void unless executed by both parties by 5:00 p.m. on \_\_\_\_\_.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
City of Stanwood, Mayor Sid Roberts, Purchaser

DATED this 23<sup>rd</sup> day of June, 2023.

  
\_\_\_\_\_  
Mark B. Ramaley, Seller

  
\_\_\_\_\_  
Tammy L. Ramaley, Seller

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Thompson, Guildner & Associates, Inc.

By \_\_\_\_\_  
Nikki Thompson, City Attorney

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## CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT

**ITEM NUMBER:** 11a  
**DATE:** July 13, 2023  
**SUBJECT:** Authorize the Mayor to Sign a Contract with Konnerup Construction, Inc. for the Hamilton Landing Park project.  
**CONTACT PERSON:** Kevin Hushagen – Public Works Director  
**ATTACHMENTS:** A – Certified Bid Tabs

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### **PURPOSE**

The purpose of this agenda item is to authorize the Mayor to sign a contract with Konnerup Construction, Inc. to complete the Hamilton Landing Park Project.

### **BACKGROUND**

Hamilton Landing Park is located on the historic site of Hamilton Mill, that burned down in the 1960s. It is important for the City of Stanwood to develop this post-industrial site into a well designed public space with local characteristics so that all residents of the City may have a place to gather and enjoy the riverfront. Some featured historic structures including the smokestack remain in place. In addition, part of the wetland on site and intertidal estuary of the Stillaguamish River provide access to nature. This project is made in collaboration with the Washington Department of Fish and Wildlife. The WDFW portion of the work is funded by the Boating Facility RCO Program. We will be receiving \$310,000 from WDFW for their portion of the project. Konnerup Construction will be doing both the City and WDFW portions of the project.

### **ANALYSIS**

Our estimate for the project was \$800,000 – \$1,200,000 for the base bid, the low bid was \$1,146,677.23 including tax. We had a total of 4 bids. This project included 3 alternates; a bathroom with related utility work for \$336,891, removing 9 Piling Poles for \$35,000, and a concrete paver Labyrinth for \$35,000. Staff is recommending to include all 3 alternates. The total base bid with the alternates is \$1,553,568.43. The budget for the work is currently \$1,000,000. With the \$310,000 from WDFW the total cost is \$1,310,000.

| Fiscal Impact     |                                                                     |                    |                                                                                                      |
|-------------------|---------------------------------------------------------------------|--------------------|------------------------------------------------------------------------------------------------------|
|                   |                                                                     |                    |                                                                                                      |
| Fund(s): 403      | 594 76 61 21                                                        |                    |                                                                                                      |
| Amount:           | \$1,000,000 + \$310,000                                             | Project Estimate:  | \$1,533,568.43                                                                                       |
| Budget Authorized | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Amendment Required | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Monitor |

## **RECOMMENDATIONS**

### **Staff Recommendation:**

Staff recommends awarding the low bidder, Konnerup Construction Inc, the Hamilton Landing Park project for a total of \$1,553,568.43.

### **Committee/Board Recommendation:**

The Public Works Committee has not reviewed this proposal prior to the July 13th, 2023, City Council Meeting.

## **CITY COUNCIL OPTIONS**

1. Approve the Mayor to sign a contract with Konnerup Construction Inc, the Hamilton Landing Park project for a total of \$1,553,568.43
2. Send back to Public Works Committee for additional discussion
3. Reject all bids and delay the project

## **PROPOSED MOTION**

**I MOVE TO AUTHORIZE THE MAYOR TO SIGN A CONTRACT WITH KONNERUP CONSTRUCTION, INC. FOR THE HAMILTON LANDING PARK PROJECT FOR A TOTAL OF \$1,553,568.43.**



BID TABULATION  
Hamilton Landing Park  
BID DUE: JUNE 20, 2023 BY 2PM

| Number              | Item bidding                            | Qty | Konner UP     |              |                 | Strider Const. |              |                 | BAYSHORE        |               |                 | A-1             |               |                 |
|---------------------|-----------------------------------------|-----|---------------|--------------|-----------------|----------------|--------------|-----------------|-----------------|---------------|-----------------|-----------------|---------------|-----------------|
|                     |                                         |     | Sum of        | Tax          | With Tax        | Sum of         |              | With Tax        | Sum of          |               | With Tax        | Sum of          |               | With Tax        |
| 1                   | Hamilton Park Base Bid                  | 1   | \$ 683,000.00 | \$ 63,519.00 | \$ 746,519.00   | \$ 850,000.00  | \$ 79,050.00 | \$ 929,050.00   | \$ 1,124,099.00 | \$ 104,541.21 | \$ 1,228,640.21 | \$ 1,482,436.00 | \$ 137,866.55 | \$ 1,620,302.55 |
| 2                   | WDFW Hamilton Access Bid Item 1         | 1   | \$ 295,110.00 | \$ 27,445.23 | \$ 322,555.23   | \$ 350,000.00  | \$ 32,550.00 | \$ 382,550.00   | \$ 506,928.00   | \$ 47,144.30  | \$ 554,072.30   | \$ 549,851.00   | \$ 51,136.14  | \$ 600,987.14   |
| 3                   | WDFW Hamilton Access Bid Item 4         | 1   | \$ 71,000.00  | \$ 6,603.00  | \$ 77,603.00    | \$ 60,000.00   | \$ 5,580.00  | \$ 65,580.00    | \$ 109,299.00   | \$ 10,164.81  | \$ 119,463.81   | \$ 506,236.00   | \$ 47,079.95  | \$ 553,315.95   |
| 4                   | Total Base Bid Item 1-4                 |     |               |              | \$ 1,146,677.23 |                |              | \$ 1,377,180.00 |                 |               | \$ 1,902,176.32 |                 |               | \$ 2,774,605.64 |
|                     |                                         |     |               |              |                 |                |              |                 |                 |               |                 |                 |               |                 |
| 6                   | Bid Additives                           |     |               |              |                 |                |              |                 |                 |               |                 |                 |               |                 |
| 6a                  | WDFW Hamilton Access Bid Item 2         | 1   | \$ 308,226.00 | \$ 28,665.02 | \$ 336,891.02   | \$ 220,000.00  | \$ 20,460.00 | \$ 240,460.00   | \$ 257,180.00   | \$ 23,917.74  | \$ 281,097.74   | \$ 136,307.00   | \$ 12,676.55  | \$ 148,983.55   |
| 6b                  | Bid Additive No. 1: Remove Piling Poles | 1   | \$ 35,000.00  | \$ 3,255.00  | \$ 35,000.09    | \$ 20,000.00   | \$ 1,860.00  | \$ 21,860.00    | \$ 68,928.00    | \$ 6,410.30   | \$ 75,338.30    | \$ 108,504.00   | \$ 10,090.87  | \$ 118,594.87   |
| 6c                  | Bid Additive No.2 Labyrinth Conc Unit   | 1   | \$ 35,000.00  | \$ 3,255.00  | \$ 35,000.09    | \$ 20,000.00   | \$ 1,860.00  | \$ 21,860.00    | \$ 49,241.00    | \$ 4,579.41   | \$ 53,820.41    | \$ 109,817.00   | \$ 10,212.98  | \$ 120,029.98   |
| Total Bid Additives |                                         |     |               |              | \$ 406,891.20   |                |              | \$ 284,180.00   |                 |               | \$ 410,256.46   |                 |               | \$ 387,608.40   |
| Total all lines     |                                         |     |               |              | \$ 1,553,568.43 |                |              | \$ 1,661,360.00 |                 |               | \$ 2,312,432.78 |                 |               | \$ 3,162,214.04 |





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## CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT

**ITEM NUMBER:** 11b  
**DATE:** July 13, 2023  
**SUBJECT:** Emergency Noise Ordinance  
**CONTACT PERSON:** Patricia Love, Community Development Director  
**ATTACHMENTS:** A – Ordinance 1523 – Emergency Noise Control

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### **PURPOSE**

The purpose of this agenda item is for Council adoption of Emergency Noise and Nuisance Control Regulations, adopting new Chapter 7.30, Noise Control.

### **BACKGROUND**

In the process of reviewing Title 9 it was discussed that the noise regulations in Chapter 9.50 should be moved to Title 7 – Health and Sanitation, to be combined with the nuisance code. Recent revisions to Title 9 inadvertently deleted the city's noise regulations without readopting them in Title 7 leaving a gap in the City's code. As an emergency action the City Council adopted Emergency Noise Control Ordinance 1522 on June 22, 2023.

### **ANALYSIS**

The purpose of this new emergency ordinance is to adopt the remaining nuisance provisions that were contained in Title 9, giving the City the authority to enforce both the noise and nuisance regulations while the remaining portions of Title 7 is being rewritten.

Ordinance 1523 revises Stanwood Municipal Code Chapter 7.30 as adopted on June 22, 2023, by adding the following sections:

| Section Number | Title                                                           | Revisions                                                                                                                                                                                                                         |
|----------------|-----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7.30.010       | Definitions – Those Sounds That are Considered Public Nuisances | (4) Loud yelling, Shouting, etc. noises restricted after 10 pm; one hour earlier than existing code;<br>(7) added 50 feet noise distance not previously defined;<br>(8) Changed sound noise distance from 75 feet to 50 feet; and |

|          |                                                      |                                                                                             |
|----------|------------------------------------------------------|---------------------------------------------------------------------------------------------|
|          |                                                      | Added subsections (10) and (11)<br>– state law noise levels as<br>adopted in Ordinance 1522 |
| 7.30.020 | Public Nuisances and Disturbance<br>Noise Violations | Readoption of Existing Code                                                                 |
| 7.30.030 | Additional Provisions                                | As adopted in Ordinance 1522                                                                |
| 7.30.040 | Noises Exempt at all Times                           | Readoption of Existing Code                                                                 |
| 7.30.050 | Noise Exempt During Daytime<br>Hours                 | As adopted in Ordinance 1522<br>with the addition of subsection 1-6                         |
| 7.30.060 | Enforcement Complaints                               | As adopted in Ordinance 1522                                                                |
| 7.30.080 | Provisions not Exclusive                             | Readoption of Existing Code                                                                 |
| 7.30.090 | Severability                                         | Readoption of Existing Code                                                                 |
| 7.30.100 | No Third-Party Rights                                | Readoption of Existing Code                                                                 |

Maintaining the City’s right to enforce noise and limit hours of disturbance is necessary for the protection of the public health, public safety, public property or the public peace. Any further edits to this Chapter will be done with the amendments to Title 7.

| Fiscal Impact                                                                                                                                 |                                                          |                    |                                                                                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|--------------------|-------------------------------------------------------------------------------------------|
| No direct financial impact. Code work was already budgeted and approved through the Municipal Code Update Project contract and scope of work. |                                                          |                    |                                                                                           |
| Fund(s):                                                                                                                                      | Staff Time                                               |                    |                                                                                           |
| Amount:                                                                                                                                       | \$                                                       | Project Estimate:  | \$ -                                                                                      |
| Budget Authorized                                                                                                                             | <input type="checkbox"/> Yes <input type="checkbox"/> No | Amendment Required | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Monitor |

## **RECOMMENDATIONS**

### **Staff Recommendation:**

Staff recommends that the Council adopt Ordinance 1523 as drafted.

### **Committee/Board Recommendation:**

No, deletion of the noise and nuisance regulations was an oversight in drafting the amendments to Title 9 and this ordinance corrects that error.

## **CITY COUNCIL OPTIONS**

1. Adopt Ordinance 1523 as drafted.
2. Direct staff to make changes to the ordinance and approve with requested changes.
3. Do not adopt Ordinance 1523.

## **PROPOSED MOTION**

**I MOVE TO APPROVE ORDINANCE 1523 AS SET FORTH IN ATTACHMENT “A”  
ADOPTING STANWOOD MUNICIPAL CODE CHAPTER 7.30, NOISE CONTROL.**

**ORDINANCE NO. 1523**

**AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON, ADOPTING  
EMERGENCY NOISE REGULATIONS**

WHEREAS, the City of Stanwood has begun a process to comprehensively update its municipal code to conform to current law and practice; and

WHEREAS, the purpose of this code amendment is to eliminate conflicts, improve clarity and overall function of the municipal code, and reflect current city and best practices; and

WHEREAS, amendments to Stanwood Municipal Code Title 9, Public Peace, Safety and Welfare, effective June 18, 2023, deleted existing Title 9 in its entirety and adopted all new provisions;

WHEREAS the noise regulations in the existing Title 9 are slated to be reorganized and rewritten and adopted as part of a complete rewrite of SMC Title 7;

WHEREAS the City desires to immediately adopt replacement noise regulations without waiting for the rest of SMC Title 7;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STANWOOD,  
WASHINGTON, DOES ORDAIN AS FOLLOWS:**

**Section 1.** Stanwood Municipal Code Title 7 is amended to add Chapter 7.30 as shown in Attachment A.

**Section 2.** The references to former SMC Chapter 9.50 in SMC 5.080.040, 6.40.030, and 17.102.050 are amended to refer to SMC Chapter 7.30.

**Section 3.** The City Council finds that an emergency exists under RCW 35A.12.130 and this ordinance is necessary for the protection of public health, public safety, public property or the public peace, and with adoption by a majority plus one of the entire membership of the City Council (i.e., 5 members) is effective immediately.

**Section 4.** Severability. The various parts, sections and clauses of this ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

**Section 5.** Authority to Make Necessary Corrections. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener's clerical errors, references, ordinance numbers, section/subsection numbers and any references thereto.

**Section 6.** Effective Date. This Ordinance shall take effect immediately after its passage.

PASSED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2023.

CITY OF STANWOOD:

\_\_\_\_\_  
Sid Roberts, Mayor

Attest:

\_\_\_\_\_  
Lisa Sokolik, City Clerk

Approved as to Form:

\_\_\_\_\_  
Nikki Thompson, City Attorney

Date of Publication: \_\_\_\_\_

Effective Date: \_\_\_\_\_



# EXHIBIT A

## Chapter 7.30 Noise Control

### 7.30.010 Definitions

The following sources of sound are hereby defined to be public nuisances, except to the extent that they may be specifically exempted by other provisions of this chapter:

- (1) Frequent, repetitive, or continuous noise made by any animal which unreasonably disturbs or interferes with peace, comfort and repose of property owners or possessors, except that such sounds are exempt when originating from lawfully operated animal shelters, kennels, pet shops, and veterinary clinics;
- (2) The frequent, repetitive, or continuous sounding of any horn or siren attached to a motor vehicle, except as a warning of danger or as specifically permitted or required by law;
- (3) The creation of frequent, repetitive or continuous noise in connection with the starting, operation, repair, rebuilding, or testing of any motor vehicle, motorcycle, off-highway vehicle, or internal combustion engine within Class A EDNA, so as to unreasonably disturb or interfere with the peace, comfort and repose of owners or possessors of real property;
- (4) Yelling, shouting, hooting, whistling or singing on or near the public streets, particularly between the hours of 10:00 p.m. and 7:00 a.m., or at any time and place so as to unreasonably disturb or interfere with peace, comfort and repose of owners or possessors of real property;
- (5) The use of a sound amplifier or other device capable of producing or reproducing amplified sound on public streets for the purpose of commercial advertising or sales or for attracting the attention of the public to any vehicle, structure or property of the contents therein;
- (6) The making of any loud and raucous noise which unreasonably interferes with the use of any school, church, hospital, sanitarium, nursing, or convalescent facility;
- (7) The creation of frequent, repetitive, or continuous sounds which emanate from any building, structure, or property which can be heard at a distance greater than 50 feet from the source or which unreasonably interferes with the peace, comfort and repose of owners or possessors of real property, such as sounds from musical instruments, audio sound systems, band sessions, or social gatherings;
- (8) Sound from audio equipment, including but not limited to tape players, radios, and compact disc players, operated at a volume so as to be audible greater than 50 feet from the source, and if not operated upon the property of the operator;
- (9) The use of unmuffled engine compression brakes;
- (10) Noise levels in excess of the standards established by the Department of Ecology pursuant to RCW Chapter 70A.20 and contained in WAC Chapter 173-60, which are hereby incorporated by reference;
- (11) Noise levels in excess of the permitted standards in WAC Chapter 173-62, Motor Vehicle Noise Performance Standards, which are hereby incorporated by reference.

### 7.30.020 Public nuisance and disturbance noise violations.

It is unlawful for any person to cause or allow to originate, or for any person in possession of property to allow to originate from said property, sound that is a public nuisance.

### **7.30.030 Additional Provisions**

- (1) For purposes of enforcing SMC 7.30.010(10), all lands zoned MR, SR 5.0, SR 7.0, SR 9.6, SR 12.4, or TN are declared to be Class A EDNAs.
- (2) Between the hours of 10:00 p.m. Friday and 9:00 a.m. Saturday, and 10:00 p.m. Saturday and 9:00 a.m. Sunday, the noise limitations of the table in WAC 173-60-040 are reduced by 10 dBA for receiving property within Class A EDNAs.

### **7.30.040 Noises exempt at all times.**

The following noises are exempt from the provisions of this chapter at all times; provided, that nothing in these exemptions is intended to preclude the city from requiring installation of the best available noise abatement technology consistent with economic feasibility.

- (1) Noise originating from aircraft in flight;
- (2) Noise created by safety and protective devices, such as relief valves where noise suppression would defeat the safety release intent of the device;
- (3) Noise created by fire alarms;
- (4) Noise created by emergency equipment, including, but not limited to, emergency standby or backup equipment, and emergency work necessary in the interests of law enforcement or of the health, safety or welfare of the community; and including, but not limited to, any emergency work necessary to replace or repair essential utility services;
- (5) Noise created by auxiliary equipment on motor vehicles used for highway maintenance;
- (6) Noise originating from officially sanctioned parades, sporting events, and other public events;
- (7) Noise created by warning devices not operated continuously for more than 30 minutes per incident;
- (8) Noise originating from existing natural gas transmission facilities, subject to any requirements that may be established by appropriate state or federal agencies;
- (9) Noise created by existing stationary equipment used in the conveyance of water by a utility and noise created by existing electrical substations;
- (10) Noise created by the operation of equipment or facilities by a railroad in interstate commerce;
- (11) Noise emanating from temporary construction sites except between the hours of 10:00 p.m. and 7:00 a.m., on weekdays, and except between the hours of 6:00 p.m. and 8:00 a.m. on Saturdays, Sundays, and state recognized holidays;
- (12) Noise emanating from marine-oriented construction sites except between the hours of 10:00 p.m. and 7:00 a.m. on weekdays and weekends;
- (13) Noise created by aircraft-engine testing and maintenance not related to flight operations, except between the hours of 10:00 p.m. and 7:00 a.m.;
- (14) Noise created by existing stationary equipment used in the conveyance of water by a utility and noise created by existing electrical substations.

### **7.30.050 Noises exempt during daytime hours.**

The following noises are exempt from the provisions of this chapter between the hours of 7:00 a.m. and 10:00 p.m. on weekdays and 9:00 a.m. and 10:00 p.m. on weekends:

- (1) Noise created by powered equipment used in temporary or periodic maintenance or repair of residential property, including but not limited to grounds and appurtenances, such as lawnmowers, powered hand tools, and composters;
- (2) Noise created by the discharge of firearms on city police department authorized shooting ranges;
- (3) Noise created by the installation or repair of essential utility services;
- (4) Noise created by blasting;
- (5) Noise created by bells, chimes or carillons not operating for more than five minutes in any one hour;
- (6) Noise originating from forest harvesting.

#### **7.30.060 Enforcement – Complaints.**

The City of Stanwood will generally enforce this chapter only in response to complaints, however, nothing herein may be interpreted to prohibit proactive enforcement.

#### **7.30.070 Enforcement – Penalties.**

- (1) Except as otherwise provided, a violation of this chapter may be punished by a class 3 civil infraction.
- (2) A second violation of this chapter within 30 days may be punished by a class 2 civil infraction.
- (3) A third violation of this chapter within 30 days may be punished by a class 1 civil infraction.
- (4) A fourth violation of this chapter within a six-month period may be punished by a misdemeanor.
- (5) A property owner who permits an activity on their property that violates this chapter is jointly and severally liable for the violation.
- (6) This chapter may additionally be enforced pursuant to SMC Title 13.

#### **7.30.080 Provisions not exclusive.**

The provisions of this Chapter are cumulative and nonexclusive, and do not affect any other claim, cause of action or remedy, nor, unless specifically provided, may this chapter be deemed to repeal, amend or modify any law, ordinance or regulation relating to noise, but must be deemed additional to existing legislation and common law on noise.

#### **7.30.090 Severability.**

If any section, subsection, paragraph, sentence, clause, or phrase of this chapter or its application to any person or situation be declared unconstitutional or invalid for any reason, that decision must not affect the validity of the remaining portions of this chapter or its application to any other person or situation. The City Council of the City of Stanwood hereby declares that it would have adopted this chapter and each section, subsection, sentence, clause, phrase, or a portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

#### **7.30.100 No third-party rights.**

- (1) It is expressly the purpose of this chapter to provide for and promote the health, safety, and welfare of the general public and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this chapter.
- (2) It is the specific intent of this chapter that no provisions nor any term used in this chapter is intended to impose any duty whatsoever upon the city or any of its officers or employees, for whom the implementation and enforcement of this chapter is discretionary and not mandatory.

- (3) Nothing contained in this chapter is intended nor may be construed to create or form the basis of any liability on the part of the city, or its officers, employees or agents, for any injury or damage resulting from any action or inaction on the part of the city related in any manner to the enforcement of this chapter by its officers, employees, or agents.

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