

City of Stanwood



City Council Packet

Stanwood City Council Regular Meeting

Thursday, September 24, 2020



AGENDA CITY COUNCIL REGULAR MEETING

Thursday, September 24, 2020 – 7:00 p.m.

This meeting will be conducted by telephone and online,
connection information will be posted on City Website—
<https://www.stanwoodwa.org>

Stanwood City Hall
10220 270th St. NW, Stanwood, WA 98292

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF THE AGENDA**
- 4. CITIZEN COMMENTS –**
ANYONE WISHING TO PROVIDE WRITTEN OR ORAL PUBLIC COMMENT, MUST PRE-REGISTER BY 9:00 A.M. THE DAY OF THE MEETING, BY CALLING 360-454-5213, OR BY CLICKING ON THIS LINK: [HTTPS://STANWOODWA.ORG/FORMCENTER/CITY-CLERK-5/CITY-COUNCIL-MEETING-REMOTE-PUBLIC-COMME-61](https://stanwoodwa.org/FormCenter/City-Clerk-5/City-Council-Meeting-Remote-Public-Comme-61)
- 5. CONSENT AGENDA**
 - a. Approve Voucher and Payroll Checks **5-1**
 - b. Approve September 10, 2020 Regular Meeting Minutes **5-8**
- 6. NEW BUSINESS**
 - a. Schenk Packing Annexation Petition **6-1**
 - b. Approve the Mayor's Planning Commission Appointment **6-22**
 - c. Appointment to Community Transit Board **6-26**
- 7. CITIZEN CLOSING COMMENTS- REMOVED VIA MOTION AT 3-26-2020 MEETING**
- 8. REPORTS OF OFFICERS AND COMMITTEES**
 - a. Mayor's Report
 - b. City Administrator's Report
 - c. Councilmember Reports/Questions
- 9. ADJOURN**

Upcoming Meetings:

October 08, 2020 Special Workshop Meeting
October 08, 2020 Regular Meeting
October 22, 2020 Regular Meeting
November 12, 2020 Regular Meeting



CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT

ITEM NUMBER: 5a

DATE: September 24, 2020

SUBJECT: Approval of Voucher and Payroll Checks

CONTACT PERSON: Wendy Dowhower, Interim Finance Director

ATTACHMENTS: A - Voucher Check Detail

SUMMARY STATEMENT

Approve issuance of Washington Federal Bank electronic funds transfers and Washington Federal Bank voucher checks 32978 through 33087 in the amount of \$1,456,715.87. Approve issuance of Washington Federal Bank electronic payroll funds transfers and Washington Federal Bank payroll checks 1755 through 1763 in the amount of \$243,630.51.

RECOMMENDED MOTION

I MOVE TO APPROVE ISSUANCE OF WASHINGTON FEDERAL BANK ELECTRONIC FUNDS TRANSFER AND WASHINGTON FEDERAL BANK VOUCHER CHECKS 32978 THROUGH 33087 IN THE AMOUNT OF \$1,456,715.87. APPROVE ISSUANCE OF WASHINGTON FEDERAL BANK ELECTRONIC PAYROLL FUNDS TRANSFERS AND WASHINGTON FEDERAL BANK PAYROLL CHECKS 1755 THROUGH 1763 IN THE AMOUNT OF \$243,630.51.

CHECK REGISTER

City Of Stanwood
MCAG #: 0695

08/25/2020 To: 09/16/2020

Time: 12:58:42 Date: 09/16/2020

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
4184	08/26/2020	Claims	3	EFT	US Bank	9,224.84	4485-5945-5564-1495
4235	08/26/2020	Claims	3	EFT	HSA Bank	2.50	Service Fee For August
4344	09/02/2020	Claims	3	EFT	Profit Mastery	7,500.00	City Of Stanwood
4345	09/02/2020	Claims	3	EFT	WA St Dept of Revenue **	10,393.50	B&O & Excise Tax - July 2020
4374	09/01/2020	Claims	3	EFT	Heartland Payment Systems	10,456.68	August Merchant Fees
4428	09/03/2020	Claims	3	EFT	Chase Paymentech	979.85	August Merchant Fees
4429	09/04/2020	Claims	3	EFT	Xpress/Bill Pay	488.44	10290 Monthly Maintenance Fee August
4185	08/26/2020	Claims	3	32978	Aramark Uniform Services Inc	477.12	937963000
4186	08/26/2020	Claims	3	32979	Badger Meter Inc	1,200.00	460708
4187	08/26/2020	Claims	3	32980	Brim Tractor Company Inc	22.85	City Of Stanwood
4188	08/26/2020	Claims	3	32981	Brianne Dennis & David Hofmann	295.39	08 4061 10 - 28528 70TH DR NW
4189	08/26/2020	Claims	3	32982	Databar Inc.	902.12	8952
4190	08/26/2020	Claims	3	32983	Edge Analytical Inc	20.00	STA01
4191	08/26/2020	Claims	3	32984	Ferguson Enterprises Inc	132.54	211970
4192	08/26/2020	Claims	3	32985	Jessica McCready	1,833.34	City Of Stanwood
4193	08/26/2020	Claims	3	32986	Loggers & Contractors Supply Inc.	369.62	City Of Stanwood
4194	08/26/2020	Claims	3	32987	Madak	2,000.00	City Of Stanwood/DSC
4195	08/26/2020	Claims	3	32988	PUD Of Snohomish County *	11,991.28	200208858; 200738672; 200794063; 202423729; 222277832; 222277832; 222277832
4196	08/26/2020	Claims	3	32989	RH2 Engineering Inc	26,816.99	City Of Stanwood
4197	08/26/2020	Claims	3	32990	SRV Construction, Inc.	90,570.68	City Of Stanwood
4198	08/26/2020	Claims	3	32991	Skagit Farmers Supply	2,014.40	135052; 135052
4199	08/26/2020	Claims	3	32992	Sno Co District Court	1,374.91	City Of Stanwood; DCT34003
4200	08/26/2020	Claims	3	32993	Sno Co Sheriff's Office - CB	1,527.28	City Of Stanwood
4201	08/26/2020	Claims	3	32994	Snohomish County Treasurer	18.99	City Of Stanwood
4202	08/26/2020	Claims	3	32995	Stanwood Auto Parts	140.57	56100; 56100; 56100
4203	08/26/2020	Claims	3	32996	Stanwood Sound	338.52	City Of Stanwood/DSC
4204	08/26/2020	Claims	3	32997	Strategies 360 Inc	1,500.00	City Of Stanwood
4205	08/26/2020	Claims	3	32998	US Bank Na Custody/ Treas Div- Money Ctr	46.00	777221717
4206	08/26/2020	Claims	3	32999	WA St Dept of Transportation *	300.00	91-6001509
4207	08/26/2020	Claims	3	33000	WA St Treasurer	1,359.03	City Of Stanwood
4208	08/26/2020	Claims	3	33001	Washington Tractor Inc.	32.50	111096
4209	08/26/2020	Claims	3	33002	Western Exterminator Company	567.84	683591; 683591
4346	09/02/2020	Claims	3	33003	The Blueline Group	9,072.00	City Of Stanwood
4347	09/02/2020	Claims	3	33004	Bonner Electrical Contracting LLC	4,994.73	City Of Stanwood
4348	09/02/2020	Claims	3	33005	Builders Exchange of Washington Inc	151.00	City Of Stanwood
4349	09/02/2020	Claims	3	33006	Cascade Natural Gas Corp	13.78	608 440 0000 4
4350	09/02/2020	Claims	3	33007	Daily Journal Of Commerce Inc	273.60	3941
4351	09/02/2020	Claims	3	33008	J.A. Brennan Associates, PLLC	11,445.14	City Of Stanwood; City Of Stanwood
4352	09/02/2020	Claims	3	33009	KBA Inc.	2,596.57	City Of Stanwood
4353	09/02/2020	Claims	3	33010	Landscape Structures, Inc	102,846.85	City Of Stanwood
4354	09/02/2020	Claims	3	33011	Maul Foster Alongi, Inc.	13,774.38	City Of Stanwood
4355	09/02/2020	Claims	3	33012	Office Depot	84.42	36274097; 36274097; 36274097
4356	09/02/2020	Claims	3	33013	Owen Equipment Company Inc	479,773.13	36577
4357	09/02/2020	Claims	3	33014	PUD Of Snohomish County *	64.22	220923312
4358	09/02/2020	Claims	3	33015	Pace Engineers, Inc	13,226.25	City Of Stanwood
4359	09/02/2020	Claims	3	33016	Refund - Wade Grant	104.24	Refund Utility #3041 Wade Grant For Overpayment At Closing

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
4360	09/02/2020	Claims	3	33017	Ricoh USA, Inc.	822.70	1316669-3660140; 1316669-3660090
4361	09/02/2020	Claims	3	33018	Rodda Paint	982.80	631460
4362	09/02/2020	Claims	3	33019	Sno Co Sheriff's Office - CB	3.91	City Of Stanwood
4363	09/02/2020	Claims	3	33020	Sno Co Sheriffs Office *	152,121.75	SSH00001
4364	09/02/2020	Claims	3	33021	Stanwood Camano News	237.18	261981; 261981; 261981; 261981
4365	09/02/2020	Claims	3	33022	TMG Services Inc	165.94	1920010
4366	09/02/2020	Claims	3	33023	Tacoma Pump & Drilling	6,625.00	City Of Stanwood
4367	09/02/2020	Claims	3	33024	Unum Life Insurance	88.40	0220603-036 2
4368	09/02/2020	Claims	3	33025	WA St Dept of Licensing *	312.00	City Of Stanwood - July Gun Permits
4369	09/02/2020	Claims	3	33026	Washington State Patrol *	45.00	STA301
4370	09/02/2020	Claims	3	33027	Western Exterminator Company	109.20	683591
4434	09/09/2020	Claims	3	33028	Advanced Analytical Solutions	502.00	001204
4435	09/09/2020	Claims	3	33029	Badger Meter Inc	141.90	460708
4436	09/09/2020	Claims	3	33030	The Blueline Group	19,110.00	City Of Stanwood
4437	09/09/2020	Claims	3	33031	Gaylynn Brien	60.00	City Of Stanwood
4438	09/09/2020	Claims	3	33032	Confluence Environmental Company, Inc	10,391.10	City Of Stanwood
4439	09/09/2020	Claims	3	33033	Edge Analytical Inc	2,841.36	STA01; STA01
4440	09/09/2020	Claims	3	33034	Farwest Corrosion Control Company	2,396.14	0301291
4441	09/09/2020	Claims	3	33035	HB Jaeger	2,153.35	CITSTA; CITSTA
4442	09/09/2020	Claims	3	33036	Hamilton Lumber LLC	110.71	City Of Stanwood
4443	09/09/2020	Claims	3	33037	Hydroseeding & Barkblower, Inc	13,759.20	City Of Stanwood
4444	09/09/2020	Claims	3	33038	Kirby Built Quality Products	218.82	City Of Stanwood
4445	09/09/2020	Claims	3	33039	Les Schwab Tire Centers	70.33	S34-00006
4446	09/09/2020	Claims	3	33040	Navia Benefits	50.00	City Of Stanwood
4447	09/09/2020	Claims	3	33041	Office Depot	90.06	36274097
4448	09/09/2020	Claims	3	33042	Pitney Bowes Inc- Global Financial Svc	230.79	0013214658
4449	09/09/2020	Claims	3	33043	Ricoh USA, Inc.	88.42	1316669-3660143
4450	09/09/2020	Claims	3	33044	Safetyshirtz	4,775.69	City Of Stanwood
4451	09/09/2020	Claims	3	33045	Stanwood Chamber Of Commerce	3,150.00	City Of Stanwood; City Of Stanwood
4452	09/09/2020	Claims	3	33046	T-Bailey, Inc	24,434.90	City Of Stanwood
4453	09/09/2020	Claims	3	33047	TMG Services Inc	175.30	1920010
4454	09/09/2020	Claims	3	33048	Verizon Wireless	1,242.63	372541731-00001
4455	09/09/2020	Claims	3	33049	WA St Dept of Ecology *	11,610.30	City Of Stanwood
4456	09/09/2020	Claims	3	33050	WA St Dept of Transportation *	1,861.83	SW001523800; SW001523802
4457	09/09/2020	Claims	3	33051	Wave Broadband	264.87	3201-0316547-01; 3201-0316545-01
4458	09/09/2020	Claims	3	33052	Western Exterminator Company	109.20	683591
4459	09/09/2020	Claims	3	33053	Ziply Fiber	1,370.72	206-166-0411-053105-5; 360-629-4907-072497-5
4528	09/16/2020	Claims	3	33054	Patrick J Burt	433.80	City Of Stanwood
4529	09/16/2020	Claims	3	33055	Cascade Natural Gas Corp	95.94	022 201 7579 4; 127 540 0000 3; 839 440 0000 5; 931 607 9072 6; 953 540 0000 2; 498 400 0000 7
4530	09/16/2020	Claims	3	33056	Cascade Septic, LLC	140.00	City Of Stanwood
4531	09/16/2020	Claims	3	33057	Faber Construction Corp	169,105.96	City Of Stanwood
4532	09/16/2020	Claims	3	33058	Fidalgo Paving & Construction LLC	39,942.10	City Of Stanwood
4533	09/16/2020	Claims	3	33059	Forest Land Services Inc	684.04	City Of Stanwood; City Of Stanwood; City Of Stanwood; City Of Stanwood
4534	09/16/2020	Claims	3	33060	Granich Engineered Products Inc	4,416.66	CSP1; CSP1

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4535	09/16/2020	Claims	3	33061	Hamilton Lumber LLC	200.44	City Of Stanwood; City Of Stanwood
4536	09/16/2020	Claims	3	33062	J.A. Brennan Associates, PLLC	488.72	City Of Stanwood
4537	09/16/2020	Claims	3	33063	KPG	45,200.47	City Of Stanwood
4538	09/16/2020	Claims	3	33064	Les Schwab Tire Centers	25.14	S34-00006
4539	09/16/2020	Claims	3	33065	Maul Foster Alongi, Inc.	5,065.01	City Of Stanwood; City Of Stanwood
4540	09/16/2020	Claims	3	33066	Pace Engineers, Inc	8,059.91	City Of Stanwood; City Of Stanwood
4541	09/16/2020	Claims	3	33067	Perteet Inc.	11,962.79	City Of Stanwood; City Of Stanwood
4542	09/16/2020	Claims	3	33068	Quality Controls Corporation	14,796.60	City Of Stanwood
4543	09/16/2020	Claims	3	33069	RH2 Engineering Inc	27,586.91	City Of Stanwood
4544	09/16/2020	Claims	3	33070	Ricoh USA, Inc.	665.25	1316669-3660142; 1316669-3659652
4545	09/16/2020	Claims	3	33071	Safeway	21.62	191483
4546	09/16/2020	Claims	3	33072	Signs & Graphics	737.78	City Of Stanwood
4547	09/16/2020	Claims	3	33073	Snoecker Inc Simple Security Solutions	143.97	City Of Stanwood
4548	09/16/2020	Claims	3	33074	Sno Co Planning & Development Svcs	938.74	PD312579
4549	09/16/2020	Claims	3	33075	Sno Co Public Works *	12,870.97	CR000024
4550	09/16/2020	Claims	3	33076	Stanwood Auto Parts	2,432.21	56100
4551	09/16/2020	Claims	3	33077	Stanwood Hardware	672.35	1414; 1414; 1414
4552	09/16/2020	Claims	3	33078	Stilly Auto Parts Napa	47.17	27197
4553	09/16/2020	Claims	3	33079	Transpogroup Inc	333.75	City Of Stanwood
4554	09/16/2020	Claims	3	33080	US Bank Na Custody/ Treas Div-Money Ctr	42.00	777221717
4555	09/16/2020	Claims	3	33081	USA Bluebook	2,323.74	478228; 478228
4556	09/16/2020	Claims	3	33082	WA St Dept of Transportation *	604.73	91-6001509 City Of Stanwood; 91-6001509 City Of Stanwood
4557	09/16/2020	Claims	3	33083	Washington Tractor Inc.	8,786.18	111096; 111096; 11096
4558	09/16/2020	Claims	3	33084	Waste Management Skagit	154.18	8-34465-95001
4559	09/16/2020	Claims	3	33085	Weed, Graafstra & Associates, Inc., P.S	10,555.50	3868-0000M
4560	09/16/2020	Claims	3	33086	Ziply Fiber	72.90	360-939-0579-080320-5
4561	09/16/2020	Claims	3	33087	Zumar Industries Inc	1,066.75	000683

001 General Fund	204,393.80
101 Street Fund	34,029.07
103 Street Construction Fund	152,707.35
104 Park And Trail Improvement Fund	174,962.60
107 Equipment Reserve Fund	31.99
115 Tourism And Promotion DSC	11,769.39
401 Sewer Fund	41,155.76
403 Sewer Construction Fund	15,096.60
410 Drainage Fund	4,437.10
411 Drainage Construction Fund	202,610.44
421 Water Fund	47,221.45
422 Water Construction Fund	86,760.16
457 Sewer Equipment Reserve	479,783.80
458 Drainage Equipment Reserve	10.67
459 Water Equipment Reserve	10.67
630 Agency Fund	1,735.02

* Transaction Has Mixed Revenue And Expense Accounts

Claims: 1,456,715.87
1,456,715.87

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
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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 Jonkorm Date: 9-16-20
() Deputy Finance Director

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
4282	09/08/2020	Payroll	3	EFT	Edward A Avila	3,716.55	August 2020 Payroll
4283	09/08/2020	Payroll	3	EFT	Reina C Barber	2,296.01	August 2020 Payroll
4284	09/08/2020	Payroll	3	EFT	Amy L Bergemeier	1,955.51	August 2020 Payroll
4285	09/08/2020	Payroll	3	EFT	Elizabeth M Callaghan	1,298.91	August 2020 Payroll
4286	09/08/2020	Payroll	3	EFT	Wendy R Corder Dowhower	3,889.98	August 2020 Payroll
4287	09/08/2020	Payroll	3	EFT	Victoria Leigh Danielson	5,972.04	August 2020 Payroll
4288	09/08/2020	Payroll	3	EFT	Kevin M Davis	3,449.45	August 2020 Payroll
4289	09/08/2020	Payroll	3	EFT	Stacey A Davis	1,842.05	August 2020 Payroll
4290	09/08/2020	Payroll	3	EFT	Cole F Ferguson	357.87	August 2020 Payroll
4291	09/08/2020	Payroll	3	EFT	Jennifer L Ferguson	5,134.10	August 2020 Payroll
4292	09/08/2020	Payroll	3	EFT	Samuel J Grant	349.75	August 2020 Payroll
4293	09/08/2020	Payroll	3	EFT	Devin D Grohs	2,333.45	August 2020 Payroll
4294	09/08/2020	Payroll	3	EFT	Trevor M Harrison	2,911.90	August 2020 Payroll
4295	09/08/2020	Payroll	3	EFT	Krista A Hintz	4,033.66	August 2020 Payroll
4296	09/08/2020	Payroll	3	EFT	Kevin J Hushagen	5,777.09	August 2020 Payroll
4297	09/08/2020	Payroll	3	EFT	Robin C Johnson	391.11	August 2020 Payroll
4298	09/08/2020	Payroll	3	EFT	Braden E Joyner	1,009.83	August 2020 Payroll
4299	09/08/2020	Payroll	3	EFT	Scott R Justesen	4,273.39	August 2020 Payroll
4300	09/08/2020	Payroll	3	EFT	Keith R Kennedy	5,584.21	August 2020 Payroll
4301	09/08/2020	Payroll	3	EFT	Patricia I Love	4,240.19	August 2020 Payroll
4302	09/08/2020	Payroll	3	EFT	Marcy A Mathis	3,642.72	August 2020 Payroll
4303	09/08/2020	Payroll	3	EFT	Noah L O'Neil	2,162.73	August 2020 Payroll
4304	09/08/2020	Payroll	3	EFT	Timothy A Pearce	391.11	August 2020 Payroll
4305	09/08/2020	Payroll	3	EFT	Kevin J Pellham	2,835.13	August 2020 Payroll
4306	09/08/2020	Payroll	3	EFT	Jeffrey K Ray	2,184.96	August 2020 Payroll
4307	09/08/2020	Payroll	3	EFT	Sidney G Roberts	391.11	August 2020 Payroll
4308	09/08/2020	Payroll	3	EFT	Sara L Robinson	3,274.10	August 2020 Payroll
4309	09/08/2020	Payroll	3	EFT	Carly L Ruacho	1,328.83	August 2020 Payroll
4310	09/08/2020	Payroll	3	EFT	Amy M Rusko	5,233.11	August 2020 Payroll
4311	09/08/2020	Payroll	3	EFT	Tansy L Schroeder	2,307.77	August 2020 Payroll
4312	09/08/2020	Payroll	3	EFT	Gina N Seegert	3,716.71	August 2020 Payroll
4313	09/08/2020	Payroll	3	EFT	Stephen G Shepro	391.11	August 2020 Payroll
4314	09/08/2020	Payroll	3	EFT	Amanda B Slattery	2,332.03	August 2020 Payroll
4315	09/08/2020	Payroll	3	EFT	David S Smith	3,800.03	August 2020 Payroll
4316	09/08/2020	Payroll	3	EFT	Shawn A Smith	2,729.78	August 2020 Payroll
4317	09/08/2020	Payroll	3	EFT	Lisa M Sokolik	2,486.31	August 2020 Payroll
4318	09/08/2020	Payroll	3	EFT	Nathan D Towse	3,143.65	August 2020 Payroll
4319	09/08/2020	Payroll	3	EFT	Dianne W White	391.11	August 2020 Payroll
4320	09/08/2020	Payroll	3	EFT	Judith A Williams	391.11	August 2020 Payroll
4331	09/08/2020	Payroll	3	EFT	HSA Bank	1,558.00	Pay Cycle(s) 09/08/2020 To 09/08/2020 - HSA Contributions ER; Pay Cycle(s) 09/08/2020 To 09/08/2020 - HSA Contr EE Over 55
4332	09/08/2020	Payroll	3	EFT	Internal Revenue Service (941)	47,882.86	941 Deposit for Pay Cycle(s) 09/08/2020 - 09/08/2020
4333	09/08/2020	Payroll	3	EFT	WA St Department Of Retirement Systems	40,474.32	Pay Cycle(s) 09/08/2020 To 09/08/2020 - PERS2; Pay Cycle(s) 09/08/2020 To 09/08/2020 - PERS 3; Pay Cycle(s) 09/08/2020 To 09/08/2020 - 457 - DRS (DCP)
4334	09/08/2020	Payroll	3	1755	AFLAC	444.79	Pay Cycle(s) 09/08/2020 To 09/08/2020 - AFLAC, Pre-Tax; Pay Cycle(s) 09/08/2020 To 09/08/2020 - AFLAC, Post-Tax

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4335	09/08/2020	Payroll	3	1756	AWC Employee Benefit Trust	12,725.94	Pay Cycle(s) 09/08/2020 To 09/08/2020 - AWC - Health First 250; Pay Cycle(s) 09/08/2020 To 09/08/2020 - AWC- Dental J; Pay Cycle(s) 09/08/2020 To 09/08/2020 - AWC - Vision; Pay Cycle(s) 09/08/2020 To;
4336	09/08/2020	Payroll	3	1757	Colonial Life Insurance	66.75	Pay Cycle(s) 09/08/2020 To 09/08/2020 - Colonial Life Ins
4337	09/08/2020	Payroll	3	1758	Hartford Retirement Plan Services	2,924.13	Pay Cycle(s) 09/08/2020 To 09/08/2020 - 457 - MassMutual (Hartford); Pay Cycle(s) 09/08/2020 To 09/08/2020 - Roth 457(b)(MassMutual)
4338	09/08/2020	Payroll	3	1759	ICMA Retirement Trust	2,528.56	Pay Cycle(s) 09/08/2020 To 09/08/2020 - 457 - ICMA
4339	09/08/2020	Payroll	3	1760	Navia Benefits	66.67	Pay Cycle(s) 09/08/2020 To 09/08/2020 - Medical FSA- S125; Pay Cycle(s) 09/08/2020 To 09/08/2020 - Navia Limited FSA
4340	09/08/2020	Payroll	3	1761	Western Conference of Teamsters Pension Trust	1,790.03	Pay Cycle(s) 09/08/2020 To 09/08/2020 - Teamsters Pension
4341	09/08/2020	Payroll	3	1762	Teamsters Union Local 231	985.00	Pay Cycle(s) 09/08/2020 To 09/08/2020 - Teamsters Dues
4342	09/08/2020	Payroll	3	1763	Washington Teamsters Welfare Trust	28,233.00	Pay Cycle(s) 09/08/2020 To 09/08/2020 - Teamsters Dental; Pay Cycle(s) 09/08/2020 To 09/08/2020 - Teamsters Medical
001 General Fund						110,464.61	
101 Street Fund						19,427.81	
108 Transportation Sales Tax Fund						1,250.42	
401 Sewer Fund						38,649.08	
410 Drainage Fund						21,404.16	
421 Water Fund						52,434.43	
						243,630.51	Payroll: 243,630.51

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 Dordone Date: 9-16-20
() Deputy Finance Director



**CITY OF STANWOOD
COUNCIL AGENDA STAFF REPORT**

ITEM NUMBER: 5b

DATE: September 24, 2020

SUBJECT: City Council September 10, 2020 Regular Meeting Minutes

CONTACT PERSON: Jennifer Ferguson, City Administrator/City Clerk

ATTACHMENTS: A – Council Regular Meeting Minutes
B – Citizen Comments – Stevens, Lewinski & Schmitt

SUMMARY STATEMENT

Minutes of the September 10, 2020 Regular City Council Meeting are attached.

RECOMMENDED MOTION

I MOVE TO APPROVE THE MINUTES OF THE SEPTEMBER 10, 2020 REGULAR COUNCIL MEETING AS PRESENTED.

CITY OF STANWOOD
Regular Meeting of the City Council
Thursday, September 10, 2020 – 7:00 p.m.
Zoom Online Meeting & Telephone
MINUTES

1. Call to Order

Mayor Elizabeth Callaghan called the meeting to order at 7:00 p.m.

2. Roll Call

Deputy Clerk Sara Robinson called the roll with the following Councilmembers present: Rob Johnson, Diane White, Timothy Pearce, Steve Shepro, Sid Roberts and Judy Williams. The meeting was quorate.

Also present: Public Works Director Kevin Hushagen, Interim Finance Director Wendy Dowhower, Community Development Director Patricia Love, Attorney Brett Vinson, Fire Chief John Cermak, Police Chief Rob Martin, City Administrator Jennifer Ferguson and Deputy Clerk Sara Robinson.

3. Approval of the Agenda

Motion by Councilmember Pearce, second by Councilmember Williams to approve the agenda. Motion carried unanimously.

4. Citizen Comments –

Due to the COVID 19 pandemic, the City Council removed the public comment item on the council agendas. This item is now being added back. The public was invited to submit comments via the city website. The public comments were received and have been reviewed by the council prior to this meeting. The name and topic of the comments were read into record during the meeting. The full comment will be attached to the meeting minutes.

The City received three (3) public comment submissions.

Adam Stevens – Addressing Vacant Council Position #3

Dan & Rebecca Lewinski – Addressing Endorsement for A. Guadamuz for Vacant Council Position #3

Tim Schmitt – Addressing Endorsement for D. Robb for Vacant Council Position #3

5. Committee Reports

- a. Parks and Trails Advisory Committee Meeting Minutes – June 15, 2020

Stanwood City Council Meeting Minutes – September 10, 2020

6. Consent Agenda

- a. Approve Vouchers and Payroll Checks
- b. Approve August 13, 2020 City Council Regular Meeting Minutes
- c. Approve August 13, 2020 Special Workshop Meeting Minutes
- d. WSDOT Trail Lease –Stanwood Port Susan Trial Berm Section

Motion by Councilmember Williams, Second by Councilmember Roberts, to approve the Consent Agenda items a thru d. Motion carried unanimously.

7. Old Business

- a. Heritage Park – Contractor Bid Award

Community Development Director, Patricia Love presented the request to authorize the Mayor to sign a contract with Taylor's Excavators, Inc. to complete the Heritage Park Improvements related to drainage, irrigation and baseball field renovation. The budget for the project was \$1,755,000 but the low bid came in much lower than expected with a bid alternate. Since this happened staff recommends using grass Sod instead of grass seed. This would make the bid amount \$1,523,000. Using grass seed would delay the process meaning that the fields would not be ready for play in the spring of 2021. The difference between the budget and actual bid would also allow for construction management as well as contingency dollars.

Council had a discussion about using grass seed vs. grass sod. It is unknown how the sports seasons will proceed due to COVID 19 as well as many other unknown's.

Council directed staff to do further research in regards to the different grass applications and present again at the next council meeting.

Motion by Councilmember Williams second by Councilmember Johnson to authorize the Mayor to sign a contract with Taylor's Excavators, Inc. for the Heritage Park Ball Field Renovation Project not to exceed \$1,523,800. (base bid including grass sod) This motion also authorizes the Mayor to approve use of the Construction Management and Contingency Funds to ensure the project is completed per intent of the approved plans.

Councilmember Johnson – Yes, Councilmember White – Yes, Councilmember Pearce – Yes, Councilmember Shepro – No, Councilmember Roberts – Yes, Councilmember Williams – Yes
Motion passes 5 Yes - 1 No

- b. Councilmember Vacancy

- i. Candidate Interviews

The City received applications and letters of interest from Cody Davis, Angela Guadamuz, Marcus Metz, Darren Robb, Larry Sather and Arne Wennerberg.

Each candidate was given up to 5 minutes to address the Council to express why they should be considered for appointment to City Council Position # 3.

Stanwood City Council Meeting Minutes – September 10, 2020

- ii. Executive Session to Evaluate the Qualifications of a Candidate for Appointment to Elective Office RCW 42.30.110 (h)

At 8:15 pm the City Councilmembers went into Executive Session to be approximately 30 minutes.

The meeting was called back to order at 8:50 pm.

- iii. Councilmember Appointment

The first round of votes was taken.

Councilmember Johnson – Larry Sather, Councilmember White – Larry Sather, Councilmember Pearce – Arne Wennerberg, Councilmember Roberts – Darren Robb, Councilmember Shepro – Darren Robb, Councilmember Williams – Larry Sather

Three Votes for Larry Sather

One Vote Arne Wennerberg

Two Votes Darren Robb

Larry Sather and Darren Robb moved forward.

The second round of votes was taken between Larry Sather and Darren Robb.

Councilmember Johnson – Larry Sather, Councilmember White – Larry Sather, Councilmember Pearce – Darren Robb, Councilmember Roberts – Darren Robb, Councilmember Shepro – Darren Robb, Councilmember Williams – Larry Sather.

The vote ended in a tie.

Three votes for Larry Sather

Three for Votes Darren Robb

The tie was broken by Mayor Elizabeth Callaghan who voted for Darren Robb.

Darren Robb was appointed as Councilmember Position #3.

8. New Business

None

9. Citizen Closing Comments – Removed via motion at the 3-26-2020 Meeting

10. Reports of Officers and Committees

a. Mayor's Report –

Mayor Elizabeth Callaghan noted that August 18th was the 100th Anniversary of the 19th Amendment which gave all citizens of the United States the right to vote regardless of race or sex.

b. City Administrator's Report-

Stanwood City Council Meeting Minutes – September 10, 2020

Jennifer Ferguson congratulated new Councilmember Darren Robb for his appointment to City Council this evening.

Bellingham Cold Storage Stanwood will be going into the Twin City Foods Cold Storage buildings. This will bring a lot of jobs to Stanwood.

Small business shout out to Purple Sunset Boutique. This store is located downtown next to the Stanwood Café. They are excited to be moving into a larger space in the same building. There are several new businesses in town including Copper House Coffee which is located by the YMCA and Just James Boutique located across the street from Jimmy's Pizza.

Community Development Director, Patricia Love gave a one minute soundbite. Work on the City Beautification program was presented to the Rotary group this week and was very well received. The City is accepting 2020 Docket applications through the end of the month. These are requests to change the City Comprehensive plan.

Jennifer Ferguson gave the Public Works soundbite. The Public Works team received new uniforms. They look awesome and will help citizens recognize the crews.

Jennifer Ferguson gave the Finance soundbite. The Finance Team revamped their part of the website. They created an easy way to show citizens how to pay their bill with the one click bill payment system.

c. Councilmember Reports and Questions-

Councilmember Johnson asked Fire Chief John Cermak about the September 11 event. Chief Cermak noted that the tribute will be held virtually via Facebook Live. There will be flags etc. and will recognize all who died that day.

Councilmember Roberts wanted to say thank you to all of the candidates that ran for City Council and participated this evening. It takes a lot of strength. Thank you for stepping out of your comfort zone and running. We all encourage you to run again should the opportunity arise.

Councilmember Shepro echoed Councilmember Roberts by saying thank you to all candidates. He commends you all as it is not an easy thing to do. It is very hard to not be chosen. There are other ways to obtain experience and serve the community. Please consider volunteering. Regarding the Heritage Park, Shepro only said no because of the sod vs grass issue.

11. Adjourn

Mayor Callaghan adjourned the meeting at 9:07 pm.

CITY OF STANWOOD

ATTEST:

Elizabeth Callaghan, Mayor

Jennifer Ferguson, City Clerk

From: noreply@civicplus.com
To: [Sara Robinson](#); [Ferguson, Jennifer](#); [Clerk, City](#)
Subject: Online Form Submittal: City Council Meeting Remote Public Comment Sign-In
Date: Wednesday, September 2, 2020 2:39:23 PM

City Council Meeting Remote Public Comment Sign-In

Date of the City Council Meeting you would like to provide remote comment: Thursday September 10th

First Name Adam

Last Name Stevens

Will you be providing comment on an agenda item, or on a topic that is not on the agenda (general comment)? Agenda Item

Briefly describe your public comment topic Addressing vacant council position #3.

Address 19313 22nd AVE NW

City Stanwood

State WA

Zip Code 98292

Email Address adam.edward.stevens@gmail.com

Use this space to provide written comment. If you need additional space, email city.clerk@ci.stanwood.wa.us.

As we are unable to vote for this appointment, I wanted to take the opportunity to thank all of the people who have stepped up to serve the community. In that light maintaining the voter endorsed balance similar to the one in place before Elizabeth moved into the mayor's seat should be critically important. Perhaps during the next election cycle, there will be a shift in voter preference, but making a balance shift without public input is disingenuous and underhanded. As a registered voter, I would like my preference to be heard by the people who will be making this decision. Please strongly consider Arnie Wennerberg or Darren Robb over those who have aligned themselves with radically divisive groups who have not been chosen to represent Stanwood by popular vote.

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [Sara Robinson](#); [Ferguson, Jennifer](#); [Clerk, City](#)
Subject: Online Form Submittal: City Council Meeting Remote Public Comment Sign-In
Date: Thursday, September 10, 2020 8:58:36 AM

City Council Meeting Remote Public Comment Sign-In

Date of the City Council Meeting you would like to provide remote comment:

September 10

First Name

Daniel and Rebecca

Last Name

Lewinski

Will you be providing comment on an agenda item, or on a topic that is not on the agenda (general comment)?

Agenda Item

Briefly describe your public comment topic

Endorsement for Angela Guadamuz for vacant city council position

Address

7928 276th St NW

City

Stanwood

State

Washington

Zip Code

98292

Email Address

DFLewinski@outlook.com

Use this space to provide written comment. If you need additional space, email city.clerk@ci.stanwood.wa.us.

We are near 30 year residents of Stanwood having raised our family here. We endorse and encourage your vote for Angela Guadamuz for the vacant city council position. Angela has strong ties to the community. She has raised her family here. She would bring her professionalism from her legal training and work that is an asset to understanding the issues and their broader implications needing council attention.

Angela is committed to our community. She has extensive volunteer work and been a compassionate advocate for diversity in our community. She is part of and can provide insight into embracing and welcoming the diverse cultures growing in our community. Stanwood needs diversity of experiences on our council committed to ensure all our residents have representation.

Email not displaying correctly? [View it in your browser.](#)

From: [Lethal Wit](#)
To: [Clerk, City](#)
Subject: Citizen Comment
Date: Wednesday, September 9, 2020 9:40:06 PM

for Sept 10 council meeting

Tim Schmitt
27308 101st Ave
Stanwood, WA

I recommend Darren Robb to the Stanwood city council. As I've come to know Mr. Robb from his work on the Planning Commission, I've seen how Mr. Robb has demonstrated impressive depth of the city's technical issues. I've witnessed him talking publicly on city growth topics, speaking knowledgeable and fluently on a variety of topics to different members of our community.

I recall Mr. Robb during the Planning Commission open house. At his station, he was talking eloquently about possible different growth strategies for Stanwood and their consequences, answering people's questions on everything from police response times to water resources, and how Stanwood's history has gotten us to our current point.

Perhaps most of all, Mr. Robb has demonstrated the needed time and willingness to be a successful councilman. As each one of you can attest, an under appreciated but critical component of being a capable councilman is simply time and availability. To this point, Mr. Robb promptly and meaningfully responds to emails, answers people's questions fully, and has a strong attendance record.

In conclusion, the bulk of a councilman's work is unglamorous: making technical decisions during hours long committee meetings, while responding to all sorts of citizen concerns. For this, Darren Robb has a demonstrated record of success that will enhance Stanwood as a councilman.



CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT

ITEM NUMBER: 6a

DATE: September 24, 2020

SUBJECT: Notice of Intention to Annexation – Schenk Packing Co.

CONTACT PERSON: Patricia Love, Community Development Director

ATTACHMENTS: A. 10% Annexation Petition Resolution 2020-11
B. Notice of Intent to Commence Annexation
C. Schenk Packing Co. Inc. Pre-Annexation Agreement

ISSUE

The issue is whether or not to accept the 10% petition and to allow for the circulation of a 60% petition to annex of approximately 9.03 acres into the City of Stanwood and is located 8204 and 8328 - 288th Street NW between Pioneer Highway to the west and 80th Avenue to the east.

RECOMMENDATION

1. Review and discuss the proposed annexation.
2. Deliberate and provide direction to city staff on how to proceed with the request to annex.

SUMMARY STATEMENT

The City has received a request from John Lenz to annex approximately 9.03 acres into the City on July 21, 2020; their application became complete on August 17, 2020. The annexation consists of two parcels located at 8204 and 8328 - 288th Street NW between Pioneer Highway to the west and 80th Avenue to the east.

DISCUSSION

Annexation Process:

The most frequently used method of annexing territory in Optional Municipal Code cities such as Stanwood is by petition of the owners of at least 60 percent of the property value in the area, computed according to the assessed valuation of the property in the proposed annexation area for general taxation purposes.

This process begins by the applicant submitting a 10% petition, commonly referred to as Notice of Intent to Annex, consisting of signatures representing not less than 10 percent of the assessed value of the property value in the proposed annexation area. The City has received a sufficient petition from John Lenz meeting this requirement.

Once a sufficient 10% petition is received, state law requires a meeting with the petitioner by the City Council to consider the request of the applicant to annex into the City. Under state law the Council will need to consider three key items as the annexation is considered:

- Whether the city will accept, reject, or geographically modify the proposed annexation;
- Whether it will require the simultaneous adoption of a comprehensive plan; and
- Whether it will require the assumption of all or any portion of existing city indebtedness by the area to be annexed.

If the council requires simultaneous adoption of a comprehensive plan or the assumption of indebtedness, it is to record this action in its meeting minutes.

The decision of the Council whether to "accept" the proposed annexation is entirely within the Council's discretion. By accepting the proposed annexation, the council is not committing itself to ultimately annex the territory proposed when a sufficient petition is presented to it. The decision to accept merely allows the annexation to go forward procedurally by authorizing the applicant to circulate a petition seeking to secure the necessary 60% of assessed value consenting to annex of the property proposed for annexation. If the Council rejects the proposed annexation, the initiating parties have no right of appeal.

Since this area is located in the City's Urban Growth Area (UGA), the City can accept this application and begin to process it.

Schenk Annexation Request:

Schenk Packing Co. Inc., is a meat packing plant that was established in 1974 that sells and exports beef products. Steve and John Lenz of Schenk Packing have submitted an annexation application to the City of Stanwood as they are interested in connecting to the City's sewer system. In order to connect to sewer, they must annex into the City. Their desire to connect to public sewer is twofold: 1) the Department of Ecology's requirements are becoming onerous making compliance more difficult, and 2) they would like to add a second shift to their existing operations.

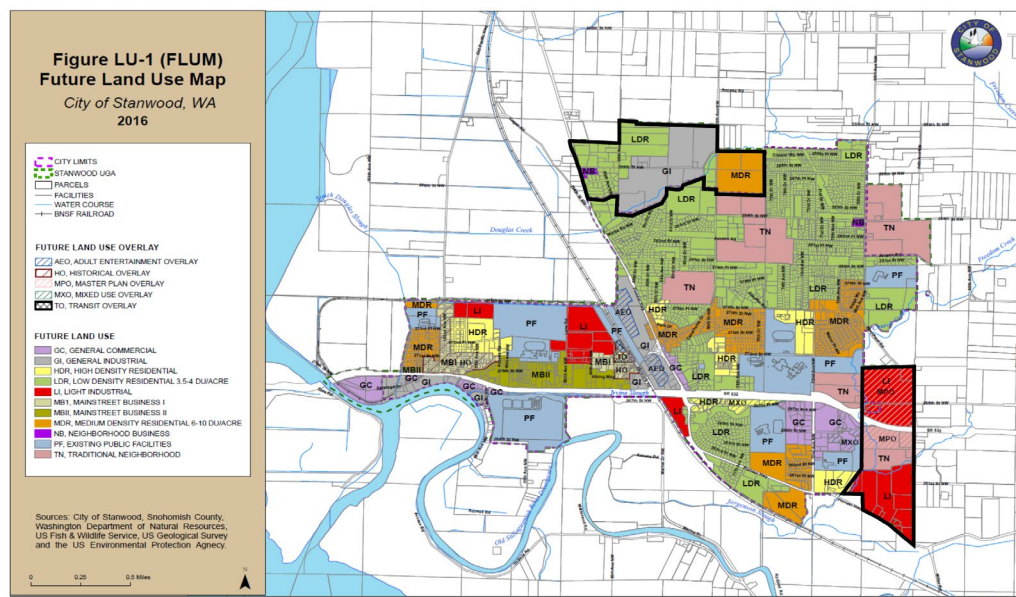
Schenk Packing operates their facility 24 hours a day with one main work shift generally between 7 am and 5:30 pm. During the off hours work includes maintenance

operations, facility cleaning, and cattle delivery. Expanding to two shifts would extend the general work hours to midnight with staggered shift times; general maintenance, cleaning and cattle delivery would continue. Schenk currently has around 130 employees and the shift expansion would add approximately 80 additional employees. Under current staffing levels Schenk Packing Co harvests a daily output of 225 to 300 cows; expansion is expected to increase that amount to approximately 400 with two shifts.

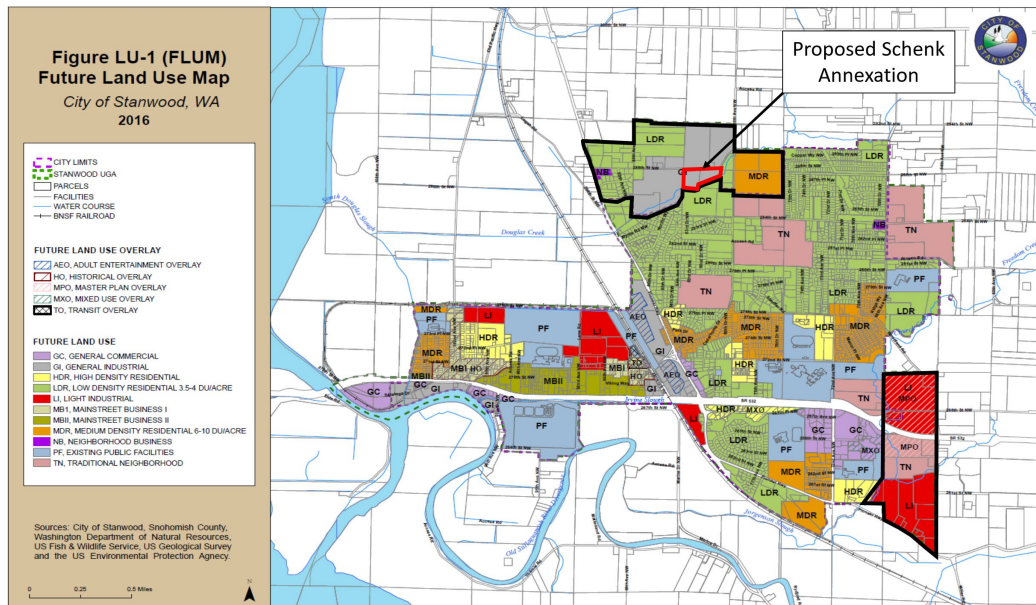
There is no long term plan to expand their current facilities. The shift work expansion can be accommodated within their existing buildings; their existing wastewater treatment aeration ponds will also remain since they are needed to meet water quality standards. Connecting to sewer allows for the second work shift while keeping the wastewater treatment ponds at existing levels.

Schenk Packing also owns several other parcels in the general vicinity of the proposed annexation. The parcels are not all physically connected and are used for other purposes including additional water treatment and growing hay. They have not included all of their properties in their annexation request at this time to avoid potential future residential growth pressures near their facilities, increased traffic and potential complaints regarding their operations.

Stanwood's 2015-2035 Comprehensive Plan identifies those areas within the Urban Growth Area which are intended to eventually be annexed into the City. The City has two urban growth areas: 1) the northwest Hill Top area and 2) along the city's eastern border between 68th and 64th Avenue. These urban growth areas are outlined in black on the map below showing the location of the urban growth area in relationship to the City's jurisdictional limits.



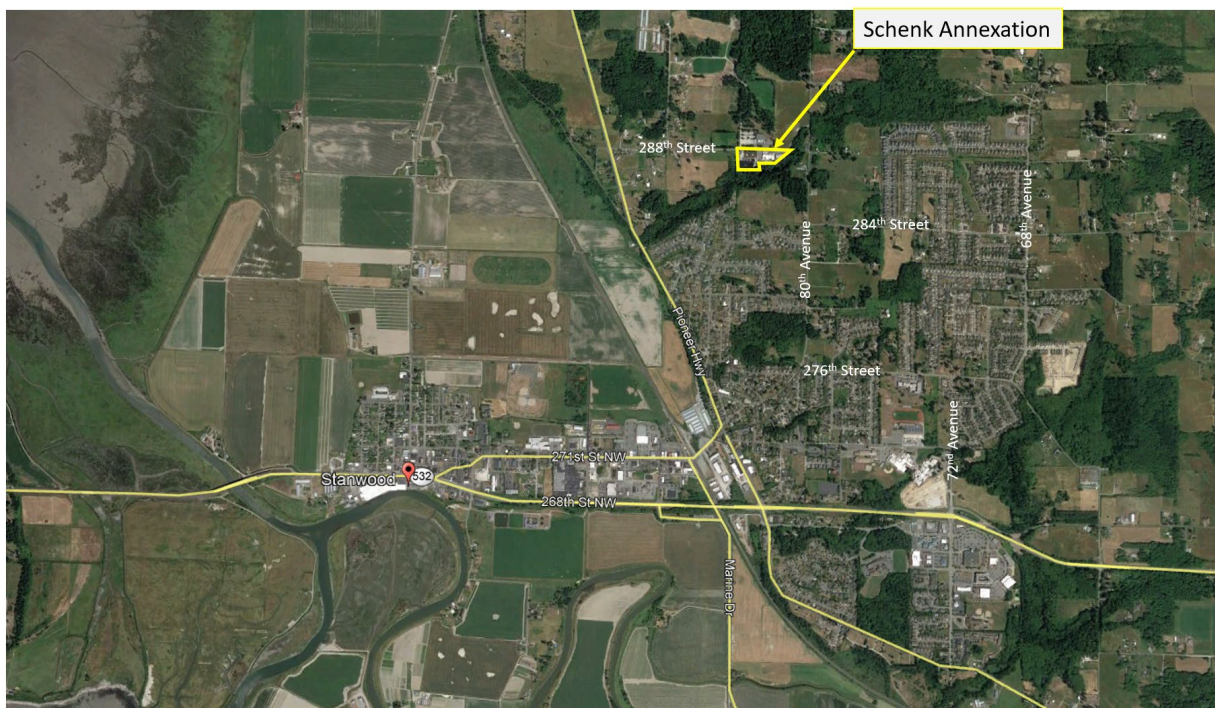
The Lenz annexation will add approximately 9.03 acres to the City directly adjacent to the city's most northern boundary west of 80th Street. Below is a map showing the proposed property subject to the proposed annexation.



As part of the annexation process, staff will prepare an evaluation report that analyzes:

- Consistency with the City's Comprehensive Plan policies and Urban Growth Boundary;
- The availability and capacity of municipal services which includes: overall governmental functions, water, sewer, drainage, parks, fire, police and transportation facilities; and
- The financial impact to the City and County on the proposed annexation.

Aerial Image of Surrounding Properties



Aerial View of Schenk Property

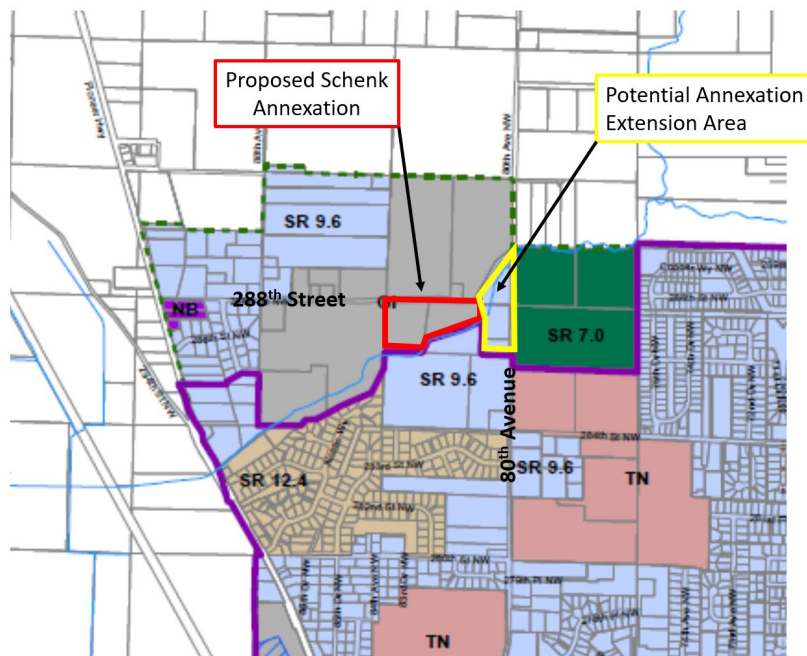


Initial Annexation Criteria Analysis:

As noted above, in accepting the annexation petition, the Council will need to consider three key items as the annexation is considered. Below is a summary of the considerations and proposed findings:

1. Whether the city will accept, reject, or geographically modify the proposed annexation.

Response: Due to the location of the proposed property, an expansion of the annexation area may be necessary to include the three residential properties along the west side of 80th. This potential expansion would create a continuous road circulation network within city jurisdictional boundaries. Schenk Packing Co. Inc, owns one of the three lots and along with their proposed annexation they could easily meet the 60% valuation criteria for annexation. Staff will work with the County on the road network issue to determine the best boundary for the annexation.



2. Whether it will require the simultaneous adoption of a comprehensive plan.

Response: The County's and City's proposed zoning for the property is General Industrial. No Comprehensive Plan amendment is needed.

3. Whether it will require the assumption of all or any portion of existing city indebtedness by the area to be annexed.

Response: Yes, assumption of the city taxes and indebtedness is a requirement of the pre-annexation agreement.

Pre-Annexation Agreement:

The attached Schenk Packing Co. Inc., pre-annexation agreement sets forth the terms of the potential annexation, including the payment of associated fees and connection charges along with a phased process to connect to public sewer.

Phase 1 – Sewer Infrastructure Assessment: Prior to adoption of the final annexation ordinance, Schenk Packing Co. Inc. shall commit themselves to complete all of the infrastructure improvements needed to connect to sewer and post a performance bond to cover the costs of the improvements.

Phase 2 – Design and Construction: Schenk will design and submit any and all building, grading, right-of-way, civil engineering plans / permits for City approval within three months Council approval of the final annexation ordinance and construction will be completed within a year with a six month extension if needed.

Phase 3 – Connection: All facilities shall be inspected, tested and approved for acceptance by the City and Schenk will formally connect to the City's sewer system.

Other: If due to unforeseen reasons outside the control of either Schenk or the City, Schenk is unable to connect to the City's sewer system, connection will be required whenever: a) the City or any state or federal agency with jurisdiction over on-site sewage systems determines that the private sewer system serving the property has failed or is defective; and / or b) prior to issuance of any building permit for an additional improvement on the Property.

The Agreement also has an "opt-out clause" for either party if they decide at any time to not pursue the annexation prior to final adoption of the annexation ordinance by the City Council.

Next Steps:

The annexation request is reviewed by and accepted by the City Council and must also be approved by the Snohomish County Boundary Review Board. Acceptance of the 10% Petition Resolution is the first step in the annexation process and does not obligate the City or the petitioners to finalize the annexation: it allows the study and annexation evaluation process to begin.

Below is a summary of the annexation steps:

Action	Date
Pre-Application Meeting	June 23, 2020
Submittal of the Notice of Intent to Annex	July 21, 2020
Submittal of the Annexation Application	July 31, 2020
Prepare Pre-Annexation Agreement	Pending September 24, 2020 Action by City Council
Adoption of Resolution of Intent to Annex by City Council	Pending September 24, 2020 Action by City Council
Prepare Sewer Capacity Analysis	Task Order Signed; Pending Results
Acceptance of Sewer Analysis and Annexation Report	

Action	Date
Submittal of 60% Petition	
County Verification of the Petition Signatures	
Issuance of SEPA Determination	
City Council Annexation Public Hearing & Resolution to submit to the Boundary Review Board	
Submit Notice of Intent to Boundary Review Board	
Approval of Annexation by Boundary Review Board	
Adoption of Annexation Ordinance by City Council	
File Annexation Certificate and Notification of Annexation to State and Local Agencies	

FINANCIAL IMPACT

If City Council allows the applicant to circulate a 60% petition, then staff will address any fiscal impacts associated with this annexation during the required public hearing. Having said that, the annexation consists of two parcels for a total of 9.03 acres and any fiscal impact are expected to be minor. Impacts of annexation are typically associated with water, sewer, staffing needs to police, fire, and general city staff, and property taxes.

COMMITTEE RECOMMENDATION

City staff met with the Community Development Committee on Thursday September 10, 2020 prior to the Council meeting to discuss setting the meeting date for September 24, 2020 and support for moving the petition forward. The Committee had the following questions regarding the proposed annexation. These questions have been addressed above in the Schenk Packing Request portion of this staff report.

1. Why are they proposing to only annex two of their parcels?
2. Are there any expansion plans and if so, what are they?
3. What is the long term plan for the property?

The Committee also recommends the Mayor sign Resolution 2016-14 to allow for the circulations of the 60% for the Schenk Annexation with the understanding that signing the resolution does not obligate the city to adopt the final annexation ordinance. Allowing this project to move forward provides additional time to fully evaluate the annexation request and any impacts on the city.

CITY COUNCIL OPTIONS

1. Support the Mayor signing the Resolution 2020-11 to allow for the applicant to circulate the 60% petition.
2. Do not support the Mayor signing the Resolution and deny the request of the applicant to further pursue annexation into the City.
3. Do not support the Mayor signing the Resolution at this time and direct staff to address specific Council issues or concerns prior to Council reconsidering the Resolution.

RECOMMENDED ACTION

“I MOVE TO AUTHORIZE THE MAYOR TO SIGN: 1) RESOLUTION 2020-11 TO ALLOW FOR THE CIRCULATION OF A 60% PETITION FOR THE SCHENK ANNEXATION AND 2) THE PRE-ANNEXATION AGREEMENT REQUIRING SCHENK PACKING CO. INC, TO CONNECT TO PUBLIC SEWER AS PART OF THE PROPOSED ANNEXATION ALONG WITH ANY MINOR AMENDMENTS AS MAY BE NECESSARY THAT DOES NOT CHANGE THE INTENT OF THE AGREEMENT.”

ATTACHMENT A

Resolution No. 2020-11

A RESOLUTION OF THE CITY OF STANWOOD, SNOHOMISH COUNTY, WASHINGTON RELATING TO THE RECEIPT OF A NOTICE OF INTENT TO ANNEX CERTAIN REAL PROPERTY KNOWN AS THE SCHENK ANNEXATION, AND AUTHORIZING THE CIRCULATION OF A 60% ANNEXATION PETITION SUBJECT TO CONDITIONS.

WHEREAS, the City of Stanwood has received a 10 percent petition and Notice of Intent for an annexation meeting the requirements of RCW 35.13.125; and

WHEREAS, the City of Stanwood desires to work with property owners adjacent to the City of Stanwood in unincorporated Snohomish County and within the established Urban Growth Area of the City to become part of the City of Stanwood; and

WHEREAS, the proposed annexation area contains approximately 9.03 acres; and

WHEREAS, the area proposed for annexation is within the Urban Growth Area established by Snohomish County under the State Growth Management Act; and

WHEREAS, Snohomish County tax records available through the Assessor's Office reflect that 100% of the parcel owners (Schenk Packing Co. Inc.) have signed said petition in the proposed annexation area, which contain a total assessed value of \$1,254,400 representing more than 10% percent of the assessed value in the annexation area, and

WHEREAS, having received the written notification of intent to annex that satisfies the ten percent assessed value threshold, the City Council reviewed the matter for consideration at its regular public meeting on September 24, 2020, and

WHEREAS, within sixty days of receiving a written notification of intent to commence annexation proceedings from the property owner or owners holding assessed valuation to make such request, the City Council has considered the matter at a public meeting, at which time the City Council may accept, reject, or geographically modify the proposed annexation; determine if the City will require the simultaneous adoption of proposed comprehensive plan and zoning regulations; and determine whether the City will require the assumption of all or any portion of existing City indebtedness by the area to be annexed; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STANWOOD AS FOLLOWS:

Section 1. Circulation of Annexation Petitions Approved. Under authority of Chapter 35.13 RCW, the City Council of the City of Stanwood hereby approves the written request

ATTACHMENT A

of John Lenz to circulate an annexation petition for an area of unincorporated Snohomish County that is generally located at 8204 and 8328 - 288th Street NW between Pioneer Highway to the west and 80th Avenue to the east, and is more specifically depicted on Exhibit "A," a copy of which is attached hereto and incorporated by this reference.

Section 2. Petitions to Require Assumption of Existing City Indebtedness. It is the intent of the Stanwood City Council that, upon annexation, all property within the proposed annexation area shall be assessed and taxed at the same rate and on the same basis as other property within the City of Stanwood including assessments or taxes in payment of all or any portion of the outstanding indebtedness of the City contracted, incurred prior to, or existing on the date of annexation. Accordingly, any annexation petition circulated under approval granted by this Resolution shall be written to clearly indicate this fact.

Section 3. Comprehensive Plan and Zoning. The City of Stanwood will require the simultaneous implementation and adoption of the Comprehensive Plan and zoning regulations.

PASSED AND APPROVED by the City Council of the City of Stanwood this 24th day of September 2020.

CITY OF STANWOOD

Elizabeth Callaghan, Mayor

ATTEST:

Jennifer Ferguson,
City Administrator / City Clerk

APPROVED AS TO FORM:

Brett Vinson, City Attorney

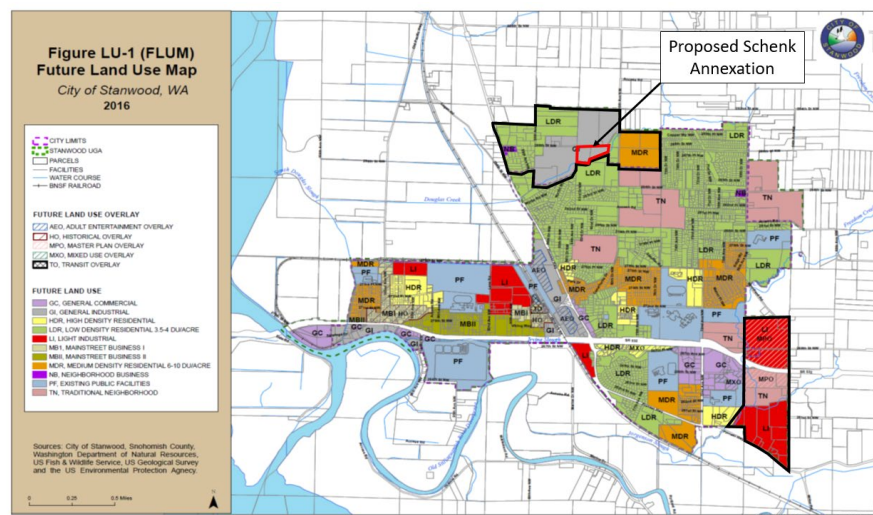
EXHIBIT A
Resolution 2020-11

Parcel Number: 32041800401000

SEC 18 TWP 32 RGE 04BAAP 435FT E OF NW COR SW1\$ SE1/4 TH E 555FT TH S 183.3FT TH S61*20 00W 207.6FT TH S71*06 00W 379.5FT TH S 25*11 00W 135FT TH N05*00 00E 530FT TO POB TGW ALL THAT PTN OF E1/2 NW1/4SE1/4 LY SLY OF CO RD AKA JOHNSON RD (288TH ST NW) EXC E 330FT THOF LESS PTN DEEDED TO SNO CO PER SWD UNDER AF 9107310622 & CORR PER AF 9108220147

Parcel Number: 32041800400900

SEC 18 TWP 32 RGE 04RT-33A) BEG NW COR OF SW1/4 SE1/4 TH E 435FT TH S
530FT TH W 391.5FT TH N 528FT TO POB LESS CO RD PER SWD AF 9107310622
& CORR PER AF 9108220147



NOTICE OF INTENT TO COMMENCE ANNEXATION PROCEEDINGS

PURPOSE: To annex 9.03 acres into the Stanwood City limits, including parcel no(s) 32041800401000 and 32041800400900

TO: THE HONORABLE CITY COUNCIL OF THE CITY OF STANWOOD, WASHINGTON

We the undersigned, do hereby notify the City Council of the City of Stanwood of our intent to annex property, as described in the attached legal description and shown on the attached map, to the City of Stanwood of the State of Washington. This notice is signed by owners of not less than 10 percent of the valuation of the acreage for which annexation is sought.

WARNING

Every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he or she is not a legal voter, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

Each signature shall be executed in ink or indelible pencil and shall be followed by the name and address of the signor and the date of signing.

NOTICE OF INTENT TO ANNEX SIGNATURES

	Signature	Print Name	Address	Date
1.	<i>Steve Peng Pres.</i>	Schenk Packing Co. Inc.	8204-288 th Street NW Stanwood, WA 98292	8-17-2020
2.	<i>Steve Peng Pres.</i>	Schenk Packing Co. Inc.	8328-288 th Street NW Stanwood, WA 98292	8-17-2020
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				

Schenk Packing Co., Inc.

8204 288th STREET N.W. • STANWOOD, WASHINGTON 98292
Stanwood (360) 629-3939 • FAX (360) 629-4451
Seattle (425) 743-9211 • Everett (360) 652-0660 • Mt. Vernon (360) 336-2828

July 21, 2020

City of Stanwood
Community Development
10220 270th Street NW
Stanwood, WA 98292

ATTN: Patricia Love
Community Planning Director

Ref: Annexation of parcels 32041800400900 and 32041800401000
Schenk Packing Co., Inc.
8204 and 8328 288th St. NW

Dear Patricia,

Please accept this letter as a request to begin an annexation process. We would request that the meeting held on June 23, 2020 be considered as the Pre-application conference per SMC 17.158.050 and this letter as the SMC 17.158.060 notice of intent.

Schenk Packing Co., Inc. very much appreciated the meeting on June 23. The annexation and the extension of sanitary sewer service will provide the necessary services for Schenk to provide jobs to the area.

The Lenz family has been operational in the Stanwood area for 54 years. John (Jack) Lenz purchased the plant from Ray and Connie Rigg in 1966. Ray's father built the original plant in the early 50's and was a long time Stanwood resident. Jack started the company with his family and a few employees including Jerry Heect. Since that time the company has grown and now employs over 200 employees.

Schenk is currently receiving City of Stanwood Water Service and wishes to also send its plant wastewater to the city of Stanwood sanitary sewer system. Currently Schenk processes approximately 80,000 gallons per day of wastewater but could process as many as 150,000 GPD in the next five years. Please note that this request does not include Schenk's sanitary sewer.

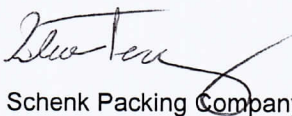
Schenk desires to annex into the City of Stanwood at the same zoning as we have in Snohomish County "IP". / City of Stanwood "GI". This will allow our plant to continue operations as an allowed use.

The requested two parcels are connected to the City of Stanwood City limits along their northern boundary, along Douglas Creek.

Please let us know what the forms, fees, and next steps are to finalize this request.

Respectfully,

Steve Lenz



Schenk Packing Company, President

	City of Stanwood, Washington Pre-Annexation Agreement Schenk Packing Co. Inc.
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1. Date and Parties. THIS DOCUMENT ("AGREEMENT"), is dated the 24th day of September, 2020, and is made and entered into by and between City of Stanwood, a Washington municipal corporation (the "City") and Schenk Packing Co. Inc. ("Owner").

2. Recitals.

2.1 The Owner owns the real property described in Exhibit A attached hereto ("the Property").

2.2 The Property is included in a proposed annexation commonly referred to as the Schenk Annexation.

2.3 The area within the Schenk Annexation area is contiguous to the present corporate boundaries of the City of Stanwood and is within the City's urban growth area. A map of the properties included in the Annexation is attached hereto as Exhibit B ("Schenk Properties").

2.4 The Property is fully developed with an existing industrial use that is connected to the City's water system.

2.5 The Owner has a desire to connect to the City's sewer system.

2.6 The Stanwood 2015 - 2035 Comprehensive Plan requires that all properties connected to the City's sewer system must be located within the jurisdictional limits of the city.

2.7 The Owner acknowledges and agrees to make all necessary sewer infrastructure improvements to serve their facility in order to annex into the City of Stanwood.

2.8 City and the Owner desire to enter into this Agreement to set forth the terms and conditions on which the Owner consents to annex their Property into the City.

3. Consent to Annexation. The Owner hereby consents to the annexation of all the Property into the City of Stanwood, and the simultaneous adoption of land use regulations, and the assumption of a fair portion of the City of Stanwood's existing indebtedness, and agrees to sign, whenever requested, any letter, petition or other document necessary to effectuate such annexation.

4. Waiver of Protest. The Owner hereby covenants and agrees not to protest or challenge by referendum or any other method, any annexation of the Property to the City of Stanwood.
5. Limited Power of Attorney. The Owner hereby grants and conveys to the City an irrevocable special power of attorney to sign on behalf of the Owner, any letter, petition, or any other document necessary to annex all or any portion of the Property to the City of Stanwood. This power of attorney shall be considered a power coupled with an interest and shall remain in full force and effect for five years from the date of recording of this Agreement, and shall terminate at the end of such five year period.
6. Connection Charges. Prior to connection of the Property to the City's public sewer system, the Owner shall pay to the City and the City shall collect from the Owner, in addition to all other applicable fees and charges, connection and monthly utility charges as noted below. The City shall have no obligation to provide public sewer service to the Property unless the associated charges are paid.
- 6.1 Sewer Service Connection Charge: At the time of connection to the City's sewer system the Owner shall pay the sewer connection charge at the commercial rate as listed in the most recently adopted fee schedule. If the connection is larger than 6 inches, the charge shall be determined by the Public Works Director.
- 6.2 Monthly Sewer Charge: At the time of connection to the City's sewer system, the Owner shall begin paying a monthly sewer system charge per the General Industrial classification rate as provided in the most recently adopted fee resolution. However, the City shall have the right to charge an additional monthly sewer service charge for a high strength waste, which is defined as one with pollutant concentrations in excess of typical domestic wastewater. A surcharge is appropriate for waste strength conditions including, but not limited to, a total five-day biochemical oxygen demand and/or suspend solids concentration in excess of 300 milligrams per liter. If a higher rate is proposed, the Public works Director will recommend to the City Council an appropriate monthly surcharge at any point when the total five-day biochemical oxygen demand and/or suspend solids concentration exceeds city standards.
- 6.3 Plant Investment Fee: At the time of connection to the City's sewer system, the Owner shall pay the Sewer System Plant Investment Charge as provided in the most recently adopted fee resolution. The Owner may request a credit against the Plant Investment Fee if, as part of their off-site sewer improvements, they construct or upgrade public facilities that are listed in the City's Capital Improvement Plans that are directly related to sewer facilities.
- 6.4 Other Fees and Charges. Upon annexation, the Owner shall pay all other fees and charges as required by property owners within the City of Stanwood, including but not limited to business license fees, and stormwater fees and charges. Water fees and charges are currently being paid by the Owner.
7. Connection Required. The Owner is requesting annexation into the City of Stanwood for the purpose of connecting to the City's public sewer system. The City's 2015-2035 Comprehensive Plan requires all properties annexing into the City to connect to sewer. The Owner agrees to connect to

sewer once the sewer facility and capacity assessment is completed and the required infrastructure is constructed. The City is supportive of processing the annexation request concurrently with the infrastructure assessment, knowing that construction of the required sewer facilities may not be completed prior to final annexation. The Owner agrees to work in good faith towards annexation and construction of needed sewer facilities to serve the property as follows:

7.1 Phase 1 – Sewer Infrastructure Assessment: Prior to adoption of final annexation ordinance by the Stanwood City Council, the Owner shall commit themselves to complete all of the infrastructure improvements as identified in the facility and capacity assessment to serve the Property. The Owner shall also post a performance bond with the City of Stanwood in the amount of 150% of the estimated costs of the improvements.

7.2 Phase 2 – Construction: The Owner shall design and submit any and all building, grading, right-of-way, civil engineering plans / permits for City approval within three months Council approval of the final annexation ordinance. Construction of said improvements shall be completed within one year of final construction plan approval by the City. A six month time extension may be granted by the City for unexpected delays due to weather or other circumstances beyond the control of the Owner. The Owner shall pay all permit and inspection fees per the most recent adopted fee schedule at the time of permit submittal and issuance.

7.3 Phase 3 – Connection: All facilities shall be inspected, tested and approved for acceptance by the City of Stanwood. Upon acceptance of all required improvements, the Owner shall formally connect to the City's sewer system and pay the associated connection fees per Section 6 of this Agreement. The City's acceptance of the improvements may be dependent upon approval of the Snohomish Health District, the Department of Ecology or any other state or federal agency with jurisdiction over sewage facilities. The City shall release the performance bond upon connection to the public sewer system by the Owner.

7.4 Other: If due to unforeseen reasons outside the control of the Owner or the City, the Owner is unable to connect to the City's sewer system as identified in this Agreement, the Owner will be required to connect to the City's sewer system whenever: a) the City or any state or federal agency with jurisdiction over on-site sewage systems determines that the private sewer system serving the Property has failed or is defective; and / or b) prior to issuance of any building permit for an additional improvement on the Property.

8. Opt-Out Option. At any time during the annexation evaluation period and prior to adoption of the final annexation ordinance by the City Council, either party may opt-out of this Agreement. However, the Owner shall be responsible for any fees or consultant costs incurred by the City with the annexation proposal and shall such fees or costs shall be payable to the City within 30 days of executing the opt-out option.

9. Notices.

9.1 All notices under this Agreement to the Owner shall be sent to the mailing address shown on the County Assessor's rolls for the Property.

9.2. All notices under this Agreement to the City shall be sent to the following address:

City of Stanwood
Community Development Department
10220 – 270th Street NW
Stanwood, WA 98292

10. Covenant Running With the Land. This Agreement shall be binding on the City and the Owner and their respective successors, grantees and assignees. This Agreement shall constitute a covenant running with Property, and shall be recorded with the Snohomish County Auditor.

11. Enforcement and Attorney Fees. This Agreement may be specifically enforced in equity in addition to any other remedy provided by law. In the event a suit is brought to enforce any of the provisions of this Agreement, the prevailing party shall be entitled to recover reasonable costs and attorney fees from the other party.

12. Governing Law and Venue. Any action for claims arising out of or relating to this Agreement shall be governed by the laws of the State of Washington. Venue shall be in Snohomish County Superior Court.

SCHENK PACKING CO. INC.

Steve Lenz

President

THE CITY:

City of Stanwood, Washington

Mayor Elizabeth Callaghan

ATTEST:

Jennifer Ferguson
City Administrator / City Clerk

APPROVED AS TO FORM

Brett Vinson
City Attorney

ATTACHMENT C

STATE OF WASHINGTON)

) ss.

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 Schenk Packing Co. Inc. to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: _____.

NOTARY PUBLIC

Print Name: _____

My appointment expires: _____

STATE OF WASHINGTON)

) ss.

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: _____.

NOTARY PUBLIC

Print Name: _____

My appointment expires: _____

EXHIBIT A

Legal Description

(Taken From the Snohomish County Assessors Records)

Parcel Number: 32041800401000

SEC 18 TWP 32 RGE 04BAAP 435FT E OF NW COR SW1/4 SE1/4 TH E 555FT TH S 183.3FT TH S 61°20'00W 207.6FT TH S 71°06'00W 379.5FT TH S 25°11'00W 135FT TH N 05°00'00E 530FT TO POB TGW ALL THAT PTN OF E1/2 NW1/4 SE1/4 LY SLY OF CO RD AKA JOHNSON RD (288TH ST NW) EXC E 330FT TH OF LESS PTN DEEDED TO SNO CO PER SWD UNDER AF 9107310622 & CORR PER AF 9108220147

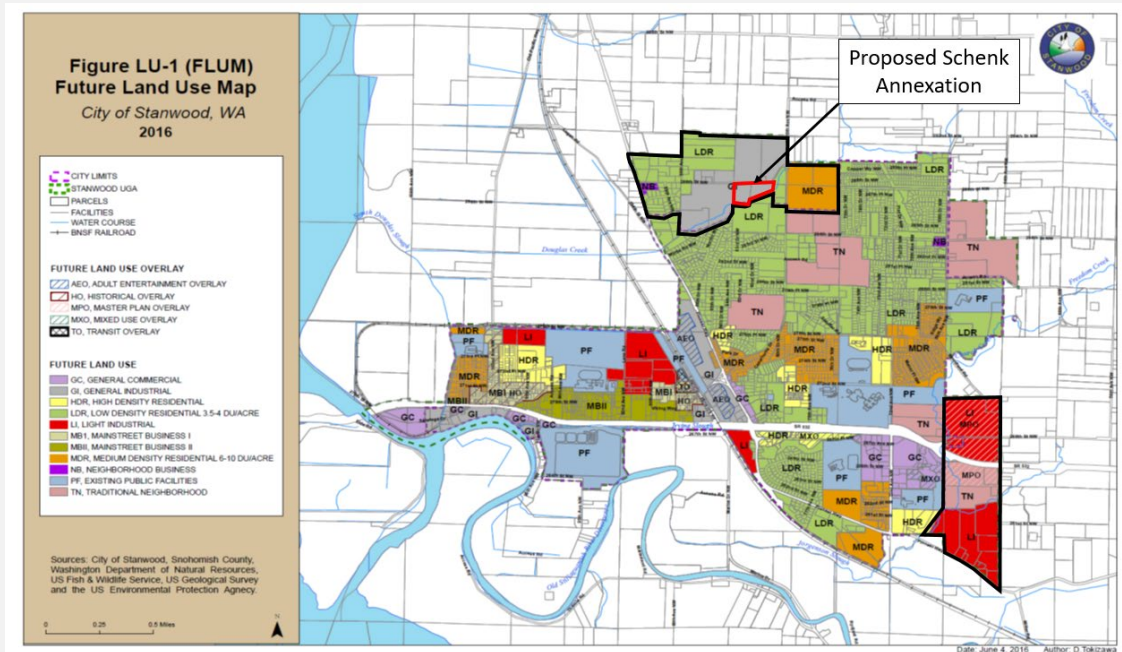
Parcel Number: 32041800400900

SEC 18 TWP 32 RGE 04RT-33A) BEG NW COR OF SW1/4 SE1/4 TH E 435FT TH S 530FT TH W 391.5FT TH N 528FT TO POB LESS CO RD PER SWD AF 9107310622 & CORR PER AF 9108220147

EXHIBIT B

Property Map of Schenk Annexation Area

8204 and 8328 – 288th Street NW, Stanwood, WA 98292





CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT

ITEM NUMBER: 6b
DATE: September 24, 2020
SUBJECT: Confirm Mayor's Appointment to Planning Commission
CONTACT PERSON: Mayor Elizabeth Callaghan
ATTACHMENTS: A – Monae Birkhofer Letter of Interest

PURPOSE

The purpose of this agenda item is for Council consideration of and confirmation of the Mayor's appointment of Monae Birkhofer to the Stanwood Planning Commission.

BACKGROUND

The Planning Commission currently has two vacant positions. One vacancy was created because Darren Robb, who was serving as a planning commissioner and was appointed to the City Council on September 10, 2020.

ANALYSIS

The Stanwood Mayor is responsible for recommending appointments to the various City ad hoc boards and commissions when terms expire or a vacancy occurs. The city advertised the planning commission vacancies and requested that interested individuals submit letters of interest. The Mayor reviewed the information submitted and staff discussed the overall commission appointment and responsibilities with Monae Birkhofer.

Fiscal Impact			
No fiscal impact associated with this action			
Fund(s):			
Amount:	\$ -	Project Estimate:	\$ -
Budget Authorized	☐ Yes ☐ No	Amendment Required	☐ Yes ☐ No ☐ Monitor

RECOMMENDATIONS

Staff Recommendation: Mayor Callaghan recommends the appointment of Monae Birkhofer to the Planning Commission, position 2, for the term ending December 31, 2022.

Committee/Board Recommendation: N/A

CITY COUNCIL OPTIONS

1. Approve appointment
2. Not approve appointment and provide feedback to Mayor

PROPOSED MOTION

Motion to appoint Monae Birkhofer to the Stanwood Planning Commission, Position 2, for a term ending December 31, 2022

SUBMITTED FORM

Monae Birkhofer
Stanwood, WA 98292

Please briefly describe your qualifications for the position

I have a diverse background which I feel makes me qualified for this position. Below are some of the highlights:

Organization: I am highly organized and very good about keeping commitments. I have served as a project manager, and an executive assistant for years supporting various levels of management and projects. Being organized and keeping commitments is vital to being a team player.

Positive attitude: I have a positive attitude and am always looking to accomplish a task with a smile on my face, and working together as a team.

Farming/Rural Living: I have a rural living background as I grew up in the country, worked on various farms while growing up and currently I am a co-owner of Willetta Farm in Everson, WA. I grew up in a rural environment and love small town living while still having some modern conveniences (like Starbucks!!) It is this background that makes me excited for the opportunity of being on the planning commission and helping to find that balance of small town/rural living while still having bigger city options available to my family.

Love of Stanwood: My family and I (husband and 2 kids) moved to Stanwood 4 years ago and we simply love it. I am excited to bring my skill set to this commission to help better Stanwood for many years to come!!

August 31, 2020

RE: Planning Commission Vacancy

Letter of Interest:

Dear Commissioners:

I would like to express my interest in serving on the Stanwood Planning Commission. I have a passion for the city of Stanwood and its residents. I am excited for the opportunity to work together in improving our city for years to come. I will do this by partnering respectfully and cooperatively in finding solutions that best serve our community.

I will act as a liaison between the Stanwood citizens and the city council. I will listen to all sides of an issue while keeping an open mind. My skills will enable me to communicate effectively with fellow commission members, staff and the mayor while keeping the interests of the community in the forefront.

I am a dynamic, goal-oriented leader with successful experience, leading and developing a team, communication and project management (strategically develop and implement plans) within a results-driven environment. I have outstanding analytical, organization, and communication skills while maintaining confidentiality when needed. I believe these skills are beneficial and important for the planning commission role.

I appreciate your consideration as you look to fill the current Planning Commission vacancy.

Sincerely,

Monae Birkhofer



CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT

ITEM NUMBER: 6c

DATE: September 24, 2020

SUBJECT: Selection of Stanwood Councilmember for Community Transit Small City Board Nominee

CONTACT PERSON: Mayor Elizabeth Callaghan

ATTACHMENTS: A – Community Transit Small City Board Vacancy

PURPOSE

The purpose of this item is to nominate a Councilmember to represent the City of Stanwood on the Community Transit Board as a small city representative, if selected by the Community Transit Board.

BACKGROUND

Community Transit (CT) has a vacancy for a small city representative to serve on its Board of Directors. The CT Board will be selecting a new board member at its October 19, 2020 board meeting. Small cities who wish to nominate a city representative may do so; however, the CT Board will elect from those communities who present a nominee.

ANALYSIS

Historically, the Stanwood Mayor served as the CT small cities board representative. Mayor Callaghan would like to have a current Councilmember serve as the City nominee for this important role and representation on the transit board.

Fiscal Impact			
A Councilmember may be reimbursed for travel expenditures to attend meetings where they serve as a community representative. The budget allocation for this expenditure is included in the current budget.			
Fund(s):	General Fund		
Amount:	\$ 100	Project Estimate:	\$ -
Budget Authorized	☒ Yes ☐ No	Amendment Required	☐ Yes ☒ No ☐ Monitor

RECOMMENDATIONS

Staff Recommendation: Mayor Callaghan recommends that the Council nominate a current councilmember to serve as Stanwood's representative to be elected to the Community Transit Board.

Committee/Board Recommendation: N/A

CITY COUNCIL OPTIONS

1. Nominate and appoint a Councilmember to seek appointment to the Community Transit Board as a small city representative
2. Do not nominate or appoint a Stanwood representative

PROPOSED MOTION

Motion to nominate Councilmember _____ to seek appointment to the Community Transit Board as the Stanwood Small City representative.



September 10, 2020

Mayor Elizabeth Callaghan
City of Stanwood
10220 270th Street NW
Stanwood, WA 98292

Dear Mayor Callaghan and City Council Members:

Community Transit has a vacancy for a small sized city representative on its Board of Directors. A meeting of the small sized cities in Community Transit's service area will be held to select a new representative to the Community Transit Board.

Community Transit Small Cities Board Selection Meeting
Monday, October 19, 2020 at 4:00 p.m. (20 minute duration estimated)
Remote meeting held via Zoom

At this meeting, representatives from the small cities category of the Community Transit Public Transportation Benefit Area (Brier, Darrington, Gold Bar, Granite Falls, Index, Snohomish, Stanwood, Sultan, and Woodway) will elect a new Board Member to fill the remainder of the Board member term, which expires in February 2022. Your City Council may appoint one elected official to represent your city at this selection meeting.

Current Small Cities Representatives

Board Member:	Vacant
Board Member:	Council Member Tom Merrill, City of Snohomish
Board Alternate:	Council Member Mike Gallagher, City of Brier

Please contact Rachel Woods, Executive Board Administrator, at rachel.woods@commtrans.org or 425-438-6158 by **October 12, 2020**, with the name, email, and phone number of the selected elected official that will attend this meeting on behalf of your city. Your representative will then receive a meeting notice and participation information.

To further understand the Board's role, please reference the enclosed Board Member roles and responsibilities and agency bylaws. The first meeting for the newly selected Board member will be the Quarterly Board Workshop on Thursday, October 22 at 3 pm. Those being considered for the Board Member role must disclose any personal situation which may give the appearance of having a conflict of interest as stated in the agency bylaws (section 3.1.i).

Thank you for your participation in this meeting. It is an important opportunity for your city to be represented in the selection of the Community Transit Board of Directors.

Sincerely,

Emmett Heath
Chief Executive Officer

Enclosures

BOARD MEMBER ROLES & RESPONSIBILITIES

The Board of Directors are the governing body of the Snohomish County Public Transportation Benefit Area Corporation, Community Transit. There are 9 voting members and one non-voting member of the Board who provide policy, fiduciary, and legislative direction for the corporation and administrators.

Term: February 2020—January 2022

Qualifications

- Elected official selected by and serving on behalf of respective governing bodies of the component cities and county within the area OR (1) non-voting member representing the collective bargaining units
- Current Open Public Meetings Act training (can be obtained after being selected to the Board)
- No conflict of interest or appearance of conflict

Summary Responsibilities¹

- Acting in the best interests of Community Transit advocating issues that promote the corporation's financial, operational and organizational well-being
- Abiding by state and local laws with regard to Board member conduct and protocol and the corporation's bylaws, procedures, and board resolutions
- Regularly attending all scheduled Board meetings, workshops, and retreats
- Representing Community Transit's position to the public, in the Legislature and the community
- Selecting and evaluating the performance of the chief executive officer
- Ensuring strong fiduciary oversight and financial management, approving expenditures over \$150,000
- Directing requests that involve significant research or staff time to the chief executive officer
- Disclosing potential conflicts before meetings and actual conflicts during meetings

Meetings

- New Board Member Orientation (mutually agreeable date)
- 12 Regular Board Meetings per year
 - First Thursday of the month, 3-5 p.m.
- 4 Quarterly Board Workshops per year
 - Third Thursday of January, April, July and fourth Thursday of October, 3-5 p.m.
- 12+ Board Standing Committee Meetings per year
 - Each Board member is expected to serve on up to 2 Committees (determined by Chair) that meet monthly
 - Executive Committee (Chair, Vice-Chair, Secretary, Past Chair)
 - Strategic Alignment and Capital Development Committee
 - Finance, Performance and Oversight Committee
- Board Retreat/Planning Meeting as determined by Chair
- Special meetings may be called from time to time as necessary

Compensation

- Each Board member is eligible to receive mileage and meal reimbursement. Board members who are not full-time elected officials are eligible to receive [\\$90 per diem](#).

¹ See sec. 3.1 of Community Transit's Board Bylaws

Adopted Feb. 11, 1976
Amended Dec. 14, 1983
Amended September 13, 1989
Amended February 1, 1996
Amended September 11, 2003
Amended February 3, 2005

Amended August 7, 2008
Amended September 2, 2010
Amended September 1, 2011
Amended March 6, 2014
Amended January 21, 2016

Bylaws of the
Snohomish County Public Transportation
Benefit Area Corporation

Article I. Name, Powers, Rights and Liabilities

Sec. 1.1 Name. The name of the municipal corporation duly established pursuant to laws of the State of Washington shall be "Snohomish County Public Transportation Benefit Area Corporation" hereinafter referred to as the "Corporation" or as Community Transit.

Sec. 1.2 Powers, Rights and Liabilities. By and in the corporate name, the Corporation shall have and exercise all powers, functions, rights and privileges now and hereafter given or granted to, and shall be subject to all the duties, obligations, liabilities and limitations now and hereafter imposed upon municipal corporations of the same class by the Constitution and laws of the State of Washington, and shall have and exercise all other powers, functions, rights and privileges usually exercised by, or which are incidental to, or inhere in, municipal corporations of like character and degree. The Corporation shall have all powers possible to have under the Constitution and laws of this state.

Article II. The Governing Body - Board Composition

Sec. 2.1 Voting Members. The governing body of the Corporation shall be a Board that includes nine voting members, all of whom shall be elected officials selected by and serving at the pleasure of the respective governing bodies of the component cities and county within the area. The voting membership of the Board shall be composed of the following members:

- a. Two (2) members and their alternate who are elected officials of the governing body of the County.
- b. The remaining seven (7) voting members of the Board shall be selected as follows:
 - i. Two (2) members and one (1) alternate from the component cities with populations of 35,000 or more.

- ii. Three (3) members and two (2) alternates from the component cities with populations between 15,000 and 35,000.
- iii. Two (2) members and an alternate from the component cities with populations less than 15,000.
- iv. Such voting representatives to the Board shall be elected officials selected by the governing body of the respective representative cities. The selection of such members shall be elected by the elective representatives of the same size cities the Board member is to represent. Such selections shall be made during the months of January or February of each even-numbered year as determined by the Chairperson. Such selected members of the Board shall begin their term of office as a Board member at the first meeting following their selection.

At the aforementioned January or February meeting, alternate Board members shall be selected to serve on the Board in the event of a vacancy on the Board or the absence of one of the regular Board members selected pursuant to this subsection.

In the event of a vacancy on the Board created by one of the members selected pursuant to this subsection, the representatives of cities which were so represented on the Board by the vacant position on the Board shall meet as soon as it is feasible and select a representative to fill the vacancy. In the interim, an alternate selected pursuant to this subsection may fill the vacancy until a regular Board member is selected. Each such member of the Board shall hold office until his successor has been selected as provided herein unless such person has been ineligible to hold such position.

c. **Cities Excluded from Direct Membership.** Those cities within the boundaries of the Corporation and excluded from direct membership on the Board are authorized to designate a member of the Board who shall be entitled to represent the interest of such city which is excluded from direct membership on the Board. The legislative body of such city shall notify the Board as to the determination of its authorized representative on the Board.

Sec. 2.2 Non-voting Board Member. There shall be one (1) non-voting member who shall represent the collective bargaining units representing the public employees of the Corporation. The bargaining units shall select the non-voting member as prescribed in RCW 36.57A.050. Such selections shall be made during the months of January or February of each even-numbered year as determined by the Chairperson: provided however the

selection of the initial non-voting member shall take place as soon as possible after the effective date of the statutes providing for such non-voting member. Such selected non-voting member of the Board shall begin their term of office at the first meeting following their selection.

In the event of a vacancy on the Board created by the aforementioned non-voting member, the aforementioned procedure for selecting the non-voting member shall be followed to fill the vacancy as soon as it is feasible.

Article III. Duties of the Board and Board Meetings

Sec. 3.1 Duties of the Board.

i. Duties of Voting Members of the Board

The voting members of the Board of the Corporation shall provide the policy and legislative direction for the Corporation and its administrators. The voting Board Members shall also abide by the following performance standards:

- a. Voting members shall exercise their fiduciary duties through responsible use of the Corporation's assets. Voting members shall transact the Corporation's business promoting wise expenditures, prompt payment of debts, and in other ways safeguarding the Corporation's assets from waste, abuse, theft, or other physical loss.
- b. Voting members shall attend all scheduled Board meetings, workshops, and retreats, unless excused. Three consecutive unexcused absences constitutes removal from the Board. Voting members shall be informed and aware of issues affecting the Corporation.
- c. Voting members shall effectively represent the Corporation's position to the public, in the Legislature, and in the community. Voting members should not represent their own opinion as the official position of the Corporation.
- d. Voting members shall act in the best interests of the Corporation, supporting the agency as Snohomish County's primary public transportation provider. Voting members shall advocate issues that promote the Corporation's financial, operational, and organizational well-being.
- e. Voting members shall abide by all state and local laws with regard to Board member conduct and protocol, as well as the Corporation's by-laws, resolutions, and procedures.
- f. All voting member requests for information that require significant research or staff time shall be directed to the Chief Executive Officer (CEO). All requests shall be courteous and concise. Voting members should clearly state the goal of their request so the appropriate information can be supplied. Should the request be ambiguous in nature or

require substantial time or resources, the item shall be brought to the Executive Committee.

- g. There shall be no communication between voting members and Corporation employees or the non-voting member regarding negotiations or other personnel issues, except for the staff of the Corporation who are responsible to represent the Corporation and the Board in labor relations. If a Board Member is approached by an employee, the Board member shall refer the individual to the CEO. There shall also be no contact between Board Members and vendors or potential vendors that might create the impression of a conflict of interest or any other inappropriate conduct. Contact includes, but is not limited to, the receipt of gratuities and/or gifts of value.
- h. A Board Member shall direct any allegation that another Board Member or the non-voting member has violated these performance standards to the Chairperson of the Board of Directors who shall direct the investigation of the allegation. The Chairperson of the Board shall present the findings to the Executive Committee of the Board. If the Executive Committee finds that a violation has been committed, it may, in its sole discretion, present the issue to the full voting members of the Board of Directors for action. Action may include a reprimand or dismissal from the Board of Directors. If the allegation is against the Chairperson of the Board, the Vice-Chairperson shall direct the investigation as provided above. If the allegation is against a member of the Executive Committee, the Executive Committee member shall be excused from the Executive Committee's deliberations to determine whether the issue is submitted to the full Board of Directors.
- i. A Board member, when being considered for selection to the Board of Directors of Community Transit, shall disclose any personal situation which may give the appearance of having a conflict of interest. A conflict of interest may include, but is not limited to, having a family member working for Community Transit, past employment with Community Transit or contracting with Community Transit.

ii. Duties of The Non-Voting Member of the Board

The non-voting member shall abide by the following performance standards:

- a. The non-voting member shall exercise their fiduciary duties through responsible use of the Corporation's assets.
- b. The non-voting member shall effectively represent the Corporation's position to the public, in the Legislature and in the community. The non-voting member should not represent their own opinion as the official position of the Corporation.

- c. The non-voting member shall attend all scheduled Board meetings, workshops, and retreats unless excused. Three consecutive unexcused absences constitutes removal from the Board. The non-voting member shall be informed and aware of issues affecting the Corporation as provided in these Bylaws.
- d. Such non-voting member shall act in the best interests of the Corporation, supporting the agency as Snohomish County's primary public transportation provider. Such non-voting member shall advocate issues that promote the Corporation's financial, operational, and organizational well-being.
- e. Such non-voting member shall abide by all state and local laws with regard to the representative's conduct and protocol, as well as the Corporation's by-laws, resolutions, and procedures.
- f. Such non-voting member's requests for information that require significant research or staff time shall be directed to the Chief Executive Officer (CEO). All requests shall be courteous and concise. Such non-voting member should clearly state the goal of their request so the appropriate information can be supplied. Should the request be ambiguous in nature or require substantial time or resources, the item shall be brought to the Executive Committee.
- g. There shall be no communication between voting members and the non-voting member regarding negotiations or other personnel issues. There shall also be no contact between the non-voting member and vendors or potential vendors that might create the impression of a conflict of interest or any other inappropriate conduct. Contact includes, but is not limited to, the receipt of gratuities and/or gifts of value.
- h. A voting member or non-voting member of the board shall direct any allegation that another voting member or non-voting member has violated these performance standards to the Chairperson of the Board of Directors who shall direct the investigation of the allegation. The Chairperson of the Board shall present the findings to the Executive Committee of the Board. If the Executive Committee finds that a violation has been committed, it may, in its sole discretion, present the issue to the full voting members of the Board of Directors for action. Action may include a reprimand or dismissal from the Board of Directors. If the allegation is against the Chairperson of the Board, the Vice-Chairperson shall direct the investigation as provided above.
- i. A non-voting member of the board, when being considered for selection to the Board of Directors of Community Transit, shall disclose any personal situation which may give the appearance of having a conflict of interest.

Sec. 3.2 Board Offices. The majority of the whole voting membership of the Board shall select a Chairperson, a Vice Chairperson, and a Secretary from the voting members. The officers shall hold office until the first Board meeting in the month of February of each year. These officers may, if re-elected, serve more than one term.

Sec. 3.3 Meetings and Meeting Notice.

- a. Regular Meetings. The time and place of regular meetings of the Board shall be established by a resolution of the Board. Such resolution may also specify the appropriate notification of such meetings.
- b. Special Meetings. Special meetings may be called at any time by the Chairperson or by a majority of the voting members of the whole Board. The notification of such meetings must be delivered to each Board member and others requiring notification under the State Statute (RCW 42.30.080) at least twenty-four (24) hours before the time of such meeting unless otherwise provided for under the laws of the State of Washington. The requirements of RCW 42.30.080 now and as hereafter amended shall be adhered to regarding such meetings.
- c. Executive Sessions (Meetings). The Board may hold executive sessions if such sessions are not otherwise prohibited by State Statutes.

The Chairperson or the Acting Chairperson shall exclude the nonvoting member of the Board from attending any executive session held for the purpose of discussing negotiations with labor organizations. The Chairperson or the Acting Chairperson may allow the nonvoting member to attend any other executive session. The decision of the Chairperson or Acting Chairperson shall be final and binding. If the non-voting member attends an executive session of the Board of Directors, such non-voting member shall not disclose any information obtained in such executive session to anyone and shall not use such information to further the interest, either directly or indirectly, of any collective bargaining unit or employee(s) of the Corporation.

Sec. 3.4 Quorum. A majority of all the voting members of the Board shall constitute a quorum for the transaction of business.

Sec. 3.5 Parliamentary Procedure. All Board meetings shall be conducted pursuant to the Rules of Order established by the presiding officer; provided that a majority of the quorum may require that "Roberts Rules of Parliamentary Procedure" be applied to the meeting procedures unless other procedures are required by these Bylaws or the laws of the State of Washington.

Sec. 3.6 Board Acting as a Body. The Board shall take official action as a body in making its decisions and announcing them. No member shall represent or act for the Board without prior authorization of the Chairperson, the Executive Committee, or the Board except as otherwise provided for in these Bylaws.

Sec. 3.7 Records of Board Meetings.

- a. **Minutes.** The proceedings of the Board meetings shall be recorded and maintained. The minutes shall consist primarily of a record of the action taken. Prior to the adoption of the minutes, copies of the proposed minutes shall be forwarded to all Board members prior to the next regular meeting for their reference and/or correction. At the next regular meeting, the Board shall consider the minutes for adoption or necessary corrections. A recording secretary will be present at all open Board meetings unless otherwise directed by the Chairperson, in which event the Chairperson shall designate another Board or staff member to keep a record of the meeting. Copies of the adopted minutes shall be forwarded to all Board members and to the component cities and county.
- b. **Resolution.** Every action of the Board of a general permanent nature and every action otherwise required by State Statute shall be by Resolution or Ordinance.

Sec. 3.8 Committees. The Chairperson, from time to time, shall appoint Board members to serve on standing or special committees. If a non-voting member is appointed to a committee, that non-voting member shall also be a non-voting member of the committee. At the time of the appointment of such Board members, the Chairperson shall state the objective of the committee and the date upon which a report shall be issued to the Board. The Chairperson shall be an ex-officio member of all such committees. There shall be one permanent standing committee, that committee to be the Executive Committee. The membership of the Executive Committee shall consist of the Chairperson, the Vice Chairperson, the Secretary, and the immediate past Chairperson. In the event there is no immediate past Chairperson, the Chairperson shall select another Board member to be on the Executive Committee.

Article IV. Duties of the Chairperson, Vice Chairperson, and Secretary

Sec. 4.1 Duties of the Chairperson. The Chairperson shall preside at all meetings of the Board. In the event of the Chairperson's absence or inability to preside, the Vice Chairperson shall assume the duties of presiding over the meetings of the Board;

provided, however, if the Chairperson is to be permanently unable to preside, the Board shall select a new Chairperson for the remainder of the Chairperson's term. The Chairperson shall also exercise the duties set forth in Article III, Sections 3.1.i.h and 3.1.ii.g above.

Sec. 4.2 Chairperson as Spokesperson. The Chairperson shall act as spokesperson for the Board and shall act as its representative at meetings with other organizations, committees, and other such activities unless such representative shall otherwise be authorized by the Board; provided, however the Chairperson may delegate to any voting Board member the duty of being a spokesperson or representative for the Board. The Chairperson or his/her designated Board member acting as a spokesperson or representative shall make no pronouncements that will obligate or commit the Board except as provided by these Bylaws or pursuant to the authorization of the Board.

Sec. 4.3 Vacancy of Chief Executive Officer. In the event the position of Chief Executive Officer is vacant, the Chairperson shall select an interim replacement subject to approval by the voting members of the Board. Such interim replacement shall not be a Board member and may or may not be a current employee. As soon as practicable following the vacancy, the voting Board members shall initiate a recruitment process to select a new Chief Executive Officer.

Sec. 4.4 Duties of Vice Chairperson. The Vice Chairperson shall perform the duties and have the power of the Chairperson during the absence of the Chairperson. The Vice Chairperson shall perform other duties and have other powers as might be delegated to him or her by the Chairperson. The Vice Chairperson shall be a member of the Executive Committee of the Board. The Vice Chairperson shall also exercise the duties set forth in Article III, Section 3.1.i.h and 3.1.ii.g above.

Sec. 4.5 Duties of Secretary. The Secretary shall cause a record to be made of all open meetings and to sign all documents requiring the Secretary's signature. The Secretary shall be a member of the Executive Committee.

Article V. Chief Executive Officer

Sec. 5.1 Appointment and Removal of Chief Executive Officer. The Board may appoint and remove the Chief Executive Officer with the affirmative vote of sixty percent (60%) of the whole voting membership of the Board of Directors. The Chief Executive Officer shall perform such administrative duties specified in these Bylaws and such other administrative duties as may be designated from time to time by the Chairperson.

Sec. 5.2 Duties of the Chief Executive Officer. The powers and duties of the Chief Executive Officer of the Corporation shall be:

- a. To have general supervision over the administrative affairs of the Corporation.
- b. To appoint and remove all department heads.
- c. To appoint and remove all other employees of the Corporation. However, the voting Board members may cause an audit to be made of any department or office of the Corporation and may select the persons to make it, without the advice and consent of the Chief Executive Officer.
- d. To attend all meetings of the Board at which his/her attendance may be required by that body.
- e. To recommend for adoption by the Board such measures as he/she may deem necessary or expedient.
- f. To prepare and submit to the Board such reports as may be required by the Board or as he/she may deem it advisable to submit to the Board.
- g. To keep the Board fully advised of the financial condition of the Corporation and its future needs.
- h. To prepare and submit to the Board a proposed budget for the fiscal year and to be responsible for its administrative adoption.
- i. To develop and implement policies and procedures to ensure compliance with State public disclosure laws. Due to the size of Community Transit it would be unduly burdensome to maintain an index as provided in RCW 42.17.260.
- j. To perform such other duties as the Chairperson or Board may determine.
- k. To determine conjointly with the Board appropriate performance measurements/standards by which said Chief Executive Officer is to be evaluated at least on an annual basis.

Article V1. Attorney. The Board shall make provision for legal counsel to the Board and the Corporation by any reasonable contracted arrangement for such professional services.

Article VII. Severability. If any provision of these Bylaws, or its application to any person or circumstance is held invalid, the remainder of these Bylaws, or the application of the provisions to other persons or circumstances, is not affected.

Article VIII. Amendments. These amended Bylaws, as adopted by the Board of the Snohomish County Public Transportation Benefit Area Corporation, may be revised or amended at any regular or special meeting of the Board by a vote of a two thirds (2/3rds) of the whole voting membership of the Board; provided that copies of proposed revisions or amendments shall be available to each Board member at least one (1) week prior to the regular or special meeting at which proposed revisions or amendments are to be acted upon.

The foregoing amended Bylaws of the Snohomish County Public Transportation Benefit Area Corporation, consisting of 10 pages, have been adopted and approved by the majority of the whole voting Board on the ____ day of _____, 2016, and shall supersede all past Bylaws or amended Bylaws of the Corporation.

Approved and passed this ____ day of _____, 2016 .

Councilmember Mike Todd, Chair

ATTEST:

Councilmember Stephanie Wright, Secretary

APPROVED AS TO FORM:

Allen J. Hendricks, Attorney

ATTACHMENT ' A '

Governing Body - Board Composition:

- A. **Voting Members** - Nine (9) voting members - all of whom shall be elected officials selected by and serving at the pleasure of the respective governing bodies of the component cities and county within the area composed as follows:

Two (2) council members and their alternate from Snohomish County;

Two (2) members and one (1) alternate from component cities with population of 35,000 or more - Edmonds, Lynnwood and Marysville.

Three (3) members and two (2) alternates from component cities with population between 15,000 and 35,000 - Arlington, Bothell, Lake Stevens, Mill Creek, Monroe, Mountlake Terrace, and Mukilteo

Two (2) members and an alternate from component cities with population less than 15,000 - Brier, Darrington, Gold Bar, Granite Falls, Index, Snohomish, Stanwood, Sultan, and Woodway.

- B. **Non-voting Members** - One (1) non-voting member of the Board of Directors selected by the bargaining units pursuant to RCW 36.57A.050.

Revised 1/21/16