



## **TOWN COUNCIL AGENDA**

October 10, 2023, 6PM

104 Commercial Street

Upper Maple Center

And by Zoom

Information is below and on the Town Website

Skagit County Washington  
Incorporated 1890  
[www.townoflaconner.org](http://www.townoflaconner.org)

**I. Call to Order**

**II. Pledge of Allegiance**

**III. Public Comments (Limit: 3 minutes per person)**

**IV. Presentations:**

**V. CONSENT AGENDA**

**A. Consent Agenda (Approved without objection 5/0)**

1. Approval of the Minutes: September 26, 2023

2. Finance:

Approval of Accounts Payable.

Approval Payroll

**B. Items Removed from the Consent Agenda**

**VI. REPORTS**

1. Chamber Report

2. Revenue /Expenditure Report

3. Department Head Reports

4. Mayor's Report

5. Council Committee Reports

**VII. UNFINISHED BUSINESS:**

1. Center Street Project – Discussion

2. Jenson Property – Discussion

3. Ordinance – Amending Titles 5 & 15 LMC (Adult Businesses)

4. Budget Discussions

**VIII. NEW BUSINESS:**

1. Ordinance – Dissolve LMC 2.05.015 (Notice Publishing)

2. Resolution – Adopting Meeting Notification Policy

3. Formation of Transportation Benefit District - Discussion

**IX. MAYOR ROUNDTABLE:**

**X. EXECUTIVE SESSION:**

There may be an executive session immediately preceding or following the meeting as allowed by RCW 42.30.110 and as announced by the presiding officer.

**Join Zoom Meeting – This Meeting will be Recorded**

<https://phaudowud-online.zoom.us/j/82672241836?pwd=OHBBdnBja09zZEJqc1NwRHJPejJjZz09>

Meeting ID: 826 7224 1836

Passcode: 942729

**One tap mobile**

Phone Number: 1-253-215-8782

Find your local number: <https://phaudowud-online.zoom.us/u/kdZvAU5k66>

# **Consent Agenda**

- 1) Approval of Minutes**
- 2) Approval of Accounts Payable**
- 3) Approval of Payroll**

## ***Town of La Conner***

Town Council Special Meeting  
September 26, 2023, 5:00 p.m.  
Upper Maple Center, 104 Commercial Street  
And by Zoom

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Present: Councilmembers Carlson, Dole, Chamberlain and Wohleb

Also Present: Administrator Thomas, Finance Director DeGoede, Public Works Director Lease, Planner Davolio and Fire Chief/Code Enforcement Officer Reinstra.

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**This meeting was held electronically on Zoom. Information to join was posted at Town Hall and on the Town Website.**

The meeting was called to order by Mayor Hayes for the 2024 Budget Discussions focusing on the Fire Department and Public Works.

**Councilmember Dole moved to excuse Councilmember Taylor. Motion seconded by Councilmember Wohleb. Motion carried 4/0.**

**Councilmember Taylor joined the meeting at 5:04 p.m.**

### **Fire Department:**

Fire Chief Reinstra explained some of the expenses questioned, such as:

- Four handheld radios at \$3,000 to \$4,000 each
- Safety Vests for \$1,400
- Bunker Gear at \$3,000 each

After Council review, no changes were made. Finance Director DeGoede noted the budget did not include the Fire Boat, the Fire Hall roof and HVAC system. These will be addressed during the General Fund discussions.

### **Public Works:**

Public Works Director Lease presented his budgets for Parks, Facilities, Streets, Water and Drainage. Items discussed were:

- **Parks** – Items removed from the budget were the Boat Ramp \$240,000, Maple Park \$10,000 and the Fish Slide \$5,000. The Waterfront Park Pavilion will be rolled over to 2024.
- **Facilities** – Will receive Hotel Motel funds for shared costs of the Maple Hall HVAC System \$90,000, bathroom upgrades \$12,000 and the Audio/Sound System \$20,000. REET 1 will cover the remainder of the HVAC System in the amount of \$110,000 and added \$10,866 from Hotel Motel for the elevator maintenance. The Garden Club Exterior Paint with a cost of \$52,000 still needs to be funded in some way.
- **Streets** – It was the consensus of the Council to remove the \$12,000 Speed Cushions to improve the fund balance. Public Works Director Lease stated this fund needs a tax revenue as he is not able to keep up with the costs of asphalt maintenance. Administrator Thomas suggested forming a Transportation District. We could impose a .01 sales tax with Council approval. However, we could collect up to .03% by voter approval. It was decided to initiate the .01% for next year and work towards the voting process for an increase .02%.

- **Water** – Discussions focused on the Skagit Beach Water Main Project. Administrator Thomas explained we are looking at a Levy Lid Lift, to collect a portion of the cost from the residents the waterline services. This will probably be the next project to tackle with an estimated cost of \$3,200,000.
- **Drainage** – The Washington/Whatcom Improvements was reduced from \$650,000 to \$100,000, focusing on targeted areas of concern. Administrator Thomas noted we will probably go for a LID for this project as well. Also, now that Flood Control will be a part of the Drainage Fund, the Drainage Budget will reflect separate expense lines for each.

There being no further business the meeting ended at 5:48 p.m.

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Maria DeGoede, Finance Director

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Ramon Hayes, Mayor

## ***Town of La Conner***

Town Council Meeting

September 26, 2023 – 6:00 p.m.

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The meeting of the La Conner Town Council was called to order at 6:00 p.m. by Mayor Hayes.

Present: Councilmembers Taylor, Carlson, Dole, Chamberlain and Wohleb.

Also present: Administrator Thomas and Finance Director DeGoede, Public Works Director Lease, Planner Davolio and Fire Chief/Code Enforcement Officer Reinstra.

**This was a hybrid meeting held in-person and electronically on Zoom. Information to join was posted at Town Hall, the published Agenda in the La Conner Weekly News, and on the Town Website.**

### **Public Comments:**

Resident Debbie Aldrich stated the fencing around 306 Center Street is blocking a lot of parking spaces. Public Works Director Lease explained he approved the permit for the fencing on the right-of-way for the project.

Business owner Erin Parker asked if anything could be done with branches someone cut down and left by her business on Road Street. Public Works Director Lease and Code Enforcement Officer Reinstra are working on it.

Planner Davolio announced there will be a joint Planning Commission/Council meeting on October 17<sup>th</sup> at 6:00 p.m. at the Garden Club. The purpose of the joint meeting is for public input on short-term rentals. Also, on October 19<sup>th</sup> he has scheduled a bus trip to Langley for the Planning Commission and interested members of the Council to see options on affordable and low-income housing, as well as a tiny home village. There will be a signup sheet, and any remaining seats are open for the public to attend.

Mayor Hayes explained the Town actually does not have a definition of short-term rental. However, currently the La Conner Municipal Code does not allow rentals 30 days or less in the residential district.

### **Consent Agenda:**

Approval of Agenda

Approval of the Minutes of the September 12, 2023 Council Meeting.

Accounts Payable:	Checks	26413 - 26449	\$119,160.68
	Voided Checks	24735 & 25310	
	Electronic Pmts.	<u>2018149 Excise Tax</u>	<u>\$10,782.53</u>
		<b>Total Accounts Payable</b>	<b>\$129,943.21</b>

Payroll of September 20, 2023: Checks 5778 - 5784	3,518.09
Payroll Auto Tax Payment #2018148	\$7,645.13
<u>Payroll Auto Deposit</u>	<u>\$22,714.89</u>
<b>Total Payroll</b>	<b>33,878.11</b>

**Councilmember Taylor moved to approve the Consent Agenda as presented. Motion seconded by Councilmember Carlson. Motion carried 5/0.**

### **Mayor's Report:**

Mayor Hayes shared there will be a meeting with representatives of the school on October 16<sup>th</sup>. The Mayor, Administrator Thomas and Councilmembers Chamberlain and Dole will attend.

### **Council Committee Reports:**

#### **Emergency Management Commission:**

Councilmember Dole reported they are now in the process of obtaining agreements from property owners for the placement of the ecology blocks and sandbags, as well as working on identifying people needing assistance in an emergency. Also, the Port and Swinomish Tribe are interested in contributing to the Tidal Gauge.

Parks:

Councilmember Wohleb stated the Waterfront Park Pavilion has been delayed for four years with increasing costs. The Parks Commission is now looking at different affordable options. The plan for the Fish Slide repairs is John Doyle and Ollie Iverson will seal it first and then Maggie Wilder will repaint it. Also, the Chamber has included the cost of replacing the trees on Morris Street in a grant.

**Parking Solutions for First Street:**

Mayor Hayes discussed implementing paid parking by an app for First Street. He has used it many times in other cities and asked if Council would be interested in more information. Council agreed to further discussions.

**Resident Julie Jones** suggested free parking for businesses in the graveled lot at the South end of Town, behind Maple Hall. It was explained the parking lot is private property.

**Ordinance 1230 – News Rack Regulations:**

Administrator Thomas noted this was reviewed at the last meeting with requested changes. He has revised the Ordinance accordingly.

**Councilmember Wohleb moved to approve Ordinance 1230 for News Rack Regulations. Motion seconded by Councilmember Taylor. Motion carried 5/0.**

**Strategic Plan:**

Administrator Thomas explained the Strategic Plan was tabled at the last meeting for full Council approval.

**Councilmember Chamberlain moved to adopt the Strategic Plan for 2024 through 2028. Motion seconded by Councilmember Dole. Motion carried 5/0.**

**Comprehensive Plan Amendment Request for Fee Relief (La Conner Library):**

Administrator Thomas explained the Library has requested to be identified in the Comprehensive Plan as an essential public facility for additional grant opportunities. Because this will take little to no staff time, the Planning Commission recommends waiving the fee of \$1,455.

**Councilmember Chamberlain moved to approve the Planning Commission's recommendation of waiving the La Conner Library's application fee of \$1,455, for their Comprehensive Plan Amendment request. Motion seconded by Councilmember Wohleb. Motion carried 5/0.**

**2024 Hotel Motel Distribution Recommendations by the Finance Committee:**

After discussions and adding an additional funding of \$10,866 for the Maple Hall elevator maintenance, Council approved the following 2024 Hotel Motel Distributions in the amount of \$342,111:

La Conner Chamber	\$90,000	Maple Hall Upgrades	\$132,866
Skagit Valley Tulip Festival	\$3,000	La Conner Live	\$10,000
Skagit Co. Historical Museum	\$1,500	Skagit Artists Together	\$1,000
Museum of NW Art	\$8,250	Lincoln Theater	\$1,000
La Conner Art's Foundation	\$8,000	Skagit Community Band	\$1,900
Public Restrooms/Landscape	\$63,995	Advertising/Wages	\$20,600

**Councilmember Dole moved to approve the 2024 Hotel Motel Distributions with the additional funding for the Maple Hall elevator maintenance. Motion seconded by Councilmember Taylor. Motion carried 5/0.**

**WWTP Bid Recommendation – Asphalt Project:**

Public Works Director Lease explained this is a critical project that needs to be done before the weather changes. The asphalt has deteriorated creating a swamp during the rainy season, making it difficult to get back to the compost area. He did review the two bids, both are qualified contractors, but recommends the lowest bid from Highland Pavement Maintenance in the amount of \$58,074.29.

**Councilmember Wohleb moved to approve Highland Pavement Maintenance Bid of \$58,074.29. Motion seconded by Councilmember Carlson. Motion carried 5/0.**

**Mayor Roundtable:**

Councilmember Wohleb asked if anyone was interested in becoming a member of the AWC Board, if so, let her know. Mayor Boudreau from Mount Vernon is looking for a replacement for her position.

Finance Director DeGoede offered to register Councilmembers for the upcoming AWC Elected Officials Essentials Workshop on December 9, 2023. Registration starts October 12, 2023.

As discussed at the Special Meeting, it was the consensus of the Council to move forward with forming the Transportation District to initiate the .01 tax for 2024.

Councilmember Taylor stated the new La Conner Library Dedication will be on October 14<sup>th</sup> at 3:00 p.m.

**There being no further business the meeting ended at 6:50 p.m.**

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Maria DeGoede, Finance Director

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Ramon Hayes, Mayor



## ***TOWN OF LA CONNER***

### ***CLAIMS CLEARING***

We, the undersigned Town Council of the Town of La Conner, Skagit County, Washington, do hereby certify that the merchandise or services hereinafter specified for October 10, 2023 have been received and that;

Checks Numbered:	26450 - 26495	\$112,930.26
Voided Check:	26440	
Auto Payments:	2018155 – US Bank Fees	\$351.46
	2018156 – Leasehold Tax	\$1,562.52
	2018157 – Invoice Cloud	\$158.60

Are approved for a total payment of \$115,002.84 this 10<sup>th</sup> day of October 2023.

Maura DeSalo  
Finance Director

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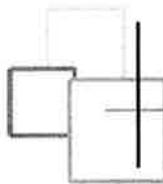
Councilmember – Finance Committee

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Councilmember – Finance Committee

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Councilmember



# Voucher Directory

Fiscal: : 2023 - October  
Council Date: : 2023 - October - 1st Council Meeting

<b>Vendor</b>	<b>Number</b>	<b>Reference</b>	<b>Account Number</b>	<b>Description</b>	<b>Amount</b>
Arne Svendsen Trucking, Inc.	26450			<b>2023 - October - 1st Council Meeting</b>	
		<b>Invoice - 60469</b>			
			<b>5/8" Crushed Rock for Bunker</b>		
			401-000-534-80-48-03	System Repair & Maintenance	\$441.87
		<b>Total Invoice - 60469</b>			\$441.87
	<b>Total 26450</b>				\$441.87
<b>Total Arne Svendsen Trucking, Inc.</b>					\$441.87
Badger Meter, Inc.	26451			<b>2023 - October - 1st Council Meeting</b>	
		<b>Invoice - 80138273</b>			
			<b>Water Meter Hosting Svc.</b>		
			401-000-534-80-41-00	Professional Services	\$56.94
				Hosting Serv Unit	
		<b>Total Invoice - 80138273</b>			\$56.94
	<b>Total 26451</b>				\$56.94
<b>Total Badger Meter, Inc.</b>					\$56.94
Bay Baby Produce	26452			<b>2023 - October - 1st Council Meeting</b>	
		<b>Invoice - BProdHydMeterDepRef10/2/23</b>			
			<b>Bay Baby Produce Hydrant Meter Dep Ref</b>		
			401-000-582-10-00-00	Hydrant Meter Dep Refund	\$100.00
		<b>Total Invoice - BProdHydMeterDepRef10/2/23</b>			\$100.00
	<b>Total 26452</b>				\$100.00
<b>Total Bay Baby Produce</b>					\$100.00
Bay City Supply	26453			<b>2023 - October - 1st Council Meeting</b>	
		<b>Invoice - 346046</b>			
			<b>TP</b>		
			003-000-575-50-31-05	Public Restroom Supplies	\$963.83
		<b>Total Invoice - 346046</b>			\$963.83

Vendor	Number	Reference	Account Number	Description	Amount
		Invoice - 346387			
		Hand Soap			
		003-000-575-50-31-05		Public Restroom Supplies	\$87.03
		<b>Total Invoice - 346387</b>			<b>\$87.03</b>
<b>Total 26453</b>					<b>\$1,050.86</b>
<b>Total Bay City Supply</b>					<b>\$1,050.86</b>
<b>Birch Equipment</b>					
	26454			<b>2023 - October - 1st Council Meeting</b>	
		Invoice - 278054-5			
		Generator, 95va Rental - Flood			
		403-000-553-30-35-00		Tools & Equipment Flood	\$1,052.29
		<b>Total Invoice - 278054-5</b>			<b>\$1,052.29</b>
<b>Total 26454</b>					<b>\$1,052.29</b>
<b>Total Birch Equipment</b>					<b>\$1,052.29</b>
<b>Brian Petty</b>					
	26455			<b>2023 - October - 1st Council Meeting</b>	
		Invoice - PettyPPDepRef9/23/23			
		Petty Pioneer Park Dep Ref 9/23/23			
		002-000-582-10-00-00		Park Deposit Refund	\$100.00
		<b>Total Invoice - PettyPPDepRef9/23/23</b>			<b>\$100.00</b>
<b>Total 26455</b>					<b>\$100.00</b>
<b>Total Brian Petty</b>					<b>\$100.00</b>
<b>Copiers Northwest</b>					
	26456			<b>2023 - October - 1st Council Meeting</b>	
		Invoice - INV2708962			
		Copies			
		001-000-518-30-31-00		Office & Operating Supplies	\$39.97
		70			
		401-000-534-80-31-00		Office & Operating Supplies	\$8.57
		15			
		409-000-535-80-31-00		Office & Operating Supplies	\$8.57
		15			
		<b>Total Invoice - INV2708962</b>			<b>\$57.11</b>
<b>Total 26456</b>					<b>\$57.11</b>
<b>Total Copiers Northwest</b>					<b>\$57.11</b>

Vendor	Number	Reference	Account Number	Description	Amount
Eager Beaver Tree Service	26457			2023 - October - 1st Council Meeting	
		Invoice - 7190		602 Tillinghast - Removal of Two Trees	
			005-000-543-10-48-00	Repair & Maintenance	\$3,665.25
		Total Invoice - 7190			\$3,665.25
	Total 26457				\$3,665.25
Total Eager Beaver Tree Service					\$3,665.25
Edge Analytical	26458			2023 - October - 1st Council Meeting	
		Invoice - 23-26989		Effluent & Influent Testing	
			409-000-535-80-48-05	Materials/Testing	\$372.00
			Sewer Testing		
		Total Invoice - 23-26989			\$372.00
		Invoice - 23-28993		Effluent Testing	
			409-000-535-80-48-05	Materials/Testing	\$46.50
			Sewer Testing		
		Total Invoice - 23-28993			\$46.50
	Total 26458				\$418.50
Total Edge Analytical					\$418.50
EleMech Services	26459			2023 - October - 1st Council Meeting	
		Invoice - ELE4863-2023		WWTP Septage Hauling Receiving Station	
			412-000-554-90-48-01	Building Repair & Maintenance	\$1,500.00
		Total Invoice - ELE4863-2023			\$1,500.00
	Total 26459				\$1,500.00
Total EleMech Services					\$1,500.00
Environmental Resource Associates	26460			2023 - October - 1st Council Meeting	
		Invoice - 054819		Demand	
			409-000-535-80-31-02	Lab Supplies	\$140.22
		Total Invoice - 054819			\$140.22
	Total 26460				\$140.22
Total Environmental Resource Associates					\$140.22

Vendor	Number	Reference	Account Number	Description	Amount
ESO Solutions Inc.	26461			2023 - October - 1st Council Meeting	
		Invoice - ESO-121352			
		NFIRS			
		001-000-522-20-42-00		Communications	\$86.58
		Total Invoice - ESO-121352			\$86.58
		Total 26461			\$86.58
Total ESO Solutions Inc.					\$86.58
Farmers Equipment Company Inc	26462			2023 - October - 1st Council Meeting	
		Invoice - BUR-2008055			
		Rebuild Pumps for Irrigation/Slurry			
		409-000-535-80-48-01		Plant Repair & Maintenance	\$1,128.24
		Total Invoice - BUR-2008055			\$1,128.24
		Invoice - BUR-2008061			
		Frontloader Bucket Repair			
		412-000-554-90-48-06		Compost Machinery/Equip	\$2,612.41
		Total Invoice - BUR-2008061			\$2,612.41
		Invoice - BUR-2008103			
		Repair Mixer Hydraulic Hose			
		412-000-554-90-48-06		Compost Machinery/Equip	\$394.81
		Total Invoice - BUR-2008103			\$394.81
		Invoice - BUR-2008220			
		Repair to Wasting Pump			
		412-000-554-90-48-06		Compost Machinery/Equip	\$1,269.19
		Total Invoice - BUR-2008220			\$1,269.19
		Invoice - BUR-2008225			
		Credit for Returned Gaskets			
		412-000-554-90-48-06		Compost Machinery/Equip	(\$53.12)
		Total Invoice - BUR-2008225			(\$53.12)
		Total 26462			\$5,351.53
Total Farmers Equipment Company Inc					\$5,351.53
Fastenal Company	26463			2023 - October - 1st Council Meeting	
		Invoice - WAANA151475			
		Wipers & Gloves			
		409-000-535-80-31-02		Lab Supplies	\$525.51
		412-000-554-90-48-06		Compost Machinery/Equip	\$15.54
		Total Invoice - WAANA151475			\$541.05
		Total 26463			\$541.05
Total Fastenal Company					\$541.05

Vendor	Number	Reference	Account Number	Description	Amount
Grainger	26464			2023 - October - 1st Council Meeting	
		Invoice - 9833970826			
		Dipper w 6ft Handle			\$147.48
		409-000-535-80-31-02			\$147.48
		Total Invoice - 9833970826			\$147.48
	Total 26464				\$147.48
Total Grainger					\$147.48
HD Supply Facilities Maint.	26465			2023 - October - 1st Council Meeting	
		Invoice - 9219109825			
		LED Emergency & Toliet Seat			\$67.08
		001-000-522-20-48-01			\$67.08
		Total Invoice - 9219109825			
		Invoice - 9219121246			
		Thermoplastic LED (EXIT)			\$191.53
		001-000-522-20-48-01			\$191.53
		Total Invoice - 9219121246			\$258.61
	Total 26465				\$258.61
Total HD Supply Facilities Maint.					\$258.61
Invoice Cloud	2018157			2023 - October - 1st Council Meeting	
		Invoice - 1022-2023-9			
		Sept 2023 Processing Fees			\$158.60
		001-000-514-23-41-03			\$158.60
		Total Invoice - 1022-2023-9			\$158.60
	Total 2018157				\$158.60
Total Invoice Cloud					\$158.60
Isomedia.com	26466			2023 - October - 1st Council Meeting	
		Invoice - 13514-19962			
		PW DSL			\$23.00
		401-000-534-80-42-00			\$23.00
		Total Invoice - 13514-19962			\$23.00
	Total 26466				\$23.00
Total Isomedia.com					\$23.00

Vendor	Number	Reference	Account Number	Description	Amount
John H. Hanks	26467			2023 - October - 1st Council Meeting	
		Invoice - 7486		2 Monitor Setup & Cables for WWTP	
			409-000-535-80-31-00	Office & Operating Supplies	\$636.39
		Total Invoice - 7486			\$636.39
	Total 26467				\$636.39
Total John H. Hanks					\$636.39
JTK Engineering	26468			2023 - October - 1st Council Meeting	
		Invoice - 23-0018-JTK-INV-2		Fire Hall HVAC Engineering Fees	
			001-000-594-14-64-00	Machinery/Equip-Finance	\$2,000.00
		Total Invoice - 23-0018-JTK-INV-2			\$2,000.00
		Invoice - 23-0019-JTK-INV-2		Maple Hall HVAC Engineering Fees	
			003-000-594-75-64-01	Machinery/Equip-Maple Hall	\$1,000.00
		Total Invoice - 23-0019-JTK-INV-2			\$1,000.00
	Total 26468				\$3,000.00
Total JTK Engineering					\$3,000.00
La Conner Weekly News	26469			2023 - October - 1st Council Meeting	
		Invoice - 9465-2023		Annual Subscription	
			001-000-518-30-31-00	Office & Operating Supplies	\$60.00
		Total Invoice - 9465-2023			\$60.00
		Invoice - 9494		Compost/Yard Waste Ad	
			412-000-554-90-44-40	Advertising	\$153.00
		Total Invoice - 9494			\$153.00
	Total 26469				\$213.00
Total La Conner Weekly News					\$213.00
LITHTEX NW	26470			2023 - October - 1st Council Meeting	
		Invoice - 150152		Water Plans - Scans, Prints & PDF	
			401-000-594-34-64-02	Capital Projects	\$109.31
		Total Invoice - 150152			\$109.31
	Total 26470				\$109.31
Total LITHTEX NW					\$109.31

Vendor	Number	Reference	Account Number	Description	Amount
Michael Davolio, AICP	26471			2023 - October - 1st Council Meeting	
		Invoice - INV#32			
		Sept 2023 Planning Charges			
		001-000-558-60-41-00		Professional Services - Planner	\$7,290.00
		Total Invoice - INV#32			\$7,290.00
					\$7,290.00
					\$7,290.00
		Total 26471			\$7,290.00
Total Michael Davolio, AICP					
Michael Lloyd	26472			2023 - October - 1st Council Meeting	
		Invoice - LloydMHDepRef9/23/23			
		Lloyd Maple Hall Dep Ref 9/23/23			
		003-000-582-10-00-00		Maple Hall/Garden Club Deposit Refund	\$432.50
		Total Invoice - LloydMHDepRef9/23/23			\$432.50
					\$432.50
					\$432.50
		Total 26472			\$432.50
Total Michael Lloyd					
Nelson Petroleum	26473			2023 - October - 1st Council Meeting	
		Invoice - 0846318-IN			
		WWTP Fuel			
		412-000-554-90-32-00		Fuel	\$3,238.46
		Total Invoice - 0846318-IN			\$3,238.46
					\$3,238.46
					\$3,238.46
		Total 26473			\$3,238.46
Total Nelson Petroleum					
North Central Laboratory	26474			2023 - October - 1st Council Meeting	
		Invoice - 493066			
		BOD Standard/Seed & Glass Fiber Filters			
		409-000-535-80-31-02		Lab Supplies	\$746.43
		Total Invoice - 493066			\$746.43
					\$746.43
					\$746.43
		Total 26474			\$746.43
Total North Central Laboratory					
Northstar Chemical Inc.	26475			2023 - October - 1st Council Meeting	
		Invoice - 264346			
		Resin Compound			
		409-000-535-80-48-05		Materials/Testing	\$3,272.51
		412-000-554-90-48-05		Compost Testing/Materials	\$3,272.51
		Total Invoice - 264346			\$6,545.02
					\$6,545.02
					\$6,545.02
		Total 26475			
Total Northstar Chemical Inc.					

Vendor	Number	Reference	Account Number	Description	Quantity	Amount
NP Information Systems	26476			2023 - October - 1st Council Meeting		
		Invoice - 184785				
			Phones			
			001-000-518-30-42-00	Communications		\$342.75
			Town Hall 70%			
			001-000-522-20-42-00	Communications		\$48.96
			Fire Dept. 10%			
			401-000-534-80-42-00	Communications		\$48.97
			Public Works 10%			
			409-000-535-80-42-00	Communications		\$48.97
			WWTP 10%			
			Total Invoice - 184785			\$489.65
			Total 26476			\$489.65
Total NP Information Systems						\$489.65
ORCA Communication Systems	26477			2023 - October - 1st Council Meeting		
		Invoice - 360476				
			Firefighter Background Check - Reckamp			
			001-000-522-20-41-00	Professional Services		\$80.00
			Total Invoice - 360476			\$80.00
			Total 26477			\$80.00
Total ORCA Communication Systems						\$80.00
Port of Skagit Co.	26478			2023 - October - 1st Council Meeting		
		Invoice - 10/5/2023 11:55:34 AM				
			002-000-576-80-45-00	Rents & Leases - Short Term		\$246.44
			10% PW Lease			
			003-000-575-50-48-06	Rents & Leases Short Term		\$246.44
			10% PW Lease			
			005-000-542-65-49-03	Rentals/Leases - Short Term		\$246.44
			10% PW Lease			
			401-000-534-80-45-00	Rents & Leases - Short Term		\$985.77
			40% PW Lease			
			403-000-531-38-45-00	Rents & Leases - Short Term		\$739.32
			30% PW Lease			
			Total Invoice - 10/5/2023 11:55:34 AM			\$2,464.41
			Total 26478			\$2,464.41
Total Port of Skagit Co.						\$2,464.41

Vendor	Number	Reference	Account Number	Description	Amount
Quality Services	26479			2023 - October - 1st Council Meeting	
		Invoice - QualSvcSept2023			
		Sept. 2023 Facility Cleaning			
		003-000-575-50-48-01		Building Repair & Maint-MH/MC	\$518.75
		Total Invoice - QualSvcSept2023			\$518.75
	Total 26479				\$518.75
Total Quality Services					\$518.75
Reisner Distributor, Inc.	26480			2023 - October - 1st Council Meeting	
		Invoice - CL67157			
		Fire Dept. Fuel			
		001-000-521-70-32-00		Fuel	\$59.96
		Code Enf.			
		001-000-522-20-32-00		Fuel	\$439.15
		Fire Dept.			
		Total Invoice - CL67157			\$499.11
		Invoice - CL67158			
		PW Fuel			
		401-000-534-80-32-00		Fuel	\$941.31
		Public Works			
		Total Invoice - CL67158			\$941.31
	Total 26480				\$1,440.42
Total Reisner Distributor, Inc.					\$1,440.42
Skagit Community Band	VOID Ck #26440			2023 - October - 1st Council Meeting	
		Invoice - VOID Ck 26440			
		Void Ck 26440 Skagit Community Band			
		003-000-582-10-00-00		Maple Hall/Garden Club Deposit Refund	(\$897.50)
		Total Invoice - VOID Ck 26440			(\$897.50)
	Total VOID Ck #26440				(\$897.50)
Total Skagit Community Band					(\$897.50)
Skagit Community Foundation	26481			2023 - October - 1st Council Meeting	
		Invoice - SkaComFndMHDepRef9/14/23			
		Skagit Com. Foundation Dep Ref 9/14/23			
		003-000-582-10-00-00		Maple Hall/Garden Club Deposit Refund	\$897.50
		Total Invoice - SkaComFndMHDepRef9/14/23			\$897.50
	Total 26481				\$897.50
Total Skagit Community Foundation					\$897.50

Vendor	Number	Reference	Account Number	Description	Amount
Skagit County Sheriff Office	26482			2023 - October - 1st Council Meeting	
		Invoice - SkCoSept2023JailTax		Sept. 2023 Jail Tax	
			631-000-589-40-00-00	Special Use Tax - County Jail	\$5,245.48
				Special Use Tax - County Jail	
		Total Invoice - SkCoSept2023JailTax			\$5,245.48
	Total 26482				\$5,245.48
Total Skagit County Sheriff Office					\$5,245.48
Skagit Valley Publishing	26483			2023 - October - 1st Council Meeting	
		Invoice - 428956		Planning Commission Agenda Notice	
			001-000-558-60-44-00	Advertising	\$96.84
		Total Invoice - 428956			\$96.84
	Total 26483				\$96.84
Total Skagit Valley Publishing					\$96.84
Tacoma Screw Products	26484			2023 - October - 1st Council Meeting	
		Invoice - 260076727-00		Compressor Fuel & Lithium Battery	
			401-000-534-80-35-00	Small Tools & Equipment	\$357.30
		Total Invoice - 260076727-00			\$357.30
	Total 26484				\$357.30
Total Tacoma Screw Products					\$357.30
Taija Giackino	26485			2023 - October - 1st Council Meeting	
		Invoice - GiackinoPPDepRef9/30/23		Giackino Pioneer Park Dep Ref 9/30/23	
			002-000-582-10-00-00	Park Deposit Refund	\$200.00
		Total Invoice - GiackinoPPDepRef9/30/23			\$200.00
	Total 26485				\$200.00
Total Taija Giackino					\$200.00
Town of La Conner	26486			2023 - October - 1st Council Meeting	
		Invoice - TOLSept2023WtrChgs		Sept. 2023 Water Charges	
			001-000-518-30-47-00	Public Utility Services	\$176.77
			204 Douglas - Town Hall		
			001-000-522-20-47-00	Public Utility Services	\$168.76
			Fire Hall - 12142 Chilberg		

Vendor	Number	Reference	Account Number	Description	Amount
			002-000-576-80-47-00	Public Utility Services Benton Street Stairs	\$43.80
			002-000-576-80-47-00	Public Utility Services Skateboard Park - 528 6th Street	\$71.22
			002-000-576-80-47-00	Public Utility Services 1st Street Merchant Park	\$97.90
			002-000-576-80-47-00	Public Utility Services Washington Street Park	\$87.09
			002-000-576-80-47-00	Public Utility Services Pioneer Park	\$148.78
			002-000-576-80-47-00	Public Utility Services Flag Pole/Monument	\$105.12
			002-000-576-80-48-01	Building Repair & Maintenance Waterfront Park Irrigation #2	\$44.23
			002-000-576-80-48-01	Building Repair & Maintenance Waterfront Park Irrigation #1	\$44.73
			003-000-575-50-47-01	Public Utility Services-MH/MC 108 Commercial - Maple Hall	\$277.03
			003-000-575-50-47-02	Public Utility Services-GC 622 South 2nd St - GC	\$164.67
			003-000-575-50-47-05	Public Utility Svcs-Restrooms 613 South First St Restroom	\$320.09
			003-000-575-50-47-05	Public Utility Svcs-Restrooms 304 Morris St Restroom	\$226.73
			401-000-534-80-47-00	Public Utility Services 604 Third St N - PW Office	\$115.60
			401-000-534-80-47-00	Public Utility Services PW Washpad - 12142 Chilberg	\$106.26
			409-000-535-80-47-00	Public Utility Services Dunlap Street Pump	\$70.85
			409-000-535-80-47-00	Public Utility Services WWTP Belt Filter Press	\$593.09
			409-000-535-80-47-00	Public Utility Services WWTP - 12154 Chilberg Road	\$139.27
			409-000-535-80-47-00	Public Utility Services WWTP Hydrant	\$208.82
			<b>Total Invoice - TOLSept2023WtrChgs</b>		<b>\$3,210.81</b>
		<b>Total 26486</b>			<b>\$3,210.81</b>
		<b>Total Town of La Conner</b>			<b>\$3,210.81</b>

Vendor	Number	Reference	Account Number	Description	Amount
Town of La Conner	26487			2023 - October - 1st Council Meeting	
		Invoice - CompTax3rdQtr2023			
		3rd Qtr. Compost Tax			
		412-000-554-99-49-03		Utility business tax	\$21,222.78
		Total Invoice - CompTax3rdQtr2023			\$21,222.78
	Total 26487				\$21,222.78
Total Town of La Conner					\$21,222.78
United Site Services	26488			2023 - October - 1st Council Meeting	
		Invoice - INV-02054321			
		Port a Potty - PW			
		002-000-576-80-41-00		Professional Services	\$215.44
		Total Invoice - INV-02054321			\$215.44
		Invoice - INV-02054337			
		Port a Potty - John Hammer Park			
		002-000-576-80-41-00		Professional Services	\$201.75
		Total Invoice - INV-02054337			\$201.75
		Invoice - INV-02054417			
		Port a Potty - Waterfront Park			
		002-000-576-80-41-00		Professional Services	\$213.25
		Total Invoice - INV-02054417			\$213.25
	Total 26488				\$630.44
Total United Site Services					\$630.44
US Bank-Parking Meter Fees	2018155			2023 - October - 1st Council Meeting	
		Invoice - USBnkPKFeesSept2023			
		Parking Meter Fees			
		002-000-576-80-41-00		Professional Services	\$175.73
		Moorage/Launch Processing Fees			
		005-000-542-65-48-00		Repair & Maintenance	\$175.73
		Parking Lot Processing Fees			
		Total Invoice - USBnkPKFeesSept2023			\$351.46
	Total 2018155				\$351.46
Total US Bank-Parking Meter Fees					\$351.46
USA Bluebook	26489			2023 - October - 1st Council Meeting	
		Invoice - INV00126983			
		CorePro15' Sampler			
		409-000-535-80-31-02		Lab Supplies	\$438.85
		Total Invoice - INV00126983			\$438.85

Vendor	Number	Reference	Account Number	Description	Amount
		<b>Invoice - INV00128452</b>			
		Filters	409-000-535-80-48-01	Plant Repair & Maintenance	\$201.68
		<b>Total Invoice - INV00128452</b>			<b>\$201.68</b>
		<b>Invoice - INV00134928</b>			
		Hach Nitrate Nitrogen & Ammonia	409-000-535-80-31-02	Lab Supplies	\$383.89
		<b>Total Invoice - INV00134928</b>			<b>\$383.89</b>
	<b>Total 26489</b>				<b>\$1,024.42</b>
<b>Total USA Bluebook</b>					<b>\$1,024.42</b>
<b>Utilities Underground Locate</b>					
	<b>26490</b>				
		<b>2023 - October - 1st Council Meeting</b>			
		<b>Invoice - 3090732</b>			
		Underground Locates	401-000-534-80-41-00	Professional Services	\$16.77
			Notifications		
		<b>Total Invoice - 3090732</b>			<b>\$16.77</b>
	<b>Total 26490</b>				<b>\$16.77</b>
<b>Total Utilities Underground Locate</b>					<b>\$16.77</b>
<b>Ven Tek International</b>					
	<b>26491</b>				
		<b>2023 - October - 1st Council Meeting</b>			
		<b>Invoice - 140578</b>			
		Parking Meter Maint. Fees	002-000-576-80-41-00	Professional Services	\$203.63
			005-000-542-65-48-00	Repair & Maintenance	\$203.62
		<b>Total Invoice - 140578</b>			<b>\$407.25</b>
	<b>Total 26491</b>				<b>\$407.25</b>
<b>Total Ven Tek International</b>					<b>\$407.25</b>
<b>WA State Dept of L&amp;I</b>					
	<b>26492</b>				
		<b>2023 - October - 1st Council Meeting</b>			
		<b>Invoice - DeptofL&amp;IQtr3</b>			
		Qtr 3 2023	001-000-514-23-21-00	Finance Benefits	\$0.20
			401-000-534-80-21-00	Benefits	\$1.85
		<b>Total Invoice - DeptofL&amp;IQtr3</b>			<b>\$2.05</b>
	<b>Total 26492</b>				<b>\$2.05</b>
<b>Total WA State Dept of L&amp;I</b>					<b>\$2.05</b>

Vendor	Number	Reference	Account Number	Description	Amount
WA State Dept. of Ecology	26493			2023 - October - 1st Council Meeting	
		Invoice - 24-WAG994554-1			
		Water Quality Program			
		409-000-535-80-49-00		Dues & Subscriptions	\$250.00
		Total Invoice - 24-WAG994554-1			\$250.00
					\$250.00
		Total 26493			\$250.00
Total WA State Dept. of Ecology					\$250.00
WA State DOR - Leasehold Excise Tax	2018156			2023 - October - 1st Council Meeting	
		Invoice - DORQtr3LeasTax			
		Qtr 3 Leasehold Tax			
		002-000-576-80-49-05		Leashold Excise Taxes	\$1,562.52
				Leasehold Excise Tax	
		Total Invoice - DORQtr3LeasTax			\$1,562.52
					\$1,562.52
		Total 2018156			\$1,562.52
Total WA State DOR - Leasehold Excise Tax					\$1,562.52
Waste Management of Skagit	26494			2023 - October - 1st Council Meeting	
		Invoice - 2534443-0043-2			
		WWTP Garbage/Recycle			
		409-000-535-80-47-00		Public Utility Services	\$640.40
		WWTP			
		Total Invoice - 2534443-0043-2			\$640.40
		Invoice - 2534620-0043-6			
		Town Hall/Sheriff Garbage/Recycle			
		001-000-518-30-47-00		Public Utility Services	\$436.04
		Town Hall/Sheriff			
		Total Invoice - 2534620-0043-6			\$436.04
		Invoice - 2535290-0043-7			
		PW Garbage			
		005-000-543-50-48-04		Refuse Disposal	\$707.84
		Public Works			
		Total Invoice - 2535290-0043-7			\$707.84
		Invoice - 2535657-0043-7			
		Fire Dept. Garbage			
		001-000-522-20-47-00		Public Utility Services	\$48.97
		Fire Dept.			
		Total Invoice - 2535657-0043-7			\$48.97
					\$1,833.25
		Total 26494			\$1,833.25
Total Waste Management of Skagit					\$1,833.25

Vendor	Number	Reference	Account Number	Description	Amount
Water-Wasterwater Services					
	26495			2023 - October - 1st Council Meeting	
		Invoice - 57825			
			Sept. 2023 WWTP Charges		
			409-000-535-80-41-03	Plant Operator	\$18,483.25
				Sewer Plant Operations	
			409-000-535-80-48-01	Plant Repair & Maintenance	\$465.61
				Reimbursables	
			412-000-554-90-41-05	Compost Operator	\$17,288.38
				Compost Operations	
			Total Invoice - 57825		\$36,237.24
		Total 26495			\$36,237.24
Total Water-Wasterwater Services					\$36,237.24
Grand Total		Vendor Count	50		\$115,002.84



# Town of La Conner

I, the undersigned, do hereby certify under penalty of perjury that the wages and benefits for the period **September 16, 2023** through **September 30, 2023** are a just, due and unpaid obligation against the Town of La Conner, and that I am authorized to certify to said claim.

  
\_\_\_\_\_  
Maria DeGoede, Finance Director

We, the undersigned Town Council of the Town of La Conner, Skagit County, Washington, do hereby certify that:

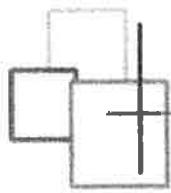
Payroll checks numbered 5785 through 5792	\$3,801.89
Auto Payments:	
AWC Benefit Trust #2018150	\$13,646.08
Deferred Comp #2018151	\$2,404.46
PERS Retirement #2018152	\$10,241.95
Teamsters Benefit #2018153	\$8,716.00
Auto Payroll Taxes #2018154	\$9,370.82
Payroll auto Deposit	\$29,885.43

are approved for a total payment of \$78,066.63 this 10<sup>th</sup> day of October, 2023.

\_\_\_\_\_  
Councilmember – Finance Committee

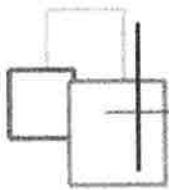
\_\_\_\_\_  
Councilmember – Finance Committee

\_\_\_\_\_  
Councilmember



# Register

Number	Name	Fiscal Description	Cleared	Amount
5785	Dept of Labor & Industry	2023 - October - 1st Council Meeting		\$2,477.65
5786	Employment Security	2023 - October - 1st Council Meeting		\$100.41
5787	Empower Annuity Ins. Co of America	2023 - October - 1st Council Meeting		\$75.00
5788	North Coast Credit Union	2023 - October - 1st Council Meeting		\$150.00
5789	Paid Family & Medical Leave	2023 - October - 1st Council Meeting		\$218.17
5790	Teamsters Local No. 231	2023 - October - 1st Council Meeting		\$159.00
5791	Wa Cares	2023 - October - 1st Council Meeting		\$151.56
5792	Washington State Support Registry	2023 - October - 1st Council Meeting		\$470.10
2018150	AWC Employee Benefit Trust	2023 - October - 1st Council Meeting		\$13,646.08
2018151	Dept of Retirement - Def Comp	2023 - October - 1st Council Meeting		\$2,404.46
2018152	Dept of Retirement Systems	2023 - October - 1st Council Meeting		\$10,241.95
2018153	WA Teamsters Welfare Trust	2023 - October - 1st Council Meeting		\$8,716.00
2018154	Washington Federal	2023 - October - 1st Council Meeting		\$9,370.82
<u>Direct Deposit Run -</u> <u>10/2/2023</u>		Payroll Vendor		\$29,885.43
				<b>\$78,066.63</b>



# Register Activity

Category	Payroll Vendor	Transaction Description	Amount
<b>Direct Deposit Run - 10/2/2023</b>			
Avery, Adam W	ACH Pay - 6611	Posting Run - 10/2/2023 9:59:22 AM	\$542.59
Avery, Annie L	ACH Pay - 6612	Posting Run - 10/2/2023 9:59:22 AM	\$376.25
Baker, Natalie J	ACH Pay - 6613	Posting Run - 10/2/2023 9:59:22 AM	\$550.62
Banaszak, Sam E	ACH Pay - 6614	Posting Run - 10/2/2023 9:59:22 AM	\$1,527.94
Carlson III, Ivan J	ACH Pay - 6615	Posting Run - 10/2/2023 9:59:22 AM	\$201.89
Carlson, Ivan J	ACH Pay - 6630	Posting Run - 10/2/2023 10:56:37 AM	\$136.51
Chamberlain, MaryLee S	ACH Pay - 6631	Posting Run - 10/2/2023 10:56:37 AM	\$136.51
Dole, Richard L	ACH Pay - 6632	Posting Run - 10/2/2023 10:56:37 AM	\$101.51
Eills, Ajah G	ACH Pay - 6633	Posting Run - 10/2/2023 10:56:37 AM	\$1,670.00
Finley, Spencer D	ACH Pay - 6616	Posting Run - 10/2/2023 9:59:22 AM	\$45.88
Hillard, Margaret A	ACH Pay - 6635	Posting Run - 10/2/2023 10:56:37 AM	\$598.24
James, Wilbert M	ACH Pay - 6617	Posting Run - 10/2/2023 9:59:22 AM	\$275.31
Jungquist, Kenneth	ACH Pay - 6618	Posting Run - 10/2/2023 9:59:22 AM	\$9.17
Kerley-DeGoede, Maria A	ACH Pay - 6636	Posting Run - 10/2/2023 10:56:37 AM	\$2,177.68
Lease, Brian	ACH Pay - 6637	Posting Run - 10/2/2023 10:56:37 AM	\$2,853.93
Lovejoy, Lynne	ACH Pay - 6638	Posting Run - 10/2/2023 10:56:37 AM	\$691.72
McKnight, Chris R	ACH Pay - 6619	Posting Run - 10/2/2023 9:59:22 AM	\$73.42
Mesman, Benjamin F	ACH Pay - 6620	Posting Run - 10/2/2023 9:59:22 AM	\$444.47
Mitchell, Anthony J	ACH Pay - 6621	Posting Run - 10/2/2023 9:59:22 AM	\$36.71
Moore, Andrea L	ACH Pay - 6639	Posting Run - 10/2/2023 10:56:37 AM	\$1,737.85
Palaniuk, Kevin R	ACH Pay - 6640	Posting Run - 10/2/2023 10:56:37 AM	\$2,243.69
Park, Todd W	ACH Pay - 6641	Posting Run - 10/2/2023 10:56:37 AM	\$2,122.20
Pena-Ayon, Manuel A	ACH Pay - 6642	Posting Run - 10/2/2023 10:56:37 AM	\$1,376.72
Poulson, Peyton L	ACH Pay - 6622	Posting Run - 10/2/2023 9:59:22 AM	\$45.88
Reinstra, Aaron E.	ACH Pay - 6623	Posting Run - 10/2/2023 9:59:22 AM	\$1,195.34
Reinstra, Aaron M.	ACH Pay - 6643	Posting Run - 10/2/2023 10:56:37 AM	\$1,860.17
Schinman, Karl A	ACH Pay - 6624	Posting Run - 10/2/2023 9:59:22 AM	\$18.35
Schmidt, Hayden J	ACH Pay - 6625	Posting Run - 10/2/2023 9:59:22 AM	\$119.30
Sherman, Albert R	ACH Pay - 6644	Posting Run - 10/2/2023 10:56:37 AM	\$1,652.17
Silva, Jake A	ACH Pay - 6626	Posting Run - 10/2/2023 9:59:22 AM	\$9.17
Smith, Christopher	ACH Pay - 6645	Posting Run - 10/2/2023 10:56:37 AM	\$1,330.96
Smith, Christopher L	ACH Pay - 6627	Posting Run - 10/2/2023 9:59:22 AM	\$523.08
Taylor, Anne M	ACH Pay - 6646	Posting Run - 10/2/2023 10:56:37 AM	\$136.51
Thomas, Scott G	ACH Pay - 6647	Posting Run - 10/2/2023 10:56:37 AM	\$2,890.47
Thulen, Wylie J	ACH Pay - 6628	Posting Run - 10/2/2023 9:59:22 AM	\$36.71
Wohleb, Mary M	ACH Pay - 6648	Posting Run - 10/2/2023 10:56:37 AM	\$136.51
			<b>\$29,885.43</b>

# Reports

- 1) Revenue/Expenditure Report**
- 2) Department Head Reports**

**TOWN OF LA CONNER**  
**Monthly Treasurer's Report**  
**3rd Quarter 2023 - Year to Date**

Fund	Fund Name:	Budget	Revenues to Date	% of Budget	Budget	Expenditures to Date	% of Budget
001	General Fund	1,166,705	909,379	78%	1,461,327	869,780	60%
002	Park & Port	208,703	202,239	97%	345,749	170,933	49%
003	Facilities	316,873	101,046	32%	376,211	148,437	39%
004	Public Art	3,121	1,890	61%	2,000	1,974	99%
005	Streets	227,100	214,143	94%	287,001	203,415	71%
123	Hotel Motel	133,190	138,761	104%	255,261	30,561	12%
214	Fire Hall Bond	49,232	37,519	76%	39,125	7,494	19%
303	Flood Control	65	516	794%	500	-	0%
304	REET 1	36,093	33,700	93%	80,500	-	0%
305	REET 2	36,093	33,733	93%	500	-	0%
401	Water	1,169,088	1,036,058	89%	1,234,554	854,068	69%
403	Storm Drainage	339,400	285,003	84%	802,892	311,432	39%
409	Sewer	948,061	673,188	71%	1,093,917	449,784	41%
412	Sewer Compost	1,090,598	942,894	86%	1,197,253	554,357	46%
<b>TOTALS</b>		<b>5,724,322</b>	<b>4,610,068</b>	<b>81%</b>	<b>7,176,790</b>	<b>3,602,236</b>	<b>50%</b>

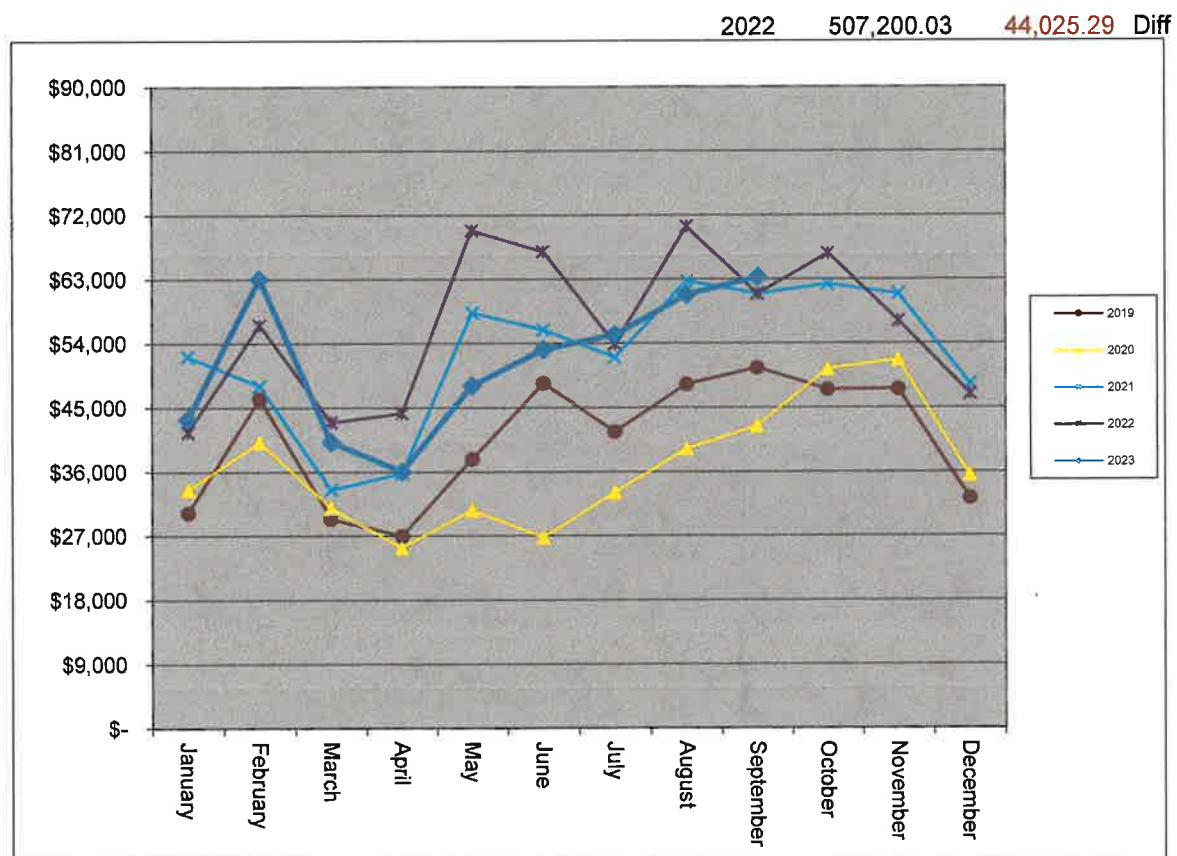
**Investments:**

<b>TVI Bond</b>	<b>242,972.50</b>
<b>Banner Bank CD</b>	<b>150,000.00</b>
<b>Opus Bank CD</b>	<b>255,930.10</b>
<b>TVI Bond</b>	<b>246,383.00</b>
<b>LGIP</b>	<b>61,771.32</b>
<b>Total</b>	<b>957,056.92</b>

## Town of La Conner

### Sales Tax Receipts

Month	2019	2020	2021	2022	2023	
January	30,175.85	33,427.50	52,155.18	41,561.10	43,390.62	
February	46,229.98	40,192.52	48,035.77	56,546.93	63,103.16	
March	29,417.50	30,913.88	33,430.43	42,937.78	40,187.49	
April	26,966.79	25,318.90	35,756.91	44,209.82	36,015.58	
May	37,794.49	30,598.74	58,286.79	69,865.79	48,072.92	
June	48,324.00	26,758.90	55,900.26	66,878.23	53,129.86	
July	41,577.04	33,062.15	52,061.10	53,917.06	55,178.70	
August	48,230.60	39,233.38	62,720.18	70,383.49	60,820.03	
September	50,535.10	42,409.55	60,971.61	60,899.83	63,276.38	
October	47,472.63	50,406.48	62,268.96	66,647.98		
November	47,582.86	51,733.86	60,911.19	57,164.48		
December	32,252.37	35,510.27	48,334.16	46,910.27		
<b>TOTAL</b>	<b>486,559.21</b>	<b>439,566.13</b>	<b>630,832.54</b>	<b>677,922.76</b>	<b>463,174.74</b>	<b>76.03%</b>
Budgeted	512,194.00	469,860.00	328,202.00	492,303.00	609,181.00	
Rec Year to Date	486,559.21	439,566.13	630,832.54	677,922.76	463,174.74	
Annual Monthly Avg	40,546.60	36,630.51	52,569.38	56,493.56	38,597.90	
Amount needed to meet budget:					146,006.26	

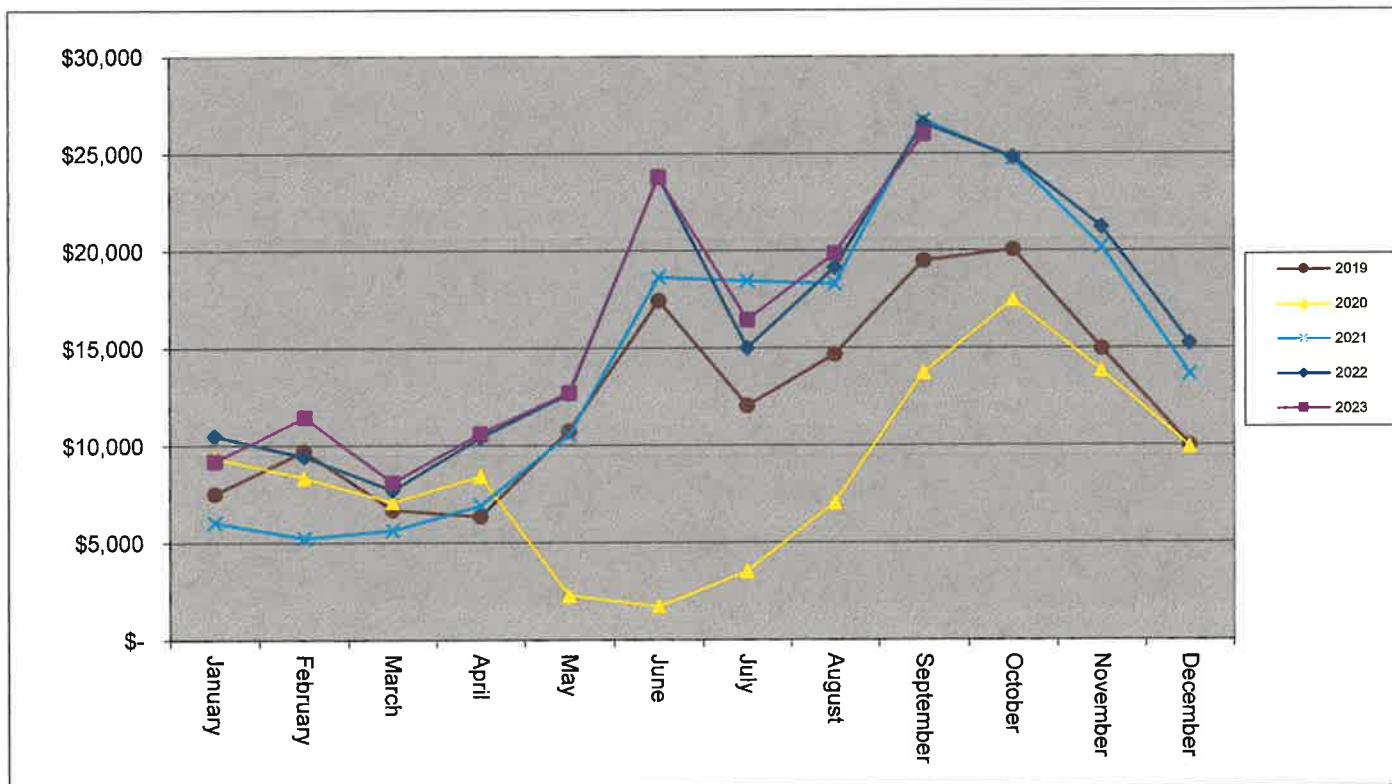


## Town of La Conner

### Annual Hotel/Motel Receipts

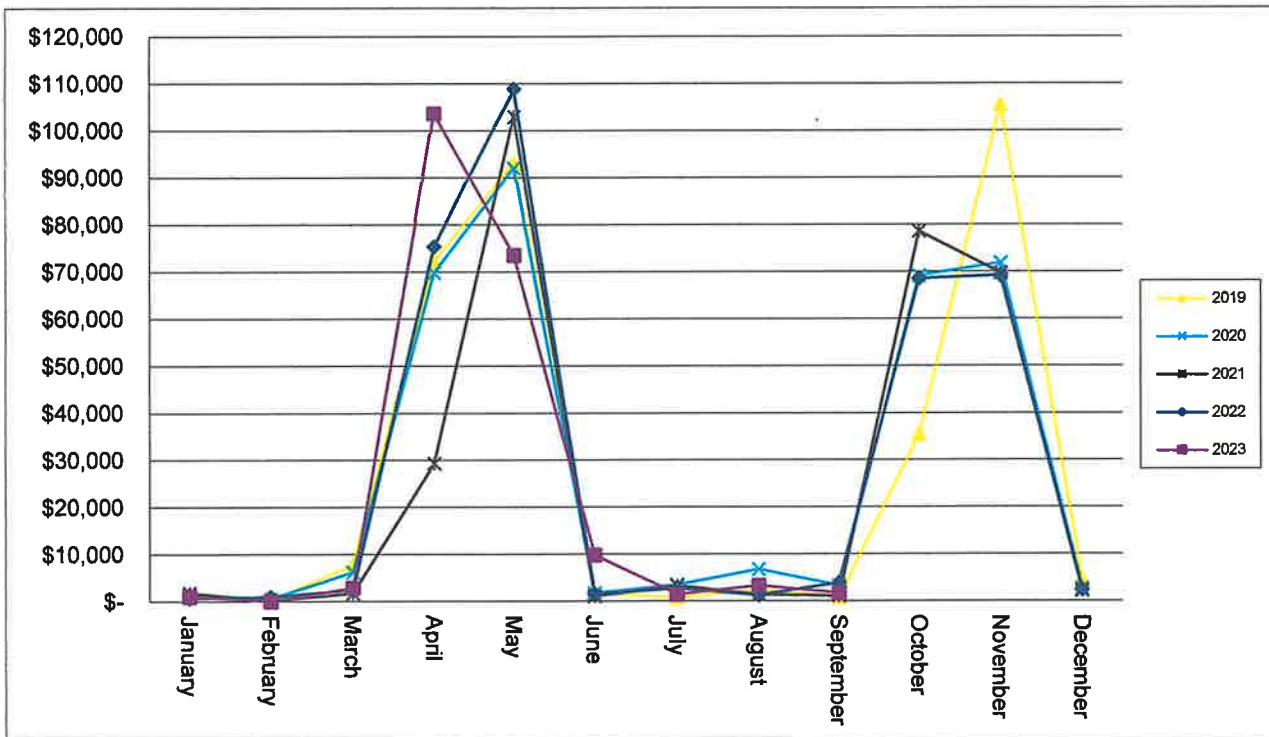
Month	2019	2020	2021	2022	2023
January	7,497.66	9,363.38	6,025.96	10,500.64	9,175.12
February	9,690.49	8,348.90	5,235.46	9,409.26	11,438.50
March	6,671.37	7,077.20	5,622.06	7,698.52	8,082.72
April	6,345.27	8,431.24	6,895.04	10,399.52	10,591.94
May	10,750.73	2,279.94	10,542.90	12,633.28	12,700.56
June	17,435.97	1,715.92	18,643.56	23,829.20	23,784.50
July	12,029.36	3,518.70	18,439.86	14,988.76	16,441.86
August	14,672.64	7,056.40	18,295.26	19,136.57	19,848.46
September	19,470.30	13,732.36	26,730.28	26,545.62	26,000.70
October	20,056.92	17,480.20	24,731.96	24,802.90	
November	14,956.14	13,844.66	20,184.16	21,228.28	
December	9,984.18	9,930.96	13,653.56	15,232.24	
<b>TOTAL</b>	<b>149,561.03</b>	<b>102,779.86</b>	<b>175,000.06</b>	<b>196,404.79</b>	<b>138,064.36</b>
Budgeted	126,000.00	126,000.00	88,200.00	132,300.00	133,040.00
Received Year to Date	149,561.03	102,779.86	175,000.06	196,404.79	138,064.36
Monthly Average	12,463.42	8,564.99	14,583.34	16,367.07	11,505.36
Amount needed to meet budget:					(5,024.36)

103.78%



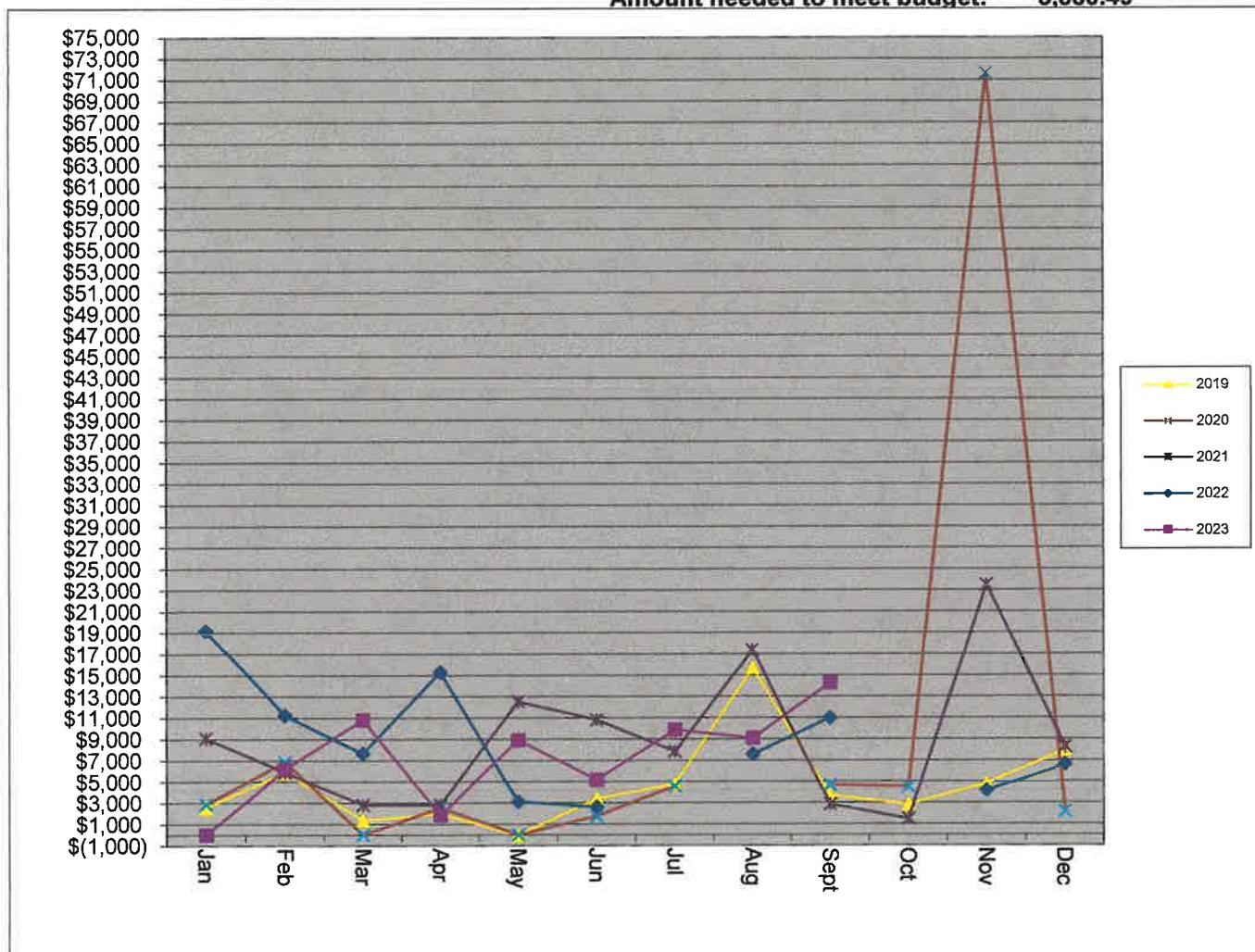
**Town of La Conner**  
**Annual Property Taxes**

Month	2019	2020	2021	2022	2022
January	1,480.54	1,366.53	1,735.37	679.87	1,020.21
February	55.46	540.84	123.80	923.67	-
March	7,827.98	6,187.85	1,731.98	2,479.49	2,889.62
April	72,247.70	69,784.34	29,295.28	75,356.27	103,626.12
May	93,081.57	92,047.43	102,991.26	108,828.88	73,546.50
June	1,746.84	1,723.19	1,047.57	1,503.75	9,809.06
July	801.22	3,510.19	3,275.00	2,725.34	1,412.30
August	2,224.34	6,704.12	1,381.95	1,259.96	3,299.01
September	821.35	3,314.93	1,100.00	3,887.71	1,714.39
October	35,440.06	69,156.88	78,553.96	68,521.30	
November	105,448.19	71,812.11	69,666.72	69,178.91	
December	4,485.35	2,652.74	2,154.94	2,392.56	
<b>TOTAL</b>	<b>325,660.60</b>	<b>328,801.15</b>	<b>293,057.83</b>	<b>337,737.71</b>	<b>197,317.21</b>
Budgeted	308,000.00	328,840.00	330,004	336,612	352,971
Received Year to Date	325,660.60	328,801.15	293,057.83	337,737.71	197,317.21
Monthly Avg	27,138.38	27,400.10	24,421.49	28,144.81	16,443.10
Amount needed to meet budget:					155,653.79
55.90%					



**Town of La Conner**  
**Annual REET**

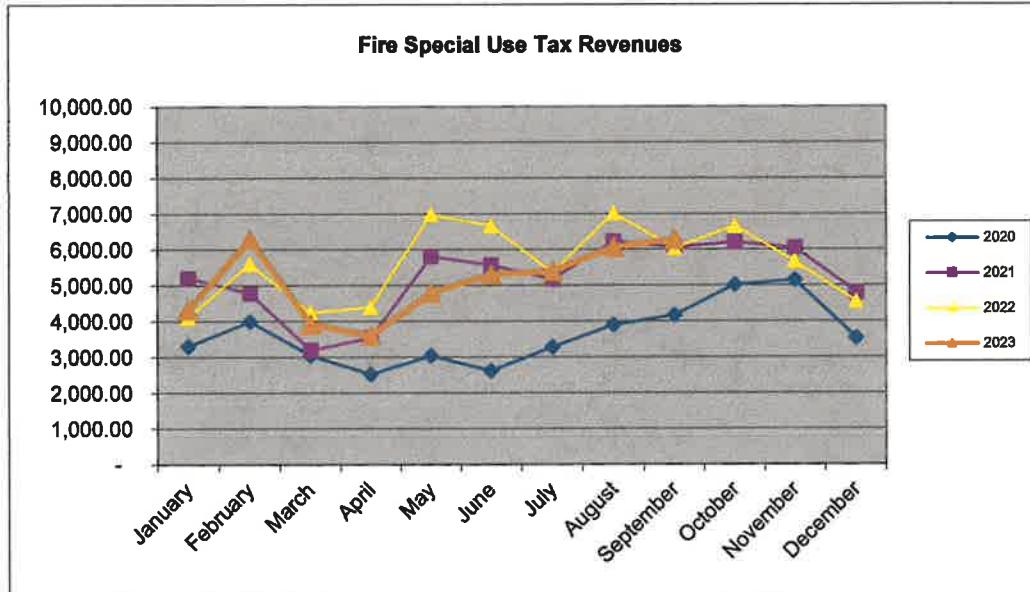
<b>Month</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Jan	2,549.26	2,887.09	9,078.30	19,230.75	-
Feb	5,915.25	6,878.02	5,860.80	11,263.69	6,179.19
Mar	1,373.67	-	2,796.75	7,672.50	10,820.70
Apr	1,980.00	2,538.11	2,796.75	15,300.45	1,825.00
May	-	-	12,508.65	3,118.50	8,910.00
Jun	3,388.27	1,757.25	10,815.74	2,598.75	5,164.50
Jul	4,791.60	4,566.37	7,825.50	-	9,874.25
Aug	15,688.02	-	17,362.12	7,548.75	9,070.87
Sept	3,712.25	4,682.69	2,821.50	10,976.62	14,275.00
Oct	2,846.25	4,497.07	1,480.05	-	-
Nov	4,826.25	71,626.40	23,472.90	4,149.50	-
Dec	7,969.68	2,128.50	8,256.60	6,599.50	-
<b>TOTAL</b>	<b>55,040.50</b>	<b>101,561.50</b>	<b>105,075.66</b>	<b>88,459.01</b>	<b>66,119.51</b>
Budgeted	36,250.00	36,000.00	36,000.00	40,000.00	72,000.00
Received Year to Date	55,040.50	101,561.50	105,075.66	88,459.01	66,119.51
Monthly Average	4,586.71	8,463.46	8,756.31	7,371.58	5,509.96
<b>Amount needed to meet budget:</b>					<b>5,880.49</b>



**Town of La Conner**  
**Special Use Fire Tax Revenue**

Month	2020	2021	2022	2023	
January	3,304.44	5,196.26	4,108.62	4,333.29	
February	3,992.09	4,779.92	5,609.50	6,278.74	
March	3,046.20	3,192.27	4,237.71	3,923.57	
April	2,516.68	3,536.70	4,396.10	3,593.96	
May	3,036.90	5,807.88	6,984.88	4,796.78	
June	2,614.87	5,569.18	6,661.47	5,297.25	
July	3,278.86	5,170.83	5,364.02	5,393.11	
August	3,896.38	6,230.94	7,019.56	6,063.58	
September	4,163.65	6,055.85	6,041.25	6,284.28	
October	5,014.80	6,201.24	6,659.05		
November	5,146.63	6,052.29	5,673.70		
December	3,526.88	4,795.36	4,555.14		
<b>TOTAL</b>	<b>43,538.38</b>	<b>62,588.72</b>	<b>67,311.00</b>	<b>45,964.56</b>	<b>91.93%</b>
Budgeted	43,334.00	30,334.00	45,501.00	50,000.00	
Received Year to Date	43,538.38	62,588.72	67,311.00	45,964.56	
Monthly Avg	3,628.20	5,215.73	5,609.25	3,830.38	

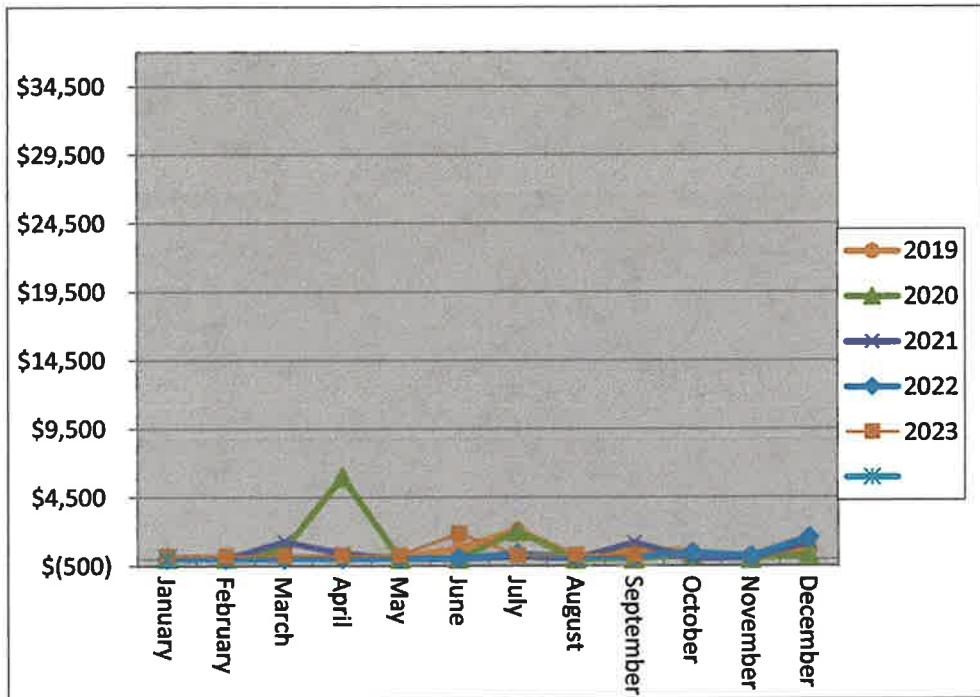
**Amount needed to meet budget:** **4,035.44**



## Town of La Conner

### Investment Interest Receipts

Month	2019	2020	2021	2022	2023	
January	120.16	85.01	53.53	4.52	222.14	
February	109.68	77.60	6.04	4.86	211.19	
March	122.14	654.91	1,256.42	11.21	242.20	
April	119.28	5,977.72	396.24	19.48	243.73	
May	121.31	24.67	3.80	35.04	264.29	
June	716.80	17.74	3.62	48.70	1,847.72	
July	2,117.37	2,000.42	141.11	382.44	271.13	
August	111.91	12.71	3.92	112.03	277.67	
September	702.78	9.88	1,169.94	123.87	272.22	
October	502.90	283.03	4.66	446.26		
November	87.05	7.74	59.37	182.53		
December	679.48	279.06	1,157.59	1,549.18		
<b>TOTAL</b>	<b>5,510.86</b>	<b>9,430.49</b>	<b>4,256.24</b>	<b>2,920.12</b>	<b>3,852.29</b>	<b>75.85%</b>
Budgeted	5,500.00	5,500.00	4,465.00	4,581.00	5,079.00	
Received Year to Date	<b>5,510.86</b>	<b>9,430.49</b>	<b>4,256.24</b>	<b>2,920.12</b>	<b>3,852.29</b>	
Monthly Average	459.24	785.87	354.69	243.34	321.02	
Amount needed to meet budget:						<b>1,226.71</b>





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MEMORANDUM

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TO: Mayor Hayes & Town Council Members

FROM: Scott Thomas, Town Administrator

SUBJECT: Administrator's Report

DATE: October 4, 2023

1. Open Public Meeting Training. RCW 42.56.150 requires all local government elected officials to “complete refresher training at intervals of no more than four years” on the Public Records Act/Open Public Meetings Act. Later this year staff will be compiling a list of those officials who need to update their training, and provide links where training can be obtained at little or no cost online.
2. ADA. The United States Department of Justice (“DOJ”) recently published a Notice of Proposed Rulemaking to require state and local governments to meet certain accessibility standards for services, programs, and activities offered via the web or mobile apps. DOJ is revising its regulations under the Americans with Disabilities Act (ADA) to adopt an internationally recognized accessibility standard for web content and mobile app accessibility. Among other things, the proposal would require captions on all videos and audio files on local government websites, and integration with assistive technology used by those with disabilities so that they may understand and participate in public meetings, and access public documents and other materials on government web sites. While the adoption and implementation of the proposed rule is in the future, it is beneficial to begin preparing for the transition now. We have thus included \$ in the Finance budget to begin this process/
3. Floods and Earthquakes. Skagit County has been taking time in October to highlight flood awareness and prepare for the upcoming flood season since the 1970s. The annual Skagit County Flood Awareness Week this year will extend from Monday, October 16<sup>th</sup> to Friday, October 20<sup>th</sup>. A Flood Awareness Week booklet will run in the Skagit Valley Herald and La Conner Weekly News the week of October 11. Also during that week, on October 19<sup>th</sup>, the Great Washington Shake Out will take place at 10:19 a.m. A flyer describing the event is attached. Staff will be participating in a flood prevention tabletop exercise sponsored by Skagit County that afternoon, and are unable to conduct an additional event on the same day. However, I encourage all to peruse the shake out materials, which address planning for an earthquake.
4. Affordable Housing. HB 1110, adopted in the last legislative session, requires the state Department of Commerce to publish model ordinances to implement middle housing requirements

no later than January, 2024. Commerce is offering a virtual open house for city staff, elected and appointed officials, and the public to ask questions about new laws around middle housing and Accessory Dwelling Units (ADUs) on October 19<sup>th</sup> at 1 p.m., at:

<https://wastatecommerce.zoom.us/j/83281887994?pwd=cmFFdGFyMWxsTHFvTlMvN25KTUYxZz09#success>

A public webinar will also be offered by Commerce on November 9<sup>th</sup> at 1:30 p.m., with details to be announced by Commerce.

5. Elected Officials Seminar. AWC is offering its annual Essential for Elected Officials Seminar to mayors and councilmembers on Saturday, December 9<sup>th</sup>. The City of Mount Vernon will be hosting one of the sites this year (the morning portion of the seminar is live streamed to 10 sites, and the afternoon portion is conducted live.) This seminar covers the essential legal and functional roles, responsibilities, obligations, and liabilities for city elected officials for new and seasoned elected officials. Participation in this event fulfills the Open Government Trainings Act's specific training requirements for elected officials (including public records, records retention, and open public meetings) which must be completed by all elected officials within 90 days of taking office and every four years as a refresher. There will also be plenty of opportunities to chat with other elected officials from around the NW region of Washington. Please let us know if you are interested, and we will provide you with sign-up information.

6. Pedestrian Improvements. As I routinely go about my daily responsibilities, it is not uncommon for a resident or a visitor to approach me and point out a potential traffic safety issue and offer a suggestion for how the issue can be resolved. This is always appreciated because we not only want to hear about real or perceived safety issues so that we can take appropriate steps. Except in obvious emergencies such as when a traffic sign has been damaged, my usual response is to tell the person reporting the issue that I will forward the issue to Public Works. I do this for two reasons: first, I don't know much about traffic safety, but I do know that it is complex and involves factors that I am ignorant of. I don't want someone to be injured because I did not understand what I was doing. Second, I know that Public Works staff have received training and several have obtained certifications in this area; in other words, if they don't already know the answer, they will know someone with expertise who does know the answer.

This past week I received a newsletter from our risk pool that contains a story describing the experience of another community and the potential risks, better than I could. I have attached it, and encourage everyone to read it.

If you have any questions about any of these topics, please contact me.



# The Great Washington ShakeOut

## Annual Statewide Earthquake Drill

### Local Government

**At 10:19 a.m. on October 19, 2023,** hundreds of thousands of Washingtonians will "Drop, Cover, and Hold On" in The Great Washington ShakeOut, the state's largest earthquake drill ever! All local governments and their agencies are encouraged to participate in the drill (or plan a more extensive exercise).

Major earthquakes may happen anywhere you live, work, or travel. The ShakeOut is our chance to practice how to protect ourselves, and for everyone to become prepared. The goal is to prevent a major earthquake from becoming a catastrophe for you, your organization, and your community.

Why is a "Drop, Cover, and Hold On" drill important? To respond quickly you must practice often. You may only have seconds to protect yourself in an earthquake before strong shaking knocks you down, or something falls on you.



Millions of people worldwide have participated in Great ShakeOut Earthquake Drills since 2008. The Great Washington ShakeOut is held on the third Thursday of October each year.

**Everyone can participate!** Individuals, families, businesses, schools, colleges, government agencies and organizations are all invited to register.

Register today at [ShakeOut.org/washington](https://ShakeOut.org/washington)

### HOW TO PARTICIPATE

Here are a few suggestions for what local governments and agencies can do to participate in the ShakeOut. Learn more at [ShakeOut.org/washington/howtoparticipate](https://ShakeOut.org/washington/howtoparticipate).

#### Plan Your Drill:

- Register at [ShakeOut.org/washington/register](https://ShakeOut.org/washington/register) to be as participating, get email updates, and more.
- Download a Drill Broadcast recording from [ShakeOut.org/washington/drill/broadcast](https://ShakeOut.org/washington/drill/broadcast).
- Have a "Drop, Cover, and Hold On" drill at 10:19 a.m. on October 19. You may also want to coordinate an exercise of your emergency plan.
- Discuss what you learned and make improvements.

#### Get Prepared for Earthquakes:

- Check your emergency supplies and equipment; make sure they are accessible and functional.
- Inspect your facilities for items that might fall and cause injury, and secure them.
- Encourage employees to prepare at home.
- Provide first aid and response training for employees.

#### Share the ShakeOut:

- Encourage employees to ask their friends, families, and neighbors to register.
- Agencies with outreach roles can include ShakeOut messaging in their routine activities.
- Find posters, flyers, and other materials for promoting the ShakeOut at [ShakeOut.org/washington/resources](https://ShakeOut.org/washington/resources).
- Share photos and stories of your drill at [ShakeOut.org/washington/share](https://ShakeOut.org/washington/share).



### As a registered ShakeOut Participant you will:

- Learn what you can do to get prepared
- Be counted in the largest earthquake drill ever
- Receive ShakeOut news and other earthquake information
- Set an example that motivates others to participate

© 2023



# A \$21 million verdict, narrowly avoided

By Harlan Stientjes

In 2019, the plaintiff was shopping downtown with her daughter. She saw a marked crosswalk and went to cross the two-lane road with her daughter. Shortly after she stepped into the lane of travel, leaving her adult daughter on the sidewalk, she was hit by a driver. She went up on the hood and then rolled off onto the side of the road. She was transported to the hospital where she was assessed to have a brain injury.

Prior to this accident new businesses had opened downtown. Since this uncontrolled intersection was relatively close to City Hall, staff noticed an increase in pedestrian travel in the area. Under [RCW 46.61.235](#), there was an unmarked crosswalk at this location that was legal for pedestrians to cross even without bars on the ground. Seeing the increased pedestrian travel and in response to resident feedback, the Mayor and Public Works Director went to the intersection to consider painting a marked crosswalk. They decided it would be appropriate to add a marked crosswalk at this location. Given the proximity to City Hall and their long-term knowledge of the intersection, they did not complete an engineering study and proceeded to paint a marked crosswalk on the ground. Whether painted or not, this was a legal crossing for pedestrians.

The plaintiff filed a lawsuit against the driver, after finding out that she had the state minimum insurance limits available (\$25,000) she sought to add the City as a defendant. She sued the City and proceeded to hire experts (the same ones we see in most cases like this) who alleged negligence in the process by which the crosswalk was marked and the failure to add more warning devices. Notably from our standpoint, they do not allege any failure of the crosswalk that was present on the day of this accident.

WCIA responded with a strong defense. There was no accident history in this crosswalk and there was clear fault, in our opinion, on the part of the driver and the plaintiff who stepped right in front of a moving car. Unfortunately, as WCIA proceeded through the lawsuit, we received a ruling that the plaintiff was fault free in this accident. This meant if the jury found the City 1% at fault, we would share in any award against the driver through joint and several liability and the plaintiff would be solely focused on proving liability against the City. WCIA attempted to appeal this issue prior to trial and were told we had a strong case for appeal but that the case was not ready until we went through trial. Assuming an adverse verdict, this would leave WCIA appealing the case with a potentially large verdict accruing interest on it while we sought an appeal.

On the eve of trial, WCIA reached a resolution with the plaintiff. The plaintiff proceeded to take the case to trial against the driver and secured a \$21 million verdict (there was an underinsured motorist policy they were trying to recover from). Adverse judicial rulings and joint and several liability laws nearly exposed WCIA and its member to a verdict that would have been more than WCIA's policy limits, impacting the member's general fund.

The tort climate and increased verdict size in Washington continue to make our business very difficult. Recently the Court of Appeals affirmed a \$98.5 million verdict against the state, though you won't find any news coverage of how that verdict is being paid. WCIA has expertise in defending public entities and participates in more litigation than any other risk pool in the state. We share this case to educate on the potentially adverse liability environment in Washington. Members should be aware of the difficult tort environment and consider engineering expertise and standard processes anytime roads and crosswalks are altered.



# ***TOWN OF LA CONNER***

## **Monthly Planner's Report**

September 2023

### **NEW APPLICATIONS ACCEPTED:**

#### **Land Use**

- LU23-32RM, 701 Whatcom St, New deck
- LU23-33Peddlers, La Conner Marina, Farm to Fest 2023 Event
- LU23-34SX, 128 S 1<sup>st</sup> St, dock replacement
- LU23-35HDR-ADMIN, 601 S. 2<sup>nd</sup> St, repaint and window-repair
- LU23-36HDR-ADMIN, 128 S. 1<sup>st</sup> St, dock replacement
- LU23-37RM, La Conner School District, Fish pit construction.

#### **Building Permit**

- BP23-39ROW, 102 N. 1<sup>st</sup> Street, temporary dumpster placement
- BP23-40ROW, 601 S. 2<sup>nd</sup> Street, staging for repaint
- BP23-41B-F, 931 Maple Ave, apartment remodel
- BP23-42B-F, 931 Maple Ave, apartment remodel
- BP23-43ROW, 313 Center Street, landscaping/sod application

#### **Planning Commission:**

The Planning Commission met on September 5 and September 19. The September 5 meeting contained discussion of short-term rental regulations, high-density housing, and the Housing element of the Comprehensive Plan. Staff presented updates on the Salmon Development, the Public Participation Program, and the Transportation element during the September 19 meeting.

#### **Hearing Examiner:**

There was no business before the Hearing Examiner in September 2023. On October 24 at 2:00 pm there will be a Hearing Examiner hearing to determine the outcome of a conditional use application, LU23-30CU-IV, for a new boat repair facility at 920 Pearl Jensen Way. Although the building itself is a permitted use, the proposed 42ft height of the building requires a conditional use permit. The full file is available for review at Town Hall.

#### **Comprehensive Plan Update:**

This month, town staff begin to review the Capital Facilities Element for concurrency with other internal documents. Staff continued to assess mapping, housing, and needed changes to both in La Conner. Staff developed a Calander with deadlines for the final text of each element.

#### **General Planning Activities:**

- Staff are reviewing the current files for record retention requirements.
- The staff has received comment letters for the 2023 update for the municipal code, and is currently reviewing them internally.
- The staff continued the Comprehensive Plan Update.
- Continuing review of development applications.
- Continuing review of permit applications.
- Continuing response to public inquires regarding land use.
- Continuing issuance of permits.
- Long term planning priorities:
  - Neighborhood plan for Commercial Transitional Zone.
  - 2023-2025 Comprehensive Plan Update
  - Public Participation and Communication

# Fire Chief / Code Enforcement Report

## Sep-23

Alarms:

38 Emergency Calls

Ave # Responders:

4.2

**Calendar:** 6-Sep-23 Business

13-Sep Hydrant Forward/Reverse

20-Sep Pump Operations

27-Sep Live Drill

**Events:** Tom Robbins Parade

LC Football Start

September 11th Remembrance

**Enforcement Notes:** Coned Parking

Boats Left

Early Morning Noise

Aaron Reinstra  
Fire Chief/Code enforcement  
Town of La Conner



## **Town of La Conner**

Honorable Mayor and Town Council

Monthly Report of Wastewater Treatment Plant Operations & Maintenance

**Month:** September 2023

During the month of September, the plant met NPDES permit requirements.

*See attached spreadsheet for WWTP data.*

### **Locates**

- There were thirteen (13) locates in September with no issues.

### **Call Outs-Emergencies**

- There was one power outage on September 10, 2023, during the month of September.

### **System Maintenance**

- Grinded yard waste pile.
- Oil and filter changed on blower #2.
- Mustang Z bar repaired and serviced.
- New gasket in the manholes on Maple Avenue.
- New sludge pump installed.
- Replaced power screen, sit glass and drum sensor on the screen plant.

### **Process Changes**

### **Miscellaneous**

- Clarifier #1 needs upgrade.
- Radio remote control for the compost mixer has weak signal.
- Both wasting pumps down.
- Tribal meter needs replacing.

### **Compost Sales:**

#### **Wholesale**

18 yards were sold in September— 105 yards year to date.

#### **Retail Sales**

714 yards were sold in September— 6,492 yards year to date.

In September 2023, the Town received 714 yards of retail and wholesale compost for a total of \$6,110.00.

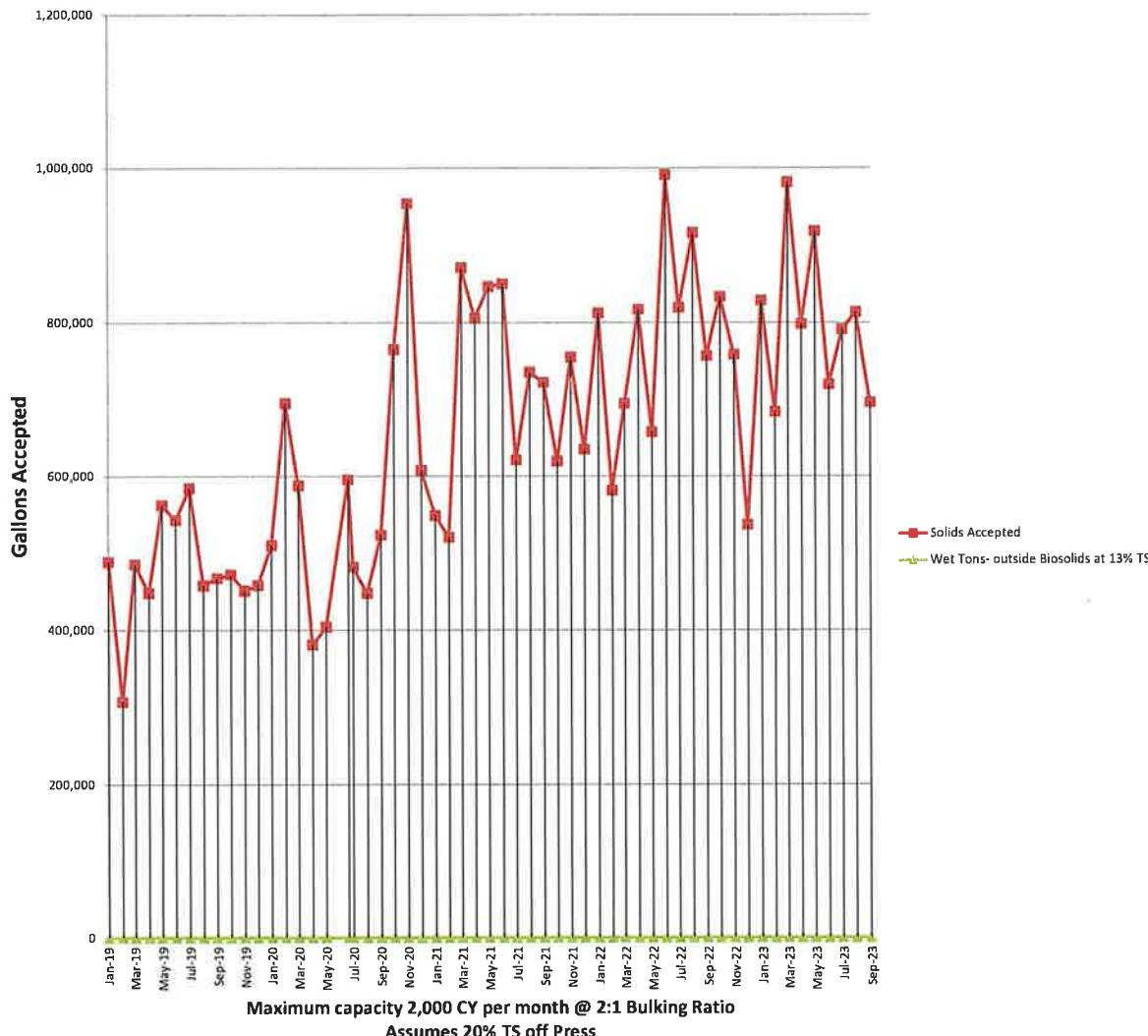
### **Metered Flow:**

Influent:	<u>7,750,000 Gallons</u>
Tribal:	<u>1,683,335 Gallons</u>
Hydrant:	<u>2,590 Gallons</u>
Belt Press:	<u>930,616 Gallons</u>
Reuse Water:	<u>331,726 Gallons</u>

<b>LaConner Wastewater Treatment Plant</b> <b>Monthly Data 2023</b>										
Date	WWTP Total Flow Treated	WWTP Daily Avg Treated	WWTP Max Daily Treated	WWTP Flow Last Year	WWTP Flow up/down from LY	Gallons of Outside Waste Processed	Gallons of Outside Waste Processed Last year	Up/down from last year	Wet tons of 95% Biosolids Processed	Wet tons of <95% Biosolids Processed
Jan-23	11,013,000	359,000	555,000	13,780,000	21%	945,220	899,297	5%	0	0
Feb-23	8,850,000	316,000	626,000	13,780,000	36%	809,755	761,967	6%	0	0
Mar-23	10,260,000	331,000	433,000	10,290,000	1%	1,115,598	891,855	21%	0	0
Apr-23	8,880,000	296,000	348,000	10,290,000	14%	972,540	1,014,712	5%	0	0
May-23	8,773,000	283,000	317,000	8,840,000	1%	1,124,169	904,807	20%	0	0
Jun-23	7,620,000	254,000	295,000	10,310,000	27%	912,242	1,188,452	24%	0	0
Jul-23	8,190,000	264,000	336,000	8,390,000	3%	1,004,992	1,028,684	3%	0	0
Aug-23	8,210,000	264,839	299,000	8,250,000	1%	1,013,297	1,143,904	12%	0	0
Sep-23	7,750,000	258,333	230,000	7,330,000	6%	845,286	933,329	10%	0	0

  means UP  
  means DOWN

### LaConner Wastewater Treatment Plant Monthly Data 2019- Present



TimeDate	CaseNumber	NatureDesc	Category
9/20/2023, 10:45 AM	23-12910	Vehicle Accident	Motor Vehicle Incidents
9/20/2023, 11:49 AM	23-12913	Juvenile Problem	Other Incidents
9/20/2023, 5:08 PM	23-12932	Alarm	Other Incidents
9/22/2023, 10:48 AM	23-13008	Fraud Violation	Fraud
9/22/2023, 7:42 PM	23-13035	Controlled Substance Problem	Drug/Alcohol
9/23/2023, 8:07 AM	23-13053	Vehicle Prowl	Property Crimes
9/23/2023, 10:38 AM	23-13059	Vehicle Prowl	Property Crimes
9/23/2023, 2:27 PM	23-13066	Vehicle Prowl	Property Crimes
9/24/2023, 2:43 PM	23-13109	Traffic Enforcement	Motor Vehicle Incidents
9/25/2023, 5:11 PM	23-13171	Alarm	Other Incidents
9/25/2023, 5:50 PM	23-13176	911 Hangup Call	Other Incidents
9/27/2023, 12:48 PM	23-13262	Welfare Check	Other Incidents
9/28/2023, 9:41 AM	23-13299	Boating Incident Or Problem	Motor Vehicle Incidents
9/29/2023, 3:49 PM	23-13357	Threats	Crimes Against Person
9/30/2023, 5:53 PM	23-13416	Juvenile Problem	Other Incidents
10/1/2023, 9:22 AM	23-13445	Juvenile Problem	Other Incidents
10/1/2023, 12:26 PM	23-13455	Animal Problem	Other Incidents
10/2/2023, 11:28 PM	23-13522	Traffic Enforcement	Motor Vehicle Incidents
10/3/2023, 10:03 AM	23-13535	Removal Of Person	Crimes Against Person
10/3/2023, 11:34 AM	23-13546	Disorderly Conduct	Other Incidents

In Town Hours 108

In Zone Hours 589

National Geographic, Esri, Garmin, HERE, UNEP-WCMC, USGS, NASA, ESA, METI, NRCAN, GEBCO, NC

Header

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# Map County

Map County  
Map County Region Locator

• NPDES Geolocator View

Info Summary • ArcGIS World Geocoding Service

+



Home



Incidents in Current View

20

- Crimes Against Person 2
- Drug/Alcohol 1
- Fraud 1
- Motor Vehicle Incidents 4
- Other Incidents 9
- Property Crimes 3

-122.470 48.395 Degrees

1000ft

Attribute  
Table



# Unfinished Business

- 1) Center Street Project – Discussion – No Insert**
- 2) Jenson Property – Discussion – No Insert**
- 3) Ordinance – Amending Titles 5 & 15 LMC (Adult Businesses)**
- 4) Budget Discussions – See Special Meeting Packet**

## TOWN OF LA CONNER



### ORDINANCE NO.\_\_\_\_\_

#### **AN ORDINANCE OF THE TOWN OF LA CONNER, WASHINGTON AMENDING TITLES 5 and 15 OF THE TOWN'S UNIFORM DEVELOPMENT CODE**

**WHEREAS**, the Town of La Conner currently has no regulations related to the placement of adult businesses within the community; and

**WHEREAS**, the State of Washington allows communities to regulate adult businesses; and

**WHEREAS**, the State of Washington does not allow communities to prohibit adult businesses; and

**WHEREAS**, the Town desires to regulate adult businesses in accordance with the requirements as set forth by the State of Washington; and

**WHEREAS**, the Town has provided these proposed updates to the Washington State Department of Commerce (Commerce) in accordance with RCW 36.70A.106, with no comment received during that department's 60-day review period; and

**WHEREAS**, the La Conner Planning Commission held a public hearing on this proposed update on May 16, 2023; and

**WHEREAS**, the La Conner Planning Commission, after fully, fairly and carefully considering the public input and staff materials relevant to this proposed update to the La Conner Municipal Code, has recommended to the La Conner Town Council that this proposal be approved; and

**WHEREAS**, the La Conner Town Council held a public hearing on these proposed amendments to the La Conner Development Code on May 23, 2023, at which time public comment was taken; and

**WHEREAS**, the Town Council determines it to be in the public interest that the La Conner Municipal Code reflect the values of the community; and

**WHEREAS**, the La Conner Town Council determines that these proposed amendments to the La Conner Development Code are consistent with the Growth Management Act, the Skagit County-Wide Planning Policies, and all other relevant local, county, and state regulations;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF  
LA CONNER:**

**SECTION 1.** The Town Council does hereby adopt the above recitals as set forth fully herein.

**SECTION 2.** The Town Council adopts the Planning Commission's recommendations, findings of fact, and conclusions of law as follows:

**PLANNING COMMISSION RECOMMENDATIONS:**

**5.25.020 Definitions.**

In construing this chapter, except when otherwise plainly declared or clearly apparent from context, the following definitions shall be applied:

(1) "Adult entertainment" means any exhibition, performance, or dance of any type conducted in a premises where such exhibition, performance, or dance involves an entertainer who:

(i) Is unclothed or in such attire, costume, or clothing as to expose to view any portion of the breast below the top of the areola or any portion of the pubic region, anus, buttocks, vulva, or genitals; or

(ii) Touches, caresses, or fondles the breasts, buttocks, anus, genitals, or pubic region of another person, or permits the touching, caressing, or fondling of the entertainer's own breasts, buttocks, anus, genitals, or pubic region by another person, with the intent to sexually arouse or excite another person.<sup>1</sup>

(2) "Adult business" means any business to which the public, patrons, or members are invited or admitted where an entertainer provides adult entertainment to a member of the public, a patron, or a member.

(4) "Manager" means any person who manages, directs, or administers the affairs or conduct of a portion of the activity within an adult business, including assistant managers working with or under the direction of a manager to carry out such purposes.

(5) "Entertainer" means any person who provides live adult entertainment in an adult business, whether or not the person is an employee of the adult business, and whether or not a fee is charged or accepted for such entertainment.

(6) All definitions as applied in 5.05.020 LCMC shall be applied to this chapter.

**Chapter 15.140 Adult Business Location Requirements**

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### **5.140.010 Provisions.**

The provisions of this chapter shall be deemed an exercise of the police power of the town of La Conner, Washington, for the protection of the public, economic and social welfare, health, peace and morals, and all of its provisions shall be liberally construed for the accomplishment of that purpose.

### **5.140.020 Definitions**

In construing this chapter, except when otherwise plainly declared or clearly apparent from context, the following definitions shall be applied:

- (1) All definitions as applied in 5.25.020 LCMC shall be applied to this chapter

### **5.140.030 Allowed**

An adult business shall only be permitted in the following zones as classified in 15.15 LCMC:

- (1) Light and Medium Industry
- (2) Port Industrial

### **5.140.040 Restricted**

An adult business shall not be located or maintained within any of the following zones as classified in 15.15 LCMC:

- (1) Residential
- (2) Commercial
- (3) Public Use
- (4) Historic Preservation District
- (5) Transitional/Commercial

An adult business shall not be located or maintained within five hundred feet, from the nearest property line of the adult business to the nearest property line of any of the following uses or zones located inside or outside the town of La Conner.

- (1) School districts

PASSED AND ADOPTED by vote of the La Conner Town Council this \_\_\_\_ day of October, 2023.

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Ramon Hayes, Mayor

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Maria DeGoede, Finance Director

Approved as to form:

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Scott Thomas, Town Attorney

# New Business

- 1) Ordinance – Dissolve LMC 2.05.015 (Notice Publishing)**
- 2) Resolution – Adopting Meeting Notification Policy**
- 3) Formation of Transportation Benefit District – Discussion**

**Ordinance – Dissolve LMC 2.05.015  
(Notice Publishing)**



## *Town of La Conner*

Date: September 27, 2023  
To: Mayor and Town Council  
From: Scott G. Thomas, Town Administrator  
Subject: Meeting Notification Policy

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The La Conner Weekly News has for several years printed the agenda for upcoming La Conner Town Council meetings. Because the paper is printed and distributed six days in advance of the meeting, and because the deadline for submitting materials to the Weekly News is eight days in advance of the next meeting (and the Town's own deadline for developing the agenda is before that), the agenda printed in the Weekly News is frequently outdated and inaccurate by the time the meeting takes place. Simply put, things arise after the deadlines, that must be considered at the next meeting.

Moreover, RCW 35.27.300 directs towns to "establish a procedure for notifying the public of upcoming hearings and the preliminary agenda for the forthcoming council meeting." Publication of the agenda in the town's official newspaper may be a part of the procedure, but is not required. As it turns out, La Conner is the only community in Skagit County that has published the council agenda for upcoming meetings in the newspaper; all other cities and towns have discontinued this approach.

The proposed policy establishes the Town's web site as containing the most accurate information concerning the agenda for Town Council and all commission meetings. This will allow the Council agenda to be developed up until the time that the Council packet is customarily distributed, at midday on the Friday before the upcoming meetings, and the agendas for commission meetings to be developed in accordance with existing practices.

## *Town of La Conner*



### **ORDINANCE NO.**

#### **AN ORDINANCE OF THE LA CONNER TOWN COUNCIL AMENDING SECTION 2.05.015 OF THE LA CONNER MUNICIPAL CODE TO PROVIDE FOR THE ESTABLISHMENT OF A POLICY TO PROVIDE NOTICE TO THE PUBLIC OF UPCOMING COUNCIL MEETINGS.**

#### **BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF LA CONNER:**

**Section 1.** That Section 2.05.015 of the La Conner Municipal Code is hereby revised and reenacted, the amended section to read as follows:

##### **2.05.015 Public notice of meetings and hearings.**

Pursuant to RCW 35.27.300, towns are required to establish a procedure for notifying the public of ~~upcoming hearings and the preliminary agenda for the forthcoming council meeting. The procedure followed by Town Council of the town of La Conner shall adopt a policy and procedure by resolution.~~ is as follows:

~~(1) Notices. Except where a specific means of notifying the public of a public hearing is otherwise provided by law or ordinance, notice of upcoming public hearings before the town council or the town's planning commission shall be given by one publication of a notice containing the time, place, date, subject, and body before whom the hearing is to be held, in the town's official newspaper at least six days before the date set for the hearing.~~

~~(2) Preliminary Agenda of Council Meeting. The public shall be notified of the proposed agenda for the forthcoming regular town council meeting by posting a copy of the agenda in the following public places in the town at least 24 hours in advance of the meeting:~~

- ~~(a) La Conner Town Hall, 204 Douglas Street, La Conner, WA 98257;~~
- ~~(b) Town of La Conner website: <http://www.townoflaconner.org>;~~
- ~~(c) Notification to the town's official newspaper.~~

~~(3) Duties of Town Clerk.~~ The town clerk is directed to publish notices and post agendas as required by subsections (1) and (2) of this section.

~~RCW 42.30.080 addresses the subject of special meetings. For special meetings, only those items specifically listed on the agenda may be discussed, considered, or decided.~~

The town clerk is responsible for posting the notice of ~~a special council~~ public meeting at least 24 hours in advance of the meeting at the La Conner Town Hall.

~~(4) Special Meetings.~~ Special meetings may be called by either the mayor, or ~~the~~ mayor pro tem ~~acting in the mayor's absence~~, or by the written request of three councilmembers. Request for a special meeting must be submitted in writing to the town clerk 24 hours prior to the meeting. In accordance with RCW 42.30.080, now or as amended, the notice of a special meeting will be made by the town clerk by delivering personally, by mail, email, or by facsimile written notice to each member of the council and to each local newspaper of general circulation, and to each local radio or television station which has on file with the town a written request to be notified of such special meeting or of all special meetings at least 24 hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted.

The notices provided in this section may be dispensed with in the event a special meeting is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of such notice would make notice impractical, and increase the likelihood of such injury or damage.

At all regular and special meetings, public comments are invited during a public hearing before or during consideration of any item on the agenda. Public comment is appropriate on any matter within the jurisdiction of the town council.

~~(a) Study Sessions.~~ The town council may meet informally in a study session. The study session is the forum used by council to review forthcoming programs of the town, to receive progress reports on current issues, or to receive similar information from the town administrator and others. Further, the purpose of study sessions is to allow councilmembers to do concentrated preliminary work with administration on single subjects of time consuming, complex matters (i.e., budget, complex legislation or reports, etc.). One of the goals of study sessions is to allow a less formal atmosphere within which councilmembers may ask questions of staff and each other, as opposed to taking time at regular meetings, thus shortening the time spent at regular meetings. Study sessions shall be in a less formal setting, but shall not discourage public observation.

All discussions and conclusions held during a study session are of an informal nature. No final action is taken while in a study session.

No audience participation is allowed during the course of any study session, unless permitted by the consent of a majority of the council present.

Approved by vote of the La Conner Town Council this 10th day of October, 2023.

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Mayor Ramon Hayes

Attest:

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Maria De Goede, Finance Director

Approved as to form:

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Scott Thomas, Town Attorney

**Resolution –**  
**Adopting Meeting Notification Policy**

*Town of La Conner*



**RESOLUTION NO.**

**A RESOLUTION ADOPTING THE TOWN OF LA CONNER MEETING  
NOTIFICATION POLICY**

**WHEREAS**, RCW 35.27.300 governs notification requirements of hearings of cities and towns, and directs every town to establish a procedure for notifying the public of upcoming hearings and the preliminary agenda for forthcoming council meetings; and

**WHEREAS**, the Town Council desires to establish a policy that addresses the form and substance of providing notice of upcoming council and commission meetings; and

**WHEREAS**, additional requirements specific to particular subjects of meetings and/or hearings may be applicable, and this policy is not intended to circumvent such particular noticing requirements;

**NOW THEREFORE, BE IT RESOLVED,**

That the Town Council of the Town of La Conner does hereby adopt the meeting notification policy that is attached hereto and identified as Exhibit "A."

Approved by vote of the La Conner Town Council this 10<sup>th</sup> day of October, 2023.

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Mayor Ramon Hayes

Attest:

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Maria De Goede, Finance Director

Approved as to form:

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Scott Thomas, Town Attorney

## **Exhibit “A”**

### **TOWN OF LA CONNER MEETING NOTIFICATION POLICY**

#### **I. Purpose**

RCW 35.27.300 governs notification requirements of hearings of cities and towns, and provides in pertinent part:

... every town shall establish a procedure for notifying the public of upcoming hearings and the preliminary agenda for the forthcoming council meeting. Such procedure may include, but not be limited to, written notification to the town's official newspaper, publication of a notice in the official newspaper, posting of upcoming council meeting agendas, or such other processes as the town determines will satisfy the intent of this requirement.

This Policy shall constitute the Town of La Conner's procedure for notifying the public of upcoming council and commission meetings. Additional requirements for notices of hearings on specific topics may be found in the La Conner Municipal Code and state law, and this policy shall not be construed so as to reduce the requirements of providing such notices.

#### **II. Procedures.**

A. Content. The content of a meeting notice for the Town Council or any La Conner commission shall include the following:

- 1) date, time, and place of the meeting;
- 2) the agenda that is expected to be discussed; and
- 3) if the meeting will be made available for remote viewing, the information necessary to log into the remote viewing option.

B. Electronic copies of the agenda, and accompanying reports and documents for Town Council meetings, are to be posted on the Town website, typically no later than 1:00 p.m. the Friday before a meeting.

C. Electronic copies of the agenda, and accompanying reports and documents for the meetings of any La Conner commission are to be posted on the Town website, typically no later than 48 hours before the meeting.

D. If the agenda items for any meeting is revised, the meeting agenda should be updated on the Town website.

E. A paper copy of the entire packet for any Town Council or Commission meeting shall be made available for viewing at Town Hall.

F. Notification of upcoming council meetings may be published in the official newspaper. Such notification shall direct the reader to those locations at which an agenda may be viewed, including the Town web site. An abbreviated agenda may be, but is not required to be published with the notification at Town cost, but such abbreviated agenda shall not be construed to be a complete or final agenda. In addition, the complete Town Council packet and the agenda for all commission meetings shall be forwarded to the official newspaper.

**III. Special Meetings.** Notice of special meetings will be consistent with RCW 42.30.080.

A. The Council and any La Conner commission may not consider a topic in a special meeting that was not listed under an agenda item and included with the advance public notice of the meeting,

B. In case of emergency which renders it impractical to give the notice identified in the paragraphs above, the best notice practicable shall be given of the time and place of the meeting and of the topics to be considered at the meeting.

**Formation of Transportation Benefit  
District – Discussion**



## *Town of La Conner*

Date: October 3, 2023

To: Mayor and Town Council  
Finance Director  
Public Works Director

From: Scott G. Thomas, Town Administrator

Subject: Transportation Benefit Districts

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At the September 26, 2023 town council meeting, the council directed staff to place an ordinance forming a Transportation Benefit District (“TBD”) on the next council agenda. Because the process to form a TBD is both lengthier and more complex than is typical of many topics the council addresses through an ordinance, I thought it best to provide some background information and describe the formation process.

### **A. BACKGROUND**

Chapter 36.73 RCW authorizes cities and counties to form TBDs, which are quasi-municipal corporations and independent taxing districts that can raise revenue for specific transportation projects. RCW 36.73.040(1). In other words, a TBD is a separate legal entity from the town council. That said, the district board members will be the town council. But it gets even more confusing. After a TBD has been formed, the government that formed the TBD - here, the council – may assume the responsibilities of operating the TBD. I will discuss this in more detail below.

The revenue raised may be used for transportation improvements that have been included in a local, regional, or state transportation plan. RCW 36.73.015(6). Improvements can range from roads and transit service to sidewalks and transportation demand management. Construction, maintenance, and operation costs are eligible. Again, I will discuss this in more detail below.

Transportation Benefit Districts are not uncommon, throughout the state and here in Skagit County. State-wide, cities have formed 113 TBDs. Anacortes formed a TBD in 2014; Sedro-Woolley in 2014; and Mount Vernon in 2016. Anacortes’ and Mount Vernon’s TBDs is funded by a 0.2% sales tax, while Sedro-Woolley’s is funded by a \$20 vehicle license fee.

## **B. FORMATION**

A city may form a TBD by ordinance, following a public hearing, if it finds that the action is in the public interest. Notice of the hearing must specify the functions or activities proposed to be provided or funded by the TBD. The establishing ordinance must specify the boundaries of the district - which may include all or part of the city establishing the TBD - and the transportation improvements that will be funded. The boundaries and functions of the TBD may not be changed without further public hearings.

## **C. GOVERNANCE**

Almost all TBDs share the same boundaries as their establishing jurisdiction in which case they must be governed by the members of that jurisdiction's legislative body – here the town council - acting as a separate legal entity. RCW 36.73.020(3). Even though they comprise the same members, the legislative body must act “ex officio and independently,” RCW 36.73.020(3), and the town council and the TBD governing board are separate and distinct bodies that must hold separate and distinct meetings. In addition to having the authority to impose taxes and fees as described below, a TBD possesses all the usual powers of a corporation for public purposes, including, but not limited to, the authority to hire employees, to enter into contracts, to acquire, hold, and dispose of real and personal property, and to sue and be sued. Even if a TBD elects not to exercise any of these authorities, the TBD must still elect officers, typically consisting of a president, vice president, and secretary. The Town Finance Director will serve as the TBD treasurer in an independent and ex officio capacity. RCW 36.73.020(4). The TBD should establish a regular meeting schedule; frequently the TBD will follow the regular council meeting on a monthly basis, or more often as may be necessary.

However, if the jurisdiction that established the TBD votes to "assume" its powers as described below – which most jurisdictions have – the TBD ceases to be a separate legal entity and no longer requires separate meetings. Nevertheless, TBD meetings must be held until such time as the assumption process has been completed. Before assumption occurs, the TBD must adopt a budget; identify specific TBD-funded projects (which must be first identified in the Six Year Transportation program); and adopt a material change policy.

## **D. ASUMPTION OF POWERS**

Any city or county that forms a TBD with the same boundaries as the city or county may absorb the TBD and assume all of its "rights, powers, functions, and obligations," with the result that the TBD ceases to exist as a separate legal entity.

The legislative authority must first hold a public hearing according to the requirements of RCW 36.74.020-.030. If, after the hearing, the legislative authority determines that “public interest or welfare would be satisfied” by the assumption of the TBD, it passes an ordinance or resolution that abolishes the TBD governing body and vests the legislative

authority with all the rights, powers, functions, and obligations that the TBD governing body possessed.

As a separate legal entity, a TBD has many of the same legal authorities as any municipal corporation – the ability to hire staff, contract for services, sue and be sued, and build transportation projects. The advantage of retaining a separate legal entity is that lawsuits brought against the TBD will shield the Town from liability for the TBD's activities (a TBD would arrange for separate insurance coverage.) A disadvantage is that a separate legal entity must duplicate the same services already provided by the Town, and will increase staff workload. According to MRSC, as of July 2022, about 85% of the cities and towns that have established TBDs have also assumed their powers.

## **E. FUNDING**

Transportation benefit districts are primarily funded through sales taxes and/or vehicle license fees. There are several other funding options available such as border area fuel taxes, bonds, and impact fees, but these are seldom used. There are several limitations on increasing the applicable taxes or fees once they have been established without voter approval. RCW 36.73.065.

**1. Sales and Use Taxes.** According to MRSC, the most common TBD funding source is a sales and use tax of up to 0.3% (RCW 82.14.0455 and 36.73.040(3)(a)).

Effective July 1, 2022, 0.1% of this sales tax may (optionally) be imposed councilmanically (by a majority vote of the TBD governing board), as long as the TBD includes all of the territory within the jurisdiction(s) forming the TBD. Otherwise, the sales tax must be approved by a simple majority of voters.

The sales tax may generally not exceed 10 years, but they may be renewed for additional 10-year periods with voter approval or a vote of the council, as appropriate. The TBD sales tax may only exceed 10 years for the repayment of debt, in which case the ballot measure should state the intended use and duration of the debt service.

**2. Vehicle License Fees.** Another common TBD funding source is a vehicle license fee (RCW 82.80.140, RCW 36.73.040(3)(b)). Once a local TBD is set up, the district's board of directors may vote to charge a local vehicle licensing fee due when a vehicle owner buys new tabs. TBDs may impose councilmanic vehicle license fees up to \$50 without voter approval, subject to the following conditions, or may impose fees up to \$100 with voter approval.

A TBD may impose a non-voted vehicle license fee up to \$20 at any time, but a TBD may only impose a non-voted vehicle license fee above \$20 as follows:

Up to \$40, but only if a \$20 fee has been in effect for at least 24 months.

Up to \$50, but only if a \$40 fee has been in effect for at least 24 months.

Any non-voted fee higher than \$40 is subject to potential referendum, as provided in RCW 36.73.065(6). Any license fees over these amounts, up to a maximum of \$100, must be approved by a simple majority of voters. However, most jurisdictions have opted for the councilmanic (nonvoted) fees.

## **F. MATERIAL CHANGES**

TBDs must adopt a material change policy that addresses significant changes to the transportation improvement finance plan that affect project delivery or the ability to finance the plan. RCW 36.73.160(1). The policy must address material changes to cost, scope, and schedule, the level of change that will require governing body involvement, and how the governing body will address those changes. At a minimum, the policy must require the governing body to hold a public hearing if the revised cost exceeds the original estimate by more than 20%.

## **G. BUDGETS**

State law does not clearly require TBDs to adopt an appropriations budget. However, adopting a budget is considered a best practice, and a number of TBDs have done so, setting up the budget process to coincide with the annual process used by the establishing jurisdiction. It is up to the TBD governing board to develop and adopt a budget policy.

## **H. REPORTING**

Transportation benefit districts must submit annual financial reports to the State Auditor's Office (SAO) using the BARS reporting templates. RCW 43.09.230. For information on the specific TBD accounting requirements, see the BARS Manual, Section 3.11.1 (see Cash Basis Manual and GAAP Manual).

According to MRSC and the state auditor if the council has assumed its TBD, it must still prepare a separate annual financial report for the final (full or partial) year of the TBD's existence, and the city must submit a New Entity Creation or Dissolution Notification form. For all future years after the final report is completed, the TBD's activities will be incorporated into the city's regular annual financial report. See, <https://mrsc.org/stay-informed/mrsc-insight/march-2016/assuming-the-powers-of-your-transportation-benefit>

In addition to the SAO annual financial report, RCW 36.73.160(2) requires TBDs to issue a separate annual transportation improvement report detailing the district revenues, expenditures and the status of all projects, including cost and construction schedules. The report must be distributed to the public and newspapers of record in the district. MRSC's conclusion is that this requirement continues even after a city assumes its TBD.

## **I. ALLOWABLE USES OF REVENUES**

As initially established by the legislature, TBD's could be established "for the purpose of acquiring, constructing, improving, providing, and funding a transportation improvement within the district that is consistent with any existing state, regional, or local transportation plans and necessitated by existing or reasonably foreseeable congestion levels." RCW 36.73.020(1). A "transportation improvement" is defined as "a project contained in the transportation plan of the state, a regional transportation planning organization, city, county, or eligible jurisdiction as identified in RCW 36.73.020(2). A project may include investment in new or existing highways of statewide significance, principal arterials of regional significance, high capacity transportation, public transportation, and other transportation projects and programs of regional or statewide significance including transportation demand management. Projects may also include the operation, preservation, and maintenance of these facilities or programs."

## **TOWN OF LA CONNER**



### **Ordinance No.**

#### **AN ORDINANCE OF THE LA CONNER TOWN COUNCIL AMENDING THE LA CONNER MUNICIPAL CODE TO ENACT A NEW CHAPTER 11.70 - TRANSPORTATION BENEFIT DISTRICT, ESTABLISHING A TRANSPORTATION BENEFIT DISTRICT, SPECIFYING THE BOUNDARIES FOR THE TRANSPORTATION BENEFIT DISTRICT, SPECIFYING THE TRANSPORTATION IMPROVEMENTS TO BE FUNDED, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.**

WHEREAS, the Town Council of the Town of La Conner has the responsibility under the Constitution of the State of Washington for the improvement, maintenance, protection, and operation of public ways within the corporate limits of the Town; and

WHEREAS, the Town has limited transportation funding to pay for necessary transportation preservation and maintenance; and

WHEREAS, the ongoing annual costs to preserve and maintain the Town's transportation infrastructure continue to rise leaving the Town unable to continue to adequately preserve and maintain the Town's transportation infrastructure; and

WHEREAS, RCW 35.21.225 authorizes the Town Council to establish a transportation benefit district subject to the provisions of Chapter 36.73 RCW; and

WHEREAS, the Town desires to form a Transportation Benefit District which includes the entire Town of La Conner as the boundaries currently exist or as they may exist following future annexations; and

WHEREAS, prior to establishing a Transportation Benefit District, the Town Council conducted the required public hearing on November 8, 2023, which was noticed in accordance with RCW 36.73.050. All persons desiring to comment were given a full and complete opportunity to be heard; and

WHEREAS, the Town Council of the Town of La Conner finds it to be in the best interests of the Town to establish a Townwide Transportation Benefit District for the preservation and maintenance of the Town's transportation infrastructure consistent with Chapter 36.73 RCW, to protect the Town's long-term investments in that infrastructure, to reduce the risk of transportation facility failure, to improve safety, to

continue optimal performance of the infrastructure over time, and to avoid more expensive infrastructure replacements in the future; and

WHEREAS, the Town Council of the Town of La Conner shall be the governing body for the Transportation Benefit District acting in an ex officio and independent capacity;

**NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF LA CONNER, WASHINGTON DOES HEREBY ORDAIN AS FOLLOWS:**

**Section 1. Purpose.** The purpose of this Ordinance is to establish a Transportation Benefit District pursuant to RCW 35.21.225 and RCW 36.73.

**Section 2. Findings.** The Town Council finds it in the public interest to provide adequate levels of funding for transportation improvements through establishment of a Transportation Benefit District (TBD or District). The Council further finds the TBD Projects included within the Town's Six-Year Transportation Improvement Program constitute transportation improvements that may be funded by a TBD. The Town Council further finds that it is in the public interest to provide adequate levels of funding for the purposes of ongoing transportation projects that preserve and maintain the transportation infrastructure of the Town of La Conner, consistent with Chapter 36.73 RCW.

**Section 3. Adoption of Chapter.** Chapter 11.70 La Conner Transportation Benefit District, is hereby adopted to read as follows:

## **Chapter 11.70 LA CONNER TRANSPORTATION BENEFIT DISTRICT**

Sections:

- 11.70.010 Establishing Transportation Benefit District
- 11.70.020 Governing Board
- 11.70.030 Functions of the District
- 11.70.040 Transportation Improvements Funded
- 11.70.050 Dissolution of District

**11.70.010 Establishing Transportation Benefit District.** Pursuant to RCW 35.21.225 and chapter 36.73 RCW there is created a transportation benefit district to be known as the La Conner Transportation Benefit District or "District" with geographical boundaries comprised of the corporate limits of the Town as they currently exist or as they may exist following future annexations.

### **11.70.020 Governing Board.**

A. The governing board or "Board" of the transportation benefit district shall be the La Conner Town Council acting in an ex officio and independent capacity, which shall have the authority to exercise the statutory powers set forth in Chapter 36.73 RCW. The TBD Board shall elect a Chair to preside over meetings of the Board.

B. The treasurer of the transportation benefit district shall be the Town Finance Director.

C. Meetings of the Board shall be governed by the procedural rules applicable to meetings of the Town Council, as those rules may be amended from time to time by the Council. Board actions shall be taken in the same manner and follow the same procedures as for adoption of Town Council resolutions.

D. The Board shall develop a material change policy to address major plan changes that affect project delivery or the ability to finance the plan, pursuant to the requirements set forth in RCW 36.73.160(1). If a transportation improvement exceeds its original cost by more than twenty percent, as identified in the District's original plan, a public hearing shall be held to solicit public comment regarding how the cost change should be resolved.

E. The Board shall issue an annual report, pursuant to the requirements of RCW 36.73.160(2).

**11.70.030 Functions of the District.** Powers of Transportation Benefit District. The District shall possess all the powers and authority of a Transportation Benefit District authorized under Chapter 36.73 RCW including without limitation the power to request voter approval of, and thereafter imposition and collection of a sales and use tax in accordance with RCW 82.14.0455. In particular, and without limitation, the District shall explicitly have the following authorities which may be exercised by the Board:

A. The Board may authorize a vehicle tax fee of up to \$20 per vehicle as provided for by RCW 82.80.140.

B. The Board may authorize a sales and use tax in accordance with the provisions of RCW 36.73.065 and 82.14.0455. When authorized by the voters as may be required by Chapter 36.73 RCW, and in accordance with the provisions of Chapter 36.73 RCW, taxes, fees, charges and tolls, or increases in services may be assessed for the preservation, maintenance, and operations of Town streets. Additional transportation improvements may be added to the functions of the District upon compliance with the requirements of Chapter 36.73 RCW.

**11.07.040 Transportation Improvements Funded.** The funds generated by the transportation benefit district shall be used for transportation improvements that preserve, maintain, and operate the existing transportation infrastructure of the Town, consistent with the requirements of Chapter 36.73 RCW. The funds may be utilized for any lawful purpose under the Chapter; but all funds raised through the TBD shall be expended only for such preservation, maintenance, and operation in accordance with the provisions of Chapter 36.73 RCW as the same exists or is hereafter amended. The funds expended by the District shall preserve, maintain, and operate the Town's previous investments in the transportation infrastructure, reduce the risk of transportation facility failure, improve safety, continue the cost-effectiveness of the Town's infrastructure investments, and continue the optimal performance of the transportation system. Additional transportation improvement projects may be funded

only after compliance with the provisions of RCW 36.73.050(b) following notice, public hearing, and enactment of an authorizing ordinance.

**11.07.050 Dissolution of District.** The transportation benefit district shall be dissolved in accordance with the procedures set out in Chapter 36.73 RCW when all indebtedness, if any, of the District has been retired and when all of the District's anticipated responsibilities have been satisfied. Street preservation, maintenance, and operation are ongoing, long-term obligations of the Town.

**Section 3. Severability.** If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause, or phrase of this ordinance.

**Section 4. Effective Date.** This ordinance shall take effect five (5) days after passage and publication of an approved summary consisting of the title.

Adopted by a vote of the La Conner Town Council this \_\_\_\_\_ day of October, 2023.

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Ramon Hayes, Mayor

ATTEST:

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Maria DeGoede, Town Clerk

APPROVED AS TO FORM:

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Scott G. Thomas  
Town Attorney