



# Covington: Unmatched quality of life

## AGENDA CITY OF COVINGTON CITY COUNCIL REGULAR MEETING [www.covingtonwa.gov](http://www.covingtonwa.gov)

Tuesday, July 24, 2012  
7:00 p.m.

City Council Chambers  
16720 SE 271<sup>st</sup> Street, Suite 100, Covington

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### CALL CITY COUNCIL REGULAR MEETING TO ORDER

### ROLL CALL/PLEDGE OF ALLEGIANCE

### APPROVAL OF AGENDA

### PUBLIC COMMUNICATION

- Presentation on SR516 Corridor Study – Tom Washington, Washington State Department of Transportation

**PUBLIC COMMENT** *Persons addressing the Council shall state their name, address, and organization for the record. Speakers shall address comments to the City Council, not the audience or the staff. Public Comment shall be for the purpose of the Council receiving comment from the public and is not intended for conversation or debate. Public comments shall be limited to no more than four minutes per speaker. If additional time is needed a person may request that the Council place an item on a future agenda as time allows.\**

### APPROVE CONSENT AGENDA

- C-1. Minutes: June 26, 2012 Regular Meeting (Scott)
- C-2. Vouchers (Hendrickson)
- C-3. Contract Amendment for Street Sweeping (Akramoff)

### REPORTS OF COMMISSIONS

- Human Services Chair Haris Ahmad: July 12 Meeting.
- Arts Chair Sandy Bisordi: July 12 Meeting.
- Planning Chair Daniel Key: July 19 Meeting; July 4 Meeting Canceled.
- Budget Priorities Advisory Committee Liaison Darren Dofelmier: July 18 Meeting; July 5 Meeting Canceled.
- Economic Development Council Co-Chair Jeff Wagner: June 28 Meeting.
  
- Future Meetings: Parks & Recreation Next Meeting – August 15; July 18 Meeting Canceled.

### PUBLIC HEARING

1. Public Testimony and Possible Action on Medical Marijuana Moratorium Extension (Hart)

### NEW BUSINESS

2. Amend Multifamily Tax Exemption Ordinance to Add Condominiums (Hart/Mueller)

## **COUNCIL/STAFF COMMENTS**

Future Agenda Topics

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

**EXECUTIVE SESSION – If Needed**

**ADJOURN**

*Any person requiring disability accommodation should contact the City of Covington at (253) 638-1110 a minimum of 24 hours in advance. For TDD relay service, please use the state's toll-free relay service (800) 833-6384 and ask the operator to dial (253) 638-1110.*

**Consent Agenda Item C-1**

Covington City Council Meeting

Date: July 24, 2012

SUBJECT: APPROVAL OF MINUTES: JUNE 26, 2012 CITY COUNCIL REGULAR MEETING 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 June 26, 2012 City Council Regular Meeting Minutes.**

**City of Covington  
Regular City Council Meeting Minutes  
Tuesday, June 26, 2012**

(This meeting was recorded and will be retained for a period of six years from the date of the meeting).

The Regular Meeting of the City Council of the City of Covington was called to order in the City Council Chambers, 16720 SE 271<sup>st</sup> Street, Suite 100, Covington, Washington, Tuesday, June 26, 2012, at 7:05 p.m., with Mayor Harto presiding.

**COUNCILMEMBERS PRESENT:**

Margaret Harto, Mark Lanza, David Lucavish, Marlla Mhoon, Jim Scott, Wayne Snoey, and Jeff Wagner.

**STAFF PRESENT:**

Derek Matheson, City Manager; Glenn Akramoff, Public Works Director; Noreen Beaufriere, Personnel Manager; Richard Hart, Community Development Director; Rob Hendrickson, Finance Director; Kevin Klason, Covington Police Chief; Karla Slate, Community Relations Coordinator; Sara Springer, City Attorney; Scott Thomas, Parks & Recreation Director; Salina Lyons, Senior Planner; and Sharon Scott, City Clerk/Executive Assistant.

Mayor Harto opened the meeting with the Pledge of Allegiance.

**APPROVAL OF AGENDA:**

**Council Action: Councilmember Wagner moved and Councilmember Mhoon seconded to approve the Agenda. Vote: 7-0. Motion carried.**

**PUBLIC COMMUNICATION:**

- Plaques were presented to Senator Joe Fain and Representatives Pat Sullivan and Mark Hargrove to express appreciation for their efforts in securing nearly \$1.6 million for transportation and recreation projects for Covington.

The Council recessed 7:10 p.m. for a short celebration to recognize the 47<sup>th</sup> District legislators and reconvened at 7:30 p.m.

**PUBLIC COMMUNICATION CONTINUED:**

- Parks & Recreation Commission Chair Steven Pand accepted a proclamation for Parks & Recreation month.
- Darren Greve of King County gave a presentation on the Transfer of Development Rights for Infrastructure.

**PUBLIC COMMENT:**

Mayor Harto called for public comments.

**Chris McCain, 17615 SE 240<sup>th</sup> Street, Kent**, provided handouts for council and asked council to consider installing a fence to separate his property from Covington Community Park.

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

**APPROVE CONSENT AGENDA:**

- C-1. Minutes: June 12, 2012 Study Session Minutes and June 12, 2012 Regular Meeting Minutes.
- C-2. Vouchers #27809-27809, in the Amount of \$381.21, Dated June 5, 2012; Vouchers #27810-27878, in the Amount of \$403,962.56, Dated June 12, 2012; and Paylocity Payroll Checks #1000576856-1000576875 Inclusive, Plus Employee Direct Deposits in the Amount of \$148,763.69, Dated June 22, 2012.

RESOLUTION NO. 12-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, ADOPTING A SIX-YEAR (2013 – 2018) TRANSPORTATION IMPROVEMENT PROGRAM AND DIRECTING THE SAME TO BE FILED WITH THE STATE SECRETARY OF TRANSPORTATION AND TRANSPORTATION IMPROVEMENT BOARD.

- C-3. Resolution to Adopt 2013 – 2018 Transportation Improvement Program.

**Council Action: Councilmember Wagner moved and Councilmember Lucavish seconded to approve the Consent Agenda. Vote: 7-0. Motion carried.**

**REPORTS OF COMMISSIONS:**

**Human Services Commission** – Vice Chair Fran McGregor-Hollums reported on the May 10 and June 14 meetings.

**Planning Commission** – Vice Chair Paul Max reported on the June 7 meeting; the June 21 meeting was canceled.

**Arts Commission** – Chair Sandy Bisordi reported on the June 14 meeting.

**Parks & Recreation Commission** – Chair Steven Pand reported on the June 20 meeting.

**Budget Priorities Advisory Committee** – Vice Chair Joseph Cimaomo, Jr. reported on the June 6 and June 20 meetings.

**Economic Development Council** – Co-Chair Jeff Wagner reported on the May 24 meeting.

**NEW BUSINESS:**

- 1. Select 2012 Citizen and Honorary Citizen of the Year.

Public Relations Coordinator Karla Slate gave the staff report on this item.

Mayor Harto called for nominations for Honorary Citizen of the Year.

Councilmember Wagner was recused from voting on this item.

**Council Action: Councilmember Wagner nominated Julie Stein, Councilmember Lucavish nominated Pat Patterson, and Councilmember Mhoon nominated Leslie Hamada. Julie Stein received one vote, Pat Patterson received one vote, and Leslie Hamada received four votes. Leslie Hamada was named as Covington’s Honorary Citizen of the Year for 2012.**

Mayor Harto called for nominations for Citizen of the Year.

**Council Action: Councilmember Mhoon nominated Jeff Wagner and Councilmember Wagner nominated Mike and Ronda Denbo. Jeff Wagner received six votes. Jeff Wagner was named as Covington’s Citizen of the Year for 2012.**

**COUNCIL/STAFF COMMENTS:**

Councilmembers and staff discussed Future Agenda Topics and made comments.

Councilmember Mhoon requested council direction on Suburban Cities Association Public Issues Committee’s support of the renewal of the Automated Fingerprint Identification System with King County.

Police Chief Klason spoke on the importance of this system.

**Council Action: There was Council consensus to support the renewal of the Automated Fingerprint Identification System with King County.**

**PUBLIC COMMENTS:**

Mayor Harto called for public comments.

**Steven Pand** congratulated Jeff Wagner on being named Citizen of the Year.

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

**ADJOURNMENT:**

There being no further business, the meeting was adjourned at 9:15 p.m.

Prepared by:

Submitted by:

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Joan Michaud  
Deputy City Clerk

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Sharon Scott  
City Clerk

**Consent Agenda Item C-2**

Covington City Council Meeting

Date: July 24, 2012

SUBJECT: APROVAL OF VOUCHERS.

RECOMMENDED BY: Rob Hendrickson, Finance Director

ATTACHMENT(S): Vouchers #27940-28001, in the Amount of \$118,381.53, Dated July 9, 2012; and Paylocity Payroll Checks #1000626794-1000626814 Inclusive, Plus Employee Direct Deposits in the Amount of \$152,904.56, Dated July 20, 2012.

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 #27940-28001, in the Amount of \$118,381.53, Dated July 9, 2012; and Paylocity Payroll Checks #1000626794-1000626814 Inclusive, Plus Employee Direct Deposits in the Amount of \$152,904.56, Dated July 20, 2012.**

July 9, 2012

City of Covington

City of Covington

City of Covington  
Voucher/Check Register

Check # 27940 Through Check # 28001

In the Amount of \$118,381.53

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  
Accountant

\_\_\_\_\_  
Mark Lanza  
City Councilmember

\_\_\_\_\_  
Wayne Snoey  
City Councilmember

\_\_\_\_\_  
Marlla Mhoon  
City Councilmember

Council Meeting Date Approved \_\_\_\_\_

<u>Invoice No</u>	<u>Description</u>	<u>Reference</u>	<u>Invoice Date</u>	<u>Check Amount</u>
<b>Check No: 27940</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 1705</b>	<b>Alpine Products, Inc.</b>	
TM-124710	Custom sign; Jenkins Creek Park		07/09/2012	46.16
			<b>Check Total:</b>	46.16
<b>Check No: 27941</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 2033</b>	<b>Aquatic Specialty Services</b>	
2676	Aquatics; pool chemicals		07/09/2012	1,334.68
2675	Aquatics; clean/calibration, June		07/09/2012	124.90
			<b>Check Total:</b>	1,459.58
<b>Check No: 27942</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 2223</b>	<b>ARC Imaging Resources</b>	
959090	Plotter/Scanner maint; 6/21-7/21/12		07/09/2012	79.90
959090	Plotter/Scanner maint; 6/21-7/21/12		07/09/2012	39.96
959090	Plotter/Scanner maint; 6/21-7/21/12		07/09/2012	79.90
			<b>Check Total:</b>	199.76
<b>Check No: 27943</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 0499</b>	<b>Bank of America</b>	
6540-7	Police; cell phone holster, use tax		07/09/2012	-0.56
2959-7	Survey service; June		07/09/2012	24.00
6540-7	Matheson; WCMA conf, 1 nt hotel d		07/09/2012	176.62
6540-7	Matheson; WCMA conference registr		07/09/2012	325.00
8290-7	Financial policies book		07/09/2012	33.75
8290-7	Hendrickson; GFOA conf, hotel/shutt		07/09/2012	1,201.02
6540-7	Police; cell phone holster		07/09/2012	7.05
6540-7	O&M; cell phone holster, use tax		07/09/2012	-2.74
1030-7	Salt away, mixing units; use tax		07/09/2012	-3.29
1030-7	Public works; frames		07/09/2012	27.76
1030-7	Salt away concentrate, mixing units		07/09/2012	41.60
6540-7	O&M; cell phone holster		07/09/2012	34.58
4935-7	Vondran; APWA PW Congress, regis		07/09/2012	260.00
6540-7	O&M; cell phone holster, use tax		07/09/2012	-1.37
1030-7	Salt away, mixing units; use tax		07/09/2012	-1.65
1030-7	Public works; frames		07/09/2012	4.46
1030-7	Friendship park; Swings		07/09/2012	296.40
1030-7	Peek a boo panel; parts		07/09/2012	260.64
1030-7	Salt away concentrate, mixing units		07/09/2012	20.80
6540-7	O&M; cell phone holster		07/09/2012	17.29
8290-7	Aquatics merit program; gift cards		07/09/2012	50.00
9115-7	Aquatics; foam board/easel		07/09/2012	37.94
9115-7	Maple Valley Days; balloons, ribbon		07/09/2012	30.41
8290-7	Cake for staff achievement		07/09/2012	17.99
6540-7	O&M; cell phone holster, use tax		07/09/2012	-2.74
1030-7	Salt away, mixing units; use tax		07/09/2012	-3.29
1030-7	Public works; frames		07/09/2012	37.17
1030-7	Salt away concentrate, mixing units		07/09/2012	41.60
6540-7	O&M; cell phone holster		07/09/2012	34.58
4935-7	Vondran; APWA PW Congress, regis		07/09/2012	390.00
2959-7	#2882; brakes/abs		07/09/2012	1,360.56
			<b>Check Total:</b>	4,715.58
<b>Check No: 27944</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 1306</b>	<b>Bank of America</b>	
0040075-4	Safety deposit box; 7/13/12-7/12-13		07/09/2012	77.00
			<b>Check Total:</b>	77.00
<b>Check No: 27945</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 2368</b>	<b>Best Parking Lot Cleaning Inc.</b>	
116564	Street sweeping; Maple Valley, June		07/09/2012	6,329.65
116738	Street sweeping; June		07/09/2012	3,192.84
			<b>Check Total:</b>	9,522.49
<b>Check No: 27946</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 1868</b>	<b>The Brickman Group Ltd, LLC</b>	
250287	Streets; landscaping, July		07/09/2012	3,952.60

<u>Invoice No</u>	<u>Description</u>	<u>Reference</u>	<u>Invoice Date</u>	<u>Check Amount</u>
250287	Parks; landscaping, July		07/09/2012	1,388.69
5102256106	Crystal view; irrigation repairs		07/09/2012	469.15
5102247019	Crystal view; lawn renovation		07/09/2012	1,079.48
<b>Check Total:</b>				<b>6,889.92</b>
<b>Check No: 27947</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 2510</b>	<b>By-Ear Construction</b>	
R12009765/827 #B12-0032; partial refund			07/09/2012	215.00
R12009765/827 #B12-0032; partial refund			07/09/2012	139.75
<b>Check Total:</b>				<b>354.75</b>
<b>Check No: 27948</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 0026</b>	<b>C&amp;B Awards</b>	
24987	Representatives appreciation plaques		07/09/2012	191.41
<b>Check Total:</b>				<b>191.41</b>
<b>Check No: 27949</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 2136</b>	<b>Carbonic Systems, Inc.</b>	
05071598	Aquatics; carbomizer rental		07/09/2012	59.73
<b>Check Total:</b>				<b>59.73</b>
<b>Check No: 27950</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 2497</b>	<b>Central Welding Supply</b>	
RN06121021	Aquatics; helium rental		07/09/2012	22.34
<b>Check Total:</b>				<b>22.34</b>
<b>Check No: 27951</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 2270</b>	<b>CenturyLink</b>	
4254131257F359	Aquatics; final telephone service		07/09/2012	22.30
<b>Check Total:</b>				<b>22.30</b>
<b>Check No: 27952</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 0208</b>	<b>City of Kent</b>	
RI 24595	Fire investigations; 2nd Quarter 201		07/09/2012	1,067.50
RI 24595	Fire services; 2nd Quarter 2012		07/09/2012	11,534.00
<b>Check Total:</b>				<b>12,601.50</b>
<b>Check No: 27953</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 0364</b>	<b>Code Publishing Company</b>	
41026	Municipal code updates		07/09/2012	1,883.40
<b>Check Total:</b>				<b>1,883.40</b>
<b>Check No: 27954</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 1952</b>	<b>Covington Copy It...Mail It</b>	
2462	Postage; printer return		07/09/2012	10.24
<b>Check Total:</b>				<b>10.24</b>
<b>Check No: 27955</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 0308</b>	<b>Covington Tire Factory</b>	
1833	#2768; replace water pump & thermo		07/09/2012	392.06
<b>Check Total:</b>				<b>392.06</b>
<b>Check No: 27956</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 0699</b>	<b>Department of Licensing</b>	
0699-7	Drivers abstract		07/09/2012	10.00
<b>Check Total:</b>				<b>10.00</b>
<b>Check No: 27957</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 1981</b>	<b>Design Air, Ltd.</b>	
S9001-13	Aquatics; boiler insp, prev maint, 6		07/09/2012	1,870.09
S9001-12	Aquatics; boiler insp, prev maint, 3		07/09/2012	1,870.09
<b>Check Total:</b>				<b>3,740.18</b>
<b>Check No: 27958</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 1076</b>	<b>Evergreen Sign Co.</b>	
41528	Glass door vinyl updates/installatio		07/09/2012	108.60
<b>Check Total:</b>				<b>108.60</b>
<b>Check No: 27959</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 1875</b>	<b>FirstChoice</b>	
468871	Coffee service		07/09/2012	114.63

<u>Invoice No</u>	<u>Description</u>	<u>Reference</u>	<u>Invoice Date</u>	<u>Check Amount</u>
			<b>Check Total:</b>	114.63
<b>Check No:</b> 27960 2763	<b>Check Date:</b> 07/09/2012 Hearing examiner; #LU11-0016	<b>Vendor:</b> 0886	<b>John E. Galt</b> 07/09/2012	365.20
			<b>Check Total:</b>	365.20
<b>Check No:</b> 27961 314934	<b>Check Date:</b> 07/09/2012 Pole for GPS unit	<b>Vendor:</b> 2096	<b>Geoline, Inc.</b> 07/09/2012	15.15
			<b>Check Total:</b>	15.15
<b>Check No:</b> 27962 16373	<b>Check Date:</b> 07/09/2012 Everclean program, July	<b>Vendor:</b> 2045	<b>Goodbye Graffiti Seattle</b> 07/09/2012	376.84
			<b>Check Total:</b>	376.84
<b>Check No:</b> 27963 12484.00-2	<b>Check Date:</b> 07/09/2012 WSDOT Ped/Bicycle Prog; 5/27-6/2	<b>Vendor:</b> 0302	<b>Gray &amp; Osborne</b> 07/09/2012	1,079.87
			<b>Check Total:</b>	1,079.87
<b>Check No:</b> 27964 0677-7	<b>Check Date:</b> 07/09/2012 Harto; AWC conference, mileage/hot	<b>Vendor:</b> 0677	<b>Margaret Harto</b> 07/09/2012	466.07
			<b>Check Total:</b>	466.07
<b>Check No:</b> 27965 12-19	<b>Check Date:</b> 07/09/2012 Hendrickson; 2012 flexible spending	<b>Vendor:</b> 1271	<b>Rob Hendrickson</b> 07/09/2012	284.75
			<b>Check Total:</b>	284.75
<b>Check No:</b> 27966 FLH4818	<b>Check Date:</b> 07/09/2012 Document storage to 7/31/12	<b>Vendor:</b> 1803	<b>Iron Mountain</b> 07/09/2012	268.71
			<b>Check Total:</b>	268.71
<b>Check No:</b> 27967 367242 367242 367242	<b>Check Date:</b> 07/09/2012 Maint shop; safety pin for hitch Maint shop; safety pin for hitch Maint shop; safety pin for hitch	<b>Vendor:</b> 1701	<b>Johnsons Home &amp; Garden</b> 07/09/2012 07/09/2012 07/09/2012	2.30 1.14 2.30
			<b>Check Total:</b>	5.74
<b>Check No:</b> 27968 3000186 2004155 3326-3326 3180-3185 3202-3206 4077931 4077931 4077931	<b>Check Date:</b> 07/09/2012 Jail costs; May Voters registration costs Street services; May 2012 Street services; May Street services; May Maint; sewer treatment, 4/1-6/30/12 Maint; sewer treatment, 4/1-6/30/12 Maint; sewer treatment, 4/1-6/30/12	<b>Vendor:</b> 0143	<b>King County Finance</b> 07/09/2012 07/09/2012 07/09/2012 07/09/2012 07/09/2012 07/09/2012 07/09/2012 07/09/2012	580.31 24,181.06 3,748.73 3,812.30 1,458.92 19.43 9.71 19.43
			<b>Check Total:</b>	33,829.89
<b>Check No:</b> 27969 205881	<b>Check Date:</b> 07/09/2012 Monument casings	<b>Vendor:</b> 0541	<b>King County Fleet Admin</b> 07/09/2012	708.33
			<b>Check Total:</b>	708.33
<b>Check No:</b> 27970 0204-7	<b>Check Date:</b> 07/09/2012 Pet license remittance; June	<b>Vendor:</b> 0204	<b>King County Pet Licensing</b> 07/09/2012	390.00
			<b>Check Total:</b>	390.00
<b>Check No:</b> 27971 2490-7	<b>Check Date:</b> 07/09/2012 Public defender; video court, May	<b>Vendor:</b> 2490	<b>Law Office of Theresa and Phil</b> 07/09/2012	850.00

<u>Invoice No</u>	<u>Description</u>	<u>Reference</u>	<u>Invoice Date</u>	<u>Check Amount</u>
			<b>Check Total:</b>	850.00
<b>Check No: 27972</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 1622</b>	<b>Law Offices of Thomas R Hargan</b>	
12-CV06	Prosecution services through 6/30/12		07/09/2012	4,338.65
			<b>Check Total:</b>	4,338.65
<b>Check No: 27973</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 1398</b>	<b>Mantek</b>	
762108	Maint shop; insecticide		07/09/2012	79.95
762108	Engine degreaser		07/09/2012	329.23
762108	Maint shop; insecticide		07/09/2012	39.97
762108	Maint shop; insecticide		07/09/2012	79.95
			<b>Check Total:</b>	529.10
<b>Check No: 27974</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 2507</b>	<b>Lisa Millard</b>	
054707	Refund; swim lessons, Max & Ben M		07/09/2012	18.00
			<b>Check Total:</b>	18.00
<b>Check No: 27975</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 1688</b>	<b>Mountain Mist</b>	
054257-7	City Hall; bottled water, June		07/09/2012	140.28
054257-7	Maint Shop; bottled water, June		07/09/2012	24.39
054257-7	Maint Shop; bottled water, June		07/09/2012	12.20
054257-7	Aquatics; bottled water, June		07/09/2012	42.07
054257-7	Maint Shop; bottled water, June		07/09/2012	24.39
			<b>Check Total:</b>	243.33
<b>Check No: 27976</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 1327</b>	<b>Ethan Newton</b>	
1327-7	Newton; mileage reimbursement, Jun		07/09/2012	94.24
			<b>Check Total:</b>	94.24
<b>Check No: 27977</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 0682</b>	<b>Nextel Communications</b>	
591066496-041	Internet connection card, 5/21-6/20/		07/09/2012	21.99
591066496-041	Internet connection card, 5/21-6/20/		07/09/2012	10.99
591066496-041	Internet connection card, 5/21-6/20/		07/09/2012	21.99
591066496-041	Internet connection card, 5/21-6/20/		07/09/2012	32.99
			<b>Check Total:</b>	87.96
<b>Check No: 27978</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 2384</b>	<b>Northwest Stormwater Managemen</b>	
2754	MV; clean stormfilter/replace cartri		07/09/2012	2,160.00
			<b>Check Total:</b>	2,160.00
<b>Check No: 27979</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 0004</b>	<b>Office Depot</b>	
1477706500	Retractable knife/combo template		07/09/2012	10.79
1477706500	Office supplies		07/09/2012	16.12
1475884387	Office supplies		07/09/2012	31.59
614481761001	Office supplies		07/09/2012	252.00
1477706501	Public works; photo paper		07/09/2012	6.83
1477706501	Public works; photo paper		07/09/2012	6.83
			<b>Check Total:</b>	324.16
<b>Check No: 27980</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 1249</b>	<b>Orca Pacific Inc.</b>	
056991	Aquatics; pool chemicals		07/09/2012	209.05
			<b>Check Total:</b>	209.05
<b>Check No: 27981</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 2177</b>	<b>Pirtek Kent</b>	
S1638910.001	#2766; repairs		07/09/2012	252.96
			<b>Check Total:</b>	252.96
<b>Check No: 27982</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 0161</b>	<b>Puget Sound Energy</b>	
1777131457-7	Streets; electricity, 5/31-6/28/12		07/09/2012	67.85

<u>Invoice No</u>	<u>Description</u>	<u>Reference</u>	<u>Invoice Date</u>	<u>Check Amount</u>
0047532379-7	Streets; electricity, 5/31-6/28/12		07/09/2012	61.41
8732768927-7	Maint shop; electricity, 5/31-6/28/1		07/09/2012	77.75
8732768927-7	Maint shop; electricity, 5/31-6/28/1		07/09/2012	38.88
5282721009-7	Aquatics; natural gas, 5/31-6/28/12		07/09/2012	2,373.36
5282721009-7	Aquatics; electricity, 5/31-6/28/12		07/09/2012	1,954.20
8732768927-7	Maint shop; electricity, 5/31-6/28/1		07/09/2012	77.75
<b>Check Total:</b>				<b>4,651.20</b>
<b>Check No: 27983</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 2163</b>	<b>Rae Solomon Ent.</b>	
2163-2012	Summer Concert Series; 7/27 Perfor		07/09/2012	1,000.00
<b>Check Total:</b>				<b>1,000.00</b>
<b>Check No: 27984</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 1197</b>	<b>Rainier Wood Recyclers</b>	
00043710	Brush/stump; disposal fees		07/09/2012	37.00
00043659	Brush/stumps; disposal fees		07/09/2012	56.25
00043659	Brush/stumps; disposal fees		07/09/2012	22.50
<b>Check Total:</b>				<b>115.75</b>
<b>Check No: 27985</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 2250</b>	<b>SBS Legal Services</b>	
C015	Legal services; June		07/09/2012	5,000.00
<b>Check Total:</b>				<b>5,000.00</b>
<b>Check No: 27986</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 2514</b>	<b>SevenJam, USA</b>	
2514-7	Covington Concert Series; 7/27/12		07/09/2012	250.00
<b>Check Total:</b>				<b>250.00</b>
<b>Check No: 27987</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 1905</b>	<b>Sharp Electronics Corporation</b>	
C750681-701	Copier;usage, 5/23-6/21/12		07/09/2012	24.91
<b>Check Total:</b>				<b>24.91</b>
<b>Check No: 27988</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 1850</b>	<b>Sherwin-Williams Co.</b>	
5131-1	Graffiti program; paint		07/09/2012	13.98
<b>Check Total:</b>				<b>13.98</b>
<b>Check No: 27989</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 2044</b>	<b>Karla Slate</b>	
2044-7	Community park; groundbreaking ev		07/09/2012	39.44
<b>Check Total:</b>				<b>39.44</b>
<b>Check No: 27990</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 0736</b>	<b>Sound Security, Inc.</b>	
0596879-IN	Security monitoring; July		07/09/2012	964.00
<b>Check Total:</b>				<b>964.00</b>
<b>Check No: 27991</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 1158</b>	<b>Sprint Rothhammer Intl, Inc.</b>	
82675A	Aquatics; program supplies, use tax		07/09/2012	-11.88
82675A	Aquatics; program supplies		07/09/2012	150.05
82675A	Aquatics; resale items, goggles		07/09/2012	21.98
<b>Check Total:</b>				<b>160.15</b>
<b>Check No: 27992</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 2504</b>	<b>Stalzer and Associates</b>	
2504-7	Northern Gateway Study; 6/1-7/3/12		07/09/2012	12,293.91
<b>Check Total:</b>				<b>12,293.91</b>
<b>Check No: 27993</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 2461</b>	<b>Tri-Tec Communications, Inc.</b>	
220550	Phone system admin support to 6/22/		07/09/2012	543.00
<b>Check Total:</b>				<b>543.00</b>
<b>Check No: 27994</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 2103</b>	<b>US Bancorp Equip Finance Inc.</b>	
206981292	Copier lease, 7/3-8/2/12		07/09/2012	100.54

<u>Invoice No</u>	<u>Description</u>	<u>Reference</u>	<u>Invoice Date</u>	<u>Check Amount</u>
206981292	Copier lease, 7/3-8/2/12		07/09/2012	150.82
			<b>Check Total:</b>	<b>251.36</b>
<b>Check No: 27995</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 0357</b>	<b>Valley Communications</b>	
0013209	800 MHz access fee; June		07/09/2012	75.00
			<b>Check Total:</b>	<b>75.00</b>
<b>Check No: 27996</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 0046</b>	<b>Verizon Wireless</b>	
1094871705	Maint shop; on call phone, 6/21-7/20		07/09/2012	12.11
1094871705	Maint shop; on call phone, 6/21-7/20		07/09/2012	6.06
1094871705	Maint shop; on call phone, 6/21-7/20		07/09/2012	12.11
			<b>Check Total:</b>	<b>30.28</b>
<b>Check No: 27997</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 2262</b>	<b>Voyager Fleet Systems Inc.</b>	
869285460206	Vehicle fuel		07/09/2012	1,726.41
			<b>Check Total:</b>	<b>1,726.41</b>
<b>Check No: 27998</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 1421</b>	<b>Ward's Power Equipment</b>	
40771	Weedeater string line		07/09/2012	15.18
41041	Chainsaw hex nuts		07/09/2012	4.56
41237	#3151; throttle cable		07/09/2012	10.68
40771	Weedeater string line		07/09/2012	7.59
41041	Chainsaw hex nuts		07/09/2012	2.28
41237	#3151; throttle cable		07/09/2012	5.33
40771	Weedeater string line		07/09/2012	15.19
41041	Chainsaw hex nuts		07/09/2012	4.56
41237	#3151; throttle cable		07/09/2012	10.68
			<b>Check Total:</b>	<b>76.05</b>
<b>Check No: 27999</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 2254</b>	<b>Washington Department of Reven</b>	
1712-2012-Qtr1	Business license; credit card fees,		07/09/2012	292.43
			<b>Check Total:</b>	<b>292.43</b>
<b>Check No: 28000</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 0995</b>	<b>Xerox Corporation</b>	
062533239	B&W copier; usage, 3/21-6/30/12		07/09/2012	373.02
500521974	Color copier; lease		07/09/2012	425.71
500523344	B&W copier; lease		07/09/2012	518.30
			<b>Check Total:</b>	<b>1,317.03</b>
<b>Check No: 28001</b>	<b>Check Date: 07/09/2012</b>	<b>Vendor: 1894</b>	<b>Diana Ziolkowski</b>	
1894-7	Facility monitoring; 6/11-7/8/12		07/09/2012	237.00
			<b>Check Total:</b>	<b>237.00</b>
			<b>Report Total:</b>	<b>118,381.53</b>

July 20, 2012

City of Covington

Payroll Approval

- Request Council approval for payment of Payroll dated 07/20/12 consisting of:

PAYLOCITY CHECK # 1000626794 through PAYLOCITY CHECK # 1000626814 inclusive,  
plus employee direct deposits

IN THE AMOUNT OF \$152,904.56

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.

\_\_\_\_\_  
Robert M. Hendrickson  
Finance Director

\_\_\_\_\_  
Mark Lanza  
City Councilmember

\_\_\_\_\_  
Wayne Snoey  
City Councilmember

\_\_\_\_\_  
Marlla Mhoon  
City Councilmember

Council Meeting Date Approved: \_\_\_\_\_

07/20/12 Payroll Voucher

Payroll Checks for Account Paylocity Account

Check/Voucher	Check Type	Check Date	Employee Name	Net Amount
103134	Regular	7/20/2012	Bates, Krista	88.66
103135	Regular	7/20/2012	Kirshenbaum, Kathleen	543.94
103136	Regular	7/20/2012	Lyon, Valerie	1,452.38
103137	Regular	7/20/2012	Matheson, Derek M	4,394.32
103138	Regular	7/20/2012	Mhoon, Darren S	1,315.05
103139	Regular	7/20/2012	Michaud, Joan M	1,806.60
103140	Regular	7/20/2012	Scott, Sharon G	2,657.02
103141	Regular	7/20/2012	Slate, Karla J	2,286.21
103142	Regular	7/20/2012	Hart, Richard	3,432.28
103143	Regular	7/20/2012	Mueller, Ann M	2,269.36
103144	Regular	7/20/2012	Cles, Staci M	1,722.80
103145	Regular	7/20/2012	Hagen, Lindsay K	1,375.72
103146	Regular	7/20/2012	Hendrickson, Robert	3,555.37
103147	Regular	7/20/2012	Parker, Cassandra	2,244.64
103148	Regular	7/20/2012	Harto, Margaret	461.75
103149	Regular	7/20/2012	Lanza, Mark	391.28
103150	Regular	7/20/2012	Mhoon, Marlla	391.28
103151	Regular	7/20/2012	Scott, James A	415.57
103152	Regular	7/20/2012	Wagner, Jeffrey	415.57
103153	Regular	7/20/2012	Allen, Joshua C	877.94
103154	Regular	7/20/2012	Dalton, Jesse J	1,748.50
103155	Regular	7/20/2012	Fealy, William J	1,895.58
103156	Regular	7/20/2012	Gaudette, John J	1,479.75
103157	Regular	7/20/2012	Hall, Ron	957.01
103158	Regular	7/20/2012	Hershaw, Reiner L	829.47
103159	Regular	7/20/2012	Johnson, Juan C	899.86
103160	Regular	7/20/2012	Junkin, Ross D	2,703.63
103161	Regular	7/20/2012	Moorman, Jason	960.05
103162	Regular	7/20/2012	Wesley, Daniel A	2,125.13
103163	Regular	7/20/2012	Bykonen, Brian D	2,953.33
103164	Regular	7/20/2012	Christenson, Gregg R	2,636.66
103165	Regular	7/20/2012	Lyons, Salina K	2,198.18
103166	Regular	7/20/2012	Meyers, Robert L	3,113.34
103167	Regular	7/20/2012	Ogren, Nelson W	2,580.60
103168	Regular	7/20/2012	Thompson, Kelly	1,814.61
103169	Regular	7/20/2012	Morrissey, Mayson	2,543.18
103170	Regular	7/20/2012	Bahl, Rachel A	1,549.65
103171	Regular	7/20/2012	Newton, Ethan A	2,022.65
103172	Regular	7/20/2012	Patterson, Clifford	2,355.78
103173	Regular	7/20/2012	Thomas, Scott R	3,241.18
103174	Regular	7/20/2012	Akramoff, Glenn A	3,386.01
103175	Regular	7/20/2012	Bates, Shellie L	1,818.82
103176	Regular	7/20/2012	Buck, Shawn M	1,474.58
103177	Regular	7/20/2012	Parrish, Benjamin A	1,707.44
103178	Regular	7/20/2012	Vondran, Donald M	3,281.60
103179	Regular	7/20/2012	Andrews, Kaitlyn E	138.09
103180	Regular	7/20/2012	Beatty, Kyle B	187.41
103181	Regular	7/20/2012	Blakely, Coleman P.	21.41
103182	Regular	7/20/2012	Campbell, Noel M	48.53
103183	Regular	7/20/2012	Carrillo, Anthony G	155.20
103184	Regular	7/20/2012	Cox, Melissa	247.72
103185	Regular	7/20/2012	Cranstoun, Alexander M	117.74
103186	Regular	7/20/2012	Foxworthy, Rebecca	440.70
103187	Regular	7/20/2012	Gehring, John T	560.71
103188	Regular	7/20/2012	Halbert, Mitchell S	66.14

103189 Regular	7/20/2012	Hendricks, Dane G	221.03
103190 Regular	7/20/2012	Kiselyov, Tatyana	592.46
103191 Regular	7/20/2012	Lusebrink, Christa	566.36
103192 Regular	7/20/2012	MacConaghy, Hailey	336.75
103193 Regular	7/20/2012	Mohr, Emily A	104.73
103194 Regular	7/20/2012	Mooney, Lynell	136.13
103195 Regular	7/20/2012	Perko, John	150.44
103196 Regular	7/20/2012	Perko, Roxanne H	525.54
103197 Regular	7/20/2012	Praggastis, Alexander	216.87
103198 Regular	7/20/2012	Reese, Rachel E	74.92
103199 Regular	7/20/2012	Tomalik, Stefan A	32.11
103200 Regular	7/20/2012	Tran, Jenifer	29.44
103201 Regular	7/20/2012	von Michalofski, Kayla M	254.40
103202 Regular	7/20/2012	Wardrip, Spencer A	207.81
103203 Regular	7/20/2012	Wonio, Reece	364.64
103204 Regular	7/20/2012	Beaufriere, Noreen	2,702.17
1000626794 Regular	7/20/2012	Newell, Nancy	27.70
1000626795 Regular	7/20/2012	Lucavish, David	415.57
1000626796 Regular	7/20/2012	Snoey, Wayne	188.78
1000626797 Regular	7/20/2012	Baughan, Jayson H.	1,145.63
1000626798 Regular	7/20/2012	Bell, Colin Q	302.23
1000626799 Regular	7/20/2012	Carkeek, Lena	264.05
1000626800 Regular	7/20/2012	Cochran, Neil A	22.04
1000626801 Regular	7/20/2012	Cox, Cory R	196.98
1000626802 Regular	7/20/2012	Felcyn, Adam	300.29
1000626803 Regular	7/20/2012	Goldfoos, Rhyan	891.42
1000626804 Regular	7/20/2012	Griffith, Stephen R.	64.22
1000626805 Regular	7/20/2012	Jensen, Rachel	614.64
1000626806 Regular	7/20/2012	Johansen, Andrea	158.45
1000626807 Regular	7/20/2012	Mayes, Annika L	171.75
1000626808 Regular	7/20/2012	Panzer, Erika	226.74
1000626809 Regular	7/20/2012	Powell, Sarajane L	186.55
1000626810 Regular	7/20/2012	Praggastis, Elena C	95.12
1000626811 Regular	7/20/2012	Wunschel, Ethan G.	21.41
1000626812 Regular	7/20/2012	Throm, Victoria J	1,857.21
<b>Totals for Payroll Checks</b>	<b>90 Items</b>		<b>100,024.56</b>

Third Party Checks for Account Paylocity Account				
Check/Voucher	Check Type	Check Date	Employee Name	Net Amount
103205	AGENCY	7/20/2012	ICMA Retirement Trust	15,737.49
103206	AGENCY	7/20/2012	Vantagepoint Transfer Agent-	358.78
103207	AGENCY	7/20/2012	City of Covington	2,675.31
103208	AGENCY	7/20/2012	Paylocity Corporation	125.00
103209	AGENCY	7/20/2012	City of Covington Employee	76.00
103210	AGENCY	7/20/2012	ICMA Retirement Trust	12,611.28
103211	AGENCY	7/20/2012	ICMA Retirement Trust	2,186.91
103212	AGENCY	7/20/2012	HRA VEBA Trust Contributions	1,050.00
1000626813	AGENCY	7/20/2012	WASH CHILD SUPPORT	110.41
1000626814	AGENCY	7/20/2012	United Way of King County	14.00
<b>Totals for Third Party Checks</b>	<b>10 Items</b>			<b>34,945.18</b>

Tax Liabilities	17,586.82
Paylocity Fees	348.00

<b>Grand Total</b>	<b>\$ 152,904.56</b>
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## **Consent Agenda Item C-3**

Covington City Council Meeting

Date: July 24, 2012

**SUBJECT:** AUTHORIZE THE CITY MANAGER TO EXECUTE AMENDMENT #1 TO AGREEMENT FOR SERVICES WITH BEST PARKING LOT CLEANING FOR THE JOINT COVINGTON/MAPLE VALLEY STREET SWEEPING.

**RECOMMENDED BY:** Glenn Akramoff, Public Works Director

**ATTACHMENT(S):**

1. Amendment #1 to Agreement for Services with Best Parking Lot Cleaning

**PREPARED BY:** Shellie Bates, Office Supervisor/Public Works

**EXPLANATION:**

In August 2011 the City Council awarded the Street Sweeping Agreement to the lowest, most qualified bidder, Best Parking Lot Cleaning, in an amount not to exceed \$115,000 to perform street sweeping services in Covington and Maple Valley as outlined in the agreement.

As per Section 3 of the current agreement between the City of Covington and Best Parking Lot Cleaning which states, "This contract may be renewed each August for the succeeding two (2) years (2012 and 2013) upon performance audit and approval by the City. The unit price of the contract will be adjusted each year using the Seattle-Tacoma Consumer Price Index – Urban (CPI-W) rate starting with April of 2012 as the initial benchmark and the rate in April in subsequent years to be applied in August of that year."

Based on the above criteria, Best Parking Lot Cleaning has fulfilled their obligation under the terms of the agreement and staff recommends that the agreement be extended for another 12 months. The Consumer Price Index for Urban Wage Earners and Clerical Works (CPI-W) for Seattle-Tacoma-Bremerton, WA for April 2012 is 2.8 percent. With the rate adjusted as described it will be an increase of 2.8 percent for the next 12 months.

**ALTERNATIVES:**

Do not amend the existing street sweeping agreement and advertise the project for competitive bids. This alternative would impact the City with an interruption in the street sweeping service.

**FISCAL IMPACT:**

The 2012 budgeted amount for this service is \$115,000 (Surface Water Management Fund).

With the above changes, Amendment #1 will include an amount not to exceed \$118,220.

CITY COUNCIL ACTION:           Ordinance           Resolutions      X   Motion           Other

**Councilmember \_\_\_\_\_ moves, Councilmember \_\_\_\_\_  
seconds, to authorize the City Manager to execute Amendment #1 to  
Agreement for Services with Best Parking Lot Cleaning for the joint  
Covington/Maple Valley street sweeping.**

REVIEWED BY: City Manager, City Attorney, Finance Director

CITY OF COVINGTON  
AGREEMENT FOR SERVICES

Amendment #1

Between the City of Covington and Best Parking Lot Cleaning

That portion of Contract No. 1043-11 between the City of Covington and Best Parking Lot Cleaning entered into by the parties on the 15<sup>th</sup> day of August, 2011, is amended pursuant to Section 17 of said Agreement, as follows:

1. Term of Agreement. Section 3 of the Agreement shall be amended to extend the term of the Agreement until August 14, 2013.
2. Compensation. Section 4.1 of the Agreement shall be amended to include the Seattle-Tacoma Consumer Price Index - Urban (CPI-W) rate for April 2012 of 2.8 percent for an amount not to exceed \$118,220.

All other provisions of the Agreement shall remain in full force and effect.

Dated this 24<sup>th</sup> day of July, 2012.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year written above.

CITY OF COVINGTON

---

By: Derek Matheson  
Its: City Manager

Attest:

Approved as to form:

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Sharon Scott, City Clerk

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Sara Springer, City Attorney



**SUBJECT:** PUBLIC HEARING AND POSSIBLE ACTION ON EXTENDING THE MORATORIUM FOR SIX MONTHS ON MEDICAL MARIJUANA PRODUCTION AND PROCESSING FACILITIES, DISPENSARIES AND COLLECTIVE GARDENS

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

**ATTACHMENT(S):**

1. Ordinance No. 08-11, adopted August 09, 2011 establishing a one year moratorium on medical marijuana production and processing facilities, dispensaries & collective gardens;
2. Proposed ordinance extending the moratorium for an additional six months

**PREPARED BY:** Richard Hart, Community Development Director

**EXPLANATION:**

The purpose of this agenda bill action is to hold a public hearing to allow public testimony and take action on a six-month extension to the existing moratorium on medical marijuana production and processing facilities, dispensaries, and collective gardens.

In August 2011, the city council established a twelve-month moratorium on the establishment, location, operation, licensing, maintenance, or continuation of medical marijuana dispensaries, production facilities, processing facilities, and collective gardens. See Exhibit #1. That moratorium will expire on August 12, 2012, unless the city council extends the moratorium for an additional six months.

Collective gardens are allowed under state law, but remain prohibited by federal law. Over the past year, this conflict has increased with the federal government's threat to criminally prosecute local government officials and employees who facilitate or approve collective gardens. While a state initiative and several state court cases have potential to resolve the conflict, these actions may also further complicate the matter.

Over the past year the city has continually monitored the changing legal framework surrounding medical marijuana. City staff has also spent considerable time analyzing potential land use and zoning issues and the varying approaches other jurisdictions have taken towards regulating medical marijuana and collective gardens. However, the high potential for legislative or judicial clarification requires that the city continue to consider the appropriate mechanism to properly allow and regulate collective gardens. Further, because a full planning process has not been completed, the city needs time for further council, staff, and public consideration of the necessary regulations. Therefore, the city must extend the moratorium to avoid collective

gardens and other related medical marijuana businesses and facilities from vesting until the city's regulatory authority is clarified and appropriate regulations are adopted.

ALTERNATIVES:

1. Do not adopt a moratorium
2. Provide alternate direction to staff

FISCAL IMPACT: Staff time

CITY COUNCIL ACTION:      X   Ordinance        Resolution        Motion        Other

**Council member \_\_\_\_\_ moves, Council member \_\_\_\_\_ seconds, to adopt an ordinance providing for a six-month extension to the existing moratorium on medical marijuana collective gardens, production and processing facilities, dispensaries, and related businesses.**

REVIEWED BY:    City Manager; City Attorney; Finance Director

# ATTACHMENT 1

## ORDINANCE NO. 08-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, DECLARING AN EMERGENCY AND ADOPTING A TWELVE MONTH MORATORIUM WITHIN THE CITY OF COVINGTON ON THE ESTABLISHMENT, LOCATION, OPERATION, LICENSING, MAINTENANCE, OR CONTINUATION OF MEDICAL MARIJUANA DISPENSARIES, PRODUCTION FACILITIES, PROCESSING FACILITIES, AND COLLECTIVE GARDENS; DEFINING TERMS; PROVIDING FOR A PUBLIC HEARING ON THE MORATORIUM; AUTHORIZING A WORK PLAN; AND PROVIDING FOR SEVERABILITY.

WHEREAS, Initiative Measure No. 692, approved by the voters of Washington State on November 30, 1998, and now codified as Chapter 69.51A of the Revised Code of Washington (RCW), creates an affirmative defense for qualifying patients to the charge of possession of marijuana, and provides that such patients can, as an alternative to growing marijuana for their own use, designate a designated provider who can provide medical marijuana to only one patient at a time; and

WHEREAS, many jurisdictions have recently seen the establishment of medical marijuana dispensaries within their boundaries, which offer marijuana and marijuana products in exchange for donations and which claim to be operating as designated providers within the meaning of Chapter 69.51A RCW; and

WHEREAS, the Washington State Department of Health has opined that “the law [current Chapter 69.51A RCW] does not allow dispensaries” and that it is “not legal to buy or sell marijuana,” but the Department of Health has left enforcement of the law to local officials; and

WHEREAS, litigation is pending against several jurisdictions that have decided to oppose the location of such facilities within their boundaries; and

WHEREAS, the Washington State legislature passed Engrossed Second Substitute Senate Bill (E2SSB) 5073, Medical Cannabis, that became effective on July 22, 2011; and

WHEREAS, uncertainties and ambiguities exist regarding the meaning and enforcement of E2SSB 5073 because Governor Gregoire vetoed significant portions of the bill, creating a bill that fails to legalize and license medical marijuana dispensaries, production facilities, and processing facilities, but does now allow collective gardens and for cities to enact reasonable zoning, licensing, and taxation regulations regarding these uses; and

WHEREAS, the governor’s veto message pertaining to E2SSB 5073, dated April 29, 2011, explained that several sections of the bill were vetoed as a result of a letter from the U.S. Attorneys for Washington State that reiterated that marijuana possession, production, and

distribution is a federal criminal offense and that state workers would not be immune to prosecution under federal law even if state law decriminalized the use, possession, and production of marijuana for medical purposes, therefore the governor was unwilling to place state workers at risk of federal prosecution for enforcing and following state law; and

WHEREAS, though E2SSB 5073 allows medical marijuana collective gardens, the City of Covington currently has no licensing, zoning, or land use requirements that address collective gardens for medical marijuana production or that address medical marijuana production, processing, or dispensing facilities, should such dispensaries be determined to be authorized by E2SSB 5073; and

WHEREAS, given the extreme uncertainty of the legal status of medical marijuana production facilities, processing facilities, and dispensaries under the current law, and given the legislature's inaction on the subject and the strong possibility for the law to change yet again after the 2012 legislative session, the City requires time for a thorough legal review of the complicated legal framework that currently exists and is still evolving; and

WHEREAS, given the limitations on city staff time and resources, it is not an efficient use of city staff time or resources to commence a planning process by staff and an introduction of materials to the Planning Commission until the legal issues surrounding the development of regulations for medical marijuana production, processing, and dispensing facilities, as well as collective gardens, are resolved; and

WHEREAS, the planning process that occurs will need to consider complex zoning, licensing, and taxation regulations for collective gardens, and marijuana production, processing and dispensing facilities should they be deemed legal; and

WHEREAS, once the City Council receives a recommendation from the Planning Commission it will need a reasonable period of time to consider the recommendations, conduct one or more public hearings, and adopt regulations related to the establishment and citing of medical marijuana collective gardens, and production, processing, and dispensing facilities should they be deemed legal; and

WHEREAS, unless an emergency zoning moratorium is imposed, medical marijuana collective gardens and production, processing, and dispensing facilities may seek to locate within the City of Covington while the City lacks the necessary tools to ensure that such uses are legal, that the location is appropriate, and that the reported secondary impacts of such facilities, which include but are not limited to, invasion of the business, burglaries, robberies associated with the cash and drugs maintained on the site, unlawful use and distribution of marijuana for non-medical purposes, and unlawful commercial marijuana growing operations, are minimized and mitigated; and

WHEREAS, the City Council has determined that an emergency moratorium is necessary in order to protect the public interest, health, and safety until such time as the Council can act on a recommendation from the Planning Commission concerning the establishment and citing of

medical marijuana collective gardens, and production, processing, and dispensing facilities should they be deemed legal; and

WHEREAS, pursuant to RCW 35A.63.220, the city may impose land use and development moratoria to be in effect for a period of up to six (6) months, but may be effective for up to one year if a work plan is developed for related studies providing for such a longer period;

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

Section 1. Findings of Fact. The “WHEREAS” clauses set forth above are hereby adopted as the City Council’s preliminary findings of fact in support of the moratorium imposed by this ordinance. The City Council may, in its discretion, adopt additional findings at the conclusion of the public hearing referenced in Section 5 below.

Section 2. Moratorium Established. A moratorium is hereby enacted prohibiting within the City of Covington the location, establishment, licensing, operation, maintenance, or continuation of any medical marijuana dispensary, any medical marijuana production facility, any medical marijuana processing facility, or any medical marijuana collective garden, whether for profit or not for profit, asserted to be authorized or actually authorized under E2SSB 5073, Chapter 181, Laws of 2011, Chapter 69.51A RCW, or any other laws of the state of Washington. No building permit, occupancy permit, or other development approval shall be issued for any of the purposes or activities listed above, and no business license or registration shall be granted or accepted while this moratorium is in effect. Any land use permits, business licenses, or other permits for any of these operations that are issued as a result of error or by use of vague or deceptive descriptions during the moratorium are null and void and without legal force and effect.

As used in this ordinance, the following terms have the meanings set forth below:

A. “Medical marijuana dispensary” any business, agency, organization, cooperative, network, consultation operation, or other group, or person, no matter how described or defined, including its associated premises and equipment, which has for its purpose or which is used to grow, select, measure, package, label, deliver, sell, or otherwise transfer (for consideration or otherwise) marijuana for medical use. A person who is the designated provider for only one (1) qualified patient during any fifteen (15) day period and who complies with Chapter 69.15A RCW, shall not be deemed a medical marijuana dispensary for the purposes of this moratorium.

C. “Medical marijuana processing facility” means premises and equipment where marijuana products are manufactured, processed, handled or labeled for sale, delivery, or transfer (for consideration or otherwise) to a medical marijuana dispensary, or to more than one qualifying patient within any fifteen (15) day period.

D. “Medical marijuana production facility” means premises and equipment where marijuana is planted, grown, harvested, processed, stored, handled, packaged or labeled for sale, delivery, or transfer (for consideration or otherwise) to a medical marijuana processing facility, a medical marijuana dispensary, or to more than one qualifying patient within any fifteen (15) day period.

E. “Medical marijuana collective garden” means a group of qualifying patients that share responsibility for acquiring and supplying the resources required to produce and process marijuana for medical use. Examples of collective garden resources would include, without limitation, the following: property used for a collective garden; or equipment, supplies, and labor necessary to grow and harvest marijuana; marijuana plants, seeds, and cuttings; and equipment, supplies, and labor necessary for proper construction, plumbing, wiring, and ventilation of a garden of marijuana plants. A medical marijuana collective garden shall satisfy the above definition regardless of its formation, ownership, management, or operation as a business, agency, organization, cooperative, network, consultation operation, group, or person. A person who is the designated provider for only one qualified patient during any fifteen (15) day period who complies with Chapter 69.51A RCW or a person who is a qualified patient and who complies with RCW 69.51A, shall not be deemed a medical marijuana collective garden for the purposes of this moratorium.

Section 3. Effective Period of Moratorium. The moratorium established by this ordinance shall become effective as set forth in Section 7 below, and shall continue in effect for twelve months thereafter unless repealed, renewed, or modified by the City Council after a subsequent public hearing and entry of findings of fact.

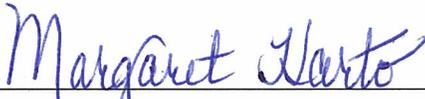
Section 4. Work Program. The City Manager is authorized to allocate the necessary resources to prepare a work program to address issues related to determining the legality of medical marijuana dispensaries, production facilities, processing facilities, and collective gardens, including but not limited to review of the pending dispute between state and federal law enforcement authorities regarding the legality of medical marijuana use under any circumstance and notwithstanding the enactment by the state legislature of RCW 69.51A. In the event that such uses are ultimately determined to be legal, the work plan should also review and research the most appropriate zoning districts in the city for such medical marijuana uses, and develop related development regulations and performance standards applicable to medical marijuana uses in the city as may be necessary.

Section 5. Public Hearing to be Held. A public hearing on the issue of the moratorium shall be held no later than sixty (60) days after the date of adoption herein.

Section 6. 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 7. Effective Date. This ordinance, as a public emergency ordinance necessary for the protection of the public health, public safety, public property, or public peace, shall take effect and be in full force immediately upon its adoption. The city clerk is directed to publish a summary of this ordinance at the earliest possible publication date.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 9<sup>th</sup> DAY OF AUGUST, 2011.

  
\_\_\_\_\_  
Mayor Margaret Harto

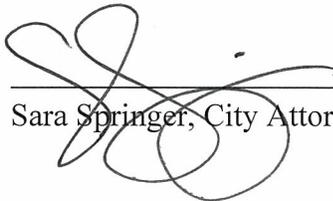
PUBLISHED: August 12, 2011

EFFECTIVE: August 12, 2011

ATTESTED:

  
\_\_\_\_\_  
Sharon Scott, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Sara Springer, City Attorney

**ORDINANCE NO. 12-12**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, AMENDING ORDINANCE NO. 08-11 TO EXTEND THE MORATORIUM ON THE ESTABLISHMENT, LOCATION, OPERATION, LICENSING, MAINTENANCE, OR CONTINUATION OF MEDICAL MARIJUANA DISPENSARIES, PRODUCTION FACILITIES, PROCESSING FACILITIES, AND COLLECTIVE GARDENS WITHIN THE CITY OF COVINGTON FOR AN ADDITIONAL SIX MONTHS; PROVIDING FOR A PUBLIC HEARING ON THE MORATORIUM EXTENSION; AMENDING ORDINANCE NO. 08-11; ADOPTING FINDINGS OF FACT SUPPORTING THE MORATORIUM ADOPTED BY ORDINANCE NO. 08-11; AND PROVIDING FOR SEVERABILITY.

WHEREAS, on August 9, 2011, the Covington City Council passed Ordinance No. 08-11, which declared an emergency necessitating the immediate imposition of a moratorium on the establishment, location, operation, licensing, maintenance, or continuation of medical marijuana dispensaries, production facilities, processing facilities, and collective gardens, as more particularly described in Ordinance No. 08-11; and

WHEREAS, Chapter 69.51A of the Revised Code of Washington (RCW), creates an affirmative defense for qualifying patients to the charge of possession of marijuana, and provides that such patients can, as an alternative to growing marijuana for their own use, designate a designated provider who can provide medical marijuana to only one patient at a time; and

WHEREAS, the Washington State Department of Health has opined that “the law [current Chapter 69.51A RCW] does not allow dispensaries” and that it is “not legal to buy or sell marijuana,” but the Department of Health has left enforcement of the law to local officials; and

WHEREAS, state law also allows, under certain conditions, collective gardens and provides the city the authority to adopt zoning, health and safety, and taxing regulations relating to collective gardens; and

WHEREAS, the U.S. Attorneys for Washington State have reiterated that marijuana possession, production, and distribution is a federal criminal offense and that local officials and employees would not be immune to prosecution under the federal Controlled Substances Act, 21 U.S.C. §801 et seq., even if state law decriminalized the use, possession, and production of marijuana for medical purposes; and

WHEREAS, though state law allows medical marijuana collective gardens, the City of Covington currently has no licensing, zoning, or land use requirements that address collective gardens for medical marijuana production or that address medical marijuana production, processing, or dispensing facilities, should such dispensaries be determined to be authorized; and

WHEREAS, unregulated collective gardens are anticipated to have negative secondary impacts including a possible increase of criminal activity in the area of collective gardens, a possible increase in illegal drug activity in the area of the collective gardens, possible illegal distribution of medical marijuana, and may present health and safety concerns related to the handling of chemicals used in the growing and processing of marijuana, the ventilation of collective gardens and related air quality issues, and the electrical wiring of collective garden facilities; and

WHEREAS, the Covington City Council established a one-year moratorium to prevent the location and vesting of any medical marijuana collective gardens or medical marijuana production, processing, or dispensing facilities within the city while the city lacks the necessary tools to ensure regulation of the negative secondary impacts and health and safety concerns and to maintain the status quo while legal, political, and policy and city code impacts are studied and considered; and

WHEREAS, given the continuing uncertainty of the legal status of medical marijuana production facilities, processing facilities, and dispensaries under the current state law, and given the possibility of several pending actions that could clarify the conflict between state and federal law, including: (a) Initiative 502 regarding the legalization of the recreational use of marijuana; (b) *John and Jane Does 1-13 v. City of Seattle*, King County Cause No. 11-2-42621-SEA regarding Seattle's regulation of collective gardens; (c) *Cannabis Action Coalition, et.al. v. City of Kent*, King Count Cause No. 12-2-19726-1-KNT regarding Kent's prohibition of collective gardens; and (d) Bellingham's enforcement against collective gardens operating within its city limits, the city requires additional time for continued thorough legal review of the complicated legal framework that currently exists and is still evolving; and

WHEREAS, given the limitations on city staff time and resources, it is not an efficient use of city staff time or resources to commence a planning process by staff and an introduction of materials to the Planning Commission and the City Council until the legal issues surrounding the development of regulations for medical marijuana production, processing, and dispensing facilities, as well as collective gardens, are resolved; and

WHEREAS, the planning process that occurs will need to consider complex legal, zoning, licensing, health and safety, and taxation regulations for collective gardens, and marijuana production, processing and dispensing facilities should they be deemed legal; and

WHEREAS, the city wishes to amend the moratorium to include any business or organization offering any type of service relating to collective gardens or to producing, processing, or dispensing medical marijuana; and

WHEREAS, the city must extend the moratorium on the establishment, location, licensing, maintenance, or continuation of medical marijuana dispensaries, production facilities, processing facilities, and collective gardens for an additional six months to act as a stop-gap measure to provide an opportunity for legal clarification of the city's ability to regulate the siting and activities of collective gardens and medical marijuana dispensaries, production facilities, and

processing facilities if deemed legal, and to avoid the unregulated establishment of collective gardens within the city with rights contrary to and inconsistent with any revision the city may make to its regulatory scheme as a result of the city's continued consideration of this matter; and

WHEREAS, on July 24, 2012, the City Council held a public hearing on the moratorium as required by RCW 35A.63.220, and on that date accepted testimony from all members of the public desiring to be heard on the subject; and

WHEREAS, based upon the public testimony received on July 24, 2012, and based upon additional materials presented by city staff, a moratorium of limited duration is in the public interest; and

WHEREAS, on July 24, 2012, the City Council considered the foregoing facts, materials, and testimony, and deliberated on the issue of whether to maintain the moratorium; and

WHEREAS, RCW 35A.63.220 authorizes the City Council to adopt land use moratoria; and

WHEREAS, on July 24, 2012, the city's SEPA Responsible Official determined that the moratorium is exempt from SEPA under RCW 43.21.030(2)(c);

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

Section 1. Adoption of Defined Terms. For the purpose of this ordinance, the definitions of "Medical marijuana dispensary", "Medical marijuana processing facility", "Medical marijuana production facility", and "Medical marijuana collective garden" in Ordinance No. 08-11 are hereby adopted by reference as if fully set forth herein.

Section 2. Findings of Fact. In accordance with RCW 35A.63.220, which requires the City Council to adopt findings of fact justifying the adoption of moratoria, the "WHEREAS" clauses set forth above are hereby adopted as the City Council's findings of fact in support of the moratorium imposed by this ordinance and are by this reference incorporated herein as if set forth in their entirety.

Section 3. Amendment to Ordinance No. 08-11. Section 2 of Ordinance No. 08-11 is hereby amended as follows:

A moratorium is hereby enacted prohibiting within the City of Covington the location, establishment, licensing, operation, maintenance, or continuation of any medical marijuana dispensary, any medical marijuana production facility, any medical marijuana processing facility, any medical marijuana collective garden, or any business or organization offering any type of service relating to collective gardens or to producing, processing, or dispensing medical marijuana, whether for profit or not for profit, asserted to

be authorized or actually authorized under E2SSB 5073, Chapter 181, Laws of 2011, Chapter 69.51A RCW, or any other laws of the state of Washington. No building permit, occupancy permit, or other development approval shall be issued for any of the purposes or activities listed above, and no business license or registration shall be granted or accepted while this moratorium is in effect. Any land use permits, business licenses, or other permits for any of these operations that are issued as a result of error or by use of vague or deceptive descriptions during the moratorium are null and void and without legal force and effect.

Section 4. Moratorium Expiration. The one-year moratorium established by Ordinance No. 08-11 shall not lapse and shall be extended for an additional six months to be effective through February 12, 2013.

Section 5. 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 6. Effective Date. This ordinance shall be published in the official newspaper of the city and shall take full force and effect five days after the date of publication

ADOPTED BY THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, at a regular meeting thereof this 24<sup>th</sup> day of July, 2012.

\_\_\_\_\_  
Mayor Margaret Harto

PUBLISHED: July 27, 2012  
EFFECTIVE: August 1, 2012

ATTESTED:

\_\_\_\_\_  
Sharon Scott, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Sara Springer, City Attorney

**SUBJECT:** PROPOSED ORDINANCE AMENDING THE MULTI-FAMILY PROPERTY TAX EXEMPTION REGULATIONS – CMC 3.80

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

**ATTACHMENT(S):**

1. Proposed Ordinance to amend regulations for Multi-Family Property Tax Exemptions (CMC 3.80)

**PREPARED BY:** Ann Mueller, Senior Planner

**EXPLANATION:**

At the city council’s regularly scheduled meeting on February 28, 2012, the city adopted new multi-family property tax exemption regulations, codified at Chapter 3.80 of the Covington Municipal Code (CMC). These regulations allowed property owners of qualified multi-family rental developments in specified target areas to apply for exemption from property taxes for eight years or for twelve years if they met an affordable housing component. The regulations adopted in February precluded multi-family owner-occupied (condominium) development from applying for property tax exemption under CMC 3.80.

After some discussion at the February 28, 2012, public hearing, council asked staff to reexamine and allow owner-occupied multi-family condominium development projects to be eligible to apply for property tax exemptions under CMC 3.80.

Attachment 1 includes the proposed amendments to CMC 3.80 to allow multi-family owner-occupied development projects in the city’s target areas, Town Center (TC), Mixed Housing/Office (MH/O), and R-18 (multifamily) zoning districts to apply for property tax exemption subject to specific conditions.

The following are key considerations regarding the expansion of the property tax exemption to owner-occupied multi-family development projects:

**1. Managing Compliance.**

For a development to qualify for the twelve-year property tax exemption, the developer who applies for the exemption must fulfill three distinct requirements relevant to this question: (1) the developer must commit to selling at least twenty percent of the condominiums as affordable housing units to low or moderate income households, (2) the applicant must enter into a contract with the city in which the developer agrees to implement the development on the terms and conditions satisfactory to the city, and (3) upon completing the project, the developer must satisfy the filing requirements in RCW 84.14.090 (1). Once these requirements are satisfied

along with any additional requirements adopted by Covington, the city files a certificate of tax exemption with King County and the twelve- year tax exemption takes effect.

For the tax exemption to remain in effect over the twelve- year period the entire development must continue to comply with all applicable conditions of CMC 3.80 and the contract entered into by the developer with the city. To ensure continued compliance, the owner of the development must file an annual report with the city certifying that the development over the prior twelve months has been in compliance with the requirements in CMC 3.80 and RCW 84.14.020. The development owner is defined by law as the property owner of record. In the case of a multi-family development with rental housing, a single developer who owns all of the rental units pays tax on the development and is entitled to the property tax exemption if granted by the city. In a condominium development, there is no single owner; individual condominium units are separately owned. All owners of condominium units are obligated to pay property taxes, consistent with RCW 64.34.040 and all individual owners are entitled to the property tax exemption if granted by the city. Therefore, all owners of individual condominium units within a qualifying multi-family development are responsible for filing the annual certifications with the city to maintain the development's tax exemption for the full twelve years.

To relieve the administrative burden on city staff in managing compliance and annual reports from each individual condominium unit owner, the proposed code amendments require any qualifying multi-family developments that include owner-occupied units to form a home owners association tasked with the responsibility of collecting the annual reporting information from each owner. City staff, then, is only required to manage a single home owners association contact for the entire development.

## **2. Maintaining Exemption / Penalties.**

During the entire twelve-year tax exemption period at least twenty percent of the units in the tax-exempt property must be owned by moderate or low-income households. If the number of units owned by moderate or low-income households falls below twenty percent, the entire property no longer qualifies for the exemption and the owners of all units lose their tax exemption at that time.

For example, a developer obtains a twelve-year tax exemption for a fifty unit condominium and designates ten units (20%) to be sold to moderate or low-income households. If the developer fulfills that commitment, then the owners of all fifty units receive the tax exemption. However, within the twelve-year exemption period, if even one of the ten owners of the affordable units subsequently sold their unit to a buyer that did not qualify as a moderate or low-income household, all fifty units would no longer be eligible for the property tax exemption.

CMC 3.80.110 and RCW 84.14.110 require the owner to notify the city and the county assessor within sixty days of noncompliance of any condition that must be met for the twelve- year tax exemption to continue. When the assessor receives such notice or otherwise discovers that a condominium property no longer qualifies for the twelve-year exemption, the assessor is required to cancel the tax exemption and impose the following on all units in the condominium development: (1) additional property taxes calculated from the date the property ceased to meet the conditions required for the tax exemption; (2) a penalty of twenty percent of the additional

property taxes levied; and (3) interest on the additional property taxes calculated from the date the property ceased to meet the conditions required for the tax exemption. The interest rate currently is twelve percent per year, computed monthly (RCW 84.56.020 (5)).

ALTERNATIVES:

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

FISCAL IMPACT:

Similar to a rental project, if a condominium project is granted multi-family property tax exemption, the property taxes on the residential improvement value of each condominium unit would be waived for eight or twelve years beginning January 1 of the year immediately following the calendar year of issuance of the final certificate. Property taxes would continue to be paid on the land value and the improvement value of the non-residential portion of properties. Thus the potential taxes on the new condominium component of the development would not be collected for eight or twelve years, depending on the exemption granted. To the extent there is new ground floor commercial/office or other non-residential use on a site in the Town Center, the city will still capture the property tax revenue from those new uses. The city should not expect to see any decrease in property tax payments from property granted multi-family tax exemption status.

The main impact to the city will be the delay in realizing the payment of property taxes on the improvement value of the multi-family portion of the new development for either eight or twelve years.

There will be a small increase in staff time needed to monitor and follow-up with annual reporting requirements of condominium projects granted tax exemption status, especially if the home owners association runs in to difficulty obtaining information from each unit for the annual report required to demonstrate the project's continued compliance with CMC 3.80.

CITY COUNCIL ACTION:     Ordinance     Resolution     Motion     Other

**Council member \_\_\_\_\_ moves, Council member \_\_\_\_\_ seconds, to amend CMC 3.80 to allow exemptions from ad valorem property taxation for owner-occupied multi-family housing in designated residential targeted areas.**

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

**ORDINANCE NO. 13-12**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON AMENDING CHAPTER 3.80 OF THE COVINGTON MUNICIPAL CODE RELATING TO EXEMPTIONS FROM AD VALOREM PROPERTY TAXATION FOR MULTI-FAMILY HOUSING IN DESIGNATED RESIDENTIAL TARGETED AREAS TO INCLUDE OWNER-OCCUPIED MULTI-FAMILY HOUSING.

WHEREAS, Ordinance 05-12 adopted on February 28, 2012, established Chapter 3.80 of the Covington Municipal Code authorizing the city to approve eight or twelve-year exemptions from ad valorem property taxation for qualifying multi-family housing located in residential targeted areas within urban centers consistent with state regulations; and

WHEREAS, the stated purpose of Chapter 84.14 RCW is to increase residential opportunities by stimulating construction of new multi-family housing and the rehabilitation of existing vacant and underutilized buildings for multi-family housing in areas where the city finds there are insufficient residential opportunities; and

WHEREAS, the current ordinance only applies to renter-occupied multi-family housing and the city council desires to extend the ad valorem property tax exemption to qualifying owner-occupied multi-family housing; and

WHEREAS, the proposed amendments to CMC 3.80 are for the purpose of allowing qualifying owner-occupied multi-family development projects in designated target areas to apply for eight or twelve-year exemptions from ad valorem property taxation consistent with city and state regulations;

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

Section 1. Chapter 3.80 of the Covington Municipal Code entitled "Multi-Family Property Tax Exemptions" is hereby amended as set forth in Exhibit 1 to this ordinance and fully incorporated herein by this reference.

Section 2. This ordinance shall be in full force and effect five (5) days after proper posting and publication. A summary of this ordinance may be published in lieu of publishing the ordinance in its entirety.

Section 3. If any provision of this ordinance, or ordinance modified by it, is determined to be invalid or unenforceable for any reason, the remaining provisions of this ordinance and ordinances and/or resolutions modified by it shall remain in full force and effect.

Passed by the City Council on the 24th day of July, 2012.

\_\_\_\_\_  
Mayor Margaret Harto

PUBLISHED: July 27, 2012  
EFFECTIVE: August 1, 2012

ATTESTED:

\_\_\_\_\_  
Sharon Scott, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Sara Springer, City Attorney

# ORDINANCE NO. 13-12

## EXHIBIT 1

### Chapter 3.80

#### MULTIFAMILY PROPERTY TAX EXEMPTION

##### Sections:

- [3.80.010](#) Purpose.
- [3.80.020](#) Definitions.
- [3.80.030](#) Residential target areas – Criteria – Designation.
- [3.80.040](#) Tax exemption – Eligibility requirements.
- [3.80.050](#) Application procedure.
- [3.80.060](#) Application review and issuance of conditional certificate – Denial – Appeal.
- [3.80.070](#) Extension of conditional certificate.
- [3.80.080](#) Application for final certificate.
- [3.80.090](#) Issuance of final certificate.
- [3.80.100](#) Annual certification and report.
- [3.80.110](#) Cancellation of tax exemption.

##### **3.80.010 Purpose.**

As provided for in Chapter 84.14 RCW, the purpose of this chapter is to provide limited eight- or ~~twelve~~42-year exemptions from ad valorem property taxation for qualified ~~renter-occupied~~ multifamily housing located in residential target areas to:

- (1) Encourage multifamily housing opportunities within the City;
- (2) Stimulate new construction for multifamily housing in specified zoning districts to increase and improve housing opportunities; and
- (3) Accomplish the planning goals required under the Growth Management Act, Chapter 36.70A RCW, as implemented by the City's comprehensive plan.

Any one or a combination of these purposes may be furthered by the designation of a residential targeted area under this chapter. ~~This chapter applies to renter-occupied dwelling units only and does not apply to owner-occupied (condominium) dwelling units.~~ (Ord. 05-12 § 1 (Exh. 1))

##### **3.80.020 Definitions.**

When used in this chapter, the following terms shall have the following meanings, unless the context indicates otherwise:

- (1) "Affordable housing" means the definition provided for in RCW 84.14.010.
- (2) "Director" means the Director of the City of Covington Department of Community Development, or his or her designee.
- (3) "Household" means the definition provided for in RCW 84.14.010.

- (4) "Low-income household" means the definition provided for in RCW 84.14.010.
- (5) "Mixed use" means the definition provided for in Chapter 18.20 CMC.
- (6) "Moderate-income household" means the definition provided for in RCW 84.14.010.
- (7) "Multifamily housing" means one or more new multistory buildings designed for permanent residential occupancy, each with four or more dwelling units.
- (8) "Owner" means the property owner of record.
- (9) "Permanent residential occupancy" means ~~the definition provided for in RCW 84.14.010. multifamily housing that provides rental occupancy on a nontransient basis. This includes rental accommodation that is leased for a period of at least one month. This excludes hotels and motels that predominately offer rental accommodation on a daily or weekly basis.~~
- (10) "Residential targeted area" means an area within a mixed-use center that has been so designated by the City as lacking sufficient, available, desirable, and convenient residential housing to meet the needs of the public. (Ord. 05-12 § 1 (Exh. 1))

**3.80.030 Residential target areas – Criteria – Designation.**

(1) Following notice and public hearing as prescribed in RCW 84.14.040, the City Council may, in its sole discretion, designate one or more residential targeted areas. Each residential target area must meet the following criteria, as determined by the City Council:

- (a) The residential targeted area is within a designated mixed-use center;
- (b) The residential targeted area lacks sufficient available, desirable, and convenient residential housing, including affordable housing, to meet the needs of the public who would be likely to live in the mixed-use center if affordable, desirable, attractive, and livable residences were available; and
- (c) Providing additional housing opportunities, including affordable housing, in the residential targeted area will assist in achieving one or more of the following purposes:
  - (i) Encourage increased residential opportunities within the target area; or
  - (ii) Stimulate the construction of new multifamily housing; or
  - (iii) Encourage the rehabilitation of existing vacant and underutilized buildings for multifamily housing.

(2) In designating a residential targeted area, the City Council may also consider other factors, including but not limited to:

- (a) Additional housing, including affordable housing units, in the residential targeted area will attract and maintain an increase in the number of permanent residents;
- (b) An increased permanent residential population in the residential targeted area will help to achieve the planning goals mandated by the Growth Management Act under Chapter 36.70A RCW, as implemented through the City's current and future comprehensive plans;
- (c) Encouraging additional housing in the residential targeted area is consistent with public transportation plans; or
- (d) Additional housing may contribute to revitalization of a distressed neighborhood or area within the City.

(3) At any time the City Council may, by ordinance, and in its sole discretion, amend or rescind the designation of a residential targeted area pursuant to the same procedural requirements as set forth in this chapter for original designation.

(4) The following areas are designated as residential targeted areas under this chapter:

- (a) Town center district (TC) as defined in CMC [18.15.080](#)(1).
- (b) Mixed housing/office district (MHO) as defined in CMC [18.15.080](#)(4).
- (c) R-18 (multifamily residential) zone as defined in CMC [18.15.050](#)(1)(b).

(5) If a part of any legal lot is within a designated residential targeted area then the entire lot shall be deemed to lie within such residential targeted area. Property located outside of, but adjacent to, the described areas is not designated as residential targeted areas. (Ord. 05-12 § 1 (Exh. 1))

**3.80.040 Tax exemption – Eligibility requirements.**

(1) Eight-Year Exemption Project Eligibility. A project must meet all of the following requirements for consideration for an eight successive year ad valorem property tax exemption on the value of the improvements qualifying under this chapter beginning January 1st of the year immediately following the calendar year after issuance of the final certificate of tax exemption:

(a) Location. The project must be located within one of the residential target areas as ~~listed in this chapter~~designated in Section 3.80.030.

~~(b) Renter-Occupied. All dwelling units included in the project must be renter-occupied; projects including owner-occupied dwelling units are not eligible for an exemption under this chapter.~~

~~(b)~~ (e) Size. The project must be multifamily housing consisting of at least four dwelling units within a multistory residential structure or mixed-use development. For new construction, A a minimum of four new units must be constructed. ~~or For projects converting or rehabilitating existing~~

multifamily housing, at least four additional multifamily units must be added to existing occupied multifamily housing. Existing multifamily housing that has been vacant for twelve~~12~~ months or more does not have to provide additional units so long as the project provides at least four units of new, converted, or rehabilitated multifamily housing.

(c) Permanent Residential Occupancy Requirement. At least fifty percent of the space in new, converted, or rehabilitated multi-family housing must be for permanent residential occupancy.

(d) Town Center District Diversity of Multifamily Unit Types. In addition to the other requirements in this subsection, projects located in the town center (TC) district shall be located in a multistory, mixed-use structure, as defined-described in CMC 18.31.080, and shall provide a mix of apartment types and sizes for a variety of household types according to the following standards:

(i) A minimum of fifty~~50~~ percent of the total units shall vary in size from other units by at least 250 square feet; or no more than fifty~~50~~ percent of the total planned units shall have the same number of bedrooms.

(ii) In multifamily developments with eighteen~~18~~ units or more, no more than sixty~~60~~ percent of the units may be studios or one-bedroom units.

(e) Completion Deadline. New construction of multifamily housing and rehabilitation improvements must be scheduled to be completed within three years from the date of approval of the application, or within an extension of this time limit as authorized by the Director.

(f) Compliance with Guidelines and Standards. The project must comply with the City's comprehensive plan, zoning, environment, and building codes and any other applicable regulations in effect at the time the application is approved.

(fg) Vacancy Requirement. The project must not displace existing residential tenants of structures that are proposed for redevelopment. Existing dwelling units proposed for rehabilitation must have been unoccupied for a minimum of twelve~~six~~ months prior to submission of application and shall fail to comply with one or more requirements of the building code as set forth in Title 15 of this code. Applications for new construction cannot be submitted for vacant property upon which an occupied residential rental structure previously stood, unless a minimum of twelve~~six~~ months has elapsed from the time of the most recent occupancy.

(2) Twelve-Year Exemption Project Eligibility. A proposed project must meet all of the following requirements for consideration for a twelve~~12~~ successive year ad valorem property tax exemption on the value of the improvements qualifying under this chapter beginning January 1st of the year immediately following the calendar year after issuance of the final certificate of tax exemption:

(a) All requirements set forth in subsection (1) of this section; and

(b) The applicant must commit to ~~designating renting~~ at least ~~twenty~~20 percent of the multifamily housing units as affordable housing units to low- and moderate-income households and the property must satisfy that commitment and any additional affordability and income eligibility conditions adopted by the City under this chapter. Projects intended exclusively for owner occupancy may meet this standard through housing affordable to moderate-income households.

(i) If calculations for the minimum ~~twenty~~20 percent of the multifamily housing units required under this subsection results in a fraction, then the minimum number of multifamily housing units for affordable housing shall be rounded up to the next whole number.

(ii) In projects granted twelve-year exemptions, housing units identified for households with low, affordable, or moderate annual income shall continue to be made available to low, affordable, or moderate households for the length of the exemption period.

(c) The mix and configuration of housing units (e.g., studio, one-bedroom, two-bedroom) used to meet the requirement for affordable units under this subsection shall be substantially proportional to the mix and configuration of the total housing units in the project.

(d) When a project includes more than one building with multifamily housing units, all of the affordable housing units required in this subsection must not be located in the same building.

(3) Limits on Exemption. The exemption does not apply to the value of land or to the value of improvements not qualifying under this chapter, nor does the exemption apply to increases in assessed valuation of land and non-qualifying improvements. In the case of rehabilitation of existing buildings, the exemption does not include the value of improvements constructed prior to submission of the completed application required under this chapter.

(4) Conclusion of Exemption. At the conclusion of the exemption period, any new housing costs shall be considered as new construction for the purposes of Chapter 84.55 RCW. (Ord. 05-12 § 1 (Exh. 1))

### **3.80.050 Application procedure.**

A property owner who proposes a project for a tax exemption under this chapter shall complete the following procedures:

(1) A complete application, on a form established by the Director, shall be filed with the City prior to issuance of a building permit for the project. The application shall be accompanied by the required fee as set forth in the City's current fee resolution.

(2) The application shall contain such information as deemed necessary by the Director, including:

(a) A brief written description of the project including timing and construction schedule setting forth the grounds for the exemption.

(b) Floor and site plans of the proposed project, which may be revised by the owner, provided such revisions are made and presented to the Director prior to the City's final action on the exemption application.

(c) If applying for a ~~twelve~~42-year exemption, it shall include information describing how the applicant will comply with the affordability requirements set forth in CMC [3.80.040](#)(2).

(d) A statement from the owner acknowledging the potential tax liability when the project ceases to be eligible for exemption under this chapter.

(e) An affidavit signed by the owner stating the occupancy record of the property for a period of ~~twelve~~42 months prior to filing the application.

(f) Verification of the correctness of the information submitted by the owner's signature and affirmation made under penalty of perjury under the laws of the state of Washington. (Ord. 05-12 § 1 (Exh. 1))

### **3.80.060 Application review and issuance of conditional certificate – Denial – Appeal.**

(1) Director's Decision. The Director may certify as eligible an application that is determined to comply with the requirements of this chapter. A decision to approve or deny an application shall be made within 90 calendar days of receipt of a complete application.

(2) Contract Required.

(a) If an application is approved, the applicant shall enter into a contract with the City, subject to approval by the City Council [in the form of a resolution](#), regarding the terms and conditions of the project and eligibility for exemption under this chapter. [This contract shall be a covenant running with the land and shall be binding on the assigns, heirs, and successors of the applicant.](#)

(b) [For any development project including owner-occupied units, the contract with the City shall also require that an owners association organized under RCW 64.34.300 be formed for all owner-occupied units within the development for the length of the exemption period granted to assume the responsibility for collecting the necessary information and documents from all individual unit owners to complete the annual reporting requirements and for filing the required annual report with the city for each of the individual homeowners pursuant to CMC 3.80.100.](#)

(3) Issuance of Conditional Certificate. Upon City Council approval of the contract, the Director shall issue a conditional certificate of acceptance of tax exemption. The conditional certificate shall expire three years from the date of City Council approval unless an extension is granted as provided in this chapter.

(4) Application Denial. If an application is denied, the Director shall state in writing the reasons for denial and shall send notice to the applicant at the applicant's last known address within ~~ten~~40 calendar days of issuance of the denial.

(5) Application Appeal. Per RCW 84.14.070, an applicant may appeal a denial to the City Council within ~~thirty~~<sup>30</sup> calendar days of receipt of the denial by filing a complete appeal application and appeal fee, as set forth in the City's current fee resolution, with the City Clerk. The appeal before the City Council shall be based on the record made before the Director. The Director's decision shall be upheld unless the applicant can show that there is no substantial evidence on the record to support the Director's decision. The City Council's decision on appeal is final.

(6) Amendment of Contract. Within three years of the date from the City Council's approval of the contract, an owner may request an amendment(s) to the contract by submitting a request in writing to the Director. The fee for an amendment is as set forth in the City's current fee resolution. The Director shall have authority to approve minor changes to the contract that are reasonably within the scope and intent of the contract approved by the City Council. Amendments that are not reasonably within the scope and intent of the approved contract, as determined by the Director, shall be submitted to the City Council for review. The date for expiration of the conditional certificate shall not be extended by contract amendment unless all the conditions for extension set forth in CMC [3.80.070](#) are met. (Ord. 05-12 § 1 (Exh. 1))

### **3.80.070 Extension of conditional certificate.**

(1) The Director may approve an extension to the conditional certificate and time of completion of the project for a period not to exceed a total of ~~twenty-four~~<sup>24</sup> consecutive months. To obtain an extension, the applicant must submit a written request stating the justification for the extension together with a processing fee as set forth in the City's current fee resolution. An extension may be granted if the Director determines that:

(a) The anticipated failure to complete construction within the required time period is due to circumstances beyond the control of the owner;

(b) The owner has shown good faith progress and could reasonably be expected to continue to act in good faith and with due diligence; and

(c) All the conditions of the original contract between the applicant and the City will be satisfied upon completion of the project.

(2) If an extension is denied, the Director shall state in writing the reason for denial and shall send notice to the applicant's last known address within ~~ten~~<sup>10</sup> calendar days of issuance of the denial. An applicant may appeal the denial of an extension to the Hearing Examiner within ~~fourteen~~<sup>14</sup> calendar days of receipt of the denial by filing a complete appeal application and Hearing Examiner appeal fee with the City Clerk. The appeal before the Hearing Examiner shall be as provided in Chapter [14.45](#) CMC. No appeal to the City Council is provided from the Hearing Examiner's decision. (Ord. 05-12 § 1 (Exh. 1))

### **3.80.080 Application for final certificate.**

Upon completion of the improvements ~~or new construction~~ agreed upon in the contract between the applicant and the City, and upon issuance of a temporary or permanent certificate of occupancy, the applicant may request a final certificate of tax exemption by filing with the Director such information as the

Director may deem necessary or useful to evaluate the eligibility for the final certificate. The application shall include the fee as set forth on the City's current fee resolution and the following:

- (1) A statement of expenditures made with respect to each multifamily housing unit and the total expenditures made with respect to the entire property;
- (2) A description of the completed work and a statement of qualification for the exemption;
- (3) The total monthly rent or total sale amount of each multifamily housing unit rented or sold to date;
- (4) Any additional information requested by the City pursuant to meeting any reporting requirements under Chapter 84.14 RCW;
- (5) A statement that the work was completed within the required three-year period or any authorized extension; and
- (6) If a ~~twelve~~12-year exemption, information on the applicant's compliance with the affordability requirements of this chapter. (Ord. 05-12 § 1 (Exh. 1))

**3.80.090 Issuance of final certificate.**

- (1) Director's Decision. Within ~~thirty~~30 calendar days of receipt of all materials required for a final certificate, the Director shall determine whether the work completed and the affordability of the units, if applicable, satisfy the requirements of the application and the conditional contract approved by the City and is qualified for a limited tax exemption under Chapter 84.14 RCW. The City shall also determine which specific improvements completed meet the intent of this chapter and the required findings of RCW 84.14.060.
- (2) Granting of Final Certificate. If the Director determines that the project has been completed in accordance with this chapter and the contract between the applicant and the City and has been completed within the authorized time period the City shall, within ~~ten~~40 calendar days of the expiration of the ~~thirty~~30-day review period above, file a final certificate of tax exemption with the King County Assessor.
- (3) Recording. The Director is authorized to cause to be recorded, at the owner's expense, in the real property records of the King County Department of Records and Elections, the contract with the City, as amended if applicable, and such other document(s) as will identify such terms and conditions of eligibility for exemption under this chapter as the Director deems appropriate for recording, including requirements under this chapter relating to affordability of units.
- (4) Denial. The Director shall notify the applicant in writing that a final certificate will not be filed if the Director determines that:
  - (a) The improvements were not completed within the authorized time period; or

(b) The improvements were not completed in accordance with the contract between the applicant and the City; or

(c) The owner's property is otherwise not qualified under this chapter.

(5) Appeal. An applicant may appeal a denial of a final certificate to the Hearing Examiner within ~~fourteen~~<sup>14</sup> calendar days of issuance of the denial by filing a complete appeal application and Hearing Examiner appeal fee with the City Clerk. The appeal before the Hearing Examiner shall be as provided in Chapter [14.45](#) CMC. No appeal to the City Council is provided from the Hearing Examiner's decision. (Ord. 05-12 § 1 (Exh. 1))

### **3.80.100 Annual certification and report.**

A property that receives a tax exemption under this chapter shall continue to comply with the approved contract and the requirements of this chapter in order to retain its property tax exemption. Within ~~thirty~~<sup>30</sup> calendar days after the first anniversary of the date the City issued the final certificate of tax exemption and each year thereafter for the duration of the tax exemption period, the property owner shall file a notarized declaration and annual report with the Director indicating the following:

(1) A statement of occupancy and vacancy of the multifamily units during the previous ~~twelve~~<sup>12</sup> months;

(2) A certification that the property has not changed use and continues to be in compliance with the contract with the City and this chapter;

(3) A description of any subsequent improvements or changes to the property made after the City issued the final certificate of tax exemption;

(4) The total monthly rent of each multifamily housing unit rented [or the total sale amount of each unit sold](#) during the ~~twelve~~<sup>12</sup> months ending with the anniversary date;

(5) A breakdown of the number, type, and specific multifamily housing units rented [or sold](#) during the 12 months ending with the anniversary date;

(6) If granted a ~~twelve~~<sup>12</sup>-year exemption, information demonstrating the owner's compliance with the affordability requirements of this chapter, [including, but not limited to, the income of each renter household at the time of initial occupancy or the income of each purchaser of owner-occupied units at the time of purchase](#);

(7) The value of the tax exemption for the project; and

(8) Any additional information requested by the City pursuant to meeting any reporting requirements under Chapter 84.14 RCW.

City staff may also conduct on-site verification of the declaration and reporting. Failure to submit the annual declaration and report may result in cancellation of the tax exemption and shall result in a review of the exemption per RCW 84.14.110. (Ord. 05-12 § 1 (Exh. 1))

**3.80.110 Cancellation of tax exemption.**

(1) Cancellation of the tax exemption may result if the Director determines that:

- (a) The owner is not complying with the terms of the contract or this chapter;
- (b) The use of the property is changed or will be changed to a use that is other than residential;
- (c) The project violates applicable zoning requirements, land use regulations, building or fire code requirements; or
- (d) The owner fails to submit the annual declaration and report specified in CMC [3.80.100](#).

(2) If the property no longer qualifies for the tax exemption, the tax exemption shall be canceled and the King County Assessor shall comply with applicable state law to impose additional taxes, interest, and penalties on the property, and a priority lien may be placed on the land pursuant to State law.

(3) Cancellation may occur in conjunction with the annual review or at any such time noncompliance has been determined.

(4) If the owner intends to convert the multifamily housing to another use, the owner shall notify the Director and the King County Assessor in writing within ~~sixty~~<sup>60</sup> calendar days of the change in use. Upon such change in use, the tax exemption shall be canceled and additional taxes, interest, and penalties shall be imposed pursuant to State law.

(5) Notice and Appeal. Upon determining that a tax exemption is to be canceled, the Director shall notify the owner by mail, return receipt requested. The owner may appeal the determination by filing a notice of Hearing Examiner appeal and appeal fee with the City Clerk within ~~thirty~~<sup>30</sup> calendar days, specifying the factual and legal basis for the appeal. The Hearing Examiner will conduct a hearing pursuant to Chapter [14.45](#) CMC. (Ord. 05-12 § 1 (Exh. 1))

**DISCUSSION OF  
FUTURE AGENDA TOPICS:**

**August 14, 2012 – City Council Special & Regular Meetings**

**(Draft Agenda Attached)**

**Draft**

as of 07/18/12

Covington: Unmatched quality of life

**CITY OF COVINGTON**

**CITY COUNCIL SPECIAL & REGULAR MEETINGS AGENDA**

[www.covingtonwa.gov](http://www.covingtonwa.gov)



**Tuesday, August 14, 2012**  
**6:00 p.m.**

**City Council Chambers**  
**16720 SE 271<sup>st</sup> Street, Suite 100, Covington**

*Council will interview Arts Commission applicants beginning at 6:15 p.m.*

**CALL CITY COUNCIL MEETING TO ORDER – approximately 7:00 p.m.**

**ROLL CALL/PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

**PUBLIC COMMUNICATION**

- Annual Update from King County Councilmember Reagan Dunn

**PUBLIC COMMENT** *Persons addressing the Council shall state their name, address, and organization for the record. Speakers shall address comments to the City Council, not the audience or the staff. Public Comment is not intended for conversation or debate. Comments shall be limited to no more than four minutes per person and no more than ten minutes per group. If additional time is needed the city shall be notified in advance and background information shall be submitted in writing regarding the topic that will be addressed. The city reserves the right to deny any request, based on time constraints. Individuals may petition the City Clerk or the City Manager to appear on the agenda of a future study session as time allows for up to 15 minutes to address the council on specific issues or requests.\**

**APPROVE CONSENT AGENDA**

- C-1. Minutes: July 10, 2012 Special & Regular Meeting Minutes (Scott)
- C-2. Vouchers (Hendrickson)
- C-3. Accept Department of Ecology Grant (Akramoff)
- C-4. Accept Aqua Vista Grant (Akramoff)

**PUBLIC HEARING**

1. Public Testimony and Possible Action on Proposed 2012 Comprehensive Plan Amendments (Hart)

**NEW BUSINESS**

2. Consider Appointments to Arts Commission (Council)
3. Northern Gateway Progress Report (Hart)
4. Second Quarter Financial Report (Hart)

**COUNCIL/STAFF COMMENTS - Future Agenda Topics**

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

**EXECUTIVE SESSION – If Needed**

**ADJOURN**

*Any person requiring disability accommodation should contact the City of Covington at (253) 638-1110 a minimum of 24 hours in advance. For TDD relay service, please use the state's toll-free relay service (800) 833-6384 and ask the operator to dial (253) 638-1110.*