



**CITY OF COVINGTON
CITY COUNCIL REGULAR MEETING AGENDA**

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**Tuesday, October 27, 2015
7:00 p.m.**

**City Council Chambers
16720 SE 271st Street, Suite 100, Covington**

Note: A Joint Study Session with Arts Commission is scheduled from 6:00 to 7:00 p.m.

CALL CITY COUNCIL REGULAR MEETING TO ORDER

ROLL CALL/PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PUBLIC COMMUNICATION - NONE

PUBLIC COMMENT Speakers will state their name, address, and organization. Comments are directed to the City Council, not the audience or staff. Comments are not intended for conversation or debate and are limited to no more than four minutes per speaker. Speakers may request additional time on a future agenda as time allows.*

APPROVE CONSENT AGENDA

- C-1. Minutes: May 12, 2015 Transportation Benefit District Special Meeting and October 13, 2015 City Council Special Study Session (Scott)
- C-2. Vouchers (Hendrickson)
- C-3. Approve Interlocal Agreement with Kent Regional Fire Authority for Fire Marshal Services (Hart)

REPORTS OF COMMISSIONS

- Human Services Chair Fran McGregor: October 8 meeting.
- Parks & Recreation Chair Laura Morrissey: October 21 meeting.
- Planning Chair Bill Judd: October 1 meeting; October 15 meeting canceled.
- Arts Chair Lesli Cohan: October 8 meeting.
- PRePAC Chair Jennifer Harjehausen: September 23 meeting and October 10 Parks Tour.
- Economic Development Council Co-Chair Jeff Wagner: September 24 meeting; October 22 meeting canceled.

PUBLIC HEARING

1. Receive Public Testimony and Consider Resolution on Petition Regarding Hawk Property Annexation (Hart/Mueller)
2. Receive Public Testimony and Consider Ordinance Extending Interim Recreational Marijuana Regulations (Hart)
3. Receive Public Testimony Regarding Proposed Fiscal Year 2015 Revenues Sources and Possible Increase in Property Tax Levy (First of Two Public Hearings) (Hendrickson)

NEW BUSINESS

4. Consider Ordinance Designating Civic Center Drug Free Zones (McCurdy)
5. Consider Ordinance Pertaining to School Impact Fees (Bolli)

COUNCIL/STAFF COMMENTS - Future Agenda Topics

PUBLIC COMMENT *See Guidelines on Public Comments above in First Public Comment Section

EXECUTIVE SESSION – if needed

ADJOURN

Americans with Disabilities Act – reasonable accommodations provided upon request a minimum of 24 hours in advance (253-480-2400).

Consent Agenda Item C-1

Covington City Council Meeting

Date: October 27, 2015

SUBJECT: APPROVAL OF MINUTES: MAY 5, 2015 TRANSPORTATION BENEFIT DISTRICT SPECIAL MEETING MINUTES AND OCTOBER 13, 2015 CITY COUNCIL SPECIAL STUDY SESSION MINUTES

RECOMMENDED BY: Sharon G. Scott, City Clerk

ATTACHMENT(S): Proposed Minutes

PREPARED BY: Joan Michaud, Senior Deputy City Clerk

EXPLANATION:

ALTERNATIVES:

FISCAL IMPACT:

CITY COUNCIL ACTION: _____ Ordinance _____ Resolution X Motion _____ Other

Councilmember _____ moves, Councilmember _____ seconds, to approve the May 5, 2015 Transportation Benefit District Special Meeting Minutes and the October 13, 2015 City Council Special Study Session Minutes.

**Covington Transportation Benefit District
Special Meeting Minutes
Tuesday, May 12, 2015**

The Special Meeting of the Covington Transportation Benefit District was called to order in the Covington Council Chambers, 16720 SE 271st Street, Suite 100, Covington, Washington, Tuesday, May 12, 2015, at 10:00 p.m., with Margaret Harto, Chair of the Board, presiding.

BOARD MEMBERS PRESENT:

Margaret Harto, Joe Cimaomo, Mark Lanza, Jim Scott, Sean Smith, and Jeff Wagner.

BOARD MEMBERS ABSENT:

Marlla Mhoon.

Council Action: Board Member Scott moved and Board Member Smith seconded to excuse Board Member Mhoon who was on vacation. Vote: 5-1 (voting yes: Cimaomo, Hart, Lanza, Scott, and Smith; voting no: Wagner). Motion carried.

STAFF PRESENT:

Regan Bolli, Chief Executive Officer; Richard Hart, Community Development Director; Rob Hendrickson, Treasurer; Sara Springer, Legal Advisor to the Board; Don Vondran, Public Works Director; Kevin Klason, Covington Police Chief; and Sharon Scott, Board Clerk.

APPROVAL OF AGENDA:

Board Action: Vice Chair of the Board Wagner moved and Board Member Cimaomo seconded to approve the Agenda. Vote: 6-0. Motion carried.

PUBLIC COMMENT:

Chair of the Board Harto called for public comments.

There being no comments, Chair Harto closed the public comment period.

APPROVAL OF CONSENT AGENDA:

C-1. Minutes: March 24, 2015 Transportation Benefit District Special Meeting Minutes.

Board Action: Vice Chair Wagner moved and Board Member Cimaomo seconded to approve the Consent Agenda. Vote: 6-0. Motion carried.

NEW BUSINESS:

1. Discuss Proposition No. 1.

Chief Executive Officer Regan Bolli gave the staff report on this item.

The Board provided comments and discussed this item.

Board Action: There was Board consensus to consider the recommendations of the Budget Priorities Advisory Committee and any other staff recommendations at a future Board meeting.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 10:12 p.m.

Prepared by:

Submitted by:

Joan Michaud
Senior Deputy City Clerk

Sharon Scott
Board Clerk

**City of Covington
City Council Special Study Session
Tuesday, October 13, 2015**

The Special Study Session was called to order in the City Council Chambers, 16720 SE 271st Street, Suite 100, Covington, Washington, Tuesday, October 13, 2015, at 6:03 p.m., with Mayor Harto presiding.

COUNCILMEMBERS PRESENT:

Margaret Harto, Joe Cimaomo, Mark Lanza (arrived @ 6:08 p.m.), Marlla Mhoon, Jim Scott, Sean Smith, and Jeff Wagner.

STAFF PRESENT:

Regan Bolli, City Manager; Don Vondran, Public Works Director; Richard Hart, Community Development Director; Karla Slate, Communications & Marketing Director; Pat Patterson, Interim Parks & Recreation Director; Sara Springer, City Attorney; Angie Feser, Parks Planner; Brian Bykonen, Associate Planner/Code Enforcement Officer; Salina Lyons, Principal Planner; and Sharon Scott, City Clerk/Executive Assistant.

Mayor Margaret Harto called the study session to order.

APPROVAL OF AGENDA:

Council Action: Councilmember Cimaomo moved and Councilmember Mhoon seconded to approve the agenda. Vote: 6-0. Motion carried.

ITEMS FOR DISCUSSION:

1. Sign Code Revisions.

City Attorney Sara Springer gave the staff report on this item and led the Council through an exercise to identify a general direction of objectives for the sign code.

PUBLIC COMMENTS:

Mayor Harto called for public comments.

There being no comments, Mayor Harto closed the public comment period.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 7:00 p.m.

Prepared by:

Submitted by:

Joan Michaud
Senior Deputy City Clerk

Sharon Scott
City Clerk

Consent Agenda Item C-2

Covington City Council Meeting

Date: October 27, 2015

SUBJECT: APPROVAL OF VOUCHERS

RECOMMENDED BY: Rob Hendrickson, Finance Director

ATTACHMENT(S): Vouchers #33175-33235, including ACH payments and electronic fund transfers, in the amount of \$431,201.48, dated October 16, 2015; Paylocity Payroll Checks #1004310095-1004310108 inclusive, plus employee direct deposits in the amount of \$168,580.09, dated October 9, 2015; and Paylocity Payroll Checks #1004374848-1004374859 and Paylocity Payroll Checks #1004374876-1004374876 inclusive, plus employee direct deposits in the amount of \$169,135.26, dated October 23, 2015.

PREPARED BY: Joan Michaud, Senior Deputy City Clerk

EXPLANATION: Not applicable.

ALTERNATIVES: Not applicable.

FISCAL IMPACT: Not applicable.

CITY COUNCIL ACTION: _____ Ordinance _____ Resolution X Motion _____ Other

Councilmember _____ moves, Councilmember _____ seconds, to approve for payment Vouchers #33175-33235, including ACH payments and electronic fund transfers, in the amount of \$431,201.48, dated October 16, 2015; Paylocity Payroll Checks #1004310095-1004310108 inclusive, plus employee direct deposits in the amount of \$168,580.09, dated October 9, 2015; and Paylocity Payroll Checks #1004374848-1004374859 and Paylocity Payroll Checks #1004374876-1004374876 inclusive, plus employee direct deposits in the amount of \$169,135.26, dated October 23, 2015.

October 16, 2015

City of Covington

City of Covington

City of Covington
Voucher/Check Register

Check #33175 through Check #33235, including ACH payments and electronic fund transfers

In the Amount of \$431,201.48

We, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claims are just, due and unpaid obligations against the City of Covington, Washington, County of King, and that we are authorized to authenticate and certify said claims per the attached register.

Cassandra Parker
Senior Accountant

Mark Lanza
City Councilmember

Jeff Wagner
City Councilmember

Marlla Mhoon
City Councilmember

Council Meeting Date Approved _____

Accounts Payable

Checks by Date - Detail by Check Date

User: scles
 Printed: 10/15/2015 2:30 PM



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
ACH	0418 20156	Olympic Environmental Resource 2015 Recycling program implementation	10/16/2015	13,995.49
Total for this ACH Check for Vendor 0418:				13,995.49
ACH	1007	Ross Junkin	10/16/2015	
	1007-10	Junkin; Road & Street Maint Supv Conference, p		23.92
	1007-10	Junkin; Road & Street Maint Supv Conference, p		23.92
	1007-10	Junkin; Road & Street Maint Supv Conference, p		11.96
Total for this ACH Check for Vendor 1007:				59.80
ACH	1408	Washington Workwear Stores Inc.	10/16/2015	
	11755	Patterson; work shirts, jacket		183.53
	2038	Safety gloves		1.73
	2038	Safety gloves		1.73
	2038	Safety gloves		0.87
	2047	Feser; hard hat, safety vest		54.28
	2056	Gaudette; work jeans		15.63
	2056	Gaudette; work jeans		31.27
	2056	Gaudette; work jeans		31.27
Total for this ACH Check for Vendor 1408:				320.31
ACH	1622	Law Offices of Thomas R Hargan, PLLC	10/16/2015	
	15-CV09	Prosecution services through 9/30/15		4,549.90
Total for this ACH Check for Vendor 1622:				4,549.90
ACH	1688	Mountain Mist	10/16/2015	
	054257-10	City hall; bottled water, September		97.78
	054257-10	Aquatics; bottled water, September		62.26
	054257-10	Maint shop; bottled water, September		14.59
	054257-10	Maint shop; bottled water, September		14.59
	054257-10	Maint shop; bottled water, September		7.30
Total for this ACH Check for Vendor 1688:				196.52
ACH	1736	Salina Lyons	10/16/2015	
	15-11	Lyons; 2015 flexible spending		834.33
Total for this ACH Check for Vendor 1736:				834.33
ACH	1876	John Gaudette	10/16/2015	
	1876-10	Gaudette; DOT physical reimbursement		99.00
Total for this ACH Check for Vendor 1876:				99.00
ACH	2105	Rachel Bahl	10/16/2015	
	2105-10	Bahl; PNW Aquatics Conference, per diem		85.40

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for this ACH Check for Vendor 2105:	85.40
ACH	2262 869285460539	Voyager Fleet Systems Inc. Vehicle fuel	10/16/2015	1,296.73
			Total for this ACH Check for Vendor 2262:	1,296.73
ACH	2555 46628564	NuCO2 LLC Aquatics; CO2 for pH control	10/16/2015	172.60
			Total for this ACH Check for Vendor 2555:	172.60
ACH	2795 2795-10	Tatyana Kiselyov Kiselyov; PNW Aquatic Conference, per diem	10/16/2015	85.40
			Total for this ACH Check for Vendor 2795:	85.40
ACH	2813 2813-10	Rachael Leung Leung; PNW Aquatic Conference, per diem	10/16/2015	85.40
			Total for this ACH Check for Vendor 2813:	85.40
ACH	2821 2821-10	Dominic Finazzo Finazzo; PNW Aquatics Conference, per diem	10/16/2015	85.40
			Total for this ACH Check for Vendor 2821:	85.40
43	0072	Dept of Labor & Industries	10/16/2015	
	939296-00-3Qtr	Industrial Insurance; 3rd Quarter		1,466.91
	939296-00-3Qtr	Industrial Insurance; 3rd Quarter		12,259.79
	939296-00-3Qtr	Industrial Insurance; 3rd Quarter		50.74
	939296-00-3Qtr	Industrial Insurance; 3rd Quarter		1,659.40
	939296-00-3Qtr	Industrial Insurance; 3rd Quarter		2,986.76
	939296-00-3Qtr	Industrial Insurance; 3rd Quarter		25.79
	939296-00-3Qtr	Industrial Insurance; 3rd Quarter		2,012.21
			Total for Check Number 43:	20,461.60
33175	0206 250667	AFLAC Insurance premiums; October	10/16/2015	565.97
			Total for Check Number 33175:	565.97
33176	2033	Aquatic Specialty Services	10/16/2015	
	9389	Aquatics; clean/calibration services; August		179.20
	9471	Aquatics; feeder grid service call/repair		279.65
	9582	Aquatics; clean/calibration service, September		179.20
	9624	Aquatics; headrest pad		77.65
			Total for Check Number 33176:	715.70
33177	2223	ARC Imaging Resources	10/16/2015	
	811714	Plotter/scanner; outdoor banners		285.40
	811788	Plotter/scanner; matte vinyl		265.56
	A16749	Plotter/scanner; usage, 8/9-9/9/15		38.01
			Total for Check Number 33177:	588.97
33178	2856 PSI454431	Baden Sports Inc. Volleyballs	10/16/2015	1,995.53

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for Check Number 33178:	1,995.53
33179	2368 140966	Best Parking Lot Cleaning Inc. MV; Street cleaning, September	10/16/2015	7,384.80
			Total for Check Number 33179:	7,384.80
33180	1075 660171	Bowen Scarff Ford Sales, Inc. #3252; door part	10/16/2015	152.43
			Total for Check Number 33180:	152.43
33181	0026 2121 2122	C&B Awards Recreation aide t-shirts Volleyball coach t-shirts	10/16/2015	106.86 765.22
			Total for Check Number 33181:	872.08
33182	2981 2981-10	Kimberly Campbell HallowTeen Dance; DJ/MC and music service	10/16/2015	300.00
			Total for Check Number 33182:	300.00
33183	2819 2819-10	Caron Fitness Instructor payment; Zumba, September	10/16/2015	165.20
			Total for Check Number 33183:	165.20
33184	2366 1353803188	CenturyLink Business Services Aquatics; internet/loop, September	10/16/2015	360.00
			Total for Check Number 33184:	360.00
33185	0366 0366-10	City of Covington SWM utility tax; September	10/16/2015	804.71
			Total for Check Number 33185:	804.71
33186	2179 504	Conservation Technix, Inc. PROS plan update; 9/1-9/30/15	10/16/2015	9,724.91
			Total for Check Number 33186:	9,724.91
33187	1779 1779-10	Conway Pedersen Economics, Inc. Puget Sound Economic Forecaster; renewal	10/16/2015	428.97
			Total for Check Number 33187:	428.97
33188	0184 177	Cordi & Bejarano Public defender; 9/22-9/29/15	10/16/2015	1,940.00
			Total for Check Number 33188:	1,940.00
33189	1983 47499124	De Lage Landen Financial Srvcs Aquatics copiers' lease, 10/1-10/31/15	10/16/2015	104.41
			Total for Check Number 33189:	104.41
33190	2859 2859-10	Ben Dye "SeaHorse" public art lease pymt; 10/1/15-12/31.	10/16/2015	3,500.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for Check Number 33190:	3,500.00
33191	1213 075789	Everson's Econo-Vac, Inc. Vactor truck, storm line cleaning, 9/14 & 9/16/15	10/16/2015	7,029.96
			Total for Check Number 33191:	7,029.96
33192	0127 0151604	GFOA Parker; GFOA membership, 11/1/15-10/31/16	10/16/2015	190.00
			Total for Check Number 33192:	190.00
33193	2078 29672	Girard Resources & Recycling, LLC Disposal fees	10/16/2015	275.00
			Total for Check Number 33193:	275.00
33194	2045 23354	Goodbye Graffiti Seattle Everclean program	10/16/2015	436.41
			Total for Check Number 33194:	436.41
33195	2553 Sep15 1123	Gordon Thomas Honeywell Governmental Governmental Affairs services; September	10/16/2015	2,000.00
			Total for Check Number 33195:	2,000.00
33196	0302 15563.00-000002	Gray & Osborne CIP 1086; engineering, 8/16-9/12/15	10/16/2015	5,982.99
			Total for Check Number 33196:	5,982.99
33197	1770 1770-10 1770-10	Richard Hart Hart; PAW Conference, mileage Hart; PAW Conference, mileage	10/16/2015	41.74 97.41
			Total for Check Number 33197:	139.15
33198	2957 0000005	Helix Design Group Town Center planning; 8/2-8/29/15	10/16/2015	3,095.00
			Total for Check Number 33198:	3,095.00
33199	1658 28248604-001 28248604-001	Hertz Equipment Rental Corp. Purple lights, boom truck rental, 9/21-9/25/15 Tree lighting, boom truck rental, 9/21-9/25/15	10/16/2015	540.29 540.28
			Total for Check Number 33199:	1,080.57
33200	0867 0591783 0591783 0591783 1064231 1064231 1064231 3573269 6012606 6012606 6012606 6592029	Home Depot Credit Services Maint shop; laundry detergent Maint shop; laundry detergent Maint shop; laundry detergent Maint shop; screws, washers, bolts Maint shop; screws, washers, bolts Maint shop; screws, washers, bolts Soccer banner; grommets, gear ties Maint shop; vinyl panel Maint shop; vinyl panel Maint shop; vinyl panel Maint shop; GFI testers	10/16/2015	10.85 10.85 5.42 12.05 12.05 6.03 23.67 4.70 9.39 9.39 2.93

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	6592029	Maint shop; GFI testers		5.84
	6592029	Maint shop; GFI testers		5.84
	7064728	Maint shop; pruner		8.68
	7064728	Maint shop; pruner		8.68
	7064728	Maint shop; pruner		4.33
	7064728	Maint shop; dowel		1.05
	7064728	Maint shop; dowel		2.12
	7064728	Maint shop; dowel		2.12
	7560668	Staples for posting notices		11.99
	8591912	Maint shop; cable ties		4.33
	8591912	Maint shop; cable ties		8.68
	8591912	Maint shop; cable ties		8.68
Total for Check Number 33200:				179.67
33201	1722	Honey Bucket	10/16/2015	
	2-1359344	Mattson; portable toilet, 9/18-9/28/15		101.96
	2-1366726	CCP; portable toilet service, 9/25-10/22/15		255.00
	2-1368313	Purple lights; portable toilet		150.00
	2-1369266	Jenkins Creek Elem; portable toilet, 9/28-10/25/15		117.50
	2-1369529	Cedar Heights; portable toilet, 9/28-10/25/15		117.50
	2-1369530	Mattson; portable toilet, 9/28-10/25/15		117.50
	2-1369531	Jenkins Creek Elem; portable toilet, 9/28-10/25/15		117.50
Total for Check Number 33201:				976.96
33202	1803	Iron Mountain	10/16/2015	
	LWN5585	Document storage; 10/1-10/31/15		157.00
Total for Check Number 33202:				157.00
33203	1701	Johnsons Home & Garden	10/16/2015	
	398167	Maint shop; gloves, nozzle, coffee filters		8.24
	398167	Maint shop; gloves, nozzle, coffee filters		8.24
	398167	Maint shop; gloves, nozzle, coffee filters		4.11
	398277	Spray paint remover, nuts, bolts		33.00
	398921	Purple lights cords		26.04
	398921	Tree lighting cords		26.04
Total for Check Number 33203:				105.67
33204	3016	Rajwinder Kaur	10/16/2015	
	1120292.002	Aquatic Center; account credit refund		39.00
Total for Check Number 33204:				39.00
33205	0143	King County Finance	10/16/2015	
	4077944	Maint; sewer treatment, 7/1-9/30/15		19.43
	4077944	Maint; sewer treatment, 7/1-9/30/15		19.43
	4077944	Maint; sewer treatment, 7/1-9/30/15		9.71
Total for Check Number 33205:				48.57
33206	0143	King County Finance	10/16/2015	
	46565	Street disposal fees		81.52
	65506	Street services; Soos Creek		176.97
	65508	Covington Days parade traffic control		1,991.06
	67363-67368	Street services		5,744.12
Total for Check Number 33206:				7,993.67
33207	0204	King County Pet Licensing	10/16/2015	

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	0204-10	Pet license remittance; September		1,050.00
Total for Check Number 33207:				1,050.00
33208	0641 15-0856 15-0856	King County Sheriff's Office Sheriffs office; lease, September Police services; September	10/16/2015	-1,879.17 288,886.50
Total for Check Number 33208:				287,007.33
33209	2490 2490-10	Law Office of Theresa and Phillip Griffin Public defender; video court, September	10/16/2015	1,000.00
Total for Check Number 33209:				1,000.00
33210	1878 7213 7214	MacLeod Reckord CCP Phase 2; design , 9/1-9/26/15 CCP Phase 2; wetland mitigation , 9/1-9/26/15	10/16/2015	3,643.75 497.50
Total for Check Number 33210:				4,141.25
33211	2853 2853-10	Kathryn Miles Tree lighting; entertainment	10/16/2015	100.00
Total for Check Number 33211:				100.00
33212	2550 74834	Motorplex Pro-Tow #3252; lube/oil service, transmission/steering flu	10/16/2015	433.74
Total for Check Number 33212:				433.74
33213	1487 767079	NAPA Auto Parts #3390; lamp light	10/16/2015	6.83
Total for Check Number 33213:				6.83
33214	3017 3716-156710 3716-156710 3716-156710 3716-156710	O'Reilly Automotive Inc. Maint; hitch ball Maint; hitch ball Maint; hitch ball Account credit	10/16/2015	5.65 5.65 2.81 -0.08
Total for Check Number 33214:				14.03
33215	0004 1843418034 1845853614 1846616340 1848041003 795701221001 796651137001 796651137001 796651137001 796651174001	Office Depot Specialty paper Binders Desk trays, 5 tab index makers Specialty paper, document covers, laminating po Desk trays, hanging folders Meyers; calendar Michaud; computer monitor riser Office supplies Office supplies	10/16/2015	52.10 65.14 105.72 39.03 143.79 35.83 17.37 154.15 16.28
Total for Check Number 33215:				629.41
33216	1452 IN042145	Palmer Coking Coal Company Crushed rock	10/16/2015	213.09
Total for Check Number 33216:				213.09

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
33217	1407	Parametrix, Inc.	10/16/2015	
	14-82232	City code & Comp plan update services; 8/2-8/21		69.62
	14-82233	Plan review services; 8/2-8/29/15		873.85
Total for Check Number 33217:				943.47
33218	0057	Petty Cash	10/16/2015	
	0057-10	Park & Rec open house; prizes, supplies		18.46
	0057-10	Park & Rec open house; refreshments		15.97
	0057-10	Plastic storage bin		15.63
	0057-10	Feser; workshop, parking		8.00
Total for Check Number 33218:				58.06
33219	3018	Platt	10/16/2015	
	H729757	Electrical box		71.50
Total for Check Number 33219:				71.50
33220	2923	Prime	10/16/2015	
	117664	CCP; electrical services for gate		325.58
Total for Check Number 33220:				325.58
33221	2860	Protect Youth Sports	10/16/2015	
	383980	Background checks		140.00
Total for Check Number 33221:				140.00
33222	0161	Puget Sound Energy	10/16/2015	
	200003986730-10	Streets; electricity, 9/2-10/1/15		74.79
	20000404635-10	Streets; electricity, 9/2-10/1/15		74.19
	200005568858-10	Streets; electricity, 8/29-9/29/15		80.70
	200013103656-10	CCP; electricity, 8/29-9/29/15		35.61
	200013951476-10	Streets; electricity, 8/29-9/29/15		86.77
	200014568881-10	Maint shop; electricity, 8/29-9/29/15		71.90
	200014568881-10	Maint shop; electricity, 8/29-9/29/15		35.96
	200014568881-10	Maint shop; electricity, 8/29-9/29/15		71.90
	200022909309-10	Streets; electricity, 9/2-10/1/15		92.41
Total for Check Number 33222:				624.23
33223	2854	Barbara Quarless	10/16/2015	
	2854-10	Tree lighting entertainment, The Islanders		750.00
Total for Check Number 33223:				750.00
33224	1958	Reber Ranch	10/16/2015	
	992082	Straw bales		19.69
Total for Check Number 33224:				19.69
33225	1905	Sharp Electronics Corporation	10/16/2015	
	C839400-701	Reception copier; usage, 8/15-9/16/15		12.41
	C839401-701	Police copier; usage, 8/24-9/16/15		18.06
	C839831-701	Copier; usage, 8/17-9/15/15		23.69
	C839831-701	Copier; usage, 8/17-9/15/15		35.54
	C840071-701	Workroom copier; usage, 8/31-9/28/15		2,121.54
Total for Check Number 33225:				2,211.24
33226	0993	Soos Creek Water & Sewer Dist.	10/16/2015	

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	0700-906800-10	Aquatics; sewer, 8/1-9/30/15		1,891.91
	0700-927900-10	Maint shop; sewer, 8/1-9/30/15		69.88
	0700-927900-10	Maint shop; sewer, 8/1-9/30/15		69.88
	0700-927900-10	Maint shop; sewer, 8/1-9/30/15		34.95
Total for Check Number 33226:				2,066.62
33227	0736	Sound Security, Inc.	10/16/2015	
	781203	Maint shop; secure monitoring, October		20.40
	781203	Security monitoring, October		1,003.00
	781203	Maint shop; secure monitoring, October		40.80
	781203	Maint shop; secure monitoring, October		40.80
	782528	Prox Fob		7.61
Total for Check Number 33227:				1,112.61
33228	2504	Stalzer and Associates	10/16/2015	
	3870	Comprehensive plan update; 8/1-8/31/15		19,182.45
Total for Check Number 33228:				19,182.45
33229	2636	TRM Wood Products Co, Inc.	10/16/2015	
	321312	Maint; lumber		66.08
	321312	Maint; lumber		66.08
	321312	Maint; lumber		33.04
	321548	Split rail, corner posts		375.43
Total for Check Number 33229:				540.63
33230	2103	US Bancorp Equip Finance Inc.	10/16/2015	
	288078769	Police; copier lease		93.40
	288893191	Copier lease		86.88
	288893191	Copier lease		130.32
Total for Check Number 33230:				310.60
33231	0357	Valley Communications	10/16/2015	
	16142	800 MHz access fee; September		75.00
Total for Check Number 33231:				75.00
33232	0046	Verizon Wireless	10/16/2015	
	9752648916	Cellular service/tablet data, 9/21-10/20/15		320.15
	9752648916	Cellular service,, 9/21-10/20/15		177.46
	9752648916	Cellular service, 9/21-10/20/15		29.26
	9752648916	Cellular service/tablet data, 9/21-10/20/15		78.20
	9752648916	Cellular service/tablet data, 9/21-10/20/15		98.52
	9752648916	Cellular service/tablet data, 9/21-10/20/15		176.41
	9752648916	Cellular service, 9/21-10/20/15		47.77
	9752648916	Cellular service, 9/21-10/20/15		58.51
	9752648916	Cellular service, 9/21-10/20/15		30.06
Total for Check Number 33232:				1,016.34
33233	1411	WA State Dept of Revenue-UCP	10/16/2015	
	1411-10	Remit Ck#28911 unclaimed property to the State		20.00
	1411-10	Remit Ck#28926 unclaimed property to the State		5.40
	1411-10	Remit Ck#29133 unclaimed property to the State		55.00
	1411-10	Remit Ck#28925 unclaimed property to the State		14.50
	1411-10	Remit Ck#28915 unclaimed property to the State		7.25
	1411-10	Remit Ck#28888 unclaimed property to the State		8.75

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for Check Number 33233:	110.90
33234	1708 789154	Western Equipment Distributors, Inc. #2766; service/repairs	10/16/2015	482.72
			Total for Check Number 33234:	482.72
33235	2230 9441294RI 9441294RI 9465170RI	Wilbur-Ellis Company Grass seed, casoron Casoron Grass seed	10/16/2015	1,091.72 569.40 509.18
			Total for Check Number 33235:	2,170.30
			Total for 10/16/2015:	428,468.80
42	2783 2783-09-2015 2783-09-2015 2783-09-2015 2783-09-2015 2783-09-2015 2783-09-2015 2783-09-2015 2783-09-2015 2783-09-2015	WA State Dept of Revenue Sales Tax, September 2015 Sales Tax, September 2015 Use Tax, September 2015 Use Tax, September 2015 Business and Occupation Tax, September 2015 Business and Occupation Tax, September 2015 Use Tax, September 2015 Use Tax, September 2015	10/27/2015	581.06 789.50 92.04 12.03 201.18 675.46 117.66 263.75
			Total for Check Number 42:	2,732.68
			Total for 10/27/2015:	2,732.68
			Report Total (76 checks):	431,201.48

October 9, 2015

City of Covington

Payroll Approval

- Request Council approval for payment of Payroll dated 10/09/15 consisting of:

PAYLOCITY CHECK # 1004310095 through PAYLOCITY CHECK # 1004310108 inclusive,
plus employee direct deposits

IN THE AMOUNT OF \$168,580.09

WE, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE CLAIMS ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF COVINGTON, WASHINGTON, COUNTY OF KING, AND THAT WE ARE AUTHORIZED TO AUTHENTICATE AND CERTIFY SAID CLAIMS PER THE ATTACHED COUNCIL APPROVAL REPORT.

Cassandra Parker
Senior Accountant

Mark Lanza
City Councilmember

Jeff Wagner
City Councilmember

Marlla Mhoon
City Councilmember

Council Meeting Date Approved: _____

10/09/15 Payroll Voucher**Payroll Checks for Account Paylocity Account**

Check/Voucher	Check Type	Check Date	Employee Id	Employee Name	Net Amount
110695	Regular	10/9/2015	503	Bolli, Regan H	4,700.21
110696	Regular	10/9/2015	246	Kirshenbaum, Kathleen	669.27
110697	Regular	10/9/2015	243	Lyon, Valerie	1,485.70
110698	Regular	10/9/2015	234	Mhoon, Darren S	1,469.27
110699	Regular	10/9/2015	162	Michaud, Joan M	2,187.70
110700	Regular	10/9/2015	123	Scott, Sharon G	2,541.67
110701	Regular	10/9/2015	313	Slate, Karla J	2,508.30
110702	Regular	10/9/2015	444	Ziolkowski, Diana	44.32
110703	Regular	10/9/2015	275	Hart, Richard	3,201.32
110704	Regular	10/9/2015	368	Mueller, Ann M	1,418.96
110705	Regular	10/9/2015	180	Cles, Staci M	1,871.12
110706	Regular	10/9/2015	146	Hagen, Lindsay K	1,617.74
110707	Regular	10/9/2015	235	Hendrickson, Robert	3,813.07
110708	Regular	10/9/2015	105	Parker, Cassandra	2,610.88
110709	Regular	10/9/2015	454	Salazar-Delatorre, Viviana J	206.99
110710	Regular	10/9/2015	374	Allen, Joshua C	1,807.60
110711	Regular	10/9/2015	353	Dalton, Jesse J	2,284.52
110712	Regular	10/9/2015	524	Denning, Jerald J	990.85
110713	Regular	10/9/2015	373	Fealy, William J	2,247.03
110714	Regular	10/9/2015	301	Gaudette, John J	2,229.91
110715	Regular	10/9/2015	511	Goranson, Gage W	989.95
110716	Regular	10/9/2015	186	Junkin, Ross D	2,858.07
110717	Regular	10/9/2015	520	Serfling, Daniel D	609.28
110718	Regular	10/9/2015	457	Smith, Nathan H	1,091.06
110719	Regular	10/9/2015	268	Bykonen, Brian D	2,209.04
110720	Regular	10/9/2015	279	Christenson, Gregg R	2,952.14
110721	Regular	10/9/2015	270	Lyons, Salina K	2,332.26
110722	Regular	10/9/2015	269	Meyers, Robert L	3,418.91
110723	Regular	10/9/2015	284	Ogren, Nelson W	2,811.63
110724	Regular	10/9/2015	266	Thompson, Kelly	2,187.60
110725	Regular	10/9/2015	518	Islam, Shahinur	464.80
110726	Regular	10/9/2015	307	Morrissey, Mayson	2,967.96
110727	Regular	10/9/2015	199	Bahl, Rachel A	2,106.36
110728	Regular	10/9/2015	397	Ball, Jaquelyn I	564.34
110729	Regular	10/9/2015	451	Conway, Sean	1,597.22
110730	Regular	10/9/2015	428	Feser, Angela M	2,808.80
110731	Regular	10/9/2015	448	Finazzo, Dominic V	1,558.76
110732	Regular	10/9/2015	305	Kiselyov, Tatyana	1,597.22
110733	Regular	10/9/2015	453	Leung, Rachael M	1,295.62
110734	Regular	10/9/2015	195	Patterson, Clifford	2,484.06
110735	Regular	10/9/2015	106	Bates, Shellie L	2,113.67
110736	Regular	10/9/2015	349	Buck, Shawn M	1,770.68
110737	Regular	10/9/2015	436	Lindskov, Robert T	3,033.51
110738	Regular	10/9/2015	257	Parrish, Benjamin A	2,020.67
110739	Regular	10/9/2015	173	Vondran, Donald M	3,819.84
110740	Regular	10/9/2015	252	Wesley, Daniel A	2,224.67
110741	Regular	10/9/2015	388	Andrews, Kaitlyn E	414.38

110742 Regular	10/9/2015	434 Bailey, Brooke	85.81
110743 Regular	10/9/2015	481 Binder, Jordan M	45.48
110744 Regular	10/9/2015	513 Bryant, Colin A	112.04
110745 Regular	10/9/2015	517 Burke, Austin W	228.50
110746 Regular	10/9/2015	514 Collins, Ashtyn E	715.08
110747 Regular	10/9/2015	258 Cox, Melissa	797.97
110748 Regular	10/9/2015	526 Duval-Dreblow, Shailynn R	486.96
110749 Regular	10/9/2015	505 Gormley, Hannah E	61.42
110750 Regular	10/9/2015	508 Halbert, Olivia M	68.23
110751 Regular	10/9/2015	460 Hatch, Christopher	350.38
110752 Regular	10/9/2015	512 Hauer, Colton A	162.08
110753 Regular	10/9/2015	426 Knox, Patrick L	376.43
110754 Regular	10/9/2015	410 Lanz, Avalon A.	476.18
110755 Regular	10/9/2015	525 Mastroianni, Anthony J	169.74
110756 Regular	10/9/2015	483 Medel, Erick	241.66
110757 Regular	10/9/2015	340 Middleton, Jordan	220.89
110758 Regular	10/9/2015	516 Montero, Ivan P	502.79
110759 Regular	10/9/2015	439 Newman, Ashley M	29.27
110760 Regular	10/9/2015	445 Portin, Andrew	92.04
110761 Regular	10/9/2015	387 Praggastis, Elena C	204.87
110762 Regular	10/9/2015	484 Roth, Alexander E	470.50
110763 Regular	10/9/2015	493 Sears, Andrew J	141.97
110764 Regular	10/9/2015	492 Spencer, Ethan R	477.61
110765 Regular	10/9/2015	392 Wardrip, Spencer A	653.90
110766 Regular	10/9/2015	432 Wilton, Sara J	11.37
110767 Regular	10/9/2015	487 Bykonen, Tyler B	21.37
110768 Regular	10/9/2015	482 Cruz, Garrett M	256.76
110769 Regular	10/9/2015	528 Hopp, Tyler A	37.93
110770 Regular	10/9/2015	467 Lam, Brandon A	126.42
110771 Regular	10/9/2015	468 Lam, Matthew T	70.46
110772 Regular	10/9/2015	495 Tashiro-Townley, Joshua C	128.04
110773 Regular	10/9/2015	116 Beaufrere, Noreen	2,841.79
110774 Regular	10/9/2015	137 Throm, Victoria J	1,945.46
1004310095 Regular	10/9/2015	364 Newell, Nancy J	146.83
1004310096 Regular	10/9/2015	509 Brannon, David J	238.76
1004310097 Regular	10/9/2015	274 Goldfoos, Rhyan	24.69
1004310098 Regular	10/9/2015	400 Quintos, Edward Louie D	214.41
1004310099 Regular	10/9/2015	489 Wold, Jared K	209.85
1004310100 Regular	10/9/2015	480 Woods, Dylan J	438.53
1004310101 Regular	10/9/2015	470 Cekarmis, Dusan	164.31
1004310102 Regular	10/9/2015	531 Cekarmis, Mariah V	75.88
1004310103 Regular	10/9/2015	472 Davidson, Tucker P	122.13
1004310104 Regular	10/9/2015	521 Ellsworth, Joseph G	102.58
1004310105 Regular	10/9/2015	529 Guyll, Ezra J	94.05
1004310106 Regular	10/9/2015	519 Lopez, Joseph C	82.99
1004310107 Regular	10/9/2015	462 Rogers, Trask	17.10
Totals for Payroll Checks	93 Items		108,752.44

Third Party Checks for Account Paylocity Account

Check/Voucher	Check Type	Check Date	Employee Id	Employee Name	Net Amount
110775	AGENCY	10/9/2015	401SS	ICMA Retirement Trust	17,280.71
110776	AGENCY	10/9/2015	457Ex	Vantagepoint Transfer Agent-	359.09

110777 AGENCY	10/9/2015	CICOV City of Covington	2,740.29
110778 AGENCY	10/9/2015	Emp City of Covington Employee	85.00
110779 AGENCY	10/9/2015	IC401 ICMA Retirement Trust	14,946.27
110780 AGENCY	10/9/2015	IC457 ICMA Retirement Trust	1,966.98
110781 AGENCY	10/9/2015	ROTH ICMA Retirement Trust	150.00
110782 AGENCY	10/9/2015	VEBA HRA VEBA Trust	1,670.00
1004310108 AGENCY	10/9/2015	JG1 WASH CHILD SUPPORT	110.41
Totals for Third Party	9 Items		39,308.75
		Tax Liabilities	20284.36
		Paylocity Fees	<u>234.54</u>
		Grand Total	<u>\$ 168,580.09</u>

October 23, 2015

City of Covington

Payroll Approval

- Request Council approval for payment of Payroll dated 10/23/15 consisting of:

PAYLOCITY CHECK # 1004374848 through PAYLOCITY CHECK # 1004374859 and
PAYLOCITY CHECK # 1004374876 through PAYLOCITY CHECK # 1004374876 inclusive,
plus employee direct deposits

IN THE AMOUNT OF \$169,135.26

WE, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE CLAIMS ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF COVINGTON, WASHINGTON, COUNTY OF KING, AND THAT WE ARE AUTHORIZED TO AUTHENTICATE AND CERTIFY SAID CLAIMS PER THE ATTACHED COUNCIL APPROVAL REPORT.

Cassandra Parker
Senior Accountant

Mark Lanza
City Councilmember

Jeff Wagner
City Councilmember

Marlla Mhoon
City Councilmember

Council Meeting Date Approved: _____

10/23/15 Payroll Voucher

Payroll Checks for Account Paylocity Account

Check/Voucher	Check Type	Check Date	Employee Id	Employee Name	Net Amount
110788	Regular	10/23/2015	503	Bolli, Regan H	4,700.17
110789	Regular	10/23/2015	246	Kirshenbaum, Kathleen	513.41
110790	Regular	10/23/2015	243	Lyon, Valerie	1,485.66
110791	Regular	10/23/2015	234	Mhoon, Darren S	1,469.22
110792	Regular	10/23/2015	162	Michaud, Joan M	2,187.70
110793	Regular	10/23/2015	123	Scott, Sharon G	2,541.67
110794	Regular	10/23/2015	313	Slate, Karla J	2,508.30
110795	Regular	10/23/2015	444	Ziolkowski, Diana	22.16
110796	Regular	10/23/2015	275	Hart, Richard	3,201.33
110797	Regular	10/23/2015	368	Mueller, Ann M	1,261.04
110798	Regular	10/23/2015	180	Cles, Staci M	1,871.11
110799	Regular	10/23/2015	146	Hagen, Lindsay K	1,617.74
110800	Regular	10/23/2015	235	Hendrickson, Robert	3,813.07
110801	Regular	10/23/2015	105	Parker, Cassandra	2,610.88
110802	Regular	10/23/2015	454	Salazar-Delatorre, Viviana J	158.52
110803	Regular	10/23/2015	433	Cimaomo, Joseph T	390.53
110804	Regular	10/23/2015	323	Harto, Margaret	457.75
110805	Regular	10/23/2015	324	Lanza, Mark	382.53
110806	Regular	10/23/2015	326	Mhoon, Marlla	392.57
110807	Regular	10/23/2015	327	Scott, James A	413.57
110808	Regular	10/23/2015	502	Smith, Sean D	413.57
110809	Regular	10/23/2015	329	Wagner, Jeffrey	415.57
110810	Regular	10/23/2015	374	Allen, Joshua C	1,867.39
110811	Regular	10/23/2015	353	Dalton, Jesse J	1,798.87
110812	Regular	10/23/2015	524	Denning, Jerald J	1,019.03
110813	Regular	10/23/2015	373	Fealy, William J	1,797.73
110814	Regular	10/23/2015	301	Gaudette, John J	2,108.71
110815	Regular	10/23/2015	511	Goranson, Gage W	989.95
110816	Regular	10/23/2015	186	Junkin, Ross D	2,858.08
110817	Regular	10/23/2015	520	Serfling, Daniel D	898.41
110818	Regular	10/23/2015	457	Smith, Nathan H	1,106.43
110819	Regular	10/23/2015	268	Bykonen, Brian D	2,209.04
110820	Regular	10/23/2015	279	Christenson, Gregg R	2,952.13
110821	Regular	10/23/2015	270	Lyons, Salina K	2,332.30
110822	Regular	10/23/2015	269	Meyers, Robert L	3,418.91
110823	Regular	10/23/2015	284	Ogren, Nelson W	2,811.62
110824	Regular	10/23/2015	266	Thompson, Kelly	2,187.60
110825	Regular	10/23/2015	518	Islam, Shahinur	464.80
110826	Regular	10/23/2015	307	Morrissey, Mayson	2,967.96
110827	Regular	10/23/2015	199	Bahl, Rachel A	2,106.35
110828	Regular	10/23/2015	397	Ball, Jaquelyn I	419.66
110829	Regular	10/23/2015	451	Conway, Sean	1,597.22
110830	Regular	10/23/2015	428	Feser, Angela M	2,280.81
110831	Regular	10/23/2015	448	Finazzo, Dominic V	1,558.76
110832	Regular	10/23/2015	305	Kiselyov, Tatyana	1,597.22
110833	Regular	10/23/2015	453	Leung, Rachael M	1,295.62
110834	Regular	10/23/2015	195	Patterson, Clifford	2,711.80
110835	Regular	10/23/2015	106	Bates, Shellie L	2,113.67
110836	Regular	10/23/2015	349	Buck, Shawn M	1,776.30
110837	Regular	10/23/2015	273	French, Fred	194.46
110838	Regular	10/23/2015	436	Lindskov, Robert T	3,033.51
110839	Regular	10/23/2015	257	Parrish, Benjamin A	2,020.67
110840	Regular	10/23/2015	173	Vondran, Donald M	3,819.84
110841	Regular	10/23/2015	252	Wesley, Daniel A	2,224.67
110842	Regular	10/23/2015	388	Andrews, Kaitlyn E	410.21
110843	Regular	10/23/2015	481	Binder, Jordan M	111.31
110844	Regular	10/23/2015	513	Bryant, Colin A	129.72
110845	Regular	10/23/2015	517	Burke, Austin W	274.46

110846 Regular	10/23/2015	514 Collins, Ashtyn E	397.25
110847 Regular	10/23/2015	258 Cox, Melissa	858.81
110848 Regular	10/23/2015	526 Duval-Dreblow, Shailynn R	378.98
110849 Regular	10/23/2015	505 Gormley, Hannah E	93.53
110850 Regular	10/23/2015	508 Halbert, Olivia M	90.98
110851 Regular	10/23/2015	460 Hatch, Christopher	171.62
110852 Regular	10/23/2015	512 Hauer, Colton A	177.42
110853 Regular	10/23/2015	426 Knox, Patrick L	266.59
110854 Regular	10/23/2015	410 Lanz, Avalon A.	448.77
110855 Regular	10/23/2015	435 Martin, Iain-Josiah	1,108.75
110856 Regular	10/23/2015	525 Mastroianni, Anthony J	341.95
110857 Regular	10/23/2015	483 Medel, Erick	174.96
110858 Regular	10/23/2015	340 Middleton, Jordan	98.13
110859 Regular	10/23/2015	516 Montero, Ivan P	456.93
110860 Regular	10/23/2015	445 Portin, Andrew	17.06
110861 Regular	10/23/2015	387 Praggastis, Elena C	164.43
110862 Regular	10/23/2015	484 Roth, Alexander E	474.66
110863 Regular	10/23/2015	493 Sears, Andrew J	102.34
110864 Regular	10/23/2015	492 Spencer, Ethan R	341.72
110865 Regular	10/23/2015	392 Wardrip, Spencer A	437.69
110866 Regular	10/23/2015	432 Wilton, Sara J	7.15
110867 Regular	10/23/2015	486 Camp, Alicia M	32.06
110868 Regular	10/23/2015	531 Cekarmis, Mariah V	59.28
110869 Regular	10/23/2015	482 Cruz, Garrett M	197.01
110870 Regular	10/23/2015	528 Hopp, Tyler A	37.93
110871 Regular	10/23/2015	467 Lam, Brandon A	75.49
110872 Regular	10/23/2015	468 Lam, Matthew T	35.23
110873 Regular	10/23/2015	495 Tashiro-Townley, Joshua C	132.79
110874 Regular	10/23/2015	116 Beaufreere, Noreen	2,841.79
110875 Regular	10/23/2015	137 Throm, Victoria J	1,945.46
1004374848 Regular	10/23/2015	364 Newell, Nancy J	47.10
1004374849 Regular	10/23/2015	527 Ainsworth, Nicholas D	19.90
1004374850 Regular	10/23/2015	509 Brannon, David J	181.95
1004374851 Regular	10/23/2015	274 Goldfoos, Rhyan	0.50
1004374852 Regular	10/23/2015	400 Quintos, Edward Louie D	143.75
1004374853 Regular	10/23/2015	489 Wold, Jared K	203.49
1004374854 Regular	10/23/2015	480 Woods, Dylan J	293.97
1004374855 Regular	10/23/2015	470 Cekarmis, Dusan	198.31
1004374856 Regular	10/23/2015	472 Davidson, Tucker P	73.28
1004374857 Regular	10/23/2015	529 Guyll, Ezra J	33.20
1004374858 Regular	10/23/2015	519 Lopez, Joseph C	18.97
1004374859 Regular	10/23/2015	474 Shank, Elijah J	23.72
Totals for Payroll Checks	100 Items		109,498.19

Third Party Checks for Account Paylocity Account				
Check/Voucher	Check Type	Check Date	Employee Id Employee Name	Net Amount
110876	AGENCY	10/23/2015	401SS ICMA Retirement Trust	17,316.05
110877	AGENCY	10/23/2015	457Ex Vantagepoint Transfer Agent-457	359.09
110878	AGENCY	10/23/2015	CICOV City of Covington	2,740.29
110879	AGENCY	10/23/2015	Emp City of Covington Employee	105.00
110880	AGENCY	10/23/2015	IC401 ICMA Retirement Trust	14,665.74
110881	AGENCY	10/23/2015	IC457 ICMA Retirement Trust	1,966.98
110882	AGENCY	10/23/2015	ROTH ICMA Retirement Trust	150.00
110883	AGENCY	10/23/2015	VEBA HRA VEBA Trust Contributions	1,670.00
1004374876	AGENCY	10/23/2015	JG1 WASH CHILD SUPPORT	110.41
Totals for Third Party Checks	9 Items			39,083.56

Payroll Liabilities	19,904.33
Paylocity Fees	649.18

Grand Total	\$ 169,135.26
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Agenda Item C-3
Covington City Council Meeting
Date: October 27, 2015

SUBJECT: CONSIDER AND APPROVE NEW INTERLOCAL AGREEMENT BETWEEN THE KENT REGIONAL FIRE AUTHORITY AND THE CITY OF COVINGTON RELATING TO FIRE MARSHAL, INTERNATIONAL FIRE CODE (IFC), AND FIRE INVESTIGATIVE SERVICES FOR THREE YEARS.

RECOMMENDED BY: Richard Hart, Community Development Director

ATTACHMENT(S):

1. Proposed Interlocal Agreement for Fire Services with the Kent Fire Department Regional Fire Authority, including Exhibit A thereto.

PREPARED BY: Robert Meyers, Building Official

EXPLANATION:

The City of Covington ("City") currently contracts with the Kent Fire Department Regional Fire Authority (RFA), formerly the City of Kent Fire Department, for the following fire services:

1. Fire Plan Review and Inspections
2. Fire Marshal Services
3. Fire Investigations

The City is satisfied with the RFA's performance of the above fire prevention services and wishes to continue utilizing the RFA to provide resources and perform these fire prevention services on behalf of the City. The attached proposed interlocal agreement with the RFA retains all fire prevention services and resources as they currently exist with some minor changes to reflect a change in fire investigation services provided by the RFA. The costs associated with the RFA's services are a pass through cost charged on an hourly basis for actual hours worked by the RFA staff. Accordingly, the basic cost to the city (and our permit applicants) will be reflected in the fiscal year that revenues are collected and expenses are paid.

ALTERNATIVES:

None

FISCAL IMPACT:

None, except small amounts of staff time to route plans, issue permits, and reimburse the RFA.

CITY COUNCIL ACTION: ___ Ordinance ___ Resolution X Motion ___ Other

Council member _____ moves, Council member _____ seconds, to authorize the City Manager to enter into an Interlocal Agreement between the City of Covington and the Kent Regional Fire Authority for Fire Services, in substantial form as that agreement attached hereto, as well as, and to execute the Fire Investigation Level of Service Agreement attached as Exhibit A thereto.

REVIEWED BY: City Manager, City Attorney, and Finance Director.

**INTERLOCAL AGREEMENT
BETWEEN
THE KENT FIRE DEPARTMENT REGIONAL FIRE AUTHORITY AND THE CITY OF
COVINGTON
RELATING TO FIRE PREVENTION SERVICES**

THIS INTERLOCAL AGREEMENT ("Agreement") is entered into between the KENT FIRE DEPARTMENT REGIONAL FIRE AUTHORITY ("RFA"), and the CITY OF COVINGTON ("Covington").

WHEREAS, the RFA and Covington are public agencies as defined by Ch. 39.34 of the Revised Code of Washington ("RCW"), and are authorized to enter into interlocal agreements on the basis of mutual advantage and thereby to provide services and facilities in the manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs of local communities; and

WHEREAS, the RFA maintains a professional fire prevention division that regularly performs administration of the fire code and conducts inspections, plan reviews, and/or fire investigations for other agencies including the Cities of Kent ("Kent") and SeaTac; and

WHEREAS, Covington desires to use the resources of the RFA to assist Covington in managing **Covington's fire prevention services**; and

WHEREAS, Covington has agreed to compensate the RFA for conducting such services; and

WHEREAS, the RFA and Covington find the working relationship established under previous interlocal agreements to be mutually beneficial to both parties and wish to continue this relationship;

NOW THEREFORE, in consideration of the terms and provisions contained herein, it is agreed between the RFA and Covington as follows:

1. Purpose. It is the purpose of this Agreement to establish the framework to allow the RFA to perform the services required to create and maintain the Covington Fire Prevention Bureau. To that end, the RFA hereby agrees to perform for payment the following services for Covington:

- 1.1 Fire Marshal Administrative Services
 - 1.1.1 Fire Code Administration;
 - 1.1.2 Administration of Fire Prevention Programs;
- 1.2 Inspection and Plan Review Services
 - 1.2.1 Inspections pursuant to the IFC;
 - 1.2.2 Plan reviews pursuant to the IFC;
 - 1.2.3 Inspections of businesses associated with licensing and code compliance; and
 - 1.2.4 Approval of hydrant placements.
- 1.3 Fire Investigative Services

- 1.3.1 Origin and cause investigations;
- 1.3.2 Criminal investigations limited to arson and other related crimes; and
- 1.3.3 Pro-active techniques to reduce the occurrence of arson.

2. Administration of Agreement. To carry out the purpose of this Agreement, a two-person board is hereby created to administer this Agreement ("**Administrative Board**"). The Administrative Board shall consist of the Fire Chief for the RFA and the City Manager or Chief of Police for the City of Covington. The Administrative Board shall meet no less than one time per year to discuss the performance of the obligations of the RFA and Covington pursuant to this Agreement. The Administrative Board may, at its discretion and by mutual agreement, develop policies and procedures to aid in the implementation of this Agreement.

3. Fire Prevention Services

3.1 Designation of Fire Chief and Fire Marshal. For the purposes of enforcement of federal, state, and City laws relating to the provision of fire services, and for the purposes of complying with federal and state grant programs or any other programs which relate to the provision of the services hereunder, Covington hereby designates the Fire Chief of the RFA as the **Covington's Fire Chief, and the RFA's Fire Marshal as the Covington's** Fire Marshal and Fire Code Official. Notwithstanding the preceding designations, the Fire Chief and Fire Marshal shall remain employees of the RFA and the RFA shall retain absolute discretion over all employment decisions relating to the Fire Chief and Fire Marshal.

3.1.1 Point of Contact. The **RFA's Fire Marshal's point of contact shall be Covington's Community Development** Director or his/her designee, or other individual as designated by Covington's City Manager.

3.1.2 Information. The **RFA's** Fire Marshal will make every attempt to keep **Covington's** point of contact informed and apprised of problems and/or circumstances arising from the administration of the fire code or prevention programs. **In return, Covington's** point of contact will make every attempt to keep the RFA Fire Marshal informed and apprised of circumstances and/or situations in Covington.

3.2 Fire Marshal Services. Unless otherwise provided for within this Agreement, all work performed by the RFA will be conducted at its offices.

3.2.1 Fire Code Administration. Fire code administration services shall be performed under the authority granted by the International Fire Code as adopted and amended by Covington. **When possible, Covington's local code amendments will be adopted in consultation with the RFA's** Fire Marshal. If local code amendments are adopted without consulting **the RFA's** Fire Marshal, Covington will promptly give **the RFA's** Fire Marshal notice of such local code amendments in order for the RFA to carry out the services provided for in this Agreement.

Administrative rulings, interpretations, and policies shall be retained in accordance with Covington's record retention policies. Covington shall make all changes to its record retention policy promptly available to the RFA. Whenever practical, it shall be the policy to streamline the differences between the Cities of Kent and Covington fire code rulings, interpretations, and policies.

3.2.2 Administration of the Preventable Alarm Program. The RFA shall administer the Preventable Alarm provisions in accordance with Covington Municipal Code Chapter 15.30.

3.1.3 Administration of Fire Prevention Programs. Administration of fire prevention programs shall be performed in the same manner in the City of Kent and Covington.

3.3 Inspection and Plan Review Services.

3.3.1 Inspection Pursuant to the (IFC). The RFA shall perform fire inspections for Covington in accordance with Section 106 of the IFC, and for permits identified in Section 105 of the IFC.

3.3.1.1 Manner of Inspections. Unless otherwise specifically stated in this Agreement, inspections shall be performed for Covington in the same manner and under the same circumstances as such inspections would be performed for Kent, subject only to any difference provided for in **Covington's local code amendments.**

3.3.1.2 Frequency of Inspections. The RFA shall perform inspections of all commercial businesses at least annually.

3.3.1.3 Code Enforcement. Although the RFA shall provide inspection services, Covington shall be responsible for taking any action to enforce the provisions of the IFC. Covington shall be fully responsible for bringing any cause of action before any court, hearing examiner, board, committee, or other body empowered to determine responsibility for violations of the IFC and shall be responsible for pursuing and collecting any fines, penalties, compliance, and abatement. The RFA staff who inspected the property and found it to be in violation shall appear before any court, hearing examiner, board, committee, or other body empowered to enforce the provisions of the IFC in order to assist Covington with enforcing the IFC.

3.3.2 Plan Review Pursuant to the IFC. The RFA shall review plans for building construction, building alteration, and as required by the IFC **and Covington's local** code amendments. The RFA will pickup

and deliver plans to and from Covington City hall. All plan review work will be conducted at **the RFA's offices**.

3.3.2.1 Time for Review. Upon its receipt of plans the RFA shall have two (2) weeks to conduct its initial plan review and to provide comments regarding those plans. If the RFA finds that more time is required to complete its review, the RFA will promptly notify Covington and provide an explanation of why additional time is required. If mutually agreed to by the **RFA's Fire Marshal and the Covington's point of contact**, this two (2) week review period may be increased or decreased to provide enhanced customer service on a needed basis. Upon completion of such review, the RFA will return the plans along with any comments to Covington.

3.3.2.2 Availability to Discuss Plans. The RFA shall be available to Covington and the party who submitted the plans to discuss any comments to the plans or the requirements of the IFC **and Covington's local** code amendments.

3.3.2.3 Issuance of Permits - Collection of Fees. **Covington shall establish all fees and will remain** responsible for issuing all building permits and collecting all permit fees.

3.3.2.4 Records. Except for working copies, all other records, documents, and drawings pertaining to fire prevention services provided for under this Agreement will be maintained at Covington's City Hall and be the sole property of Covington.

3.3.2.5 Other Services Necessary. The RFA will provide additional services necessary during the permit review process, including pre-application review, pre-construction conferences, meetings, phone calls, and other such activities deemed necessary to provide a high level of customer service and effectively implement the intent of this Agreement and of the IFC.

3.3.3 Inspections Associated with Business Licensing. The RFA will provide initial and annual fire and life safety inspections associated with business licensing in Covington.

3.3.4 Approval of Placement of Hydrants. The RFA will approve the placement of all hydrants within Covington for the water purveyors.

3.4 Fire Investigative Services.

3.4.1 Origin and Cause Investigations. Origin and cause investigations shall be performed in accordance with the **RFA's** Policies and Procedures. Furthermore, investigations shall follow the

recommended procedures as outlined by the State of Washington Certified Fire Investigator program.

Origin and cause determinations shall fall into the following categories: Accidental, Incendiary, Natural, and Undetermined. The investigation of the origin and cause of a fire shall be conducted in a timely manner, and all reports and documentation that are produced as a result of the investigation shall be prepared in a timely manner. Reports and documentation produced during an investigation shall be maintained by the RFA for a period of seven (7) years in accordance with **the RFA's** record retention policy. As **the RFA's** Fire Investigators are commissioned law enforcement personnel, any evidence gathered during a criminal investigation shall be maintained by the Kent Police Department in accordance with Kent policies and procedures relating to the retention of evidence of other crimes. **Covington's** Police Chief shall complete and execute that Level of Service Interlocal Agreement, attached as EXHIBIT A hereto and fully incorporated by this reference, to establish the scope of law enforcement authority of the commissioned investigators within the City limits.

3.4.2 Criminal Investigations Limited to Arson and Other Related Crimes. In the event of an incendiary fire cause, the RFA shall conduct an appropriate criminal investigation to include evidence collection, witness interviews, follow-up documentation, suspect interrogations, and suspect arrest when probable cause exists. In the event that it is determined that the incident originated as a result of **an explosive device, a King County Sheriff's Office Bomb Disposal Unit** Detective will be called and a cooperative or parallel investigation will be conducted. Every effort shall be made to have a uniformed Covington Police Officer present when effecting arrests in Covington. All proper documentation shall be completed for the filing of criminal charges as per the King County Prosecutor Filing Guidelines.

3.4.3 Proactive Techniques to Reduce the Occurrence of Arson. The RFA recognizes that by taking a proactive stance to combat arson, many smaller arson fires may be prevented before larger fires are caused. Therefore, the RFA shall employ proven techniques used to identify arson offenders. These include, but are not limited to, conducting surveillance, pin mapping, and intelligence gathering when appropriate and in accordance with applicable laws.

3.3.4 Information. The RFA shall make every attempt to keep **Covington's Police Chief** informed as to the status of all fires that occur in the Covington by providing a monthly report, in a form approved by **Covington's** Police Chief, by the 5th of the following month. The RFA shall continue to provide the King County Sheriff's Office with monthly Uniform Crime Reporting Program statistical data.

4. Duration. This Agreement shall become effective on January 1, 2016. Should this Agreement be ratified by the legislative bodies of Covington and Kent after January 1, 2016, this Agreement shall be effective retroactively as of January

1, 2016. Unless terminated as provided for in Section 7, this Agreement shall remain in full force and effect through December 31, 2018. This Agreement may be extended by mutual written agreement of the parties subject to the ratification of such extension by the legislative body of each city, and the execution of an appropriate contract amendment.

5. Payment to the RFA.

5.1 In consideration of this Agreement and the services provided, Covington will pay the RFA an hourly rate as identified in subsection 5.2 for each hour of all work performed by RFA staff. Each hour shall be divided into fifteen (15) minute increments, or four (4) units. Covington shall pay for each fifteen (15) minute increment, which shall be rounded to the nearest fifteen (15) minute increment. Covington shall be required to pay the RFA regardless of whether Covington is paid or collects its fees from permit applicants or other responsible parties for the services rendered by the RFA staff. At the end of each quarter, the RFA will invoice Covington for the services provided during that immediately preceding quarter by the 10th of the following month. For the purposes of this Agreement, quarters shall end on March 31, June 30, September 30, and December 31 of each year. Covington will remit payment to the RFA within thirty (30) days from the date of **the RFA's** invoice.

5.2 Hourly Rate.

5.2.1 Fire Marshal. Covington shall pay the RFA an hourly rate of \$151.62 per hour for work performed by **RFA's** Fire Marshal.

5.2.2 Other Sworn Personnel. Covington shall pay the RFA an hourly rate of \$127.57 per hour for work performed by all other RFA staff, excluding **RFA's** Fire Marshal.

5.2.3 Annual Adjustment. Each year, the hourly rates charged under this Agreement will increase by the amount equal to the percentage increase in the Consumer Price Index (CPI) for Seattle-Tacoma-Bremerton (All Urban Consumers) for the previous year from the period of June to June. The rate will be rounded to the nearest cent.

5.3 Billing Dispute. In the event that there is a dispute regarding the amount of money owed by Covington to the RFA, the Administrative Board shall make every effort to resolve such dispute. In the event that there is no resolution to the dispute, the disputed amount shall be placed into the registry of the King County Superior Court until the dispute is resolved by agreement of the parties or in accordance with the dispute resolution process identified in Section 10.2.

5.4 Reconciliation of Amount Due After Termination or Expiration. Within thirty (30) **days of the effective date of this Agreement's** expiration or earlier termination, the RFA shall submit to Covington a statement as described in subsection 5.2 of this Agreement for the past quarter or part thereof. Within thirty (30) days of submitting the statement, the parties shall reconcile the account and determine the amount Covington owes to the RFA

for unpaid services. Final payment and settlement of accounts shall occur within ninety (90) days of the effective date of termination of the Agreement.

6. Ownership of Property. The parties to this Agreement do not contemplate the acquisition of any property to carry out the purposes of this Agreement. Any property owned by the RFA shall remain the property of the RFA and any property owned by Covington shall remain the property of Covington.

7. Termination.

7.1 Termination by Notice. This Agreement may be terminated by either party upon it providing the other party with 180 days advance written notice of such termination.

7.2 Termination by Mutual Written Agreement. This Agreement may be terminated at any time by mutual written agreement of the parties.

7.3 Termination for Breach. The RFA may terminate this Agreement with fourteen (14) days advance written notice upon the failure of Covington to make payments as required by this Agreement. Covington may terminate this Agreement upon fourteen (14) days advance written notice in the event the RFA fails to provide services as required in this Agreement except disputes handled per Section 5.3.

8. Indemnification and Hold Harmless. Covington agrees to defend, indemnify, and hold harmless the RFA and each of its employees, officials, agents, and volunteers from any and all losses, claims, liabilities, lawsuits, or legal judgments arising out of any negligent or tortious actions or inactions by Covington or any of its employees, officials, agents, or volunteers, while acting within the scope of the duties required by this Agreement. All costs, including but not limited to attorneys fees, court fees, mediation fees, arbitration fees, settlements, awards of compensation, awards of damages of every kind, etc., shall be paid by Covington or its insurer. This provision shall survive the expiration of this Agreement. This provision shall also survive and remain in effect in the event that a court or other entity with jurisdiction determines that this Agreement is not enforceable.

The RFA agrees to defend, indemnify, and hold harmless Covington and each of its employees, officials, agents, and volunteers from any and all losses, damages, claims, liabilities, lawsuits, or legal judgments arising out of any negligent or tortious actions or inactions by the RFA or any of its employees, officials, agents, or volunteers, while acting within the scope of the duties required by this Agreement. All costs, including but not limited to attorneys fees, court fees, mediation fees, arbitration fees, settlements, awards of compensation, awards of damages of every kind, etc., shall be paid by the RFA or its insurer. This provision shall survive the expiration or earlier termination of this Agreement. This provision shall also survive and remain in effect in the event that a court or other entity with jurisdiction determines that this interlocal Agreement is not enforceable.

It is further specifically and expressly understood that the indemnification provided herein constitutes each party's waiver of immunity under industrial insurance, Title 51 RCW, solely to carry out the purposes of this indemnification

clause. The parties further acknowledge that they have mutually negotiated this waiver.

9. Insurance. The RFA and Covington shall carry and maintain, for the duration of this Agreement, general liability, property damage, and errors and omissions insurance coverage with an admitted carrier for the state of Washington with the following minimums:

<u>General Liability:</u>	\$1 million per occurrence; and
<u>Property Damage:</u>	\$1 million per occurrence; and
<u>Errors and Omissions:</u>	\$1 million per occurrence.

The insurance policies shall name the other party of this Agreement and its officials, officers, employees, and volunteers, who are acting within the scope of this Agreement as additional named insureds for any and all actions taken by each party, its officials, officers, employees, and volunteers in the scope of their duties pursuant to this Agreement. The insurance policy or policies shall have a thirty (30) days prior notice of cancellation clause to be given to the other party, in writing, in the event of termination or material modification of the insurance coverage. **The insurance shall be "occurrence based" rather than "claims made."** In the alternative, each city may satisfy the requirements of this section by becoming or remaining a participant in an authorized self insurance pool in the state of Washington with protection equal to or greater than that specified herein.

10. Miscellaneous.

10.1 Non-Waiver of Breach. The failure of either party to insist upon strict performance of any of the covenants and agreements contained in this Agreement, or to exercise any option conferred by this Agreement in one or more instances shall not be construed to be a waiver or relinquishment of those covenants, agreements or options, and the same shall be and remain in full force and effect.

10.2 Resolution of Disputes and Governing Law.

10.2.1 This Agreement shall be governed by and construed in accordance with the laws of the State of Washington.

10.2.2 If the parties are unable to resolve a dispute regarding this Agreement through negotiation, either party may demand mediation through a process to be mutually agreed to in good faith between the parties within 30 days. The parties shall share equally the costs of mediation and each party shall be responsible for their own costs in preparation and participation in the mediation, including **expert witness fees and reasonable attorney's fees.**

10.2.3 If a mediation process cannot be agreed upon or if the mediation fails to resolve the dispute then, within 30 calendar days, either party may submit the dispute to arbitration according to the procedures of the Superior Court Rules for Mandatory Arbitration,

including the Local Mandatory Arbitration Rules of the King County Superior Court, King County, Washington, as amended, unless the parties agree in writing to an alternative dispute resolution process. The arbitration shall be before a disinterested arbitrator selected pursuant to the Mandatory Arbitration Rules with both parties sharing equally in the cost of the arbitrator. The location of the arbitration shall be mutually agreed or established by the assigned Arbitrator, and the laws of Washington will govern its proceedings. Each party shall be responsible for its own costs in preparing for and participating in **the arbitration, including expert witness fees and reasonable attorney's fees.**

10.2.4 **Following the arbitrator's issuance of a ruling/award,** either party shall have 30 calendar days from the date of the ruling/award to file and serve a demand for a bench trial de novo in the King County Superior Court. The court shall determine all questions of law and fact without empanelling a jury for any purpose. If the party demanding the trial de novo does not improve its position **from the arbitrator's ruling/award following a final judgment, that party shall pay all costs, expenses and attorney fees to the other party, including all costs, attorney fees and expenses associated with any appeals.**

10.2.5 Unless otherwise agreed in writing, this dispute resolution process shall be the sole, exclusive and final remedy to or for either party for any dispute regarding this Agreement, and its interpretation, application or breach, regardless of whether the dispute is based in contract, tort, any violation of federal law, state statute or local ordinance or for any breach of administrative rule or regulation and regardless of the amount or type of relief demanded.

10.3 Assignment. Any assignment of this Agreement by either party without the prior written consent of the non-assigning party shall be void. If the non-assigning party gives its consent to any assignment, the terms of this Agreement shall continue in full force and effect and no further assignment shall be made without additional written consent.

The parties recognize that the RFA may enter additional interlocal agreements with other government agencies for the performance of the work called for in this Agreement. The parties also recognize that the RFA may become a party to an interlocal agency in conjunction with other south county municipalities for the purpose of performing the work called for in this Agreement. Covington agrees that by signing this Agreement, the performance of the work called for in this Agreement may be performed by an interlocal agency in which the RFA is a party, and that investigators who are employed by jurisdictions other than the RFA which are a party to that other interlocal agreement may perform the work called for in this Agreement; provided that all other terms of this Agreement shall apply to the performance of the work in Covington.

10.4 Modification. No waiver, alteration, or modification of any of the provisions of this Agreement shall be binding unless in writing and signed

by a duly authorized representative of each party and subject to ratification by the legislative body of each party.

10.5 Compliance with Laws. Each party agrees to comply with all local, federal and state laws, rules, and regulations that are now effective or in the future become applicable to this Agreement.

10.6 Entire Agreement. The written terms and provisions of this Agreement, together with any exhibits attached hereto, shall supersede all prior communications, negotiations, representations or agreements, either verbal or written of any officer or other representative of each party, and such statements shall not be effective or be construed as entering into or forming a part of or altering in any manner this Agreement. All of the exhibits are hereby made part of this Agreement. Should any of the language of any exhibits to this Agreement conflict with any language contained in this Agreement, the language of this document shall prevail.

10.7 Severability. If any section of this Agreement is adjudicated to be invalid, such action shall not affect the validity of any section not so adjudicated.

10.8 Interpretation. The legal presumption that an ambiguous term of this Agreement should be interpreted against the party who prepared the Agreement shall not apply.

10.9 Notice. All communications regarding this Agreement shall be sent to the parties at the addresses listed on the signature page of the Agreement, unless notified to the contrary. Any written notice hereunder shall become effective upon personal service or three (3) business days after the date of mailing by registered or certified mail, and shall be deemed sufficiently given if sent to the addressee at the address stated in this Agreement or such other address as may be hereafter specified in writing.

IN WITNESS, the parties below execute this Agreement, which shall become effective on the last date entered below.

COVINGTON:

KENT RFA:

CITY OF COVINGTON:

THE KENT FIRE DEPARTMENT REGIONAL FIRE AUTHORITY:

By: _____

By: _____

Print Name: Regan Bolli
Its City Manager

Print Name: Jim Schneider
Its Fire Chief

DATE: _____

DATE: _____

NOTICES TO BE SENT TO:

NOTICES TO BE SENT TO:

Regan Bolli, City Manager

Jim Schneider, Chief

City of Covington
16720 SE 271st Street
Covington, WA 98042

(253) 480-2400 (telephone)
(253) 480-2401 (facsimile)

APPROVED AS TO FORM:

Sara Springer,
City Attorney

Kent Fire Department RFA
24611 116th Ave SE
Kent, WA 98030

(253) 856-4300 (telephone)
(253) 856-6300 (facsimile)

APPROVED AS TO FORM:

Brian Snure,
RFA Attorney

Indemnification. The Kent RFA and the City shall each be responsible for the wrongful or negligent actions of its employees while participating in this Agreement as their respective liability shall appear under the laws of the State of Washington and/or Federal Law and this Agreement is not intended to diminish or expand such liability. To that end, each Agency promises to indemnify, defend and hold harmless the other Agency from any loss, claim or liability arising from or out of the negligent tortious actions or inactions of its employees, officers and officials. Such liability shall be apportioned among the Agencies or other at fault persons or entities in accordance with the laws of the State of Washington. Each Agency shall be solely responsible for its own attorney fees and any litigation related costs.

Nothing herein shall be interpreted to:

Waive any defense arising out of RCW Title 51, provided; however, each Agency agrees that its obligations under this provision extend to any claim demand, and/or cause of action brought by or on behalf of any of its employees or agents. The foregoing indemnity is specifically and expressly intended to constitute a waiver of each Agency's immunity under Washington's Industrial Insurance Act, RCW Title 51, as respects to the other Agencies only, and only to the extent necessary to provide each Agency with a full and complete indemnity of claims made by the other Agency's employees. The Agencies acknowledge that these provisions were specifically negotiated and agreed upon by them.

Limit the ability of a participant to exercise any right, defense, or remedy which an Agency may have with respect to third party Agencies or the officer(s) whose action or inaction give rise to loss, claim or liability including but not limited to an assertion that the employee was acting beyond the scope of his or her employment.

Cover or require indemnification or payment of any judgment against any individual or Agency for intentionally wrongful conduct outside the scope of employment of any individual or for any judgment for punitive damages against any individual or Agency. Payment of punitive damage awards, fines or sanctions shall be the sole responsibility of the individual against whom said judgment is rendered and/or his or her employer, should that employer elect to make said payment voluntarily. This agreement does not require indemnification of any punitive damage awards or for any order imposing fines or sanctions.

Notice of Claims or Lawsuits. In the event a claim is filed or lawsuit is brought against a party or its employees for actions arising out of their conduct in support of this Agreement that party shall promptly notify the other party that the claim or lawsuit has been initiated. Any documentation, including the claim or legal complaints, shall promptly be provided to each party.

This agreement shall remain in force until revoked or modified by the City Police Chief in writing.

By: _____
Police Chief

Agenda Item 1
Covington City Council Meeting
Date: October 27, 2015

SUBJECT: PUBLIC HEARING TO CONSIDER ANNEXATION PETITION FOR CERTAIN REAL PROPERTY KNOWN AS THE HAWK PROPERTY; AND CONSIDER RESOLUTION DECLARING ACCEPTANCE OF SAID ANNEXATION PETITION AND SUBMITTING NOTICE OF INTENT TO THE KING COUNTY BOUNDARY REVIEW BOARD.

RECOMMENDED BY: Richard Hart, Community Development Director
Ann Mueller, Senior Planner

ATTACHMENT(S):

1. Proposed Resolution providing for the Notice of Intent to Annex Certain Real Property known as the “Hawk Property Annexation” and directing Notice of Intent to be filed with the King County Boundary Review Board
2. October 1, 2015 Planning Commission Public Hearing Staff Memo with Attachments

PREPARED BY: Ann Mueller, Senior Planner

EXPLANATION:

A. Procedural Background

On November 14, 2014, consistent with RCW 35A.14.120, Oakpointe Holdings LLC (“Oakpointe”), on behalf of the Hawk Family Property and Hughes Family Investments, notified the city in writing of their intention to initiate the annexation of two unincorporated parcels (APN 2022069152 & 2022069012) of approximately 75 acres into the city (the proposed “Annexation Area”). The proposed Annexation Area is currently located in unincorporated King County and is contained within the City of Covington’s Urban Growth Area.

On January 13, 2015, the city council accepted Oakpointe’s notice of intention to commence annexation of the proposed Annexation Area with conditions to be met at the time of, or prior to, submitting a direct petition for annexation to the city. On January 14, 2015, the city sent the King County Boundary Review Board (the “BRB”) an advance courtesy notice of Oakpointe’s annexation proposal.

On May 11, 2015, Oakpointe submitted to the city a 60% Petition for Notice of Intent of annexation pursuant to RCW 35A.14.120 (the “Annexation Petition” or “Notice of Intent”). The Annexation Petition has been signed by all property owners within the proposed Annexation Area, constituting 100% of the assessed value. Oakpointe has also submitted subsequent revisions to the supporting documents to their Annexation Petition in response to staff comments and requests. On May 13, 2015, the King County Department of Assessments certified Oakpointe’s Annexation Petition and issued a determination of sufficiency per RCW 35A.01.040.

B. Council Public Hearing on Annexation Petition

The public hearing at tonight's council meeting on the Annexation Petition is statutorily required and is intended to allow the public, staff, and council to provide testimony regarding the proposed Annexation Petition. City staff has published and posted all required public notices for tonight's hearing in accordance with the applicable RCWs.

Upon completion of tonight's public hearing, the council will consider adoption of a resolution declaring its intent to annex the proposed Annexation Area (Attachment 1) so that staff may transfer Oakpointe's Annexation Petition to the BRB for further consideration and review, which review is required prior to the council considering an ordinance to officially incorporate the Annexation Area into the city.

C. Review of Annexation Petition—Municipal Services

City staff has performed an extensive review of Oakpointe's Annexation Petition—a summary of staff's assessment of the municipal services affected within the Annexation Area is included below. A more detailed review of the Annexation Petition is also noted in the following sections with the planning commission's and staff's recommendations.

1. Transportation

The Annexation Area is not directly accessible from public right of way at this time. Future planning and development of this annexation area as part of the Hawk Property Subarea will see the construction of a roadway through the annexation area to connect 204th Ave SE to SE 256th St. Funding for this collector arterial was approved by the Washington State legislature as part of their Transportation Budget in 2015.

2. Sanitary Sewer

The Soos Creek Water and Sewer District will provide sewer services and indicated they have master planned such that a gravity fed system can serve the planned development envisioned in the Hawk Property Subarea Plan. Sewer service into the property will be consistent with an approved Developer Extension Agreement and the district's comprehensive plan.

3. Water

There is no potable water infrastructure in the Annexation Area, but Covington Water District will provide water to the site. Water service will be extended into the property consistent with an approved System Extension Application and Agreement and the Covington Water District's Water System Plan Update (Feb 2007) or as amended at the time of development.

4. Fire and Emergency Services

The Kent Fire Department Regional Fire Authority will provide fire and emergency service to the proposed Annexation Area once annexed. The Annexation Area is currently within the King County Fire District 43 (Maple Valley Fire & Life Safety) service area. The nearest Kent Regional Fire Authority facility is Fire Station 78, located approximately 0.5 miles west of the subarea at the intersection of 180th Ave SE and SE 256th Street.

5. Police Services

The King County Sheriff's Office directly serves the Annexation Area. If annexed, the Covington Police Department will serve the area. Covington police officers are King County Sheriff's Office employees who are dedicated to Covington via contract and are based at Covington City Hall.

6. Schools

The proposed Annexation Area is located within the Kent School District boundary. On April 15, 2014, Tahoma School District agreed to transfer this area to the Kent School District. After annexation development will be subject to assessment of any school impact fees as required by Covington Municipal Code Chapter 18.120 as it currently exists or hereafter amended.

D. Planning Commission Recommendation

On October 1, 2015, the Covington Planning Commission held a public hearing on the Annexation Petition. The planning commission based their recommendation to the city council on the staff memo attached hereto as Attachment 2, which includes staff's analysis of the Annexation Petition as well as the seven attachments to the Annexation Petition, listed below:

1. Aerial of Hawk Property Annexation
2. Existing Conditions map, dated August 2015
3. Agency Mailing List
4. Property Owners within 1000 feet Mailing List
5. Staff consistency review of the Comprehensive Plan polices on Annexation
6. Park and Recreation Element Capital Improvement Plan Map, Figure 6.3
7. Comprehensive Plan Appendix T-3 (Annexation Process Criteria) & the Applicants narrative response to the annexation guidelines in T-3 submitted by Oakpointe, dated May 11, 2015

At their public hearing, the planning commission received one comment from a Covington resident, Elaine Kellner, 25830 193rd Pl., whose home abuts the Hawk Property Subarea to the south, who noted that her family had observed eagles flying over the Subarea.

Based on the information and materials provided by the applicant (Oakpointe), public testimony, and the attached staff memo, the Covington Planning Commission recommends the Covington City Council to approve the proposed Annexation Petition request and designation of the Annexation Area as part of the Hawk Property Subarea in the Comprehensive Plan's Future Land Use Map and designate the Annexation Area as R-6 on the city's zoning map.

E. Staff Recommendation

The Annexation Area is located within the city's Urban Growth Area and is identified as Potential Annexation Area #1 as adopted in the 2003 City of Covington Comprehensive Plan. The proposed annexation will not create an abnormally irregular boundary and is a logical extension of the city's corporate boundary. The Annexation Area is characterized by undeveloped land—portions of it are disturbed from prior gravel mining operations and currently used as material storage for a neighboring asphalt batch plant. Over half of the Annexation Area is designated as a critical area with wetlands and steep slopes. Public services are available to the

Annexation Area and will be constructed as development within the Hawk Property Subarea occurs.

Staff recommends that the city council accept Oakpointe's Annexation Petition and instruct staff to prepare and submit the Notice of Intent to the King County Boundary Review Board for their review.

F. Next Steps

Upon adoption of the proposed resolution declaring the city's intent to annex, staff will transmit Oakpointe's Notice of Intent to the BRB. Once the BRB receives the Notice of Intent they will coordinate review by county agencies, other affected agencies, and the public. The BRB reviews the Notice of Intent to annex at a board meeting and holds a public hearing if jurisdiction is invoked. The BRB then takes action to approve, deny, or modify the annexation application.

Upon approval of the annexation proposal by the BRB, staff will bring back an ordinance for the city council to formally annex the land in the Annexation Area and adjust the city limits accordingly.

ALTERNATIVES:

1. Recommend amendments or conditions to the proposed Annexation Petition.
2. Return the issue to city staff for further study and analysis.

FISCAL IMPACT:

Covington's Finance Department staff has reviewed the revised Fiscal Impact Analysis (FIA) received by the city from Oakpointe on August 31, 2015, for the annexation proposal, which is on file with the city and available for review upon request by council members or the public. Based on the FIA, staff did not see a negative fiscal impact to the city by annexing the proposed Annexation Area.

CITY COUNCIL ACTION: ___ Ordinance X Resolution ___ Motion ___ Other

Council member _____ moves, Council member _____ seconds, to pass a resolution, in substantial form as that attached hereto, to accept the Hawk Property 60% Annexation Petition with a designation of the Annexation Area as part of the Hawk Property Subarea in the Comprehensive Plan's Future Land Use Map and zoned as R-6 on the city's zoning map, and to direct staff to submit the Notice of Intent to the King County Boundary Review Board for further review.

REVIEWED BY: City Manager; Finance Director, City Attorney.

ATTACHMENT 1

RESOLUTION NO. 09-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON, PROVIDING FOR THE NOTICE OF INTENT TO ANNEX CERTAIN REAL PROPERTY KNOWN AS THE “HAWK PROPERTY ANNEXATION”, AND DIRECTING THAT A NOTICE OF INTENT BE FILED WITH THE KING COUNTY BOUNDARY REVIEW BOARD.

WHEREAS, this matter, commonly known as the “Hawk Property Annexation” has been processed under the Sixty Percent (60%) Petition Method as provided in Chapter 35A.14 of the Revised Code of Washington (RCW); and

WHEREAS, RCW 35A.14 authorizes the commencement of the annexation process upon the filing of a written Notice of Intent to Commence Annexation Proceedings with the city by the owners of property representing not less than ten percent (10%) of the assessed value of the area for which annexation is sought; and

WHEREAS, having received a legally sufficient request on November 14, 2014, to commence annexation proceedings from owners of two unincorporated parcels (APN 2022069152 & 2022069012) of approximately 75 acres, who represent in excess of ten percent (10%) of the assessed value of the proposed annexation area, on January 13, 2015, the Covington City Council accepted the petitioner’s request to proceed with their annexation petition; and

WHEREAS, on May 11, 2015, the annexation petitioners submitted to the City a sixty percent (60%) Petition for Notice of Intent of annexation pursuant to RCW 35A.14.120 (the “Annexation Petition” or “Notice of Intent”), reflecting the signatures of owners of property representing one hundred percent (100%) of the assessed value of the proposed annexation area; and

WHEREAS, on May 13, 2015, the King County Assessor officially certified the sufficiency of the Annexation Petition filed, finding that the parties signing the petitions were the owners of property representing at least sixty percent (60%) of the assessed value of the proposed annexation area; and

WHEREAS, on October 27, 2015, the city council properly noticed and conducted a public hearing on the proposed annexation as required by state statute; and

WHEREAS, the proposed annexation area comprises property within unincorporated King County, contiguous to the existing city limits, and situated within the City of Covington’s designated Urban Growth Area; and

WHEREAS, the City of Covington proposes to designate the proposed annexation area as part of the Hawk Property Subarea in the Comprehensive Plan consistent with the Hawk

Property Subarea Plan adopted by the council on February 11, 2014, along with associated comprehensive plan and zoning code amendments; and a Planned Action for the Hawk Property Subarea pursuant to the State Environmental Policy Act (Ord. #01-14, Ord. #02-14, Ord. #03-14 & Ord. #04-14); and

WHEREAS, the City of Covington proposes to designate the proposed annexation area as Single Family Residential R-6 zone classification upon annexation; and

WHEREAS, the proposed annexation represents a logical extension of the City of Covington corporate limits and utilities, police, fire and other municipal services are adequate and available to support the proposed annexation area upon annexation; and

WHEREAS, the proposed annexation is found to be in compliance with the criteria for annexation established in RCW 35A.14; and

WHEREAS, the proposed annexation is consistent with the intent and purpose of the Growth Management Act, which reads in relevant part: “in general, cities are the units of local government most appropriate to provide urban governmental services.” RCW 36.70A.110 (4) and the City of Covington seeks to fulfill its obligations and responsibilities under the Growth Management Act through annexation of the proposed area; and

WHEREAS, the Covington City Council has determined that the interest of the people of the City of Covington and the petitioners will be best served if the proposed area is annexed to and becomes part of the City of Covington;

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

Section 1. Notice of Intent to Annex. The Covington City Council hereby declares its intent to annex the real property described on Exhibit “A” and depicted on Exhibit “B”, attached hereto and incorporated by this reference, (the “Annexation Area”) into the City of Covington.

Section 2. Assumption of Existing City Indebtedness. The City further intends that all property within the Annexation Area shall be assessed and taxed at the same rate and on the same basis as other property within the City of Covington including assessments or taxes in payment of all or any portion of the outstanding indebtedness of the City contracted, incurred prior to, or existing on the date of annexation.

Section 3. Zoning Controls for Annexation Area. The City further establishes that proper zoning designations and designation of the Annexation Area on the City of Covington future land use map shall be established by ordinance concurrent with final approval of the annexation.

Section 4. Duties of the City Staff. Upon adoption of this resolution, city staff is directed to file a Notice of Intent to Annex with the King County Boundary Review Board for approval pursuant to RCW 36.93. Following action of the King County Boundary Review

Board, staff is directed to bring this matter back to the Covington City Council for further action consistent with the provisions of RCW 35A.14.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF COVINGTON,
WASHINGTON, AT A REGULAR MEETING THEREOF, ON THIS 27TH DAY OF
OCTOBER, 2015.**

Mayor Margaret Harto

ATTESTED:

Sharon Scott, City Clerk

APPROVED AS TO FORM:

Sara Springer, City Attorney

**CORE DESIGN, INC.
BELLEVUE WA 98007**

**Core Project No: 14028
3/19/15**

LEGAL DESCRIPTION-Annexation Area

PARCEL D:

**THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 20,
TOWNSHIP 22 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY,
WASHINGTON;**

PARCEL E:

**THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 20, ALL
IN TOWNSHIP 22 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING
COUNTY, WASHINGTON;**



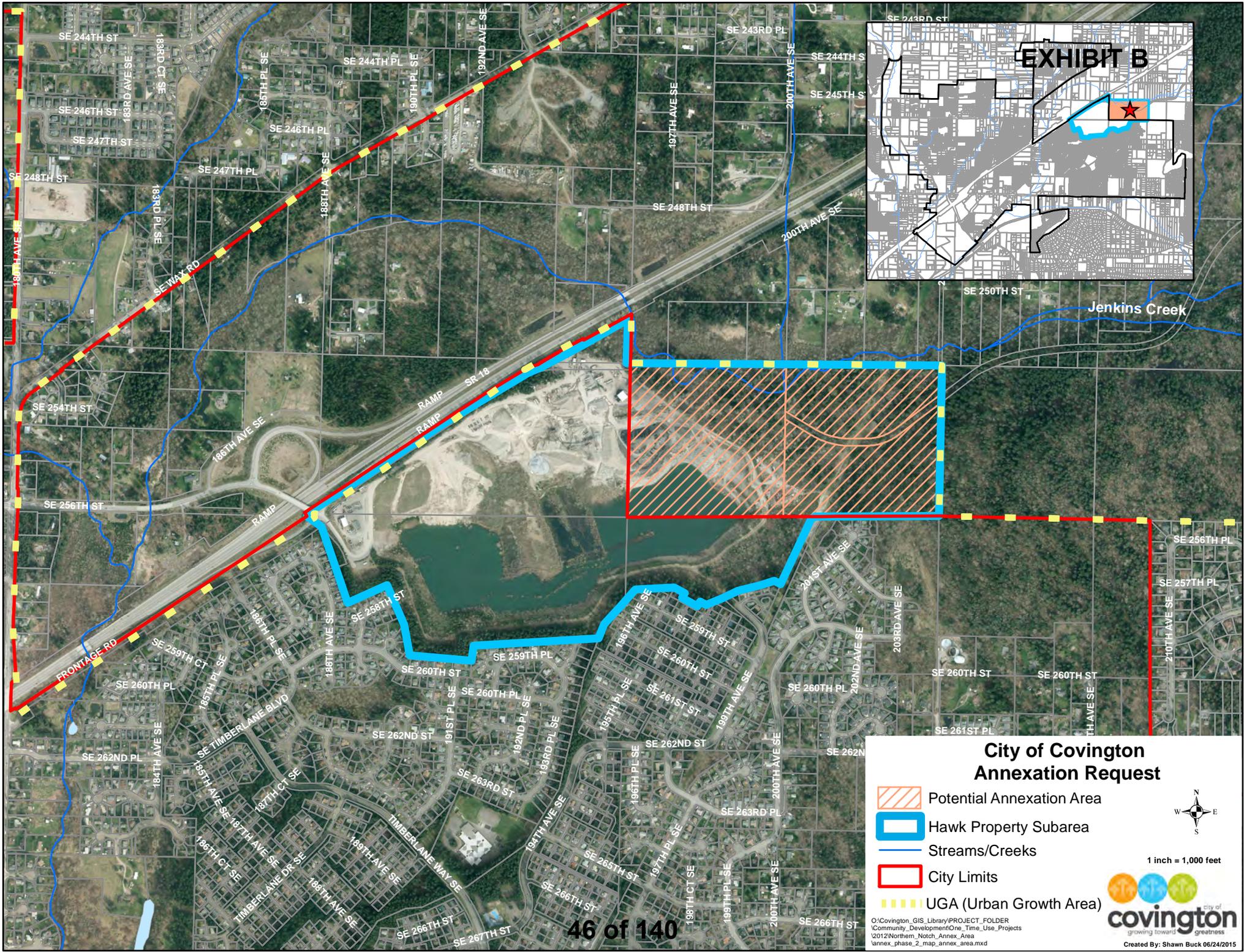


EXHIBIT B



Jenkins Creek

**City of Covington
Annexation Request**

-  Potential Annexation Area
-  Hawk Property Subarea
-  Streams/Creeks
-  City Limits
-  UGA (Urban Growth Area)



1 inch = 1,000 feet



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Community_Development\One_Time_Use_Projects
2012\Northern_Notch_Annex_Area
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Created By: Shawn Buck 06/24/2015



ATTACHMENT 2 Memo

To: Planning Commissioners
From: Richard Hart, Community Development Director
Ann Mueller, Senior Planner
CC: Salina Lyons, Principal Planner
Rob Hendrickson, Finance Director
Casey Parker, Senior Accountant
Date: October 1, 2015
Re: Public Hearing on the Annexation Request by Oakpointe Holdings LLC for 75 acres in the UGA and the Hawk Property Subarea.

Attachments:

1. Aerial of Hawk Property Annexation Area
2. Existing Conditions map, dated August 2015
3. Agency Mailing List
4. Property Owners within 1000 feet Mailing List
5. Staff consistency review of Comprehensive Plan policies on Annexation
6. Park and Recreation Element Capital Improvement Plan Map, Figure 6.3
7. Comprehensive Plan Appendix T-3 & the Applicants narrative response to the annexation guidelines in T-3 submitted by Oakpointe, dated May 11, 2015

A. Summary

The city received a request from Oakpointe Holdings LLC (“Oakpointe”) to annex two parcels of land, King County Parcel numbers 2022069152 and 2022069012 (the “Annexation Area” or “Area”), totaling over 75 acres into the City of Covington. The Annexation Area is owned by the Hawk Family Properties (“Hawk Family”) and the Hughes Family Investments (“Hughes Family”) (collectively the “Owners”). (See Attachment 1 for an aerial of the Annexation Area.) Oakpointe is under contract to purchase the entirety of the Annexation Area from the Owners and is authorized to submit the annexation request on behalf of the Owners. At this time, Oakpointe is proposing to designate the Annexation Area in the city’s comprehensive plan’s “Future Land Use Map” as part of the Hawk Property Subarea and zone the Annexation Area R-6 (Medium Density Residential).

The Annexation Area is included and was studied as part of the Hawk Property Subarea Plan (the “Hawk Subarea Plan”). On February 11, 2014, the City Council approved the Hawk Subarea Plan and associated comprehensive plan and zoning code amendment, which included a Planned Action Environmental Impact Statement (“PA EIS”) for the Hawk Subarea Plan pursuant to the State Environmental Policy Act (SEPA). (Ord. #01-14, Ord. #02-14, Ord. #03-14 & Ord. #04-14).

B. Annexation Process to Date

All annexations by code cities in the state of Washington must comply with the provisions of the Revised Code of Washington (RCW) 35A.14. These laws regulate the eligibility of property for annexation and specify the minimum process and criteria to be used in evaluating and approving proposed annexations. Cities located in counties that plan under the Growth Management Act (GMA) may only annex property that is located within their designated urban growth areas (UGA).

The Annexation Area has been included in a designated UGA to the City of Covington since city incorporation in 1997 and is consistent with the city’s original comprehensive plan adopted in 2002.

On November 14, 2014, consistent with RCW 35A.14.120, Oakpointe notified the city council in writing of their intention to commence annexation of the Annexation Area (APN 2022069152 & 2022069012) via the direct petition method (the “Notice of Intention”).

On January 13, 2015, the city council accepted the Notice of Intention to commence annexation of the Annexation Area with the following conditions that shall occur at the time of, or prior to, submitting a direct petition for annexation to the city:

- 1) Zoning. A survey prepared by a Washington State licensed professional land surveyor or a boundary line adjustment application will be provided showing the proposed location of the zoning districts consistent with the Hawk Subarea Plan;
- 2) Supporting information and studies. All supporting information and studies as outlined in the Land Use Element and Appendix T-3 of the Covington Comprehensive Plan will be provided to allow staff and council to fully evaluate the proposal’s impacts and consistency with the city’s codes, plans, and policies; and
- 3) Debt. Acknowledgement that all property within the annexation area will be assessed and taxed at the same rate and on the same basis as other property in the city limits, including assessments for taxes and payment of any bonds issued or debts contracted prior to or existing as of the date of annexation.

On January 14, 2015, the city sent the King County Boundary Review Board an advance courtesy notice of Oakpointe’s annexation proposal.

On May 11, 2015, the city received an application from Oakpointe with supporting documentation, including a petition for annexation pursuant to RCW 35A.14.120, signed by all property owners for the two parcels included in the Annexation Area (the “Annexation

Petition”). Oakpointe has submitted subsequent revisions to the supporting documents in response to the city’s review comments.

On May 13, 2015, the King County Department of Assessments certified the Annexation Petition.

C. Public Hearings and Notice

City code requires the planning commission to hold a public hearing and make a recommendation to the city council on the Annexation Petition. The city council may choose to hold a separate public hearing on the Annexation Petition prior to making a decision. State law requires that notice of any public hearings on the Annexation Petition be published in the newspaper of general circulation in the city. Public notice for the planning commission public hearing was published in the Covington Reporter on September 11, 2015. Public notice was also posted at City Hall on September 11, 2015.

Public notice signs with flyers giving the time and place of the planning commission hearing were also posted on September 7, 2015, along public right of way in the vicinity of the Annexation Area because the actual area proposed for annexation is not accessed by or abutted by any public roads. City staff also posted two legal notices in the Annexation Area on September 16, 2015.

In addition to the state-required public notice, on September 15, 2015, staff mailed public notice to 40 potential federal, state, and local agencies of potential interest in the Annexation Petition. (See Attachment 3 for mailing list)

On September 14 & 15, 2015, public notice of the Annexation Petition and planning commission public hearing was mailed to owners of property located within 1000 feet of the Annexation Area. (See Attachment 4 for mailing list)

Public and Agency Comment:

At the time of this staff memo’s preparation, staff had received no public comments from members of the public or public agencies. The Muckleshoot Indian Tribe inquired about the wetland report for the Annexation Area, and staff emailed them a copy of the revised Stream and Wetland Report on July 16, 2015. A second revision of the report was provided to Muckleshoot Indian Tribe via email on August 17, 2015.

D. Land Use Review

Existing King County Classification:

The Annexation Area is located in unincorporated King County. King County’s current Comprehensive Plan Land Use Map designation for this area is “Mining” and the zoning for the two parcels is “MP – Mineral” with the “P” designating parcel-specific conditions relating directly to mining operations.

Zoning and Land Use Designations Adjacent to Annexation Area

	North(King County)	South(city)	East(King County)	West(city)
Adjacent Zoning Designation	RA-5	Mineral & R-6	RA-5	Mineral
Adjacent Comprehensive Plan Future Land Use Map Designation	Rural	Hawk Property Subarea & Medium Density Residential 4du/ac	King County Open Space System	Hawk Property Subarea
Adjacent Land Uses	Rural low density single family residential	Former gravel mine site – under reclamation & Single family residential	Cedar Downs Site (King County Parks)	Asphalt Batch Plant

Existing Conditions:

As stated above, the Annexation Area is approximately 75 acres, comprised of two parcels (2022069152 & 2022069012) and currently undeveloped. The Area is not directly accessible by any developed public roads. The western property line of the Area abuts an active asphalt batch plant operated by Lakeside Industries. To the north of the Area are existing single family developments located in unincorporated King County. Abutting the Area’s east property line is Cedar Downs park land owned by King County Parks. To the southwest of the Area is a large pond that was part of the prior gravel mining activity which has ceased and is now undergoing reclamation under a permit issued and monitored by the Washington State Department of Natural Resources. In addition, abutting the Area to the south are existing single family homes in the Shire Hills subdivision and an undeveloped tract of the Maple Hills subdivision that is expected to be subdivided in a future phase of that development. A 75 foot easement for the Williams Northwest gas pipeline crosses the Area from northwest to southeast.

There are no buildings located on the Annexation Area; portions of the Area (along the south and western property lines) have previously been used for mineral resource extraction (gravel).

Critical Area Assessment:

A revised wetland and stream report submitted by Oakpointe on August 17, 2015, and is on file with the city, describes Jenkins Creek as a known fish-bearing stream located within the forested area along the north portion of the Annexation Area. Jenkins Creek flows from east to west, and there is a large wetland present on either side of the stream.

A geotechnical assessment of the Annexation Area, dated May 5, 2015, was submitted by Oakpointe, and is on file with the city, which indicates that the eastern portion of the Annexation Area contains steep slope areas that meet the city’s technical criteria of an erosion and steep slope hazard pursuant to CMC 18.65. The vegetation in the steep slope is well established and consists of medium dense second growth trees and a substantial low growing understory. Portions of the steep slope areas show evidence of use by recreation vehicles (trespassing) and narrow social paths that have cut into a portion of the hillside. The geotechnical report stated that

no signs of slope instability or significant erosion were observed. Portions of the Area do contain steep slope hazard areas; city code requires a 50 foot buffer from all sides of the hazard area.

Critical Areas On-site:

The city is referencing King County standards for the critical areas due to the conditions in the FEIS for the Hawk Subarea Plan, whereby the developer is required to apply King County setbacks to the stream and wetlands onsite, versus the applicable City of Covington critical area setback requirements outlined in CMC 18.65. Staff determined that the county's stream and wetland buffers are more restrictive than the city's buffers and required them as part of the Planned Action EIS mitigation requirements adopted in the Planned Action Ordinance.

- Jenkins Creek –Type F- 115 ft standard buffer. Jenkins Creek is a known fish-bearing stream, but it is not designated by the city or county in this location as a Shoreline of the State. Therefore, Jenkins Creek is classified as a Type F stream. King County Code (KCC) (21A.24. 358) requires Type F streams to have a standard buffer of 115 feet.
- Wetlands – Category I. The wetland located on either side of Jenkins Creek in the Annexation Area contains more than one contiguous acre of mature, healthy forest, which classifies it as having special characteristics resulting in a classification as a Category 1 wetland. The wetland report for the Area stated that, when rated for functions, the wetland has an overall score of 50 points with a habitat score of 22 points. Category I wetlands that received 22 habitat points are assigned a standard buffer of 165 feet per KCC (21A.24.325). Approximately 45% of the Annexation Area is covered by wetlands and the standard buffer area. Twenty acres of the Annexation Area is covered by wetlands, and the 165 foot buffer from the wetlands (which is considered critical area) comprises another 14 acres.
- Steep Slope Hazard Areas – 50 foot minimum buffer. Approximately 6 acres of the Annexation Area meet the definition of a steep slope hazard pursuant to city code. At the time of future development permits the applicant may submit a subsequent report assessing the steep slopes and proposed development to determine the final setback.
- Erosion Hazard Areas and Landslide Hazard Areas. The technical report submitted by Oakpointe concluded that in their opinion the steep slopes in the Annexation Area did not meet the criteria to be classified as an erosion hazard or landslide hazard area per city code. City staff will further evaluate the slopes in the Area at the time a development application is submitted and make a final determination on this classification.

E. Proposed Future Land Use Designation and Zoning

The proposed Covington Comprehensive Plan Future Land Use Designation for the Annexation Area is “Hawk Property Subarea” with a zoning classification of R-6 (Medium Residential), which is consistent with the comprehensive plan’s Future Land Use designation and the associated potential zoning of the Hawk Property Subarea.

The Annexation Area, along with the adjacent 132 acres of land to the south and west, were part of an extensive and multi-year planning and environmental review of the area referred to as the

Hawk Property (the “Hawk Subarea” or “Subarea”). The Hawk Subarea is comprised of 6 parcels, 5 of which are owned by the Hawk Family and one parcel was formerly owned by the Washington State Transportation Department and purchased by Oakpointe earlier this year.

Significant public and agency outreach and input was solicited and received to study the comprehensive development, and subsequent impacts, of a mixed-use urban village on the Hawk Subarea. In January of 2014, the Covington City Council approved the Hawk Property Subarea Plan (Ord. 01-14) and a Planned Action Ordinance (Ord. 04-14) for the Subarea. A planned action is a development project whose impacts have been addressed by an Environmental Impact Statement (EIS) associated with a plan for a specific geographic area before individual projects are proposed within that area. A planned action involves detailed SEPA review and preparation of EIS documents in conjunction with a subarea plan, consistent with RCW 43.21C.031 and WAC 197-11-164 through WAC 197-11-172.

As part of the above Subarea planning and environmental review, the Annexation Area Owners anticipated the annexation and classified the area in the Future Land Use Map as “Hawk Property Subarea”. Zoning within the Hawk Property Subarea was to be consistent with the vision, scope, and concept as laid out in the Hawk Subarea Plan (e.g. R-6, R-12, MR and RCMU). The zoning designation of R-6 for the Annexation Area is consistent with the city’s comprehensive plan. It is expected that within the next year or two, to further implement the urban village vision of the Subarea, a subsequent zoning map amendment will be submitted in association with a boundary line adjustment or subdivision application to allow the development of the Subarea envisioned in the Subarea’s concept plan, while also protecting the critical areas identified on the Subarea. The exact location, size and zoning will be evaluated at that time to ensure consistency with the vision of the Hawk Subarea Plan and protection of critical areas.

F. Conformance with Covington’s Comprehensive Plan

Land Use Element Goals & Policies

The Covington Comprehensive Plan’s Land Use Element contains one goal and 24 policies that specifically address the UGA and Potential Annexation Areas (Land Use Goal #2). (See Attachment 5 for a list of these policies and staff’s consistency review).

Future Land Use Map and Associated Zoning

Covington’s Comprehensive Plan Land Use Element section 2.6.12 has anticipated the Subarea as being designated as the Hawk Property Subarea, consistent with the Subarea Plan on the Future Land Use Map. Land Use Element Table 2.6 contains zoning districts that are consistent with and implement the Future Land Use Map designation, which includes R-6 – Medium Density Residential (6 dwelling units per acre). As has been noted previously, within the next two years the city anticipates Oakpointe to submit a subsequent Zoning Map Amendment, associated with a subdivision or lot line adjustment application, that will include a rezone of developable areas of the Annexation Area to further implement the vision of the Hawk Property Subarea Plan.

Park and Recreation Element

The Park and Recreational Element identifies two proposed shared-use trails that cross the Annexation Area: Pipeline Trail & the Jenkins Creek Trail. In the vicinity, but not shown as crossing the Annexation Area, are two additional trails: Timberline Trail and the SR 18 trails. These trails have been identified in more detail in the capital improvement plan of the city's PROS Plan. (See Attachment 6 for Park and Recreation Element Capital Improvement Plan Map, Figure 6.3). At this time Oakpointe has not identified the precise location of these shared-use trails.

The city is requesting that the future master developer of the entire Subarea submit a master circulation map that includes the location and timing of development of these trails. In the future, if the property owner or developer requests to subdivide or adjust the property lines within the Area, or vacates the unopened ROW, staff will require them to dedicate trail easements for public use to be developed in conjunction with the overall development of the Subarea. In general, these shared-use trails are expected to be a minimum of 12-14 feet wide and comply with state and federal accessibility guidelines. Surfacing should be appropriate to the location and expected use, and boardwalks may be appropriate in wetland areas consistent with city codes.

Public open space will be provided consistent with city level of service standards adopted in the comprehensive plan.

Environmental Element

Numerous policies within the Environmental Element support and require the protection and enhancement of critical areas. These include provisions that the city ensure decisions regarding fundamental site design are made prior to the initiation of land surface modifications (EVP 1.5), require developers to provide the city with accurate and valid environmental information (EVP 1.9), and assign zoning designations that will protect natural resources and environmentally sensitive areas to any additional annexed areas to the city (EVP 1.14). Furthermore, in the Hawk Property Subarea, development shall actively promote the use of Low Impact Development (LID) techniques to reduce storm water runoff quality and pollutant loading, particularly in areas adjacent to Jenkins Creek (EVP 2.9).

As part of their Annexation Petition application material, Oakpointe provided a Stream and Wetland Report and Geotechnical Assessment to identify the location and assess the existing condition of the critical areas located within the Annexation Area. Based on city staff and consultant review, these documents were subsequently revised to ensure they address the city's code and the Planned Action EIS mitigation measures adopted in the Planned Action Ordinance. The Planned Action Ordinance specifically includes several mitigation measures that apply more protective setbacks to the wetlands adjacent to Jenkins Creek. Furthermore, to protect the wetland/riparian corridor, the wetland stream and wetland critical areas (including buffer) are required to be put under a protective easement or a non-buildable tract and dedicated to the city or a conservation organization approved by the city(mitigation measure #23). A stewardship program for natural open spaces and critical areas shall be created by Oakpointe at the time easements or tracts are approved for the Subarea and prior to development occurring within 500 feet of the onsite critical areas (mitigation measure #24).

To further ensure consistency with the Environmental Element's policies, prior to any future land disturbing activity in the Annexation Area, the city will require the Owners, or their representative Oakpointe, to consult with the United States Army Corps of Engineers to obtain an official determination that jurisdictional waters of the United States are either present or absent in the Hawk Property Subarea. The city has been encouraging Oakpointe to begin this process as early as possible.

Appendix T-3

Boundary Review Board Review per State Law

The Annexation Area is located within the city's urban growth area and is consistent with the provisions of RCW 35A.14. State law requires the review and approval of any annexation by a Boundary Review Board (BRB). The objectives of the BRB, pursuant to RCW 36.93.180, are to achieve the following:

1. Preservation of natural neighborhoods and communities;
2. Use of physical boundaries, including but not limited to, bodies of water, highways, and land contours;
3. Creation and preservation of logical service areas;
4. Prevention of abnormally irregular boundaries;
5. Discouragement of multiple incorporations of small cities and encouragement of incorporation of cities in excess of 10,000 population in heavily populated urban areas;
6. Dissolution of inactive special purpose districts;
7. Adjustment of impractical boundaries;
8. Incorporation as cities or towns or annexation to cities or towns of unincorporated areas which are urban in character;
9. Protection of agricultural and rural lands which are designated for long-term productive agricultural and resource use by a comprehensive plan adopted by the county legislative authority.

If the city council votes to approve the Annexation Petition, staff will forward the approved Annexation Petition request to the Boundary Review Board for a decision. The Boundary Review Board has 45 days to act upon the request and may require conditions of approval to be adopted by the city prior to accepting the Annexation Petition.

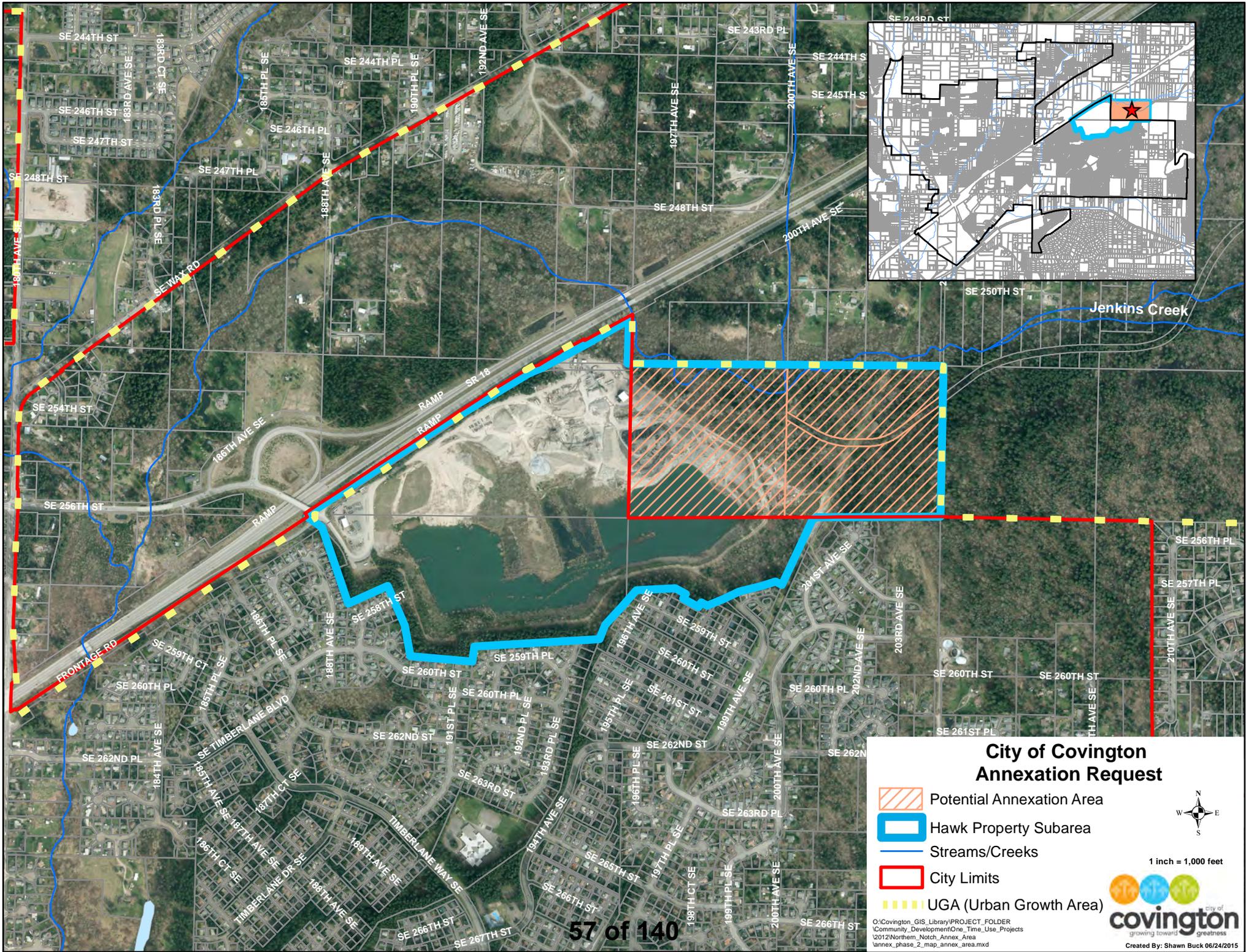
Next Steps:

At tonight's meeting the planning commission will hold a public hearing on the Hawk Property Annexation Petition to allow members of the public and agency staff to comment and provide testimony on the proposed Annexation Petition. The planning commission may discuss the annexation, public comments, and then ask staff questions or request additional information; or they may deliberate and decide they have adequate information to forward a recommendation to the city council to approve or not approve the Annexation Petition.

Recommended Motion:

Based on the information and materials provided by the applicant, public input, and this staff memo, the Covington Planning Commission recommends the Covington City Council approve the proposed Annexation Petition request and designation of the Annexation Area as part of the Hawk Property Subarea in the Comprehensive Plan's Future Land Use Map and designate the Annexation Area as R-6 on the city's zoning map.

Attachment 1. Aerial of Hawk Property Annexation Area



City of Covington Annexation Request

-  Potential Annexation Area
-  Hawk Property Subarea
-  Streams/Creeks
-  City Limits
-  UGA (Urban Growth Area)



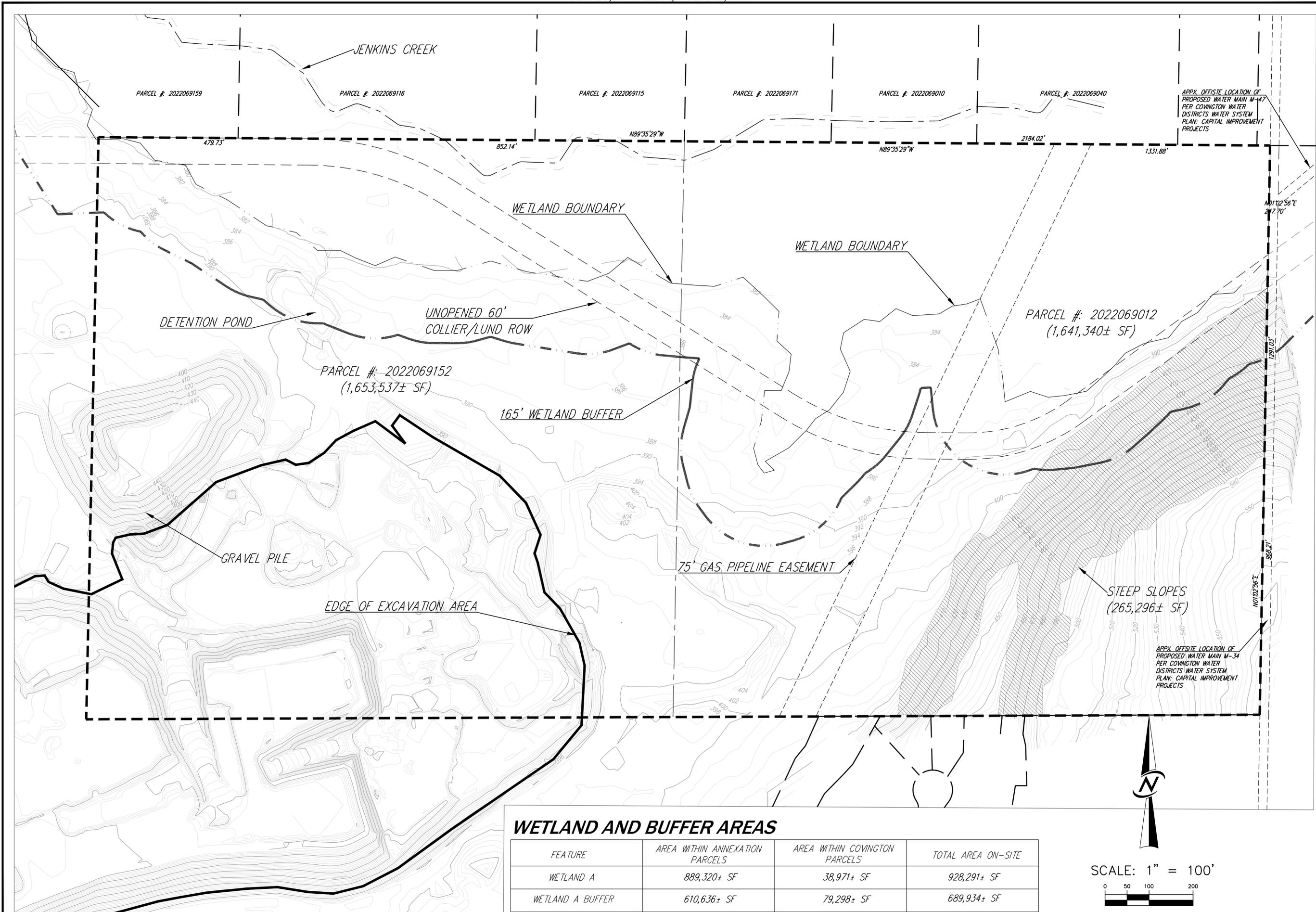
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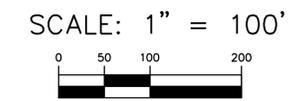
Created By: Shawn Buck 06/24/2015

Attachment 2. Existing Conditions Map



WETLAND AND BUFFER AREAS

FEATURE	AREA WITHIN ANNEXATION PARCELS	AREA WITHIN COVINGTON PARCELS	TOTAL AREA ON-SITE
WETLAND A	889,320± SF	38,971± SF	928,291± SF
WETLAND A BUFFER	610,636± SF	79,298± SF	689,934± SF



REVISIONS

NO.	DATE	DESCRIPTION

14711 NE 29th Place Suite 101
Bellevue, Washington 98007
425.885.7877 Fax 425.885.7963

CORE DESIGN
ENGINEERING • PLANNING • SURVEYING

ANNEX EXHIBIT: EXISTING CONDITIONS
HAWK PROPERTY
OAKPOINTE COMMUNITIES
10220 NE POINTS DRIVE, SUITE 310
KIRKLAND, WA 98033

DATE	AUGUST 2015
DESIGNED	
DRAWN	
APPROVED	
PROJECT MANAGER	LAFE HERMANSEN
SHEET	OF
1	1
PROJECT NUMBER	14028

Attachment 3. Agency Mailing List

US Army Corp of Engineers, Seattle Dist.
Attn: Sarah Rahman
OD-RG
PO Box 3755
Seattle, WA 98124-3755

United States Fish & Wildlife Service
Attn: Ken Berg, Manager
Washington Fish and Wildlife Office
510 Desmond Drive SE Suite 102
Lacey, WA 98503

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Bonneville Power Administration
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1904 3rd Ave Ste 105
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Puget Sound Partnership
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PSRC
1011 Western Ave Ste 500
Seattle, WA 98104

Office of Financial Management
Forecasting Division
318 General Administration Building
PO Box 43113
Olympia, WA 98504-7703

Washington State Department of
Natural Resources
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PO Box 47037
Olympia, WA 98501-7037

Washington State Department of Fish
and Wildlife
Attn: Larry Fisher
1775 12th Ave NW
Issaquah, WA 98027

Washington State Dept. of Ecology
PO Box 47703
Olympia, WA 98504

Washington State Dept. of Commerce
Growth Management Services
PO Box 42525
Olympia, WA 98504-1100

Dept. of Natural Resources
Mining Reclamation
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Washington State Dept. of
Transportation – Real Estate Services
PO Box 47338
Olympia, WA 98504-73338

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Olympia, WA 98504

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Maple Valley, WA 98038

Planning Director
City of Kent Planning Department
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City of Black Diamond
Planning Director
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Kent School District Transportation
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Hawk Family Properties
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Bellevue, WA 98004

Kathrine Taylor
PSE
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KENT WA 98042

Agnes Valenzuela
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Desiree L & Gray Ronal Lesser
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Gabriela Torres
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Ralph M Jr Lewis
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25804 188TH AVE SE
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Jeff M & Lavina Haas
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Paul M & Dawn L Arneson
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KENT WA 98042

Bruce & Rebecca Witherbee
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A Rick Meininger
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COVINGTON WA 98042

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Stewart Perthou
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Attachment 5. Staff consistency review of Comprehensive Plan policies

Land Use Policies related to the UGA and Potential Annexation Areas	Staff Review of Annexation requests applicability and consistency with these policies
LNP 2.1 The UGA boundary is determined by King County in consultation with the City of Covington, pursuant to RCW 36.70A. The UGA will reflect the growth management population projections as provided by the state’s office of financial management, the regional growth vision as expressed in Vision 2040 and the Countywide Planning Policies, and the vision, goals and policies provided in the city’s Comprehensive Plan.	The Hawk Property Annexation Area is comprised of two parcels, both located within the city’s UGA.
LNP 2.2 The UGA shall provide enough land to accommodate at least twenty years of projected growth of households and employment.	The Hawk Property Annexation Area is comprised of two parcels both located within the city’s UGA.
LNP 2.3 Monitor the available land capacity within the city’s UGA as build out occurs and make necessary adjustments in coordination with King County, consistent with the Countywide Planning Policies.	Not Applicable.
LNP 2.4 Include all unincorporated urban areas adjacent to Covington within the Potential Annexation Area, working with King County, adjacent cities and jurisdictions, and citizens in Unincorporated King County.	The Hawk Property Annexation is designated as one of the city’s Potential Annexation Area.
LNP 2.5 Coordinate future planning and interlocal agreements for Potential Annexation Areas (PAA) with the appropriate agencies and jurisdictions. Work with King County to develop an interlocal agreement between the City and County for pending development applications in the PAAs to be processed by the County in a manner that is consistent with the City’s Comprehensive Plan policies.	No interlocal agreement is associated with this annexation request. All adjacent jurisdictions have been notified of the annexation request and public hearing. There are no existing structures on the site and no pending development applications in the annexation area.
LNP 2.6 Consider only annexations that are within the Potential Annexation Area. Annexations shall be phased to coincide with the ability of the City, public services districts and utility purveyors serving the area to provide a full range of urban services to areas to be annexed.	The Hawk Property Annexation is designated as one of the city’s Potential Annexation Area. The city’s has evaluated and worked with public service districts and utility purveyors to understand the demands of the planned development within the Hawk Property Subarea, which encompasses the Annexation Area. The Planned Action EIS prepared for the Hawk Property Subarea Plan included input from service providers and utilities on the cost of extending services into the subarea, the cost of which will be borne by the future developer of the subarea.
LNP 2.7 Confer with water, sanitary sewer, solid waste, electric, natural gas, telecommunication and other public service providers to ensure their services can support the planned growth in the City and UGA, and meet desired	Over 40 public agencies were notified of the Hawk Property Annexation request and public hearings. Prior to this all had been

<p>customer service needs while maintaining existing levels of services in the City.</p>	<p>informed and asked for input on their ability to provide service to the Hawk Property Subarea as part of the environmental review of the Hawk Property Subarea Plan. None have indicated that they would be unable to provide services to the subarea or that it would impact existing levels of services. Extension of water, sewer, utilities, etc. is the responsibility of the developer of this property and will be address by the city as part of future development applications.</p>
<p>LNP 2.8 The City Council shall not make a decision on any annexation request until a cost benefit analysis is completed and the City Council has had adequate opportunity for review.</p>	<p>The applicant submitted a Fiscal Impact Analysis of the annexation property in context with the development envision for the entire Hawk Property Subarea and studied for in the Planned Action EIS. The city’s financial staff has reviewed the analysis (dated Aug 28, 2015) and do not feel there will be a negative fiscal impact to the City.</p>
<p>LNP 2.9 Annexation areas should be able to pay its determined fair share of required services and should not have a negative financial impact on the City. Funding of certain facilities and services by property owners and residents of the annexation area may be a requirement of annexation.</p>	<p>Future development within the Annexation Area as well as within the entire Hawk Subarea will have to build or pay for extension of services and necessary infrastructure at the time of development.</p>
<p>LNP 2.10 Owners of land annexing to the City of Covington shall be subject to their proportionate share of the City’s bonded indebtedness.</p>	<p>The owners have acknowledged that once annexed they are subject to their proportionate share of the City’s bonded indebtedness.</p>
<p>LNP 2.11 Designate future “Potential Annexation Areas” to facilitate long-range planning and decision making consistent with Covington’s long term growth needs.</p>	<p>The Annexation Area is located within a designated Potential Annexation Areas and once annexed will be developed to help facilitate the city’s long term growth needs.</p>
<p>LNP 2.12 Actively pursue extensions of the UGA to include both sides of roads to enable roadway corridor improvements to be consistent on both sides of the corridor. Individual annexations should evaluate abutting roadways and intersections to assign responsibility for their construction and maintenance to a single jurisdiction. In some instances it may be appropriate to annex frontage lots on both sides of the road for consistent development.</p>	<p>Not applicable – There are no developed public roads serving or abutting the Annexation Area.</p>
<p>LNP 2.13 Individual annexations should have access from a City street or state highway, and should represent a logical and timely expansion of the City’s street network. Future street grid system plans should be considered.</p>	<p>There are no developed public roads accessing or abutting the Annexation Area at the time of application. However, the extension of 204th Ave SE, north from where it is currently developed and then curving west to connect to SR 18 is part of the subarea plan and a requirement for development under the Planned Action EIS.</p>

	<p>Furthermore, the applicant of this annexation application is the owner of the Maple Hills Subdivision to the south that is currently being developed and Maple Hills Division III will include an extension of the 204th Ave SE right of way north through the subdivision to the city limits, adjacent to the Annexation Area.</p>
<p>LNP 2.14 Actively pursue extensions of the Urban Growth Boundary to include City-owned lands.</p>	<p>Not applicable.</p>
<p>LNP 2.15 Identify preferred future land uses in the Comprehensive Plan for the Potential Annexation Areas.</p>	<p>The Hawk Property Subarea Plan and associated Planned Action EIS considered and identified the future land uses in this Annexation Area. Consistent with the subarea plan the annexation area will be designated as Hawk Property Subarea on the Future Land Use Map. A conceptual site plan of the Hawk Property showing intended land uses within the subarea was included in the adopted subarea plan. Zoning designations associated with the adopted future land use map designation are included in the Comprehensive Plan. The proposed zoning of this area is consistent with the zoning permitted within the Hawk Property Subarea. In the future staff is expecting to receive a new zoning map amendment application for the entire 212 acre Hawk Property Subarea consistent with the vision of the subarea plan.</p>
<p>LNP 2.16 Appropriate zoning districts should be designated for property in an individual annexation proposal; zoning in the annexation area should be consistent with the comprehensive plan land use designations.</p>	<p>The Comprehensive Plan’s land use designation for the Annexation Area is Hawk Property Subarea. For the purpose of this annexation, the annexation area will be zoned R-6, which is consistent with the zoning allowed under the Hawk Property Subarea Future Land Use designation and with the zoning designation of the adjacent land to the south within the city’s boundaries. Staff concurs this is an appropriate zoning designation until such time the zoning application is processed.</p>
<p>LNP 2.17 Individual annexations should improve environmental quality through identification and protection of open space corridors and critical areas, and the dedication and construction of trail and park systems, where appropriate.</p>	<p><u>Critical Areas:</u> A Wetland and Stream Report and a Geotechnical Assessment were prepared by the applicant to identify critical areas within the annexation area. Based on the information in those reports, approximately</p>

35% of the annexation area contains critical areas (not including the area within required setbacks). When required setbacks are included over 50% of the site is covered by critical areas. Description of each identified critical areas is provided in a Stream and Wetland Report and a Geotechnical Assessment on file with the city and summarized below:

Jenkins Creek –Crosses the annexation area flowing from east to west meandering on and off the property along its northern boundary. It is a fish bearing stream (Type F) but not designated as a Shoreline of the State within the annexation area. The standard buffer setback for a Type F stream is 115 feet.

Wetlands – adjacent to Jenkins creek is a 928,291 sq. ft Category I wetland based on special characteristics, (i.e. contains over one contiguous acre of mature forest). Planned Action EIS and adopted Planned Action Ordinance (#14-04) mitigation measures requires a 165 foot setback from the edge of this wetland.

Steep Slope – On the southeast side of the annexation area is 265,296 sq. ft. of steep slopes, (areas with a 40% or greater inclination). There is a typical minimum setback of 50 feet required from all edges of a steep slope.

The Planned Action Ordinance (04-14) adopted by the City Council includes mitigation measure required for future development within the Hawk Property Subarea which includes this Annexation Area.

(Note: An additional 15 foot structure setback from the edge of the any critical areas (i.e. wetland and steep slope buffers) is also required per city code. City code has provisions by which an applicant can apply to encroach within critical areas and associated setbacks. (e.g. roadways, trails)

	<p><u>Trails:</u> Covington’s Comprehensive Plan’s Park and Recreation Element includes two proposed shared use trails crossing the Annexation Area, including the Jenkins Creek Trail, and the Pipeline Trail. Immediately abutting the Annexation Area and connecting to the Jenkins Creek and Pipeline Trails are two other proposed share use trails, the SR 18 Trail and the Timberline Trail. (See Figure 6.3 from the Park and Recreation Element).</p> <p>Future development of the area will have to include these proposed trails in their design and will be required to provide easements or tracts to accommodate the shared use trails, as well as, construct the trails or provide funds to the city for future construction.</p>
<p>LNP 2.18 Annexations should serve to square off City boundaries, and not divide lots or neighborhoods. The intent is to ensure practical boundaries in which services and infrastructure can be provided in a logical, effective and efficient manner.</p>	<p>The proposed Annexation Area is rectangular in shape and will square off the northern boundary of the city.</p>
<p>LNP 2.19 Individual Annexation Areas should be part of the logical, orderly growth of the city and avoid irregular boundaries that create an island, peninsula or bottle-neck of incorporated or unincorporated land.</p>	<p>The proposed Annexation Area will not create any irregular boundaries.</p>
<p>LNP 2.20 Annexation proposals should include areas that would result in City control over land uses along major entrance corridors to the City.</p>	<p>The Annexation Area is part of the Northern Gateway to the city. The Hawk Property Subarea includes provisions to include a gateway element in the vicinity of the intersection of SR 18 and the future connection at this location of 204thAve SE</p>
<p>LNP 2.21 Urban development within a Potential Annexation Area should not occur without annexation; unless there is an interlocal agreement with King County defining land use, zoning, annexation phasing, urban services, street and other design standards and impact mitigation requirements.</p>	<p>Not Applicable.</p>
<p>LNP 2.22 Prior to annexation, ensure an orderly transfer to the city of all review authority for development applications pending review in King County. Where possible, joint development review should occur. An interlocal agreement should be considered between the City and County for pending development applications in annexed areas. Preference is for pending development application to be processed by the County on behalf of the City; but with City review to ensure that land develops under the City of Covington’s Comprehensive Plan policies.</p>	<p>There are no pending development applications within the Annexation Area with King County.</p>

<p>LNP 2.23 Annexation requests should not be supported when the action would facilitate vested development proposals that are inconsistent with City standards, regulations and policies, unless waiving that requirement would achieve other City goals.</p>	<p>Not Applicable</p>
<p>LNP 2.24 Shoreline Master Program environmental designations, including those for associated wetlands, should be established during the annexation process.</p>	<p>There are no designated shorelines within the Annexation Area.</p>

Attachment 6. Comprehensive Plan Park and Recreation Element
Capital Improvement Plan Map, Figure 6.3

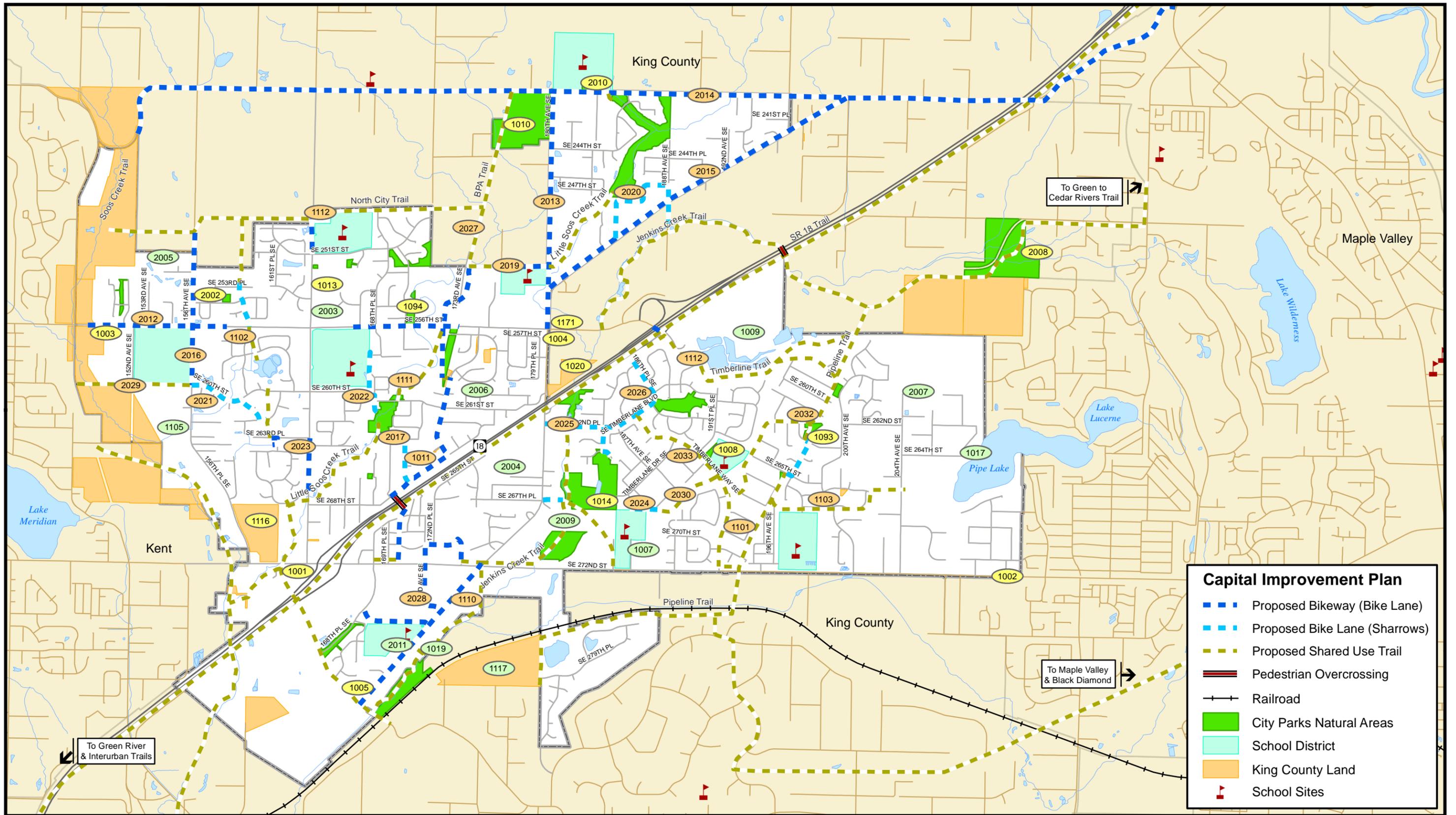


Figure 6.3 - Capital Improvements Plan Map

Covington
 Parks Recreation & Open Space (PROS) Plan
 Source: King County
 Author: KV and HK
 Date: April 2010 Revised: May 2014

- 1111 Acquisition Projects
- 1222 Park & Facility Projects
- 1333 Trail & Bikeway Projects



Attachment 7. Comprehensive Plan Appendix T-3 & Oakpointe's narrative response to the annexation guidelines in T-3.

Appendix T-3

Annexation Process Criteria

Site-specific considerations such as critical areas, zoning, the efficient and cost effective delivery of services and/or extending infrastructure, and the concerns of adjacent residents, cities and King County should be considered by the City prior to the annexation of any Potential Annexation Areas. When evaluating annexation proposals, the following criteria will be given consideration. Review criteria are intended as guidance rather than standards.

- 1) A fiscal impact assessment shall be conducted of the costs to provide services and/or extend infrastructure and of the tax revenues that would be generated in each area proposed for annexation.
- 2) Revenues gained by the City through annexation should be at least equal to the additional costs incurred by the City or service providers for urban services and infrastructure to the area requesting annexation. The probability of substantial future financial benefit to the city should be considered when deciding on annexation proposals. Where reasonable, newly annexed areas shall be required to assume a proportionate share of the city's outstanding bonded indebtedness at the time of annexation. Reasonableness shall be determined by the City Council using the following criteria:
 - a. Whether and the degree to which the area to be annexed will benefit from the improvements funded by the bonded indebtedness;
 - b. The obligation of property owners within the area to be annexed to pay other outstanding bonded indebtedness for special district improvements, and the extent of that financial burden;
 - c. Whether other financial obligations (such as LID's) will be placed on property owners upon annexation, and the extent of those obligations;
 - d. The desirability to the city of annexing the area under consideration.
- 3) Individual annexation requests whose physical location would promote "leap frog" annexation, resulting in noncontiguous City limits, islands or bottle necks of unincorporated land, will not be considered. The City shall discourage annexations that would result in irregular City boundaries. Annexations shall include the largest practicable area contiguous to City limits that still result in logical City boundaries.

- 4) Annexations should be expanded if they include areas surrounded by the City on three or more sides or if they include properties with recorded covenants to annex.
- 5) The City shall only approve annexations that lie completely within the UGA and whose proposed zoning are consistent with the City's Comprehensive Plan. The land use designations specified in the Comprehensive Plan shall be used as guidance by the Planning Commission in determining the recommended zoning classification. If there is no Comprehensive Plan land use designation, then the zoning designation Residential -4 should be placed on the annexed property until such time as a subarea plan is undertaken to appropriately identify new Comprehensive Plan and zoning designations. The land use designations, as determined by the City Council through their acceptance of the annexation, shall remain on the annexed properties for three years following annexation.
- 6) Consider individual annexation proposals based on an analysis and evaluation of the following:
 - a. Urban levels of public services shall be provided at the City's adopted level of service standards (e.g. police and fire, schools, parks, open space, trails and recreation, transportation, storm water, sewer, water and other general government services);
 - b. The proposed annexation shall follow logical boundaries, such as streets, waterways, ridges, park property, trails, opens space corridors or substantial topographical changes;
 - c. The proposed annexation should include or exclude an entire neighborhood. The proposal should not divide portions of the neighborhood between City and County jurisdictions;
 - d. Critical Areas shall be identified, surveyed and appropriately protected consistent with the goals and policies of the Comprehensive Plan. Consider inclusion of open space corridors, either as greenbelts, trail corridors or urban separators, between the City and adjacent jurisdictions.
 - e. Consideration should be given to the availability of land within the city for the uses which would be developed upon annexation, encouraging infilling of existing undeveloped areas before extending services which allow similar development in peripheral areas unless there is a benefit to the community at large.
 - f. Evaluate proposed annexations to ensure that development enabled by the annexation is consistent with policies of the comprehensive plan specifically including population and employment growth targets.

Information and Studies Required

To adequately assess the merits of annexation proposals, the following information should be gathered, analyzed and presented to the City upon application for annexation.

1. Site Analysis. Necessary facts including existing conditions; acreage; number of residential units; businesses; industries; estimated population; street mileage, paved and unpaved; assessed valuations; existing utility services; existing parks and playgrounds; schools and public buildings; and Critical Area Study
2. Maps. Preparation of maps to show existing and proposed city boundaries relative to the urban service area, general land use patterns, existing and proposed land use designations, critical area surveys, existing major trunk water mains and proposed extensions, existing sewer interceptors and proposed extensions, existing streets, and existing public areas, such as playgrounds and schools.
3. Infrastructure Review. Existing public services should be inventoried and evaluated. Confer with affected public service districts and utility purveyors to assess the impact of the annexation on their facilities.
4. Urban Services Needs. Urban services, such as water services, sanitary sewers, stormwater utilities, garbage disposal, streets, street lighting, police and fire protection, hospital, planning, building inspection, library, park, open space and recreational facilities and services should all be analyzed for the need for major capital improvements and annual operating needs. These needs should be considered in the city's determination and incorporated into the city or utility purveyor's capital improvement program if the proposed annexation is implemented. The city will work cooperatively with those public service districts and utility purveyors to determine the most rational and cost-effective means for providing urban level services to newly annexed areas and proposed land uses, on both a short and a long term basis, within parameters allowed in state statutes. The methods of providing such services to annexed areas should be described and their costs determined.
5. Special Issues. Any special circumstances created by the proposed annexation area should be discussed. Special circumstances may include infrastructure, public health or public safety problems, and potential impacts to the city due to development within proposed annexation areas at the expense of other developable areas within the city.
6. Fiscal Impact Analysis.
 - a. Service Requirement Costs. Estimated service requirements from the City, public service districts and utility purveyors, should be

converted into financial requirements to determine the cost of extending or improving services and/or infrastructure to accommodate the proposed land uses. Needs and costs should be estimated for 5 years from the time of annexation, projecting a rate of growth which would also be used for projecting revenue estimates. Considerations of service costs should include:

- i. Police protection: additional personnel, equipment, office space;
 - ii. Fire protection: additional personnel, equipment, hydrants, fire stations;
 - iii. Public services and private utilities: additional street lighting, road maintenance and construction, storm drainage, water and sewer construction and maintenance (including line replacement, pump stations);
 - iv. Parks and recreation: additional park acreage, trails, recreational programs, new facilities; and
 - v. Other governmental services such as: library, planning, building inspection, social service programs.
- b. Estimate of Revenues. An estimate of potential revenues to accrue from the area should be made and projected over a 5 year period. Existing methods of raising revenue that the city now has should be applied to the area being considered for annexation. These would include property taxes, state shared revenues, sales taxes, federal revenue sharing, business and occupation taxes, utility taxes, inspection and license fees, planning and zoning charges.
- c. Cost-Revenue Analysis. The anticipated revenues should be compared with anticipated costs, including both projected additional annual operating expenses and major capital expenses. The cost-revenue analysis should be projected for 5 years in order to gain an understanding of the impact which development of the newly annexed area would have.
7. Community Identity. The nature of the area proposed for annexation relative to surrounding unincorporated areas as well as to adjacent city areas should be considered as well.

MAY 11 2015

CITY OF COVINGTON

Hawk Property Annexation

This report supplements the application for annexation to Covington of approximately 80 acres in King County, part of the Hawk Property Subarea ("Annexation Property"). The Annexation Property is proposed to be annexed to the City of Covington consistent with the Hawk Property Planned Action Ordinance (Ord. No. 04-14). The headings below roughly conform to the sections identified in Appendix T-3 of the City of Covington Comprehensive Plan (August 2012).

Site Analysis

The Annexation Property consists of King County Parcel numbers 202206-9012, 202206-9152, and the unopened right-of-way of Colliers Lund Road Rev. No. 3. Consisting of approximately eighty (80) acres, the property is currently undeveloped and uninhabited. Portions of the property have historically been used for mineral resource extraction, and some of the property has critical areas. See Existing Conditions map attached. Tax parcel 202206-9152 has a 2015 tax year value of 1,653,500 and is 37.95 acres in size (1,653,537 square feet; ~\$1/sq. ft.). Tax parcel 202206-9012 has a 2015 tax year value of \$1,641,300 and is 37.68 acres in size (1,641,340 square feet; ~\$1/sq. ft.).

After annexation, the Annexation Property would be subject to numerous implementing permits, including a Development Agreement, subdivisions, infrastructure construction, residential and non-residential construction, etc. Upon buildout, the Annexation Property is anticipated to accommodate about 845 residential units of varying types, and about 72,000 square feet of commercial space. In addition, roads, utilities, parks, and trails would be built to serve the development, and to contribute to the City overall.

Zoning

The Annexation Property is proposed to be annexed as an R-6 zone (see the attached Proposed Zoning exhibit). After annexation, the Applicant will seek to rezone the entire site to contain four different zones, consistent with City zoning designations R-6, R-12, RCMU, and MR. After annexation and rezoning, the largest portion of the Annexation Property will be zoned R-12, and contain approximately 50 acres. The Mixed Residential zone (MR) portion of the Annexation Property will be approximately 17.9 acres. The Regional Commercial Mixed-Use zone (RCMU) portion of the Annexation Property will be approximately 8.7 acres. The remainder, a small portion of the Annexation Property containing about 3.3 acres, will be zoned R-6, consistent with lands immediately south of the area.

Maps

The following maps have been prepared that identify the necessary features for review in this annexation.

Vicinity Map: Aerial photo with vicinity, showing Annexation Property, streets

Existing Conditions: Shows property boundary, topography, critical areas, and existing easements

Current Zoning: Shows current King County zoning for the property

Proposed Zoning: Shows zoning proposed for the Annexation Property, and zoning for surrounding properties in Covington

Hospital Districts: Showing public hospital districts in the area

Fire Districts: Showing fire districts serving the property and the immediate area

School Districts: Showing school districts serving the property

Infrastructure

The water and sewer infrastructure necessary to serve the Hawk Property Annexation is the same that will be necessary to serve the rest of the Subarea already in the City. The Covington Water District will provide water service, and the Soos Creek Water and Sewer District provides sewer services. In some circumstances, as shown in the utility maps, the Annexation Property is necessary to provide the required looping for some of these services. Water service will be extended into the property consistent with an approved System Extension Application and Agreement and the Covington Water District's Water System Plan Update (Feb. 2007). Sewer service will be extended into the property consistent with an approved Developer Extension Agreement and the district's comprehensive plan.

New roads built to Covington standards will provide access. Major access will be through the Hawk Property SE Connector, with minor roads and residential roads providing local access within the Annexation Property. New stormwater facilities will be built concurrently with new roads to detain and treat surface water created with future proposed development. Stormwater facilities will be built consistent with City of Covington standards. Mitigation for existing intersections and roads outside of the Annexation Property will be provided consistent with the Hawk Property Planned Action Ordinance and the FEIS.

The large majority of the Hawk property is located within the Kent School District. The Annexation Property, however, is located within the boundaries of the Tahoma School District. It is likely that an area swap may occur between the two school districts, with the entire Hawk Subarea residing completely in one school district and not split. The timing of a swap, if one occurs, is separate from this annexation proposal.

Solid waste services would be provided to new development that occurs within the Annexation Property. The solid waste provider would transport collected waste to the Cedar Hills landfill for processing. Current estimates indicate adequate capacity to continue to serve the area.

Urban Services

Upon annexation, fire service will be provided by the Kent Regional Fire Authority. The improvement of the Annexation Property will create additional need in the service area. The Fiscal Analysis provides estimates of the revenue created by the Annexation Property and the cost of the service provided by the Kent Regional Fire Authority. Additional mitigation may be provided consistent with the Hawk Property Planned Action Ordinance and FEIS.

Police services are currently provided to Covington through a contract with the King County Sheriff, and police service for the Annexation Property will be similarly served. The Fiscal Analysis provides estimates of the revenue created by the Annexation Property and the cost of the service provided by the King County Sheriff.

Water and sewer service would be provided as described above.

Parks and open space would be provided with future development, as provided in the Hawk Property subarea plan and Planned Action Ordinance.

The Annexation Property is not located within a public hospital district. Public Hospital District No. 1 covers a large area, including other Hawk Subarea property adjacent to the south and west, and supports Valley Medical Center which is located in Renton.

Additional government services provided by the City of Covington would likely be needed to serve the additional population that would occur within the Annexation Property after it is developed. The Fiscal Analysis provides estimates of the revenue created by the Annexation Property and the cost of the service provided by the City of Covington.

Special Issues

A 75-footwide gas pipeline easement runs approximately from the northeast corner of the Annexation Property about to the middle of the southern boundary. Because development is prohibited over this pipeline, with the exception of roads and other utilities, the pipeline will be incorporated into an overall future parks and trail plan consistent with the Hawk Subarea Plan. Roads and utilities proposed through the gas easement will need to be coordinated with the easement owner.

Fiscal Impact Analysis

A Fiscal Impact Analysis has been prepared for the Annexation Property. The analysis estimates the Annexation Property will provide an annual surplus to the City's General Fund, and also includes other surplus revenues (e.g. REET revenue) that would not be realized if the annexation does not occur. More detailed information can be found in the attached Fiscal Impact Analysis.

Community Identity

The Annexation Property is subject to a Subarea Plan, adopted under Covington Ord. No. 01-14. The subarea was prepared after a lengthy public participation process which included an environmental

impact statement. After annexation, development will occur on the property consistent with the Hawk Subarea Plan, which includes a variety of uses, including commercial, retail, mixed use, and residential. Design guidelines and standards contained in the Subarea Plan, applicable City code, and a future proposed development agreement, will affect future implementing permits.

THE HAWK PROPERTY ZONING LEGEND

-  R-6 - MEDIUM DENSITY RESIDENTIAL (6 DU/AC)
-  M - MINERAL

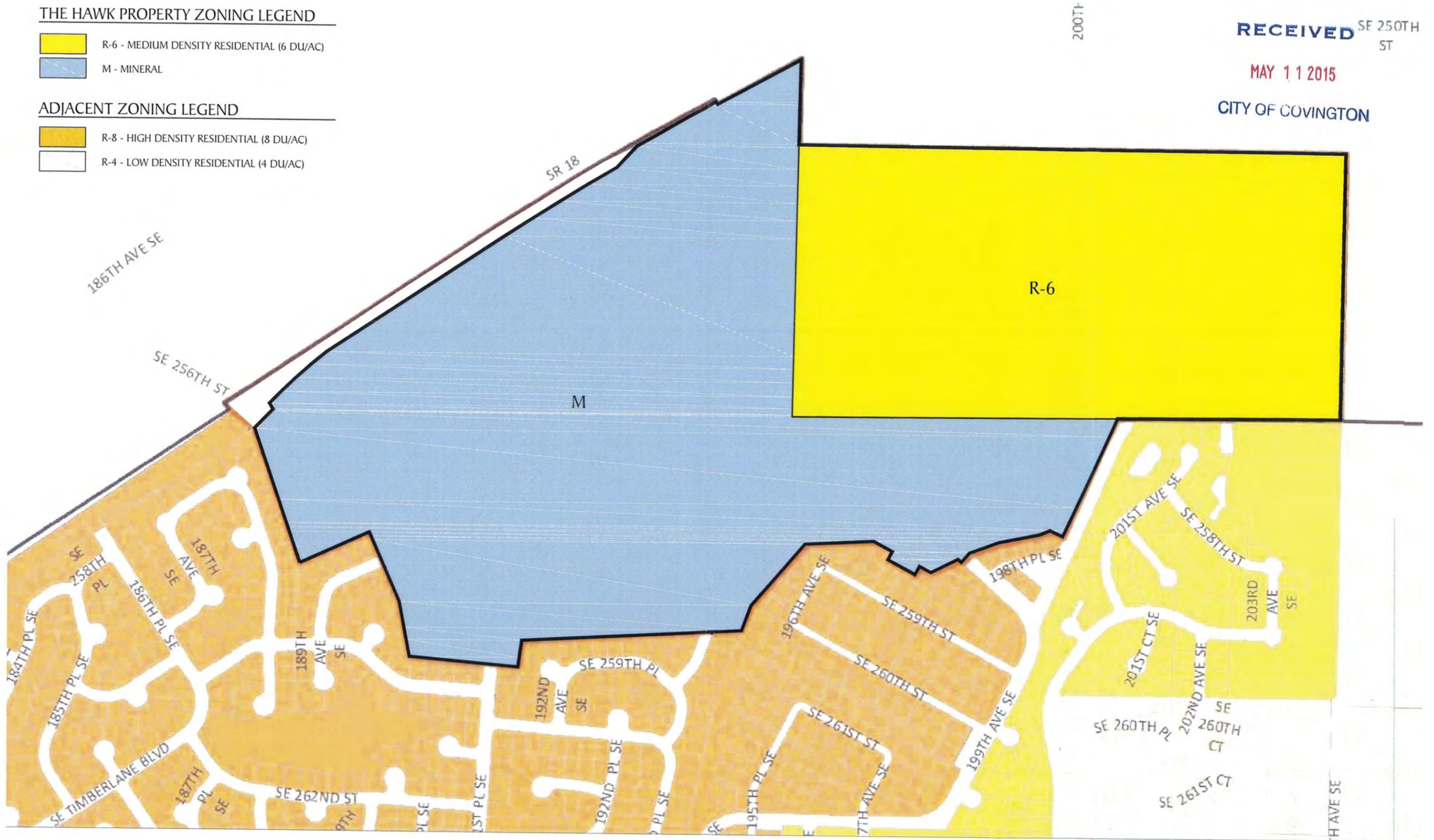
ADJACENT ZONING LEGEND

-  R-8 - HIGH DENSITY RESIDENTIAL (8 DU/AC)
-  R-4 - LOW DENSITY RESIDENTIAL (4 DU/AC)

RECEIVED SE 250TH ST

MAY 11 2015

CITY OF COVINGTON



The Hawk Property



Zoning Map

SUBJECT: RECEIVE TESTIMONY FROM THE PUBLIC AND CONSIDER SIX-MONTH RENEWAL OF INTERIM ZONING REGULATIONS REGARDING RECREATIONAL MARIJUANA.

RECOMMENDED BY: Richard Hart, Community Development Director
Sara Springer, City Attorney

ATTACHMENT(S):

1. Proposed ordinance renewing interim zoning regulations for recreational marijuana production, processing, and retail uses for six months.
2. Interim Zoning Map with 1000 ft. Sensitive Area Buffers

PREPARED BY: Sara Springer, City Attorney

EXPLANATION:

On November 12, 2013, the council passed interim zoning regulations for recreational marijuana production, processing, and retail uses for an initial six month period. The council subsequently adopted amended interim regulations on April 22, 2014, and renewed those amended regulations in September 2014 and April 2015. This item is being brought back for the council to hold a public hearing, pursuant to Chapter 35A.63.220 of the Revised Code of Washington, to renew the previously adopted interim zoning regulations for recreational marijuana for an additional six months.

During the past six months, city staff has continued to monitor the still evolving regulatory landscape for recreational marijuana businesses. Most notably, and as anticipated, during the 2015 state legislative session, the state legislature adopted new laws that incorporate all medical marijuana uses under the recreational marijuana regulatory structure. In response to the changes in state law regarding medical marijuana, the Washington State Liquor Control Board (LCB) has begun to change their regulations and policies regarding the issuance of licenses for recreational marijuana businesses. Cities across the state just recently received notification from the LCB of certain changes to their marijuana licensing policies, and staff anticipate that additional changes in the LCB's regulations and policies for marijuana businesses will be forthcoming.

As previously reported to the council, staff is working toward drafting proposed permanent regulations for marijuana uses for the council's review and adoption. At the council's November 24, 2015, regular council meeting, staff will present and seek direction from council on general policy considerations for permanent local regulations on marijuana businesses and uses. Staff will then bring back proposed permanent regulations for the council's review and adoption in February 2016 (before the current medical marijuana moratorium expires). During this process, staff will outline and fully present the recent changes in state law, and the LCB's subsequent changes to their policies and procedures, regarding the state licensing and regulation of all marijuana businesses and uses.

*Please note that the LCB does not consider local land use regulations when reviewing the applications they receive for state marijuana licenses. Therefore, though state applicants will not have surety of what the city's permanent regulations will be until February 2016, because the LCB does not review compliance with local regulations, individuals are still able to submit a state license application to the LCB at this time even if their proposed businesses location or use is not currently allowed by the city's interim regulations (in that instance, the state applicant would be speculatively submitting their state licensing application to the LCB in hopes that the city will adopt permanent regulations that will allow said use). As with the adoption of interim zoning regulations, there will be opportunities for public comment and testimony on the city's proposed permanent marijuana regulations when reviewed by the planning commission and council, respectively.

A proposed ordinance renewing the previously adopted interim zoning regulations is attached for the council's review and consideration. (Attachment 1) City staff will continue to monitor the ever evolving legal, policy, and land use considerations surrounding recreational marijuana to inform the drafting of permanent recreational marijuana regulations.

ALTERNATIVES:

1. Amend the current interim zoning regulations for recreational marijuana production, processing, and retail facilities. Because the current interim zoning regulations expired this month (October), if council desires to amend the interim regulations prior to adoption of permanent regulations in February, staff requests that at tonight's council meeting the council pass the proposed ordinance to renew the interim regulations as presented, which will allow staff to bring back any requested amendments to the interim regulations at the next council meeting while ensuring that the city is not left without any regulations on recreational marijuana businesses and uses.
2. Do not pass the proposed ordinance to renew the interim zoning regulations. Staff does not recommend this option, as it would leave the city without any regulation of recreational marijuana production, processing, and retail facilities until the permanent regulations are adopted in February.

FISCAL IMPACT:

Staff time to respond to inquiries and review and permit proposed facilities.

CITY COUNCIL ACTION: Ordinance Resolution Motion Other

Councilmember _____ moves, and councilmember _____ seconds, to adopt an ordinance, in substantial form as that attached hereto, to renew the city's interim zoning regulations for recreational marijuana production, processing, and retail uses for an additional six months.

REVIEWED BY: City Manager; City Attorney; Community Development Director

ATTACHMENT 1

ORDINANCE NO. 09-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, TO RENEW THE PREVIOUSLY ADOPTED INTERIM ZONING REGULATIONS FOR RECREATIONAL MARIJUANA PRODUCTION, PROCESSING, AND RETAIL USES FOR SIX MONTHS; PROVIDING FOR A PUBLIC HEARING ON THE RENEWAL; ADOPTING FINDINGS OF FACT; PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Initiative 502, passed by Washington voters on November 6, 2012, and codified in Chapter 69.50 of the Revised Code of Washington (RCW), modified the State Controlled Substances Act to allow the possession of recreational marijuana for private and personal use and established a system for lawful production, processing, and retailing of recreational marijuana under state law; and

WHEREAS, the Washington State Liquor Control Board (LCB) developed rules and regulations related to the licensing and location of recreational marijuana production, processing, and retailing uses as allowed under the Initiative, has accepted applications, and has begun to issue licenses for recreational marijuana businesses; and

WHEREAS, on January 16, 2014, the Washington State Attorney General issued a formal opinion which concluded that I-502 does not prevent local governments from regulating or banning marijuana businesses; and

WHEREAS, the LCB will not consider local zoning regulations in deciding whether to issue licenses for recreational marijuana producers, processors, and retailers, but those businesses are required to comply with local zoning regulations and controls; and

WHEREAS, though the LCB has begun issuing licenses for recreational marijuana businesses, the land use and secondary impacts of these uses are still largely unknown and the regulations that the city will need to address them remain uncertain; and

WHEREAS, in their 2015 session, the state legislature enacted new regulations to incorporate the production, processing, and retail of medical marijuana under the same regulatory structure as recreational marijuana and such regulations have required the LCB to change their rules and policies for issuing state licenses for recreational marijuana businesses, and city staff anticipates additional changes to LCB policies and rules for issuing state marijuana licenses therefore city staff will continue to follow the activities of the LCB in their adoption of policies surrounding the state licensing, siting, and taxation of recreational marijuana; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize the city to adopt interim land use regulations and official controls; and

WHEREAS, on November 12, 2013, the city council adopted Ordinance No. 10-13, which declared an emergency necessitating the immediate adoption of interim zoning regulations for recreational marijuana production, processing, and retail uses for an initial six-month period, which regulations were subsequently amended by Ordinance No. 06-14 and subsequently renewed by Ordinance Nos. 12-14, and 03-15; and

WHEREAS, unless the City acts immediately to renew the interim zoning regulations for recreational marijuana uses, such uses may be able to locate in the City without regulation and thereby have adverse impacts on the City and its citizens; and

WHEREAS, city staff intends to present to the council proposed permanent local regulations for marijuana businesses for adoption in the first quarter of 2016, and said proposed permanent regulations will be informed by state law, LCB regulations and policies, and case law; and

WHEREAS, on October 27, 2015, the city council conducted a public hearing, providing an opportunity for the public to comment on the interim zoning regulations set forth in this ordinance prior to their renewal and the council has weighed the testimony received; and

WHEREAS, pursuant to WAC 197-11-800(19), the adoption of this ordinance is exempt from environmental review under the State Environmental Policy Act; and

WHEREAS, based on the public testimony received on October 27, 2015, and materials provided by city staff, the council deems it in the public interest to renew the previously adopted interim zoning regulations for recreational marijuana production, processing, and retail uses for six-months to observe and investigate further the land use and secondary impacts of said uses, state regulation of such uses, and to allow staff to prepare permanent regulations for the council's consideration and adoption; and

WHEREAS, nothing in this ordinance is intended nor shall be construed to authorize or approve of any violation of federal or state law;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Findings of Fact. In accordance with RCW 35A.63.220 and RCW 36.70A.390, which require the city council to adopt findings of fact justifying the adoption of interim zoning regulations, the "WHEREAS" clauses set forth above are hereby adopted as the city council's findings of fact in support of the interim zoning regulations imposed by this ordinance and are fully incorporated herein by this reference. The city council may adopt additional findings in the event that additional evidence is presented to the city council.

Section 2. Adoption of Interim Zoning. The amended interim zoning regulations adopted by Ordinance No. 06-14 and extended by Ordinance Nos. 12-14 and 03-15 shall be renewed for a six (6) month period ending on April 27, 2016, and shall automatically expire on that date unless earlier repealed, amended, or extended by the city council.

Section 3. No Non-Confirming Uses. No use that constitutes or purports to be a marijuana producer, marijuana processor, or marijuana retailer, as those terms are defined in the ordinances referenced in Section 2 herein, that was engaged in that activity upon expiration of any prior interim zoning regulations and prior to the enactment of this ordinance shall be deemed to have been a legally established use under the provisions of the Covington Municipal Code and that use shall not be entitled to claim legal non-confirming use status.

Section 4. 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 preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 5. Corrections. Upon the approval of the City Attorney, the City Clerk is authorized to make any necessary technical corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto.

Section 6. Declaration of Emergency - Effective Date. The Covington City Council declares that an emergency exists necessitating that this ordinance become effective immediately for the protection of the public health and safety, public peace, and public property. This ordinance shall take effect immediately upon passage.

PASSED BY THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, at a regular meeting thereof this 27th day of October, 2015.

Mayor Margaret Harto

PUBLISHED: October 30, 2015

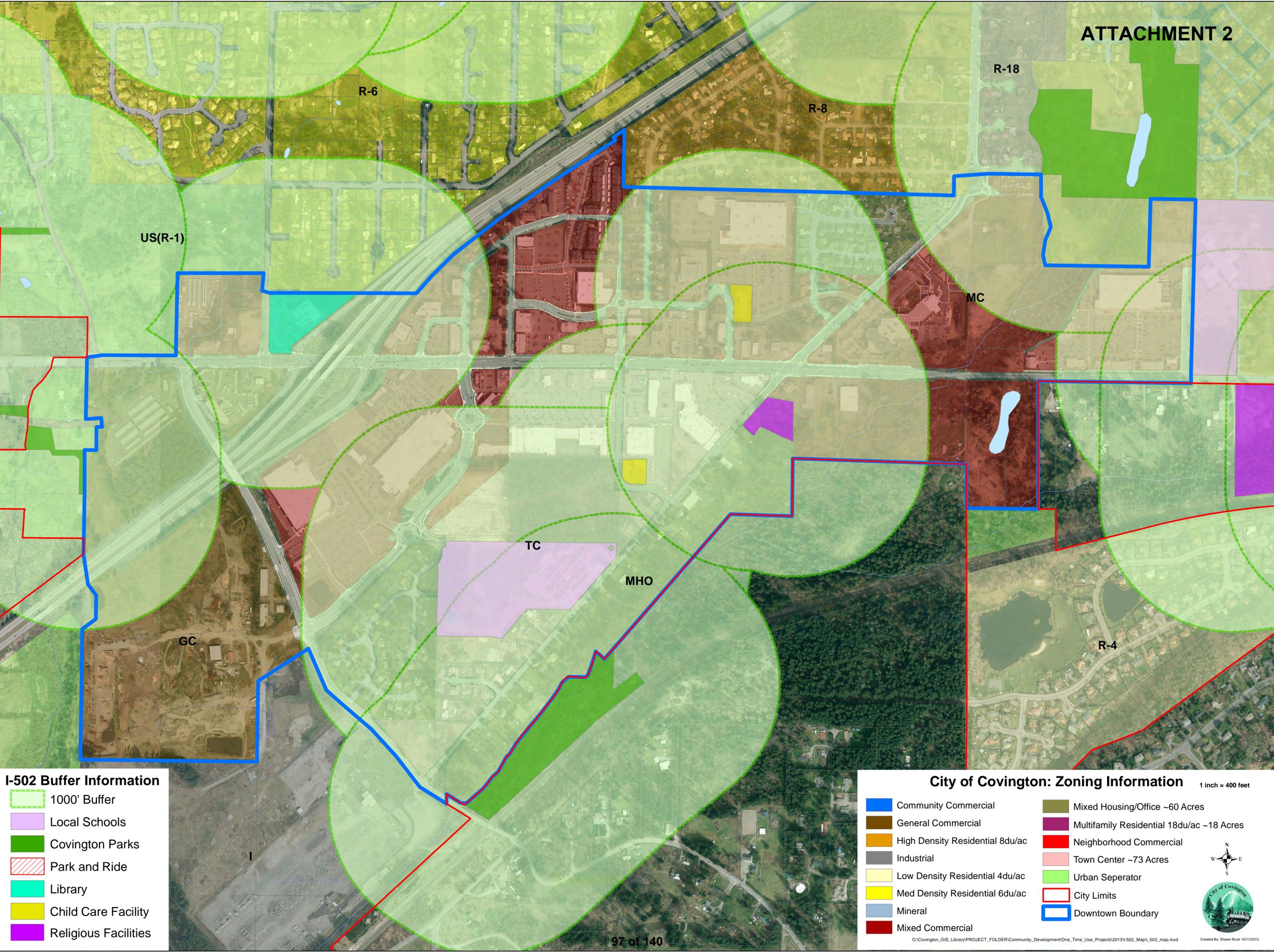
EFFECTIVE: October 27, 2015

ATTESTED:

Sharon Scott, City Clerk

APPROVED AS TO FORM:

Sara Springer, City Attorney



I-502 Buffer Information

- 1000' Buffer
- Local Schools
- Covington Parks
- Park and Ride
- Library
- Child Care Facility
- Religious Facilities

City of Covington: Zoning Information 1 inch = 400 feet

<ul style="list-style-type: none"> Community Commercial General Commercial High Density Residential 8du/ac Industrial Low Density Residential 4du/ac Med Density Residential 6du/ac Mineral Mixed Commercial 	<ul style="list-style-type: none"> Mixed Housing/Office ~60 Acres Multifamily Residential 18du/ac ~18 Acres Neighborhood Commercial Town Center ~73 Acres Urban Separator City Limits Downtown Boundary
--	---

Created By: Shawn Buck 10/11/2013

Agenda Item 3
Covington City Council Meeting
Date: October 27, 2015

SUBJECT: PRELIMINARY PUBLIC HEARING TO RECEIVE TESTIMONY FROM THE PUBLIC AND PRESENTATION FROM STAFF REGARDING 2016 REVENUE SOURCES AND POSSIBLE INCREASE IN PROPERTY TAX REVENUES

ATTACHMENT(S):

1. Description of 2016 Revenue Sources
2. PowerPoint Presentation
3. 2015-2021 Base Revenue and Expenditure Forecast – All Funds

**COUNCILMEMBERS AND STAFF: PLEASE REMEMBER TO BRING YOUR
PRELIMINARY 2016 BUDGET WORKBOOK BINDERS TO THE MEETING.
THANK YOU!**

RECOMMENDED BY: Rob Hendrickson, Finance Director

EXPLANATION:

This public hearing is required under state law (RCW 84.55.120) to consider possible increases in property tax revenues and to review other revenue sources that support the City's general fund. The Finance Director will review the history of Covington's revenue collections, the current year's collections, and 2016's revenue projections.

This hearing, mandated by law, should focus on the City's revenue sources and potential adjustments to property tax revenues. The deadline for setting 2016 property tax levies for cities in King County is November 30, 2015.

It is the policy of the City to follow applicable laws as they relate to the budget process.

ALTERNATIVES:

N/A

FISCAL IMPACT:

CITY COUNCIL ACTION: ___ Ordinance ___ Resolution ___ Motion ___ **X** Other

NO COUNCIL ACTION REQUIRED AT THIS MEETING



DESCRIPTION OF 2016 REVENUE SOURCES

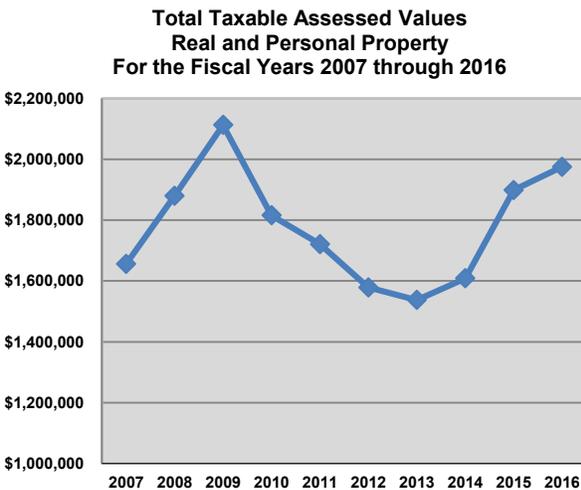
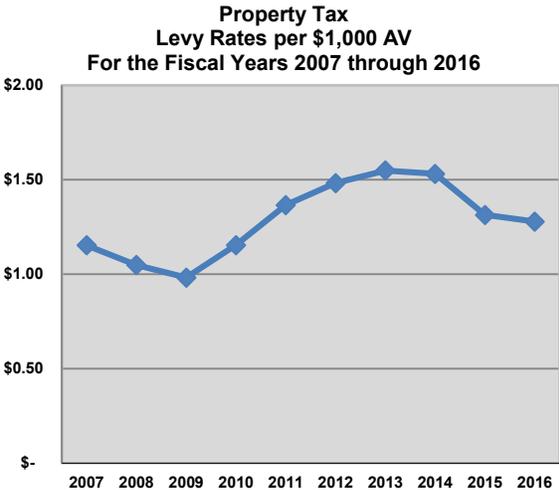
This summary describes each of the major revenue sources that appear in the 2016 budget by category. Budget amounts are based on the best available information at the time of budget preparation.

Beginning Fund Balance **All Funds**
This is the estimate of funds remaining at the end of the previous budget year and available for use in the following budget year. This amount will fluctuate annually depending on the amount of reserves, under or over collection of revenues, and under or over expenditure of appropriations. Minimum fund balance availability is governed by City policy.

TAXES

Property Taxes **General Fund**
Property taxes are one of the largest and most stable sources of revenue for the City. The City has budgeted, as state law limits allow, a levy increase of 101% or 100% plus inflation. RCW defines inflation as the percentage change in the implicit price deflator (IPD) for personal consumption. The IPD for this year is a negative 0.25% resulting in a limiting factor of 99.75%. To increase the limit factor to a maximum of 101%, a declaration of substantial need must be adopted. An increment for new construction is also added to this amount. The estimated levy for 2016 is \$2,523,760. The taxable assessed valuation (AV) is \$1,975,050,567 which includes \$18,803,217 in new construction. The estimated levy rate is \$1.27782/\$1,000 AV.

Total assessed value has increased 4% from 2015 to 2016.



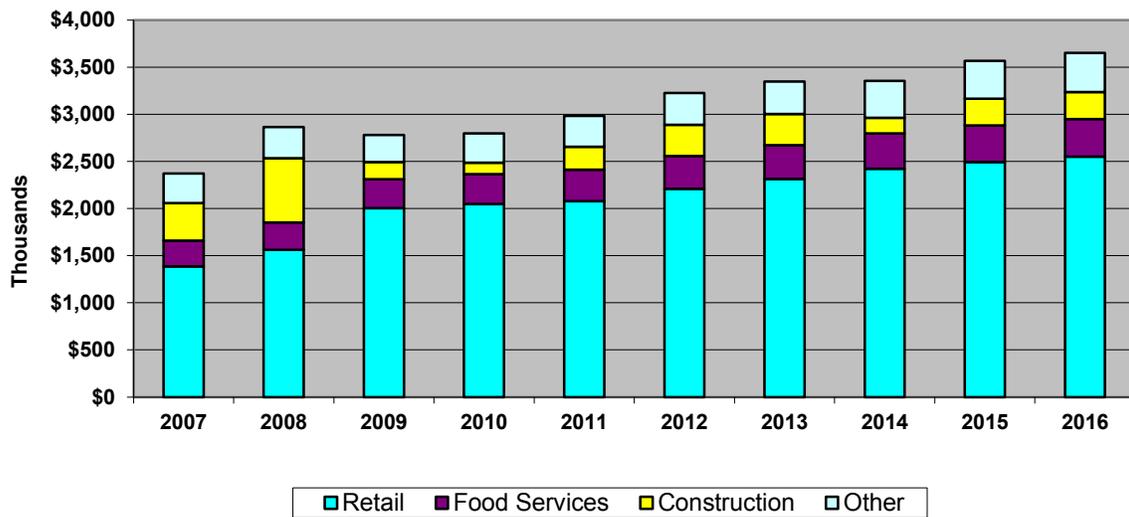
Sales Taxes

General Fund/Parks Fund

Sales taxes are subject to fluctuation from year to year due to changes in the economy and the buying habits of consumers. Sales tax is distributed monthly to the City and is based on sales from two months previous. Revenues for 2016 are estimated at \$3,650,000 which is an increase of 7.6% from the 2015 budget. Sales tax is currently divided between the General Fund and Parks Fund, 84% and 16% respectively. The total sales tax of 8.6% is distributed among public agencies as follows:

Sales Tax Distribution	
Agency	Tax Rate
State of Washington	6.500%
City of Covington	0.926%
King County/METRO	0.900%
King County	0.075%
King County Criminal Justice Levy	0.099%
King County Mental Health	0.100%
Total Sales Tax Rate	<u>8.600%</u>

**Sales Tax by Classifications
For the Fiscal Years 2007 through 2016**



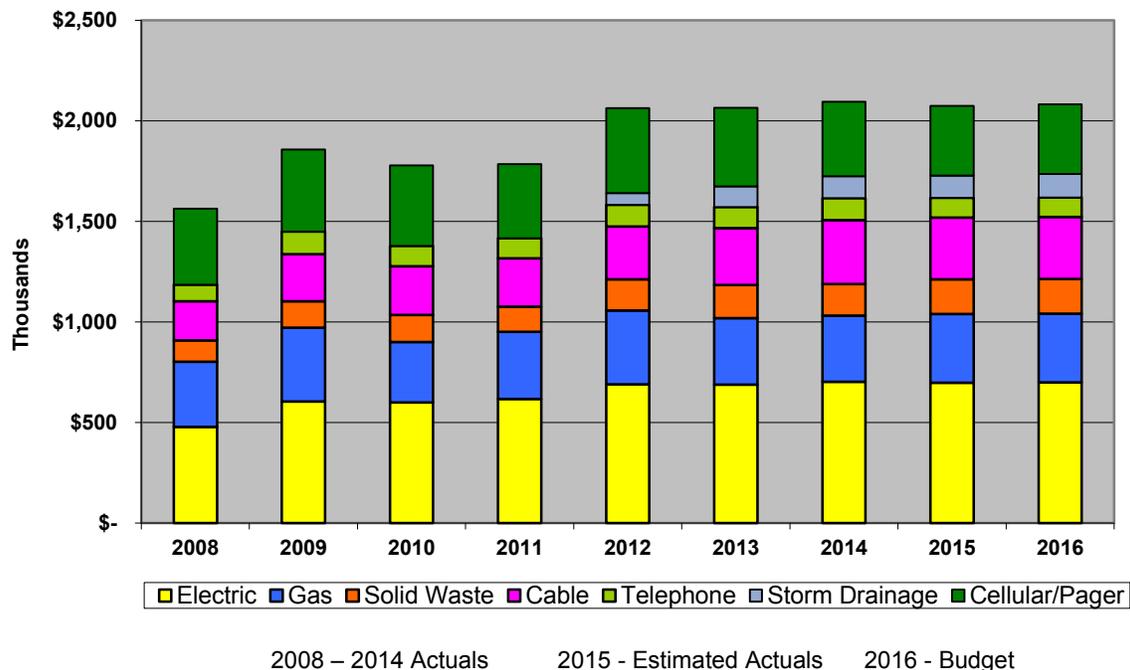
2007 - 2014 - Actuals 2015 - Estimated Actuals 2016 - Budget

Utility Taxes

General Fund/Parks Fund/Street Fund

Utility taxes are imposed on utilities such as electricity, natural gas, solid waste, cable, telephones, storm drainage, and cellular phones. In 2007, the City adopted a 5.5% utility tax. In 2011 the City increased the rate to 6%. The new rate took effect February 1, 2012. The additional 0.5% is dedicated to the maintenance and operation of City parks. In June 2012, the City began charging its own storm drainage utility; these taxes are remitted to the General Fund. Revenues for 2016 are estimated at \$2,116,790. Utility tax revenues are allocated between the General Fund, Parks Fund, and Street Fund.

**Utility Tax by Classification
For the Fiscal Years 2008 Through 2016**



Criminal Justice Sales Tax

General Fund

King County levies an optional 0.1% sales tax to support criminal justice programs, under authority granted by the State. This optional tax, collected by the State, is distributed as follows: 10% to the County, and the remainder to cities and towns on the basis of population. The 2016 estimate of \$435,000 is based on inflation and population growth. This tax is distributed monthly to cities.

Real Estate Excise Tax (REET)

Real Estate Excise Tax Funds

The real estate excise tax is levied on all sales of real estate. The state levies this tax at the rate of 1.28%. The City has also authorized a locally imposed tax of 0.5%, in two 0.25% increments, replacing that tax formerly levied by King County. Both increments must be spent for local capital improvements, identified under the capital facilities plan element of the City's Comprehensive Plan. The amount of tax collected depends totally upon real estate sales activity for residential and non-residential, including new construction and economic fluctuations. The 2016 estimates are based on estimated changes in real estate prices, new residential development increases, and new non-residential development increases. Distribution occurs on the 10th of each month to cities in King County. The 2016 revenue estimate is \$400,000.

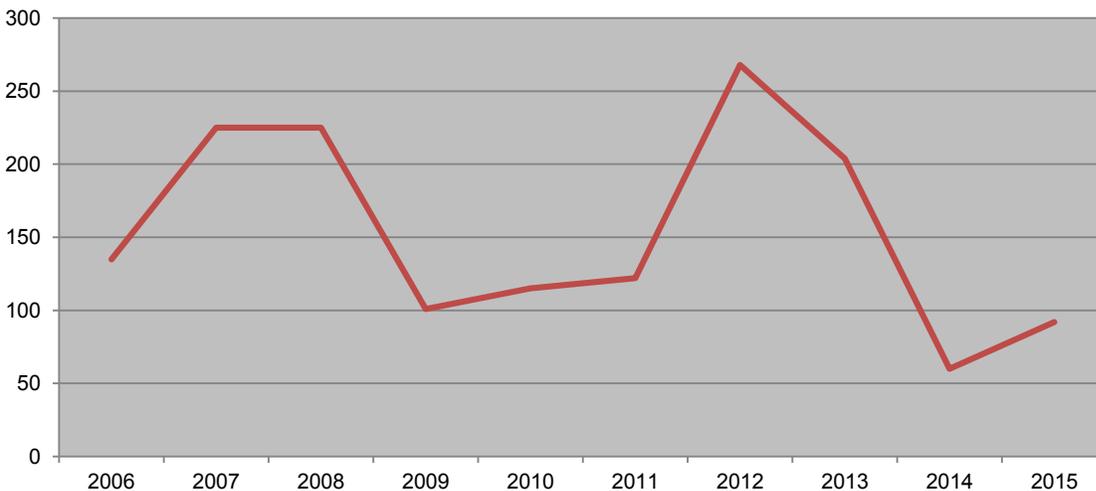
LICENSES AND PERMITS

Building, Permits, Misc.

Licenses and permit activities are user fees derived from various regulatory activities of the City. Building permit revenues are based on staff estimates and are applied to the Development Services Fund. In 2016, \$597,715 is estimated based on 86 new single family permits, anticipated commercial fees, and land use revenues. A fee of \$60 is collected for business licenses from those businesses that conduct activities within the City. This fee is collected annually and is also applied to the Development Services Fund. The 2016 revenue estimate for this license fee is \$95,000. For 2016, all other permits and licenses such as sign permits and peddler's permits are estimated at \$6,940.

Development Services Fund

**Number of Building Permits Issued
For Fiscal Years 2006 Through 2015**



2006 – 2014 Actuals

2015 - YTD

Cable TV Franchise

Cable TV franchise fees, which are applied to the Street Fund, are based on population growth. For 2016, the estimated fees are \$242,000.

Street Fund

Solid Waste Administration

In 2013, the City entered into a contract with Republic Services. For 2016 the estimated revenue is \$76,980.

General Fund

INTERGOVERNMENTAL/STATE SHARED REVENUE

Liquor Excise Tax

The 2016 estimate of \$82,040 is based on the City's population and per capita estimates provided by Municipal Research Services Center. For 2016, the state general fund receives 65 percent of liquor tax collections and 35 percent of collections will go into the liquor excise tax fund for distribution to counties, cities and towns, less the permanent transfer to the state general fund.

General Fund

Liquor Board Profits**General Fund**

The State is now collecting revenue in the form of license fees from distributors and retailers. A portion of these “liquor profits” come to the City. To be eligible to receive this revenue and Liquor Excise Taxes, a city must devote at least 2% of its distribution to support an approved alcoholism or drug addiction program, as well as enhanced public safety programs. The 2016 estimate of \$159,460 is based on estimates provided by Municipal Research Services Center. This money is distributed quarterly beginning in March.

Motor Vehicle Fuel**Street Fund**

State law provides that the State-levied tax on gasoline be shared with cities and towns. Of the base tax amount of 23 cents per gallon, 6.92% is redistributed to cities and towns to be used for street maintenance as well as construction, improvement, chip sealing, seal coating, and repair of arterial highways and city streets. These funds will be deposited in the Street Fund and used for the described purposes. Estimates are based on the City’s population and per capita estimates provided by Municipal Research Services Center. This tax is distributed on the last day of the month. For 2016, we are estimating \$375,770. This distribution also accounts for the increase in fuel tax that went into effect August 1, 2015.

Criminal Justice Shared Revenues**General Fund**

Municipal Criminal Justice Funding has shifted from application based to a per capita distribution. Estimates are based on the City’s population and per capita estimates provided by Municipal Research Services Center. For 2016, we are estimating \$54,145.

Recycling Grants**General Fund**

The City partners with King County and the State of Washington in an effort to encourage recycling. The City offers events in the spring and fall of every year. Costs for these events are reimbursed to the City through the grant process. For 2016, we estimate being awarded \$35,452.

CHARGES FOR SERVICES**Interfund Service Payments/Overhead****General Fund**

These fees are collected from other funds within the City for their percentage of General Fund services that they require. There are two interfund payments - central services overhead and interfund service payments. Central services overhead is allocated to every fund excluding the General Fund based on the number of full-time equivalents. Each fund pays their proportional share of the Central Services Department which consists of things such as the building lease, office supplies, and IT. Beginning in 2012, the central services overhead payments are a direct reduction to the City’s Central Services Department base budget, therefore no revenue is recorded.

The interfund service payment is for each fund’s share of the assistance they receive from the Executive, Finance, Legal, and Human Resource offices. The 2016 budget is estimated at \$1,067,046.

Land Use/Inspection/Engineering Fees**Development Services Fund**

These fees are collected for services related to the issuance of permits for both residential and commercial aspects of construction or capital improvements, and for services related to the review of plans for compliance with aspects of the various codes. Fees are generally collected at a level estimated to recover the cost of the service. The 2016 budget for these fees is estimated at \$556,575.

Parks Fees

Parks Fund

These fees are collected for services related to the Aquatic Center, Athletics, and Recreation programs. Athletics includes programs such as baseball, soccer, flag football, and volleyball. The 2016 revenues are estimated at \$747,083.

Surface Water Management Fees

Surface Water Management Fund

These fees are collected on developed properties within the City to maintain storm and surface water runoff in the City. These dedicated fees provide for things such as maintenance, repair, and construction of storm water facilities. The 2016 budget is estimated at \$1,977,050.

FINES AND FORFEITURES

District Court, False Alarm, and Miscellaneous Fines

General Fund

The City is entitled to money received in payment of fines, forfeitures, fees, costs and penalties associated with enforcement of local ordinances. Based on current collections we are estimating \$102,500 in revenue for 2016. In 2016 the City will again be utilizing King County for its court services through an interlocal agreement. As part of the agreement, King County receives 100% of revenues collected which offset providing the City court services.

MISCELLANEOUS

Technology Surcharge

General Fund

These fees are collected for services related to the issuance of permits for both residential and commercial aspects of construction. The estimate for 2016 is \$34,000.

Parks Fees

Parks Fund

These miscellaneous fees are collected for locker rentals, pool rentals, concessions, etc. The 2016 revenues are estimated at \$105,662.

Interest Income

All Funds

The City will receive interest on cash balances through investment of public funds as allowed by law. The amount received will vary with interest rates, types and duration of investments, and the amount of cash available for investment during any particular budget year. The overall 2016 estimate of \$23,000 is based on annualized 2015 data, economic outlook, and the assumption that fund balances available for investing will be at 2015 levels.

City of Covington Financial Forecast 2016 - 2021



Rob Hendrickson
October 27, 2015

“Two reasons economists don’t predict recessions: 1) If you’re right no one likes you and 2) If you’re wrong you get fired!”

-Unknown economist apparently well liked and still employed

Objectives

- Better understanding of the economy from the top down
- Review local revenues
- Fund facts

A bird's eye view

- What's going on across the world and the nation?
- How are Washington and the Puget Sound area faring?
- How does Covington fit into all this or does it?

Headwinds/tailwinds

Headwinds

- Global economy weakening
- Instability in Middle East and Eastern Europe
- Anemic GDP growth
- Exports
- Stock market decline
- Unfair tax system
- Underfunded schools
- Crowded highways
- Job distribution

Tailwinds

- Consumer confidence measures still high
- Higher per capita income
- Declining gas prices
- Boeing, Amazon, Microsoft
- Quality of life

The Real Washington

- Expanding at a solid pace
- Employment
- Housing
 - Permits
 - Prices
- Personal income
- Inflation

Meanwhile closer to home...

- Outrunning the pack
- Employment
- Housing
- Inflation
- Per capita income

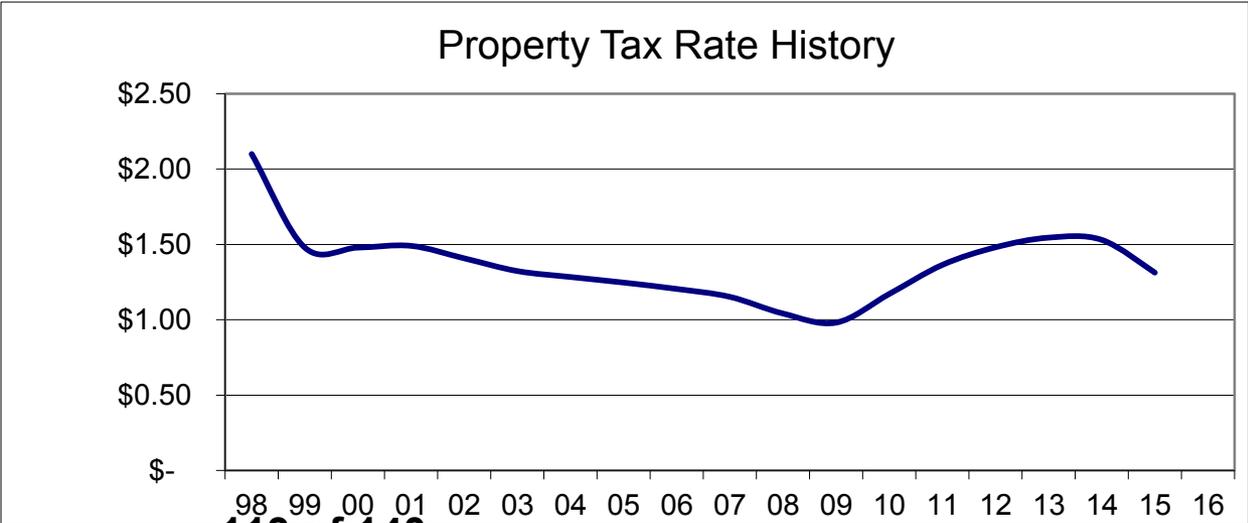
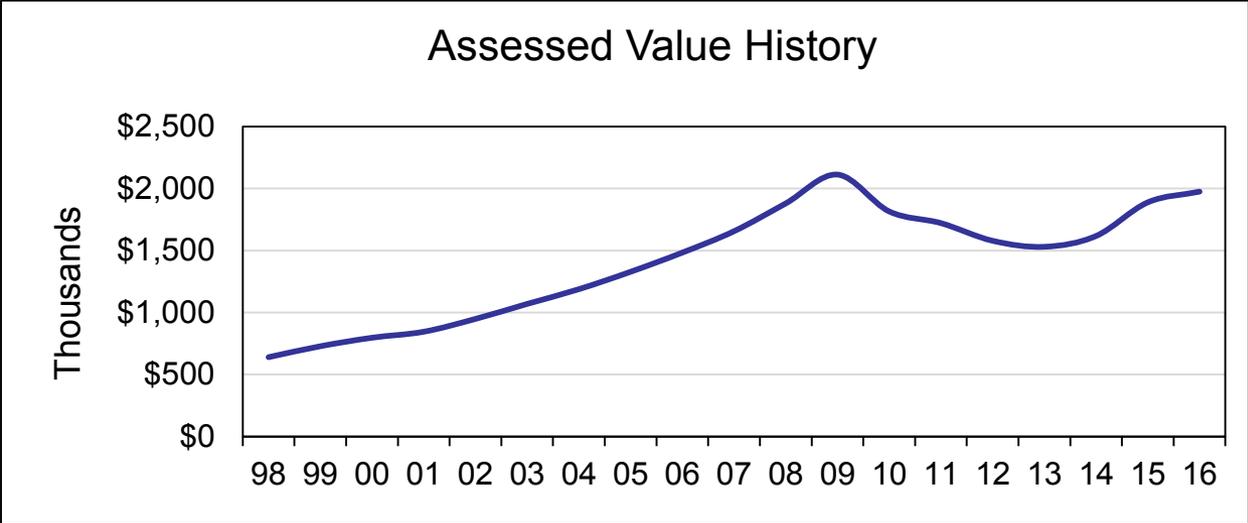
Covington – mixed signals?

- Major revenues
 - Sales tax and REET doing well; utility tax still hard to forecast
- Healthcare
 - MultiCare construction in 2016
- Housing
 - Existing sales continue strong
 - Cedar Springs, Maple Hills and Inland Group
- Retail
 - Retail sales tax up over 6% from 2014

Property Tax



- Assessment drops and levy rate rises. Conversely, assessment rises and levy rate drops
- Add 1 percent
- Add in new construction
- Final worksheet tally





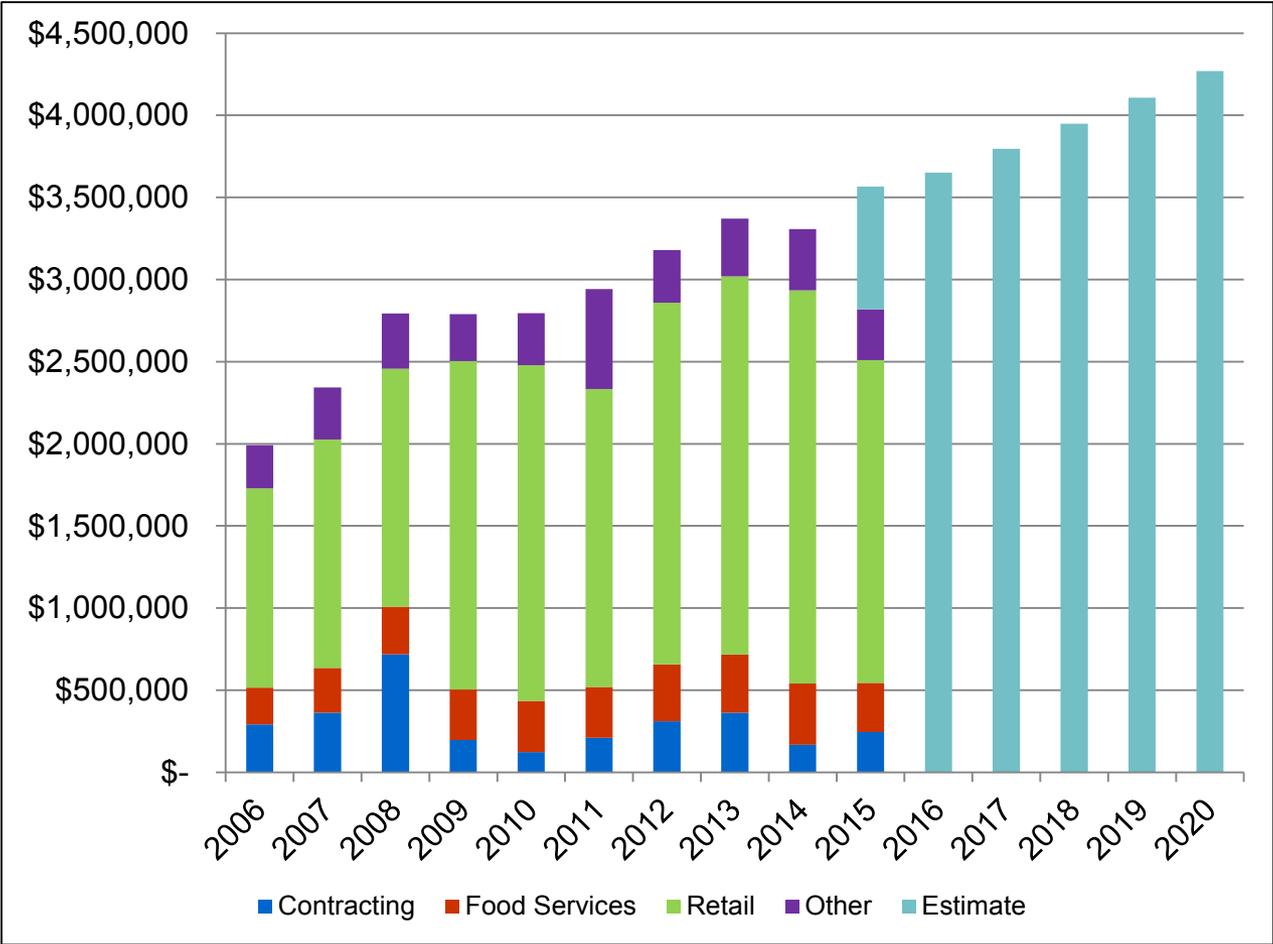
2015 Limit Factor	\$2,474,337
X1%	24,743
Increase in utility value	-0-
Plus: new construction	24,681
Re-levy for prior year refunds	<u>-0-</u>
2015 Property Tax Levy (for collection in 2016)	<u><u>\$2,523,761</u></u>
Assessed Valuation	\$1,975,050,567
Estimated Levy Rate	\$1.27782

Tax assessment comparison

	2015	2016	% Change
Assessed Value	\$1,898,857,162	\$1,975,050,567	4.01%
Tax Levy	\$2,474,169	\$2,523,761	2.00%
Levy Rate	\$1.30	\$1.28	-1.5%
Home Value	\$383,616	\$398,999	4.01%
Tax Assessment	\$499.84	\$509.85	2.00%

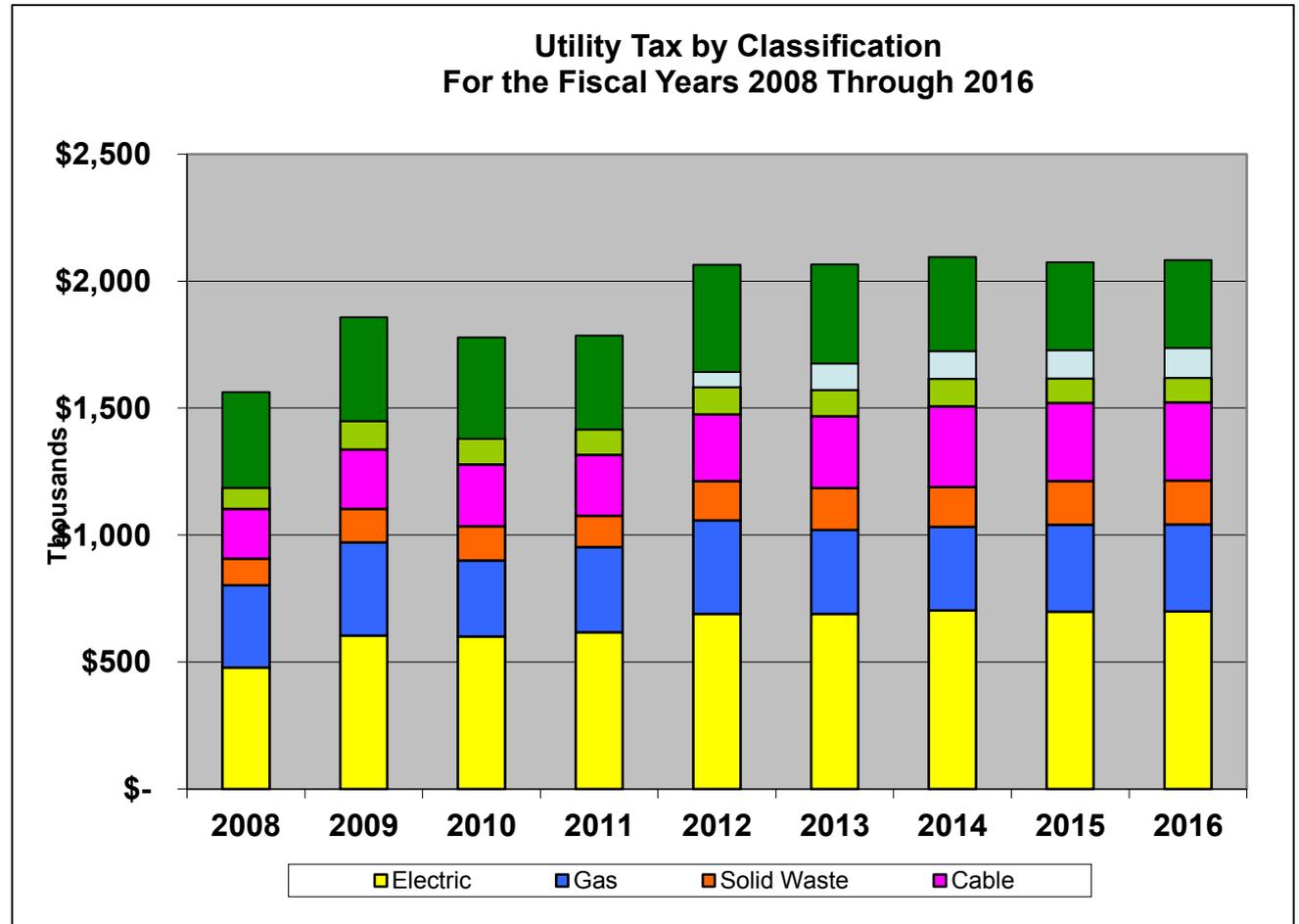
Sales Tax

- The economy continues to expand
 - Consumers are still spending
 - Consumer confidence is up
 - Construction has increased
 - Retail sales are expected to increase between 2015-2025 at a 3.9% annual growth rate



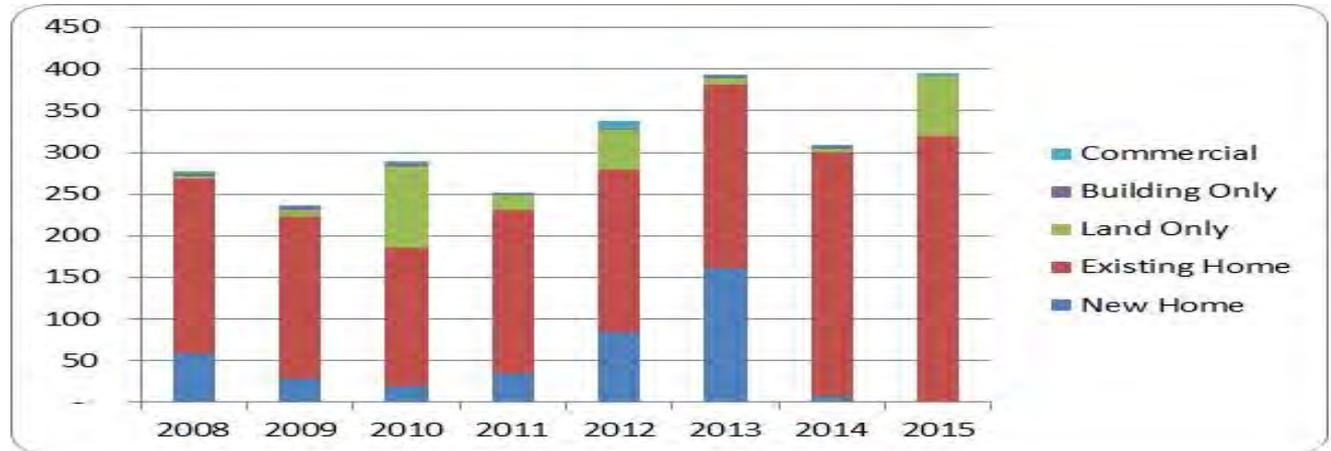
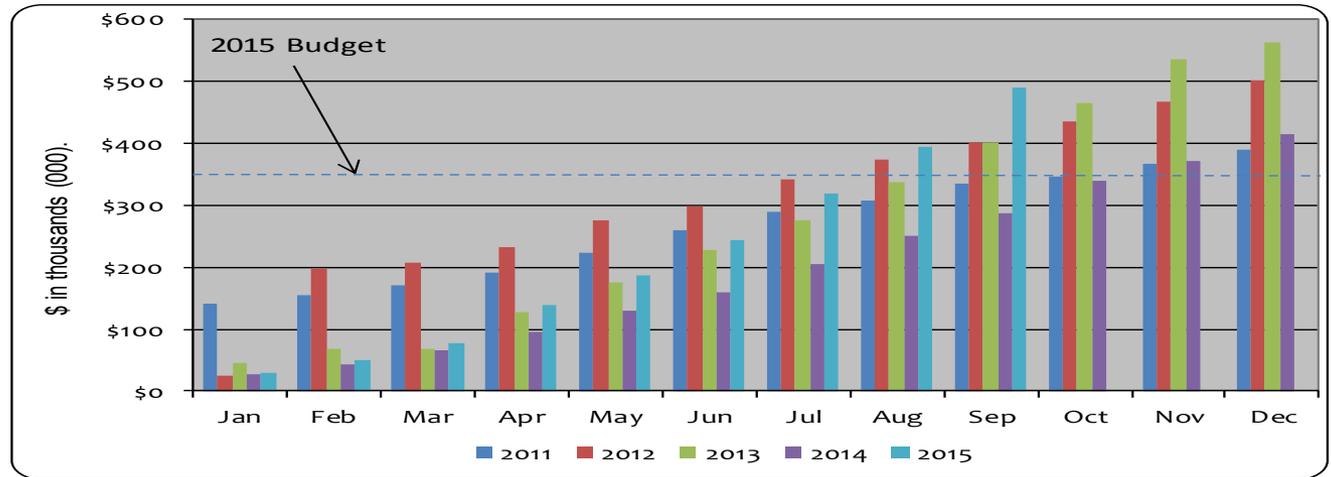
Utility Tax

- Utility tax estimate is about even with 2013
- 2016 expectations
 - The forecast increases utility tax slightly to account for population growth and small rate increases



REET and Housing

- New residential home sales have decreased significantly – correlates to # of permits issued
- Existing home sales for 2015 have exceeded 2014
- Will the trend continue?



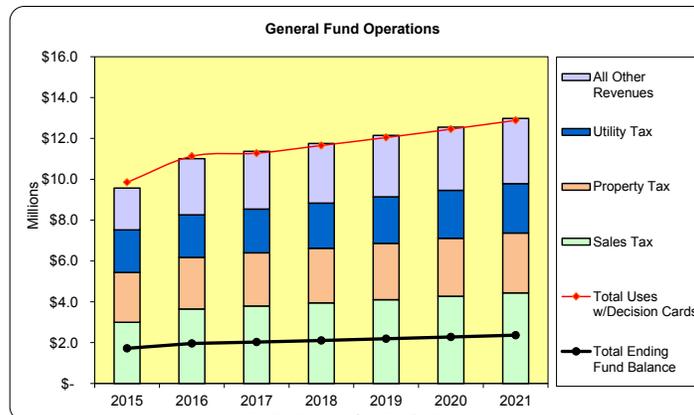
Looking into the future...

- FORECAST

CITY OF COVINGTON
GENERAL FUND/PARKS FUND LONG RANGE FORECAST
 2015-2021 Analysis in 000s
 BASE BUDGET

ATTACHMENT 3

	2015	2016	2017	2018	2019	2020	2021
BEGINNING FUND BALANCE	\$ 4,483	\$ 4,150	\$ 3,944	\$ 4,040	\$ 4,139	\$ 4,243	\$ 4,345
REVENUES							
Sales Tax ¹	2,996	3,650	3,796	3,948	4,106	4,270	4,441
Property Tax	2,446	2,524	2,599	2,677	2,758	2,841	2,926
Utility Tax ²	2,074	2,082	2,145	2,209	2,275	2,343	2,414
Local Criminal Justice	431	435	452	470	489	509	529
Licenses & Permits	77	77	77	77	77	77	77
Intergovernmental Revenue	330	357	367	378	390	401	413
Charges for Services	113	152	156	161	166	171	176
Fines & Forfeitures	107	103	108	113	119	125	131
Aquatics Fees	-	658	661	664	668	671	674
Athletic Fees	-	129	133	137	141	145	149
Recreation Fees	-	46	48	49	51	52	54
Miscellaneous	67	75	77	80	82	84	87
Interfund Payment	897	685	719	755	792	832	874
Operating Transfer In ³	34	34	34	34	34	34	34
BASE BUDGET REVENUES	9,573	11,005	11,372	11,752	12,147	12,555	12,979
OTHER FINANCING SOURCES							
Budget Strategies	-	-	-	-	-	-	-
TOTAL OTHER FINANCING USES	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL SOURCES	\$ 9,573	\$ 11,005	\$ 11,372	\$ 11,752	\$ 12,147	\$ 12,555	\$ 12,979
EXPENDITURES							
Salaries and Wages	1,412	2,692	2,800	2,912	3,029	3,150	3,276
Personnel Benefits	516	921	990	1,064	1,144	1,230	1,322
Supplies	67	226	233	240	247	254	262
Other Services and Charges	1,517	1,930	1,987	2,047	2,108	2,172	2,237
Intergovernmental	3,814	4,322	4,473	4,630	4,792	4,959	5,133
Capital Outlay	5	-	-	-	-	-	-
Central Services Cost Allocation	(499)	(311)	(327)	(343)	(360)	(378)	(397)
Operating Transfer Out less debt service transfer ⁴	2,378	162	167	172	177	182	187
BASE BUDGET EXPENDITURES	9,210	9,942	10,324	10,722	11,137	11,569	12,020
Operating Surplus/Deficit by Year	\$ 363	\$ 1,064	\$ 1,049	\$ 1,031	\$ 1,010	\$ 986	\$ 958
OTHER FINANCING USES							
Decision Cards							
Ongoing	-	99	102	105	108	111	114
One-time	-	209	-	-	-	-	-
Budget Strategies	-	-	-	-	-	-	-
Debt Service Transfer	638	878	851	827	798	773	749
TOTAL OTHER FINANCING USES	638	1,186	952	932	906	885	863
Annual Surplus/Deficit	(275)	(122)	96	204	212	212	209
TOTAL USES	9,848	11,127	11,276	11,653	12,043	12,454	12,884
One-time Costco payout	337	84	-	-	-	-	-
Sources over Uses	(612)	(206)	96	99	104	101	95
TOTAL ENDING FUND BALANCE	\$ 3,871	\$ 3,944	\$ 4,040	\$ 4,139	\$ 4,243	\$ 4,345	\$ 4,440
Cumulative net amount available for debt service.	\$ 2,512	\$ 2,600	\$ 2,518	\$ 2,439	\$ 2,358	\$ 2,349	\$ 2,255
Amount transferred to the debt service fund.	\$ 638	\$ 878	\$ 851	\$ 827	\$ 798	\$ 773	\$ 749
Remainder of debt service reserve.	\$ 1,874	\$ 1,721	\$ 1,667	\$ 1,613	\$ 1,560	\$ 1,576	\$ 1,506
COSTCO RESERVE	\$ 84	\$ 0	\$ -				
REPUBLIC SERVICES RESERVE	\$ 189	\$ 266	\$ 341	\$ 416	\$ 491	\$ 491	\$ 566
UNRESERVED FUND BALANCE	\$ 1,723	\$ 1,956	\$ 2,032	\$ 2,110	\$ 2,192	\$ 2,277	\$ 2,367
TOTAL ENDING FUND BALANCE	\$ 3,871	\$ 3,944	\$ 4,040	\$ 4,139	\$ 4,243	\$ 4,345	\$ 4,440
20% fund balance target	\$ 1,367	\$ 1,956	\$ 2,031	\$ 2,110	\$ 2,192	\$ 2,277	\$ 2,367
Fund balance policy	Meets 20%	Meets 20%	Meets 20%	Meets 20%	Meets 20%	Meets 20%	Meets 20%
Margin above/below the 20% threshold	\$ 356	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0



CITY OF COVINGTON STREET FUND LONG RANGE FORECAST - No TBD

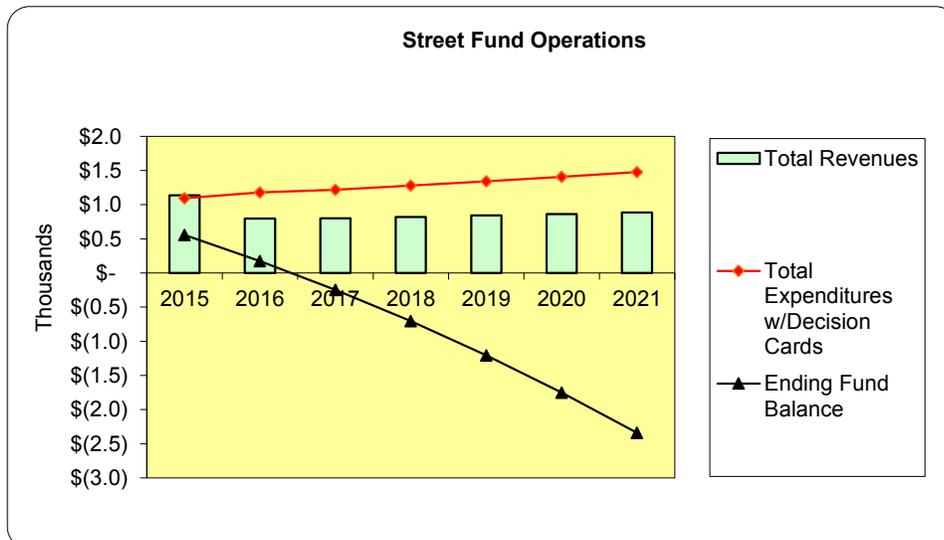
2015-2021 Analysis in 000s

BASE BUDGET

	2015	2016	2017	2018	2019	2020	2021
BEGINNING FUND BALANCE	\$ 514	\$ 557	\$ 173	\$ (247)	\$ (705)	\$ (1,205)	\$ (1,749)
REVENUES							
Licenses and Permits	242	242	248	254	261	267	274
Street Fuel Tax	381	376	385	395	405	415	425
Intergovernmental Revenues	-	-	-	-	-	-	-
Charges for Goods and Services	34	16	-	-	-	-	-
Miscellaneous	0	0	-	-	-	-	-
BASE BUDGET REVENUES	657	634	633	649	665	682	699
Operating Transfers In	480	162	167	172	177	182	187
Revenue strategies	-	-	-	-	-	-	-
Insurance Recoveries	-	-	-	-	-	-	-
TOTAL REVENUES	1,137	796	800	821	842	864	886
EXPENDITURES							
Salaries and Wages	337	348	362	376	391	407	423
Personnel Benefits	130	138	148	159	171	184	198
Supplies	51	64	66	68	70	72	75
Other Services and Charges	473	513	539	566	594	624	655
Intergovernmental	91	99	104	110	115	121	127
Capital Outlay	-	-	-	-	-	-	-
Debt Service: Principal	-	-	-	-	-	-	-
Operating Transfer Out	13	6	-	-	-	-	-
BASE BUDGET EXPENDITURES	1,094	1,169	1,219	1,279	1,342	1,408	1,478
Decision Cards							
Ongoing	-	-	-	-	-	-	-
One-time	-	11	-	-	-	-	-
Budget Strategies	-	-	-	-	-	-	-
TOTAL EXPENDITURES	1,094	1,180	1,219	1,279	1,342	1,408	1,478
Operating Surplus/Deficit by Year	42	(384)	(420)	(459)	(500)	(544)	(591)
TOTAL ENDING FUND BALANCE	557	173	(247)	(705)	(1,205)	(1,749)	(2,341)
15% fund balance target	\$ 162	\$ 174	\$ 183	\$ 192	\$ 201	\$ 211	\$ 222
Fund balance policy	Meets 15%	Under 15%	Under 15%	Under 15%	Under 15%	Under 15%	Under 15%
Margin above/below the 15% threshold	\$ 394	\$ (2)	\$ (430)	\$ (897)	\$ (1,407)	\$ (1,961)	\$ (2,562)

Notes:

1) This worksheet makes no assumptions as to new programs and decision cards past 2016 other than ongoing costs.



**CITY OF COVINGTON
PARKS & RECREATION SERVICES FUND LONG RANGE FORECAST**

2015-2021 Analysis in 000s

BASE BUDGET

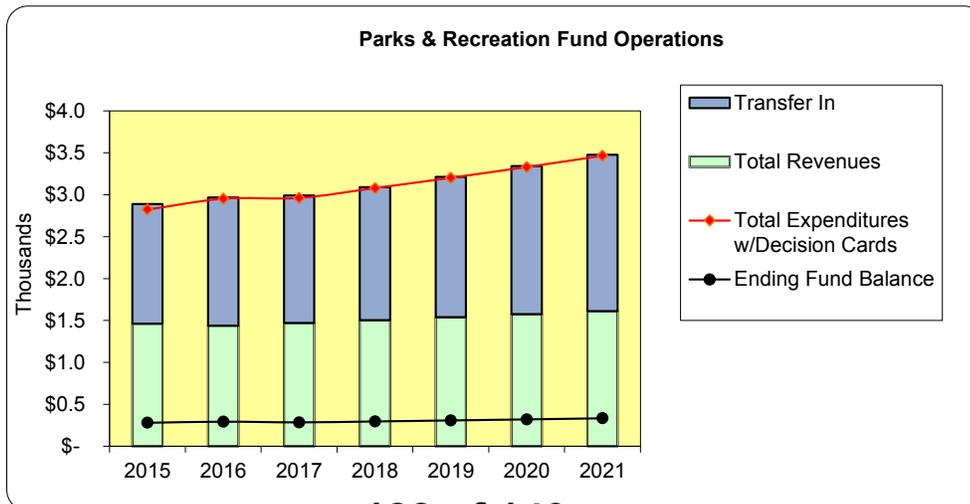
	2015	2016	2017	2018	2019	2020	2021
BEGINNING FUND BALANCE	\$ 214	\$ 280	\$ 293	\$ 285	\$ 296	\$ 308	\$ 320
REVENUES							
Sales Tax ¹	571	584	607	632	657	683	711
Intergovernmental Revenues	0	-	-	-	-	-	-
Charges for Goods and Services	14	15	15	16	16	16	17
Aquatics Fees	687	658	661	664	668	671	674
Athletic Fees	129	129	133	137	141	145	149
Recreation Fees	48	46	48	49	51	52	54
Miscellaneous	12	6	7	7	7	7	7
Other Financing Sources	-	-	-	-	-	-	-
BASE BUDGET REVENUES	<u>1,461</u>	<u>1,438</u>	<u>1,470</u>	<u>1,504</u>	<u>1,539</u>	<u>1,575</u>	<u>1,612</u>
Operating Transfers In	1,427	1,528	1,520	1,587	1,676	1,768	1,866
TOTAL REVENUES	<u>2,888</u>	<u>2,966</u>	<u>2,990</u>	<u>3,091</u>	<u>3,215</u>	<u>3,343</u>	<u>3,478</u>
EXPENDITURES							
Salaries and Wages	1,149	1,164	1,210	1,258	1,309	1,361	1,416
Personnel Benefits	329	363	391	420	451	485	522
Supplies	188	163	168	173	178	183	189
Other Services and Charges	1,050	1,033	1,064	1,095	1,128	1,162	1,197
Intergovernmental	22	12	12	12	12	12	12
Capital Outlay	58	-	-	-	-	-	-
Operating Transfer	27	27	27	27	27	27	27
BASE BUDGET EXPENDITURES	<u>2,823</u>	<u>2,762</u>	<u>2,871</u>	<u>2,986</u>	<u>3,106</u>	<u>3,231</u>	<u>3,363</u>
Decision Cards							
<i>Ongoing</i>	-	88	91	93	96	99	102
<i>One-time</i>	-	102	-	-	-	-	-
Budget Strategies	-	-	-	-	-	-	-
TOTAL EXPENDITURES	<u>2,823</u>	<u>2,952</u>	<u>2,962</u>	<u>3,079</u>	<u>3,202</u>	<u>3,330</u>	<u>3,465</u>
Operating Surplus/Deficit by Year	65	14	(8)	11	12	12	13
ENDING FUND BALANCE	\$ 280	\$ 293	\$ 285	\$ 296	\$ 308	\$ 320	\$ 334
10% fund balance target	\$ 280	\$ 292	\$ 284	\$ 296	\$ 308	\$ 320	\$ 334
Fund balance policy	Under 10%	Meets 10%					
Margin above/below the 10% threshold	\$ (0)	\$ 1	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0

Notes:

1) This worksheet makes no assumptions as to new programs and decision cards past 2016 other than ongoing costs.

Footnotes:

¹ Sales tax is allocated at 84% of forecasted revenues to the General Fund and 16% to the Parks Fund.



**CITY OF COVINGTON
DEVELOPMENT SERVICES FUND LONG RANGE FORECAST**

2015-2021 Analysis in 000s
BASE BUDGET

	2015	2016	2017	2018	2019	2020	2021
BEGINNING FUND BALANCE	\$ 1,912	\$ 2,794					
REVENUES							
Licenses & Permits	\$ 1,202	\$ 700					
Intergovernmental Revenues	-	-					
Charges for Goods & Services	917	557					
Miscellaneous Revenues	8	2					
Operating Transfer In	-	-					
TOTAL REVENUES¹	2,126	1,258					
EXPENDITURES							
Salaries and Wages	523	561					
Personnel Benefits	175	189					
Supplies	11	12					
Other Services and Charges	435	456					
Intergovernmental	101	84					
Other Financing	-	-					
BASE EXPENDITURES	1,244	1,302					
Decision Cards							
<i>Ongoing</i>	-	117					
<i>One-time</i>	-	27					
TOTAL EXPENDITURES	1,244	1,446					
Operating Surplus/Deficit by Year	882	(187)					
Ending Fund Balance	\$ 2,794	\$ 2,607					
15% Fund balance target	\$ 319	\$ 189					
Fund balance policy	Meets 15%	Meets 15%					
Margin above/below the 15% threshold	\$ 2,475	\$ 2,418					

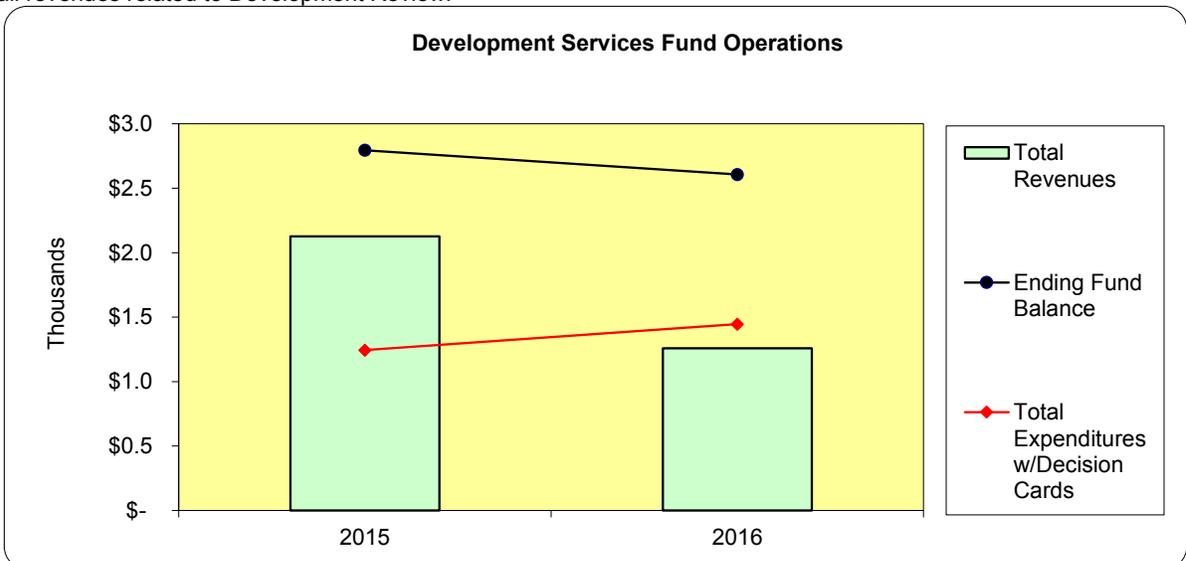
Due to the nature of Development Services being a working capital fund where projects cross years and the source of revenue is based solidly on economic cycles, accurate forecasting becomes speculative beyond 2016.

Notes:

1) This worksheet makes no assumptions as to new programs and decision cards past 2016 other than ongoing costs.

Footnotes:

¹ Reflects all revenues related to Development Review.



CITY OF COVINGTON

SURFACE WATER MANAGEMENT FUND LONG RANGE FORECAST

2014-2021 Analysis in 000s

BASE BUDGET

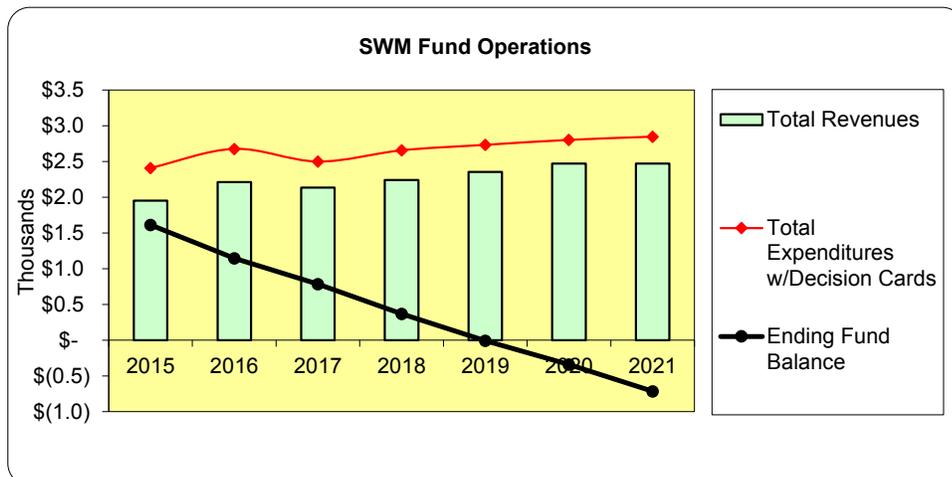
	2015	2016	2017	2018	2019	2020	2021
BEGINNING CASH BALANCE	\$ 2,071	\$ 1,612	\$ 1,146	\$ 783	\$ 369	\$ (10)	\$ (340)
REVENUES							
Customer Charges ¹	\$ 1,934	\$ 2,029	\$ 2,130	\$ 2,237	\$ 2,349	\$ 2,466	\$ 2,466
Grant Revenue	12	176	-	-	-	-	-
Misc	5	5	5	5	5	6	6
TOTAL REVENUES	1,951	2,210	2,136	2,242	2,354	2,472	2,472
Transfers In	-	-	-	-	-	-	-
TOTAL SOURCES	1,951	2,210	2,136	2,242	2,354	2,472	2,472
EXPENDITURES							
Salaries and Wages	546	543	564	587	610	635	660
Personnel Benefits	222	221	238	256	275	296	318
Supplies	28	45	48	50	52	55	58
Other Services and Charges	995	1,085	1,139	1,196	1,256	1,319	1,385
Intergovernmental	50	63	66	70	73	77	81
Capital Outlay	199	619	443	497	465	421	346
Debt Service: Principal	-	-	-	-	-	-	-
Debt Service: Interest	33	33	1	1	1	0	0
Transfer Out	336	-	-	-	-	-	-
BASE BUDGET TOTAL	2,410	2,610	2,499	2,656	2,733	2,802	2,847
Decision Card							
<i>Ongoing</i>	-	49	52	55	58	62	66
<i>One-time</i>	-	18	-	-	-	-	-
Budget Strategies	-	-	-	-	-	-	-
TOTAL EXPENDITURES	2,410	2,676	2,499	2,656	2,733	2,802	2,847
Operating Surplus/Deficit by Year	(459)	(466)	(364)	(414)	(378)	(330)	(375)
ENDING CASH BALANCE	1,612	1,146	783	369	(10)	(340)	(715)
10% fund balance target	\$ 204	\$ 258	\$ 250	\$ 266	\$ 273	\$ 280	\$ 285
	Meets 10%	Meets 10%	Meets 10%	Meets 10%	Under 10%	Under 10%	Under 10%
Margin above the 10% threshold	\$ 1,408	\$ 888	\$ 533	\$ 103	\$ (283)	\$ (620)	\$ (1,000)

Notes:

- 1) This worksheet makes no assumptions as to new programs and decision cards past 2016 other than ongoing costs.
- 2) As a reminder the deficit spending is planned to spend down the current cash balance.

Footnotes:

¹ This reflects ongoing 5% increases thru 2020.



SUBJECT: CONSIDER ORDINANCE DESIGNATING CIVIC CENTER DRUG FREE ZONES WITHIN THE CITY OF COVINGTON.

RECOMMENDED BY: Andrew McCurdy, Police Chief

ATTACHMENT(S):

1. Proposed Ordinance Designating Civic Center Drug Free Zones Within the City of Covington
2. Map Indicating Proposed Civic Center Drug Free Zones Within the City of Covington

PREPARED BY: Andrew McCurdy, Police Chief

EXPLANATION:

The City of Covington is a growing community that is trying to maintain an environment that is safe for families and attracts new businesses. The city recognizes that the abuse of drugs can be devastating to individuals, families, and communities. The city wants to work to address problems associated with drug abuse by supporting education, treatment, and enforcement programs.

The city also recognizes that dealing drugs in areas frequented by children and other vulnerable people can have a variety of negative consequences. Revised Code of Washington (RCW) 69.50.435 codifies additional penalties for the sale, purchase, or possession with intent to distribute drugs near schools, on school busses, near school bus stops, in public parks, in public transit vehicles, and in public transit stop shelters. RCW 69.50.435 also allows local authorities to designate certain areas as “Civic Center Drug Free Zones” so that the same sentencing enhancements can be applied.

Pursuant to the authority in RCW 69.50.435, the attached proposed ordinance (Attachment 1) designates the City of Covington’s Aquatics Center, City Hall, and Public Works Maintenance Facility as “civic centers” within the City of Covington, together with a buffer area of one thousand (1,000) feet from the perimeter of each facility, as “Civic Center Drug Free Zones” within the City of Covington. The attached Civic Center Drug Free Zones Map (Attachment 2) visually depicts the civic centers and related buffers designated in the proposed Civic Center Drug Free Zone ordinance.

If passed by the council, as noted above, this ordinance will allow Covington’s police department and prosecutor to seek additional penalties and sentencing enhancements for those individuals charged with the sale, purchase, or possession with intent to distribute drugs within the designated Civic Center Drug Free Zones.

ALTERNATIVES:

1. Recommend amendments to the proposed ordinance.
2. Return the issue to city staff for further study and analysis.

FISCAL IMPACT:

There should be no direct financial impact on the city. Minimal staff time would be needed to post and maintain the required records and Civic Center Drug Free Zone map.

CITY COUNCIL ACTION: Ordinance Resolution Motion Other

**Council member _____ moves, Council member _____
seconds, to pass an ordinance, in substantial form as that attached hereto,
designating civic center drug free zones within the City of Covington.**

REVIEWED BY: City Manager; City Attorney; Police Chief

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, DESIGNATING CIVIC CENTER DRUG FREE ZONES; AMENDING CHAPTER 9.45, CRIMINAL CODE, OF THE COVINGTON MUNICIPAL CODE TO ESTABLISH THE SAME; ESTABLISHING SEVERABILITY AND AN EFFECTIVE DATE; AND PROVIDING FOR CORRECTIONS.

WHEREAS, pursuant to RCW 69.50.435, additional penalties associated with certain criminal activity may be assessed if the criminal activity occurs in a school, on a school bus, within 1000 feet of a school bus route stop designated by the school district, within 1000 feet of the perimeter of the school grounds, in a public park, on a public transit vehicle, in a public transit stop shelter or at a civic center designated as a drug-free zone; and

WHEREAS, in order for the additional penalties to be assessed for certain crimes occurring at civic centers, or within one thousand (1000) feet of the perimeter of civic centers, the Covington City Council (hereinafter "City Council") shall designate said area(s) as a drug-free zone(s) pursuant to RCW 69.50.435(1)(i-j); and

WHEREAS, RCW 69.50.435(6)(h) defines "civic center" as publicly owned or publicly operated places or facilities used for recreational, educational, or cultural activities; and

WHEREAS, the City of Covington's Aquatics Center, City Hall, and Public Works Maintenance Facility, are publicly owned or publicly operated places or facilities used for recreational, educational, or cultural activities and are thereby considered "civic centers" within the meaning of RCW 69.50.435(6)(h); and

WHEREAS, the City Council seeks to designate said civic centers and the area within one thousand (1,000) feet of the perimeter of said civic centers as drug-free zones pursuant to RCW 69.50.435(1)(i) (the "Civic Center Drug-Free Zones") and

WHEREAS, the City Council seeks to approve the Civic Center Drug-free Zones map, attached as Exhibit A, as the official record of the location and boundaries of the area on or within one thousand (1,000) feet of the civic centers designated as a drug-free zone and in which additional penalties for certain criminal activity, specified in RCW 69.50.435, may be imposed;

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

Section 1. Civic Center Drug-Free Zones Designated. Pursuant to the authority of RCW 69.50.435, the City of Covington hereby designates the following civic centers located within the City of Covington and their one thousand (1,000) foot perimeters as Drug-Free Zones:

- (1) The City of Covington's Aquatics Center and the area within one thousand (1,000) feet of the perimeter of the City of Covington's Aquatic Center;

- (2) Covington City Hall and the area within one thousand (1,000) feet of the perimeter of Covington City Hall;
- (3) The City of Covington's Public Works Maintenance Facility and the area within one thousand (1,000) feet of the perimeter of the City of Covington's Public Works Maintenance Facility;

Said drug-free zones are depicted on the map attached hereto as Exhibit A, which is fully incorporated by this reference and hereby designated as the City of Covington's Civic Center Drug-Free Zone Map. A copy of the City of Covington's Civic Center Drug-Free Zone Map shall be maintained in the offices of the Covington City Clerk.

Section 2. Definitions. The definitions of terms contained in the Revised Code of Washington 69.50.435(6), as presently constituted or hereinafter amended, are hereby adopted by reference.

Section 3. New Section 9.45.140 CMC Created. Sections 1 and 2 of this ordinance shall be codified in the Covington Municipal Code as a new Section 9.45.140, Drug-free zones – Enhanced penalty.

Section 4. 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 preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 5. Effective Date. A summary of this ordinance shall be published in the official newspaper of the City. This ordinance shall be effective five (5) days after its passage and publication, as provided in RCW 35A.13.190.

Section 6. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the Code Reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or section/subsection numbering.

PASSED BY THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, AT A REGULAR MEETING THEREOF ON THIS 27th DAY OF OCTOBER, 2015.

ATTESTED:

Sharon Scott, City Clerk

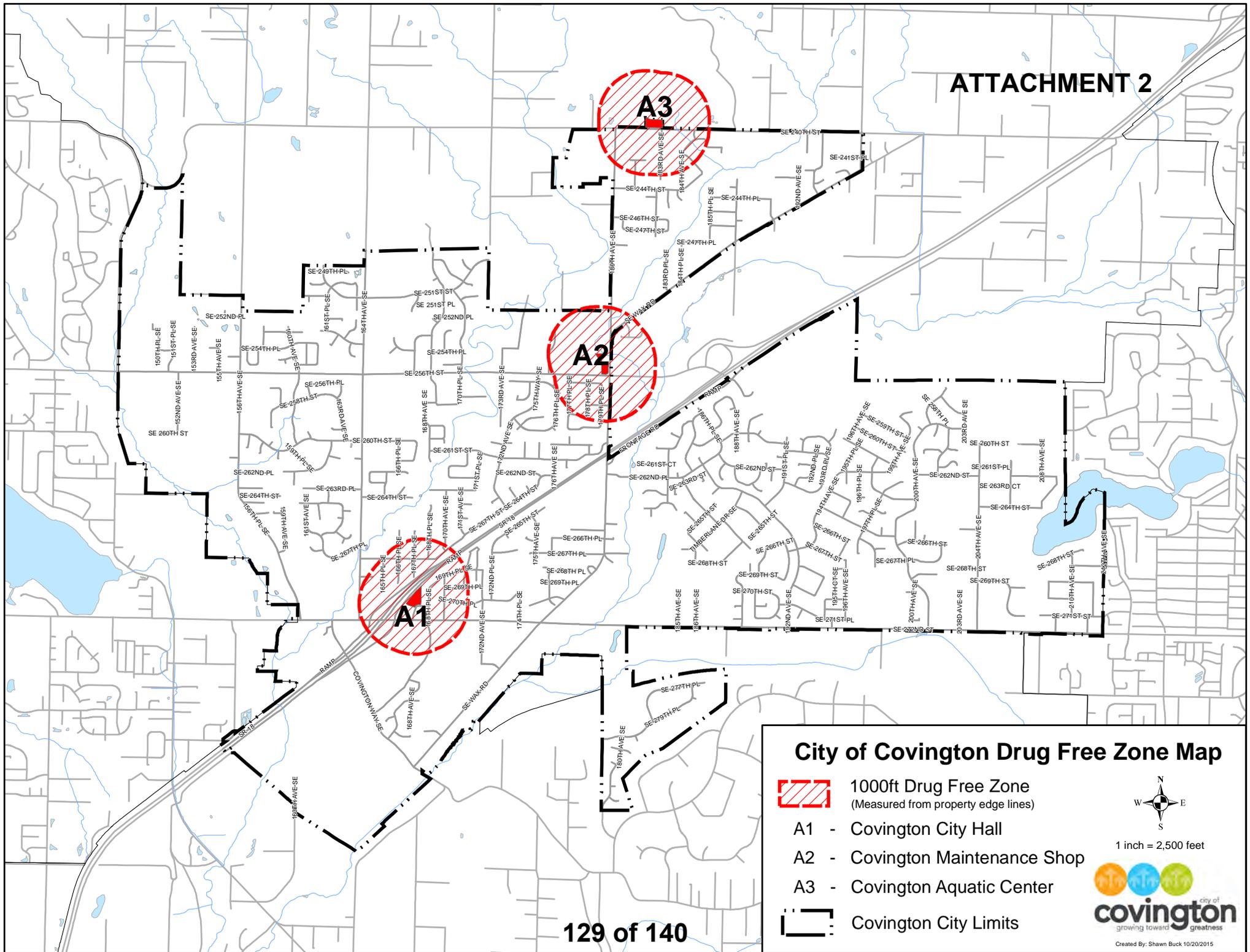
Mayor Margaret Harto

PUBLISHED: October 30, 2015
EFFECTIVE: November 4, 2015

APPROVED AS TO FORM:

Sara Springer, City Attorney

ATTACHMENT 2



City of Covington Drug Free Zone Map

 1000ft Drug Free Zone
(Measured from property edge lines)

- A1 - Covington City Hall
- A2 - Covington Maintenance Shop
- A3 - Covington Aquatic Center

 Covington City Limits



1 inch = 2,500 feet



Created By: Shawn Buck 10/20/2015

SUBJECT: CONSIDER ORDINANCE PERTAINING TO SCHOOL IMPACT FEES, REPEALING CHAPTER 18.120 OF THE COVINGTON MUNICIPAL CODE (CMC), AND TERMINATING THE INTERLOCAL AGREEMENT WITH KENT SCHOOL DISTRICT REGARDING THE SAME

RECOMMENDED BY: Regan Bolli, City Manager

ATTACHMENT(S):

1. Proposed Ordinance Pertaining to School Impact Fees, Repealing Chapter 18.120 CMC

PREPARED BY: Sara Springer, City Attorney

EXPLANATION:

On June 5, 2015, the Kent School District (the “District”) filed a legal action in King County Superior Court seeking a declaratory judgment from the court to assert that a newly adopted provision of the state impact fee statutes (RCW 82.02.060(3)) requires the City to obtain approval from the District before the City is able to grant any exemption from school impact fees.

The attached proposed ordinance (Attachment 1) has been placed on this meeting’s agenda at the request of the council as a means to efficiently dismiss said litigation with the District, as well as to best serve the interests of the City and the community by limiting the public funds used for litigation costs, by both the City and the District; preserving the City’s authority under state law to independently regulate development within the city; and allowing the City and District to resume their productive working relationship serving the children and families of the District and City.

The extensive recitals included in the proposed ordinance provide the background and history of the current issues surrounding the collection of school impact fees, as well as the City’s reasoning for considering passing an ordinance to terminate the collection of school impact fees.

ALTERNATIVES:

1. Amend the proposed ordinance.
2. Do not pass the proposed ordinance.

FISCAL IMPACT: Passing the proposed ordinance will have no direct fiscal impact on the city, as the city only serves as a pass-through administrator to enable the District to receive school impact fees. As noted in the ordinance, it is the intent of the City to limit the use of public funds to further litigate the underlying matter by passing the proposed ordinance to repeal the collection of school impact fees, rendering the issue moot and no longer justiciable.

CITY COUNCIL ACTION: X Ordinance Resolution Motion Other

Councilmember _____ moves, and councilmember _____ seconds to pass an ordinance, in substantial form as that attached hereto, relating to school impact fees, repealing Chapter 18.120 CMC, and terminating the Interlocal agreement with Kent School District regarding the same.

REVIEWED BY: City Manager, Finance Director, Community Development Director,
City Attorney

ATTACHMENT 1

ORDINANCE NO. 11-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, PERTAINING TO SCHOOL IMPACT FEES, REPEALING CHAPTER 18.120 OF THE COVINGTON MUNICIPAL CODE ENTITLED SCHOOL IMPACT FEES; TERMINATING THE INTERLOCAL AGREEMENT WITH KENT SCHOOL DISTRICT REGARDING THE SAME; ESTABLISHING SEVERABILITY; DECLARING AN EMERGENCY AND ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR CORRECTIONS.

WHEREAS, the 1990 Growth Management Act (“GMA” or “the Act”), Chapter 36.70A of the Revised Code of Washington (“RCW”), requires that “uncoordinated and unplanned growth together with a lack of common goals expressing the public’s interest in the conservation of and the wise use of our lands, pose a threat to the environment, sustainable development, and the health, safety, and high quality of life enjoyed by residents of this state” (RCW 36.70A.010); and

WHEREAS, the GMA includes adopted goals to guide the development and adoption of comprehensive plans and development regulations for those counties and cities that are required or choose to plan under the Act; and

WHEREAS, the City of Covington (the “City”) plans under the GMA; and

WHEREAS, the GMA allows only counties and cities planning under the Act to impose impact fees on development activity as a means of funding a proportionate share of the cost of new facilities needed to serve new growth and development (RCW 82.02.050); and

WHEREAS, though counties and cities that plan under the Act are authorized to impose impact fees on development activity as part of the financing for public facilities, the GMA expressly forbids the use of impact fees to fund completely the system improvements needed to serve new development; the financing system for such improvements must also provide for a balance between impact fees and other sources of public funds (RCW 82.02.050(2)); and

WHEREAS, the GMA also provides flexibility in the process of developing impact fees and permits an impact fee ordinance adopted by a county or city to include exemptions for low-income housing and other development activities with broad public purposes (RCW 82.02.060(2)); and

WHEREAS, accordingly, the GMA impact fee requirements and guidelines assist jurisdictions in determining the public and private shares of the costs of new facilities while leaving specific determinations to be made by the local jurisdiction, which is consistent with the GMA’s emphasis on local responsibility and control over the growth process; and

WHEREAS, in 1997 the City passed Ordinance No. 17-97 to adopt by reference Title 21A of the King County Code (“KCC”) as its interim zoning code; the City subsequently passed Ordinance No. 42-02 to codify the same code under Chapter 18.120 of the Covington Municipal Code (“CMC”); and

WHEREAS, since 1997 the City’s code has provided for the collection of school impact fees upon request of a school district, as well as provided for the City to grant an exemption or reduction from school impact fees for housing developments that include low- or moderate-income housing (CMC 18.120.080; previously KCC 21A.43.080); and

WHEREAS, pursuant to CMC 18.120.040, in 1999 the City and the District executed an interlocal agreement for the collection, distribution, and expenditure of school impact fees collected by the City on behalf of the District (the “ILA”); and

WHEREAS, since the City began collecting school impact fees on behalf of the District in 1999, the City has remitted over \$5 million to the District to help fund their capital facility needs as outlined in the District’s Capital Facilities Plan; and

WHEREAS, King County and the cities of Kent, Auburn, and Renton also collect and remit school impact fees to KSD; pursuant to state law, the amount of the school impact fee collected by each local jurisdiction on behalf of the District is determined at the sole discretion of each jurisdiction and can and does vary between each jurisdiction; and

WHEREAS, in April 2014, the Inland Real Estate Group of Companies, Inc. (“Inland Group”) submitted building applications to the City to develop two housing projects within the City’s Town Center—specifically, a senior housing community and a mixed-use, affordable housing community including 200 deed-restricted apartments for low- to moderate-income households; and

WHEREAS, as part of its application, Inland Group requested that the City grant a partial exemption from school impact fees applied to the affordable housing portion of the development, pursuant to RCW 82.02.060 and CMC 18.120.080; and

WHEREAS, this was the first development project in Covington that requested an affordable housing exemption from school impact fees; prior to Inland Group’s project, all development in Covington subject to school impact fees paid those impact fees in full; and

WHEREAS, exemptions from school impact fees—specifically, exemptions for affordable housing developments—are governed by state law, CMC 18.120.080, and the ILA between the City and the District; and

WHEREAS, in addition to the general requirements under state law, the CMC requires the City’s community development department to consider a host of factors and required criteria when determining if an exemption from school impact fees should be approved; the ILA also specifically gives authority to the City’s community development director to make the final decision of whether to approve an exemption from school impact fees; and

WHEREAS, though Inland Group requested a partial exemption from school impact fees, as part of their overall project they will build additional infrastructure in the form of 1,100 lineal feet of two-lane road, which includes underground utilities, at their cost of \$700,000, which will raise the property value of District-owned property adjacent to the development; and

WHEREAS, in May 2014, the City preliminarily granted Inland Group an exemption from school impact fees and on June 9, 2014, notified the District of said exemption via email, pursuant to CMC 18.120.080 and the ILA, with no objection received from the District; and

WHEREAS, in September 2014, as the City neared issuing their final development approval for Inland Group's project, the District objected to the City granting an exemption from school impact fees for the project; and

WHEREAS, the District referenced a 2012 amendment to the state impact fee statutes (RCW 82.02.060(3)) and indicated that, in their opinion, the City did not have the legal right to grant an exemption from school impact fees without first receiving approval of the exemption from the District; and

WHEREAS, the City disagreed with the District's reading of the state statute in question, and informed the District that they provided their approval to such exemptions when entering into the ILA with the City; and

WHEREAS, Inland Group and City staff attended numerous District board meetings and provided additional information to District staff to further explain the reasoning for the City's desire to grant Inland Group's school impact fee exemption request and how the development of affordable housing within the Town Center addresses the City's housing and economic development goals in its Comprehensive Plan, supports the City's short- and long-term goals to create a vibrant community with affordable housing options, increases employment opportunities created through economic growth, and creates a thriving Town Center to benefit all Covington residents; and

WHEREAS, despite the City's efforts to reach consensus with the District, the City and District could not agree on the interpretation of RCW 82.02.060(3) or the exemption from school impact fees to be granted to Inland Group; and

WHEREAS, the City feels strongly that affordable housing and economic development in the city's Town Center are important elements for the City's future and the City Council is excited to have Inland Group's development project as an anchor in the Town Center and provide housing for underserved portions of Covington's residents (seniors and low-income households); and

WHEREAS, the City also recognizes that though school impact fees support the District's infrastructure, without impact fee exemptions affordable housing development, which is an equally important public need governed and required to be provided for by state growth management regulations, would not be built; impact fees add to the cost of development over and

above normal construction costs and that cost is traditionally passed on to buyers; in the case of affordable housing, it is not financially feasible for the developer to pass those costs on to residents, as state law sets pricing limits on low-income housing to ensure that the housing remains affordable for low- or moderate-income households; and

WHEREAS, on October 22, 2014, the City issued a final decision regarding the exemption of school impact fees for the Inland Group project, granting Inland Group an eighty percent (80%) exemption from the school impact fees owed for the low-income housing units included as part of their project; Inland Group remitted to the District the remaining twenty percent (20%) of school impact fees applied to their project (\$135,120); and

WHEREAS, the City's decision to partially exempt the school impact fees for the Inland Group development was a land use decision subject to a limited twenty-one (21) day appeal period under the state's Land Use Petition Act ("LUPA"), and the District did not file a timely LUPA appeal of the City's decision; and

WHEREAS, over seven months after the City issued the school impact fee exemption for the Inland Group project, on June 5, 2015, the District chose to file a legal action against the City in King County Superior Court, seeking a declaratory judgment from the court to assert that RCW 82.02.060(3) requires the City to obtain approval from the District before the City is able to grant any exemption from school impact fees; and

WHEREAS, the District's legal challenge applies not only to exemption requests for low-income housing, but also to any exemptions or exclusions granted by the City for a broad public purpose, which includes all exceptions under CMC 18.20.070, including senior housing, the reconstruction or remodeling of existing homes, temporary dwellings, and accessory dwelling units; and

WHEREAS, the City Council has taken into consideration the substantial amount of time and expense that continuing the litigation will cause; and

WHEREAS, the City Council has carefully assessed the additional benefits and burdens of continuing said litigation; and

WHEREAS, the City Council has also weighed the costs and benefits to the citizens of Covington of continuing the litigation; and

WHEREAS, although the City is confident in its ability to defend the matter currently before the court, the City Council has determined that repealing the City's ordinance for the collection of school impact fees and terminating the ILA with the District is the most efficient method to dismiss the present litigation with the District; such action will make the District's current court action moot because the City will no longer collect school impact fees and there will no longer be a justiciable controversy, as required by law, under which the District may seek a declaratory judgment from the court; and

WHEREAS, the City Council has determined that such action will best serve the interests of the City and the community by limiting the public funds used for litigation costs, by both the City and the District; preserving the City's authority under the GMA to independently regulate development within the city; and allowing the City and District to resume their normal, productive working relationship; and

WHEREAS, under state law, the collection of school impact fees is not required and the City is free to repeal its ordinance and no longer collect school impact fees at any time; and

WHEREAS, pursuant to the ILA, the City may terminate the ILA and its obligation to collect school impact fees on behalf of the District at any time, for any reason; and

WHEREAS, similarly, the City Council recognizes that they may pass an ordinance at any time to reinstitute the collection of school impact fees should the state legislature amend RCW 82.02.060(3) to clearly state the city's authority to independently issue final approvals for exemption requests or exclusions from school impact fees and/or should the City and District together reach a similar agreement; and

WHEREAS, the City Council still recognizes the importance of supporting the District in serving the children and families in Covington; and

WHEREAS, the City Council still greatly values the long-standing, positive, and productive working relationship between the City and the District and the importance of the District and City to continue to work together to support the mutual services and programs each offer to the children and families within the District and Covington;

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

Section 1. Chapter 18.120 CMC Repealed. Ordinance No. 42-02, codified as Chapter 18.120 of the Covington Municipal Code, and those portions of Ordinance Nos. 23-04, 06-05, 17-05, 20-07 and 03-12 that subsequently amended Ordinance No. 42-02 are hereby repealed, subject to the provisions of this ordinance.

Section 2. ILA with Kent School District Terminated. The December 15, 1999 Interlocal Agreement between the City of Covington and the Kent School District for the collection, distribution, and expenditure of school impact fees (the "ILA") is hereby terminated as of the Effective Date of this ordinance and pursuant to the terms of the ILA. A copy of this ordinance shall be remitted to the Kent School District to serve as written notification of termination.

Section 3. Refunding Unexpended or Unencumbered Impact Fees.

a. Pursuant to the ILA and RCW 82.02.080(2), all unexpended or unencumbered school impact fee funds received by Kent School District from the City of Covington up to the Effective Date of this ordinance, including interest earned, shall be refunded to the current owner of the property for which the associated school impact fee was paid. All funds available for refund shall

be retained by Kent School District for a period of one (1) year. At the end of one (1) year, any remaining funds shall be remitted to the City of Covington, but must be expended for the benefit of Kent School District public facilities.

b. Pursuant to RCW 82.02.080(2), The City of Covington shall place notice of this ordinance and the availability of refunds in a newspaper of general circulation at least two (2) times and shall notify all potential claimants by first class mail addressed to the owner of the property as shown in the City tax records. This notice requirement shall not apply if Kent School District has no unexpended or unencumbered balances within the account or accounts being terminated.

Section 4. 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 preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 5. Declaration of Emergency - Effective Date. The Covington City Council declares that an emergency exists necessitating that this ordinance become effective immediately for the protection of the public health and safety, public peace, and public property. This ordinance shall take effect immediately upon passage.

Section 6. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the Code Reviser are authorized to make necessary technical corrections to this ordinance, including the correction of clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or section/subsection numbering.

**PASSED BY THE CITY COUNCIL OF THE CITY OF COVINGTON,
WASHINGTON, AT A REGULAR MEETING THEREOF ON THIS 27th DAY OF
OCTOBER, 2015.**

Mayor Margaret Harto

PUBLISHED: October 30, 2015
EFFECTIVE: October 27, 2015

ATTESTED:

Sharon Scott, City Clerk

APPROVED AS TO FORM:

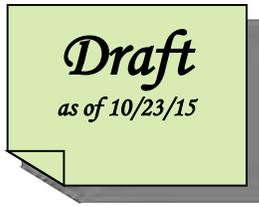
Sara Springer, City Attorney

**DISCUSSION OF
FUTURE AGENDA TOPICS:**

**8:00 a.m., Saturday, October 31, 2015 Special Meeting
Budget Workshop**

7:00 p.m., Tuesday, November 10, 2015 Regular Meeting

(Draft Agendas Attached)



**CITY OF COVINGTON
SPECIAL MEETING AGENDA
CITY COUNCIL BUDGET WORKSHOP**
Council Chambers – 16720 SE 271st Street, Suite 100, Covington
www.covingtonwa.gov

Saturday, October 31, 2015 – 8:00 a.m.
(Council refreshments beginning @ 7:30 a.m.)

GENERAL INFORMATION:

The workshop is an informal meeting involving discussion between and among the City Council and city staff regarding presentations and strategies. Workshops may involve presentations, feedback, brainstorming, etc., regarding further work to be done by the staff on key policy matters.

CALL CITY COUNCIL WORKSHOP TO ORDER

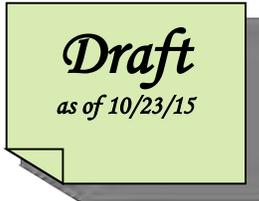
APPROVAL OF AGENDA

ITEM(S) FOR DISCUSSION

1. Parks Merger with General Fund (Hendrickson/Bolli)
2. Department 2016 Budget Presentations
 - a. Executive (Bolli)
 - b. Finance (Hendrickson)
 - c. Community Development (Hart)
 - e. Public Works (Vondran)
 - f. Parks & Recreation (Feser/Patterson/Bahl)
 - g. Police (McCurdy)
3. Review Budget Strategies (Bolli)
4. Discuss Budget Presentations (Council)

ADJOURN

Americans with Disabilities Act – reasonable accommodations provided upon request a minimum of 24 hours in advance (253-480-2400).



CITY OF COVINGTON
CITY COUNCIL REGULAR MEETING AGENDA
www.covingtonwa.gov

Tuesday, November 10, 2015
7:00 p.m.

City Council Chambers
16720 SE 271st Street, Suite 100, Covington

CALL CITY COUNCIL REGULAR MEETING TO ORDER

ROLL CALL/PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PUBLIC COMMUNICATION - NONE

PUBLIC COMMENT Speakers will state their name, address, and organization. Comments are directed to the City Council, not the audience or staff. Comments are not intended for conversation or debate and are limited to no more than four minutes per speaker. Speakers may request additional time on a future agenda as time allows.*

APPROVE CONSENT AGENDA

- C-1. Minutes: October 13, 2015 Regular Meeting; October 27, 2015 Special Meeting - Joint Study Session with Arts Commission; October 27, 2015 Regular Meeting; and October 31, 2015 Special Meeting - Budget Workshop (Scott)
- C-2. Vouchers (Hendrickson)
- C-3. Approve 2016 Tri-City Interlocal Agreement for Building Administration Services (Lyons/Meyers)

NEW BUSINESS

- 1. Consider Ordinance Establishing City Hall Hours of Operation (Scott)
- 2. PROS Plan Presentation (Feser)
- 3. Consider Resolutions Amending 2015 Development and Building Permit Fees and Administrative Fees (Lyons)
- 4. Consider Adopting 2016 Legislative Agenda (Bolli)
- 5. 2015 Third Quarter Financial Report (Hendrickson)

COUNCIL/STAFF COMMENTS - Future Agenda Topics

PUBLIC COMMENT *See Guidelines on Public Comments above in First Public Comment Section

EXECUTIVE SESSION – if needed

ADJOURN

Americans with Disabilities Act – reasonable accommodations provided upon request a minimum of 24 hours in advance (253-480-2400).