



CITY COUNCIL REGULAR MEETING

Monday, December 09, 2024 at 7:00 PM

City Hall

AGENDA

1. Call to Order

2. Flag Salute

3. Roll Call

4. Presentation

A. 3rd Quarter Finance Report

5. Approval of Agenda

6. Consent Agenda

A. Minutes

B. Audit of Reports

1. Claims #1590 - #1617 = \$337,033.39

December 9, 2024

2. Payroll # - # = \$105,917.42

December 6, 2024

VOID #

7. Reports

8. Audience Participation

The City Council encourages public participation during meetings of the City Council and welcomes your comments. This time is set-aside for you to speak to the City Council on any issue. The Council ordinarily takes non-agenda matters under advisement before taking action. You are also invited to comment on action items as they are considered during the meeting. Individual speakers will be limited to three (3) minutes each in addressing the City Council. When addressing the Council, please speak clearly and audibly and state your name and address for the record.

9. Discussion

A. Ordinance 1248-24, Establishing Code Interpretation Process

B. Memorandum of Understanding with IAM&AW

[C.](#) Resolution 1288-24, Supporting Ukraine War Victory Plan In Honor of and Appealed by Sister City Kostopil

10. New Business

11. Old Business

12. Ordinances & Resolution

[A.](#) Ordinance 1247-24, Permit Review Process

[B.](#) Ordinance 1245-24, 2024 Budget Amendment #2

13. Next Workshop

14. Adjournment



CITY COUNCIL WORKSHOP MEETING

Monday, November 25, 2024, at 6:00 PM

City Hall

MINUTES

1. Call to Order

Mayor Pro Tem Tim Fairley called the meeting to order at 6:00 PM

2. Roll Call

PRESENT

- Council Member Gordon Cook
- Mayor Pro Tem Timothy Fairley
- Council Member Lynda Osborn
- Council Member William Thomas
- Council Member David White

City Staff Present: City Administrator, Jessica Griess, Chief Schrimpscher, Public Works Supervisor, Dean Wenner, City Clerk, Dana Parker

3. Approval of Agenda

Motion made by Council Member Thomas to approve the agenda, Seconded by Council Member Osborn.

Voting Yea: Council Member Cook, Mayor Pro Tem Fairley, Council Member Osborn, Council Member Thomas, Council Member White

4. Presentations

5. Discussion

A. Winter Preparation

Public Works Supervisor, Dean Wenner updated the council on the winter preparation. The dump truck plow will be installed on Wednesday. The salt and sand are prepped and ready. Council Member Fairley asked about a warming station.

6. Audience Participation

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7. Adjournment

Mayor Pro Tem Tim Fairley adjourned the meeting at 6:07 PM

ATTEST:

Dana Parker – City Clerk

Tim Fairley – Mayor Pro Tem



CITY COUNCIL REGULAR MEETING

Monday, November 25, 2024, at 7:00 PM

City Hall

MINUTES

1. Call to Order

Mayor Troy Linnell called the meeting to order at 7:00 PM

2. Flag Salute

3. Roll Call

PRESENT

- Mayor Troy Linnell
- Council Member Gordon Cook
- Council Member Timothy Fairley
- Council Member Lynda Osborn
- Council Member William Thomas
- Council Member David White

City Staff Present: City Administrator, Jessica Griess, Chief Schrimpscher, Public Works Supervisor, Dean Wenner, City Clerk, Dana Parker

4. Presentation

5. Approval of Agenda

Motion made by Council Member Fairley to approve the agenda, Seconded by Council Member Osborn.

Voting Yea: Council Member Cook, Council Member Fairley, Council Member Osborn, Council Member Thomas, Council Member White

6. Consent Agenda

A. Minutes

Motion made by Council Member Cook to approve the minutes, Seconded by Council Member White.

Voting Yea: Council Member Cook, Council Member Fairley, Council Member Osborn, Council Member Thomas, Council Member White

B. Audit of Reports

1. Claims #1561 - #1589 = \$442,209.57

November 25, 2024

2. Payroll #1557 - #1560 = \$ 96,729.95

November 22, 2024

VOID #

7. Reports

Council Member White - I attended the Cities and Schools meeting last week. They discussed Safe Auburn community.

Council Member Cook - The 25 MPH speed limit signs and flags on Algona Blvd look good. I also got a chance to drive down West Valley, and it is also looking good.

Council Member Fairley - Thank you to Public Works for the work that they did after the storm. It looks good.

Council Member Osborn - None

Council Member Thomas - None

Public Works Supervisor, Dean Wenner - We have spent the last week cleaning storm debris. We have been hauling debris to the transfer station. They have had free dumping and so far, we have taken six dump trucks full. We are still continuing to work on cleaning the storm drains.

Chief Schrimpscher - We are transitioning away from Auburn IT and moving to a private company. We will be making a clean break and have a new records management system. We have 6 and possibly 7 families for Blue Christmas. See Cari if you want to donate food/toys/money. For those of you that have donated thank you. The PD wants to give a shout out to Public Works for when the tree went down. Dean and his crew were out there quickly, and the mayor was directing traffic. It was a big team effort, and my guys wanted to give a shout out to Public Works.

City Administrator, Jessica Griess - Gary is currently preparing nineteen meals for seniors every Tuesday and Thursday with 17 being delivered. We have a request to add two in January. Between October 12th and November 23, we have had twenty-three community center rentals with another 10 scheduled for the remainder of the year. In October we had thirty-six trips in the Community van and so far in November we have had thirty-five. We are second out of ten jurisdictions in trips and boarding. We are only behind UW Bothell with a population of 44,000 and a college.

Mayor Linnell - Thank you to the Police Department and Public Works employees for their hard work during the November 22nd storm. During the storm around 7:30 PM a large tree fell across Algona Blvd., between 7th and 8th Ave. North. The police controlled the traffic, and our Public Works Department arrived on site by 8:30 PM. The tree was cleared out by 10:45 PM. Unfortunately, half the city was without power for two days. The Public Works crew worked diligently for three days following the storm to clear debris from the roadways and right-of-way. Today and Wednesday we will have a street sweeper clean the city

streets. Response to Anton and Deb Wooten's letter. I want to reply to Anton and Deb Wooten's letter of November 15, 2024. I have tried calling them several times but have not received a response. The first question in their letter is about when we will see roundabouts at the Algona Boulevard and Main Street intersections. We have submitted a request to the city engineers, who suggested installing two small roundabouts. One to manage the traffic at Main and Algona Boulevard and the other for traffic from Broadway onto Algona Boulevard. This project has an estimated cost of over a million dollars and is still under consideration depending on where the city will find the funding. Regarding speeding concerns, the City Council has reduced the speed limit on Algona Blvd to 25 MPH, while east to west roads without sidewalks now have a speed limit of 20 MPH. Additionally we received a grant for \$545,058.00 to construct a pedestrian/bike path on the west side of Algona Blvd. The path will extend from our city's southern border up to Boundary Boulevard at the northern border. This project is expected to go out to bid in early spring and will be constructed in late spring or early summer.

8. Audience Participation

The City Council encourages public participation during meetings of the City Council and welcomes your comments. This time is set aside for you to speak to the City Council on any issue. The Council ordinarily takes non-agenda matters under advisement before taking action. You are also invited to comment on action items as they are considered during the meeting. Individual speakers will be limited to three (3) minutes each in addressing the City Council. When addressing the Council, please speak clearly and audibly and state your name and address for the record.

Rick Connell - 340 Milwaukee Blvd - When will the new 20 mph speed limit signs going up on the side streets?

9. Discussion

A. Ordinance 1245-24, 2024 Budget Amendment #2

Tara Dunford updated the council on the 2024 Budget Amendment, Ordinance 1245-24 Budget Amendment #2

B. Ordinance 1247-24, Permit Review Process

City Administrator, Jessica Griess went over Ordinance 1247-24 Permit Review Process.

10. New Business

11. Old Business

A. Natural Systems Design Third Contract Amendment

Motion made by Council Member Fairley to authorize Mayor Linnell to execute signing the Natural Systems Design Third Contract Amendment, Seconded by Council Member Cook.

Voting Yea: Council Member Cook, Council Member Fairley, Council Member Osborn, Council Member Thomas, Council Member White

12. Ordinances & Resolution

A. Ordinance 1244-24, 2025 Property Tax

Motion made by Council Member Cook to approve Ordinance 1244-24, 2025 Property Tax, Seconded by Council Member White. Voting Yea: Council Member Cook, Council Member Fairley, Council Member Osborn, Council Member Thomas, Council Member White

B. Ordinance 1246-24, Final 2025 Budget

Motion made by Council Member Fairley to approve Ordinance 1246-24 Final 2025 Budget, Seconded by Council Member Thomas. Voting Yea: Council Member Cook, Council Member Fairley, Council Member Osborn, Council Member Thomas, Council Member White

C. Ordinance 1241-24, Traffic Impact Fee

Motion made by Council Member Thomas to approve Ordinance 1241-24, Traffic Impact Fee, Seconded by Council Member Osborn. Voting Yea: Council Member Cook, Council Member Fairley, Council Member Osborn, Council Member Thomas, Council Member White

D. Resolution 1286-24, City of Auburn Decant Facility Agreement

Motion made by Council Member Thomas to approve Resolution 1286-24, City of Auburn Decan Facility Agreement, Seconded by Council Member Cook. Voting Yea: Council Member Cook, Council Member Fairley, Council Member Osborn, Council Member Thomas, Council Member White

E. Ordinance 1248-24, Establishing Code Interpretation Process

Motion made by Council Member Thomas to table Ordinance 1248-24, Establishing Code Interpretation Process until the next meeting, Seconded by Council Member Fairley. Voting Yea: Council Member Cook, Council Member Fairley, Council Member Osborn, Council Member Thomas, Council Member White

13. Next Workshop

Water Efficiency Grant Program

14. Adjournment

Mayor Linnell adjourned the meeting at 7:31 PM

ATTEST:

Dana Parker – City Clerk

Troy Linnell – Mayor



CITY COUNCIL

AGENDA BILL # AB24-0154

**City of Algona
200 Washington Blvd.
Algona, WA 98001**

ITEM INFORMATION

SUBJECT: Ordinance 1248-24, Code Interpretation Procedure	Agenda Date: December 9th, 2024		
	Department/Committee/Individual	Created	Reviewed
	Mayor		
	City Administrator	x	
	City Attorney		X
	City Clerk		
	Finance Dept		
	PW/Utilities		x
	Planning Dept		
	Community Services		
Cost Impact:	Police Dept		
Fund Source:	Finance Committee		
Timeline: 1 st review – 11/25/24	Planning Commission		
2 nd review – 12/9/24	Civil Service Committee		
3 rd review –			

Staff Contact: Jessica Griess, City Administrator

Attachments: Ordinance 1248-24

SUMMARY STATEMENT:

The Ordinance presented adds a new provision to the Algona Municipal code that allows citizens the opportunity to request code to be interpreted by the planner and may be appealed by the hearing examiner.

COMMITTEE REVIEW AND RECOMMENDATION:

RECOMMENDED ACTION:

RECORD OF COUNCIL ACTION

<i>Meeting Date:</i>	<i>Action:</i>	<i>Vote:</i>

CITY OF ALGONA, WASHINGTON

ORDINANCE NO. 1248-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALGONA, WASHINGTON; AMENDING CHAPTER 14.04 AMC PROJECT PERMIT REVIEW PROCESSING AND CHAPTER 2.46 AMC CITY PLANNER; ESTABLISHING PROCEDURES FOR INTERPRETATION OF THE CITY’S DEVELOPMENT REGULATIONS PURSUANT TO CHAPTER 36.70B RCW; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in accordance with Chapter 36.70B RCW, the Regulatory Reform Act, the City of Algona has adopted procedures for the processing of project permit applications, and has codified the same at Chapter 14.04 of the Algona Municipal Code (AMC); and

WHEREAS, the City Council desires to update and amend Chapter 14.04 AMC in order to establish an administrative procedure for requesting and issuing formal interpretations of the City’s development regulations, as required by RCW 36.70B.030 and RCW 36.70B.110; and

WHEREAS, the establishment of such procedure will serve the public interest by facilitating a conclusive resolution of code interpretation questions and streamlining the City’s review and processing of project permit applications;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ALGONA DO ORDAIN AS FOLLOWS:

Section 1. Amendment of Chapter 14.04 AMC—New Section AMC 14.04.180 Adopted. Chapter 14.04 of the Algona Municipal Code is hereby amended by the addition of a new Section 14.04.180 to provide in its entirety as follows:

14.04.180 Code interpretations.

A. Upon request or as determined necessary, the city planner shall interpret the meaning or application of the provisions of the city’s development regulations, including without limitation Title 16 AMC, Title 19 AMC, and Title 22 AMC, and shall issue a formal written administrative interpretation within thirty days unless the city planner determines that a longer period is reasonably necessary. Requests for interpretation shall be submitted in writing to the city planner, shall be accompanied by the applicable fee established by city council ordinance or resolution, and shall concisely identify the issue and desired interpretation. The city planner’s interpretation shall be based on:

- i. The defined or common meaning of the words of the provision(s) at issue;
- ii. The general purpose of the provision(s) as expressed in the code;
- iii. The logical or likely meaning of the provision(s) viewed in relation to the comprehensive plan and the code, as applicable;

iv. Input and recommendations from other city staff members, as appropriate;

v. Input and recommendations from the city attorney, as appropriate;

vi. Applicable rules of statutory construction; and

viii. Any other factor or consideration deemed relevant by the city planner.

B. A formal interpretation of the code will be enforced as if it is part of the code. Code interpretations shall be considered superseded if amendments are subsequently made by the city council to the code section which was previously interpreted, to the extent of any inconsistency. If an interpretation of the city planner is modified on appeal, the interpretation as modified shall control.

C. All interpretations shall be available for public inspection and copying at city hall during regular business hours.

E. The city planner may at any time amend an interpretation to correct ministerial errors clearly identifiable from the public record. Nothing in this section shall be construed as precluding the city planner from issuing a new interpretation that has the effect and purpose of superseding a previous interpretation.

F. Code interpretations issued pursuant to this section shall be appealable to the hearing examiner. All appeals must be filed with the city clerk within fourteen days after issuance. The hearing examiner shall affirm the city planner's interpretation of the code unless the hearing examiner finds that the interpretation is clearly erroneous.

Section 2. Amendment of AMC 2.46.030. Section 2.46.030 of the Algona Municipal Code is hereby amended by the addition of new Section 14.04.180 to provide in its entirety as follows:

2.46.030 Qualifications – Duties.

The qualifications of the city planner shall be established by the city council. The specific duties, powers, and responsibilities of the city administrator, all subject to the direction, the supervision, and the authority of the city administrator and mayor, shall be as follows:

Specific duties shall include but not be limited to the following:

A. Investigate zoning problems and recommend necessary revisions to the zoning code;

B. Serve as secretary and act in an advisory capacity to the planning commission and the board of adjustment;

C. Enforce all appropriate rules, regulations and ordinances relating to environmental standards that may fall within the purview of the department;

D. Prepare and execute the city's annexation program to keep the city current with urban development;

E. Encourage preparation of plans on a regional basis to assure that the city's plans and developments are consistent with plans for the metropolitan area;

F. Serve as coordinating department for all project permit applications and

planning activities related to the Washington State Growth Management Act;

G. Establish processes for monitoring and enforcing permit decisions and conditions; issue and revoke, as necessary, all building and sign permits; enforce building, and other ordinances regulating building and housing; and examine proposed building plans;

H. Perform plan reviews of development plans submitted to the city for compliance with applicable laws and regulations;

I. Administer all codes relating to construction and maintenance of buildings and property, review and recommend updates to model codes as published; ~~and~~

J. In the absence of or in the event of a vacancy in the office of public works director, perform such functions and duties of the office of public works director and such other activities as the city administrator or mayor shall assign or as shall be set forth from time to time in the job description on file in the office of the city clerk; and

K. Issue formal interpretations of the city's development regulations as authorized by chapter 14.04 AMC.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. Effective Date. This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF THIS ____ DAY OF NOVEMBER 2024.

Troy Linnell, Mayor

ATTEST:

Dana Parker, City Clerk

APPROVED AS TO FORM:

J. Zachary Lell
City Attorney

Filed with the City Clerk:
Passed by the City Council:
Ordinance No.: 1248-24
Date of Publication:



CITY COUNCIL

AGENDA BILL # AB24-0155

**City of Algona
200 Washington Blvd.
Algona, WA 98001**

ITEM INFORMATION

SUBJECT: MOU with IAM&AW	Agenda Date: December 9th, 2024		
	Department/Committee/Individual	Created	Reviewed
	Mayor		
	City Administrator	x	
	City Attorney		X
	City Clerk		
	Finance Dept		
	PW/Utilities		x
	Planning Dept		
	Community Services		
Cost Impact:	Police Dept		
Fund Source:	Finance Committee		
Timeline: 1 st review –	Planning Commission		
2 nd review –	Civil Service Committee		
3 rd review –			

Staff Contact: Jessica Griess, City Administrator

Attachments: Ordinance 1248-24

SUMMARY STATEMENT:

To keep Council apprised, the city has negotiated the work to be brought back in house in regards to NPDES. Gray and Osborn has taken the wheel on our NPDES program for a few years and their contract is coming to an end. This opportunity allows a public works employee to professionally grow and take on additional duties as it was in the past. It was also negotiated to pay 4.5% to the employee taking on the NPDES duties.

This is just for informational purposes, Council will see the 4.5% included with the first 2025 budget amendment.

COMMITTEE REVIEW AND RECOMMENDATION:

RECOMMENDED ACTION:

RECORD OF COUNCIL ACTION

<i>Meeting Date:</i>	<i>Action:</i>	<i>Vote:</i>

**MEMORANDUM OF UNDERSTANDING (MOU)
BETWEEN
City of Algona
AND
I.A.M. District 160**

Subject: Management of the City’s NPDES Permit

Date:

1. Purpose

This Memorandum of Understanding (MOU) outlines the agreement between the City of Algona and the I.A.M. District 160 regarding the responsibilities and compensation for managing the City’s National Pollutant Discharge Elimination System (NPDES) permit.

2. Scope of Work

Members of the bargaining unit will be responsible for managing the reporting requirements associated with the City’s NPDES permit, ensuring compliance with all relevant regulations and guidelines.

3. Compensation

- The City agrees to compensate the member or members performing the duties of managing the NPDES permit at a rate of **4.5% premium pay**.
- The primary member designated for these responsibilities will receive the premium pay continuously throughout the duration of the work.
- A secondary member, if designated, will receive the premium pay only while actively performing the duties related to the management of the NPDES permit.

4. Duration

This MOU will remain in effect until the expiration of the current Collective Bargaining Agreement (CBA) between the City of Algona and I.A.M. District 160.

5. Amendments

Any amendments or changes to this MOU must be made in writing and signed by both parties.

6. Agreement

By signing below, the parties agree to the terms outlined in this MOU.

For the City of Algona:

Tory Linnell
Mayor City of Algona
Date:

For I.A.M. District 160:

[Name]
[Title]
[Date]



CITY COUNCIL

AGENDA BILL # AB24-0156

**City of Algona
200 Washington Blvd.
Algona, WA 98001**

ITEM INFORMATION

SUBJECT: Resolution 1288-24, Supporting Ukraine War Victory Plan In Honor of and Appealed by Sister City Kostopil	Agenda Date: December 9th, 2024		
	Department/Committee/Individual	Created	Reviewed
	Mayor		X
	City Administrator		
	City Attorney		X
	City Clerk		
	Finance Dept		
	PW/Utilities		
	Planning Dept		
	Community Services		
Cost Impact:	Police Dept		
Fund Source:	Finance Committee		
Timeline: 1 st review – 12/9/24	Planning Commission		
2 nd review –	Civil Service Committee		
3 rd review –			

Staff Contact: Mayor Troy Linnell
Attachments: Resolution 1288-24

SUMMARY STATEMENT:

October 2024, Ukrainian President Volodymyr Zelenskyy issued his proposed Victory Plan, identifying several measures intended to bring about a successful resolution of the current war and ensure a permanent, stable, autonomous future for Ukraine. The City Council of the City of Kostopil, Ukraine issued a formal appeal in support of President Zelenskyy’s Victory Plan.

COMMITTEE REVIEW AND RECOMMENDATION:

RECOMMENDED ACTION:

RECORD OF COUNCIL ACTION

<i>Meeting Date:</i>	<i>Action:</i>	<i>Vote:</i>

**CITY OF ALGONA
RESOLUTION NO. 1288-24**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALGONA, WASHINGTON, EXPRESSING SUPPORT FOR THE UKRAINE WAR VICTORY PLAN PROPOSED BY UKRAINIAN PRESIDENT VOLODYMYR ZELENSKY, AS SET FORTH IN THE FORMAL APPEAL ISSUED BY THE CITY COUNCIL OF KOSTOPIL, UKRAINE, ON OCTOBER 31, 2024.

WHEREAS, in February 2022 Russian armed forces invaded the sovereign nation of Ukraine, and the resulting war has caused several hundred thousand military and civilian casualties; and

WHEREAS, the armed forces and civilian population of Ukraine have bravely withstood almost three years of armed conflict, including severe bombardment of populated areas, material losses, and extensive disruption of energy supply, transportation, medical, educational, and social services systems; and

WHEREAS, in October 2024, Ukrainian President Volodymyr Zelenskyy issued his proposed Victory Plan, identifying several measures intended to bring about a successful resolution of the current war and ensure a permanent, stable, autonomous future for Ukraine; and

WHEREAS, on October 31, 2024, the Deputies of the City Council of the City of Kostopil, Ukraine issued a formal appeal in support of President Zelenskyy's Victory Plan, as set forth in Exhibit A hereto; and

WHEREAS, while the Algona City Council has no authority, power, or jurisdiction with respect to geopolitical matters, the City Council wishes to voice its support for the Kostopil City Council's October 31, 2024, appeal, and the underlying Victory Plan proposal, as a symbolic means of expressing solidarity with the citizens of Ukraine and conveying the Algona City Council's hope for a swift, just, and permanent end to the current war in Ukraine;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ALGONA, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Support for Kostopil City Council Appeal Regarding Ukraine War Victory Plan. The Algona City Council expresses its symbolic support for the October 31, 2024, appeal concerning Ukrainian President Volodymyr Zelenskyy's proposed Victory Plan as set forth in Exhibit A, attached hereto and incorporated herein by this reference as if set forth in full.

Section 2. Effective Date. This resolution shall take effect immediately upon passage.

PASSED by the City Council of the City of Algona, at its regular meeting thereof this ____ day of _____, 2024.

CITY OF ALGONA, WASHINGTON

Troy Linnell, Mayor

(SEAL)

ATTEST:

Dana Parker, City Clerk

Exhibit A



CITY COUNCIL

AGENDA BILL # AB24-0153

**City of Algona
200 Washington Blvd.
Algona, WA 98001**

ITEM INFORMATION

SUBJECT: Ordinance 1247-24, Permit Review Process	Agenda Date: December 9th, 2024		
	Department/Committee/Individual	Created	Reviewed
	Mayor		
	City Administrator		X
	City Attorney		X
	City Clerk		
	Finance Dept		
	PW/Utilities		
	Planning Dept	X	
	Community Services		
Police Dept			
Cost Impact:	Finance Committee		
Fund Source:	Planning Commission		
Timeline: 1st review – 11/12/24	Civil Service Committee		
2 nd review – 11/25/24			
3 rd review – 12/9/24			

Staff Contact: Jessica Griess, City Administrator; John Greenwood, EJ Municipal
Attachments: Ordinance 1247-24

SUMMARY STATEMENT:

In 2023, the Washington Legislature passed SB 5290, a bill designed to speed up local permit review processes. Portions of the Bill are already in effect but are not reflected in the Algona Municipal Code (AMC). The remaining portions of the Bill will go into effect at the end of 2024. In an effort to increase transparency and accountability to the public, a Draft Ordinance has been prepared that will imprint SB 5290 onto the AMC.

- John Greenwood, EJ Municipal

COMMITTEE REVIEW AND RECOMMENDATION:

RECOMMENDED ACTION:

Make a motion to approve Ordinance 1247-24.

RECORD OF COUNCIL ACTION

<i>Meeting Date:</i>	<i>Action:</i>	<i>Vote:</i>

CITY OF ALGONA, WASHINGTON
ORDINANCE NO. 1247-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALGONA, WASHINGTON, AMENDING SECTION 14.04.020 AMC; AMENDING SECTION 14.04.100 AMC; AMENDING SECTION 14.04.140 AMC; AMENDING SECTION 14.04.150 AMC; AMENDING 14.04.170 AMC; UPDATING AND CLARIFYING THE CITY’S PERMIT PROCESSING REGULATIONS TO COMPLY WITH RECENT AMENDMENTS TO CHAPTER 36.70B RCW; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, during the 2023 Regular Session the State of Washington passed Second Substitute Senate Bill (SSSB) 5290 relating to the consolidation of local permit review processes; and

WHEREAS, SSSB 5290 amends Chapter 36.70B RCW and, as a result, applies to all local jurisdictions that are fully planning jurisdictions, a list which includes the City of Algona; and

WHEREAS, the provisions of SSSB 5290 regarding Sections 36.70B.020 RCW, 36.70B.070 RCW, 36.70B.110 RCW, 36.70B.140 RCW, and 36.70B.160 RCW went into effect as of July 23, 2023; and

WHEREAS, the provisions of SSSB 5290 that went into effect as of July 23, 2023 are not currently reflected in the City of Algona’s Municipal Code; and

WHEREAS, the provisions of SSSB 5290 regarding Section 36.70B.080 RCW go into effect as of January 1, 2025; and

WHEREAS, all provisions of SSSB 5290 are not required to be reflected in a city’s municipal code in order to be in effect; and

WHEREAS, the City of Algona is desirous of maintaining its Municipal Code such that it provides increased transparency and accountability for its residents, businesses owners, and members of the construction industry doing business within its jurisdictional boundaries;

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

Section 1. Findings. The above recitals are hereby adopted by reference as legislative findings in support of this ordinance.

Section 2. Amendment of Section 14.04.020 AMC. Section 14.04.020 of the Algona Municipal Code is hereby amended to provide in its entirety as follows:

14.04.020 ~~Project permit application defined~~ Definitions.

~~Project permit application means an application for land use or development permitted by the city as identified in Sections 14.04.040 and 14.04.050.~~

“Closed record appeal” means an administrative appeal on the records to the city or one of its officers, including the city council, following an open record hearing on a project permit application when the appeal is on the record with no or limited new evidence or information allowed to be submitted and only appeal argument allowed.

“Interior alterations” means construction activities that do not modify the exiting site layout or the building footprint.

“Non-responsiveness” means that an applicant is not making demonstrable progress on providing additional requested information to the city, or that there is no ongoing communication from the applicant to the city on the applicant’s ability or willingness to provide the additional information.

“Open record public hearing” or “public hearing” means a hearing, conducted by a single hearing body or officer authorized by the city to conduct such hearings, that creates the city’s record through testimony and submission of evidence and information, under procedures prescribed by the city by ordinance or resolution. An open record public hearing may be held prior to the city’s decision on a project permit to be known as an “open record pre-decision hearing.” An open record public hearing may be held on an appeal, to be known as an “open record appeal hearing,” if no open record pre-decision hearing has been held on the project permit.

“Project permit” or “project permit application” means any land use or environmental permit or license required from the city for a project action, including but not limited to building permits or other construction permits, subdivisions, binding site plans, planned unit developments, conditional use permits, site plan review, permits or approvals required by the city’s critical areas ordinance, site-specific re-zones which do not require a comprehensive plan amendment, but excluding permits for

wireless communication facilities and the adoption or amendment of a comprehensive plan, subarea plan, or development regulations except as otherwise specifically included in this section, and administrative approvals that are categorically exempt from environmental review or for which environmental review has already been completed.

“Public meeting” means an informal meeting, hearing, workshop, or other public gathering of people to obtain comments from the public or other agencies on a proposed project permit prior to the city’s decision. A public meeting may include, but is not limited to, a design review meeting or a scoping meeting on a draft environmental impact statement. A public meeting does not include an open record hearing. The proceedings at a public meeting may be recorded and a report or recommendation may be included in the city’s project permit application file.

Section 3. Amendment of Section 14.04.100 AMC. Section 14.04.100 of the Algona Municipal Code is hereby amended to provide in its entirety as follows:

14.04.100 Joint public hearings.

~~A.~~ At the request of the applicant, the city may combine any public hearing on a project permit application requiring review by a reviewing agency with any hearing that may be held by another local, state, regional, federal or other agency on the proposed action, as long as:

- ~~A.~~ (1) ~~the hearing is held within the city limits; and~~
 (2) ~~the hearing can be held within the time periods for deciding the application or the applicant agrees to a different schedule; and~~ (3) ~~the requirements of subsection (B) of this section are met.~~
- ~~B.~~ A joint public hearing may be held with another local, state, regional, federal or other agency and a city reviewing agency as long as: (1) the other agency is not expressly prohibited by statute from doing so; (2) sufficient notice of the hearing is given to meet each of the agency’s adopted notice requirements; and (3) the other agency has received the necessary information about the proposed project in enough time to hold its hearing at the same time as the city reviewing agency. The applicant agrees in writing to the schedule in the event that additional time is needed beyond the

timelines for permit review set forth in Section 14.04.150 AMC in order to combine the hearings.

Section 4. Amendment of Section 14.04.140 AMC. Section 14.04.140 of the Algona Municipal Code is hereby amended to provide in its entirety as follows:

14.04.140 Time limit for notification whether a permit application is complete.

- A. Within twenty-eight days after receiving a project permit application, the city shall ~~mail or provide in person~~ a written determination to the applicant stating either:
1. ~~A.~~ That the application is complete; or
 2. ~~B.~~ That the application is incomplete and that the procedural submission requirements of the city have not been met. The determination shall outline what is necessary to make the application procedurally complete.
- B. The number of days shall be calculated by counting every calendar.
- C. ~~The determination shall, to the extent known by the city, it shall identify other agencies of local, state, or federal government that may have jurisdiction over some aspect of the application.~~
- D. A project permit application is complete for the purposes of this section when it meets the procedural submission requirements of the city, as outlined on the project permit application. Additional information or studies may be required or project modifications may be undertaken subsequent to the procedural review of the application by the city. A determination of completeness shall not preclude the city from requesting additional information or studies either at the time of the notice of completeness or subsequently if new information is required or substantial changes in the proposed action occur. However, if the procedural submission requirements, as outlined on the project permit application have been provided, the need for additional information or studies may not preclude a completeness determination.

- E. The determination of completeness may include or be combined with the following:
 - 1. A preliminary determination of those development regulations that will be used for project mitigation;
 - 2. A preliminary determination of consistency;
 - 3. Any additional information the city chooses to include; or deems necessary to adequately evaluate a proposed action.
 - 4. The notice of application.

- F. Within fourteen days after an applicant has submitted additional information identified by the city as being necessary for a complete application after a determination that the initial application is incomplete, the city shall notify the applicant whether the application is complete or what additional information is necessary issue a new determination of completeness. If the city does not notify the applicant whether the application is complete or what additional information is needed within said fourteen days as stated above, this aspect of the application shall not be used as grounds for finding the application procedurally incomplete.

- G. An application shall be deemed procedurally complete on the 29th day after receiving a project permit application under this Section if the city does not provide upon failure of the city to issue a written determination that the application is procedurally incomplete within the time limits as set forth in this section. When the city does not provide a written determination, it may seek additional information or studies as provided for in this section.

Section 5. Amendment of Section 14.04.150 AMC. Section 14.04.150 of the Algona Municipal Code is hereby amended to provide in its entirety as follows:

14.04.150 Time for decision.

A. ~~Except as otherwise provided in this section, the city shall issue a notice of final decision for each type of complete on a project permit application or project type within one hundred twenty days after the city has notified the applicant that the application is complete the following time periods following the determination of completeness:~~

- ~~1. 65 days, if no public notice is required as a result of an exemption to SEPA;~~
- ~~2. 100 days, if public notice is required as a result of SEPA; or~~
- ~~3. 170 days, if public notice and public hearing(s) are required as a result of SEPA.~~

~~In the event of a consolidated review of more than one permit, the time period for a final decision shall be the longest of the permit periods identified above.~~

B. ~~The number of days an application is in review with the city shall be calculated from the day completeness is determined to the date a final decision is issued on the project permit application. The number of days shall be calculated by counting every calendar day and excluding the following time periods:~~

~~The following periods shall be excluded from the calculation of the number of days that have elapsed after notice of a complete application:~~

- ~~1. Any period during which the applicant has been requested to correct plans or provide additional required information beginning with the date the applicant was notified of the need to correct plans or provide additional information and ending when the city determines that the corrected plans or additional information are complete or fourteen days after the corrected plans or additional information have been supplied if the city does not issue a determination that such materials are not incomplete. Any period that the city has notified the applicant, in writing, that additional information is required to further process the~~

- application and the day when responsive information is resubmitted by the applicant;
2. Any time period during which an Environmental Impact Statement is being prepared;
 3. Any time required for the preparation of an environmental impact statement. Any period after an applicant informs the city, in writing, that they would like to temporarily suspend review of the project permit application until the time that the applicant notifies the city, in writing, that they would like to resume the application. The city may set conditions for the temporary suspension of a permit application; and
 4. Up to ninety days for the processing of any appeal of a determination relating to the project permit. Any period after an administrative appeal is filed until the administrative appeal is resolved and any additional time period provided by the administrative appeal has expired.
- C. The time periods for the city to process a permit shall start over if an applicant proposes a change in use that adds or removes commercial or residential elements from the original application that would make the application fail to meet the determination of procedural completeness for the new use, as required by the city.
- D. If, at any time, an applicant informs the city, in writing, that the applicant would like to temporarily suspend the review of the project for more than 60 days, or if an applicant is not responsive for more than 60 consecutive days after the city has notified the applicant, in writing, that additional information is required to further process the application, an additional 30 days may be added to the time periods for city action to issue a final decision for a project permit application. Any written notice from the city to the applicant that additional information is required to further process the application must include a notice that non-responsiveness for 60 consecutive days may result in 30 days being added to the time for review.

- ~~E.~~ ~~B.~~ The applicant and the city may extend the time for a deadline for issuance of a final decision for a specific project permit application upon mutual agreement.
- ~~F.~~ ~~C.~~ The time limits set forth in this section shall not apply to any application that requires amendment to the comprehensive plan ~~or city ordinances~~.
- ~~D.~~ ~~If the city is unable to issue its final decision within the time limits provided for in this section, it shall provide written notice of this fact to the applicant including a statement of the reasons why the time limits have not been met and an estimated date for issuance of the notice of final decision.~~
- ~~G.~~ ~~E.~~ This section shall apply to project permit applications filed on or after ~~March 1, 1997~~ January 1, 2025.

Section 6. Amendment of Section 14.04.170 AMC. Section 14.04.170 of the Algona Municipal Code is hereby amended to provide in its entirety as follows:

14.04.170 Exclusions.

The following matters are excluded from the requirements of this chapter:

- A. Approvals relating to the use of public areas or facilities.
- B. Landmark designations.
- C. Project permits, whether administrative or subject to review by a reviewing agency, that the city council by ordinance or resolution has determined present special circumstances that warrant a review process or time periods for approval which are different from that provided by this chapter.
- D. Development agreements.
- E. Wireless communication facility permits.
- F. Administrative approvals that are categorically exempt from environmental review or for which environmental review has already been completed.

G. Interior site plan reviews, provided that the interior alterations do not result in the following:

- 1. Additional sleeping quarters or bedrooms;
- 2. Nonconformity with Federal Emergency Management Agency improvement thresholds;
or
- 3. An increase the total square footage or valuation of the structure thereby requiring upgraded fire access or fire suppression systems.

This does not exempt interior alterations from otherwise applicable building, plumbing, mechanical, or electrical codes.

Section 7. Severability. Should any section, paragraph, sentence, clause, or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by State or Federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 8. Effective Date. This Ordinance shall be published in the official newspaper of the City, and it shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE _____ DAY OF _____, 2024.

CITY OF ALGONA

Mayor Troy Linnell

ATTEST/AUTHENTICATED:

Dana Parker, City Clerk

Approved as to form:

J. Zachary Lell, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Ordinance No.:
Date of Publication:

CITY OF ALGONA, WASHINGTON

ORDINANCE NO. 1247-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALGONA, WASHINGTON, AMENDING SECTION 14.04.020 AMC; AMENDING SECTION 14.04.100 AMC; AMENDING SECTION 14.04.140 AMC; AMENDING SECTION 14.04.150 AMC; AMENDING 14.04.170 AMC; UPDATING AND CLARIFYING THE CITY’S PERMIT PROCESSING REGULATIONS TO COMPLY WITH RECENT AMENDMENTS TO CHAPTER 36.70B RCW; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, during the 2023 Regular Session the State of Washington passed Second Substitute Senate Bill (SSSB) 5290 relating to the consolidation of local permit review processes; and

WHEREAS, SSSB 5290 amends Chapter 36.70B RCW and, as a result, applies to all local jurisdictions that are fully planning jurisdictions, a list which includes the City of Algona; and

WHEREAS, the provisions of SSSB 5290 regarding Sections 36.70B.020 RCW, 36.70B.070 RCW, 36.70B.110 RCW, 36.70B.140 RCW, and 36.70B.160 RCW went into effect as of July 23, 2023; and

WHEREAS, the provisions of SSSB 5290 that went into effect as of July 23, 2023 are not currently reflected in the City of Algona’s Municipal Code; and

WHEREAS, the provisions of SSSB 5290 regarding Section 36.70B.080 RCW go into effect as of January 1, 2025; and

WHEREAS, all provisions of SSSB 5290 are not required to be reflected in a city’s municipal code in order to be in effect; and

WHEREAS, the City of Algona is desirous of maintaining its Municipal Code such that it provides increased transparency and accountability for its residents, businesses owners, and members of the construction industry doing business within its jurisdictional boundaries;

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

Section 1. Findings. The above recitals are hereby adopted by reference as legislative findings in support of this ordinance.

Section 2. Amendment of Section 14.04.020 AMC. Section 14.04.020 of the Algona Municipal Code is hereby amended to provide in its entirety as follows:

14.04.020 ~~Project permit application defined~~ Definitions.

~~Project permit application means an application for land use or development permitted by the city as identified in Sections 14.04.040 and 14.04.050.~~

“Closed record appeal” means an administrative appeal on the records to the city or one of its officers, including the city council, following an open record hearing on a project permit application when the appeal is on the record with no or limited new evidence or information allowed to be submitted and only appeal argument allowed.

“Interior alterations” means construction activities that do not modify the exiting site layout or the building footprint.

“Non-responsiveness” means that an applicant is not making demonstrable progress on providing additional requested information to the city, or that there is no ongoing communication from the applicant to the city on the applicant’s ability or willingness to provide the additional information.

“Open record public hearing” or “public hearing” means a hearing, conducted by a single hearing body or officer authorized by the city to conduct such hearings, that creates the city’s record through testimony and submission of evidence and information, under procedures prescribed by the city by ordinance or resolution. An open record public hearing may be held prior to the city’s decision on a project permit to be known as an “open record pre-decision hearing.” An open record public hearing may be held on an appeal, to be known as an “open record appeal hearing,” if no open record pre-decision hearing has been held on the project permit.

“Project permit” or “project permit application” means any land use or environmental permit or license required from the city for a project action, including but not limited to building permits or other construction permits, subdivisions, binding site plans, planned unit developments, conditional use permits, site plan review, permits or approvals required by the city’s critical areas ordinance, site-specific re-zones which do not require a

comprehensive plan amendment, but excluding permits for wireless communication facilities and the adoption or amendment of a comprehensive plan, subarea plan, or development regulations except as otherwise specifically included in this section, and administrative approvals that are categorically exempt from environmental review or for which environmental review has already been completed.

“Public meeting” means an informal meeting, hearing, workshop, or other public gathering of people to obtain comments from the public or other agencies on a proposed project permit prior to the city’s decision. A public meeting may include, but is not limited to, a design review meeting or a scoping meeting on a draft environmental impact statement. A public meeting does not include an open record hearing. The proceedings at a public meeting may be recorded and a report or recommendation may be included in the city’s project permit application file.

Section 3. Amendment of Section 14.04.100 AMC. Section 14.04.100 of the Algona Municipal Code is hereby amended to provide in its entirety as follows:

14.04.100 Joint public hearings.

~~A.~~ At the request of the applicant, the city may combine any public hearing on a project permit application requiring review by a reviewing agency with any hearing that may be held by another local, state, regional, federal or other agency on the proposed action, as long as:

- ~~A.~~ ~~(1) The hearing is held within the city limits; and~~
~~(2) the hearing can be held within the time periods for deciding the application or the applicant agrees to a different schedule; and (3) the requirements of subsection (B) of this section are met.~~
- B. ~~A joint public hearing may be held with another local, state, regional, federal or other agency and a city reviewing agency as long as: (1) the other agency is not expressly prohibited by statute from doing so; (2) sufficient notice of the hearing is given to meet each of the agency’s adopted notice requirements; and (3) the other agency has received the necessary information about the proposed project in enough time to hold its hearing at the same time as the city reviewing agency.~~
The applicant agrees in writing to the schedule in the

event that additional time is needed beyond the timelines for permit review set forth in Section 14.04.150 AMC in order to combine the hearings.

Section 4. Amendment of Section 14.04.140 AMC. Section 14.04.140 of the Algona Municipal Code is hereby amended to provide in its entirety as follows:

14.04.140 Time limit for notification whether a permit application is complete.

- A. Within twenty-eight days after receiving a project permit application, the city shall ~~mail or~~ provide ~~in person~~ a written determination to the applicant stating either:
1. ~~A.~~ That the application is complete; or
 2. ~~B.~~ That the application is incomplete and that the procedural submission requirements of the city have not been met. The determination shall outline what is necessary to make the application procedurally complete.
- B. The number of days shall be calculated by counting every calendar.
- C. ~~The determination shall,~~ to the extent known by the city, it shall identify other agencies of local, state, or federal government that may have jurisdiction over some aspect of the application.
- D. A project permit application is complete for the purposes of this section when it meets the procedural submission requirements of the city, as outlined on the project permit application. Additional information or studies may be required or project modifications may be undertaken subsequent to the procedural review of the application by the city. A determination of completeness shall not preclude the city from requesting additional information or studies either at the time of the notice of completeness or subsequently if new information is required or substantial changes in the proposed action occur. However, if the procedural submission requirements, as outlined on the project permit application have been provided, the need for

additional information or studies may not preclude a completeness determination.

E. The determination of completeness may include or be combined with the following:

1. A preliminary determination of those development regulations that will be used for project mitigation;
2. A preliminary determination of consistency;
3. Any additional information the city chooses to include; or deems necessary to adequately evaluate a proposed action.
4. The notice of application.

F. Within fourteen days after an applicant has submitted additional information identified by the city as being necessary for a complete application after a determination that the initial application is incomplete, the city shall notify the applicant whether the application is complete or what additional information is necessary issue a new determination of completeness. If the city does not notify the applicant whether the application is complete or what additional information is needed within said fourteen days as stated above, this aspect of the application shall not be used as grounds for finding the application procedurally incomplete.

G. An application shall be deemed procedurally complete on the 29th day after receiving a project permit application under this Section if the city does not provide upon failure of the city to issue a written determination that the application is procedurally incomplete within the time limits as set forth in this section. When the city does not provide a written determination, it may seek additional information or studies as provided for in this section.

Section 5. Amendment of Section 14.04.150 AMC. Section 14.04.150 of the Algona Municipal Code is hereby amended to provide in its entirety as follows:

14.04.150 Time for decision.

A. ~~Except as otherwise provided in this section, [t]he city shall issue a notice of final decision for each type of complete on a project permit application or project type within one hundred twenty days after the city has notified the applicant that the application is complete the following time periods following the determination of completeness:~~

1. 65 days, if no public notice is required as a result of an exemption to SEPA;
2. 100 days, if public notice is required as a result of SEPA; or
3. 170 days, if public notice and public hearing(s) are required as a result of SEPA.

In the event of a consolidated review of more than one permit, the time period for a final decision shall be the longest of the permit periods identified above.

B. The number of days an application is in review with the city shall be calculated from the day completeness is determined to the date a final decision is issued on the project permit application. The number of days shall be calculated by counting every calendar day and excluding the following time periods:

~~The following periods shall be excluded from the calculation of the number of days that have elapsed after notice of a complete application:~~

- ~~1. Any period during which the applicant has been requested to correct plans or provide additional required information beginning with the date the applicant was notified of the need to correct plans or provide additional information and ending when the city determines that the corrected plans or additional information are complete or fourteen days after the corrected plans or additional information have been supplied if the city does not issue a determination that such materials are not incomplete. Any period that the city has notified~~

the applicant, in writing, that additional information is required to further process the application and the day when responsive information is resubmitted by the applicant;

2. Any time period during which an Environmental Impact Statement is being prepared;

2. ~~Any time required for the preparation of an environmental impact statement. Any period after an applicant informs the city, in writing, that they would like to temporarily suspend review of the project permit application until the time that the applicant notifies the city, in writing, that they would like to resume the application. The city may set conditions for the temporary suspension of a permit application; and~~

3. ~~Up to ninety days for the processing of any appeal of a determination relating to the project permit. Any period after an administrative appeal is filed until the administrative appeal is resolved and any additional time period provided by the administrative appeal has expired.~~

C. The time periods for the city to process a permit shall start over if an applicant proposes a change in use that adds or removes commercial or residential elements from the original application that would make the application fail to meet the determination of procedural completeness for the new use, as required by the city.

D. If, at any time, an applicant informs the city, in writing, that the applicant would like to temporarily suspend the review of the project for more than 60 days, or if an applicant is not responsive for more than 60 consecutive days after the city has notified the applicant, in writing, that additional information is required to further process the application, an additional 30 days may be added to the time periods for city action to issue a final decision for a project permit application. Any written notice from the city to the applicant that additional information is required to further process the application must include a notice

that non-responsiveness for 60 consecutive days may result in 30 days being added to the time for review.

- ~~E.~~ ~~B.~~ The applicant and the city may extend the time for a deadline for issuance of a final decision for a specific project permit application upon mutual agreement.
- ~~F.~~ ~~G.~~ The time limits set forth in this section shall not apply to any application that requires amendment to the comprehensive plan ~~or city ordinances.~~
- ~~D.~~ ~~If the city is unable to issue its final decision within the time limits provided for in this section, it shall provide written notice of this fact to the applicant including a statement of the reasons why the time limits have not been met and an estimated date for issuance of the notice of final decision.~~
- ~~H.~~ ~~E.~~ This section shall apply to project permit applications filed on or after ~~March 1, 1997~~ January 1, 2025.

Section 6. Amendment of Section 14.04.170 AMC. Section 14.04.170 of the Algona Municipal Code is hereby amended to provide in its entirety as follows:

14.04.170 Exclusions.

The following matters are excluded from the requirements of this chapter:

- A. Approvals relating to the use of public areas or facilities.
- B. Landmark designations.
- C. Project permits, whether administrative or subject to review by a reviewing agency, that the city council by ordinance or resolution has determined present special circumstances that warrant a review process or time periods for approval which are different from that provided by this chapter.
- D. Development agreements.
- E. Wireless communication facility permits.

- F. Administrative approvals that are categorically exempt from environmental review or for which environmental review has already been completed.
- G. Interior site plan reviews, provided that the interior alterations do not result in the following:
 - 1. Additional sleeping quarters or bedrooms;
 - 2. Nonconformity with Federal Emergency Management Agency improvement thresholds;
or
 - 3. An increase the total square footage or valuation of the structure thereby requiring upgraded fire access or fire suppression systems.

This does not exempt interior alterations from otherwise applicable building, plumbing, mechanical, or electrical codes.

Section 7. Severability. Should any section, paragraph, sentence, clause, or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by State or Federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 8. Effective Date. This Ordinance shall be published in the official newspaper of the City, and it shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE _____ DAY OF _____, 2024.

CITY OF ALGONA

Mayor Troy Linnell

ATTEST/AUTHENTICATED:

Dana Parker, City Clerk

Approved as to form:

J. Zachary Lell, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Ordinance No.:
Date of Publication:

DRAFT

To: Mayor Troy Linnell and City Council Members

From: Tara Dunford, CPA

Date: December 9, 2024

Re: Ordinance No. 1245-24 2024 Budget Amendment #2

ATTACHMENTS: Ordinance No. 1245-24; Exhibit A – Proposed Budget Amendment; Exhibit B – Authorized Positions; Exhibit C – Wage Scale.

TYPE OF ACTION: Action.

Discussion:

This proposed budget amendment includes the following:

General Fund

Expenditure increases:

Wetland Preserve*	720,000	100% grant funded (King Co & Dept of Commerce)
Transfer out to Street	105,000	To cover Street amendment
Police overtime*	130,000	Offset by increase in charges for services
Police professional services*	35,000	Personnel investigation
Judicial *	105,000	Actual invoice from King Co Court \$110K (\$75K budgeted) + prosecutor and public defender (\$70K, not budgeted)
Planning professional services*	175,000	Comp plan clean up
Legal	65,000	Cherry park subdivision, abatement work, flooding
Police Vehicle	60,500	Unbudgeted vehicle replacement
Middle housing	16,750	Covered by Commerce grant
Community center maintenance	7,500	Door control/card reader
Community events	7,000	Algona days
	1,426,750	

Revenue increases:

Intergovernmental*	736,750	Wetland preserve + middle housing
Charges for services*	130,000	Police charges for services
Sales tax*	275,000	Based on year to date actuals
	1,141,750	

<i>Use of fund balance*</i>	285,000	
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**Adjusted after version reviewed at December 2 council meeting*

Street Fund

Expenditure increases:

Street salaries	45,000	
Street professional services	60,000	FCS - Traffic Impact Fee analysis
	105,000	

Revenue increases:

Transfers in	105,000
	105,000

Stormwater Fund

Expenditure increases:

Enhanced maintenance plan	24,050	\$20,451 covered by Dept of Ecology
Water quality pond	65,000	Fully funded by Dept of Commerce
Stormwater salaries	40,000	
Flood reduction grant*	195,000	Fully funded by King County
	324,050	

Revenue increases:

Intergovernmental*	280,450
	280,450

<i>Use of fund balance</i>	43,600
	43,600

Water

Expenditure increases:

Professional services	27,365	Lead service inventory
Salaries	15,000	Water temp
	42,365	

<i>Use of fund balance</i>	42,365
	42,365

Sewer

Expenditure increases:

Sewer treatment costs	180,000
	180,000

Revenue increases:

Charges for services	75,000
	75,000

<i>Use of fund balance</i>	105,000
	105,000

Asset Replacement

Expenditure increases:

Police Vehicle	60,470
	60,470

Revenue increases:

Charges for services	60,470
	60,470

*Adjusted after version reviewed at December 2 council meeting

FTE Schedule & Wage Scale

- Replacing Police Corporal with Police Sergeant
- Adding part-time water temporary position

CITY OF ALGONA, WASHINGTON

ORDINANCE NO. 1245-24

AN ORDINANCE OF THE CITY OF ALGONA, WASHINGTON, MAKING CERTAIN FINDINGS OF FACT AND AMENDING THE 2024 BUDGET ADOPTED WITH ORDINANCE NO. 1231-23 ON DECEMBER 11, 2023, AND AMENDED WITH ORDINANCE 1235-24 ON MAY 13, 2024, AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE, AND FOR SUMMARY PUBLICATION BY ORDINANCE TITLE ONLY.

WHEREAS, the Algona City Council adopted the 2024 Budget with Ordinance No. 1231-23 on December 11, 2023; and

WHEREAS, the Algona City Council amended the 2024 Budget with Ordinance No. 1235-24 on May 13, 2024; and

WHEREAS, unplanned and unbudgeted expenditures have been identified; and

WHEREAS, the City Council has determined that it is in the best interest of the City of Algona to authorize a part-time water temporary employee; and

WHEREAS, the City Council has determined that it is in the best interest of the City of Algona to authorize replacing the Police Corporal position with Police Sergeant; and

WHEREAS, the City Council has determined that it is in the best interest of the City of Algona to increase the General Fund budget by \$1,426,750; and

WHEREAS, the City Council has determined that it is in the best interest of the City of Algona to increase the Street Fund budget by \$105,000; and

WHEREAS, the City Council has determined that it is in the best interest of the City of Algona to increase the Stormwater Management Fund budget by \$324,050; and

WHEREAS, the City Council has determined that it is in the best interest of the City of Algona to increase the Water Maintenance Fund budget by \$42,365; and

WHEREAS, the City Council has determined that it is in the best interest of the City of Algona to increase the Sewer Maintenance Fund budget by \$180,000; and

WHEREAS, the City Council has determined that it is in the best interest of the City of Algona to increase the Equipment Replacement Fund budget by \$60,470; and

WHEREAS, the increase in the General Fund expenditure budget will be covered partially by revenue increases in intergovernmental, charges for services, and sales tax lines, and will decrease ending fund balance by \$285,000; and

WHEREAS, the increase in the Street Fund expenditure budget will be covered entirely by revenue increases; and

WHEREAS, the increase in the Stormwater Management Fund expenditure budget will be partially offset by a revenue increase of \$280,450 and will decrease ending fund balance by \$43,600; and

WHEREAS, the increase in the Water Maintenance Fund expenditure budget will decrease ending fund balance by \$42,365; and

WHEREAS, the increase in the Sewer Maintenance Fund expenditure budget will be partially offset by a revenue increase of \$75,000 and will decrease ending fund balance by \$105,000; and

WHEREAS, the increase in the Equipment Replacement Fund expenditure budget will be offset by a revenue increase of \$60,470; and

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF ALGONA, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. The above stated recitals are hereby adopted as the council’s findings and reasons for the adoption of this ordinance.

Section 2. The 2024 budget, as adopted with ordinance 1231-23 and amended with ordinance 1235-24 is hereby amended with an increase of \$1,662,670 to revenues and \$2,138,635 to expenditures as detailed in the attached exhibit (Exhibit A – Proposed Budget Amendment) and positions are officially authorized as detailed in the attached exhibit (Exhibit B – Authorized Positions) and the wage scale is modified as detailed in the attached exhibit (Exhibit C – Wage Scale).

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 or constitutionality of any other sentence, clause or phrase of this ordinance.

Section 4. Effective Date. This ordinance, being an exercise of power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

Passed by the Algona City Council the ____ day of December 2024, and approved by the Mayor, the ____ day of December 2024.

CITY OF ALGONA

Troy Linnell, Mayor

ATTEST/AUTHENTICATED:

Dana Parker, City Clerk

Approved as to form:

J. Zachary Lell, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Ordinance No.: 1246-24
Date of Publication:

EXHIBIT A

2024 Budget Amendment #2

Amending Section 2 of Ordinances 1231-23 and 1235-24 and Page 11 of the City of Algona 2024 Budget

Expenditures			
Fund	Per Amendment #1	Amended	Increase (Decrease)
General	3,377,579	4,804,329	1,426,750
Drug	-	-	-
Street	1,073,275	1,178,275	105,000
Rainy Day Fund	-	-	-
Capital Improvement	315,000	315,000	-
Park Impact	-	-	-
General Obligation Bond	318,300	318,300	-
Stormwater Management	401,668	725,718	324,050
Water Maintenance	833,987	876,352	42,365
Sewer Maintenance	1,144,716	1,324,716	180,000
Water Capital Improvement	-	-	-
Sewer Capital Improvement	-	-	-
Stormwater Capital Improvement	-	-	-
Equipment Replacement Fund	185,000	245,470	60,470
Unemployment Trust	-	-	-
Explorers Program	-	-	-
Total	7,649,524	9,788,159	2,138,635

Revenues			
Fund	Original	Amended	Increase (Decrease)
General	3,123,630	4,265,380	1,141,750
Drug	1,000	1,000	-
Street	1,065,700	1,170,700	105,000
Rainy Day Fund	20,000	20,000	-
Capital Improvement	100,000	100,000	-
Park Impact	36,000	36,000	-
General Obligation Bond	315,000	315,000	-
Stormwater Management	469,200	749,650	280,450
Water Maintenance	911,900	911,900	-
Sewer Maintenance	1,326,000	1,401,000	75,000
Water Capital Improvement	85,000	85,000	-
Sewer Capital Improvement	35,000	35,000	-
Stormwater Capital Improvement	20,000	20,000	-
Equipment Replacement Fund	115,100	175,570	60,470
Unemployment Trust	-	-	-
Explorers Program	-	-	-
Total	7,623,530	9,286,200	1,662,670

Ending Fund Balance			
Fund	Per Amendment #1	Amended	Increase (Decrease)
General	815,744	530,744	(285,000)
Drug	7,677	7,677	-
Street	127,061	127,061	-
Rainy Day Fund	365,174	365,174	-
Capital Improvement	4,826	4,826	-
Park Impact	244,500	244,500	-
General Obligation Bond	464	464	-
Stormwater Management	911,278	867,678	(43,600)
Water Maintenance	1,303,267	1,260,902	(42,365)
Sewer Maintenance	1,004,402	899,402	(105,000)
Water Capital Improvement	773,165	773,165	-
Sewer Capital Improvement	424,266	424,266	-
Stormwater Capital Improvement	269,877	269,877	-
Equipment Replacement Fund	687,209	687,209	-
Unemployment Trust	3,587	3,587	-
Explorers Program	27,417	27,417	-
Total	6,969,915	6,493,950	(475,965)

EXHIBIT B
2024 Budget Amendment #2
Amending Page 12 of the City of Algona 2024 Budget

Authorized Positions					
	2020 Final	2021 Final	2022 Final	2023 (Amended)	2024 (Amended)
Administration:					
City Administrator	1	--	--	1	1
City Clerk	1	1	1	--	1
Deputy City Clerk	1	1	1	1	--
Clerical Assistant	1	1	1	1	1
Community Connector	1	1	1	1	1
Code Enforcement Officer/Permit Tech	--	--	--	1	1
Permit Technician	1	--	--	--	--
Total Administration	6	4	4	5	5
Police:					
Police Chief	1	1	1	1	1
Police Clerk	2	1	1	1	1
Police Sergeant	1	1	1	--	1
Police Corporal	--	--	1	1	--
Police Officer	6	6	5	7	7
Police Office Manager	--	--	--	1	1
Reserve Officer	<i>part time</i>	<i>part time</i>	<i>part time</i>	<i>part time</i>	<i>part time</i>
Total Police	10	9	9	11	11
Public Works:					
Public Works Director	1	1	1	1	1
Utility Superintendent	1	1	1	--	--
Utility Worker 2	1	1	1	1	--
Utility Worker 1	2	3	3	3	4
Water Temp					<i>part time</i>
Park Seasonal					<i>part time</i>
Total Public Works	5	6	6	5	5
City-Wide Total	21	19	19	21	21

EXHIBIT C
2024 Budget Amendment #2
Amending Page 13 of the City of Algona 2024 Budget

Wage Scale

<i>Elected Officials</i>	<u>Annual</u>
Mayor	35,000
Councilmembers	3,600

<i>Non-Represented Full Time Positions</i>	<u>Annual Rates</u>				
	<u>Step A</u>	<u>Step B</u>	<u>Step C</u>	<u>Step D</u>	<u>Step E</u>
Police Chief	138,248				
City Administrator	110,250				
Public Works Director	111,387				
City Clerk/Treasurer	90,350				

<i>Non-Represented Part Time/Temp</i>	<u>Hourly</u>
Police Reserve Officers	32.59
Temp EHM/Court Security	29.11
Water temp	60.00
Park Seasonal	25.00

<i>Represented - Non-Uniform</i>	<u>Annual Rates Per Collective Bargaining Agreement</u>				
	<u>Step A</u>	<u>Step B</u>	<u>Step C</u>	<u>Step D</u>	<u>Step E</u>
Police Clerk	57,709	60,600	63,477	66,657	69,996
Clerical Assistant	55,049	57,795	60,687	63,722	66,599
Community Connector	71,211	74,767	78,511	82,197	86,303
Utility Superintendent	70,878	74,420	78,135	82,038	86,144
Utility Worker 1	59,068	61,944	65,038	68,291	71,702
Code Enforcement Officer/Permit Tech	70,878	74,420	78,135	82,038	86,144

<i>Represented - Uniform</i>	<u>Annual Rates Per Collective Bargaining Agreement</u>				
	<u>Step A</u>	<u>Step B</u>	<u>Step C</u>	<u>Step D</u>	<u>Step E</u>
Police Sergeant	99,179	104,142	109,356	114,819	120,561
Police Officer	75,657	79,438	83,414	87,585	91,964
Police Officer Manager	80,196	84,204	88,418	92,840	97,482