



TOWN COUNCIL AGENDA

February 13, 2024, 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

I. Call to Order

II. Pledge of Allegiance

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

IV. Presentations: Cascadia Renewables – Firehall Solar Grant Feasibility Study

V. CONSENT AGENDA

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

1. Approval of the Minutes: Council Meeting of January 23, 2024 &
Special Meeting of January 26, 2024 (Audit Exit)
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 Public Process Discussion
3. **PUBLIC HEARING** – Transportation Benefit District
4. Ordinance – Transportation Benefit District
5. **PUBLIC HEARING** – Chapter 10 of the Comprehensive Plan
6. Ordinance – Chapter 10 of the Comprehensive Plan
7. **PUBLIC HEARING** – UDC Updates (Discussion)

VIII. NEW BUSINESS

1. Agreement – National Hose Testing
2. Bid Recommendation – Fire Hall Roof
3. Resolution – Recognition of Emergency Management Commissioner Bill Stokes
4. Ordinance – Revision of Chapter 2.225 Emergency Management Commission Members

IX. MAYOR ROUNDTABLE:

1. Zoom Meetings - Discussion
2. First Street Public Process - Discussion

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.

Ordinance 1241
Resolution 637

Join Zoom Meeting – This Meeting will be Recorded

<https://phaudowud-online.zoom.us/j/89433245240?pwd=VGZoNWNjcXltOTFSaFd0cXRaRnB3QT09>

Meeting ID: 894 3324 5240

Passcode: 251573

One tap mobile

Phone Number: 1-253-215-8782

Find your local number: <https://us02web.zoom.us/j/kdzUmlTtO0>

Consent Agenda

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

Town of La Conner
Town Council Meeting
January 23, 2024 – 6:00 p.m.

The meeting of the La Conner Town Council was called to order at 6:00 p.m. by Mayor Hanneman.
Present: Councilmembers Taylor, Dole, Chamberlain and Wohleb.
Also present: Administrator Thomas and Finance Director DeGoede and Public Works Director Lease.

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

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

Public Comments:

John Turbeville and Laura Wise of 112 Lumi Drive are concerned of the potential fire hazard of the Moore Clark Building. Administrator Thomas stated the situation is being addressed.

Resident Linda Talman shared she has been involved in the Nonmotorized Committee, which has been updating the bike map. They still need La Conner's information.

Consent Agenda:

Approval of Agenda

Approval of the Minutes of the January 9, 2024 Council Meeting.

Accounts Payable:	Checks	26743 - 26779	\$135,025.86
	Voided Check	26675	
	Electronic Pmts.	2018186 - WA Federal Bank	\$92.49
		2018187 – Leasehold Taxes	\$1,574.65
		<u>2018188 – Excise Taxes</u>	<u>\$9,800.81</u>
	Total Accounts Payable		\$146,493.81
Payroll of January 19, 2024:	Checks 5839 - 5845		\$2,068.98
	Payroll Auto Tax Payment #2018185		\$8,555.02
	<u>Payroll Auto Deposit</u>		<u>\$25,705.81</u>
	Total Payroll		36,329.81

Councilmember Chamberlain moved to approve the Consent Agenda as presented. Motion seconded by Councilmember Dole. Motion carried 4/0.

Administrator's Report:

Administrator Thomas noted the upcoming events. The Birding Festival on February 3rd and 4th, the Murder Mystery on March 23rd and on February 8th the Mayor, available Councilmembers and himself will be attending Legislature Day in Olympia to address Town needs, primarily the fireboat. Also, Maple Hall will be closed March 19th through April 10th for the installation of the HVAC system.

Mayor's Report:

Mayor Hanneman shared her first "Meet with the Mayor" was successful with ten attendees and discussions primarily on promoting civic ambassadors and affordable housing. She also attended the school board meeting. The staff is working on raising funds for the Senior trip this year to Disneyland and starting a drama club.

Council Committee Reports:

Emergency Management Commission:

Councilmember Dole stated they will be present at the Skagit Community Solar event.

Parks Commission:

Councilmember Wohleb shared the following:

- There has been progress with the building of the Waterfront Park Pavilion.
- The Commission is looking at going for another grant for the fish slide.
- Working on a adopt a tree program.
- QR codes for all the parks and creating a written history of the parks.
- Vandalism in the parks has been a big concern lately, with the restroom locks destroyed and graffiti.

Jensen Property:

Mayor Hanneman felt it might be time to start discussions on the plans for the property with affordable housing as one of the top community concerns. Councilmember Chamberlain noted it will be a process with community participation on options for the property.

6:21 p.m. Recording of the Meeting was turned off due to disruptive access to the meeting.

2024 Tribal Rates:

Administrator Thomas stated this is an annual process with David Evans & Associates. Staff is familiarizing with the complex spreadsheets for future annual reconciliations. The 2024 Tribal Rate will be 0.6116 per hundred gallons.

Councilmember Wohleb moved to approve the 2024 Tribal rates as presented. Motion seconded by Councilmember Dole. Motion carried 4/0.

Solarize Skagit:

Councilmember Wohleb lead the discussions through her presentation on the numbers from last year's responses and the timeline for 2024. Information will be posted on the Town website and flyers will be mailed out in the utility bills.

Code of Conduct:

Administrator Thomas distributed a draft he modeled after the City of Enumclaw's. He has also sent it out to the commissions. It was decided Council and the commissions will review it and send him changes or additions.

Finance Director stated the Auditor's Exit Meeting will be on Friday the 26th at 1:00 p.m. She has sent out invites and so far, Councilmembers Taylor and Chamberlain are attending, as well as the Mayor. Councilmember Wohleb noted she will also attend.

Mayor Roundtable:

Councilmember Chamberlain discussed the need for Community outreach is not as great due to the different ways we are now communicating with the public. However, she is going to continue her outreach at the Retirement Inn. Mayor Hanneman suggested having her next "Meet the Mayor" at the Retirement Inn.

There being no further business the meeting ended at 6:51 p.m.

Maria DeGoede, Finance Director

Marna Hanneman, Mayor

Town of La Conner

Town Council Special Meeting
January 26, 2024, 1:00 p.m.
Town Hall, 204 Douglas Street
And by Microsoft Teams

Present: Councilmembers Taylor, Chamberlain and Wohleb

Also Present: Administrator Thomas, Finance Director DeGoede, Public Works Director Lease and Deputy Clerk Moore

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

The meeting was called to order by Mayor Hanneman for the 2021/2022 Audit Exit Conference.

State Auditors Present:

Kelly Collins, Director of Local Audit

Wendy Choy, Assistant Director of Local Audit

Deena Garza, Audit Manager

Scott Hylton Assistant Audit Manager

David Yost, Audit Lead

Auditor's reviewed the Town's Accountability and Financial Statements Audit and found no reportable instances of noncompliance or deficiencies in internal control.

There being no further business the meeting ended at 1:40 p.m.

Maria DeGoede, Finance Director

Marna Hanneman, 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 the February 13, 2024 Claims have been received and that;

Checks Numbered:	26780 - 26828	\$185,115.04
Voided Check	26772	

Auto Payments:	#2018194 - Invoice Cloud	\$163.00
	#2018195 - US Bank Fees	\$24.79

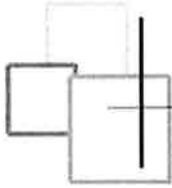
Are approved for a total payment of \$185,302.83 this 13th day of February 2024.

Finance Director

Councilmember – Finance Committee

Councilmember – Finance Committee

Councilmember



Voucher Directory

Fiscal: : 2024 - February

Council Date: : 2024 - February - 1st Council Meeting

Vendor	Number	Reference	Account Number	Description	Amount
Andrea's House Cleaning Services					
	26780			2024 - February - 1st Council Meeting	
		Invoice - 4058			
			Town Hall/Sheriff Cleaning		
			001-000-518-30-48-01	Building Repair & Maintenance	\$350.00
		Total Invoice - 4058			\$350.00
	Total 26780				\$350.00
Total Andrea's House Cleaning Services					\$350.00
Arne Svendsen Trucking, Inc.					
	26781			2024 - February - 1st Council Meeting	
		Invoice - 61132			
			1 1/4 Crushed Rock		
			409-000-535-80-48-01	Plant Repair & Maintenance	\$808.23
		Total Invoice - 61132			\$808.23
		Invoice - 61148			
			Utility Sand		
			401-000-534-80-48-03	System Repair & Maintenance	\$479.87
		Total Invoice - 61148			\$479.87
		Invoice - 61155			
			5/8" x 0" Crushed Rock		
			401-000-534-80-48-03	System Repair & Maintenance	\$804.75
		Total Invoice - 61155			\$804.75
	Total 26781				\$2,092.85
Total Arne Svendsen Trucking, Inc.					\$2,092.85
Badger Meter, Inc.					
	26782			2024 - February - 1st Council Meeting	
		Invoice - 80148991			
			Meter Hosting Fees		
			401-000-534-80-41-00	Professional Services	\$57.01
				Hosting Serv Unit	
		Total Invoice - 80148991			\$57.01
	Total 26782				\$57.01
Total Badger Meter, Inc.					\$57.01

Vendor	Number	Reference	Account Number	Description	Amount
Bay City Supply					
	26783			2024 - February - 1st Council Meeting	
		Invoice - 352162			
			Paper Towels & Cleaners		
			003-000-575-50-48-01	Building Repair & Maint-MH/MC	\$337.20
		Total Invoice - 352162			\$337.20
		Invoice - 352163			
			Cleaner, Paper Towels, TP & Spray		
			003-000-575-50-31-05	Public Restroom Supplies	\$213.37
		Total Invoice - 352163			\$213.37
		Invoice - 352163A			
			10 Cases of TP		
			003-000-575-50-31-05	Public Restroom Supplies	\$955.68
		Total Invoice - 352163A			\$955.68
		Invoice - 352164			
			Garbage Bags		
			003-000-575-50-31-05	Public Restroom Supplies	\$640.85
		Total Invoice - 352164			\$640.85
	Total 26783				\$2,147.10
Total Bay City Supply					\$2,147.10
Canon Financial Services INC.					
	26784			2024 - February - 1st Council Meeting	
		Invoice - 31914695			
			Copier Lease		
			001-000-518-30-40-00	Lease Agreement Tax	\$10.47
			001-000-591-31-70-00	Rents & Leases - Capital	\$121.67
			70%		
			401-000-534-80-40-00	Lease Agreement Tax	\$2.24
			401-000-591-31-70-00	Rents & Leases - Capital	\$26.07
			15%		
			409-000-535-80-40-00	Lease Agreement Tax	\$2.24
			409-000-591-31-70-00	Rents & Leases - Capital	\$26.07
			15%		
		Total Invoice - 31914695			\$188.76
	Total 26784				\$188.76
Total Canon Financial Services INC.					\$188.76
Cascade Natural Gas Corp					
	26785			2024 - February - 1st Council Meeting	
		Invoice - CascadeNatGasFeb2024			
			Utility - Gas		
			001-000-518-30-47-00	Public Utility Services	\$350.18
			204 Douglas-Town Hall		
			001-000-522-20-47-00	Public Utility Services	\$436.56
			12142 Chilberg-Fire Hall		

Vendor	Number	Reference	Account Number	Description	Amount
			003-000-575-50-47-01	Public Utility Services-MH/MC	\$783.45
			108 Commercial-MH/MC		
			003-000-575-50-47-02	Public Utility Services-GC	\$346.25
			622 S 2nd Street-GC		
			401-000-534-80-47-00	Public Utility Services	\$479.77
			604 N 3rd Street - PW		
			409-000-535-80-47-00	Public Utility Services	\$1,177.47
			12154 B Chilberg - Sewer		
			409-000-535-80-47-00	Public Utility Services	\$469.92
			12154 Chilberg - WWTP		
			Total Invoice - CascadeNatGasFeb2024		\$4,043.60
			Total 26785		\$4,043.60
			Total Cascade Natural Gas Corp		\$4,043.60

CivicPlus

26786

2024 - February - 1st Council Meeting

Invoice - 290924

Website/Hosting/Support Annual Fees

001-000-518-30-42-01	Webpage	\$2,100.00
40%		
002-000-576-80-48-00	Software Maintenance	\$735.49
10%		
003-000-575-50-48-00	Software Maintenance	\$735.49
10%		
401-000-534-80-48-01	Software Maintence	\$777.41
10%		
403-000-531-38-48-01	Software Maintenance	\$735.49
10%		
409-000-535-80-48-00	Software Maintenance	\$635.49
10%		
412-000-554-90-48-03	Software Maintenance	\$635.49
10%		

Total Invoice - 290924

\$6,354.86

Total 26786

\$6,354.86

Total CivicPlus

\$6,354.86

Copiers Northwest

26787

2024 - February - 1st Council Meeting

Invoice - INV2768382

Copies

001-000-518-30-31-00	Office & Operating Supplies	\$27.46
70		
401-000-534-80-31-00	Office & Operating Supplies	\$5.89
15		
409-000-535-80-31-00	Office & Operating Supplies	\$5.89

Vendor	Number	Reference	Account Number	Description	Amount
			15		
		Total Invoice - INV2768382			\$39.24
	Total 26787				\$39.24
Total Copiers Northwest					\$39.24
Crystal Springs					
	26788			2024 - February - 1st Council Meeting	
		Invoice - 5383122-012424			
		Water/Distilled Water			
		001-000-518-30-47-00		Public Utility Services	\$63.90
		409-000-535-80-31-02		Lab Supplies	\$67.68
				WWTP Distilled Water	
		Total Invoice - 5383122-012424			\$131.58
	Total 26788				\$131.58
Total Crystal Springs					\$131.58
David Evans & Associates Inc.					
	26789			2024 - February - 1st Council Meeting	
		Invoice - 553761			
		Sewer Plant Upgrade - Engineering			
		409-000-535-80-41-04		Engineering	\$1,579.67
		Total Invoice - 553761			\$1,579.67
		Invoice - 553763			
		Center Street/Talmon DE Agreement			
		005-000-552-30-41-02		DE Engineering Fees	\$22.42
		401-000-534-80-41-02		DE Engineer Fees	\$22.43
		403-000-531-38-41-05		DE Engineering Fees	\$22.42
		409-000-535-80-41-08		DE Engineering Fees	\$22.42
		Total Invoice - 553763			\$89.69
		Invoice - 553764			
		931 Maple Ave. DE Agreement			
		401-000-534-80-41-02		DE Engineer Fees	\$236.98
		403-000-531-38-41-05		DE Engineering Fees	\$236.98
		Total Invoice - 553764			\$473.96
		Invoice - 553866			
		Water System Plan			
		401-000-594-34-64-02		Capital Projects	\$192.81
		Total Invoice - 553866			\$192.81
	Total 26789				\$2,336.13
Total David Evans & Associates Inc.					\$2,336.13

Vendor	Number	Reference	Account Number	Description	Amount
E & E Lumber	26790	2024 - February - 1st Council Meeting			
		Invoice - 650835			
		Materials for the Waterfront Gazebo			
		002-000-576-80-48-01	Building Repair & Maintenance		\$17,204.14
		Total Invoice - 650835			
					\$17,204.14
	Total 26790				\$17,204.14
Total E & E Lumber					\$17,204.14
EDASC	26791	2024 - February - 1st Council Meeting			
		Invoice - EDASC2024			
		2024 EDASC Services			
		001-000-518-90-41-10	Dues & Memberships		\$2,165.00
		Total Invoice - EDASC2024			
					\$2,165.00
	Total 26791				\$2,165.00
Total EDASC					\$2,165.00
Edge Analytical	26792	2024 - February - 1st Council Meeting			
		Invoice - 23-38041			
		Compost Testing			
		412-000-554-90-48-05	Compost Testing/Materials		\$185.00
			Compost Testing Biosolids		
		Total Invoice - 23-38041			
					\$185.00
		Invoice - 24-00163			
		Influent/Effluent Testing			
		409-000-535-80-48-05	Materials/Testing		\$392.00
			Sewer Testing		
		Total Invoice - 24-00163			
					\$392.00
		Invoice - 24-00926			
		Influent/Effluent Testing			
		409-000-535-80-48-05	Materials/Testing		\$388.50
			Sewer Testing		
		Total Invoice - 24-00926			
					\$388.50
		Invoice - 24-01410			
		Effluent Testing			
		409-000-535-80-48-05	Materials/Testing		\$49.50
			Sewer Testing		
		Total Invoice - 24-01410			
					\$49.50
		Invoice - 24-01907			
		Effluent Testing			
		409-000-535-80-48-05	Materials/Testing		\$49.50
			Sewer Testing		
		Total Invoice - 24-01907			
					\$49.50

Vendor	Number	Reference	Account Number	Description	Amount
		Invoice - 24-02495			
		Effluent Testing			
			409-000-535-80-48-05	Materials/Testing	\$49.50
				Sewer Testing	
		Total Invoice - 24-02495			\$49.50
		Invoice - 24-38042			
		Compost Testing			
			412-000-554-90-48-05	Compost Testing/Materials	\$793.00
				Compost Testing Biosolids	
		Total Invoice - 24-38042			\$793.00
	Total 26792				\$1,907.00
Total Edge Analytical					\$1,907.00
ESO Solutions Inc.					
26793				2024 - February - 1st Council Meeting	
		Invoice - ESO-131788			
		NFIRS			
			001-000-522-20-41-00	Professional Services	\$86.58
		Total Invoice - ESO-131788			\$86.58
	Total 26793				\$86.58
Total ESO Solutions Inc.					\$86.58
Grainger					
26794				2024 - February - 1st Council Meeting	
		Invoice - 9001896621			
		Flat-free Foam Wheel Repair			
			409-000-535-80-48-01	Plant Repair & Maintenance	\$114.38
		Total Invoice - 9001896621			\$114.38
		Invoice - 9950641382			
		Control Module			
			003-000-575-50-48-05	Public Restrooms - Repair & Maint.	\$237.25
		Total Invoice - 9950641382			\$237.25
		Invoice - 9968269291			
		Spray Cleaner			
			409-000-535-80-48-01	Plant Repair & Maintenance	\$14.21
		Total Invoice - 9968269291			\$14.21
		Invoice - 9975924029			
		Spray Nozzle & Cold Patch			
			409-000-535-80-48-01	Plant Repair & Maintenance	\$210.67
		Total Invoice - 9975924029			\$210.67
	Total 26794				\$576.51
Total Grainger					\$576.51

Vendor	Number	Reference	Account Number	Description	Amount
H.D. Fowler Company 26795	2024 - February - 1st Council Meeting				
	Invoice - 16606683				
	Check Valve MeterThread/Angle Key Valve				
	403-000-531-38-48-00				Repair & Maintenance
					\$839.40
	Total Invoice - 16606683				
	\$839.40				
	Invoice - 16606691				
	Bolt & Nut Kits/Face Gaskets				
	403-000-531-38-48-03				System Repair & Maintenance
					\$662.81
	Total Invoice - 16606691				
	\$662.81				
	Invoice - 16607490				
	Compression Coupling & PVC Elbows				
401-000-534-80-48-00				Repair & Maintenance	
				\$154.95	
Total Invoice - 16607490					
\$154.95					
Invoice - 16607749					
Adapters					
401-000-534-80-48-00				Repair & Maintenance	
				\$21.76	
Total Invoice - 16607749					
\$21.76					
Invoice - 16613302					
Tape Measure, Flange Bolts & Nuts & Gasketed PVC Pipes					
401-000-534-80-48-00				Repair & Maintenance	
				\$1,007.37	
Total Invoice - 16613302					
\$1,007.37					
Total 26795					
\$2,686.29					
Total H.D. Fowler Company					
\$2,686.29					
HD Supply Facilities Maint. 26796	2024 - February - 1st Council Meeting				
	Invoice - 9222319893				
	Hd Pleated Filters				
	003-000-575-50-48-01				Building Repair & Maint-MH/MC
					\$162.39
Total Invoice - 9222319893					
\$162.39					
Total 26796					
\$162.39					
Total HD Supply Facilities Maint.					
\$162.39					
Iconix Waterworks (US) Inc. 26797	2024 - February - 1st Council Meeting				
	Invoice - U2415002845				
	1 1/4 PVC 20' Pipe				
	412-000-554-90-48-05				Compost Testing/Materials
					\$451.78
Total Invoice - U2415002845					
\$451.78					

Vendor	Number	Reference	Account Number	Description	Amount	
		Invoice - U2416002844				
			Boe Pipe, PVC Cement, Swing Check Valve & Coupling			
			409-000-535-80-48-01	Plant Repair & Maintenance	\$441.21	
		Total Invoice - U2416002844				
					\$441.21	
	Total 26797				\$892.99	
Total Iconix Waterworks (US) Inc.					\$892.99	
Instrument Technologies	26798	2024 - February - 1st Council Meeting				
		Invoice - ITI-904				
			Calibration of WWTP Scales			
			409-000-535-80-48-01	Plant Repair & Maintenance	\$230.00	
		Total Invoice - ITI-904				
					\$230.00	
	Total 26798				\$230.00	
Total Instrument Technologies					\$230.00	
Invoice Cloud	2018194	2024 - February - 1st Council Meeting				
		Invoice - 1022-2024-1				
			CC Utility Payment Fees			
			001-000-514-23-41-03	Bank Service Charges	\$163.00	
		Total Invoice - 1022-2024-1				
					\$163.00	
	Total 2018194				\$163.00	
Total Invoice Cloud					\$163.00	
John H. Hanks	26799	2024 - February - 1st Council Meeting				
		Invoice - 7564				
			Council Computer Updates, Mayor's New Phone, Upgrades/Program Renewals & Fire Dept. Eval/Emails			
			001-000-511-60-31-00	Council Office & Operating Sup	\$500.00	
			001-000-513-10-41-01	Mayor Professional Services	\$240.00	
			001-000-518-30-41-00	Professional Services	\$580.00	
			001-000-518-30-48-00	Computer/Server Maintenance	\$408.06	
			001-000-522-20-31-00	Office & Operating Supplies	\$240.00	
			401-000-534-80-41-00	Professional Services	\$90.00	
		Total Invoice - 7564				
					\$2,058.06	
	Total 26799				\$2,058.06	
Total John H. Hanks					\$2,058.06	

Vendor	Number	Reference	Account Number	Description	Amount
La Conner School District					
	26800			2024 - February - 1st Council Meeting	
		Invoice - LCSch2023IP			
		2023 School Impact Fees			
		001-000-518-65-00-00		School Impact Fees	\$1,268.00
		Total Invoice - LCSch2023IP			\$1,268.00
	Total 26800				\$1,268.00
Total La Conner School District					
					\$1,268.00
La Conner Weekly News					
	26801			2024 - February - 1st Council Meeting	
		Invoice - 10211			
		WWTP Compost Ad			
		412-000-554-90-44-40		Advertising	\$153.00
		Total Invoice - 10211			\$153.00
		Invoice - 10368			
		Publishing of Ordinances 1239 & 1240			
		001-000-514-23-44-00		Advertising	\$62.90
		Total Invoice - 10368			\$62.90
	Total 26801				\$215.90
Total La Conner Weekly News					
					\$215.90
Maya Ojalehto					
	26802			2024 - February - 1st Council Meeting	
		Invoice - OjalehtoGCDepRef1/13/24			
		Ojalehto Garden Club Dep Ref 1/13/24			
		003-000-582-10-00-00		Maple Hall/Garden Club Deposit Refund	\$215.00
		Total Invoice - OjalehtoGCDepRef1/13/24			\$215.00
	Total 26802				\$215.00
Total Maya Ojalehto					
					\$215.00
Michael Davolio, AICP					
	26803			2024 - February - 1st Council Meeting	
		Invoice - #37			
		Jan 2024 Planning Charges			
		001-000-558-60-41-00		Professional Services - Planner	\$6,030.00
		Total Invoice - #37			\$6,030.00
	Total 26803				\$6,030.00
Total Michael Davolio, AICP					
					\$6,030.00
Motorola Solutions					
	26804			2024 - February - 1st Council Meeting	
		Invoice - 8281800155			
		Power Supply Adapter & Desktop Charger for New Radios			
		001-000-522-20-42-00		Communications	\$260.29
		Total Invoice - 8281800155			\$260.29

Vendor	Number	Reference	Account Number	Description	Amount
		Invoice - 8281807291			
			Radio Management License		
			001-000-522-20-42-00	Communications	\$348.82
		Total Invoice - 8281807291			
					\$348.82
	Total 26804				\$609.11
Total Motorola Solutions					\$609.11
Nelson-Reisner					
	26805			2024 - February - 1st Council Meeting	
		Invoice - CL72147			
			Fire Dept./Code Enf. Fuel		
			001-000-521-70-32-00	Fuel	\$29.36
				Code Enf. 1/2 Maverick Truck	
			001-000-522-20-32-00	Fuel	\$314.29
				Fire Dept.	
		Total Invoice - CL72147			
					\$343.65
		Invoice - CL72148			
			Public Works Fuel		
			401-000-534-80-32-00	Fuel	\$1,136.00
				Public Works	
		Total Invoice - CL72148			
					\$1,136.00
	Total 26805				\$1,479.65
Total Nelson-Reisner					\$1,479.65
North Central Laboratory					
	26806			2024 - February - 1st Council Meeting	
		Invoice - 498519			
			Buffer Solution, Buffered Dilution Water & Petri Dish		
			409-000-535-80-31-02	Lab Supplies	\$329.95
		Total Invoice - 498519			
					\$329.95
	Total 26806				\$329.95
Total North Central Laboratory					\$329.95
North Hills Resources					
	26807			2024 - February - 1st Council Meeting	
		Invoice - 39001			
			Wood Chips		
			412-000-554-90-48-05	Compost Testing/Materials	\$1,737.60
		Total Invoice - 39001			
					\$1,737.60
		Invoice - 39086			
			Wood Chips		
			412-000-554-90-48-05	Compost Testing/Materials	\$6,407.40
		Total Invoice - 39086			
					\$6,407.40
	Total 26807				\$8,145.00
Total North Hills Resources					\$8,145.00

Vendor	Number	Reference	Account Number	Description	Amount
NP Information Systems					
	26808			2024 - February - 1st Council Meeting	
		Invoice - 186977			
		Phones			
		001-000-518-30-42-00		Communications	\$342.79
				Town Hall 70%	
		001-000-522-20-42-00		Communications	\$48.97
				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 - 186977			\$489.70
	Total 26808				\$489.70
Total NP Information Systems					\$489.70
Padilla Bay Foundation					
	26809			2024 - February - 1st Council Meeting	
		Invoice - PadillaBayFndMHDepRef1/25/24			
		Padilla Bay Foundation Maple Hall Dep Ref 1/25/24			
		003-000-582-10-00-00		Maple Hall/Garden Club Deposit Refund	\$380.00
		Total Invoice - PadillaBayFndMHDepRef1/25/24			\$380.00
		Invoice -PadillaBayFndGCDepRef1/25/24			
		Padilla Bay Foundation Garden Club Dep Ref 1/25/24			
		003-000-582-10-00-00		Maple Hall/Garden Club Deposit Refund	\$215.00
		Total Invoice -PadillaBayFndGCDepRef1/25/24			\$215.00
	Total 26809				\$595.00
Total Padilla Bay Foundation					\$595.00
Pape' Machinery Exchange					
	26810			2024 - February - 1st Council Meeting	
		Invoice - 2430083			
		244L Frontloader Bucket Repair			
		412-000-554-90-48-06		Compost Machinery/Equip	\$2,412.21
		Total Invoice - 2430083			\$2,412.21
		Invoice - 2430229			
		244L Frontloader Annual Maint. (Filters, Brakes, Oil etc.)			
		412-000-554-90-48-06		Compost Machinery/Equip	\$3,831.45
		Total Invoice - 2430229			\$3,831.45
		Invoice - 2430230			
		544P Frontloader Annual Maint. (Filters, Lubricate etc.)			
		412-000-554-90-48-06		Compost Machinery/Equip	\$2,140.26
		Total Invoice - 2430230			\$2,140.26

Vendor	Number	Reference	Account Number	Description	Amount
		Invoice - 2430231			
			544K Annual Maint. (Filters, Oil etc.)		
			412-000-554-90-48-06	Compost Machinery/Equip	\$1,175.73
		Total Invoice - 2430231			\$1,175.73
		Invoice - 339300			
			New Forklift		
			403-000-553-30-35-00	Tools & Equipment Flood	\$44,464.32
		Total Invoice - 339300			\$44,464.32
		Invoice - 339302			
			Lift & Tow Attachment		
			403-000-553-30-35-00	Tools & Equipment Flood	\$1,586.99
		Total Invoice - 339302			\$1,586.99
	Total 26810				\$55,610.96
Total Pape' Machinery Exchange					\$55,610.96
Pollardwater					
	26811			2024 - February - 1st Council Meeting	
		Invoice - 0249429			
			Pumps		
			403-000-531-38-48-03	System Repair & Maintenance	\$2,258.77
		Total Invoice - 0249429			\$2,258.77
	Total 26811				\$2,258.77
Total Pollardwater					\$2,258.77
Port of Skagit Co.					
	26812			2024 - February - 1st Council Meeting	
		Invoice - POSFeb2024			
			Public Works Lease		
			002-000-576-80-45-00	Rents & Leases - Short Term	\$262.46
			10% PW Lease		
			003-000-575-50-48-06	Rents & Leases Short Term	\$262.46
			10% PW Lease		
			005-000-542-65-49-03	Rentals/Leases - Short Term	\$262.46
			10% PW Lease		
			401-000-534-80-45-00	Rents & Leases - Short Term	\$1,049.84
			40% PW Lease		
			403-000-531-38-45-00	Rents & Leases - Short Term	\$787.38
			30% PW Lease		
		Total Invoice - POSFeb2024			\$2,624.60
	Total 26812				\$2,624.60
Total Port of Skagit Co.					\$2,624.60

Vendor	Number	Reference	Account Number	Description	Amount
Puget Sound Energy					
	26813			2024 - February - 1st Council Meeting	
		Invoice - PSEFeb2024-1			
			Utility - Electric		
			409-000-535-80-47-00	Public Utility Services	\$4,975.00
				12154 Chilberg Rd WWTP	
		Total Invoice - PSEFeb2024-1			\$4,975.00
	Total 26813				\$4,975.00
Total Puget Sound Energy					\$4,975.00
Quality Services					
	26814			2024 - February - 1st Council Meeting	
		Invoice - QualSvcJan2024			
			Jan 2024 Facility Cleaning		
			003-000-575-50-48-01	Building Repair & Maint-MH/MC	\$483.75
		Total Invoice - QualSvcJan2024			\$483.75
	Total 26814				\$483.75
Total Quality Services					\$483.75
Skagit Council of Governments					
	26815			2024 - February - 1st Council Meeting	
		Invoice - 2605			
			Shared Costs		
			001-000-518-90-41-10	Dues & Memberships	\$174.89
		Total Invoice - 2605			\$174.89
	Total 26815				\$174.89
Total Skagit Council of Governments					\$174.89
Skagit County Auditor					
	26816			2024 - February - 1st Council Meeting	
		Invoice - VR-2023-2-06			
			2023 Portion of Voter Registration		
			001-000-514-90-40-00	Voter Registration Costs	\$1,176.29
		Total Invoice - VR-2023-2-06			\$1,176.29
	Total 26816				\$1,176.29
Total Skagit County Auditor					\$1,176.29
Skagit County Sheriff Office					
	26817			2024 - February - 1st Council Meeting	
		Invoice - SkCoJan2024JailTax			
			Jan 2024 County Jail Tax		
			631-000-589-40-00-00	Special Use Tax - County Jail	\$4,703.41

Vendor	Number	Reference	Account Number	Description	Amount
				Special Use Tax - County Jail	
		Total Invoice - SkCoJan2024JailTax			\$4,703.41
	Total 26817				\$4,703.41
Total Skagit County Sheriff Office					\$4,703.41
Skagit Valley Publishing					
	VoidCk#26772			2024 - February - 1st Council Meeting	
		Invoice - VoidCk#26772			
		Void Check 26772			
		001-000-514-23-44-00		Advertising	(\$64.56)
		Total Invoice - VoidCk#26772			(\$64.56)
	Total VoidCk#26772				(\$64.56)
Total Skagit Valley Publishing					(\$64.56)
Tacoma Screw Products					
	26818			2024 - February - 1st Council Meeting	
		Invoice - 260085916			
		Snow & Ice Melt			
		005-000-543-10-48-00		Repair & Maintenance	\$1,159.00
		Total Invoice - 260085916			\$1,159.00
	Total 26818				\$1,159.00
Total Tacoma Screw Products					\$1,159.00
Town of La Conner					
	26819			2024 - February - 1st Council Meeting	
		Invoice - TOLJan2024			
		Jan 2024 Water Charges			
		001-000-518-30-47-00		Public Utility Services	\$189.49
				204 Douglas - Town Hall	
		001-000-522-20-47-00		Public Utility Services	\$138.78
				Fire Hall - 12142 Chilberg	
		002-000-576-80-47-00		Public Utility Services	\$100.92
				1st Street Merchant Park	
		002-000-576-80-47-00		Public Utility Services	\$116.61
				Pioneer Park	
		002-000-576-80-47-00		Public Utility Services	\$46.82
				Benton Street Stairs	
		002-000-576-80-47-00		Public Utility Services	\$74.83
				Washington Street Park	
		002-000-576-80-47-00		Public Utility Services	\$46.82
				Flag Pole/Monument	

Vendor	Number	Reference	Account Number	Description	Amount
			002-000-576-80-47-00	Public Utility Services	\$73.87
				Skateboard Park - 528 6th Street	
			002-000-576-80-48-01	Building Repair & Maintenance	\$0.00
				403 Maple Ave -Ballfield	
			002-000-576-80-48-01	Building Repair & Maintenance	\$46.82
				Waterfront Park Irrigation #2	
			002-000-576-80-48-01	Building Repair & Maintenance	\$48.12
				Waterfront Park Irrigation #1	
			003-000-575-50-47-01	Public Utility Services-MH/MC	\$317.67
				108 Commercial - Maple Hall	
			003-000-575-50-47-02	Public Utility Services-GC	\$111.88
				622 South 2nd St - GC	
			003-000-575-50-47-05	Public Utility Svcs-Restrooms	\$294.66
				613 South First St Restroom	
			003-000-575-50-47-05	Public Utility Svcs-Restrooms	\$178.85
				304 Morris St Restroom	
			401-000-534-80-47-00	Public Utility Services	\$87.76
				PW Washpad - 12142 Chilberg	
			401-000-534-80-47-00	Public Utility Services	\$120.75
				604 Third St N - PW Office	
			409-000-535-80-47-00	Public Utility Services	\$781.82
				WWTP Hydrant	
			409-000-535-80-47-00	Public Utility Services	\$146.35
				WWTP - 12154 Chilberg Road	
			409-000-535-80-47-00	Public Utility Services	\$73.87
				Dunlap Street Pump	
			409-000-535-80-47-00	Public Utility Services	\$758.02
				WWTP Belt Filter Press	
		Total Invoice - TOLJan2024			\$3,754.71
	Total 26819				\$3,754.71
Total Town of La Conner					\$3,754.71
United Site Services					
26820					
				2024 - February - 1st Council Meeting	
		Invoice - INV-4151692			
			Port a Potty - Waterfront Park		
			002-000-576-80-41-00	Professional Services	\$213.25
		Total Invoice - INV-4151692			\$213.25
		Invoice - INV-4155432			
			Port a Potty - N. 6th & Morris		
			002-000-576-80-41-00	Professional Services	\$215.44
		Total Invoice - INV-4155432			\$215.44

Vendor	Number	Reference	Account Number	Description	Amount
		Invoice - INV-4156332			
			Port a Potty - John Hammer Park		
			002-000-576-80-41-00	Professional Services	\$201.75
		Total Invoice - INV-4156332			\$201.75
	Total 26820				\$630.44
Total United Site Services					\$630.44
US Bank-Parking Meter Fees					
	2018195		2024 - February - 1st Council Meeting		
		Invoice - USBnk1/31/24			
			Payment Station Processing Fees		
			002-000-576-80-41-00	Professional Services	\$12.40
				Moorage/Launch Processing Fees	
			005-000-542-65-48-00	Repair & Maintenance	\$12.39
				Parking Lot Processing Fees	
		Total Invoice - USBnk1/31/24			\$24.79
	Total 2018195				\$24.79
Total US Bank-Parking Meter Fees					\$24.79
USA Bluebook					
	26821		2024 - February - 1st Council Meeting		
		Invoice - INV00252783			
			PH Buffer & Isopropanol		
			409-000-535-80-31-02	Lab Supplies	\$122.37
		Total Invoice - INV00252783			\$122.37
	Total 26821				\$122.37
Total USA Bluebook					\$122.37
Utilities Underground Locate					
	26822		2024 - February - 1st Council Meeting		
		Invoice - 4010724			
			Underground Locates		
			401-000-534-80-41-00	Professional Services	\$9.24
				Notifications	
		Total Invoice - 4010724			\$9.24
	Total 26822				\$9.24
Total Utilities Underground Locate					\$9.24
Verizon Wireless					
	26823		2024 - February - 1st Council Meeting		
		Invoice - 9953586867			
			Cell Phones		
			001-000-513-10-42-00	Mayor's Communications	\$253.50
				Mayor	
			001-000-521-70-42-00	Communications-Code Enf	\$26.56
				Code Enforcement/Split with Fire	

Vendor	Number	Reference	Account Number	Description	Amount
			001-000-522-20-42-00	Communications	\$66.56
			Fire Dept./Split w	Code & 2nd Remote	
			001-000-575-50-42-00	Senior Center Communications	\$53.11
			Senior Center		
			401-000-534-80-42-00	Communications	\$479.72
			Public Works		
		Total Invoice - 9953586867			\$879.45
	Total 26823				\$879.45
Total Verizon Wireless					\$879.45
WA Dept of Health					
26824					
		2024 - February - 1st Council Meeting			
		Invoice - WSC2024			
		2024 Water System Certification			
			401-000-534-80-49-00	Dues & Subscriptions	\$1,448.30
		Total Invoice - WSC2024			\$1,448.30
	Total 26824				\$1,448.30
Total WA Dept of Health					\$1,448.30
Waste Management of Skagit					
26825					
		2024 - February - 1st Council Meeting			
		Invoice - 2573296-0043-7			
		Town Hall/Sheriff Recycle & Gabage			
			001-000-518-30-47-00	Public Utility Services	\$516.60
			Town Hall/Sheriff		
			001-000-522-20-47-00	Public Utility Services	\$48.97
			Fire Dept.		
			005-000-543-50-48-04	Refuse Disposal	\$707.84
			Public Works		
			409-000-535-80-47-00	Public Utility Services	\$693.38
			WWTP		
		Total Invoice - 2573296-0043-7			\$1,966.79
	Total 26825				\$1,966.79
Total Waste Management of Skagit					\$1,966.79
Water-Wasterwater Services					
26826					
		2024 - February - 1st Council Meeting			
		Invoice - 58459			
		WWTP Jan 2024 Charges			
			409-000-535-80-41-03	Plant Operator	\$19,333.48
			Sewer Plant Operations		
			409-000-535-80-48-01	Plant Repair & Maintenance	\$46.13
			Reimbursables		
			412-000-554-90-41-05	Compost Operator	\$18,083.65

Vendor	Number	Reference	Account Number	Description	Amount
				Compost Operations	
		Total Invoice - 58459			\$37,463.26
	Total 26826				\$37,463.26
Total Water-Wasterwater Services					\$37,463.26
Wave Broadband					
	26827			2024 - February - 1st Council Meeting	
		Invoice - WaveFeb2024			
		Phones & Internet			
		001-000-518-30-42-00		Communications	\$348.03
				TH Internet & phones	
		003-000-575-50-42-01		Communications-MH/MC	\$227.94
				MH/MC Internet & phones	
		Total Invoice - WaveFeb2024			\$575.97
	Total 26827				\$575.97
Total Wave Broadband					\$575.97
WFOA					
	26828			2024 - February - 1st Council Meeting	
		Invoice - 2148			
		2024 Dues			
		001-000-514-23-49-00		Dues & Subscriptions	\$75.00
		Total Invoice - 2148			\$75.00
	Total 26828				\$75.00
Total WFOA					\$75.00
Grand Total		Vendor Count	52		\$185,302.83



Town of La Conner

I, the undersigned, do hereby certify under penalty of perjury that the wages and benefits for the period **January 16, 2024** through **January 31, 2024** 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:

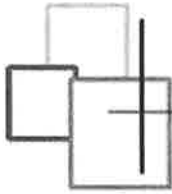
Payroll checks numbered 5846 through 5854	\$3,022.95
Auto Payments:	
AWC Benefit Trust #2018189	\$11,710.94
Deferred Comp #2018190	\$2,476.92
PERS Retirement #2018191	\$11,937.07
Teamsters Benefit #2018192	\$8,926.00
Auto Payroll Taxes #2018193	\$10,410.36
Payroll Auto Deposit	\$29,392.18

are approved for a total payment of **\$77,876.42** this 13th day of February, 2024.

Councilmember – Finance Committee

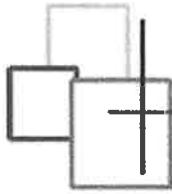
Councilmember – Finance Committee

Councilmember



Register

Number	Name	Fiscal Description	Cleared	Amount
<u>5846</u>	Hanneman, Marna E	2024 - February - 1st Council Meeting		\$319.61
<u>5847</u>	Dept of Labor & Industry	2024 - February - 1st Council Meeting		\$1,397.60
<u>5848</u>	Employment Security	2024 - February - 1st Council Meeting		\$79.36
<u>5849</u>	Empower Annuity Ins. Co of America	2024 - February - 1st Council Meeting		\$75.00
<u>5850</u>	North Coast Credit Union	2024 - February - 1st Council Meeting		\$150.00
<u>5851</u>	Paid Family & Medical Leave	2024 - February - 1st Council Meeting		\$223.18
<u>5852</u>	Wa Cares Fund	2024 - February - 1st Council Meeting		\$149.10
<u>5853</u>	Washington State Support Registry	2024 - February - 1st Council Meeting		\$470.10
<u>5854</u>	Teamsters Local No. 231	2024 - February - 1st Council Meeting		\$159.00
<u>2018189</u>	AWC Employee Benefit Trust	2024 - February - 1st Council Meeting		\$11,710.94
<u>2018190</u>	Dept of Retirement - Def Comp	2024 - February - 1st Council Meeting		\$2,476.92
<u>2018191</u>	Dept of Retirement Systems	2024 - February - 1st Council Meeting		\$11,937.07
<u>2018192</u>	WA Teamsters Welfare Trust	2024 - February - 1st Council Meeting		\$8,926.00
<u>2018193</u>	Washington Federal	2024 - February - 1st Council Meeting		\$10,410.36
<u>Direct Deposit Run -</u> <u>1/31/2024</u>	Payroll Vendor	2024 - February - 1st Council Meeting		\$29,392.18
				\$77,876.42



Register Activity

Name	Reference	Posting Reference	Detail Amount
Direct Deposit Run - 1/31/2024	Payroll Vendor	2024 - February - 1st Council Meeting	\$29,392.18
Avery, Adam W	ACH Pay - 6847	Posting Run - 1/31/2024 7:37:57 AM	\$273.72
Avery, Annie L	ACH Pay - 6850	Posting Run - 1/31/2024 7:37:57 AM	\$182.48
Banaszak, Sam E	ACH Pay - 6851	Posting Run - 1/31/2024 7:37:57 AM	\$182.48
Carlson, Ivan J	ACH Pay - 6852	Posting Run - 1/31/2024 9:55:40 AM	\$136.65
Chamberlain, MaryLee S	ACH Pay - 6866	Posting Run - 1/31/2024 9:55:40 AM	\$136.65
Dole, Richard L	ACH Pay - 6868	Posting Run - 1/31/2024 9:55:40 AM	\$101.65
Eills, Ajah G	ACH Pay - 6854	Posting Run - 1/31/2024 9:55:40 AM	\$1,860.54
Hillard, Margaret A	ACH Pay - 6863	Posting Run - 1/31/2024 9:55:40 AM	\$634.09
Kerley-DeGoede, Maria A	ACH Pay - 6865	Posting Run - 1/31/2024 9:55:40 AM	\$2,288.78
Lease, Brian	ACH Pay - 6857	Posting Run - 1/31/2024 9:55:40 AM	\$3,014.76
Lovejoy, Lynne	ACH Pay - 6858	Posting Run - 1/31/2024 9:55:40 AM	\$724.57
Mesman, Benjamin F	ACH Pay - 6848	Posting Run - 1/31/2024 7:37:57 AM	\$91.24
Moore, Andrea L	ACH Pay - 6860	Posting Run - 1/31/2024 9:55:40 AM	\$1,870.89
Palaniuk, Kevin R	ACH Pay - 6870	Posting Run - 1/31/2024 9:55:40 AM	\$2,802.31
Park, Todd W	ACH Pay - 6853	Posting Run - 1/31/2024 9:55:40 AM	\$3,060.58
Pena-Ayon, Manuel A	ACH Pay - 6861	Posting Run - 1/31/2024 9:55:40 AM	\$1,572.49
Reinstra, Aaron E.	ACH Pay - 6849	Posting Run - 1/31/2024 7:37:57 AM	\$91.24
Reinstra, Aaron M.	ACH Pay - 6867	Posting Run - 1/31/2024 9:55:40 AM	\$1,981.91
Sherman, Albert R	ACH Pay - 6859	Posting Run - 1/31/2024 9:55:40 AM	\$2,616.15
Smith, Christopher	ACH Pay - 6856	Posting Run - 1/31/2024 9:55:40 AM	\$2,445.29
Taylor, Anne M	ACH Pay - 6869	Posting Run - 1/31/2024 9:55:40 AM	\$136.65
Thomas, Scott G	ACH Pay - 6855	Posting Run - 1/31/2024 9:55:40 AM	\$3,050.41
Wohleb, Mary M	ACH Pay - 6871	Posting Run - 1/31/2024 9:55:40 AM	\$136.65
			\$29,392.18

Reports

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

TOWN OF LA CONNER
Monthly Treasurer's Report
January 2024

Fund	Fund Name:	Budget	Revenues to Date	% of Budget	Budget	Expenditures to Date	% of Budget
001	General Fund	1,411,390	71,606	5%	2,160,332	102,392	5%
002	Park & Port	236,986	55,129	23%	390,532	34,772	9%
003	Facilities	417,906	11,803	3%	454,802	22,096	5%
004	Public Art	3,226	219	7%	2,500	729	29%
005	Streets	1,149,843	20,692	2%	1,218,696	21,078	2%
123	Hotel Motel	141,200	9,531	7%	342,111	229	0%
214	Fire Hall Bond	50,492	3,481	7%	39,125	-	0%
303	Flood Control	500	49	10%	500	-	0%
304	REET 1	36,790	3,607	10%	500	229	0%
305	REET 2	36,810	3,611	10%	200,500	229	0%
401	Water	1,242,027	94,033	8%	1,337,148	111,320	8%
403	Storm Drainage	367,383	29,364	8%	651,556	93,975	14%
409	Sewer	995,364	76,978	8%	1,116,569	63,494	6%
412	Sewer Compost	1,256,702	99,343	8%	1,244,152	62,357	5%
TOTALS		7,346,619	479,447	7%	9,159,023	512,900	6%

Town of La Conner

Sales Tax Receipts

Month	2020	2021	2022	2023	2024
January	33,427.50	52,155.18	41,561.10	43,390.62	42,874.71
February	40,192.52	48,035.77	56,546.93	63,103.16	
March	30,913.88	33,430.43	42,937.78	40,187.49	
April	25,318.90	35,756.91	44,209.82	36,015.58	
May	30,598.74	58,286.79	69,865.79	48,072.92	
June	26,758.90	55,900.26	66,878.23	53,129.86	
July	33,062.15	52,061.10	53,917.06	55,178.70	
August	39,233.38	62,720.18	70,383.49	60,820.03	
September	42,409.55	60,971.61	60,899.83	63,276.38	
October	50,406.48	62,268.96	66,647.98	65,602.87	
November	51,733.86	60,911.19	57,164.48	57,728.51	
December	35,510.27	48,334.16	46,910.27	43,947.09	
TOTAL	439,566.13	630,832.54	677,922.76	630,453.21	42,874.71

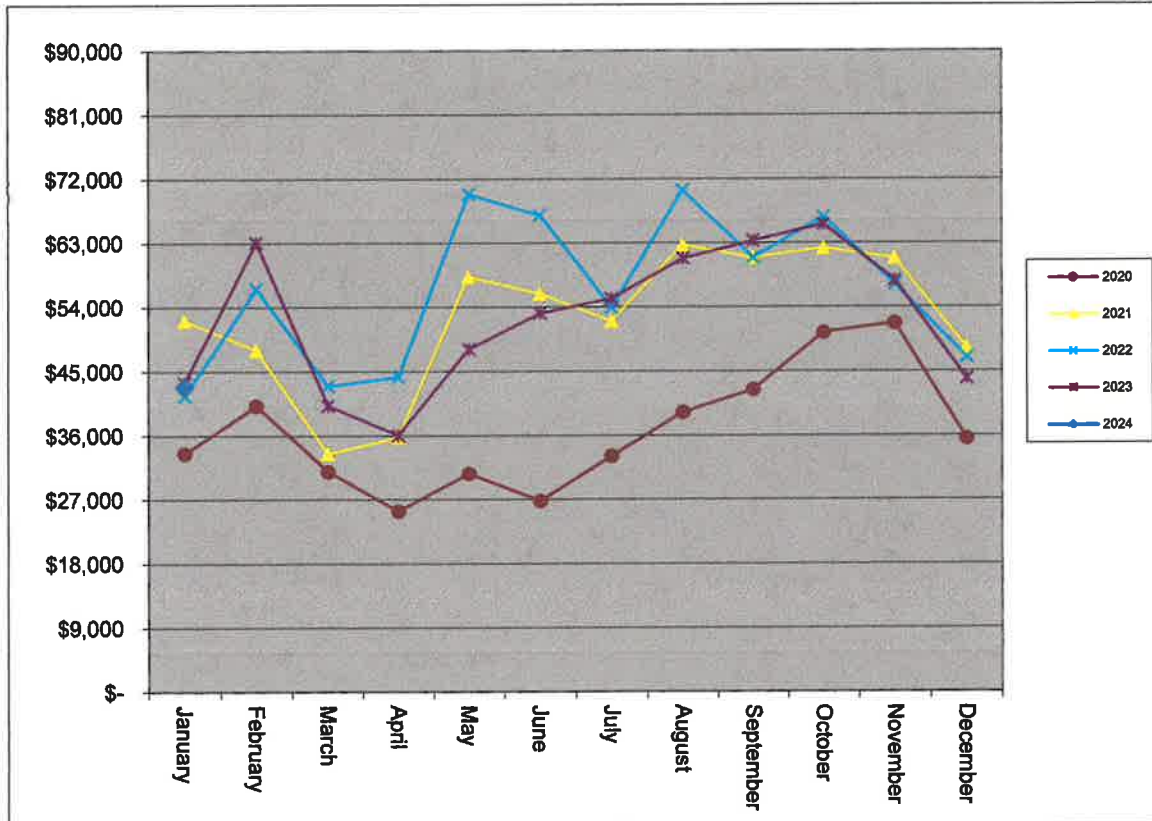
7.04%

Budgeted	469,860.00	328,202.00	492,303.00	609,181.00	609,181.00
Rec Year to Date	439,566.13	630,832.54	677,922.76	630,453.21	42,874.71
Annual Monthly Avg	36,630.51	52,569.38	56,493.56	52,537.77	3,572.89
Amount needed to meet budget:					566,306.29

2023

515.91

Diff



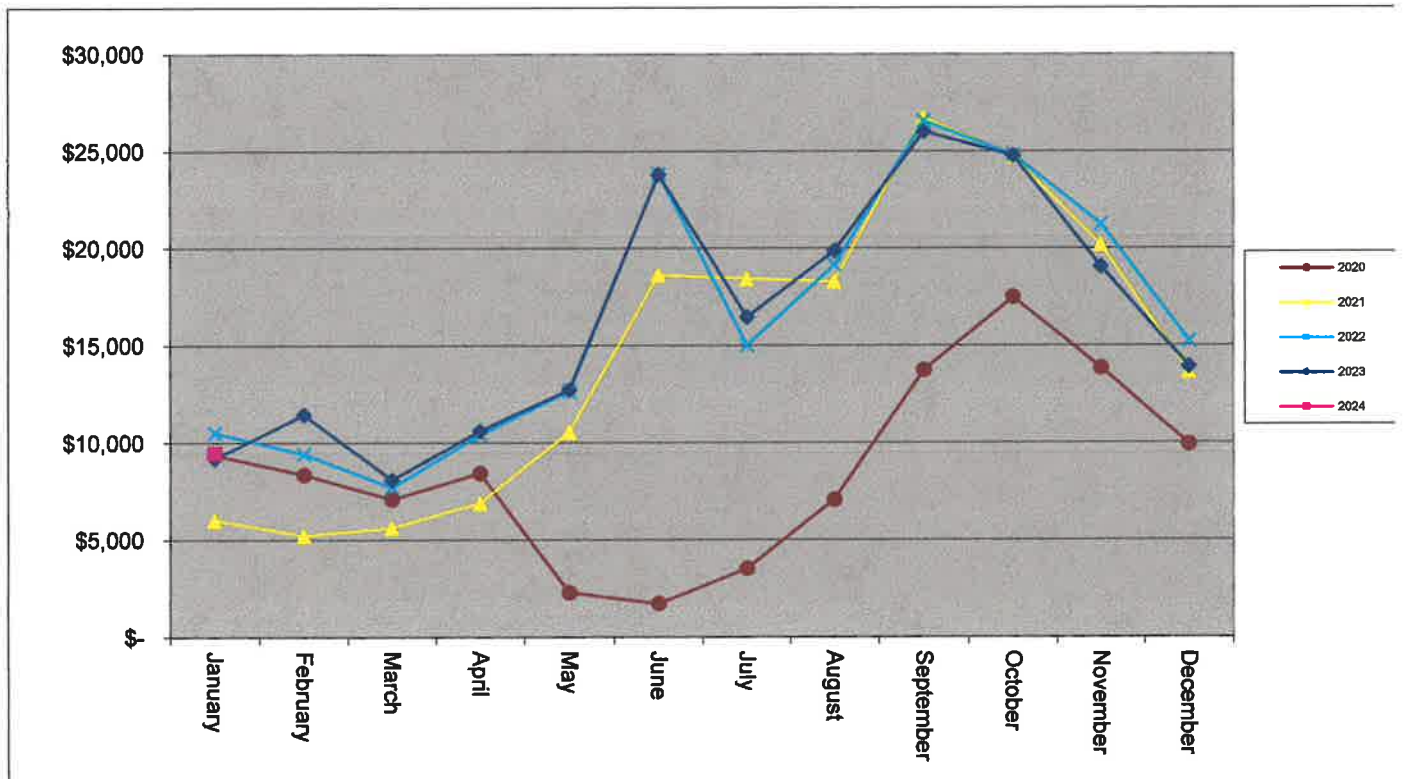
Town of La Conner

Annual Hotel/Motel Receipts

Month	2020	2021	2022	2023	2024
January	9,363.38	6,025.96	10,500.64	9,175.12	9,464.06
February	8,348.90	5,235.46	9,409.26	11,438.50	
March	7,077.20	5,622.06	7,698.52	8,082.72	
April	8,431.24	6,895.04	10,399.52	10,591.94	
May	2,279.94	10,542.90	12,633.28	12,700.56	
June	1,715.92	18,643.56	23,829.20	23,784.50	
July	3,518.70	18,439.86	14,988.76	16,441.86	
August	7,056.40	18,295.26	19,136.57	19,848.46	
September	13,732.36	26,730.28	26,545.62	26,000.70	
October	17,480.20	24,731.96	24,802.90	24,761.98	
November	13,844.66	20,184.16	21,228.28	19,048.44	
December	9,930.96	13,653.56	15,232.24	13,909.48	
TOTAL	102,779.86	175,000.06	196,404.79	195,784.26	9,464.06

6.74%

Budgeted	126,000.00	88,200.00	132,300.00	133,040.00	140,400.00
Received Year to Date	102,779.86	175,000.06	196,404.79	195,784.26	9,464.06
Monthly Average	8,564.99	14,583.34	16,367.07	16,315.36	788.67
Amount needed to meet budget:					130,935.94

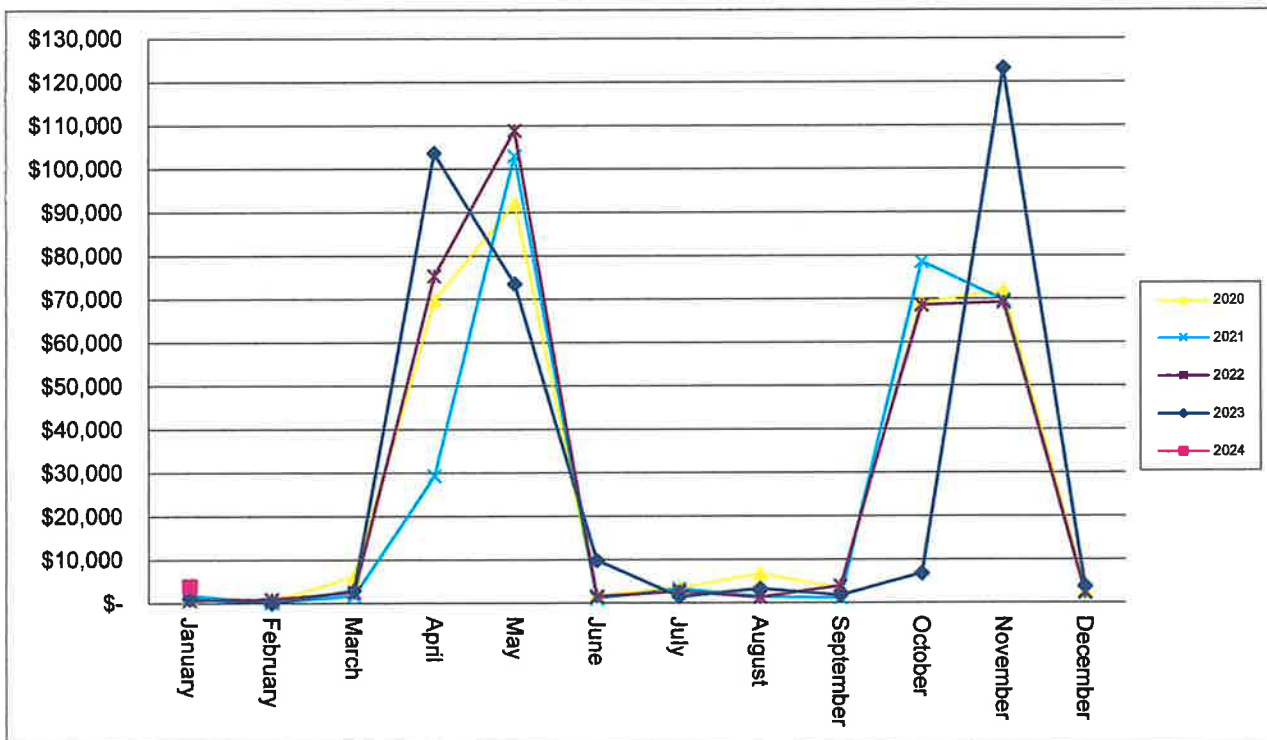


Town of La Conner Annual Property Taxes

Month	2020	2021	2022	2023	2024
January	1,366.53	1,735.37	679.87	1,020.21	4,001.34
February	540.84	123.80	923.67	-	
March	6,187.85	1,731.98	2,479.49	2,889.62	
April	69,784.34	29,295.28	75,356.27	103,626.12	
May	92,047.43	102,991.26	108,828.88	73,546.50	
June	1,723.19	1,047.57	1,503.75	9,809.06	
July	3,510.19	3,275.00	2,725.34	1,412.30	
August	6,704.12	1,381.95	1,259.96	3,299.01	
September	3,314.93	1,100.00	3,887.71	1,714.39	
October	69,156.88	78,553.96	68,521.30	6,801.76	
November	71,812.11	69,666.72	69,178.91	123,150.38	
December	2,652.74	2,154.94	2,392.56	3,747.23	
TOTAL	328,801.15	293,057.83	337,737.71	331,016.58	4,001.34

1.12%

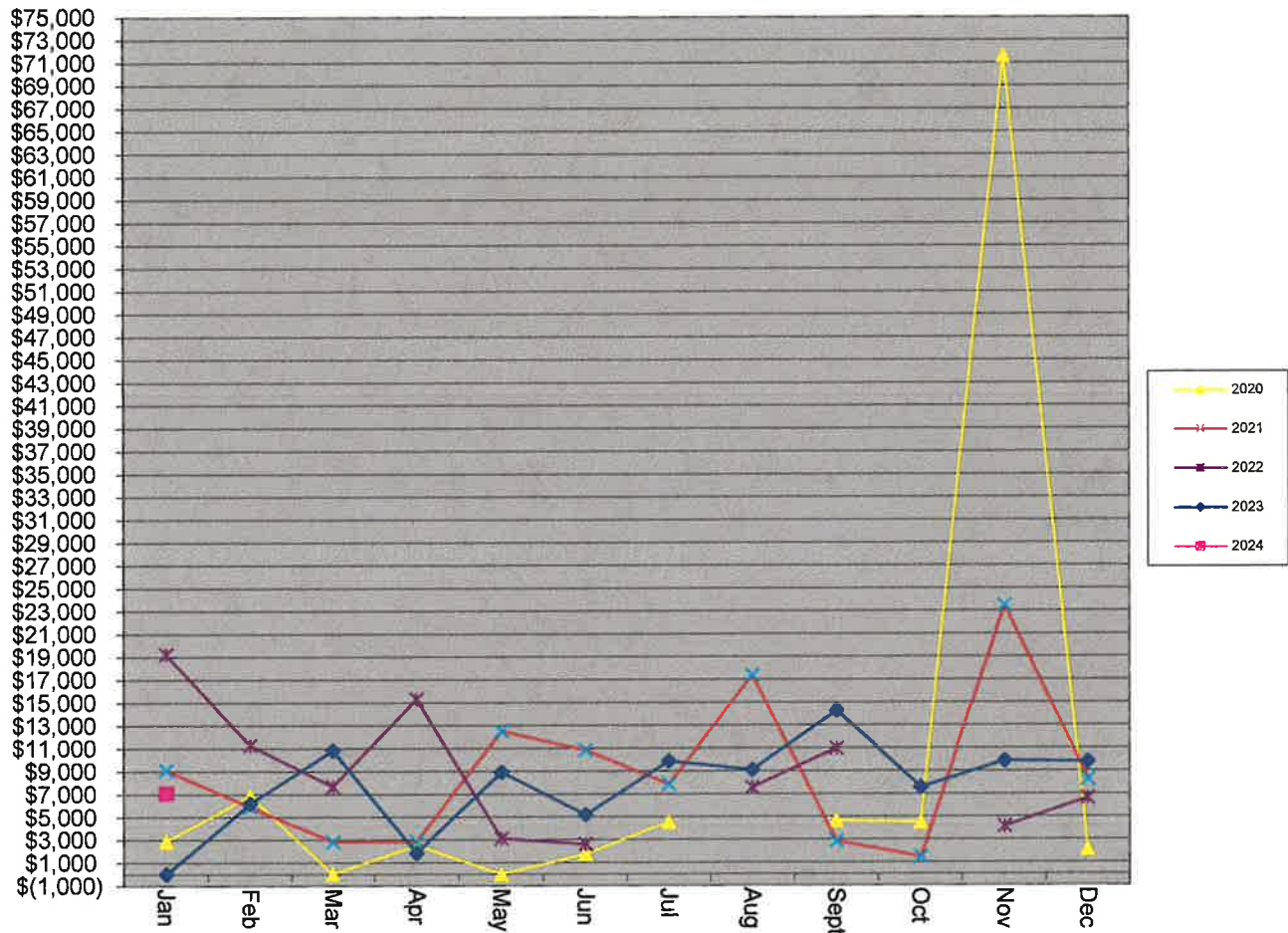
Budgeted	328,840.00	330,004.00	336,312	352,971	357,121
Received Year to Date	328,801.15	293,057.83	337,737.71	331,016.58	4,001.34
Monthly Avg	27,400.10	24,421.49	28,144.81	27,584.72	333.45
Amount needed to meet budget:					353,119.66



Town of La Conner Annual REET

Month	2020	2021	2022	2023	2024
Jan	2,887.09	9,078.30	19,230.75	-	7,092.50
Feb	6,878.02	5,860.80	11,263.69	6,179.19	
Mar	-	2,796.75	7,672.50	10,820.70	
Apr	2,538.11	2,796.75	15,300.45	1,825.00	
May	-	12,508.65	3,118.50	8,910.00	
Jun	1,757.25	10,815.74	2,598.75	5,164.50	
Jul	4,566.37	7,825.50		9,874.25	
Aug		17,362.12	7,548.75	9,070.87	
Sept	4,682.69	2,821.50	10,976.62	14,275.00	
Oct	4,497.07	1,480.05		7,543.80	
Nov	71,626.40	23,472.90	4,149.50	9,875.00	
Dec	2,128.50	8,256.60	6,599.50	9,776.25	
TOTAL	101,561.50	105,075.66	88,459.01	93,314.56	7,092.50

Budgeted	36,000.00	36,000.00	36,000.00	72,000.00	72,000.00
Received Year to Date	101,561.50	105,075.66	88,459.01	93,314.56	7,092.50
Monthly Average	8,463.46	8,756.31	7,371.58	7,776.21	591.04
Amount needed to meet budget:					64,907.50
					9.85%



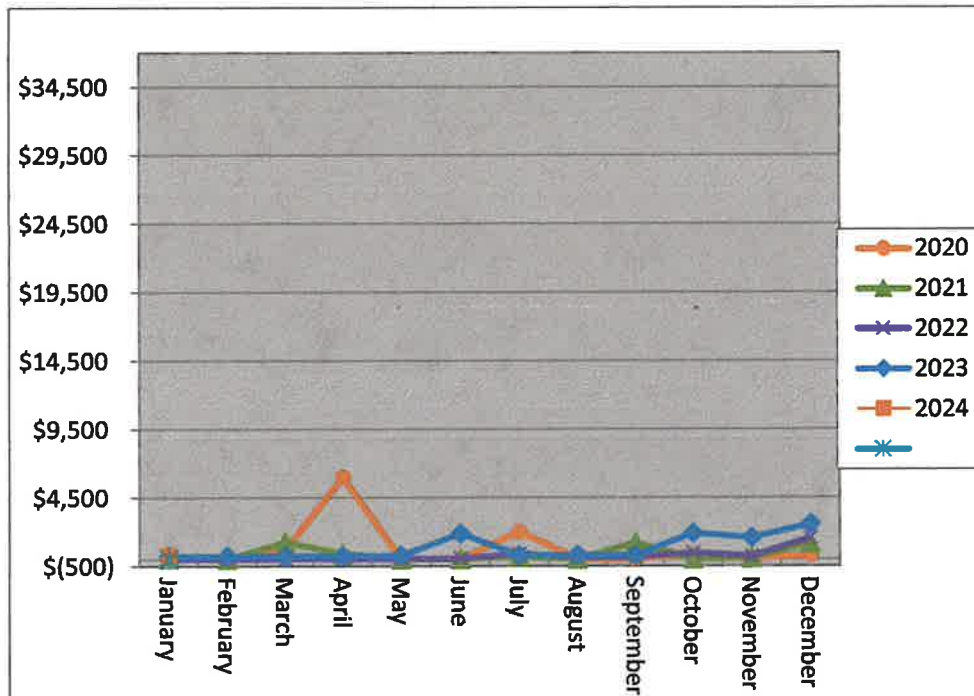
Town of La Conner

Investment Interest Receipts

Month	2020	2021	2022	2023	2024
January	85.01	53.53	4.52	222.14	288.36
February	77.60	6.04	4.86	211.19	
March	654.91	1,256.42	11.21	242.20	
April	5,977.72	396.24	19.48	243.73	
May	24.67	3.80	35.04	264.29	
June	17.74	3.62	48.70	1,847.72	
July	2,000.42	141.11	382.44	271.13	
August	12.71	3.92	112.03	277.67	
September	9.88	1,169.94	123.87	272.22	
October	283.03	4.66	446.26	1,881.45	
November	7.74	59.37	182.53	1,550.19	
December	279.06	1,157.59	1,549.18	2,546.09	
TOTAL	9,430.49	4,256.24	2,920.12	9,830.02	288.36

3.77%

Budgeted	5,500.00	4,465.00	4,581.00	5,079.00	7,645.00
Received Year to Date	9,430.49	4,256.24	2,920.12	9,830.02	288.36
Monthly Average	785.87	354.69	243.34	819.17	24.03
Amount needed to meet budget:					7,356.64



Town of La Conner Special Use Fire Tax Revenue

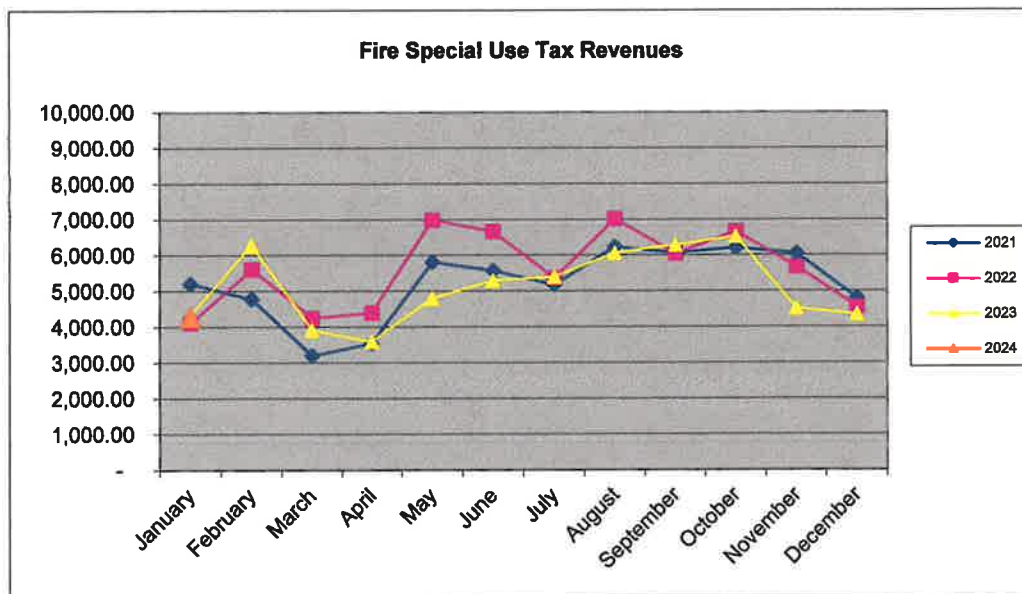
Month	2021	2022	2023	2024
January	5,196.26	4,108.62	4,333.29	4,280.52
February	4,779.92	5,609.50	6,278.74	
March	3,192.27	4,237.71	3,923.57	
April	3,536.70	4,396.10	3,593.96	
May	5,807.88	6,984.88	4,796.78	
June	5,569.18	6,661.47	5,297.25	
July	5,170.83	5,364.02	5,393.11	
August	6,230.94	7,019.56	6,063.58	
September	6,055.85	6,041.25	6,284.28	
October	6,201.24	6,659.05	6,524.47	
November	6,052.29	5,673.70	4,516.48	
December	4,795.36	4,555.14	4,344.70	
TOTAL	62,588.72	67,311.00	61,350.21	4,280.52

8.56%

Budgeted	30,334.00	45,501.00	50,000.00	50,000.00
Received Year to Date	62,588.72	67,311.00	61,350.21	4,280.52
Monthly Avg	5,215.73	5,609.25	5,112.52	356.71

Amount needed to meet budget:

45,719.48





TOWN OF LA CONNER

Monthly Planner's Report January 2024

NEW APPLICATIONS ACCEPTED:

Land Use

- LU24-01VI, 214 Maple Ave, Variance for restaurant, considered incomplete by Staff
- LU24-02HDR-ADMIN, 532 S. 3rd St, Tree Trimming

Building Permit

- BP24-01SS, Snapdragon Flats side sewer permit
- BP24-02EST, Snapdragon Flats street excavation permit
- BP24-03ROW, Snapdragon Flats right of way permit

Planning Commission:

The Planning Commission met on January 16th. The January 2nd meeting was canceled due to the holiday. At the January 16th meeting, staff introduced final changes to PURD regulations, as well as changes to residential zoning code designed to align La Conner with state housing objectives. In addition, staff introduced an initial draft of a Land Use Capacity Analysis for La Conner's residential areas.

Hearing Examiner:

There was no business before the Hearing Examiner in January 2024.

Comprehensive Plan Update:

This month, staff finalized data collection for an extensive land use capacity analysis designed to assess the level of housing potential under La Conner's current code regulations. In addition, staff are planning for a Community Mingle event occurring on February 20th designed to solicit community opinions regarding parking.

General Planning Activities:

- Staff are continuing education regarding legislative changes which occurred in 2022 and 2023.
- Staff are reviewing the current files for record retention requirements.
- The staff continued the Comprehensive Plan Update.
- Continuing review of development applications.
- Continuing review of permit applications.
- Continuing response to public inquiries 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



Town of La Conner

Annual Report of the Town Planner

2023

General

According to the state's Office of Financial Management, La Conner's total population as of December of 2023 was 990, with a projected increase of 211 people over the next 20 years. This projected increase is provided by the Skagit Council of Governments. Population goals are set for each community by the county and the state, using projections based on federal census data. La Conner will plan for this projected increase under the state's Growth Management Act in order to continue provided adequate levels of service for all La Conner citizens. Because La Conner has no urban growth area, it is expected that our future population growth projections will remain low to reflect this lack of a UGA.

The total permit activity for 2023 was quite active. A total of 107 permit applications were submitted in 2023. The year started with the town working to develop a new Public Participation Program in order to actively engage with citizens of La Conner. The town also continued discussions around the best use for parcel P74265, known as the Jensen Property, which the town acquired at the end of 2022. The Parks Commission received all permits required to begin construction of the Gazebo at Conner Way.

In 2023, La Conner began its two-year Comprehensive Plan Periodic Update, which is expected to be complete as of July 2025. Currently, La Conner has completed one chapter of this update, and planning staff will keep Council apprised as these efforts proceed throughout 2024.

Residential

Building permits were issued for two new single household homes, two new triplexes, and two extensive remodels of four-unit apartments buildings. Applications were also received for short plats, minor new constructions, remodels, tree removals, street excavations, and sewer and water connections. Planning staff continues to think about ways to expand community knowledge about accessory dwelling units. Residential uses in commercial zones are described below.

Commercial

We have facilitated the introduction of new commercial businesses in the town by quickly approving sign permits and business licenses. Early in 2023, the Hearing Examiner approved a large commercial development that included residential units on the second and third stories. Other applicants around town in Commercial areas are remodeling residential uses on the upper floors of buildings.

Historic Preservation

The town conducted 13 historic design reviews, the majority of which consisted of new paintings and repairs. In addition, 2023 saw two applications for dock replacements within the Historic Preservation District, as well as several applications for tree trimming or removal within the Historic Preservation District.

Public/Other

Permits in the public realm ranged from approvals granted for the installation of HVAC systems in town-owned buildings, to permits for construction of a new gazebo at Waterfront Park along Conner Way. A permit was also granted for the Skagit County Historical Society to add a covered carport to their parking lot.

Comprehensive Plan

2023 kickstarted the 10-year periodic update of the Comprehensive Plan. This process started by revamping the town's civic engagement by creating Community Mingles, opportunities for the community of La Conner to speak with both each other and the town about issues important to them. The most significant changes within the update are expected to be within the Housing and Land Use elements, with staff engaging in data collection and analysis to ensure compliance with new state legislation. The town finalized Chapter 10 of the Comprehensive Plan in 2023, and expects to finalize the majority of chapters within 2024.

UDC Amendments

Amendments to the town's Development Code were approved in 2023, with the most significant regulating the placement of adult businesses within town limits. Other amendments were drafted to ensure internal consistency within the code, and external consistency with county and state regulations.

During the 2022 and 2023 state legislative session, laws were enacted to ensure cities and counties provide adequate housing for all income bands, in addition to other housing initiatives. These regulatory changes may require the town to pass additional legislation to remain in compliance with state law.

2023 Permit Activity:

As noted above, 2023 was a busy year for permit applications in La Conner. See attached addendum for the complete list of 2023 permit applications.

Future Planning Issues

As we face the year 2024, we will continue responding to permit applications and citizen questions while making forward progress on our long-term planning strategies. The annual update to our Comprehensive Plan and Development Code will look at housing, residential densities, affordability incentives, and definitions. We will continue to work towards completion of the Comprehensive Plan Periodic Update, with the hope to get the majority of chapters finalized in 2024. Time permitting, we may also approach the idea of creating a neighborhood plan for the properties in the Transitional Commercial Zone.

Respectfully submitted,



Michael Davolio, AICP



Ajah Eills,
February 13, 2024

Public Works

Department Head Report

January – 2024

Water:

- Major water leak on Downey. Originally started as vehicle vs. utility pole knocking power out to 102 customers, while PSE was replacing the utility pole they damaged the water main and now 102 customers are without power and water. The water main is in poor condition and recommend moving forward with the water main replacement for Downey and Channel Drive very soon. Water loss will be high for January.
- The cold weather snap had public works responding to do dozens of water leaks.
- Water System Comprehensive Plan Update; is behind schedule, I will have to dedicate three full weeks by the end of February to get back on track with the update.

Drainage:

- Continuing storm drain system maintenance with heavy rains and debris.
- The new 6” pump and forklift have been delivered. The 6” pump was essential with the recent Downey Road water main repairs.
- Flood; continuing communications with Emergency Management Commission. Temporary flood mitigation with sandbags and eco-blocks. Eco-blocks are currently under review for permitting, DOE is involved. continuous weather monitoring.

Streets:

- Asphalt and gravel pothole repairs.
- Streets Committee meeting; First Street discussion

Park and Port:

- Public Works is moving forward with the Gazebo project, concrete work completed. Materials package has been ordered with expected delivery in March.
- Tide Gauge; this project is on hold due to Port Marina staffing.
- Salmon Slide; no progress to report.

Facilities:

- Fire Hall Roof project; received three bids, low bid Axiom Construction and Consulting LLC at \$295,923.05 and high bid at \$358,271.
- Maple Hall HVAC project; Phase 1 - electrical, plumbing and duct work is scheduled for March 19th – April 10th. Phase 2 - the roof top units will be replaced by crane soon following TBD.

Other:

- State Auditors.
- Solar project; Fire Hall.
- Projects; 213 Calhoun remodel, 931 Maple Improvements, 306 Center, 303 Center Garage, Snapdragon Flats Project, BYK Snapdragon BP's.

Brian Lease,

Public Works Director, Town of La Conner

Fire Chief / Code Enforcement Report

Jan-24

Alarms:	37 Emergency Calls	Ave # Responders:	3.8	
Rescue & EMS	26	Weather	8 Water	1
False Alarm	3	Hazardous	1	

Calendar:

- 3-Jan Business
- 10-Jan Hose Deployment
- 17-Jan SCBA
- 24-Jan Rit Pack
- 31-Jan Knots

Events:

- New year
- Flood Watch

Enforcement Notes:

- Dogs Loose
- Vandals
- Cars in Park

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: January 2024

During the month of January, the plant met NPDES permit requirements.
See attached spreadsheet for WWTP data.

Locates

- There were seven (7) locates in January with no issues.

Call Outs-Emergencies

- There were six power outages during the month of January.
 - January 13
 - January 18
 - January 20 (2 call outs)
 - January 30 (2 call outs)

System Maintenance

- Grinded yard waste pile.

Process Changes

- Reuse water system is running again on a temporary suction line.
- Tribal meter failed.

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

0 yards were sold in January– 0 yards year to date.

Retail Sales

557 yards were sold in January– 557 yards year to date.

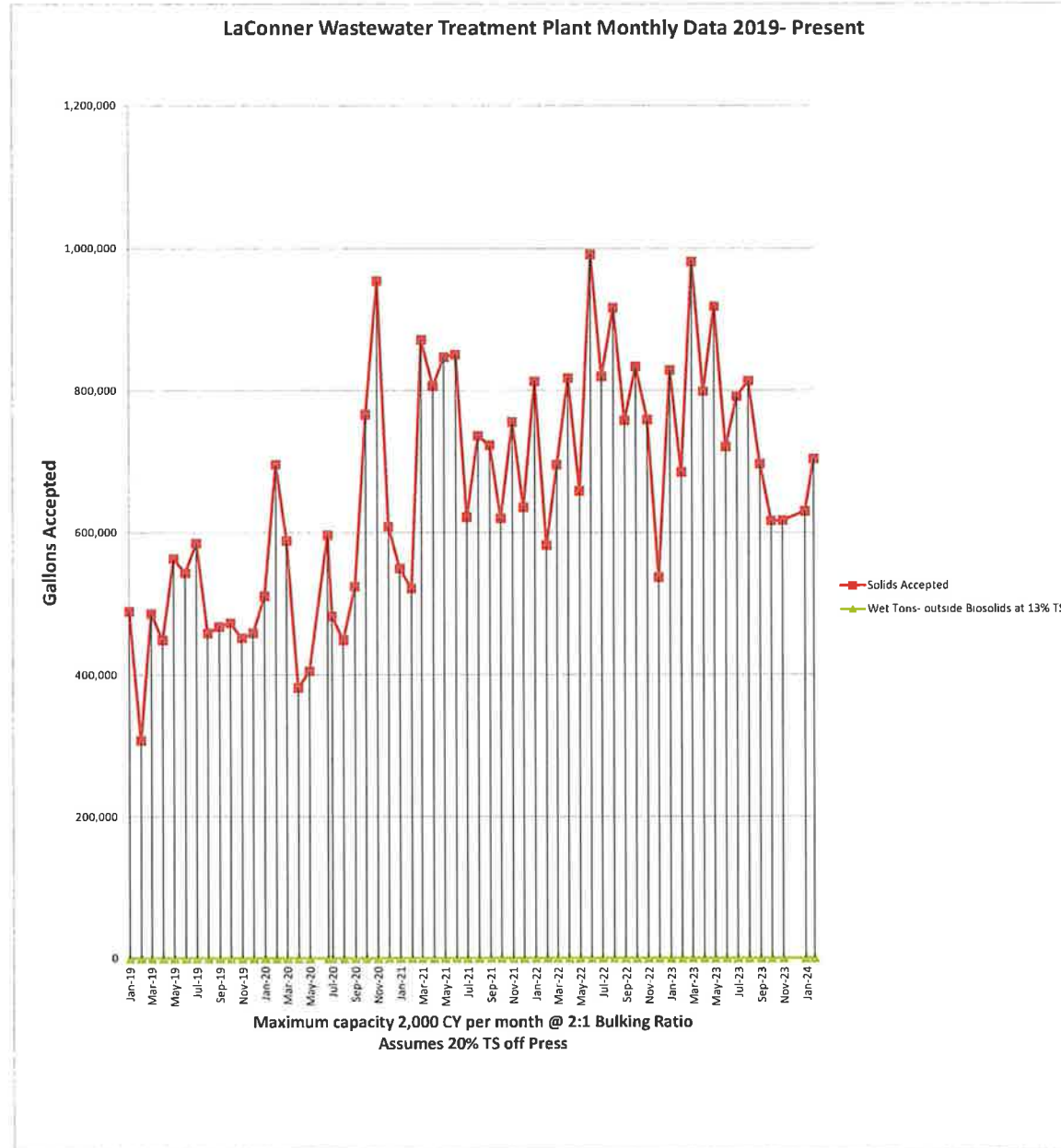
In January 2024, the Town receipted in 557 yards of retail and wholesale compost for a total of \$3,377.00.

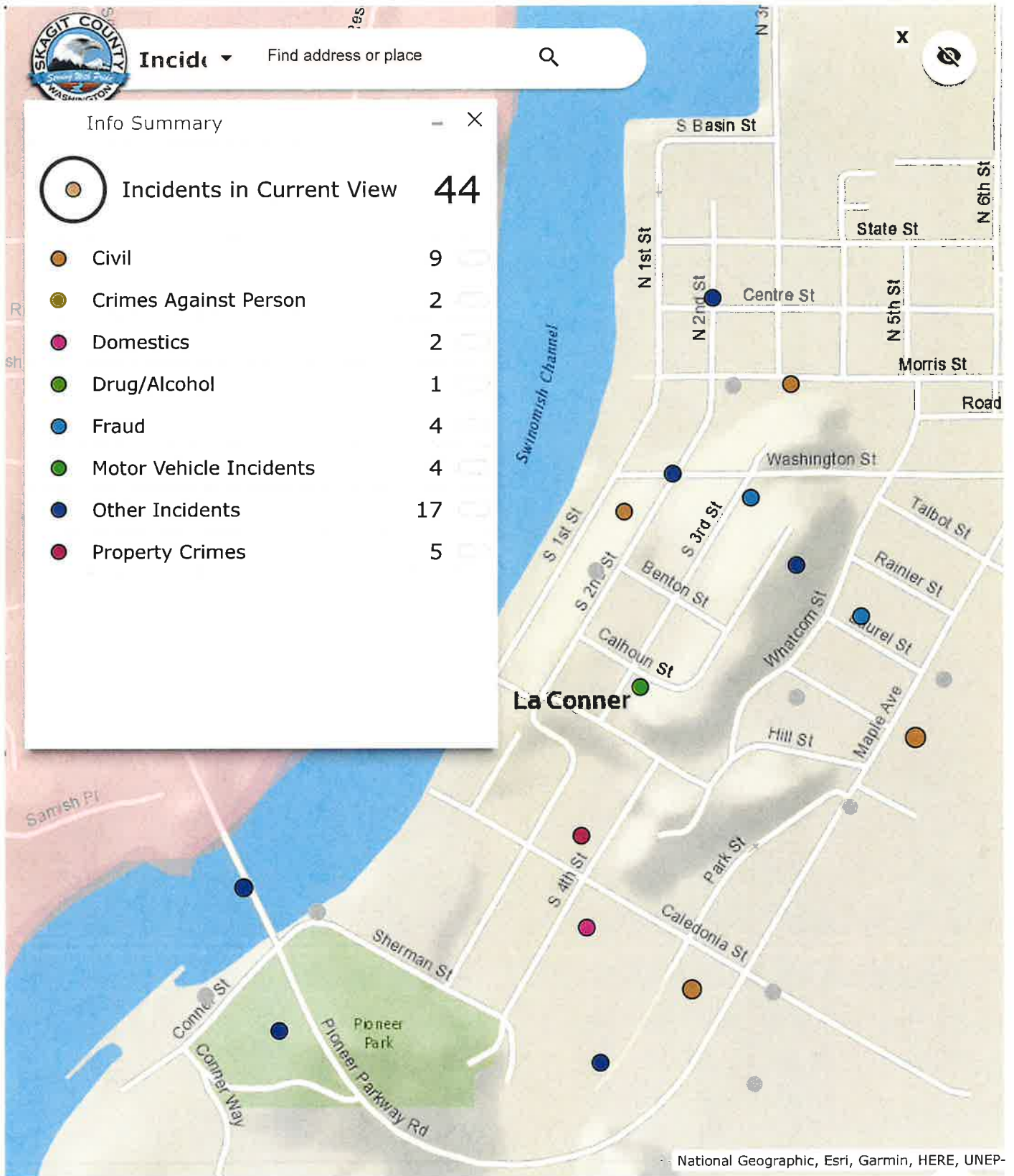
Metered Flow:

Influent:	<u>12,480,000 Gallons</u>
Tribal:	<u>3,488,553 Gallons</u> – Averaged due to broken meter.
Hydrant:	<u>270,776 Gallons</u>
Belt Press:	<u>871,896 Gallons</u>
Reuse Water:	<u>31,932 Gallons</u>

LaConner Wastewater Treatment Plant										
Monthly Data 2024										
Date	WWTP Total Flow	WWTP Daily Avg	WWTP Max Daily	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-24	12,480,000	402,581	608,000	11,013,000	13%	705,942	945,220	-25%	22	0
Feb-24									0	0
Mar-24									0	0
Apr-24									0	0
May-24									0	0
Jun-24									0	0
Jul-24									0	0
Aug-24									0	0
Sep-24									0	0
Oct-24									0	0
Nov-24									0	0
Dec-24									0	0
	Increase									
	Decrease									

Date	Solids Accepted	Wet Tons- outside Biosolids at 13% TS
Jan-19	488,677	0
Feb-19	307,405	0
Mar-19	485,386	0
Apr-19	448,497	0
May-19	562,422	0
Jun-19	542,791	0
Jul-19	584,121	0
Aug-19	458,171	0
Sep-19	467,284	0
Oct-19	472,269	0
Nov-19	451,204	0
Dec-19	458,309	0
Jan-20	510,031	0
Feb-20	695,190	0
Mar-20	587,845	0
Apr-20	381,382	0
May-20	404,594	0
Jun-20	595,749	0
Jul-20	481,747	0
Aug-20	448,203	0
Sep-20	523,268	0
Oct-20	765,639	0
Nov-20	954,754	0
Dec-20	607,501	0
Jan-21	548,836	0
Feb-21	520,497	0
Mar-21	871,763	0
Apr-21	805,946	0
May-21	847,540	0
Jun-21	851,087	0
Jul-21	620,857	0
Aug-21	735,774	0
Sep-21	722,455	0
Oct-21	619,255	0
Nov-21	755,307	0
Dec-21	634,764	0
Jan-22	812,797	0
Feb-22	581,342	0
Mar-22	694,605	0
Apr-22	817,462	0
May-22	657,807	0
Jun-22	991,952	0
Jul-22	819,934	0
Aug-22	916,654	0
Sep-22	757,579	0
Oct-22	834,168	0
Nov-22	758,902	0
Dec-22	536,759	0
Jan-23	829,384	0
Feb-23	684,255	0
Mar-23	981,848	0
Apr-23	798,693	0
May-23	918,969	0
Jun-23	720,242	0
Jul-23	791,742	0
Aug-23	813,797	0
Sep-23	696,086	0
Oct-23	615,904	0
Nov-23	616,778	0
31-Dec	629,318	21,84
24-Jan	702,942	22





TimeDate	CaseNumber	NatureDesc
1/1/2024, 8:11 AM	24-00006	Animal Problem
1/2/2024, 9:20 AM	24-00045	Malicious Mischief
1/2/2024, 9:25 AM	24-00048	Welfare Check
1/4/2024, 5:55 PM	24-00148	Alcohol Problem
1/6/2024, 4:28 PM	24-00224	Animal Problem
1/7/2024, 11:50 PM	24-00268	Citizen Assist
1/8/2024, 8:04 AM	24-00270	Vehicle Prowl
1/8/2024, 8:54 AM	24-00271	Vehicle Prowl
1/9/2024, 1:14 PM	24-00327	Animal Problem
1/10/2024, 8:24 PM	24-00380	Fraud Violation
1/11/2024, 12:08 PM	24-00400	Vehicle Prowl
1/11/2024, 5:15 PM	24-00422	Violation Of Court Order
1/12/2024, 8:42 PM	24-00473	Traffic Enforcement
1/13/2024, 7:40 AM	24-00488	Prowler
1/13/2024, 11:48 AM	24-00498	Lost Property
1/13/2024, 5:19 PM	24-00512	Agency Assistance
1/15/2024, 10:00 PM	24-00591	Suspicious Circumstances
1/16/2024, 9:59 AM	24-00601	Civil Problem
1/17/2024, 11:19 AM	24-00669	Citizen Assist
1/17/2024, 12:53 PM	24-00682	Lost Property
1/18/2024, 9:22 AM	24-00712	Citizen Assist
1/18/2024, 11:00 AM	24-00715	Property Damage, Non Vandalism
1/18/2024, 11:10 PM	24-00740	Traffic Enforcement
1/19/2024, 8:52 AM	24-00752	Welfare Check
1/19/2024, 8:51 AM	24-00753	Vehicle Accident
1/19/2024, 11:32 AM	24-00758	Suspicious Circumstances
1/20/2024, 6:42 PM	24-00815	Agency Assistance
1/21/2024, 4:49 PM	24-00846	Welfare Check
1/21/2024, 11:58 PM	24-00861	Animal Problem
1/22/2024, 9:52 AM	24-00872	Suspicious Circumstances
1/22/2024, 4:43 PM	24-00894	Fraud Violation
1/24/2024, 6:03 AM	24-00967	Suspicious Circumstances
1/24/2024, 3:15 PM	24-00990	Domestic Violence
1/26/2024, 12:57 AM	24-01067	Vehicle Accident
1/27/2024, 2:44 PM	24-01130	Weapon Violation
1/27/2024, 7:24 PM	24-01143	Domestic Violence
1/28/2024, 8:28 PM	24-01178	Juvenile Problem
1/29/2024, 1:24 PM	24-01207	Found Property
1/30/2024, 2:11 AM	24-01228	Unsecure Premise
1/30/2024, 10:38 AM	24-01235	Civil Problem
1/30/2024, 1:25 PM	24-01248	Fraud Violation
1/31/2024, 11:13 AM	24-01288	Fraud Violation
1/31/2024, 12:26 PM	24-01290	Noise Ordinance
1/31/2024, 1:29 PM	24-01293	Animal Problem

HOURS IN ZONE 814

HOURS IN TOWN 175

Unfinished Business

- 1) Center Street Project – Discussion – No Insert**
- 2) Jenson Property Public Process Discussion**
- 4) Ordinance – Transportation Benefit District**
- 5) Ordinance – Chapter 10 of the Comprehensive Plan**
- 6) PUBLIC HEARING – UDC Updates**

**Jenson Property Public Process
Discussion**



Town of La Conner

Date: February 2, 2024
To: Mayor and Town Council
From: Scott G. Thomas, Town Administrator
Subject: Jenson Property Process

Since the time that the Jenson property was transferred to the Town in October, 2022, the La Conner Town Council has been committed to an open and dynamic public process to determine the best use for the property. I have previously stated that it would perhaps be best if the public process were delayed until we have a firm understanding of what the Town's population and employment projections would be over the 20-year planning horizon so that we have as much relevant data as is available. That data has now been provided to us, and so we may now proceed with a public process.

Public participation is intended to bring a variety of information and perspectives to the Council, and thereby ensure broad and ongoing support and instill a sense of community ownership in whatever decisions are made. We are hopeful that the conclusion of this process will provide a guiding framework for decision-making.

To provide several opportunities for public input, we suggest the following events and activities:

- Conduct a community meeting using the “mingle” format that has been so successful in the past. This meeting would tentatively be set for April 25th.
- Ask the Mayor to make this topic the subject of a Saturday meeting with the Mayor on May 4th at the library.
- Solicit written comments through the paper.

This outline is intended to be a discussion draft, and so suggestions are welcome.

**Ordinance –
Transportation Benefit District**

TOWN OF LA CONNER



Ordinance No.

AN ORDINANCE AN ORDINANCE OF THE TOWN OF LA CONNER, WASHINGTON, ASSUMING THE RIGHTS, POWERS, FUNCTIONS AND OBLIGATIONS OF THE LA CONNER TRANSPORTATION BENEFIT DISTRICT.

WHEREAS, The Town Council of the Town of La Conner has adopted Ordinance No. 1233 on November 14, 2023, creating the La Conner Transportation Benefit District with the same boundaries as the La Conner town limits; and

WHEREAS RCW 36.74.010 provides that any city or county in which a transportation benefit district has been established pursuant to chapter 36.73 RCW with boundaries coterminous with the boundaries of the city or county may assume the rights, powers, functions, and obligations of the transportation benefit district; and

WHEREAS, the Town Council of the Town of La Conner held a public hearing on the Council's proposed assumption of the rights, powers, functions, and obligations of the La Conner Transportation Benefit District on February 13, 2024;

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

SECTION 1 – FINDINGS.

The Town Council hereby makes the following findings in support of the actions set forth herein:

1. The assumption by the Town Council of the rights, powers, functions, and obligations of the La Conner Transportation Benefit District will significantly simplify the

administration of the funds collected by the Transportation Benefit District, resulting in greater efficiency of government;

2. The La Conner Transportation Benefit District has not yet collected any funds, entered into any contracts, committed to any projects, or spent any funds thus simplifying the transfer of authority;

3. The La Conner Transportation Benefit District as yet does not have any assets.

SECTION 2 – ASSUMPTION OF THE LA CONNER TRANSPORTATION BENEFIT DISTRICT.

The Town hereby assumes the rights, powers, functions, and obligations of the La Conner Transportation Benefit District, and by this action the La Conner Transportation Benefit District shall cease to exist as a separate entity.

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.

Adopted by a vote of the La Conner Town Council this 13th day of February, 2024.

Marna Hanneman, Mayor

ATTEST:

Maria DeGoede, Town Clerk

APPROVED AS TO FORM:

Scott G. Thomas, Town Attorney

**Ordinance – Chapter 10 of the
Comprehensive Plan**

MEMORANDUM

TO: Town Council
FROM: Planning Staff
SUBJECT: Approval for Comprehensive Plan, Chapter 10
DATE: February 8, 2024

Following your preliminary approval of this chapter of the town's comprehensive plan in November 2023, it was submitted to the state's Department of Commerce for their required 60-day review. That review period is now expired, and final action is needed for its adoption.

As you will recall, this chapter was the first to be amended at the request of the library, which asked to be included as an essential public facility in order to qualify for grant funding.

Attached: Draft Ordinance

TOWN OF LA CONNER



ORDINANCE NO. ____

**AN ORDINANCE OF THE TOWN OF LA CONNER, WASHINGTON
AMENDING THE TOWN'S COMPREHENSIVE PLAN IN ACCORDANCE WITH
AND PURSUANT TO THE GROWTH MANAGEMENT ACT BY AMENDING
CHAPTER 10 ESSENTIAL PUBLIC FACILITIES ELEMENT OF THE
COMPREHENSIVE PLAN**

WHEREAS, the Washington Growth Management Act (GMA), Chapter 36.70A RCW requires that the Town of La Conner and other cities and towns in Skagit County adopt comprehensive plans; and

WHEREAS, the GMA requires that the Town's Comprehensive Plan and development regulations be subject to continuing review and evaluation; and

WHEREAS, the Town has adopted procedures pursuant to the GMA providing for amendments to the Comprehensive Plan no more than once each year and providing for comprehensive review of the cumulative impacts of all proposed amendments; and

WHEREAS, the Town had developed Chapter 10 of the Comprehensive Plan; and

WHEREAS, in an effort to ensure internal and external consistency in its planning documents, the Town now desires to update the Essential Public Facilities Element of its Comprehensive Plan; and

WHEREAS, the Town issued a Determination of Non-Significance for the Essential Public Facilities Element on January 16, 2024 and the notice was published on January 24, 2024, with an appeal period that ended on February 3, 2024 with no appeals; and

WHEREAS, the Town provided the Essential Public Facilities Element of the La Conner Comprehensive Plan to the Washington State Department of Commerce (Commerce) in accordance with RCW 36.70A.106, and received acknowledgement from Commerce of its receipt of the Plan on November 23; and

WHEREAS, the La Conner Planning Commission, after fully, fairly and carefully considering the public input and staff materials relevant to the Essential Public Facilities Element of the La Conner Comprehensive Plan forwarded to the Town Council its recommendation that the Council approve the subject document; and

WHEREAS, the La Conner Town Council held a public hearing on the Essential Public Facilities Element of the La Conner Comprehensive Plan on November 21, 2023 at which time public comment was taken; and

WHEREAS, issues raised through oral testimony at the public hearings and public comment periods have been reviewed and addressed by the Council; and

WHEREAS, the Town Council determines it to be in the public interest that the Essential Public Facilities Element of the La Conner Comprehensive Plan be adopted; and

WHEREAS, the La Conner Town Council determines that the La Conner Comprehensive Plan as amended by addition of an Essential Public Facilities Element is consistent with the Growth Management Act, and the Skagit County-Wide Planning Policies;

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:

A. PLANNING COMMISSION RECOMMENDATIONS:

1. That the Essential Public Facilities Element of the Town of La Conner Comprehensive Plan be APPROVED.

B. FINDINGS OF FACT:

1. On October 3, 2023 the Town of La Conner Planning Commission held an open-record public meeting to consider amendments to Chapter 10 of the Comprehensive Plan. All persons present at the hearings wishing to speak were heard and all written comments were considered, along with the written staff report with its associated exhibits.
2. The meeting on October 3, 2023, was preceded with appropriate notice, issued on September 27, 2023, and published on September 27, 2023.
3. Notice of adoption of the proposed amendments has been duly transmitted in compliance with RCW 36.70A.106 (1).
4. A Final SEPA threshold Determination of Non-Significance for the Essential Public Facilities Element was issued on January 16, 2024 and the notice was published on January 24, 2024, with an appeal period that ended on February 3, 2024 with no appeals;

C. CONCLUSIONS OF LAW:

1. The requirements for public participation in the development of this amendment as required by the GMA and by the provisions of the Town of La Conner have all been met.
2. The proposed amendments are found to be in compliance with the GMA.
3. The La Conner Comprehensive Plan has consistently been maintained in compliance with the GMA as amended since its initial adoption.
4. Chapter 36.70A RCW, the GMA mandates that the Town of La Conner develop a Comprehensive Plan, which is a generalized, coordinated land use policy statement of the Town.
5. The GMA requires that the Comprehensive Plan and development regulations be subject to continuing review and evaluation.

The Town has adopted procedures pursuant to the GMA providing for amendments to the Comprehensive Plan not more than once each year and providing for comprehensive review of the cumulative impacts of all proposed amendments.

1. The GMA requires plans and development regulations to be consistent; and also requires comprehensive plans to be both internally and externally consistent.

SECTION 3. The Town Council also adopts further Findings of Fact as follows.

1. On February 13, 2024 the Town Council held a public hearing to consider amendment to the Comprehensive Plan. At this hearing Council took testimony from those in attendance, reviewed the written materials provided by Town staff, and listened to staff analysis respective to the application before Council.
2. The Town Council's hearing on February 13, 2024 was preceded with appropriate notice, issued on January 24, 2024, and published on January 24, 2024.

SECTION 4. Town staff is hereby directed to complete preparation of the final ordinance, including correction of any typographical or editorial edits.

SECTION 5. In the event any term or condition of this ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other terms, conditions, or applications of this ordinance which can be given effect without the invalid term, condition, or application. To this end, the terms and conditions of this ordinance are declared severable.

SECTION 6. In accordance with RCW 35.63.240, staff shall provide to the county assessor a copy of these amendments to the town's comprehensive plan and development regulations.

PASSED AND ADOPTED by vote of the La Conner Town Council this ___ day of February, 2024.

Marna Hanneman, Mayor

Maria DeGoede, Finance Director

Approved as to form:

Scott Thomas, Town Attorney

CHAPTER 10

ESSENTIAL PUBLIC FACILITIES ELEMENT

Introduction

The Growth Management Act (GMA) requires all local comprehensive plans include a process for identifying and siting essential public facilities, and prohibits local comprehensive plans or development regulations from precluding the siting of essential public facilities.

Essential Public Facilities are defined in the GMA, as follows:

Essential public facilities include those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities, group homes and secure community transition facilities as defined in RCW 71.09.020. (RCW 36.70A.200)

In addition Skagit County and its Cities and Towns have agreed to Countywide Planning Policies that address the availability and provision of essential public facilities and services. Those policies include:

12.2 All communities within a region shall fairly share the burden of regional public facilities.

12.3 A process shall be developed for identifying and siting essential public facilities. The Comprehensive Plan may not preclude the siting of essential public facilities.

An essential public facility may include facilities owned by the government or a private entity. The La Conner Schools, the La Conner Swinomish Library, Town Hall, and Maple Hall are the only existing essential public facilities located within the Town of La Conner.

Given its location and land constraints, ~~it is likely that~~ the most likely essential public facilities that the Town would need to accommodate would be those related to housing at risk individuals. The La Conner Uniform Development Code contains an array of definitions relating to essential public facilities. These definitions include: adult family home; convalescent or nursing home; domiciliary care; housing for people with functional disabilities; people with functional disabilities; rest homes; nursing homes and homes for the elderly; retirement homes; retirement apartments; and supportive living arrangements. As a community, the Town recognizes the need to address problems or special needs generated within our community.

Housing for at risk people groups as described above can be placed into the following three categories:

- *Secure Community Transition Facility*: A residential facility for persons civilly committed and conditionally released to a less restrictive alternative under RCW 71.09. A Secure Transition Facility has supervision and security, and either provides or ensures the provision of sex offender treatment services. These facilities include, but are not limited to, the facilities established pursuant to RCW 71.90.250 and any community based facilities established under RCW 71.09 and operated by DSHS or under contract to DSHS.
- *Community Residential Facility*: Any dwelling licensed, certified or authorized by State, Federal or local authorities as a residence for children or adults with physical; developmental or mental disabilities; dependent children or elderly individuals in need of supervision, support and/or independent living training; domestic violence shelters, and rape relief shelters. Does not include halfway houses, or secure community transition facilities.
- *Community Treatment Facility*: Any dwelling or building licensed, certified or authorized by State, Federal or local authorities as a residence and treatment facility for children or adults with mental disabilities, alcoholism or drug abuse problems, needing a supervised living arrangement and rehabilitation services on a short-term or long-term basis. Does not include detoxification centers, halfway houses, crisis residential centers or secure community transition facilities.

A fourth category covers other typical essential public facilities that each community needs to include in order to function in an orderly manner.

- *Public Service Facility*: Any building or infrastructure essential to government services provided by the Town of La Conner to the public (i.e. schools, police and fire service). This does not include facilities within the public rights-of-way.

Specific public service facilities in La Conner are as follows:

- **The La Conner Swinomish Library, which is a regional facility;**
- **The La Conner Town Hall, an historic structure which houses essential local government functions; and**
- **Maple Hall, an historic structure that serves several public uses such as the Senior Center. It is also a public meeting venue for the Town Council, Planning Commission, and Parks Commission, among others.**

GOALS AND POLICIES

GOAL A

To follow the process and siting criteria in Appendix 10-A and not prohibit or exclude the siting of essential public facilities.

Policies

- 10A-1 The Town recognizes the need to provide essential facilities in proportion to the needs of its citizens.

GOAL B

To ensure that the siting of essential public facilities includes and provides for extensive public processes.

Policies

- 10B-1 Public notice should be given to the Town and its residents when an essential public facility is being considered for La Conner.
- 10B-2 Consult with affected agencies and utilities in preparing recommendations and give them an opportunity for review and comment.
- 10B-3 Convene public meetings when sites are under consideration to:
- a. Inform the Town's residents of why the facility is needed, why in La Conner, and the timelines for selecting a site and receiving citizen input.
 - b. Inform citizens when specific sites have been selected and receive citizen input.

GOAL C

To ensure that land use and review processes provide adequate information needed to evaluate the siting of the proposed essential facilities.

Policies

- 10C-1 Establish permitting criteria using parameters established in Appendix 10-A.

GOAL D

To ensure that the siting of essential public facilities is in conformance with the following zoning regulations:

Policies

- 10D-1 Secure Community Transition Facilities may be permitted as a Conditional Use outside the Historic District in Commercial and Industrial Zones only.
- 10D-2 Community Residential Facilities may be permitted as a Conditional Use in Residential and Commercial Zones only.
- 10D-3 Community Treatment Facilities may be permitted as a Conditional Use outside the Historic District in Commercial Zones only.
- 10D-4 Public Service Facilities may be a permitted use in a Public Zone and a Conditional Use in all other zones outside of the public right-of-ways.

APPENDIX 10-A

The following issues will serve as a basis to establish criteria for site selection of essential public facilities:

Specific facility requirements:

- Identify the characteristics of the facility that make it difficult to site.
- Identify security plans and mitigation needed to protect persons and neighbors
- Nature or conditions of the occupants should be defined with particular attention to the extent they pose a hazard
- Size of facility and number of occupants
- Minimum acreage needed
- Accessibility
- Transportation and service needs/requirements
- Supporting public service needs
- Health and safety
- Site design
- Zoning
- Availability of alternate sites

Impacts of the facility:

- Land use compatibility
- Land use and development in adjacent and surrounding areas
- Zoning in surrounding areas
- Present and proposed population density of surrounding areas
- Environmental impacts and opportunities to mitigate
- Effect on agricultural, forest or mineral lands, critical areas, and historic, archaeological and cultural sites
- Effect on the likelihood of associated development
- Effect on public costs, including operating and maintenance
- Existing Comprehensive Plan designations for the surrounding area

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UDC Updates

MEMORANDUM

TO: Town Council
FROM: Planning Staff
SUBJECT: Updates to the Uniform Development Code
DATE: February 8, 2024

Over the past several months, the staff has been working with the Planning Commission in the drafting to proposals to revise the town's Uniform Development Code (UDC). The proposed UDC amendments address issues that include short-term rentals, affordable housing, medical uses on Maple Street, and a full revision to Chapter 15.10, Definitions.

With the exception of our work on definitions, these other issues have been presented to you previously. At this time, we are seeking a preliminary approval of these proposed amendments, so that they can be forwarded to the state's Department of Commerce for their 60-day review.

There is no urgency to this request at this time. However, we would like to move this along so that we may continue with our Comprehensive Plan updates. The staff will be available to you at your convenience to answer any questions that you may have.

Proposed revisions to Chapter 15.10 Definitions:

15.10.005 Applicability.

For the purpose of this code the following definitions as set forth in this section shall apply. Except where specifically defined in this chapter, all words used in this title shall carry their customary meanings. Words used in the present tense include the future, and the plural includes the singular. The word "shall" is always mandatory, and the word "may" denotes a use of discretion in making a decision. The words "used" or "occupied" shall be considered as though followed by the words "or intended, arranged or designed to be used or occupied." Variances from these definitions shall not be granted.

15.10.015 Abut.

"Abut" means to physically touch or border upon, or to share a common property line. Abutting property does not include property that is separated by a street or alley, unless such street or alley is privately owned by the neighboring properties. [Ord. 671 § 2, 1995.]

15.10.030 Accessory dwelling unit.

"Accessory dwelling unit" means an additional living dwelling unit, including separate kitchen, sleeping, and bathroom facilities, either within the primary residential dwelling unit, attached, or separate from the primary residential dwelling unit on a single-family household lot. [Ord. 671 § 2, 1995.]

15.10.045 Adult family home.

"Adult family home" means a regular ~~family abode~~ single-household dwelling of a person or persons who are providing personal care, room, and board to more than one but not more than ~~four~~ six adults who are not related by blood or marriage to the person or persons providing the services; except that a maximum of ~~six~~ eight adults may be permitted if the Washington State Department of Social and Health Services determines that the single-household dwelling ~~home~~ is of adequate size and that the single-household dwelling ~~home~~ and the provider are capable of meeting standards and qualifications as provided for by law (RCW 70.128.010). Adult family homes are a permitted use in all areas zoned for residential use (RCW 70.128.175). [Ord. 671 § 2, 1995.]

15.10.070 Alley.

"Alley" means a minor street primarily used for vehicular service access to the back or side of properties abutting on another street. An alley is typically not intended for general traffic circulation.

15.10.090 Appeal.

"Appeal" means request for reconsideration of a decision made as a result of an interpretation of any provision of this code. An appeal of an administrative decision is made to the Hearing Examiner. An appeal of a Hearing Examiner decision is made to Skagit County Superior Court. The timing of an appeal may be limited by a specified time period. [Ord. 671 § 2, 1995.]

15.10.104 Awning

"Awning" means a shelter, typically for a pedestrian walkway, that projects from and is supported by the exterior wall of a building. Awnings have noncombustible frames, but may have combustible coverings. Awnings may be fixed, retractable, folding or collapsible. Any structure which extends above any adjacent parapet or roof of a supporting building is not included within the definition of awning.

15.10.128 Bedroom

"Bedroom" means a room in a dwelling unit which is intended to be used primarily for sleeping, or a room which, in the judgment of the planning director, is likely to serve primarily as a room for sleeping.

15.10.140 Boarding house, rooming house.

"Boarding house, rooming house" means a building or part thereof other than a hotel, motel, or restaurant where meals and/or lodging are provided for compensation, for ~~one or more~~ **not more than four** unrelated persons where no cooking or dining facilities are provided in individual rooms. Boarding homes and rooming homes shall not be used for short-term rentals. [Ord. 671 § 2, 1995.]

15.10.165 Building height.

"Building height" means the vertical distance from the average lot grade to the highest point of the roof or any portion of the building. Any element of a building, such as a chimney, elevator shaft, skylight, or other building element, shall be subject to the maximum height limits as set forth in this ordinance. Average lot grade shall be determined by averaging the lowest and highest existing elevation points on the lot. [Ord. 986 § 8, 2007; Ord. 671 § 2, 1995.]

15.10.190 Certificate of occupancy.

"Certificate of occupancy" means a written certification that a development meets all requirements of applicable codes and may be legally occupied. It is issued by the Skagit County Permit Center and the town of La Conner after final inspection of the completed work authorized by permit and before the

development is occupied. No building or structure shall be occupied, except for construction activities, until a Certificate of Occupancy has been issued. [Ord. 671 § 2, 1995.]

15.10.197 Church

“Church” means a building or structure, or groups of buildings or structures, which by design and construction are primarily intended for the conducting of organized religious services and accessory uses associated therewith.

15.10.225 Commercial.

“Commercial” means activities and facilities conducted or constructed for profit. Non-profit activities are included within this definition. [Ord. 671 § 2, 1995.]

15.10.245 Comprehensive plan.

“Comprehensive plan” means a generalized coordinated land use plan for community development which includes goals, policies, mandatory elements for land use, housing, utilities, transportation, capital facilities, and/or optional elements including, but not limited to, conservation, solar energy, and recreation, as may be identified or defined in the State of Washington’s Growth Management Act. [Ord. 671 § 2, 1995.]

15.10.255 Conditional use.

“Conditional use” means a use addressing a limited or specific need but, due to a potential adverse effect upon permitted uses or public services and facilities, is only allowed subject to review by the hearing examiner, of the use standards of the district, and the certain criteria in this code. [Ord. 1222 § 2, 2023; Ord. 901 § 2, 2003; Ord. 671 § 2, 1995.]

15.10.256 Conditional Use, Administrative

Some conditional uses, due to the limited potential impact of the proposed use, are considered as administrative conditional uses that may be approved by the planning director.

15.10.345 Developer.

“Developer” means a person, individual, corporation, or partnership responsible for any undertaking that requires a permit from the town of La Conner. [Ord. 671 § 2, 1995.]

15.10.380 Dwelling unit.

"Dwelling unit" means an enclosure containing sleeping, kitchen, and bathroom facilities designed for and used or held ready for use as permanent residence by one ~~family~~ household. [Ord. 671 § 2, 1995.]

15.10.385 Dwelling, duplex.

"Duplex dwelling" means a detached building containing two dwelling units, each containing sleeping, kitchen, and bathroom facilities, and designed for and used or held ready for use by two ~~families~~ households living independently of each other. [Ord. 671 § 2, 1995.]

15.10.390 Dwelling, multihousehold family.

"Multihousehold family dwelling" means a detached building containing three or more dwelling units, each containing sleeping, kitchen, and bathroom facilities, and designed for and used or held ready for use by three or more ~~families~~ households living independently of each other. [Ord. 671 § 2, 1995.]

15.10.395 Dwelling, single-household family.

"Single-household family dwelling" means a detached building containing one dwelling unit with sleeping, kitchen, and bathroom facilities designed for and used or held ready for use exclusively by one household family and the household employees of that household family. [Ord. 671 § 2, 1995.]

15.10.405 Easement.

"Easement" means the right of a person, government agency, or public utility company to use public or private land owned by another for a specific purpose. "Easement" means land which has specific air, surface or subsurface rights conveyed for use by someone other than the owner of the subject property or to benefit some property other than the subject property.

15.10.410 Effective date.

"Effective date" means, following the adoption by the town council, the date in which a land use regulation ordinance takes effect ~~is published in the newspaper of record~~. [Ord. 932 § 3, 2004; Ord. 671 § 2, 1995.]

15.10.412 Elderly. Adult Residency Requirement.

"Elderly" means that an adult residency requirement is in place that specifies that no person shall reside in a dwelling unit specified as "specialized housing units for the elderly" unless such a person is 55 years of age or older, or the spouse of a resident adult.

15.10.440 Factory-built structure.

"Factory-built structure" means a structure that is constructed off-site, that is designed for occupation or use, or is occupied or used by persons, and that complies with this code. Factory-built structures include factory-built housing and commercial structures. [Ord. 671 § 2, 1995.]

15.10.445 Family.

"Family" means an individual or two or more persons related by blood or marriage, or two or more persons with functional disabilities as defined herein, or a group of not more than three unrelated persons, living together to share a single household unit. [Ord. 671 § 2, 1995.]

15.10.448 Fence.

"Fence" means an artificially constructed barrier of any material or combination of materials erected to enclose, screen, or separate areas, excluding vine arbors and trellises used for landscaping purposes and approved by the town.

15.10.503 Guesthouse or guest rental.

"Guesthouse" or "guest rental" means a commercial use of a room, residential unit, or boat intended or designed to be used, or which are used, rented or hired out to be occupied, or which are occupied for sleeping purposes by guests ~~a single household family dwelling unit, residential unit or boat~~ rented on a daily or weekly basis (i.e., less than monthly rental). A single building or lot can provide up to two guest rentals. [Ord. 1126 § 2, 2015; Ord. 1040 § 5.]

15.10.512 Group Home.

"Group home" means a single-household residence for up to eight unrelated individuals who need special care due to sensory, mental or physical disabilities; provided, that this shall not apply to a residence used for the placement of individuals who have been convicted of a crime or juvenile offense or have gone through some form of diversion proceedings either as an adult or a juvenile offender. The purpose of a group home is to provide supervision and support in a family-like setting for persons unable to live independently. A group home shall require a certificate of occupancy issued by the community and economic development director prior to occupancy for which certificate shall be issued; provided, that the following standards are met:

A. 1. The group home is licensed by an appropriate agency of the state; and

2. The group home has adequate off-street parking and the appearance conforms with the neighborhood.

B. If the criteria set forth in subsection A of this section cannot be met by a proposed group home, the planning director shall refer the request to the hearing examiner who shall make recommendation to the town council. The town council may approve the proposed group home and direct the planning director to issue a certificate of occupancy therefor if it finds that:

1. The cumulative effect of the proposed group home will not alter the residential character of the neighborhood; and

2. The proposed group home will not create an institutional setting; and

3. The proposed group home will not exceed the capacity of existing community recreation and social service facilities; and

4. The proposed group home and the care provided therein meets or exceeds recognized standards for such facilities as shown by permits from a governmental licensing authority or recognition from a recognized authoritative association with expertise.

15.10.513 Hazardous Waste.

"Hazardous waste" is all dangerous waste (DW) and extremely hazardous waste (EHW) as defined in RCW 70.105.010.

15.10.520 Home occupation.

"Home occupation" means an occupation, business, or artistic activity which results in a product or service and which is conducted, in whole or in part, in either the primary dwelling or in an accessory building normally associated with permitted uses; is conducted by at least one ~~family member~~ **person** occupying the residence; and is clearly subordinate to the residential use of the dwelling and premises. [Ord. 671 § 2, 1995.]

15.10.525 Hotel, motel, or apartment hotel.

"Hotel, motel, or apartment hotel" means any building or lot containing **three** ~~six~~ or more guest rooms intended or designed to be used, or which are used, rented or hired out to be occupied, or which are occupied for sleeping purposes by guests, and which includes a full-time, on-site property manager. [Ord. 671 § 2, 1995.]

15.10.530 Household/housekeeping unit.

"Household/housekeeping unit" means a ~~single-family, one person living alone, two or more families living together, or any other~~ group of related or unrelated persons who share a dwelling unit. [Ord. 671 § 2, 1995.]

15.10.535 Housing for people with functional disabilities.

"Housing for people with functional disabilities" means housing used, or intended for use, by persons with functional disabilities. The term includes adult ~~family~~ homes and supported living arrangements as herein defined. [Ord. 671 § 2, 1995.]

15.10.550 Impact fees.

"Impact fees" means fees paid by a developer for absorbing all or a portion of the local government costs of new development. Impact fees require developers to pay an amount of money determined by a uniform formula, as established by a resolution of the Town Council [Ord. 671 § 2, 1995.]

15.10.595 Land use decision.

"Land use decision" means a final determination by the planning director, ~~planning commission~~ Hearing Examiner, or town council on:

(1) An application for a project permit or other governmental approval required by law before real property may be improved, developed, modified, sold, transferred, or used, but excluding applications for permits or approvals to use, vacate, or transfer streets, parks, and similar types of public property; excluding applications for legislative approvals such as rezones and annexations; and excluding applications for business licenses.

(2) An interpretative or declaratory decision regarding the application to a specific property of zoning or other ordinances or rules regulating the improvement, development, modification, maintenance, or use of real property; and

(3) The enforcement by the town of ordinances or codes regulating the improvement, development, modification, maintenance, or use of real property. [Ord. 671 § 2, 1995.]

15.10.605 Levels of service.

"Levels of service" means the adopted levels of service standards in the La Conner comprehensive plan, to ensure the adequacy and safety of the various public services (utilities and drainage) facilities and infrastructure (i.e., utilities, streets, and drainage) to accommodate anticipated utilization. [Ord. 671 § 2, 1995.]

15.10.650 Lot of record.

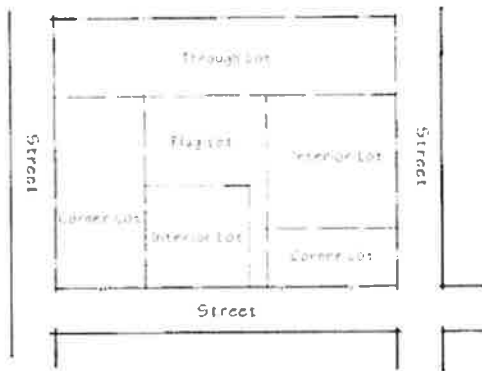
"Lot of record" means any platted lot of the town of La Conner the boundaries of which were was approved by the planning commission, previous boards of adjustment or the appropriate approving authority at the time of creation and are recorded in the county auditor's office. In order to be considered a lot of record, lots that are unplatted must meet the minimum lot size for the zoning district or demonstrate that they were created prior to January 10, 1978, and were consistent with the requirements in place at the time they were created. [Ord. 1197 § 2 (Exh. A), 2021; Ord. 1191 § 2 (Exh. A), 2020; Ord. 898 § 2, 2003; Ord. 671 § 2, 1995.]

15.10.655 Lot types.

"Lot types" means terminology used in this code with reference to corner lots, interior lots, flag lots, and through lots is as follows:

- (1) "Corner lot" is defined as a lot located at the intersection of two or more streets.
- (2) "Interior lot" is a lot other than a corner lot with only one frontage on a street.
- (3) "Through lot" is a lot other than a corner lot with frontage on more than one street.

(4) "Flag lot" is a lot with access to a road only by a private accessway. The entire length of the private accessway of a flag lot shall be no less than 20 feet in width. The entire length of the private accessway shall not be included in calculating the minimum lot area.



15.10.660 Income groups.

"Income groups" are defined as follows:

- (1) Lower income. "Lower income" means between 81 percent and 95 percent of median income for the area, as determined by the Department of Housing and Urban Development (HUD). [Ord. 671 § 2, 1995.]
- (2) Low Income. "Low income" means between 50 percent and 80 percent of median income for the area, as determined by the Department of Housing and Urban Development (HUD).
- (3) Very low income. "Very low income" means between 0 percent and 50 percent of median income for the area, as determined by the Department of Housing and Urban Development (HUD).
- (4) Middle income. "Middle income" means between 96 and 120 percent of the area median income for the area. "Median household income" means the amount calculated and published by the HUD each year for the Skagit County statistical area as the median household or family income, adjusted by HUD for household size.

15.10.692 Master plan.

“Master plan” is intended to show how proposed development will comply with the development standards in the applicable zoning. It also is intended to show compatibility of development within the master plan area, and compatibility of anticipated uses in areas adjacent to and abutting the master plan area. It provides long-term guidance for a smaller area than a conceptual redevelopment plan, but a larger area than a detailed site plan.

15.10.710 Modular structure.

“Modular structure” means a structure designed and constructed for residential, commercial, or industrial purposes which satisfies the International Building Code for the intended purpose, and which is partially or entirely constructed off-site and moved onto a permanent foundation on the site. [Ord. 963 § 6, 2005; Ord. 671 § 2, 1995.]

15.10.707 Mixed use building

“Mixed use building” means a building that contains nonresidential uses allowed within the zone the building is located within and residential uses allowed within the zone the building is located within.

15.10.708 Mobile food van.

“Mobile food van,” which may also be known as a “food truck,” means a vehicular-type unit designed for the preparation and dispensing of food and drink products, which either has its own motive power or is mounted on or drawn by another vehicle.

15.10.720 Multifamily residential building.

~~“Multifamily residential building” means common wall residential buildings that consist of four or fewer units, that do not exceed two stories in height, that are less than 5,000 square feet in area, and that have a minimum one-hour fire-resistive occupancy separation between units. [Ord. 671 § 2, 1995.]~~

15.10.780 Open air vending.

“Open air vending” means commercial activity conducted without an enclosed permanent structure where goods or merchandise ~~is~~ **are** displayed, advertised, or for sale. [Ord. 671 § 2, 1995.]

15.10.790 Open space.

"Open space" means land that is reserved for recreational purposes or for the preservation of particular vegetative or topographic features. Such land shall not include buildings, streets, drives or parking areas. "Common" open space is that which is reserved for use by the residents of a neighborhood or development. "Private" open space is that reserved for use by residents of individual dwellings. "Usable" open space are those areas which have appropriate topography, soils, drainage and size to be considered for development as active and passive recreation areas for all residents within the development. Detention areas may be considered under this category providing the design of the area incorporates enhancement features making the detention area an amenity. Recreational facilities such as playground equipment, ball fields, court games, picnic tables, pedestrian and bike trails, garden areas, and enhanced stream corridors may be considered as meeting part of the open space requirement. [Ord. 671 § 2, 1995.]

15.10.797 Park.

"Park" means a tract of land, designated and used by the public for active and passive recreation.

15.10.840 Planned residential development.

"Planned residential development" means a development constructed on a tract of at least one-acre sixteen thousand square feet under single ownership, ownership by a governmental agency, or if there is more than one owner, a development where the application was filed jointly by all owners having title to all the property in the area proposed for the planned unit residential development, planned and developed as an integral unit, and consisting of single-household family detached residences combined with either two-household family residences or multihousehold family residences, or both. [Ord. 671 § 2, 1995.]

15.10.917 Public facilities.

"Public facilities" means streets, roads, highways, sidewalks, street lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, park and recreation facilities, schools, and public buildings.

15.10.965 Residence, primary with accessory apartment.

"Primary residence with accessory apartment" means a residential use having the external appearance of a single- household family residence but in which there is located a second dwelling unit that comprises not more than 25 percent of the gross floor area of the building nor more than a total of 750 square feet. In this context, an accessory apartment may also be defined as an accessory dwelling unit. [Ord. 671 § 2, 1995.]

15.10.970 Residence, multi-single-household family detached (more than one dwelling unit/lot).

"Multi-single-household family detached residence (more than one dwelling unit/lot)" means a residential use consisting of two or more single-household family detached dwelling units on a single lot. [Ord. 671 § 2, 1995.]

~~15.10.975 Residence, single-family detached (one dwelling unit/lot).~~

~~"Single-family detached residence (one dwelling unit/lot)" means a residential use consisting of a single detached building containing one dwelling unit and located on a lot containing no other dwelling units. [Ord. 671 § 2, 1995.]~~

15.10.1005 Retirement apartments.

"Retirement apartments" means a multihousehold family residential development designed and developed for exclusive use by senior citizens, as defined by the most recently adopted state law. [Ord. 671 § 2, 1995.]

15.10.1032 Short-term rental.

A short-term rental is a furnished, self-contained dwelling unit that is rented for a period of thirty (30) days or less.

15.10.1085 Start of construction.

"Start of construction" means ~~includes~~ substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundation or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. [Ord. 671 § 2, 1995.]

15.10.1180 Supported living arrangement.

"Supported living arrangement" means a living dwelling unit owned or rented by one or more persons with functional disabilities who receive assistance with activities of daily living, instrumental activities of daily living, and/or medical care from an individual or agency licensed and/or reimbursed by a public agency to provide such assistance. [Ord. 671 § 2, 1995.]

15.10.1197 Tiny home.

A “tiny home” is a single-~~household family residential~~ dwelling unit measuring not more than 700 square feet in total area, to be used as permanent housing with permanent provisions for living, sleeping, eating, cooking, and sanitation, built in accordance with the state building code. A tiny home may be constructed on site, or constructed off site and moved to a permanent location. Tiny homes must be built or placed on a permanent foundation. [Ord. 1222 § 2, 2023.]

15.10.1198 Townhouse.

“Townhouse” means a one-~~household family~~, ground-related dwelling unit attached to one or more such dwelling units in which each dwelling unit has its own exterior ground-level access to the outside; no dwelling unit is located over another dwelling unit; and each dwelling unit is separated from another dwelling unit by one or more vertical common walls. Typically, the dwelling units are multistory. [Ord. 877 § 5, 2003.]

15.10.1220 Urban growth area.

“Urban growth area” means area designated by the town’s comprehensive plan in accordance with the State of Washington’s Growth Management Act. [Ord. 671 § 2, 1995.]

15.10.1230 Variance.

“Variance” means the means by which an adjustment is made in the application of a specified regulation of a zoning ordinance/code to a particular piece of property, which property, because of the special circumstances applicable to it, is deprived of privileges commonly enjoyed by other properties in the same vicinity and zone and which adjustment will remedy disparity in privileges. A grant of permission by the legislative body that authorizes the recipient to do that which, according to the strict letter of the ordinance, could not otherwise be legally done. A variance shall not be granted unless the applicant can demonstrate a hardship not created by the applicant, the current property owner, or a previous property owner. [Ord. 671 § 2, 1995.]

Proposed changes for chapter 15.20 Residential Zone:

15.20.020 General.

(1) Residential uses include single-~~household family~~ dwellings, accessory dwelling units, multi~~household family~~ dwellings in a variety of housing types, modular and manufactured housing, and adult family homes. Recreational vehicles are not permitted in any zone as a residential use.

15.20.030 Permitted uses.

The following uses and structures are permitted in an RD Zone by certificate of authorization:

- (1) One single-~~household family~~ dwelling unit per lot;
- (2) One duplex dwelling per lot;
- (3) One multihousehold dwelling per lot;
- (4) One townhouse per lot;
- (5) One factory-built/ manufactured home per lot;
- (6) One accessory dwelling unit – See LCMC 15.110.080;
- (7) Adult family homes/supported living arrangements;
- (8) Accessory uses and structures normally incidental to primary dwelling units – see Chapter 15.110 LCMC. [Ord. 1191 § 2 (Exh. A), 2020; Ord. 671 § 3.2.C, 1995.]

15.20 Conditional Uses

15.20.050 (7) Along Maple Street only, ~~existing~~ medical and dental uses.

15.20.055 Administrative conditional use permits.

The following uses and structures are permitted in the RD Zone with an administrative conditional use permit (Type II permit):

- (1) ~~Multifamily residential units or apartments;~~ Multi-single-household detached residences;
- (2) Multiple multihousehold dwellings, duplexes, or townhomes per lot, subject to all other provisions of this code;
- (2) Retirement apartments for senior citizens;
- (3) Rooming houses, boardinghouses, bed and breakfasts. [Ord. 1191 § 2 (Exh. A), 2020; Ord. 963 § 5, 2005; Ord. 901 § 4, 2003.]

15.20.060 Single-~~household family~~ dwelling units – Dimensional standards.

15.20.090 Multi~~household family~~ dwelling unit standards.

(7) All dwelling units in multihousehold family structures shall be equipped with a fire sprinkler system. [Ord. 1211 § 2(A), 2022; Ord. 1197 § 2 (Exh. A), 2021; Ord. 1077 § 3, 2012; Ord. 986 § 8, 2007; Ord. 938 § 2, 2004; Ord. 889 § 1, 2003; Ord. 671 § 3.2.I, 1995.]

15.20.100 Tiny home standards.

These standards shall apply to the construction of single-household family homes of 700 square feet or less.

(1) Minimum lots size and maximum density requirements do not apply; provided, that not more than 70 percent of the development is covered with impervious surface. Tiny homes may be attached in groups no larger than four tiny homes. Attached tiny homes must be sprinkled and may have other fire provisions as decided by the fire chief.

(2) Parking. A minimum of one off-street parking space shall be provided per dwelling unit.

(3) All tiny homes shall be placed on permanent foundations. [Ord. 1222 § 2, 2023.]

Proposed Changes to Chapter 15.35 Commercial Zone:

15.35.020 Permitted uses.

(26) Guesthouse/Guest Rental – Residential Dwelling Units Rented as Guesthouse.

15.35.030 Conditional uses.

~~(8) Guesthouse/Guest Rental – Residential Dwelling Units Rented as Guesthouse. The guesthouse residential unit must also comply with all the provisions of this code that pertain to residential conditional uses in the Commercial Zone;~~

~~(89) Churches; provided, that all structures are set back at least 25 feet on all sides from abutting property lines and abutting residential zones; and provided, that church use is not allowed in the Commercial Zone portion of the Historic District listed on the National Historic Register, which includes Commercial Street, South First Street, Washington Avenue and the western side of South Second Street; and provided, that all parking requirements must be met. The church use does not qualify for “in-lieu-of” fee.~~

(9) Short-Term rentals. The short-term rental unit must also comply with all the provisions of this code that pertain to residential conditional uses in the Commercial Zone.

Chapter 15.25 PLANNED UNIT RESIDENTIAL DEVELOPMENT (PURD)

Sections:

- 15.25.010 Purpose.
- 15.25.020 Permitted location and size of planned unit development.
- 15.25.030 Permitted uses.
- 15.25.040 Initiation of planned unit residential developments.
- 15.25.050 Availability of public services.
- 15.25.060 Procedure for approval of planned unit residential development.
- 15.25.070 Pre-application conference.
- 15.25.080 Preliminary Development plan.
- 15.25.090 Final development plan.
- 15.25.100 Changes to the development plan.
- 15.25.110 Expiration of authorization.
- 15.25.120 Open space.
- 15.25.130 Density increases.
- 15.25.140 Building setbacks and heights.
- 15.25.150 Filing fees.

15.25.010 Purpose.

The purpose of a planned unit residential development is to:

- (1) Allow a more flexible plan of development than the traditional one house-one lot development;
- (2) Promote more economical and efficient use of the land, provide a harmonious variety of housing choices and plot plans, and preserve open spaces. [Ord. 671 § 3.3.A, 1995.]
- (3) Encourage the development of affordable housing styles, for individuals and families whose household income is classified as lower, low, or very low incomes, such as tiny home developments

15.25.015 Affordable housing defined.

Purchasers and renters of affordable homes constructed under this chapter shall meet the following requirements:

A. Annual Income. All purchasers and/or renters shall be from a household whose annual income, at the household's initial occupancy of the residence, is middle income or less (as defined under subsection (D) of this section), as adjusted by family size, for Skagit County, Washington, based on the most recent census data or other verifiable source as determined by the town.

B. Housing Expenses. The monthly expenditure by a purchaser or renter for housing including mortgage payment or rent, insurance, and taxes does not exceed 38 percent of the gross household income at the time of purchase and the amount for monthly mortgage and utilities (water and sewer) payment does not exceed 30 percent of gross household income. All other variable living expenses associated with the resident's occupancy shall not be a factor in the calculation of affordability.

C. Affordable Housing. Federal guidelines define affordable housing as decent, quality housing that does not exceed 30 percent of a household's gross monthly income for rent or mortgage and utility payments.

D. Classification of Income Groups. The United States Department of Housing and Urban Development (HUD) and the state of Washington classify household income groups as follows: very low income: households below 50 percent of the area median income; low income: households between 50 and 80 percent of the area median income; lower income: households between 81 and 95 percent of the area

median income; middle income: households between 96 and 120 percent of the area median income. "Median household income" means the amount calculated and published by the HUD each year for the Skagit County statistical area as the median household or family income, adjusted by HUD for household size.

15.25.020 Permitted location and size of planned unit development.

A PURD may be located only in a residential zone outside of the Historic Preservation District, and on a parcel of ~~one-acre~~ 16,000 square feet or more. [Ord. 671 § 3.3.B, 1995.]

15.25.030 Permitted uses.

All permitted uses shall conform with a specific final development plan as specified in this section. The following uses are permitted:

- (1) Residential units, either single-household detached or multiple attached units or a combination of detached single-household or multihousehold units, including tiny homes;
- (2) All accessory ~~and conditional~~ uses as permitted in a residential zone;
- (3) Recreational facilities, tennis courts, playgrounds, and community halls;
- (4) Conditional uses permitted in a residential zone. [Ord. 671 § 3.3.C, 1995.]

15.25.040 Initiation of planned unit residential developments.

Planned unit residential development projects may be initiated by:

- (1) The owner of all the property involved, if under one ownership; or
- (2) An application filed jointly by all owners having title to all the property in the area proposed for the planned unit residential development project if there is more than one owner; or
- (3) A governmental agency; or
- (4) A person having an interest in the property to be included in the planned unit residential development. The PURD applications shall be in the name or names of the recorded owner(s) of the property included in the development. However, the application may be filed by holder(s) of an equitable interest in or having an option on such property. The applicant must provide evidence of full ownership interest in the land (either legal title or the execution of a binding sales agreement) before ~~final plan approval~~ any building permit is issued. [Ord. 671 § 3.3.D, 1995.]

15.25.050 Availability of public services.

- (1) Developers of planned unit residential development projects shall plan developments in a manner that will provide direct access to major collector streets where feasible, without creating additional traffic along minor streets in surrounding residential neighborhoods.
- (2) Planned unit developments shall be designed in a manner that will not overtax existing sanitary sewers, water lines, storm water and surface drainage systems, and other utility systems resulting in higher net public costs, unless compensation or equivalent services are provided. [Ord. 671 § 3.3.E, 1995.]

15.25.060 Procedure for approval of planned unit residential development.

A PURD application may be submitted as a subdivision or short subdivision per Chapter 15.30 LCMC, or as a binding site plan (Chapter 15.55 LCMC). ~~must conform with the provisions of Chapter 15.30 LCMC, Subdivisions/Short Subdivisions. The planning commission shall review the PURD application concurrently with the subdivision application, if applicable.~~ [Ord. 671 § 3.3.F, 1995.]

15.25.070 Pre-application conference.

Before filing any application for a planned unit residential development, it is recommended that the applicant shall submit preliminary plans to the planning department for ~~staff and planning commission~~ information and review. [Ord. 671 § 3.3.G, 1995.]

15.25.080 Preliminary Development plan.

(1) Following the pre-application conference, the applicant shall submit a formal preliminary application for ~~staff and to the planning commission~~ review. The preliminary development plan shall include the following documents:

(a) Application form indicating:

(i) Existing zoning;

(ii) Total site area;

(iii) Area of bodies of water, if any;

(iv) Gross area of site: subsection (1)(a)(ii) minus (1)(a)(iii);

(v) Total number of dwelling units;

(vi) Density: subsection (1)(a)(v) divided by (1)(a)(iv);

(vii) Usable open space (percent of percent of subsection (1)(a)(ii));

(viii) Common open space (percent of subsection (1)(a)(vii)); and

(ix) Location of parking areas, which shall include not less than one off-street parking space for each dwelling unit.

(b) Legal description of site and statement of present ownership;

(c) Description of the natural setting, including slope, topography, soil type, significant land forms, bodies of water, trees and other vegetation, scenic assets and surrounding buildings. Areas requiring substantial recontouring or grading shall be described;

(d) Development schedule including estimated dates of start, completion and phasing;

(e) Intent as to final ownership, including plans for rental, sale or combination. If the proposed use is housing for households whose income is classified as middle income, lower income, low income, or very low income, there must be provisions to ensure that those dwelling units will remain available for middle, lower, low and very low income, individuals and families for not less than fifty (50) years.

(f) Guarantee of Affordability. Applicants that have been conditionally granted an affordable housing density bonus and/or incentive(s) shall establish controls, subject to approval by the town attorney, to ensure that the project's single-household or multihousehold residences remain affordable for a minimum of 50 years in accordance with the definition of affordable housing in Section 15.25.015. All such controls shall be recorded in the title records of Skagit County. The controls may take various forms including:

1. Continued ownership of the land by the project applicant with the occupants of the single-household or multihousehold residences leasing the land back from the project applicant;

2. A deed/subsidy covenant, purchase/sale agreements, or other similar mechanisms, which require that the residences be sold only to qualified purchasers who meet the requirements of Section 15.25.015;

3. A requirement that the project applicant can only transfer the land to another entity that meets the requirements of this section; and/or

4. Other methods approved by the town attorney to ensure that the project's single-household or multihousehold residences remain permanently affordable in accordance with the definition of affordable housing.

(fg) Site development map(s) depicting:

(i) Topographic lines at five-foot intervals;

(ii) Water bodies and critical areas;

(iii) Natural features including major land forms, rock out-croppings and flood hazard area;

(iv) Areas of significant tree cover and how they are affected by the plan;

(v) Property lines; easements;

(vi) Existing and proposed street names;

(vii) Configuration and function of all buildings, noting proposed heights of each and distance between property line and nearest building;

(viii) Vehicular circulation, parking area, loading areas and storage areas (indicate number of parking spaces for use);

(ix) Pedestrian circulation;

(x) Areas of private open space;

(xi) Recreational facilities, if any;

(xii) A landscaping plan showing areas of tree removal, retention or addition plus the location, type and size of existing or new plant materials, street furniture and other physical features including transformers, hydrants, walls and fences, trash storage area, and retaining walls, location, type and height of proposed street and walkway lighting, location and design of signs to be included;

(xiii) Areas requiring substantial grading or recontouring;

(xiv) Graphic scale with north arrow, date and title;

(xv) A legible sketch of the vicinity within 500 feet of the proposed development showing significant features of the land including buildings and zoning designations;

(gh) If the proposed site is within shoreline management jurisdiction an application for shoreline substantial development permit along with any other permits required, such as a floodplain permit or other local, state, or federal permits, shall be filed;

(i) A description of the types of dwelling units and number of bedrooms in each;

(j) A description of programs for ensuring continued maintenance of common elements of the development;

(k) Architectural plans depicting general typical floor plans with dimensions, elevations or renderings sufficient to indicate the basic architectural character of the development;

(hl) An environmental checklist;

(im) Any additional information required by staff and the planning commission as necessary to evaluate the character and impact of the proposed PURD.

(2) The planning director planning commission shall make recommendations to the Hearing Examiner to determine decide if the proposal meets the requirements and conforms to the intent of this code and the comprehensive plan. ~~If unacceptable, the application shall be returned.~~ The town's SEPA official shall review the environmental checklist and issue a determination of environmental impact incurred as a result of the proposal. Following a public hearing, the Hearing Examiner will make a final determination regarding the development proposal. If the proposal is submitted as a subdivision, the Hearing Examiner will make a recommendation for final action to the Town Council, per Section 15.12.120 LCMC. If the proposal is submitted as a binding site plan, the decision of the Hearing Examiner will be final, subject to appeal to Skagit County Superior Court.

(3) If the proposal is adjacent to unincorporated areas of Skagit County, notice of the application shall be given to the Skagit County department of planning and economic development.

~~(4) If the application meets the minimum requirements, it shall be reviewed at a public hearing held by the planning commission. If an environmental impact statement (EIS) is required, the final EIS shall be available for at least 10 days before the hearing on the proposal.~~

(5) Notice of ~~planning commission~~ public hearing:

(a) Notice shall be given by publication of at least one notice not less than 10 days prior to the hearing in a newspaper of general circulation within the town.

(b) Notices of the hearing shall be mailed to all property owners within 300 feet of the proposed development. Addresses for mail notices shall be obtained by the ~~applicant based on the current rolls of the Skagit County assessor's office or obtained from a title company doing business in Skagit County and submitted with the application on one-inch by two-and-five-eighths-inch mailing labels~~ staff.

(c) Additional notice of such hearing may be required by local authorities to notify adjacent property owners and the public, i.e., posting on the property.

(6) The Hearing Examiner ~~planning commission~~ shall examine the proposal at the public hearing and consider the ~~proposed preliminary~~ development plan, information presented by the applicant, any technical planning assistance, and the public.

(7) The Hearing Examiner ~~planning commission~~ may approve, disapprove, or impose changes or conditions of approval within 30 days from the date of the hearing unless the applicant consents to an extension of such time period.

(8) A copy of the Hearing Examiner's ~~planning commission~~ action, or written recommendations shall be forwarded to the applicant and, if the proposal is submitted as a subdivision, to the town council. The town council shall consider the recommendation at its next regularly scheduled meeting and shall, by resolution, approve or disapprove the preliminary development plan. ~~Preliminary approval does not constitute a rezone or right to begin development.~~

(9) ~~Within a maximum of six months following the approval of the preliminary development plan, the applicant shall file with the planning commission a final development plan containing the information required in detail. The planning commission may, upon determination of just cause, extend the period for filing of the final development plan up to six months.~~

(10) ~~If the applicant fails to apply for final approval for any reason, the preliminary approval shall be deemed to be revoked and all that portion of the area included in the development plan for which final approval has not been given shall be subject to the zoning and subdivision codes otherwise applicable thereto. [Ord. 842 § 9, 2002; Ord. 671 § 3.3.H, 1995.]~~

~~15.25.090 Final development plan.~~

(1) ~~The planning commission shall review the final development plan application and staff recommendations. One minimum requirement for approval shall be that the final development plan does not vary substantially from the previously approved preliminary development plan. The final development plan shall be deemed sufficiently consistent with the preliminary development plan provided modification by the applicant does not involve one or more of the following:~~

- ~~(a) Violate any provisions of this section;~~
- ~~(b) Vary the lot area requirement by more than 10 percent;~~
- ~~(c) Involve a reduction of more than 10 percent of the area reserved for common open space and/or usable open space;~~
- ~~(d) Increase the total ground area covered by buildings by more than five percent;~~
- ~~(e) Increase density or number of dwellings units by more than 10 percent;~~
- ~~(f) Provided, the increases do not exceed maximums previously established in this code.~~

~~If substantial compliance with the preliminary development plan is not established, the new plan must repeat the public hearing process for review of changes.~~

(2) ~~In addition to the requirements for the preliminary development plan, the final development plan shall include:~~

- ~~(a) Description of types of dwelling units and number of bedrooms in each;~~
- ~~(b) Description of programs for insuring continued maintenance of common elements of the development;~~
- ~~(c) Landscaping plan indicating generally: the location, type and size of existing or new plant materials, street furniture and other physical features including transformers, hydrants, telephone pedestals, walls and fences, trash storage area, and retaining walls, location, type and height of proposed street and walkway lighting, location and design of signs to be included.~~

~~Final details may be required to be approved by the planning commission subsequent to final approval.~~

~~(d) Architectural plans depicting general typical floor plans with dimensions, elevations or renderings sufficient to indicate the basic architectural character of the development.~~

~~(3) The planning commission shall examine the final development plan and determine whether it conforms to the approved preliminary development plan. The planning commission shall make a decision on the final development plan within one month after the official date it has received the plan. If there is any significant discrepancy, the commission may permit the applicant to revise the plan and resubmit it as a final development plan within 30 days.~~

~~If the planning commission does grant such permission, the commission's ultimate acceptance or rejection of the revised final development plan shall become final 10 days after the date of decision. The commission may also approve the plan without revision. The decision of approval without revision will become final 10 days after the date of decision.~~

~~(4) If the planning commission does not approve a final development plan, their specific reasons for disapproval shall be stated in writing and made part of the public record, as well as presented to the applicant.~~

~~(5) Final approvals subject to modifications or conditions shall be agreed to in writing by the applicant before recording and formal acceptance.~~

~~(6) Following formal acceptance and recording by the planning commission, the town council shall conduct necessary legislative actions relevant to the proposed project, such as accepting and recording site plans and plats, and accepting any dedicated properties, streets, and right-of-way. The original final PURD text, maps and approved documents shall be submitted for approval by the La Conner planning director and, once signature is obtained from the planning director approving said documents, each shall be recorded with the Skagit County auditor and a copy filed with the Skagit County assessor.~~

~~(7) At least one reproducible copy of the final recorded PURD text, maps, and approval documents, including recording information, shall be submitted to the town. Additional copies shall be submitted to the town as required.~~

~~(8) After necessary legislative actions by the town council, and recording of the PURD as set forth herein, building permits may be issued and construction begun. [Ord. 842 § 16, 2002; Ord. 671 § 3.3.I, 1995.]~~

15.25.100 Changes to the development plan.

(1) Any changes in the preliminary or final development plan, after approval through the above procedures, shall be reviewed by the planning commission staff to determine if a new plan should be submitted.

(2) Changes in the development plan may be administratively approved by the planning commission; provided, that such changes do not:

- (a) Change the use or character of the development;
- (b) Increase overall coverage of structures;
- (c) Increase density;
- (d) Reduce the amount of open spaces;
- (e) Change the general location or amount of land devoted to specific uses.

(3) Changes may include minor shifting of the location of buildings, utility easements, public common open spaces, or other similar features of the plan. [Ord. 671 § 3.3.J, 1995.]

15.25.110 Expiration of authorization.

(1) If no construction has begun within six months of final approval of the PURD, the approval shall expire. The planning commission may extend approval for an additional six-month period if an application for extension is received before the authorization expires. If no construction has begun at the end of this extension, the final development plan shall become null and void, and a new one shall be required for any development on subject property.

(2) Upon the abandonment of a particular project authorized under this chapter or upon the expiration of two years from the final approval of a PURD which has not by then been completed or commenced with an extension of time for completion granted, the authorization shall expire and the land and the structures thereon may be used only for a lawful purpose permissible within the zone in which the PURD is located. [Ord. 671 § 3.3.K, 1995.]

15.25.120 Open space.

(1) Open space is an identifiable greenbelt area which is accessible and available to all occupants of dwelling units for whose use the space is intended. This includes private as well as common open space.

(2) Open space does not include:

- (a) An area of the site covered by buildings, roads, parking structures or accessory structures;
- (b) Proposed street rights-of-way;
- (c) Open parking areas and driveways for dwellings;
- (d) School sites;
- (e) Commercial areas;

(3) Land totally unsuited for building because of topographic features may be counted as open space.

~~(3-4)~~ The total area of the development, minus undevelopable area and bodies of water, is the gross site area.

~~(4 5)~~ Required usable open space in a PURD is a minimum of 50 percent of the gross site area, to include private yards.

~~(5-6)~~ Required common open space is an identifiable greenbelt area and is a minimum of 50 percent of the usable open space. Common open space are lands used for scenic, recreational or landscaping purposes within the development and for the use of all residents of the PURD, and may include common uses such as laundry facilities or multi-purpose buildings.

~~(6 7)~~ Adequate guarantee must be provided to ensure permanent retention of "common open space" land area resulting from the application of these regulations, either by private reservation or protective covenants, for the use of residents within the development or by dedication to the public or a combination. [Ord. 671 § 3.3.L, 1995.]

15.25.130 Density increases.

(1) The number of dwelling units that may be constructed in a PURD shall be based upon one dwelling unit for each 4,000 square feet of gross site area. This density restriction shall not apply to tiny home developments. If the proposed development is designed to accommodate housing for middle, lower, low and very low income families or individuals, density shall be limited only by the availability of land within the development, taking into account the required open space and limitations based on setback requirements and height limitations.

(2) For development proposals that do not include provisions for middle, lower, low and very low income individuals or families, the Hearing Examiner planning commission may approve development up to 40 percent higher density, based on site plan review and the guidelines listed below which are to be treated as additives:

(a) Open space. A density bonus of up to 20 percent is allowed for providing up to 20 percent of gross site area as common open space (in addition to the common open space required in LCMC 15.25.120(e)) on an equivalent basis.

(b) A density bonus of up to 10 percent is allowed for landscaping, recreation facilities or improvements suitable to the site that enhance the quality of the development and benefit the residents of the PURD and the town of La Conner.

~~(c) A density bonus of up to 10 percent is allowed for visual focal points, use of existing physical features, sun and wind orientation, architectural style, energy efficient siting and/or design. [Ord. 671 § 3.3.M, 1995.]~~

15.25.140 Building setbacks and heights.

(1) Individual ~~multihousehold family~~ dwelling buildings must meet setbacks and height limits required in the zone in which it is located with respect to the outside perimeter of the PURD.

(2) Individual ~~single-household family~~ residences must meet setbacks and height limits required in the zone in which it is located with respect to their respective lot lines.

~~(3) The planning commission shall specify an extended building setback line of up to 100 feet, but not less than 25 feet on lots that border agricultural land to prevent shadows or other intrusions onto or conflicting with agricultural land and uses.~~

(34) The minimum distance between buildings within a PURD shall be 10 feet.

~~(45)~~ Setbacks of buildings from the perimeter of a PURD shall be compatible with the residential zone in which it is located, unless extenuating circumstances show a need for increasing perimeter setbacks. [Ord. 671 § 3.3.N, 1995.]

15.25.150 Filing Fees.

(1) A filing fee set by resolution of the town council shall be paid to the town clerk at the time of application.

(2) If the PURD is filed at the same time as a preliminary plat for the same tract, to be processed simultaneously in accordance with a subdivision or short subdivision application, the fee shall be one and one-half times the fee for the subdivision application. [Ord. 671 § 3.3.O, 1995.]

(3) If the PURD proposes to provide middle, lower, low and very low income housing, impact fees shall be waived. However, all fees for utilities and other improvements shall still apply.

Chapter 15.55 BINDING SITE PLAN REGULATIONS

Sections:

15.55.010 Purpose.

15.55.020 Applicability.

15.55.030 Preapplication.

15.55.040 Application.

15.55.050 Survey required.
15.55.060 Binding site plan certifications required.
15.55.070 Binding site plan title report.
15.55.080 Administrative duties.
15.55.090 Development requirements.
15.55.100 Standards for binding site plans.
15.55.110 Approval and filing.
15.55.120 Alteration.
15.55.130 Vacation.
15.55.140 Appeals.
15.55.150 Enforcement.

15.55.010 Purpose.

A binding site plan is an overlay of a ~~commercially or industrially zoned~~ site proposed for developed, new development or redevelopment. It is intended ~~for commercial and industrial use,~~ as an alternative to a subdivision, to create additional building lots, or to define building pads that are reviewed as part of a larger site plan as leasable or saleable lots. Binding site plans are subject to the provisions of RCW 58.17.035. [Ord. 1132 § 2, 2015; Ord. 807 § 1, 2001.]

15.55.020 Applicability.

The division of property by the binding site plan process may only be used for division of land for the sale or lease of ~~commercially or industrially zoned~~ property; ~~provided, residential uses are not included.~~ [Ord. 807 § 1, 2001.]

15.55.030 Preapplication.

Prior to applying for binding site plan approval, a proponent shall present a preliminary site plan that contains (in a rough and approximate manner) all of the information required for a formal binding site plan application. The purpose of the preliminary site plan submittal is to enable the person presenting the plan to obtain a preliminary assessment from the town as to the preliminary site plan's compliance with adopted plans, policies and ordinances of the town. Prior to receiving binding site plan approval an applicant is required to submit a fully completed application. The preapplication review described herein creates no rights to the proponent or obligation to the proponent by the jurisdiction. [Ord. 807 § 1, 2001.]

15.55.040 Application.

Applications for binding site plan approval shall be filed with the planning director. To be considered complete and considered for approval, a binding site plan must contain the following:

(1) ~~Ten~~ Electronic or paper copies of the binding site plan on ~~18-inch by 24-inch paper~~ showing:

- (a) Name of the binding site plan and space for numerical assignment;
- (b) Legal description of the entire parcel, legal description of each proposed lot, square footage of each lot, date, scale and north arrow;
- (c) Boundary lines, rights-of-way for streets, easements and property lines of lots and other sites with accurate bearings dimensions or angles and arcs and of all curve data;
- (d) Names and rights-of-way widths of streets within the parcel and immediately adjacent the parcel;
- (e) Number of each lot and block;
- (f) References to covenants, joint use, access easements or other agreements either to be filed separately or with the binding site plan;

- (g) Zoning setback lines and building envelopes where applicable;
 - (h) Location, dimension and purpose of any easements noting if the easements are private or public;
 - (i) Location and description of monuments and all lot corners set and found;
 - (j) Datum, elevations and primary control points approved by the town engineer, descriptions and ties to all control points shall be shown with dimensions, angles and bearings;
 - (k) A dedicatory statement acknowledging public and private dedications and grants;
 - (l) Parking areas, loading areas, general circulation, landscaping area;
 - (m) Proposed use and location of buildings with dimensions where applicable;
- (2) Be submitted with the documents required by LCMC 15.55.050, 15.55.060 and 15.55.070;
 - (3) Be accompanied with a fee as set by the town council;
 - (4) A completed environmental checklist. [Ord. 807 § 1, 2001.]

15.55.050 Survey required.

- (1) A survey must be performed and filed with every binding site plan. The survey must be conducted by or under the supervision of a Washington State registered land surveyor. The surveyor shall certify on the binding site plan that it is a true and correct representation of lands actually surveyed and the survey was done in accordance with state law.
- (2) In all binding site plans, lot corner survey pins must be set before final approval can be granted.
- (3) In all binding site plans, perimeter monuments must be set before final approval can be granted.
- (4) In all binding site plans, control monuments must be set before final acceptance of public improvements.
- (5) In all binding site plans, flood elevations shall be shown. [Ord. 1211 § 2(A), 2022; Ord. 807 § 1, 2001.]

15.55.060 Binding site plan certifications required.

- (1) A certificate giving a full and correct description of the lands divided as they appear on the binding site plan, including a statement that the division has been made with the free consent and in accordance with the desires of the owners of the land covered by the binding site plan, must be filed with the application. If the binding site plan is subject to a dedication the certificate or a separate written instrument shall also be required and contain a dedication of all streets and other public areas to the public.
- (2) A certification by a licensed surveyor, licensed in the state, that the binding site plan survey is accurate and conforms to the provisions of these regulations and state law must be filed with the application.
- (3) All binding site plans are required by RCW 58.17.040 to contain the following declaration:

All development and use of the land described herein shall be in accordance with this binding site plan, as it may be amended with the approval of the town, and in accordance with such other governmental permits, approvals, regulations, requirements, and restrictions that may be imposed upon such land and the development thereof. Upon completion, the improvements on the land shall be included in one or more condominiums or owned by an association or other legal entity in which the owners of units therein or their owners' associations have a membership or other legal or beneficial interest. This

binding site plan shall be binding upon all now or hereafter having any interest in the land described herein.

[Ord. 807 § 1, 2001.]

15.55.070 Binding site plan title report.

All binding site plan applications shall be accompanied by a title company certification (current within 30 days) confirming that the title of the lands as described and shown in the binding site plan are legally held in the name of the owner(s) signing the binding site plan. [Ord. 807 § 1, 2001.]

15.55.080 Administrative duties.

(1) The planning director administers the provisions of this chapter. Binding site plans for commercial or industrial uses shall be processed as a Type I permit. Binding site plans for proposed residential uses shall be reviewed and acted upon by the Hearing Examiner.

(2) A fully completed application for commercial or industrial binding site plan approval shall be approved with conditions, returned to the applicant for modifications, or denied within 28 days of its being deemed complete by the planning director unless the applicant agrees, in writing, to an extension of this period. A binding site plan application shall be deemed complete when the planning director determines the application meets the requirements of LCMC 15.55.040, 15.55.050, 15.55.060 and 15.55.070.

(3) Upon receiving a complete application for binding site plan approval, the planning director shall transmit a copy of the binding site plan, together with copies of any accompanying documents as the planning director deems appropriate, to the following:

(a) Town public works director, who shall review the proposed binding site plan with regard to its conformance to the general purposes of adopted traffic and utility plans, adequate provisions for storm drainage, streets, alleys, other public ways, water and sanitary sewer and conformance to any applicable improvement standards and specifications;

(b) Water and sewer superintendent, who shall review the proposed binding site plan with regard to its conformance to the general purposes of the adopted water and sewer regulations and conformance to any applicable improvement standards and specifications;

(c) Fire chief, who shall review the proposed binding site plan with regard to adequate provisions for emergency access;

(d) Any other town department, utility provider, school district or other public or private entity as the planning director deems appropriate.

(4) In transmitting the proposed binding site plan to the parties referenced above, the planning director shall solicit their comments and recommendations, and note the date by which comments and recommendations must be received by the planning director in order to be considered. Any comments received by that date shall be incorporated into the formal findings that will form the basis of the planning director's decision on the binding site plan. If no comments are received from any of the parties referenced above, the planning director shall make such findings as they he/she deems just appropriate. However, in every case a proposed binding site plan shall contain a statement of approval from the town engineer, as to the survey data, the layout of streets, alleys and other rights-of-way, design of sewer and water systems and other infrastructure. The planning director shall not approve a binding site plan which does not contain a statement signed by the town engineer.

(5) The planning director shall review the proposed binding site plan and determine its conformance to the general purposes of this title, its conformance with the comprehensive plan and its conformance with the zoning ordinance and any other applicable land use controls. These determinations shall form the basis of the planning director's decision on the binding site plan. [Ord. 807 § 1, 2001.]

15.55.090 Development requirements.

(1) All improvements within the BSP must be in conformance with the recorded binding site plan and any conditions placed upon the binding site plan by the planning director.

(2) Any new development within a binding site plan area is subject to the development standards of the La Conner Municipal Code and the shoreline master program.

(3) Filing a completed and approved binding site plan does not vest any development proposal associated with the binding site plan. Any proposed improvement or development within the BSP is subject to review pursuant to all applicable local, state and federal regulations. [Ord. 807 § 1, 2001.]

15.55.100 Standards for binding site plans.

The following standards shall apply to binding site plans that are prepared for recording:

(1) All binding site plans shall be ~~drawn 18 inches by 24 inches~~ prepared in a manner acceptable to the county auditor for recording;

(2) All tracts, parcels and lots created by a binding site plan shall be burdened by an approved maintenance agreement maintaining access to the various lots, tracts and parcels and for the costs of maintaining landscaping and other common areas;

(3) When any lot, tract or parcel is created without street frontage, access and utility easements shall be provided and said easements shall be recorded in the county auditor's office with the recording number and an easement notation provided on the face of the binding site plan, and shall be reviewed and approved by the Fire Chief as to whether adequate fire access is available;

(4) Sufficient parking for each use per Chapter 15.90 LCMC must be located on the lot where the use is located or through joint parking agreements with adjoining owners. Notations on parking agreements must be provided on the face of the binding site plan. All parking lots shall be paved and designed to control drainage on site. Types of pavements that allow for improved drainage may be used. [Ord. 1211 § 2(A), 2022; Ord. 1132 § 2, 2015; Ord. 807 § 1, 2001.]

15.55.110 Approval and filing.

(1) A binding site plan shall not be recorded until all land use decisions regarding the concurrent development proposal have been completed and approved.

(2) Upon approval of the binding site plan by the planning director in consultation with the town engineer and public works director, the applicant shall take the original binding site plan, obtain all other approvals from affected utilities and the county treasurer, and file it with the county auditor, conforming to statutory requirements.

(3) The applicant must provide the planning director one paper copy of the recorded document and the county assessor one paper copy of the recorded document before the binding site plan becomes valid. [Ord. 1211 § 2(A), 2022; Ord. 1132 § 2, 2015; Ord. 807 § 1, 2001.]

15.55.120 Alteration.

The recorded binding site plan may be altered at the planning director's discretion by processing through the review/approval procedure. Alterations to a binding site plan must be recorded. [Ord. 807 § 1, 2001.]

15.55.130 Vacation.

The recorded binding site plan may be vacated by the planning director, but only after approval and recording of a new binding site plan. [Ord. 807 § 1, 2001.]

15.55.140 Appeals.

Appeals of an administrative decision relating to a binding site plan may be made to a hearing examiner pursuant to LCMC 15.135.220. [Ord. 807 § 1, 2001.]

15.55.150 Enforcement.

No person shall record any binding site plan with the auditor that does not bear the verification of approval as defined by this chapter. The town will prosecute violation of this title and commence actions to restrain and enjoin a violation of this title and compel compliance with the provision of this chapter. The costs of such action shall be the responsibility of the violator. [Ord. 807 § 1, 2001.]

New Business

- 1) Agreement – National Hose Testing**
- 2) Bid Recommendation – Fire Hall Roof**
- 3) Resolution – Recognition of Emergency Management
Commissioner Bill Stokes**
- 4) Ordinance – Revision of Chapter 2.225 Emergency
Management Commission Members**

**Agreement –
National Hose Testing**



National Hose Testing Specialties, Inc.

2024 FIRE HOSE TESTING AGREEMENT

Date issued: January 25, 2024

Dept. ID #WA215

This agreement is entered into by and between National Hose Testing Specialties, Inc., a corporation (hereinafter known as, **National**) and **"La Conner Fire Department"**, a municipal corporation, district or political subdivision of the State of **Washington** (hereinafter known as, **Department**).

THIS DOCUMENT MUST BE SIGNED AND RETURNED PRIOR TO YOUR SERVICE TEST DATE.

1. **Department** hereby engages **National** and **National** agrees to unload, pressure test, re-load, conduct physical inspections and to provide test documentation on the fire hoses of **Department** per **Department's** Special Instructions, if any, and according to the National Fire Protection Association 1962 Standard for the Care, Use, Inspection, Service Testing and Replacement of Fire Hose, Couplings and Nozzles and Fire Hose Appliances, utilizing the 2018 Edition, or current edition, (hereinafter known as, NFPA Standard).
 - a. **National** shall conduct a physical inspection, prior to pressure testing, as specified in the NFPA Standard. All hoses failing physical inspection shall be identified and tagged for removal from service, without being pressure tested. **Department** shall be responsible to store or discard any hose tagged by **National**. If **Department** elects to place back into service any hose tagged by **National**, **Department** shall be responsible for service testing the hose prior to placing it back into service.
 - b. **National** shall conduct service pressure test in accordance with Chapter 4 of NFPA Standard, 2018 Edition.
 - c. **National** shall service test all attack fire hose to a minimum of 300 psi and all supply fire hose to a minimum of 200 psi regardless of manufactured date unless specified differently by **Department**. See "**Department's** Special Instructions" for requested test pressure changes. **National** shall not test any hoses higher than 400 psi, this being agreed with the **Department**, by the signing of this agreement.
 - d. **National** shall inspect all apparatus after completion of testing and reloading for accuracy as found or requested by department prior to releasing to **Department**.
 - e. **Department** shall inspect all hose loads and connections on all apparatus prior to placing back into service.
 - f. **National**, within thirty (30) days of completed service, shall deliver to **Department** final test documentation. Documentation provided electronically, to include date of test, service test pressure, diameter, length, hose identification number, and test results as to each length of hose. A hard copy of summary reports for all hoses tested, available upon request.
 - g. **National** shall provide hydrostatic equipment required to perform **Department's** hose test.
 - h. **Department** shall provide **National** a suitable location for performance of the service test. The location shall include an adequate water source for **National's** hydrostatic equipment, which water shall be provided by **Department**.
 - i. **Department** shall make available to **National** all hoses to be tested at the time and place established for the conduct of the service testing and shall disclose to **National** any known defects or dangerous conditions therein.
 - j. **Department** will assemble any specialty hose packs (i.e., grass packs, forestry packs) following testing by **National**.
2. The service test date(s) will be established by agreement between the parties.
3. Based on the footage estimate provided, **Department** agrees to pay **National** .35 cents per foot, times 7,214 feet; with actual hose tested per documentation being used for billing which may increase or decrease final invoice.
4. Fire hoses handled by **National** that are to be removed from apparatus or service at the **Department's** request due to age or other factors and not pressure tested will be subject to 14 cents per foot handling fee. Full payment is due upon delivery by **National** of its final test documentation.
5. To the extent of any limitation on liability for public bodies under state law, **Department** agrees to release and to defend, indemnify and hold **National** harmless from any claims, liabilities, demands, damages or actions for property damage, personal injury or death, and any claims incident thereto, including attorney fees and costs incurred in defense thereof, arising out of or relating to the failure for any reason of any hose tested and certified by **National** unless it can be established by clear and convincing evidence that **National** breached its obligation to test said hose and accurately report the result thereof in accordance with the terms of this contract and that said hose was not, as of the date tested, in fact capable of withstanding the standard test pressure established by the said NFPA Standard when tested according to the procedures therein.
6. In the event of suit or litigation arising out of or relating to this agreement, the prevailing party in such action shall be entitled to recover judgment for its reasonable attorney fees as may be awarded by the Court in which such suit or action is tried, heard, or decided, and any appeal there from.

DEPARTMENT'S SPECIAL INSTRUCTIONS: _____

7. **National** will not be bound by any of Department's Special Instructions unless it has agreed to be bound and signed or initialed the Special Instructions prior to testing. If agreed, **National** shall return an initialed copy to **Department**.

Dated this 25th day of January, 2024

Dated this _____ day of _____, 20____

NATIONAL HOSE TESTING SPECIALTIES, INC.

AUTHORIZED DEPARTMENT REPRESENTATIVE

Bob Evans

Signature
Bob Evans, President

Signature
Title: _____

Return to: National Hose Testing Specialties, Inc., P.O. Box 1024, Dallas, OR 97338 or fax to (503) 623-7424 or email to anna@nhts.com
Note: The terms of this agreement are void if not signed and returned within three months of date of issue (sign & submit copy to National).

A Convenience Fee of 2.5% will be assessed on the total payment amount for credit & debit transactions.



National Hose Testing Specialists, Inc.

2024 GROUND LADDER TESTING AGREEMENT

Date issued: January 25, 2024

Dept. ID # WA215

This agreement is entered into by and between National Hose Testing Specialists, Inc., a corporation (hereinafter known as, **National**) and **"La Conner Fire Department"** a municipal corporation, district or political subdivision of the State of **Washington** (hereinafter known as, **Department**).

THIS DOCUMENT MUST BE SIGNED AND RETURNED PRIOR TO YOUR SERVICE TEST DATE.

1. **Department** hereby engages **National** and **National** agrees to conduct physical inspection, horizontal bending test, roof hook test, hardware test, and to provide test documentation on the ground ladders of **Department**, per **Department's** Special Instructions (if any) and according to the National Fire Protection Association 1932 Standard for the Use, Maintenance, and Service Testing of In-Service Fire Department Ground Ladders, 2020 Edition, or current edition (hereinafter known as, NFPA Standard).
 - a. **National** shall conduct a visual inspection, as specified in Chapter 6.1.3 of NFPA Standard. All ladders failing visual inspection shall be tagged for removal of service or repaired by **Department**.
 - b. **National** shall conduct service testing in accordance with Chapter 7 of NFPA Standard. Service testing will be as specified in Chapter 7.1 of NFPA Standard unless **Department** specifies altered service testing. (See **Department's** Special Instructions).
 - c. **National** shall inspect and replace heat sensors as in Chapter 6.2.10.1.
 - d. **National**, within thirty - (30) days of completed service, shall deliver to **Department** final test documentation. Documentation to include but not limited to the Ground Ladder record information as in Chapter 7.1.7. Documentation provided electronically includes summary reports for all ground ladders tested and in inventory. Hard copy and CD available upon request.
 - e. **National** shall provide service-testing equipment required to perform **Department's** ground ladder service test.
 - f. **Department** shall provide **National** a suitable location for performance of the service test.
 - g. **Department** shall make available to **National** all ground ladders to be tested at the time and place established for the conduct of the service testing and shall disclose to **National** any known defects or dangerous conditions therein.
 - h. **Department** shall be responsible for all repairs deemed necessary in accordance with manufacturer's instructions, as specified in Chapter 6.1.4.2 of NFPA Standard.
 - i. **National** shall inspect all apparatus after completion of testing and reloading for accuracy as found or requested by department prior to releasing to **Department**.
 - j. **Department** shall inspect all apparatus prior to placing back into service.
2. The service test date(s) will be established by agreement between the parties.
3. Based on the footage estimate provided, **Department** agrees to pay **National** \$2.50 per foot, times 142 feet; with actual footage tested per documentation being used for billing. Full payment is due upon delivery of final test documentation by **National**.
4. **Department** agrees to pay **National** for heat sensor labels installed based on the following cost each: \$2.00 per label plus any state and local sales tax as required.
5. To the extent of any limitation on liability for public bodies under state law, **Department** agrees to release and to defend, indemnify and hold **National** harmless from any claims, liabilities, demands, damages or actions for property damage, personal injury or death, and any claims incident thereto, including attorney fees and costs incurred in defense thereof, arising out of or relating to the failure for any reason of any ladder tested by **National** unless it can be established by a preponderance of the evidence that **National** breached its obligation to test said ladder and accurately report the result thereof in accordance with the terms of this contract and that said ladder was not, as of the date tested, in fact capable of withstanding the standard test established by the said NFPA Standard when tested according to the procedures therein.
6. In the event of suit or litigation arising out of or relating to this agreement, the prevailing party in such action shall be entitled to recover judgment for its reasonable attorney fees as may be awarded by the Court in which such suit or action is tried, heard, or decided, and any appeal there from.

DEPARTMENT'S SPECIAL INSTRUCTIONS:

7. **National** will not be bound by any of Department's Special Instructions unless it has agreed to be bound and signed or initialed the Special Instructions prior to testing. If agreed, **National** shall return an initialed copy to **Department**.

Dated this 25th day of January, 2024

Dated this _____ day of _____, 20_____.

NATIONAL HOSE TESTING SPECIALTIES, INC.

AUTHORIZED DEPARTMENT REPRESENTATIVE

Bob Evans

Signature
Bob Evans, President

Signature
Title: _____

Return to: National Hose Testing Specialists, Inc., P.O. Box 1024, Dallas, OR 97338 or fax to (503) 623-7424 or email to anna@nhts.com
Note: The terms of this agreement are void if not signed and returned within three months of date of issue (sign & submit copy to **National**).

A **Convenience Fee of 2.5%** will be assessed on the total payment amount for **credit & debit transactions**.

NHTS FORM – 507 – Revised 1/25/24

**Bid Recommendation –
Fire Hall Roof**

February 2, 2024

Council – Town of La Conner

Subject: Recommendation for Bid Award and authorize the Mayor to sign contract for Fire Hall Roof Replacement.

Council:

Five contractors were invited to bid; three submitted a bid, tax included;

- Axiom Construction and Consulting LLC. \$295,923.05
- Shamrock Metal Systems. \$304,569.79
- Tecta America. \$358,271.40

I recommend Bid Award and authorize the Mayor to sign contract with Axiom Construction and Consulting LLC, for the Fire Hall Roof Replacement in the amount of \$295,923.05 includes tax.

Sincerely,

Brian Lease
Public Works Director
Town of La conner

TOWN OF LA CONNER

SMALL WORKS CONTRACT

THIS AGREEMENT is made this 13 day of February, 2024 by and between TOWN OF LA CONNER, a municipal corporation (hereinafter referred to as the "Town"), and AXIOM CONSTRUCTION and CONSULTING , (hereinafter referred to as the "Contractor").

In consideration of the terms and conditions contained herein and attached and made a part of this Agreement, the parties herein covenant and agree as follows:

1. **Project.** The Contractor shall do all work and furnish all tools, materials and equipment for the Town's public works project known as the **2024 La Conner Fire Hall Reroof**, (hereinafter referred to as the "Project") In accordance with the attached bid, plans, drawings, specifications and associated documents, which are by this reference incorporated herein and made a part hereof, and shall perform any alterations in or additions to the Project provided under this contract and every part thereof.

2. **Project Cost.** The amount of the Project Contract is **Two Hundred Seventy Two Thousand Four Hundred Eighty Nine dollars and No cents (\$272,489.00)** plus Washington State sales tax of **Twenty Three Thousand Four Hundred Thirty Four dollars and Five cents (\$23,434.05)** for a total Project Cost of **Two Hundred Ninety Five Thousand Nine Hundred Twenty Three dollars and Five cents (\$295,923.05)**. The total Project Cost includes all costs associated with the Project work, including, but not limited to, labor, materials, overhead, administrative, and permit and regulatory costs, unless otherwise agreed in writing.

3. **Town Agreement.** The Town employs Contractor to provide the materials and to complete the Project work described above according to the attached documents and the terms and conditions herein contained and contracts to pay the total Project Cost for such work, at the time and in the manner and upon the conditions provided for in this Agreement.

4. **Contractor Agreement.** The Contractor agrees to complete the Project work for the total Project Cost according to the terms and condition of this Agreement. The Contractor hereby also agrees to perform all work and provide all materials in conformance with the Town's Standard Specifications and/or approved plans.

5. **Completion Deadline/Liquidated Damages.** The Project must be completed no later than October 30, 2024 and must be finished in **10 working days** once commenced and the facility must be protected from the weather elements ; if the Project is not completed within such time period, then, because of the difficulty in computing the actual damages to the Town arising from any delay in completing this Agreement, the parties determine in advance and agree that the Contractor will pay the Town the amount of one hundred (\$500) per calendar day that the work remains uncompleted after expiration of the specified time for completion as liquidated damages. The parties agree that such amount represents a reasonable forecast of the

actual damages that the Town will suffer by failure of the Contractor to complete the work within the agreed time. The execution of this Agreement constitutes acknowledgment by the Contractor that the Contractor has ascertained and agrees that the Town will actually suffer damages in the amount herein fixed.

6. Contractor Responsibilities. The Contractor shall provide and bear the expense of all equipment, work and labor that may be required for the transfer of materials and for constructing and completing the work provided for in this Agreement, unless otherwise provided in the documents prepared for the Project, and shall guarantee said materials and work for a period of one year after completion of this contract. The Contractor shall be responsible for performing the work in accordance with applicable laws and regulations.

7. Equitable Adjustments. Should Contractor feel an equitable adjustment to the Project Cost is warranted either by written change order or an oral order from the Town, Contractor shall file a written notice of that fact with the Town within twenty-four hours of the written or oral order. No later than five days thereafter, Contractor shall file a written claim with the Town stating the amount claimed supported by appropriate documentation. No claim for equitable adjustment shall be allowed if submitted after the Project has been given final acceptance by the Town.

8. Payment Terms. Once all work under this Contract has been completed, the Town shall process a pay estimate for payment to the Contractor for all work and services satisfactorily completed, including applicable sales taxes. The Contractor shall submit a detailed application for payment to the Town immediately following completion of the work. Final payment to the Contractor shall be made only after all appropriate releases are submitted.

9. Attorney's Fees. Should either the Town or the Contractor commence any legal action relating to the provisions of this Agreement, the prevailing party shall be awarded judgment for all costs of litigation, including, but not limited to, costs, expert witnesses, and reasonable attorney's fees, including all such costs and fees incurred on appeal.

10. Indemnification. The Contractor shall defend, indemnify, and save the Town and its officers and employees harmless from any and all claim and risk and all losses, damages, demands, sites, judgments, and attorneys' fees or other expenses of any kind on account of injury to or death of any and all persons, or on account of all property damage of any kind, or loss of use resulting therefrom, to any party arising out of, or in any manner connected with the work performed under this Agreement, or caused in whole or in part by reason of the presence of the Contractor, the subcontractors, or their property, employees, or agents, upon or in proximity to the property of the Town during performance of the work or at any time before final acceptance, except only for those losses resulting from and to the extent of the negligence or concurrent negligence of the Town with regard to activities within the Contractor's scope of work. The indemnification provided herein constitutes Contractor's waiver of immunity under industrial insurance, Title 51 RCW, solely for the purposes of this indemnification. The parties have mutually negotiated this waiver.

11. Performance/Payment/Maintenance Bonds. The Contractor shall furnish performance and payment bonds for the faithful performance and payment of all its obligations under this Agreement. Each bond shall be in penal sums at least equal to the Contract price unless otherwise stated, in such form, and with such corporate sureties as the repair and replacement of defective equipment, materials, and workmanship, and payment of damages sustained by the Town on account of such defects, discovered within one (1) year after final acceptance by the Town.

12. Insurance. The Contractor shall obtain and keep in force during the term of the Agreement, insurance in the following amounts:

	General	Automobile	Excess Liability
Occurrence	\$1,000,000	\$1,000,000	\$1,000,000
Aggregate	\$2,000,000	\$2,000,000	\$2,000,000

The Town and the Town's Engineer shall be specifically named as an insured in such policy or policies. A Certificate of Insurance, questionnaire, and endorsement, as required by the Town, shall be executed and delivered to the Town at the time of execution of this Agreement.

13. Prevailing Wages. The Contractor shall pay prevailing wages as required and shall comply with RCW 39.12 and RCW 49.28. The Contractor shall be responsible for reviewing and complying with the wage rate schedule found at www.lni.wa.gov/TradesLicensing/PrevWage/WageRates/default.asp prior to submittal of bid based on these specifications.

- a. The effective date of the prevailing wage rates shall be January 13th, 2024.
- b. The County in which the project is located is Skagit.
- c. A hard copy will be mailed upon request for the non-refundable copying and mailing charges of \$20.00.

Notice of intent to pay prevailing wages and prevailing wage rates for the project must be posted for the benefit of workers. At the conclusion of the project, the Contractor and its subcontractors shall submit Affidavits of Wages Paid to the Department of Labor and Industries for certification by the director. Final payment will be made in accordance with the requirements of RCW 39.12.

14. Trench Safety Systems. All trenches shall be provided with adequate safety systems as required by RCW 49.17 and WAC 296-155-650 and 655. Contractor is responsible for providing the competent person and registered professional engineer required by WAC 296-155-650 and 655.

15. Resident Labor. The provisions of RCW 39.16 relating to the employment of residents of the State of Washington are incorporated by reference herein. Contractor is notified that a violation of that statute is a criminal offense (a misdemeanor) and further will result in the imposition of a civil penalty as prescribed by RCW 39.16.030.

16. Environmental Regulation. Contractor is expected to comply with all environmental statutes and regulations, including but not limited to: 42 USC 4321 et seq.; Executive Order 11514; 33 USC 1251 et seq.; and RCW's 43.21; 70.74; 70.94; 90.48; 90.58; and WAC 197.11.

17. Special Provisions.

- A. Construction measures shall be per the applicable portions of the Town of La Conner Infrastructure Improvements Project Manual which is, by this reference, incorporated herein and made a part hereof.
- B. All construction will be in compliance with the applicable permit(s):

18. Retainage. Unless otherwise provided by law, the Owner shall retain from the moneys earned by the Contractor on estimates during the progress of the improvement or work, a sum equal to five (5) percent of such estimates, said sum to be retained by the Owner as a trust fund for the protection and payment of any person or persons, material man who shall perform any labor upon the Contract or the doing of the work, and all persons who shall supply such person or persons or subcontractors with provisions and supplies for the carrying on of the work, and any state taxes which may be due from the Contractor.

19. Measurement and Payment.

Bid Item 1. LaConner Fire Hall Roof Replacement.

The lump sum bid item for Fire Hall shall constitute full compensation for all labor, materials and equipment required to perform the work shown on Fire Hall Reroof, as per Project manual/bid documents dated 12/26/2023. Including;

- Mobilization,
- Demolition and Disposal of all removed or surplus equipment,
- Also including, but not limited to, maintaining and/or replacing all public or private utilities, furnishings or finishes which may in any way be damaged by operations of the Contractor.
- All labor, materials and equipment required to install all electrical controls as shown in the Contract Drawings.
- Setup and removal of any temporary measures utilized by the Contractor to perform the work.
- All labor, materials and equipment required, whether depicted or not, to provide a completed roofing system.

Measurement: If partial payments are made, they shall be based on percent (%) complete as determined by the Owner. Only those materials that have been successfully incorporated into the work shall factor into the % complete.

20. Proposal

ITEM	QTY	DESCRIPTION	COST (BID)
1	1	Fire Hall Roof Replacement	<u>\$260,664.00</u>
2	1	Replace All Gutters/Downspouts	<u>\$11,825.00</u>

Includes 30 year NDL roofing warranty

Basis of Award	Total Bid w/o Tax	<u>\$272,489.00</u>
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21. Agreement Signatures

TOWN OF LA CONNER

CONTRACTOR

By _____

By _____

(Print or type name)

(Print or type name)

It's _____
(Title)

It's _____
(Title)

Address:

Telephone:

Corporation

Partnership

Joint Venture

Sole Proprietorship

Phone: _____

Email _____

Federal Taxpayer ID Number: _____

Contractors License Number: _____

UBI Number: _____



PHONE: 360.354.1184 FAX 360.318.9526

1841 Front St. Suite A - Lynden, WA 98264

Proposal

No: 23168R1

Date: 1/17/2024

Work To Be Performed For:

La Conner Fire Station, La Conner WA

We hereby propose to furnish all the materials and perform all the labor necessary for the completion of:

Metal Roofing:

Supply and installation of metal roofing and accessories:

- Garland R-Mer Span, 22ga, mechanically seamed, concealed fastened, 16" panel in 2-coat finish

Sheet Metal Flashing and Trims:

Supply and installation of sheet metal flashings, trims, and accessories:

- 24ga ridge, rake, and low eave in 2-coat finish
- 24ga cricket, roof to wall, side wall in 2-coat finish

Roofing Tear Off:

Supply and installation of roofing tear off and accessories:

- Tear off existing metal roof panels and flashing, disposed of legally

Base Bid: \$260,664.00

ALTERNATE 1- Replace Gutters and Downspouts: -----Add to Base Bid: \$11,825.00

Supply and installation of gutters, downspouts, and accessories:

- 24ga Gutter and Downspout in 2-coat finish
- Tear off and replace gutters in like fashion

OPTION 1- Roof Insulation Tear Off and Replacement: -----\$6/SF

Supply and installation of roof insulation tear off and replacement and accessories:

- Tear off saturated/damaged roof insulation
- Install new R19 unfaced light density fiberglass blanket insulation

Notes: Bid With Plan Set Dated: La Conner Fire Station Roof Replacement Project Manual

Clarifications: Axiom requires electronic delivery of the complete final drawings in native .dwg AutoCAD format to allow timely completion of Axiom shop drawings. Axiom is not responsible for delays or project impacts caused by others. Axiom is not responsible for predecessor latent defects or defective workmanship, nor is responsible for design and/or engineering errors. Axiom Reserves the Right to Reprice Commodities Prior to Time of Contract Due To The State of Our Volatile Market. Due to market volatility and material escalation, Axiom reserves the right to reprice materials. Upon acceptance of this bid, Prime Contractor agrees to enter into a mutually acceptable written subcontract. The terms of this bid are incorporated into any subsequent written agreement.

Addenda: Axiom acknowledges receipt of addenda: 1,2

Schedule: Proposal based on standard working hours, and does not consider any premium overtime;

Upon acceptance of this bid, Prime Contractor agrees to enter into a written subcontract with Subcontractor that is mutually acceptable. The terms of this bid are incorporated into any subsequent written agreement of the parties.

Exclusions: WSTT, Custom Colors, Bonding, Hoisting and Scaffolding, Membrane Roofing, Insulation and Brick Traffic Management, Including Flaggers and/or Street Permits, Delegated Design & Engineering/Stamps, Responsibility for Post-Contract Award, Changes to Building Envelope Drawings, and Resulting Costs, Expansion Joints, Firestopping, Exterior Exposed Caulking Not Associated With Our Work, Painting, Insulation, Interior Work, Exterior Exposed Caulking/Glazing Caulking/Interior Caulking, Interior Work and Interior Metals, Early Payment Discounts, Louvers, TPO/PVC Flashings, Framing, Shimming, Blocking, Including Roof Wood Blocking, Excess Liability Insurance, Remediation Off-Site, Nailers, Curbs, Welding, Custom Colors, Heavy Gage Metals, Fall Protection Anchors, Fall Protection Systems, Off-site Garbage Disposal, Patching & Painting, CMU/Brick/Concrete Cutting, Grinding, HAZMAT Remediation, Off-Site Recycling, Parking Permits, Lead, Damage by Other Trades

Any alteration or deviation from above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents or delays beyond our control. Owner will carry fire, tornado and other necessary insurance upon above work.

Payment: Net 30 days

Respectfully submitted: Evan Roller-Estimator

Note -This proposal may be withdrawn by us if not accepted within 25 days

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory. Acceptance subject to mutually agreeable terms of subcontract/contract with the inclusions and exclusions specified above.

Accepted Date:

Signature:

Town of La Conner

Public Works
604 N Third Street, PO Box 400
La Conner, WA 98257
(360) 466-3125

Request for Quote - TBD

This is not an order.

RFQ # TBD - December 26th, 2023

Description: Metal re-roofing of the La Conner Fire Station with an area of approximately 6,750 sq. ft. Project to include: Removal of existing roofing and proper disposal. Repair/replace any saturated insulation on a \$ per sq. ft. basis. Install standing seam metal system per attached project manual. Clean gutters and downspouts. Provide the Town with a 30 Year NDL Roofing Warranty. Contractor responsible for all permitting and ensuring the building is completely leak free during installation. Contract completion date to be mutually determined at award of contract. **Work to be completed by October 30th 2024.** \$500 in Liquidated damages to be paid each day the project continues past this date. Upon completion, clean all work related debris from site.

Additional Documents: Project Manual

Contact Name: Brian Lease, Public Works Director _____

Phone: (360) 466-3933 _____ **Fax:** _____

Email: publicworks@townoflaconner.org _____

Vendor shall complete the area below:

The undersigned offers and agrees, if this offer is accepted within 30 calendar days from the date received, to furnish all items or services quoted, at the prices set forth in this quotation, within the time specified herein. In the event of a contract award pursuant to this request, performance by the vendor of any or all of the services, or delivery of any or all of the products defined herein, shall constitute acceptance of all terms, conditions and requirements of the resulting agreement. Pay Prevailing Wage.

Company Name: Axiom Construction and Consulting

Address: 1841 E Front Street License #: AXIOMCC921KR

City: Lynden State: WA Zip: 98264

Email: eroller@axiomcc.net Phone: 360-354-1184 Fax: _____

Print Name and Title: Evan Roller- Estimator

No Bid [☐] Reason: _____

Public Works
604 N Third Street, PO
Box 400
La Conner, WA 98257
(360) 466-3125

RFQ # TBD

Bid Price Form:

Item	Description	Unit Price	Qty	Ext. Price
A	Roof replacement according to specifications.		1	\$260,664.00
B	Add Alt 1: Cost to replace gutters and downspouts in like fashion.			\$11,825.00
C	Cost per square foot for insulation replacement			\$6/SF
D				
E				
	Applicable state sales tax (8.6%)			\$10,006.00 \$23,434.05
Total Price -->				\$260,664.00 \$295,923.05

Company Name: Axiom Construction and Consulting

Signature: Evan Roller

Print Name and Title: Evan Roller-Estimator

Date: 1/17/2024

Resolution – Recognition of EMC
Commissioner Bill Stokes

Town of La Conner



RESOLUTION NO.

A RESOLUTION OF APPRECIATION OF BILL STOKES PUBLIC SERVICE TO THE TOWN OF LA CONNER

WHEREAS, Bill Stokes has served with excellence and distinction on the La Conner Emergency Management Commission from January 2023 to January 2024, the La Conner Town Council from January 2013 to December 2021, and also served on the La Conner Planning Commission, including a time as chair, from February 2006 to January 2013. In all three of these endeavors, he provided a strong and articulate voice for all La Conner residents; and

WHEREAS, throughout his service he has spoken up and done so with honesty, poise and forthrightness; and

WHEREAS, during his service on the Emergency Management Commission, Bill Stokes provided invaluable insight, perspective, and guidance in the Town's efforts to protect Town residents and businesses from flood threats; and

WHEREAS, the La Conner Town Council seeks to publicly recognize Bill Stokes' commitment, dedication, and invaluable contributions to the Town; Now, Therefore,

Be it resolved by the Town Council of the Town of La Conner that the Town Council bestows its appreciation and commendations to Bill Stokes for his exemplary service; and

That it conveys the gratitude of the town for his stellar contributions with the firm assurance and belief that he will continue to make outstanding contributions in the future.

PASSED by the Town Council this ____ day of February, 2024.

TOWN OF LA CONNER

Marna Hanneman, Mayor

ATTEST:

Maria DeGoede, Finance Director

APPROVED AS TO FORM:

Scott Thomas, Town Attorney

**Ordinance – Revision of Chapter 2.225
Emergency Management Commission Members**

TOWN OF LA CONNER



Ordinance No.

AN ORDINANCE REVISING CHAPTER 2.225 OF THE LA CONNER MUNICIPAL CODE

WHEREAS, The Town Council of the Town of La Conner desires to take steps to plan for potential future disasters, and update its procedures for responding to disasters;

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

Section 1. That Section 2.225.010 of the La Conner Municipal Code is hereby amended, the revised section to read as follows:

2.225.010 Created.

An advisory emergency management commission is hereby created. The advisory commission shall consist of five ~~six~~ voting members, plus one ~~two~~ nonvoting councilmember. At least four ~~three~~ of the commission members shall be legal voters of the town of La Conner, and the remaining two members may be drawn from within the boundaries of the La Conner School District. The mayor shall fill the vacancies of voting members with the consent of the town council. ~~The~~ ~~Non~~voting councilmembers shall be selected by the council as a whole. The initial terms of office for three voting members shall be three years, a fourth voting member shall have an initial term of four years, and the fifth voting member an initial term of five years. After the initial term, the voting ~~public~~ members of the commission shall be appointed by the mayor with the consent of the town council to serve for a three-year term, or until their successors are appointed. Members shall be chosen based upon:

- A. Desire to serve;
- B. Expertise in a field related to flood control, environmental science, meteorology, civil or structural engineering, grant research and writing, emergency management, and associated topics beneficial to emergency planning; and
- C. Organizational skills.

Section 2. That Section 2.225.030 of the La Conner Municipal Code is hereby amended, the revised section to read as follows:

2.225.030 Organization – Meeting rules – Quorum.

The advisory commission shall elect its own chairperson and create and fill such other offices as it may determine it requires. Commission officers shall serve terms as established by the commission, provided that the commission shall endeavor to rotate officeholders amongst the commission members on an annual or semi-annual basis. The commission shall hold at least bimonthly meetings (six per year) on a time and date and at a location as established by the commission through a written motion. The commission may adopt written rules for transactions of business and shall keep a written record of its meetings, resolutions, motions, findings, determinations, and recommendations. The commission's meetings shall be open to the public in conformance with the Washington Open Public Meetings Act. A quorum shall consist of three (of the five) voting members of the commission.

Section 3. That the council concurs in the appointment of Jamie Joy Throgmorton as a voting member of the commission.

Adopted by a vote of the La Conner Town Council this _____ day of February, 2024.

Marna Hanneman, Mayor

ATTEST:

Maria DeGoede, Town Clerk

APPROVED AS TO FORM:

Scott G. Thomas, Town Attorney

Mayor Roundtable

- 1) **Zoom Meetings**
- 2) **First Street Public Access**

Zoom Meetings



Town of La Conner

Date: February 6, 2024
To: Mayor and Town Council
From: Scott G. Thomas, Town Administrator
Subject: Public Meeting Remote Access

During the COVID-19 pandemic, Governor Jay Inslee's proclamations provided an exception to the requirement that local governments be held at a physical location, and mandated that meetings of legislative bodies be held remotely. When the proclamation was terminated and the mandate was lifted, meetings were still required to be held remotely, with an in-person component optional. La Conner, like most other government entities, followed suit by first conducting all meetings over Zoom, and then meeting in-person while still maintaining Zoom capabilities for those who wished to participate through Zoom. All of the public meetings conducted by La Conner, including the council and all commissions, have been broadcast over Zoom.

In 2022, the Open Public Meetings Act (OPMA) was updated. The new OPMA language requires that all meetings of a governing body of a public agency be held in a physical location where the public can attend, with two exceptions: if an emergency has been declared and the agency determines it cannot hold an in-person meeting, the meeting can be fully remote; and if a meeting is held remotely or the public attendance is limited or prohibited, the agency must provide a cost-free option to attend in real-time, either by telephone or another readily available alternative.

There have been advantages to having meetings carried over Zoom. First, we have seen a slight increase in attendance at meetings. There are usually two to three attendees at council meetings on Zoom who might not attend an in-person meeting out of necessity or convenience. Second, council members and commissioners will utilize Zoom when they are not able to attend in person; this has occurred several times. The OPMA now specifically permits members of the governing body to attend a meeting by phone or other electronic means that allows for real-time verbal communication. So, while the meeting must be held in a physical location and must allow the public to attend in-person (absent an emergency), any or all members of the governing body can choose to attend the in-person meeting remotely.

Third, the Zoom platform provides a visual and audio recording of every meeting, which is posted on our website. There is no requirement to make recordings of public meetings.

However, pursuant to recent changes to the Open Public Meetings Act (OPMA), recordings are now “encouraged,” and agencies are also encouraged to make meeting recordings available online. RCW 42.30.220 now provides:

(1) Public agencies are encouraged to make an audio or video recording of, or to provide an online streaming option for, all regular meetings of its governing body, and to make recordings of these meetings available online for a minimum of six months.

(2) This section does not alter a local government's recordkeeping requirements under chapter 42.56 RCW.

While the OPMA previously did not require governing bodies to receive public comment at their meetings, like most public agencies La Conner set time on the meeting agenda for the public to comment on Town business. Effective in 2022, public comment at regular meetings of a governing body where final action is taken is now a requirement. Note that a governing body includes not just the town council, but also the planning commission and other policy or rule-making bodies that act on behalf of the council, conduct hearings, or take testimony or public comment. Zoom allowed public comment to be taken from a remote location.

There have also been disadvantages. The first to mention is that it is not always easy or convenient for me to successfully run the Zoom component of council meetings, while also attending to other obligations during the meeting. There have been instances when attendees have not been admitted to meetings quickly, as I am preoccupied with other tasks. La Conner just does not have the staff resources to assign one person the duty of managing the Zoom component.

Secondly, Zoom is costly. La Conner spends \$257.09/month for our current subscription, which allows multiple staff members to use Zoom.

Third, we have been Zoom-bombed on several occasions. While it would be possible to upgrade our subscription to prevent this from happening, the cost would be approximately an additional \$100/month.

We would like Council direction on whether to continue with Zoom, or whether we should discontinue allowing remote meetings.

First Street Public Access

MEMORANDUM

TO: Town Council
FROM: Planning Staff
SUBJECT: First Street parking; Community Mingle presentation
DATE: February 8, 2024

As you know, the staff has been actively working on updates to several elements of the town's Comprehensive Plan. Based upon several public comments about parking issues in the Commercial zone, and especially on South First Street, we have been looking closely at the Transportation Element. This issue is the subject of the upcoming Community Mingle scheduled for February 20th, where we are hoping that a large community turnout will help to define options to help resolve the issues.

South First Street parking. The staff has done a survey of parking on South First Street, comparing the actual number of on-street and off-street parking spaces to the number of spaces that each existing use is required to have. Surprisingly, the number of existing spaces is sufficient to meet the regulatory demand. However, the required number of spaces has been shown to be inadequate during peak tourist season. In the past, several suggestions have been made in an effort to increase parking availability, and therefore access, to the Central Business District. Those ideas have included:

1. Add time restrictions on parking to discourage employee and business owner parking.
2. Add parking enforcement.
3. Add paid parking, both on-street and off-street.
4. Provide better advertising for existing off-street parking.
5. Transform South First Street to one-way driving. This suggestion has been recommended in every traffic control plan that the town has considered in the past 50 years. This will add parking opportunities by creating angle parking on one side of the street. However, this will also increase traffic on other streets, most notably South Second Street.
6. Close South First Street to all traffic between 10:00 a.m. and 7:00 p.m., and provide a shuttle. This raises the question of who pays for the shuttle, and who staffs the shuttle?

Each of these suggestions creates the potential for impacts that would need to be addressed. For example, changing South First Street to one-way traffic, or closing the street to all traffic, will result in significant traffic increases on North First Street and on South Second Street. In addition, many of these suggestions would require the expenditure of funds that have not been budgeted. As with the first Mingle, our goal is to try to strike a balance between competing interests.