

**SULTAN CITY COUNCIL MEETING**  
**319 MAIN STREET**  
**September 14, 2005**  
**6:00 PM**

**6:00 PM Executive Session - Real Estate Acquisition**

**7:00 PM CALL TO ORDER** - Pledge of Allegiance and Roll Call

**CHANGES/ADDITIONS TO THE AGENDA**

**COMMENTS FROM THE PUBLIC:** Citizens are requested to keep comments to a 3 minute maximum to allow time for everyone to speak.

**COUNCILMEMBER COMMENTS**

**STAFF REPORTS/PRESENTATIONS**

1) Police Department

**CONSENT AGENDA:** The following items are incorporated into the consent agenda and approved by a single motion of the Council.

- 1) Minutes of the August 24, 2005 regular Council meeting.
- 2) Approval of Vouchers
- 3) Utility Committee Report

**ACTION ITEMS:**

- 1) Ordinance 885-05 - 2nd Reading
- 2) Ordinance 886-05 - 2nd Reading
- 3) VIC Final Acceptance
- 4) Sewer Comp Plan Addendum
- 5) Grant Application
- 6) NIMS Proclamation
- 7) Resolution 05-23 Botting LID Segregation
- 8) Turk's Trail

**DISCUSSION: Time Permitting**

- 1) Skateboard Park

**PUBLIC COMMENT**

**COUNCILMEMBER RESPONSE TO PUBLIC COMMENTS**

**Executive Session:**

**Adjournment** - 10:00 PM or at the conclusion of Council business.

**ADA NOTICE:** City of Sultan Community Center is accessible. Accommodations for persons with disabilities will be provided upon request. Please make arrangements prior to the meeting by calling City Hall at 360-793-2231.

**SULTAN CITY COUNCIL**  
**AGENDA ITEM COVER SHEET**

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**Date:** September 14, 2005  
**Agenda Item #:** Consent C 1  
**SUBJECT:** Council minutes  
**CONTACT PERSON:** Laura Koenig, City Clerk/Treasurer

**SUMMARY STATEMENT:** Attached are the minutes of the Minutes of the August 24, 2005 regular Council Meeting as on file in the Office of the City Clerk.

**RECOMMENDATION:** Approval as submitted.

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**Action Date:**

**COUNCIL ACTION:**

## **CITY OF SULTAN COUNCIL MEETING – August 24, 2005**

The regular meeting of the Sultan City Council was called to order in the Sultan Community Center by Mayor Tolson. Councilmembers present: Champeaux, Criswell, Seehuus, Flower, Blair and Boyd.

Absent: Boucher

Student Representative: Karsten Thot

**Public Hearing – Budget Amendments:** The public hearing on proposed amendments to the 2005 Budget was opened by Mayor Tolson.

Laura Koenig, Clerk/Treasurer and Connie Dunn, Public Works Director discussed the amendments needed to cover the Cable Franchise renewal, organizational review and the water survey and mapping services.

There was no public input.

On a motion by Councilmember Criswell seconded by Councilmember Flower, the hearing was continued to Sept. 28, 2005. All ayes.

**Executive Session:** On a motion by Councilmember Blair, seconded by Councilmember Seehuus, the Council adjourned to executive session for twenty five minutes to discuss property acquisition. All ayes.

### **ADDITIONS/CHANGES TO THE AGENDA:**

Discussion: Remove Park Impact fees; add Turk's Trail

Consent: Add excused absence of Councilmember Boucher

Action: Add Action on TIB Grant; move Animal control contract to discussion

### **COMMENTS FROM THE PUBLIC**

Randy Oesch: Concerned about the removal of parking in cul-de-sacs. Need to consider the impact to the residents and guest parking.

Vicki Perea McIntyer: Trucks on 3<sup>rd</sup> Street are speeding and school will begin soon and this will be a concern with the children going to school. Need to do something to control the problem.

Josie Fallgatter: The Council needs to review the Park Impact fee document and carefully review the level of service in the Comprehensive Plan. The total acreage is not correct.

Art Burdis: Concerned about the plan to eliminate parking in cul-de-sacs. Has a small driveway and owns a motor home and two vehicles. Needs parking for his nurse and care giver.

### **COUNCILMEMBER COMMENTS:**

Flower: Requested staff to address the speeding issue. Thanked the citizens who attended the meeting with Congressmen Pompo regarding the wildsky issue.

Seehuus: Concerned about the speeding, however, sometimes it is difficult to judge the speed of large vehicles.

Criswell: The trucks should not be speeding, however, it sometime appears that they are going faster then they are. The cul-de-sacs are an issue with larger vehicles.

Champeaux: Requested update on the status of the bus stop on Highway 2. Connie Dunn advised that DOT has advised Community Transit would need to build a pad at their expense.

Mayor Tolson introduced Karsten Thot as the student representative for the year.

**CITY OF SULTAN COUNCIL MEETING – August 24, 2005****COUNCIL COMMENTS:**

Karsten Thot: In regards to Ordinance 885-05 and 886-06 requirements, do pending applications have plans to include recreation facilities?

Thom Graafstra, City Attorney, advised that the ordinances are corrective to comply with the GMA board decision, however, the City has codes that require open space and recreational facilities as part of the development process.

**STAFF REPORTS:**

**Kiel Mortgage – Presentation of Check for Skateboard Park:** Mayor Tolson accepted a check from Serena Everts, representing Kiel Mortgage, in the amount of \$1,604.00 for the Skateboard Park. Mayor Tolson thanked them for the donation.

**Grant:** Donna Murphy advised the City/School committee met to discuss relocation of emergency siren. PUD is not willing to provide financial assistance

**Public Works:** Connie Dunn advised that the Department of Health has approved the fluoride treatment program and they will begin the public education process. The Sewer and Water comp plans have been distributed for review.

**Police Department:** Chief Walser advised that they will do an emphasis patrol during the first two weeks of school. Officer Holman has been working with the Care Program to provide school supplies for those in need. The Care Ride sponsored by the Gold Wing Club raised \$1,666 for the program.

**CONSENT AGENDA:**

The following items are incorporated into the consent and approved by a single motion of the Council. On a motion by Councilmember Champeaux, seconded by Councilmember Criswell, the consent agenda was approved as amended. Champeaux – aye; Criswell – aye; Seehuus - aye; Flower – aye; Blair – aye, Boyd – aye.

1. Minutes of the August 10, 2005 Council meeting as on file in the Office of the City Clerk.
2. Vouchers #05-851 through 05-902 in the amounts of \$59,060.33 and payroll through July 29, 2005 in the amount of \$81,423.35 to be drawn and paid on the proper accounts.
3. Excused absence of Councilmember Boucher from the August 24, 2005 Council meeting.

**ACTION ITEMS:**

**Resolution 05-21 Parking Zones:** Connie Dunn reviewed the proposed resolution to set parking zone restrictions within the city. In accordance with SMC 10.12, parking zones are set by resolution and are reviewed and updated on a regular basis. Discussion was held regarding a loading zone on Main Street, no parking on Rice Road, and cul-de-sacs. Councilmember Blair advised that she contacted the Fire Department and they have concerns with some of the cul-de-sacs but not all of them. Staff was directed to determine which cul-de-sacs can accommodate large vehicles. On a motion by Councilmember Champeaux, seconded by Councilmember Boyd, Resolution 05-21, Parking Zones, was continued to the next meeting. All ayes.

**Ordinance 885-05 Off-Site Dedication of Recreational Facilities:** Ordinance 885-05 was prepared in response to the Central Puget Sound Growth Management Hearings Board which ruled that Ordinance 854-05 was invalid. Ordinance 885-05 eliminates Off-site dedications of recreational facilities and financial contributions to the City Park system. On a motion by Councilmember Seehuus, seconded by Councilmember Blair, Ordinance 885-05 was introduced and passed on to a second reading. All ayes, except Councilmembers Flower and Criswell.

**CITY OF SULTAN COUNCIL MEETING – August 24, 2005**

**Ordinance 886-05 Open Space Requirements:** Ordinance 886-05 was prepared in response to the Central Puget Sound Growth Management Hearings Board which ruled that Ordinance 853-05 was invalid. Ordinance 886-05 eliminates any reductions in the 20% open space requirement for PUD's and off-site dedications of recreational facilities and financial contributions to the City Park system for PUD's. On a motion by Councilmember Blair, seconded by Councilmember Seehuus, Ordinance 886-05 was introduced and passed on to a second reading. All ayes except Councilmembers Criswell and Flower.

**Water System Improvements:** The Comprehensive Water Plan identifies 13,500 feet of water main that must be replaced to provide adequate fire flows in the City and remove services that have undersized asbestos cement pipe. The work will be spread out over a four year period. It is necessary to prepare survey base maps and construction drawings in order to finalize design documents. Staff recommends that the City contract with Dowl Engineering to provide the survey work. Discussion was held regarding funding and projects. On a motion by Councilmember Seehuus, seconded by Councilmember Blair, the matter was continued. All ayes.

**Wastewater Treatment Plant Engineering Report:** Based on the projected growth for the City, it is necessary to begin the process of upgrading and expanding the Wastewater Treatment Plant. It will be necessary to hire an Engineering Firm to prepare a Sludge Management Plan and Engineering Report. The City of Gold Bar is also considering a feasibility study on sewer service and have requested that the City of Sultan consider an Interlocal agreement to provide a joint study for expansion of service to them.

It appears at this time, that the only allowed discharge will be at the current location and will not be allowed into the Wallace River. Discussion was held regarding the location of the plant and the cost of the study to be borne by Goldbar.

On a motion by Councilmember Seehuus, seconded by Councilmember Blair, staff was authorized to proceed with developing a scope of work and interviews for Engineers to prepare the Sludge Management Plan and Wastewater Treatment Plant Engineering plan. All ayes.

**Resolution 05-22 Cemetery Regulations:** In order to maintain better control of work in the Cemetery, staff has recommended that the City staff begin setting headstones instead of allowing outside parties to do the work. On a motion by Councilmember Seehuus, seconded by Councilmember Criswell, Resolution 05-22, Cemetery Regulations, was adopted. All ayes.

**CDBG Grant Applications:** The Public Works Committee has recommended the submittal of three grant applications to CDBG, 5 lighted cross guards near the schools, 6<sup>th</sup> Street improvements and 2<sup>nd</sup> Street reconstruction. Discussion was held on the projects and the need to approach the County Councilmembers regarding the priorities set by CDBG for funding.

On a motion by Councilmember Champeaux, seconded by Councilmember Flower, staff was authorized to submit an application to CDBG for six light guard crosswalks near the schools as the City's first priority. All ayes.

On a motion by Councilmember Criswell, seconded by Councilmember Blair, staff was authorized to submit an application to CDBG for 6<sup>th</sup> Street Improvements as the City's 2<sup>nd</sup> priority. All ayes.

On a motion by Councilmember Criswell, seconded by Councilmember Flower, staff was authorized to submit an application to CDBG for 2<sup>nd</sup> Street reconstruction as the City's 3<sup>rd</sup> priority. All ayes.

**Garbage Truck Compactor Bid Award:** On a motion by Councilmember Criswell, seconded by Councilmember Seehuus, the bid for the garbage truck compactor was awarded to Western Systems Fabrication, Inc. in the amount of \$51,288.03. All ayes.

**TIB Grant:** On a motion by Councilmember Boyd, seconded by Councilmember Blair, the application for sidewalks on 1<sup>st</sup> Street was terminated and staff was authorized to submit an application for sidewalks on the east side of 8<sup>th</sup> Street. All ayes.

**CITY OF SULTAN COUNCIL MEETING – August 24, 2005****DISCUSSION ITEMS:**

**Turk's Trail:** Discussion was held on the status of closing the trail, refunding of the grant funds, vacating the property, proposed gating by the School District, and the possibility of moving the emergency siren to the site.

**City of Everett Animal Control Interlocal:** Mayor Tolson advised that he met with the City of Everett representative and there is no current contract for the animal shelter. The proposed Interlocal allows any Sultan resident to drop off an animal at the City's expense. Brief discussion was held on the need to resolve the animal control problem and find funds to pay expenses.

**PUBLIC COMMENTS**

**Bart Dalmasso:** Offered to do a market analysis on the property where the siren is currently located.

**Adjournment:** On a motion by Councilmember Seehuus, seconded by Councilmember Blair, the meeting adjourned at 9: 40 PM.

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Benjamin Tolson, Mayor

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Laura J. Koenig, Clerk/Treasurer.

**SULTAN CITY COUNCIL**  
**AGENDA ITEM COVER SHEET**

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**Date:** September 14, 2005  
**Agenda Item #:** Consent C 2  
**SUBJECT:** Voucher Approval  
**CONTACT PERSON:** Laura Koenig, Clerk/Treasurer

**SUMMARY STATEMENT:**

Approval of Vouchers # 05-903 through #05-982 in the amounts of \$114,086.44 and payrolls through August 26, 2005 in the amount of \$149,177.78 to be drawn and paid on the proper accounts.

**FISCAL IMPACTS:**

Expenditure Required: \$263,264.22

**RECOMMENDATION:** Recommend approval as submitted.

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**COUNCIL ACTION:**

Action Date:

# SULTAN CITY COUNCIL

## AGENDA ITEM COVER SHEET

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ITEM NO: Consent C 3

DATE: September 14, 2005

SUBJECT: Utility Committee Report

CONTACT PERSON: Laura Koenig, Clerk/Treasurer

SUMMARY: The Public Works Committee has reviewed the requests for relief from excess water usage charges due to leaks. All repairs have been completed.

FISCAL IMPACT:

RECOMMENDATION: Approve the recommendations of the Public Works Committee.

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COUNCIL ACTION:

DATE:

## UTILITY COMMITTEE MEETING August 10, 2005

It was recommended that the Council **APPROVE** relief to the following accounts for excess water usage charges due to leaks. Repairs have been completed.

<b>Name</b>	<b>Address</b>	<b>Acct. #</b>	<b>Amount</b>
Jimmy Karnes	304 Bell Avenue	352	\$177.03
Mark Van Valkenburg	30326 SR 2	5682	\$1296.44
Geraldine Garrett	33730 138 <sup>th</sup> St SE	2108	\$820.78
Michael Kruse	111 Date Avenue	1085	\$178.32
Shannon Haugstad	980 Loves Hill Drive	1224	\$137.03
Timberline Village	307 8 <sup>th</sup> Street	5678	\$507.87

It was recommended that the Council **DENY** the following request for relief of additional utility service charges.

Timberline Village  
Mike Hughes  
307 8<sup>th</sup> Street  
Sultan, WA 98294

Mr. Hughes requested to be switched from dumpster service to the tenants of the park being billed individually for garbage cans. Per SMC 13.16.110, garbage fees are levied on the property owner, and since the tenants of the park lease their space, the city has no recourse to collect the fees. Therefore, the Utility Committee denied this request.

# SULTAN CITY COUNCIL

## AGENDA ITEM COVER SHEET

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**ITEM NO:** Action A-1

**DATE:** September 14, 2005

**SUBJECT:** Adoption of Ordinance Number 885-05 eliminating Off-Site Dedications of Recreational Facilities and financial contributions to the City Park System.

**CONTACT PERSON:** City Attorney, Thom Graafstra and Rick Cisar, City Planner

**SUMMARY:** City Council on August 24, 2005 approved Ordinance Number 885-05 on First Reading and passed it on to Second Reading. Staff has prepared Ordinance 885-05 in response to the Central Puget Sound Growth Management Hearings Board ruling, declaring Ordinance Number 854-04 invalid. Ordinance 885-05 eliminates Off-Site Dedications of Recreational Facilities and financial contributions to the City Park System.

**FISCAL IMPACT:** Staff time in preparing and processing the Amendment.

**RECOMMENDED ACTION:** Adoption of Ordinance Number 885-05.

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**COUNCIL ACTION:**

**DATE:**

**CITY OF SULTAN**

**Sultan, Washington**

**Ordinance No. 885-05**

An Ordinance of the City of Sultan City Council amending SMC amending SMC 16.10.140 B Open Space Requirements to eliminate the right to provide for off-site dedications of Recreational Facilities and financial contributions to the City Park System.

Whereas the Central Puget Sound Growth Hearings Board declared Ordinance 853-04 invalid;

Now, therefore, the City Council of the City of Sultan do ordain as follows:

**Section 1.** SMC Section 16.10.140 B is hereby amended to read as follows:

All PUDS shall be required to provide open space in the amount of 20-percent of the gross land area of the site, in the minimum types specified in subsection C. of this section.

**Section 2.** Any dedication of property off-site or payment into the city park system fund under the terms of Ordinance 853-04 shall be held, used, administered, and/or returned in accordance with the terms of the Developer Agreement or terms of approval of the PUD under which the dedication or payment occurred.

**Section 3.** Any and all other Ordinances or parts of Ordinances of the City of Sultan inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

PASSED by the City council and Approved by the Mayor this 14th day of September 2005.

CITY OF SULTAN

By \_\_\_\_\_  
Benjamin Tolson, Mayor

Attest:

By \_\_\_\_\_  
Laura J. Koenig, Clerk/Treasurer

Approved as to form:

By \_\_\_\_\_  
Thom H. Graafstra, City Attorney

Published:

# SULTAN CITY COUNCIL

## AGENDA ITEM COVER SHEET

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**ITEM NO:** Action A-2

**DATE:** September 14, 2005

**SUBJECT:** Adoption of Ordinance Number 886-05 eliminating the reduction of Open Space Requirements for Planned Unit Developments and Off-Site Dedications of Recreational Facilities and financial contributions to the City Park System for Planned Unit Developments (PUD's).

**CONTACT PERSON:** City Attorney, Thom Graafstra and Rick Cisar, City Planner

**SUMMARY:** City Council, on August 24, 2005, approved Ordinance Number 886-05 on First Reading and passed it on to Second Reading. Staff has prepared Ordinance 886-05 in response to the Central Puget Sound Growth Management Hearings Board ruling declaring Ordinance Number 853-04 invalid. Ordinance 886-05 eliminates any reductions in the 20 percent Open Space Requirement for Planned Unit Developments (PUD's) and Off-Site Dedications of Recreational Facilities and financial contributions to the City Park System for Planned Unit Developments (PUD's).

**FISCAL IMPACT:** Staff time in preparing and processing the amendment.

**RECOMMENDED ACTION:** Adoption of Ordinance Number 886-05.

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**COUNCIL ACTION:**

**DATE:**

**CITY OF SULTAN**  
**Sultan, Washington**  
**Ordinance No. 886-05**

An Ordinance of the City of Sultan City Council amending SMC Section 16.72.050 Recreation and Open Space Standards to eliminate the right to provide for off-site dedications of Recreational Facilities and financial contributions to the City Park System.

Whereas the Central Puget Sound Growth Management Hearings Board declared Ordinance 854-04 invalid;

Now, therefore, the City Council of the City of Sultan do ordain as follows:

**Section 1.** SMC Section 16.72.050 is hereby amended to read as follows:

16.72.050 Types of recreation facilities to be provided.

Each new development shall provide, at a minimum, facilities from the required list in Table 1 and a selection from the following list as stated from Table 1. The number of facilities that must be provided from this list shall be based on the number of dwelling units that are to be built in the development. Table 1 specifies the minimum number of facilities which must be provided.

Table 1---Types of facilities/Minimum Recreational Provision  
Requirements in Residential Developments

Types of Facilities:

- A. Baseball field per Senior League requirements.
- B. Softball field per Amateur Softball Association of America requirements.
- C. Multi-Purpose court per City of Sultan requirements.
- D. Playground area, consisting of four pieces of playground equipment including swings, slide and climber.
- E. Picnic area, consisting of at least five picnic tables with benches, five barbecues, and five secure in-place trash containers. This picnic area shall have shade trees, one per table (in addition to required landscaping).
- F. A minimum of two lighted tennis courts per United State Lawn Tennis Association requirements.
- G. A swimming pool area with a minimum of an 800-square foot pool, a 3,200 square foot deck, and as a minimum a perimeter fence as required by other codes.
- H. A one-quarter mile running track per National Collegiate Athletic Association requirements.
- I. Two lighted volleyball courts per United States Volleyball Association requirements.
- J. A lighted soccer field per National Collegiate Athletic Association Requirements.
- K. Two lighted handball courts per United States Handball Association Requirements.
- L. Hiking, jogging, and/or biking trails, at least one mile in length per City of Sultan Requirements.
- M. Exercise course per City of Sultan Requirements.

Number of Facilities required:

Number of Dwelling Units	Minimum # of Required Facilities
10-20	1
21-50	2
51-70	3
71-150	4
151-200	5
201-250	6
251-300	7
301-350	8
351-400	9

**Section 2.** Any dedication off-site, improvements off-site, or financial contribution previously made shall be held, used, administered and/or returned in accordance with the terms of the Developer Agreement or terms of approval for the development under which the dedication, improvement or payment occurred.

**Section 3.** Any and all other Ordinances or parts of Ordinances of the City of Sultan inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

PASSED by the City council and Approved by the Mayor this 14th day of September 2005.  
CITY OF SULTAN

By \_\_\_\_\_  
Benjamin Tolson, Mayor

Attest:

By \_\_\_\_\_  
Laura J. Koenig, Clerk/Treasurer

Approved as to form:

By \_\_\_\_\_  
Thom H. Graafstra, City Attorney

Published:

# SULTAN CITY COUNCIL

## AGENDA ITEM COVER SHEET

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**ITEM NUMBER:** ACTION A- 3

**DATE:** September 14, 2005

**SUBJECT:** Acceptance of Sky Valley Tourist Information Center Construction Project and Approval of Change Orders Requests Numbers 2 and 3.

**CONTACT PERSON:** Rick Cisar, City Administrator

**SUMMARY:** Construction of the Sky Valley Tourist Information Center began on April 4, 2005 and was determined to be Substantially Complete on August 4, 2005. The bid for the project was awarded to Construction Concepts of Snohomish in the amount of \$85,715.00. The architect's estimate for the project was \$85,538.10. On April 13, 2005 City Council Approved Change Order Number 1 in the amount of \$15,067.19 adjusting the contract amount to \$100,782.19 Change Order Number 2 (\$2,387.54) provided for the construction of a tight lined roof drain on the westside of the building. Change Order Number 3 (\$3,100.00) completed the tuck pointing and regrouting on the north and east walls. Change Orders 2 and 3 adjusted the final contract amount to \$106,260.00. The total Grant Funded Construction Budget for the project is \$107,600.00.

**FISCAL IMPACT:** \$5,487.54 of additional Grant Funds. Remaining Grant Funds for construction after final payment \$1,340.00.

**RECOMMENDED ACTION:** Acceptance of the Sky Valley Tourist Information as a Completed Project and Approval of Change Orders Numbers 2 and 3 in the amount of \$5,487.54 subject to approval of the WSDOT Northwest Region Local Programs Office.

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**COUNCIL ACTION:**

**DATE:**

# SULTAN CITY COUNCIL

## AGENDA ITEM COVER SHEET

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ITEM NO: A -4

DATE: September 14, 2005

SUBJECT: General Sewer Plan  
Addendum # 1

CONTACT PERSON: Public Works Director Dunn

SUMMARY: The City of Sultan is required by the Department of Ecology to maintain a General Sewer Plan (WAC 173-240-050) to reflect the current condition and needs of the City sewer system.

Conditions have dramatically changed. The City needs to amend the General Sewer Plan to identify the additional treatment capacity needed to justify the need for an Engineering Report to be written.

Attached is a Scope of Work from Berryman & Henigar (authors of the current draft General Sewer Plan now in review) to write Addendum # 1 to the General Sewer Plan

FISCAL IMPACT: \$9,000.00

RECOMMENDED ACTION: Authorization for the Mayor to sign Task Order 2005-3 to Professional Services Agreement dated March 1999 to write Addendum number 1 to the General Sewer Plan.

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COUNCIL ACTION:

DATE:

# SULTAN CITY COUNCIL

## AGENDA ITEM COVER SHEET

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**Date:** September 14, 2005

**Agenda Item #:** A – 5

**SUBJECT:** Intersection and Corridor Safety Program Grant

**CONTACT PERSON:** Donna Murphy Grants and Economic Development

**SUMMARY STATEMENT:** Application to WSDOT to fund:

1. Intersection of Cascade View Drive and SR 2  
OR
2. Intersection of Rice Road and SR 2

Grant criteria is as follows: *This program is targeted at reducing the accident rates at intersections and within corridors.*

The intersection must have:

1. A minimum of 6 accidents in the last 3 years
2. At least 1 accident in each of the 3 years

There is no minimum amount to apply for, however the application must be for a "Complete Project".

**FISCAL IMPACTS:** There is no match requirement for this grant

**RECOMMENDATION:** Selection of one project for grant application.

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**COUNCIL ACTION:**  
**Action Date:**

# SULTAN CITY COUNCIL

## AGENDA ITEM COVER SHEET

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ITEM NO: Action A 6  
DATE: September 14, 2005  
SUBJECT: Proclamation to Adopt NIMS

CONTACT PERSON: Laura Koenig

SUMMARY: In accordance with information received from AWC, the City is required to adopt the National Incident Management System (NIMS) by September 30, 2005 to be in compliance with federal requirements. Attached is information from AWC and FEMA regarding the program. Failure to adopt NIMS could jeopardize FEMA assistance and federal grants.

FISCAL IMPACT:

RECOMMENDED ACTION: Adopt the National Incident Management System (NIMS)

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COUNCIL ACTION:

DATE:

## **PROCLAMATION TO ADOPT THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)**

DESIGNATION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) AS THE BASIS FOR ALL EMERGENCY/INCIDENT RESPONSE AND MANAGEMENT IN THE CITY OF SULTAN.

**WHEREAS**, the President, in Homeland Security Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, local and tribal governments to work together more efficiently and effectively to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity;

**WHEREAS**, the Governor of the State of Washington has similarly endorsed NIMS by proclaiming it the official basis for management of incident response in Washington State;

**WHEREAS**, it is necessary and desirable that all Federal, State, local, and tribal emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management;

**WHEREAS**, HSPD-5 requires Federal departments and agencies to make adoption of the NIMS by State, tribal, and local organizations a condition for Federal preparedness assistance beginning in fiscal year 2005;

**WHEREAS**, to facilitate the most efficient and effective incident management it is critical that Federal, State, local, and tribal organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters;

**WHEREAS**, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve Sultan's ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management processes;

**NOW, THEREFORE, I, Benjamin Tolson**, Mayor of the City of Sultan, by the virtue of the authority vested in me, do hereby establish the National Incident Management System (NIMS) as the standard for incident management in Sultan.

Adopted by the Sultan City Council this 14<sup>th</sup> day of September 2005.

## **MINIMUM FY 2005 NIMS COMPLIANCE REQUIREMENTS:**

From both Federal and State levels, all "First Responder" agencies (including Fire, Law Enforcement, HAZMAT, Emergency Medical, Public Works, Public Health, Emergency Communications, Emergency Management, and other agencies involved in disaster Preparedness, Prevention, Response and Recovery activities), we have received direction to support the nation-wide implementation of the National Incident Management System (NIMS).

MINIMUM REQUIREMENTS for 2005 include:

- Formally recognize NIMS and adopt the NIMS principles and policies
- Establish a timeframe and develop a strategy for full NIMS implementation
- Complete the NIMS Awareness course, "National Incident Management System (NIMS), An Introduction (IS 700)"
- Establish a NIMS baseline by determining which NIMS requirements you already meet
- Institutionalizing the use of the Incident Command System (ICS)

# SULTAN CITY COUNCIL

## AGENDA ITEM COVER SHEET

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ITEM NO: Action A 7

DATE: September 14, 2005

SUBJECT: Resolution 05-23 LID 97-1 Segregation

CONTACT PERSON: Laura Koenig, Clerk/Treasurer

SUMMARY: The City has received a request to segregate the LID assessment on the Botting property for the portion that was short platted in 2003. Both property owners have agreed to the amounts of the revised assessments as determined by Macaulay and Associates.

FISCAL IMPACT:

RECOMMENDED ACTION: Approve Resolution 05-23

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COUNCIL ACTION:

DATE:

**City of Sultan  
Resolution 05-23**

A RESOLUTION OF THE CITY OF SULTAN PROVIDING FOR THE  
SEGREGATION OF ASSESSMENT WITHIN LID 97-1.

WHEREAS Ordinance 791-02, adopted October 16, 2002, confirmed the final assessment roll for LID 97-1 and provided for annual collection of principal and interest, and

WHEREAS, RCW 35.44.410 provides for segregation of assessments provided that such segregation does not reduce the security for any outstanding local improvement district obligations payable from such assessment, and

WHEREAS under Ordinance 791-02, the original assessment for Tax Parcel 280834-003-005-00 was \$473,603, and

WHEREAS Tax Parcel 280834-003-005-00 was short platted on September 26 2003 and filed under AF200309265003, and

WHEREAS the property owners have agreed to a segregation of the current balance of \$420,980.44 on the assessment, and

WHEREAS, Macaulay and Associates, appraisers for the City, have determined that each parcel has sufficient market value that the split of the assessment will not adversely affect the security of the bonds, and

WHEREAS, Macaulay and Associates have determined that the segregated assessment on Tax Parcel 280834-003-005-00 should be \$371,304.75 and the segregated assessment on Tax Parcel 280834-003-024-00 should be \$49,675.69, and

WHEREAS, the property owners have agreed to the segregation the amounts, now

THEREFORE BE IT RESOLVED by the City Council that the segregation of the assessment for LID 97-01 for Tax Parcels 280834-003-005-00 and 280834-003-024-00 is approved and the City Clerk/Treasurer is directed to make said segregation upon the applicant's payment of a fee of \$10.00 per parcel in addition to the City's direct cost incidental to the segregation.

Regularly adopted this 14<sup>th</sup> day of September 2005.

Attest:

\_\_\_\_\_  
Benjamin Tolson, Mayor

\_\_\_\_\_  
Laura J. Koenig, Clerk/Treasurer