



**CITY OF EDGEWOOD
COUNCIL STUDY SESSION AGENDA**

Tuesday, November 16, 2021 – 7:00 PM ♦ City Hall – 2224 104th Avenue East ♦ Edgewood, WA

1. CALL TO ORDER

Roll Call, Pledge of Allegiance

2. COUNCIL BUSINESS

- A. Discussion – Equity, Diversity and Inclusion (Trainings, Planning, etc.)
- B. Discussion - Resolution - View Pointe Development LID Segregation
- C. Discussion - Development Review
- D. Discussion – Preliminary 2022 Budget
- E. Discussion - Resolution - Pierce County Sheriff Department Appreciation
- F. Discussion - Ordinance - Noise
- G. Discussion - Resolution - City Electronic Signature Policy
- H. Discussion – Meridian Ave E Sewer Extension Assessment Reimbursement Area
- I. Discussion – Ordinance - Donations and Memorials
- J. Discussion - Meridian Landscape Maintenance
- K. Discussion - Annual Staff Meet & Greet Format
- L. Discussion - March 29, 2022- Open House Topic

3. OTHER COUNCIL ITEMS

4. ADJOURN

Study Sessions are meetings for Council to review upcoming and pertinent business of the City, no action is taken by the City Council. Study Sessions are open to the public, but public input is reserved for the regular Council meetings



City Of Edgewood Council Agenda Summary Sheet

Subject: Discussion – Equity, Diversity and Inclusion (Trainings, Planning, etc.)	Agenda Item #: 2.A
	For Agenda of: 11/16/2021
	Prepared by: Daryl Eiding
Attachments (list):	
Approval of Materials: Daryl Eiding Rachel Pitzel 11/10/2021 Dave Gray 11/10/2021 Daryl Eiding 11/10/2021	Expenditure Required: Amount Budgeted: Timeline: Topic to be added to all future Study Sessions (see item history below)

Summary Statement:

City Council is committed to creating a stronger and more inclusive community and believe that equity, diversity and inclusion is essential for our present and our future.

Councilmember West will lead a discussion on the [21 Day Challenge video](#): “‘The Iroquois Influence on the Constitution.’ Host and producer of First Voices Indigenous Radio Tiokasin Ghosthorse explains the sequestering of two Iroquois chiefs to advise in the writing of the U.S. Constitution.” (4 mins).

Item History:

Council has asked that this topic be a discussion item at all future study sessions for the foreseeable future.

Council has discussed Equity, Diversity and Inclusion trainings and planning at the following meetings:

09/01/2020 Study Session

09/15/2020 Study Session

09/29/2020 Study Session

10/06/2020 Study Session

10/20/2020 Study Session

11/03/2020 Study Session

11/24/2020 Study Session

12/05/2020 Part I - National League of Cities - REAL Action: Advancing Racial Equity in Edgewood

12/12/2020 Part II - National League of Cities - REAL Action: Advancing Racial Equity in Edgewood

01/05/2021 Study Session

01/19/2021 Study Session

02/08/2021 Council Subcommittee Meeting

02/16/2021 Study Session

03/08/2021 Council Subcommittee Meeting

03/16/2021 Study Session

03/30/2021 Study Session

04/06/2021 Study Session

04/12/2021 Council Subcommittee Meeting

04/20/2021 Study Session
05/04/2021 Study Session
05/10/2021 Council Subcommittee Meeting
05/11/2021 Regular Council Meeting to discuss alternates to Subcommittee
05/18/2021 Study Session
06/01/2021 Study Session
06/08/2021 Council Subcommittee Meeting
06/15/2021 Study Session
06/29/2021 Study Session
07/06/2021 Study Session
07/13/2021 Council Subcommittee Meeting
07/20/2021 Study Session
08/03/2021 Study Session
08/10/2021 Council Subcommittee Meeting
08/17/2021 Study Session
08/31/2021 Study Session
09/14/2021 Council Subcommittee Meeting
09/21/2021 Study Session
10/05/2021 Study Session
10/12/2021 Council Subcommittee Meeting
10/26/2021 Study Session
11/02/2021 Study Session
11/09/2021 Council Subcommittee Meeting

Recommended Action:

N/A

Fiscal Note/Consideration:

N/A



City Of Edgewood Council Agenda Summary Sheet

Subject: Discussion - Resolution - View Pointe Development LID Segregation	Agenda Item #: 2.B
	For Agenda of: 11/16/2021
	Prepared by: Dave Gray, David Linehan, Public Finance Inc.
Attachments (list): 1. Resolution to Segregate Assessment - Edgewood View Pointe Subdivision 2. Exhibit A - Segregation Request 3. Exhibit B - Revised Parcel Diagram 4. Exhibit C - Segregation of Assessment 5. Exhibit D - RCW 35.44.410	
Approval of Materials: Dave Gray, David Linehan, Public Finance Inc. Rachel Pitzel 11/8/2021 Dave Gray 11/9/2021 Daryl Eidinger 11/9/2021	Expenditure Required: N/A
	Amount Budgeted: N/A
	Timeline: November 16th, 2021 Study Session for initial segregation presentation. November 23rd, 2021 Regular Council Meeting for potential Council action.

Summary Statement:

View Pointe Development is a subdivision wherein one parcel was divided into 44 lots. All lots but one have homes built on them and are occupied. This development was the first attempted LID No. 1 segregation, and due to the fact that many of the homes had already been constructed, the City Council and the Developer never came to an agreement during the initial attempt to segregate the original parent parcel into the various child parcels thereby allocating the original parcel LID No.1 assessment to the new smaller parcels, all of which are on sewer. At the time, homes were still being constructed and Council was concerned the individual homebuyers may be unaware of an underlying LID assessment. As all the homes have been sold at least once, and some have been resold, the applicant, Lennar, the original developer, is once again asking the Council to grant their application for segregation. It is staff's position it is unlikely all current homeowners are not aware of the underlying assessment and that granting the segregation would make resale as well as the individual homeowners assessment management easier and clearer. Once completed it would allow each parcel to have an identified dollar amount provided by Public Finance Inc for debt service, and for Title Companies to list the individual parcel debt (\$10,053.85) in their Title Reports, as opposed to listing the total single parent parcel debt (\$442,369.40) for all child parcels.

Item History:

Recommended Action:

Discuss the action requested with our City Attorney's Office, David Linehan, who specializes in LID for potential action in the RCM of November 23rd.

Fiscal Note/Consideration:

The fee for service matches the fee from Public Finance Inc...so the cost is a pass through.

RESOLUTION NO. 21-0XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON TO SEGREGATE AN ORIGINAL ASSESSMENT UNDER LOCAL IMPROVEMENT DISTRICT NO. 1, PURSUANT TO SECTION 35.44.410 OF THE REVISED CODE OF WASHINGTON

WHEREAS, the City of Edgewood has received a signed application from Lennar Northwest attached as Exhibit A requesting the segregation of an original assessment of Tax Parcel No. 042003-7061, for the subdivision plat known as Edgewood View Pointe within Local Improvement District No. 1; and

WHEREAS, Section 35.44.410 of the Revised Code of Washington authorizes the City Council to order the segregation of local improvement district assessments whenever property subject to such assessments is subdivided or otherwise altered by a boundary line adjustment; and

WHEREAS, the original assessment for Tax Parcel No. 042003-7061 (Parcel D of BLA 2011-02-11-5001) was in the amount of \$663,780.00, as of July 19, 2011, of which a balance of \$442,369.40 remains as of the date of this segregation request; and

WHEREAS, the new parcel configuration reflecting the segregation of the original Tax Parcel No. 042003-7061 is shown on the diagram attached as Exhibit B; and

WHEREAS, RCW 35.44.410 requires that the sum of the new assessments on the subdivided lots equal the amount of the original assessment before segregation; and

WHEREAS, Exhibit C attached hereto shows the amount of the assessments chargeable to each lot within the Edgewood View Pointe subdivision, with the total equaling \$442,369.40;

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

Section 1. The assessment roll of Local Improvement District No. 1, which was confirmed and adopted by Ordinance No. 11-0366 on July 19, 2011, and subsequently modified and confirmed by Ordinance No. 14-0424, shall be modified to reflect the segregation requested in Exhibit A attached hereto.

Section 2. The original assessment for original Tax Parcel No. 042003-7061 shall be segregated in accordance with Section 35.44.410 of the Revised Code of Washington to real property located within Local Improvement District No. 1, as shown in Exhibit B attached hereto, and shall result in amended assessments as shown in the table attached hereto and incorporated by this reference as Exhibit C.

Section 3. The combined sum of the amended assessments shall equal the amount of the original assessment before segregation, and the assessment roll for Local Improvement District No. 1 is in all other respects reaffirmed.

Section 4. Effective Date. This resolution will take effect immediately upon passage by the City Council.

ADOPTED this 23rd day of NOVEMBER, 2021.

Daryl Eiding, Mayor

ATTEST:

Rachel Pitzel, City Clerk

Exhibit A — Segregation Request

CITY OF EDGEWOOD

APPLICATION TO SEGREGATE LID ASSESSMENT

PLEASE COMPLETE AND RETURN THIS FORM TO:	City of Edgewood, Finance Department 2224 104th Ave E, Edgewood WA 98372-1513
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Property Owner:	Lennar Northwest Inc.		
Address	33455 6th Ave S, Unit B1		
City, State & Zip	Federal Way WA 98003		
Telephone:	206-231-9443	Email:	brin.Nguyen@Lennar.com

Existing Parcels (Tax Parcel No.)	Original Assessment	New Parcel Descriptions
042003-7061	\$663,780.00	Edgewood View Pointe
		44 final home lots

(If additional space is required, please attach the requested information on a separate sheet)

1. The undersigned holds an ownership interest in the above referenced parcel(s) located within a local improvement district in the City of Edgewood, Pierce County, Washington.
2. The City of Edgewood is hereby requested to segregate the assessment amount(s) listed above in accordance with the new property configuration.
3. This application for segregation of assessment is made under the provisions of § 35.44.410 of the Revised Code of Washington.

Applicant (please print)

Signature

Date

BRIN NGUYEN



10/14/21

ASSESSMENT SEGREGATION FEE

A segregation fee is due per §35.44.410 of the Revised Code of Washington as a condition of final map approval. The fee for less than 10 new assessed lots is \$975. For segregations resulting in 10 or more new assessed lots the fee is \$1,250. Please include payment with this completed form. Questions may be directed to Public Finance at (425) 885-1604.

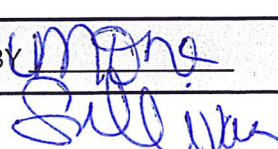
CITY USE: RECEIPT #	9752	DATE	10/20/21	BY	
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Exhibit B — Revised Parcel Diagram

EDGEWOOD VIEW POINTE

A PORTION OF THE NW1/4 & SW1/4 OF THE SW1/4
SECTION 3, TOWNSHIP 20 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN
CITY OF EDGEWOOD, PIERCE COUNTY, WASHINGTON

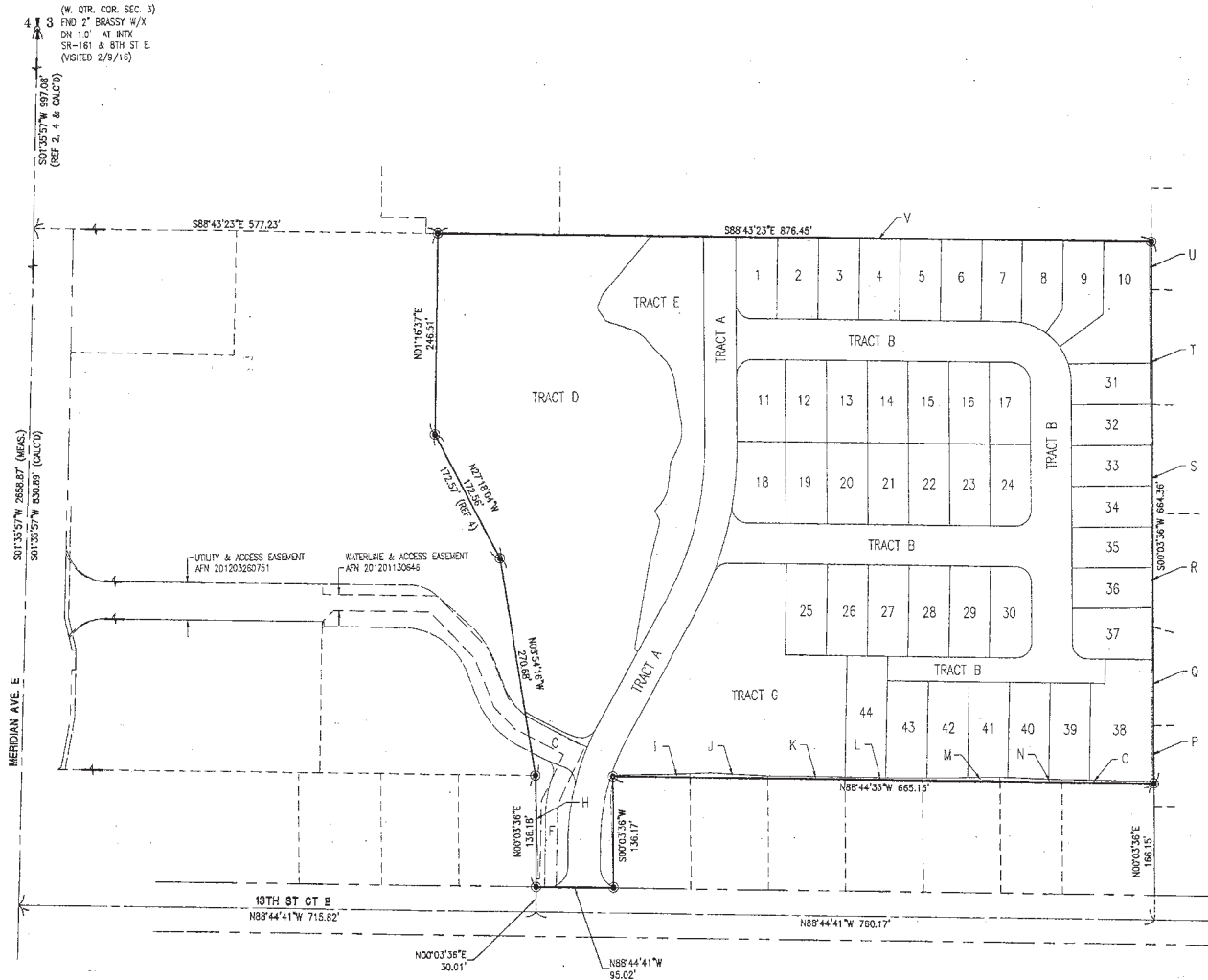


Exhibit C — Segregation of Assessment

EDGEWOOD VIEW POINTE

Sewer Local Improvement District No. 1

ORIGINAL ASSESSMENT

Account	Tax Parcel No.	Lot Description	Payment in Full
037	042003-7061	Parcel D of BLA 2011-02-11-5001	\$442,369.40

AMENDED ASSESSMENTS

Account	Tax Parcel No.	Lot Description	Situs Address	Payment in Full
037-01	602711-0010	View Pointe Lot 1	10419 11th Street Ct E	\$10,053.85
037-02	602711-0020	View Pointe Lot 2	10421 11th Street Ct E	10,053.85
037-03	602711-0030	View Pointe Lot 3	10423 11th Street Ct E	10,053.85
037-04	602711-0040	View Pointe Lot 4	10425 11th Street Ct E	10,053.85
037-05	602711-0050	View Pointe Lot 5	10501 11th Street Ct E	10,053.85
037-06	602711-0060	View Pointe Lot 6	10503 11th Street Ct E	10,053.85
037-07	602711-0070	View Pointe Lot 7	10505 11th Street Ct E	10,053.85
037-08	602711-0080	View Pointe Lot 8	10507 11th Street Ct E	10,053.85
037-09	602711-0090	View Pointe Lot 9	10509 11th Street Ct E	10,053.85
037-10	602711-0100	View Pointe Lot 10	10511 11th Street Ct E	10,053.85
037-11	602711-0110	View Pointe Lot 11	10418 11th Street Ct E	10,053.85
037-12	602711-0120	View Pointe Lot 12	10420 11th Street Ct E	10,053.85
037-13	602711-0130	View Pointe Lot 13	10422 11th Street Ct E	10,053.85
037-14	602711-0140	View Pointe Lot 14	10424 11th Street Ct E	10,053.85
037-15	602711-0150	View Pointe Lot 15	10500 11th Street Ct E	10,053.85
037-16	602711-0160	View Pointe Lot 16	10502 11th Street Ct E	10,053.85
037-17	602711-0170	View Pointe Lot 17	10504 11th Street Ct E	10,053.85
037-18	602711-0180	View Pointe Lot 18	10417 12th Street E	10,053.85
037-19	602711-0190	View Pointe Lot 19	10419 12th Street E	10,053.85
037-20	602711-0200	View Pointe Lot 20	10421 12th Street E	10,053.85
037-21	602711-0210	View Pointe Lot 21	10423 12th Street E	10,053.85
037-22	602711-0220	View Pointe Lot 22	10501 12th Street E	10,053.85
037-23	602711-0230	View Pointe Lot 23	10503 12th Street E	10,053.85
037-24	602711-0240	View Pointe Lot 24	10505 12th Street E	10,053.85
037-25	602711-0250	View Pointe Lot 25	10420 12th Street E	10,053.85
037-26	602711-0260	View Pointe Lot 26	10422 12th Street E	10,053.85

AMENDED ASSESSMENTS

Account	Tax Parcel No.	Lot Description	Situs Address	Payment in Full
037-27	602711-0270	View Pointe Lot 27	10424 12th Street E	10,053.85
037-28	602711-0280	View Pointe Lot 28	10504 12th Street E	10,053.85
037-29	602711-0290	View Pointe Lot 29	10506 12th Street E	10,053.85
037-30	602711-0300	View Pointe Lot 30	10508 12th Street E	10,053.85
037-31	602711-0310	View Pointe Lot 31	1107 105th Ave Ct E	10,053.85
037-32	602711-0320	View Pointe Lot 32	1109 105th Ave Ct E	10,053.85
037-33	602711-0330	View Pointe Lot 33	1111 105th Ave Ct E	10,053.85
037-34	602711-0340	View Pointe Lot 34	1113 105th Ave Ct E	10,053.85
037-35	602711-0350	View Pointe Lot 35	1201 105th Ave Ct E	10,053.85
037-36	602711-0360	View Pointe Lot 36	1203 105th Ave Ct E	10,053.85
037-37	602711-0370	View Pointe Lot 37	1205 105th Ave Ct E	10,053.85
037-38	602711-0380	View Pointe Lot 38	10518 12th Street Ct E	10,053.85
037-39	602711-0390	View Pointe Lot 39	10516 12th Street Ct E	10,053.85
037-40	602711-0400	View Pointe Lot 40	10514 12th Street Ct E	10,053.85
037-41	602711-0410	View Pointe Lot 41	10512 12th Street Ct E	10,053.85
037-42	602711-0420	View Pointe Lot 42	10510 12th Street Ct E	10,053.85
037-43	602711-0430	View Pointe Lot 43	10500 12th Street Ct E	10,053.85
037-44	602711-0440	View Pointe Lot 44	10426 12th Street Ct E	10,053.85
44 Assessed Parcels				\$442,369.40

Exhibit D — RCW 35.44.410

RCW 35.44.410 Segregation of assessments.

Whenever any land against which there has been levied any special assessment by any city or town shall have been sold in part or subdivided, the legislative authority of that city or town shall have the power to order a segregation of the assessment.

Any person desiring to have such a special assessment against a tract of land segregated to apply to smaller parts thereof shall apply to the city or town which levied the assessment. If the legislative authority thereof determines that a segregation should be made, it shall by resolution order the city or town treasurer to make segregation on the original assessment roll as directed in the resolution. The segregation shall be made as nearly as possible on the same basis as the original assessment was levied, and the total of the segregated parts of the assessment shall equal the assessment before segregation. The resolution shall describe the original tract, the amount and date of the original assessment, and shall define the boundaries of the divided parts and the amount of the assessment chargeable to each part. A certified copy of the resolution shall be delivered to the city or town treasurer who shall proceed to make the segregation ordered upon being tendered a fee of ten dollars for each tract of land for which a segregation is to be made. In addition to such charge the legislative authority of the city or town may require as a condition to the order of segregation that the person seeking it pay the city or town the reasonable engineering and clerical costs incident to making the segregation. No segregation need be made if the legislative authority of the city or town shall find that by such segregation the security of the lien for such assessment will be so jeopardized as to reduce the security for any outstanding local improvement district obligations payable from such assessment. [1969 ex.s. c 258 § 10.]

Exhibit A — Segregation Request

Exhibit B — Revised Parcel Diagram



City Of Edgewood Council Agenda Summary Sheet

Subject: Discussion - Development Review	Agenda Item #: 2.C
	For Agenda of: 11/16/2021
	Prepared by: Emily Arteche
Attachments (list): 1. October 2021_ Pending Projects 2. October 2021_ Plat Buildout Report 3. October 2021_ Permits and Inspections	
Approval of Materials: Emily Arteche Rachel Pitzel 11/9/2021 Dave Gray 11/10/2021 Daryl Eidinger 11/10/2021	Expenditure Required: N/A Amount Budgeted: N/A Timeline: RECURRING

Summary Statement:

The City's Community & Economic Development (CED) Department is entrusted by City Council, Edgewood citizens, and the State of Washington to provide growth management and development review, neighborhood preservation and revitalization, property inspection and maintenance, and other programs and business development services necessary to ensure the healthy, safety, and quality of life of Edgewood residents. To carry out these responsibilities, CED staff members perform numerous customer interactions, code interpretations, permitting functions, project permit reviews, on-site inspections, code enforcement, and multiple other functions.

To summarize the departmental functions, staff created several reports to provide monthly status updates regarding the flow of project permits and inspections. These reports are attached to this agenda bill each month. In addition, the CED Dashboard is available for viewing online at any time (<https://edgewood-wa.maps.arcgis.com/apps/opsdashboard/index.html#/6bbcef192696453796fd56c7cc928217>). On a rotating basis, one of the three division managers from the CED Department will present a quarterly update regarding their specific work group--in addition to the monthly reports. Emily Arteche, Planning Manager, is presenting this month.

Item History:

Development Review occurs on the 2nd Study Session of each month

Recommended Action:

Hold a discussion and provide staff direction to Discussion - Development Review

Fiscal Note/Consideration:

N/A

Pending Projects - Planning and Engineering Permits

35 Permits

Exported: 11/01/2021

Permit #	Project	Site Address	Parcel	Department	Type	Status	Submitted	Last Activity
BLA								
21-1407	SMITH AND SONS GC BLA	2027 106TH AVE E	420102116	PLANNING	BLA	INCOMPLETE	09/04/2021	10/05/2021
21-1487	HAMILTON BOUNDARY LINE ADJUSTMENT (BLA)	4926 MONTA VISTA DR E	3315000150	PLANNING	BLA	INCOMPLETE	10/08/2021	10/18/2021
CLEAR AND GRADE								
21-1298	PROLOGIS PARK PHASE I CLEAR AND GRADE	4120 90TH AVE E	420163702	ENGINEERING	CLEAR AND GRADE	WAITING ON REVISIONS	06/29/2021	09/29/2021
21-1372	ROSENBERG CLEAR AND GRADE	XXX 101ST AVE E	420095011	ENGINEERING	CLEAR AND GRADE	UNDER REVIEW	08/09/2021	10/11/2021
21-1483	JOVANOVIH CLEAR AND GRADE	8710 27TH ST E	420097020	ENGINEERING	CLEAR AND GRADE	WAITING ON REVISIONS	10/06/2021	10/21/2021
21-1489	MJORUD CLEAR AND GRADE	XXX 32ND ST E	5492800080	ENGINEERING	CLEAR AND GRADE	INCOMPLETE	10/12/2021	10/19/2021
CODE UPDATES AND CHANGES								
21-1402	BRIDGE POINT REZONE APPLICATION	9317 44TH STREET CT E	420163075	PLANNING	CODE UPDATES AND CHANGES	UNDER REVIEW	09/02/2021	10/26/2021
CONDITIONAL USE PERMIT (CUP)								
21-1275	VIEW POINTE RV CUP	10315 12TH STREET CT E	420037059	PLANNING	CONDITIONAL USE PERMIT (CUP)	WAITING ON REVISIONS	06/15/2021	10/21/2021
DESIGN STAND REVIEW								
20-1348	DHALIWAL TC LANDING DESIGN STANDARDS REVIEW	1914 MERIDIAN AV E	420091134	PLANNING	DESIGN STAND REVIEW	WAITING ON REVISIONS	07/13/2020	10/21/2021
PRE APP								
21-1366	SANDHU REZONE PRE-APPLICATION MEETING	8306 36TH ST E	420171012	PLANNING	PRE APP	INCOMPLETE	08/05/2021	10/05/2021
21-1385	MERIDIAN AUTO DEALERSHIP	1009 MERIDIAN AVE E	420033140	PLANNING	PRE APP	INCOMPLETE	08/19/2021	10/05/2021
21-1505	LOWRY SHORT PLAT PRE-APPLICATION MEETING	10905 8TH ST E	420032011	PLANNING	PRE APP	UNDER REVIEW	10/25/2021	10/29/2021
SHORT PLAT - FINAL								
21-1485	GERVAIS SHORT PLAT FINAL PLAT	1607 112TH AVE E	9770000020	PLANNING	SHORT PLAT - FINAL	INCOMPLETE	10/06/2021	10/18/2021
SHORT PLAT - PRELIMINARY								
20-1533	CONNOLLY SHORT PLAT PRELIMINARY SHORT PLAT	1711 122ND AV E	420112155	PLANNING	SHORT PLAT - PRELIMINARY	UNDER REVIEW	10/26/2020	10/19/2021
SITE DEVELOPMENT								
17-1527	NORTHWOOD ESTATES WEST PHASE II SITE DEVELOPMENT	9609 24TH ST E	420091136	ENGINEERING	SITE DEVELOPMENT	WAITING ON REVISIONS	12/05/2017	10/22/2021
19-1401	BEREZNYOV SHORT PLAT SITE DEVELOPMENT	8904 20TH ST E	420096012	ENGINEERING	SITE DEVELOPMENT	UNDER REVIEW	08/16/2019	04/20/2021
20-1131	WAGNER SHORT PLAT SITE DEVELOPMENT	11226 18TH ST E	9770000069	ENGINEERING	SITE DEVELOPMENT	UNDER REVIEW	03/18/2020	07/15/2021
20-1236	JENNA ACRES SHORT PLAT SITE DEVELOPMENT	1419 114TH AV E	420034061	ENGINEERING	SITE DEVELOPMENT	UNDER REVIEW	05/20/2020	09/17/2021
20-1624	DHALIWAL TC LANDING SITE DEVELOPMENT	1914 MERIDIAN AV E	420091134	ENGINEERING	SITE DEVELOPMENT	WAITING ON REVISIONS	11/30/2020	10/18/2021
20-1657	MICKELSON SUBDIVISION SITE DEVELOPMENT	2804 90TH AV E	420093089	ENGINEERING	SITE DEVELOPMENT	WAITING ON REVISIONS	12/22/2020	03/12/2021
21-1017	THE LEARNING EXPERIENCE SITE DEVELOPMENT	527 MERIDIAN AV E	420036070	ENGINEERING	SITE DEVELOPMENT	WAITING ON REVISIONS	01/15/2021	04/21/2021
21-1430	WINDMILL PARK TOWNHOMES SITE DEVELOPMENT	3117 MERIDIAN AVE E	420103072	ENGINEERING	SITE DEVELOPMENT	WAITING ON REVISIONS	09/24/2021	10/21/2021
SITE PLAN DESIGN REVIEW								

Pending Projects - Planning and Engineering Permits

35 Permits

Exported: 11/01/2021

Permit #	Project	Site Address	Parcel	Department	Type	Status	Submitted	Last Activity
21-1031	PROLOGIS PARK SITE PLAN REVIEW (PHASE I AND II)	4120 90TH AV E	420163702	PLANNING	SITE PLAN DESIGN REVIEW	WAITING ON REVISIONS	01/22/2021	10/19/2021
21-1320	VIBE SALON SITE PLAN REVIEW	10124 18TH STREET CT E	3630000090	PLANNING	SITE PLAN DESIGN REVIEW	WAITING ON REVISIONS	07/12/2021	09/01/2021
21-1348	TAPPS APARTMENTS SITE PLAN REVIEW	XXX 29TH ST E	3625000372	PLANNING	SITE PLAN DESIGN REVIEW	WAITING ON REVISIONS	07/29/2021	08/31/2021
21-1403	BRIDGE POINT SITE PLAN APPLICATION	9321 44TH STREET CT E	420163000	PLANNING	SITE PLAN DESIGN REVIEW	WAITING ON REVISIONS	09/02/2021	10/19/2021
21-1479	DISH WIRELESS ELIGIBLE FACILITIES REQUEST SITE PLAN APPLICATION	9732 18TH STREET CT E	420091133	PLANNING	SITE PLAN DESIGN REVIEW	INCOMPLETE	10/01/2021	10/12/2021
21-1497	EDGEWOOD HEIGHTS SUB-PHASING SITE PLAN	1909 104TH AVE E	420106035	PLANNING	SITE PLAN DESIGN REVIEW	APPLICATION	10/20/2021	10/29/2021
SUBDIVISION - FINAL								
21-1389	PHILLIPS RIDGE SUBDIVISION FINAL PLAT	XXX 86TH AVENUE CT E	420081040	PLANNING	SUBDIVISION - FINAL	INCOMPLETE	08/25/2021	09/21/2021
SUBDIVISION - PRELIMINARY PLAT								
21-1282	WINDMILL PARK TOWNHOMES SUBDIVISION PRELIMINARY PLAT	3117 MERIDIAN AVE E	420103072	PLANNING	SUBDIVISION - PRELIMINARY PLAT	WAITING ON REVISIONS	06/17/2021	10/28/2021
SURFACE WATER								
21-1328	MANZA SIMPLE PAVING PERMIT	1019 114TH AVE E	420038030	ENGINEERING	SURFACE WATER	WAITING ON REVISIONS	07/19/2021	10/07/2021
TRAFFIC CONCURRENCY								
21-1167	29TH ST APARTMENTS TRAFFIC CONCURRENCY	XXX 29TH ST E	3625000372	ENGINEERING	TRAFFIC CONCURRENCY	UNDER REVIEW	04/07/2021	05/21/2021
21-1192	BRIDGE POINT TRAFFIC CONCURRENCY	XXX 98TH AV E	420164096	ENGINEERING	TRAFFIC CONCURRENCY	UNDER REVIEW	04/29/2021	06/02/2021
21-1214	NWP MERIDIAN TRAFFIC CONCURRENCY	3117 MERIDIAN AV E	420103072	ENGINEERING	TRAFFIC CONCURRENCY	UNDER REVIEW	05/11/2021	07/20/2021
21-1319	VIEW POINTE RV STORAGE TRAFFIC CONCURRENCY	10315 12TH STREET CT E	420037059	ENGINEERING	TRAFFIC CONCURRENCY	UNDER REVIEW	07/12/2021	10/11/2021

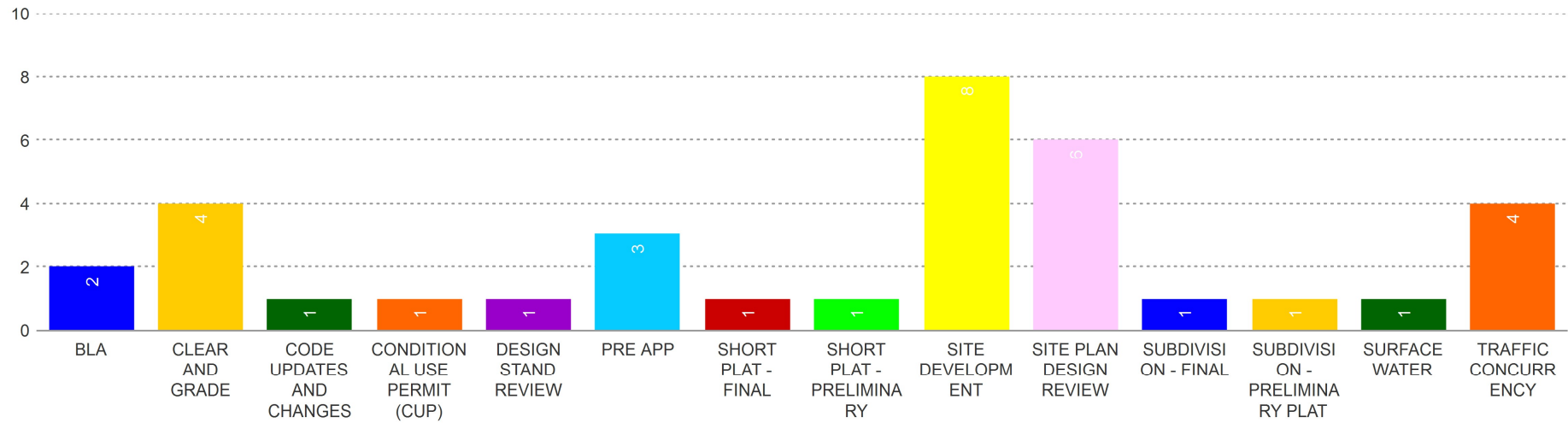
Pending Projects - Planning and Engineering Permits

35 Permits

Exported: 11/01/2021

Permit #	Project	Site Address	Parcel	Department	Type	Status	Submitted	Last Activity
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Permits by Type

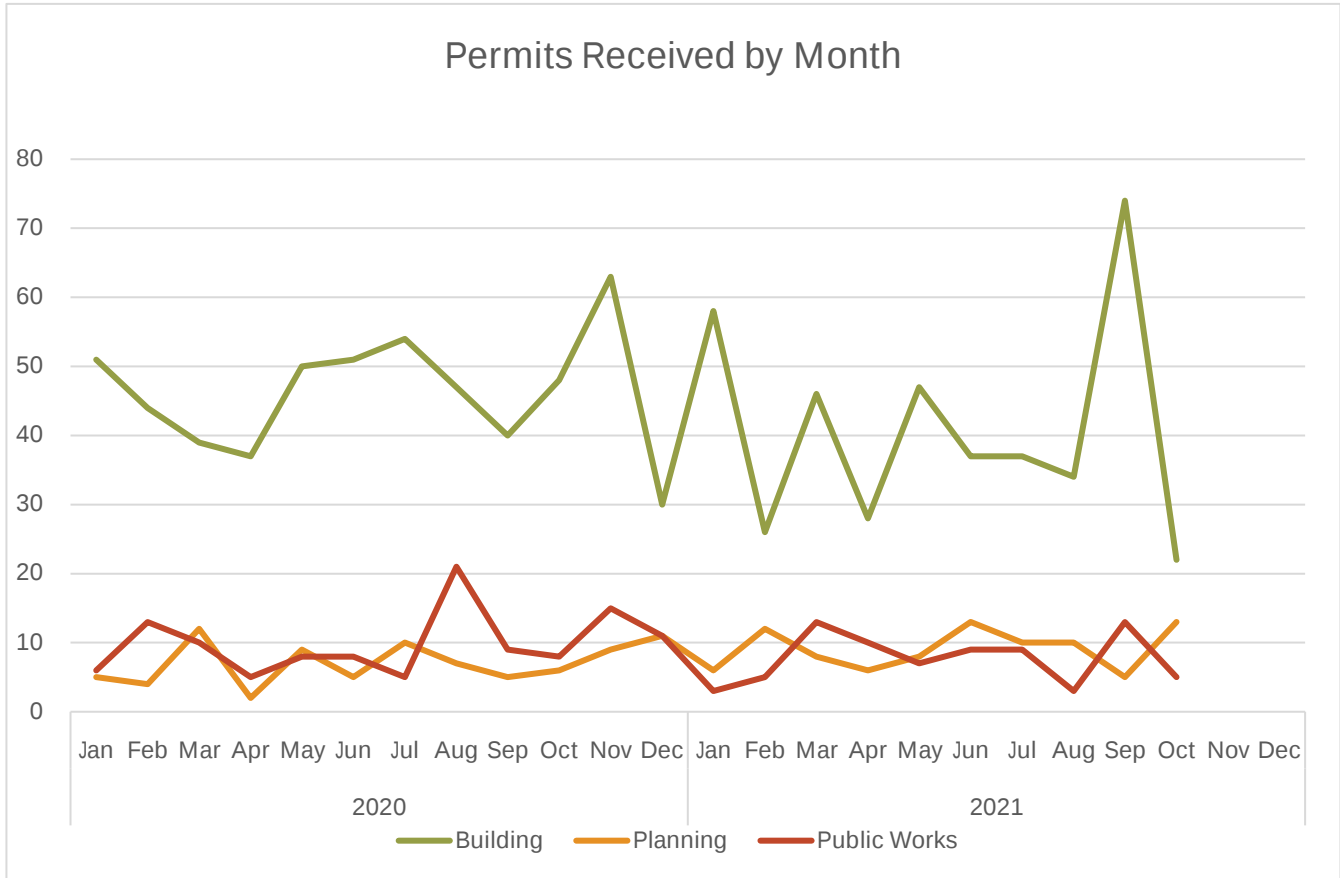


Plat Construction Tracking Report- October 2021

Preliminary Plat						Site Development	Final Plat		Buildout	
Submitted	Project	Address	Total Lots	Status	Approved	Status	Status	Lots Recorded	Completed Homes #	Completion Date
2021	WINDMILL PARK TOWNHOMES	3117 MERIDIAN AVE E	45	APPLICATION		APPLICATION				
	BREYER SHORT PLAT	2114 95TH AVCT E	5	APPROVED	9/20/2021					
2020	HUNTINGTON SHORT PLAT	9605 18TH STCT E	3	APPROVED	2/8/2021	FINALED	APPROVED	3	1	33%
	CONNOLY SHORT PLAT	1711 122ND AV E	3	APPLICATION						
	TEBALDI SHORT PLAT	4625 126TH AV E	2	APPROVED	11/12/2020	N/A				
	PADEN SHORT PLAT	1302 114TH ST E	2	APPROVED	2/1/2021					
	HARRISON SHORT PLAT	12121 42ND ST E	2	APPROVED	2/1/2021	FINALED	APPROVED	2	1	50%
	PHILLIPS RIDGE SUBDIVISION	XXX 86TH AVCT E	14	APPROVED	12/29/2020	ISSUED	APPLICATION			
	DODDS SHORT PLAT	4902 EDGEWOOD DR E	2	APPROVED	9/3/2020	N/A	APPROVED	2	1	50%
	SMITH SHORT PLAT	2506 117TH AV E	2	APPROVED	10/5/2021					
2019	BJERK SHORT PLAT	9815 31ST ST E	2	APPROVED	1/14/2020	N/A	APPROVED	2	1	50%
	ESTATES ON CALDWELL SUBDIVISION	XXX CALDWELL RD E	6	APPROVED	5/5/2020	FINALED	APPROVED	6		
	JENNA ACRES SHORT PLAT	1419 114TH AV E	4	APPROVED	9/14/2020	APPLICATION				
	SELLERS SHORT PLAT	11215 13TH ST E	2	APPROVED	9/27/2019					
	WAGNER SHORT PLAT	11226 18TH ST E	3	APPROVED	10/23/2019	APPLICATION				
	RAMSAUR SHORT PLAT	9505 24TH ST E	4	APPROVED	6/21/2019	N/A	APPROVED	4	1	25%
	BECKER SHORT PLAT	4122 CALDWELL RD E	2	APPROVED	7/1/2019	APPLICATION	APPROVED	2	1	50%
2018	BARTH SUBDIVISION	XXX 96TH AV E	37	APPROVED	6/4/2020	ISSUED				
	T GARRETT SHORT PLAT	10412 36TH ST E	2	APPROVED	3/1/2019	FINALED	APPROVED	2	1	50%
	GRUBB SHORT PLAT	12325 48TH ST E	3	APPROVED	12/29/2020					
	HEART & SOUL SHORT PLAT	9725 18TH STCT E	4	APPROVED	12/26/2018	FINALED	APPROVED	4	2	50%
	MICKELSON SUBDIVISION	2804 90TH AV E	10	APPROVED	8/25/2020	APPLICATION				
	CHUMAKIN SHORT PLAT	2005 112TH AV E	4	APPROVED	6/22/2018	FINALED	APPROVED	4	1	25%
	BEREZNYOV SHORT PLAT	8904 20TH ST E	4	APPROVED	1/10/2019	APPLICATION				
	ABEL SHORT PLAT	12321 16TH ST E	6	APPROVED	9/13/2018	ISSUED	APPROVED	6		
2017	CIRILIUM (RESERVE AT HILLCREST) SUBDIVISION	12311 31ST ST E	18	APPROVED	8/15/2018	FINALED	APPROVED	18	7	38%
	WOLF POINT SUBDIVISION	XXX MERIDIAN AV E	56	APPROVED	3/20/2019	ISSUED				
	GAGNON SHORT PLAT	2620 110TH AV E	2	APPROVED	11/17/2017	FINALED	APPROVED	2	1	50%
2016	VOLENTE SUBDIVISION	8626 33RD ST E	15	APPROVED	6/6/2017	ISSUED	APPROVED	15	0	
	DOMUS TOWNHOMES PRD (THE WOODLANDS)	10525 11TH ST E	55	APPROVED	1/11/2017	FINALED	APPROVED	55	17	31%
	EDGEWOOD VIEW ESTATES SUBDIVISION PHASE 2	8224 20TH ST E	67	APPROVED	12/14/2017	FINALED	APPROVED	67	61	91%
	GERVAIS SHORT PLAT	1607 112TH AVE E	3	APPROVED	12/22/2016	ISSUED	APPLICATION			
	NORTHWOOD ESTATES WEST SUBDIVISION- PHASE 2	9623 24TH ST E	41	APPROVED	10/24/2017	APPLICATION				
	PASCOLO ESTATES SUBDIVISION	2806 117TH AVE CT E	19	APPROVED	3/21/2017	FINALED	APPROVED	19	4	21%
	EDGEWOOD TERRACE SUBDIVISION	2907 122ND AVE E	28	APPROVED	7/5/2017					
2015	NICKLAUS (ASTER POINT) SUBDIVISION	2305-2307 94TH AVE CT E	38	APPROVED	12/15/2016	FINALED	APPROVED	38	22	58%
	CALIBER SHORT PLAT	3312 106TH AVE E	6	APPROVED	9/8/2016	FINALED	APPROVED	6	5	83%
	EDGEWOOD ESTATES SUBDIVISION	12220 12TH ST E	14	APPROVED	9/29/2016	ISSUED	APPROVED			
	VIEW POINTE SUBDIVISION	10413 13TH ST E	44	APPROVED	4/29/2016	FINALED	APPROVED	44	43	98%
	MAPLE GROVE SUBDIVISION	2613 87TH AVE CT E	8	APPROVED	9/13/2016	FINALED	APPROVED	8	8	100% 9/3/2021
	CURRAN ESTATES SUBDIVISION	412 114TH AVE E	9	APPROVED	12/30/2015	FINALED	APPROVED	9	2	22%
2014	LISITSYN SHORT PLAT	11120 COUNTY LINE RD E	6	APPROVED	7/15/2014	FINALED	APPROVED	6	3	50%
2013	WESTRIDGE SUBDIVISION	FREEMAN RD	290	APPROVED	9/4/2014	FINALED	APPROVED	284	264	93%

Oct 2021

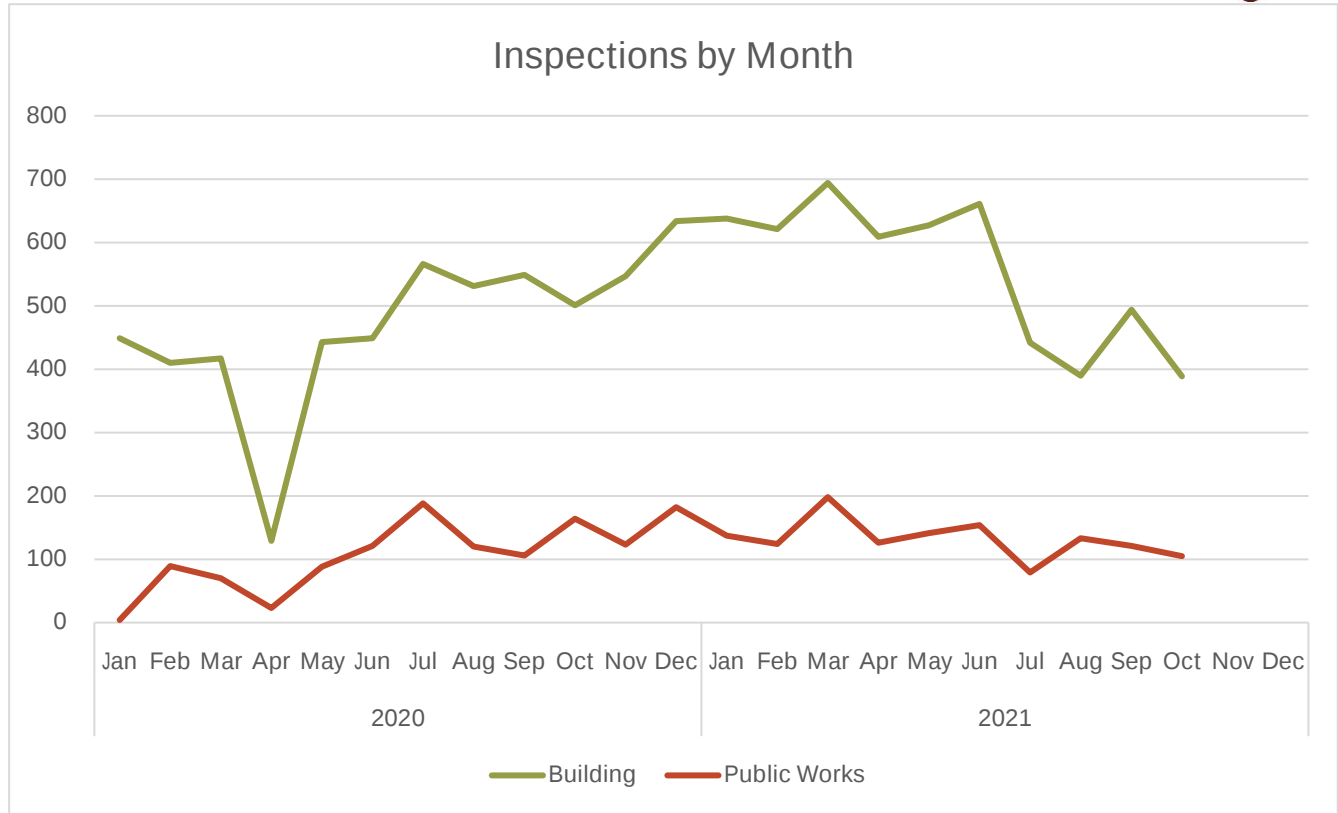
Monthly Development Report



Permits	Building		Planning		Public Works	
	Received	Issued	Received	Issued	Received	Issued
Oct 2021	22	40	13	5	5	4
Oct 2020	48	48	6	1	8	11
Average 2021	41	37	9	3	8	7
Average 2020	46	34	7	3	9	8
YTD 2021	409	373	91	30	77	67
YTD 2020	461	341	65	31	93	82
	Building		Planning		Public Works	
	Month	Received	Month	Received	Month	Received
Highest Month 2021	Sep	74	Jun	13	Mar	13
Highest Month 2020	Nov	63	Mar	12	Aug	21

Oct 2021

Monthly Development Report



<i>Inspections</i>	Building		Public Works	
Oct 2021	389		105	
Oct 2020	501		164	
Average 2021	557		132	
Average 2020	469		107	
YTD 2021	5565		1318	
YTD 2020	4444		973	
	Building		Public Works	
	Month	Insp.	Month	Insp.
Highest Month 2021	Mar	694	Mar	198
Highest Month 2020	Dec	634	Jul	188



**City Of Edgewood
Council Agenda Summary Sheet**

Subject: Discussion – Preliminary 2022 Budget	Agenda Item #: 2.D
	For Agenda of: 11/16/2021
	Prepared by: Dave Gray
Attachments (list):	
Approval of Materials: Dave Gray Rachel Pitzel 11/8/2021 Dave Gray 11/9/2021 Daryl Eidinger 11/9/2021	Expenditure Required: N/A
	Amount Budgeted: N/A
	Timeline: Budget Calendar

Summary Statement:

This activity is the first public review of the proposed 2022 City of Edgewood Budget Draft. After public input and City Council review and consideration, any necessary modifications will be made and a Proposed Budget will be presented to the Public for review in the 2nd Public Meeting on the 2022 Budget held at the Regular Council Meeting on November 23rd.

Item History:

Recommended Action:

Fiscal Note/Consideration:



City Of Edgewood Council Agenda Summary Sheet

Subject: Discussion - Resolution - Pierce County Sheriff Department Appreciation	Agenda Item #: 2.E
	For Agenda of: 11/16/2021
	Prepared by: Dave Gray
Attachments (list): 1. Resolution 21-xxxx PCSD Appreciation - AMS edits	
Approval of Materials: Dave Gray Rachel Pitzel 11/8/2021 Dave Gray 11/9/2021 Daryl Eidinger 11/9/2021	Expenditure Required: None Amount Budgeted: N/A Timeline: Study Session: November 16th, 2021 for discussion. Regular Council Meeting November 23rd, 2021 for potential Council Action.

Summary Statement:

The City Council of the City of Edgewood expresses gratitude and support to the Edgewood Police Department, and we support their ongoing efforts to make our community safer. Furthermore, the City Council will work collaboratively with the Pierce County Sheriff's Department to identify financial and legislative solutions to address the challenges related to recruitment and retention of the very best law enforcement officers.

Item History:

Recommended Action:

Discuss the intent and message of the resolution supporting our police department personnel.

Fiscal Note/Consideration:

None

RESOLUTION NO. 21-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, PIERCE COUNTY, WASHINGTON, EXPRESSING THE CITY'S SUPPORT OF AND COMMITMENT TO THE PIERCE COUNTY SHERIFF'S DEPARTMENT

WHEREAS, the City of Edgewood has contracted with the Pierce County Sheriff's Department (PCSD) for police services since the City's incorporation in February of 1996; and

WHEREAS, for 25 years, the City's partnership with the PCSD has enabled the City to build upon its reputation as a safe and livable community, thanks in large part to the PCSD's outstanding law enforcement personnel; and

WHEREAS, law enforcement personnel do incredibly important and complex work; and

WHEREAS, communities locally and nationally have encountered difficulties in recruiting and retaining law enforcement officers; and

WHEREAS, we recognize that the City's ability to maintain a successful Edgewood Police Department directly relates to PCSD's ability to attract the very best and brightest candidates and to retain dedicated, highly trained, career law enforcement officers; and

WHEREAS, we would like to express our support for and commitment to the Pierce County Sheriff's Department personnel who provide professional law enforcement services to the residents of the City of Edgewood.

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

Section 1. The City Council of the City of Edgewood expresses gratitude and support to the Edgewood Police Department, and we support their ongoing efforts to make our community safer. Furthermore, the City Council of the City of Edgewood will work collaboratively with the Pierce County Sheriff's Department to identify financial and legislative solutions to address the challenges related to recruitment and retention of the very best law enforcement officers.

Section 2. Effective Date. This resolution will take effect immediately upon passage by the City Council.

ADOPTED THIS 23RD DAY OF NOVEMBER 2021

Daryl Eiding, Mayor
ATTEST:

Rachel Pitzel, CMC
City Clerk



City Of Edgewood Council Agenda Summary Sheet

Subject: Discussion - Ordinance - Noise	Agenda Item #: 2.F
	For Agenda of: 11/16/2021
	Prepared by: Darren Groth, Mark Berry
Attachments (list): 1. EMC 8.20_ Noise Control Draft Code - 11-16-21	
Approval of Materials: Darren Groth, Mark Berry Rachel Pitzel 11/9/2021 Dave Gray 11/10/2021 Daryl Eidingen 11/10/2021	Expenditure Required: N/A
	Amount Budgeted: N/A
	Timeline: 11/16/2021 SS

Summary Statement:

In response to several recent complaints received regarding noise, City Council asked for a review of Edgewood's noise code provisions and sought recommendations regarding measures to improve the current code. Staff reviewed the existing EMC regulations and reviewed noise ordinances being used in several other municipalities. After conducting those reviews, staff is recommending the proposed changes included in Attachment 1.

Edgewood Police Department is tasked with enforcing Noise Ordinance violations in the City of Edgewood using Pierce County Code (PCC) 8.76. The existing PCC is overly complicated, requiring the use of calibrated sound measuring devices, various decibel levels in various zones, and a 1 hour sound measurement by Law Enforcement. The drafted changes are modeled after local municipalities that uses time-of-day constraints and noise audible at specified distances in lieu of continuing the requirement for decibel readings.

Item History:

Recommended Action:

Hold a discussion and provide staff guidance regarding Discussion - Ordinance - Noise

Fiscal Note/Consideration:

N/A

Chapter 8.20 *[new code]*

NOISE

8.20.010 Noise control.

A. General Prohibition. It is unlawful for any person to cause or for any person who owns or occupies property to allow to originate from the property sound that is a public disturbance noise.

B. Public Disturbances. The following sounds are public disturbance noises in violation of this chapter:

1. The frequent, repetitive, or continuous sounding of any horn or siren attached to a motor vehicle, except as a warning of danger or as specifically permitted or required by law;

2. The creation of frequent, repetitive, or continuous sounds in connection with the starting, operation, repair, rebuilding, or testing of any motor vehicle, motorcycle, off-highway vehicle, or other internal combustion engine within a residential district, so as to unreasonably disturb or interfere with the peace and comfort of owners or occupants of real property;

3. Yelling, shouting, whistling, or singing on or near public streets, particularly between the hours of 10:00 p.m. and 7:00 a.m., or at any time and place as to unreasonably disturb or interfere with the peace and comfort of owners or occupants of real property;

4. The creation of frequent, repetitive, or continuous sounds which emanate from any building, structure, apartment, or condominium, which unreasonably disturb or interfere with the peace and comfort of owners or occupants of real property, such as sounds from musical instruments, audio sound systems, band sessions, or social gatherings, so as to be audible greater than 100 feet of the source;

5. Sound from motor vehicle audio sound systems, such as tape players, radios, or compact disc players, operated at a volume so as to be audible greater than 50 feet from the vehicle itself;

6. Sound from portable audio equipment, such as tape players, radios or compact disc players, operated at a volume so as to be audible greater than 50 feet from the source when not operated upon the property of the operator, and if operated on the property of the operator, then so as to be audible greater than 50 feet from the boundary of the property;

7. The squealing, screeching, or other such sounds from motor vehicle tires in contact with the ground or other surface because of rapid acceleration, braking, excessive speed around corners, or any other reason, except for sounds resulting from actions necessary to avoid danger;

8. Land development and construction activity noise generated by activities regulated by EMC Titles 12-16, 18, and 20, except as authorized by EMC 18.90.140(G)

9. Sounds originating from residential property relating to temporary projects performed by the homeowner for the maintenance or repair of homes, grounds, or appurtenances, including but not limited to sounds from lawnmowers, powered hand tools, snow removal equipment, or any other power motorized equipment before 7:00 a.m. and after 10:00 p.m. on weekdays and before 8:00 a.m. and after 10:00 p.m. on weekend days; or

10. Continuing and/or ongoing sounds from motor vehicles including but not limited to engine sounds, horn sounds, hydraulic or air break sounds, or other equipment located on the motor vehicle or attached trailer, audible more than 25 feet away from the vehicle located on or in the vicinity of residential property, which sounds unreasonably cause the annoyance or disturbance of two or more neighbors not residing at the same address, except for to warn of danger or emergencies. For the purposes of this section, such sounds after 10:00 p.m. and before 7:00 a.m. on weekdays or after 10:00 p.m. and before 8:00 a.m. on weekend days shall be presumed to be a public disturbance noise.

C. Exclusion. This chapter shall not apply to community events such as permitted parades or special events. This chapter shall not apply to fireworks lawfully discharged within the city. This chapter shall also not apply to public safety training activities between the hours of 7:00 a.m. and 11:00 p.m.

8.20.020 Violation – Penalty.

A. Any person who violates the provisions of this chapter shall be subject to issuance of a civil infraction and a civil penalty of up to \$250.00; provided, that the penalty for a second or subsequent violation within any two-year period shall be a civil penalty of up to \$500.00.

Existing EMC Language Not proposed to Change (reference only)

EMC 18.90.140.G

G. Permitted Land Development and Construction Activities.

1. Unless otherwise modified by a permit decision, activities regulated under EMC

Titles [12](#), [13](#), [14](#), [15](#), [16](#), [18](#) and [20](#) shall be limited to the following hours:

- a. Monday through Friday: 7:00 a.m. to 7:00 p.m.
- b. Saturday: 9:00 a.m. to 6:00 p.m.
- c. Sunday: No construction.
- d. City-observed holidays: No construction.

Additional EMC Changes

8.05.050 PCC sections and chapters not adopted.

The following provisions of PCC Title [8](#) are excluded from the scope of this chapter and are expressly not adopted by reference hereunder:

- A. ~~PCC 8.72.090(A)~~; Chapter 8.72 PCC (Motor Vehicle, Public Disturbance, and Public Nuisance Noise);
- B. Chapter [8.08](#) PCC (Public Nuisances); and
- C. Chapter [8.09](#) PCC (Chronic Nuisance Properties).

18.90.140 Performance standards.

A-D unchanged

E. Restrictions on Dangerous and Objectionable Elements.

1. ~~The provisions of Chapter 8.76 PCC, Noise Pollution Control (as adopted in EMC Title 8), shall apply. In addition, frequent, repetitive or continuous sounds emanating from any use or facility other than transportation facilities or temporary construction work shall not exceed 75 decibels at the property lines. If the community development director or designee determines it to be necessary or has reason to believe that noise levels are being exceeded, the owner and/or operator of a use or facility shall be required to provide noise reading data for noise levels at all property lines. No noise shall be permitted in violation of Chapter 8.20 EMC or this chapter.~~

2. No vibration shall be permitted which is discernible without instruments at the points of measurement specified in this section.

3. No emission shall be permitted of odorous gases or other odorous matter released from any operation or activity in such quantities so as to exceed the odor threshold beyond lot lines. The odor threshold shall be defined as the concentration in the air of a gas or vapor which will just evoke a response in the human olfactory system.

4. No direct or reflected light or glare, whether from floodlights or from high temperature processes such as combustion or welding or otherwise, so as to be visible at the property lines or skyward beyond the building height of the zone, shall be permitted.

5. The regulations of the federal occupational safety and health standards shall apply for all radioactivity and electrical disturbance unless local codes and ordinances supersede this federal regulation.

F-G unchanged

18.100.110 Wireless communications facilities.

A-E unchanged

F. General Development Standards Applicable to WCFs. The following criteria shall be applied in approving, approving with conditions, or denying a permit for a WCF. Unless otherwise provided in this chapter, WCF construction shall be consistent with the development standards of the zoning district in which it is located.

F.1-6 unchanged

7. Noise. ~~At no time shall transmission equipment or any other associated equipment (including, but not limited to, heating and air conditioning units) at any wireless communication~~

~~facility emit noise that exceeds the applicable limit(s) established in EMC 18.90.140(E). Facilities utilizing passive cooling or other cooling methods that do not emit noise are to be utilized when feasible. If not feasible, cooling methods using low noise profile equipment shall be utilized. In no event shall transmission equipment or any other associated equipment (including, but not limited to, heating and air conditioning units) at any wireless communication facility emit noise that exceeds the applicable limit(s) established in EMC 18.90.140(E).~~

12.10.050 Prohibited activities.

The following activities are unlawful within city parks:

A-H unchanged

I. Noise. No person shall make any public disturbance noise or public nuisance noise as defined in ~~EMC Chapter 8.20 Chapter 8.72 of the Pierce County Code.~~

J-P unchanged

12.10.080 Violation – Penalty.

A-D unchanged

E. Violations of EMC [12.10.050\(I\)](#) (“Noise”) shall be punished as set forth in ~~Pierce County Code Section 8.72.130, which provides that the first violation is a class 3 civil infraction under RCW 7.80.120 (\$50.00), the second violation is a class 2 civil infraction under RCW 7.80.120 (\$125.00) and the third violation is a class 1 civil infraction under RCW 7.80.120 (\$250.00) (all of these amounts do not include statutory assessments)~~ EMC Chapter 8.20.

F-K unchanged

8.09.020 Definitions.

“Nuisance” or “Nuisance activity” means and includes:

3. Any criminal conduct, including the attempt and/or conspiracy to commit any criminal conduct, as defined by state or local ordinance occurring on, around, near or having a nexus to a property including, but not limited to:

a-g unchanged

~~h. Noise: Chapter [70.107](#) RCW;~~

i-o Sequencing updated to capture deletion of ‘h’ in the outline.



**City Of Edgewood
Council Agenda Summary Sheet**

Subject: Discussion - Resolution - City Electronic Signature Policy	Agenda Item #: 2.G
	For Agenda of: 11/16/2021
	Prepared by: Ann Marie Soto
Attachments (list): 1. RESOLUTION NO. 21.XXXX Electronic Signature Policy 2. Ex A - Electronic Signature Policy	
Approval of Materials: Ann Marie Soto Rachel Pitzel 11/8/2021 Dave Gray 11/9/2021 Daryl Eidinger 11/9/2021	Expenditure Required: N/A
	Amount Budgeted: N/A
	Timeline: N/A

Summary Statement:

During the 2020 legislative session, the Washington state legislature adopted the Uniform Electronics Transactions Act, ESSB 6028, which repealed and replaced former Chapter 19.360 RCW with Chapter 1.80 RCW, to authorize the municipalities to utilize electronic signatures and determine whether, and the extent to which, the agency will send and accept electronic signatures in the conduct of its business. The use of electronic signatures was significantly increased during the COVID-19 pandemic, and continues to benefit the City by decreasing the City's reliance on paper transactions and physical documents, lessening administrative demands, improving efficiency, leveraging the City's investments in digital technology, and saving time and reducing costs associated with conducting City business. This resolution will adopt a policy for the use of electronic signatures in conformance with Chapter 1.80 RCW and also approve and ratify the use of electronic signatures by the City necessitated by the COVID-19 emergency declaration.

Item History:

N/A

Recommended Action:

Hold a discussion and provide staff guidance regarding Discussion - Resolution - City Electronic Signature Policy

Fiscal Note/Consideration:

N/A

RESOLUTION NO. 21-0XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, PIERCE COUNTY, WASHINGTON, AUTHORIZING THE USE OF DIGITAL AND ELECTRONIC SIGNATURE TECHNOLOGY; ADOPTING AN ELECTRONIC SIGNATURE AND DIGITAL SIGNATURE POLICY; AND APPROVING AND RATIFYING THE USE OF ELECTRONIC SIGNATURES DURING A DECLARED EMERGENCY.

WHEREAS, during the 2020 legislative session the Washington state legislature adopted the Uniform Electronics Transactions Act, ESSB 6028, effective June 11, 2020; and

WHEREAS, ESSB 6028 repealed and replaced Chapter 19.360 RCW, which authorized municipalities to utilize electronic signatures in the conduct of governmental affairs and other transactions where their use has been authorized by the legislative body; and

WHEREAS, ESSB 6028, which is now codified at Chapter 1.80 RCW, continues to authorize the municipalities to utilize electronic signatures and allows municipalities to determine whether, and the extent to which, the agency will send and accept electronic signatures in the conduct of its business; and

WHEREAS, the use of electronic signature technologies can benefit the City of Edgewood (“City”) by decreasing the City’s reliance on paper transactions and physical documents, lessening administrative demands, improving efficiency, leveraging the City’s investments in digital technology, and saving time and reducing costs associated with conducting City business; and

WHEREAS, the value of electronic signatures is heightened and apparent during a declared state of emergency such as the current COVID-19 pandemic; and

WHEREAS, RCW 1.80.160 authorizes cities to determine whether, and the extent to which, cities will create and retain electronic records and convert written records to electronic records; and

WHEREAS, RCW 1.80.170 authorizes cities to determine whether, and the extent to which, cities will send and accept electronic records and electronic signatures to and from other persons and otherwise create, generate, communicate, store, process, use, and rely upon electronic records and electronic signatures; and

WHEREAS, the city council desires to authorize the use and receipt of electronic signatures; adopt policies for the implementation of this authorization to provide reasonable assurances for the integrity, authenticity, and nonrepudiation of electronic documents when electronic signatures are used; and to approve and ratify the use of electronic signatures both before and during the emergency declared by the City on March 10, 2020;.

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

Section 1. The foregoing recitals are adopted as the city council's findings of fact.

Section 2. The city council finds it to be in the public interest to allow the use of electronic signatures for City business to the fullest extent allowed by law. An electronic signature may be used with the same force and effect as a signature affixed by hand, subject to the limitations in this section and under state and federal law. The city council authorizes the mayor, mayor pro tem, city councilmembers, city administrator, city department directors or their designees, and any other City employee or official who has been granted authority to sign certain records on behalf of the City either by nature of their position in relation to the record or by direct authorization from the city council or the Edgewood Municipal Code, to affix electronic signatures to electronic records or accept such electronic signatures.

Section 3. The city council adopts the City of Edgewood Electronic and Digital Signature Policy, which is attached as Exhibit A and incorporated by this reference

Section 4. The Mayor is authorized to adopt any necessary administrative processes and enter into contracts (within existing purchasing authority) necessary to implement the use of electronic signatures by the city consistent with this resolution, Exhibit A, and state and local law, including, but not limited to, Chapter 1.80 RCW, the Uniform Electronic Transactions Act, as presently enacted or hereafter amended. This authorization includes the ability of the Manager to modify, rescind, or replace Exhibit A as the Mayor may find necessary or advisable for the efficient operation of the City.

Section 5. If any section, paragraph, sentence, clause, or phrase of this resolution, or its application to any person or situation, 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 resolution or its application to other persons or situation. The City Council of the City of Edgewood hereby declares that it would have adopted this resolution and each section, subsection, sentence, clauses, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

Section 6. Any act, including the use and acceptance of electronic signatures, consistent with the authority and prior to the effective date of this resolution is hereby ratified and affirmed. The city council further specifically approves and ratifies the use of electronic signatures by the City for the time period between the City's declaration of emergency on March 10, 2020 and the effective date of this resolution.

Section 7. Effective Date. This resolution will take effect immediately upon passage by the City Council.

ADOPTED THIS __ DAY OF _____, 2021

ATTEST:

Daryl Eidinger, Mayor

Rachel Pitzel, CMC
City Clerk

Exhibit A
Electronic and Digital Signature Policy

City of Edgewood Electronic and Digital Signature Policy

Purpose:

This policy is designed to:

- Provide reasonable assurance for the integrity, authenticity, and non-repudiation of electronic documents and records when electronic signatures and submissions are used and accepted; and
- Promote the use of electronic signatures and submissions across the agency.

Definitions:

Definitions in this policy shall be consistent with RCW 1.80.010, which is incorporated by this reference, as enacted or hereafter amended.

Authorized Signer: The mayor, mayor pro tem, city councilmembers, city administrator or designee, city department directors or their designees, and any other City employee or official who has been granted authority to sign certain records on behalf of the City either by nature of their position in relation to the record or by direct authorization from the city council or the Edgewood Municipal Code.

Digital Signature: One type of Electronic Signature that contains a digital certificate issued by a licensed certificate authority, behind the signature and offers authentication when sending a “signed” Electronic Record.

Electronic Record: A record created, generated, sent, communicated, received, or stored by electronic means.

Electronic Signature: An electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record. Includes Digital and Facsimile Signatures.

Facsimile Signature: One type of Electronic Signature that is a reproduction of a handwritten signature that has been saved electronically or by engraving, imprinting, or stamping.

Electronic and Digital Signature Policy:

- A. The City encourages and authorizes electronic transactions and recognizes Electronic Records and signatures in all correspondence and transactions conducted by the City to the extent allowed by law.
- B. The specific method of Electronic Signature shall be approved in advance by the Mayor or designee, and shall afford a reasonable assurance level as to the integrity of the Electronic Signature, as determined by the Mayor or designee.

- C. A City document that is required by law to be signed in non-electronic media may not be electronically or digitally signed.
- D. An Electronic, Digital, or Facsimile signature is an acceptable substitute for a wet signature to the fullest extent allowed by law.
- E. Approvals must be documented and address each of the approval criteria required by this policy.
- F. The use and acceptance of an Electronic Signature affirmed by an Electronic Record notary public is permitted so long as the notarization complies with the Revised Uniform Law on Notarial Acts, Chapter 42.45 RCW, as enacted or hereafter amended.
- G. This policy in no way affects the City's ability to conduct a transaction using a physical medium and shall not be construed as a prohibition on the use of signatures affixed by hand.
- H. The Mayor shall adopt all control processes and procedures as appropriate to ensure the adequate preservation, disposition, integrity, security, confidentiality, and auditability of Electronic Records.
- I. This policy may be modified, rescinded, or replaced at any time by the Mayor or designee.

Electronic and Digital Signature Procedure.

- A. Authorized Signers may affix Electronic Signatures to conduct City business and accept Electronic Signatures from third parties, provided all of the following criteria are met:
 - 1. The individual is authorized to sign the document. Any individual applying an Electronic Signature must use their own name and must not have disclosed their password to any other individual.
 - 2. The specific method of Electronic Signature has been approved by the Mayor for use in conducting City business.
 - 3. The appearance of the Electronic Signature contains, at minimum, the following:
 - a. The identity of the individual, including all information required by Resolution or this policy; and
 - b. A representation of the individual's signature or acknowledgement of Digital Signature in-lieu of a physical signature (e.g., using an "I accept" or "I agree" check box with an affirmation statement); and
 - c. The date of the signature, unless the Electronic Signature is self-auditing.
 - 4. The individual does not provide information they know to be untrue.
- B. Failure to follow this policy may result in disciplinary action, up to and including termination, voiding of and potential responsibility for contracts entered into, or other legal action as authorized by law.



City Of Edgewood Council Agenda Summary Sheet

Subject: Discussion – Meridian Ave E Sewer Extension Assessment Reimbursement Area	Agenda Item #: 2.H
	For Agenda of: 11/16/2021
	Prepared by: Jeremy Metzler
Attachments (list): 1. DRAFT Ordinance 21-0xxx - Creating Reimbursement Assessment Area 2. Recommendation to Council 2021-10-28	
Approval of Materials: Jeremy Metzler Rachel Pitzel 11/9/2021 Dave Gray 11/10/2021 Daryl Eidinger 11/10/2021	Expenditure Required: N/A Amount Budgeted: N/A Timeline: 11/16/2021 SS 11/23/2021 RCM PH 12/07/2021 SS 12/14/2021 RCM

Summary Statement:

As authorized under Resolution 20-0522, the City contracted with Active Construction, Inc. to construct the Edgewood Community Park, and said contract included a sanitary sewer main extension of approximately 660 linear feet to serve both the City Park, as well as adjacent properties. RCW 35.91.060 and EMC 11.36.120 authorize the City to create an assessment reimbursement area (sometimes referred to as a latecomer's reimbursement) on its own initiative. Like the more common developer-initiated latecomer reimbursements, these statutory and code provisions enable the City to create its own assessment reimbursement area without the involvement of a developer. Under these provisions, the City would be the sole beneficiary of all reimbursements.

At this time, staff recommends creating an assessment reimbursement area containing the properties to be benefitted by the sewer main extension. As described in the attached recommendation, there are a total of ten (10) properties abutting the improvements as constructed, including the City's park. As discussed with Council at the November 2, 2021 study session, a public hearing has been set for the November 23, 2021 regular council meeting, with notices mailed directly to the affected properties. Also attached is a draft ordinance for Council's consideration. Further discussion is planned for the Council's next study session, and action would follow no sooner than the December 14, 2021 regular meeting.

Item History:

11/02/2021 SS

Recommended Action:

Hold a discussion and provide staff direction to

Discussion – Meridian Ave E Sewer Extension Assessment Reimbursement Area

Fiscal Note/Consideration:

As proposed, an assessment reimbursement would allow recovery of up to \$640,903.44 of the ECP Sewer Extension's \$738,472.37 total cost.

ORDINANCE NO. 21-0xxx

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, PIERCE COUNTY, WASHINGTON, AUTHORIZING THE CREATION OF AN ASSESSMENT REIMBURSEMENT AREA FOR THE MERIDIAN AVENUE EAST SEWER EXTENSION; ESTABLISHING ASSESSMENTS; REQUIRING PAYMENT OF ASSESSMENTS PRIOR TO CONNECTION; PROVIDING FOR RECORDING; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Edgewood (“City”) financed the cost and expense for the installation of approximately 660 linear feet of 8 inch PVC sanitary sewer main in Meridian Avenue E, from approximately 150 feet south of 32nd St E to the City’s property north of 36th St E (the “Facilities”); and

WHEREAS, the City, pursuant to RCW 35.91.060 and EMC 11.36.120, as an alternative to the procedures provided in RCW 35.91.020 for financing the construction or improvement of water or sewer facilities, may create an assessment reimbursement area on its own initiative, finance all of the costs associated with the construction or improvement, and become the sole beneficiary of reimbursements; and

WHEREAS, the City may only establish an assessment reimbursement area in locations where the City’s ordinances require sewer facilities upon development or redevelopment, or would be allowed connection to or usage of constructed or improved sewer facilities; and

WHEREAS, the City shall compute assessments equal to the fair pro rata share due from the owners of parcels within the boundaries of an assessment reimbursement area using a basis of computation deemed by the City to most appropriately determine the proportional benefit accrued to each parcel; and

WHEREAS, preliminary determination of the assessment reimbursement area boundaries and assessments, along with a description of property owners’ rights and options, must be sent by certified mail to each owner of record of real property within the proposed assessment reimbursement area; and

WHEREAS, the City sent, via certified mail, the preliminary determination of the assessment reimbursement area boundaries and assessments, along with a description of property owners’ rights and options, as well as a notice of public hearing to all affected property owners on November 3, 2021; and

WHEREAS, the Edgewood Municipal Code 11.36.120(E) requires a public hearing for proposed assessment reimbursement areas and a public hearing on this matter was scheduled for November 23, 2021; and

WHEREAS, the Edgewood City Council held a public hearing on November 23, 2021;
and

WHEREAS, the Edgewood City Council finds that special benefit accrues to owners of property seeking to connect to the above described sewer improvements and reasonable connection charges are proper in order that such abutting property owners shall bear their fair pro rata share of the cost of the sewer improvements; and

WHEREAS, the final determination of the assessment reimbursement area boundaries and assessments must be recorded in the county auditor's office of the county in which the area is situated; and

WHEREAS, the City Council of Edgewood determines this Ordinance is in the best interest of public health and safety;

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

Section 1. Assessment Reimbursement Area. An assessment reimbursement area is hereby created and the boundaries established as detailed in Exhibit A, attached hereto and incorporated herein by reference.

Section 2. Assessments. A special sewer connection assessment roll is hereby created as detailed in Exhibit B, attached hereto and incorporated herein by reference.

Section 3. Connection. Any owner of property situated within the assessment reimbursement area shall, as a precondition to connection to the City sewer utility, pay to the City a special sewer connection assessment as set forth in Exhibit B attached hereto and incorporated herein by reference.

Section 4. Recording. This Ordinance shall be recorded with the Pierce County Auditor's Office within thirty (30) days of adoption.

Section 5. Severability. If any section, sentence, clause, or phrase of this ordinance should be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

Section 6. Effective Date of Ordinance. This ordinance shall take effect and be in force from and after its passage and five days following its publication as required by law.

**PASSED BY THE EDGEWOOD CITY COUNCIL ON THE 14TH DAY OF
DECEMBER, 2021.**

Daryl Eiding, Mayor

ATTEST:

Rachel Pitzel, City Clerk

APPROVED AS TO FORM:

Ann Marie Soto, City Attorney

EXHIBIT A

Map of Meridian Avenue E –Assessment Reimbursement Area

DRAFT

EXHIBIT B

Meridian Avenue E –Assessment Reimbursement – Sewer Ordinance No. 21-0xxx

No.	Site Address	Tax Parcel No.	Owner	Eligible Benefitted Frontage Footage	Eligible Area (sf)	Proposed Cost Share
1	3306 Meridian	0420161018	Itn'l Church of Foursquare Gospel	108'	21,600	\$66,858.01
2	3307 Meridian	0420152065	KDQM LLC	150'	25,500	\$72,644.46
3	3312 Meridian	042016-1139/-1140	Itn'l Church of Foursquare Gospel	162'	32,400	\$81,883.66
4	3315 Meridian	0420152073	Anita & Kamal J. Singh Walia	160'	32,000	\$81,378.71
5	3318 Meridian	0420161019	Irina & Sergey Stefanyuk	54'	10,800	\$47,274.17
6	10105 33rd St Ct E	0420161141	Mi Casa	121'	24,200	\$70,765.68
7	3325 Meridian	0420152005	Cote Investments LLC	170'	34,000	\$83,880.72
8	3328 Meridian	0420161098	Jeffery S. Jensen	80'	10,000	\$45,490.92
9	3420 Meridian	0420161092	Kimberly and Sum Nop	215'	39,775	\$90,727.10
10	10301 36th St E	0420152006	City of Edgewood	230'	46,000	\$97,568.93
Total Cost of Construction						\$738,472.37



October 28, 2021

**RE: Edgewood Community Park Sewer Extension
Assessment Reimbursement Recommendation to City Council**

City Council:

As authorized under Resolution 20-0522, the City contracted with Active Construction, Inc. to construct the Edgewood Community Park, and said contract included a sanitary sewer main extension of approximately 660 linear feet to serve both the City Park, as well as adjacent properties. RCW 35.91.060 and EMC 11.36.120 authorize the City to create an assessment reimbursement area (sometimes referred to as a latecomer's reimbursement) on its own initiative. Like the more common developer-initiated latecomer reimbursements, these statutory and code provisions enable the City to create its own assessment reimbursement area without the involvement of a developer. Under these provisions, the City would be the sole beneficiary of all reimbursements.

At this time, staff recommends creating an assessment reimbursement area containing the properties to be benefitted by the sewer main extension. There are a total of ten (10) properties abutting the improvements as constructed, including the City's park. Staff recommends assigning a pro-rata share of the improvement costs to each of the benefitting parcels using the Equivalent Benefitted Frontage Footage (EBFF) calculation method. This method considers a maximum residential development density to a maximum benefitting depth of 200' from the public road right-of-way (after considering any future right-of-way dedication needs). It is particularly well suited to this type of scenario because it not only considers the development potential of the benefitted properties, what portion of those properties can reasonably connect to the infrastructure without further extensions, and equitable allocation of costs therein, but also considers the public benefit and utility of providing a sanitary sewer connection to the City's new community park. Here is a table summarizing this proposed cost distribution:

Parcel No.	Site Address	Eligible Benefitted Frontage Footage	Eligible Area (sf)	Proposed Cost Share
0420161018	3306 Meridian	108'	21,600	\$66,858.01
0420152065	3307 Meridian	150'	25,500	\$72,644.46
042016-1139/-1140	3312 Meridian	162'	32,400	\$81,883.66
0420152073	3315 Meridian	160'	32,000	\$81,378.71
0420161019	3318 Meridian	54'	10,800	\$47,274.17
0420161141	10105 33rd St Ct E	121'	24,200	\$70,765.68
0420152005	3325 Meridian	170'	34,000	\$83,880.72
0420161098	3328 Meridian	80'	10,000	\$45,490.92
0420161092	3420 Meridian	215'	39,775	\$90,727.10
0420152006 (Park)	10301 36th St E	230'	46,000	\$97,568.93
Total Cost of Construction				\$738,472.37

In accordance with Edgewood Municipal Code (EMC) 11.36.050(B), staff has determined the subject reimbursement assessment satisfies the requirements in EMC 11.36.030(A) as follows:

1. **The latecomer agreement (assessment reimbursement) must be for the construction of sewer facilities in locations where the city's ordinances require such facilities to be improved or constructed as a prerequisite to further property development** – Edgewood Community Park is located in the City's Phase One Sewer Service Area and within 500 feet of the existing sanitary sewer main. As sanitary sewer was deemed available by the utility, construction of an on-site septic system is not permissible under Chapter 2, Section 10 of the Tacoma-Pierce County Health Department's (TPCHD) Environmental Health Code. EMC 11.40.010 requires sewer connection for Phase I Properties (including existing and new buildings). *[see also EMC 11.20.040]*
2. **The sewer facilities must be consistent with all applicable comprehensive plans and development regulations of the municipalities through which the facilities will be constructed or will serve** – The sewer extension was constructed consistent with the City of Edgewood General Sewer Plan and the Lakehaven Water & Sewer Development Guidelines, as adopted per EMC 11.30.060 and the City's Interlocal Agreement with the Lakehaven Water & Sewer District.
3. **The sewer facilities to be constructed or improved must be included in the city of Edgewood's comprehensive plan. Unless the city provides written notice to the owner of its intent to request comprehensive plan approval for the facilities, the owner must request comprehensive plan approval for the sewer facility** – Construction of the sewer extension was included under the Edgewood Community Park project, which is included in the comprehensive plan.
4. **The sewer facilities to be constructed may not be located outside the city's corporate limits** – The constructed facilities are entirely located within the City of Edgewood.
5. **The latecomer agreement (assessment reimbursement) shall meet all of the conditions required by the City under this chapter, and shall be filed and recorded against the affected properties with the county auditor and as provided in EMC 11.36.080** – Staff proposes using the RCW 35.91.060 and EMC 11.36.120 provisions for a City created assessment reimbursement area on its own initiative; no latecomer agreement is required because there will be no developer receiving reimbursements. However, if the City Council creates an assessment reimbursement area, the assessment roll and ordinance creating same will be recorded with the County Auditor as required per the EMC and RCW 35.91.060.
6. **The owner/developer's request shall be submitted within 120 days of the completion of the sewer facility and prior to approval and acceptance of the sewer facility by the city for ownership and maintenance** – Not applicable, as the City will be the sole entity receiving reimbursements; no developer is involved.
7. **The total cost of the construction of the sewer facility must be submitted to city by the owner/developer no more than 120 days of the completion of the sewer facility** – Not applicable, as the City will be the sole entity receiving reimbursements; no developer is involved.

In making this determination, the factors listed in EMC 11.36.050(B)(1) were analyzed as follows:

- a. **Whether the sewer facilities are consistent with the applicable comprehensive plan(s) and development regulations** – As stated above, the sewer extension was constructed consistent with the City of Edgewood General Sewer Plan and the Lakehaven Water & Sewer Development Guidelines as adopted per EMC 11.30.060 and the City’s Interlocal Agreement with the Lakehaven Water & Sewer District.
- b. **Whether the preliminary determination of the boundaries of the latecomer assessment reimbursement area, based upon the identification of parcels who may subsequently connect to or use the facilities, including through laterals and branches connecting thereto** – The proposed assessment reimbursement area for the subject sewer extension is consistent with standard industry methods and practices and is based upon the identification of all parcels that may subsequently connect to or use the sewer main extension. A map of the proposed assessment reimbursement area is included herewith as Exhibit ‘A’.
- c. **Whether the developer/owner’s receipts and invoices relating to the cost of construction of the sewer facilities are reasonable and accurate and have been verified by the public works director in the “Engineer’s Estimate,” which shall include separate itemizations of costs** – The cost of construction has been verified by the City Engineer and Public Works Director, and said itemization is included herewith as Exhibit ‘B’.
- d. **Whether the pro rata share calculated by the developer/owner ensures that each property subject to the latecomer fee will pay a fair pro rata share of the costs of the improvements as determined by any appropriate method, including but not limited to determining the total capacity of the sewer improvements expressed in equivalent residential units (ERUs) and dividing the total cost by the number of ERUs created by construction or added by improvement of the sewer facility** – The pro rata share calculated is deemed an appropriate method (EBFF), also being one of the methods frequently used by Lakehaven Water & Sewer staff. This method is particularly well suited to this type of scenario because it not only considers the development potential of the benefitted properties, what portion of those properties can reasonably connect to the infrastructure without further extensions, and equitable allocation of costs therein, but also considers the public benefit and utility of providing a sanitary sewer connection to the City’s new community park.

RECOMMENDATION

Staff hereby recommends Council consider this request to form an assessment reimbursement area, by first setting a public hearing per EMC 11.36.060 for Tuesday, November 23, 2021, in preparation for final consideration of an ordinance on December 14, 2021.

Respectfully,



Jeremy Metzler, PE
Public Works Director

Exhibit A

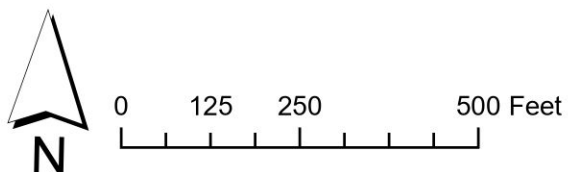
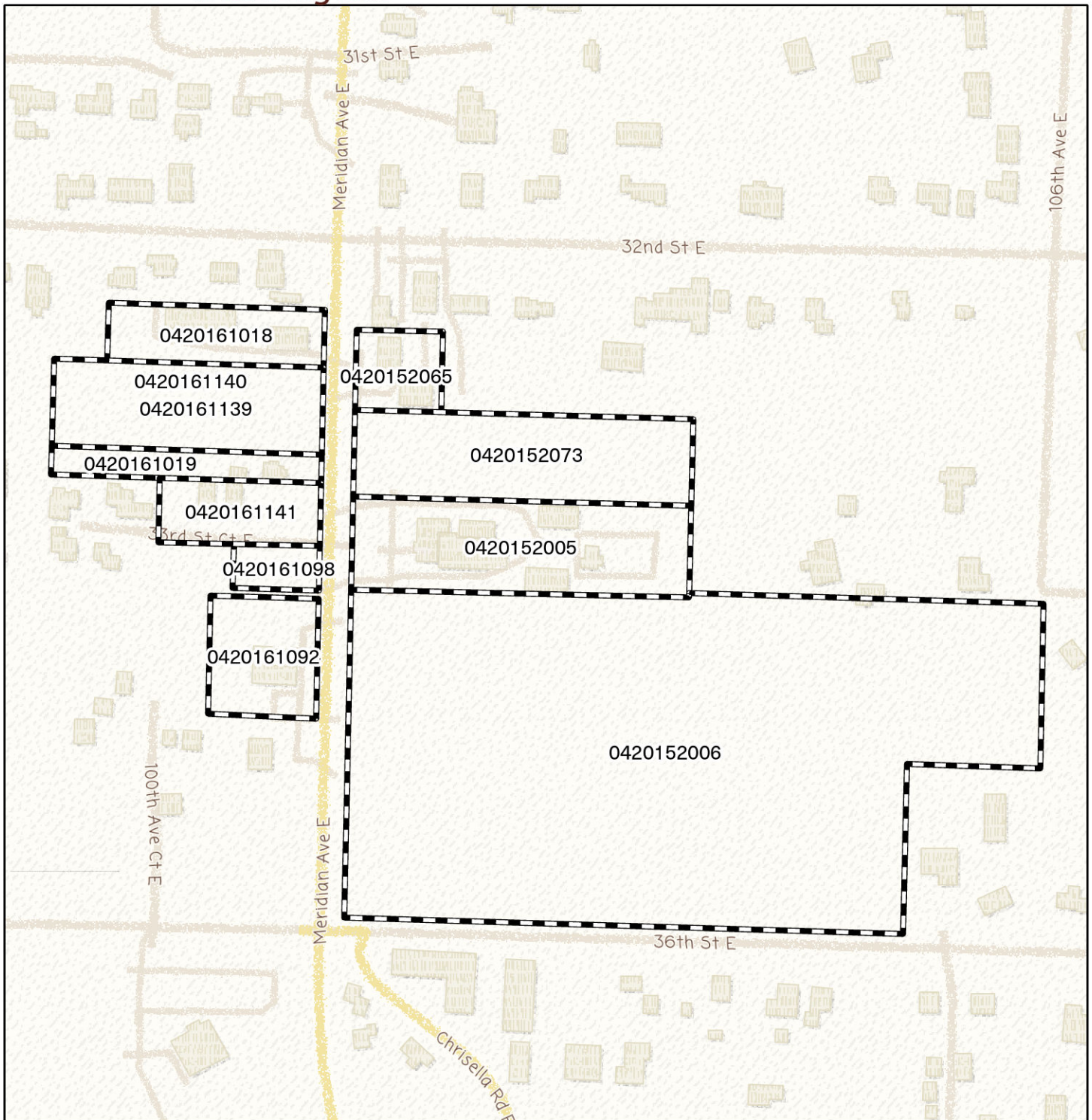


Exhibit B

Project Cost Itemization

Eligible Costs & Expenses	Comments	Totals
Construction Costs	Contract Schedule B as paid thru 3/25/21	\$ 701,052.10
Engineering Costs	G&O Survey & CM Costs	\$ 27,561.81
Lakehaven Expenses	Permit Review & Inspection	\$ 9,858.46
DE Agr. Admin. Fee	Non-Refundable Portion of Initial App Cost	N/A
DE Warranty Inspection Fee		N/A
Other Costs (specify)		
Total Eligible Project Costs		\$ 738,472.37



City Of Edgewood Council Agenda Summary Sheet

Subject: Discussion – Ordinance - Donations and Memorials	Agenda Item #: 2.I
	For Agenda of: 11/16/2021
	Prepared by: Jeremy Metzler
Attachments (list): 1. Ord 21-xxxx - EMC 2.90 Donations 2. DRAFT Donations Code - 2021-11-09 3. DRAFT Park Donation and Memorial Program - 2021-11-09	
Approval of Materials: Jeremy Metzler Rachel Pitzel 11/10/2021 Dave Gray 11/10/2021 Daryl Eidinger 11/10/2021	Expenditure Required: N/A Amount Budgeted: N/A Timeline: 11/16/2021 SS 11/23/2021 RCM

Summary Statement:

The Parks and Recreation Advisory Board (PRAB) has discussed the subject of donations and memorials in City parks at several recent meetings, recognizing the need for a formal policy to establish the process for consideration and acceptance thereof. Following staff's coordination with legal counsel, the PRAB has recommended Council consideration of the attached draft code and policy. Also included in the draft policy is a standard form to be used by potential donors.

Following feedback from the 10/19/2021 study session, the attached draft code includes a reduced limit of \$5,000 for Mayoral authorization. Upon further review of concerns regarding nonacceptance of any donations, legal counsel has not recommended any additional language. Staff is seeking Council's direction on how to proceed with the attached draft, and has prepared the attached draft adopting ordinance for consideration at the next regular meeting.

Item History:

10/19/2021 SS

Recommended Action:

Hold a discussion and provide staff guidance regarding Discussion – Ordinance - Donations and Memorials

Fiscal Note/Consideration:

N/A

ORDINANCE NO. 21-xxxx

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, PIERCE COUNTY, WASHINGTON, ADOPTING NEW EMC CHAPTER 2.90 RELATED TO DONATIONS AND ACCEPTANCE OF INTERESTS IN PROPERTY; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City has been and may continue to be approached by private citizens, business groups, and other private organizations desiring to make donations to the City for public purposes; and

WHEREAS, pursuant to RCW 35A.11.040 and RCW 35.21.100, the City is authorized to accept donations by ordinance and carry out the terms of the donations if such terms are within the City's powers granted by law; and

WHEREAS, the City Council desires to adopt this ordinance to establish the policies and procedures of the City to accept monetary and non-monetary donations, devises, or bequests in order to promote administrative efficiency;

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

Section 1. New EMC Chapter 2.90, Donations and Acceptance of Interests in Property, Adopted. The City Council hereby adopts a new chapter 2.90 of the Edgewood Municipal Code, Donations and Acceptance of Interests in Property, as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

Section 2. Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication. The full text of this Ordinance shall be mailed without charge, upon request.

PASSED BY THE CITY COUNCIL ON THE 23RD DAY OF NOVEMBER, 2021

Mayor Daryl Eidinger

ATTEST/AUTHENTICATED:

Rachel Pitzel, CMC
City Clerk

APPROVED AS TO FORM:

City Attorney, Ann Marie J. Soto

Date of Publication:
Effective Date:

DRAFT

NEW Chapter 2.90

DONATIONS AND ACCEPTANCE OF INTERESTS IN PROPERTY

Sections:

- 2.90.010 Purpose.
- 2.90.020 Definitions.
- 2.90.030 Donations of money and personal property.
- 2.90.040 Acceptance of ownership of or interest in real property.
- 2.90.050 Acknowledgment of donations and transparency.
- 2.90.060 Policies and procedures.

2.90.010 Purpose.

Consistent with RCW 35.21.100, which provides that the city council may accept donations of money or property by ordinance, this chapter delegates city council authority to the mayor to accept such donations in circumstances with minimal risk and long-term obligation, and reserves the city council's authority in all other circumstances.

2.90.020 Definitions.

"Donation" means any money, real property or personal property that is donated, devised, or bequeathed to the city.

"Restricted donation" means a donation that is given with any restriction or condition on the use of the money or property.

"Unrestricted donation" means a donation that is given without restriction or condition.

2.90.030 Donations of money and personal property.

A. Unrestricted donations.

1. The mayor is authorized to accept unrestricted donations of money or personal property valued at ~~twenty-five~~ thousand dollars (~~\$205~~,000) or less per donor, per calendar year.
2. All other unrestricted donations may only be accepted by Council action.
3. Unrestricted monetary donations will be deposited into the general fund.

B. Restricted donations.

1. The mayor is authorized to accept:

- a. Restricted donations valued at ~~ten~~five thousand dollars (\$~~105~~,000) or less per donor, per calendar year that support an established city program or policy, including, but not limited to: recreation programs, park facilities and equipment, and parts or materials used for maintenance of city facilities or equipment.
 2. All other restricted donations may only be accepted by action of the city council.
 3. Restricted donations of money must be deposited into the fund most appropriate to carry out the restrictions or conditions of the donation.
 4. The city must make best efforts to use or dispose of any money or personal property in accordance with the donor's restrictions or conditions.
 5. Restrictions or conditions on a donation are not binding upon the city unless accepted in writing by the city council.
- C. *Nonacceptance of Donation.* The City may decline to accept a donation if such donation is not consistent with the policies, plans, goals, or ordinances of the city, if acceptance of same is contrary to law, or if the city council decides not to accept a donation.

2.90.040 Acceptance of ownership of or interest in real property.

- A. Except as authorized under EMC 2.10.060, the city may accept ownership of or an interest in real property, including a lease or other instrument transferring anything less than a fee simple interest, only if approved by action of the city council, such as by ordinance or council-approved contract, or as a condition of plat approval.
- B. No other action by any city employee or agent may constitute the city's acceptance of any interest in real property.

2.90.050 Acknowledgment of donations and transparency.

- A. For each donation, the Mayor or designee will communicate to the donor a written acknowledgment of acceptance and appreciation on behalf of the city.
- B. The Mayor or designee will maintain a continuous list of all donations accepted by the city, and must provide to the city council at the end of each year a list of all donations accepted by the city during the previous calendar year.

2.90.060 Policies and procedures.

In addition to the above, the Mayor may promulgate administrative policies and procedures consistent with this chapter, with the recommendation of the various city departments, to encourage and facilitate the making of donations to the city.

Park Donation and Memorial Program Policy

I. PURPOSE

The City of Edgewood occasionally receives inquiries from individuals or organizations about donations and memorials for the City's park system. The intent of the Donation & Memorial Program is to create a program that is flexible and responsive to the needs of our community's donors and to establish policies and procedures for accepting donations made for the benefit of the City's parks, trails, and open spaces, and in accordance with the City's Parks, Recreation and Open Space Plan.¹

II. DEFINITIONS

1. Department: Public Works Department.
2. Director: Public Works Director or designee.
3. Donation: donations as defined by the Edgewood Municipal Code, such as gift of funds, plant materials, and physical objects or structures.
4. Memorial Plaques: bronze plaque either installed at ground level or attached to an approved object in a park or facility. Plaque size will be established by specified use, with a maximum number of text lines and restricted letter font style and size.
5. Park: city-owned park, facility, trail, natural area, and open space managed for recreational use and/or resource protection.

III. POLICY

- A. The Department shall be responsible for administering the Park Donation & Memorial Program in accordance with the Edgewood Municipal Code, including establishing a review process for approving and installing donations. The Department may coordinate with other City departments where needed, or designate other departments to oversee certain aspects of the program.
- B. The City encourages donations of land, facilities, equipment, landscape material and money to support the parks and recreation services to the community. Donations will be accepted from public and private sources for the purposes of enhancing all City parks and trails, and said donations will become the property of the City.
- C. Donations of all types will be considered for all parks, trails, and open spaces, with the exception of those areas where human activity is discouraged to protect habitat and sensitive lands. Where human activity is discouraged, only donations of money will be considered.
- D. All costs associated with the donation request, such as installation and anticipated on-going maintenance costs should be covered by the donor. The City may, on a case by case basis, establish an appropriate, reasonable administrative fee to coordinate projects over \$5,000 in value.

¹ Edgewood Comprehensive Plan (Adopted by City Council June 9, 2015), Section Six - PARKS, RECREATION AND OPEN SPACE.

- E. Approval Criteria: Proposed donations may be incorporated into the landscape and facilities of parks and trails according to the following criteria:

General Criteria

1. Donations will only be accepted in accordance with the Edgewood Municipal Code.
2. Donations must be compatible with and meet a specific park facility or amenity need identified in the City's Parks, Recreation and Open Space Plan.
3. In areas not covered by plans, compatibility with existing facilities and local conditions shall be considered as long as the donation meets a specific park need.
4. Age and anticipated general condition of the donation.
5. Anticipated maintenance requirements.

Specific Criteria

1. Cash Donations: Unspecified cash donations may be used to build, repair or upgrade existing or new park facilities, at the City's sole discretion.
2. Structures and Site Furnishings: The City has established general aesthetic standards for furnishings in parks. Donations of structures or furnishings should maintain this aesthetic standard. The Director will offer donors a list of pre-approved furnishings that they may choose from at the current market values. The list may include, but is not limited to, the following items:

Items Allowed: Trees
 Picnic Tables
 Benches
 Litter Receptacles
 Trail Marker Signs

3. Other Furnishings: Other furnishings or structures outside of the pre-approved list, such as fountains, plazas, and other landscape features, will be reviewed on a case by case basis.
 4. Artwork: Donations of art, or cash donations to purchase or commission art must be pre-approved by the City Council after review by Parks and Recreation Advisory Board and location approved by the Department.
 5. Plant Donations: Donation of plant material is allowed as long as the donation is purchased from a City approved certified nursery. Acceptance of plant material by the City is based upon whether the plant material furthers the design theme established in the park and a need exists for additional plants. The City's ability to hold quantities of plants until needed is limited. Therefore, only plant materials that can be planted at the time of acceptance are allowed.
- F. Variations: Variation to Standard Memorial Plaques will be allowed only after review by the Parks and Recreation Advisory Board and upon approval of the Director.
- G. Damages & Term of Donation: The term of the donation or memorial will be for the life of the asset. For example, if a donated park bench is destroyed or deteriorates, then the

memorial may be removed. The City will make every practical effort to repair damaged donations and memorials. However, the City is not responsible for replacing items, including plaques, due to excessive damage or loss. The City will attempt to contact the donor using the information on the Donation Memorial Form to inform him/her of the loss. The donor may replace the item at his/her own expense, subject to City approval.

IV. PROCEDURE

- A. The donor shall meet with Department staff prior to submitting a Park Donation & Memorial Form. The purpose of this meeting is for the donor to share ideas regarding the proposed donation and/or memorial. Once this meeting has occurred, the donor may submit a completed Park Donation & Memorial Form to the Department.
- B. Department staff will review and determine the appropriateness of the proposal as measured by the approval criteria listed above in Section III (E). The proposal will then be presented to the Parks and Recreation Advisory Board for review before being forwarded to the Mayor or City Council for consideration. If a proposal does not meet the approval criteria, the donor will be notified of the reasons why.
- C. Property Donations: All land/property donations will be submitted through staff and forwarded to the Parks and Recreation Advisory Board for a recommendation, the City Attorney for legal review, and to the City Council for final approval.
- D. Memorial Plaques: Memorial plaques will be permitted pursuant to this policy only in conjunction with the donation of a new item as described in section III (E) above. Memorial Plaques and installation components shall be provided by the donor and shall be a bronze marker either installed at ground level or attached to an approved object in a park or City facility. City staff reserve the right to perform or supervise the installation. Plaque size will be established by specified use, with a maximum number of text lines and restricted letter font style and size as follows:
 1. Pre-approved plaque sizes:
 - A. 2"x 10" two (2) inches wide by ten (10) inches long with a limit of three lines of text and up to 48 characters per line. Typical application is directly upon a park bench, table, or similar dedication.
 - B. 5" x 6" five (5) inches by six (6) inches with a limit of four lines of text and a maximum of 32 point and a minimum of 20 point font sizes. Typical application is placement on a rock or concrete base and placed next to a structure, plant, or tree dedication.
 - C. 6" x 9" six (6) inches by nine (9) inches with a limit of four lines of text and a maximum of 32 point and a minimum of 20 point font sizes. Typical application is placement on a rock or concrete base and placed next to a structure, plant, or tree.

2. The Department must approve all text for Memorial Plaques and may reject any text that violates any law or policy, or that is deemed obscene or potentially offensive, in its sole discretion.

Pre-approved text may include:

In Honor of _____,
In Memory of _____,
In Celebration of _____,
Dedicated to _____,

- E. Appropriate approval of the donation or memorial must be obtained before installation of the donation or memorial.
- F. Once installed, the donation or memorial becomes the property of the City of Edgewood.
- G. Approved donations and memorials will be formally recognized using the City's website, social media, or other method as recommended by the Parks and Recreation Advisory Board and approved by the Mayor.

City of Edgewood

Donor name or organization: _____

Address: _____ City, State, Zip: _____

Phone: _____ e-mail _____

Pre-approved donation list of new items: (please check appropriate boxes)

- | | | |
|---|--|--|
| ☐ Tree | ☐ Picnic table | ☐ Bench |
| ☐ Planter | ☐ Litter receptacle | ☐ Drinking Fountain |
| ☐ Trail marker signs | ☐ Other | ☐ Memorial plaque |

Proposed location: _____

Description of request: _____

Desired plaque inscription: (see applicable size and font details in full policy document)

Mounting option: ☐ in ground ☐ on approved object or fixture

For City Use Only:

Current market value estimate for donation: \$ _____

☐ Approved by _____ Date _____

Comment: _____



City Of Edgewood Council Agenda Summary Sheet

Subject: Discussion - Meridian Landscape Maintenance	Agenda Item #: 2.J
	For Agenda of: 11/16/2021
	Prepared by: Jeremy Metzler
Attachments (list):	
Approval of Materials: Jeremy Metzler Rachel Pitzel 11/9/2021 Dave Gray 11/10/2021 Daryl Eidinger 11/10/2021	Expenditure Required: up to \$29,636.95 annually
	Amount Budgeted: \$15,000
	Timeline: 11/16/2021 SS 04/05/2022 SS

Summary Statement:

Starting in November 2016, the City of Edgewood has been contracting landscape maintenance services for the Meridian Corridor and Jovita Roundabout, including irrigation operation and maintenance. With an annual contract amount of less than \$15,000, this contract has not been brought to Council for review. Early in 2020, with the pandemic just starting to take effect, coordination with the contractor became very difficult, they went through staffing changes, and the maintenance was not meeting the City's expectations. Several conversations were had between staff and the contractor, after which staff agreed to renew through 2021, but unfortunately staffing problems have persisted and performance has not improved. Staff recently met with three additional landscaping contractors and solicited proposals for continued maintenance work. Here is a summary of the bids received (annual pricing):

- Monarch Companies (current): \$19,445 + tax
- Archterra (Edgewood company): \$24,000 + tax
- SS Landscaping Services: \$24,524.30 + tax
- Nasim & Sons: \$26,942.68 + tax

Continuing to contract this work would maintain the status quo, but costs will increase and reliability concerns remain. For these reasons, and recognizing Council's recent authorization of an additional Maintenance Worker position, we are looking to task City staff with this landscape maintenance in 2022. Be advised there is some risk in this plan, as we may not be as proficient as a contractor that only performs landscape maintenance, particularly when unexpected interruptions and emergent issues arise that our staff must respond to. Staff is seeking Council's direction on how to proceed with this item, and in either case plans to revisit this as soon as April 2022.

Item History:

N/A

Recommended Action:

Hold a discussion and provide staff direction to Discussion - Meridian Landscape Maintenance

Fiscal Note/Consideration:

Continuing to contract this work will cost up to \$29,636.95 annually, according to the bids recently received.