

# **City of Stanwood**



## **City Council Packet**

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

**Thursday, June 27, 2024**



**AGENDA**  
**CITY COUNCIL REGULAR MEETING**  
**June 27, 2024 | 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 or via Zoom. The Zoom link is posted on the City's website calendar  
<https://www.stanwoodwa.org>

- 1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL**
- 3. APPROVAL OF THE AGENDA**
- 4. PRESENTATIONS**
- 5. PUBLIC COMMENTS**
  - Verbal comments may be provided in-person.
  - Written comments must be provided to the Clerk by 12:00 p.m. the day of the meeting via this link: <https://stanwoodwa.org/FormCenter/City-Clerk-5/City-Council-Meeting-Remote-Public-Comme-61>
  - Remote (online or phone-in) comments can be received by reasonable accommodation only. Any requests for reasonable accommodation for remote participation, must be sent in writing to the City Clerk at [cityclerk@stanwood.wa.us](mailto:cityclerk@stanwood.wa.us) by 12:00 p.m. the day of the meeting.
- 6. STAFF / DEPARTMENT REPORTS**
- 7. COUNCIL COMMITTEE REPORTS**
  - a. Planning Commission Meeting Minutes – May 13, 2024
  - b. Community Development Committee Meeting Minutes – June 6, 2024
  - c. Public Works Committee Meeting Minutes – June 10, 2024
  - d. Public Safety Committee Meeting Minutes – June 13, 2024
- 8. CONSENT AGENDA**
  - a. Approve Vouchers and Payroll Checks
  - b. Approve City Council Regular Meeting Minutes – June 13, 2024
  - c. Approve Resolution 2024-10 Surplus Property Authorization
  - d. Approve Second Reading and Adopt Ordinance 1533 Compost Procurement Code Amendment
- 9. UNFINISHED BUSINESS**
- 10. PUBLIC HEARING**
- 11. NEW BUSINESS**
  - a. Authorize the Mayor to Sign a Contract with Excavation West, Inc for Construction of Port Susan Trail - Phase Two
  - b. Authorize the Mayor to Sign a Contract with Synagro for Biosolids Removal
  - c. Authorize the Mayor to Sign a Release of Water Utility Easements for Summerset Division II - Final Plat
  - d. Council Approval of East End Traffic Calming Project Designs
- 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 - NONE**
- 15. ADJOURN**

**Upcoming Meetings:**

Thursday, July 11, 2024 City Council Meeting 7:00 pm  
Thursday, July 25, 2024 City Council Meeting 7:00 pm



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

**ITEM NUMBER:** 7a.  
**DATE:** June 27, 2024  
**SUBJECT:** Planning Commission Meeting Minutes  
**CONTACT PERSON:** Tansy Schroeder, Senior Planner  
**ATTACHMENTS:** A – May 13, 2024 Meeting Minutes

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### **SUMMARY STATEMENT**

Minutes from the May 13, 2024 Planning Commission Meeting are attached to this staff report for approval as presented. These minutes were approved at the June 10, 2024 Planning Commission Meeting.

**Call to Order:** 6:30 pm

**Roll Call**

**Commissioners Present:**

Eric Warnat, Commissioner  
Patrick Hosterman, Commission Chair  
Cody Davis, Commission Vice-Chair  
Jeff Wheatley, Commissioner (Online)  
Melissa Toner, Commissioner  
Kathy Moe, Commissioner  
Gabrielle Braley, Commissioner

**Staff Present:**

Patricia Love, Community Development Director  
Tansy Schroeder, Senior Planner  
Audrey Rotrock, Associate Planner

**Absent:** N/A

**Also known to be present:** Ronald Moe, Harvey Stackhouse, Lynette Stackhouse, Christi M. Bell, Casey Wright, Lisa Olander, Tom Little, David Pelletier

**Public Requests and Comments:** None

**Approval of Minutes:**

The minutes from the April 8, 2024 Planning Commission meeting were unanimously approved.

**New Business:**

**Introduction of New Planning Commissioner**

Gabrielle Braley introduced herself. Gabrielle is a school secretary and is passionate about architecture and city planning.

**Public Hearing: 2024-2044 Comprehensive Plan**

Staff has been working on updating the 2024 Comprehensive Plan over the last two years which has included public outreach, technical analysis and drafting the Plan. This work was accomplished with the help of an Advisory Committee, the Planning Commission, and the Council Community Development Committee.

The Plan has been organized into three general sections:

1. Introduction: Mayors' message, tribal recognition, an explanation of planning in the City, and an overview of the city's demographics.
2. Plan Elements: required planning elements include land use, housing, economic development, transportation, parks, environmental, shorelines, utilities, and capital facilities.
3. Appendix: definitions, acronyms, zoning categories, capital facilities list, references to other plans such as water, sewer, and drainage plans.

The 2024 – 2044 Draft Comprehensive Plan is founded on the existing 2015 Plan's vision, mission, and core values to maintain and preserve Stanwood's downtown character and rural history while meeting state mandated employment, housing, and population growth mandates. This Plan transforms the exiting "word heavy" document into a readable Plan with graphics,

pictures, and tables that help tell Stanwood's story. This draft Plan addresses the growth targets as follows:

**Employment:** Stanwood's existing zoning falls short of providing the employment targets assigned to the City. As a result, the Light Industrial zone is proposed to be changed to a Planned Industrial zone which creates additional opportunities for more business types which is expected to produce more jobs.

**Population:** Stanwood has sufficient vacant and underdeveloped land to meet our 20-year population growth target of 10,963 residents. However, to support the economic vitality of the downtown, the Mainstreet Business I and II are being combined into a single Mixed-Use district which encourages the development of new residential units above or behind commercial / retail space. Adding additional population within walking distance of restaurants and shops promotes the health and economic sustainability of downtown.

**Housing:** The Growth Management Act (GMA) added a new housing target to the 2024 Plan update. GMA requires that cities plan for and accommodate housing for all income levels. Guidance from the Washington State Department of Commerce links housing types by income bands, requiring the City to plan for a variety of housing types such as accessory dwelling units, cottages, duplexes and townhouses. These types of units are referred to as "missing middle housing".

#### Commissioner Questions & Comments

- Are projects that are currently in the pipeline reflected in the draft Plan?
  - Yes, the pipeline projects are added to the buildable lands land capacity analysis to calculate the City's overall ability to meet growth targets.
- With all the development currently happening in Stanwood, what happens if the City meets the population target sooner than 2044? The City cannot control the market. If a project meets the Municipal Code and Zoning regulations, the City must allow it.
- Commissioners voiced concerns that the population may outgrow the City's infrastructure. As developers come in and build, they are required to impact fees that go to the City for infrastructure improvements and or expansion.
- When all vacant land is built out, the City doesn't have to take more population. Growth is affected by the economy.
- Will the City have to re-zone areas to meet job targets? The City is rezoning some areas to a Planned Industrial zone, that will provide more opportunity for businesses to come to Stanwood.
- How does current capacity relate to growth targets?
  - Capacity is how much growth the City has available lands for. If the City's capacity meets or exceeds the required growth target, then the City is in compliance with the Growth Management Act. If the capacity is less than the growth target, then the City is out of compliance and could face repercussions such as loss of tax revenues.
- Will there be a maximum square footage for big box stores potentially coming to downtown? This is something that can be required by the Municipal Code. Staff will draft language for a range of square footage for larger stores coming to downtown.

- How will parking be addressed in mixed use commercial and residential zones? These zones will have their own parking standards.

#### Public Questions & Comments

- What is the incentive for Stanwood to comply with the Growth Management Act? It is a State mandated program allowing the City to receive tax revenues (up to 39% of the City's existing budget) and qualify for grants. The City would be penalized for non-compliance.
- Why don't developers fix all the sidewalks? State law says that developers do not pay for existing deficits. They are required to improve their own property. Some developers will go above and beyond their requirements at their choosing.
- There is a need for more healthcare facilities in Stanwood. How can the City attract more clinics to town? The City can provide proper zoning allowing for healthcare entities to operate in those zones. Healthcare providers often do their own research on what areas they are needed most.
- Will changes to the commercial zone create an influx of businesses? These changes will provide an avenue for new businesses to come in.
- There are concerns that the development happening near Warm Beach will cause more people to come into Stanwood to shop and do business. The County plans for their own growth with interjurisdiction coordination with Stanwood.
- The Planned Industrial rezones could cause a parking problem. How will the City address this? Parking in this zone will be required to be on-site parking, not street parking.
- One goal of the Planned Industrial zone is to attract business that pay living wages.
- Are there more parks planned for the City? The Parks and Open Space Plan was recently adopted by City Council. A lot of work has gone into parks and the City currently has greater than 10% of the budget going towards parks.
- Smaller neighborhood parks are privately owned and built by developers.
- City Council has put in a request for the City to look in to buying a parcel in uptown Stanwood for a park.

#### **Old Business:**

N/A

#### **Miscellaneous Business:**

- The April Advisory Group minutes were provided to the Planning Commissioners for review and consideration.

#### **Recent Council Action on Commission Items:**

- City Council had their first reading of Municipal Code Titles 7 and 8

#### **Upcoming Items:**

- Continuation of the Comprehensive Plan Hearing at the June Planning Commission meeting.

**Adjourn:** 9:13 pm



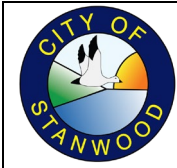
**CITY OF STANWOOD  
COUNCIL AGENDA STAFF REPORT**

**ITEM NUMBER:** 7b.  
**DATE:** June 27, 2024  
**SUBJECT:** Community Development Committee Meeting Minutes  
**CONTACT PERSON:** Patricia Love, Community Development Director  
**ATTACHMENTS:** A – June 6, 2024 Meeting Minutes

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**SUMMARY STATEMENT:**

Minutes from the June 6, 2024 Community Development Committee Meeting are attached to this staff report for approval as presented.



## Community Development Committee Meeting Minutes Thursday, June 6, 2024 | 5:00 pm

**Council Members Present:** Steve Shepro, Andreena Bergman

**Staff Present:** Patricia Love, Tansy Schroeder, Audrey Rotrock

**Others Present:** None

Steve Shepro called the meeting to order at 5:00 p.m.

### 1. Updated Strategic Plan

Council members requested staff to consider adding safe communities to the list of values in the Mission, Vision, and Values section. Council members also pointed out a few typos and photos to be addressed and updated in the plan.

### 2. Draft Ordinances for 2024 Comprehensive Plan and Associated Zoning Amendments

- It will be critical to designate what types of businesses will and will not be allowed in the Small-Scale Commercial in the Uptown Area.
- Encourage new commercial development in a way to attract more upscale or chain-type business to come to the City.
- Housing growth target charts are difficult to decipher. Consider a way to make them easier to comprehend. If the description becomes too long, consider putting it in the appendix.
- Describe in more detail what pipeline projects are and what they mean in terms of the Comprehensive Plan.
- Promote arts in west Stanwood by adding detail to the Stanwood Vision.
- Include a better description of where the Adult Entertainment zone will be located.

**Adjourn:** 6:50 p.m.





**CITY OF STANWOOD  
COUNCIL AGENDA STAFF REPORT**

**ITEM NUMBER:** 7c

**DATE:** June 27, 2024

**SUBJECT:** Public Works Committee Meeting Minutes

**CONTACT PERSON:** Kevin Hushagen, Public Works Director

**ATTACHMENTS:** A – June 10, 2024, Public Works Committee Minutes

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**SUMMARY STATEMENT**

Minutes from the June 10, 2024, Public Works Committee Meeting are attached to this staff report for approval as presented.



Public Works Committee  
Meeting Minutes  
June 10, 2024

**Attendance:**

Councilmembers: Timothy Schmitt, Darren Robb, Marcus Metz

City Staff: Kevin Hushagen, Public Works Director, Alan Lytton, Engineer, Amanda Slattery, Public Works Office Specialist

Citizen: Peter Kamb

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 5:31 pm

**Agenda-**

1. 2<sup>nd</sup> Review Transportation Improvement Plan (TIP)

The committee reviewed the current projects on the TIP, they talked about re-prioritizing the list of projects and added 102<sup>nd</sup> Ave NW Roundabout. No action taken.

2. Viking Way Phase 2 Construction Management

The committee discussed the bids received for this project. No action taken.

3. City GIS Implementation RFP's

The committee discussed the GIS Implementation project. No action taken.

Adjourn: 7:15 pm



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

**ITEM NUMBER:** 7d  
**DATE:** June 27, 2024  
**SUBJECT:** Public Safety Committee Meeting Minutes  
**CONTACT PERSON:** Jason Toner, Police Chief  
**ATTACHMENTS:** A – Safety Committee Meeting Minutes 06/13/2024

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### **SUMMARY STATEMENT**

The minutes of the June 13, 2024, Public Safety Committee Meeting are attached to this staff report for approval as presented.



## STANWOOD

# PUBLIC SAFETY COMMITTEE

## Meeting Minutes

*June 13, 2024*

**LOCATION:** School Admin Bldg., 26920 Pioneer Hwy Stanwood WA

### **ATTENDANCE:**

- City Council Members – Tim Schmitt, Marcus Metz, and Robert Hicks
- Stanwood Police – Chief Jason Toner, Sgt. Gilje, and Sgt. Oyetuga
- North County Regional Fire- Chief Jon Cermak

### **CALLED TO ORDER:** Meeting Called to Order at 6:00 pm

- There was a presentation from Kristen MacLeod from Flock Safety, via Zoom. Kristen presented on the Flock Automatic License Plate Reader System (Falcon) how the system worked, what it doesn't do, and the benefits it brings to communities. Council members had questions on privacy concerns, if these cameras would disproportionately effect minorities, and cost.
- Chief Toner explained why he thought the Flock cameras would be a benefit to Stanwood and be a force multiple with our small police force. Arlington and Marysville currently use Flock cameras, Everett, Lake Stevens, and Granite Fall are in the process of getting them.
- There was a discussion concern automobile collision on SR-532 inside the city limits. Chief Toner state since January 1<sup>st</sup> there have been 36 collisions, with 5 having injuries and one fatality. Most of the collisions are due to inattentive drivers, resulting in rearend collisions. Additionally, there was discussion on the WADOT report last year that believed SR-532 is not any more or less dangerous than any other road.
- Chief Cermak gave a quick presentation on North County Fire and EMS plans to staff station 96 and Chief Cermak also discussed the benefits of buprenorphine in fighting the opioid epidemic.

### **DISCUSSION:**

**Adjourn:** Meeting Adjourned at 6:40



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

**ITEM NUMBER:** 8a

**DATE:** June 27, 2024

**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 38487 through 38563 and electronic fund transfers in the amount of \$971,308.72. (Check numbers 38485 & 38486 were voided due to printing error). Approve issuance of Washington Federal payroll electronic fund transfers in the amount of \$423,495.71.

### **RECOMMENDED MOTION**

**MOTION TO APPROVE ISSUANCE OF WASHINGTON FEDERAL BANK VOUCHER CHECKS 38487 THROUGH 38563 AND ELECTRONIC FUND TRANSFERS IN THE AMOUNT OF \$971,308.72. APPROVE ISSUANCE OF WASHINGTON FEDERAL PAYROLL ELECTRONIC FUND TRANSFERS IN THE AMOUNT OF \$423,495.71.**

# CHECK REGISTER

ATTACHMENT A

City Of Stanwood

Time: 10:04:48 Date: 06/20/2024

06/04/2024 To: 06/20/2024

Page: 1

| Trans | Date       | Type    | Acct # | Chk # | Claimant                   | Amount    | Memo                                                                                                                                                                                                                       |
|-------|------------|---------|--------|-------|----------------------------|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2635  | 06/07/2024 | Payroll | 3      | EFT   |                            | 4,506.67  | May 2024 Payroll                                                                                                                                                                                                           |
| 2636  | 06/07/2024 | Payroll | 3      | EFT   |                            | 5,010.03  | May 2024 Payroll                                                                                                                                                                                                           |
| 2637  | 06/07/2024 | Payroll | 3      | EFT   |                            | 5,610.64  | May 2024 Payroll                                                                                                                                                                                                           |
| 2638  | 06/07/2024 | Payroll | 3      | EFT   |                            | 2,909.86  | May 2024 Payroll                                                                                                                                                                                                           |
| 2639  | 06/07/2024 | Payroll | 3      | EFT   |                            | 2,983.08  | May 2024 Payroll                                                                                                                                                                                                           |
| 2640  | 06/07/2024 | Payroll | 3      | EFT   |                            | 526.77    | May 2024 Payroll                                                                                                                                                                                                           |
| 2641  | 06/07/2024 | Payroll | 3      | EFT   |                            | 3,992.44  | May 2024 Payroll                                                                                                                                                                                                           |
| 2642  | 06/07/2024 | Payroll | 3      | EFT   |                            | 6,089.77  | May 2024 Payroll                                                                                                                                                                                                           |
| 2643  | 06/07/2024 | Payroll | 3      | EFT   |                            | 8,097.00  | May 2024 Payroll                                                                                                                                                                                                           |
| 2644  | 06/07/2024 | Payroll | 3      | EFT   |                            | 4,616.97  | May 2024 Payroll                                                                                                                                                                                                           |
| 2645  | 06/07/2024 | Payroll | 3      | EFT   |                            | 3,780.31  | May 2024 Payroll                                                                                                                                                                                                           |
| 2646  | 06/07/2024 | Payroll | 3      | EFT   |                            | 3,686.93  | May 2024 Payroll                                                                                                                                                                                                           |
| 2647  | 06/07/2024 | Payroll | 3      | EFT   |                            | 3,764.17  | May 2024 Payroll                                                                                                                                                                                                           |
| 2648  | 06/07/2024 | Payroll | 3      | EFT   |                            | 2,819.74  | May 2024 Payroll                                                                                                                                                                                                           |
| 2649  | 06/07/2024 | Payroll | 3      | EFT   |                            | 546.67    | May 2024 Payroll                                                                                                                                                                                                           |
| 2650  | 06/07/2024 | Payroll | 3      | EFT   |                            | 7,146.07  | May 2024 Payroll                                                                                                                                                                                                           |
| 2651  | 06/07/2024 | Payroll | 3      | EFT   |                            | 3,801.46  | May 2024 Payroll                                                                                                                                                                                                           |
| 2652  | 06/07/2024 | Payroll | 3      | EFT   |                            | 550.35    | May 2024 Payroll                                                                                                                                                                                                           |
| 2653  | 06/07/2024 | Payroll | 3      | EFT   |                            | 7,873.12  | May 2024 Payroll                                                                                                                                                                                                           |
| 2654  | 06/07/2024 | Payroll | 3      | EFT   |                            | 5,850.38  | May 2024 Payroll                                                                                                                                                                                                           |
| 2655  | 06/07/2024 | Payroll | 3      | EFT   |                            | 2,187.05  | May 2024 Payroll                                                                                                                                                                                                           |
| 2656  | 06/07/2024 | Payroll | 3      | EFT   |                            | 2,420.21  | May 2024 Payroll                                                                                                                                                                                                           |
| 2657  | 06/07/2024 | Payroll | 3      | EFT   |                            | 8,562.75  | May 2024 Payroll                                                                                                                                                                                                           |
| 2658  | 06/07/2024 | Payroll | 3      | EFT   |                            | 6,994.96  | May 2024 Payroll                                                                                                                                                                                                           |
| 2659  | 06/07/2024 | Payroll | 3      | EFT   |                            | 4,456.21  | May 2024 Payroll                                                                                                                                                                                                           |
| 2660  | 06/07/2024 | Payroll | 3      | EFT   |                            | 546.77    | May 2024 Payroll                                                                                                                                                                                                           |
| 2661  | 06/07/2024 | Payroll | 3      | EFT   |                            | 7,092.10  | May 2024 Payroll                                                                                                                                                                                                           |
| 2662  | 06/07/2024 | Payroll | 3      | EFT   |                            | 4,026.64  | May 2024 Payroll                                                                                                                                                                                                           |
| 2663  | 06/07/2024 | Payroll | 3      | EFT   |                            | 667.22    | May 2024 Payroll                                                                                                                                                                                                           |
| 2664  | 06/07/2024 | Payroll | 3      | EFT   |                            | 5,096.68  | May 2024 Payroll                                                                                                                                                                                                           |
| 2665  | 06/07/2024 | Payroll | 3      | EFT   |                            | 2,647.17  | May 2024 Payroll                                                                                                                                                                                                           |
| 2666  | 06/07/2024 | Payroll | 3      | EFT   |                            | 496.67    | May 2024 Payroll                                                                                                                                                                                                           |
| 2667  | 06/07/2024 | Payroll | 3      | EFT   |                            | 2,594.36  | May 2024 Payroll                                                                                                                                                                                                           |
| 2668  | 06/07/2024 | Payroll | 3      | EFT   |                            | 3,286.51  | May 2024 Payroll                                                                                                                                                                                                           |
| 2669  | 06/07/2024 | Payroll | 3      | EFT   |                            | 2,271.54  | May 2024 Payroll                                                                                                                                                                                                           |
| 2670  | 06/07/2024 | Payroll | 3      | EFT   |                            | 1,928.73  | May 2024 Payroll                                                                                                                                                                                                           |
| 2671  | 06/07/2024 | Payroll | 3      | EFT   |                            | 4,456.75  | May 2024 Payroll                                                                                                                                                                                                           |
| 2672  | 06/07/2024 | Payroll | 3      | EFT   |                            | 546.87    | May 2024 Payroll                                                                                                                                                                                                           |
| 2673  | 06/07/2024 | Payroll | 3      | EFT   |                            | 3,212.55  | May 2024 Payroll                                                                                                                                                                                                           |
| 2674  | 06/07/2024 | Payroll | 3      | EFT   |                            | 5,822.10  | May 2024 Payroll                                                                                                                                                                                                           |
| 2675  | 06/07/2024 | Payroll | 3      | EFT   |                            | 546.67    | May 2024 Payroll                                                                                                                                                                                                           |
| 2676  | 06/07/2024 | Payroll | 3      | EFT   |                            | 5,306.37  | May 2024 Payroll                                                                                                                                                                                                           |
| 2677  | 06/07/2024 | Payroll | 3      | EFT   |                            | 4,615.86  | May 2024 Payroll                                                                                                                                                                                                           |
| 2678  | 06/07/2024 | Payroll | 3      | EFT   |                            | 4,825.80  | May 2024 Payroll                                                                                                                                                                                                           |
| 2679  | 06/07/2024 | Payroll | 3      | EFT   |                            | 6,096.66  | May 2024 Payroll                                                                                                                                                                                                           |
| 2680  | 06/07/2024 | Payroll | 3      | EFT   |                            | 2,896.97  | May 2024 Payroll                                                                                                                                                                                                           |
| 2681  | 06/07/2024 | Payroll | 3      | EFT   |                            | 6,968.92  | May 2024 Payroll                                                                                                                                                                                                           |
| 2682  | 06/07/2024 | Payroll | 3      | EFT   |                            | 6,543.85  | May 2024 Payroll                                                                                                                                                                                                           |
| 2683  | 06/07/2024 | Payroll | 3      | EFT   |                            | 3,140.24  | May 2024 Payroll                                                                                                                                                                                                           |
| 2693  | 06/07/2024 | Payroll | 3      | EFT   | AFLAC                      | 259.87    | Pay Cycle(s) 06/07/2024 To<br>06/07/2024 - AFLAC, Pre-Tax; Pay<br>Cycle(s) 06/07/2024 To 06/07/2024<br>- AFLAC, Post-Tax                                                                                                   |
| 2694  | 06/07/2024 | Payroll | 3      | EFT   | AWC Employee Benefit Trust | 30,715.88 | Pay Cycle(s) 06/07/2024 To<br>06/07/2024 - AWC - Health First<br>250; Pay Cycle(s) 06/07/2024 To<br>06/07/2024 - AWC- Dental I; Pay<br>Cycle(s) 06/07/2024 To 06/07/2024<br>- AWC - Vision; Pay Cycle(s)<br>06/07/2024 To; |

# CHECK REGISTER

ATTACHMENT A

City Of Stanwood

Time: 10:04:48 Date: 06/20/2024

06/04/2024 To: 06/20/2024

Page: 2

| Trans | Date       | Type    | Acct # | Chk # | Claimant                                      | Amount     | Memo                                                                                                                                                                                                     |
|-------|------------|---------|--------|-------|-----------------------------------------------|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2695  | 06/07/2024 | Payroll | 3      | EFT   | Colonial Life Insurance                       | 66.75      | Pay Cycle(s) 06/07/2024 To 06/07/2024 - Colonial Life Ins                                                                                                                                                |
| 2696  | 06/07/2024 | Payroll | 3      | EFT   | Great-West Life & Annuity                     | 4,920.00   | Pay Cycle(s) 06/07/2024 To 06/07/2024 - 457 - Empower (Mass Mutual); Pay Cycle(s) 06/07/2024 To 06/07/2024 - Roth 457(b)Empower(MassMutual)                                                              |
| 2697  | 06/07/2024 | Payroll | 3      | EFT   | HSA Bank                                      | 695.50     | Pay Cycle(s) 06/07/2024 To 06/07/2024 - HSA Contributions ER; Pay Cycle(s) 06/07/2024 To 06/07/2024 - HSA Contr EE                                                                                       |
| 2698  | 06/07/2024 | Payroll | 3      | EFT   | Internal Revenue Service (941)                | 89,344.74  | 941 Deposit for Pay Cycle(s) 06/07/2024 - 06/07/2024                                                                                                                                                     |
| 2699  | 06/07/2024 | Payroll | 3      | EFT   | Legal Shield                                  | 63.85      | Pay Cycle(s) 06/07/2024 To 06/07/2024 - Legal Shield                                                                                                                                                     |
| 2700  | 06/07/2024 | Payroll | 3      | EFT   | Mission Square Retirement                     | 3,109.14   | Pay Cycle(s) 06/07/2024 To 06/07/2024 - 457 - Mission Square Ret(ICMA)                                                                                                                                   |
| 2701  | 06/07/2024 | Payroll | 3      | EFT   | Navia Benefits                                | 460.00     | Pay Cycle(s) 06/07/2024 To 06/07/2024 - Navia Limited FSA                                                                                                                                                |
| 2702  | 06/07/2024 | Payroll | 3      | EFT   | Western Conference of Teamsters Pension Trust | 2,838.32   | Pay Cycle(s) 06/07/2024 To 06/07/2024 - WCTPP Contributions                                                                                                                                              |
| 2703  | 06/07/2024 | Payroll | 3      | EFT   | Teamsters Union Local 231                     | 1,979.00   | Pay Cycle(s) 06/07/2024 To 06/07/2024 - Teamsters Dues                                                                                                                                                   |
| 2704  | 06/07/2024 | Payroll | 3      | EFT   | WA St Department Of Retirement Systems        | 54,832.75  | Pay Cycle(s) 06/07/2024 To 06/07/2024 - PERS2; Pay Cycle(s) 06/07/2024 To 06/07/2024 - PERS 3; Pay Cycle(s) 06/07/2024 To 06/07/2024 - 457 - DRS (DCP); Pay Cycle(s) 06/07/2024 To 06/07/2024 - Roth 457 |
| 2705  | 06/07/2024 | Payroll | 3      | EFT   | Washington Teamsters Welfare Trust            | 39,792.30  | Pay Cycle(s) 06/07/2024 To 06/07/2024 - Teamsters Dental; Pay Cycle(s) 06/07/2024 To 06/07/2024 - Teamsters Medical                                                                                      |
| 2774  | 06/13/2024 | Claims  | 3      | EFT   | Advantage Building Services                   | 620.40     | City of Stanwood                                                                                                                                                                                         |
| 2775  | 06/13/2024 | Claims  | 3      | EFT   | Cascade Septic Pumping, LLC                   | 751.80     | City of stanwood                                                                                                                                                                                         |
| 2776  | 06/13/2024 | Claims  | 3      | EFT   | Cascade Septic Pumping, LLC                   | 1,046.25   | City of stanwood                                                                                                                                                                                         |
| 2777  | 06/13/2024 | Claims  | 3      | EFT   | Databar Inc.                                  | 227.63     | 8952                                                                                                                                                                                                     |
| 2778  | 06/13/2024 | Claims  | 3      | EFT   | Edge Analytical, Inc                          | 33.00      | STA01                                                                                                                                                                                                    |
| 2779  | 06/13/2024 | Claims  | 3      | EFT   | Edge Analytical, Inc                          | 259.00     | STA23                                                                                                                                                                                                    |
| 2780  | 06/13/2024 | Claims  | 3      | EFT   | Edge Analytical, Inc                          | 394.00     | STA23                                                                                                                                                                                                    |
| 2781  | 06/13/2024 | Claims  | 3      | EFT   | Edge Analytical, Inc                          | 190.00     | STA23                                                                                                                                                                                                    |
| 2782  | 06/13/2024 | Claims  | 3      | EFT   | Edge Analytical, Inc                          | 728.00     | STA01                                                                                                                                                                                                    |
| 2783  | 06/13/2024 | Claims  | 3      | EFT   | Edge Analytical, Inc                          | 287.00     | STA01                                                                                                                                                                                                    |
| 2784  | 06/13/2024 | Claims  | 3      | EFT   | Edge Analytical, Inc                          | 375.00     | STA01                                                                                                                                                                                                    |
| 2785  | 06/13/2024 | Claims  | 3      | EFT   | FCS Group- Solutions- Oriented Consult.       | 1,555.00   | City of Stanwood                                                                                                                                                                                         |
| 2786  | 06/13/2024 | Claims  | 3      | EFT   | Konnerup Construction Inc                     | 37,547.34  | City of Stanwood                                                                                                                                                                                         |
| 2787  | 06/13/2024 | Claims  | 3      | EFT   | Konnerup Construction Inc                     | 594,766.20 |                                                                                                                                                                                                          |
| 2788  | 06/13/2024 | Claims  | 3      | EFT   | Lou's Gloves, Inc                             | 1,263.00   | STA629                                                                                                                                                                                                   |
| 2789  | 06/13/2024 | Claims  | 3      | EFT   | Mackenzie                                     | 111.00     | City of Stanwood                                                                                                                                                                                         |
| 2790  | 06/13/2024 | Claims  | 3      | EFT   | Maul Foster Alongi, Inc.                      | 153.75     | City of Stanwood                                                                                                                                                                                         |
| 2791  | 06/13/2024 | Claims  | 3      | EFT   | Maul Foster Alongi, Inc.                      | 1,556.25   | City of stanwood                                                                                                                                                                                         |
| 2792  | 06/13/2024 | Claims  | 3      | EFT   | RH2 Engineering Inc                           | 2,511.76   | City of Stanwood                                                                                                                                                                                         |
| 2793  | 06/13/2024 | Claims  | 3      | EFT   | RH2 Engineering Inc                           | 282.64     | City of Stanwood                                                                                                                                                                                         |

# CHECK REGISTER

ATTACHMENT A

City Of Stanwood

Time: 10:04:48 Date: 06/20/2024

06/04/2024 To: 06/20/2024

Page: 3

| Trans | Date       | Type   | Acct # | Chk # | Claimant                                 | Amount    | Memo                                                                                           |
|-------|------------|--------|--------|-------|------------------------------------------|-----------|------------------------------------------------------------------------------------------------|
| 2794  | 06/13/2024 | Claims | 3      | EFT   | RH2 Engineering Inc                      | 35,356.08 | City of Stanwood                                                                               |
| 2795  | 06/13/2024 | Claims | 3      | EFT   | Snohomish County Public Def Association  | 2,800.00  | City of Stanwood                                                                               |
| 2796  | 06/13/2024 | Claims | 3      | EFT   | Stanwood Auto Parts                      | 94.37     | 56100                                                                                          |
| 2797  | 06/13/2024 | Claims | 3      | EFT   | Stanwood Auto Parts                      | 198.08    | 56100                                                                                          |
| 2798  | 06/13/2024 | Claims | 3      | EFT   | Stanwood Auto Parts                      | 107.11    | 56100                                                                                          |
| 2799  | 06/13/2024 | Claims | 3      | EFT   | Stanwood Auto Parts                      | 141.70    | 56100                                                                                          |
| 2800  | 06/13/2024 | Claims | 3      | EFT   | Strategies 360 Inc                       | 2,000.00  | City of Stanwood                                                                               |
| 2801  | 06/13/2024 | Claims | 3      | EFT   | Taylor's Excavators Inc                  | 9,000.54  | City of Stanwood                                                                               |
| 2802  | 06/13/2024 | Claims | 3      | EFT   | Taylor's Excavators Inc                  | 20,211.89 | City of Stanwood                                                                               |
| 2803  | 06/13/2024 | Claims | 3      | EFT   | Thompson Guildner & Associates Inc. P.S. | 4,059.70  | City of Stanwood                                                                               |
| 2804  | 06/13/2024 | Claims | 3      | EFT   | Vestis                                   | 52.68     | 937963000                                                                                      |
| 2805  | 06/13/2024 | Claims | 3      | EFT   | Vestis                                   | 52.68     | 937963000                                                                                      |
| 2806  | 06/13/2024 | Claims | 3      | EFT   | Vestis                                   | 52.68     | 937963000                                                                                      |
| 2807  | 06/13/2024 | Claims | 3      | EFT   | Vestis                                   | 52.68     | 937963000                                                                                      |
| 2761  | 06/13/2024 | Claims | 3      | 38487 | American Red Cross Training Services     |           | Checks printed upside down                                                                     |
| 2762  | 06/13/2024 | Claims | 3      | 38488 | BHC Consultants, LLC                     |           | Checks printed upside down                                                                     |
| 2763  | 06/13/2024 | Claims | 3      | 38489 | Badger Meter, Inc                        |           | Checks printed upside down                                                                     |
| 2764  | 06/13/2024 | Claims | 3      | 38490 | Bonner Electrical Contracting LLC        |           | Checks printed upside down                                                                     |
| 2765  | 06/13/2024 | Claims | 3      | 38491 | Calhoun & De Jong Inc.                   |           | Checks printed upside down                                                                     |
| 2766  | 06/13/2024 | Claims | 3      | 38492 | Camano Island Chamber of Commerce        |           | Checks printed upside down                                                                     |
| 2767  | 06/13/2024 | Claims | 3      | 38493 | Cascade Natural Gas Corp                 |           | Checks printed upside down                                                                     |
| 2768  | 06/13/2024 | Claims | 3      | 38494 | City of Everett *                        |           | Checks printed upside down                                                                     |
| 2769  | 06/13/2024 | Claims | 3      | 38495 | Code Publishing Company, Inc             |           | Checks printed upside down                                                                     |
| 2770  | 06/13/2024 | Claims | 3      | 38496 | Cues, Inc.                               |           | Checks printed upside down                                                                     |
| 2771  | 06/13/2024 | Claims | 3      | 38497 | Daily Journal Of Commerce, Inc           |           | Checks printed upside down                                                                     |
| 2772  | 06/13/2024 | Claims | 3      | 38498 | Dalco Inc                                |           | Checks printed upside down                                                                     |
| 2773  | 06/13/2024 | Claims | 3      | 38499 | Dent Breakaway Industries                |           | Checks printed upside down                                                                     |
| 2808  | 06/13/2024 | Claims | 3      | 38500 | American Red Cross Training Services     | 1,283.00  | P0073996                                                                                       |
| 2809  | 06/13/2024 | Claims | 3      | 38501 | BHC Consultants, LLC                     | 5,196.31  | City of Stanwood                                                                               |
| 2810  | 06/13/2024 | Claims | 3      | 38502 | Badger Meter, Inc                        | 371.94    | 460708                                                                                         |
| 2811  | 06/13/2024 | Claims | 3      | 38503 | Bonner Electrical Contracting LLC        | 2,377.81  | City of Stanwood                                                                               |
| 2812  | 06/13/2024 | Claims | 3      | 38504 | Calhoun & De Jong Inc.                   | 52.60     | 1CITY07                                                                                        |
| 2813  | 06/13/2024 | Claims | 3      | 38505 | Camano Island Chamber of Commerce        | 2,000.00  | City of Stanwood                                                                               |
| 2814  | 06/13/2024 | Claims | 3      | 38506 | Cascade Natural Gas Corp                 | 800.03    | 127 540 0000 3; 608 440 0000 4; 839 440 0000 5; 498 440 0000 7; 931 607 9072 6; 953 540 0000 2 |
| 2815  | 06/13/2024 | Claims | 3      | 38507 | City of Everett *                        | 860.00    | STACITG                                                                                        |
| 2816  | 06/13/2024 | Claims | 3      | 38508 | Code Publishing Company, Inc             | 1,309.97  | ST4659                                                                                         |
| 2817  | 06/13/2024 | Claims | 3      | 38509 | Cues, Inc.                               | 5,409.54  | City of Stanwood                                                                               |
| 2818  | 06/13/2024 | Claims | 3      | 38510 | Daily Journal Of Commerce, Inc           | 1,296.30  | 3941; 3941                                                                                     |
| 2819  | 06/13/2024 | Claims | 3      | 38511 | Dalco Inc                                | 10.99     | City of Stanwood                                                                               |
| 2820  | 06/13/2024 | Claims | 3      | 38512 | Dent Breakaway Industries                | 1,516.56  | City of Stanwood                                                                               |
| 2821  | 06/13/2024 | Claims | 3      | 38513 | Ewing Irrigation Products Inc.           | 283.15    | City of Stanwood                                                                               |
| 2822  | 06/13/2024 | Claims | 3      | 38514 | FastSigns Clackamas                      | 104.62    | City of Stanwood                                                                               |
| 2823  | 06/13/2024 | Claims | 3      | 38515 | Fin Workspace Interiors                  | 9,219.73  | City of Stanwood                                                                               |
| 2824  | 06/13/2024 | Claims | 3      | 38516 | Grainger, Inc                            | 820.20    | 848089215; 848089215                                                                           |
| 2825  | 06/13/2024 | Claims | 3      | 38517 | Hamilton Lumber LLC                      | 110.20    | 66; 66                                                                                         |
| 2826  | 06/13/2024 | Claims | 3      | 38518 | Harmsen LLC                              | 2,138.50  | City of Stanwood                                                                               |
| 2827  | 06/13/2024 | Claims | 3      | 38519 | Integrity Electric Skagit LLC            | 6,134.96  | City of Stanwood                                                                               |

## ATTACHMENT A

Time: 10:04:48 Date: 06/20/2024

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## 8.5

# CHECK REGISTER

ATTACHMENT A

City Of Stanwood

Time: 10:04:48 Date: 06/20/2024

06/04/2024 To: 06/20/2024

Page: 5

| Trans | Date       | Type   | Acct # | Chk # | Claimant                                 | Amount    | Memo                                                                   |
|-------|------------|--------|--------|-------|------------------------------------------|-----------|------------------------------------------------------------------------|
| 2857  | 06/13/2024 | Claims | 3      | 38549 | Stanwood Camano Arts Advocacy Commission | 21,294.00 | City of Stanwood                                                       |
| 2858  | 06/13/2024 | Claims | 3      | 38550 | Stanwood City Utility                    | 5,482.96  | 5334; 2886; 1075; 2688; 2749; 3184; 2964; 2965; 3439; 4962; 2741; 5333 |
| 2859  | 06/13/2024 | Claims | 3      | 38551 | Stanwood Redi-Mix Inc                    | 826.80    | 1C1090                                                                 |
| 2860  | 06/13/2024 | Claims | 3      | 38552 | Jarred H Stark                           | 174.84    | City of Stanwood                                                       |
| 2861  | 06/13/2024 | Claims | 3      | 38553 | Stilly Auto Parts Napa                   | 6.15      | 27197                                                                  |
| 2862  | 06/13/2024 | Claims | 3      | 38554 | The Hose Shop, Inc.                      | 56.53     | City of Stanwood                                                       |
| 2863  | 06/13/2024 | Claims | 3      | 38555 | USA Bluebook                             | 371.40    | 478228                                                                 |
| 2864  | 06/13/2024 | Claims | 3      | 38556 | Unum Life Insurance                      | 88.40     | 0220603-036 2                                                          |
| 2865  | 06/13/2024 | Claims | 3      | 38557 | Utilities Underground Loc                | 60.72     | 134200                                                                 |
| 2866  | 06/13/2024 | Claims | 3      | 38558 | Verizon Wireless                         | 2,276.06  | 742373248-00001; 372541731-00001                                       |
| 2867  | 06/13/2024 | Claims | 3      | 38559 | WA St Dept of Ecology *                  | 85.00     | City Of Stanwood                                                       |
| 2868  | 06/13/2024 | Claims | 3      | 38560 | WA St Dept of Licensing *                | 204.00    | City of Stanwood                                                       |
| 2869  | 06/13/2024 | Claims | 3      | 38561 | Wave Broadband                           | 446.46    | 3201-0316545-01; 3201-0316547-01                                       |
| 2870  | 06/13/2024 | Claims | 3      | 38562 | Western Exterminator Company             | 272.16    | 683591                                                                 |
| 2871  | 06/13/2024 | Claims | 3      | 38563 | Ziply Fiber                              | 1,590.70  | 360-629-4907-072497-5; 206-188-0411-053105-5                           |

|                                     |            |
|-------------------------------------|------------|
| 001 General Fund                    | 259,564.83 |
| 101 Street Fund                     | 54,255.16  |
| 103 Street Construction Fund        | 616,625.70 |
| 104 Park And Trail Improvement Fund | 39,360.54  |
| 110 Building Improvement Fund       | 26,980.67  |
| 115 Tourism And Promotion           | 4,682.00   |
| 401 Sewer Fund                      | 111,439.50 |
| 403 Sewer Construction Fund         | 38,146.93  |
| 410 Drainage Fund                   | 93,750.87  |
| 411 Drainage Construction Fund      | 57,455.85  |
| 421 Water Fund                      | 88,709.96  |
| 422 Water Construction Fund         | 3,628.42   |
| 630 Agency Fund                     | 204.00     |

|                                                      |          |              |
|------------------------------------------------------|----------|--------------|
|                                                      | Claims:  | 971,308.72   |
| * Transaction Has Mixed Revenue And Expense Accounts | Payroll: | 423,495.71   |
|                                                      |          | 1,394,804.43 |

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 Corde Doornum Date: 6/20/24  
 (X) Deputy Finance Director



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

**ITEM NUMBER:** 8b  
**DATE:** June 27, 2024  
**SUBJECT:** City Council Meeting Minutes – June 13, 2024  
**CONTACT PERSON:** Lisa Sokolik, City Clerk  
**ATTACHMENTS:** A – Council Meeting Minutes

---

### **SUMMARY STATEMENT**

The City Council meeting minutes for June 13, 2024, are attached to this staff report for Council's approval.

### **RECOMMENDED MOTION**

**"I MOVE TO APPROVE THE JUNE 13, 2024, CITY COUNCIL MEETING MINUTES AS PRESENTED".**

**CITY OF STANWOOD**  
Regular Meeting of the City Council  
June 13, 2024 | 7:00 p.m.  
**MINUTES**

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

Mayor Sid Roberts called the meeting to order at 7:00 p.m. Councilmember Metz 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, Robert Hicks, Steve Shepro, Andreena Bergman, and Tim Schmitt. The meeting was quorate.

Also present: City Administrator Shawn Smith, Finance Director David Hammond, Public Works Director Kevin Hushagen, Fire Chief John Cermak, Police Chief Jason Toner, Police Sgt. Kore Oyetuga, Police Sgt. Karl Gilje, City Attorney Nikki Thompson, City Engineer/Capital Projects Manager Alan Lytton, Communications & Marketing Specialist Niki Strachila, Senior Planner Tansy Schroeder, and City Clerk Lisa Sokolik. Utilities Supervisor Leigh Danielson attended on-line.

**3. Approval of the Agenda**

Mayor Roberts added two items to the agenda:

4a Presentation - SCAF's Blue Bridge Alliance Program grant.

8d Consent - Northend Excavating contract for the 276<sup>th</sup> St sidewalk project.

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

**4. Presentation**

SCAF's Blue Bridge Alliance Program Grant.

Chief Toner said homelessness has been around for a long time, it's even in our small city. Our police officers struggle with how to help individuals who are in distress and need a little help, even for one night. Although social workers are brought in to help, some individuals decline the offered services, so the issue is how to bridge and form a relationship so individuals will start to accept the services they need. Natalie Hugglund reached out to Toner letting him know of the Blue Bridge Alliance Program grant opportunity. Toner submitted the application under the REMAX Community Chest and was awarded a \$1,100 grant. City of Stanwood Police Officers will be provided prepaid debit cards so they can help individuals in need of a bus ticket, a hot meal, a pair of shoes or a place to stay for the night.

Natalie Hagglund said SCAF has been around since the 1960s and has the privilege to make an impact to our community through the generous donations of our community members.

## 5. Public Comments

| <u>Name</u>     | <u>City</u> | <u>Topic</u>                                                                                                                |
|-----------------|-------------|-----------------------------------------------------------------------------------------------------------------------------|
| Mike Heckendorf | Stanwood    | Pro Fireworks Ban.                                                                                                          |
| Lisa Olander    | Stanwood    | Maintenance of Bogg's and the school district's storm drains so the stormwater on the Wolfkill property can properly drain. |

## 6. Staff / Department Report

Police Compstat Report – May

Chief Toner discussed the fatal car accident on the Stanwood side of the Mark Clark Bridge which caused a severe six-hour traffic back-up.

## 7. Council Committee Reports

Parks and Trails Advisory Committee Meeting Minutes – April 15, 2024

## 8. Consent Agenda

- a. Approve Vouchers and Payroll Checks
- b. Approve City Council Regular Meeting Minutes – May 23, 2024
- c. Approve Second Reading and Adoption of Ordinance 1534 - Complete Streets
- d. Authorize the Mayor to Sign a Contract with Northend Excavating for the 276<sup>th</sup> St Sidewalk Project

*Motion by Councilmember Gaumond, second by Councilmember Hicks to approve consent agenda item A. approval of vouchers and payroll checks, item B. approve city council regular meeting minutes for May 23, 2024, item C. approve second reading and adoption of Ordinance 1534 Complete Streets, and item D. authorize the Mayor to sign a contract with Northend Excavating for the 276<sup>th</sup> St sidewalk project. **Motion carried unanimously.***

## 9. Unfinished Business

- a. Approve Third Reading and Adoption of Ordinance 1531 Fireworks Code Amendment

Smith gave a summary of the revisions made to the draft code amendment that addresses Council's questions and directives made during the second reading; changes include:

- Violation of selling illegal fireworks will result in a civil penalty of \$500.
- Reduced hours fireworks can be sold to 9:00 a.m. to 10:00 p.m., July 1<sup>st</sup> through July 4<sup>th</sup>.
- Added back in New Years Eve 11 p.m. to 12:15 a.m.
- Added a new section 9.42.040 Enforcement.
- Changed the use and discharge time from 9:00 a.m. to 11:59 p.m. on July 4<sup>th</sup>.

*Motion by Councilmember Schmitt, second by Councilmember Shepro to table this item and direct staff to come back with an Ordinance for full fireworks ban.*

Council discussed and made arguments for either a full fireworks ban or a partial fireworks ban.

*Roll call of votes was taken.*

*Councilmember Hicks – No*

|                       |       |
|-----------------------|-------|
| Councilmember Shepro  | – Yes |
| Councilmember Bergman | – No  |
| Councilmember Schmitt | – Yes |
| Councilmember Gaumond | – No  |
| Councilmember Metz    | – No  |
| Councilmember Robb    | – No  |

**Motion fails 2 yeas, 5 nays.**

*Motion by Councilmember Robb, second by Councilmember Hicks to accept the third and final reading and adoption of Ordinance 1531 as set forth in attachment “A”.*

Roll call of votes was taken.

|                       |       |
|-----------------------|-------|
| Councilmember Hicks   | – Yes |
| Councilmember Shepro  | – No  |
| Councilmember Bergman | – Yes |
| Councilmember Schmitt | – No  |
| Councilmember Gaumond | – Yes |
| Councilmember Metz    | – Yes |
| Councilmember Robb    | – Yes |

**Motion carried 5 yeas, 2 nays.**

#### **10. Public Hearing**

No public hearing.

#### **11. New Business**

a. Approve First Reading of Ordinance 1533 Compost Procurement Code Amendment

City Attorney Thompson discussed the amendment to the Compost Procurement Code. Per new legislation, the City’s reporting requirement has changed from every other year to every year and now must include where the organic material is diverted to as to opposed to just reporting the number of tons that are diverted from the landfills.

*Motion by Councilmember Metz, second by Councilmember Gaumond to accept the first reading of Ordinance 1533, amending the compost procurement reporting requirements as provided in attachment “A” and to proceed with the second reading. **Motion carried unanimously.***

b. Adopt Resolution 2024-09 Storefront Improvement Program Amendment

Strachila discussed the proposed amendment to the Storefront Improvement Program to include nonprofit businesses residing in historical buildings.

*Motion by Councilmember Metz, second by Councilmember Hicks to adopt Resolution 2024-09 Storefront Improvement Program amendment. **Motion carried unanimously.***

- c. Authorize the Mayor to Sign a Contract with KPG for Construction Management of the Viking Way Phase II project

Lytton said five consulting firms submitted Statement of Qualifications. City staff and WDOT Local Program staff interviewed three firms, KPG was identified as being the most qualified. After meeting with KPG and selecting what services the city requires, the cost of the contract is \$454,000.

Council made comments and asked questions.

*Motion by Councilmember Robb, second by Councilmember Metz to authorize the mayor to sign a contract with KPG to provide construction management services on the Viking Way Phase 2 project not to exceed \$450,000. **Motion failed unanimously.***

*Motion by Councilmember Robb, second by Councilmember Metz to authorize the mayor to sign a contract with KPG to provide construction management services on the Viking Way Phase 2 project not to exceed \$454,986.13. **Motion carried unanimously.***

## 12. Public Closing Comments

## 13. Executive/Legislative Reports

### a. Mayor's Report

- The new restrooms on Main Street are open, they turned out very nice.
- Citizen Patrol is out and about, they are taking it very seriously. We're looking for more volunteers.
- Snohomish County might put a .2% public safety sales tax initiative on the November ballot. If it passes, the city would receive \$280,000 for public safety.
- AWC needs voting delegates, if any councilmembers are interested, see David Hammond.

### b. City Administrator Report

- Regarding Lisa Olander's public comment regarding storm drainage, Public Works staff are aware of and have performed work on it, and now they are waiting for drier weather to get it opened up and cleared out.
- Regarding the fatal car accident, the traffic was backed up so bad that Public Works staff could not get to the scene to help flag. Hopefully, in the future the city can use the AM 570 radio station traffic information sign on SR532 by QFC to provide traffic information.
- To add on to what Lytton was saying about the requirements of the federal grant for the Viking Way project and how even though the cost is high, it is a good idea to have a professional consultant manage the project. The federal government is very strict on their requirements. At the beginning of the Phase 1 process, there was not a requirement to interview three firms, for engineering services, but by the time the project was completed they had changed their manual and requirements, they threatened to take back the grant dollars because we had not interviewed three firms. Also, at the end of the project there is an audit, if they find anything wrong it makes it harder to get future grants.

c. Councilmember's Report/Questions

- Gaumond – Enjoy the weekend!
- Metz – Made a recommendation a few weeks ago about brainstorming downtown design standards. Would like to continue that discussion and have staff bring ideas to Council.
- Robb – The 276<sup>th</sup> sidewalk project was a quick turnaround; some sidewalk projects sit on the TIP for years, but this one got a lot of attention from council and staff so it is exciting to see how quick this one went from being identified to construction, and at a low cost. Thanks to everyone involved and he will get to work identifying another one!
- Hicks – At the Public Safety Committee meeting tonight, Chief Cermak brought up the Buprenorphine program; North County Fire and Rescue was the pilot for this program and it's doing so well that it's headed south. From Chief Toner, the committee heard about a flock and a falcon and other safety stuff coming soon that council will find interesting. Happy Father's Day this weekend!
- Bergman – Excited to see the Citizen Patrol out today and noticed that they mowed down the blackberry bushes on the corner. Happy Father's Day!
- Schmitt – Asked Smith if data on the fatal car accident could be sent to WSDOT to see if they can put in actionable safety improvements. Smith answered that receives and compiles all accident data, and also noted that sometimes it is not a safety issue, for example if the accident is caused by a medical issue or drunk driver.

**14. Recess to Executive Session**

No executive session.

**15. Adjourn**

There being no further business before the Council, and hearing no objection to adjournment, Mayor Roberts adjourned the meeting at 8:23 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:** 8c

**DATE:** June 27, 2024

**SUBJECT:** Resolution 2024-10 - Surplus of City Property

**CONTACT PERSON:** Tim Niebruegge, Finance Analyst

**ATTACHMENTS:** A – Resolution 2024-10

---

### **ISSUE**

Request City Council Authorization to surplus assets that are missing or no longer of use to the City.

### **RECOMMENDATION**

Staff requests council approval of Resolution 2024-10 declaring certain property to be surplus to the needs of the city and authorizing the Finance Director to arrange for and to execute the sale and/or disposal of said property for the common benefit.

### **SUMMARY STATEMENT**

City staff has identified equipment that is missing, or no longer has value to the city for providing municipal services. Staff is requesting that council approve Resolution 2024-10 authorizing the Finance Director to dispose of applicable items and remove them from the asset listing.

### **DISCUSSION**

In performance of routine accounting and physical inventory, staff has identified equipment items that were replace, stolen, are obsolete, or in poor working condition, and should be removed from the asset listing.

Declaring these assets surplus helps alleviate space issues and removes broken items from the premises. Resolution 2024-10 (Attachment A) lists the items that were identified as surplus and why they are no longer of use.

RCW 35.94.040 requires that "...any lands, property, or equipment originally acquired for public utility purposes is surplus to the city's needs and is not required for providing continued public utility service with an estimated value of \$50,000, then such legislative authority by resolution and after a public hearing may cause such lands, property, or equipment to be leased, sold or conveyed." Since equipment and software on the surplus list acquired for public utility purposes does not have value greater than \$50,000 a public hearing is not scheduled for tonight's City Council meeting.

### **FINANCIAL IMPACT**

Estimated residual value for these items is approximately \$10,000 to \$15,000.

### **CITY COUNCIL OPTIONS**

1. Adopt Resolution 2024-10 declaring certain property to be surplus to the needs of the city and authorizing the Finance Director to arrange for and to execute the disposal of said property for the common benefit.
2. Do not adopt Resolution 2024-10 and direct staff to areas of concern. This option implies Council has questions or concerns regarding the proposal to surplus the property identified in Attachment A.

### **RECOMMENDED MOTION**

**I MOVE TO ADOPT RESOLUTION 2024-10 DECLARING CERTAIN PROPERTY TO BE SURPLUS TO THE NEEDS OF THE CITY AND AUTHORIZING THE FINANCE DIRECTOR TO ARRANGE FOR AND TO EXECUTE THE DISPOSAL OF SAID PROPERTY.**

CITY OF STANWOOD, WASHINGTON

RESOLUTION 2024-10

**A RESOLUTION OF THE CITY OF STANWOOD, WASHINGTON  
DECLARING CERTAIN ITEMS OF PERSONAL PROPERTY TO  
BE SURPLUS TO THE NEEDS OF THE CITY AND  
AUTHORIZING THE FINANCE DIRECTOR TO ARRANGE FOR  
AND TO EXECUTE THE SALE AND/OR DISPOSAL OF SAID  
PROPERTY FOR THE COMMON BENEFIT.**

**WHEREAS**, the City of Stanwood owns certain used equipment, rolling stock and tools which are surplus to the needs of the City and are not required for providing continued municipal services; and

**WHEREAS**, some of the items the City plans to surplus were purchased and/or used for utility purposes, however the estimated value of these items is less than \$50,000; and

**WHEREAS**, RCW 39.94.040 requires that a public hearing be held if property (real estate or personal property) originally purchased for utility purposes with estimated value greater than \$50,000, is no longer needed for that use; and

**WHEREAS**, the City Council desires to declare certain personal property surplus and to authorize the Finance Director to arrange for and to execute the sale and/or disposal of said property to realize the greatest return by the most efficient means;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STANWOOD DOES  
HEREBY RESOLVE AS FOLLOWS:**

**Section 1.** The City Council hereby determines and finds that certain property described in Exhibit A and attached hereto is surplus to the needs of the City and is not required for providing continued municipal service.

**Section 2.** The Finance Director is authorized to arrange for and to execute the sale and/or disposal of said property to realize the greatest return by the most efficient means.

**PASSED AND APPROVED** by the City Council of the City of Stanwood this 27<sup>th</sup> day of June, 2024.

CITY OF STANWOOD

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Sid Roberts, Mayor

ATTEST:

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Lisa Sokolik, City Clerk

APPROVED AS TO FORM:

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Nikki Thompson, City Attorney

| Make/Model              | Description           | Serial./VIN.      | Asset # | PurchaseDate | Cost      | Notes                 |
|-------------------------|-----------------------|-------------------|---------|--------------|-----------|-----------------------|
| Bosch                   | Demolition Hammer     | 0611-304-139      | 80034   | 12/10/2010   | \$ 1,750  | Broken                |
| 5433 W1                 | Pump - 3 1/2 hp       | D0103210          | 40036   | 4/1/2002     | \$ 1,613  | Broken                |
| REX                     | Transit Pipe Cutter   | 95081             | 80017   | 6/1/1990     | N/A       | Broken                |
| 1000C                   | Allied Model Hole-Hog | 11428             | 80010   | 12/3/2003    | \$ 3,600  | Broken                |
| Spectra                 | Dual Laser level      | 15348788          | 60024   | 7/27/2016    | \$ 1,600  | Broken                |
| Jacobson HR 511         | Mower                 | 691162325         | 40076   | N/A          | \$ 36,000 | N/A                   |
| Brush Bandit            | Chipper               | 2044              | 40103   | 1/1/1993     | N/A       | N/A                   |
| 2002 GMC Sonoma X-Cab   | Pickup Truck #32      | 1GTCS19W128212110 | 30282D  | 5/1/2002     | \$ 14,100 | Replace per schedule  |
| 2011 Ford F250          | Pickup Truck          | 1FT7X2B60BEA59580 | 51044D  | 7/6/2010     | \$ 25,804 | Replaced by truck #31 |
| 2014 Ford F350          | Pickup Truck          | 1FD8X3D68EEA49175 | 49085D  | 10/8/2013    | \$ 30,027 | Replaced by truck #38 |
| Tommy Gate              | Tool Box              | on crew truck #34 | 49085D  | 12/12/2013   | \$ 12,581 | N/A                   |
| Woods                   | Auger/Posthole Digger | NA                | 40077   | 8/1/2002     | \$ 877    | N/A                   |
| C96470248P408340018     | chemical feed pumps   | N/A               | N/A     | N/A          | N/A       | N/A                   |
| C96871858P408340075     | chemical feed pumps   | N/A               | N/A     | N/A          | N/A       | N/A                   |
| C96871858P408340074     | chemical feed pumps   | N/A               | N/A     | N/A          | N/A       | N/A                   |
|                         | Mower                 | N/A               | 10336   | N/A          | N/A       | N/A                   |
| Thermo Scientific       | Incubator BOD         | 815383129-2181    | 80203   | N/A          | \$ 4,000  | Broken/Used           |
| ViewSonic VG2436-SMH    | 24 Inch Monitor       | VBW201740232      | N/A     | N/A          | N/A       | Broken/Used           |
| Viewsonic VG2239M-2ED   | 22 Inch Monitor       | T71140822770      | N/A     | N/A          | N/A       | Broken/Used           |
| HuntHCD-08MAH           | Security Monitor      | 08MAH040008       | N/A     | N/A          | N/A       | Broken/Used           |
| Canon Microfilm Scanner | Microfilm Scanner     | 101402            | N/A     | N/A          | N/A       | Broken/Used           |
| Gateway FPD1810 Monitor | Monitor               | KWL801580062324   | N/A     | N/A          | N/A       | Broken/Used           |
| ViewSonic Monitor       | 20 Inch Monitor       | S17111500012      | N/A     | N/A          | N/A       | Broken/Used           |
| Optima Projector        | Projector             | N1839             | 80332   | N/A          | N/A       | Broken/Used           |
| APC Back-UPS Pro1000    | Backup Battery        | 3B1247X04956      | 20238   | N/A          | N/A       | Broken/Used           |
| HP PavilionComputer     | Computer              | CNC35304G3        | 44123   | N/A          | N/A       | Broken/Used           |
| Star Receipt Printer    | Receipt Printer       | NA                | 20197   | N/A          | N/A       | Broken/Used           |
| Panasonic Camera        | Digital Camera        | NA                | 20205   | N/A          | N/A       | Broken/Used           |
| Dell Inspiron Laptop    | Laptop                | 3940352354        | 80370   | N/A          | N/A       | Broken/Used           |

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## CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT

**ITEM NUMBER:** 8d

**DATE:** June 13, 2024

**SUBJECT:** Adoption of Ordinance 1533 Regarding Compost Procurement

**CONTACT PERSON:** Kevin Hushagen, Public Works Director

Attachment                      A – Ordinance 1533  
                                            B – Session Law  
                                            C – Session Law Bill Report  
                                            D – Revised RCW 43.19A.150

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### **PURPOSE**

The purpose of this agenda item is for Council review and acceptance of the second reading and adoption of Ordinance 1533, adopting amendments to the City's compost procurement requirements.

### **BACKGROUND**

In January of 2024 the Council approved Ordinance 1510 regarding compost procurement. This ordinance enacted ESSHB 1799, which aims to reduce the amount of organic materials going to landfills by encouraging cities and counties to procure more finished compost products to reduce emissions. Included in ESSHB 1799 were several local government reporting requirements.

During the 2024 Legislative Session, the reporting requirements under ESSHB 1799 were modified. City Ordinance 1533 amends Section 4.16.060, Reporting, of the City's Compost Procurement regulations to be in compliance with the new state law.

At the June 13, 2024 regular city council meeting, city council unanimously approved the ordinance's first reading and directed staff to place second reading and adoption on the consent agenda of the next meeting.

### **ANALYSIS**

The reporting requirements under ESSHB 1799 required the Public Works Director to report to the State by December 31 every two -years on even numbered years how many tons of organic materials were being diverted from landfills each year. The new state law changed three components of the reporting requirements:

1. Changed the reporting requirement from December 31, 2024 to march 31, 2025;
2. Requires yearly reporting instead for every two years; and

3. Requires cities to identify the facility or facilities used for processing of organic materials.

Ordinance 1533 has been drafted by the City Attorney to be compliant with these new state regulations.

|                                                                   |
|-------------------------------------------------------------------|
| <b>Fiscal Impact</b>                                              |
| No direct financial impact besides staff time to prepare reports. |

**RECOMMENDATIONS**

**Staff Recommendation:**

Staff recommends that the Council accept the accept the first reading of Ordinance 1533 as presented.

**Committee/Board Recommendation:**

None; this is a full Council discussion item.

**CITY COUNCIL OPTIONS**

1. Accept the first reading of Ordinance 1533 adopting the new compost procurement reporting requirements.
2. Request changes to Ordinance 1533 and direct staff to address specific Council issues or concerns prior to Council reconsideration the ordinance.

**PROPOSED MOTION**

**“I MOVE TO ACCEPT THE SECOND READING AND ADOPTION OF ORDINANCE 1533, AMENDING THE COMPOST PROCUREMENT REPORTING REQUIREMENTS AS PROVIDED IN ATTACHMENT “A”**

**CITY OF STANWOOD  
WASHINGTON**

**ORDINANCE 1533**

**AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON, AMENDING  
STANWOOD MUNICIPAL CODE (SMC) SECTION 4.16.060 'REPORTING' AND  
ESTABLISHING SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the State of Washington found that landfills are a significant source of emissions of methane, and to reduce methane emissions associated with organic materials, there is a benefit to diverting organic materials from landfills to productive uses of organic material wastes; and,

**WHEREAS**, as more organic materials are diverted and recycled, it is critical that compost be procured by local jurisdictions and other local entities to support the economic viability of these processes and programs; and,

**WHEREAS**, it is well established that the use of compost in landscaping and soil amendment has many benefits such as moisture retention, weed suppression, natural forms of nutrients, stopping soil erosion, and,

**WHEREAS**, as a result of these findings, the Washington State Legislature enacted Engrossed Second Substitute House Bill (ESSHB) 1799 in March of 2022; and,

**WHEREAS**, the goal of ESSHB 1799 is to increase the diversion of organic materials going to landfills by "encouraging cities and counties to procure more of the compost and finished compost products created from their organic material" in order to reduce emissions, and,

**WHEREAS**, ESSHB 1799 added a new section to Chapter 43.19A of the Revised Code of Washington (RCW), now codified as RCW 41.19A.150, which requires all cities, towns and counties with populations of 25,000 or more or smaller jurisdictions where organic materials collection services are provided at least 26 weeks of the year to adopt a compost procurement ordinance to implement provisions of RCW 43.19A.120; and,

**WHEREAS**, HB 2301 modified the ESSHB 1799 reporting requirements; and,

**WHEREAS**, SMC Chapter 4.16 'COMPOST PROCUREMENT', Section 4.16.060 'Reporting' requires revision to be in compliance with the modified requirements of HB 2301,

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

**Section 1.** Section 4.16.060 'Reporting' of the Stanwood Municipal Code, last modified

by Ord. 1510 § 1 (Exh. A) in 2023, is hereby amended to read as follows:

Pursuant to RCW [43.19A.150](#), by ~~December 31, 2024~~[March 31, 2025](#), and each ~~December~~[March](#) 31st ~~of even-numbered years~~ thereafter, the public works director must report the following information to the Department of Ecology:

- (1) Total tons of organic material diverted from landfilling within the city each year ~~and the facility or facilities used for processing~~;
- (2) The volume and cost of composted material purchased by the city each year; and
- (3) The sources of the finished compost product purchased.

**Section 2. Severability.** If any section, subsection, sentence, clause, phrase, or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of this ordinance.

**Section 3. Implementation.** The City Administrator or his designee is hereby authorized to implement such administrative procedures as may be necessary to carry out the directives of this ordinance.

**Section 4. 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 5. Effective Date.** This Ordinance shall take effect five days after its passage and publication as required by law.

**PASSED** by the City Council and **APPROVED** by the Mayor this 13<sup>th</sup> day of June, 2024.

CITY OF STANWOOD

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

Attest:

By \_\_\_\_\_  
Lisa M. Sokolik, City Clerk

Approved as to form:

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

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

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

**CITY OF STANWOOD  
WASHINGTON**

**ORDINANCE 1533**

**AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON, AMENDING  
STANWOOD MUNICIPAL CODE (SMC) SECTION 4.16.060 'REPORTING' AND  
ESTABLISHING SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the State of Washington found that landfills are a significant source of emissions of methane, and to reduce methane emissions associated with organic materials, there is a benefit to diverting organic materials from landfills to productive uses of organic material wastes; and,

**WHEREAS**, as more organic materials are diverted and recycled, it is critical that compost be procured by local jurisdictions and other local entities to support the economic viability of these processes and programs; and,

**WHEREAS**, it is well established that the use of compost in landscaping and soil amendment has many benefits such as moisture retention, weed suppression, natural forms of nutrients, stopping soil erosion, and,

**WHEREAS**, as a result of these findings, the Washington State Legislature enacted Engrossed Second Substitute House Bill (ESSHB) 1799 in March of 2022; and,

**WHEREAS**, the goal of ESSHB 1799 is to increase the diversion of organic materials going to landfills by "encouraging cities and counties to procure more of the compost and finished compost products created from their organic material" in order to reduce emissions, and,

**WHEREAS**, ESSHB 1799 added a new section to Chapter 43.19A of the Revised Code of Washington (RCW), now codified as RCW 41.19A.150, which requires all cities, towns and counties with populations of 25,000 or more or smaller jurisdictions where organic materials collection services are provided at least 26 weeks of the year to adopt a compost procurement ordinance to implement provisions of RCW 43.19A.120; and,

**WHEREAS**, HB 2301 modified the ESSHB 1799 reporting requirements; and,

**WHEREAS**, SMC Chapter 4.16 'COMPOST PROCUREMENT', Section 4.16.060 'Reporting' requires revision to be in compliance with the modified requirements of HB 2301,

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

**Section 1.** Section 4.16.060 'Reporting' of the Stanwood Municipal Code, last modified

by Ord. 1510 § 1 (Exh. A) in 2023, is hereby amended to read as follows:

Pursuant to RCW [43.19A.150](#), by ~~December 31, 2024~~[March 31, 2025](#), and each ~~December~~[March](#) 31st ~~of even-numbered years~~ thereafter, the public works director must report the following information to the Department of Ecology:

- (1) Total tons of organic material diverted from landfilling within the city each year ~~and the facility or facilities used for processing~~;
- (2) The volume and cost of composted material purchased by the city each year; and
- (3) The sources of the finished compost product purchased.

**Section 2. Severability.** If any section, subsection, sentence, clause, phrase, or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of this ordinance.

**Section 3. Implementation.** The City Administrator or his designee is hereby authorized to implement such administrative procedures as may be necessary to carry out the directives of this ordinance.

**Section 4. 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 5. Effective Date.** This Ordinance shall take effect five days after its passage and publication as required by law.

**PASSED** by the City Council and **APPROVED** by the Mayor this 13<sup>th</sup> day of June, 2024.

CITY OF STANWOOD

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

Attest:

By \_\_\_\_\_  
Lisa M. Sokolik, City Clerk

Approved as to form:

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

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

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

## CERTIFICATION OF ENROLLMENT

**ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2301**

Chapter 341, Laws of 2024

68th Legislature  
2024 Regular Session

WASTE MATERIAL MANAGEMENT—VARIOUS PROVISIONS

EFFECTIVE DATE: June 6, 2024

Passed by the House March 5, 2024  
Yeas 57 Nays 36

LAURIE JINKINS

**Speaker of the House of  
Representatives**Passed by the Senate March 1, 2024  
Yeas 30 Nays 19

DENNY HECK

**President of the Senate**

Approved March 28, 2024 2:26 PM

## CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2301** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

**Chief Clerk**

FILED

March 29, 2024

JAY INSLEE

**Governor of the State of Washington****Secretary of State  
State of Washington**

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**ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2301**

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AS AMENDED BY THE SENATE

Passed Legislature - 2024 Regular Session

**State of Washington****68th Legislature****2024 Regular Session**

**By** House Appropriations (originally sponsored by Representatives Doglio, Fitzgibbon, Duerr, Berry, Ramel, Ormsby, Peterson, Pollet, Macri, Cortes, Shavers, Leavitt, and Kloba)

READ FIRST TIME 02/05/24.

1 AN ACT Relating to improving the outcomes associated with waste  
2 material management systems, including products affecting organic  
3 material management systems; amending RCW 70A.207.020, 70A.214.100,  
4 70A.205.540, 70A.205.545, 70A.455.040, 70A.455.070, 70A.455.090,  
5 15.04.420, and 43.19A.150; adding new sections to chapter 70A.207  
6 RCW; adding a new section to chapter 43.23 RCW; adding a new section  
7 to chapter 70A.455 RCW; and creating new sections.

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

9 **PART 1**

10 **INTENT**

11 NEW SECTION. **Sec. 101.** INTENT. (1) The legislature finds:

12 (a) Washington is now experiencing the effects of a climate  
13 crisis: Hotter summers with record-breaking temperatures, devastating  
14 fires, drought conditions, and rising sea levels that erode our  
15 coastlines and are causing some communities to move upland;

16 (b) Methane is a potent greenhouse gas and landfills are  
17 documented by the United States environmental protection agency to be  
18 the 3rd largest human-made source, with food, yard waste, and other  
19 plant-based organic material degrading in landfills to methane;

1 (c) Food waste is a major issue in the United States and  
2 globally, that, according to the food and agriculture organization of  
3 the United Nations, unwanted and discarded food squanders resources,  
4 including water, land, energy, labor, and capital, estimated that  
5 one-third of the food produced in the world for human consumption,  
6 about 1,300,000,000 tons, is lost or wasted every year, and the food  
7 loss and waste in industrialized countries equates to a value of  
8 approximately \$680,000,000,000;

9 (d) The Harvard University food law and policy clinic has  
10 estimated that 40 percent of the food supply in the United States is  
11 not eaten and that according to the United States environmental  
12 protection agency and the United States department of agriculture,  
13 food loss and waste is the single largest component of disposed  
14 municipal solid waste in the United States;

15 (e) In 2015, that the administrator of the United States  
16 environmental protection agency and the secretary of the United  
17 States department of agriculture announced a national goal of  
18 reducing food waste by 50 percent by the year 2030. In 2019,  
19 Washington established the same goal in RCW 70A.205.715;

20 (f) Compost and other products of organic material management  
21 facilities have beneficial applications and can improve soil health,  
22 water quality, and other environmental outcomes. However, in order  
23 for the products of organic material management facilities to lead to  
24 improved environmental outcomes and for the economics of the  
25 operations of these facilities to pencil out, it is important that  
26 inbound sources of organic material waste are free of plastic  
27 contamination, pesticides, and other materials that will reduce  
28 compost quality; and

29 (g) Farmers, processors, retailers, and food banks in Washington  
30 are leaders in addressing this issue, and in 2022, with the enactment  
31 of chapter 180, Laws of 2022 (Engrossed Second Substitute House Bill  
32 No. 1799), Washington took significant steps towards the improvement  
33 of organic material management systems.

34 (2) It is the legislature's intent to provide additional tools  
35 and financial resources to build on this progress in coming years by:

36 (a) Creating a variety of grant programs to support food waste  
37 reduction, food rescue, and other organic material management system  
38 improvements, including grants to support the implementation of new  
39 policy requirements related to organic material management;

(b) Amending solid waste management requirements in support of improved organic material management outcomes, including through the statewide standardization of colors and labels for organic, recycling, and garbage bins, and amending the organic material management service requirements in local jurisdictions and that apply to businesses;

(c) Making changes to product degradability labeling requirements; and

(d) Continuing to discuss how to maximize donations of food from generators of unwanted edible food.

(3) It is the legislature's intent for the following management option preferences to apply to the management of food under this act, including the provisions of law being amended by this act, in order of most preferred to least preferred:

(a) Prevents wasted food;

(b) Donates or upcycles food;

(c) Feeds animals or leaves food unharvested;

(d) Composts or anaerobically digests materials with beneficial use of the compost, digestate, or biosolids;

(e) Anaerobically digests materials with the disposal of digestate or biosolids, or applies material to the land; and

(f) Sends materials down the drain, to landfills, or incinerates material, with or without accompanying energy recovery.

## PART 2

### FUNDING FOR SUSTAINABLE FOOD MANAGEMENT PRIORITIES

NEW SECTION. **Sec. 201.** A new section is added to chapter 70A.207 RCW to read as follows:

CENTER FOR SUSTAINABLE FOOD MANAGEMENT GRANTS. (1) The department, through the center, must develop and administer grant programs to support activities that reduce emissions from landfills and waste-to-energy facilities through the diversion of organic materials and food waste prevention, rescue, and recovery. The department must seek stakeholder input in the design, criteria, and logistics associated with each grant program. The department must allocate grant funding across the eligible categories specified in subsection (2) of this section in a manner consistent with legislative appropriations, and that achieves the following priorities:

1 (a) Maximizing greenhouse gas emission reductions;

2 (b) Eliminating barriers to the rescue and consumption of edible  
3 food that would otherwise be wasted;

4 (c) Developing stable funding programs for the department to  
5 administer and stable funding opportunities for potential fund  
6 recipients to be aware of; and

7 (d) Preferences the following management options, in order of  
8 most preferred to least preferred:

9 (i) Prevents wasted food;

10 (ii) Donates or upcycles food;

11 (iii) Feeds animals or leaves food unharvested;

12 (iv) Composts or anaerobically digests materials with beneficial  
13 use of the compost, digestate, or biosolids;

14 (v) Anaerobically digests materials with the disposal of  
15 digestate or biosolids, or applies material to the land;

16 (vi) Sends materials down the drain, to landfills, or incinerates  
17 material, with or without accompanying energy recovery.

18 (2) Subject to the availability of amounts appropriated for this  
19 specific purpose, grants under this section may be awarded to the  
20 following categories of activities:

21 (a) Projects to prevent the surplus of unsold, uneaten food from  
22 food businesses or to standardize and improve the operating  
23 procedures associated with food donations, including efforts to  
24 standardize collection bins, provide staff training for food donors  
25 or food rescue organizations, or make other changes to increase the  
26 efficiency or efficacy of food donation procedures. Local  
27 governments, federally recognized Indian tribes and federally  
28 recognized Indian tribal government entities, nonprofit  
29 organizations, and generators of unwanted edible food are eligible  
30 applicants for grants under this subsection. Equipment and  
31 infrastructure purchases, training costs, costs associated with the  
32 development and deployment of operating protocols, and employee staff  
33 time reimbursement are eligible uses of grant funding under this  
34 subsection;

35 (b) (i) Projects to improve and reduce the transportation of  
36 donated foods and management of cold chains across the donated food  
37 supply chain, including through food rescue organizations. Local  
38 governments, federally recognized Indian tribes and federally  
39 recognized Indian tribal government entities, nonprofit  
40 organizations, transporters of unwanted edible food, and generators

1 of unwanted edible food are eligible applicants for grants under this  
2 subsection. Eligible uses of grant funding under this subsection  
3 include the acquisition of vehicles, cold-storage equipment, real  
4 estate, and technology to support donated food storage and  
5 transportation system improvements.

6 (ii) Grants under this subsection (2)(b) may not be used for the  
7 purchase or lease of equipment that relies on a fuel source other  
8 than electricity or the purchase or lease of vehicles other than  
9 zero-emission vehicles;

10 (c)(i) Grant programs to support the establishment and expansion  
11 of wasted food reduction programs to benefit vulnerable communities.  
12 This grant program must be developed in consultation with the  
13 department of health and food policy stakeholders.

14 (ii) Nonprofit organizations, businesses, associations, federally  
15 recognized Indian tribes and federally recognized Indian tribal  
16 government entities, and local governments are eligible to receive  
17 grants under this subsection. Eligible uses of the funds may include  
18 community food hub development projects, cold food storage capacity,  
19 refrigerated transport capacity, convenings to inform innovation in  
20 wasted food reduction in retail and food service establishments, and  
21 pilot projects to reduce wasted food. No more than 20 percent of  
22 funds allocated under this subsection (2)(c) may be awarded to a  
23 single grant recipient; and

24 (d) Food waste tracking and analytics pilot project grants. Local  
25 governments, federally recognized Indian tribes and federally  
26 recognized Indian tribal government entities, nonprofit  
27 organizations, transporters of unwanted edible food, and generators  
28 of unwanted edible food are eligible applicants for grants under this  
29 subsection. Eligible uses of grant funding under this subsection  
30 include staff time and technology to improve food waste prevention or  
31 improve tracking of food donations through the food supply chain and  
32 to provide data useful to enabling more efficient and effective  
33 outcomes for the provision of food available for rescue.

34 (3) The department may establish additional eligibility criteria  
35 or application process requirements beyond those described in  
36 subsection (2) of this section for a category or categories of  
37 activity. The department may, as a condition of the award of a grant  
38 under this section, require the reporting of information to the  
39 department regarding the outcomes of the funded activities.

(4) The department may award grants to eligible applicants meeting the minimum qualifying criteria on a competitive basis, or to applicants on a noncompetitive basis, or both. Within each category of activity described in subsection (2) of this section, the department must prioritize grant applications that benefit overburdened communities as defined in RCW 70A.02.010 as identified by the department in accordance with RCW 70A.02.050.

NEW SECTION.     **Sec. 202.**     A new section is added to chapter 70A.207 RCW to read as follows:

SUSTAINABLE FOOD MANAGEMENT POLICY IMPLEMENTATION GRANTS. (1) The department, through the center, must develop and administer grant programs to support the implementation of the requirements of this act and chapter 180, Laws of 2022, with priority given to grants that support the implementation of RCW 70A.205.540 and 70A.205.545. Eligible recipients of grants under this section may include businesses that are subject to organic material management requirements, local governments, federally recognized Indian tribes and federally recognized Indian tribal government entities, nonprofit organizations, or organic material management facilities. Eligible expenses by grant recipients include education, outreach, technical assistance, indoor and outdoor infrastructure, transportation and processing infrastructure, and enforcement costs.

(2) The department may not require, as a condition of financial assistance under this section, that matching funds be made available by a local government recipient. The department must provide assistance to each local government that demonstrates eligibility for grant assistance under this section.

**Sec. 203.**     RCW 70A.207.020 and 2022 c 180 s 402 are each amended to read as follows:

CENTER FOR SUSTAINABLE FOOD MANAGEMENT DUTIES. (1) The Washington center for sustainable food management is established within the department (~~(, to begin operations by January 1, 2024)~~).

(2) The purpose of the center is to help coordinate statewide food waste reduction.

(3) The center may perform the following activities:

(a) Coordinate the implementation of the plan;

1 (b) Draft plan updates and measure progress towards actions,  
2 strategies, and the statewide goals established in RCW 70A.205.007  
3 and 70A.205.715(1);

4 (c) Maintain a website with current food waste reduction  
5 information and guidance for food service establishments, consumers,  
6 food processors, hunger relief organizations, and other sources of  
7 food waste;

8 (d) Provide staff support to multistate food waste reduction  
9 initiatives in which the state is participating;

10 (e) Maintain the consistency of the plan and other food waste  
11 reduction activities with the work of the Washington state  
12 conservation commission's food policy forum;

13 (f) Facilitate and coordinate public-private and nonprofit  
14 partnerships focused on food waste reduction, including through  
15 voluntary working groups;

16 (g) Collaborate with federal, state, and local government  
17 partners on food waste reduction initiatives;

18 (h) Develop and maintain maps or lists of locations of the food  
19 systems of Washington that identify food flows, where waste occurs,  
20 and opportunities to prevent food waste;

21 (i)(i) Collect and maintain data on food waste and wasted food in  
22 a manner that is generally consistent with the methods of collecting  
23 and maintaining such data used by federal agencies or in other  
24 jurisdictions, or both, to the greatest extent practicable;

25 (ii) Develop measurement methodologies and tools to uniformly  
26 track food donation data, food waste prevention data, and associated  
27 climate impacts resultant from food waste reduction efforts;

28 (j) Research and develop emerging organic materials and food  
29 waste reduction markets;

30 (k)(i) Develop and maintain statewide food waste reduction and  
31 food waste contamination reduction campaigns, in consultation with  
32 other state agencies and other stakeholders, including the  
33 development of waste prevention and food waste recovery promotional  
34 materials for distribution. These promotional materials may include  
35 online information, newsletters, bulletins, or handouts that inform  
36 food service establishment operators about the protections from civil  
37 and criminal liability under federal law and under RCW 69.80.031 when  
38 donating food; and

39 (ii) Develop guidance to support the distribution of promotional  
40 materials, including distribution by:

1 (A) Local health officers, at no cost to regulated food service  
2 establishments, including as part of normal, routine inspections of  
3 food service establishments; and

4 (B) State agencies, including the department of health and the  
5 department of agriculture, in conjunction with their statutory roles  
6 and responsibilities in regulating, monitoring, and supporting safe  
7 food supply chains and systems;

8 (l) Distribute and monitor grants dedicated to food waste  
9 prevention, rescue, and recovery, which must include the programs  
10 described in sections 201 and 202 of this act; ((and))

11 (m) Provide staff support to the work group created in section  
12 701 of this act; and

13 (n) Research and provide education, outreach, and technical  
14 assistance to local governments in support of the adoption of solid  
15 waste ordinances or policies that establish a financial disincentive  
16 for the generation of organic waste and for the ultimate disposal of  
17 organic materials in landfills.

18 (4) The department may enter into an interagency agreement with  
19 the department of health, the department of agriculture, or other  
20 state agencies as necessary to fulfill the responsibilities of the  
21 center.

22 (5) The department may adopt any rules necessary to implement  
23 this chapter including, but not limited to, measures for the center's  
24 performance.

25 NEW SECTION. Sec. 204. A new section is added to chapter 43.23  
26 RCW to read as follows:

27 WASHINGTON COMMODITIES DONATION GRANT PROGRAM. (1) The department  
28 must implement the Washington commodities donation grant program  
29 established in this section. The purpose of the program is to procure  
30 Washington grown produce, grains, and protein otherwise at risk of  
31 ending up as food waste for distribution to hunger relief  
32 organizations for use in Washington state.

33 (2) The program established in this section must, to the extent  
34 practicable:

35 (a) Rely upon existing infrastructure and similar grant programs  
36 currently being implemented in Washington, in order to maximize the  
37 beneficial impacts of the program in the short-term, and to  
38 expeditiously enable the distribution of grants under this section;

(b) Be designed to achieve efficiencies of scale by the grant recipients carrying out food acquisitions and distributions and to target large volume food acquisition opportunities;

(c) Give priority to recipient organizations that have at least five years of experience coordinating the collection and transportation of donated agricultural products to food bank distributors, food bank distribution centers, or both, for redistribution to local hunger relief agencies; and

(d) Provide for equitable benefits experienced from the program by food producers of varying sizes and types, including minority and vulnerable farmers, including veterans, women, and federally recognized Indian tribes.

(3) The department must issue grants under this section to one or more nonprofit organizations to acquire food directly from food producers located in Washington. A recipient nonprofit organization may use funds under this section to compensate food producers donating commodities for pick and pack out costs incurred associated with the production of a food product, including costs of food product inputs and harvest, and for their marginal postharvest logistical and administrative costs that facilitate the acquisition and distribution of the food product by grant recipients.

(4) An organization that receives funds under this section must report the results of the project to the department in a manner prescribed by the department.

**Sec. 205.** RCW 70A.214.100 and 2008 c 178 s 1 are each amended to read as follows:

WASTE NOT WASHINGTON AWARDS. (1) The office of waste reduction shall develop, in consultation with the superintendent of public instruction, an awards program to achieve waste reduction and recycling in public schools, and to encourage waste reduction and recycling in private schools, grades kindergarten through high school. The office shall develop guidelines for program development and implementation. Each public school shall, and each private school may, implement a waste reduction and recycling program conforming to guidelines developed by the office.

(2) For the purpose of granting awards, the office may group all participating schools into not more than three classes, based upon student population, distance to markets for recyclable materials, and other criteria, as deemed appropriate by the office. Except as

otherwise provided, five or more awards may be granted to each of the three classes. Each award shall be no more than ~~((five thousand dollars))~~ \$5,000 until 2026, and no more than \$10,000 beginning January 1, 2026. Awards shall be granted each year to the schools that achieve the greatest levels of waste reduction and recycling. A single award of not less than ~~((five thousand dollars))~~ \$5,000 until 2026 or \$10,000 beginning in 2026 may be presented to the school having the best recycling program as measured by the total amount of materials recycled, including materials generated outside of the school. A single award of not less than ~~((five thousand dollars))~~ \$5,000 until 2026 or \$10,000 beginning in 2026 may be presented to the school having the best waste reduction program as determined by the office.

(3) The superintendent of public instruction shall distribute guidelines and other materials developed by the office to implement programs to reduce and recycle waste generated in administrative offices, classrooms, laboratories, cafeterias, and maintenance operations.

### PART 3

#### AMENDMENTS TO SOLID WASTE LAWS

**Sec. 301.** RCW 70A.205.540 and 2022 c 180 s 102 are each amended to read as follows:

MANDATED ORGANICS MANAGEMENT. (1) ~~((Beginning January 1, 2027, in))~~ Except as provided in subsection (3) of this section, in each jurisdiction that implements a local solid waste plan under RCW 70A.205.040:

(a) ~~((Source-separated))~~ Beginning April 1, 2027, source-separated organic solid waste collection services ~~((must))~~ are required to be provided ~~((at least every other week or at least 26 weeks annually))~~ year-round to:

(i) All single-family residents; and

(ii) Nonresidential customers that generate more than .25 cubic yards per week of organic materials for management; ~~((and))~~

(b) (i) The department may, by waiver, reduce the collection frequency requirements in (a) of this subsection for the collection of dehydrated food waste or to address food waste managed through other circumstances or technologies that will reduce the volume or odor, or both, of collected food waste.

1       (ii) All organic solid waste collected from single-family  
 2 residents and businesses under ~~((a)–(f))~~ this subsection must be  
 3 managed through organic materials management;

4       (c) Beginning April 1, 2030, the source-separated organic solid  
 5 waste collection services specified in (a) of this subsection must be  
 6 provided to customers on a nonelective basis, except that a  
 7 jurisdiction may grant an exemption to a customer that certifies to  
 8 the jurisdiction that the customer is managing organic material waste  
 9 on-site or self-hauling its own organic material waste for organic  
 10 materials management;

11       (d) Beginning April 1, 2030, each jurisdiction's source-separated  
 12 organic solid waste collection service must include the acceptance of  
 13 food waste year-round. The jurisdiction may choose to collect food  
 14 waste source-separated from other organic materials or may collect  
 15 food waste commingled with other organic materials; and

16       (e) Beginning April 1, 2030, all persons, when using curbside  
 17 collection for disposal, may use only source-separated organic solid  
 18 waste collection services to discard unwanted organic materials. By  
 19 January 1, 2027, the department must develop guidance under which  
 20 local jurisdictions may exempt persons from this requirement if  
 21 organic materials will be managed through an alternative mechanism  
 22 that provides equal or better environmental outcomes. Nothing in this  
 23 section precludes the ability of a person to use on-site composting,  
 24 the diversion of organic materials to animal feed, self-haul organic  
 25 materials to a facility, or other means of beneficially managing  
 26 unwanted organic materials. For the purposes of this subsection  
 27 (1)(e), "person" or "persons" does not include multifamily  
 28 residences.

29       (2) A jurisdiction may charge and collect fees or rates for the  
 30 services provided under subsection (1) of this section, consistent  
 31 with the jurisdiction's authority to impose fees and rates under  
 32 chapters 35.21, 35A.21, 36.58, and 36.58A RCW.

33       (3) (a) Except as provided in ~~((d))~~ (e) of this subsection, the  
 34 requirements of this section do not apply in a jurisdiction if the  
 35 department determines that the following apply:

36       (i) The jurisdiction disposed of less than 5,000 tons of solid  
 37 waste in the most recent year for which data is available; or

38       (ii) The jurisdiction has a total population of less than 25,000  
 39 people ~~((; or~~

~~(iii) The jurisdiction has a total population between 25,000 and 50,000 people and curbside organic solid waste collection services are not offered in any area within the jurisdiction, as of July 1, 2022).~~

(b) The requirements of this section do not apply:

(i) In census tracts that have a population density of less than 75 people per square mile that are serviced by the jurisdiction and located in unincorporated portions of a county, as determined by the department, in counties not planning under chapter 36.70A RCW; ~~((and))~~

(ii) In census tracts that have a population density of greater than 75 people per square mile, where the census tract includes jurisdictions that meet any of the conditions in (a)(i) and (ii) of this subsection, that are serviced by the jurisdiction and located in unincorporated portions of a county, as determined by the department, in counties not planning under chapter 36.70A RCW;

(iii) Outside of urban growth areas designated pursuant to RCW 36.70A.110 in unincorporated portions of a county planning under chapter 36.70A RCW;

(iv) Inside of unincorporated urban growth areas for jurisdictions planning under chapter 36.70A RCW that meet any of the conditions in (a)(i) and (ii) of this subsection; and

(v) In unincorporated urban growth areas in counties with an unincorporated population of less than 25,000 people.

~~(c) ((In addition to the exemptions in (a) and (b)))~~ A jurisdiction that collects organic materials, but that does not collect organic materials on a year-round basis as of January 1, 2024, is not required to provide year-round organic solid waste collection services if it provides those services at least 26 weeks annually.

(d) In addition to the exemptions in (a) through (c) of this subsection, the department may issue a renewable waiver to jurisdictions or portions of a jurisdiction under this subsection for up to five years, based on consideration of factors including the distance to organic materials management facilities, the sufficiency of the capacity to manage organic materials at facilities to which organic materials could feasibly and economically be delivered from the jurisdiction, and restrictions in the transport of organic materials under chapter 17.24 RCW. The department may adopt rules to specify the type of information that a waiver applicant must submit

to the department and to specify the department's process for reviewing and approving waiver applications.

~~((d))~~ (e) Beginning January 1, 2030, the department may adopt a rule to require that the provisions of this section apply in the jurisdictions identified in (b) ~~((and—(e)))~~ through (d) of this subsection, but only if the department determines that the goals established in RCW 70A.205.007(1) have not or will not be achieved.

(4) Any city that newly begins implementing an independent solid waste plan under RCW 70A.205.040 after July 1, 2022, must meet the requirements of subsection (1) of this section.

(5) Nothing in this section affects the authority or duties of the department of agriculture related to pest and noxious weed control and quarantine measures under chapter 17.24 RCW.

(6) No penalty may be assessed on an individual or resident for the improper disposal of organic materials under subsection (1) of this section in a noncommercial or residential setting.

(7) The department must adopt new rules or amend existing rules adopted under this chapter establishing permit requirements for organic materials management facilities requiring a solid waste handling permit addressing contamination associated with incoming food waste feedstocks and finished products, for environmental benefit.

**Sec. 302.** RCW 70A.205.545 and 2022 c 180 s 201 are each amended to read as follows:

BUSINESS DIVERSION. (1)(a) Beginning July 1, 2023, and each July 1st thereafter, the department must determine which counties and any cities preparing independent solid waste management plans:

(i) Provide for businesses to be serviced by providers that collect food waste and organic material waste for delivery to solid waste facilities that provide for the organic materials management of organic material waste and food waste; and

(ii) Are serviced by solid waste facilities that provide for the organic materials management of organic material waste and food waste and have year-round capacity to process and are willing to accept increased volumes of organic materials deliveries.

(b)(i) The department must determine and designate that the restrictions of this section apply to businesses in a jurisdiction unless the department determines that the businesses in some or all portions of the city or county have:

1 (A) No available businesses that collect and deliver organic  
2 materials to solid waste facilities that provide for the organic  
3 materials management of organic material waste and food waste; or

4 (B) No available capacity at the solid waste facilities to which  
5 businesses that collect and deliver organic materials could feasibly  
6 and economically deliver organic materials from the jurisdiction.

7 (ii)(A) In the event that a county or city provides a written  
8 ~~((notification))~~ request and supporting evidence to the department  
9 ~~((indicating))~~ determining that the criteria of (b)(i)(A) of this  
10 subsection are met, and the department confirms this determination,  
11 then the restrictions of this section apply only in those portions of  
12 the jurisdiction that have available service-providing businesses.

13 (B) In the event that a county or city provides a written  
14 ~~((notification))~~ request and supporting evidence to the department  
15 ~~((indicating))~~ determining that the criteria of (b)(i)(B) of this  
16 subsection are met, and the department confirms this determination,  
17 then the restrictions of this section do not apply to the  
18 jurisdiction.

19 (c) The department must make the result of the annual  
20 determinations required under this section available on its website.

21 (d) The requirements of this section may be enforced by  
22 jurisdictional health departments consistent with this chapter,  
23 except that:

24 (i) A jurisdictional health department may not charge a fee to  
25 permit holders to cover the costs of the jurisdictional health  
26 department's administration or enforcement of the requirements of  
27 this section; and

28 (ii) Prior to issuing a penalty under this section, a  
29 jurisdictional health department must provide at least two written  
30 notices of noncompliance with the requirements of this section to the  
31 owner or operator of a business subject to the requirements of this  
32 section.

33 (2)(a)(i) Beginning January 1, 2024, a business that generates at  
34 least eight cubic yards of organic material waste per week must  
35 arrange for organic materials management services specifically for  
36 organic material waste;

37 (ii) Beginning January 1, 2025, a business that generates at  
38 least four cubic yards of organic material waste per week must  
39 arrange for organic materials management services specifically for  
40 organic material waste; and

(iii) Beginning January 1, 2026, a business that generates at least ~~((four cubic yards of solid))~~ 96 gallons of organic material waste per week shall arrange for organic materials management services specifically for organic material waste, unless the department determines, by rule, that additional reductions in the landfilling of organic materials would be more appropriately and effectively achieved, at reasonable cost to regulated businesses, through the establishment of a different volumetric threshold of ~~((solid waste or))~~ organic waste material ~~((waste))~~ than the threshold of ~~((four cubic yards of solid))~~ 96 gallons of organic material waste per week.

(b) The following wastes do not count for purposes of determining waste volumes in (a) of this subsection:

(i) Wastes that are managed on-site by the generating business;

(ii) Wastes generated from the growth and harvest of food or fiber that are managed off-site by another business engaged in the growth and harvest of food or fiber;

(iii) Wastes that are managed by a business that enters into a voluntary agreement to sell or donate organic materials to another business for off-site use; ~~((and))~~

(iv) Wastes generated in exceptional volumes as a result of a natural disaster or other infrequent and unpreventable event; and

(v) Wastes generated as a result of a food safety event, such as a product recall, that is due to foreign material or adverse biological activity that requires landfill destruction rather than organic material management.

(3) A business may fulfill the requirements of this section by:

(a) Source separating organic material waste from other waste, subscribing to a service that includes organic material waste collection and organic materials management, and using such a service for organic material waste generated by the business;

(b) Managing its organic material waste on-site or self-hauling its own organic material waste for organic materials management;

(c) Qualifying for exclusion from the requirements of this section consistent with subsection (1)(b) of this section; or

(d) For a business engaged in the growth, harvest, or processing of food or fiber, entering into a voluntary agreement to sell or donate organic materials to another business for off-site use.

(4)(a) A business generating organic material waste shall arrange for any services required by this section in a manner that is

1 consistent with state and local laws and requirements applicable to  
2 the collection, handling, or recycling of solid and organic material  
3 waste.

4 (b) Nothing in this section requires a business to dispose of  
5 materials in a manner that conflicts with federal or state public  
6 health or safety requirements. Nothing in this section requires  
7 businesses to dispose of wastes generated in exceptional volumes as a  
8 result of a natural disaster or other infrequent and unpreventable  
9 event through the options established in subsection (3) of this  
10 section. Nothing in this section prohibits a business from disposing  
11 of nonfood organic materials that are not commingled with food waste  
12 by using the services of an organic materials management facility  
13 that does not accept food waste.

14 (5) When arranging for gardening or landscaping services, the  
15 contract or work agreement between a business subject to this section  
16 and a gardening or landscaping service must require that the organic  
17 material waste generated by those services be managed in compliance  
18 with this chapter.

19 (6)(a) This section does not limit the authority of a local  
20 governmental agency to adopt, implement, or enforce a local organic  
21 material waste recycling requirement, or a condition imposed upon a  
22 self-hauler, that is more stringent or comprehensive than the  
23 requirements of this chapter.

24 (b) This section does not modify, limit, or abrogate in any  
25 manner any of the following:

26 (i) A franchise granted or extended by a city, county, city and  
27 county, or other local governmental agency;

28 (ii) A contract, license, certificate, or permit to collect solid  
29 waste previously granted or extended by a city, county, city and  
30 county, or other local governmental agency;

31 (iii) The right of a business to sell or donate its organic  
32 materials; and

33 (iv) A certificate of convenience and necessity issued to a solid  
34 waste collection company under chapter 81.77 RCW.

35 (c) Nothing in this section modifies, limits, or abrogates the  
36 authority of a local jurisdiction with respect to land use, zoning,  
37 or facility siting decisions by or within that local jurisdiction.

38 (d) Nothing in this section changes or limits the authority of  
39 the Washington utilities and transportation commission to regulate  
40 collection of solid waste, including curbside collection of

1 residential recyclable materials, nor does this section change or  
2 limit the authority of a city or town to provide the service itself  
3 or by contract under RCW 81.77.020.

4 (7) The definitions in this subsection apply throughout this  
5 section unless the context clearly indicates otherwise.

6 (a)(i) "Business" means a commercial or public entity including,  
7 but not limited to, a firm, partnership, proprietorship, joint stock  
8 company, corporation, or association that is organized as a for-  
9 profit or nonprofit entity.

10 (ii) "Business" does not include a multifamily residential  
11 entity.

12 (b) "Food waste" has the same meaning as defined in RCW  
13 70A.205.715.

#### 14 PART 4

#### 15 STATUS ASSESSMENT OF PRODUCE STICKER TECHNOLOGIES

16 NEW SECTION. **Sec. 401.** STATUS ASSESSMENT OF PRODUCE STICKER  
17 TECHNOLOGIES. (1) The department of ecology, in consultation with  
18 the department of agriculture, must carry out a study and submit a  
19 brief summary report to the legislature by September 1, 2025,  
20 addressing the status of produce sticker technologies, including  
21 produce sticker options that do not contain plastic stickers or  
22 adhesives or that otherwise meet compostability standards.

23 (2) The study required under this section must, at minimum,  
24 compare and consider the following features of produce stickers and  
25 adhesives:

26 (a) Compostability, including toxic or hazardous substance  
27 content;

28 (b) Performance;

29 (c) Printability; and

30 (d) Cost.

31 (3) In carrying out the study, input and information must be  
32 solicited and evaluated from:

33 (a) Produce producers and packers;

34 (b) Sticker and adhesive producers;

35 (c) Other states, countries, or subnational jurisdictions that  
36 have adopted standards restricting plastic produce stickers; and

37 (d) Other technical experts.

## PART 5

## PRODUCT DEGRADABILITY RESTRICTIONS

**Sec. 501.** RCW 70A.455.040 and 2022 c 180 s 803 are each amended to read as follows:

FIBER-BASED SUBSTRATES. (1) A product labeled as "compostable" that is sold, offered for sale, or distributed for use in Washington by a producer must meet at least one of the following equivalent standard specifications:

- (a) ~~((Meet))~~ ASTM standard specification D6400;
- (b) ~~((Meet))~~ ASTM standard specification D6868; ~~((or))~~
- (c) ASTM standard specification D8410;
- (d) ISO standard specification 17088;
- (e) EN standard specification 13432;
- (f) A standard specification that is substantially similar to those provided in (a) through (e) of this subsection, as determined by the department; or

(g) Be comprised only of wood, which includes renewable wood, or a fiber-based substrate ~~((only))~~ that contains:

- (i) Greater than 98 percent fiber by dry weight; and
- (ii) No plastic, plastic polymer or wax additives, or plastic or wax coatings.

(2) A product described in subsection (1)(a) ~~((or (b)))~~ through (f) of this section must:

(a) Meet labeling requirements established under the United States federal trade commission's guides; and

(b) Feature labeling that:

(i) Meets industry standards for being distinguishable upon quick inspection in both public sorting areas and in processing facilities;

(ii) Uses a logo indicating the product has been certified by a recognized third-party independent verification body as meeting the ~~((ASTM))~~ applicable standard specification;

(iii) Displays the word "compostable," where possible, indicating the product has been tested by a recognized third-party independent body and meets the ~~((ASTM))~~ applicable standard specification; and

(iv) Uses green, beige, or brown labeling, color striping, or other green, beige, or brown symbols, colors, tinting, marks, or design patterns that help differentiate compostable items from noncompostable items.

1       **Sec. 502.** RCW 70A.455.070 and 2022 c 180 s 806 are each amended  
2 to read as follows:

3       FILM TINTING. (1) A producer of plastic film bags sold, offered  
4 for sale, or distributed for use in Washington that does not meet the  
5 applicable ASTM standard specifications provided in RCW 70A.455.050  
6 is:

7       (a) Prohibited from using tinting, color schemes, labeling, or  
8 terms that are required of products that meet the applicable ASTM  
9 standard specifications under RCW 70A.455.050;

10       (b) Discouraged from using labeling, images, and terms that may  
11 reasonably be anticipated to confuse consumers into believing that  
12 noncompostable products are compostable; and

13       (c) Encouraged to use labeling, images, and terms to help  
14 consumers identify noncompostable bags as either: (i) Suitable for  
15 recycling; or (ii) necessary to dispose as waste.

16       (2) A producer of food service products, or plastic film products  
17 other than plastic film bags subject to subsection (1) of this  
18 section, sold, offered for sale, or distributed for use in Washington  
19 that does not meet the applicable ASTM standard specifications  
20 provided in RCW 70A.455.060 is:

21       (a) Prohibited from using labeling, or terms that are required of  
22 products that meet the applicable ASTM standard specifications under  
23 RCW 70A.455.060;

24       (b) Discouraged from using labeling, images, and terms that may  
25 reasonably be anticipated to confuse consumers into believing that  
26 noncompostable products are compostable; and

27       (c) Encouraged to use tinting, coloration, labeling, images, and  
28 terms to help consumers identify film products and food service  
29 packaging as either: (i) Suitable for recycling; or (ii) necessary to  
30 dispose as waste.

31       (3) For the purposes of this section only:

32       (a) "Tinting" means the addition of color to a film, usually by  
33 means of dye or stain, that filters light and makes the film appear a  
34 certain color; and

35       (b)(i) The prohibition in subsection (1)(a) of this section on  
36 "color schemes" on plastic film bags does not preclude the use of:

37       (A) Green, brown, or beige stripes that are smaller than .25 inch  
38 wide and used as visual aids; and

39       (B) Green, brown, or beige lettering or logos that are used  
40 solely for brand identity purposes.

(ii) The prohibition in subsection (1)(a) of this section on color schemes on plastic film bags does prohibit the use of botanical motifs, such as leaves or vines that are colored green, brown, or beige, or any combination of these colors or shapes.

**NEW SECTION. Sec. 503.** A new section is added to chapter 70A.455 RCW to read as follows:

HOME COMPOSTABLE LABELING. A producer may only label a product as being "home compostable" if:

(1) The product has been tested and meets ASTM standards D6400 or D6868 for industrial composting settings;

(2) A third-party certifier has verified that the product meets ASTM standards for industrial composting;

(3) The product is otherwise labeled in a manner consistent with the requirements of this chapter, including RCW 70A.455.030, 70A.455.040, or 70A.455.050, as appropriate;

(4) The product is not labeled "home compostable only" or in a manner that otherwise implies that the product is not capable of being composted in industrial compost settings; and

(5) The producer has valid and reproducible scientific evidence to support their claim that a product is home compostable, consistent with federal trade commission guidelines.

**Sec. 504.** RCW 70A.455.090 and 2022 c 180 s 808 are each amended to read as follows:

CONCURRENT ENFORCEMENT OF DEGRADABILITY LABELING REQUIREMENTS BY CITIES AND COUNTIES. (1)(a) The department and cities and counties have concurrent authority to enforce this chapter and to issue and collect civil penalties for a violation of this chapter, subject to the conditions in this section and RCW 70A.455.100. An enforcing government entity may impose a civil penalty in the amount of up to \$2,000 for the first violation of this chapter, up to \$5,000 for the second violation of this chapter, and up to \$10,000 for the third and any subsequent violation of this chapter. If a producer has paid a prior penalty for the same violation to a different government entity with enforcement authority under this subsection, the penalty imposed by a government entity is reduced by the amount of the payment.

(b) The enforcement of this chapter must be based primarily on complaints filed with the department and cities and counties. The department must establish a forum for the filing of complaints.

Cities, counties, or any person may file complaints with the department using the forum, and cities and counties may review complaints filed with the department via the forum. The forum established by the department may include a complaint form on the department's website, a telephone hotline, or a public outreach strategy relying upon electronic social media to receive complaints that allege violations. The department, in collaboration with the cities and counties, must provide education and outreach activities to inform retail establishments, consumers, and producers about the requirements of this chapter.

(c) A city or county that chooses to enforce the requirements of this chapter within their jurisdiction must notify the department with a letter of intent that includes:

(i) The start and any end date of the local jurisdiction's enforcement activities;

(ii) The geographic boundaries within which the enforcement activities are planned; and

(iii) Any technical assistance, education, or enforcement tools that the city or county would like to request from the department in support of local enforcement activities.

(2) Penalties issued by the department are appealable to the pollution control hearings board established in chapter 43.21B RCW.

(3) The remedies provided by this section are not exclusive and are in addition to the remedies that may be available pursuant to chapter 19.86 RCW or other consumer protection laws, if applicable.

(4) In addition to penalties recovered under this section, the enforcing city or county may recover reasonable enforcement costs and attorneys' fees from the liable producer.

## PART 6

### COMPOST PURCHASES

**Sec. 601.** RCW 15.04.420 and 2022 c 180 s 502 are each amended to read as follows:

COMPOST REIMBURSEMENT PROGRAM ELIGIBILITY AMENDMENT. (1)(a) Subject to the availability of amounts appropriated for this specific purpose, the department must establish and implement a compost reimbursement program to reimburse farming operations in the state for purchasing and using compost products that were not generated by the farming operation, including transportation, spreading equipment,

1 labor, fuel, and maintenance costs associated with spreading  
2 equipment. The grant reimbursements under the program begin July 1,  
3 2023.

4 (b) For the purposes of this program, "farming operation" means:  
5 A commercial agricultural, silvicultural, or aquacultural facility or  
6 pursuit, including the care and production of livestock and livestock  
7 products, poultry and poultry products, apiary products, and plant  
8 and animal production for nonfood uses; the planting, cultivating,  
9 harvesting, and processing of crops; and the farming or ranching of  
10 any plant or animal species in a controlled salt, brackish, or  
11 freshwater environment.

12 (2) To be eligible to participate in the reimbursement program, a  
13 farming operation must complete an eligibility review with the  
14 department prior to transporting or applying any compost products for  
15 which reimbursement is sought under this section. The purpose of the  
16 review is for the department to ensure that the proposed transport  
17 and application of compost products is consistent with the  
18 department's agricultural pest control rules established under  
19 chapter 17.24 RCW. A farming operation must also verify that it will  
20 allow soil sampling to be conducted by the department upon request  
21 before compost application and until at least 10 years after the last  
22 grant funding is used by the farming operation, as necessary to  
23 establish a baseline of soil quality and carbon storage and for  
24 subsequent department evaluations to assist the department's  
25 reporting requirements under subsection (8) of this section.

26 (3) The department must create a form for eligible farming  
27 operations to apply for cost reimbursement for costs from purchasing  
28 and using compost from facilities with solid waste handling permits  
29 or that are permit exempt, including transportation, equipment,  
30 spreading, and labor costs. Compost must meet the applicable  
31 requirements for compost established by the department of ecology  
32 under chapter 70A.205 RCW. The department must prioritize applicants  
33 who purchase and use compost containing food waste feedstocks, where  
34 it is practicable for the applicant to purchase and use compost  
35 containing food waste feedstocks. All applications for cost  
36 reimbursement must be submitted on the form along with invoices,  
37 receipts, or other documentation acceptable to the department of the  
38 costs of purchasing and using compost products for which the  
39 applicant is requesting reimbursement, as well as a brief description  
40 of what each purchased item will be used for. The department may

request that an applicant provide information to verify the source, size, sale weight, or amount of compost products purchased and the cost of transportation, equipment, spreading, and labor. The applicant must also declare that it is not seeking reimbursement for purchase or labor costs for:

(a) Its own compost products; or

(b) Compost products that it has transferred, or intends to transfer, to another individual or entity, whether or not for compensation.

(4) A farming operation may submit only one application per fiscal year in which the program is in effect for purchases made and usage costs incurred during the fiscal year that begins on July 1st and ends on June 30th. Applications for reimbursement must be filed before the end of the fiscal year in which purchases were made and usage costs incurred.

(5) The department must distribute reimbursement funds, subject to the following limitations:

(a) A farming operation is not eligible to receive reimbursement if the farming operation's application was not found eligible for reimbursement by the department under subsection (2) of this section prior to the transport or use of compost;

(b) A farming operation is not eligible to receive reimbursement for more than 50 percent of the costs it incurs each fiscal year for the purchase and use of compost products, including transportation, equipment, spreading, and labor costs;

(c) ~~((A farming operation is not eligible to receive more than \$10,000 per fiscal year))~~ The department must attempt to achieve fair distribution of reimbursement funding across different farm size categories, based on acreage categories determined by the department, and which is not to exceed a maximum of \$20,000 per fiscal year for the largest farming operation category determined by the department;

(d) A farming operation is not eligible to receive reimbursement for its own compost products or compost products that it has transferred, or intends to transfer, to another individual or entity, whether or not for compensation; and

(e) A farming operation is not eligible to receive reimbursement for compost products that were not purchased from a facility with a solid waste handling permit or a permit-exempt facility.

(6) The applicant shall indemnify and hold harmless the state and its officers, agents, and employees from all claims arising out of or

1 resulting from the compost products purchased that are subject to the  
2 compost reimbursement program under this section.

3 (7) There is established within the department a compost  
4 reimbursement program manager position. The compost reimbursement  
5 program manager must possess knowledge and expertise in the area of  
6 program management necessary to carry out the duties of the position,  
7 which are to:

8 (a) Facilitate the division and distribution of available costs  
9 for reimbursement; and

10 (b) Manage the day-to-day coordination of the compost  
11 reimbursement program.

12 (8) In compliance with RCW 43.01.036, the department must submit  
13 an annual report to the appropriate committees of the legislature by  
14 January 15th of each year of the program in which grants have been  
15 issued or completed. The report must include:

16 (a) The amount of compost for which reimbursement was sought  
17 under the program;

18 (b) The qualitative or quantitative effects of the program on  
19 soil quality and carbon storage; and

20 (c) A periodically updated evaluation of the benefits and costs  
21 to the state of expanding or furthering the strategies promoted in  
22 the program.

23 **Sec. 602.** RCW 43.19A.150 and 2022 c 180 s 701 are each amended  
24 to read as follows:

25 COMPOST PROCUREMENT REPORTING AMENDMENT. (1) By January 1, 2023,  
26 the following cities or counties shall adopt a compost procurement  
27 ordinance to implement RCW 43.19A.120:

28 (a) Each city or county with a population greater than 25,000  
29 residents as measured by the office of financial management using the  
30 most recent population data available; and

31 (b) Each city or county in which organic material collection  
32 services are provided under chapter 70A.205 RCW.

33 (2) A city or county that newly exceeds a population of 25,000  
34 residents after January 1, 2023, as measured by the office of  
35 financial management, must adopt an ordinance under this subsection  
36 no later than 12 months after the office of financial management's  
37 determination that the local government's population has exceeded  
38 25,000.

(3) In developing a compost procurement ordinance, each city and county shall plan for the use of compost in the following categories:

(a) Landscaping projects;

(b) Construction and postconstruction soil amendments;

(c) Applications to prevent erosion, filter stormwater runoff, promote vegetation growth, or improve the stability and longevity of roadways; and

(d) Low-impact development and green infrastructure to filter pollutants or keep water on-site, or both.

(4) Each city or county that adopts an ordinance under subsection (1) or (2) of this section must develop strategies to inform residents about the value of compost and how the jurisdiction uses compost in its operations in the jurisdiction's comprehensive solid waste management plan pursuant to RCW 70A.205.045.

(5) By ~~((December))~~ March 31, ~~((2024))~~ 2025, and each ~~((December))~~ March 31st ~~((of even-numbered years))~~ thereafter, each city or county that adopts an ordinance under subsection (1) or (2) of this section must submit a report covering the previous year's compost procurement activities to the department of ecology that contains the following information:

(a) The total tons of organic material diverted throughout the year and the facility or facilities used for processing;

(b) The volume and cost of compost purchased throughout the year; and

(c) The source or sources of the compost.

(6) Cities and counties that are required to adopt an ordinance under subsection (1) or (2) of this section shall give priority to purchasing compost products from companies that produce compost products locally, are certified by a nationally recognized organization, and produce compost products that are derived from municipal solid waste compost programs and meet quality standards comparable to standards adopted by the department of transportation or adopted by rule by the department of ecology.

(7) Cities and counties may enter into collective purchasing agreements if doing so is more cost-effective or efficient.

(8) Nothing in this section requires a compost processor to:

(a) Enter into a purchasing agreement with a city or county;

(b) Sell finished compost to meet this requirement; or

(c) Accept or process food waste or compostable products.

## PART 7

## MISCELLANEOUS

NEW SECTION.     **Sec. 701.**     WORK GROUP TO STUDY FOOD DONATION BY BUSINESSES. (1) The department of ecology's center for sustainable food management created in chapter 70A.207 RCW must convene a work group to address mechanisms to improve the rescue of edible food waste from commercial generators, including food service, retail establishments, and processors that generate excess supply of edible food. The work group must consider:

(a) Logistics to phase in edible food donation programs, including incentives;

(b) The food recovery network systems necessary to support increased donation of edible food by commercial generators;

(c) Assess asset gaps and food infrastructure development needs. The work group must also facilitate the creation of networks and partnerships to address gaps and needs and develop innovative partnerships and models where appropriate; and

(d) Actions taken, costs, and lessons learned by other jurisdictions in the United States that have enacted policies focused on reducing edible commercially generated food waste and from voluntary pilot projects carried out by commercial generators of food waste.

(2) The department of ecology must submit a report to the legislature by September 1, 2025, containing the recommendations of the work group. The work group shall make recommendations using consensus-based decision making. All meetings of the work group must be carried out in a virtual-only format. The report must include recommendations where general stakeholder consensus has been achieved and note varied opinions where stakeholder consensus has not been achieved.

(3) The department of ecology must select at least one member to the work group from each of the following:

(a) Cities, including both small and large cities and cities located in urban and rural counties, which may be represented by an association that represents cities in Washington;

(b) Counties, including both small and large counties and urban and rural counties, which may be represented by an association that represents county solid waste managers in Washington;

- 1 (c) An environmental nonprofit organization that specializes in  
2 waste and recycling issues;
- 3 (d) A statewide organization representing hospitality businesses;
- 4 (e) A retail grocery association;
- 5 (f) The department of ecology;
- 6 (g) Two different nonprofit organizations that specialize in food  
7 recovery and hunger issues;
- 8 (h) Three different hunger relief organizations that represent  
9 diverse needs from throughout the state;
- 10 (i) The department of agriculture;
- 11 (j) The office of the superintendent of public instruction;
- 12 (k) The department of health;
- 13 (l) One large and one small food distribution company;
- 14 (m) An organization representing food processors;
- 15 (n) An organization representing food producers;
- 16 (o) A technology company currently focused on food rescue in  
17 Washington; and
- 18 (p) Two open seats for appointed members of the work group to  
19 nominate for department of ecology appointment if gaps in membership  
20 are identified.

21 NEW SECTION. **Sec. 702.** SEVERABILITY CLAUSE. If any provision of  
22 this act or its application to any person or circumstance is held  
23 invalid, the remainder of the act or the application of the provision  
24 to other persons or circumstances is not affected.

25 NEW SECTION. **Sec. 703.** If specific funding for the purposes of  
26 this act, referencing this act by bill or chapter number, is not  
27 provided by June 30, 2024, in the omnibus appropriations act, this  
28 act is null and void.

Passed by the House March 5, 2024.  
Passed by the Senate March 1, 2024.  
Approved by the Governor March 28, 2024.  
Filed in Office of Secretary of State March 29, 2024.

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# FINAL BILL REPORT

## E2SHB 2301

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### C 341 L 24

#### Synopsis as Enacted

**Brief Description:** Improving the outcomes associated with waste material management systems, including products affecting organic material management systems.

**Sponsors:** House Committee on Appropriations (originally sponsored by Representatives Doglio, Fitzgibbon, Duerr, Berry, Ramel, Ormsby, Peterson, Pollet, Macri, Cortes, Shavers, Leavitt and Kloba).

**House Committee on Environment & Energy**  
**House Committee on Appropriations**  
**Senate Committee on Environment, Energy & Technology**  
**Senate Committee on Ways & Means**

#### **Background:**

#### Solid Waste, Organic Materials, and Food Waste Management.

Under the state's solid waste management laws, local governments are the primary government entity responsible for implementing state solid waste management requirements. The Department of Ecology (Ecology) also has certain roles in overseeing the administration of solid waste management laws. Ecology is responsible for working cooperatively with local governments as they develop their local solid waste management plans. Ecology also evaluates, analyzes, and monitors the state's solid waste stream, and develops a statewide solid waste plan that, in part, addresses organic material wastes.

County and city solid waste management plans are required to contain certain elements, including a waste reduction and recycling element. This element must include waste reduction strategies, recycling strategies, and source separation strategies.

Since 2019 Washington has had an established goal to reduce the annual generation of food waste by 50 percent by 2030. A subset of the goal includes a prevention goal related to edible food waste. In order to achieve the 2030 food waste reduction goal, Ecology,

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

working with other state agencies, adopted the Use Food Well Washington plan in December 2021. The Use Food Well Washington plan contained 30 federal and state policy recommendations.

In 2022 the Legislature enacted House Bill 1799 (HB 1799), which established a variety of new requirements related to organic material management. Organic materials are specified to include manure, yard waste, food waste, food processing wastes, wood wastes, and garden waste. Organic materials do not include chemically or biologically contaminated materials that would render the finished product of an organic material management process, such as composting or anaerobic digestion, unsuitable for general public or agricultural use. House Bill 1799 established goals for organic material management (state organics goals), including a goal for the landfill disposal of organic materials at a level in 2030 that is 75 percent less than in 2015, and a goal that at least 20 percent of the volume of edible food disposed of as of 2015 be recovered for human consumption by 2025. The state organics goals are in addition to the food waste reduction goals established in 2019.

#### Washington Center for Sustainable Food Management.

The Washington Center for Sustainable Food Management (Center) was established as a component of Ecology by HB 1799 with the purpose of helping coordinate statewide food waste reduction. The Center is authorized to perform 13 specified categories of activities, including:

- measuring progress towards state organics goals;
- coordinating implementation of food waste reduction plans;
- maintaining a website with food waste reduction guidance;
- coordinating public-private and nonprofit partnerships, and collaborating with federal, state, and local government partners;
- developing maps or lists of locations of food systems in Washington;
- collecting and maintaining data on food waste and wasted food and measurement methodologies for tracking food donation, food waste, and climate impact data;
- distributing and monitoring grants related to food waste prevention, rescue, and recovery;
- supporting the adoption of local government solid waste ordinances or policies that establish a financial disincentive for organic waste generation and for the disposal of organic materials in landfills; and
- developing food waste reduction and food waste contamination reduction campaigns and promotional materials for destruction.

Ecology may enter into interagency agreements with other state agencies to fulfill the Center's responsibilities. Ecology may adopt rules pertaining to the Center. In order to obtain data to support the Center's goals, Ecology may establish a voluntary reporting protocol for the receipt of information regarding food donations. Ecology may request that a donating business or food recipient provide information regarding the volume, types, and timing of food managed by the donating facility. Ecology must seek to obtain this

information in a manner that is compatible with any similar information reported to the Department of Agriculture (Agriculture), and Agriculture must coordinate with Ecology to ensure that the food donation information receipt practices it implements are consistent with the Center's practices.

#### Organic Materials Management Requirements for Businesses.

Under HB 1799, beginning July 1, 2023, Ecology must determine which counties and cities preparing solid waste plans provide for businesses to be serviced by providers that collect food waste and organic waste for delivery to solid waste facilities that provide for composting, anaerobic digestion, vermiculture, black soldier fly, or similar technologies to manage those collected organic wastes (organic materials management). Ecology must determine that organic material collection service requirements apply to certain businesses within a local jurisdiction unless Ecology determines that businesses in some or all portions of the county have no available organic materials collection services that deliver organic materials for organic materials management, or there is no available capacity at facilities to which organic materials could feasibly and economically be delivered.

In jurisdictions or portions of jurisdictions subject to these organic material collection and management requirements, the requirements are phased-in to apply:

- beginning January 1, 2024, to businesses that generate at least 8 cubic yards of organic waste per week;
- beginning January 1, 2025, to businesses that generate at least 4 cubic yards of organic waste per week; and
- beginning January 1, 2026, to businesses that generate at least 4 cubic yards of solid waste per week. However, Ecology may determine by rule that additional reductions in the landfilling of organic materials would be more effectively achieved at reasonable cost to businesses by establishing a different volumetric threshold than 4 cubic yards per week of solid waste.

#### Local Government Organic Material Collection and Management Requirements.

Under HB 1799, beginning January 1, 2027, each county or city that implements a local solid waste plan must provide source-separated organic solid waste collection services at least either biweekly or 26 weeks annually to all residents and to nonresidential customers that generate at least 0.25 cubic yards of organic materials per week, and must provide for organic materials management of collected organic materials. Cities and counties may charge and collect fees or rates for these services, consistent with their general authority to impose fees and rates for solid waste collection services. The organic material collection service and management requirements do not apply:

- in counties and cities implementing a solid waste plan that have a population of less than 25,000;
- in counties and cities implementing a solid waste plan that have a population of between 25,000 and 50,000, and that did not offer curbside organic materials

- collection services anywhere in the county as of July 1, 2022;
- in counties and cities implementing a solid waste plan that disposed of less than 5,000 tons of solid waste in the most recent year such data were available;
- in counties not planning under the Growth Management Act (GMA), in portions of a city or county implementing a solid waste plan that have a population density of less than 75 people per square mile and are located in an unincorporated portion of a county;
- in counties planning under the GMA, outside of designated urban growth areas; or
- in counties and cities implementing a solid waste plan that receive a renewable waiver from Ecology applicable to all or part of a jurisdiction. Waivers may be issued for up to five years and based on consideration of the distance to organic materials management facilities, the sufficiency of capacity at local organic materials management facilities to manage additional materials, and pest control restrictions established by Agriculture. Ecology may adopt rules to establish the waiver process and criteria.

Any cities that newly begin implementing an independent solid waste plan after July 1, 2022, must meet organic material collection requirements.

Ecology may adopt a rule beginning January 1, 2030, that applies organic materials collection service and management requirements to jurisdictions exempted from requirements on the basis of population density or an Ecology-issued waiver, but only if Ecology determines that the state goals for the disposal of organic material in landfills for 2030 have not or will not be achieved. When newly developing, updating, or amending solid waste management plans after July 1, 2024, each local solid waste plan must consider the transition to providing organic materials collection services to certain residents and businesses in 2027.

#### Local Government Compost Procurement Requirements, Plans, and Ordinances.

Under HB 1799, by January 1, 2023, cities and counties with a population of at least 25,000, or in which organic material collection services are provided, must adopt a compost procurement ordinance to implement a requirement that local governments consider the use of compost products in projects and to use compost products in a project except when availability, health, quality, safety, or price-competitive criteria are not met. In developing a compost procurement ordinance, cities and counties must consider four specified categories of compost uses, including landscaping projects and soil amendments. Cities and counties with a compost procurement ordinance must develop strategies to inform residents regarding the jurisdiction's use of compost and the value of compost. Local governments must give priority to purchasing compost products that produce compost locally, are certified by a nationally recognized organization, that produce products derived from municipal solid waste compost programs, and that meet quality standards. Local governments may enter into collective purchasing agreements if cost-effective or efficient to do so. Contracts by governmental units must require the use of compost products to the

maximum extent economically feasible to meet local government compost use requirements. Every two years beginning in 2024, cities and counties with a compost procurement ordinance must submit a report to Ecology.

Local governments may allow for the preferential purchase of compost in order to meet the requirements for local governments to use compost products where products are available, reasonably priced, and meet purchasing and safety standards.

#### Department of Agriculture Compost Reimbursement Program.

Under HB 1799, Agriculture was required to establish a compost reimbursement program for farming operations in Washington for the purchase and use of compost products that were not generated by the farming operation. Costs covered by the compost reimbursement program include transportation, spreading equipment, and labor, fuel, and maintenance costs associated with spreading equipment. Grant reimbursements under the compost reimbursement program began July 1, 2023. Prior to carrying out activities for which compost reimbursement program reimbursement is sought, farming operations must complete an eligibility review with Agriculture. Agriculture must review proposed transport and application of compost materials for compliance with state pest control rules. Soil sampling by Agriculture must be allowed by compost reimbursement program participants. Compost reimbursement program applicants may not seek reimbursement for purchase or labor costs for its own compost products, from compost products transferred to another individual or entity, or from compost products that were not purchased from a facility with a solid waste handling permit. Farming operations are eligible to receive reimbursement for up to 50 percent of their costs incurred each fiscal year, in an amount up to \$10,000 per fiscal year. Agriculture must submit a report to the Legislature each year.

#### Waste Not Washington Awards.

Ecology, in consultation with the Office of Superintendent of Public Instruction, administers an awards program to achieve waste reduction and recycling in schools. Awards under the program are capped at \$5,000.

#### Product Degradability Labeling Requirements.

Since 2019 state law has established a variety of requirements related to how the degradability of plastic or nonplastic products is communicated by labels, tinting, and coloring. Products that are labeled as compostable and sold, offered for sale, or distributed for use in Washington by a manufacturer or supplier, must use green, brown, or beige labeling, color striping, or other marks that help differentiate compostable items from noncompostable materials. Manufacturers or suppliers of food service products and film products, other than film bags, that meet specified ASTM composting standards for plastics or plastic-coated substrates, must ensure that the items are readily and easily identifiable. Readily and easily identifiable film wrap and food service products must be labeled with a

logo indicating the product has met specified ASTM standards, and labeled with the word "compostable," where possible. Compostable products must be considered compliant if they have green or brown labeling, are labeled as compostable, and use other distinguishing colors or marks. Specified additional characteristics, such as color and graphic elements, are encouraged for compostable film wrap and food packaging and food service ware.

Food service products and film products, including film bags, that do not meet ASTM standards for composability, are prohibited from using tinting, labeling, and terms that are required of products that meet ASTM standards, and are discouraged from using coloration, labeling, images, and terms that confuse customers into mistakenly identifying noncompostable products as compostable.

Ecology may adopt rules pertaining to product degradability labeling requirements and must begin enforcing requirements by July 1, 2024. Enforcement by Ecology and cities and counties must be based primarily on complaints, and Ecology must establish a forum to receive complaints. Producers of compostable products, including bags, film products, and food service products, must submit at least one compliance declaration to Ecology beginning in 2024 upon a product being sold or distributed into Washington, and again prior to any change in a product's method of compliance with compost labeling requirements.

Ecology, in collaboration with cities and counties, must provide education and outreach to retail establishments, consumers, and suppliers, about product degradability labeling requirements. Ecology-issued penalties are appealable to the Pollution Control Hearings Board (PCHB), and Ecology-issued penalties must be imposed consistent with standard protocols for penalties that are appealable to the PCHB.

### **Summary:**

#### Funding Programs for Food Waste Prevention Priorities and Organic Materials Management.

The Department of Ecology's (Ecology) Center for Sustainable Food Management (Center) must develop and administer grant programs related to the diversion of organic materials, food waste prevention, and recovery. Specifically, the Center must develop and administer grant programs for:

- projects to prevent the surplus of unsold, uneaten food from food businesses or to standardize food donation operating procedures;
- projects to improve and reduce the transportation of donated foods and cold chain management across the donated food supply chain;
- the establishment and expansion of wasted food reduction programs to benefit vulnerable communities; and
- food waste tracking and analytics pilot project grants.

The Center's Grant programs must be focused on achieving the following priorities:

- maximizing greenhouse gas emission reductions;

- eliminating barriers to edible food rescue;
- development of stable funding programs; and
- managing food in a manner that prioritizes the prevention of wasted food as the highest priority, with food donation, animal feed, and compost or anaerobic digestion as lower priority management options above landfilling or incineration.

For each grant program, eligible applicants and uses of funds are specified. Grants may be awarded on a competitive or noncompetitive basis. Grants must prioritize applications that benefit overburdened communities identified by Ecology consistent with their community engagement plan under the 2021 Healthy Environment for All Act.

In addition to these grant programs, Ecology must develop and administer a grant program to support the implementation of House Bill 1799 of 2022 and the new requirements of this act, with priority to support implementation of organic material collection requirements from businesses and the residential organic material management service requirements applicable in local jurisdictions. Local governments, federally recognized Indian tribes, nonprofit organizations, businesses subject to organic material management collection obligations, and organic material management facilities are all eligible for funding. Ecology may not require a local government to provide matching funds.

The \$5,000 limit on the amount of Waste Not Washington Awards is increased to \$10,000 per award beginning January 1, 2026.

The Department of Agriculture (Agriculture) must implement a new Washington commodities grant program to procure Washington-grown protein, produce, and grains for use in Washington that would otherwise be at risk of ending up as food waste. Specific criteria for the program are prescribed, including relying on existing infrastructure to maximize short-term beneficial impacts, being designed to achieve efficiencies of scale, and providing priority to recipient organizations that have at least five years of experience coordinating similar activities to those required under the grant program. Funds may be used for pick and pack out costs incurred associated with the production of a food product, including food product input and harvest costs and marginal post-harvest logistical and administrative costs.

#### Organic Material Collection Service and Management Requirements.

The organic material management service requirements applicable to nonresidential customers generating at least 0.25 cubic yards of solid waste and residential customers in jurisdictions implementing a local solid waste plan are amended, including by:

- requiring, beginning in 2027, source-separated organic solid waste collection services to be provided year round except in jurisdictions that do not collect organic materials on a year-round basis as of January 1, 2024, if those jurisdictions provide organic material collection services at least 26 weeks annually;
- exempting multi-family residences from the requirement to manage collected organic

- materials through organic materials management methods such as composting and anaerobic digestion, and from the requirement that local jurisdictions provide organic material management services to single-family residences;
- authorizing Ecology to reduce collection frequency requirements in a jurisdiction for the collection of dehydrated food waste or to address food waste collection circumstances or technologies that reduce the volume or odor of collected food;
  - requiring, beginning in 2030, source-separated organic solid waste collection services to be provided to customers on a nonelective basis unless a customer manages organic material wastes on-site or self-hauls organic material waste;
  - requiring, beginning in 2030, all jurisdictions' source-separated organic solid waste collection services to include the acceptance of food waste, either separate from other organic materials or commingled;
  - requiring, beginning in 2030, all persons other than multifamily residences, when using curbside collection for disposal, to use source-separated organic solid waste collection services when discarding unwanted organic materials, Ecology must develop guidance for exemptions; and
  - amending the geographic and population considerations under which a jurisdiction is exempt from providing organic material management collection service requirements.

Penalties may not be assessed on individuals or residents for the improper disposal of organic materials in a noncommercial or residential setting.

The requirements applicable to the organic material management requirements for businesses are amended, including the following changes:

- beginning in 2026, businesses must arrange for organic material management services if they generate at least 96 gallons per week of organic material waste, rather than 4 cubic yards of solid waste;
- wastes generated as the result of a food safety event due to a foreign material or adverse biological activity that requires landfill destruction are exempt from organic material management requirements;
- Ecology must confirm a local government's determination that a business is not serviced by an organic material management facility with year-round capacity, in order for businesses in the jurisdiction to be exempt from organic material management requirements; and
- businesses are not prohibited from disposing of nonfood organic materials that are not commingled with food waste by using the services of an organic materials management facility that does not accept food waste.

Ecology must adopt or amend solid waste rules establishing permit requirements for organic material management facilities addressing contamination associated with incoming foodwaste feedstocks and finished products, for environmental benefit.

#### Product Degradability Labeling.

Product degradability labeling laws are amended, including by:

- authorizing products to be labeled as compostable if they have a fiber-based substrate of at least 98 percent fiber by weight, and no plastic or polymer wax additives or coatings;
- authorizing products labeled as compostable to meet three additional specified types of technical specifications, or similar standard specifications determined by Ecology;
- defining the types of tinting of plastic film products that are prohibited, and prohibiting the use of botanical motifs, such as brown, green, or beige vines or leaves, on noncompostable plastic film bags;
- authorizing products to be labeled as "home compostable" if the product meets ASTM industrial composting standards, has been verified by a third-party certifier, and is backed by valid and reproducible scientific evidence to support a claim of home compostability, is labeled in a manner otherwise consistent with labeling requirements for compostable products, and is not labeled as "home compostable only;" and
- specifying protocols for the concurrent enforcement of product degradability labeling requirements in the event that cities and counties choose to enforce labeling requirements, including requiring notification to Ecology.

#### Compost Procurement.

Agriculture's compost reimbursement program is expanded to allow for the purchase of compost from facilities that are not required to have a solid waste handling permit. Agriculture must prioritize reimbursement for applicants who purchase and use compost containing food waste feedstocks, where it is practicable for the applicant to purchase and use compost containing food waste feedstocks. Compost must meet applicable requirements for compost established by rule by Ecology under solid waste management laws. The \$10,000 per fiscal year limit on compost reimbursement per farming operation is increased to \$20,000 for large farms, and Agriculture must attempt to achieve fair distribution of funding across different farm size categories.

Cities and counties required to adopt compost procurement ordinances and report to Ecology must report annually on March 31, rather than every 2 years on December 31. The report must specify the facility or facilities used for processing organic material, in addition to the tons of organic material diverted.

#### Other.

Ecology must, in consultation with Agriculture, study and submit to the Legislature a status report on the compostability, performance, printability, and cost of produce sticker technologies by September 1, 2025.

Ecology's Center must convene a work group to address mechanisms to improve the rescue of edible food waste from commercial generators, including food service and retail

establishments. Ecology must select membership of the work group from specified types of state and local government entities and stakeholders. Meetings of the work group must be carried out in a virtual-only format. The work group must consider logistics to phase in edible food donation programs and incentives, food recovery networks, asset gaps and food infrastructure development needs, and lessons learned from other jurisdictions. Ecology must submit a report to the Legislature by September 1, 2025, containing the work group's recommendations, including notation of varied opinions where stakeholder consensus has not been reached.

In implementing the act, including provisions of existing law amended by the act, it is declared to be the Legislature's intent to manage food in a manner that prioritizes the prevention of wasted food as the highest priority, with food donation, animal feed, and compost or anaerobic digestion as lower priority management options above landfilling or incineration.

Severability and null and void clauses are included.

**Votes on Final Passage:**

|        |    |    |                   |
|--------|----|----|-------------------|
| House  | 58 | 39 |                   |
| Senate | 30 | 19 | (Senate amended)  |
| House  | 57 | 36 | (House concurred) |

**Effective:** June 6, 2024

**RCW 43.19A.150 Cities and counties required to adopt a compost procurement ordinance—Report.** (1) By January 1, 2023, the following cities or counties shall adopt a compost procurement ordinance to implement RCW 43.19A.120:

(a) Each city or county with a population greater than 25,000 residents as measured by the office of financial management using the most recent population data available; and

(b) Each city or county in which organic material collection services are provided under chapter 70A.205 RCW.

(2) A city or county that newly exceeds a population of 25,000 residents after January 1, 2023, as measured by the office of financial management, must adopt an ordinance under this subsection no later than 12 months after the office of financial management's determination that the local government's population has exceeded 25,000.

(3) In developing a compost procurement ordinance, each city and county shall plan for the use of compost in the following categories:

(a) Landscaping projects;

(b) Construction and postconstruction soil amendments;

(c) Applications to prevent erosion, filter stormwater runoff, promote vegetation growth, or improve the stability and longevity of roadways; and

(d) Low-impact development and green infrastructure to filter pollutants or keep water on-site, or both.

(4) Each city or county that adopts an ordinance under subsection (1) or (2) of this section must develop strategies to inform residents about the value of compost and how the jurisdiction uses compost in its operations in the jurisdiction's comprehensive solid waste management plan pursuant to RCW 70A.205.045.

(5) By December 31, 2024, and each December 31st of even-numbered years thereafter, each city or county that adopts an ordinance under subsection (1) or (2) of this section must submit a report covering the previous year's compost procurement activities to the department of ecology that contains the following information:

(a) The total tons of organic material diverted throughout the year;

(b) The volume and cost of compost purchased throughout the year; and

(c) The source or sources of the compost.

(6) Cities and counties that are required to adopt an ordinance under subsection (1) or (2) of this section shall give priority to purchasing compost products from companies that produce compost products locally, are certified by a nationally recognized organization, and produce compost products that are derived from municipal solid waste compost programs and meet quality standards comparable to standards adopted by the department of transportation or adopted by rule by the department of ecology.

(7) Cities and counties may enter into collective purchasing agreements if doing so is more cost-effective or efficient.

(8) Nothing in this section requires a compost processor to:

(a) Enter into a purchasing agreement with a city or county;

(b) Sell finished compost to meet this requirement; or

(c) Accept or process food waste or compostable products. [2022 c 180 § 701.]

**Findings—Intent—Scope of authority of chapter 180, Laws of 2022**  
**—2022 c 180:** See notes following RCW 70A.205.007.



## CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT

**ITEM NUMBER:** 11a

**DATE:** June 27, 2024

**SUBJECT:** Authorize the Mayor to Sign a Contract for construction of Port Susan Trail Phase Two

**CONTACT PERSON:** Alan Lytton, City Engineer

**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 Excavation West, Inc for the Port Susan Trail Phase 2 Project.

### **BACKGROUND**

The City received four (4) bids total, with the low bid of \$1,777,170.10 from Excavation West, inc. The engineer's estimate was \$2,221,047. The City received \$448,000 of RCO grant funds and \$927,000 in Commerce funds for the project. The remainder will be local funds. We currently have \$1,638,000 budgeted for trail, plus approximately \$300,000 of the project is budgeted from drainage funds to install future storm drainage conveyance under the trail. In addition to the contract price, public works is seeking approval for a 10% contingency to cover unforeseen conditions, and quantity overages.

### **ANALYSIS**

| <b>Fiscal Impact</b>                                                                                               |                                                                     |                            |                                                                                                         |
|--------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|----------------------------|---------------------------------------------------------------------------------------------------------|
| The contract, including contingency exceeds budget by \$16,887, which is not likely to require a budget amendment. |                                                                     |                            |                                                                                                         |
| <b>Fund(s):</b>                                                                                                    | 594 73 63 19 (\$1,638,000 ) & 594 31 63 01 (\$300,000)              |                            |                                                                                                         |
| <b>Current Budget Amount:</b>                                                                                      | \$1,938,000                                                         | <b>Project Estimate:</b>   | \$1,954,887 (includes \$177,717 contingency)                                                            |
| <b>Budget Authorized</b>                                                                                           | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <b>Amendment Required?</b> | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Monitor |

## **RECOMMENDATIONS**

### **Staff Recommendation:**

Staff recommends awarding the Port Susan Trail Phase 2 construction project to the low bidder, Excavation West, in the amount of \$1,777,170.10 with a \$177,717 contingency.

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

The Public Works Committee has been briefed on the project but have not reviewed bids.

## **COUNCIL OPTIONS**

1. Authorize the Mayor to sign a contract with Excavation West for Port Susan Trail Phase 2 project in the amount of \$1,777,170.10 with a \$177,717 contingency.
2. Send back to the Public Works Committee for additional discussion.
3. Reject all bids and delay project.

## **RECOMMENDED MOTION**

1. **I MOVE TO AUTHORIZE THE MAYOR TO SIGN A CONTRACT WITH EXCAVATION WEST TO CONSTRUCT THE PORT SUSAN TRAIL PHASE 2 PROJECT IN THE AMOUNT OF \$1,777,170.10 WITH A \$177,717 CONSTRUCTION CONTINGENCY.**



**BID TABULATION**  
**Port Susan Trail Phase 2**  
**Bid Opening: Tuesday, June 18th 2024 @ 3PM**

| Item No.                   | Spec Ref. |                                      |                     |      | Engineering Est. |               | Excavation West, Inc. |               | TAYEX         |               | Konnerup Construction, Inc. |               | Faber Construction Corp. |                 |
|----------------------------|-----------|--------------------------------------|---------------------|------|------------------|---------------|-----------------------|---------------|---------------|---------------|-----------------------------|---------------|--------------------------|-----------------|
|                            |           | ITEM DESCRIPTION                     | Est. UNITS          | Unit | UNIT PRICE       | AMOUNT        | UNIT PRICE            | AMOUNT        | UNIT PRICE    | AMOUNT        | UNIT PRICE                  | AMOUNT        | UNIT PRICE               | AMOUNT          |
| SCHEDULE A: ROADWAY        |           |                                      |                     |      |                  |               |                       |               |               |               |                             |               |                          |                 |
| TESC                       |           |                                      |                     |      |                  |               |                       |               |               |               |                             |               |                          |                 |
| A-1                        | 1-04.4(1) | Minor Changes                        | FA                  | 1    |                  | \$ -          | \$ 10,000.00          | \$ 10,000.00  | \$ 10,000.00  | \$ 10,000.00  | \$ 10,000.00                | \$ 10,000.00  | \$ 10,000.00             | \$ 10,000.00    |
| A-2                        | 1-05.4    | Constructrion Staking Surveying      | LS                  | 1    | \$ 45,000.00     | \$ 45,000.00  | \$ 23,765.00          | \$ 23,765.00  | \$ 20,000.00  | \$ 20,000.00  | \$ 20,000.00                | \$ 20,000.00  | \$ 24,054.22             | \$ 24,054.22    |
| A-3                        | 1-09.7    | Mobilization (10%)                   | LS                  | 1    | \$ 158,820.00    | \$ 158,820.00 | \$ 88,613.00          | \$ 88,613.00  | \$ 100,000.00 | \$ 100,000.00 | \$ 180,000.00               | \$ 180,000.00 | \$ 139,289.03            | \$ 139,289.03   |
| A-4                        | 1-10.5    | Temporary Traffic Control            | LS                  | 1    | \$ 1,000.00      | \$ 1,000.00   | \$ 41,071.50          | \$ 41,071.50  | \$ 10,000.00  | \$ 10,000.00  | \$ 15,000.00                | \$ 15,000.00  | \$ 52,195.16             | \$ 52,195.16    |
| A-5                        | 2-01.5    | Clearing and Grubbing                | AC                  | 2.1  | \$ 10,000.00     | \$ 21,000.00  | \$ 19,750.00          | \$ 41,475.00  | \$ 10,000.00  | \$ 21,000.00  | \$ 10,000.00                | \$ 21,000.00  | \$ 11,673.80             | \$ 24,514.98    |
| A-6                        | 2-03.5    | Roadway Excavation Incl. Haul        | CY                  | 382  | \$ 5.00          | \$ 1,910.00   | \$ 67.06              | \$ 25,616.92  | \$ 40.00      | \$ 15,280.00  | \$ 50.00                    | \$ 19,100.00  | \$ 62.61                 | \$ 23,917.02    |
| A-7                        | 2-11.5    | Stormwater Pollution Prevention Plan | LS                  | 1    | \$ 2,000.00      | \$ 2,000.00   | \$ 600.00             | \$ 600.00     | \$ 100.00     | \$ 100.00     | \$ 1,000.00                 | \$ 1,000.00   | \$ 1,772.65              | \$ 1,772.65     |
| A-8                        | 2-12.5    | Erosion and Water Pollution Control  | LS                  | 1    | \$ 16,000.00     | \$ 16,000.00  | \$ 73,610.50          | \$ 73,610.50  | \$ 30,000.00  | \$ 30,000.00  | \$ 40,000.00                | \$ 40,000.00  | \$ 75,540.24             | \$ 75,540.24    |
| ROADWAY                    |           |                                      |                     |      |                  |               |                       |               |               |               |                             |               |                          |                 |
| A-9                        | 4-04.5    | Crushed Surfacing Base Course        | TN                  | 28   | \$ 30.00         | \$ 840.00     | \$ 85.65              | \$ 2,398.20   | \$ 50.00      | \$ 1,400.00   | \$ 50.00                    | \$ 1,400.00   | \$ 67.51                 | \$ 1,890.28     |
| A-10                       | 4-04.5    | Crushed Surfacing Top Course         | TN                  | 1173 | \$ 35.00         | \$ 41,055.00  | \$ 44.60              | \$ 52,315.80  | \$ 40.00      | \$ 46,920.00  | \$ 45.00                    | \$ 52,785.00  | \$ 62.01                 | \$ 72,737.73    |
| A-11                       | 4-04.5sp  | Pit Run Structural Fill              | TN                  | 835  | \$ 35.00         | \$ 29,225.00  | \$ 33.14              | \$ 27,671.90  | \$ 35.00      | \$ 29,225.00  | \$ 34.00                    | \$ 28,390.00  | \$ 35.41                 | \$ 29,567.35    |
| A-12                       | 2-12.5    | Geotextile Fabric                    | SY                  | 84   | \$ 10.00         | \$ 840.00     | \$ 12.32              | \$ 1,034.88   | \$ 50.00      | \$ 4,200.00   | \$ 10.00                    | \$ 840.00     | \$ 28.12                 | \$ 2,362.08     |
| A-13                       | 4-04.5    | Ballast                              | TN                  | 28   | \$ 40.00         | \$ 1,120.00   | \$ 64.00              | \$ 1,792.00   | \$ 100.00     | \$ 2,800.00   | \$ 60.00                    | \$ 1,680.00   | \$ 59.78                 | \$ 1,673.84     |
| A-14                       | 5-03.5    | HMA Sawcut and Seal                  | LF                  | 155  | \$ 6.00          | \$ 930.00     | \$ 6.50               | \$ 1,007.50   | \$ 7.00       | \$ 1,085.00   | \$ 5.00                     | \$ 775.00     | \$ 9.12                  | \$ 1,413.60     |
| A-15                       | 5-04.5    | Class B Pavement                     | TN                  | 575  | \$ 150.00        | \$ 86,250.00  | \$ 188.00             | \$ 108,100.00 | \$ 155.00     | \$ 89,125.00  | \$ 170.00                   | \$ 97,750.00  | \$ 248.34                | \$ 142,795.50   |
| A-16                       | 6-13.5sp  | Lock and Load MSE Wall               | SF                  | 192  | \$ 70.00         | \$ 13,440.00  | \$ 107.00             | \$ 20,544.00  | \$ 85.00      | \$ 16,320.00  | \$ 60.00                    | \$ 11,520.00  | \$ 183.91                | \$ 35,310.72    |
| A-17                       | 8-04.5    | Concrete Curb and Gutter             | LF                  | 77   | \$ 25.00         | \$ 1,925.00   | \$ 92.75              | \$ 7,141.75   | \$ 65.00      | \$ 5,005.00   | \$ 70.00                    | \$ 5,390.00   | \$ 89.74                 | \$ 6,909.98     |
| A-18                       | 8-11.5sp  | 6-foot Fence/Pedestrian Guardrail    | LF                  | 70   | \$ 20.00         | \$ 1,400.00   | \$ 79.90              | \$ 5,593.00   | \$ 75.00      | \$ 5,250.00   | \$ 120.00                   | \$ 8,400.00   | \$ 79.01                 | \$ 5,530.70     |
| A-19                       | 8-14.5    | Hydroseeding                         | SY                  | 1000 | \$ 2.00          | \$ 2,000.00   | \$ 2.15               | \$ 2,150.00   | \$ 4.00       | \$ 4,000.00   | \$ 2.00                     | \$ 2,000.00   | \$ 3.28                  | \$ 3,280.00     |
| A-20                       | 8-22.5sp  | Crosswalk Striping                   | LF                  | 38   | \$ 5.00          | \$ 190.00     | \$ 46.00              | \$ 1,748.00   | \$ 50.00      | \$ 1,900.00   | \$ 20.00                    | \$ 760.00     | \$ 54.38                 | \$ 2,066.44     |
| STORM DRAINAGE/WATER MAINS |           |                                      |                     |      |                  |               |                       |               |               |               |                             |               |                          |                 |
| A-21                       | 7-04.5    | HDPE Pipe 36-in Diam.                | LF                  | 1236 | \$ 300.00        | \$ 370,800.00 | \$ 206.00             | \$ 254,616.00 | \$ 250.00     | \$ 309,000.00 | \$ 180.00                   | \$ 222,480.00 | \$ 227.79                | \$ 281,548.44   |
| A-22                       | 7-08.5sp  | Bank Run Gravel for Trench Backfill  | TN                  | 1950 | \$ 35.00         | \$ 68,250.00  | \$ 30.70              | \$ 59,865.00  | \$ 15.00      | \$ 29,250.00  | \$ 34.00                    | \$ 66,300.00  | \$ 46.25                 | \$ 90,187.50    |
| A-23                       | 7-09.5sp  | DI Pipe for Water Main, 16-in Diam.  | LF                  | 20   |                  | \$ -          | \$ 310.00             | \$ 6,200.00   | \$ 2,000.00   | \$ 40,000.00  | \$ 280.00                   | \$ 5,600.00   | \$ 803.85                | \$ 16,077.00    |
| A-24                       | 7-09.5sp  | 16-in. DI 45-deg. Bends              | EA                  | 4    |                  | \$ -          | \$ 1,786.00           | \$ 7,144.00   | \$ 1,500.00   | \$ 6,000.00   | \$ 2,000.00                 | \$ 8,000.00   | \$ 1,821.28              | \$ 7,285.12     |
| A-25                       | 7-09.5sp  | Water Tie-In                         | LS                  | 2    |                  | \$ -          | \$ 2,415.00           | \$ 4,830.00   | \$ 2,000.00   | \$ 4,000.00   | \$ 2,000.00                 | \$ 4,000.00   | \$ 1,696.52              | \$ 3,393.04     |
|                            |           |                                      | SCHEDULE A SUBTOTAL |      |                  | \$ 863,995.00 |                       | \$ 868,903.95 |               | \$ 801,860.00 |                             | \$ 824,170.00 |                          | \$ 1,055,312.62 |
|                            |           |                                      | 9.3% SALES TAX      |      |                  | \$ 80,351.54  |                       | \$ 80,808.07  |               | \$ 74,572.98  |                             | \$ 76,647.81  |                          | \$ 98,144.07    |
|                            |           |                                      | SCHEDULE A TOTAL    |      |                  | \$ 944,346.54 |                       | \$ 949,712.02 |               | \$ 876,432.98 |                             | \$ 900,817.81 |                          | \$ 1,153,456.69 |



BID TABULATION  
Port Susan Trail Phase 2  
Bid Opening: Tuesday, June 18th 2024 @ 3PM

| Item No.                             | Spec Ref. |                                                    |                     |      | Engineering Est. |                 | Excavation West, Inc. |               | TAYEX        |               | Konnerup Construction, Inc. |               | Faber Construction Corp. |                 |  |
|--------------------------------------|-----------|----------------------------------------------------|---------------------|------|------------------|-----------------|-----------------------|---------------|--------------|---------------|-----------------------------|---------------|--------------------------|-----------------|--|
|                                      |           | ITEM DESCRIPTION                                   | Est. UNITS          | Unit | UNIT PRICE       | AMOUNT          | UNIT PRICE            | AMOUNT        | UNIT PRICE   | AMOUNT        | UNIT PRICE                  | AMOUNT        | UNIT PRICE               | AMOUNT          |  |
| SCHEDULE B: BOARDWALK                |           |                                                    |                     |      |                  |                 |                       |               |              |               |                             |               |                          |                 |  |
| TRAILS & MISC PEDESTRIAN CIRCULATION |           |                                                    |                     |      |                  |                 |                       |               |              |               |                             |               |                          |                 |  |
| B-1                                  |           | 10' Wide Board Walk                                | SF                  | 5400 | \$ 120.00        | \$ 648,000.00   | \$ 36.30              | \$ 196,020.00 | \$ 80.00     | \$ 432,000.00 | \$ 80.00                    | \$ 432,000.00 | \$ 82.33                 | \$ 444,582.00   |  |
| B-2                                  |           | Helical Piling                                     | EA                  | 144  | \$ 1,950.00      | \$ 280,800.00   | \$ 1,601.00           | \$ 230,544.00 | \$ 1,210.00  | \$ 174,240.00 | \$ 1,350.00                 | \$ 194,400.00 | \$ 1,616.61              | \$ 232,791.84   |  |
| B-3                                  |           | Foot Rail                                          | LF                  | 675  | \$ 45.50         | \$ 30,712.50    | \$ 54.25              | \$ 36,618.75  | \$ 20.00     | \$ 13,500.00  | \$ 40.00                    | \$ 27,000.00  | \$ 75.38                 | \$ 50,881.50    |  |
| B-4                                  |           | SS Cable Handrail                                  | LF                  | 432  | \$ 280.00        | \$ 120,960.00   | \$ 251.50             | \$ 108,648.00 | \$ 150.00    | \$ 64,800.00  | \$ 140.00                   | \$ 60,480.00  | \$ 235.95                | \$ 101,930.40   |  |
| B-5                                  |           | Boardwalk Concrete Abutment Wall                   | CY                  | 6    | \$ 1,865.00      | \$ 11,190.00    | \$ 966.00             | \$ 5,796.00   | \$ 3,800.00  | \$ 22,800.00  | \$ 1,000.00                 | \$ 6,000.00   | \$ 1,864.48              | \$ 11,186.88    |  |
| B-6                                  |           | Protect, Maintain, and Restore Wetland - Allowance | LS                  | 1    | \$ 14,000.00     | \$ 14,000.00    | \$ 3,100.00           | \$ 3,100.00   | \$ 10,000.00 | \$ 10,000.00  | \$ 10,000.00                | \$ 10,000.00  | \$ 10,716.68             | \$ 10,716.68    |  |
| SITE FURNISHINGS                     |           |                                                    |                     |      |                  |                 |                       |               |              |               |                             |               |                          |                 |  |
| B-7                                  |           | Removalble Bollards                                | EA                  | 6    | \$ 1,653.00      | \$ 9,918.00     | \$ 854.08             | \$ 5,124.48   | \$ 1,400.00  | \$ 8,400.00   | \$ 2,000.00                 | \$ 12,000.00  | \$ 3,211.98              | \$ 19,271.88    |  |
| B-8                                  |           | Trail Entry/Gateway Marker                         | EA                  | 2    | \$ 10,290.00     | \$ 20,580.00    | \$ 15,758.00          | \$ 31,516.00  | \$ 38,000.00 | \$ 76,000.00  | \$ 32,000.00                | \$ 64,000.00  | \$ 41,029.30             | \$ 82,058.60    |  |
| B-9                                  |           | Wayfinding Singage                                 | EA                  | 3    | \$ 4,410.00      | \$ 13,230.00    | \$ 36,065.00          | \$ 108,195.00 | \$ 9,000.00  | \$ 27,000.00  | \$ 7,000.00                 | \$ 21,000.00  | \$ 18,684.57             | \$ 56,053.71    |  |
| SITE IMPROVEMENTS                    |           |                                                    |                     |      |                  |                 |                       |               |              |               |                             |               |                          |                 |  |
| B-10                                 |           | Maintenance Gate                                   | EA                  | 2    | \$ 9,340.00      | \$ 18,680.00    | \$ 8,320.00           | \$ 16,640.00  | \$ 12,500.00 | \$ 25,000.00  | \$ 12,000.00                | \$ 24,000.00  | \$ 14,455.23             | \$ 28,910.46    |  |
| B-11                                 |           | Pine Rail Fence                                    | LF                  | 450  |                  | \$ -            | \$ 33.00              | \$ 14,850.00  | \$ 35.00     | \$ 15,750.00  | \$ 40.00                    | \$ 18,000.00  | \$ 37.81                 | \$ 17,014.50    |  |
|                                      |           |                                                    | SCHEDULE B SUBTOTAL |      |                  | \$ 1,168,070.50 |                       | \$ 757,052.23 |              | \$ 869,490.00 |                             | \$ 868,880.00 |                          | \$ 1,055,398.45 |  |
|                                      |           |                                                    | 9.3% SALES TAX      |      |                  | \$ 108,630.56   |                       | \$ 70,405.86  |              | \$ 80,862.57  |                             | \$ 80,805.84  |                          | \$ 98,152.06    |  |
|                                      |           |                                                    | SCHEDULE B TOTAL    |      |                  | \$ 1,276,701.06 |                       | \$ 827,458.09 |              | \$ 950,352.57 |                             | \$ 949,685.84 |                          | \$ 1,153,550.51 |  |

|                  |                 |                 |                 |                 |                 |
|------------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| SCHEDULE A TOTAL | \$ 944,346.54   | \$ 949,712.02   | \$ 876,432.98   | \$ 900,817.81   | \$ 1,153,456.69 |
| SCHEDULE B TOTAL | \$ 1,276,701.06 | \$ 827,458.09   | \$ 950,352.57   | \$ 949,685.84   | \$ 1,153,550.51 |
| TOTAL AMOUNT BID | \$ 2,221,047.59 | \$ 1,777,170.10 | \$ 1,826,785.55 | \$ 1,850,503.65 | \$ 2,307,007.20 |



6/21/24



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

**ITEM NUMBER:** 11b

**DATE:** June 27, 2024

**SUBJECT:** Authorize Mayor To Sign A Contract with Synagro For Biosolids Removal

**CONTACT PERSON:** Alan Lytton, City Engineer

**ATTACHMENTS:** A) Bid Tab

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### **ISSUE**

The issue in front of the Council is authorize the Mayor to enter into a contract for the biosolids removal project.

### **SUMMARY STATEMENT**

The City advertised for the removal and disposal of our biosolids on May 16<sup>th</sup> with bids due June 17<sup>th</sup>. We received one bid from Synagro for a total cost of \$1,568,400.

### **DISCUSSION**

There is need to remove biosolids at our wastewater treatment plant. Staff has been in contact with the Department of Ecology surrounding the efforts to get our biosolids removed and disposed. The City has performed biosolid removal in 2009 costing roughly \$500,000, and most recently in 2017 costing \$770,000. Our sludge ponds are at capacity and require solid removal. The Engineer's estimate was \$1,000,000. This was based on 30% increase from 2017 pricing.

### **FINANCIAL IMPACT**

The low bid is \$1,568,400. There is \$1,600,000 budgeted in 2024 in account 594 35 41 06 – Biosolid Removal. This number was based on an assumed 800 tons of removal; in 2017 we removed approximately 760 tons. This budgeted line item-\$1.6 million, included \$1,000,000 for Biosolids removal, and \$600,000 to start design of a Biosolids handling system. Staff plans to apply for PWTF funding to begin the design, which will require future council authorization.

### **COMMITTEE RECOMMENDATIONS**

The bids were opened after the last committee meeting however, this project has been discussed with the committee. This project is needed and was identified in the current budget.

### **RECOMMENDED MOTION**

**“I MOVE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH SYNAGRO FOR BIOSOLIDS REMOVAL NOT TO EXCEED \$1,568,400”.**

City of Stanwood

| ITEM NO                            | ITEM DESCRIPTION                                                                     | EST. QTY. | UNIT          | UNIT PRICE                                                      | AMOUNT       |
|------------------------------------|--------------------------------------------------------------------------------------|-----------|---------------|-----------------------------------------------------------------|--------------|
| 1                                  | Mobilization and Demobilization (Lump sum not exceed 10% of the sum of items 2 & 3)  | 1         | LS            | \$193,000.00                                                    | \$193,000.00 |
| 2                                  | Dredging, Dewatering, Hauling (landfill)                                             | 0-100     | Tons (DWB)    | $\$ \frac{1,690.00}{\text{Ton DWB}}$                            | \$169,000.00 |
|                                    |                                                                                      | 101-200   | Tons (DWB)    | $\$ \frac{1,690.00}{\text{Ton DWB}}$                            | \$169,000.00 |
|                                    |                                                                                      | 200-300+  | Tons (DWB)    | $\$ \frac{1,690.00}{\text{Ton DWB}}$                            | \$169,000.00 |
| 3                                  | Dredging, Dewatering, Hauling: Biosolids Meets VAR Requirements for land application | 0-100     | Tons (DWB)    | $\$ \frac{1,690.00}{\text{Ton DWB}}$                            | \$169,000.00 |
|                                    |                                                                                      | 101-200   | Tons (DWB)    | $\$ \frac{1,690.00}{\text{Ton DWB}}$                            | \$169,000.00 |
|                                    |                                                                                      | 201-300+  | Tons (DWB)    | $\$ \frac{1,690.00}{\text{Ton DWB}}$                            | \$169,000.00 |
| Estimated Biosolids = 800 Dry Tons |                                                                                      |           |               | $\$ \underline{1,352,000^*}$<br>* Does not include mobilization |              |
| 4                                  | Per Unit Surcharge on Bid Item 3: Biosolids does not meet VAR Requirements           | 0-300+    | Per Ton (DWB) | $\$ \frac{78.00}{\text{Ton DWB}}$                               | \$23,400.00  |

Base Bid A ( Sum of items 1,2,3)

~~\$ 1,207,000.00~~

Sales Tax (0%)

\$1,545,000

Base Bid B ( Sum of items 1,2,3 &amp; 4)

~~\$ 1,230,400.00~~

Sales Tax (0%)

\$1,568,400

16

Note, Bidder had a math error. Red markup shows corrected amount

11.7

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## CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT

**ITEM NUMBER:** 11c

**DATE:** June 27, 2024

**SUBJECT:** Release of Water Utility Easements for Summerset Division II Final Plat

**CONTACT PERSON:** Alan Lytton, City Engineer

**ATTACHMENTS:** Attachment A – Release of Water Utility Easement

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### **PURPOSE**

The purpose of this agenda item is for Council consideration to relinquish two outdated water utility easements currently located on the Summerset Division II property.

### **BACKGROUND**

The Summerset Division II property consists of approximately 7.27 acres zoned Single Family Residential 9.6 (SR 9.6). A preliminary plat application to develop the site with a 22-lot single-family planned residential development was approved on August 22, 2022.

There are currently two historical water utility easements that are located in the residential development. Easement 1 is associated with AFN 891825. This easement was previously used for a water main in the 1940's and has since been abandoned and replaced by two new water mains in a different location. The new water mains were constructed in a new 40-foot easement as recorded under AFN 2413840. Easement 2 is associated with AFN's 927318, 1883583, and 8612010398. This easement runs north from the water tower along the west side of proposed lot 11 of Summerset Division II, then continues through the City's property along the east side of Summerset Division I.

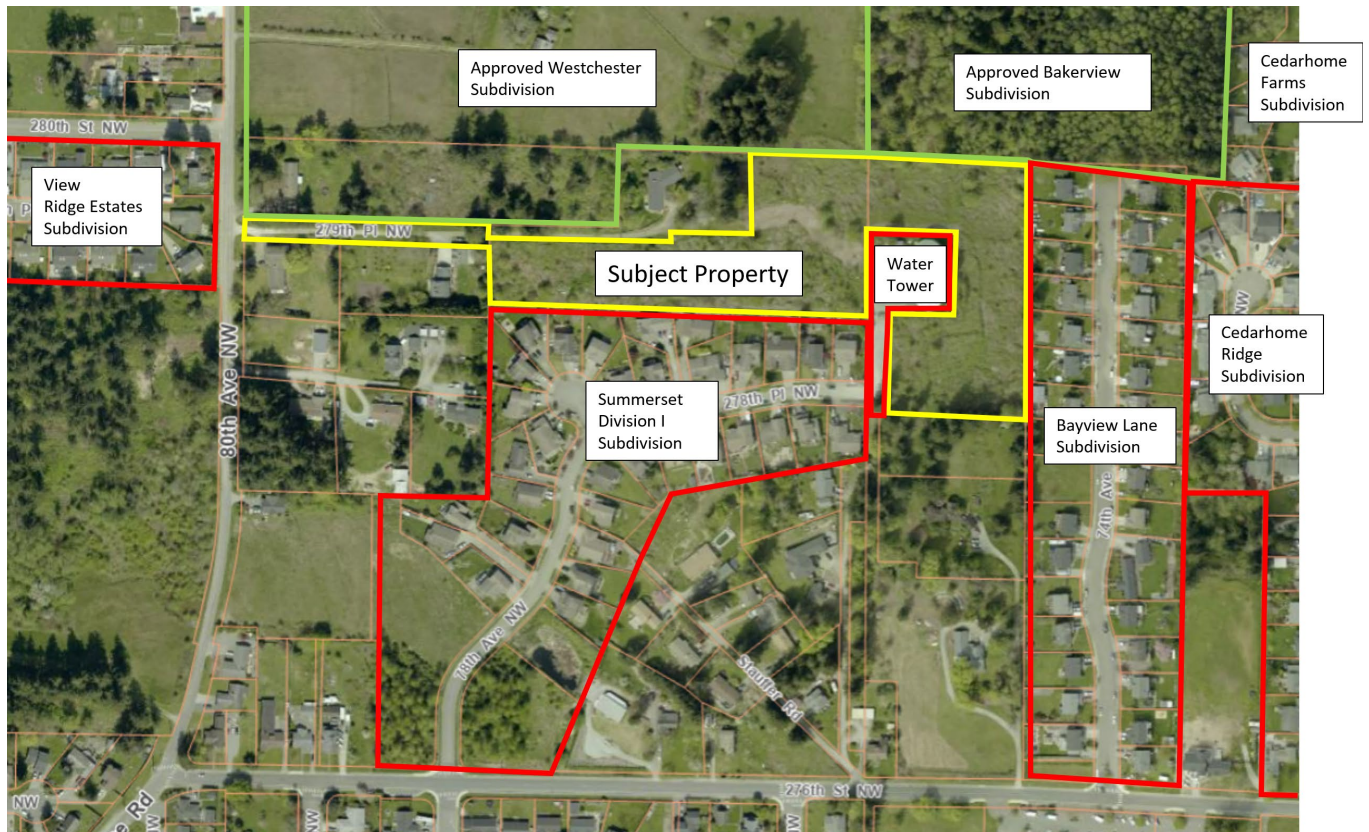
As part of the planned residential development, the developer is required to install new utility and road improvements and has discussed with staff releasing these easements after public improvements are constructed and dedicated in public right-of-way or new easements prior to final plat approval.

### **ANALYSIS**

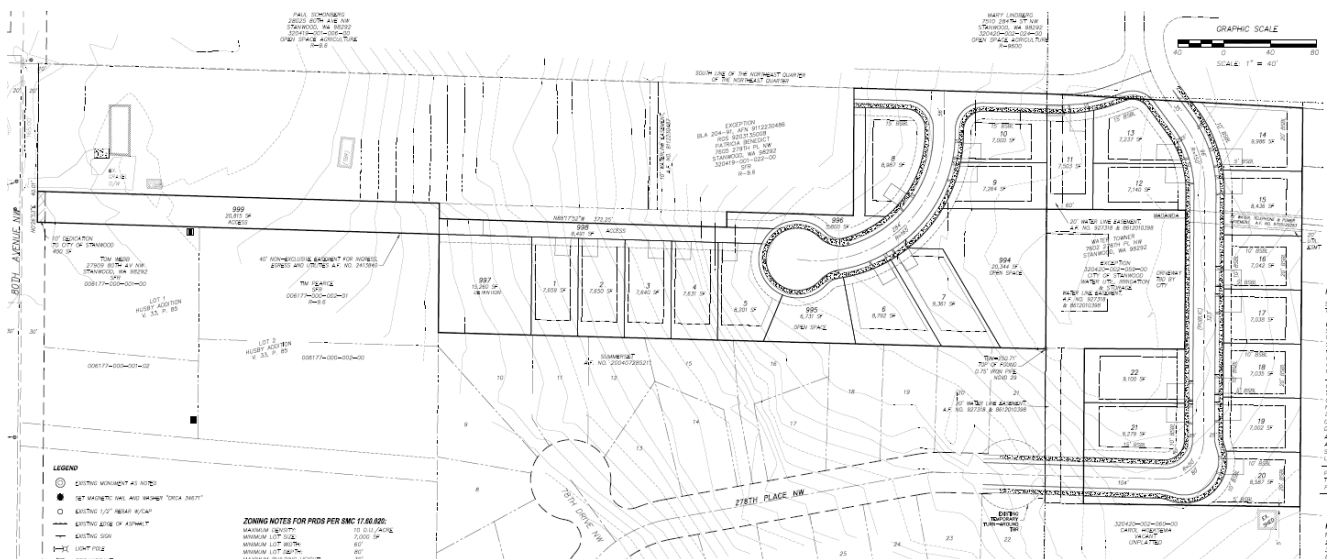
In March 2022, the City received a preliminary plat application to develop a 22-lot single-family planned residential development. The Planning Commission held a public meeting for the proposed development on May 9, 2022 and a public hearing was held in front of the Hearing Examiner on August 18, 2022.

The proposed development includes parcels 00617700000101, 32041900105000, and 32042000205700. The development is surrounded by existing and future residential subdivisions and wraps around the City's water tower property located at 7620 278<sup>th</sup> Place NW (Parcel 32042000205900).

### Vicinity Map with Development Labels



### Summeret Division II Preliminary Plat Map

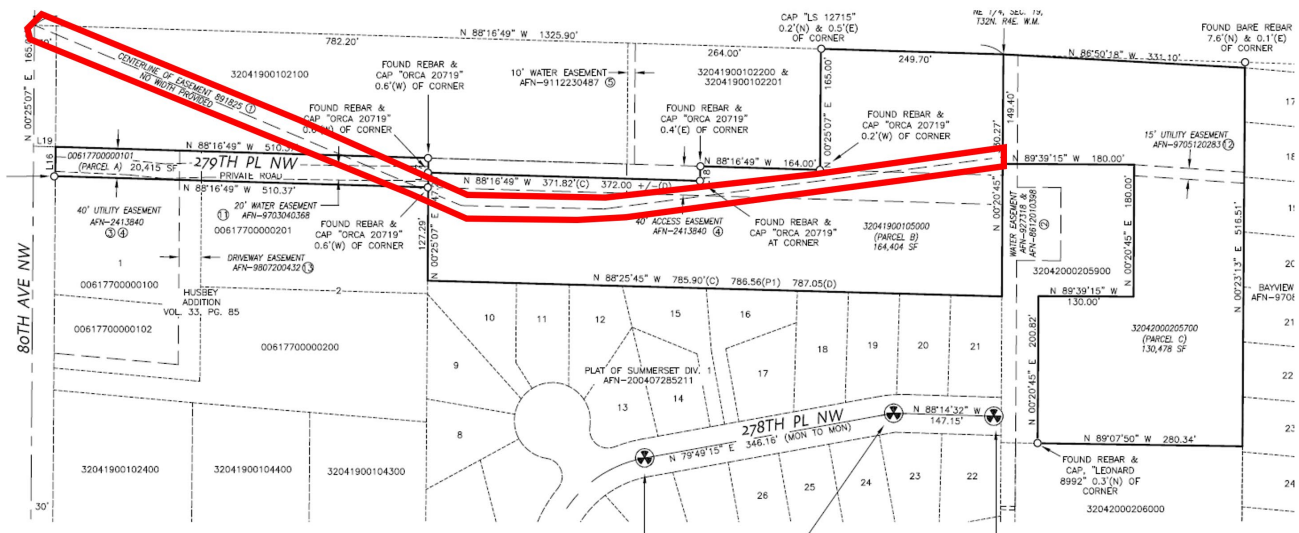


There are two outdated water utility easements located on the subject property.

Easement number 1 (AFN 891825) is located across a portion of Summerset Division II that is intended for homesites. This easement was previously used for a water main in the 1940's and has since been abandoned and replaced by two new water mains in a different location. The new water mains were constructed in the 40-foot easement as recorded under AFN 2413840.

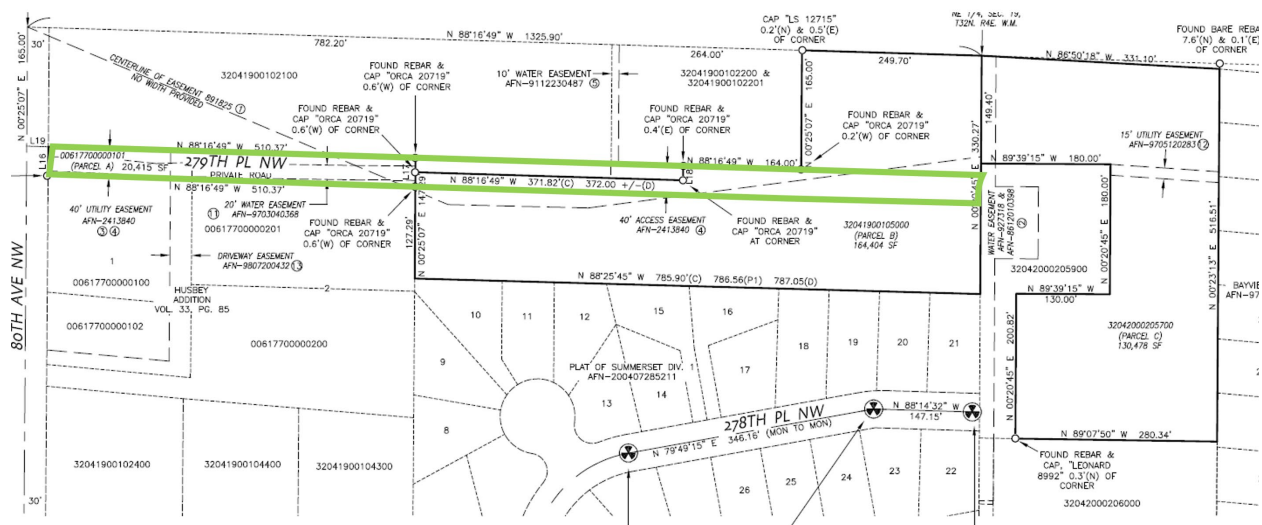
### Location of Old Easement 1

*Proposed to be released/terminated*



### Location of New Easement 1

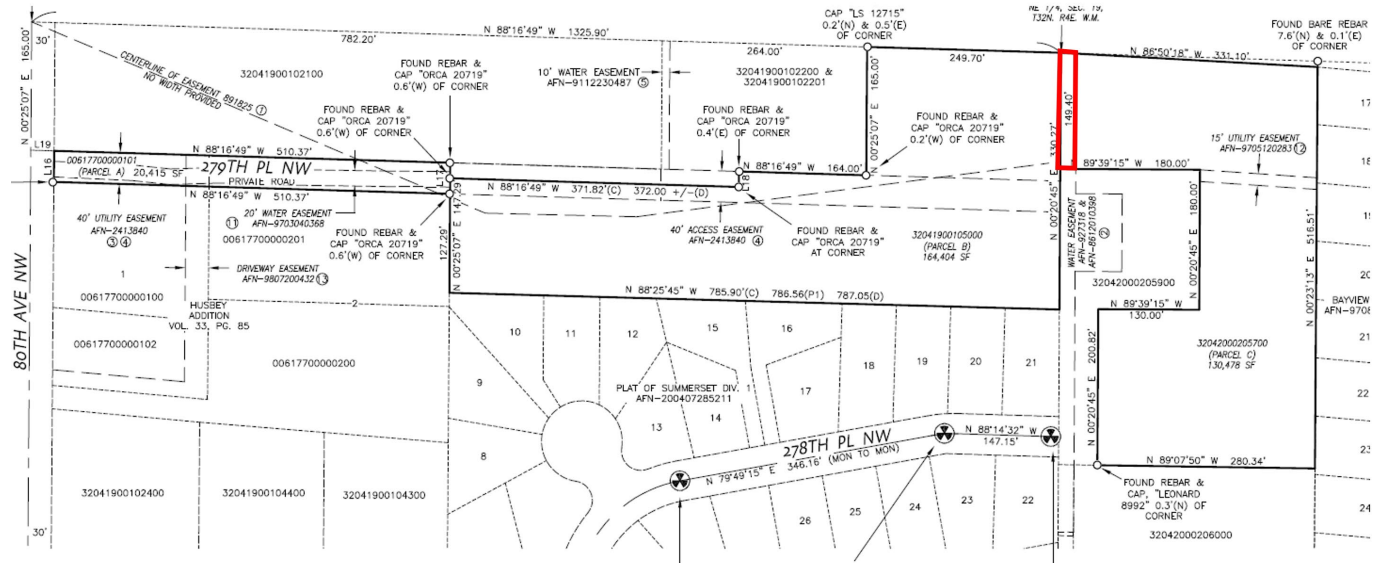
*Proposed to be retained*



Easement number 2 (AFN 927318, 1883583 and 8612010398) runs north from the water tower along the west side of proposed lot 11 of Summerset Division II then continues through the City's property along the east side of Summerset Division I, close to the southeast corner of Summerset Division I. New waterlines were constructed in the plat public road improvements.

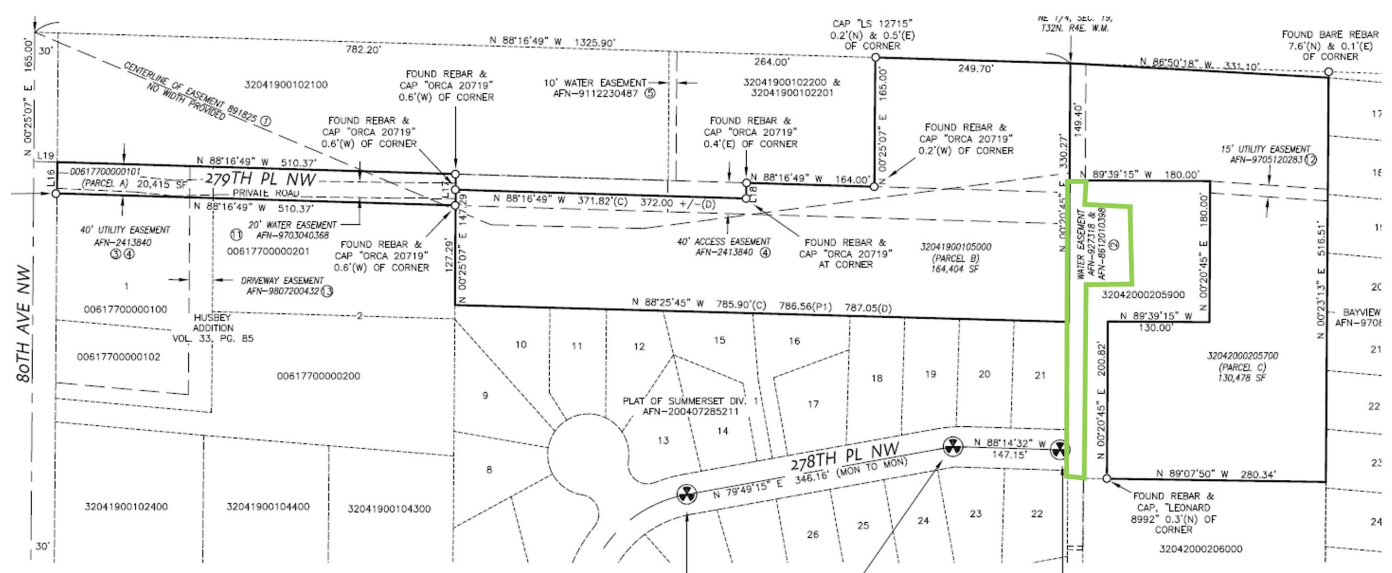
### Location of Old Easement 2

*Proposed to be released/terminated*



### Location of New Easement 2

*Proposed to be retained*



## **FINANCIAL IMPACT**

|                                             |                                                                                                  |                           |                                                                                                                                      |
|---------------------------------------------|--------------------------------------------------------------------------------------------------|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>Fiscal Impact</b>                        |                                                                                                  |                           |                                                                                                                                      |
| No Financial Impact to the City of Stanwood |                                                                                                  |                           |                                                                                                                                      |
| <b>Fund(s):</b>                             | N/A                                                                                              |                           |                                                                                                                                      |
| <b>Amount:</b>                              | \$ N/A                                                                                           | <b>Project Estimate:</b>  | \$ N/A -                                                                                                                             |
| <b>Budget Authorized</b>                    | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A | <b>Amendment Required</b> | <input type="checkbox"/> Yes <input type="checkbox"/> No<br><input type="checkbox"/> Monitor <input checked="" type="checkbox"/> N/A |

## **STAFF RECOMMENDATION**

Staff is supportive of the requested easement release. Easement 1 dates back to the 1940s and does not have any actual water infrastructure within it. The need for easement 2 is negated with the new plat improvements including roads and utilities. City staff discussed the proposed easement relinquishment in August 2023 and was supportive of it then as well.

## **COMMITTEE RECOMMENDATION**

The Summerset Division II Final Plat was scheduled to go in front of the Community Development Committee on March 7, 2024. This meeting ended up being cancelled and the agenda items were emailed to the committee members. The committee members reviewed the agenda over email and were supportive of moving the items forward.

## **CITY COUNCIL OPTIONS**

1. Authorize the mayor to sign a release of water utility easements
2. Do not authorize the mayor to sign a release of water utility easements

## **PROPOSED MOTION**

**“I MOVE TO AUTHORIZE THE MAYOR TO SIGN A RELEASE OF WATER UTILITY EASEMENTS FOR RELEASE OF WATER UTILITY EASEMENTS BENEFITING THE CITY OF STANWOOD RECORDED UNDER SNOHOMISH COUNTY AUDITOR’S FILE NUMBER 891825, 1883583, 927318, AND 8612010398.”**

**RECORDING REQUESTED BY AND  
AFTER RECORDING RETURN TO:**

City of Stanwood  
10220 270<sup>th</sup> St. NW  
Stanwood, WA 98292

---

**RELEASE OF WATER UTILITY EASEMENT**

**Grantor:** CITY OF STANWOOD

**Grantees:** KEYSTONE LAND LLC  
TIMOTHY A. AND KATHLEEN PEARCE  
PEGASUS LAND LLC

**Legal Description:**

**Abbreviated:** PTN NE 1/4, SEC 19-32N-4E, W.M., SNOHOMISH  
COUNTY, WA;  
PTN LT 1 AND 2, HUSBY ADDITION, SNOHOMISH  
COUNTY, WA;  
Lot 2, Husby Add, Vol. 33 of Plats, page 83, Snohomish  
County, WA;  
All that portion of the Southeast quarter of the Northeast  
quarter, Section 19, Township 32 North, Range 4 East,  
W.M.;  
PTN NE 1/4, SEC 20-32N-4E, W.M., SNOHOMISH  
COUNTY, WA

**Full:** See Exhibit A attached hereto

**Tax Parcel Numbers:** 32041900105000, 00617700000101, 00617700000201,  
32041900102100, 32042000205700,

**Reference No. of Related Docs:** AFN 891825, AFN 927318, AFN 1883583,  
AFN 8612010398

**RELEASE OF WATER UTILITY EASEMENT**

THIS AGREEMENT is entered into this \_\_\_\_ day of \_\_\_\_\_, 2024, by the City of Stanwood (the “City”).

**RECITALS**

- A. The City of Stanwood has certain water line easements recorded under Snohomish County Recorder’s Office Numbers 891825, 927318, 1883583, and 8612010398 (“Easements”), against the real property more fully described on Exhibit A attached hereto (the “Property”).
- B. The easements are no longer necessary, but exist as a cloud on title to property being developed by Keystone Land, LLC.
- C. The City has determined that the Easements are no longer of practical value, and therefore may be released.

**RELEASE**

The City hereby releases and relinquishes, by way of quitclaim only and without warranty, all right, title and interest, if any, in the Easements. Furthermore, the City recognizes that the water lines in questions has been abandoned in place. The City will no longer have any responsibility for this water line or its removal.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE.]

Dated: \_\_\_\_\_, 2024.

CITY OF STANWOOD

By: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Approved as to form:

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

STATE OF WASHINGTON            )  
                                                  )  
COUNTY OF SNOHOMISH        )

I certify that I know or have satisfactory evidence that \_\_\_\_\_ is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the \_\_\_\_\_ of the CITY OF STANWOOD, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

NOTARY PUBLIC in and for the State of \_\_\_\_\_,  
residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

**EXHIBIT A  
TO  
RELEASE OF EASEMENTS**

Legal Description

**Parcel 32041900105000:**

THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 32 NORTH, RANGE 4 EAST W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SUBDIVISION,  
THENCE SOUTH 89°56'00" EAST, ALONG THE NORTH LINE THEREOF, 812.20 FEET TO THE  
NORTHEAST CORNER OF THAT CERTAIN TRACT CONVEYED TO MERLE J BJERKNES  
AND BETTY A BJERKNES, HIS WIFE, BY DEED RECORDED UNDER RECORDING NO  
1677855, THE TRUE POINT OF BEGINNING,  
THENCE CONTINUE SOUTH 89°56'00" EAST, ALONG SAID NORTH LINE THEREOF, 514.80  
FEET TO THE NORTHEAST CORNER OF SAID SUBDIVISION,  
THENCE SOUTH 1°18'00" EAST, ALONG THE EAST LINE OF SAID SECTION 19, 330.00  
FEET,  
THENCE NORTH 89°56'00" WEST, 787.05 FEET,  
THENCE NORTH, 165.00 FEET TO THE SOUTH LINE OF AFOREMENTIONED BJERKNES  
TRACT,  
THENCE SOUTH 89°56'00" EAST, ALONG SAID SOUTH LINE, 272.00 FEET, MORE OR LESS,  
TO THE SOUTHEAST CORNER OF SAID BJERKNES TRACT,  
THENCE NORTH 1°13'30" EAST, ALONG THE EAST LINE OF SAID BJERKNES TRACT,  
165.00 FEET TO THE TRUE POINT OF BEGINNING,

EXCEPT THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER  
OF SECTION 19, TOWNSHIP 32 NORTH, RANGE 4 EAST W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SUBDIVISION,  
THENCE SOUTH 89°56'00" EAST, ALONG THE NORTH LINE THEREOF, 812.20 FEET TO THE  
NORTHEAST CORNER OF THAT CERTAIN TRACT CONVEYED TO MERLE J BJERKNES  
AND BETTY A BJERKNES, HIS WIFE, BY DEED RECORDED UNDER RECORDING NO  
1677855, THE TRUE POINT OF BEGINNING,  
THENCE CONTINUE SOUTH 89°56'00" EAST, ALONG SAID NORTH LINE THEREOF, 264.00  
FEET,  
THENCE SOUTH 1°13'30" WEST 165.00 FEET,  
THENCE NORTH 89°56'00" WEST, 164.00 FEET,  
THENCE SOUTH 1°13'30" WEST, 20.00 FEET,  
THENCE NORTH 89°56'00" WEST, 372.25 FEET,  
THENCE NORTH, 20.00 FEET TO THE SOUTH LINE OF AFOREMENTIONED BJERKNES  
TRACT,  
THENCE SOUTH 89°56'00" EAST, ALONG SAID SOUTH LINE, 272.00 FEET, MORE OR LESS,  
THE SOUTHEAST CORNER OF SAID BJERKNES TRACT,  
THENCE NORTH 1°13'30" EAST, ALONG THE EAST LINE OF SAID BJERKNES TRACT,  
165.00 FEET TO THE TRUE POINT OF BEGINNING

AS PER SNOHOMISH COUNTY BOUNDARY LINE ADJUSTMENT NO BLA 204-91, AS RECORDED UNDER RECORDING NO 9112230486, RECORDS OF SNOHOMISH COUNTY,

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY:

THE SOUTH 40 FEET OF THE NORTH 205 FEET OF THE EAST 787.05 FEET OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 32 NORTH, RANGE 4 EAST, W.M.,

EXCEPT THAT PORTION THEREOF LYING WITHIN THE ABOVE-DESCRIBED MAIN TRACT,

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

**Parcel 00617700000101:**

THE NORTH 40 FEET OF LOTS 1 AND 2, HUSBY ADDITION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 33 OF PLATS ON PAGE 85, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

**Parcel 00617700000201:**

That portion of Lot 2, Husby Addition, according to plat thereof recorded in Volume 33 of Plats, page 85, records of Snohomish County, Washington, described as follows:

Beginning at the Northeast corner of Lot 2;

Thence south along the East line 185 feet;

Thence West parallel to the North line of said Lot to the West line of said Lot;

Thence North along said West line to the northwest corner of said lot;

Thence East along the North line of said Lot to the true point of beginning;

EXCEPT the North 40 feet thereof;

TOGETHER WITH an easement for roadway disclosed by AF#93021140370 and AF#9807200432.

SUBJECT TO rights, reservations, notes, restrictions and easements of record.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

**Parcel 32041900102100:**

ALL THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, SECTION 19, TOWNSHIP 32 NORTH, RANGE 4 EAST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID-SOUTHEAST QUARTER OF NORTHEAST QUARTER;

THENCE SOUTH 89°56' EAST ALONG NORTH BOUNDARY OF SAID SOUTHEAST QUARTER OF NORTHEAST QUARTER 20 FEET, THE TRUE POINT OF BEGINNING,

THENCE CONTINUE SOUTH 89°56' EAST ALONG SAID BOUNDARY LINE A DISTANCE OF 792.20 FEET;

THENCE SOUTH 01°13'30" EAST 165.00 FEET;

THENCE NORTH 89°56' WEST 792.20 FEET;

THENCE NORTH 01°13'30" WEST 165.00 FEET TO TRUE POINT OF BEGINNING;

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

**Parcel 32042000205700:**

THAT PORTION OF THE WEST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 32 NORTH, RANGE 4 EAST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID WEST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER,  
 THENCE NORTH, ALONG THE WEST LINE THEREOF, 704.55 FEET TO THE TRUE POINT OF BEGINNING,  
 THENCE SOUTH 89°33'19" EAST, PARALLEL WITH THE SOUTH LINE OF SAID WEST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, 19.80 FEET,  
 THENCE SOUTH, 48.41 FEET,  
 THENCE SOUTH 89°33'19" EAST, 310.45 FEET TO THE EAST LINE OF SAID WEST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER,  
 THENCE NORTH 0°02'32" EAST, ALONG SAID EAST LINE, 658.94 FEET TO THE NORTHEAST CORNER THEREOF,  
 THENCE NORTH 88°27'43" WEST, ALONG THE NORTH LINE, 330.84 FEET TO THE NORTHWEST CORNER OF SAID WEST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER,  
 THENCE SOUTH, ALONG THE WEST LINE THEREOF, 616.85 FEET TO THE TRUE POINT OF BEGINNING,

EXCEPT THAT PORTION OF THE WEST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 32 NORTH, RANGE 4 EAST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID WEST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER,  
 THENCE NORTH, ALONG THE WEST LINE THEREOF, 704.55 FEET TO THE TRUE POINT OF BEGINNING,  
 THENCE SOUTH 89°33'19" EAST, PARALLEL WITH THE SOUTH LINE OF SAID WEST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, 19.80 FEET;  
 THENCE SOUTH, 48.41 FEET,  
 THENCE SOUTH 89°33'19" EAST, 310.45 FEET TO THE EAST LINE OF SAID WEST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER,  
 THENCE NORTH 0°02'32" EAST, ALONG SAID EAST LINE, 134.65 FEET,  
 THENCE NORTH 88°27'43" WEST, 330.84 FEET, MORE OR LESS, TO THE WEST LINE OF SAID WEST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER,  
 THENCE SOUTH, ALONG THE WEST LINE THEREOF, 86.24 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING,

AND EXCEPT THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 32 NORTH, RANGE 4 EAST, W.M., DESCRIBED AS

FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 20,  
THENCE NORTH 2°09'30" WEST, ALONG THE WEST LINE OF SAID SECTION 20, 791.33  
FEET TO THE NORTHWEST CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED TO  
GARY L WEBER AND THELMA M WEBER, HUSBAND AND WIFE, BY DEED RECORDED  
UNDER RECORDING NO. 8002110100, SAID CORNER ALSO BEING THE TRUE POINT OF  
BEGINNING,  
THENCE CONTINUING NORTH 2°09'30" WEST, ALONG SAID WEST LINE OF SECTION 20,  
380.36 FEET;  
THENCE NORTH 87°50'30" EAST, PERPENDICULAR TO SAID WEST LINE OF SECTION 20,  
180.00 FEET,  
THENCE SOUTH 2°09'30" EAST, 180.00 FEET,  
THENCE SOUTH 87°50'30" WEST, 130.00 FEET,  
THENCE SOUTH 2°09'30" EAST, 200.82 FEET TO THE INTERSECTION WITH THE NORTH  
LINE OF SAID WEBER TRACT,  
THENCE SOUTH 88°21'55" WEST, ALONG SAID NORTH LINE, 50 FEET TO THE TRUE  
POINT OF BEGINNING,

AND EXCEPT THAT PORTION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF  
THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 32 NORTH, RANGE 4 EAST,  
DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NORTHWEST CORNER OF SAID SUBDIVISION;  
THENCE EAST ON A STRAIGHT LINE DRAWN FROM SAID NORTHWEST CORNER TO A  
POINT 7.50 FEET SOUTH OF A POINT 330.84 FEET EAST OF SAID NORTHWEST CORNER;  
THENCE NORTH 7.50 FEET;  
THENCE WEST 330.84 FEET TO THE TRUE POINT OF BEGINNING.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.



## CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT

**ITEM NUMBER:** 11d  
**DATE:** June 27, 2024  
**SUBJECT:** Twin City Mile: East End Traffic Calming Projects  
**CONTACT PERSON:** Patricia Love, Community Development Director  
**ATTACHMENTS:** None

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### **PURPOSE**

The purpose of this agenda item is for Council review and acceptance of the Twin City Mile – East End Traffic Calming project designs.

### **SUMMARY**

The 2023 / 2024 work plan for the Twin City Mile (TCM) project includes evaluating short term interim design improvements between 88<sup>th</sup> Avenue and 84<sup>th</sup> Avenue as well as traffic calming measures. Perteet Inc. and Lankford Associates were hired to prepare preliminary engineering designs for the east end district consistent with the TCM adopted concept plans.

### **BACKGROUND**

One of the main concerns staff heard during the development of the City Beautification Action Plan and the Twin City Mile project was the speed of traffic on 271<sup>st</sup> Street. The key to managing traffic speed is to slow it down before it reaches downtown.

The purpose of the east end near-term improvements is to add beautification to the corridor, as well as promote pedestrian visibility and calm traffic as vehicles travel along the corridor. Three implementation projects are being proposed:

1. 88<sup>th</sup> Avenue / 271<sup>st</sup> Street intersection improvements to continue implementation of the Twin City Mile and downtown beautification project,
2. Improve the mid-block crossing for pedestrian safety and beautification, and
3. 84<sup>th</sup> Avenue / 271<sup>st</sup> Street intersection improvements to slow traffic before they reach the main corridor.

Two public open houses were held to obtain feedback on the design concepts: one on March 24, 2024, that targeted the business owners along this section of the roadway and the other on April 24, 2024, which was a general public open house.

## **ANALYSIS**

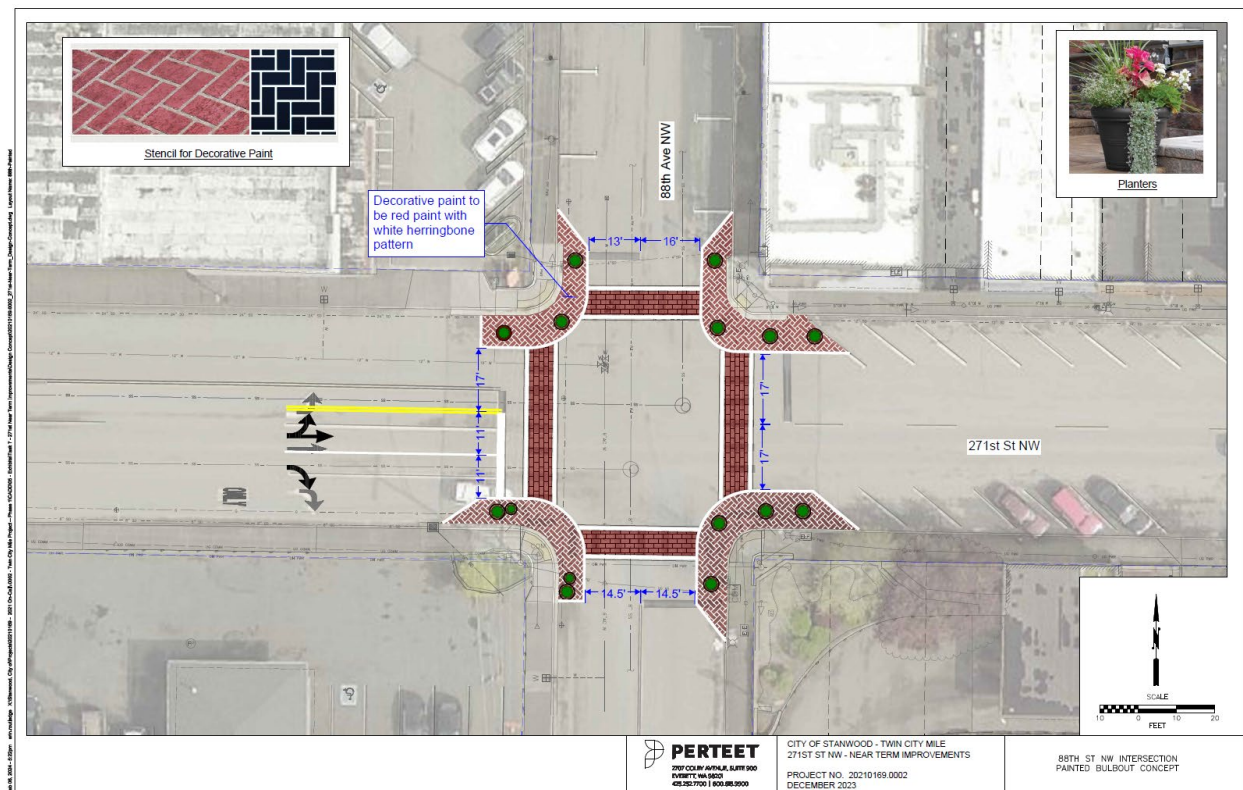
### ***88<sup>th</sup> Avenue / 271<sup>st</sup> Street Intersection Improvements:***

Continuing with the TCM themes, the beautification elements the City identified for the intersection of 271st Street NW and 88th Avenue NW includes painted corner bulb outs, the cement stamped brick concrete crosswalks, planter pots, and realignment of the east bound travel lanes. This option has a relatively lower cost to implement because it does not need a full reconstruction of the cement concrete curb returns, and the existing stormwater catch basins and pipe can stay in place and will not need to be moved.

Suggested improvements include:

- Eliminate the northbound turn lane to align the travel lanes (versus off-set travel lanes);
- Apply paint to create bulb outs and place planters to create separation between the vehicle travel paths and the pedestrian space; and
- Add stamped brick concrete crosswalks.

Preliminary Cost Estimate: \$277,000



### ***Mid-Block Crossing:***

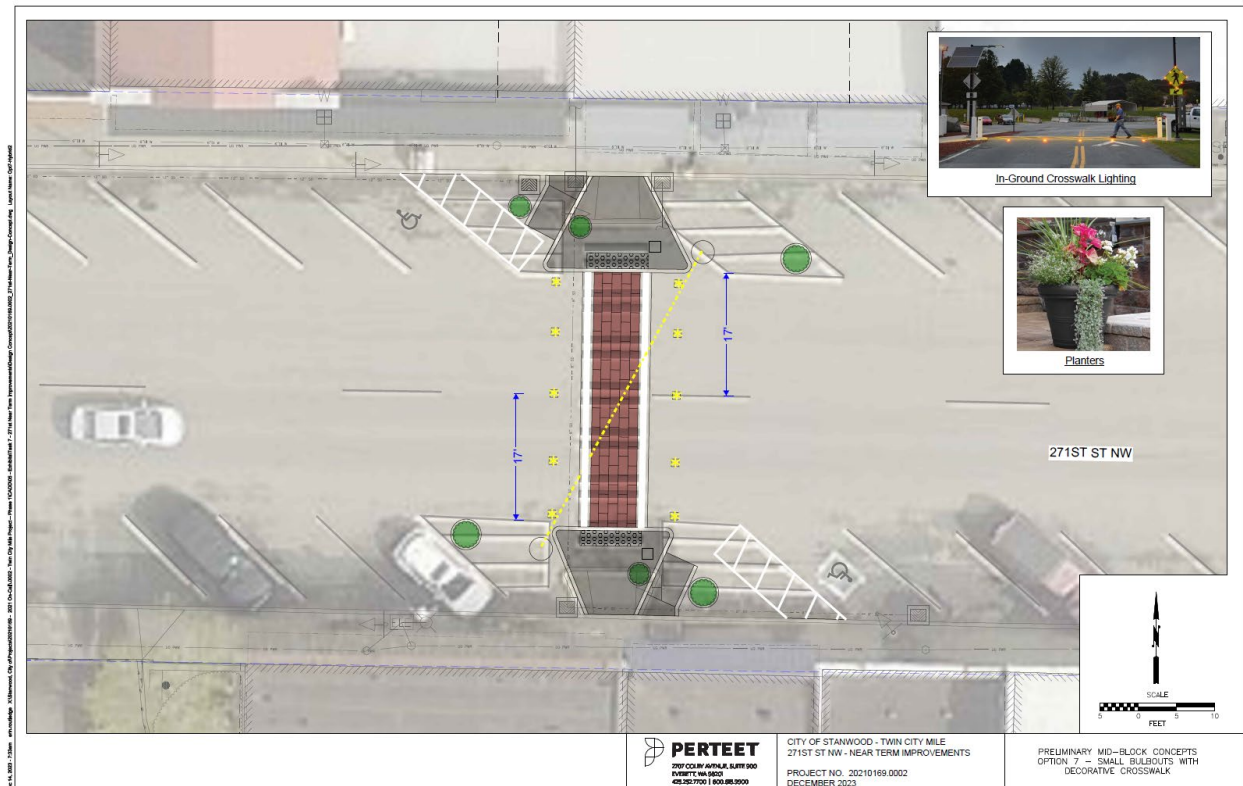
Several options were considered on how best to improve visibility of the mid-block crossing while also meeting engineering design standards for ADA parking and access, lighting and drainage.

The location of the ADA parking stalls has a significant impact on the mid-block crossing design. ADA standards dictate stall width, loading/unloading spaces and access ramp requirements. Relocating the ADA stalls to the 88<sup>th</sup> Avenue and 84<sup>th</sup> Avenue intersections was considered but the move resulted in undesirable design impacts, and it moved people farther away from the store fronts. Additionally, the original TCM concept included raising the cross walk to be level with the sidewalk, however this created design problems with cars backing up over the raised cross walk and diminished ADA accessibility.

Suggested mid-block crossing improvements include:

- Extending the raised cross walk extension areas for improved visibility;
- Changing out the cross walk to the TCM Brick Road design;
- Include in-ground crosswalk lighting in lieu of raising the cross walk; and
- Add city beautification elements: planter strips and overhead decorative lighting.

Preliminary Cost Estimate: \$236,000

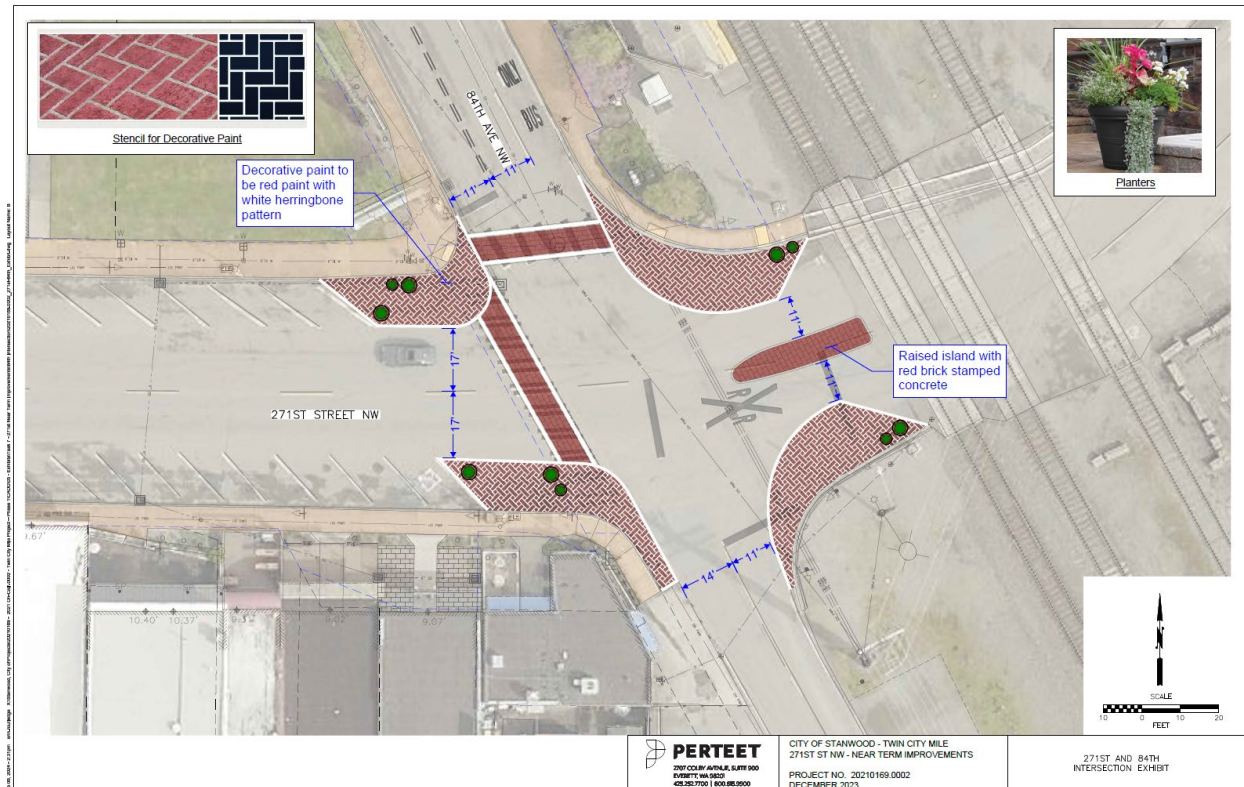


### 84<sup>th</sup> Avenue Intersection:

Continuing with the TCM theme, this intersection includes painted blub outs with planters, brick crosswalks and raised decorative median. Narrowing travel lanes has been shown to reduce driver travel speeds due to a more enclosed feeling and less room to maneuver. This traffic calming measure proposes a combination of corner and median treatments to achieve this effect. The proposed corner extensions are shown as a combination of channelized extensions with planter boxes enforcing the desired travel paths. These planter boxes provide an opportunity for decorative treatments and can be

moved as necessary to perform maintenance tasks. Additionally, the proposed median island narrows the travel path for through vehicles on 271st Street NW and can be constructed with a decorative pavement treatment. The combined traffic calming for through traffic on 271st Street NW likely totals a reduction of at least 5 mph.

Preliminary Cost Estimate: \$217,000



### ***Cedarhome Drive – 4 Way Intersection:***

Not included in this report is the Cedarhome Drive traffic calming design. The initial concept design included a small traffic circle to manage traffic movements. However, after speaking with several business owners, it was determined that additional design work is necessary to meet the project goals of reducing traffic speeds, reducing vehicle conflicts and ensuring trucks can navigate that intersection safely and efficiently. Refined designs of this intersection will be brought to the Council when completed.

### ***Public Comments:***

Below are the comments received from the open houses on the project. Comments regarding the Cedarhome traffic circle and Depot Park have been removed and will be presented with those projects.

### ***March 24, 2024 – Business Owners Open House***

- Traffic needs to slow down
- Public restrooms signs needed

- Suggested/encouraged truck route for semi-trucks would be ideal
- 88<sup>th</sup> Avenue: can there be inground lighting as an additional measure to protect pedestrians? A lot of us parents do not let our kids walk in this intersection, there have been a lot of near misses
- Planter boxes and bulb outs give a really nice buffer, love it
- Love streets that have “back in” parking, a couple of attendees like this idea to make 271<sup>st</sup> safer for drivers and pedestrians
- One way alley
- Concern about semi trucks along 271<sup>st</sup> and their ability to make turns due to the location of the pots
- Like the current look of downtown, don’t want to see any changes
- Move post in front of Cupcake Store
- Add a cross walk from the country store to behind the police station. A lot of people park at the country store for the farmers market and then walk across
- Additional wayfinding signage to point people to downtown
- Mid-block banners downtown to promote events
- Doesn’t like the median on 84<sup>th</sup>, doesn’t feel like Stanwood
- Pressure wash and clean the sidewalks
- 88<sup>th</sup> avenue – add overhead lighting
- Add street lights at these main intersections for pedestrian safety and beautification
- Support of the midblock improvements, currently is dangerous and is hard to see oncoming traffic.
- Love 88<sup>th</sup>, would be great to add streetlights
- 84<sup>th</sup>, north and south – consider one way right turns only for safety
- Concerned about turning radius @88<sup>th</sup> for 53’ semis
- Why isn’t the city parking lot used for events?
- No signage indicating that pedestrians can cross through businesses from parking lot
- Public restrooms should be open later to accommodate restaurant goers
- I am excited for it, it’s always good
- Can’t unify both ends

April 24, 2024 – General Public Comments:

- Doesn’t like raised medians
- Stamped concrete seems pointless
- 88<sup>th</sup> Ave: Have we thought about putting a traffic circle in?
- Viking Village: Is an eyesore, something needs to be done about that
- Downtown Traffic Calming: Looks good, I am all for beautifying downtown

- 84<sup>th</sup> Ave: wondering how the parade floats would be impacted by a raised median
- Midblock: Just having that will help calm people
- Downtown improvements will make streets safer, supportive of these changes
- Doesn't like color of arch
- Like "real" brick better character, "Stanwood Brick Road"
- Love it!
- 84<sup>th</sup> Ave: Looks busy, may be confusing for drivers
- Bigger arrows on wayfinding signage
- Make sure to carry Scandinavian theme and history throughout the city, current wayfinding signs do not represent the history and heritage of Stanwood.
- Public restrooms will be nice
- Don't like raised median on 84<sup>th</sup>
- Really like the Downtown Improvements

| Fiscal Impact                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>There is \$250,000 in the 2024 budget which will cover the cost of one project. The first project to be completed is the mid-block crossing.</p> <p>However, staff is currently working on submitting these projects for a Transportation Improvement Board (TIB) grant in August of this year and which if obtained, could cover the cost of all three projects.</p> <p>If the TIB Grant is not successful, the projects will be prioritized and funded through the City's annual Capital Improvement Plan adoption (CIP) and budget process.</p> |

## **RECOMMENDATIONS**

### **Staff Recommendation:**

Staff recommends that the Council accept the concept designs for the East End Traffic Calming Project and proceed with final design.

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

The designs were reviewed by the Community Development Committee on November 2, 2023 and they provided the following comments:

271<sup>st</sup> Street and 84<sup>th</sup> Avenue – The Committee supports a raised median with beautification options on the sides and flashing signs to warn drivers to slow down.

Mid-block Option on 271<sup>st</sup> Street – The Committee supports the design.

88<sup>th</sup> Avenue Intersection – Consider having Public Works staff trained to stamp concrete to save money on this part of the beautification.

### **CITY COUNCIL OPTIONS**

1. Accept the concept designs as submitted.
2. Request changes to the concept designs.

### **PROPOSED MOTION**

**I MOVE TO ACCEPT THE CONCEPT DESIGNS AS PRESENTED, PROCEED WITH THE FINAL DESIGN, AND APPLY FOR GRANTS TO FUND THE PROJECTS.**

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